ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 P.M. TUESDAY, JANUARY 4, 2022
COURTHOUSE COURTROOM

Present: District 1 Commissioner Terry Vermeire, District 2 Commissioner, Steve Gates
District 3 Commissioner Kevin Hart (Vice-Chair), District 4 Commissioner Paul Smith, District 5
Commissioner Mike Huotte, (Chair), CEO Bill Everett, County Attorney Krakowka, and Clerk of
Commission Lori Sturm

Members of the Press: James Rosien, Anaconda Leader

Members of the Public: Per Sign-In Sheet

Commissioner Huotte called the meeting to order at 6:00 p.m. Commissioner Huotte
explained the Commission rules of procedure.

Approval of Minutes

Approval of Minutes from the Commission meeting of December 21, 2021; and the Special
Commission Work Session Meeting of December 21, 2021

Motion made by Commissioner Smith to take action to approve the Minutes from the
Commission meeting of December 21, 2021; and the Special Commission Work Session Meeting
of December 21, 2021; Seconded by Commissioner Gates.

Motion Carried 5-0

Approval of Claims

Motion made by Commissioner Hart take action to authorize the payment of claims numbered
138099 through 138197 in the amount of $131,418.30 Seconded by Commissioner Vermeire.

Motion Carried 5-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

• Commissioner Hart – Nothing to Report.
• Commissioner Gates – Nothing to Report.
• Commissioner Smith – Nothing to Report.
• Commissioner Vermeire – Nothing to Report.
• Commissioner Huotte – Nothing to Report.
County Commission Meeting Minutes
January 4, 2022

- CEO Everett – A couple items of interest... Commissioners have asked me about Head Start. It comes up every couple of months. We still have not been able to push that forward. We keep being put off. Tomorrow we will have a phone call with the Chicago office. Commissioner Vermeire suggested we get our senators involved. I will contact both Senator Tester and Senator Daines. We are still working on the solar project. The equation works and would be a perfect project for our community.
- County Attorney Krakowka – Nothing to Report.

PUBLIC HEARINGS:

ADLC Ordinance 265 (A) Anaconda-Deer Lodge County Requirements for Marijuana Dispensaries.

Public Hearing Opened 6:05 p.m. - No comments were given
Public Hearing Closed 6:06 p.m.

Preliminary Plat Approval of the First Phase of the Arbiter Plant Major Subdivision

Carl Hamming, Planning Director – Provided an overview. This is the first phase of the arbiter plant major subdivision. It is roughly 41 acres surrounding the existing arbiter plant on the north side of highway 1. It consists of 8 lots (several lots have been leased with Commission approval) No firm plans for those lots yet. The Alloy group has been doing the engineering for us. There is a bid package that should be part of the work session next week. The last Planning Board meeting it was recommended for approval unanimously. There were a few clarifying questions.

Public Hearing Opened 6:08 p.m.

Rose Nyman – Technical question on the legality of this public hearing and the next one. The 3 Public Hearings are run together. Concern over the legal description not being published. Does not believe it is transparent the way it is published.

County Attorney Krakowka – I would need to see a copy of the advertisement.

Rose Nyman – All public hearings should have a description of the permit and a legal description of the property. If you change the subject, you start a new paragraph. Was the change made to economize? Was it a legal advertisement? I don’t want to stall the projects. Suggested a Commissioner be appointed to review ads.

Commissioner Hart – We can pursue this until the County Attorney can review this. If it needs to be redone it will be redone.

County Attorney Krakowka – I don’t have a copy of the ad or a copy of the MCA in my hands. Was there a date, place and time and notice of the subject?

Public Hearing Ended 6:13 p.m.
County Commission Meeting Minutes  
January 4, 2022

**Major Development Permit for Murdoch’s in the East Yards**

Carl Hamming, Planning Director – The major development permit was submitted by Water, Environmental Technologies (WET) on behalf of Vista, LLC. The Commission has already approved awarding lots 9, 10, and 11 in the East Yards subdivision to Vista, LLC for Murdoch’s Building. The proposed Murdoch Ranch and Home Supply is over 30,000 square feet, our development permit system does require a review as a MDP before the Commission. Our last Planning board meeting in December, the Planning Board recommended approval of the MDP with 4 conditions of approval. Along with the Murdoch’s Ranch and Home supply building they plan on building a smaller strip mall structure and a fast-food restaurant. This is likely to be a phased approach so there is no announcements what those businesses may be.

Public Hearing Opened 6:15 p.m.  
Public Hearing Closed 6:15 p.m.

**UNFINISHED BUSINESS**

**Appointment of a Chairman to the Board of Commission 2022**  
Commissioner Vermeire – Nominated Mike Huotte to be the Chairman.  
Commissioner Smith – Agree.

Motion made by Commissioner Hart to take action to appoint Mike Huotte as Chairman to the Board of Commission for 2022; Seconded by Commissioner Smith.

Motion Carried 5-0

**Appointment of a Vice-Chairman to the Board of Commission 2022**  
Commissioner Vermeire – Nominated Kevin Hart for Vice-Chair  
Commissioner Gates – Second

Motion made by Commissioner Gates to appoint Commissioner Kevin Hart as Vice-Chairman to the Board of Commission for 2022; Seconded by Commissioner Smith.

Motion Carried 5-0

**Appointment of Commission Representatives to various Anaconda-Deer Lodge County Boards for Calendar Year 2022.**

Commissioner Hart – Based on the information before us, I would recommend that the Commissioners keep the boards they currently have until we are able to review which of these boards, we can possibly get rid of. There may be a few that could be abolished.
County Commission Meeting Minutes
January 4, 2022

- **Commissioner Huotte** – We still have an opening for Western MT Mental Health. We need to get that advertised.
- **Commissioner Hart** – That might be one that we need to look at due to the concerns voiced about that board.
- **Rose Nyman** – I have 2 concerns. I don’t believe A-DLC has had representation on the Action Inc. Board since Commissioner Vermeire resigned. We have been led to believe that Megan Montgomery represents us, but I believe she represents NorthWestern Energy. They have always had a representative because of LEAP and Energy Share. This Commission should recommend somebody to that board and the board accepts or rejects that individual. I don’t see anyone advocating for projects for low-income people in Anaconda-Deer Lodge County. The second concern is the Western Montana Mental Health Board, when the southern and northern boards merged, they changed the meeting time to the third Wednesday of the month at 9:30. . . it is a zoom meeting and does not involve travel.

Motion made by Commissioner Hart to take action to have the Commissioners who are currently on boards remain with those boards for the calendar year of 2022 and based on information we have that some of the boards be visited for removal; Seconded by Commissioner Gates.

Motion Carried 5-0

Resolution No. 22-01, A Resolution Establishing the Anaconda-Deer Lodge County Commission Meeting Dates for Calendar year 2022

Motion made by Commissioner Gates to take action to approve Resolution No. 22-01, A Resolution Establishing the Anaconda-Deer Lodge County Commission Meeting Dates for Calendar year 2022; Seconded by Commissioner Vermeire.

Motion Carried 5-0

Position Description – Attic Abatement Program Manager

Motion made by Commissioner Smith to take action to approve the Position Description – Attic Abatement Program Manager; Seconded by Commissioner Vermeire.

Motion Carried 5-0

Special Event Permit – Festival of the Winter Moon at the Common on January 22, 2022

**Commissioner Hart** – The insurance has been provided and have been provided with a Covid mitigation plan for this event.
County Commission Meeting Minutes
January 4, 2022

• Teah Fuller – I am here on behalf of Discover Anaconda. We also reached out to Leigh Ann Holmes.

Motion made by Commissioner Hart to take action to approve the Special Event Permit – Festival of the Winter Moon at the Common on January 22, 2022; Seconded by Commissioner Gates.

Motion Carried 5-0

ADLC Ordinance 265 (A) Anaconda-Deer Lodge County Requirements for Marijuana Dispensaries.

Commissioner Huotte – Do we go through with the vote or do we table these items. County Attorney Krakowka – Proceed and I will let you know if it needs to be redone.

Motion made by Commissioner Gates to take action to approve ADLC Ordinance 265 (A) Anaconda-Deer Lodge County Requirements for Marijuana Dispensaries; Seconded by Commissioner Smith.

Motion Carried 5-0

Preliminary Plat Approval of the First Phase of the Arbiter Plant Major Subdivision

Motion made by Commissioner Smith to take action to approve the Preliminary Plat of the First Phase of the Arbiter Plant Major Subdivision; Seconded by Commissioner Hart.

Motion Carried 5-0

Major Development Permit for Murdoch’s in the East Yards.

Carl Hamming – I failed to mention that at the Planning Board public hearing there was no opposition.

Motion made by Commissioner Gates to take action to approve the Major Development Permit for Murdoch’s in the East Yards; Seconded by Commissioner Hart.

Motion Carried 5-0
NEW BUSINESS

Appointment of Vera Hoscheid to the DUI Task Force as the Victim Witness Advocate Representative.

County Attorney Krakowka – Vera is the new Victim Witness Advocate. She has joined us this evening. We are excited to work with her and excited to have her on the DUI Task Force Board.

Motion made by Commissioner Hart to take action to appoint Vera Hoscheid as the Victim Witness Advocate Representative; Seconded by Commissioner Vermeire.

Motion Carried 5-0

MISCELLANEOUS

- Commissioner Hart – No Miscellaneous
- Commissioner Gates - No Miscellaneous.
- Commissioner Smith – No Miscellaneous.
- Commissioner Vermeire – No Miscellaneous.
- Commissioner Huotte – No Miscellaneous
- CEO Everett – We did hire a new Fire Chief. Commissioner Vermeire was involved in the hiring process. His credentials are fantastic. He is an advanced paramedic; his emphasis on the fire department will be that all our EMT’s be trained to be paramedics. He also has revenue generating strategies. I believe we can have a larger more advanced fire department/ambulance that will require less financial assistance.
- County Attorney – No Miscellaneous.

PUBLIC COMMENT

Sara Novak – I am here as a citizen and as your representative for house district 77. Provided an update regarding our fight about the closure of the DMV. I have written a letter and received a response from Laurie Bakri (department head for DMV for state of MT) I had a lengthy conversation with her today. Would like them to keep it open and see if there are any options to get why the decision was made and why they didn’t talk to any of us. I guess there are a few problems with the Metcalf Center and availability of being able to open it. There is only one person who has access, and if there is an emergency or they need to close it ... it shuts down the DMV. I told her that there probably is a solution. I am sure there is some place in our community that we can house the DMV for 1 day a week. Laure Bakri continued to talk about Madison County. She acknowledged that Madison County does not have a DMV and they chose to pull ours and place it in Virginia City. We are so close to Butte it wouldn’t matter. Sara reiterated to Ms. Bakri that it is not feasible. We have elderly and low-income people that it does not work. Even for those of us who do have resources ... it is not doable. It takes a whole day to go to the DMV and get a license even with an appointment. The Butte office takes a
longer wait than in Anaconda, Philipsburg, or Deer Lodge. That is a roving position where the individual works in Deer Lodge 2 times a week, Philipsburg once a week and in Anaconda once a week. Not sure what they do for the fifth day. Suggested that they take 1 day from Deer Lodge so that every county would still have access. What can we do . . . is there a feasibility of housing them somewhere else? It is a vital resource. In my letter I talked about my personal knowledge as a driver’s education teacher. I also talked about the Job Corps and how that is a vital program in getting people into industry and out in jobs. They need a driver’s license. Laurie Bakri was not familiar with anything about Job Corps.

- **Commissioner Hart** – I have sent emails and received a voice mail. I would like to have a phone conference from the CEO’s office on Thursday at 4:30. Extended an invitation to Sara. I am also going to contact with Mark Sweeney. It has a feeling of something wrong.

- **Sarah Novak** – If we can get a meeting and provide some solutions to some of the barriers that were presented . . . it would make it harder to say No.

- **CEO Everett** – Our success with the state of Montana for the last 5 years has been pathetic. Both administrations. Baucus pulled the licensing plate out of Deer Lodge. Bullock pulled the Department of Revenue out of the Courthouse. We offered free rent. Still no avail. We lost our Job Service. We had no response on those fights at the state level. The fights at the state level fall on deaf ears.

- **Sara Novak** – It doesn’t matter what the topic is, I have had calls into the governor’s office and get no response. I write letters and never know if they get them. Now I send them as an email, so I know it is delivered. Informed Laurie Bakrie that no one can get a hold of the DMV. You search and there is no email address for the DMV.

- **Commissioner Hart** – When you go to the State Employee search directory . . . none of them show up.

- **CEO Everett** – When you do hear . . . they blame Covid. You can’t get a hold of anyone.

**Carl Hamming** – The Planning Department Staff will be hosting a few listening sessions or open houses in the Community. We would like some feedback on some proposed minor changes to the Chapter 24 DPS. Mostly clarifications and cleaning up some definitions. Would like to have some Commissioner participation.

**Rose Nyman** - Would the Public Health Building be suitable for the Driver’s Exam. CEO Everett – It would cost more to heat that building. The foundations is gone, plumbing is gone, electrical. It does have a good roof.

**ADLC Meeting Dates and Times**

**Commissioner Huotte** - read the meeting dates and times.

**ADJOURNMENT**

Meeting Adjourned at 6:45 p.m.
County Commission Meeting Minutes
January 4, 2022

Lori Sturm
Clerk of Commission

Mike Huotte
Commission Chair