ANACONDA-DEER LODGE COUNTY
COMMISSION WORK SESSION MEETING
6:00 P.M. TUESDAY, JANUARY 25, 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, CEO Bill Everett, County Attorney Krakowka and Clerk of Commission Lori Sturm

Members of the Press: James Rosien, Leader

Members of the Public: Per Sign-In Sheet

Commissioner Huotte – Amending the Agenda to allow for Leigh Ann Homes to present a COVID update.

Leigh Ann Homes, Public Health – Via Phone provided a COVID update. Today we have a decrease of cases. There are 99 in the county which includes 17 at the state hospital. There are 25 cases in the school system (18 children and 7 staff). Reported that there is no one in the hospital and no new deaths. At the guidance of the state and federal health organizations, Department of Public Health, and the CDC; public health will no longer perform universal case investigation and contact tracing for Covid 19 per federal proclamation. The recommendation is to transition efforts during this phase of the pandemic. We are going to an electronic version of case investigation and notification. Positive cases will be notified via text message. They will receive instructions electronically and close contacts will be notified of exposure. Exemptions include long term care facilities, assisted living facilities, etc. We are almost 70% of full vaccination of the eligible population. This move will require the public to act when they suspect a Covid 19 infection. Either seek testing or stay home and self-notify close contacts. We received 2,500 at home test kits that will be distributed at the pool area Tuesday February 1 from 4 – 6 p.m. There will be a drive up and 2 kits allowed per household.

- CEO Everett – Thanked Leigh Ann and her team. 70% vaccination rate is incredible.

Certified Local Government (CLG) Grant Contract between Anaconda-Deer Lodge County and the Montana State Historic Preservation Office for 2022-2023

Carl Hamming – I am here on behalf of Gayla Hess the Historic Preservation Officer. She is seeking Commission approval to submit this years Certified Local Government Grant. This is for $2000.00 in funding for functions of the Historic Resource Board. The match is in-kind which with the volunteer hours of the HRB. They are well above the $1300.00 that is required for an in-kind match. It is the same as previous years.
County Commission  WS Meeting Minutes
January 25, 2022

Place on Agenda

Proposed Changes to the Functional Classification of Roadways within Anaconda-Deer Lodge County

Wayne Wendt, Road Foreman – The letter is a little confusing. I have talked with MDT and there will not be much of an impact for our county. Provided example; the East side Road was classified as a primary route, and they are now declassifying it. The Georgetown Lake Road will now be classified as a proposed major collector. These could provide us to be a better applicant for federal funding on the Georgetown Lake Road. Classifications in the past have been done on a case-by-case basis.

Place on Agenda

Funding, Construction & Maintenance Agreement TA 0299(23), TA 0299(24) Pennsylvania Walks-Anaconda UPN 10102

Carl Hamming, Planning Director – Last year the county was awarded a Transportation Alternatives Grant from MDT. This is a half-million-dollar project on Pennsylvania and bit on Sycamore to install sidewalk where none currently exists. An exciting project and an extremely competitive grant cycle so we are excited to be awarded the grant. There is a 13% match so the county will be responsible for just a little over $67,000. This is a contract as presented from MDT. They designed it, will oversee construction of it. If there is an overrun, they have a structured system where the county would be responsible for a certain percentage depending on the overrun.

- CEO Everett – A fantastic project. We had great assistance from Joe Walsh from the MDT. Our team in the planning department working with state pulled it off.

Place on Agenda

Grant Application for Victim Witness Advocate Position

County Attorney Krakowka – This is the grant that is presented every 2 years. They are going to switch to a 4-year cycle. We apply for this grant, and it helps to fund the Victim Witness Advocate. Quite a bit of work went into this grant. The updates this year were significant. Working on this grant we examine the numbers and people that the position serves in the community. Due to the nature of our community and the crimes committed in the community we are above average for the state of Montana for various kinds of criminal and violent offenses. The Victim Witness Program is very important in facilitating contact with the victims and witnesses. Ask the Commission to approve the request of the grant.

- CEO Everett – It is a great position for the community. Vera Hoscheid applied, and I was surprised. She is doing a phenomenal job.

This is on the Special Meeting Agenda for meeting following this one.
County Commission  WS Meeting Minutes
January 25, 2022

Department of Transportation Speed Limit Recommendation

**Commissioner Huotte** – We received the report from MDT based on our request for them to do a Speed Study from West Town Pump up through the Lime Quarry. Their recommendation came back with no changes at this time. This is our chance to accept their recommendation, or if we have comments to offer.

- **Commissioner Hart** – Noted the actual language was that “MDT recommends No Change to the existing posted speed limits at this time.” It was an in-depth study and not the first time a study was done.

This will also be on the Special Meeting immediately following this one

Proposed Opioid Litigation Settlement

**Justin Staples, Attorney** – There was a national settlement reached that was proposed and agreed to and was negotiated with Judge Polster and attorneys from all over the country. It involves the three biggest distributors in the nation. 1 Cardinal Health, 2. Amerisource and 3. McKesson. That is the distributor settlement. There is also the J&J Janssen Settlement which is separate. There is also an agreement with the attorney general’s office as what to do with the money coming into Montana. The settlements depend on participation. Participation has gone up dramatically. Feels we are in good shape to maximize the incentive payments on the distributor sites. Estimates based on maximized incentives would be about 15 million to the state of the distributor settlement. Explained about percentages where the money would be distributed; 15% to the state, 15% is split among the litigating subdivisions based on population and opioid use disorder statistics; and 70% goes into an Opioid abatement fund. The big argument has been over the abatement fund. Of that 70% . . . 20% stays with the abatement commission to deal with statewide issues. Maybe 80% will be allocated for use by the local governments. Everything is split up into the abatement regions. Anaconda is in with Beaverhead, Deer Lodge and Powell. There is a list of abatement purposes, if money is sought from the foundation . . . your share of that 80% must be paid and cannot be denied for any abatement purpose. Judge Polster of Ohio is the judge overseeing the case. The judge has made it very clear that he will not be granting a remand request. This settlement is with 4 of the many defendants. There are still other pharmacies and distributors etc. There could be other settlements in the future. To get a Montana Case back . . . Judge Polster would be needed to issue a remand order. Judge Polster said this was a good deal and for those counsel whose clients don’t agree . . . don’t come to me for a remand request. For those reasons I recommend signing both the Memorandum of Understanding with the state and the Amendment which clarifies the obligations to request monies from the foundation and seek reimbursement.

- **County Attorney Krakowka** – When we are asking for reimbursement would it cover costs for Tri-County addiction program, incarcerations costs for opioid offenses, and medical costs for opioid prevention during incarceration. Also asked about Salary for Detective’s whose job description is to investigate drug related crimes.
• **Justin Staples** – Answered “Yes” to anything with Opioid in it. It is a very broad list. Not positive about the salary. We could look at the schedule and tailor the types of requests. Not included explicitly is needle exchange for example. That would be assisting heroin addiction. I know that law enforcement costs are included. It may be in a foundation request where it would need to be tailored.

• **County Attorney Krakowka** – This amounts to a certain amount of money that is accessed by the county every year. What is the estimated dollar figure?

• **Justin Staples** – For A-DLC would receive if all incentives are met . . . of the 15% that is paid and not tethered to the foundation it would be $130,000 . . . 20% would be subject to control by the foundation. The total share allocated $607,165.

• **CEO Everett** – We have been going over this for the last couple of years. We needed participation and it sounds like we have it. Thanked Justin for his hard work and my recommendation is for the county to vote to approve.

• **County Attorney Krakowka** – I would suggest and recommend following the advice of Mr. Staples.

• **Daniel Goddard** – The medical issues is a concern. You see the robberies and problems in the community. Rehab helps to destroy an addiction. We need the funding to stop the people who are addicted. Take that into consideration.

This is on the Agenda for the Special Meeting following.

**Request to Advertise for Bid – Old Works Estate Subdivision**

**Mike Johnson, Alloy** – Request to advertise for the infrastructure around the Old Works Estate Subdivision. You have information on Plans, Specifications, and the Engineer’s estimate. Explained the location to the Commission. This is for water, sewer and pavement for a 34-lot subdivision and the necessary additions to the water and sewer main. There is one out of the ordinary in the project is looking at an additive alternate for an additional sewer improvement that is across Commercial Street on Adams and Commercial area. That is an increase capacity downstreet for the sewer. We are hoping the bids are good, but it is an added alternate so we could take it out if bids do not come in as we hope. There is quite a bit of pipe going in on this. This year we are looking at the contractor to put in the bases of the conduit for the electrical. The main idea is to free up the Road Department to do some stuff and keep the contractor working in street so there would not be a conflict in timing.

• **CEO Everett** – What is the price?

• **Mike Johnson** – It is 1.6 million . . . slightly up from the 1.5. There is some volatility right now.

• **CEO Everett** – Explained that this is a project on the home subdivision. A good part of this money will come back to the county. As each lot is sold, we get reimbursed $30,000 for each lot. The community needs the home sites. Within 3 years after completion whether lots are sold or not . . . we are entitled to that money. Mike did a tremendous job; it was more complicated than people realize. Everyone worked together, the road, water, planning departments and Mike’s crew.
Place on Agenda

Request for Appointment to the Historic Resource Board by Renee Amato (letter/resume attached)

Place on Agenda

Miscellaneous

Commissioner Hart – No Miscellaneous
Commissioner Gates – No Miscellaneous.
Commissioner Smith – No Miscellaneous.
Commissioner Vermeire – No Miscellaneous.
Commissioner Huotte – Reminded about the Special Commission Meeting immediately following this meeting
CEO Everett – No Miscellaneous.
County Attorney Krakowka – No Miscellaneous.

PUBLIC COMMENT

Meeting Dates

Commissioner Huotte read the meeting date and times.

Adjournment

Meeting Adjourned at 6:51 p.m.

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\underline{\text{Lori Sturm}} \\
\underline{\text{Clerk of Commission}}
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\underline{\text{Mike Huotte}} \\
\underline{\text{Commission Chair}}
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