

ANACONDA DEER LODGE COUNTY
COMMISSION MEETING
6:00 P.M. TUESDAY, MARCH 05, 2019
COURTHOUSE COURTROOM

Present: District 1, Commissioner Terry Vermeire (Chair), 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: Kathie Miller, Anaconda Leader

Members of the Public: Per Sign-In Sheet

Commission Chair Terry Vermeire called the meeting to order at 6 p.m. and the Pledge of Allegiance was recited. Commission Chair Vermeire explained the Commission rules of procedure.

APPROVAL OF MINUTES

Approval of Minutes from the Commission Meeting of February 19, 2019; and the Commission Work Session of February 26, 2019.

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission Meeting of February 19, 2019; and the Commission Work Session of February 26, 2019; Seconded by Commissioner Huotte.

Motion Carried 5-0

APPROVAL OF CLAIMS

Motion made by Commissioner Hart to take action to authorize the payment of claims numbered 130506 through 130562 in the amount \$128,732.68 seconded by Commissioner Gates.

Motion Carried 5-0

Reports of Boards, Committees and Officials

Commissioner Huotte – On February 27th I attended the SW Regional Juvenile Detention Board Meeting.

Commissioner Smith – Nothing to Report.

Commissioner Hart – Expressed gratitude to the county workers and all of the contractors in removing the snow. Fantastic that everyone pulled together.

Commissioner Gates – Nothing to Report.

Commissioner Vermeire – Participated in a telephone conference with CivicPlus regarding the format for the new website. I did attend some superfund meetings and visited the areas involving the snow

removal. Looked at the stockpiles of snow, it was a huge undertaking. On Tammany you could see 7 to 8 dump trucks and a huge excavator.

CEO Everett – Provided an update of the Snow Removal. We are in the 10th day of the Emergency Declaration. It was retroactive to the prior Sunday and it closes tonight at midnight. All Emergency routes have been cleared and a good portion of the side streets are cleared. Today there were about 44 pieces of heavy equipment out and multiple contractors were working. Johnson construction had a crew of 8; Jordan Construction had approximately 12; Mungus had a fleet of about 15 guys; the County road crew was out; Pioneer concrete joined forces with the State Department of Transportation; S & N had equipment; and the State was out with plows. The amount of snow in the piles is absolutely astonishing. We had some estimates from an engineer and a surveyor on some preliminary potential water runoff in the snow piles. An example of the snow stock pile was given and that area could have approximately over 4 million gallons of potential water runoff. Right now we are looking at a lot of snow, but shortly we will be looking at a lot of moisture. We are doing everything to insure safety and keep our city intact as this melts. A lot depends on Mother Nature and the speed that the snow melts. We are taking steps as part of the Emergency Services, such as getting sandbags ready. The Department of Emergency services showed up today and they are just astonished at the efficiency of our operations and the work being done in conjunction with the other contractors. Some requests went beyond our ability, such as removing snow from roofs; removing snow from alleys. With this amount of snow all that can be done in the alley is to push it out to the sides, but this causes other problems. A thank you goes out to a lot of different people, the contractors, Job Corps, DNRC, the County Road Crew and other county employees that worked with the Road Department. Most of the funding ends tonight, so tomorrow you will not see the manpower that has been out for the last 6 days.

County Attorney – Nothing to Report.

UNFINISHED BUSINESS

Anaconda Water System Improvements, Hamburg, Haggin and Cross Street Replacements, (NRD Agreement No. 800003 – Approval to go out for bid.

Motion made by Commissioner Gates to take action to approve the Anaconda Water System Improvements, Hamburg, Haggin and Cross Street Replacements, (NRD Agreement No. 800003) – Approval to go out for bid; Seconded by Commissioner Smith.

Motion Carried 5-0

Glover Cabin Repair and Request to submit a Grant Application.

Motion made by Commissioner Hart to take action to approve the request to submit a Grant Application for the Glover Cabin Repairs; Seconded by Commissioner Gates

Motion Carried 5-0

Dairy Queen Easement

Commissioner Vermeire – This is an easement to put the electrical box for the lights on Third Street.

Motion made by Commissioner Huotte to take action to approve the Dairy Queen Easement; Seconded by Commissioner Gates.

Motion Carried 5-0

Appointment/Reappointment to the Historic Resources Board, Henry Lussy is requesting reappointment.

Motion made by Commissioner Gates to take action to reappoint Henry Lussy to the Historic Resources Board; Seconded by Commissioner Hart.

Motion Carried 5-0

Appointment/Reappointment to the Anaconda-Deer Lodge County Police Commission; Gene Lutey is requesting reappointment.

Motion made by Commissioner Hart to take action to reappoint Gene Lutey to the Anaconda-Deer Lodge County Police Commissioner; Seconded by Commissioner Smith.

Motion Carried 5-0

Appointment to the Anaconda-Deer Lodge County Police Commission; Kurt Tarkalson is requesting appointment.

Motion made by Commissioner Huotte to take action to appoint Kurt Tarkalson to the Anaconda-Deer Lodge County Police Commission; Seconded by Commissioner Gates.

Motion Carried 5-0

Confirmation – Board of Health has appointed Megan Rediske as an ex-officio non-voting member to the Anaconda-Deer Lodge County Health Board.

Motion made by Commissioner Smith to take action to approve the appointment of Megan Rediske as an ex-officio non-voting member to the Anaconda-Deer Lodge County Health Board.

Commissioner Hart – Questioned if the motion should be reworded; it should be rephrased as taking action to approve the Health Boards recommendation rather than an appointment.

Commissioner Vermeire – This is another one of those things we need to look at the ordinance. I think the bylaws said they can appoint this ex-officio member. Not sure if this even has to go through the commission. I think we just accept the appointment.

Motion Carried 5-0

Special Event Permit – Anaconda Community Foundation to have the Community Market – July 9th, 2019 – September 10, 2019, contingent upon an updated Certificate of Insurance.

Motion made by Commissioner Hart to take action to approve the Special Event Permit – Anaconda Community Foundation to have the Community Market – July 9th, 2019 – September 10, 2019, contingent upon an updated Certificate of Insurance to the CEO's office; Seconded by Commissioner Gates.

Motion Carried 5-0

Special Event Permit – Ancient order of Hibernians – St. Patrick's Day Race – March 9, 2019.

Motion made by Commissioner Smith to take action to approve the Special Event Permit – Ancient order of Hibernians – St. Patrick's Day Race – March 9, 2019; Seconded by Commissioner Gates.

Motion Carried 5-0

Special Event Permit – Ancient order of Hibernians – St. Patrick's Day Parade – March 16, 2019.

Motion made by Commissioner Huotte to take action to approve the Special Event Permit – Ancient order of Hibernians – St. Patrick's Day Parade – March 16, 2019; Seconded by Commissioner Hart.

Motion Carried 5-0

New Business

No new business at this time.

Miscellaneous

- **Commissioner Huotte** – No Miscellaneous.
- **Commissioner Smith** – No Miscellaneous.
- **Commissioner Hart** – No Miscellaneous.
- **Commissioner Gates** – No Miscellaneous.
- **Commissioner Vermeire** – Mentioned that on Thursday is the Next Gen Meet and Greet. I will be attending from 6:00 to 7:00.
- **CEO Everett** – No Miscellaneous.
- **County Attorney** – No Miscellaneous.

Public Comment

Rose Nyman – Informed the Commission that the Planning Board held a public hearing and met on the draft Growth Policy. The document itself has been very concerning. It is probably the sloppiest piece of work I have seen that has been submitted by a consultant. On December 10th a work session was held with the Planning Board that lasted 3 hours. There were numerous corrections made. Over half of those corrections were not implemented into the document. Showed the commission the numerous

corrections that were flagged in the document, almost close to 30. I spent an hour this morning with the secretary in the planning department going through the corrections, trying to get them into the document that you will receive. There were typos, errors in grammar, format, and numerous errors in content. Some of the information was 8 to 10 years old; this was supposed to be an update. Encouraged the commission to read the policy and watch for errors.

Rose addressed Commissioner Hart regarding the Rotary Park. Questioned if it was on Jefferson Way or Pauline Drive Drive?

Commissioner Hart – It is on Heather Drive.

Rose – Questioned if it was maintained by the county or by the vendor?

Commissioner Hart – It is a county park that the Rotary has kind of adopted. It was just an empty field that has been reclaimed. The county put in the playground equipment that came from Head Start. The County has cut that grass for about the last 2 years.

Rose Nyman – Most of the board members were unaware that Durston Park is not a dedicated park. It is prime real estate. Would the commission ever sell this? The commission would have a responsibility to look at an offer.

Marilyn Haggin Smith – I am from Helena, and I am speaking on behalf of my mom who lives here. I was at the planning board meeting and there was an interesting discussion about what constitutes a quorum. They did come to a resolution, but it seems that it took 3 people to pass a resolution. That seems like a lot of power in the hands of only 3 people.

Commissioner Vermeire – It depends how the ordinance is set. If there were 5 members present, and 5 constituted a quorum, the majority would be 3-2 vote.

Commissioner Hart – The Ordinance more than likely dictates what a quorum would be. What is recognized by the state is a majority of the board plus one.

Commissioner Vermeire – Some of the Ordinances are set up that would just be a majority of the board. Some of this is defined in the Charter. For the Commission, 4 would be a quorum. Some boards require a majority. This needs to be hammered out.

County Attorney – The Planning Board has 9 members, the assessment is that if a majority of the board members appear then a quorum would be 5. The majority of those members would vote in favor of something that would in fact be three.

Rose Nyman – This discussion came up because the Board has been working on amending the by-laws. There is no mention except in the charter as to how many have to be present. They were using this as an example that you could have a split vote, 3 to 2. The final decision was to identify the five members creating a quorum and it takes a majority vote.

Rose Nyman – Spoke regarding the conservation district representative vacancy. The Board Chair of the

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Planning Board is Art Villasenor and he was going to talk and see about a representative. It is important to have one because they do look out for water and those types of things. There are some unanswered questions.

ADLC Public Meeting Dates

Commissioner Vermeire read the meeting dates and times.

Adjournment

The meeting was adjourned at 6:45 p.m.

Lori Sturm
Clerk of Commission

Terry Vermeire
Commission Chair