County Commission Meeting Minutes  
April 5, 2022

ANACONDA-DEER LODGE COUNTY  
COMMISSION MEETING  
6 P.M. TUESDAY, APRIL 5, 2022  
COURTHOUSE COURTROOM

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

Excused Absence: District 1 Commissioner Terry Vermeire, CEO Bill Everett,

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 March 15, 2022; and the Commission Work Session Meeting of March 22, 2022.

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission meeting of March 15, 2022; and the Commission Work Session Meeting of March 22, 2022; Seconded by Commissioner Hart.

Motion Carried 4-0

Approval of Claims

Motion made by Commissioner Hart to take action to authorize the payment of claims numbered 138654 through 138793 in the amount of $568,950.05; Seconded by Commissioner Gates.

Motion Carried 4-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

- Commissioner Gates – Attended the Emergency Preparedness Training on March 31, 2022
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- **Commissioner Smith** – Nothing to Report.
- **Commissioner Huotte** – Attended the Old Works Golf Course Authority Board Meeting on April 4, 2022
- **County Attorney Krakowka** – Attended the DUI Task Force Meeting discussed plans for addressing the prom. Also attended the Sportsmen’s meeting discussing mule, elk herds and population control.

Public Hearing

This Public Hearing is with Regard to Ordinance No. 267 of the Anaconda-Deer Lodge County Board of Ordinances, An Ordinance Amending the Anaconda-Deer Lodge County Airport Board and Establishing Its Powers and Duties.

**Carl Hamming, Planning Director** – We are currently having a hard time getting a quorum. We don’t have enough members to establish a quorum. As the language currently reads it requires 7 members and 5 being a quorum. We only have 3 active members. We have been pushing hard to recruit and find interested folks in the community. One option we would like to explore to see if we could expand the geographic region for folks interested in the airport board. We do have an individual from Anaconda originally, he lives currently across the border in Butte Silver Bow, but does have a vested interest in the airport. We see that as a regional asset. Reminded that they are only an advisory. Hope to amend the language to lower the board membership to 5 and broaden the scope of the geographic region.

**Public Hearing Opened 6:07**

**Rose Nyman** – Question about Ordinance No. 267, is it a new ordinance or is it an amended ordinance? Would also like to speak in support of reducing the size of the board. We are living in times where it is getting difficult to recruit board members. I have mixed feelings about allowing people from outside of the county to serve because they do not pay property taxes, although they could own property. Most money for the airport is federal and grants.

**Public Hearing Closed 6:09**

**UNFINISHED BUSINESS**

**Ordinance No. 267, An Ordinance Amending the Anaconda-Deer Lodge County Airport Board and Establishing Its Powers and Duties**

**Commissioner Hart** - I concur with Rose’s comments with regards to membership. After discussion with Commissioner Vermeire there are people who use the airport on a regular basis and would have a vested interest. For this board I feel it is a good idea.
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Motion made by Commissioner Smith to take action to approve Ordinance No. 267, An Ordinance Amending the Anaconda-Deer Lodge County Airport Board and Establishing Its Powers and Duties; Seconded by Commissioner Gates.

Motion Carried 4-0

**Job Description for the Road/Shop Department for an Operator/Teamster**

Motion made by Commissioner Gates to take action to approve the Job Description for the Road/Shop Department for an Operator/Teamster; Seconded by Commissioner Smith.

Motion Carried 4-0

**Resolution No. 22-06, A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.**

**Commissioner Huotte** – Disclosed that he works for the MT DOT, but this is outside of the department.

Motion made by Commissioner Gates to take action to approve Resolution No. 22-06, A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds; Seconded by Commissioner Hart.

Motion Carried 4-0

**Application to Town Pump for a Library Grant to ‘Keep Kids Reading’**

Motion made by Commissioner Smith to take action to approve the Application to Town Pump for a Library Grant to ‘Keep Kids Reading’; Seconded by Commissioner Hart.

Motion Carried 4-0

**Award of Bid for the Daly Addition.**

Motion made by Commissioner Hart to take action to approve the Award of Bid for the Daly Addition to Hoffman’s R&M Services and Excavation; Seconded by Commissioner Gates.

Motion Carried 4-0
Task Order Amendment Number One – Task Order for Healthy Montana Families – Task Order Number 22-25-5-51-160-0

Motion made by Commissioner Gates to take action to approve Task Order Amendment Number One – Task Order for Healthy Montana Families – Task Order Number 22-25-5-51-160-0; Seconded by Commissioner Smith.

Motion Carried 4-0

Proclamation Designating May 21st, 2022 as “Kids to Parks Day” Proclamation for Anaconda-Deer Lodge County – National Park Trust

Motion made by Commissioner Smith to take action to approve the Proclamation Designating May 21st, 2022 as “Kids to Parks Day” Proclamation for Anaconda-Deer Lodge County – National Park Trust; Seconded by Commissioner Gates.

Motion Carried 4-0

Request for Reappointment to the Tax Appeal Board by Dusty McKenney. {2 vacancies available}

Motion made by Commissioner Hart to take action to reappoint Dusty McKenney as a member to the Tax Appeal Board; Seconded by Commissioner Gates.

Motion Carried 4-0

Request for Reappointment to the Tax Appeal Board by Sandi Wenger. {2 vacancies available}

Motion made by Commissioner Gates to take action to reappoint Sandi Wenger to the Tax Appeal Board; Seconded by Commissioner Hart.

Motion Carried 4-0

Request for Reappointment to the Police Commission by Kurt Tarkalson {2 vacancies available}

Motion made by Commissioner Smith to take action to reappoint Kurt Tarkalson as a member to the Police Commission; Seconded by Commissioner Hart.

Motion Carried 4-0
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Request for Reappointment to the Police Commission by Gene Lutey {2 vacancies available} 

Motion made by Commissioner Hart to take action to reappoint Gene Lutey as a member to the Police Commission; Seconded by Commissioner Gates.

Motion Carried 4-0

Request for Reappointment to the Park and Recreation Board by Chad Gochenour

Motion made by Commissioner Gates to take action to reappoint Chad Gochenour as a member to the Park and Recreation Board; Seconded by Commissioner Hart.

Motion Carried 4-0

NEW BUSINESS

Anaconda-Deer Lodge County East Yards Subdivision Phase II Award of Bid – Mike Johnson, Alloy

Mike Johnson – I would like to award the East Yards Phase II to Hoffman’s R&M. They were the lone bidder. We did have a mandatory Prebid in which we had 5 potential bidders. Hoffman’s R&M did have the competition from the Prebid. They have worked for the county in the past on other projects. They have the capabilities to perform the work, so we would like to request the bid be awarded to Hoffman’s.

Motion made by Commissioner Smith to take action to approve the Anaconda-Deer Lodge County East Yards Subdivision Phase II Award of Bid to Hoffman’s R&M Services in the amount of $1,061,285.66; Seconded by Commissioner Hart.

Motion Carried 4-0

Request to Purchase Bunker Gear for the Anaconda Fire Department – Erick Brittain

Erick Brittain, Fire Chief – Explained that he did an assessment of the equipment and found multiple sets of bunker gear that were not NFPA compliant. NFPA 1851 specified that the firefighter protective ensemble or ensemble components must be returned from service no more than 10 years from the date of manufacture. My recommendation is to use the capital improvement budget like item 950 to personal safety equipment line item 212. There is an update in the quote that I gave you. We have added a new firefighter, so the cost is slightly more in the amount of $40,479.44.

- County Attorney Krakowka – The guys need to be safe when responding to a fire. I didn’t realize they had an expiration date.

Motion made by Commissioner Hart to take action to approve the Request to Purchase Bunker Gear for the Anaconda Fire Department for the amended amount; Seconded by Commissioner Smith.

Motion Carried 4-0
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Request to Set a Public Hearing Date for Preliminary Plat Approval for the Derzay Subsequent Minor Subdivision Up Lost Creek – Carl Hamming (Suggested Date of April 26, 2022)

Carl Hamming, Planning Director – The next two items are stemming from the planning board meeting this past March. The first one is for Mr. Derzay in Lost Creek. He is proposing to do a subsequent minor subdivision. There is already 2 existing residential developments and so new residential development will be proposed. This is simply drawing a property line between the two. All adhere to the acreage minimums for the development district and the Planning Board voted unanimously to recommend approval of the subdivision.

Motion made by Commissioner Gates to take action to set a Public Hearing Date of April 26, 2022, for the Preliminary Plat Approval for the Derzay Subsequent Minor Subdivision Up Lost Creek; Seconded by Commissioner Hart.

Motion Carried 4-0

Request to Set a Public Hearing Date for Preliminary Plat Approval for the Betsy Unit Planned Unit Development Major Subdivision up at Georgetown Lake – Carl Hamming (Suggested Date of April 26 2022)

Carl Hamming Planning Director – This was another public hearing from the Planning Board meeting. The Planning board recommended approval of this major subdivision as a planned unit development for the Southern Cross Company LLC with Mr. John Fitzpatrick acting as the agent. At the Planning board meeting there was no opposition. We recommend approval to the Commission for the Preliminary Plat.

Motion made by Commissioner Smith to take action to Set a Public Hearing Date of April 26, 2022, for Preliminary Plat Approval for the Betsy Unit Planned Unit Development Major Subdivision up at Georgetown Lake; Seconded by Commissioner Hart.

Motion Carried 4-0

Request to set a Special Commission Meeting after the Work Session on April 26, 2022, for the following 2 Preliminary Plat Subdivisions:

1. Preliminary Plat Approval for the Derzay Subsequent Minor Subdivision Up Lost Creek
2. Preliminary Plat Approval for the Betsy Unit Planned Unit Development Major Subdivision up at Georgetown Lake.

Motion made by Commissioner Hart to take action to set a Special Commission Meeting after the Work Session on April 26, 2022: Seconded by Commissioner Gates.

Motion Carried 4-0
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Resolution No. 22-07, A RAISE Grant Application for Highway 569 (Rebuilding American Infrastructure with Sustainability and Equity)

Carl Hamming, Planning Director – This Resolution may look familiar. We did this 2 years ago when the program was known as a BUILD Grant. Different presidential administration changed the name. It is essentially the same grant funding mechanism. We are still looking at trying to go after the grant dollars for reconstruction of the most dangerous portion of Mill Creek Highway, Highway 569. There is no specified match with the US Department of Transportation. The last couple of years we have offered $500,000 dollars as a local match to show how serious we are in addressing this issue. The application is due next week.

Motion made by Commissioner Gates to take action to approve Resolution No. 22-07, A RAISE Grant Application for Highway 569 (Rebuilding American Infrastructure with Sustainability and Equity); Seconded by Commissioner Hart.

Motion Carried 4-0

Request to name a road off of North Cable up to the Gunslinger Ranch B&B (Karen and Luke Broussard). Three Proposed Choices are listed
- Ghost Town (Drive) – 1st choice
- Gunslinger Gulch (Drive)
- Gunslinger (Drive)

Carl Hamming, Planning Director – For 911 purposes with emergency addressing we don’t like driveways to be this long. This is about .6 of a mile. We like to keep them down to a couple hundred feet. This is a very popular bed and breakfast and they have quite a bit of traffic on that road. It should be specified with its own unique road name. We checked to make sure that the choices were all unique. Their first choice was Ghost Town Drive.

- Commissioner Hart – I like the idea of Gunslinger Gulch, but the owners have first choice.

Motion made by Commissioner Gates to take action to approve the name of the road off of North Cable to Ghost Town Drive up to the Gunslinger Ranch B&B; Seconded by Commissioner Hart.

Motion Carried 4-0

Request to Set a Public Hearing Date to Discuss Expanding the Boundaries of Special Improvement Lighting District No. 150 to include Daly Addition (Suggested Date of April 26, 2022) (See Attached Resolution No. 22-08)

Motion made by Commissioner Smith to take action to Set a Public Hearing Date of April 26, 2022, to Discuss Expanding the Boundaries of Special Improvement Lighting District No. 150 to include Daly Addition See attached Resolution No. 22-08; Seconded by Commissioner Gates.

Motion Carried 4-0
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Resolution No. 22-09, A Resolution for Disbursement of Economic Development Funds to Big Sky Sheds and Cabins, LLC

Carl Hamming, Planning Director – The Economic Development Board met and recommended approval of both a $53,000 grant as well as a low interest loan as a $53,000 revolving line of credit. This is for Big Sky Sheds and Cabins, LLC with the agent being Max Koen. He is currently operating the business at the far east end of town. Since it was already constructed it was relatively straightforward for the board to compile up the costs and recommend approval of these grants and loans. I believe he is employing 10 people at this time and looking to expand.

Motion made by Commissioner Smith to take action to approve Resolution No. 22-09, A Resolution for Disbursement of Economic Development Funds to Big Sky Sheds and Cabins, LLC; Seconded by Commissioner Hart.

Motion Carried 4-0

MISCELLANEOUS

- **Commissioner Hart** – No Miscellaneous
- **Commissioner Gates** – Will not be in attendance April 19, 2022.
- **Commissioner Smith** – No Miscellaneous.
- **Commissioner Huotte** – No Miscellaneous
- **County Attorney** – No Miscellaneous.

PUBLIC COMMENT

Rose Nyman – I would like to talk about Board Training for the Commission Boards. We have not held any for several years because of the pandemic. It is very badly needed. I think it should be mandatory for department heads who have a board to attend. We have to respect the rights of public and try to meet the needs. Board members who are volunteering their time should not have to dig into their pockets to pay for this. The Commission should provide what is needed, whether a newspaper ad, paper for copying, snacks etc. It would be nice if you could set this up and all Board chairs would be there and board volunteers. You can not expect volunteers to have all this knowledge. We had one in 2016 at the library and one at the Metcalf a year or two after. Everyone needs a refresher.

- **Commissioner Hart** – We do need a board training. The Commission would be more than willing to help facilitate that. It would be good for the county to purchase some books so members would have the books.
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ADLC Meeting Dates and Times

Commissioner Huotte - read the meeting dates and times.

ADJOURNMENT

Meeting Adjourned at 6:44 p.m.

Lori Sturm
Clerk of Commission

Mike Huotte
Commission Chair