

**ANACONDA DEER LODGE COUNTY**  
**SPECIAL COMMISSION MEETING**  
**6:00 P.M. TUESDAY, APRIL 14, 2020**  
**WEBEX – CONFERENCE CALL**

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

Commissioner Hart – Started with a Roll Call of individuals present – All were present.

Members of the Press: Kathie Miller, Anaconda Leader

Members of the Public: Webex - See Listing as individuals phoned in.

Commission Chair Kevin Hart opened the meeting at 6 p.m. and did a roll call of individuals who participated by phone.

Commissioner Hart – Explained the reason for this format of the meeting.

**APPROVAL OF CLAIMS**

Motion made by Commissioner Huotte to take action to authorize the payment of claims numbered 133650 through 133806 in the amount of \$275,573.48; Seconded by Commissioner Gates.

Commissioner Hart did a Roll Call Vote

Motion Carried 5 - 0

**Miscellaneous - Discussion**

Commissioner Hart – No Miscellaneous

Commissioner Huotte – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Smith – No Miscellaneous

Commissioner Gates – No Miscellaneous

CEO Everett – Provided a brief update on the status of the county regarding COVID and upcoming Construction projects.

- Due to Covid we are running at a minimal capacity throughout the courthouse; we are meeting all legal restrictions. We are emphasizing the social distancing and we are still able to accomplish most of the tasks and directives. As far as emergency responders, the police department and ambulance/fire department have done a fantastic job. The Public Health Department has been an absolute blessing. We have had 3 cases and they did an amazing job of isolating them, tracking down possible sources and quarantining people if needed. We are going to go forth in a conservative and protective manner.
- Construction project of the Wastewater treatment plant will start on Monday. We are switching Engineers; we are leaving DOWL and will have WET do the engineering. Explained the reason for leaving DOWL. The Street

construction projects will also start on Monday. Instead of doing 34 blocks we are going to do approximately 42 blocks.

- We need to start making business meetings happen on a regular basis. There is a lot going on. We also need to talk about the Atlantic Richfield agreement. The first option of the agreement was the hotel project. We only had one respondent on the RFP. That respondent was an entity out of Butte and actually has 10 hotels right now. I don't think we will be able to have a big meeting any time in the future. This is how the world is communicating. I would like to go forward with the AR discussion work session meeting as well as a vote. Not sure of what date but I would like to see if we could provide some money as an economic bandaid. I tried drafting this but it is complicated. The issue is trying to be fair without discriminating. These are just some basics.

County Attorney – Responding from a legal perspective, I have checked the Admin. Code and crossed referenced with the MT Supreme Court cases and open meeting laws. We need to make sure the public has the opportunity to have input prior to a decision being made. The decision has to be made in a public environment. I believe we are fulfilling the requirement of open meeting laws. Suggested that after we ask for public comment that we give them a full minute to make sure that anyone trying to address the Commission has the opportunity.

Commissioner Hart – Asked the CEO about the Governor and making a directive by the 24<sup>th</sup> ; have you heard any rumblings?

CEO Everett – There has been some talk . . . Eastern MT may lift some restrictions. They are trying to figure out a way to throw out some economic stimulators into the state as well as some cost reimbursement for local governments. I have not received any news briefing.

Commissioner Hart – Do we wait to hear from the Governor and see how to proceed?

CEO Everett – I anticipate large gatherings will not be allowed for many months. Governor Bullock is not going to take any chances. He most likely will make an announcement on the 21<sup>st</sup> and will do this in 2 week streaks. Public Meeting will not be what they were for a very long time.

Commissioner Gates – The wording on the agreement will be adjusted for non-profits.

CEO Everett – We have looked at a couple of options.

Commissioner Hart – Once the Governor gives direction we can get together and develop a plan.

CEO Everett – Next week I would appreciate a Work Session and then a Business Meeting, not including the Atlantic Richfield agreement. We have a lot to catch up on. We will have the Tuesday night meetings via this conference method. Other governments are working like this, we have to keep operational.

Colleen Riley – Thanked the Commission for holding this public meeting. This is a good alternate format allowing for public input, it allows for transparency and allows for constituents to hear the conversation and allows for input. Cautioned the Commission on how notice is posted. This is a different format. Make sure the meetings are posted early and often and people able to connect before the meeting is started. There are important decisions coming up such as the Atlantic Richfield agreement. Make our community aware in multiple formats, where and how they can provide comment including written comment. Thank you for using this format to be able to communicate with the community

Special Webex Commission Meeting Minutes  
April 14, 2020

Rose Nyman – This is the way we are going to be doing business. I have been concerned about the public hearing amending the URA ordinance. It has to go through 2 commission meetings and then a 30 day waiting period; we may be at a time that businesses are needing funding from that agency. Hopefully that will be on the agenda next week. I like the County Attorney's comment about waiting between calls. The problem with written or email comments . . . at some point the Commission has stopped reading them into the record. It doesn't help that the Commission has paperwork and the public doesn't have access.

Blake Hempstead – I would like to see the ZOOM meetings take place. This was used for the school board meeting and is user friendly. Believes it provides more transparency. I just used the dial in key.

Kimberly Richardson – Everyone can see, and Webex offers all 3 platforms. This is a free app and does the same as ZOOM.

Colleen Riley – I use ZOOM all the time. The public will need instruction. There needs to be more information provided. It is an easy platform, but some individuals will need more instruction. Encouraged the Commission to put more information out to allow people to participate.

Kimberly Richardson – This system caps at 1000 participants but I don't see where we would need that kind of space.

Mike Grayson – I agree with Colleen and Ben. It does seem that if we are going to move forward on the ARCO contract that we need to give ample and more than usual advance notice. Makes sure it is separate in the paper and accepts written comments right up to that date. As mentioned, whatever platform, that it not be for first time we use it. We want to shake out the bugs' before-hand. The other issue is that the ARCO contract is a critical and essential item for the county. The proposal for the hotel project is reliant on the ARCO funding. We won't get funding for after 30 days that it is approved. We cannot put off funding for a vote until July or August and then 30 days later get funding we could lose any chance of moving forward on the hotel project. We need to set a date sooner than later, but give a couple weeks' notice for people to submit written comments and participate fully and then let the Commission make the decision

Commissioner Hart - Is there a way to put an EASY button on the County page for people to join this meeting?

Kimberly Richardson – I think there is a way. I could offer help and walk people through the system. Lori and I had a couple of trial runs, as well as some of the Commissioners. They could try it out and offer some pointers on how to access and join in the meetings.

CEO Everett – Move forward on the agenda for a work schedule for 2 weeks from now for the Atlantic Richfield agreement. We are all going to have to learn different steps going forward. The Construction season will be past us if we don't get this agreement approved. I say we set the Agenda for Atlantic Richfield 2 weeks from now. Advertise it well and show links. We could even have another day for a trial run. This is the new world we are living in.

Commissioner Hart– We will get that on the agenda 2 weeks from now.

County Attorney – No Miscellaneous.

**Public Comment**

Kathie Miller – Questioned about the 2 weeks for ARCO; will there be a WS and then a SP meeting after?

- CEO – That would be my suggestion.

Colleen Riley – Thanked the CEO and Kimberly for offering to do a tutorial. Recommend that it be archived and on the website. Training on the virtual mechanism is a good thing to post on the website.

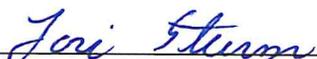
Rose Nyman – Expressed appreciation to the county employees especially the health department. Most people in the community agree that you are doing a good job of keeping the government running. Addressed living through extraordinary times, it will be a challenge to turn the economy around. At this time I believe it is important to change the language of the CD regarding economic development. It is important the Commission recognize there are many components. The way it is written it will stifle the economy of A-DLC. I don't think it is good to approve a document that limits Economic Development. I want to see it approved; but some funds will be provided in incremental stages. Would like to see it opened to nonprofits and tourism development. I am advocating for the ability of a non-profit to submit an application and money to be earmarked for tourism. I would like to know the status of the Warner project and the Recreation Complex in the East yards. Are those groups still interested? Those projects need to move forward if they are viable.

Kimberly Richardson – The awesome part of Webex is that it will be recorded and will be up on the county website. I am more than happy to have trainings and help to make them user friendly. We could have a training once a week. Encourage people to utilize the system and become comfortable and familiar so they are able to attend.

Commissioner Hart – There will be a meeting next week. There are no meetings to report due to most board meetings have been cancelled.

**Adjournment**

Meeting was adjourned at 6:40 p.m.

  
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Lori Sturm  
Clerk of Commission

  
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Kevin Hart  
Commission Chair