County Commission Meeting Minutes
April 19, 2022

ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 P.M. TUESDAY, APRIL 19, 2022
COURTHOUSE COURTROOM

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

Excused Absence: District 2 Commissioner, Steve Gates

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 April 5, 2022; and the Commission Work Session Meeting of April 12, 2022.

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission meeting of April 5, 2022; and the Commission Work Session Meeting of April 12, 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 138794 through 138898 in the amount of $480,089.26; Seconded by Commissioner Vermeire.

Motion Carried 4-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

- Commissioner Hart – Nothing to Report.
- Commissioner Smith – Nothing to Report.
• **Commissioner Vermeire** – Attended the following meetings: Airport Board, April 4th Old Works Authority Board meeting, April 5th the Superfund Team Meeting and on April 14th the DUI Task Force.

• **Commissioner Huotte** – On April 14th attended the Greenway Service District meeting.

• **CEO Everett** – Attended the Superfund meeting.

• **County Attorney Krakowka** – Attended the CPT meeting, and a DUI meeting. Reported on the 1st jury trial in almost two and a half years which resulted with a guilty verdict. Reported on the Salmon issue at Georgetown Lake and the new regulation putting limits on Salmon has been removed.

**UNFINISHED BUSINESS**

Software Lease Agreement between Application Data Systems, Inc. and Anaconda-Deer Lodge County Police Department.

**County Attorney Krakowka** – Believe the software lease agreement would be very positive for the police department.

Motion made by Commissioner Vermeire to take action to approve the Software Lease Agreement between Application Data Systems, Inc. and Anaconda-Deer Lodge County Police Department; Seconded by Commissioner Smith.

*Motion Carried 4-0*

Designation of Deer Lodge County Earmarked Alcohol Tax Money.

Motion made by Commissioner Vermeire to take action to approve the Designation of Deer Lodge County Earmarked Alcohol Tax Money; Seconded by Commissioner Smith.

*Motion Carried 4-0*

- Clerks Note – Motion did not name the Designation of Deer Lodge County Earmarked Tax Money to the CCCS SMART Corp;

Clerks Note – This will be on the Commission Meeting of May 3rd, 2022 for a motion to specify who the Earmarked Alcohol Tax money is to be designated (CCCS Smart Corp)

Renewal Application for Miscellaneous Professional Liability Insurance Policy #LHM788633 – Public Health Department.

Motion made by Commissioner Hart to take action to approve the Renewal Application for Miscellaneous Professional Liability Insurance Policy #LHM788633 – Public Health Department; Seconded by Commissioner Vermeire.
Motion Carried 4-0

Proposed Vinyl Wrap for electrical box at Kennedy Common.

J.H. Delaney – This is a wonderful idea. The pictures are wonderful but concerned about the logo. How would other businesses within the community feel.

- Rose Nyman – Not opposed to the project it would be an improvement to the electrical box. Grave concerns about allowing advertising. Noted that the Historic Preservation Officer has to approve this because it is in a historic district. Reported that Anaconda has 43 to 47 non-profits. By allowing this advertising . . . it is setting a precedent and opening a can of worms. Personally, I would like to see the advertising removed and more photos added. Asked the County Attorney about non-profits being allowed or not allowed to advertise on public property. We are a community doing our best to improve. I don’t understand the need to add your brand to something.

- County Attorney Krakowka – I was hoping for information that would disallow it. I could not find anything. If someone donates something to make the community look better, can they put their name on it? The Rocky Mountain Elk Foundation has signs at the archery range because they donated money for targets. (This would be a state organization.) I looked but could not find anything easily apparent. It is within the Commissions discretion.

- Rose Nyman – Pointed out that there are three interpretive signs at the Common, and everyone has errors. I was told by an elected official that it was always part of the plan for the signs to be there. There is nothing noted about this in the minutes, no sketches, and no text. There is a memorial garden to deceased members of a nonprofit. A member of the nonprofit informed me that a former CEO gave permission for the memorial garden and for the plaque. That should have been a Commission decision. I would like the Commission to be more cognizant of what can come about.

Motion made by Commissioner Hart to take action to approve the Proposed Vinyl Wrap for the electrical box at Kennedy Common minus the advertisement for the Anaconda Community Foundation; Seconded by Commissioner Vermeire.

Motion Carried 4-0

Silver Bow Creek Greenway City-County of Anaconda-Deer Lodge, MT Easement Agreement Reach Q & R Crackerville Road to Reach R Spur Trail.

Motion made by Commissioner Smith to take action to approve the Silver Bow Creek Greenway City-County of Anaconda-Deer Lodge, MT Easement Agreement Reach Q & R Crackerville Road to Reach R Spur Trail; Seconded by Commissioner Hart.

Motion Carried 4-0
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Anaconda Softball Association Bid for the Charlotte Yeoman Sports Complex Concession Stand for the 2022 season.

Motion made by Commissioner Vermeire to take action to approve the Anaconda Softball Association Bid for the Charlotte Yeoman Sports Complex Concession Stand for the 2022 season; Seconded by Commissioner Hart.

Motion Carried 4-0

Request for Reappointment to the Airport Board by John Lombardi.

Motion made by Commissioner Vermeire to take action to reappoint John Lombardi as a member to the Airport Board; Seconded by Commissioner Smith.

Motion Carried 4-0

Request for Reappointment to the Solid Waste Board by Mary Lou McPhail

Motion made by Commissioner Smith to take action to reappoint Mary Lou McPhail as a member to the Solid Waste Board; Seconded by Commissioner Hart.

Motion Carried 4-0

Request for Reappointment to the Tree Board by Bob Andreozzi

Commissioner Hart – Last week we heard a comment that there may be attendance issues missing as many as 6 out of 8 meetings. I think we need to investigate this a little bit further.

- Commissioner Vermeire – I agree with Commissioner Hart.
- J.H. Delaney – I believe this individual is a local arborist and what better person to have on this committee. Maybe the committee could make a phone tree to let each member know there is a meeting.
- Commissioner Hart – Bob is a fantastic person, but we need to ensure boards have quorums and are being attended.

Motion made by Commissioner Hart to table this appointment to verify attendance at Tree Board meetings; Seconded by Commissioner Smith

Motion to Table Carried 4-0
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Special Event Permit – by Anaconda Vietnam Veterans Memorial for a Memorial Dedication at Kennedy Common on July 24, 2022 (Pending Certificate of Insurance)

CEO Everett – I support this event and will be in attendance.
- County Attorney Krakowka – I also support this event.

Motion made by Commissioner Smith to take action to approve the Special Event Permit – by Anaconda Vietnam Veterans Memorial for a Memorial Dedication at Kennedy Common on July 24, 2022 (Pending Certificate of Insurance); Seconded by Commissioner Hart.

Motion Carried 4-0

Special Event Permit – Anaconda Community Market at Kennedy Common on Tuesdays starting July 12, 2022 – September 6, 2022 (Pending Certificate of Insurance)

Motion made by Commissioner Vermeire to take action to approve the Special Event Permit – Anaconda Community Market at Kennedy Common on Tuesdays starting July 12, 2022 – September 6, 2022 (Pending Certificate of Insurance); Seconded by Commissioner Hart.

Motion Carried 4-0

Special Event Permit by Anaconda Local Development (Discover Anaconda) – Smeltermen’s Weekend of Events August 4, 6, and 7, 2022 at Kennedy Common and Downtown Business District. (Pending Certificate of Insurance)

Motion made by Commissioner Smith to take action to approve the Special Event Permit by Anaconda Local Development (Discover Anaconda) – Smeltermen’s Weekend of Events August 4, 6, and 7, 2022 at Kennedy Common and Downtown Business District. (Pending Certificate of Insurance); Seconded by Commissioner Hart.

Motion Carried 4-0

Special Event Permit – Kenny Cook Memorial Scholarship Fund at Kennedy Common on July 16, 2022 (Pending Certificate of Insurance)

Motion made by Commissioner Hart to take action to approve the Special Event Permit – Kenny Cook Memorial Scholarship Fund at Kennedy Common on July 16, 2022 (Pending Certificate of Insurance); Seconded by Commissioner Vermeire.

Motion Carried 4-0
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Special Event Permit by Vintage D-fenders for a Car Show on Ash Street between Park and Third on May 7, 2022. (Pending Certificate of Insurance)

Motion made by Commissioner Smith to take action to approve the Special Event Permit by Vintage D-fenders for a Car Show on Ash Street between Park and Third on May 7, 2022. (Pending Certificate of Insurance); Seconded by Commissioner Hart.

Motion Carried 4-0

NEW BUSINESS

Request to set a Public Hearing for Final Plat Approval of the East Yards Major Subdivision – Carl Hamming (Suggested Date of May 3, 2022)

Carl Hamming, Planning Director – This is a request to set a public hearing. The East Yards Major Subdivision was preliminarily approved about 1.5 years ago. Now that phase II is under contract with the Hoffman’s doing the work on Union and Fillmore as well as the MDT approach permit for Fillmore Ave. being approved and obtained. We want to set the public hearing date to get ready for final plat approval.

Motion made by Commissioner Vermeire to take action to set a Public Hearing Date of May 3, 2022, for Final Plat Approval of the East Yards Major Subdivision; Seconded by Commissioner Hart.

Motion Carried 4-0   Public Hearing Date of May 3, 2022

National Correctional Officers Week 2022 and ADLC Correctional Professionals Day Proclamation.

Commissioner Hart – This is a proclamation that we have done for the last few years recognizing National Correctional Officers week and ADLC Correctional professionals’ day.

Motion made by Commissioner Vermeire to take action to approve National Correctional Officers Week 2022 and ADLC Correctional Professionals Day Proclamation; Seconded by Commissioner Hart.

Motion Carried 4-0
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Officers’ Appreciation Day Proclamation

Commissioner Huotte – This is the annual proclamation declaring that May 15, 2022, as Officer Appreciation Day in Anaconda-Deer Lodge County.

Motion made by Commissioner Smith to take action to approve Officers’ Appreciation Day Proclamation; Seconded by Commissioner Hart.

Motion Carried 4-0

MISCELLANEOUS

- Commissioner Hart – No Miscellaneous
- Commissioner Smith – No Miscellaneous.
- Commissioner Vermeire – No Miscellaneous.
- Commissioner Huotte – No Miscellaneous
- CEO Everett – No Miscellaneous
- County Attorney – No Miscellaneous.

PUBLIC COMMENT

Joe Ungaretti, Parks Director – One of my tasks was to assess the needs of the Parks. The Special Events at Kennedy Common is where the needs are at. Provided Commissioners with current pictures and conditions of the planters. Not one planter is operational or can be used this year. Part of the problem is the design; they hold water and through time freezing water has destroyed them beyond repair. I have met with the Job Corps and Brian Wolfe from Hoscheid masonry. Brian looked at a band-aid cost of $11,000 to $12,000 to get them operational. It does not address the problems of drainage. Other issues is to find bricks to match. Each planter has different bricks. The Job Corps has 5 students who have just arrived and have no experience. We have been doing capital improvement plans throughout the community. The Parks have been overlooked in the past. Kennedy Common is where many of the events are held. This could be looked into for a future project.

- Commissioner Hart – At $11,000 what would that include? Would there be anything about protecting them on the inside of the planter to keep water from getting to the brick.
- Joe Ungaretti – That would be repair to the damaged planters. The repair would just be a cosmetic bandaid. The problem is there is no drainage system... no rocks, vents, or anything to release the water.
- CEO Everett – Water freezes and expands and pushes the bricks apart. At times we thought people were running into them and find out it is mother nature causing the biggest havoc. Reminded about the improvements made in the last years, infrastructure, wastewater treatment plant, water system, lights, and streets. The next step would be a beauty step involving our parks. It is going to take time to get the parks
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to be at a level we want. We must start with one small piece at a time. The Kennedy Common is used the most, is the most visual and the center piece of our community. We have to do it right. We must put some dollars towards the parks and come up with a big plan.

Blake Hempstead – Spoke about the schools and the school board. Appreciate what the Commission does. Even if the Commission disagree with something . . . you listen to both sides, comment publicly on the issues, and make tough decisions and don’t hide behind. I appreciate what you do and thank you for conducting yourselves in a proper manner.

Rose Nyman – Thanked Mr. Ungaretti and Mr. Hempstead for their remarks. I agree with the CEO that our community is looking so much better. Provided a brief history on the Kennedy Common. When the Common was refurbished in the late 90’s decisions were made for what was best. The Committee reached out to the Schwartz family. Everyone agreed to remove that planter and agreed to remove the 2 horseshoe planters. There was good discussion and no animosity. An incoming employee decided to make changes in their role as Historic Preservation Officer. That is why we are now dealing with the problems. The opportunity to remove them was there and now we are dealing with them again. Some things have been continuously kicked down the road. We all know what they look like. I hope you listen to Mr. Ungaretti’s suggestions.

J.H. Delaney – It is not all freeze and thaw. There is indeed vandalism. Maybe there are viable ways to put a bandaid on the Common now. Hopefully, if we have public hearings . . . many people will want to weigh in.

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