

ANACONDA DEER LODGE COUNTY
SPECIAL COMMISSION MEETING
6:00 P.M. TUESDAY, April 28, 2020
Webex

Roll Call of Commission, CEO and County Attorney done at the start of the prior Work Session

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

Members of the Press: Kathie Miller Webex

Members of the Public: Per Webex Sign-In

Commissioner Hart - Rules of procedure have been gone over.

Commission Chair Kevin Hart called the meeting to order.

UNFINISHED BUSINESS

Revised Funding and Settlement Agreement with Atlantic Richfield

Rose Nyman – Listening to Commission comments raises a few questions. Familiar with the language in the document that allows a different use of the 3 million. If the hotel project does not materialize within 3 years; say the developer could not do this . . . would you have to wait the 3 years, or would it be a negotiation issue.

Mike Grayson – I am not sure I understand Rose’s question. If we approve the agreement as written with the change of 5% and then find out that we can’t do the hotel project; I think it is adequality provided for in the agreement. Any Agreement can be discussed again and there could be an amendment. I won’t guess what might happen.

Rose Nyman – The question of waiting 3 years is not something that can be answered at this time if the hotel project falls through?

Commissioner Hart – I believe that’s what Mr. Grayson is stating. That is something that would have to be looked at a little closer.

Rose Nyman – Listening to Commission comments on non-profits, can any Commissioner give me an idea to what are you referring to as non-profits? What would they consider as a non-profit that would be eligible to apply for the 5% funding?

Commissioner Hart – Read from the agreement. “up to 5% of such funds may be used for the funding of charitable or non-profit endeavors within the Superfund Overlay that are consistent with this Agreement but do not necessarily contribute to the property tax revenue of ADLC.

Mike Grayson – That is correct. The fact is we don't know who might come in as a non-profit. The initial definition of who fits in the 95% is anyone who is going to contribute to the tax base of the community. If a non-profit wants to build a new building, they can pledge that it would stay on the tax rolls; they would be eligible for money. IF they don't waive the non-profit tax exemption for real estate, they are confined to the 5%.

Rose Nyman – Chairman Hart, “did I miss your comment when the other commissioners gave their comments”?

Commissioner Hart - “No” I will give comment before the vote.

Adam Vauthier – Provided an example of local development as a non-profit; it does not fall into the 95%. We pay \$25,000 a year in property taxes. If we wanted to apply for a project that would increase the success of our building and its tax value, we would be eligible to do that in the 95%.

Followed was a discussion between Donna Shewey, Mr. Grayson, and Commissioner Hart. The topics included: what was a non-profit, tax exempt status, property tax exemption, and the process to be followed for developments to come before the Commission.

Chairman Hart called for a motion:

Motion made by Commissioner Huotte to take action to approve the Remedy Coordination funding and Settlement Agreement with Atlantic Richfield Company and Anaconda Deer Lodge County with SECTION 5.10.8 amended as shown on the county website; Seconded by Commissioner Vermeire.

Before the Commission Vote Commissioner Hart gave the following statement:

- The Anaconda smelter closed 40 years ago this September 29th. That day in 1980 was called “Black Monday” and everyone figured Anaconda would die and become a ghost town. The population did decline, businesses closed, and skull and cross bone signs were placed on the fences of ARCO properties along MT 1 and Hwy 48. But Anaconda survived. A lot of things were tried to keep Anaconda alive. Some ideas worked and others did not. It was all a learning experience. Over the years there were a lot of public meetings and private meetings to find out what Anaconda people wanted from any agreement with ARCO. The prevailing theme was economic development, bring business to Anaconda, improve the tax base, clean-up the Anaconda superfund area. The Old Works golf course did bring business into Anaconda in the form of golfers, but one amenity that was supposed to help the golf course never materialized, a hotel to keep the golfers in town. Now 40 years later we have funding for the golf course. With this agreement tonight we can have the funding to see the economic development become reality, we can finally start to heal this community and hopefully grow our tax base and population. We can get a hotel built that will keep golfers and visitors intown. We can get the clean-up in yards and attics to keep people healthy. We can stop living in the past and hopefully build a bright future for Anaconda.

Commissioner Hart did a Roll Call of Votes
Motion Carried 5-0

NEW BUSINESS – No new business.

MISCELLANEOUS –

Commissioner Huotte - No Miscellaneous

Commissioner Smith – No Miscellaneous

Commissioner Gates – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – No Miscellaneous

CEO Everett - People are wondering what events will be open and what will be cancelled for the Summer. We are putting this on the agenda for next week's Commission meeting. We will have rep from Public Health, the hospital and participants from the events. The Commission will need to decide.

County Attorney – No Miscellaneous

Public Comment - No Comments given

Adjournment

Meeting was adjourned at 7:08 p.m.



Lori Sturm
Clerk of Commission



Kevin Hart
Commission Chair