County Commission  WS Meeting Minutes
May 10, 2022

ANACONDA-DEER LODGE COUNTY
COMMISSION WORK SESSION MEETING
6:00 P.M. TUESDAY, MAY 10, 2022
COURTHOUSE COURTROOM

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

Members of the Press: James Rosien, Anaconda Leader

Ordinance No. 268, An Ordinance Establishing Kennel Classifications and License Fees. First Reading/Introduction and Setting a Public Hearing Date (Suggested Public Hearing Date of May 24, 2022)

County Attorney Krakowka – I have gone over this ordinance with Mr. Walund. Indicated there is a change that needs to be made in the definitions “Animal” can be removed. This ordinance is looking to reference dogs or replace the word dog throughout the ordinance with the term animal. Define animal for the purpose of this ordinance as any animal being a dog or cat. This is to deal with houses that have extremely large numbers of dogs or cats.

- Commissioner Hart – There are several issues with this ordinance. One problem is that it applies county-wide. It is not specific to development districts. In essence you could have 4 dogs without the kennel license on property on the East End where a lot might be 25 X 150. The same 4 animals on the west end could be on a lot 7000 sq. ft. This would also apply to ranches out toward West Valley, Opportunity and Georgetown Lake. This needs to be rewritten where it is specific to development districts. Other issues involve limiting dogs, but no mention of horses, chickens etc. Believes the fine is also excessive and does not agree with a penalty for every day until compliant. -There must be credibility for people who do care for their animals vs. those who do not. That can have a big impact on the neighbors and needs to be taken into consideration. This ordinance needs to have a lot more work done on it and would be in favor of this not being placed on the agenda and referred to being rewritten.

Referred back and not to be set for a public hearing.
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Revised Professional Services Contract between Anaconda-Deer Lodge County and K.W. Wastewater Operations and Consultants for Wastewater Treatment Plant

CEO Everett – Kurt Wyant retired but we are still using him on a contract basis. We were paying him $1300.00 a month for taking care of our wastewater treatment plant. With the cost of living increases we have not adjusted that in 3 ½ years. This would be an adjustment to $1500.00. Kurt does a great job, and we basically have a full-time employee out there for $1500.00 a month.

Place on Agenda

Resolution No. 22-10, A Resolution to Begin Tax Deed Process and Review Bids for Title Abstracts

Eric Hoiland, Treasurer – It is that time of year to begin the tax deed process. There is also an attachment of properties, and the last part would be bids.

- Commissioner Hart – Asked if the addresses are the mailing addresses and not the physical addresses of the properties.
- Eric Hoiland – Yes that is the mailing addresses. Will check on adding other information. If you notice anything on the list that we don’t want to take or go through the process . . . there is no need to waste money on it. Provided examples such as the “Pink Palace”. Let me know if anything needs to be removed from the list.
- CEO Everett – Mentioned one that we may want to remove is 23 main street. Reason we are trying to buy about half of that property to attach to the parking lot.

Place on Agenda

Resolution No. 22-11, A Resolution Establishing Salaries for Anaconda-Deer Lodge County Employees for Fiscal Years 2022-2023

CEO Everett - These wages reflect the 5% cost of living increase that was passed at the last Commission meeting.

Place on Agenda

Supplemental Healthy Montana Families Task Order, Task Order for Anaconda-Deer Lodge Public Health Department (ARPA Funded) Supplemental Task Order Number 22-25-8-41-160-0

Leigh Ann Holmes, Public Health – This Task Order is in the amount of $1,995.00 approximately. This is ARPA funds which allows us to provide for things that are either difficult to get, or due to Covid expenses. This would include things like diapers, formula, car seats,
training for staff etc. It is extra money that the state is dividing out to public health.

Place on Agenda

Contract Amendment Number One – Contract for Crisis Intervention and Jail Diversion Efforts – Contract Number 22-101-74100-0 - 22-331-74100-0

Leigh Ann Holmes, Public Health – This is an amendment for the Crisis Intervention and Jail Diversion. This amends the contract to go through December and increases it from $113,000.00 to $169,500.00. This was signed by the Commission not too long ago. Since then, they have decided to change and separate the Crisis Intervention and Jail Diversion. I will be coming before the Commission hopefully in the next few months to talk about the jail division grant that we will be applying for. It will be dealing with substance abuse and mental health issues in the jail.

Place on Agenda

Grant Application for Head Start COLA (Cost of Living Adjustment) and Quality Improvement Application 02-01-22 – 01-31-23 – Commission to approve Head Start to submit to the Regional Office.

Mandy Boyer, Head Start Director – We received our amounts for the Cost-of-Living adjustment that we receive each year from the Feds once the budget is approved at the Federal Level. They also included a quality improvement amount which is $10,000. I filled out the application: 2.28% Cost of Living increase for the employer. The $10,000 I would like to try and create a position in which there would be a floating TA (teacher’s assistant). That would allow a person to be on staff to help teachers in the class, allow teachers to have breaks and allows a staff member to be on site in case there is an absence. They could go into the classroom and fill-in. That is what I am proposing to do with the remaining amount after the 2.2 adjustment to salaries.

Place on Agenda

Anaconda-Deer Lodge County Commission to approve the appointment of Carl Hamming, Tania Short, Heather Edwards and Jodine Lechman to serve on the County Post-Election Audit Committee (see attached memo)

Place on Agenda

Request for Appointment to the Airport Board by Dan Klima (Letter Attached)

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Request for Reappointment to the Tree Board by Sean Steinebach (Letter Attached)

Rose Nyman – I would like to speak in opposition to this reappointment. Of the 8 sets of minutes that I was able to find on the county website, he has missed 4 meetings. He is chairman according to the website. I brought up some issues in November and I thought Chairman Huotte was going to contact the Chairman. I don’t know if he was able to talk with him. Tomorrow I will bring to the courthouse copies of all the minutes from those meetings. I respectfully request that you read every page... you will see the violations of open meeting laws, no quorums, and a combined meeting with the street tree committee. It is my opinion the Ordinance should be repealed. If the Commission feels the Tree Board is needed a new Ordinance should be written and the board should be advisory only. According to the current ordinance they basically have a lot of power for 5 people. No where in the minutes could I find any discussion about removing the trees at Durston Park; nor could I find a vote. Before we placed the concrete slab and the pavilion at Durston Park we met with Bob Andreozzi about those trees, and he informed us they were very slow growing and would never interfere with the pavilion being placed in front of them. They would be replaced with appropriate trees... I don’t know who would determine what is appropriate. Read the paperwork and draw your own conclusions... but I think it is time to repeal that ordinance and make it an advisory board. Thank you.

- Commissioner Hart – I believe we need to table this item until we can properly review the information that Rose has referred to and review the Tree Board Ordinance as well.

TABLED - Reappointment to Tree Board by Sean Steinebach

Special Event Permit – Cornhole Tournament Fundraiser at Washoe Park Baseball Field, August 19 – August 20, 2022

Place on Agenda

Miscellaneous -

Commissioner Kevin Hart: No Miscellaneous.
Commissioner Steve Gates: No Miscellaneous.
Commissioner Paul Smith: No Miscellaneous.
Commissioner Terry Vermeire: No Miscellaneous.
Commissioner Mike Huotte: As everyone is aware that Senator Sweeny recently passed away. I was contacted today by the Executive Director of the Democratic Party letting us know that as of May 9th they have officially notified the Secretary of State of the vacancy. Informed of the following timelines: May 23rd the Secretary of State has to inform the Democratic Party and the Commissioners of the vacancy. In this case it is a 4-county vacancy because it covers parts of Butte-Silver Bow, Anaconda-Deer Lodge County, Granite, and Powell. They will have their conventions sometime in June. The Democratic party must have a list of 3 nominees to these commissions by June 22; and then within 15 days the appointing board (which consists of
commissioners from all the affected counties) will make a selection to the appointing board. It will be presided over by the Chair of the Granite County Commission which is where he resided. Each Commissioner's vote will be weighted . . . Butte-Silver Bow will be at 15%, Anaconda-Deer Lodge County will be at 60.1%, Granite County at 16% and Powell County at 8.9%. This is calculated by the number of votes received in those counties divided by the number of votes. That is the general guidance and process.

- **CEO Everett** – You will be voting on an interim senator. Realistically the legislature will not be in session at this time. It will be on the ballot in November. Before the next session the community will get to elect a senator. This will be truly an interim.
  - **Commissioner Huotte** – I was informed the party also submits the name they want on the ballot.
- **CEO Everett** – They will give 3 candidates to choose for the interim. If you don’t like any of the 3 . . . they will give 3 more. Then you must choose one of the six candidates.

**CEO Bill Everett**: We are truly going a thousand miles an hour. The Health Department has a lot of cool stuff going on. If you are traveling out of the country . . . you must be tested within 24 hours. This test is up and running at the Health Department. Shelby was the only other location that did this test and now it is at our Health Department. Now there are 2 locations in the state of Montana. We will have people coming from Missoula, Helena, Bozeman etc. This is a big deal.

**Count Attorney Krakowka**: - No Miscellaneous.

**PUBLIC COMMENT**

**Rose Nyman** – May 15th is Fallen Officers Memorial Day. Feels it is important that we take a moment every year to remember the following people: their name, last watch, and cause of death.

**Patrick Dougherty** - March 6th, 1905 - Died from internal injuries breaking up a street fight
**Albert Oldhaber, Deputy Sheriff** - June 6, 1939 - Died of gunshot wound at Sladich Bar
**Edwin Ed Stuart, Assistant Chief of Police** - June 6, 1939 – Died of gunshot at Sladich Bar
**Timothy Sox Sullivan** – February 10th 1985 - Died of a gunshot wound due to domestic violence call.

**Rose Nyman** – Had a question about the cemetery levies. They had 17 permanent mills and asked if it was reduced to 14?

- **CEO Everett** – We can lower those if we have cash of a certain amount. It could even be moved down more.
- **Rose Nyman** – Maybe at some point the Commissioners would consider making all the cemeteries perpetual care. It would be a huge expense at first, but then it would be mostly maintenance. There are some sorry sights.

**Rose Nyman** - Also had a question about the National Affordable Housing. Was there an agreement in the contract to support local businesses? Last week I was driving on East Third
and First Builders was unloading lumber at the site. They got the property cheap. I would like to see some support at our local lumber yard.

- **CEO Everett** – They got it for free. Once the agreement was signed . . . I don’t believe we will be seeing anymore. There has been a lot of frustration with this.

**Dan Goddard** – Last week I touched on the property at 412 Cherry . . . I gave you the wrong address last week (812 Cherry). I would like to have an opportunity for the Commission to discuss the value of that property. As a Wing home it falls within the historic jurisdiction. It is in the history of Anaconda. It dates to a railroad deed. It falls under the jurisdiction of the Commission because a tax deed was taken on that in 2019. When looking at the property there was a warning notice . . . the county was going to tear the property down. I would like the opportunity to discuss that with the Commission how historic that home is. I want to talk about how that house could be turned into a value for the city. Would like it to be up for discussion on the agenda.

**Meeting Dates**

**Commissioner Huotte** - Read the meeting date and times.

**Adjournment**

Meeting Adjourned at 6:36 p.m.

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Lori Sturm
Clerk of Commission

Mike Huotte
Commission Chair