

**ANACONDA DEER LODGE COUNTY**  
**COMMISSION MEETING**  
**6:00 P.M. TUESDAY, May 19, 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, Clerk of Commission Lori Sturm and Webex Facilitator Kimberly Richardson.

Members of the Press: Kathie Miller, Anaconda Leader

Members of the Public: Per Webex Sign-In

Commissioner Hart – Roll Call of Commission - Called the meeting to order.

Commissioner Hart performed all votes on the Agenda by roll call of commissioners.

### **Approval of Minutes**

#### **Approval of Minutes from the Commission Meeting of May 5, 2020 and the Commission Work Session of May 12, 2020.**

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission Meeting of May 5, 2020 and the Commission Work Session of May 12, 2020; Seconded by Commissioner Gates.

Motion Carried 5-0

### **Approval of Claims**

Motion made by Commissioner Huotte to take action to authorize the payment of claims numbered 133946 through 134044 in the amount of \$185,407.16; Seconded by Commissioner Vermeire.

Motion Carried 5-0

### **Reports of Boards, Committees and Officials**

**Commissioner Huotte** – Attended Greenway Service District Authority Meeting

**Commissioner Smith** – Nothing to Report

**Commissioner Gates** – May 13 attended a Zoom meeting with Head Start policy Council

**Commissioner Vermeire** – Attended a DUI Task Force meeting

**Commissioner Hart** – Nothing to Report

**CEO Everett** – Primarily Construction Meetings. Lots of meetings on the hotel and the Wastewater Treatment Plant, which is making huge progress.

**County Attorney** – Attended a DUI Task Force and a Child Protection team meeting

## **UNFINISHED BUSINESS**

### **Ordinance No. 260, AN ORDINANCE ESTABLISHING THE ANACONDA-DEER LODGE COUNTY URBAN RENEWAL AGENCY BOARD AND TO ESTABLISH POWERS AND DUTIES.**

- County Attorney Krakowka – I spoke with Adam Vauthier and we need to move and act relatively quickly to get this advertised, get people assigned to the board and get it functional as soon as possible.
- Commissioner Hart - It becomes effective 30 days after Commission approval.

Motion made by Commissioner Gates to take action to approve Ordinance No. 260, AN ORDINANCE ESTABLISHING THE ANACONDA-DEER LODGE COUNTY URBAN RENEWAL AGENCY BOARD AND TO ESTABLISH POWERS AND DUTIES; Seconded by Commissioner Huotte.

Motion Carried 5-0

### **Ordinance No. 261, AN ORDINANCE ADOPTING AND INCORPORATING THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL FIRE CODE AND NFPA 70.**

Motion made by Commissioner Gates to take action to approve Ordinance No. 261, AN ORDINANCE ADOPTING AND INCORPORATING THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL FIRE CODE AND NFPA 70; Seconded by Commissioner Smith.

Motion Carried 5-0

### **Change Order #1 – Copper Environmental = A-DLC Roadway Improvements – West Third and Side Streets Pavement Replacement.**

Motion made by Commissioner Vermeire to take action to approve Change Order #1 – Copper Environmental - A-DLC Roadway Improvements – West Third and Side Streets Pavement Replacement; Seconded by Commissioner Gates.

Motion Carried 5-0

**Client Service Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies (WET) for monitoring and reporting Services on the Wastewater Treatment Plant.**

Motion made by Commissioner Huotte to take action to approve the Client Service Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies (WET) for monitoring and reporting Services on the Wastewater Treatment Plant; Seconded by Commissioner Vermeire.

Motion Carried -0

**Client Service Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies (WET) for Anaconda Municipal Water System Analysis Scope of Work.**

Motion made by Commissioner Smith to take action to approve the Client Service Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies (WET) for Anaconda Municipal Water System Analysis Scope of Work; Seconded by Commissioner Gates.

Motion Carried 5-0

**Montana Department of Administration 9-1-1 Grant Program 2020 Grant Application.**

Motion made by Commissioner Gates to take action to approve the Montana Department of Administration 9-1-1 Grant Program 2020 Grant Application; Seconded by Commissioner Smith.

Motion Carried 5-0

**Rfwave Installation of a tower near the underground water tank at the end of Marcus Daly Drive.**

Motion made by Commissioner Huotte to take action to approve Rfwave's Installation of a tower near the underground water tank at the end of Marcus Daly Drive; Seconded by Commissioner Gates.

Motion Carried 5-0

**Designation of Deer Lodge County Earmarked Alcohol Tax Money.**

Motion made by Commissioner Smith to take action to Designate Earmarked Alcohol Tax Money from Anaconda-Deer Lodge County to Western Montana Addiction Services; Seconded by Commissioner Huotte.

Motion Carried 5-0

**Resignation of Milo Manning from the Anaconda-Deer Lodge County Historic Resource Board.**

- Commissioner Hart – Hate to see Milo leaving this board but hope he can be used as a resource.

Motion made by Commissioner Vermeire to take action to approve the Resignation of Milo Manning from the Anaconda-Deer Lodge County Historic Resource Board; Seconded by Commissioner Gates.

Motion Carried 5-0

**Resignation of Ot Lemm from the Anaconda-Deer Lodge County Communication Board.**

- Commissioner Hart – Hate to see Ot leaving the board; he has done a good job.

Motion made by Commissioner Gates to take action to approve the Resignation of Ot Lemm from the Anaconda-Deer Lodge County Communication Board; Seconded by Commissioner Smith.

Motion Carried 5-0

**Request for Reappointment to the Anaconda-Deer Lodge County Fair Board. (Amanda Morley has requested reappointment)**

- Commissioner Hart – Reed Roseleip has also applied. There is only one position to fill
- Commissioner Vermeire – Received the email today.
- Kimberly Richardson – We have an awesome 4H group in Deer Lodge County. The Fair Board just passed some new by-laws. Powell county will always have more votes than Deer Lodge or Granite County due to that Powell pays more money. We need some powerful advocates on the board. Voiced concern regarding current members in changing the 4H date without notification. That change affects students going to college. Urged the Commission to consider all the applicants that have some specific ties to Deer Lodge County. Choose the best candidate that fits the description for the position.
- Reed Roseleip – Think of what I wrote and take consideration.
- Commissioner Vermeire – This email was sent to me on Monday. Should this be postponed and voted on at the next business meeting.
- County Attorney Krakowka – We had this noticed that we would be taking a vote on this issue. If you want to be cautious it could be postponed.
- Commissioner Huotte – Agree with Commissioner Vermeire. This should be postponed.
- Commissioner Hart – Motion on the table now, asking for a second . . . if none is received it would fail
- Commissioner Gates – Reconsider the motion to have ample time to look at the applicants. New motion to table the item.

Motion made by Commissioner Gates to take action to **TABLE** the appointment of a member to the Anaconda-Deer Lodge County Fair Board.

Motion to Table Carried 5-0

**Special Event Permit – Anaconda Community Market at Kennedy Common, Tuesday Afternoons 4-7 p.m., July 21, 2020 – September 8, 2020, pending Certificate of Insurance.**

- Commissioner Hart – This was discussed a couple of weeks ago. Do we have any updates?
- CEO Everett – The Public Health is ahead of us. It is not only the event but the people running it. These guys are taking every step possible for safety.
- Gloria O'Rourke - We had a great meeting with Leigh Ann of Public Health, and we are figuring out the best way to hold this and keep everyone safe. We may make it shorter. We are going to check out the Butte Market and will proceed cautiously.
- Leigh Ann Homes, Public Health – I feel confident that Gloria and her crew will do a fantastic job and they have all the bases covered.
- Rose Nyman – The Governor plans to go to Phase II on June 1. However, I had an email that Ravalli County has 6 new cases. Feels we may be flipping back and forth.
- Commissioner Hart – We were aware of the decision of Phase II. Any decisions made could be reconsidered.

Motion made by Commissioner Vermeire to take action to approve the Special Event Permit – Anaconda Community Market at Kennedy Common, Tuesday Afternoons 4-7 p.m., July 21, 2020 – September 8, 2020, pending Certificate of Insurance; Seconded by Commissioner Smith.

Motion Carried 5-0

**Position Description for a Mental Health Coordinator.**

- Commissioner Huotte – I think this is a position this community needs right now, and I appreciate Bill and Leigh Ann getting funding for this.
- CEO Everett – Leigh Ann is doing an excellent job of running the Public Health Department and she understands about obtaining the funding and in the applications for grants. We are on the way to a first- class health depart in the state of Montana.
- Leigh Ann Holmes, Public Health – I am here to answer any questions. This is the position that goes along with Mental Health grant that was approved a few weeks ago.

Motion made by Commissioner Huotte to take action to approve the Position Description for a Mental Health Coordinator; Seconded by Commissioner Vermeire.

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** – Several items to consider: First is the NorthWestern Energy Customer Agreement. Approved a franchise agreement a few weeks ago allowing the move of a gas line. The research was done in 2015 and at that time the project would cost \$180,000 which NorthWestern Energy would pay for. Mike Grayson did some research and consulted with NorthWestern Energy attorneys and it was determined that this was in the hands of Atlantic Richfield. Who will be responsible? We are doing a full development in that area; I want to do things correctly. NorthWestern Energy countered with an agreement for \$77,230. The benefit will be that the gas line will be in the proper place. I want this designed correctly. Asking the Commission to give me a verbal ok to move forward. It will benefit the hotel and anything else in the area. Time is of the essence here. Asking acknowledgement that I am doing this and on the next work session this will be presented for your vote.

- **Commissioner Hart** – We discussed this matter. The funds are there to pay this and it is necessary to do this right for future development also. The issue Bill is trying to get across, there is a certain time to get parts in and get this done. My intention is that this will be on next week's work session, and then a special meeting after to vote on this.
- **Commissioner Vermeire** – I agree. In 2016 we looked at the gas line. The parts had to be specially made. Time is of the essence. We need to do this right. The gas line cuts across several properties at a goofy angle. Let's get it fixed now.
- **Commissioner Smith** – Full agreement of this for future projects.
- **Commissioner Huotte** – I agree, we need to do it right.
- **CEO Everett** – Going forward and will sign this agreement. It will cost a bit of money to back out . . . but will proceed with caution.
- **Commissioner Hart** – This will be on the Work Session next week and a Special Commission meeting after to vote.

**CEO Everett** – As of June 1 we are moving onto Phase II. It was generic and allows occupancy up to 75 %

and groups of up to 50. Perhaps we can ease up on some decisions we made last week. The 3<sup>rd</sup> topic is a follow up with Public Health, "last Public Health Grant was for about \$55,000. . . \$35,000 was earmarked for a new vehicle. The 4<sup>th</sup> item is the B.U.I.L.D. grant. It was successfully put in this past week. There were lots of modifications. Senator Daines office is lining up a time where it will be presented by a video conference.

**CEO Everett** - Final thought – At the community and state level . . . the issues we are dealing with is unprecedented. Everyone is extremely tense right now, cooped up, and some financial hardships. Relax and treat neighbors and loved ones with care. Level of anxiety is at an all-time high. Take a deep breath.

**County Attorney** – The Commission is to be aware of emails circulating for the 3<sup>rd</sup> Judicial District inquiring about insurance requirements for the County Fair. Are you still going to have a County Fair with the pandemic? Hopefully they can do this. This county might need to decide to oppose this or withdraw to avoid our youth from being exposed. Just want the Commission to be aware.

### Public Comment

**Kimberly Richardson, Extension Agent** – We do have some specific guidelines from the state for the fair. We on the 4H end will have something in place for our 4H kids . . . probably will not be a traditional fair. There are some major hurdles to keep everyone safe with sanitation and protective equipment. Currently working on specific guidelines for which Phase we are in. The county fair cannot guarantee to keep the kids safe; we hoped they would realize that . We don't have enough volunteers to help in a regular year, let alone at this time. Requested to the Fair board to discuss how the fair will be run.

**Commissioner Hart** – My day job is in Deer Lodge and from no official capacity but discussions with coworkers . . . it does not appear that businesses are adhering to the state's guidelines and law enforcement is not enforcing the guidelines.

- **Kimberly Richardson** – Guidelines are not being adhered to. Definitely a real thing. Shared with Commission that MSU extension received a Work Connected Community Grant (WCC). grant. We are trying to help coalitions that have been started.

**Rose Nyman** – The Fair had a tragedy last year. Questioned if Anaconda-Deer Lodge County will be participating in the fair in the future.

- **County Attorney Krakowka** - Up to the Commissioners. I don't know that Anaconda-Deer Lodge County was ever the subject of any lawsuit.
- **Rose Nyman** – What does the County contribute to the fair?
- **CEO Everett** – I was guessing about \$5000.00
- **Commissioner Hart** – Will check on this for next week. It was \$3,500 and I believe we considered another amount.

Commission Meeting Minutes  
May 19, 2020

**ADLC Public Meeting Dates**

Commissioner Hart – Read the meeting dates with notice of the Special Commission meeting to follow the May 26<sup>th</sup> Work Session.

**Adjournment**

Meeting was adjourned at 7:09 p.m.

  
\_\_\_\_\_  
Lori Sturm  
Clerk of Commission

  
\_\_\_\_\_  
Kevin Hart  
Commission Chair