

**ANACONDA DEER LODGE COUNTY
COMMISSION MEETING
6:00 P.M. TUESDAY, JULY 7, 2020
Webex**

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), County Attorney Krakowka, Clerk of Commission Lori Sturm and Webex Facilitator Kimberly Richardson.

Excused Absence: CEO Bill Everett

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.

- Paul Smith – Webex Technical Difficulties

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

Approval of Minutes

Approval of Minutes from the Commission Meeting of June 16, 2020 and the Commission Work Session of June 23, 2020.

Janice Haggin DeLaney – Mentioned that she spoke on June 16th during public comments, but comments were not in the minutes. Believes the minutes do not reflect what she said. Voiced that she disagreed with the Minutes of May 19, Commission Work Session of the 26th and Special Commission of May 26th, 2020.

- Clerk's Note: Commission Minutes for those dates were approved on June 2, 2020.

Motion made by Commissioner Gates take action to approve the Minutes from the Commission Meeting of June 16, 2020 and the Commission Work Session of June 23, 2020.; Seconded by Commissioner Vermeire .

Motion Carried 4-0

Commissioner Smith – Technical Difficulty, no vote

Approval of Claims

Motion made by Commissioner Huotte to take action to authorize the payment of claims numbered 134223 through 134393 in the amount of \$384,680.48; Seconded by Commissioner Gates.

Motion Carried 4-0

Commissioner Smith – Technical Difficulty, no vote

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(According to Robert's Rules of Order: Minutes need only include what was done, not what was said)

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Motion Carried 4-0

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Reports of Boards, Committees and Officials

Commissioner Huotte – Attended the Old Works Golf Course Authority Board Meeting.

Commissioner Smith – Technical Difficulties.

Commissioner Gates – Nothing to Report.

Commissioner Vermeire – Also attended the Old Works Golf Course meeting.

Commissioner Hart – Nothing to Report

CEO Everett – Provided an update on the last 3 weeks. NorthWestern Energy has an RFP for about 500 mags of electricity. This is one part of 4 projects coming out of the Anaconda Area. These will provide a tremendous tax base to Anaconda along with alternative green energy for the coast. We are putting on a presentation to the US Dept. of Transportation next week on the BUILD grant for Mill Creek highway. We have put together a team and will do a presentation by zoom; we are going for about 15 million. Today we received the 1st payment from Atlantic Richfield for part of the settlement. About 1.45 million and we will receive close to another 8.5 million in the next 60 days. Last week we also received over 500,000.00 PILT money from the feds. Also, I put in a request to the state for COVID relief. I requested close to \$740,000.00 and received notice that we will receive over \$500,000.00. This is a huge bonus to the community and the county government. There was additional support for "Hero's" which most of our employees qualify for working through COVID and continue to work through this pandemic. Looking to provide some minimal bonuses as a sign of appreciation; will work through this with the auditors. The construction going on in the community is huge. There is also some reconstruction on east third. A lot of the sidewalks are being redone; the contractor is liable. The Kennedy Common is looking good. The big NorthWestern energy light poles have been removed and it helps simplify the park and gives it a cleaner look.

County Attorney Krakowka – Nothing to Report

PUBLIC HEARING

Proposed amendment to change the development district designation of the residential property at 807 W. Park to the same Commercial Development District as the convenience store at 821 W. Park

Commissioner Hart – Opened the Public Meeting

There was discussion between Blake Hempstead (homeowner next to Town Pump), Commissioner Hart, Carl Hamming (Planning Director), and Jeremy Salle (Civil Engineer on the project). Blake stated that they have been good neighbors with Town Pump. Blake believes that some of the proposed changes are not stringent enough. The big concern is regarding the retaining wall that separates the commercial property from the residential homes. Blake would like a structure similar to the current retaining wall. Town Pump was going to replace the wall with a vinyl fence. The concrete structure helps in noise reduction. Blake is also concerned about the lack of a snow removal plan. He explained that currently they push the snow up against the concrete. It forms an ice jam and then a drainage problem. Stated that this is a zoning issue. Carl Hamming explained that many of these concerns were discussed at the Planning Board meeting. The

original plan was changed and now there will be a 6-foot concrete retaining wall to retain privacy. Mr. Hamming stated that Town Pump admits there is an issue with drainage and some ponding. Town Pump will be redoing the approach from the car wash and will do some regrading to help address the issue. Mr. Hamming stated that they have nothing in writing about a snow removal plan, but the property management can be made aware. Mr. Salle (DOWL engineer) mentioned that he has made notes about the car wash and drainage. Explained a little more about the type of fence that would be built. He believes accommodations can be made for snow removal.

Commissioner Hart – Public Hearing closed at 6:35 p.m.

Public Hearing - Amendment to Ordinance No. 259 (amended due to the COVID-19 Pandemic), An Ordinance Creating a Committee to obtain public input on the sale, distribution and/or use of alcohol on Kennedy Common.

Rose Nyman – I have looked at the revisions and believe they are well done. I have been in touch with a board member of the Elks club who felt confident that if the Metcalf Center was not available, we could use that facility.

Commissioner Hart – Public Hearing closed at 6:37 p.m.

UNFINISHED BUSINESS

Old Works Road – Request to Advertise for Bids

Sarah Jones – Engineers estimate will be revised. My current estimate is \$152,000. On the Invitation to bid I didn't have dates at the last meeting. My hope is to advertise on the 17th and the 24th and open bids. Not sure if there will be a pre-bid meeting. Plan to modify the bid documents so there is not a public bid opening due to COVID-19 and I will have bids mailed to the Courthouse and open with a witness. That is if there are no legal objections to the plan.

- County Attorney Krakowka - Need to be as public as possible, but don't see this being an issue.

Motion made by Commissioner Vermeire to take action to approve the Request to Advertise for Bids for Old Works Road; Seconded by Commissioner Huotte.

Motion Carried 4-0

Commissioner Smith – Technical Difficulty, no vote

Resolution No. 20-15, A Resolution to Reduce Residential and Commercial Wastewater Treatment District (Sewer) Fee Rates.

CEO Everett – Just a huge reduction for our sewer district. Also, a great reduction to the commercial users as well. This is due to the negotiations reached with Atlantic Richfield we can pass along some of the dollars to benefit the taxpayer.

Commissioner Hart – Questioned the CEO if this would address the septic truck dumps or will this be addressed later;

CEO Everett – To be addressed later. In all honesty those rates are considerably low.

Commission Meeting Minutes
July 7, 2020

Motion made by Commissioner Gates to take action to approve Resolution No. 20-15, A Resolution to Reduce Residential and Commercial Wastewater Treatment District (Sewer) Fee Rates; Seconded by Commissioner Vermeire.

Motion Carried 5-0
(Commissioner Smith – Technical issues were fixed)

Agreement Between Anaconda-Deer Lodge County and Teamsters Union Local No. 2 – Detention Unit – July 1, 2020 – June 30, 2021

CEO Everett – This is a 1.5% pay raise. We have one contract outstanding. We have a level of trust with all our unions.

Motion made by Commissioner Huotte to take action to approve the Agreement Between Anaconda-Deer Lodge County and Teamsters Union Local No. 2 – Detention Unit – July 1, 2020 – June 30, 2021; Seconded by Commissioner Vermeire.

Motion Carried 5-0

Agreement Between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 – International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Clerical Teamsters) July 1, 2020

CEO Everett – Same terms as the other union contracts.

Motion made by Commissioner Gates to take action to approve the Agreement Between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 – International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Clerical Teamsters) July 1, 2020; Seconded by Commissioner Huotte.

Motion Carried 5-0

The Planning Board on June 8, 2020 Moved to appoint Colleen Riley as the ninth member of the ADLC Planning Board for a term. Colleen would serve in place of a conservation district member, as the conservation district declined the appointment.

CEO Everett – Colleen would be a definite asset to the group.

Motion made by Commissioner Vermeire to take action to appoint Colleen Riley as the ninth member of the A-DLC Planning Board for a term. Colleen would serve in place of a conservation district member, as the conservation district declined the appointment; Seconded by Commissioner Gates.

Motion 5-0

Healthy Montana Families (Parents as Teachers Home Visiting) Task Order from 2019-2020 attached as reference) Updated task order is expected by end of next week. Included is an email referencing the award amount.

- **Leigh Ann Holmes, Public Health** – We have not received the actual updated task order. It is forth coming.
- **Commissioner Hart** – We do not have the Task Order for voting, is that correct?
- **Leigh Ann Holmes** – That is correct. I don't believe there is any rush. You have reviewed it before it expired. This could be tabled and have it as unfinished business.
- **Commissioner Hart** – No problem in putting this off for 2 weeks. Next week is a work session and then a Business Session. We don't want to make a habit of voting on Task Orders when we don't have the document to review.

Motion made by Commissioner Huotte to take action to TABLE the Healthy Montana Families (Parents as Teachers Home Visiting) Task Order; Seconded by Commissioner Vermeire

Motion to Table Carried 5-0

Subcontract from Butte-Silver Bow Health Department (2019-2020 attached as reference) for Chronic Disease programs – Montana Asthma Home Visiting and Tobacco Prevention. Updated task order is expected by the end of next week.

Commissioner Hart - Is this the same situation as the previous Task Order?

- **Leigh Ann Holmes, Public Health** – Yes, it is the same situation, they have received it in Butte as is going before their commission. As of today, I do not have this., No rush on this . . . will continue to provide the service.

Motion made by Commissioner Gates to take action to TABLE the Subcontract from Butte-Silver Bow Health Department for Chronic Disease programs – Montana Asthma Home Visiting and Tobacco Prevention; Seconded by Commissioner Huotte.

Motion to Table Carried 5-0

2020-2021 Contract with Granite county to provide public health services.

Leigh Ann Holmes, Public Health – Encourage Commission to approve. Approximately \$75,597 plus travel. We will provide 20 hours a week of public health service to Granite County. Can't imagine where they would be at without this service. They have another case today, for a total of 5 and we have done all the contact tracing and working with the hospital and health care provider. It is taking care of our neighbors and they are paying us well.

Motion made by Commissioner Vermeire to take action to approve the 2020-2021 Contract with Granite county to provide public health services; Seconded by Commissioner Huotte.

Motion Carried 5-0

Resignation of Ray Haffey from the Anaconda-Deer Lodge Historic Resource Board.

Motion made by Commissioner Gates to take action to approve the Resignation of Ray Haffey from the Anaconda-Deer Lodge Historic Resource Board; Seconded by Commissioner Smith.

Motion Carried 5-0

Request for Reappointment of Tim Flynn to the Anaconda-Deer Lodge County Solid Waste Board.

Motion made by Commissioner Vermeire to take action to approve the reappointment of Tim Flynn to the Anaconda-Deer Lodge County Solid Waste Board; Seconded by Commissioner Huotte.

Motion Carried 5-0

Special Event Permit – Sidewalk Sale, Park Avenue and Outlying Businesses, August 7, 2020, Pending Certificate of Insurance.

Commissioner Hart – Question for Bill and Leigh Ann regarding COVID-19 and increase of cases. Is this a concern for this event?

- **CEO Everett** – I believe we are Okay. Usually it is limited and doesn't raise any flags
- **Leigh Ann Homes** - I agree . . . although we need to push in the community to wear masks.
- **Commissioner Hart** – Hopefully people are getting the idea that masks are a necessary evil.
- **Commissioner Vermeire** – I see Whitefish passed a Resolution making masks mandatory.
- **Mary Johnston, Chamber of Commerce** – We are willing to post signs about masks being appreciated and even incorporate that into the advertising.
- **Leigh Ann Holmes**– Added that we have masks available and have people that could be available to hand them out. All 3 of most recent cases are travel related.

Motion made by Commissioner Vermeire to take action to approve the Special Event Permit – Sidewalk Sale, Park Avenue and Outlying Businesses, August 7, 2020, Pending Certificate of Insurance; Seconded by Commissioner Gates.

Motion Carried 5-0

Special Event Permit – Cow Pie Bingo, 100 Block of Cherry Street, August 7, 2020, Pending Certificate of Insurance

Motion made by Commissioner Gates to take action to approve the Special Event Permit – Cow Pie Bingo, 100 Block of Cherry Street, August 7, 2020, Pending Certificate of Insurance; Seconded by Commissioner Huotte.

Motion Carried 5-0

NEW BUSINESS

Agreement Between Anaconda-Deer Lodge County and the Anaconda Police Protective Association July 1, 2020 – June 30, 2021.

CEO Everett – Similar to other contracts with 1.5 % increase.

Motion made by Commissioner Huotte to take action to approve the Agreement Between Anaconda-Deer Lodge County and the Anaconda Police Protective Association July 1, 2020 – June 30, 2021; Seconded by Commissioner Gates.

Motion Carried 5-0

Agreement Between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 International Brotherhood of Teamsters (Road Department) July 1, 2020 – June 30, 2021.

CEO Everett – Also 1.5% increase across the board, like the other contracts.

Motion made by Commissioner Smith to take action to approve the Agreement Between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 International Brotherhood of Teamsters (Road Department) July 1, 2020 – June 30, 2021; Seconded by Commissioner Vermeire.

Motion Carried 5-0

Agreement Between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America (Clerical Teamsters) July 1, 2020 – June 30, 2021

Commissioner Hart – Explained that the Clerical Teamsters contract was business that was included in the unfinished business section.

MISCELLANEOUS

Commissioner Huotte – At the last work session the CEO brought up Resolution 20-16 for salaries for county employees and it was not on the agenda. Will it be on the next work session?

- **CEO Everett** – It was supposed to have been on this agenda.
- **Commissioner Hart** – Place on a Special Meeting next week after the work session.

Commissioner Gates – No Miscellaneous

Commissioner Smith – No Miscellaneous

Commissioner Hart – We had discussed West Valley Sewer Hook- up and fees. Is that being worked on to get that before the Commission?

- **CEO Everett** – Hopefully we have it for next week's work session. We are also working on the

economic development board.

- **Commissioner Hart** – Sent an email to Commissioner Vermeire and Commissioner Huotte as members of the Old Works Board. I had a neighbor who is interested in the moving of the monument for Dick Pizzini at the outside entrance of the course. It is obscured with grass and hopes it could be moved inside the gate where it would be more noticeable. The other item is with the size of our sewage facility, . . . in the future will we be taking sewage from out of county?
- **CEO Everett** – My views and feelings are strong. There is zero chance we will accept outside county waste. Anaconda taxpayers I am certain do not want to pay for the waste for people in Granite and Silver Bow County. There is no fee that we could assign that would seem close to being rational that would cover the true cost. Those counties have their own responsibilities to their residents. They need to call their commissioners in those counties and tell them to get facilities in place to take care of their own residents.

Commissioner Vermeire – At the Old Works meeting Commissioner Huotte brought up the idea of moving the memorial. CourseCo is going to investigate this. They talked about going out and cutting the grass and making it look decent.

CEO Everett – It is all about construction right now. We have the budgets ready to go forth for next year. Things are looking better with the extra money that came in. The County is in fantastic shape right now.

County Attorney Krakowka – No Miscellaneous

Public Comment

Rose Nyman – Talked about Durston Park and that it is not a dedicated park. The intent was to do some cosmetic things to make it look better because it is such a visible corner. Provided a history of the property during the 80's and what happened when a local resident attempted to buy it. Not advocating for the Commission to make it a dedicated park, or for the Commission to sell . . . but we are at a point in history that it needs to be dealt with. It is prime real estate. There is a group who wants to do a face lift to and submitted a request to the URA board for financial assistance. Other projects were done at Durston and the projects went before the Commission. Everyone should have to go through the same process. Mentioned that the applicant was going through a list of donations and pointed out that one was being kind of stingy. I want our elected officials and the public to be very cognizant of the fact that we are a government appointed board and no one on the board made the statement or responded to it. The Corporation mentioned has funded many grant requests in this community for projects and events and are very generous to the local food bank. Asked the Commission their thoughts on Durston? Believes most of the community would want to keep it the way it is.

- **Commissioner Hart** -Durston park has become an integral part of Anaconda. If the CEO would be inclined to have someone work on that; I think it should be a designated park. The items placed there have been there through some difficult years and important to keep that.
- **Commissioner Gates** – In agreement. It is a good part of the community and it would be good to go ahead and make it a county park.
- **Commissioner Hart** – We will take up that topic with the CEO and take this up for consideration.
- **Commissioner Hart** – To go along with Rose's comments on Durston. Sometime ago I asked Joe Ungaretti to look at the sign ordinance. That is something else that needs to be resurrected.

ADLC Public Meeting Dates

Commissioner Hart - Read the meeting dates and times. Mentioned the addition of the Special Meeting after the work session for salaries for non-union employees after the work session. Asked if the Planning Board meeting was taking place in the courtroom

- **Rose Nyman** – Informed Commissioner Hart they were going to try this.

Kimberly Richardson – Provided an update to the Fair Board meeting, the location was changed to the Exhibit Building on the Fairgrounds Property.

- **Commissioner Hart** – Asked Kimberly about the Fair.
- **Kimberly Richardson** – We are working on what we are calling a 4-H event. It would be just 4-H exhibitors, no public invited and no food. All fair events that I know of are not happening. We are working on very strict guidelines. Will send a finalized copy to the Commission when it is received. This was just updated with explicit instructions. There is also a possibility whether they will mandate a waiver for anyone who attends the events. Again, the public is not invited.

Adjournment

Meeting was adjourned at 7:32 p.m.



Lori Sturm
Clerk of Commission



Kevin Hart
Commission Chair