

**ANACONDA-DEER LODGE COUNTY**  
**COMMISSION WORK SESSION MEETING**  
**6:00 P.M. TUESDAY September 26, 2023**  
**COURTHOUSE COURTROOM**

Present: District 1 Commissioner Mike Beausoleil, District 2 Commissioner Steve Gates, District 3 Commissioner Kevin Hart (Chair), District 4 Commissioner Tom Gallagher, County Attorney Ben Krakowka and Clerk of Commission, Seanna Zacher

Excused Absence: CEO Bill Everett, Commissioner Mike Huotte

Members of the Press: James Rosien, Anaconda Leader

**Request for Anaconda County Courthouse Additional Concrete Sidewalk Stone(Quote Attached)**

**Commissioner Hart** – Carl, do you have any more information on this? It seems that once they dug into this, they found some things underneath that need to be repaired, is that correct?

- **Carl Hamming** – Yes, that is my understanding.
- **CA Krakowka** – We are into the project thus far already and hopefully this will resolve the damage that is happening on the first floor. I have a wall in my office that is falling apart, in Justice Court as well. What they have done so far looks great and the parking lot is doing its job, the rain was running into the gutters which I have not seen before. I would be in favor of the additional stonework that needs to be done.

Place on Agenda

**Amended Plat, Lot 13, Lots 19-22, and Lot 25, Block 10 Old Georgetown Townsite**

**Carl Hamming, Planning Director** – Good evening, Commissioners. Generally amended plats, boundary line adjustments, those are an administrative review conducted internally within the Planning Department however our regulations do require that if an amended plat or boundary line adjustment has six or more lots involved in the relocation then we require Commission approval. Everything checks out with the survey; it has gone through the examining plan surveyor as well for the surveyors check of the surveyors' work. Everything seems to be in order as far as adhering to our DPS, so we are looking for permission to file the amended plat.

- **Commissioner Gallagher** – On Lot 25C, it shows a shop. Is there a right of way encroachment on the East line there?
- **Carl Hamming** – There is a slight encroachment. The survey did reveal that but the county's stance on these is that we know there are instances throughout, not just Old Georgetown but here in Anaconda, Opportunity, and Lost Creek where we have structures that are encroaching into right of way and rather than giving up right of way and reconfiguring some of our streets into what would be ill conceived for future planning efforts, we would rather recognize that it exists but not allow it to be further of an encroachment or if it is demolished or moved, we would protect our right of way and nothing else is furthering those types of encroachments.
- **Commissioner Gallagher** – Have we notified or ended an adverse possession clause running?
- **Carl Hamming** – Not technically, there is no adverse possession clause running. Things like this do detail the fact that their private shop is encroaching into city/county right of way.
- **Commissioner Gallagher** – They are aware of that?
- **Carl Hamming** – That's what is helpful about modern surveys reviewing things like this where there are issues that can be addressed in the future.

Place on Agenda

## Amended A-DLC Special Events Permit Application

**Joe Ungaretti, Park and Recreation Director** – Chairman, members of the Commission, over the past year we have looked at our Special Event Permit, the one we have in place is very generic and does not give much information on what will be taking place on County property. Talking with MMIA they have recommended changing the Special Event Permit, to include events that are not typical to be using County property. Weddings, family reunions that are held over multiple days, they are recommending an insurance policy, not only to protect the County but to protect them. We went through and identified some of the needs people are presenting with Special Event Permits for county property. Garbage, health permits, law enforcement if required, secure permits and business licensing if required by county ordinance. You can take a look at the draft compared to the last application, there is quite a bit more detail. I did look into different insurances, there are three providers where you can acquire insurance for a special event to include liquor, the cost ranges from \$100.00-\$500.00 per event. We need a clear understanding of what the property is being used for to protect ourselves.

- **Commissioner Gallagher** – Mr. Chair, the new form says violators will be subject to a fine of up to \$500.00. Resolution 10-32 is attached but that does not reference a \$500.00 fine, is this something new?
- **Joe Ungaretti** – Yes, sir.
- **Commissioner Gallagher** – Special Events are good for the community, it's just when I read it, it sets a bad tone.
- **Joe Ungaretti** – This is just a draft that we have presented, any changes are up to you guys.
- **Commissioner Hart** – County Attorney, would that have to be covered in an ordinance if there will be a penalty.
- **CA Krakowka** – When I said I had no comment at this time, this is the item that had jumped out at me. What I think we would need to do is have an ordinance for use of County property for an event that they must fill out the Special Event Permit Application, and failure to comply with the requirements of the permit etc., could result in a fine of up to \$500.00. You would have this administratively but there would have to be an ordinance for there to be a fine.
- **Joe Ungaretti** – The problem with the ordinance and this language is that it is unenforceable. There are a number of our county ordinances that are unenforceable.
- **CA Krakowka** – I can talk to you about this later if you would like.
- **Commissioner Gallagher** – If the event requires the closure of any streets a map must be provided. Can we change that to read traffic control plan?
- **Joe Ungaretti** – Sure.
- **Commissioner Gallagher** – When we close Main Street and block access to the Hospital, we do require signage and detour routing.
- **Joe Ungaretti** – Wayne Wendt and I have worked with Gayla to meet with applicants to go through their plans and what will be required for traffic control.
- **Commissioner Gallagher** – Traffic control plans require signage so it's a little more than a map. Thank you.
- **Commissioner Hart** – To be honest with you, if something is unenforceable, I would almost like to remove it. However, you may be able to check and see if there isn't already an ordinance in place to enforce this.

Place on Agenda

## Annual Agreement between Locality Media and The Anaconda Fire Department

**Erick Brittain, Fire Chief** – Good evening, Mr. Chairman, members of the Commission. This is an annual agreement between First Due and us primarily for EMS reporting. Our current software will no longer be compliant with our federal regulatory agency. If we are not compliant with them, it interferes with our billing. It is a little more expensive as we elected to go with the full suite program, so we are not piece meal fire and

ambulance reporting software. We decided to bite the bullet and do it now. This has been budgeted in the fiscal year and approved by the CEO.

- **CA Krakowka** – Sounds like this is software you will need to have, is there any grant funding available for this?
- **Erick Brittain** – No, throughout the State they are dealing with the same bullet that we are biting. The good part about this program is that the owner lives in Helena so if any issues arise, he can come down and help us. Missoula, Helena, and Big Sky have all moved to this program. If we don't go to this program, it will eventually be shoved down our throats at a cost of \$25,000.00 per year. Thank you.
- **Commissioner Gallagher** – Are we planning on using every one of these modules?
- **Erick Brittain** – Yes, sir.
- **Commissioner Gallagher** – Why would you put personnel information online? All scheduling online?
- **Erick Brittain** – So it is easily accessible to our employees. They would be able to make changes from home, right now we are currently using a taper spreadsheet which I would love to get rid of. As I had said before it has already been approved in the budget. Thank you.
- **Commissioner Hart** – To add to what Commissioner Gallagher was saying, this is a program that is not available to the public, only the members of the department will be able to access this information with passwords.
- **Erick Brittain** – Yes, usernames and passwords. Just like any other reporting system.

Place on Agenda

### **Agreement between A-DLC Public Health Department and Montana Health Network to Provide Title X Services**

**Lauren Bolton, Public Health Director** – Good evening, Commissioners. This is an agreement with a health care provider contracting network. It will allow us to contract with a medical doctor to provide our family planning services to our patients. She will be able to do all the things our nurse is unable to do, and she will be able to sign standing orders so our nurse can do things when she is not here. Thank you.

Place on Agenda

### **Fiscal Year 2023- 2024 Budget Request from Anaconda Adult Learning Center in the amount of \$3,500.00**

**Judy Barber** – County Attorney, Commissioners, thank you. I am Judy Barber, I live at 400 E 4<sup>th</sup> Street, Apt 2. I am President of The Anaconda Adult Learning Center Board. We have been very grateful for your support in the past and again we are requesting \$3500.00 to continue our program and make services available to the residents of A-DLC. It is important to have these services available in Anaconda, but transportation is often a challenge. If people are unable to get the help they need, it limits their ability for improvement and employment in the future. In addition to the high school equivalency program, we provide individual instruction for entrance exams into trade schools and college. We are here to help people brush up on their basic skills in math, reading or English. We are able to assist in basic computer skills. We have helped with things as basic as sending emails, attaching files to email, and how to use YouTube. We assist with resumes and cover letters as well as online job applications. We can help with job searches and unemployment applications. We very much appreciate your consideration of our request, thank you.

- **CA Krakowka** – I believe this is a very meritorious request for funds for the quality of assistance that is being provided. I would encourage the Commission to continue to provide funding for this project.
- **Commissioner Hart** – I would like to add that this is a very necessary service in the community and thank you for providing that. This has already been budgeted and has been for a number of years. Thank you for providing this service.

- **Rose Nyman** – I would like to speak in support of this request. I think it is a very important program in the community especially after coming out of Covid where students have been struggling so much, now they are a little older and the problems get bigger. Thank you.

Place on Agenda

### **Fiscal Year 2023– 2024 Budget Request from CCCS Inc. Discovery House in the amount of \$3,500.00**

**Tina Masters, Program Administrator** – Thank you so much, we are very grateful. We are coming up on celebrating fifty years here in Anaconda. Discovery House was started by Sister Gilmory Vaughan at the request of two judges who felt there needed to be a safe place for students. Currently we have four students, our capacity is eight. With Covid and everything our biggest stressor has been retaining enough staff. In 2007, Mike Thatcher stepped in and here we are 13 plus years later. We are grateful for every day that we can offer services. I feel that one of our strengths, not only in caring for the kids and keeping them safe, supervised, and attending school, but the amount of support from the community is phenomenal. From bowling, to show passes, our health care, we have also utilized the Adult Learning Center for students getting their HiSet. We have people constantly coming to the door and we have several people that help support us monthly that live in this community. I am looking forward to celebrating our fifty years here with a legacy started by Sister Gilmory Vaughan and Carol Kovacich. I am privileged to be the administrator and work alongside CCCS, whose mission is to change lives one day at a time. We are the only student facility committed to helping kids at this level make better choices for their lives. Whether it be schooling or chemical dependency, all those things are incorporated into helping them make positive life choices so they can be a positive member of their community. Thank you.

- **Commissioner Hart** – Again a very worthwhile cause in the community. This has also been budgeted for many years. It's a great benefit for us and we are glad to have this program.
- **Rose Nyman** – I would also like to speak in support of this project. We have so many youths struggling due to Covid and the drug use in our community impacts those children. It also helps the region, not only Anaconda children. I would appreciate the approval of this request, thank you.

### **Request for Reappointment to the Planning Board by Annette Smith(Letter Attached)**

**CA Krakowka** – I am glad to see that Annette would like to continue serving on the board. About twelve years ago Annette was having property issues of her own and I believe that is how she became involved with the Board. I think she has been a worthwhile member of that Board.

- **Commissioner Hart** – I do believe you are correct; it was property issues that prompted her interest in serving on the Board.
- **Sandi Wenger** – Opportunity. I was going to say what Ben said, one day she is on the agenda and a couple weeks later she applied for the Planning Board and has been there ever since. I think that is pretty good dedication, since we can't always fill our boards, she is one to depend on. Thank you.

Place on Agenda

### **MISCELLANEOUS**

**Commissioner Mike Huotte:** Not Present.

**Commissioner Steve Gates:** No Miscellaneous.

**Commissioner Tom Gallagher:** I am assuming we all got the same letter from the Attorney General. What he put in that letter versus the letter of support that was authorized last week, there is a huge discrepancy. I am a little concerned because it's not just land, it's water. The Forest Service announced they acquired three hundred acres from the County, wetlands in the Big Hole. Whereas what was presented last week would be palatable, two thousand square miles of conservation easement would not be compatible with anybody. It basically robs future

generations of any options. I am concerned that what we were told and what the Attorney General is representing, the disparity between the two. If we could get some clarification, I would appreciate it.

**Commissioner Mike Beausoleil:** No Miscellaneous.

**Commissioner Mike Hart:** No Miscellaneous.

**CEO Everett:** Not Present.

**CA Ben Krakowka:** No Miscellaneous. I was just provided a copy of the letter from the Attorney General, but I have not had a chance to review it yet. I was not sent one.

## **PUBLIC COMMENT**

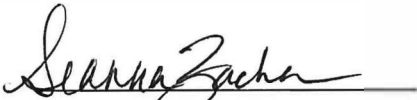
**J.H Delaney** – 1708 Copper. A friend asked last week, I brought up that one subject matter about items being brought up one time in front of the Commissioners. It was May 02, 2023, the last two items, C & D. Thank you.

## **Meeting Dates**

**Commissioner Hart** – Read the meeting dates and times.

## **Adjournment**

Meeting Adjourned at 6:30 p.m.



Seanna Zacher  
Clerk of Commission



Kevin Hart  
Commission Chair