

**ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 P.M. TUESDAY, October 17, 2023
COURTHOUSE COURTROOM**

Present: District 2 Commissioner Steve Gates, District 3 Commissioner Kevin Hart (Chair), District 4 Commissioner Tom Gallagher, District 5 Commissioner Ed Beaudette, CEO Bill Everett, County Attorney Ben Krakowka, and Clerk of Commission Seanna Zacher

Excused Absence: Commissioner Mike Beausoleil

Members of the Press: James Rosien, Anaconda Leader

Members of the Public: Per Sign-In Sheet

Commissioner Hart called the meeting to order at 6:00 p.m. Commissioner Hart explained the Commission rules of procedure.

Approval of Minutes

Approval of Minutes from the Commission meeting of October 03, 2023; and the Commission Work Session of October 10, 2023

Motion made by Commissioner Beaudette to take action to approve the Minutes from the Commission meeting of October 03, 2023; and the Commission Work Session Meeting of October 10, 2023; Seconded by Commissioner Gallagher.

Motion Carried 4-0

Approval of Claims

Motion made by Commissioner Gates to take action to authorize the payment of claims numbered 143137 through 143227 in the amount of \$387,523.94 Seconded by Commissioner Beaudette.

Motion Carried 4-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

- **Commissioner Beaudette** – I had a conversation with Carl Nyman concerning the later matter on the agenda and I will address that when we get there. Thank you.
- **Commissioner Gates** – I met with a few Policy Council members for Head Start to conduct interviews for a few positions that are available.
- **Commissioner Gallagher** – There have been mergers and acquisitions that impacted a contractor selected by the Greenway Committee. The contracts are still enforced, there has just been a name change.
- **Commissioner Beausoleil** – Not Present.
- **Commissioner Hart** – Nothing to Report.
- **CEO Everett** – Nothing to Report.
- **CA Ben Krakowka** – Attended a DUI Task Force meeting, we did not have quorum so we could not conduct any official business, but we did discuss items for upcoming meetings. I had a Multiple Disciplinary Task Force Meeting to discuss abused children and their cases. I was asked to speak at an Urban Renewal Agency meeting which I found very interesting to see the workings of that board. I hope my presentation was helpful.

UNFINISHED BUSINESS

Appointing the new Chief Financial Officer for Anaconda Deer Lodge County(Mike Huotte Applicant)

Motion made by Commissioner Gates to take action to Appoint Mike Huotte as the new Chief Financial Officer for Anaconda Deer Lodge County; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Resolution 23-25, A Resolution to Apply and Issue Tax Deeds on Tax Deed Eligible Properties for the 2019 Tax Year to Anaconda Deer Lodge County

Commissioner Gallagher – Mr. Chair, in light of the valuations and the controversy regarding property taxes I don't see a reason to take the properties, we can just file the lien. Secure our claim and if it sells, we get paid.

- **Commissioner Beaudette** – I understand Commissioner Gallagher's position on this but under the circumstances these are significantly delinquent, and it is property that as a county we should gain as much control over as we can.

Motion made by Commissioner Gates to take action to approve Resolution 23-25, A Resolution to Apply and Issue Tax Deeds on Tax Deed Eligible Properties for the 2019 Tax Year to Anaconda Deer Lodge County; Seconded by Commissioner Beaudette.

Motion Carried 3-1

Dissenting Vote – Commissioner Gallagher

Request to Advertise for Bids for a 2024 Ambulance 4 x 4 Emergency Vehicle Fire Rescue Prep Package

Motion made by Commissioner Gallagher to take action to approve the Request to Advertise for Bids for a 2024 Ambulance 4 x 4 Emergency Vehicle Fire Rescue Prep Package; Seconded by Commissioner Gates.

Motion Carried 4-0

A-DLC Head Start Non-Competing Continuation Application for Grant Period February 1, 2024, through January 31, 2025

Commissioner Beaudette – I would just like to say that Heidi Ungaretti's explanation was highly appropriate and competent. I recommend we move this forward.

Motion made by Commissioner Gates to take action to approve the A-DLC Head Start Non-Competing Continuation Application for Grant Period February 1, 2024, through January 31, 2025; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Parcel Reconfiguration and Modification of Restrictive Covenants and Related Deed Provisions (Golf Course and Hotel Parcels)

Commissioner Beaudette – I met with Mr. Nyman concerning some of the questions I had after he provided me with the documents I requested. I am not opposed to the agreement, but I also believe that we are relatively protected on the superfund site as much as possible using the development permit system. I do have some concerns about the transfer that need to be addressed before we adopt the resolution. As far as transfer of responsibilities to the HOA after the purchaser has completed and sold the properties, I think ALDC should have an ex-officio representative on the HOA so we can protect our interests and investment that we have with the Old Works Golf Course. We need to make sure the HOA

continues to function in a proper and legal manner. In the past I have seen HOA's fall apart. I think we need to have some deed restrictions put into any transfer that would occur in this case that would be primarily addressed to short term rentals such as a B&B concept. I think a rental situation could be detrimental to the overall ambience and to the investments made by other purchasers of a condominium. I think we need to be in a position to protect both the county as well as the individual purchasers by having deed restrictions.

- **Commissioner Gallagher** – I concur with many of the sentiments expressed by Commissioner Beaudette. Out of necessity this has got to be one of those mean type HOAs where they pick the paint color, the type of roof, etc. because these aesthetics reflect on the golf course. There has to be continuity. It's in the early stage because these are not the restrictive covenants, this is the starting point of those covenants. Those will be determined by the developer.

I am concerned given the nature of what is underneath the property. The plans are to go with the three existing foundations built as a hotel its going to be a common sewer service, which is not typical in new construction. Typically, units have separate sewer lines, but we do not want to disturb the ground with those three. The intent is thirty units so eventually we will be disturbing dirt. Going into this we have not done any soil sampling; we know what is under there. Given extensive number of revisions that have been done to this and ARCO's insistence on controlling the irrigation, the toxics that are underneath are migratory in nature. Risk, reward, I can't square the circle. The county is assuming liabilities that it was exempted from, those liabilities may or may not pass to the contractor. I have yet to hear someone from Jay Fortune Construction say they are willing to accept those liabilities. The people that live there won't be able to have gardens unless they have raised beds and things like that. As we move through, we will have to revisit.

- **Commissioner Gates** – Carl, what do you think, last week you said it was as good as we can almost expect to get. I am a little reserved as to where we maybe need to have this looked at again or is there any room with Atlantic Richfield on this matter.
- **Carl Nyman** – I guess if there are specifics that are causing concern that is not in here or something you are seeing, it would help if you would let me know. We understand the free-floating concern with it, we are very familiar with what is down there with the previous excavations that have taken place. The remedy was performed exactly the same as the East Yards and Arbiter Plant. The conditions are the same as the '94 conveyance other than that it goes on to say with this hotel parcel we are responsible for the superfund remedy. It says it in a slightly different way but that was what the intent was in 1994. The landowner/developer is solely responsible for any additional remediation or work that needs to be done.

At that time, there was not any institutional controls program in place, which we have now operated for around fifteen years. The waste that is underneath, that liability will always stay with Atlantic Richfield unless someone exacerbates the condition. The way not to do that is to follow our guidance. The system we have has worked well, the EPA has sanctioned that, they want this to be part of the ongoing program. There lies a great deal of our protections, the condominium owners, the individual owners, and developers' protections. I have read all of this very carefully and worked closely with Mike on this for many months, as far as modifying anything we have to get down to a specific provision or something that we could look at because we could always ask.

There is a reluctance to go beyond anything that we agreed to in 1994 because there have been a lot of concessions along the way in terms of creating the institutional controls program providing some funding for handling the contaminated soil that don't have restrictive covenants. I am happy to look at any specifics you may have. The IC program has been working very well for everyone involved.

- **Commissioner Gallagher** – There is a remediation site in Colorado Springs that now has million-dollar houses on it. It was an interesting project, utilities all had to be bedded and cleaned, sewer lines were under drained, that would be a development review process. We don't currently require clean fill and underdrain so that would be specific to when they open up the ground and bring in utilities for the future units. These are things that would have to be in place before the ground is moved. Rigorous erosion control because of the creek, it will need to be a

much more substantial barrier. There is a lot of stuff on our end that needs to be done before we can allow construction on new foundations. There would not be much risk where the existing foundations are but as the project develops, we need to have those things in place. I am very weary that now we have assumed the ARCO role.

- **Carl Nyman** – Most contractors will bed that in a material they get from S&N like road mix or pea gravel. The times people have not resulted in liability for them because their pipes are not protected. Most contractors just do that because they want to guarantee their work. As people have concerns, we are willing to entertain those and make those a part of the discussion with the developer. If there are stipulations that we would like to make I think those are reasonable and could happen at the Planning Department level.

This is written differently than the '94 conveyance but states the same thing. Anyone who takes the property is responsible for maintaining the cover so that it remains protective, one way to do that is to leave it alone. There is a very straightforward sequence to handling this soil. On this portion of the golf course there is two inches of lime rock, eighteen inches of clean material, it has a lot of clay to help absorb moisture and it was revegetated. This is what we agreed to maintain when we took all of these properties.

The golf course is a different type of remedy, but we agreed to this all along and we have asked subsequent developers to do the same and have not had a problem. We have done a lot of research including the Wallace/Kellogg area. It is time to implement something, and it works very well, EPA, DEQ and Atlantic Richfield are very happy with it as it has not been bringing any liability back to them. There is no evidence of upward migration so what we need to do is follow the process, the process works. If it alleviates your concern let's talk about it and bring it to the developer.

- **Commissioner Beaudette** – I would like to reiterate the fact that we need to put restrictions on the deed before we transfer to the developer. We cannot rely on him to protect us in doing deed restrictions, we have to protect ourselves. What we are talking about is a high-end development that will enhance the rest of the properties in the nearby subdivision. We need to protect ourselves before we transfer the property, and we need to be within the eventual HOA where we can have an ex-officio position in place.
- **CEO Everett** – Commissioner Beaudette with your concern of having a county representative on the board, I think that was already addressed. That will be something that will be on there, that is not a problem. You can vote with that being conditional, we could easily do that. I am not sure if that person should be a commissioner or someone from the Planning Department, we can easily take care of that.

Issue number two and the most important, and I think you said you were comfortable with it, was some of the liability the county was taking on. The risk here is extremely minimal, we have a thought-out approach. The professional consultants and legals that we have used have been phenomenal. I am very proud of the team that have brought all of this to us. Carl has explained this very well, the possible risk is something that our road crew could fix in thirty minutes. This is what I have done for seven years, Mr. Nyman has done this for twenty-two years, we know our jobs very well. We have hired the best legal in the country, we have the DEQ and EPA backing us, we even have ARCO. I think we can approach this very safely.

The next issue is a little more complicated as you are talking about short-term rentals. Short term rentals we have no boundaries or covenants for those as a county. Someone will invent that wheel and then we will copy that. We definitely lean in the direction of letting property owners do what they want with their properties.

This Commission approved Jay Fortune access to this land with these understandings, we are now putting new rules into the game, legally we can't do that. Fortune has spent considerable sums developing this site already based on what the Commission has approved. If they came back and said the county changed the rules, I would say how big of a check do you want, legally you can't do that.

The purpose of the condos was to create more rounds of golf, that's the number one goal. This would be more meals sold in our county owned restaurant and more apparel being sold. Obviously, a short-term rental, those people would spend considerably more in the four days they are here vacationing than a tenant would. We want

that turnover. The golf course was once about to be shut down, we took very aggressive actions to rejuvenate the golf course and it worked, it is doing phenomenally well. We are adding cross-country skiing to increase revenue. This is another way to make this viable, so it is here in the future. I don't understand your reasoning for not wanting the short-term rentals. Purchasers of these condos are going to be looking at every income opportunity. If I was not allowed that option, I would not want to buy that property nor will other people. You are changing the rules in the middle of the game, legally you cannot do that. If you take this step, you will be sued. Without continuity with commissioners, we have a problem.

- **Commissioner Beaudette** – Having deed restrictions is a tried-and-true method of doing things and it appears by your arguments that this has been misrepresented to the prior commissions. My understanding is that this was going to be a high-end residential area for someone to maintain, not a timeshare type of a circumstance. I have been told that during the Goosetown softball tournament there were issues with the Air B&B rentals. These are problems all over the country, Bozeman is trying to eliminate short-term rentals because it is impacting available long-term rentals. Deed restrictions are the only way to protect us. This is why I would like to table this to view past documents to see if there was misrepresentation.
- **Commissioner Hart** – I don't think there has been any misrepresentation. When we refer to short-term rentals, this parcel was originally supposed to be a hotel. I don't know if there is a clearer definition of a short-term rental than a hotel.
- **Commissioner Beaudette** – A hotel obviously has maintenance, security, and front desk workers that control the environment. Someone who purchases a condo for a residence expecting to have a nice quiet retirement home could end up with something like a frat house right next to them. I just want clarification before we move into this type of situation.
- **CA Krakowka** – There is always going to be some risk and liability associated with developing these areas, but the county has done it. It happened with the Murdochs, and the hotel. It worked incredibly well because of the institutional controls that we have in place. We have now established a track record that this works, the developer here knew about all of this when he signed up for it. I do not see any more risk than we initially took on. If we start developing and we find problems, we have a plan, a plan that works.

In regard to appointing someone to sit on the homeowner's board, if the CEO is satisfied with that as a solution, I think that is something that could work. The rules of the HOA are not going to exceed the laws and institutional controls that we have put in place. The HOA cannot suddenly approve a pond, it would have to be approved by the Planning Department. These being short-term rentals is really not an issue for the county commission, that is what an HOA is for.

The short-term rentals aren't going to be the primary issue or concern that you are dealing with as far as disturbing the protective layer. I think this is a well thought out project with appropriate institutional controls to protect the county and the cover on the property while allowing some development. This has worked on two huge projects, so to say suddenly that it won't work for this one, I don't know if that's entirely realistic. Thank you.

- **Commissioner Beaudette** – My objections are not related to the superfund issues; I am talking about the future value of the remaining properties around the golf course area and the other investors. We cannot rely on an HOA to have the type of control over that, an HOA can change their minds quickly. We haven't done the deal yet. I would like to see the documents and see where we are at and move forward with something that is going to be responsible for every other developer in the state of Montana as well as the significant investment we have in the golf course.

Motion made by Commissioner Beaudette to take action to table the Parcel Reconfiguration and Modification of Restrictive Covenants and Related Deed Provisions.(Golf Course and Hotel Parcels); Seconded by Commissioner Gallagher.

Motion Failed 2-2 Lack of Majority Vote

Commissioner Hart – I don't think calling for another motion will make a difference. We will place this on a future agenda when we have all five Commissioners present. CEO if you can work on the HOA provision to have an ex officio maybe that will help resolve the issues.

Replacement for Commissioner Huotte's seat on the Health Board, Job Corp Community Relations Council , and SW Regional Juvenile Detention Committee. Commissioner Beausoleil has requested an appointment to the Health Board

Motion made by Commissioner Gallagher to take action to appoint Commissioner Beaudette as Replacement for Commissioner Huotte's seat on the Job Corp Community Relations Council and SW Regional Juvenile Detention Committee; Seconded by Commissioner Gates.

Motion Carried 3-0
Commissioner Beaudette abstained from voting

Motion made by Commissioner Gallagher to take action to appoint Commissioner Beausoleil as Replacement for Commissioner Huotte's seat on the Health Board; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Replacement for Commissioner Huotte's seat on the Economic Development Board, ending January 03, 2027. Commissioner Gates has requested an appointment to the Economic Development Board

Motion made by Commissioner Gallagher to appoint Commissioner Gates as Replacement for Commissioner's Huotte's seat on the Economic Development Board, ending January 03, 2027; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Replacement for Commissioner Huotte's seat on the Old Works Golf Course Authority Board, ending November 02, 2026. Commissioner Beaudette has requested an appointment to the Old Works Golf Course Authority Board

Motion made by Commissioner Gates to take action to appoint Commissioner Beaudette as Replacement for Commissioner Huotte's seat on the Old Works Golf Course Authority Board, ending November 02, 2026; Seconded by Commissioner Gallagher.

Motion Carried 4-0

NEW BUSINESS

Agreement for Inmate Excess Medical Insurance and/or Claims, Effective November 1, 2023– October 31, 2024

Commissioner Hart – This is something that we have had for a number of years, it is very beneficial for us. This is for medical expenses for anyone that may be incarcerated. It helped alleviate liabilities in the past, we had medical expenses incurred by an individual in excess of \$25,000.00. This is very worthwhile.

- **CEO Everett** – This is a policy that we need to have in place.
- **CA Krakowka** – I would concur, this is a policy that we need. It protects the County in case of a catastrophic medical issue by an inmate in our county.
- **Christine Collins** – Agreed, this should be a policy that is in place.

Motion made by Commissioner Gates to take action to approve the Agreement for Inmate Excess Medical Insurance and/or Claims, Effective November 1, 2023 – October 31, 2024; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Request to Advertise for Bids for a 2023 Police Package Vehicle

Commissioner Gallagher – The vehicle delivery date on this proposal is January 1, 2024, we don't impose penalty unless we don't receive the vehicle by June 1, 2024. Why the six-month grace period?

- **CEO Everett** – We hope to have it January 1, likely we won't. The closest guarantee we can get right now is June 1. We once waited almost two years for a police vehicle.
- **Commissioner Hart** – When I first saw that date, I was completely shocked that we might receive it that soon. I will be surprised if the June 1 date actually happens. If we held a buyer to the January date, we most likely would not receive any bids.
- **CA Krakowka** – It is important to continue to replace these vehicles at set times, so we don't wind up in a huge budget crunch to replace multiple vehicles at once.

Motion made by Commissioner Gates to take action to approve the Request to Advertise for Bids for a 2023 Police Package Vehicle; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Resolution 23-26, A Resolution to Request for Prosecutorial Assistance

CA Krakowka – There is a case that has come to my office that I don't feel comfortable prosecuting. I try and ask for assistance as rarely as possible, but this is a case where it would be appropriate to obtain assistance. The Beaverhead County Attorney has agreed to assist me in this case.

- **Commissioner Beaudette** – I would like to speak in support of this particular resolution. If we can avoid a conflict of interest by working through this process, we should do it. We need our system of justice to be viewed by the public as being fair, and I think this is important to do.

Motion made by Commissioner Beaudette to take action to approve Resolution 23-26, A Resolution to Request for Prosecutorial Assistance; Seconded by Commissioner Gallagher.

Motion Carried 4-0

Best Friends Network Partner Program Grant

CEO Everett – David put in for a very small grant. He did a great job; it was way out of his spectrum. There is no matching, he just got us a little bit of free money for the animals in the shelter.

- **Commissioner Beaudette** – Years ago we had one of the largest animal abuse cases in the county in relation to a huge number of horses. It was an extremely difficult situation and extremely expensive for the County as far as maintaining funds to feed the horses that were in danger. Anything we can get to assist us is great.

Motion made by Commissioner Gates to take action to approve the Best Friends Network Partner Program Grant; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Appointing a New Vice Chair to the A-DLC Board of Commissions

Rose Nyman – I have no objection to Commissioner Beausoleil serving as Vice Chair; however, we just went through this on the planning board, and you cannot appoint someone that is not present. I found this information from Dan Clark.

Motion made by Commissioner Gallagher to take action to table Appointing a New Vice Chair to the A-DLC Board of Commissions; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Agreement between A-DLC Public Health and American Physician Services, LLC

Lauren Bolton, Public Health Director – Good evening. This is a contract with a professional billing and coding service that will allow us to efficiently bill for the clinical services we provide.

- **Commissioner Gallagher** – My major concern is the payment method. We create a preauthorized bank draft, drawn upon our bank account in the amount owed for their invoices. So unlike claims, they will take the amount they submitted whether it's an actual receivable or not. If it was a set amount they would take, I would not have a problem however, this is a billable hourly rate until \$30,000.00 at which time it becomes a flat rate of \$350.00 per month plus \$350.00 for their software. They will be billing us through a preapproved draft of revenues we may or may not see. I am a little reluctant to do a preapproval on a number that floats.
- **Lauren Bolton** – To put this in perspective for you, we are currently paying a flat rate of \$450.00 per month for billing software and we are not seeing returns on our billing. We are getting denial after denial because we don't have a professional biller and coder. Average time spent on billing should be maybe 6-8 hours, we are spending a lot more time than we should be. Outside of flu shot season we are not administering the number of vaccines that would see a \$30,000.00 return in one month. October would be the only month that we might even scratch that amount. We actually would not even see that in the month of October due to the insurance carriers. We could propose some changes regarding payment in the contract, possibly claims by check. I think they would be open to that.
- **Commissioner Beaudette** – Could you talk to these folks about what accommodations they could make to the contract?
- **Lauren Bolton** – Absolutely, I can take that question back to them and we can look at it and have some proposals for you.
- **CA Krakowka** – What other counties are working with these folks?
- **Lauren Bolton** – None that I know of with this specific company. They are all working with various professional billing and coding companies.
- **CA Krakowka** – What other counties are contracting this type of work?
- **Lauren Bolton** – Teton, Sanders, Beaverhead County, and several others.
- **CEO Everett** – We use a similar one of these for our ambulance services. Going with a professional firm we will be able to recover a better percentage.
- **Lauren Bolton** – We were referred to this billing agency by our Ambulance folks.
- **CA Krakowka** – You believe this will help bring more money into the health department?
- **Lauren Bolton** – Absolutely, immunizations are one of the only things the health department can do to generate revenue to pay for staffing and the cost of immunizations. I am sure you saw in the budget immunizations are our biggest expense next to staffing. This will allow us to recuperate the cost of the services and get a higher reimbursement from the insurance agencies to come back as revenue to the County. We can charge an administration fee for immunizations; this fee goes a long way.
- **CA Krakowka** – So you can bring that revenue in without needing to create another position in the health department?
- **Lauren Bolton** – Absolutely.

Motion made by Commissioner Gates to take action to approve the Agreement between A-DLC Public Health and American Physician Services, LLC; Seconded by Commissioner Beaudette.

Motion Carried 4-0

CDBG Planning Grant Application on behalf of Anaconda Skatepark Association

Carl Hamming, Planning Director – Thank you. Amanda from the Skatepark Association apologizes for not being here. She approached me just before the deadline and she does apologize for the rough draft nature of the application. What the Skatepark Association is looking for is a pass thru grant with the county to the Department of Commerce for a CDBG Planning Grant. We do have an open slot available, so this seemed like a good project to support. They have raised over \$86,000.00 for the expansion of the skate park at Benny Goodman. We are looking to hire an engineer for full design and see if they get this grant secured. It is a 3 to 1 match, and the Skatepark Association would utilize their funds for that so there would be no cost to the County.

- **Commissioner Beaudette** – I think we should support this grant. It appears to me that the basic underlying design issues relate to safety. We need to do everything we can to protect the county's interest.
- **Commissioner Gallagher** – As a person who started skateboarding in the days of steel wheels, I fully support the efforts of the community.

Motion made by Commissioner Beaudette to take action to approve the CDBG Planning Grant Application on behalf of Anaconda Skatepark Association; Seconded by Commissioner Gallagher.

Motion Carried 4-0

Special Event – Outdoor Harvest/Halloween Party, Gateway Christian Fellowship

Phillip Masters, Gateway Christian Fellowship – Good evening. This is just something we have done in past years, but you have new parameters for a special event permit so just coming to you for that approval. We have filled out the form and provided information for our event.

- **CEO Everett** – This is a great event. Phil, thank you for everything you do for the community.
- **CA Krakowka** – I concur with the CEO.
- **Audience Member** – Is there an event date?
- **Commissioner Hart** – October 29th.

Motion made by Commissioner Gallagher to take action to approve the Special Event – Outdoor Harvest/Halloween Party, October 29th; Seconded by Commissioner Beaudette.

Motion Carried 4-0

Commissioner Hart – I would like to reiterate that all commenters need to approach the podium and state their name and address for the record. Thank you.

Special Event – Haunted Walk through Washoe Park, October 28 & 29, 2023 – The Anaconda Firework Committee

Nicole Strutzel – Good evening, I am with the Anaconda Firework Committee. This is our first fundraiser since taking over. This is just something to do for the kids.

- **CEO Everett** – Sounds like a great event, thank you.
- **CA Krakowka** – It does sound like a fun idea.
- **Christine Collins** – 471 Bear Paw Trail. I would just like to point out that we do have our insurance in place. We are good to go. We would like to change it to a Halloween Walk not a Haunted Walk. Thank you.

Motion made by Commissioner Gallagher to take action to approve the Special Event – Halloween Walk through Washoe Park, October 28 & 29, 2023; Seconded by Commissioner Gates.

Motion Carried 4-0

MISCELLANEOUS

- **Commissioner Beaudette** – No Miscellaneous.
- **Commissioner Gates** – No Miscellaneous.
- **Commissioner Gallagher** – No Miscellaneous.
- **Commissioner Beausoleil** – Not Present.
- **Commissioner Hart** – No Miscellaneous.
- **CEO Everett** – As the CEO I have a lot of different things to be in charge of and take care of, there are a lot of things that are outside of my responsibility. As far as prosecuting, that is the County Attorney's job. He determines the charges and presents his own strategy. Sometimes I might have a different opinion but that is his job, he was elected by the residents. Same for the Commissioners, you were elected by the residents. Your parameters are very clear on what you are and are not allowed to do. There are a lot of times that you have responsibilities that I wish I had, like voting on things tonight. I wish I could have a vote on that one. It's frustrating but unfortunately that is not my duty, that is not what I was elected to do, and I understand my role. I stay in my lane. Now this goes forth to the Commissioners, you need to understand your lane. You have no role in the running of the local government. Your job is here to make rules, resolutions, and such. You cannot get involved with me running the county, you need to stay out of that. It is not your responsibility and from this point forward I am not allowing it. If you want to run for CEO, please do so. I would encourage it. If you are not the CEO please stay out of those affairs, it complicates things. We are very methodical in how we proceed, and I will not allow that to be interrupted.
- **CA Ben Krakowka** – I would like to thank Lauren and the health department for having the drive-thru flu clinic.

PUBLIC COMMENT

Rose Nyman – May I address the CEO, does that rule apply to me?

- **CEO Everett** – No.(Chuckles)
- **Rose Nyman** – I got it on record. (Laughing) What is the status of the Tri-County Commission? I haven't heard anything in years.
- **Commissioner Hart** – I don't know if there has been a Tri-County meeting in a number of years. I could not give a good answer for that.
- **CEO Everett** – I have not even heard of that.
- **Rose Nyman** – They usually meet yearly, and they rotate the host. I was thinking in view of what is happening with the property taxes and school mills, that it would be good to get together. It is Granite, Powell and A-DLC. Thank you.
- **Sandi Wenger** – Opportunity. I retired in 2013, that was the last time they met.
- **Commissioner Hart** – Where was the meeting held?
- **Sandi Wenger** – I believe it was Barclays. It's a dinner meeting, it's wonderful.

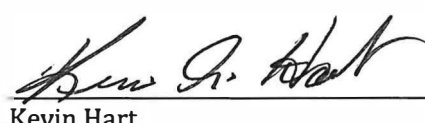
ADLC MEETING DATES AND TIMES

Commissioner Hart - Read the meeting dates and times.

ADJOURNMENT

Meeting Adjourned at 7:43 p.m.


Seanna Zacher
Clerk of Commission


Kevin Hart
Commission Chair