

November 15, 2023, 12 PM
Anaconda Deer Lodge County URA TIF Board - DRAFT Minutes
Special Meeting
Community Service Center 3rd Floor Conf. Room

Attendance:

Board Members: Jim Davison, Rose Nyman, Carl Hamming, Kristy McKay

Excused Absence: Dawn Dee

Staff: Kathleen Tarkalson

- I. Call to Order and Roll Call
 - A. Meeting was called to order at 12:00 PM.

- II. Approval of Minutes from July 19, 2023 Meeting
 - A. Carl Hamming motioned to approve the minutes, Rose Nyman seconded and the motion passed unanimously.

- III. October 6, 2023 Meeting Redo
 - A. County Attorney Krakowka's recommendations
 - i. Jim Davison acknowledged that Mr. Krakowka gave recommendations and they are outlined in the October 6, 2023 meeting notes.
 - B. Board discussion regarding scoring system and bylaws
 - i. Jim Davison acknowledged that there were discussions around these topics and they are outlined in the October 6, 2023 meeting notes.
 - C. Vote to update conflict of interest statement
 - i. Jim Davison acknowledged that this was tabled for a future discussion and it is noted in the October 6, 2023 meeting notes.
 - D. Rose Nyman moved to take from the table the October 6, 2023 meeting notes and attach to today's meeting minutes. Kristy McKay seconded and the motion passed unanimously.

- IV. October 18, 2023 Redo - October 2023 Application Review (see attached meeting notes from original application review when projects were discussed)
 - A. Anaconda Oxygen
 - i. Kristy McKay motioned to approve Anaconda Oxygen for \$20,000 pending available funds and due to miscommunication & guidance of staff this is a one time exception. Carl Hamming seconded, motion passed unanimously.
 - B. Anaconda Realty
 - i. Carl Hamming motioned to approve Anaconda Realty for \$12,500 pending available funds, Kristy McKay seconded, motion passed with Rose Nyman abstaining.
 - C. Anaconda Restoration Association
 - i. Carl Hamming motioned to approve Anaconda Restoration Association for \$3,221.36 pending available funds as a one time exception, Kristy McKay seconded, motion passed unanimously
 - D. Black Dog Antiques
 - i. Carl Hamming motioned to approve Black Dog Antiques for \$14,625. 79 pending available funds, Kristy McKay seconded, motion passed unanimously.
 - E. Chuck's Super Lube
 - i. Kristy McKay motioned to approve Chuck's Super Lube for \$18,050.50 pending available funds and due to the late application a one time exception will be made because it is a public safety issue, Carl Hamming seconded, the motion passed unanimously.

- F. Peterson Building
 - i. Carl Hamming motioned to approve Peterson Building for \$20,000 pending available funds, Kristy McKay seconded, the motion passed with Rose Nyman abstaining.
- G. Tansy & Rose Wellness Extension Request
 - i. Kristy McKay motioned to grant the one year extension as this is out of her control, Carl Hamming seconded, motion passed unanimously.

V. Miscellaneous/Announcements

- A. Rose Nyman requested a meeting in January to update the grant application, by-laws, conflict of interest statement, and the contract with the Grantee. Additionally, Carl Hamming would like to discuss residential applications.
- B. Ms. Nyman updated the board on her research on conflict of interest statements. As an authority board, there must be a conflict of interest statement and it should be signed annually by all board members.
- C. Jim Davison asked when advertising will begin for the next application round. The application opens on December 15, 2023 but an ad will run in November alerting the public about the upcoming application period and encouraging them to get bids now since they take so long.
- D. Kathleen Tarkalson scheduled the next meeting for Wednesday, January 10, 2024 at 12pm.

VI. Public Comment – *This is the time for members of the public to comment on items NOT appearing on this Agenda that are within the Board’s jurisdiction.*

VII. Adjournment

- A. Kristy McKay motions to adjourn the meeting at 12:25PM. Carl Hamming seconds the motion and the meeting was adjourned.

October 6, 2023, 12 PM
Anaconda Deer Lodge County URA TIF Board

Community Service Center 1st Floor Conf. Room

Attendance:

Board Members Present: Jim Davison, Rose Nyman, Dawn Dee, Kristy McKay (via phone)

Board Members Absent: Not excused Carl Hamming

Staff: Ruth Moen, Kathleen Tarkalson

Invited Guest: Ben Krakowka

Public: Keith Collins, Heather Collins, Bill Dee

I. Call to Order and Roll Call

- A. Meeting was called to order at 12:02 PM.

II. Approval of Minutes from July 19, 2023 Meeting

- A. Minutes were accepted without correction

- B. Dawn Dee motioned to approve the minutes, Rose Nyman seconded and the motion passed unanimously.

C. New Business - Discussion of Scoring System

County Attorney Krakowka shared his recommendations regarding current scoring system. He feels it is a good tool but that it shouldn't take the place of judgment. His suggestions for improvement included diluting the scores by increasing the scale to 5 instead of the current 2 and removing the 13 point minimum and using it as a guide rather than a hard cutoff. He was not in favor of throwing out the high and low scores because with a quorum of three it would be one person's vote making the decision. Jim Davison asked about the defensibility of decisions if based more on judgment and County Attorney Krakowka said he had no concerns.

There was a lengthy discussion among the board regarding changes to the scoring system and it was decided that the scale would change from the current 0-2 to 1-5; the multiplier would be removed; the minimum score of 13 would be removed and Need of Applicant would be removed.

Dawn Dee motioned to change the scale to 1-5, remove the multiplier, and remove the minimum score of 13. Kristy McKay seconded and the motion passed unanimously.

Dawn Dee motioned to remove Need of Applicant as a category. Kristy McKay seconded and the motion passed 3 to 1.

There was then discussion surrounding incomplete applications. Time will be built into the application process to allow for applicants to fix issues with applications prior to the deadline. It will be documented on the agenda which applications were not considered due to incompleteness.

There was public comments that the changes discussed are good, that we need to make sure applicants know that applications must be complete to be considered, and to ensure we provide a form with explanations of why when applications are denied.

D. New Business - Discussion of Conflict of Interest Statement

Jim Davison suggested tabling this conversation until a future meeting so everyone can review the statement more thoroughly. Rose Nyman will see if any other public entities have Conflict of Interest

statements that could be used as a guide. Ms. Nyman also noted that the by-laws we were looking at were not the most updated.

Kristy McKay exited the meeting at 1:48

III. Miscellaneous/Announcements

- A. Rose Nyman mentioned that she is involved in a project that will be coming in front of the board in the future.
- B. Rose Nyman reminded everyone that this is a government board. Two prior meetings were rescheduled to accommodate individual schedules. Going forward we need to keep scheduled meetings as long as a quorum can attend.

IV. Public Comment – *This is the time for members of the public to comment on items NOT appearing on this Agenda that are within the Board's jurisdiction.*

V. *Keith Collins suggested that the board inform the public why they were turned down. Sometimes it is difficult to get more than one bid. Also be clear with the applicant with what they need to do before they reapply.*

- A. *Bill Dee mentioned the positive article in the paper recognizing the good work of the board.*

VI. Adjournment

- A. Dawn Dee motions to adjourn the meeting at 2:05 PM and the meeting is adjourned.

October 18,2023, 12:07 PM
Anaconda Deer Lodge County URA TIF Board
Community Service Center 1st Floor Conf, Room

Attendance

Board Members: Jim Davison, Rose Nyman, Kristy McKay, Carl Hamming, Dawn Dee

Staff: Kathleen Tarkalson, Ruth Moen

Public: Keith Collins, Donna Volberding, Adam Mari, Janna Anderson, JD Anderson, Robin McKernan, Ken Maynard, Joe Strelnik, Renee Amato

I. Call to Order and Roll Call

A. Jim Davison calls the meeting to order at 12:07 PM

II. Approval of the Minutes from the October 6, 2023, Meeting

A. Rose Nyman pointed out several corrections that need to be made. Carl Hamming was unexcused. Rose also stated that she proposed a presentation category on the evaluation. Also that the speakers needed to be noted in the minutes and that the corrections need to be highlighted. With the corrections needing to be made the minutes were tabled until the next meeting. Rose made a motion to table the minutes until after the corrections have been made. Kristy second the motion. The motion passed unanimously.

III. Financial Statements

A. Financial statements were not reviewed at this point in the meeting due to financial statements not made available to the board.

IV Old Business

A. No old business

V. New Business

A. October 2023 Application Review

i. Anaconda Oxygen Facade Improvement

Rose Nyman asked Jana Anderson if she was aware of the deadline. Jana responded that she was. She also mentioned that she had been in contact with a board member. Ms. Anderson was unaware that she spoke with a staff member, not a board member. She was informed that staff members do not have the authority to extend the deadline even if she was waiting on bids. Ms. Nyman then complimented Ms. Anderson for her well put together application. Also if she does not make it through, due to the deadline, to please reapply. Ms. Anderson explained that they want to bring back the original look as much as possible. Gayla Hess likes the unpainted brick to not be painted. They will be filling in the gaps from the missing mortar between bricks and re-point to prevent any further damage. Also replacing windows, doors and awnings.

ii. Anaconda Realty

Rose Nyman abstained from Anaconda Realty due to bias and left the room at 12:24pm. Donna Volberding stated that she wants to replace the windows and doors because they are old and not energy efficient but wants to make them look closer to the original. Dawn Dee mentioned that they could also potentially get energy assistance from Northwestern Energy to help with the project. Jim Davison asked about the two doors and it was explained that the building owner would like the option of returning it to two separate businesses in the future should Anaconda Realty ever move out. Ms. Nyman returned to the room at 12:29.

iii. Anaconda Restoration Association

Ken Maynard brought in a sample of the copper tin ceiling tile and trim that they will be using for the ceiling in the entryway of The Montana. He stated the SHPO did send a letter not objecting to the association using tin ceiling tiles. Mr. Maynard explained to the board the three step process that they have planned for the three different ceiling levels in the Tammany Ballroom. Starting first with the entryway which they have decided to go with the copper tin ceiling tiles. Rose Nyman thanked the board for all they do. Jim Davison asked if they have a development project list for the next 5 years. Mr. Davison stated that he noticed they were still using space heaters and asked if they were looking at a heating system. Mr. Maynard replied that they did apply during the March 2023 grant round but were not awarded. Mr. Davison then asked about the basement. Mr. Maynard said that right now their focus is on the ballroom. They are also seeking assistance from another entity for the heating. Ms. Nyman commented that she doesn't think they will be able to find anyone who can duplicate the plaster in the middle, the last person with that ability is no longer able to work. Mr. Davison wondered whether the project is eligible for grant money because a ceiling does not fall under structural improvements. After some discussion around the topic, Kristy McKay motioned to approve as a one time exception, Dawn Dee seconded, motion passed.

iv. Black Dog Antiques

Renee Amato shared that her project is to replace the windows on the first floor. They are mostly on the west side of the building, with a few on the south side. The windows leak and are not energy efficient. Very hot in the summer and cold in the winter. Dawn Dee asked if she had talked with NorthWestern Energy to assist. Ms. Amato replied that she had not yet. Jim Davison then asked about the painted window frame project. She said that project was four years ago. Ms. Amato said the windows she is putting in will look like the original but be double paned. Rose Nyman asked if she had contacted the Historic Preservation. Ms. Amato stated that she had not. She said they had not given her any money. Ms. Nyman clarified that they don't give money but rather advice when your building is on the National Register of Historic Places. Ms. Nyman asked whether Ms. Amato's portion of the funding is firm or tentative, to which she replied that it is firm.

v. Chuck's Super Lube

Adam Mari was present from Chuck's Super Lube to present his application. Jim Davison talked about his 2018 application which was approved but due to unforeseen circumstances was relinquished as the project wasn't able to be completed. Mr. Mari said that it is 50 year old asphalt. Mr. Davison then complimented him for doing the whole parking lot now. Rose Nyman told him that it was a great application and the photos really helped. Mr. Mari did talk about the difficulty in getting contractors to submit bids, especially between the time he saw about the grant opening and the deadline. He was able to bring two current bids to the meeting to update his application, which was based on older estimates. His application will be adjusted with the formal bid amounts.

vi. Peterson Building

Rose Nyman abstained due to prejudice and left the room at 1:00pm. Keith Collins presented on behalf of the Peterson Building. He said he had gotten prior bids for the window project and his current bid came in \$20,000 less for the same project. The windows and doors need to be done before the facade project. Mr. Collins will check with NorthWestern Energy about assistance with the windows. Kristy McKay asked how many apartments are upstairs in the building, to which he replied that there are 4. Jim Davison asked Mr. Collins if he had funding for the remainder of the project beyond what he might receive from the grant. He said that he did. Ms. Nyman returned to the room at 1:08pm.

B. Vote/Scoring on Applications

1. Dawn Dee motioned to approve Anaconda Oxygen for \$20,000 pending available funds and due to miscommunication & guidance of staff this is a one time exception, Kristy McKay seconded, motion passed unanimously.
2. Dawn Dee motioned to approve Anaconda Realty for \$12,500 pending available funds, Kristy McKay seconded, motion passed with Rose Nyman abstaining.
3. Jim Davison stated that the ARA may not be eligible under the specifications of the TIFD district. Kristy McKay motioned to approve Anaconda Restoration Association for \$3,221.36 pending available funds as a one time exception, Dawn Dee seconded, motion passed unanimously.
4. Dawn Dee motioned to approve Black Dog Antiques for \$14,625.79 pending available funds, Kristy McKay seconded, motion passed unanimously.
5. Kristy McKay motioned to approve Chuck's Super Lube for \$18,050.50 pending available funds and due to the late application a one time exception will be made because it is a public safety issue, Carl Hamming seconded, the motion passed unanimously.
6. Dawn Dee motioned to approve Peterson Building for \$20,000 pending available funds, Kristy McKay seconded, the motion passed with Rose Nyman abstaining.
7. Extension request for Tansy and Rose Wellness. Alexis Krueger requested a one year extension as she has not yet been able to take the position of her building. Kristy McKay motioned to grant the one year extension as this is out of her control, Carl Hamming seconded, motion passed unanimously.

C. Late Applications

Kristy McKay brought up the applications that were accepted after the closing date. Rose Nyman said that staff should reach out to board members with questions in the future. Many of the board were worried about setting a precedent. Ms. Nyman said that they are an Authority Board. Ms. McKay motioned to accept Anaconda Oxygen and Chuck's Super Lube applications due to miscommunication and guidance from the staff. This is an exception. Carl Hamming seconded and the motion passed. In the interest of the applicants and the board Ms. Nyman votes yes.

D. Miscellaneous/Announcements:

1. Rose Nyman had the following items:
 - a. She expressed that the new scoring sheets are clear.
 - b. She updated that she wasn't able to find another similar board with a conflict of interest statement to use as an example so offered to bring the board's current statement to County Attorney Krakowka for his review and feedback.
 - c. There must be financials and project updates at every meeting.
 - d. She asked whether there was wording in the contract stating that if the project was not complete it would not be funded. A copy of the contract will be sent to the board for review.
 - e. At a previous meeting there was a discussion around giving a grace period for applicants who submit incomplete applications to complete them. She is opposed to a grace period but acknowledges that the application process can be cumbersome. There was discussion surrounding how to make the application more user friendly and allowing online applications.
 - f. There must be a sign in sheet at each meeting.
 - g. She mentioned that TIF is hanging on by a thread and the fighting has to stop or the program faces the possibility of being sunsetted.
 - h. She said the board needs to get back to the Roberts Rule of Order. She suggested that staff look at some other board minutes for formatting and structure.

2. There was discussion surrounding how to best advertise the next grant round so people see it in plenty of time to get bids and prepare their applications. Jim Davison suggested putting something in the paper complimenting the Torgerson Building on the great job they did on their project and mentioning it was supported by TIF dollars.
3. Jim Davison said the window cling design looks good
4. Carl Hamming requested a new business item for the next agenda. He would like to discuss the board considering residential applications.
5. Next Meeting will be on February 21, 2024. Applications will open December 15, 2023 and close on January 31, 2024.

E. Public Comment – This is the time for members of the public to comment on items NOT appearing on this Agenda that are within the Board's jurisdiction.

No public comment at this time.

F. Adjournment

Kristy McKay motioned to adjourn the meeting, Carl Hamming seconded. Meeting adjourned at 2:35 PM.