

AGENDA
ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 PM TUESDAY, AUGUST 18, 2020
WEBEX CONFERENCE

Everyone is respectfully asked to follow these few Commission Rules of Procedure:

- **Please turn off or silence all cell phones and electronic devices that you are not using for this meeting.**
- **Please mute microphones unless you are speaking to eliminate background noise.**
- Call in users will be on mute until discussion or public comment
- **Please address all comments to the Commissioners and state your full name and address**
- Be courteous to all participants, allow one speaker to speak at a time
- **If able please use the raise the virtual hand when appropriate to speak and then un-raise your hand**
- If you can use the chat box, please send in questions and comments.
- **Be Mindful that all participants will be able to hear and see everything, and the meetings are recorded**

Webex Meeting

Meeting Number: 925464969

Meeting password: ADLC0420

Join by phone: +1-855-797-9485 US Toll free (Will require Meeting Number listed above)

Join from a video system or application:

Dial [925464969@montana.webex.com](tel:925464969@montana.webex.com)

You can also dial 173.243.2.68 and enter your meeting number

Join using Microsoft Lync or Microsoft Skype for Business:

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- I. **Approval of Minutes from the Commission Meeting of August 4, 2020 Commission Meeting, August 11, 2020 Closed Session Meeting, August 11, 2020 Work Session, August 11, Special Commission Meeting and the August 13, 2020 Special Commission Meeting.**

At this time the Commission could take action to approve the minutes from the August 4, 2020 Commission Meeting, August 11, 2020 Closed Session Meeting, August 11, 2020 Work Session, August 11, Special Commission Meeting and the August 13, 2020 Special Commission Meeting.

- II. **Approval of Claims**

At this time, the Commission could take action to authorize the payment of claims numbered XXXXXX through XXXXXX in the amount of \$XXXXXX.XX

At this time the Commission could take action to approve the claims.

- III. **Reports of Boards, Committees and Officials**

- Commissioner Mike Huotte:
- Commissioner Steve Gates:

- Commissioner Paul Smith
- Commissioner Terry Vermeire:
- Commissioner Kevin Hart:
- CEO Bill Everett:
- CA Ben Krakowka:

IV. Public Hearing

- A. Major Development Permit Application from Matt Smith and Glen Wyant to operate a septage land application business to operate on Mr. Smith's property in the East Valley Development District**

V. Unfinished Business

A. Mask Recommendation from the Health Department

At this time the Commission could take action to mandate the wearing of masks in Anaconda-Deer Lodge County.

B. Fiscal Year 2020-2021 Budget Request from CCCS, Inc. – Discovery House in the Amount of \$3,500

At this time the Commission could take action to approve the Fiscal Year 2020-2021 Budget Request from CCCS, Inc. – Discovery House in the Amount of \$3,500

C. Fiscal Year 2020-2021 Budget Request from Anaconda Adult Learning Center in the amount of \$3500.0

At this time the Commission could take action to approve the Fiscal Year 2020-2021 Budget Request from Anaconda Adult Learning Center in the amount of \$3500.0

D. TRI – County Fair

At this time the Commission could take action to approve a Contract with Anaconda-Deer Lodge County and to the Tri-County Fair.

E. TASK Order 20-25-5-41-160-0 – A-DLC Unified Government Master Contract that Covers the Period of July 1, 2020 – June 30, 3025, Healthy Montana Families Home Visiting Program. (This was tabled on July 7, 2020 due to not having the actual Task Order)

At this time the Commission could take action to approve TASK Order 20-25-5-41-160-0 – A-DLC Unified Government Master Contract that Covers the Period of July 1, 2020 – June 30, 3025, Healthy Montana Families Home Visiting Program.

F. Cooperative Agreement between Butte-Silver Bow County Health Department and Anaconda-Deer Lodge Health Department - Chronic Disease Prevention and Health Promotion Program Subcontractor Agreement. (This was tabled on July 7, 2020)

At this time the Commission could take action to approve the Cooperative Agreement between Butte-Silver Bow County Health Department and Anaconda-Deer Lodge Health Department - Chronic Disease Prevention and Health Promotion Program Subcontractor Agreement.

G. Special Event Permit – Mini Photo Sessions in Washoe Park, August 15-16, 2020 and August 29-30, 2020

At this time the Commission could take action to approve the Special Event Permit – Mini Photo Sessions in Washoe Park, August 15-16, 2020 and August 29-30, 2020

H. Discussion – Special Event Permit – Dead Ringer Horseshoe League Picnic August 29, 2020, pending Certificate of Insurance

At this time the Commission could take action to approve the Special Event Permit – Dead Ringer Horseshoe League Picnic August 29, 2020, pending Certificate of Insurance

VI. NEW BUSINESS

A. Mike Martelli is Requesting approval to publish an updated Invitation for Development Proposals for the Smelter Road Industrial Park – Lot 2I to consider development proposals for the land.

At this time the Commission could take action to approve publishing an updated Invitation for Development Proposals for the Smelter Road Industrial Park – Lot 2I to consider development proposals for the land.

B. Appointment of a Commissioner to make the investigation of the end of Washington Street pursuant to the petition

At this time the Commission could appoint a Commissioner and a county surveyor to investigate Washington Street pursuant to the petition.

C. For The Commission to take Action to Clarify that the vote taken at the meeting in August of 2019 to take action to approve the abandonment of a portion of Washington Street did not result in abandonment because no petition for abandonment had been filed. That portion of Washington Street remains a dead-end city street.

- a. For the Commission to amend the Minutes of 8/20/19, to reflect that the Commission voted only to “take action to approve” abandonment. The Commission received no written petition from any party, therefore there was no abandonment, and that portion of Washington Street remains a dead-end city street.
- b. For the Commission to consider placing signage on this portion of Washington Street, to clarify that it is a “Dead End Street/Not a Through Street”.

At this time the Commission could take action to Clarify that the vote taken at the meeting in August of 2019 to take action to approve the abandonment of a portion of Washington Street did not result in abandonment because no petition for abandonment had been filed. That portion of Washington Street remains a dead-end city street.

- c. For the Commission to amend the Minutes of 8/20/19, to reflect that the Commission voted only to “take action to approve” abandonment. The Commission received no written petition from any party, therefore there was no abandonment, and that portion of Washington Street remains a dead-end city street.
- d. For the Commission to consider placing signage on this portion of Washington Street, to clarify that it is a “Dead End Street/Not a Through Street”.

VII Miscellaneous

- Commissioner Mike Huotte:
- Commissioner Steve Gates:
- Commissioner Paul Smith
- Commissioner Terry Vermeire:
- Commissioner Kevin Hart:
- CEO Bill Everett:
- CA Ben Krakowka:

VIII Public Comment – This is the time for members of the public to comment on items **NOT** appearing on this agenda that **fall within the Commission’s jurisdiction.**

IX. Public Meeting Dates

X Adjournment

2020

Anaconda-Deer Lodge County Public Meetings

PHASE II: Boards are to limit group size (less than 50) and maintain social distance.

Board Vacancies can be viewed on the A-DLC website: <https://adlc.us>

August 18, 2020 - 6 p.m. Commission Meeting/Special Work Session

Webex

For more information on how to obtain a direct link phone the CEO office at 563-4000 or email your request to lsturm@adlc.us

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August 20, 2020 – 6 p.m. Special Commission Meeting

Webex

August 20, 2020 - -- 7:00 p.m. Wise River Fire District
Wise River Fire Hall

August 25, 2020 - 6 p.m. Commission Work Session

Webex

August 26, 2020 - 7 a.m. Airport Board Meeting
Bowman Field

August 27, 2020 - 5:00 p.m. Board of Health Meeting
Community Service Center – 118 E. 7th St.

August 27, 2020 - 6 p.m. **Potential** Special Commission Meeting

Webex

**ANACONDA DEER LODGE COUNTY
COMMISSION MEETING
6:00 P.M. TUESDAY, AUGUST 4, 2020
Webex**

Present: District 1, Commissioner Terry Vermeire, District 2 Commissioner Steve Gates, District 3 Commissioner Kevin Hart (Chair), District 4 Commissioner Paul Smith, CEO Bill Everett, County Attorney Krakowka, Clerk of Commission Lori Sturm and Webex Facilitator Kimberly Richardson.

Excused Absence: District 5 Commissioner Mike Huotte (Vice-Chair),

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 July 21, 2020 the Special Commission Meeting of July 23, 2020, Commission Work Session of July 28, 2020, and the Special Commission Meeting of July 28, 2020.

- **Janice Hagan Delaney** – Spoke regarding minutes and mentioned she agreed with her sister about the Washington Street Road; Excited about the Solar Farm; NorthWestern Energy there are certain items she disagrees with and disagrees with changes to Chapter 24 Code of Ordinance, but her biggest concern is the planning board meeting on July 20th; it was difficult to hear.
- **Rose Nyman** – Minor correction to July 21st minutes it listed the CEO excused and he was present.

Motion made by Commissioner Gates to take action to approve the Minutes from the Commission Meeting of July 21, 2020 the Special Commission Meeting of July 23, 2020, Commission Work Session of July 28, 2020, and the Special Commission Meeting of July 28, 2020 with recommended changes to July 21st; Seconded by Commissioner Smith.

Motion Carried 4-0

Approval of Claims

Motion made by Commissioner Vermeire to take action to authorize the payment of claims numbered 134498 through 134587 in the amount of \$344,898.52 Seconded by Commissioner Gates.

Motion Carried 4-0

Reports of Boards, Committees and Officials

Commissioner Smith – Nothing to Report

Commissioner Gates – Nothing to Report

Commissioner Vermeire – Attended the Airport Board meeting.

Commissioner Hart – Nothing to Report

CEO Everett – Nothing to Report

County Attorney Krakowka – Nothing to Report

PUBLIC HEARING

This Public hearing is with regard to a Major Development Permit Application (MDP/Urban Area Planned Unit Development (UAPUD) for the East Yards.

Carl Hamming – We are aware of the technical difficulties at the public hearing meeting. They hope to have the issues corrected at the next meeting. We did receive a lot of public comments in advance of the meeting and we did have a large turn out and a quorum present at the meeting.

Opened Public Hearing at 6:12 p.m.

Rose Nyman – As a member of the Planning Board and the chairman; we follow Roberts Rules of Order. Under those rules the Chairman of the meeting shall remain objective. I could not comment that evening, but I have a few concerns I would like to share at this time. Concerned that the project is getting preferential treatment rather than being treated equally as other projects. Not opposed to project. If everything works out it will be a huge asset to Anaconda. I am asking that we engage in more transparency as each issue comes forward, such as the Buy/Sell agreement that is coming forward this evening. Review of who is paying for what and what funds are being used. Looking at the county website I notice the Hotel proposal is different than one that the what was previously posted. Pointed out the difference between a semiannual interest payment and now it is a year. Could they be numbered proposal one or two or maybe a redline copy with the changes. This is minor stuff.

Betsy Pahut, Board Member of Smelter City Recreation Complex – Agreed with Rose that it appears that things are not being done fairly and transparently. As a group we need to know because we invested approximately about \$25,000 for the procurement of a site plan and surveys for land. The CEO moved the boundaries and now we must have the site plans and surveys redone. This is money donated by the community and feel as a board we are responsible of being good stewards of how the money is spent. How will the \$25,000 be paid to do a re-site and resurvey of the area? Do we submit a claim, or bill the county?

- **Commissioner Hart** – This is beyond the scope of the public hearing. We will have to have some future discussion on this.
- **Mike Grayson** – My opinion that all the complaints about the recreation center are not on point when looking at an MDP for a hotel project. That needs to be its own separate item. We can go back and review the history of what was done. On the agenda tonight is the MDP that the

Commission will vote on. If there is preferential treatment or not that is not a matter under the development permit system. The Preferential treatment should be addressed but this is not the appropriate time. We should be looking at the proposal that has been put forth. Addressed Rose's comments regarding the annual vs semiannual interest payments. . . these are small items. We have been incredibly transparent. We have had an Easement Agreement being put before the Commission. I can't remember an easement agreement ever before being put before the commission. We have been very transparent. As a citizen I am strongly in favor of this and would like to see this approved.

Rose Nyman – Several weeks ago there was an item on the agenda to basically not go through the normal process allowing the CEO to sign documents. Now there are special meetings on Thursday and the transparency problem was solved.

- **Commissioner Hart** – There was an agenda item a few meetings back to give the CEO authorization to approve these types of contracts. After discussion with the CEO that was deemed that it was not a good thing and that is why special meetings were scheduled to have transparency and have public discussion before the Commission takes action.

Followed was a discussion among Donna and Al Shewey, Ed Delaney, Rose Nyman, Mike Grayson and CEO Everett:

- **Mr. Shewey** had questions for the Commission regarding what the other acres would be used for? Believes there are funding issues and has the Commission authorized monies for utilities and expenditures. Believes a signal will be required and that is an expense of about \$700,000. Stated this needs to go back to the planning board for further work. Also Requested a list of investors. Commented that subdividing and building new roads, someone is getting the benefit of a lot of public land.
- **Donna Shewey** stated that the Recreation Center is in favor of the hotel, but worried about what the taxpayer will be responsible for in the project.
- **Mr. Delaney** requested that they do not look past non-profits. Non-profits add to the viability and livability of Anaconda.
- **Mike Grayson** pointed out that the developer "Show Me Anaconda" talked from the very beginning that private money was going to be invested. We don't inquire who owns shares of a company. Believes that requesting a list of investors is ridiculous. The other parcels in the 20 acres are not part of the MDP before the Commission. As far as the signal issue, we do not need a signal to date, and to imply that we do . . . is just not accurate. Pointed out that this was addressed when SHOPKO was an anticipated project.
- **CEO Everett** explained the Montana Department of Transportation approved the access. There is plenty of access for the hotel. Pointed out that utilities like water lines . . . we make our money back by charging people for putting in lines. On Self Improvement Districts the whole area is taxed and the whole area gets the benefits. There is money set aside for the projects. We are expanding for the hotel, but there is other land down there . . . about 52 acres. This is the first step in a growing community. The CEO went through the process of Engineers putting projects together, having it

advertised and going out to bid, a bid is chosen and the Commission either approves or chooses to not approve.

- **Rose Nyman** – Shared her view of the Planning Board and the work involved even if it is just an advisory board. Feels strongly that Mr. Johnson has the right to move this forward to the Commission. This must be on its own merits for being successful or failing.

Public Hearing Closed at 6:50 p.m.

UNFINISHED BUSINESS

Major Development Permit Application (MDP/Urban Area Planned Unit Development (UAPUD) for the East Yards.

Motion made by Commissioner Smith to take action to approve the Major Development Permit Application (MDP/Urban Area Planned Unit Development (UAPUD) for the East Yards; Seconded by Commissioner Vermeire.

Motion Carried 4-0

Ordinance No. 262, An Ordinance Creating an Economic Development Advisory Board and Establishing Its Powers and Duties.

Commissioner Hart – The public's views were heard, and changes were made from a 7 to a 9-member board. added the Planning Director, or designee and an additional citizen at large.

- **CEO Everett** – The adjustments make it a well-rounded board.
- **Rose Nyman** – Commissioner Hart did not mention that the board members will serve without compensation, and I see that it is included in the document.

Motion made by Commissioner Gates to take action to approve Ordinance No. 262, An Ordinance Creating an Economic Development Advisory Board and Establishing Its Powers and Duties; Seconded by Commissioner Smith.

Motion Carried 4-0

Resolution 20-17, A Resolution to Place on the General Election Ballot a Question for Determination by the Qualified Electors of Anaconda-Deer Lodge County for the Levying of Twelve (12 mills) Permanent for the Operation of the Hearst Free Library.

Commissioner Hart – At the Work Session there was a question about the amounts being inaccurate. Those changes have been made.

- **CEO Everett** – The goal is not to create more taxes; it is to segregate the Library to stand alone by themselves. As we allocate 12 mills to the Library there will be a 12-mill reduction from the general fund. The total tax bill will not increase

Motion made by Commissioner Vermeire to take action to approve Resolution 20-17, A Resolution to Place on the General Election Ballot a Question for Determination by the Qualified Electors of Anaconda-Deer Lodge County for

the Levying of Twelve (12 mills) Permanent for the Operation of the Hearst Free Library; Seconded by Commissioner Gates.

Motion Carried 4-0

Resolution 20-18, A Resolution to Place on the General Election Ballot a Question for Determination by the Qualified Electors of Anaconda-Deer Lodge County for the Levying of Four (4) Mills Providing for the Operation of the Anaconda-Deer Lodge County Head Start.

CEO Everett – Great thing for the community. Proud of the Head Start program.

- **Commissioner Hart** – Questioned the CEO if this is a reoccurring question that goes to the voters for operation.
- **CEO Everett** – Yes this is the same amount for an extended period.

Motion made by Commissioner Smith to take action to approve Resolution 20-18, A Resolution to Place on the General Election Ballot a Question for Determination by the Qualified Electors of Anaconda-Deer Lodge County for the Levying of Four (4) Mills Providing for the Operation of the Anaconda-Deer Lodge County Head Start; Seconded by Commissioner Vermeire.

Motion Carried 4-0

Head Start is seeking approval to submit a Grant Application into the regional office for the purchase of the Dwyer School Building.

CEO Everett – Working on this in excess of 1 year. Presented this in Washington DC last year. Believes our odds of getting this is extremely high. Once you get this grant . . . they ensure that this operation will be in place for a long time.

- **Commissioner Hart** – Clarification that this is for the Dwyer Primary building on Tammany Street
- **CEO Everett** - Yes
- **County Attorney**– Excellent use of that building. Encourage the Commission to let Head Start seek approval for the grant.

Motion made by Commissioner Gates to take action to approve Head Start is seeking approval to submit a Grant Application into the regional office for the purchase of the Dwyer School Building; Seconded by Commissioner Vermeire.

Motion Carried 4-0

FY 2021 Extension Service Agreement between Montana State University Extension and Anaconda-Deer Lodge County.

Janice Hagan Delaney – Kimberly Richardson is such an asset to MSU extension office.

Motion made by Commissioner Vermeire to take action to approve FY 2021 Extension Service Agreement between Montana State University Extension and Anaconda-Deer Lodge County; Seconded by Commissioner Smith.

Motion Carried 4-0

2019 Volunteer Fire and Rural Fire Assistance Grant.

Motion made by Commissioner Vermeire to take action to approve 2019 Volunteer Fire and Rural Fire Assistance Grant; Seconded by Commissioner Gates.

Motion Carried 4-0

2020 Volunteer and Rural Fire Assistance Grant

Motion made by Commissioner Gates to take action to approve the 2020 Volunteer and Rural Fire Assistance Grant; Seconded by Commissioner Vermeire

Motion Carried 4-0

Updated Lease Agreement between Anaconda-Deer Lodge County Public Health and the Anaconda Local Development Corporation

Motion made by Commissioner Smith to take action to approve the Updated Lease Agreement between Anaconda-Deer Lodge County Public Health and the Anaconda Local Development Corporation; Seconded by Commissioner Gates.

Motion Carried 4-0

Contract between Pintler Pets and Anaconda-Deer Lodge County

Motion made by Commissioner Vermeire to take action to approve the Contract between Pintler Pets and Anaconda-Deer Lodge County; Seconded by Commissioner Gates.

Motion Carried 4-0

Phase I/II Assessment of the Hotel Parcel in the East Yards.

Commissioner Gates – Question regarding asking to approve Phase I and Phase II. Why not just Phase I.

Carl Nyman – Provided the explanation that this is regarding environmental assessment of the property. Phase I is a review of the record that is out there, such as histories and documents and compiles the information together. It is likely that when this is reviewed, they will ask for a Phase II they want to see more detailed information such as soil samples. The reason the two are together is that the work on the second one is likely to follow the first one immediately. This is for environmental assessments for this parcel. If the Phase II is not needed the contract stops there.

- **Donna Shewey**, Smelter City Recreation – Thanked Carl for Phase I and II explanation. Question how we could know if it would happen quickly when it has not been made public what the additional 17 acres would be used for. When SCRC asked for 30 acres, the Commission said 15 with an option on another 15, but we had to tell the Commission what was going to be on all 30 acres. Questioned if My Nyman knows something that the public does not? Questioned the Commission if they know what Phase II would entail.
- **Mike Grayson** – There is a Confusion here. Statutory terms regarding Phase I and Phase II is referring to Environmental Assessment of the East Yards This is a Phase I and possibly Phase II of Environmental Assessment of the entire 20-acre parcel in the East Yards. This is an Environmental Assessment that is needed before closing so that the purchase can get what is called “Bonified Perspective Purchaser Protection” from EPA. This documents the existing environmental conditions of the site. If anything new occurs after the transfer of the property we have documented what is already there and will not be held accountable for the existing things found in Phase I and Phase II.
- **Donna Shewey** - Thanked Mr. Grayson for the explanation. Learning experience that the Agenda should have included “Environmental Assessment” for people to understand.

Motion made by Commissioner Vermeire to take action to approve Phase I/II of the Environmental Assessment of the Hotel Parcel in the East Yards; Seconded by Commissioner Smith.

Motion Carried 4-0

Request for Reappointment by Scott Swan to the Anaconda-Deer Lodge County Library Board

Motion made by Commissioner Gates to take action to reappoint Scott Swan to the Anaconda Deer Lodge County Library Board; Seconded by Commissioner Vermeire.

Motion Carried 4-0

NEW BUSINESS

Agreement Between Anaconda-Deer Lodge County and Local No. 100 International Association of Firefighters- July 1, 2020 – June 30, 2021

CEO Everett – Would like to make a correction to approve July 27, 2020 to June 30, 2021. That is when we reached an agreement. This is 1.5 percent increase and a freeze on health insurance. We treated everyone equal. .

Motion made by Commissioner Smith to take action to approve the Agreement Between Anaconda-Deer Lodge County and Local No. 100 International Association of Firefighters- July 27, 2020 – June 30, 2021; Seconded by Commissioner Gates.

Motion Carried 4-0

BUY/SELL Agreement with Mike Johnson “Show Me Anaconda” for the sale of the lots in the East Yards.

Mike Grayson – This agreement was put together to formalize what was done previously and what the Commission is approving by the sale of the 20 acres in the East Yards to “Show Me Anaconda, LLC” All the way back in March the Commission approved at a public meeting for a call for proposals for this 20 acre parcel. It was advertised, and we received one proposal from “Show Me Anaconda” The Commission then approved by unanimous vote. Keep this in mind the history of what has gone on here. The Commission approved that proposal. Now we are doing all the small details, such as semiannual interest payments on the revolving loan changing to annual payments. We will do future written agreements such as the revolving loan fund agreement and such as the ARCO grant agreement. They will also come before the Commission at a public meeting and be up for a vote. This is a general outline as what is typical of a buy/sell agreement of what the terms of understanding are. The lots are referenced, the survey is just being finalized. There is no money being paid for purchase price. The commitments we are making are working on title insurance, working on the environmental protection. ARCO gifted the land for free to Anaconda in 1994. It has been off the tax rolls and for 26 years the county has not realized any property taxes on this parcel. We are putting it back on the tax records. Explained the “Perspective Purchaser Agreement with the US dept of justice, EPA and the Montana Department of Environmental Quality. That document states the County will not be held responsible for the preexisting superfund conditions on the site as long as we follow the rules, get permits, and follow restrictive covenants. We have complied with that for 26 years and We are asking similar things of this developer. They have already put together a transfer document of the perspective purchaser agreement, Mr. Johnson has signed that and submitted it to EPA and DEQ. The County does not sign that agreement, so it won't come to the commission. That document has been approved by DEQ and we are waiting for EPA signature. Explained that the 20 acres, there already was a sub-division including the first phase about 14 acres. Phase II has not been subdivided. We have pushed back the time frame for Phase II of the of the development. This will take a Public Process, a Planning Board review. There will be a whole new minor subdivision for Phase II and will take about 6 months to work out.

Phase I all that has been done recently is realigning the internal lot boundaries for a previously approved county subdivision. The 4 lots make up the 14 acres that are the Phase I property. We have put some obligations that he will develop a hotel on this parcel. On the outside we put 36 months. The current plans are that it will be done sooner. He has not stopped work because of COVID Prudent to give him the 3 years to get this done. We gave extra time that was not addressed in the initial proposal. He did state that we were seeing some of the effects of the COVID 19 pandemic. He has not stopped work because of that. He is going forward. But with the possibility of COVID issues it is prudent to give him the 3 years to get the hotel up and running. If he fails to do that the property comes back to the county. We need that protection due to past projects. We are giving the land in exchange for a hotel to be built which will have a substantial benefit to the community and taxable value in annual property taxes being paid. Late this afternoon found that the Perspective Purchaser Agreement won't be signed by EPA till next week. Would like the closing date of August 7 bump that to the 14th or 21st of August. Request that to be changed. Do not want to close until EPA approves the transfer. A lot of this is boiler plate language that we have in buy/sells.

- **Commissioner Hart** – You want the date changed from the 7th to . . .
- **Mike Grayson** - I would prefer to put . . .no later than the 21st because it gives us that extra week. With the understanding that we may close before then once EPA has signed off on the transfer.
- **Al Shewey** – Questions for Mike and the Commission. There is a one-Million-dollar grant in this document, but it doesn't say when it will be paid out and how it is matched up with private monies for development. How will that be taken care of.
- **Mike Grayson** – The one Million-dollar ARCO money grants and the 2-million-dollar revolving loan fund loan will be set out in detail when and how it will be going forward. Read from the Buy/Sell Agreement from

Page 2, letter b and c. A mutually grant funding agreement will be done after closing and likewise on the revolving loan fund with a Promissory note. The details will be in documents that have not been drafted yet. Both sides have started working on ideas and drafts. These are not done until after closing. The key part is that NO money will be paid out until the Commission approves the agreements.

- **Al Shewey** – There are 2 aspects to this agreement. One is for the hotel which is sited on 5 acres it gets a million grant and 2 million loan. It also gets 5 acres of ground that could be worth half million. Seems like that parcel stands on its own merits. The other 15 areas could be worth 7 to 8 million once all the utilities are done. That is public funds transferred to the developer. We are also doing the surveying work which could include a parcel across from Town Pump. What will we think when 7-11 buys the 1-acre parcel for a couple million? Public money transferred to the private sector for this remaining 15 acres with no clear definition of what will be done. You are transferring public funds to a private developer with no specific project and is paying for all the utilities associated with making it access ready. All that land gets cleared by the county under this agreement of any restrictions associated with it. Ask for the Commission to think about this.
- **Janice Hagan Delaney** – Several Sections under the 3rd part of the agreement that I disagree with.
- **Donna Shewey** – Question when we went through the process, we went through the process twice. The Warner's had also put in a request for the property. The decision was that the Warner's were not ready and SCS was ready. We moved forward with the Planning Board. The CEO was to be working on the land agreement. We were never brought into meetings with the hotel. No consideration to what was already done and through the process. We were brought in by the Planning Director and representatives from the Warner's and SCRC and talked about the benefits of being neighbors, the master plan, and how the property could be parceled. We have never been given that opportunity. We are now going to lose acreage and access. Why are we not part of the master plan for this when we were part of the process? Not addressing us and how we fit into this.

Motion made by Commissioner Smith to take action to approve the BUY/SELL Agreement with Mike Johnson "Show Me Anaconda" for the sale of the lots in the East Yards; Seconded by Commissioner Vermeire.

Motion Carried 3-1 with Commissioner Gates voting No

Resolution No. 20-20, A Resolution to Place on the General Election Ballot A Question For Determination By The Qualified Electors of Anaconda-Deer Lodge County For The Levying of One (1) Mill to Fund Special Transportation Services for Senior Citizens and Persons with Disabilities.

Motion made by Commissioner Gates to take action to approve Resolution No. 20-20, A Resolution to Place on the General Election Ballot A Question For Determination By The Qualified Electors of Anaconda-Deer Lodge County For The Levying of One (1) Mill to Fund Special Transportation Services for Senior Citizens and Persons with Disabilities; Seconded by Commissioner Vermeire.

Motion Carried 4-0

Resolution No. 20-21, A Resolution to Place on the General Election Ballot A Question For Determination By The Qualified Electors of Anaconda-Deer Lodge County For The Levying of One (1) Mill To Fund To Maintain Recreational, Educational, and Other Activities of the Elderly and To Levy One (1) Mill For The Support Of This Fund.

Motion made by Commissioner Vermeire to take action to approve Resolution No. 20-21, A Resolution to Place on the General Election Ballot A Question For Determination By The Qualified Electors of Anaconda-Deer Lodge County For The Levying of One (1) Mill To Fund To Maintain Recreational, Educational, and Other Activities of the Elderly and To Levy One (1) Mill For The Support Of This Fund; Seconded by Commissioner Gates.

Motion Carried 4-0

MISCELLANEOUS –

Commissioner Gates – No Miscellaneous but a Question for CEO regarding road construction and running on schedule.

- **CEO Everett**– No never on schedule. Every time you tear up a street you get a surprise. Today we thought we were at about the end of West Third Street where there were railroad tracks and at the intersection, we ran into Railroad tracks again. Sidewalks and curbing's are slowing us down. This is something we expect. We are pushing it hard. Some curbing along post office was done and I walked the project and some of it did not look acceptable. They were told to tear it out. We are paying for high quality work. On track but a lot of hurdles. The Wastewater Treatment plant is going exceptional, WET and Anthony Laslovich has saved us a ton of money That project is ahead of schedule. We have construction meetings every Thursday morning about 10:00 a.m. if you are interested you are more than welcome to show up.

Commissioner Smith – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – Asked the CEO about the meeting with the attorney on Washington street. Are we looking at next week?

CEO Everett - Yes, next Tuesday we will have a closed meeting. Ben is in the lead on that.

County Attorney – We will be able to have the Commission meeting using Webex and Kimberly can remove the individuals into a separate room for a private discussion. We will have to talk about recording but able to record from my end if necessary. The plan is to do that at the beginning of the meeting.

- **Commissioner Hart** -Clarified that going to another room . . .the Commission and CEO would be able to leave and go into a virtual room and come back to the original open meeting. We are allowed to do this because it is for legal purposes since we have legal action pending and state law allows for us to have that meeting. On the state site it shows that Deer Lodge County has 2 new cases of COVID. Encourage to take precautions. Young people may bring it home to mom and dad or grandparents. COVID pandemic is not over and expected to still spike. Please take all necessary precautions.

CEO Everett – Request to have a special voting session next Tuesday. The Commission approved to put out to bid direct access to the Golf course. Sarah Jones put it out to bid, the bid closed last Friday. Two different people returned bids. You will have copies of each bid as well as a recommendation from the engineer. That is what I would like you to vote on during the Special Meeting.

Commissioner Hart - That will be on the Work Session and then a Special meeting to take action on that.

County Attorney Krakowka – No Miscellaneous

Public Comment

Betsy Pahut – Like to say on behalf of the community and our organization Sincere condolences to Commissioner Vermeire on the loss of his father.

Mike Grayson – Respond to one item discussed earlier, not the buy sell but more with the background of selling the East Yards. The County has had the land for 26 years and have had poor luck getting businesses out there and going. The land as it is being sold to the hotel stripped and unencumbered of environmental restrictions. There is a 20 -page restrictive covenant that will be fully applicable to the land. However, all the work done by the hotel does not conflict with the covenants. It is not worth millions of dollars. The fact that it is a reclaimed superfund site, yes it has been cleaned up , yes it has 18 inches of clean soil, but it is not worth millions of dollars. That is just inaccurate.

Al Shewey – It is a sad day when we have a serious amount of economics from the public sector shifted to the private sector to a developer with unnamed investors. It is troubling of what the future will hold. Used an example of a small parcel at a signalized intersection off of Highway 1 and that will go for large dollars. While the property has not been a value in the past, once the county does improvements it will become valuable. I understand what happened in the past. It will be cleaned up by the county.

Kimberly Richardson – Provided a movie clip regarding MSU extension and activities they have been involved such as Agriculture, Hunting, Farming, 4-H, Community, Horticulture etc., Provided an ending on a good note.

Janice Hagan Delaney – Complemented Kimberly and believes she has done a wonderful job. Believes Mr. Shewey had some good points. What comes to mind is the saying in real estate “location, location, location”.

Commission Hart – Glad for the video from MSU. The kids have a lot of pride in the animals they raise and care for and people taking care of yards. Thank you for sharing that with us.

Kimberly Richardson – Pleasure working for the county. I get to play with the best of the things the county offers. I have a wonderful position to serve the folks and constituency of Anaconda-Deer Lodge. My campaign when Rose reminded me of the difference between mining and smelter men. I have uploaded our campaign from “Ore to More”. We have that in our community.

Marilyn Hagan Smith – Final comment regarding “struggling for transparency”. When people bring things up there is never a comment. . . just a Thank You. It is your prerogative not to answer but the citizens of Anaconda should take note when you don't. That goes towards whether you really want to be transparent. We do not agree on the definition of transparency.

ADLC Public Meeting Dates

Commissioner Hart read the meeting dates and times. No Special Commission meeting on Thursday
Special meeting after Work Session on August 11th.

Adjournment

Meeting was adjourned at 8:11 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

DRAFT

**ANACONDA DEER LODGE COUNTY
COMMISSION WORK SESSION
6 P.M. TUESDAY, AUGUST 11, 2020
COURTHOUSE COURTROOM
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), CEO Bill Everett, County Attorney Krakowka, and Clerk of Commission Lori Sturm

Webex Facilitator – Kimberly Richardson

Members of the Press: Kathie Miller, Anaconda Leader

Members of the Public: Per Webex

Commission Chair Hart called the meeting to order at 6:00 p.m.

Commissioner Hart – Roll Call of Commission
Reminded that there would be a Special Commission meeting following the work session.

CLOSED SESSSION – Washington Street

Commissioner Hart – Explained that the Commission would be moved to a separate virtual room to conduct a closed session.

CLOSED SESSION ENDED AT 6:41

Presentation – Board of Public Health Discussion.

Karan Kunz, Chair Board of Health – Provided a presentation to the Commission regarding Board of Health membership, update on the medical health advisor and health officer roles, how communication has been improved between the Environmental and Public Health departments, Talked about the current role of the Board of Health and the COVID-19 pandemic. The Board of Health also wanted to make a recommendation to the Commission to support a mandate to require the wearing of masks in Anaconda-Deer Lodge County. This recommendation follows the CDC guidelines from May 2020. Explained that the cases of COVID fluctuate and the virus will be here all Winter. Important to protect human lives and to keep businesses open. The Board of Health feels that the best approach is for Anaconda-Deer Lodge County residents to wear masks in all close encounter situations when social distancing is not practical.

- **CEO Everett** – Thanked Karan for all the work that has been done. Integral part of rebuilding the health department and health board. Our Health department is a leader in this time of the pandemic. Other counties are wanting us to take over their health department. As far as mandate,

I am a firm believer this is not a political decision, but a health decision. If they Health Department believes this is in the best interest of our community . . . we will follow their lead.

- **County Attorney Krakowka** – We do need to follow the advice of the health department.
- **Commissioner Vermeire** – Is this an item to be on the next agenda? Agree – wearing a mask is the best defense. A good idea.

Place on the Agenda

CEO Everett and Commissioner Hart talked about having this on a vote for Thursday night, but advertisement was an issue Commissioner Hart would rather place on Tuesday for a vote.

Bids Received Old Works Road and Recommendation of Award

CEO Everett – This is the bid for the road project for direct access to Old Works Golf Course. Sarah Jones prepared this, and it was put out to bid and 2 bids were received. One was from Mungus and one is from Hoffman, both companies we have dealt with. This is a simple project with zero concrete work. The lower of the 2 bids was from Hoffman's. Sarah made sure everything was included and Sarah was asked for a recommendation. Sarah recommended to accept Hoffman's bid for \$166,966.41.

- **Rose Nyman** – Asked what funds the expenditure was coming from.?
- **CEO Everett** – Would come out of road or capital improvement funds.
- **Commissioner Hart** – Explained that this will be a special Commission meeting tonight to take action on this and a mail in ballot for a general election
- **CEO Everett** – Governor Bullock gave us permission to do an all-mail ballot. This would be in the best interest of the community as well as to run the most efficient election possible during this time of the pandemic. This is the same as we did in the primary. Highest response ever on a primary. Ask the Commission to approve this. We don't want the elderly to be jeopardized. If you would like to vote in person early, you will be able to do that the first week in October. You will have two options.

Special Commission Meeting right after the Work Session

Revolving Loan Agreement for the Hotel

Mike Grayson – We have this and should be followed by the mortgage agreement. The mortgage agreement actually should be at the back as one of the attachments, exhibit D. I wasn't clear when I sent this over to the Clerk. The Buy/Sell agreement for the east yards hotel parcel which the Commission approved last week, calls for separate agreements for the revolving line of credit. Explained about the blanks left in the documents, once approved there will not be an immediate draw down. It could sit unused as a line of credit for a year or two. Explained about the interest payments and what would happen at the end of the fifth year. This is the agreement envisioned in the Buy/Sell agreement, referenced in RFP, and Commission approved in May.

- **CEO Everett** – This document has been approved in different facets over the last 6 months. The ARCO Agreements specifically sets the million dollars as well as the million-dollar loan fund. That was negotiated with Atlantic Richfield. We put out the request for proposal and when we accepted the RFP . . . we accepted this in many ways. Mr. Mike Johnson and his team have been phenomenal to work with. We are dealing with a national world-wide crisis right now. No one is building right now, the only one considering right now is Mr. Johnson. His team has built 9 other motels in the state of Montana. Mike is well known throughout the state of Montana. He prides himself on his credibility and his name. Restate that it has been 40 years since Anaconda has moved forward. Believes in taking the first step and we had to give some assistance in this first step. This will do great things for many businesses and individuals throughout the community. Only one person responded; and we are lucky that the one who responded is one of the most credible hoteliers in the state. This is the terms that we have talked about for 6 months. Nothing has changed. Mike has kept his word and I would like us to keep our word.
- **County Attorney Krakowka** – The Commission is moving towards approving the final stages. There is a lot of potential for this project and be a benefit to the community.

Followed was a lengthy discussion between Al and Donna Shewey, Mike Grayson, Commissioner Hart, County Attorney, Carl Nyman and Rose Nyman.

Al and Donna Shewey pointed out their views which included some of the following:

- Secret and private meetings to provide funding for the hotel
- Prohibiting projects - non-profits
- “Show Me Anaconda” was not incorporated until June . . . the corporation didn't exist
- The proposal is not valid
- Questioned about the investors
- Brought up an “Opportunity Zone” with the developer

Mike Grayson

- Questioned the relevance of everything being related to Smelter City Recreation Complex, not the time for a lengthy history
- Explained some of the delays caused by COVID
- The LLC has been approved
- This is a valid proposal
- **Carl Nyman** – Stated that there are no new facts and it was time to move on.
- **Rose Nyman** – Had 3 questions: 1. Regarding the drawdown of the loan, asked if it will state the purpose and will the interest go into the Economic Development for other programs.
- **Mike Grayson** – Explained about a dollar amount against the line of credit they can draw in advance as needed, we have no say in the purpose Clarified that only the revolving loan fund has to be repaid and has an interest rate. No interest or repayment with the grant. Advances will have interest accrue.

- **CEO Everett** – The money will go into the Economic Development Fund. Working with the Montana Board of Investments on those funds and the Montana Board of Investments will handle this.
- **Commissioner Smith** – This is not the first time these have come up. We have been transparent. Stated that he is in full support of Show Me Anaconda, LLC. A reputable company building on ground that has been idle for years. They are on top of the game. The hotel would be a great asset to ADLC, it will benefit the community with tax dollars and much needed jobs. Overall economic benefit to our community due to the hotel being in our area.
- **Commissioner Huotte** – Agree with Commissioner Smith. We need to move forward with this project. Support this project 100% and want to see us move forward.
- **Commissioner Vermeire** – Echo the same sentiments of Commissioner Smith and Commissioner Huotte. 100% agreement with the hotel being built. Nothing out there for 40 years. One other point about million-dollar grant and loan fund are not taxpayer dollars. Those were negotiated through Atlantic Richfield to pass through the county.
- **Commissioner Hart** – Echo the same as well This is a project as stated during the Covid crisis and someone willing to make this development a reality. Important that there is an interest in land in this county, because we are improving economic conditions and people are interested in moving here. We need to have a facility to house individuals. People are interested in moving here and we need to house them whether it is for visits or recreation . . . we need to be able to house the individuals. This is a reputable firm, they have other hotels in the state, this will be beneficial to Anaconda and to any development that will take place in the East yards. This will complement anything else. As far as transparency . . . we have had more meetings, more documents available to the public on the website than what has ever been provided. The Commission packets are there in their entirety. Believes the public is behind this. Time to get this completed.

Place on Special Commission Meeting Thurs 8/13/20

Commissioner Hart - With the information from Mr. Grayson we will move to the discussion of the Mortgage Agreement with Show Me Anaconda, LLC and Anaconda-Deer Lodge County.

Mortgage Agreement with “Show Me Anaconda, LLC” and Anaconda-Deer Lodge County

Mike Grayson - This Mortgage agreement is exhibit D on revolving line of Credit agreement. Ask to merge items 5 and 7 into one item on Thursday nights agenda. This is the mortgage and once the money has been taken we file a second position mortgage on the hotel properties. Notice that it will be on all 4 of the lots in phase I and will be pledged as collateral to pay back the line of credit. This ensures that we get paid back. Once it is paid back it can be used by other entities. This guarantees our ability to collect back from Mr. Johnson

- **Al Shewey** –I have a different opinion and roundly thrashed for that. It looks like an attempt not to hear any opposing arguments. Feels it is almost orchestrated. Unsettling that I can't make

comment without being attacked. Wish the Commission would instruct people that they are able to have an opinion. When giving away multiple millions. . . the investors you are giving it to are the business of the public. Perhaps I could be treated kindlier or with more respect.

- **Commissioner Hart** – All public comments and opinions are welcome. The only thing as Chairman is that we stay on task. Apologize for earlier and hope to stay on task with items.
- **Colleen Riley** – Commend everyone for sticking with this item for as long as it has been discussed. We have heard a lot of comments, hope the Commission will take into consideration to move forward with good positive things including this project.

Commissioner Hart – This is on the special Meeting for Thursday the 13th.

Economic Development Grant Agreement for the Hotel

Mike Grayson – Also part of the Show Me Anaconda package. What we have is an agreement that the funds will be into the hotel project. We have stated the project benefits the tax base of the county as stated in Atlantic Richfield agreement. There will be a report after one year which will tell us how the funds were spent. This would also be beneficial for the best interest of the county and to further the hotel project

Commissioner Hart also on Special Commission Meeting for Thursday. 8/13/20

Fiscal Year 2020-2021 Budget Request from CCCS, Inc. – Discovery House in the Amount of \$3,500.00

CEO Everett - Grant we have given in the past. Discovery House does a great job for our community and youths in need. Proud to be associated with them.

- **Commissioner Huotte** – Great program for our community and children of community. Fully support the request.
- **Commissioner Smith** – Disclose he is employed by CCCS, Inc.

Place on Agenda

Fiscal Year 2020-2021 Budget Request from Tri-County Fair in the amount of \$3000.00

CEO Everett – This should not be moved forward. We are not having a county fair this year. Not the best use of our taxpayer money. There are some legal issues with last year's fair and the demolition derby, our county was named in the lawsuit even though we have no interaction except of giving them \$3000.00. Recommendation that this be tabled until more items are clarified.

Table the item

Fiscal Year 2020-2021 Budget Request from Anaconda Adult Learning Center in the amount of \$3500.00

CEO Everett – This is a request made year after year. Not aware of how many people they serve. Would like more information about their success and activity.

- **Commissioner Vermeire** – This is a budgeted item that they put in for every year and we have always approved. I think they provide a good service.
- **Commissioner Hart** – In the past we have had presentations by the organization and felt their efforts were very admirable and that is why we have continued that support.

Place on the Agenda

Special Event Permit – Mini Photo Sessions in Washoe Park, August 15-16, 2020 and August 29-30, 2020

CEO Everett – We have been scarce in issuing special event permits. I don't see this having many people involved. If the Commission agrees this can probably go forward without any problems.

- **Commissioner Hart** – Note there is an insurance certificate part of that is handwritten could be a concern, will leave that to the County Attorney. Attention that it states they will abide by 6 feet apart and maintain mask wearing and time slots assigned. There is an attempt to social distance and provide safety precautions.

Place on Agenda

Special Event Permit – Dead Ringer Horseshoe League Picnic August 29, 2020, pending Certificate of Insurance

CEO Everett - I hate to be the No fun police but will let the Commission discuss.

- **Commissioner Huotte** – I am anticipating the event having a lot of people. Not sure how to approve this with Social distancing, rest rooms, and sanitations. Have not seen any plans on how they plan to keep stuff clean and sanitized. Would like to see more information before approving
- **Commissioner Vermeire** – Would like to see a sign off from the Health department. Guidance from Leigh Ann Holmes to help make decisions on things like this. This is usually a big deal.
- **CEO Everett** – Let's get Lee Ann Involved and have Leigh Ann contact them and come to you next Tuesday with her evaluation. Let's let the paid professionals decide.
- **Commissioner Hart** – Since COVID we have required a written plan if there is going to be a large group of individuals. The governor has issued a mask wearing order and our own Health department would like the county issue a mask wearing order. Everything we hear from science

from a national level that it is anticipated to get worse. State of Montana passed 5000 cases, every precaution we can take is necessary. Interested to hear from the Health Department and see what their advice is.

Place on Agenda pending Public Health Department's recommendations.

Commissioner Hart – Requested the CEO to have the Public Health give their position on this

- **CEO Everett** - Emailed her and she should get back to us.

Miscellaneous

Commissioner Huotte – No Miscellaneous

Commissioner Gates – No Miscellaneous

Commissioner Smith - No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – Heard from a few individuals that there was a large wedding reception that took place in Washoe park. Very few if any masks were worn or social distancing. If large groups are gathering on county property and not abiding by social distancing or governors mask wearing ordinance . . . it is a moving target. Be cognizant that all individuals to please abide by Governors order.

CEO Everett - Frustrating Community views us to take care of many things. Some things are outside of our bounds like the mosquito boards. We are making steps in the right direction. Another area I don't know whose responsibility is the trail system. We never really addressed this. We have a vast number of trails in the community. Question of Who paid for them, created them , who is responsible for weeding and repaving? We have a park's department ; but no excess personnel to work on these. My understanding is that Local Development has money for maintenance. What maintenance that is and what trails are included are questions we don't know. We need to address our trails and figure out who is responsible come up with a plan on an annual basis.

Commissioner Hart – Adam would be a good resource at the Local Development and is active in the trail society. The people who walk the trails, some of the elderly are very appreciative of the parks department in keeping them open especially in the winter months.

County Attorney Krakowka – Pending before the Commission is a Petition in regards to a portion of Washington Street road and ask the Commission to place on the agenda for the next session appointment of the Commissioner, and county surveyor who will make the investigation of the end of that road pursuant to the petition

Commissioner Hart – We will want that on the next meeting which is a Business Session

Public Comment

Carl Nyman – The things I have read and heard these past weeks have been very discouraging. There has been a tremendous amount of latitude given to the Smelter City Recreation Complex to disparage the hotel project. The Shewey's say that something orchestrated is going on and yet there is no one more orchestrated than them in opposition.

- **Donna Shewey** - Interrupted Mr. Nyman and wanted to know if he was speaking as a staff or public?
- **Commissioner Hart** – Intervened and stated we are going to avoid this conflict. I know this has been a contentious topic. Encourage that any comments given be civil, we do not want an argument. The issues regarding the loan agreement, mortgage and grant have been sufficiently vetted. We do need to keep a civil discourse.
- **Carl Nyman** - That is true. Unfortunate that the hotel developer has been disparaged by this group and that has been allowed to continue without anyone stepping up and saying, "Wait a Minute". It is time there is an accounting of the Recreation Complex. Provided an example of when they came to the county five or six years ago with a request involving insurance companies. They requested we chase down insurance companies and the monies could be used to fund the Rec Complex. The county got behind this in a gesture of good faith. I believe it was to the tune of \$12,000. It came to nothing. This organization is oversold and underdeveloped. There is nothing to show for it. There is no accountability here. People deserve to know how much has been raised, where it was spent, who made the authorizations. Non-profits are subject to certain requirements. The Community deserves to know after all these years. Feels they are deflecting attention from failures by disparaging someone else. Ask the Commission to Learn More of what is going on with this organization.
- **Donna Shewey.** – Explained about the \$12,000 put in for insurance carrier had nothing to do with Smelter Recreation. That was a personal thing with the Shewey's that were given information to the county to what they saw fit regarding the policies. There is a whole back story to that . . . but total Clarification that it had nothing to do with SCRC. SCRC'S records are totally public. We have newsletters, website, we have exactly who are donors are. Believes the CEO has prevented SCRC from being on the agenda for the last year and a half. We approached the county and wanted to work with hotel developer, thought there were win/win benefits. Mr. Nyman and Mr. Everett's focus was on the golf course. We were told not to contact Mr. Johnson. In good faith we came to the county. We did our part. Sad that they did not package this together as a hotel and recreation project. Should have been packaged as completing the circle of a golf course, a hotel and a recreation center. Feels that SCRC has been trashed and feels that the Shewey's are hated. We have not been treated fairly. ARCO money has been used to pay for legal fees and survey fees. We did the process. . . The CEO controls the agenda, Now Mr. Nyman has made us questionable in the community. So, what he accused us of doing he just did to us. Clarification that the ARCO plans are not taxpayers' money but are public funds. Mr. Vermeire realizes that ARCO money becomes public money and that public money has to have transparency. The public has the right to question and get an answer. We begged to be able to meet with Mr. Johnson and Mr. Everett made sure that would not happen.
- **CEO Everett**– There is some huge confusion. The last contact I had was February 10th at 10 a.m. with Ken Connors who was to draft an agreement. We had a verbal discussion no agreement was prepared. We have never had an agreement that was not presented to the Commission. I have

never withheld an agreement. If there is one, I would love to see it. Three weeks ago, you said you would have an agreement to the Commission within 2 weeks. Today at 2:15 Ken Connors called and is working on agreement and would like to meet on Friday. I asked if he had an agreement and he said is working on one. Finish and bring it to the Commission. No one has written an agreement, maybe there will be one. Hopefully there will be one and you can look at and decide for yourself. This is just a point of fact and there is no misinterpretation on this.

- **Al Shewey** – Isn't this fun. . . If you disagree with the County seriously enough you get attacked by a staffer and the county's attorney, Mr. Grayson. Here is the deal on SCRC if you look at the ARCO funding that came in, SCRC always anticipated that it would have an option to obtain some money. But the way the agreement was done by secret task force it was determined that nonprofits cannot have any money. Then the land that SCRC had talked to the Commission before the hotel was reallocated and resurveyed by the county for the hotel. I think about 4.5 million allocated for the hotel plus the value of the land. But you can't say anything without being attacked. You can't ask who is getting money from the public coffers. This appears orchestrated. It does not make much sense for SCRC to ask for a land scenario when they will get no support or money from the county.

Kathie Miller – Is the 2 million loan and grant part of the ARCO agreement that the Commission approved earlier this year. That money was earmarked to go to a hotel project, is that correct?

- **Mike Grayson** – Kathie is correct there is a reference in the ARCO agreement to the same funding. At the time it was written we had no idea who would submit a proposal or how many proposals there would be.

County Attorney Krakowka – As I listened to Mr. Shewey it raised a question. He stated that SCRC was counting on being able to access some of the ARCO funds. I am fairly certain that in previous meetings and presentations, that it was put forth that this was going to be completely independent of the county. No need for county funds and they wouldn't ask the county for a dime. That changed about a month ago.

- **Al Shewey** – If you have a 20-million-dollar community center that is intended to serve people from all ages and economic backgrounds in all seasons. The county is getting 28 million dollars over 25 years and you get no support from the county economically or otherwise you don't have an opportunity to move the project forward. If you can't be supported at home, you won't be supported at all. I sent to the Commission and to the CEO an opportunity to take \$250,000 a year for a revenue bond and that was never looked into. What you have is a grass roots effort by 10 or so people putting SCRC together and have looked for help from the county and the county has been very negative. You can't raise funds if they county won't play. Then you see all the money being allocated to the hotel and the land you say this thing is done. You cannot move forward with a community center without local support.
- **Mike Grayson** – Apologize for getting angry earlier tonight. Feel deeply about a number of these subjects. I did volunteer legal counsel work for the recreation center for a number of years. This hotel development we sought back since 1989. We tried to develop the town and ran into the stigma of superfund. It is almost myth you can't build on a superfund site. The bottom line is that Mr. Johnson came to the county, yes, it is an opportunity for him, but it is not a guarantee deal. He is putting in about 7 million the grant and loan funds are another 3 million. Hopefully that will work. Without incentive look at the E Yards and how many more years do we leave it undeveloped. We

have had a few projects such as the Car Wash, AWARE Center of Excellence, the Vet clinic, and a storage facility. The bulk is off the tax rolls for many years. Mr. Johnson comes in and makes a commitment between himself and his investors. When I think about it makes sense for them to wait to file the LLC until they see the proposal is accepted. In May the Commission approves the proposal and then they file the papers. It didn't have to have legal status of a corporation to submit the proposal. I got angry because I worked hard on this for the last few months and we worked to get Economic Development for the whole 3.5 years that I have been on the superfund negotiating team for the county. The Federal judge reaffirmed that they were secret negotiations when the MT Standard tried to open them. The private company is formed they get investors, and this is the way we do business in the United States. The Pandemic grants were given to over 20 Anaconda businesses by the State of Montana and there was no requirement to disclose who the investors are for each business. I have not tried to attack the Rec Center because they are my former clients. Upset that Mr. Shewey is trying to distract the Commission from the issues before you. That creates a chilling effect to economic development. What if you had an aunt or neighbor who invested in the group. They may not want people to know how much they have or invested. They don't want to read in the paper how much they invested for a hotel development. Again, apologize but feel strongly and I do get irritated when one thing is on the agenda and we go off at angles.

- **Al Shewey** – The way to stifle public comment is to go through a process of assassination of the people who differ with you. Unfortunate and I don't feel good about the interaction. I feel I am not allowed to have my own opinion
- **Donna Shewey** – CEO Everett you were presented 3 proposals that you sent back to SCRC. You kept changing the terms of what you wanted from SCRC. You didn't receive anything since Feb 15 because Mr. Connors was ill, and we made that clear and that the contract would be coming. We were working with the Bannak group out of Bozeman, MT which also has a legal counsel because Mr. Everett had put so many things he wanted to see in the agreement. Mr. Connors has the document done. We have talked about public money and co-mingling of money. We are not out to get Mr. Johnson, we wanted to work with him. We were told that we could not talk to him. Freedom of information act says we have the right to ask about public money and investors. This is also an Opportunity zone. Most people who put money into an Opportunity zone want to be known. It is for big money to be able to come in and get a big tax write off and do something to make the community feel good. We are just asking basic questions.
- **Rose Nyman** – Little emotional right now, this is one of the saddest meetings I have witnessed. It is so polarized that no one can look at the goal. What is important is our community. Not the project but the community. The level of low income of families and poverty in this community has become an embarrassment. . . we must move forward. I have donated thousands of hours in this community. Everyone needs to step back and see the big picture that is Anaconda. The in-fighting must stop. Anaconda is famous for shooting itself in the foot and that is what is happening here on both sides. Please . . . look at attitudes and what we can change about our attitude and our community. Stop the fighting.

Kimberly Richardson – Needing clarification of Tabling of budget for Tri-county fair. Has \$3000.00 been the commitment to the Tri County? Obviously we are just having fair events this year, but the facilities are still being utilized. Will the county still pay a portion so that the 4-Hers can participate? Are we not

contributing at all till 2021? Or contributing some based on expenses incurred? We did have our exhibit day on Saturday. Need direction that if we pull complete funding what will that mean to our 4-H as far as participation.

- **CEO Everett** – Yeah, great point. If we could get some information and what are the costs. To answer the question \$3000 per year per fair is what has been contributed.
- **Kimberly Richardson** – All I can get from the Fair board is that Powell county pays the most. Maybe there could be some to cover judges and electricity in the buildings and live streaming. We provided most of the supplies like disinfectant so some room for negotiation. Asked if the county ever receives an itemized bill.
- **CEO Everett** – All we have is we pay a bill every year without any reference to what it is for. With that little involvement we became fully liable for the actions of people that we have no control over. We are on the hook for stuff we had no control over. Not sure of the answer. We need to figure out liability and what exposure we are comfortable with.
- **County Attorney Krakowka** – Reluctant to say more if we have any liability for what may or may not have occurred at a previous fair. There is a concern, if someone is going to hold us responsible for what goes on at the fair. Is it financially advantageous for the county to expend assets and money for something that is potentially cause more headaches?
- **Commissioner Hart** – Can Kimberly to get together with County Attorney and the CEO
- **CEO Everett** – Can we get something together for a new item for next Tuesday.

ADLC Public Meeting Dates

Commissioner Hart read the meeting dates and times

Commissioner Hart – Read the meeting dates and times. Reminder of the Special Commission meeting following work session. Stated that I have granted a lot of latitude on both sides. Public discussion can be beneficial. It can bring out the best and the worst of people. We need to find a way to put comments to better use. Rose's comments were perfectly on target. Look at the best interest of the community. We need to stick to the topics

Adjournment

Meeting adjourned at 8:40 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

**ANACONDA DEER LODGE COUNTY
SPECIAL COMMISSION MEETING
8:40 P.M. TUESDAY, AUGUST 11, 2020
Webex**

Special Commission Meeting Started at 8:40 p.m.

Commissioner Hart – Performed a Roll Call of Commission

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, and Clerk of Commission Lori Sturm

Webex Facilitator – Kimberly Richardson

Members of the Press: Kathie Miller, Leader

Members of the Public: Per Webex Sign-In

UNFINISHED BUSINESS

Old Work's Road to award the Bid to (Hoffman's R&M Service or Mungas Company, Inc.) on the Old Work's Road.

CEO Everett – Accept the bid from Hoffman's group

Motion made by Commissioner Vermeire to take action to award the Old Work's Road Bid to Hoffman's R&M Service on the Old Works Road; Seconded by Commissioner Smith.

Motion Carried 5-0

Mail in Ballot for the General Election

Commissioner Huotte – Normally I would not support an all-mail in ballot, but the times right now with COVID and the elderly and the high risk in this county it is a good idea in this instance.

Motion made by Commissioner Vermeire to take action to approve a Mail In Ballot for the General Election; Seconded by Commissioner Gates.

Motion Carried 5-0

Miscellaneous - Discussion

Commissioner Hart – Asked if there were any additional Miscellaneous comments, none were given.

Public Comment – No Public Comment given

ADLC Public Meeting Dates – Meeting dates were read at the work session.

Adjournment Meeting adjourned at 8:44 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

DRAFT

**ANACONDA DEER LODGE COUNTY
SPECIAL COMMISSION MEETING
8:40 P.M. THURSDAY, AUGUST 13, 2020
Webex**

Special Commission Meeting Started at 6:00 p.m.

Commissioner Hart – Performed a Roll Call of Commission

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, and Clerk of Commission Lori Sturm

Webex Facilitator – Kimberly Richardson

Members of the Press: Kathie Miller, Leader

Members of the Public: Per Webex Sign-In

UNFINISHED BUSINESS

Revolving Loan Agreement between for the hotel between Show Me Anaconda, LLC and Anaconda-Deer Lodge County. (Mortgage Exhibit D of Revolving Loan Agreement)

Commissioner Gates -Read a statement to the Commission: I proud myself in being fair and honest. While I support the new developments in our community and to see Anaconda prosper. There are a few concerns to be answered as the hotel project moves forward. Therefore, I feel that it is in the best interest of the people that have elected me into office that I will be Voting no on the loan agreement and the economic grant. Thank you.

- **Commissioner Vermeire** – Both items were part of the settlement agreement with Atlantic Richfield and I am anxious to see this move forward.
- **Commissioner Smith** – I am in full support of the project I feel it is a great benefit to the Community and residents.
- **Commissioner Hart** - Going on the record that I as well fully support this project. “Show Me Anaconda” has done what we asked of them. These items were included in the original request for proposal. This was available for any of the developers that wished to put in a proposal. Show Me Anaconda was the only proposal that came in. I think this is a project that could extremely benefit Anaconda and start us the road to recovery and the development of the East Yards. Everyone that I have spoken to since this project came up, especially since last Tuesday’s meeting; I have yet to speak to anyone who is not in favor of this project. People want to see this project go through and that it can only benefit other projects and will show that Anaconda is open for business and ready to develop.
- **CEO Everett** – I am in full Support of this project. Fortunate to have “Show Me Anaconda come forward and want to participate in Anaconda’s economic development. They are fantastic. The planning department and our crews have learned a lot from working with them. Their experience is much more vast than ours in these areas. As this is the Largest project project from

a business standpoint this community has seen in over 40 years. I would like to Thank them for willing to participate with us and anything I can do to move it forward. The amount of support, texts that I have received have been overwhelming; not one negative. The community is in love with this.

- **County Attorney Krakowka** – I also received multiple positive comments about the project. The only negatives were at these meetings. This is an exciting project and has a lot of potential. Definitely a step toward economic development in Anaconda-Deer Lodge County. I hope it works out.
- **Kathie Miller**, Anaconda Leader – Question – Should Commissioner Gates disclose that he is related to Donna Shewey or recuse himself from the vote?
- **Commissioner Hart** – The County Attorney would be able to speak better to this; I think that full disclosure would be appropriate. Asked Commissioner Gates if he would like to offer that information.
- **Commissioner Gates** – I want to divulge that Donna Shewey is my sister but has no bearing on my decision that I have made.
- **County Attorney Krakowka**– From my perspective, I don't believe that a recusal is necessary but letting the public know is the appropriate thing to do.
- **Al Shewey** – First I met Mike Johnson after a Planning Commission meeting. I like Mike I think Mike Johnson is a credible individual and has a good spirit about him. I don't like the way the proposal has gone. Basically, the county has put all the risk is on Mike. When you do that you have to provide additional property and things to cover the risk. I have never seen a project like this where millions of dollars go to a developer in a group of investors where the names of investors have never come out.
- **Commissioner Hart** – This discussion was held last week. I do not know if you are going to reiterate the whole thing or not. I am going to cautious of that
- **Al Shewey** – I want to say I think the county could see a challenge to this about the issues talked about last week. I won't go into them. This is an option for the county to reconsider its' approach to this
- **Colleen Riley** – It has been productive to learn about multiple challenges and multiple opportunities for our community. Thanked Mr. Johnson for taking a chance on our community. It was disappointing to hear that we only had one proposal; but at least had a proposal for Anaconda. We appreciate you taking a chance in our community. Al and Donna were very excited to support the rec center as well; but that is not what we are here to talk about today. I want to thank the Commissioners for their patience and keeping these meetings public. I want to encourage to honor the settlement agreement from ARCO. This is a project that Anaconda has longed for and needed for over 40 years. Please let it proceed. Thank you.
- **Con Malee** – The settlement agreement has been a document that has been prepared and worked on for a large group of people by a very diverse representation. It is the final document we have agreed to. Let's move forward and make this thing happen. I fully support this and support the Commission for doing all that they can to make this happen in a timely fashion. I am offended by veiled threats that might come from anyone who has an interest in acquiring that money.
- **Janice Hagan Delaney** – Most people are for this. I want to know who the investors are; you don't know who is coming in. It would be wonderful if the 2 parties could just talk the recreation center and the hotel. Everyone would benefit.
- **Commissioner Huotte** – Encourage the Commission to approve this. I know Mike Johnson and there is not a better guy for this project. It is unfortunate that we have a small group of people in

Anaconda trying to discourage progress. It seems like anytime we have a project worthwhile; there is a group that wants to shut it down.

- **Commissioner Vermeire** - Agree with Commissioner Huotte. This is a real project on property that has been setting out there for many years with nothing going on. We have had a few nibbles; nothing has come of it. I have known Mike Johnson for years. You couldn't have a better guy to be on this and getting this project. Encourage the Commission to vote Yes.

Motion made by Commissioner Vermeire to take action to approve the Revolving Loan Agreement for the Hotel between Show Me Anaconda, LLC and Anaconda-Deer Lodge County (Mortgage Exhibit D of the Revolving Loan Agreement); Seconded by Commissioner Huotte

Motion Carried 4-1 (Commissioner Gates voted against)

Economic Development Grant Agreement for the Hotel.

Motion made by Commissioner Huotte to take action to approve the Economic Development Grant Agreement for the Hotel; Seconded by Commissioner Vermeire

Motion Carried 4-1 (Commissioner Gates voted against)

Miscellaneous

Commissioner Huotte – No Miscellaneous

Commissioner Gates – No Miscellaneous

Commissioner Smith – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – No Miscellaneous

CEO Everett – No Miscellaneous

County Attorney Krakowka – No Miscellaneous

Public Comment – No Public Comment given.

ADLC Public Meeting Dates –

Commissioner Hart – Dates were gone over last Tuesday

Adjournment Meeting adjourned at 6: 20 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

Lori Sturm

From: Carl Hamming
Sent: Wednesday, July 22, 2020 4:58 PM
To: Lori Sturm
Cc: Gayla Hess
Subject: Smith/Wyant MDP for Commission WS Agenda on July 28th
Attachments: Smith_Wyant Septage MDP application July2020.pdf; doc00462120200715065504.pdf

Hi Lori,

Also for the **WS agenda on Tuesday**, please add a request for a public hearing to be held on **Aug. 18th** to consider the Smith/Wyant MDP.

Commissioners:

A public hearing was held at the Planning Board meeting on 7/20/2020 to consider an application for an MDP from Matt Smith and Glen Wyant. The requested MDP would allow Mr. Wyant to operate a septage land application business (GW Septic Pumping) to operate on Mr. Smith's property in the East Valley Development District. Septage land application is overseen by the Montana Dept. of Environmental Quality who requires local zoning/planning board permission. The proposed application sites are on Mr. Smith's property near the old Stuart townsites, legally described as: **S24, T04 N, R10 W, C.O.S. 27A, ACRES 1.005, TRACT B, and ACRES 1.806, TRACT C, IN NW4SW4 or geocodes 30-1286-24-3-01-10-0000 & 30-1286-24-3-01-15-0000**. Planning Board recommended approval of the MDP to operate the septage land application business to the Commission with the following recommendations:

1. The petitioner abides by all representations, testimony, and materials submitted during the application and hearing processes, to the extent those items were not negated by the Planning Board, as well as they are not inconsistent with the spirit or letter of explicit conditions to the Development District Map Amendment.
2. Prior to conducting business, petitioner shall submit proof of DEQ approval to the Planning Department.
3. Prior to conducting business, petitioner shall submit proof of Superfund compliance to the Planning Department and ADLC Environmental Coordinator.
4. Permit is valid for two years.
5. Pay any remaining fees, including public hearing notice, notice to adjacent landowners, or any consulting fees.

The Planning Department requests the Commission host a public hearing on August 18th to consider the MDP and subsequently take action on the request.

Thanks,
Carl

Carl Hamming
Planning Director
Anaconda - Deer Lodge County
chamming@adlc.us
Office: 406.563.4015
Cell: 406.560.8437



ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)

(Please Fill Out Entire Application)

ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
PHYSICAL PERMIT HAS BEEN OBTAINED

Date of Application: _____ Major Development Permit #: _____

Permit Received By: _____ Date of Receipt: 05/29/2020 *gm*

Urban Area Planned Unit Development Permit #: N/A

PROPERTY OWNER CONTACT INFORMATION

Property Owner: Matt Smith

Mailing Address: 213 Ayers City: Anaconda State: MT Zip: 59711

Phone/Mobile #: 406 539 6211 E-Mail: mattsmith1955@hotmail.com

Physical Address of Project Property: 1680 Old Hwy 10

CONTRACTOR/DEVELOPER/PERSON DOING THE WORK CONTACT INFORMATION
CONTRACTOR MUST HAVE AN ACTIVE BUSINESS LICENSES IN ANACONDA-DEER LODGE COUNTY

DOES CONTRACTOR HAVE A BUSINESS LICENSE IN ADLC: Yes: No:

Year License Last Renewed: 2020 License #: 1612

Contractor: GW Septic Pumping Glen Wyant Self: _____

Mailing Address: 217 So. Dixon City: Anaconda State: MT Zip: 59711

Phone/Mobile #: 406 563 5062 E-Mail: GWSEPTICPUMPING@gmail.com

General Project Description: Land Application

More Than One (1) Cu Yd. of Soil Disturbed: Yes No

More than Five (5) Cu Yds of Soil Disturbed: Yes No

Anticipated Start Date: June 1 2020 Anticipated Completion Date: _____

I do hereby acknowledge that all information on this application and on the attached plans is true and correct, and that the activity or development permitted will be conducted in full compliance with all ordinances of Anaconda-Deer Lodge County, as well as all state and federal laws. The activity or development will be in full compliance with any and all conditions imposed on the approval of this permit and that the permit and conditions imposed are binding on future owners of the subject property and on future building permits issued for this site.

X Glen Wyant _____ 5-26-20
Property Owner/Representative Date



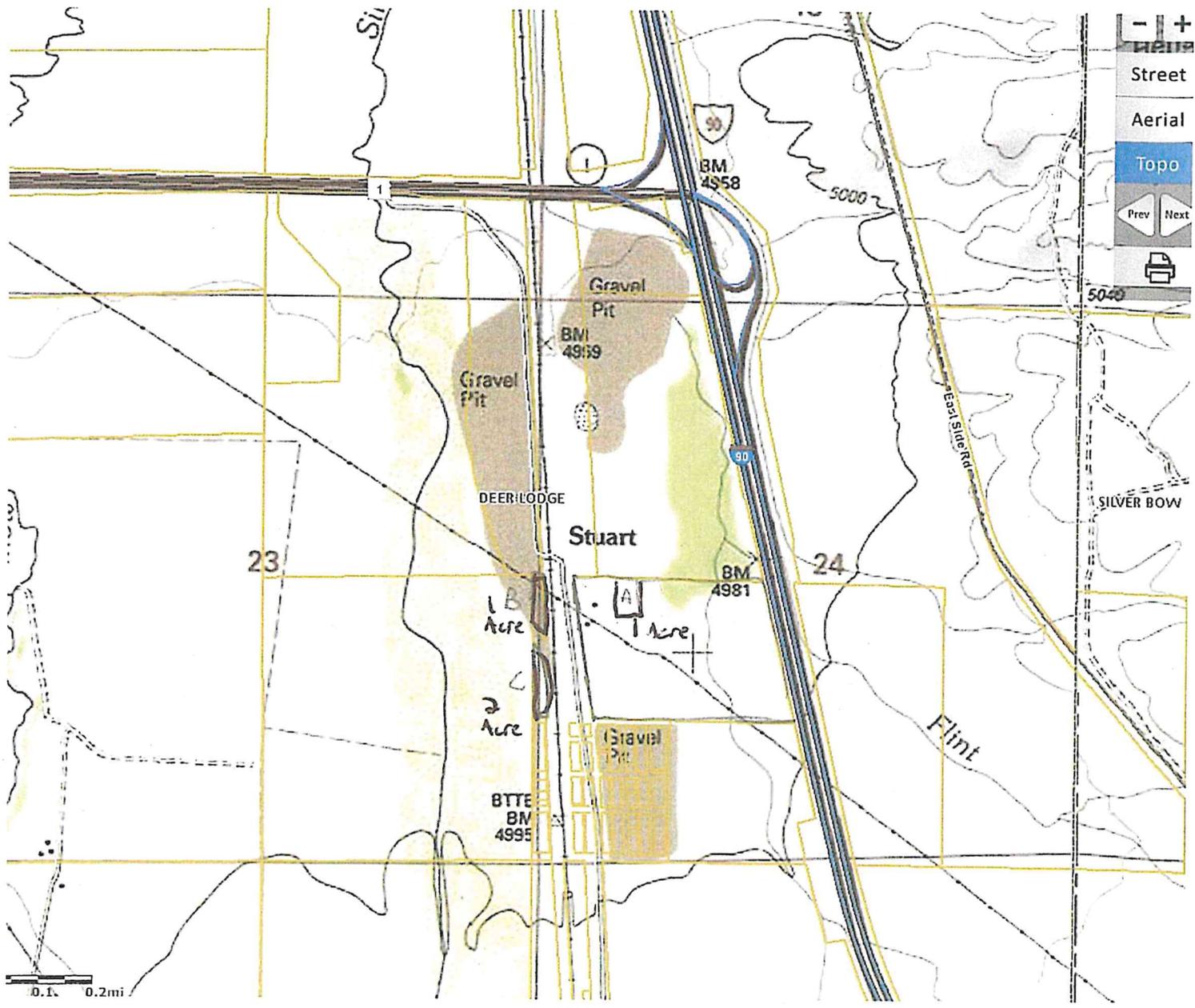
**ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)**

(Please Fill Out Entire Application)

**ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
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PROJECT DESCRIPTION CHECKLIST

DESCRIPTION	YES	NO	ADDITIONAL COMMENTS/REMARKS
Demolition		<input checked="" type="checkbox"/>	
Buildings		<input checked="" type="checkbox"/>	
Infrastructure (Driveways, Sidewalks, Etc.)		<input checked="" type="checkbox"/>	
Trees/Shrubs		<input checked="" type="checkbox"/>	
Excavation		<input checked="" type="checkbox"/>	
Footings		<input checked="" type="checkbox"/>	
Foundation		<input checked="" type="checkbox"/>	
Posts/Poles		<input checked="" type="checkbox"/>	
Install/Repair Water Line		<input checked="" type="checkbox"/>	
Install/Repair Well		<input checked="" type="checkbox"/>	
Install/Repair Sewer		<input checked="" type="checkbox"/>	
Install/Repair Septic System		<input checked="" type="checkbox"/>	
Install/Repair Electric Service		<input checked="" type="checkbox"/>	
Install/Repair Gas Line		<input checked="" type="checkbox"/>	
Install/Repair Telephone Line (Land Line)		<input checked="" type="checkbox"/>	
Other: _____			
Grading			
Access Road		<input checked="" type="checkbox"/>	
Driveway		<input checked="" type="checkbox"/>	
Sidewalks		<input checked="" type="checkbox"/>	
Parking Lot		<input checked="" type="checkbox"/>	
Landscaping			
Revegetation		<input checked="" type="checkbox"/>	
Sod		<input checked="" type="checkbox"/>	
Trees/Shrubs		<input checked="" type="checkbox"/>	
Garden for Food		<input checked="" type="checkbox"/>	
Irrigation System		<input checked="" type="checkbox"/>	
Fencing			
Removed/Installed/Both		<input checked="" type="checkbox"/>	
Ground Signs			
Removed/Installed/Both		<input checked="" type="checkbox"/>	
Soils			
Will Soil Be Removed From Site?		<input checked="" type="checkbox"/>	
If So, Where Will This Be Discarded?		<input checked="" type="checkbox"/>	
How Much Soil Will Be Removed?		<input checked="" type="checkbox"/>	
Will Soil Be Brought To Site?		<input checked="" type="checkbox"/>	
If So, Where Will This Be Obtained?		<input checked="" type="checkbox"/>	
How Much Soil Will Be Brought In?		<input checked="" type="checkbox"/>	
Additional Comments:			



B 650' From garage 550' from nearest water
 C 350' From garage 240' from nearest water



**ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)**

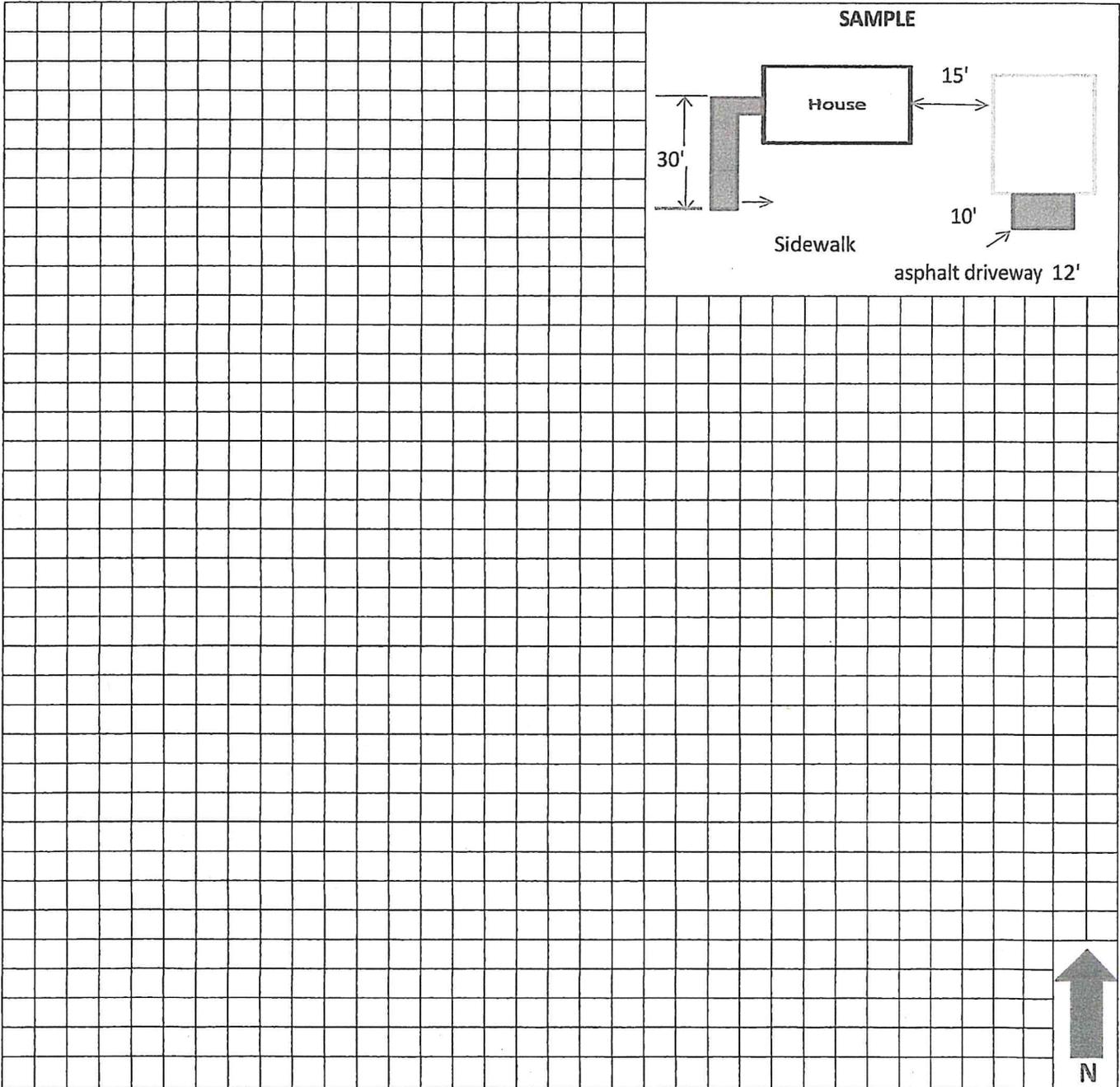
(Please Fill Out Entire Application)

**ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
PHYSICAL PERMIT HAS BEEN OBTAINED**

SITE PLAN DRAWING

DIMENSIONS MUST BE PROVIDED

IF BUILDING PERMIT IS NEEDED, ENGINEERED DRAWINGS WOULD BE ACCEPTED



1 square = _____



ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)

(Please Fill Out Entire Application)

**ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
PHYSICAL PERMIT HAS BEEN OBTAINED**

CONSENT FOR ACCESS TO PROPERTY FOR THE PURPOSE OF ENVIRONMENTAL SAMPLING

In support of Anaconda-Deer Lodge County's (ADLC) Interim Institutional Controls Program, ADLC would like your consent to collect samples on your property. Please fill out the information below and return with your Administrative Permit Application.

I, Matt Smith (printed name), property owner of the property located at

1680 Old Hwy 10, Anaconda, MT 59711, give my consent for employees

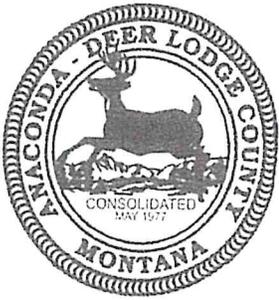
and/or representatives of ADLC to access my property for the purpose of collection of soil samples. I understand that

these actions are undertaken by EPA pursuant to its responsibilities under the Comprehensive Environmental

Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601 et seq (also known as Superfund).

X Matt Smith
Property Owner/Representative

5-29-20
Date



**ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)**

(Please Fill Out Entire Application)

**ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
PHYSICAL PERMIT HAS BEEN OBTAINED**

ADMINISTRATIVE REVIEW (Staff Use Only)

Legal Description of Property: _____

Geocode: _____

Assessor: _____

Development District(s): _____

Is the subject property impacted by a flood plain? Yes ___ No ___

This permit will also require:

Building Permit: _____

Demo Permit: _____

Driveway Approach Permit: _____

Well Permit: _____

Septic Permit: _____



**ANACONDA-DEER LODGE COUNTY
MAJOR DEVELOPMENT PERMIT APPLICATION (MDP)/
URBAN AREA PLANNED UNIT DEVELOPMENT (UAPUD)**

(Please Fill Out Entire Application)

**ABOLUTELY DO NOT BEGIN PROJECT UNTIL ALL PAPERWORK IS FINALIZED AND
PHYSICAL PERMIT HAS BEEN OBTAINED**

**ANACONDA-DEER LODGE COUNTY SMELTER SUPERFUND SITE
INSTITUTIONAL CONTROLS/COMMUNITY PROTECTIVE MEASURES PROGRAM
*For Your Information***

Incidental Mine Waste Notice

Residents and property owners in Anaconda-Deer Lodge County need to be aware that the area includes many historic mining districts that may contain hazardous waste. These sites include the Anaconda Smelter Superfund and Georgetown Railroad Superfund sites as well as many other abandoned mined areas in the county. If during excavation and development activities you locate potential mine waste or suspicious materials, ADLC recommends you do the following:

- Cease all activities which might expose yourself, others, or your animals to potential waste until an investigation by a qualified professional is conducted and the site is determined to be safe.
- Contact the ADLC Superfund Department at (406) 563-7476 or the ADLC Planning Department at (406-563-4010). In the event, ADLC does not have jurisdiction of the site, you will be directed to the appropriate agency.
- Common smelting waste includes black slag and cinders, pale yellow and orange tailings, white/gray powdery ash material, and rocks with a scaly green deposit on the surface.

If you require further assistance, please contact the ADLC Planning Department at (406) 563-4010. ADLC's Superfund experts as well as other county staff will do their best to either assist you or direct you to the appropriate party for assistance.

Superfund Soil Repository

Some projects in Anaconda-Deer Lodge County may involve contaminated soil that may need to be placed in the Superfund Soil Repository. After reviewing your application, the county and Superfund will determine if special soils handling is required and you will be given written instructions by Superfund on how to handle the soils and they will guide you through the process.

Placement of soil in the repository must be part of an approved Administrative Development Permit and Institutional Controls Work Plan. The Superfund Coordinator (406) 563-7476, must be contacted at least 24 hours in advance of beginning excavation. The repository is generally open Monday through Friday, 7 a.m. to 4 p.m. and some seasonal hours may apply.

Only Superfund-related contaminated soil, mining millings, or smelting waste material may be placed in the repository.

A pre-entry briefing is required prior to placing soil and the Superfund Coordinator must be notified at the beginning and the end of each day's hauling activities.

Personal safety equipment is required for all drivers and passengers.



WASTE MANAGEMENT AND REMEDIATION DIVISION
 WASTE AND UNDERGROUND TANK MANAGEMENT BUREAU
 PO BOX 200901
 HELENA, MT 59620-0901
 406-444-5300

SEPTIC TANK, CESSPOOL, AND PRIVY CLEANER NEW DISPOSAL SITE APPLICATION FORM

(Complete one form for EACH new disposal site)

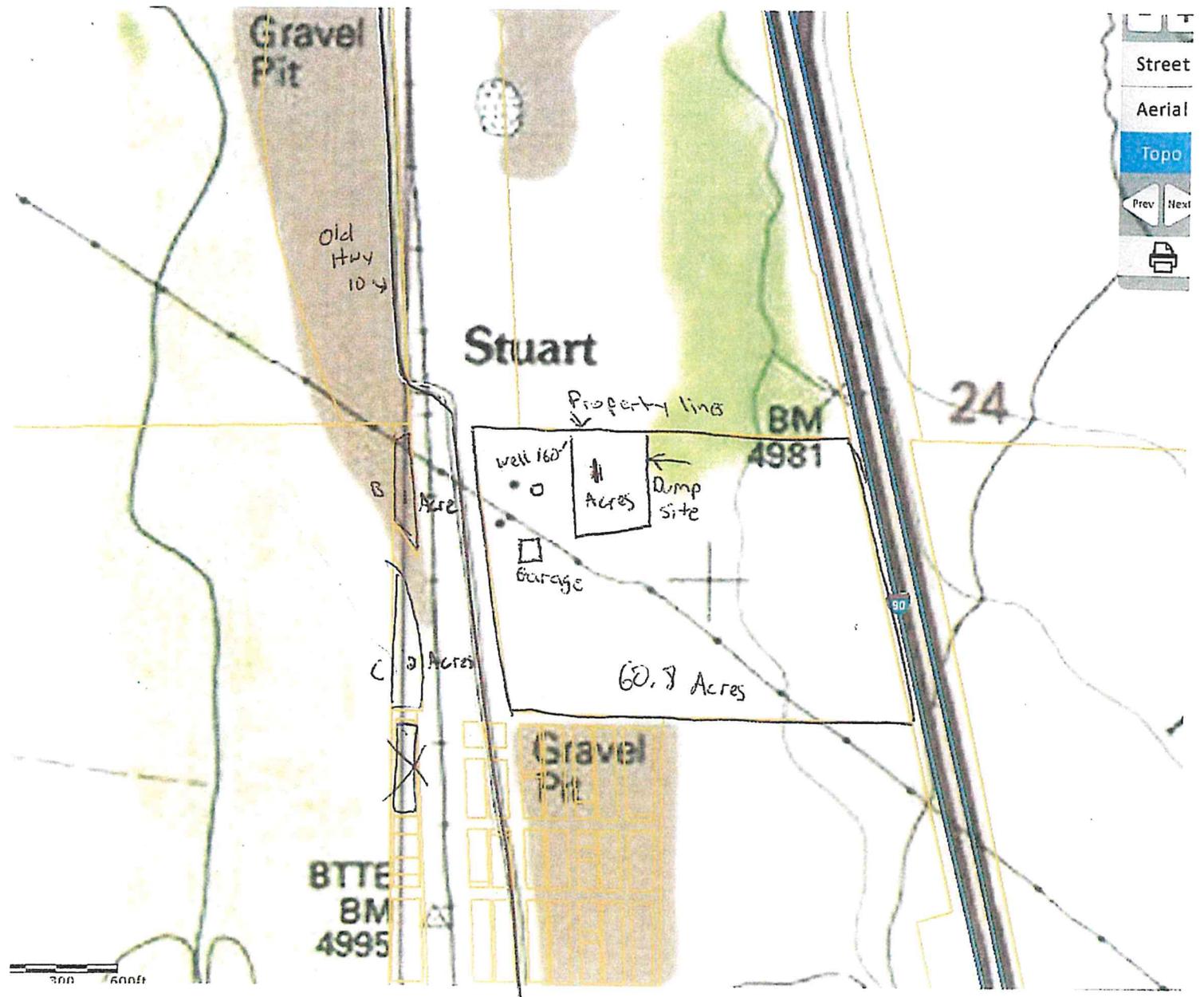
Section 1			
APPLICANT INFORMATION (Please Print)			
Name of Applicant: <i>Glen Wyant</i>		Name of Business: <i>GW Septic Pumping</i>	
		DEQ License Number: <i>51093</i>	
		<input type="checkbox"/> New Applicant	
Business Address: <i>217 South Dixon</i>		City: <i>Anaconda</i>	State: <i>MT</i>
		Zip: <i>59711</i>	
Mailing Address: <i>217 South Dixon</i>		City: <i>Anaconda</i>	State: <i>MT</i>
		Zip: <i>59711</i>	
County: <i>Deer Lodge</i>	Phone Number: <i>406 563 5062</i>	Fax Number: <i>NA</i>	
Location of Business Operation Records: <i>217 South Dixon Anaconda MT</i>			
Section 2			
DISPOSAL SITE INFORMATION (Complete as applicable – use one form for EACH site)			
Method of Disposal: (Check all that apply)			
<input checked="" type="checkbox"/>	Land Application Site	Complete Sections 3 & 5 of the application	
<input type="checkbox"/>	Wastewater Treatment Facility	Complete Sections 4 & 5 of the application	
<input type="checkbox"/>	Septage Processor or Composter	Complete Sections 4 & 5 of the application	
<input type="checkbox"/>	Licensed Class II Landfill	Complete Sections 4 & 5 of the application	
Waste Category: (Check all that apply)		Estimated total gallons during license year:	
<input checked="" type="checkbox"/>	Septage	<i>60,000</i>	
<input checked="" type="checkbox"/>	Portable toilet/Vault toilet type waste	<i>5,000</i>	
<input type="checkbox"/>	Grease Trap Waste		
<input type="checkbox"/>	Sump Pumpings (specify type below)		
	<input type="checkbox"/> Automatic Car Wash Bay Sump		
	<input type="checkbox"/> Attended Car Wash Bay Sump		
	<input type="checkbox"/> Unattended Car Wash Bay Sump		
	<input type="checkbox"/> Other Sump (specify type) _____		
<input checked="" type="checkbox"/>	Graywater	<i>5,000</i>	
Section 3			
LAND APPLICATION SITE INFORMATION (Complete ALL of Section 3 for Land Application sites)			
Property Owner Full Legal Name: (ARM 17.50.803(5)a) <i>Mathew L Smith</i>		Property Owner Business/Organization Name as filed or registered with the Montana Secretary of State office: (ARM 17.50.803(5)(a))	
Property Owner Phone Number: <i>406 539 6211</i>		Property Owner FEDERAL TAX ID #: (Required if property owner is a business)	

SEPTIC PUMPER NEW DISPOSAL SITE APPLICATION FORM

Page 5 of 5

Section 5
CERTIFICATIONS
APPLICANT CERTIFICATION
I, <u>Glen Wyant</u> , have completed this application for a specific disposal site. I hereby declare that the information provided is true and correct to the best of my knowledge, and that I have made reasonable inquiries where necessary to confirm such information.
SIGNATURE OF APPLICANT: <u>Glen Wyant</u> DATE: _____
HEALTH OFFICER CERTIFICATION
I, _____ am the Health Officer or Designated Representative of the County. I certify that this disposal site meets the physical requirements of Montana laws and rules governing septage disposal, and any applicable local health requirements.
SIGNATURE: _____ DATE: _____
TITLE: _____
ZONING CERTIFICATION (if required)
I, _____, an official with knowledge of the zoning district covering the proposed disposal location, certify that the use of the site is in conformance with local zoning regulations.
SIGNATURE: _____ DATE: _____
TITLE: _____

Y
E



Street

Aerial

Topo

Prev Next

Print

Slope 0%

old Hwy 10

- B - 650' From Building 550' from silver Bow Cr
- C - 350' From buildr 240' from silver Bow Cr

OPERATION AND MAINTENANCE PLAN

- A. Site access controls- The site is fenced and signed. Areas B&C are fenced signed and gated.
- B. Types and sources of waste- Septic tanks, portable toilet/vault toilet waste, and graywater.
- C. Vector attraction, pathogen reduction measures- Pumpings will be screened, disked, or harrowed where applicable, and dragged.
- D. Applicable animal grazing and crop harvesting restrictions- There will be no animal grazing or crop harvesting while the site is active.
- E. Equipment- Pumpings will be screened and disked or harrowed.

If you have any further questions or comments, you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov. I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo
Cultural Records Manager
State Historic Preservation Office

File: DEQ/AWW/2020

3 attachments

 **Reports.pdf**
28K

 **Sites.pdf**
30K

 **2020051904.pdf**
166K



STATE HISTORIC PRESERVATION OFFICE
Montana Cultural Resource Database

CRABS Township, Range, Section Results

Report Date: 5/19/2020

Township: 4 N Range: 10 W Section: 24

GRAY DALE M.

1/1/1994 SILVER BOW CREEK STREAMSIDE TAILINGS

RABS Document Number: SB 6 16611 Agency Document Number:

Township: 4 N Range: 10 W Section: 24

DICKERSON KEN

10/31/2003 CULTURAL RESOURCE INVENTORY OF THE STUART PIT WETLAND FEASIBILITY STUDY. DEER LODGE COUNTY, MONTANA

RABS Document Number: DL 4 26447 Agency Document Number: STPX 12 (11), CONTROL #4730

Township: 4 N Range: 10 W Section: 24

ROSSILLON MITZI

10/22/2011 INVENTORY OF THE GRIFFITH FARMSTEAD NEAR OPPORTUNITY, MONTANA

RABS Document Number: DL 6 24711 Agency Document Number:

STATE HISTORIC PRESERVATION OFFICE Cultural Resource Information Systems

CRIS Township, Range, Section Report

Report Date: 5/19/2020



ite #	Twp	Rng	Sec	Qs	Site Type 1	Site Type 2	Time Period	Owner	NR Status
1DL0457	4N	10W	24	SE	Historic Railroad, Stage Route, Travel		Prehistoric More Than One Period	No Data	Undetermined*
1DL0459	4N	10W	24	SW	Historic Exploration Settlement	Historic Building Foundation	1880-1889	No Data	Undetermined*
1DL0460	4N	10W	24	SW	Historic Homestead/Farmstead		1860-1869	No Data	Undetermined*
1DL0728	4N	10W	24	NW	Historic Road/Trail		Historic More Than One Decade	Other	Unresolved
1DL0729	4N	10W	24	NW	Historic Trash Dump		Historic More Than One Decade	MDOT	Ineligible
1DL0779	4N	10W	24	comb	Historic Railroad, Stage Route, Travel		Historic Period	Private	Eligible
1DL0115	4N	10W	24	SE	Historic Homestead/Farmstead		Historic More Than One Decade	Private	Undetermined*
1DL0866	4N	10W	24	Comb	Historic Energy Development		Historic More Than One Decade	Private	Undetermined*
1DL0880	4N	10W	24	SW	Historic Trash Dump		1890-1899	Private	Undetermined*
1DL0892	4N	10W	24	SW	Historic Dug-Out		Historic Period	Private	Undetermined*
1DL0894	4N	10W	24	SW	Historic Railroad Building/Structure		Historic More Than One Decade	Private	Undetermined*

SEPTIC PUMPER NEW DISPOSAL SITE APPLICATION FORM

Page 3 of 5

(Section 3 – continued)

	<p>MAP - A sketch or map MUST BE INCLUDED that provides the following:</p> <p>(a) Property lines and boundary lines of : ~ (i) acreage available for land application, and (ii) the acreage proposed for use during the license year; and (b) All roads, homes, buildings, water wells, surface waters, canyons, ravines, and floodplains within 500 feet of the property boundary</p>
	<p>State Historic Preservation Office (SHPO) – A cultural resource file search must be requested on the proposed land application site. SHPO charges a fee for this search. The “File Search Request Form” can be found online at SHPO’s web page: http://mhs.mt.gov/Portals/11/shpo/docs/FSRF.xlsx. Provide the following:</p> <p>(a) A copy of the SHPO file search results.</p>
	<p>Is the proposed site located in a Sage Grouse core, habitat, or connectivity area? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, attach a copy of the recommendation letter from DNRC’s Sage Grouse Habitat Conservation Program. (To begin the evaluation process with the Sage Grouse Habitat Conservation Program, visit https://sagegrouse.mt.gov/projects/.)</p>
<p>PROPERTY OWNER SIGNATURE/CERTIFICATION</p>	
<p>I, <u>Matt Smith</u>, hereby certify that I am the Property Owner or Designated Representative of the Property Owner (CIRCLE ONE) of the proposed disposal location and the applicant has my permission to use the site. By signing this form, I further certify that the applicant has provided me notification of the restrictions for crop harvesting and animal grazing following the land application of septage on the property. (SIGNATURE MUST BE NOTARIZED AND INCLUDE PROOF OF OWNERSHIP)</p> <p>SIGNATURE: <u>Matt Smith</u> DATE: <u>5-25-20</u></p> <p>TITLE: _____</p>	

TASK ORDER 20-25-5-41-160-0
TO ANACONDA-DEER LODGE COUNTY UNIFIED GOVERNMENT MASTER
CONTRACT THAT COVERS THE PERIOD OF JULY 1, 2020 – JUNE 30, 2025
Healthy Montana Families Home Visiting Program

SECTION 1: PARTIES

THIS TASK ORDER is entered into between the Montana Department of Public Health and Human Services (hereinafter referred to as the "Department"), whose address and phone number are PO Box 202951, Helena, MT 59620 and 406-444-6940 and Anaconda-Deer Lodge Public Health Department (hereinafter referred to as the "Contractor"), whose federal ID number, mailing address, and phone number are 81-6001354 115 West Commercial Ave. Anaconda, MT 59711 and (406) 563-7863 for the purpose of committing the Contractor to provide health related services required by this task order. In consideration of the mutual covenants and stipulations described below, the Department and Contractor agree as follows:

SECTION 2: PURPOSE

The purpose of this contract is to provide home visiting and family support services as required by the Healthy Montana Families program, hereafter referred to as HMF. HMF requires the contractor to implement Parents as Teachers as the evidence-based home visiting model in the identified service delivery area as identified in the contractor's response to the Request for Proposal number 2017-0066JT.

SECTION 3: SERVICES TO BE PROVIDED

The Contractor must provide home visiting services to prenatal women, young children, and their families as required by Parents as Teachers and as outlined in Provision of Services section of Request for Proposal number 2017-0066JT and all subsequent updated budgets and timelines/work plans, as negotiated between HMF and CONTRACTOR. The Contractor is expected to enroll families in HMF services with the intent to serve them through the full term of the model (through completion of all modules for SafeCare Augmented, for at least 2 years for Parents as Teachers and Family Spirit, and to the child's second birthday for NFP).

Ongoing renewals of the contract, by mutual agreement of both parties, may be made at one-year intervals, or any interval that is advantageous to the State. This contract, including any renewals, may not exceed a total of five years, at the option of the State.

A. The Contractor agrees to:

1. Implement models and provide to HMF any updates or changes to implementation plans approved by the model developer and document that they continue to be an approved, certified, or accredited model site.
2. Follow the model reporting and quality standards and guidelines and maintain status as an approved model site.
3. Ensure that the Contractor's assigned home visitor(s), the supervisor(s) and any data entry staff who will be entering data into the program data system for HMF complete the HMF program training prior to serving clients.
4. Ensure that all staff (home visitor(s), supervisor(s), and administrators, if required by the model) complete all required model-specific training.
5. Provide qualified staffing that meets the home visiting model requirements and infrastructure to support HMF and provide services according to the model and HMF requirements. Changes in staffing will be reported to HMF as soon as possible.
6. Provide a DUNS number prior to HMF. All contractors for MIECHV funds must have a D&B Data Universal Numbering System (DUNS) number. A DUNS number is required for every application for a new award or renewal/continuation of an award. A DUNS number may be acquired at no cost by calling the dedicated toll-free DUNS number request line at 1-866-705-5711 or you may request a number online at <http://fedgov.dnb.com/webform>.
7. Ensure that all staff (home visitor(s) and supervisor(s)) complete all trainings required by HMF, including but not limited to trainings on the required screening/assessment tools, HMF data collection, and the HMF data system.
8. Provide HMF with an updated client consent form within 30 days after the start of the contract and whenever changes are made. Consent forms must meet the organization, HMF, and model requirements and should note that client data will be shared with HMF. Obtain consent from all clients that enroll in HMF funded home visiting services.
9. Determine participant eligibility and give priority to providing services to families listed in Public Laws 111-148 and 111-152, Subtitle IV – Maternal and Child Health Services, Sec. 2951, Maternal, infant, and early childhood home visiting programs. The priority populations are:
 - a. low income (below 200% of the federal poverty level);
 - b. pregnant women who have not attained age 21;
 - c. history of child abuse or neglect or interactions with child welfare services;
 - d. history of substance abuse or need substance abuse treatment;
 - e. users of tobacco products in the home;
 - f. low student achievement;
 - g. child with developmental delays or disabilities; and
 - h. families that include current or former members of the armed forces.
10. Develop, implement, and maintain a formal system for obtaining referrals to the HMF program, with other early childhood program partners. Referral resources for HMF clients shall include at a minimum:

- a. WIC
- b. Family Planning
- c. Prenatal care (OB/GYNs, Family Practice, NPs, etc.)
- d. Hospitals
- e. Community Health Centers (CHCs)/Federally Qualified Health Centers (FQHCs)

Referral plans will be submitted to HMF at least annually and referrals must be entered into the HMF data system.

11. Develop, implement, and maintain a formal system for referring HMF clients to needed services, with other early childhood partners. Referral resources for HMF clients shall include at a minimum:
 - a. WIC
 - b. Family Planning
 - c. Smoking cessation, i.e. MTUPP
 - d. Prenatal care (OB/GYNs, Family Practice, NPs, etc.)
 - e. Health insurance resources, including Medicaid and CHIP
 - f. Primary care providers and key medical resources (immunization providers, well-child check resources, lead screening partners, etc.)
12. Coordinate client referrals and services with other HMF funded programs in the community.
13. For all clients served through HMF, document services and referrals provided at each visit and follow-up on referrals on the model-required and HMF data system forms. HMF data system forms are provided by HMF via the HMF Groupsite community and via the HMF data system.
14. For all clients referred to HMF funded services, enter referral source information and the outcome of the referral in the HMF data system per HMF policies and procedures manual.
15. Provide visits to clients on a schedule consistent with the model requirements throughout the client's enrollment in the HMF funded services. For sites implementing PAT, the initial visit frequency schedule is based on guidance for high-risk clients, which requires a minimum of every other week visits for at least the first year of enrollment.
16. Conduct screenings and assessments with clients, using the tools and schedule identified by HMF, and retaining screening results in the client's record. Timelines for completing screenings and forms are provided by HMF and model providers.
17. Collect and submit all required data for HMF clients using the data system and/or forms provided by the model developers and HMF and according to the data system standards. Data on referrals and home visiting services must be entered into the HMF data system within five (5) business days of each visit/client encounter.

18. Work with an early childhood (ie. Best Beginnings) coalition to involve community partners in supporting and sustaining the home visiting services, including developing referral networks, addressing barriers to services, coordinating services, acting as the home visiting advisory group, etc.
19. Participate in regular conference calls, meetings, and site visits as requested by the HMF staff.
20. Conduct and report on site specific continuous quality improvement activities at least quarterly.
21. Participate in evaluation and continuous quality improvement (CQI) activities with HMF (Attachment C).
22. Submit a budget modification request when the modification changes the amount in a budget category by 15% or more, unless the total amount changed is less than \$500.
23. Submit copies of contracts, MOUs, or providers agreements with sub-contractors to HMF.
24. Submit Monthly Implementation Site Reports to HMF (Attachment A).
25. Submit regular Monthly Expenditure to HMF (Attachment B).
26. Submit documents such as job descriptions, receipts, training certificates, etc. upon request from HMF.
27. Contractor performance expectations include:

Program Area	Performance indicator
Caseload	<i>NFP, PAT and Family Spirit: Achieve and maintain 85% or more of the contract caseload filled with actively participating clients (clients with at least one completed visit within the last 90 days). SafeCare Augmented: Achieve and maintain 85% or more of the contract caseload filled with actively participating clients (clients with at least one completed visit within the last 60 days).</i>
Retention	1) Minimize enrolled families that are exited due to loss of contact, lack of interest, or lack of time or participation to less than 15%.
Data management	1) 100% of referral and home visit data are entered into HMF data system within 5 business days.

The contractor's performance and capacity to deliver the required services will be a consideration in continued funding, with potential to reduce funding per HMF Policy 100-50, "Performance Expectations.

B. The Department agrees to:

1. Provide guidance and consultation as needed for the performance of the project and maintaining fidelity to home visiting model and HMF requirements, including

- but not limited to site visits, conference calls, and annual meetings.
2. Provide reporting requirements and tools for monthly, quarterly, and annual reports.
 3. Provide training and technical assistance on HMF program requirements, policies and procedures, data collection procedures, forms, measures, continuous quality improvement, and project evaluation.
 4. Provide training, access, and technical assistance for the HMF data system.

SECTION 4: EFFECTIVE DATE AND PERIOD OF PERFORMANCE

Performance of this task order shall begin July 1, 2020 and the services provided pursuant to Section 3 must be completed by June 30, 2021. All reports and deliverables required by Sections 3 and 5 below must be received by the dates noted.

SECTION 5: COMPENSATION

- A. In consideration of the services provided through this contract, the Department will pay the Contractor up to \$70,344.00 as follows for the services outlined in Section 3. The funding must be spent in accordance with the Health Resources and Services Administration (HRSA) and HMF requirements for the funding, which require funds to be used on evidence-based home visiting services. The Contractor must submit a proposed budget for the contract period and monthly expenditure reports. The final amount of funding released will be based on the total approved expenditures reported on the Expenditure Reports. Costs must be allocable and allowable under the funding source. Funding must be spent within the contract period. Contractors must retain all records pertaining to financial transactions under the contract (invoices, timesheets, travel expenses, etc.). Such documentation is subject to review upon request on a schedule determined by HMF and during site visits. Carryover is not allowed. Unspent funding must be returned to the Department.
- B. This is a performance-based contract. Therefore, funding/payments to the Contractor will be partly based upon the review and approval of the deliverables outlined in Section 3A, according to the following schedule: All monthly expenditure reports must be received by the Department no later than 30 days following the end of the month. Expenditure reports received after 60 days will not be paid by the Department.
- C. The majority of contract funds will be released monthly based on review and approval of the contractor's performance, budget documents, Monthly Implementation Site Reports, CQI Reports, and Expenditure Reports.

SECTION 6: SOURCE OF FUNDS AND FUNDING CONDITIONS

- A. The Contractor must provide home visiting services to prenatal women, young children, and their families as required by MODEL(s) and as outlined in Provision of Services section of Request for Proposal number RFP2017-0066JT and all subsequent updated budgets and timelines/work plans, as negotiated between HMF and CONTRACTOR.
- B. Ongoing renewals of the contract, by mutual agreement of both parties, may be made at one-year intervals, or any interval that is advantageous to the State. This contract, including any renewals, may not exceed a total of five years, at the option of the State.
- C. The total payment under this contract may not exceed \$70,344.00 and is contingent upon receipt of funding from the United States Department of Health and Human Services and the Contractor's provision of HMF services as outlined in this contract. The source of funding for this contract is from the Maternal, Infant, and Early Childhood Home Visiting Program, CFDA's 93.505 and 93.870 through the Health Resources and Services Administration, United States Department of Health and Human Services, and Montana State General Fund and the Tobacco Trust Settlement Fund.

SECTION 7: LIAISONS AND SERVICE OF NOTICES

- A. Leslie Lee (406-444-6940, LLee2@mt.gov) will be liaison for the Department.
- B. Leigh Ann Holmes (406-563-7863, lhomes@adlc.us) will be liaison for the Contractor.

These persons serve as the primary contacts between the parties regarding the performance of the task order.

- C. Written notices, reports and other information required to be exchanged between the parties must be directed to the liaison at the parties addresses set out in this task order.

SECTION 8: DISPUTE RESOLUTION PROCESS

The following process is to be used in the event of a disagreement between the Contractor and the Department about the terms of this contract. Written notification by the Contractor providing specific details about the disagreement must first be provided to the Department Bureau Chief identified below:

Kristen Rogers, 406-444-4743, Kristen.Rogers@mt.gov is the Bureau Chief for the Early Child and Family Services Division. The Division Bureau Chief shall attempt to resolve the dispute. If resolution of the disagreement is not obtained then the Contractor may request a review and determination to be made by the division

administrator. The Contractor shall provide in writing specific details about the remaining issues that are in dispute. The Contractor may also request an in-person meeting with the administrator to present its reasons or position on the disagreement. If the division administrator cannot resolve the dispute, the reasons for the department's position on the issues in dispute must be presented to the Contractor in writing.

SECTION 9: SCOPE OF TASK ORDER

This task order consists of 7 numbered pages, and Attachment A: expressly referenced as Monthly Implementation Site Report, Attachment B: expressly referenced as Monthly Expenditure Report, and Attachment C: expressly referenced as CQI Storyboard & PDSA cycles.

IN WITNESS THEREOF, the parties through their authorized agents have executed this task order on the dates set out below:

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

By: _____ Date _____

Jamie Palagi, Administrator
Department of Public Health & Human Services
Early Childhood and Family Services Division
1625 11th Avenue
Helena MT 59620
(406) 444-6676

ANACONDA-DEER LODGE COUNTY

By: _____ Date _____

Bill T. Everett, Chief Executive Officer

Approved as to form:

DocuSigned by:
Rhonda Grandy
E162F0F7AB014CE...

6/26/2020

Rhonda Grandy, Contracts Officer
State Procurement Bureau

Date

ATTACHMENT A Monthly Implementation Site Report

General Report Guidance

1. This report serves as a summary of operations for a given month. Please provide information that reflects what occurred overall in the program during the reporting month so that DPHHS and HRSA can understand your progress, challenges, celebrations, etc. If you reported on a topic the previous month there is no need to repeat that topic unless there is an update.
2. Complete both sections of the report (table and narrative) for each model funded under your contract.
3. Complete both the table and narrative sections of the report.
4. Submit each monthly report by the 15th of the following month to mtmechv@mt.gov.
5. Monthly report data should only include information on clients served with Healthy Montana Families (HMF) funds. If you would like to note information on clients served with other funding sources, please include it in your Quarterly Report in the "Sustainability Activities & Community Partnerships" narrative section.

Table Reporting Guidance

The data included in the "Clients" and "Families/Households" "Home Visits" and "Data Since Enrollment Began" sections of the table are produced in a report called "Monthly Implementation Site Report" in MTmechv (except for NFP sites, which must get some data from ETO). If your agency's contract includes two models you should report the information for each model separately.

1. **Program Information:** This information is established at the start of the contract and should not change unless the program has consulted with and received the approval from HMF. Report any vacancies or proposed changes to these fields in the narrative.
2. **Client Data, Family/Household Data, Home Visit Data, and Data Since Enrollment Began:** The data reported in these sections are used to monitor the performance of each site and the state overall. They also provide what the state is required to report to HRSA on a monthly and quarterly basis.

Narrative Reporting Guidance:

1. **Staffing:** Report any changes to staffing (e.g. new hires, resigning staff, changes in staffing that effect caseload and program practice) by the type of position (home visitor, supervisor, other staff). If no changes have occurred, you may report "No changes".
2. **Trainings:** Report names/titles, dates, and topics.
3. **Caseload:** Report fluctuations in the enrolled caseload and reasons for enrollment, attrition, and exiting clients.
4. **Participant Recruitment:** Information in this section should include your client recruitment efforts; referral sources, programmatic and/or organizational efforts to recruit families during the month you are reporting on, i.e. health fairs, community events, educational materials about the program, etc. A general description of your efforts in this area is sufficient.
5. **Participant Retention:** Highlight strategies used to retain families in the program. Include planned strategies, and successful and unsuccessful implemented strategies for how you retain clients; strategies to increase, maintain (or reduce, if applicable) caseload.
6. **Community and Participant Groups:** Include Group Connections, Meet and Greets, family forums, and other family and community engagement activities. If no community or participant groups have occurred during this month, you may report "None".
7. **Key points for this month:** Report briefly on challenges and success for the month. Report key points and takeaways that you would like to highlight and share with DPHHS and HRSA.

Name		Model NAME	Model NAME
Program Information funded under contract <i>(Should not change except with HMF approval)</i>	1. Rural, frontier, or urban		
	2. Total home visitor FTE(s)		
	3. Number of home visitor(s)		
	4. Supervisor FTE		
	5. Number of supervisor(s)		
	6. Other staff FTE(s)		
	7. Total number of staff in contract		
	8. Supervisor staff to home visitor staff ratio (#5 : #3)		
	9. Funded caseload number		
	10. Funded caseload number divided by the total home visitor FTE		
Clients	NEW: # of clients newly enrolled during the reporting period and still enrolled as of the last day of the reporting period		
	CONTINUING: # of clients who continued enrollment through the reporting period (i.e. had an enrollment date before the start date of the report and were still enrolled as of the last day of the reporting period)		
	TOTAL CURRENT ENROLLED: # of clients enrolled as of the last day of the reporting period		
	COMPLETED: # of clients who completed the program during the reporting period (according to model specific definitions)		
	STOPPED: # of clients who exited the program during the reporting period without completing the model (according to model specific definitions)		
	TOTAL EXITED: # of clients who exited (completed the program or stopped receiving services) during the reporting period		
	SERVED: # of clients served during the reporting period (i.e. enrollment date before or during the reporting period and an exit date during or after the reporting period)		
Families/ Households <i>Families/ households can also be used as a reflection of the number of caregivers receiving services.</i>	NEW: # of families newly enrolled during the reporting period and still enrolled as of the last day of the reporting period		
	CONTINUING: # of families who continued enrollment through the reporting period (i.e. had an enrollment date before the start date of the report and were still enrolled as of the last day of the reporting period)		
	TOTAL CURRENT ENROLLED: # of families enrolled as of the last day of the reporting period		
	COMPLETED: # of families who completed the program during the reporting period (according to model specific definitions)		
	STOPPED: # of families who exited the program during the reporting period without completing the model (according to model specific definitions)		
	TOTAL EXITED: # of families who exited (completed the program or stopped receiving services) during the reporting period		
	SERVED: # of families served during the reporting period (i.e. enrollment date before or during the reporting period and an exit date during or after the reporting period)		
Home Visits	# of home visits completed during the reporting period		
Data Since Enrollment Began	# of home visits completed since enrollment began		
	# of clients enrolled since enrollment began		
	# of families enrolled since enrollment began		

Narrative

- Staffing/changes in FTE as of the last day of the month (include the position type, name of staff member, number of FTE (i.e. 0.5, 1.0, 0.25, etc.), and whether the vacancy is temporary:
 - Home visitor vacancies:
 - Supervisory vacancies:
 - Other staff position vacancies:

- Trainings:
- Caseload:
 - Active Enrollment is defined as clients who have received a home visit to model fidelity in the last 90 days with the exception of SafeCare where it is the last 60 days. Please report in the MISR, your site's ongoing averages for the following:
 - 6 month average active enrolled caseload
 - 12 month average active enrolled caseload
- Participant Recruitment:
- Participant Retention:
- Community and Participant Groups:
- Key points for this month:
 - Successes:
 - Challenges:

Healthy Montana Families Monthly Expenditure Report - Attachment B

Contract Number:	
Contractor:	

Submit this report to Healthy Montana Families via mtmechv@mt.gov and copy your program consultant

	Budget Category	Amount Expended	Narrative describing expenditures in detail for each budget category
A.	Salaries	\$0.00	
B.	Fringe	\$0.00	
C.	Travel	\$0.00	
D.	Supplies	\$0.00	

E.	Contractual	\$0.00	
F.	Other	\$0.00	
Total Expenditures		\$0.00	

Contractor Approval
REQUIRED SIGNATURES (may be original or electronic)
 The signatures below must be for two different people.

		STATE USE	
Authorized Representative Signature Date		Date report received:	
		Amount of \$ released prior to report:	
		Feedback to site needed (Yes or No):	
		Approved by financial specialist (date and initials):	
		Approved by program manager (date and initials):	
Fiscal Officer Signature Date		Notes:	
		State funding released:	\$
		Federal funding released:	\$

Salaries*

Name	Position	FTE	Hourly Rate	Hours	Amount
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Total					0.00

*Please include pay period dates in the narrative and note anything out of the ordinary ie.
 Nov is a 3 pay period month

***Salaries Guidance:** List all staff funded (home visitors, supervisors, administrative, support staff, data entry) under the contract. Include FTE, job title/position funded under the grant, and hourly rate or salary. The hours/time reflected in the costs should reflect actual time worked. If a staff person was doing work or training for another program for part of their time, that time should not be paid for by the MIECHV/HMFP program.*

Fringe*

Name	Position	FTE	Amount
Total			0

*Include explanation of what fringe consists of in narrative and the percentage it is budgeted for.

***Fringe Guidance:** List all fringe benefits for all staff funded with funding source being reported.
 Reporting in Narrative Example:
 - Employee benefits are calculated at 30% of salary/wage costs and include health care costs, life insurance, retirement benefits, sick leave, vacation, and personal leave.*

Travel*

Per Diem

Name	Breakfast Rate	Number of Days	Lunch Rate	Number of Days	Dinner Rate	Number of Days	Total
							0
							0
							0
							0
							0
							0
							0
							0
							0
							0
						Total	0

Lodging

Name	Date	Rate	Number of Nights	Total
				0
				0
				0
				0
			Total	0

Mileage

Name	Miles	Rate	Total
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		0.58	0
		Total	0

Airfare

Name	Destination	Date	Amount
		Total	0

Misc*

Name	Item	Date	Amount
		Total	0

*Include registration, parking, transportation, rental car, baggage, etc in Misc category

Total Travel

0

*Include what each travel charge is for in narrative (training, home visiting, meeting, etc)

Travel Guidance: Report all travel that occurred in the month and associated costs. Contractors are expected to keep a log of mileage and/or fuel costs related to travel for the home visiting services as the basis for reporting travel costs.

Narrative Examples:

- Mileage for home visits, 224 miles. Quarterly Meeting travel for 2 people: 2 night hotel, per diem was for 3 days.
- Travel expenses for PAT training in St. Louis, MO, which includes airfare, accommodations, per diem, registration, and training costs.

Supplies*

Item	Amount
Total	0

*List supplies separately

Supplies Guidance: Describe all supplies purchased in the month and note how and when purchased supplies are related to the model guidance and/or activities. "Office supplies" is not descriptive enough; more detail must be included about what was purchased (markers, toner, pens, paper, etc.). All computers must be approved by the HMF State Staff prior to purchase. For computers costing more than \$1300, a quote, bid, or invoice for the computer must be submitted if the program is requesting to fund the computer fully with HMF funds. The cost should be cost-shared with other funding sources whenever possible, and particularly if the computer will be used for other programs. Computers must be compatible with the MTmechv system (Windows-based with Internet Explorer). Computer requests are reviewed on a case-by-case basis. Purchase of tablets and iPads must be approved in advance. Such devices may be consistent with the home visiting services and justifiable, depending on the program's proposed use. See the Additional Funding Request Guidance for the questions to address if requesting to purchase tablets. See also Policy #400-10 Allowable Expenditures for guidance.

Contractual*

Contractor Name	Amount
Total	0

*Use a Separate Expenditure Report for each Subcontractor

Contractual Guidance: Contractual costs are typically for services that are paid out of the main contract to someone providing a service. Applicants are responsible for ensuring that their organization or institution has in place an established and adequate procurement system with fully developed written procedures for awarding and monitoring all contracts. Applicants must provide a clear explanation as to the purpose of each contract, how the costs were estimated, and the specific contract deliverables. If contracts are for home visiting services, the costs must be provided on a separate expenditure report.

Attachment C



2020 Continuous Quality Improvement Summary Report

Guidance: Progress reports are due four (4) times per calendar year as indicated in the chart below. Submit all reports to mtmchw@mt.gov.

Quarter	Date Range	Report Due Dates*
Q1	1/1/2020 to 3/31/2020	4/10/2020
Q2	4/1/2020 to 6/30/2020	7/10/2020
Q3	7/1/2020 to 9/30/2020	10/9/2020
Q4	10/1/2020 to 12/31/2020	1/11/2021

*Report due dates apply to both state and local LIA teams. LIAs will submit individual reports to their Program Consultant. State team will submit internally to CQI lead.

Quarter	Q1 <input type="checkbox"/>	Q2 <input type="checkbox"/>	Q3 <input type="checkbox"/>	Q4 <input type="checkbox"/>
CQI Team Members participating this quarter				
Number of CQI team meetings this quarter:				
CQI Team Coordinator				
Name:				
Email:				
CQI TOPIC				
Strengths/celebrations of the CQI team's work				
Challenges encountered in the CQI process				
CQI topic(s) addressed during the last quarter				
Will you adopt, adapt, or abandon this CQI topic? <input type="checkbox"/> Adopt <input type="checkbox"/> Adapt <input type="checkbox"/> Abandon (explain below)				
Next CQI Cycle Topic and Description				

2020-286
Agreement
ORIGINAL

Chronic Disease Prevention and Health Promotion Program Subcontractor Agreement
Anaconda-Deer Lodge County Health Department

This cooperative Agreement is made between Butte-Silver Bow County Health Department, hereinafter referred to the "Hub" and Anaconda-Deer Lodge County Health Department, hereinafter referred to as "Subcontractor," to assist in providing Montana Asthma Control Program (MAP) and Montana Tobacco Use Prevention Program (MTUPP) services to the residents of Deer Lodge, Powell and Granite Counties.

SECTION 1: PURPOSE

The purpose of this Agreement is to commit Anaconda-Deer Lodge County Health Department to serve as Subcontractor to:

- A. Continue to implement the Montana Asthma Home Visiting Project (MAP) as provided to the Subcontractor by the Montana Asthma Control Program (MACP) as detailed in Attachment A. The MAP utilizes home visiting staff to provide education to individuals with uncontrolled asthma and their families about self-management of asthma and control of environmental asthma triggers. The program includes six (6) contacts, including at least four (4) in-home visiting, provided over the course of a one-year period. In addition to the first visit, visits occur at one (1) month, six (6) months, and one (1) year. Phone contacts (or optional in-home visits) occur at the three (3) month and nine (9) month time periods. One registered nurse or respiratory therapist will conduct each visit. Home-visiting interventions for children with asthma are evidence-based and have been shown to have a positive return on investment. MAP home visitors may choose to work with up to 5 adults as part of the MACP's pilot program to study the effectiveness of the intervention for adults.
- B. Implement the Montana Tobacco Use Prevention Program (MTUPP) to address the public health crisis caused by the use of all forms of commercial tobacco products in Montana (including cigarettes, spit tobacco, cigars, pipe tobacco, bidis, snuff, and any nicotine delivery devices that are not related to nicotine replacement therapy), thereby reducing the disease, disability, and death related to tobacco use. Through their affiliation with MTUPP, community-based programs join with peers throughout Montana in a comprehensive statewide effort utilizing best practice methodologies to prevent tobacco use among youth and promote quitting among adult users. Key features of effective community-based programs include:
- Building community-level capacity for tobacco prevention work;
 - Preventing local youth from beginning a lifetime of addiction to tobacco products;

- Promoting quitting among adults and young people;
- Eliminating exposure to the hazardous effects of secondhand smoke and actively supporting the Montana Clean Indoor Air Act of 2005; and
- Eliminating disparities related to tobacco use and its effects among certain population groups such as women of childbearing age, American Indians, and low-income residents.

The Hub agrees that the community-based program funding will be used to prevent the abuse of commercial tobacco or tobacco-for-profit products only. The Hub understands, respects, and supports the traditional, ceremonial and sacred uses of tobacco by Montana's American Indian population. MTUPP's long-term goal is to eliminate disparities related to tobacco use and its effects among certain population groups such as women of childbearing age, American Indians, low-income residents, and individuals with mental health or substance use disorders.

SECTION 2: SERVICES TO BE PROVIDED

A. The Subcontractor agrees to provide the following services:

Deliverable 1 Staffing

Support, develop and implement activities in Capacity Building and Education, Community Programs, Environments and Worksites.

- (a) Use funds received under this Task Order to hire and/or retain:
 - 1. A minimum professional level staff assigned to conduct interventions in Montana Tobacco Use Prevention Programs as follows: 1.25 FTE for Deer Lodge, Powell and Granite Counties.
- (b) Hire and/or retain a 0.25 to 0.5 FTE registered nurse (RN) (preferred), respiratory therapist, or licensed practical nurse (LPN) that holds an active Montana license to be responsible for carrying out the home visits for the Montana Asthma Home Visiting Program, within the focus area of Community Programs.

Deliverable 2 Work Plan Submission

- (a) Submit to the Hub, a proposed FY 2022 one-year work plan, due June 5, 2021, to further implement MTUPP activities during the period July 1, 2021 through June 30, 2022. Use the work plan template to be provided by DPHHS and enter the FY2022 work plan into the Catalyst online reporting system. The work plan will be final

once it has been approved by DPHHS.

Deliverable 3 **Training and Technical Assistance**

- (a) Assigned staff under Deliverable 1 will participate with the Hub in telephone consultations, program orientations, on-site visits, contractor meetings, and training and program evaluations according to the schedule provided by the Hub.
- (b) Funds for travel to required meetings and trainings for MTUPP are included in this Agreement.
- (c) Communicate questions, delays, challenges, and suggestions to the Hub liaison identified below.
- (d) All new staff will complete the new employee orientation, offered by DPHHS, within three months of hire date.
- (e) MTUPP holds in-person new TPS Trainings approximately twice per year. All newly hired TPS will be required to attend one of these training which are held in Helena.

Deliverable 4 **Data Collection, Reporting and Communication**

Communicate with and report to the Chronic Disease Prevention and Health Promotion (CDPHP) Bureau programs according to the guidelines, policies and procedures outlined in the CDPHP Guidance Manual.

- (a) Using the reports provided in Catalyst and the Montana Asthma Program web-based data collection system, submit quarterly progress reports to the Hub, documenting completed activities laid out in the Subcontractor's Hub-approved 2020-2021 work plan. Submit documentation of supplemental program resources received through in-kind contributions, monetary contributions, and earned media. The quarterly report schedule is:
 - (i) July 1 through September 30, 2020, due October 5, 2020;
 - (ii) October 1 through December 31, 2020, due January 5, 2021;
 - (iii) January 1 through March 31, 2021, due April 5, 2021; and
 - (iv) April 1 through June 30, 2020, due July 5, 2021.

Refer to Catalyst Quarterly Report Worksheet to be provided by DPHHS for guidance reporting in Catalyst.

- (b) Use the MAP web-based data collection tool to record all relevant client data after each home visit. MAP data must be submitted online into the data management system chosen by the MACP.
- (c) All subcontractors will complete surveys that are sent out by the Hub or DPHHS.

Deliverable 5 Subcontractor Administrative Responsibilities

- (a) Convene with Hub at least one (1) annual regional meeting with Hub to develop coordinated work plan for the upcoming fiscal year.
- (b) Enter work plan in online reporting system(s).
- (c) Ensure completed quarterly reports through reporting systems and submit quarterly invoice.
- (d) Communicate with Hub liaison quarterly, regarding implementation of coordinated work plan.

FOCUS AREA: CAPACITY BUILDING AND EDUCATION

Deliverable 6 Partnership Building

Engage and achieve support for chronic disease prevention and health promotion goals with community members during the contract year and sustain ties with existing partners that include broad-based community members, non-governmental organizations, as well as county/tribal health organizations.

Deliverable 7 Education of Decision Makers

- (a) Work with and through the Lead Local Public/Tribal Health Official or Public Health Officer to make personal contact, by phone or in person with relevant local elected officials (such as senators and house representatives, mayor, county attorney, county commissioners, city commissioners, Board of Health, and/or tribal leaders) to promote and educate each about chronic disease prevention and health promotion programs, solicit their thoughts, and answer any questions they have. Personally deliver any reports and other program news made available for the purpose of educating about the CDPHP community programs.

- (b) Make contact by phone or in-person, with the Lead Local Public Health Official to inform them of program activities, provide information to share with local decision makers and include them in outreach efforts. Personally deliver any reports and other program news made available for the purpose of educating about CDPHP community programs.

Deliverable 8 Education Through Schools

- (a) reACT Projects/Youth Events

Subcontractor will engage schools or youth clubs to provide youth-led community activities and mass-reach media about tobacco prevention and local tobacco policy.

- (b) Public/Private K-12 Comprehensive School Policy

Subcontractor will meet with local school districts to advance e-cigarette education and comprehensive tobacco-free school policy in collaboration with the Office of Public Instruction (OPI).

Deliverable 9 Education of the Public

- (a) Mass Media

- (i) **Mass-Reach Health Communication Interventions**
Subcontractor will provide no-cost tobacco use prevention media (news stories or PSA's on TV or radio, letters to the editor from coalition members, and/or outside-sponsored media).

- (ii) **Provide and Track Paid Media**
Subcontractor will provide paid tobacco use prevention media at least each quarter (includes paid radio ads, TV ads, purchased news ads, billboards, etc.).

- (b) Tobacco Education

- (i) Quarterly, Subcontractor will provide education, community activities and mass-reach media on point-of-sale tobacco marketing, secondhand smoke and e-cigarette aerosol, the dangers of nicotine, harms of tobacco use, evidence-based tobacco control strategies to local schools, youth clubs, community groups, health organizations, coalitions and other

leaders to grow community consensus about the burden of tobacco in Montana.

- (c) American Indian Outreach
 - (i) Coordinate with the American Indian Tobacco Prevention Specialist, where applicable, to conduct a minimum of one (1) American Indian outreach or education event related to chronic disease prevention and health promotion to an American Indian audience in the multi-county area each task order year. Outreach/education must be done in partnership with an American Indian contact from the multi-county area.

FOCUS AREA: COMMUNITY PROGRAMS

Deliverable 10 Interventions for Vulnerable Populations

- (a) Coordinate across MCCP, MTUPP, HLP, MAP, and HCHC to educate and/or offer a CDPHP community-based program to vulnerable populations to reduce health disparities. Vulnerable population audience may include but is not limited to Medicaid or Public Assistance recipients, Pregnant Women, the LGBTQ community, Veterans, Behavioral Health Clients and/or American Indians. Subcontractors may address additional specific populations if desired but must provide justification of the selected health equity population other than listed.
- (b) Subcontractor will work with behavioral health systems, providers, hospitals, outpatient facilities, residential care facilities and recovery residences to create tobacco-free campuses, increase tobacco use and dependence screening, offer tobacco dependence treatment assistance, and increase referrals to the Montana Tobacco Quit Line.

Deliverable 11 Breast & Cervical Cancer Screening Services

Collaborate with and support Hub when applicable to provide and facilitate screening support activities.

Deliverable 12 Breast & Cervical Cancer Patient Navigation

Collaborate with and support Hub when applicable to facilitate patient navigation activities.

Deliverable 13 **Healthy Living Community Based Interventions**

Collaborate with and support Hub when applicable to implement HLP in the multicounty region.

Deliverable 14 **Montana Asthma Home Visiting Program**

- (a) Continue to implement a system for obtaining patient referrals to the MAP. Participant home should be located within Montana and within a reasonable driving distance to the Subcontractor as determined by the Subcontractor and as the budget allows. This may include counties outside the region without an existing MAP.
- (b) Provide storage space to store the materials necessary for conducting the MAP.
- (c) Participate in telephone conference calls with the Montana Asthma Control Program at regular bi-monthly intervals (specific dates to be agreed upon by the parties).
- (d) Maintain regular contact with each participant's primary care provider (or the healthcare provider primarily responsible for managing the participant's asthma) for the duration of the participant's enrollment.
- (e) Attend a MAP specific training during the task order year. The Montana Asthma Control Program will pay for the MAP staff to attend this training outside the scope of this agreement.
- (f) Dependent on local capacity, at least once a month, share relevant social media posts created by the Montana Asthma Control Program and develop posts to promote the MAP and increase asthma awareness. Maintain and update information on the MAP on organization website.
- (g) Obtain referrals for and provide home visiting services to a minimum of 15 clients per year through the MAP. The minimum of 15 clients may include up to 5 adults. Subcontractors may choose to serve only children/adolescents for a minimum of 15 per year. If the subcontractor does not enroll and provide home visiting services to a minimum of 15 clients per contract year for two (2) consecutive years, the subcontractor is required to participate in a one-year MAP site improvement plan. Funding levels may be adjusted by the Montana Asthma Control Program or the contract may not be renewed if the subcontractor does not meet the goals outlined in the

improvement plan.

- (h) Maintain regular contact with each participating child's childcare of school, if applicable, for the duration of the child's enrollment.
- (i) Obtain consent from all participants in the MAP (utilizing a consent form to be provided by the Montana Asthma Control Program).
- (j) Provide six (6) contacts (including at least four (4) in-home visits) for all participants enrolled the MAP that wish to remain in the program over the course of the year.
- (k) Conduct the activities during each home visit and/or phone call that are listed on the Montana Asthma Control Program's Home Visiting Guidelines (See attached document titled "Home Visiting Program Description", Attachment A).
- (l) Attempt to contact participants who have completed or left the program six (6) months after their last visit. Conduct a brief asthma assessment of participants using provided forms as well as answer any of their questions. MAP Contractors may administer the follow-up assessment over the phone, by mail, in-person, or by sending an access link allowing participants to independently complete the assessment online.
- (m) Dependent on local capacity and funding, work with regional CONNECT coordinator to:
 - 1. Identify and recruit local healthcare organizations, public health programs, and community services that can refer to the MAP and/or receive referrals from the MAP.
 - 2. Promote the MAP as a community service and CONNECT partner.
- (n) Use CONNECT to manage incoming referrals to the MAP and send referrals to other programs, services, or providers using the system.

Deliverable 15

Health Coaches for Hypertension Control

HCHC is available in Madison County. This deliverable is not applicable to Deer Lodge, Granite and Powell Counties.

Deliverable 16

Healthcare Provider Liaison

Coordinate across MCCP, MTUPP, HLP, MAP and HCHC programs to educate and provide information to medical, dental and social service providers in the multi-county area on the available CDPHP community programs. Through in-person visits share new research and data about programs and health topics. Provide promotional material and information on how to refer and engage patients/clients to the available CDPHP community programs, and the following services:

(a) **Quit Line Services**

Provide material for community promotion of the Montana Tobacco Quit Line including encouraging providers to ask about tobacco use and refer to the Quit Line via fax, web or electronic health records (where applicable).

Subcontractor will conduct targeted outreach to prenatal providers to increase awareness of the Pregnancy and Post-Partum Program available through the Montana Tobacco Quit Line.

Subcontractor will provide materials and education on all Montana Tobacco Quit Line specialized programs, including the American Indian Commercial Tobacco Quit Line, Pregnancy and Postpartum Program, and My Life, My Quit. Subcontractor will include mention of the Montana Tobacco Quit Line in publications and all presentations.

Deliverable 17 **CONNECT Referral System**

Collaborate with and support Hub when applicable to identify community partners and service providers to engage and actively use the CONNECT referral system.

FOCUS AREA: ENVIRONMENTS

Deliverable 18 **Montana Clean Indoor Air Act (CIAA)**

- (a) Subcontractor will provide public notice/published education that includes information on secondhand smoke and processes available to report a violation of MT CIAA.
- (b) Subcontractor will supply businesses with materials regarding CIAA or smoke-free signage.

- (c) Subcontractor will continue to monitor CIAA compliance and Clean Air Reporting System (CARS) complaints, will follow local protocol for enforcement with documentation in CARS. If a local CIAA Enforcement Team and local protocol has not been established, a plan must be developed and submitted to the Department liaison. This CIAA Enforcement Team must be active in every county that receives tobacco prevention funds.
- (d) Subcontractor will inform CDPHP when CIAA enforcement challenges arise.

Deliverable 19

Secondhand Smoke Policy – Smoke Free Multi-Unit Housing (SFMUH)

- (a) Subcontractor will develop contacts with private and public multi-unit housing facilities without smoke-free policies and educate on the benefits of smoke-free housing policies and offer ongoing support and technical assistance.
- (b) Subcontractor will maintain communication with private and public multi-unit housing facilities with existing smoke-free policies and other guidance to strengthen and enforce policies.
- (c) Where applicable, Subcontractor will work with local Public Housing Authority to implement, enforce, or strengthen smoke-free policies annually.

Deliverable 20

Subcontractor will continue to explore opportunities for to implement other local tobacco policies. Subcontractor will select a minimum of one of the following policies to work towards: (A) expanding the local Clean Indoor Air Act protocol to include e-cigarettes; (B) policies aiming to restrict youth access to tobacco products. Subcontractor may continue work on policy efforts from previous contract years with approval from the Montana Tobacco Use Prevention Program. Working towards a policy includes education the community on the need for the benefits of a policy and providing technical assistance during introduction, implementation, and enforcement of a policy.

FOCUS AREA: WORKSITES

Deliverable 21

Implementation of Evidence-Based Practices

Collaborate with and support Hub to partner with organizations in the multicounty area to adopt worksite wellness policies and

interventions that support preventative care and a reduction in chronic disease incidence and prevalence.

- B. Time is of the essence under this Agreement. Uninterrupted and continuous delivery of the contracted goods and services is required. The Subcontractor agrees:
1. To use funds from this Agreement solely to provide the services described in this Agreement.
 2. To fully participate in site visits, meetings, webinars, or conference calls that DPHHS staff, or Hub, make to the Subcontractor's multi-county area. DPHHS, or Hub, will conduct at least one (1) site visit to evaluate the Subcontractor's work, determine progress, and/or provide technical training or assistance, and additional phone visits or in person visits as needed.
 3. That funds received under this Agreement may not be used for:
 - (a) any activity that involves, or may lead to involvement in, endorsement of the nomination and/or election of a political candidate, the passage of legislation or of a ballot issue, or political support or opposition in connection with a political committee or political activity;
 - (b) activities outside the approved Annual Work Plan or not otherwise specified in the Agreement;
 - (c) replacing or supplant existing activities;
 - (d) out-of-state travel - except with prior written approval from DPHHS;
 - (e) construction or remodeling;
 - (f) equipment and computer hardware and/or printers - prior written approval is required from DPHHS before purchasing with these funds.
 - (g) collaboration with tobacco industry sponsored or tobacco industry subsidiary sponsored activities/events/funding;
 - (h) paying for pharmacological aids for the treatment of nicotine dependence, such as nicotine gum, patches, or prescription drugs;
 - (i) individual behavioral change activities such as cessation classes;
 - (j) providing regular tobacco prevention curriculum instruction in K-12 and higher education classroom or school settings except with prior written approval from MTUPP;
 - (k) paying tobacco users to quit using;
 - (l) cash incentives for participation in community or youth coalitions or coalition activities.
- C. This is a performance-based Agreement; therefore:

1. Funding/payments to the Subcontractor will be partly based upon the review and approval of the deliverables mentioned above.
 - a. Funds will be released upon the review and approval of each deliverable due on or before the following dates: August 15, 2020; October 10, 2020; January 10, 2021; April 10, 2021 and July 31, 2021.
 2. Payment for activities outside of the scope of services will not be made.
- D. The Hub agrees to:
1. Provide training, technical assistance, and consultation necessary for the performance of services described in A and B above.
 2. Consult with the Subcontractor, upon the Subcontractor's request, concerning the subject matter of this Agreement.
 3. Provide the Subcontractor with program guidance in the areas of planning and developing tobacco use prevention activities, HCHC activities, program administration, establishing goals and objectives, policy development and media relations, and provide ready access to the Hub's liaison listed in Section 6.
 4. Be readily accessible to the Subcontractor to discuss program issues through on-site meetings, phone, email, webinars and fax as necessary to enable the Contractor to complete task order requirements.
 5. Review the Subcontractor's proposed work plan and amendments for compliance with DPHHS guidance and negotiate revisions as needed.
 6. Provide alternatives to in-person meetings, such as phone or web meetings when possible.
 7. Provide notice at least 30 days prior to any meeting or training workshop which the Subcontractor is required to attend and for which travel is necessary.
 8. Provide formats and guidelines for all reports required a minimum of 30 days prior to the required due date.
 9. Provide the Subcontractor with access to tobacco use prevention related materials and data available within DPHHS subject to the confidentiality limitations of the Hub.

10. Interpret State laws and rules relating to tobacco use prevention issues, as well as provide updates on changes to federal and state laws, rules, and regulations.
11. Whenever input, review, and changes to the Subcontractor's work plan or reporting are required for approval by DPHHS, as a condition of this Agreement, provide it within seven business (7) days to the Subcontractor.

SECTION 3: EFFECTIVE DATE AND PERIOD OF PERFORMANCE

- A. Performance of this Agreement will begin July 1, 2020 and must be continued through and completed by June 30, 2021.
- B. This is a one-time Agreement and there are no assurances that this agreement may be extended for any period beyond that specified above, or beyond termination otherwise provided for in the master contract. However, contingent upon successful completion of Agreement services, approval of the Subcontractor's 2021-2022 work plan, and availability of funds, the Hub anticipates offering comparable continuation funding for further program implementation.
- C. Based on funding received, the Hub reserves the right to modify services and/or funding amounts at time of Agreement renewal or as necessary during the task order year.
- D. The completion date of performance for purposes of issuance of final payment for services under this Agreement is the date upon which:
 - 1) the Subcontractor is required to perform nothing further and has no additional corrective actions to complete; and
 - 2) all final reports required under this Agreement are appropriately submitted and are satisfactory in form and content as determined by the Hub.
- E. After completion or termination of the Agreement, the Subcontractor remains obligated to comply with all continuing legal and contractual obligations, duties and responsibilities including but not limited to obligations related to state and federal reporting, record retention, provision of access and information for audits, indemnification, insurance, protection of confidential information, recipient grievances and appeals, and property ownership and use.

SECTION 4: COMPENSATION

- A. In consideration of the services provided through this Agreement, the Hub will pay the Subcontractor up to a maximum total of \$108,624.00 as follows:

1. **\$78,624.00 for Montana Tobacco Use Prevention Program payable as:**
 - Anaconda-Deer Lodge County: **\$ 28,080.00**
 - Anaconda-Deer Lodge County (For Granite County): **\$ 23,760.00**
 - Anaconda-Deer Lodge County (For Powell County): **\$ 26,784.00**
 2. **\$30,000.00 for Montana Asthma Program.**
 3. **The total task order amount includes funds for health educators and staff at the discretion of the Contractor to attend up to two (2) annual in-person Contractor meetings and any needed orientations and trainings for MTUPP.**
- B. Payments will be made according to the following schedule. The Hub will provide the invoice template.**
1. **\$21,724.80 upon receipt and approval of regional work plan for 2020-2021 due July 10, 2020.**
 2. **\$21,724.80 upon receipt and approval of each quarterly progress report uploaded to Catalyst and the Montana Asthma Program web-based data collection system as applicable and approved by the Hub's liaison due October 5, 2020, January 5, 2021, and April 5, 2021.**
 3. **\$21,724.80 upon receipt and approval of 1) regional work plan for 2021-2022 and 2) final quarterly progress report have been uploaded to Catalyst and the Montana Asthma Program web-based data collection system as applicable and approved by the Hub liaison due July 5, 2021.**
 4. **The Hub liaison will email or fax the Subcontractor's quarterly invoice template to the Subcontractor's liaison for verification. The Subcontractor will return the signed invoice to the Hub liaison for review and approval before processing.**
 5. **Costs associated with all travel required under this Agreement must be paid by the Subcontractor from funds received through this Agreement, with the following exception:**
 - a. **DPHHS will cover the travel costs (meals, accommodation and mileage at rates set for travel of state employees pursuant to Title 2, Chapter 18, Part 5, MCA) from funds outside of the Subcontractor's budget for the RN responsible for carrying out the MAP home visits to attend any required MAP trainings as described in Section 2. Deliverable 14.**

SECTION 5: SOURCE OF FUNDS AND FUNDING CONDITIONS

A. Sources of Funding

The sources of funding for this Agreement period (July 1, 2020 through June 30, 2021) are from the Montana Tobacco Master Settlement Account from several cooperative agreements from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC), C.F.D.A. 93.898 C.F.D.A. 93.800 and C.F.D.A. 93.070.

B. Adjustments to Consideration

The Hub may adjust the consideration provided to the Subcontractor under this Agreement on any reductions of funding, governing budget, erroneous or improper payments, audit findings, or failings in the Subcontractor's delivery of services.

C. Other Programs as Payers for Services – Non-duplication of Payment

The Subcontractor may not seek compensation from monies payable through this Agreement for the costs of goods and services that may be or are reimbursed, in whole or in part, from other programs and sources.

D. In-state travel charges or rates should be in accordance with the Subcontractor's rates of reimbursement for its own employees; however, use of Montana State rates is encouraged. For rates please see <http://doa.mt.gov/doatravel/default.mcp.x>. Costs associated with all travel required under this Agreement must be paid by the Subcontractor from funds received through this Agreement.

E. Any out-of-state travel should be in accordance with the Subcontractor's rates of reimbursement for its own employees and must receive prior written approval from DPHHS and Hub liaisons before occurring.

F. Administrative or indirect costs cannot exceed 10% of the total direct costs of the Agreement.

G. Withholding for Failure to Perform

DPHHS may withhold payment at any time during the term of the Agreement and may withhold final payments under the Agreement if the Subcontractor is failing to perform its duties and responsibilities in accordance with the terms of this Agreement. DPHHS will give the Subcontractor written notice via the Hub of both the amount of withheld and of the basis for the withholding of payment.

H. Erroneous and Improper Payments

The Subcontractor may not retain any monies the Hub pays in error or which the Subcontractor, its employees, or its agents improperly receive. Any monies the Subcontractor receives in error are a debt the Subcontractor owes to the DPHHS or Hub. The Subcontractor must immediately notify the Hub if it determines a payment may be erroneous or improper and must return that payment within 30 days of the Hub requesting its return. If the Subcontractor fails to return to the Hub any erroneous or improper payment, the Hub may recover such payment by any methods available under law or through this Agreement, including deduction of the payment amount from any future payments to be made to the Subcontractor.

- I. The Hub, in consultation with, DPHHS may terminate at any time the whole or any part of this Agreement or modify the terms of the Agreement if federal or state funding for the Agreement is reduced or terminated for any reason. Modification of the Agreement includes but is not limited to reduction of the rates or amounts of consideration or the alteration of the manner of the performance in order to reduce expenditures under the Agreement.

SECTION 6: LIAISONS AND SERVICE OF NOTICES

- A. Lori Stenson, or her successor, will be the liaison for the Hub. Her contact information is as follows:

Lori Stenson, Community Health Division Program Manager
Butte-Silver Bow City-County Health Department
25 W. Front St.
Butte, MT 59701
(406) 497-5025 – phone
(406) 497-5099 – fax
lstenson@bsb.mt.gov

- B. Leigh Ann Holmes or her successor will be the liaison for the Subcontractor. Her contact information is as follows:

Leigh Ann Holmes, Lead Public Health Official
Anaconda-Deer Lodge County Health Department
118 East 7th St. Suite 2
Anaconda, MT 59711
(406) 563-7863 – phone
(406) 563-0356 – fax
lholmes@adlc.us

These persons serve as the primary contacts between the parties regarding the performance of the Agreement. The Hub's liaison and Subcontractor's liaison may

be changed by written notice to the other party.

- C. Written notices, reports and other information required to be exchanged between the parties must be directed to the liaison at the parties' addresses set out in this Agreement.

SECTION 7: DISPUTE RESOLUTION PROCESS

The following process is to be used in the event of a disagreement between the Subcontractor and the Hub about the terms of this contract. Written notification by the Subcontractor providing specific details about the disagreement must first be provided to the Butte-Silver Bow County Health Department Director identified below:

Tina Randall, Community Health Division Director, (406) 497-5001, trandall@bsb.mt.gov. The Department Director shall attempt to resolve the dispute. If resolution of the disagreement is not obtained, then the Subcontractor may request a review and determination to be made by the Health Officer. The Subcontractor shall provide in writing specific details about the remaining issues that are in dispute. The Subcontractor may also request an in-person meeting with the administrator to present its reasons or position on the disagreement. If the division administrator cannot resolve the dispute, the reasons for the Hub's position on the issues in dispute must be presented to the Subcontractor in writing.

SECTION 8: PUBLIC INFORMATION AND DISCLAIMERS

- A. The Subcontractor may not access or use personal, confidential, or privileged information obtained through the Hub, its agents and subcontractors, unless the Subcontractor does so:
1. in conformity with governing legal authorities and policies;
 2. with the permission of the persons or entities from whom the information is to be obtained; and
 3. with the review and approval by DPHHS prior to use, publication or release.

Privileged information includes information and data DPHHS, its agents and contractors produce, compile or receive for state and local contractual efforts, including those local and state programs with which DPHHS contracts to engage in activities related to the purposes of this Agreement.

- B. The Subcontractor may not use monies under this Agreement to pay for media, publicity or advertising that in any way associates the services or performance of the Subcontractor, Hub, or DPHHS under this Agreement with any specific political agenda, political party, a candidate for public office, or any matter to be voted upon by the public. Media includes but is not limited to commercial and noncommercial print, verbal and electronic media.

- C. The Subcontractor must inform any people to whom it provides consultation or training services under this Agreement that any opinions expressed do not necessarily represent the position of DPHHS. When using non-federal funds from this Agreement, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Agreement prepared and released by the Subcontractor must include the statement:

"This project is funded in whole or in part under a Contract with the Montana Department of Public Health and Human Services. The statements herein do not necessarily reflect the opinion of the Department."

- D. The Subcontractor must state the percentage and the monetary amount of the total program or project costs of this Agreement funded with (a) federal monies and (b) non-federal monies in all statements, press releases, and other documents or media pieces made available to the public describing the services provided through this Agreement.

"For contracts funded in whole or part with federally appropriated monies received through programs administered by the U.S. Department of Health & Human Services, Education or Labor. Section 503 of H.R. 3288, "Consolidated Appropriations Act, Division D, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010", Pub. L. No. 111-117, and in H.R. 1473, "Department" Of Defense And Full-Year Continuing Appropriations Act, 2011", Title I – General Provisions, Sec. 1101, Pub. L. 112-10, and as may be provided by congressional continuing resolutions or further budgetary enactments."

- E. When using federal funds from this Agreement, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Agreement prepared and released by the Subcontractor must include the following statement or its equivalent and must be approved by DPHHS liaison, prior to use, publication and release.

"This project is funded (in part or in whole) by grant number(s) (*to be provided by DPHHS at time of review*) from the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services and from the Montana Department of Public Health and Human Services. The contents herein do not necessarily reflect the

official views and policies of the U.S. Department of Health and Human Services or the Montana Department of Public Health and Human Services.”

- F. Before the Subcontractor uses, publishes, releases or distributes them to the public or to local and state programs, DPHHS must review and approve all products, materials, documents, publications, press releases and media pieces (in any form, including electronic) the Subcontractor or its agents produce with task order monies to describe and promote services provided through this Agreement.

SECTION 9: SCOPE OF TASK ORDER

This Task Order consists of numbered pages 1 through 20 and the following Attachment A numbered pages 31 through 39.

Attachment A – MAP Home Visiting Program Description

The original Agreement and any amendments will be retained by the Hub. A copy of the original has the same force and effect for all purposes as the Original. This is the entire agreement as to this particular Agreement between the parties.

IN WITNESS THEREOF, the parties through their authorized agents have executed this Task Order on the dates set out below:

BUTTE-SILVER BOW CITY-COUNTY:

By: DocuSigned by: Karen Sullivan Date: July 19, 2020 | 1:59:42 PM PDT
060DD9141F5C109
Karen Sullivan, Health Officer
Butte-Silver Bow Health Department

By: DocuSigned by: Ivy Fredrickson Date: July 16, 2020 | 9:43:56 AM MDT
8029B155CF09420
Ivy Fredrickson, JD – Chairwoman
Butte-Silver Bow Board of Health

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first written below.

CITY-COUNTY

DocuSigned by:
Dave Palmer

B8205D2738D44E3...
DAVE PALMER
CHIEF EXECUTIVE

July 16, 2020 | 7:53:21 AM PDT

Date

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:
Sally J. Holtz

B088CE396365452...
Sally Holtz, Clerk & Recorder

DocuSigned by:
Eileen Joyce

J9A411F23C3E493...
EILEEN JOYCE
COUNTY ATTORNEY

ANACONDA-DEER LODGE COUNTY:

DocuSigned by:
Bill Everett

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Bill T. Everett, Chief Executive Officer
Anaconda-Deer Lodge County
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beverett@adlc.us

Date: August 6, 2020 | 1:31:02 PM MDT

Overview of the Montana Asthma Home Visiting Program (MAP)

Attachment A



I. Background

Asthma home visiting programs provide several key services to both patients with asthma and their families. First, home visits provide an opportunity for patients with asthma to receive additional education about their disease. Asthma medications can also be reviewed during a home visiting session, to ensure that the patient's medications are up to date, and that the medications are being taken correctly. Finally, home visits provide help to patients and their families in identifying potential environmental triggers that are present in their home environment.

Numerous studies have been conducted that demonstrate the effectiveness of asthma home visiting programs. One of the key studies conducted in this area was known as the Inner-City Asthma Study. Results from this study were published in the *New England Journal of Medicine* in 2004.¹ This study, which was a randomized, controlled trial, assigned over 900 children (ages 5-11 years old) with atopic asthma to one of two groups. The intervention group received both at-home asthma education and assistance in reducing exposure to asthma triggers; the control group received limited at-home visits for evaluation purposes only. The intervention phase lasted for one year, with follow-up conducted for an additional year. Analysis of the results demonstrated a significant difference between intervention and control groups on several key outcome measures. At the end of the one-year intervention, unscheduled visits to the emergency department were significantly lower among the intervention group than the control group. Other differences included: a smaller number of missed school days, less days with wheezing, and fewer nights that the caretaker had to wake up because of the child's asthma. These other differences were still observed one year after the intervention had ended.

In addition to the Inner-City Asthma Study, other asthma home visiting studies and program evaluations have also demonstrated improvement in quality of life, healthcare utilization, and productivity outcomes in various locations around the United States. As a result

¹ Morgan WJ, Crain EF, Gruchalla RS, et al. Results of a home-based environmental intervention among urban children with asthma. *N Engl J Med*. 2004;351(11):1068-1080.

of the large amount of evidence available, the Task Force on Community Preventive Services has recommended “home-based multi-trigger, multicomponent environmental interventions for children and adolescents with asthma.”² Specifically, the Task Force found that there was “strong evidence of effectiveness in reducing symptom days, improving quality of life or symptom scores, and in reducing the number of school days missed.” Additionally, the Task Force’s economic review found “that the combination of minor to moderate environmental remediation with an education component provides good value for the money invested.” Similarly, the Expert Panel Report 3: Guidelines for the Diagnosis and Management of Asthma,³ issued by the National Heart, Lung, and Blood Institute, recommends the use of asthma home-visiting programs. The Guidelines specifically recommend “that asthma education delivered in the homes of caregivers of young children be considered.” The Guidelines additionally recommend “that multifaceted allergen education and control interventions delivered in the home setting and that have been shown to be effective” be utilized for asthma patients with allergies.

The great majority of the asthma home-visiting studies and programs that have been conducted have taken place in large urban areas and among children. The Montana Asthma Home Visiting Program has been shown to be effective for children aged 0-17 years.⁴ However, before implanting an asthma home visiting program for adults on a large scale, there is a need to continue the adult asthma home visiting pilot program to determine how well this evidence-based program will translate to older ages.

II. Program Description

The Montana Asthma Home Visiting Program (MAP) will utilize home visiting nurses and respiratory therapists to provide education to adults or children with asthma and their families about self-management of asthma and control of environmental asthma triggers. Limited environmental interventions will also be utilized. For the purposes of this program, eligible participants will be defined as those children or adults that: 1) live in the geographic area where the funded agency is located; and 2) have had at least one emergency department visit/urgent care visit/hospitalization for asthma in the past year, or scored less than 20 on the Asthma Control Test™ within the past year. Patients with an asthma diagnosis who do not meet these criteria may be referred into the program by their healthcare provider. All participants should have received a diagnosis of asthma from their health care provider to participate.

The program aims to increase the number of home visits to at-risk children and adults with asthma, to increase knowledge among at-risk adults or children and their families of how to manage asthma symptoms, and to increase the knowledge among at-risk adults or children and their families of how to reduce and/or eliminate environmental triggers. Additionally, the

² Guide to Community Preventive Services. Asthma control: home-based multi-trigger, multicomponent interventions. www.thecommunityguide.org/asthma/multicomponent.html

³ Available at <http://www.nhlbi.nih.gov/guidelines/asthma/asthgdln.pdf>

⁴ Fernandes J *et al.* Outcomes of the Montana Asthma Home Visiting Program: A home-based asthma education program. *J Asthma*. Online 09 Feb 2018.

program aims to decrease the number of missed school/work days due to asthma in the previous six months, decrease unscheduled office visits and emergency department visits for asthma, increase the number of at-risk adults and children with a written asthma action plan, increase the mean score on the Asthma Control Test, and decrease the number of days in the last month that at-risk adults or children needed to use a short-acting beta agonist medication. Specifically, the program will aim to meet the following target outcomes:

- Increase the pre-post test scores measuring management of asthma symptoms by 25%
- Increase the pre-post test scores measuring knowledge of methods of reducing and/or eliminating environmental asthma triggers by 25%
- A 25% reduction in the number of school days missed due to asthma in the previous six months
- Demonstrate a decline in emergency department visits and unscheduled office visits for asthma, with the cost savings per participant calculated
- Increase the percentage of participants with asthma in the program with a written asthma action plan to 100%
- Increase by 3 points the mean score on the Asthma Control Test
- Decrease by 50% the proportion of participants with asthma in the program who reported using their short-acting beta agonist medication everyday within the last month
- Calculate cost savings per participant

The program will include six contacts, including at least **four in-home visits**, provided over the course of a **one-year time period**. In addition to the first visit, visits will occur at one month, six months, and one year. Phone contacts (or optional in-home visits) will occur at the three months and nine-month time periods. A nurse or respiratory therapist will conduct each visit. The first home visit will last approximately two hours and can be broken up into a phone call and an in-home visit. The one month, six month, and one-year visits will each be approximately one hour in length. The two phone contacts will be approximately 30 minutes in length or less.

Currently, the Montana Asthma Control Program (MACP) funds 11 sites to provide home visits through the MAP. The sites must serve low-income, frontier, and/or tribal communities. Funded sites will possess expertise in the management of chronic disease and the conducting of home visits for health issues. Each site will receive up to \$30,000, which will be awarded over the course of the year.

Training will be provided to the participating nurses or respiratory therapists. Training will be provided by MACP staff, as well as by healthcare professionals with expertise in asthma. In addition to receiving an overview of the program, nurses will receive training on asthma medications and devices, asthma triggers, the conducting of home environmental assessments, educational techniques, home visitor safety, and other relevant topics. The nurses will also be trained on the data collection tools that will be utilized in the MAP, including how to properly

fill out and submit all necessary forms.

At the training sessions, certain materials will be provided to the home visiting staff as well. These materials will include: asthma demonstration kits, educational hand-outs (including information about tobacco cessation, with linkages to the MT Quit Line), copies of the Asthma Control Test™, copies of an asthma knowledge test, a flashlight, a humidity reader, a clipboard, an updated nursing drug guide, allergen-impermeable covers for a child's mattress, box spring, and pillow, and an educational lung model. Throughout the course of the program, as necessary, nurses will have access to free-standing HEPA grade air purifiers and any of the materials received during training sessions.

Over the course of the grant period, conference calls with the funded sites will be held at regular bi-monthly intervals. The purpose of these calls will be to let participants share their experiences and lessons learned, obtain clarification of program implementation issues, and report on progress made. In addition to these conference calls, technical assistance will be provided by MACP staff to the funded sites throughout the duration of the grant period. MAP staff will be required to maintain contact with each participant's healthcare provider while they are enrolled in the program.

MAP sites are required to register to become authorized users in the CONNECT Bi-Way Referral System if the CONNECT system is available in their organization. MAP home visitors will participate in trainings to use and promote the CONNECT Referral System. The purpose of utilizing the CONNECT system is to increase the number of referrals into the MAP and link participants with additional community resources that may help improve their health, living conditions, and overall quality of life.

Due to asthma severity and control varying from person to person, the number of in-home visits conducted by the home visiting staff will also vary depending on the household. Nurses will periodically assess the participant's progress and work together with the family to decide if more than the required in-home visits are needed to meet the project's goals.

Timeline of Activities

Before the first home visit:

- Identify target population and develop a method of referral (preferably through the local Medicaid case manager and through existing home visiting referral systems)
- Obtain consent from families that will participate
- **At the first home visit (approximately 2 hours):**
- *At the discretion of the nurse, this visit can be broken into a phone call or office visit, and a home visit. See following page*

1st Visit *(At the discretion of the nurse, this visit can be broken into an office visit and a home visit)*

May be done by phone or in person	Must be done in person	Must be done in home
<ul style="list-style-type: none"> - Greet the parent/guardian and child, or adult participant <ul style="list-style-type: none"> o Introduce yourself - Explain the purpose and structure of the program - Explain why you need a release of information form for the individual's healthcare provider and the school nurse (if applicable). - Inform the participants that, to continue the program, you need written consent from the participant or if applicable, from a parent/guardian and a signature from a parent/guardian on the release of information form. 	<ul style="list-style-type: none"> - Greet the parent/guardian and child, or adult participant Introduce yourself, remind them that you talked with them on the phone. - Explain the purpose and structure of the program, request and obtain written consent to continue - Explain why you need a release of information form for the child's healthcare provider and the school nurse (if applicable), and obtain a signature from the parent/guardian - Verbally administer the "Entrance Survey" to the parent/guardian <ul style="list-style-type: none"> o Explain that the survey is necessary because we are trying to ensure that those involved have a positive experience and that the program is as successful as possible - Verbally administer the "Healthcare/Medication Use, Impairment, School, and Work Questions" form <ul style="list-style-type: none"> o Ask the individual and parent/guardian (if applicable) the questions on that form 	<ul style="list-style-type: none"> - Provide general asthma education to the child and parent/guardian(s), or adult participant <ul style="list-style-type: none"> o Use "Asthma Education Curriculum, Session One: General Asthma Education" o Use the In-Check dial to determine if the participant has correct inhaler technique - Conduct the walk-through of the home with the participant and family, utilizing the Asthma Home Environment Checklist. After filling out the form, make a decision jointly with the participant as to one change in the home environment that could be made by the next visit <ul style="list-style-type: none"> o After returning to the office, make copies of the checklist and send it to the participant and their healthcare provider - Give the allergen-impermeable covers to the family <ul style="list-style-type: none"> o Explain how they are to be placed on the participant's bed; offer to

		<p>demonstrate their use, if necessary</p>
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	<ul style="list-style-type: none"> - Have the parent/guardian(s) (or the child if the child is \geq 12 years old), or adult participant complete the Asthma Knowledge Quiz <ul style="list-style-type: none"> o Explain to the parent/guardian and/or child that the quiz is being utilized to help determine what they learn during the home visiting program - Have the child and/or parent/guardian, or adult participant complete the age-appropriate Asthma Control Test <ul style="list-style-type: none"> o If participant is an adult or a child that is 12 years old or older, have them complete the Asthma Control Test on their own o If the child is between the ages of 4 and 11, have the child and parent/guardian complete the Asthma Control Test jointly (per the written instructions on the Asthma Control Test) 	<ul style="list-style-type: none"> - A folder of information will be left for the participant, including resources and educational materials. - Instruct the participant to review the materials that you are leaving with them and to ask any questions that they may have at the next visit
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After the visit:

- Send the release of information form to the participant's healthcare provider and school nurse (if applicable)
- If applicable, contact the child's school nurse and discuss your home visit
- Send the Asthma Control Test score (if applicable) to the participant's healthcare provider
- Send a copy of the "Healthcare/Medication Use, Impairment, School, and Work Questions" form to the participant's healthcare provider
- Send a copy of the environmental checklist to the participant's healthcare provider
- If necessary, send a copy of a blank asthma action plan to the participant's healthcare provider

At the one-month home visit (1 hour):

- The home visitor will go over the results from the Asthma Home Environment Checklist once again, and will see if any changes have been made to the home
 - If not, the home visitor will assess why no change(s) have been made, and provide linkages to the appropriate resources, if necessary
- Participant and/or participant's parents will be asked how often they used their short-acting beta agonist medication in the last month.
- A short quiz assessing asthma knowledge will be given.
- The home visitor will follow up to see if the participant has seen a healthcare provider and will review the participant's asthma action plan with the participant.
- Free-standing HEPA purifiers will be provided if the participant is exposed to secondhand smoke or where a dog/cat is present

At the three-month phone call or home visit (30 minutes or less):

- Contact participant or family by phone to address any questions or concerns about education or environmental issues. At the discretion of the home visitor or by participant request, a home visit may be made.
 - Events initiating a home visit may be the environmental change(s) had not been made at the one month visit, short acting beta agonist medication was used more than 2 times per week in the month prior to the second visit (not counting pretreatment for exercise), the child did not have an updated asthma action plan at the second visit, or the family had requested an in-home visit during the one month visit.
 - Otherwise, conduct the visit by telephone

At the six-month visit (one hour):

- The Asthma Control Test™ will again be administered
- A short quiz addressing asthma knowledge will be given
- Educational and environmental issues addressed as needed

- Ensure asthma action plan is still up-to-date and inhaler technique is reviewed
- Data will be collected on healthcare and medication usage
- Data will be collected on school/workdays missed

At the nine-month phone call or home visit (30 minutes or less):

- Contact participant or family by phone to address any questions or concerns about education or environmental issues. At the discretion of the home visitor or by family request, a home visit may be made if
 - Events initiating a home visit may be the environmental change(s) had still not been made by the six month visit, the score on the Asthma Control Test given at the six month visit was <20, short acting beta agonist medication was used more than 2 times per week in the month prior to the six month visit (not counting pretreatment for exercise), the participant did not have an updated asthma action plan at the six month visit, or the participant had requested an in-home visit.
 - Otherwise, conduct the visit by telephone

At the twelve-month visit (one hour):

- The Asthma Control Test™ will again be administered
- A short quiz addressing asthma knowledge will be given
- Educational and environmental issues addressed as needed
- Data will be collected on healthcare and medication usage
- Data will be collected on school/workdays missed
- Exit survey administered

Six months after completing (or leaving) the program (brief phone call/weblink survey/or mail-in):

- The MAP follow-up survey will be administered
- Educational and environmental issues addressed as needed
- The follow-up survey data will be submitted to MACP staff by MAP Contractor if collected by phone or mail.

III. Justification of program design

This program is based on the successful designs of asthma home visiting programs in other states, as well as on studies that have been described in the literature. As noted earlier, the effectiveness of asthma home visiting programs has been well established. However, it is important to keep in mind that, as noted by the Task Force on Community Preventive Services, there are still evidence gaps regarding how best to carry out some of the specific details of individual asthma home visiting programs.

For example, the effects of different levels of intensity of a home visiting program are still not well described. This includes the actual number of home visits, as well as the intensity

of asthma education and environmental remediation provided. We chose four visits, with two additional phone contacts, because programs have been shown to be successful with four to six visits per 12-month period. In addition, the amount of time that we have set aside for asthma education should be adequate to meet the needs of the target population. The environmental remediation measures we have chosen to be modest in scope. Obviously, the cost of interventions can rise dramatically when intense environmental remediation takes place (e.g. removing carpet, replacing walls, etc.) With no evidence demonstrating that such intense remediation would be necessary for the majority of the target population, we are not prepared to advocate such measures at this time.

It is also an unknown as to which type of home visitor is most effective when carrying out asthma home visiting programs. Programs across the country have used a wide variety of types of personnel to implement their programs, including social workers, community health workers, certified asthma educators, and nurses. Similar outcomes have been observed with the different types of personnel. We have chosen to use registered nurses and respiratory therapists for a couple of reasons. First, registered nurses and respiratory therapists have the healthcare background and experience to effectively educate patients about asthma management with a minimal amount of additional training needed. Using social workers or community health workers would necessitate additional training time for personnel on asthma management, and the result may be information that is not as medically accurate. Additionally, registered nurses and respiratory therapists involved in other home visiting activities have experience with the home visiting process. This experience with other chronic diseases should translate well to asthma.

In addition, as noted earlier, there is a lack of research available on implementing asthma home-visiting programs with adults or in rural settings. However, this project will continue to enable us to learn more about the implementation of asthma home-visiting programs among adults and in rural areas. The lessons learned can then be applied to a larger Montana program in the future.

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Chair
Security Level: Email, Account Authentication
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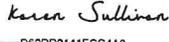
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shollis@bsb.mt.gov
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City and County of Butte-Silver Bow
Signing Group: Clerk & Recorder Attest
Security Level: Email, Account Authentication (None)

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Signing Complete
Completed

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Security Checked
Security Checked
Security Checked

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August 6, 2020 | 13:30
August 6, 2020 | 13:31
August 6, 2020 | 13:31

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Status

Timestamps

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City and County of Butte-Silver Bow:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by phone call: 406-497-6335

To contact us by email send messages to: clerkrec@bsb.mt.gov

To contact us by paper mail, please send correspondence to:

City and County of Butte-Silver Bow

155 W. Granite St.

Room 208

Butte, MT 59701-9234

To advise City and County of Butte-Silver Bow of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at clerkrec@bsb.mt.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City and County of Butte-Silver Bow

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to clerkrec@bsb.mt.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City and County of Butte-Silver Bow

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to clerkrec@bsb.mt.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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- You can access and read this Electronic Record and Signature Disclosure; and
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- Until or unless you notify City and County of Butte-Silver Bow as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City and County of Butte-Silver Bow during the course of your relationship with City and County of Butte-Silver Bow.

Lori Sturm

From: Carl Hamming
Sent: Wednesday, August 12, 2020 4:06 PM
To: Lori Sturm
Subject: Next Commission meeting
Attachments: 471-C Smelter Road Subdivision 2018.tiff; Martelli_LandPurchase_Request_Aug2020.pdf

Hi Lori,

Mr. Mike Martelli has requested permission to purchase Lot 2I (1.29-acres) of County-owned land in the Smelter Road Industrial Park Subdivision. Mr. Martelli purchased 7.91-acres in 2019, but would like to acquire the additional acreage for a more buildable site. Requesting that the Commission approve publishing an updated Invitation for Development Proposals for the Smelter Road Industrial Park – Lot 2I to consider development proposals for the land.

Thanks,

Carl

Carl Hamming
Planning Director
Anaconda – Deer Lodge County
chamming@adlc.us
Office: 406.563.4015
Cell: 406.560.8437

8/12/2020

To Whom it may concern

I Mike Martelli owner of Martelli Forestry. @ Arguiride lot H lot K and the lower end of Smelter Road. I was under the Impression that I was purchasing the whole area to allow proper building site. I'm ~~needing~~ needing to Acquire lot J which is 1.29 Acres that sits dead center in the middle of my property. I'm looking forward to having the leveled with a steel building. Built similar to the one existing. IF you could please allow me to purchase this lot. so I can continue with my plan of ~~of~~ construction.

Sincerely
Michael Martelli

