

AGENDA
ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 PM TUESDAY, SEPTEMBER 1, 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:

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Join using Microsoft Lync or Microsoft Skype for Business:

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- I. **Approval of Minutes from the Commission Meeting of August 18, 2020; Special Commission Work Session Meeting, August 18, 2020; Special Commission Meeting, August 20, 2020; and the Commission Work Session of August 25, 2020.**

At this time the Commission could take action to approve the minutes from the August 18, 2020; Special Commission Work Session Meeting, August 18, 2020; Special Commission Meeting, August 20, 2020; and the Commission Work Session of August 25, 2020.

- 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. Unfinished Business

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.

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

B. Resolution No. 20-22, A resolution of the Commission of Anaconda-Deer Lodge, Montana, Establishing Durston Park as an Official Park of Anaconda-Deer Lodge County (ADLC).

At this time the Commission could take action to approve Resolution No. 20-22, A resolution of the Commission of Anaconda-Deer Lodge, Montana, Establishing Durston Park as an Official Park of Anaconda-Deer Lodge County (ADLC).

C. Resolution No. 20-23, A Resolution to Amend Fund Budgets for Fiscal Year 2019-2020

At this time the Commission could take action to approve Resolution No. 20-23, A Resolution to Amend Fund Budgets for Fiscal Year 2019-2020

D. Resolution No. 20-24, A Resolution Establishing the Mill Levy For Anaconda-Deer Lodge County For Fiscal Year 2020-2021

At this time the Commission could take action to approve Resolution No. 20-24, A Resolution Establishing the Mill Levy For Anaconda-Deer Lodge County For Fiscal Year 2020-2021.

E. Resolution No. 20-25, A Resolution Adopting A Budget For Anaconda-Deer Lodge County For Fiscal Year 2020-2021.

At this time the Commission could take action to approve Resolution No. 20-25, A Resolution Adopting A Budget For Anaconda-Deer Lodge County For Fiscal Year 2020-2021

F. Resolution No. 20-26, A Resolution Requiring All Properties in the West Valley Sewer District to Pay Established Sewer Fees Set by Resolution.

At this time the Commission could take action to approve Resolution No. 20-26, A Resolution Requiring All Properties in the West Valley Sewer District to Pay Established Sewer Fees Set by Resolution.

G. Fiscal Year 2020-2021 Budget Request from Copper Village Museum and Art Center for a donation in the amount of \$3500.00

At this time the Commission could take action to approve Fiscal Year 2020-2021 Budget Request from Copper Village Museum and Art Center for a donation in the amount of \$3500.00

H. Position Description for a Public Health Emergency Preparedness Coordinator (PHEP)

At this time the Commission could take action to approve the Position Description for a Public Health Emergency Preparedness Coordinator (PHEP)

I. Lease Agreement between Anaconda-Deer Lodge County and the Smelter City Senior Citizens (Metcalf Memorial Senior Citizens Center)

At this time the Commission could take action to approve the Lease Agreement between Anaconda-Deer Lodge County and the Smelter City Senior Citizens (Metcalf Memorial Senior Citizens Center)

J. Petition for the Abandonment of a small portion of Deer Lodge Drive, a dead-end spur street that is adjacent to property along Deer Lodge Drive and Harrison Street

At this time the Commission could take action to appoint a Commissioner to review the petition for the Abandonment of a small portion of Deer Lodge Drive, a dead-end spur street that is adjacent to property along Deer Lodge Drive and Harrison Street

K. Petition for the Abandonment of a small portion of Polk Street, a dead-end spur street that is adjacent to property along near Deer Lodge Drive.

At this time the Commission could take action to appoint a Commissioner to review the Petition for the Abandonment of a small portion of Polk Street, a dead-end spur street that is adjacent to property along near Deer Lodge Drive.

L. Grant of Trail Easement between Anaconda Local Development Corporation in favor of Anaconda- Deer Lodge County.

At this time the Commission could take action to approve the Grant of Trail Easement between Anaconda Local Development Corporation in favor of Anaconda- Deer Lodge County.

M. Washington Street Road Petition Commission Review.

At this time the Commission could take action to officially reject the petition based on the findings of Commissioner Huotte regarding the Washington Street Road Petition.

N. Award the Willow Glenn Paving Project

At this time the Commission could take action to Award the Willow Glenn Paving Project.

O. Request for appointment to the Housing Authority Board by Camille Erickson.(one vacancy)

At this time the Commission could take action to appoint a member to the Housing Authority Board.

P. Request for appointment to the Local Emergency Planning Board as the Broadcast/Print Media Representative by Paul Johns

At this time the Commission could take action to appoint a member to the Local Emergency Planning Board as the Broadcast/Print Media Representative.

Q. Request for Appointment to the Anaconda-Deer Lodge County Airport Board by Monty Belguard.

At this time the Commission could take action to appoint a member to the Anaconda-Deer Lodge County Airport Board.

V. NEW BUSINESS

- A. **Resolution No. 20-17 (A), 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.**

At this time the Commission could take action to approve Resolution No. 20-17 (A), 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.

- B. **Washington Street Petition requesting the south portion of Washington Street and the east portion of Seventh Street should remain closed.**

At this time the Commission could take action to appoint a Commissioner to review the petition requesting the south portion of Washington Street and the east portion of Seventh Street should remain closed.

VI Miscellaneous

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

- VII. **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.**

- VIII. **Public Meeting Dates**

- IX. **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 31, 2020 – 3 p.m. - The Kennedy Common Alcohol Committee
Hearst Free Library, second floor

August 31, 2020 – 3 p.m. Historic Resource Board
Third Floor Conference Room- Community Service Center

September 1, 2020 - 6 p.m. Commission Meeting

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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September 2, 2020 - 7 p.m. West Valley Volunteer Fire Department Board Meeting
West Valley Fire Hall

September 7, 2020 – Labor Day Observed

Courthouse will be Closed

September 8, 2020 - 6 p.m. Commission Work Session
Courthouse Courtroom

September 10, 2020 - 0:00 a.m. DUI Task Force Meeting
Community Service Center – 118 E. 7th St.

September 10, 2020 - 8:00 p.m. Tri-County Fair Board Meeting
Weed Board Building, 422 Fairgrounds Rd., Deer Lodge **CHECK**

September 10, 2020 - 4:30 p.m. Greenway Service District Board Meeting
Anaconda Pioneer Technical – 307 E. Park, Suite 421

September 14, 2020 - 4:30 p.m. Hearst Free Library Board of Trustees
Hearst Free Library – 401 Main St.

September 14, 2020 – 5:30 p.m. Old Works Golf Course Board Meeting
Old Works Golf Course

**ANACONDA DEER LODGE COUNTY
COMMISSION MEETING
6:00 P.M. THURSDAY, AUGUST 18, 2020
Webex**

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

Commissioner Hart – Last Tuesday's meeting became emotional and some comments were uncalled for and were unproductive. It was not our finest hour. I always granted a generous amount of latitude toward public comment for a healthy debate allowing citizens to be heard and to participate in their government. The statement that "Making a Public Policy is not always a pretty process" is absolutely true and was proven that night. ADLC has been criticized for many years for impeding progress and growth. That is not the case with this Commission or CEO. . We all want what is best. For ADLC and making the best use of the funds that we have. The fight with ARCO is over and the settlement agreement is done. Now is not the time to start fighting amongst others but start the healing process for over 40 years of decline and stagnation since the smelter closed. We need to get behind the good projects, when they are financially ready, have been through the planning and permit process and are ready to break ground. We need to let developers know that even though we may disagree about issues that we stand collectively as a community behind them.

Commissioner Hart - For all future meetings as Chairman I am going to require the following:

- Speakers and presenters must stay on topic
- Outbursts and interruptions will not be tolerated
- Disrespect for other presenters will not be tolerated
- When a Point of Order is Called, the speaking will stop until the issue is resolved.
- If the Chairman interrupts any comment or discussion, that person will stop talking and yield to the Chairman
- Attempts to talk over someone else will not be tolerated
- Unless approved by the Chairman, lengthy public comment will not be allowed
- And continual rebuttal comments are not guaranteed, especially if repetitive
- When given the opportunity to speak, be direct
- Public Comment is not open public discussion or argument.
- All Comments will be directed to the Commission.

Approval of Minutes

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

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission Meeting of August 4, 2020 Commission Meeting, August 11, 2020 Closed Session Meeting, August 11, 2020 Work Session Meeting, August 11, Special Commission Meeting and the August 13, 2020 Special Commission Meeting; Seconded by Commissioner Gates.

Motion Carried 5-0

Approval of Claims

Motion made by Commissioner Huotte to take action to authorize the payment of claims numbered 134588 through 134692 in the amount of \$793,770.00 excluding claim number 134661 in the amount of \$4,304.25 Seconded by Commissioner Vermeire.

- **Commissioner Hart** - That total amount does not include the amount being withheld.
Motion Carried 5-0

Reports of Boards, Committees and Officials

- **Commissioner Mike Huotte:** On August 13th I attended the Greenway Service District meeting.
- **Commissioner Steve Gates:** - Nothing to Report
- **Commissioner Smith** – Nothing to Report
- **Commissioner Vermeire:** Nothing to Report
- **Commissioner Hart:** Nothing to Report
- **CEO Bill Everett:** We have been busy with construction and laying down blacktop today and will do more tomorrow. You will see 3 blocks on West Third and we only did one lift. The final lift will be done when West Third is ready. I don't like the seams on the top lift. We wanted to do dust control and make the road more navigable. It will be a month before you see a final project. Commissioner Gates had asked how we are on the timeline. We are a bit behind on dates. We have lofty goals. Today I had Senator Daines' team and we went over Mill Creek. I have worked for over 2 years trying to get 15 million dollars to complete the Mill Creek road and straighten the S curves. Those people have never been on Mill Creek and were amazed at how horrific and dangerous that road is during the summer let alone the winter. They were

in awe how beautiful that Big Hole Valley corridor is. Asked them to pay attention to the license plates you see. Almost every plate we saw was from out of state. This is not a county road, and we should not be liable to pay for the funding for this road. This is a state if not a federal thoroughfare. . Senator Daines was going to contact the secretary of the Department of Transportation. He is pitching for us. That is a 15-million-dollar project. Also talked to Gary Chilcott regarding the RV park. Everything looks good, we got over a few hurdles and work will be done later this fall. Gary has contractors lined up and the funding is put together and has his marketing plan. We have some huge things happening in our community.

- **County Attorney Krakowka:** Attended a Multi-Disciplinary meeting for abused children and a DUI Task force meeting. I also met with a young man to put together an ordinance regarding local regulations regarding medical marijuana shops or non-medical shops pending this year's election

Public Hearing

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.

Carl Hamming, Planning Director - Property is in the East Valley Development District and is owned by Mr. Smith. The address is 1680 Old Highway 10. The land septage application is overseen by the Montana Dept. of Environmental Quality, the waste management division. Part of the permitting process requires local zoning approval. For Mr. Wyant to secure a permit from DEQ he needed the planning board and commission approval for an MDP special permit. On July 20th the planning board met and recommended approval of the MDP permit for all 3 proposed locations. Locally this would be overseen by Chad Lanes, would act as the extension of DEQ.

Commissioner Hart – The Planning Board did recommend approval of the MDP to operate with five recommendations.

OPEN for PUBLIC Comment 6:15 p.m.

Glen Wyant – Here to answer questions.

Marilyn Hagan Smith – Asked where the Major Development Permit was taking place?

Carl Hamming – It is called a Major Development Permit . . . is a catch all term. The precise location the address is

1680 Old Highway 10. This is about a half mile to a mile south of the rest area at the interchange of highway 1.

CEO Everett – This is a tough one. I have spent hours on the topic. The 2 gentlemen who are proposing this are good guys. Unfortunately, I must be the regulator. I have contacted five other counties asked what they were doing with these situations and most asked “Why are you even thinking about this?” I have spent years fighting to clean up Anaconda and get rid of waste. Fighting with Atlantic Richfield, they always want to come up with an excuse as why it is not their liability and are not responsible. We just spent 5.5 million redoing the Waste treatment plant. The reason we did this wastewater treatment plant was so everyone who live in ADLC . . . we will process their waste. We are responsible to the residents of ADLC and that is it. If you live in Granite County or Silver-Bow you are not our problem. We do not want waste from another county coming into our county. You do not want waste getting dumped around your county. Inside of the waste are many different things. It is not simply human feces, as we have pumped things out of mines. There are huge dangers. Explained about the issue of the wastewater liner and being careful not to tear the liner. We pumped it carefully so as not to tear it. If it was torn there could have been bleeding into the water aquifer and that could have contaminated the county. Atlantic Richfield could come back and say possibly that contamination occurred that way. That is all they would need to get rid of the liability on the issue. The DEQ advised not to give them an inch. This specific plant being discussed is on land that has just been reclaimed. Atlantic Richfield just reclaimed it and it has a beautiful topsoil. It is distanced from any neighbors and located close to the rest area. If we start dumping waste. . . if anything or an issue that needs to be remediated over the years. . . Atlantic Richfield will say that it came from the dumping. Atlantic Richfield will no longer be liable. Explained that the aquifer is the whole aquifer that spreads through the entire valley and we need to be careful. Everyone in our county has a place to dump their waste at a reasonable cost. This facility is designed for people outside of our county , because we don't allow them to dump at our facility. Why would we want Phillipsburg, Butte, or Deer Lodge dumping in our county? If Granite county or Silver Bow needs a place to dump. . . put it in your own county. We do not want this by any means.

Because someone owns the land there is a certain ability for them to do what they want. This landowner won't own the land for eternity. When the property turns over someday there are certain rights and expectancies that people have when they get the new property. By you allowing this it could fall back on the county. DEQ oversees this . . . but this is an antiquated way to get rid of waste. We have a 5.5-million-dollar facility for every one of our residents. Strongly urge you to be against this. Apologize about going against this but it is not in the best interest of our community

- **Glen Wyant** – Long winded and possibly uneducated. The reason for this has nothing to do with the facility. Wish we could take care of other counties and make some money. The reason for the

land application is to keep my business. With losing the out of county business, my business came from maintaining the west end of town; that is approximately 200 customers I will never get back. Georgetown is about three fourths out of the county. I have lost 73% of my business. This land application site it will allow me to get some back. This is heavily guarded by the DEQ. There is ground depths, soil samples Water tables slope and distances from buildings to meet the requirements. ARCO is okay with what we are doing. Two sections of the land ARCO has nothing to do with it and it is the Department of Environmental Quality that had it reclaimed and is responsible. I understand what Bill is saying; but I am looking at this from a business standpoint. I need this site and will not come back on the county and not come back on the landowner. This is Guarded by measures of Department of Environmental Quality. I am not dumping chemicals, just septage and grey water. Just plain sewage. Believes the CEO is scaring you with the ideas of chemicals.

- **Marilyn Hagan Smith** – There are so many tourists. Would this be taking care of that type of sewage from RV's?
- **Glen Wyant** – No that would not include campers. There is an RV dump in Anaconda. This would not apply to the field

CLOSED Public Hearing 6:32

UNFINISHED BUSINESS

Mask Recommendation from the Health Department

Leigh Ann Homes, Public Health – We have 6 active cases today. They go up and down. It would be more consistent if we had a mandatory mask requirement. Supportive of the Board of Health and the request.

- **Commissioner Huotte** – I have a few issues such as applicability. This rule of order will be in effect until health department revokes this. I think the Commission should also have the opportunity to revoke it. I would like to some side barriers such as if the Governor revokes his mask mandate that this would come off or something that this would be evaluated in 45-day intervals. Shows that we are actively looking at this.
- **Melissa Roseleip, Public Health** – Ask the Commission to please consider this recommendation. This ensures our public health department in promoting our program with the community the safety of all that resides in our community. This helps us to even out the load that is on our shoulders. A mask recommendation or requirement would help us do our job better.
- **Rose Nyman** – Support of the request. It is an Inexpensive, easily resolved prevention tool. Protects us as individuals, our families, the public and especially our businesses. I hope the

Commission would approve this. Thanked the public health department and board who have worked tirelessly through the pandemic.

- **Amy Lynn Kellogg** - Nearly everyone in my family is considered at risk. I have family members who have contracted the virus. Does the risk of this illnesses warrant taking drastic measures of requiring everyone to be wearing a mask? Provided a comparison of COVID deaths to deaths from cancer and highway deaths. Does wearing a mask reduce the number of cases? Believes the mandate would not be enforceable and gave the example of trailer parking not being enforced. Concerned about passing a law that is either not enforced or not equally enforced. Encouraged to reject.
- **Marilyn Hagan Smith** – We ask our family members to be careful because we have some elderly family members. We want the rest of the population to resume a bit of normal. Amy had some good points. What are the parameters of wearing a mask and what do you do if someone is not in compliance?
- **Commissioner Hart** – I think the Governor's order is necessary. I do see some confusion with 4 or less active cases. One item brought up is lack of testing. The numbers appear to be decreasing, but question if that is the case when we have difficulty getting testing to hospital staff. Pointed out news articles about states anticipating spikes and Montana is one. Nationwide COVID-19 is the Number 3 killer in the nation.

This Item Dies for lack of a motion

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

Commissioner Smith – Disclosed that he works for CCCS but does not feel he needs to abstain because I have no benefit either way if approved or not approved.

- **Commissioner Hart** - Asked the County Attorney if he aggress.
- **County Attorney Krakowka** – Concur
- **Commission Gates** – This is great, and they do a wonderful job.
- **CEO Everett** – Full support of CCCS. They provide a benefit to our community

Motion made by Commissioner Gates to take action to approve Fiscal Year 2020-2021 Budget Request from CCCS, Inc. – Discovery House in the Amount of \$3,500; Seconded by Commissioner Huotte.

Motion Carried 5-0

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

Motion made by Commissioner Vermeire to take action to approve Fiscal Year 2020-2021 Budget Request from Anaconda Adult Learning Center in the amount of \$3500.00; Seconded by Commissioner Smith.

Motion Carried 5-0

TRI – County Fair

CEO Everett – We have no contract to approve. There has been no success. If we give them money, we are assuming liability. We don't know what the money is used for.

- **Kimberly Richardson** - Reached out to the extension agent in Powell County and they are to get me a complete report on what the money is spent for and what portion goes to 4H. In speaking with my boss, the regional dept head in the western region, he stated most money from Granite County and Deer Lodge County covers the 4H portion. Will get the itemized copy of having the fair done. I will get a hard copy and get it to the commissioners.
- **Commissioner Hart** – At the time they were asking for the increase from 3000 to 4500 there was a letter from them based on an average number of youths that were participating in 4H. I have looked through multiple boxes of paperwork. I have not found that yet. I wonder if Deer Lodge office would have a copy of letter sent at that time..
- **Kimberly Richardson** – Will ask if they have a copy.
- **Commissioner Vermeire** – Asked Kimberly how many kids participate in 4H
- **Kimberly Richardson** - Deer Lodge County alone has about 100 youths Combined with the other counties there is about 280 to 350. With this year the numbers are down.
- **County Attorney Krakowka** - Programs are fantastic, goals to work towards, youths are learning but at the same time this county needs to look after itself. The donation needs to be accompanied by an agreement signed off detailing what exactly our responsibility is. It needs to be in place.
- **CEO Everett** – Agree with the County Attorney . This needs to be resolved before we go further.

Motion made by Commissioner Gates to take action to TABLE action with the Tri-County Fair; Seconded by Commissioner Huotte

Motion to TABLE 5-0

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.

Leigh Ann Holmes, Public Health – This is the Healthy Montana families home visiting order. It was tabled because we did not have the actual Task Order. This is part of a 5-year contract. We have had significant impact in the community with this program in the zero to five population and low-income families. Ask that it be approved.

Motion made by Commissioner Huotte to 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; Seconded by Commissioner Gates.

Motion Carried 5-0

Cooperative Agreement between Butte-Silver Bow County Health Department and Anaconda-Deer Lodge Health Department - Chronic Disease Prevention and Health Promotion Program Subcontractor Agreement.

Leigh Ann Holmes, Public Health – Same scenario as the previous order. The electronic signature has been approved by Butte Silver Bow. This is approximately \$115,000 a year. This covers the asthma home visiting program and the tobacco prevention program. Both are important programs in the community. Butte Silver Bow is the hub with the programs for the state and they subcontract with us.

Motion made by Commissioner Vermeire to 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; Seconded by Commissioner Smith

Motion Carried 5-0

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

Commissioner Huotte – Did a good job of planning for social distancing and making appointments.

- **Commissioner Hart** – Concur with Commissioner Huotte. A small event with appointments. Agree they have taken the necessary precautions.

Motion made by Commissioner Gates to take action to approve the Special Event Permit – Mini Photo Sessions in Washoe Park, August 15-16, 2020 and August 29-30, 2020; Seconded by Commissioner Huotte.

Motion Carried 5-0

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

CEO Everett - They decided not to do the event.

Leigh Ann Homes, Public Health – Talked to Jodee Barkell and they have decided to withdraw the permit and cancelled the event.

This Item Dies for lack of a motion

NEW BUSINESS

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.

CEO Everett – We sold Mr. Martelli some land about 9 months ago. He went to have a building designed and found there are 3 lots and the very center lot he did not get. He is missing a central part of where he needs to build.

Carl Hamming – Clarification the location of the lot is the far eastern end of Smelter Road Industrial Park. Hoping to make it buildable for his shop.

Motion made by Commissioner Huotte to take action to approval to publish an updated Invitation for Development Proposals for the Smelter Road Industrial Park – Lot 2I to consider development proposals for the land; Seconded by Commissioner Gates.

Motion Carried 5-0

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

Commissioner Hart – Commissioner Huotte and Commissioner Vermeire voiced working on this together.

- **Commissioner Vermeire** – Commissioner Huotte wants to take it on; I have gathered the paperwork and I will help all I can
- **Commissioner Huotte** – I will be good with that and get the information from Terry.

- **County Attorney Krakowka** – Statute indicates one commissioner appointed, (one member of the board and county surveyor). Carl Hamming as the planning director would fall into the category of the county surveyor.
- **Commissioner Hart** – On the table then is for Commissioner Huotte to be appointed. Do not think we need to appoint a county surveyor. That appears to be statutory required. We are only required to appoint the Commission representative.
- **County Attorney Krakowka** – Surveyor would be Carl Hamming

Motion made by Commissioner Smith to take action to appoint Commissioner Huotte to investigate Washington Street pursuant to the petition; Seconded by Commissioner Gates.

Motion Carried 5-0

Commissioner Hart – The next item came out of the closed meeting that was held last week. **That is 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.** The language we received had two items a and b and it appears to me that these are 2 separate items that could not be in the same motion, and so that is how we will deal with them.

- 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.**

Motion made by Commissioner Gates to take Action to 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; Seconded by Commissioner Smith.

Motion Carried 5-0

- 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”.**

Motion made by Commissioner Vermeire for the Commission to placing signage on this portion of Washington Street, to clarify that it is a “Dead End Street/Not a Through Street”; Seconded by Commissioner Huotte.

Motion Carried 5-0

Miscellaneous

Commissioner Huotte – Asked about the updates on West Valley sewer hookups and if we will be seeing those on

the taxes this year.

- **CEO Everett** – Language has not been written but that is the intent. Hope to have it on a Work Session
- **Commissioner Gates** – Follow up have people been hooking up.
- **CEO Everett** - We have had some, maybe 5. Finding contractors is impossible.
- **Commissioner Hart**– Have people contacted the contractor or are they just waiting to see if it is going to be enforced. It would be a shame to drop the ball and not enforce this.
- **CEO Everett** – Need to move forward. They have had an extra few years.

Commissioner Smith – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – No Miscellaneous

CEO Everett – No Miscellaneous

County Attorney Krakowka – Talked about driving up and down main street. Sees the progress on the Vietnam Vet Memorial. I see the progress on third street. In between the two is the warming shack. Could Rose give us an update? How far along is the project to being completed. How far along will the project be by ice skating season.

- **Rose Nyman** – It was with difficulty to find a contractor to do the work for the ADA accessibility. His intent is to start soon, maybe this week. I asked him that once excavated to finish the job quickly because of the people who walk laps daily. Everything has been arranged.

Public Comment

Rose Nyman – Procedural question, last week in the Leader there was an ad for a public hearing on the budget. It was not under legal notices. Question does it have to be in the section titled Legal notices. Never have seen this happen.

- **County Attorney Krakowka** – Requirement of items of sign public interest . . . My instant call is that if it published in the newspaper that is enough. There is not a requirement that it be published under Legal notices. It is a statutory term and is designed to give people notice if they are being sued by notice in the paper. No specific requirement where it must be advertised in the newspaper.
- **Rose Nyman**– That's where contractors' look for bids and Request for Proposals. Tidy if it appears in the same place.

Janice Hagan Delaney – Questioned minutes of August 13 and I asked about hotel. Still curious to know about the investors.

- **Commissioner Hart** – Those minutes are approved. Already stated that no one in the county has any listed investors and never required for any work. There are other federal grants that have been given that don't list the investors. That is something that the developer wishes to disclose that they would be able to do that.

Janice Hagan Delaney – Agree with what Rose said for people to find information in the legal notices. Also, a kudos to Leigh Ann in the Health Department

- **Kimberly Richardson** – There is a chat message from Jim. Would you like me to read it?
- **Chat Bubble from Jim:** Does the new designation give JEBCO the access to the five city lots? Did the district court state that you needed to say the abandonment was undone? What you did was make it a different designation.
- **Commissioner Hart** - No what we have done is stated that the road was not abandoned by our previous action and therefore it remains a city road. It also remains as a dead-end road.
- **County Attorney** – Not so much that it was undone but never actually done because there was no petition. In the second part you indicated that road remains a road but that it is designated a dead-end road.
- **Rose Nyman** – Pointed out that Jim did not give his last name or address. We are all required to do that.
- **Jim Liebetrau** – Provided name and address. Didn't district court tell you to put the designation of Washington street back to what it was and not to change the designation to a dead-end street? Second question. . . if it is a dead end . . . do I have access to my 5 city lots and the plant?
- **Commissioner Hart** – We are dealing with the information provided by the attorney. Encourage you and your attorney to get with the attorney for the county.
- **County Attorney Krakowka** – I believe it would be appropriate for Mr. Liebetrau to speak with his counsel and then to consult with our counsel

Discussion continued between Mr. Liebetrau, Commissioner Hart, and the County Attorney. Consensus was for Mr. Liebetrau to get with his attorney and talk with the county attorney appointed by MMIA.

County Attorney Krakowka– Provided a more detailed explanation of publication of meeting notices. Named a case of Jones vs Missoula County. In that case the court decided that if something was published in a newspaper at all . .

.it meets the requirement of being advertised. Taking the loose application for publishing . . . if we advertised anywhere within the newspaper it is considered advertised.

ADLC Public Meeting Dates –

Commissioner Hart read the meeting dates and times.
Following this meeting we will have a special work session.

Adjournment Meeting adjourned at 7:31 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

DRAFT

**ANACONDA DEER LODGE COUNTY
SPECIAL COMMISSION WORK SESSION
7:30 P.M. TUESDAY, AUGUST 18, 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 7:31 p.m.

Commissioner Hart – Roll Call of Commission

Union Avenue Construction, Request to Advertise for Bid

Mike Johnson, Copper Environmental – We are looking at going to bid this Fall on Union Avenue Construction. This would be phase 1 of a 2-phase project. This is Union avenue as it ties to Polk Street heading east. It would be sewer water; storm drain and paving from Polk street heading east. Phase 1 would be the existing road that runs north and south towards the Search and Rescue building. This would allow emergency service access until Phase II could be constructed. Hoping to get this to bid this fall so that a portion of the work could be done this fall and set up for finishing the project in the spring of 2021.

CEO Everett – This is a big project. This will be the new Economic development area. Of this roughly \$800,000.00 project about \$150,000 is to supply water to the entire area, \$65,000.00 for sewer, and maybe \$100,000 for storm drains. This is a highly contaminated area and requirements from EPA and DEQ is to remove all stormwater properly. Would be nice to have enough sewer and water on that side, it will all tie in. This is set up for all future use. We have planned and have tried to think of all possible concepts. Let's get this out to bid.

- **Kathie Miller** – Requested a Copy of the plans.
- **Commissioner Hart** – This has been on the Drawing board for a few years. Something that is necessary for future development of the entire east yards.

Place on Agenda for Thursday on the 20th.

Miscellaneous – No additional Miscellaneous

**Public Comment – No Comments given
Adjournment**

Meeting adjourned at 7:37 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

DRAFT

**ANACONDA DEER LODGE COUNTY
SPECIAL COMMISSION MEETING
6:00 P.M. THURSDAY, AUGUST 20, 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), County Attorney Krakowka, and Clerk of Commission Lori Sturm

Excused Absence: CEO Bill Everett

Webex Facilitator – Kimberly Richardson
Members of the Press: No Press present

Members of the Public: Per Webex Sign-In

UNFINISHED BUSINESS

Union Avenue Construction, Request to Advertise for Bids.

Motion made by Commissioner Vermeire to take action to approve the Request to Advertise for Bids for Union Avenue Construction; Seconded by Commissioner Smith.

Motion Carried 5-0

Miscellaneous

Commissioner Huotte – No Miscellaneous

Commissioner Gates – No Miscellaneous

Commissioner Smith – No Miscellaneous

Commissioner Vermeire – No Miscellaneous

Commissioner Hart – Mentioned he was down by the east yards and the progress being made with moving the gas line. Also issued a caution of another case of the COVID with 6 active cases. Be cautious.

County Attorney Krakowka – No Miscellaneous

Public Comment – No Public Comment given

ADLC Public Meeting Dates – Meeting Dates were gone over on Tuesday's meeting.

Adjournment Meeting adjourned at 6:04 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

**ANACONDA DEER LODGE COUNTY
COMMISSION WORK SESSION
6 P.M. TUESDAY, AUGUST 25, 2020
COURTHOUSE COURTROOM**

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

Members of the Press: Kathie Miller, Leader

Members of the Public: Per Sign-In Sheet

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

Commissioner Hart – Roll Call of Commission

Public Hearing – The Public Hearing is regarding establishing the Anaconda-Deer Lodge County Budget for Fiscal Year 2020-2021.

John Sholey – The Anaconda-Deer Lodge County Fiscal Year 2020 Budget is being presented. The school mill levies have not been determined and will be added later as an addendum. We wanted to bring this to the public. Overall, the certified mills have come in; the county wide mills have gone down slightly while the city-wide mill values have gone up. Overall a pretty close evaluation to last year. Explained that this year the mill has a decrease of about 10 mills from last year. The individual mills we looked at cash that was being accumulated so that mills could be reduced so cash balances were not getting accumulated. Provided examples of the Mosquito districts going to zero mills because of having enough cash to pay for expenses during the fiscal year. Also reduced the Library fund from the general fund. Explained the Library mills for the last 2 years, they had received a good amount of cash, so that was reduced to 1 mill and believe the expenses will be worked off with the cash they have. The rest of the mills are similar to last year. When all is done, we are going down about 10 mills for the county. When we receive the school mills that will be an addendum and will be part of the budget when the information is received.

- **CEO Everett** – This is probably the finest budget we have put forth. This encompasses over 33 million dollars' worth of expenditures. The 2nd highest budget ever seen was 27 million; an increase of almost 20% in what you will see happen in our community. We are able to do with less money from the taxpayers. We have been successful with grants and receiving money from other funds. The mills are being cut by 10 mills. This is the lowest number of mills I have been able to find in over 10 years and maybe the lowest in 20 years. You will see a lot of capital improvements.
- **John Sholey** - Talked about the overall funds compared to last year. The taxes were close to last year. Looking at individual revenues Talked of the individual revenues and some are up due

to ARCO money received from negotiations with ARCO, money for attic dust, economic development, sewer and the Alt water system. Revenues are increased from the past. Looking at the expense side the salaries and benefits increased due to the ARCO Attic dust program and hiring 7 full time people and 3 new FTE' s in Public health. This raised up salaries and benefits. Supplies and services are pretty much the same. Debt service is up due to the new Sewer bonds from last year. . The Capital outlay looks down but there was huge construction with the sewer treatment plant last year. We are down to the last stage of that. We are doing a lot of other activity with the capital outlay.

- **CEO Everett** – The extra Revenue is not being spent and is being put towards capital improvements in the community. Talked about the improvements to the courthouse, (most going to windows for efficiency) the old jail roof, the fire station, large construction projects are mostly roads, the wastewater treatment plant, the airport, historical streetlights, sewer utility construction, housing projects hotel project and money for new water construction. Spoke to Commissioner Smith and Huotte about new projects in Opportunity and the west valley. Talked with Commissioner Smith and the residents would like to have Stewart street redone. Talked with Commissioner Huotte about the West Valley and he thinks Howe Street should to be redone, maybe with backup of Mountain View south. New equipment for the county will be a new plow truck for the road department. The truck needs to be a Monster of a truck to plow mill creek. The most important thing is we are doing all this and cutting mills from taxpayers. Hopes the school doesn't jack up rates again. By lowering mills and cutting sewer rates individuals should be looking at a pretty nice tax statement.

Open Public Hearing 6:15

Jim Davison – Questioned the amount of the differential tax between the county and city residents and will it continue this tax season and what is the mill levy value, or has it been set?

- **John Sholey**– Each year when we receive the certified mills, they have the new taxable value added into the prior year. This is the off year where they don't have all the valuations done. Some years they both go down or up. This year the county wide valuation was \$14,257 last year it was \$14,412 and the City was \$5,293 and last year was \$5,199. There are slight changes.

Closed Public Hearing 6:18

Resolution No. 20-22, A resolution of the Commission of Anaconda-Deer Lodge, Montana, Establishing Durston Park as an Official Park of Anaconda-Deer Lodge County (ADLC).

Commissioner Hart – This was brought up a few weeks ago. This is on Park and Main and has never been officially adopted as a city park. Durston park has been in existence for approximately 30 years; and has been an integral part of the county; and is a symbol of life remaining in Anaconda.

- **Jim Davidson** – Voiced opposition of making it a park. Right now, it is a nice piece of public land. It was fixed up because it was an empty lot after a fire, and we didn't want blight sitting in the middle of the downtown area. It is an important corner in the community, and I want to see it continue to be improved and utilized. But once the Commissioner make it a park, my understanding is that it would take an election of the people to undesignated it as a park. Feels that subdivisions occurred and a few parks that could now be used for better purposes. But because they are parks, the community is stuck with them and it would take an election of the

entire county. We should leave well enough alone. It is a great corner. The community has adopted this, and I don't see the need to permanently make it a park.
Place on Agenda.

Resolution No. 20-23, A Resolution to Amend Fund Budgets for Fiscal Year 2019-2020

John Sholey - As we do our year end entries; we come across a need for budget amendments for things we were not able to predict. Provided a summary of the budget amendments and explained the unbudgeted revenues and expenses such as the Neighborhood stabilization program and the ADLC CDBG Loans. Also went over the Special Revenue funds. Received revenue we did not budget such as PILT and state administration, the road fund, Forest Service PILT, the Road Service Revenue and sales of equipment from the road department. The Emergency Disaster fund was dormant for a couple of years; but with the Snowmageddon last year and this year with COVID it has been active. Picked out some items and explained information on various line items. Expenditures were also explained.

Place on Agenda

Resolution No. 20-24, A Resolution Establishing the Mill Levy For Anaconda-Deer Lodge County For Fiscal Year 2020-2021

John Sholey - Only county-wide and city-wide funds; no school mills as we do not have the information. Explained the number of mills established and the mill value is next to it. The mill value are at the county-wide value of \$14,257. Pointed out the City Differentials, Agency funds Special Assessment Districts, and special levy voted funds. The state county wide school funds are the same.

Place on Agenda

Resolution No. 20-25, A Resolution Adopting A Budget For Anaconda-Deer Lodge County For Fiscal Year 2020-2021

John Sholey - This is the Summary that we must put in official format for the Commission to approve. It states what we have talked about regarding the valuations of the county wide and city-wide mills and comparison to last year. It will be effective the first day of July 2020, the start of the new fiscal year.

Place on Agenda

Resolution No. 20-26, A Resolution Requiring All Properties in the West Valley Sewer District to Pay Established Sewer Fees Set by Resolution.

CEO Everett – Roughly five years ago we completed the sewer project in the west valley. Part of the understanding is that once completed everyone would be mandated to hook up within approximately 2 years. There have been some complications due to lack of contractor availability. Some people are under the belief that they do not have to be part of the wastewater. The Commission brought this forth requesting that everyone needs to hookup. They have been given plenty of time. This basically says whether or not you are hooked up to the wastewater treatment plant you will be assessed the

wastewater fee.

Place on Agenda

Fiscal Year 2020-2021 Budget Request from Copper Village Museum and Art Center for a donation in the amount of \$3500.00

CEO Everett – This is something the Commission has allocated funds and donated to for the past several years. Hope the Commission approves.

- **Rose Nyman** – Attended the open house that Copper Village held for the archives. Amazed at what has been accomplished. The museum has a fresh look, I saw the back, and everything is off the floor. Things are in archival boxes, shelves are sturdy. I would support the donation.

Place on Agenda

Position Description for a Public Health Emergency Preparedness Coordinator (PHEP)

Leigh Ann Holmes, Public Health Director – This is a new description and is not new funding. This clearly defines responsibility in the program and what the responsibilities would look like for a staff person. Previously the PHEP grant was operated and was administered by the RN and director. With the addition of me being an RN, some programs require nurses. This is just a redistribution of our resources. This also allows someone to pay specific attention to public health preparedness. COVID has illuminated the need for public health emergency preparedness. Specific duties are outlined and have someone in this position. Would like this added to our staffing.

- **CEO Everett** – Proud of Public Health department. Best health dept in Montana. We are adding all kinds of positions and is growing by leaps and bounds. Growing with revenue that has been generated outside of our county. Masterful job of obtaining grants.
- **Kathie Miller, Leader** – Asked if this was a full-time position and asked about the salary range?
- **Leigh Ann Holmes** – The PHEP grant requires a half time to 1.0 FTE. So, it would be .5 to 1 FTE. The salary range would be \$15 to \$18 an hour, not clearly defined at this point.

Place on Agenda

Lease Agreement between Anaconda-Deer Lodge County and the Smelter City Senior Citizens (Metcalf Memorial Senior Citizens Center)

CEO Everett – We have had an agreement for many years. A few terms have been changed in the agreement. They do a fantastic job, and this is our building.

Place on Agenda

Petition for the Abandonment of a small portion of Deer Lodge Drive, a dead-end spur street that is adjacent to property along Deer Lodge Drive and Harrison Street.

CEO Everett – We have a new road being built to the golf course. In doing that we are going to abandon a section of this road. This is a dead-end road and will also be part of a land swap. They are granting us access through other property of ALDC where we will run a road. Basically, it will be part of a swap

- **Jim Davison** – This road runs adjacent between block 3 and 5 of the industrial park. It leads into the back of the softball complex. It will eventually become a road for the county and a new entrance into the golf course.
- **County Attorney Krakowka** – They filed a petition at this point we need to have someone go out and examine it and look at the petition. We have seen issues with names on petitions if they are actual landowners.
- **Adam Vauthier, Local Development** – Essentially this will be about 200 ft of road working to abandon for development of that property that will be replaced with a road that the county is putting in place.
- **Marilyn Hagan Smith** – Asked if all parties who owned the road have been notified. And how much time are you giving them?
- **Adam Vauthier** – This is a tiny piece of street behind APOC world, we have talked to all the property owners. We have given them the petition and showed them the exhibit.
- **Jim Davison** – Adjacent property owners on both sides is Anaconda Local development.
- **Carl Hamming** – This is running through ALDC and dead ends into county property. That is the other adjacent owner. Clarification we will need to do a public hearing. Road abandonments do prompt a public hearing.
- **Commissioner Huotte** – I looked through the list of freeholders and it appears 3 or 4 are not real property holders in the county; you are required to have ten. I believe this would be an invalid petition at this time and there would be no investigation for the Commission to act on at this time.
- **Commissioner Hart** – We still need to officially appoint a Commissioner to review this property. That would take place before the public hearing. Place on agenda to assign a commissioner to review the petition and if merits . . . the street issue itself.

Place on Agenda for assignment of a Commissioner to review the Petition

Petition for the Abandonment of a small portion of Polk Street, a dead-end spur street that is adjacent to property along near Deer Lodge Drive.

Commissioner Hart – Asked Adam if it is the same circumstances with this property.

- **Adam Vauthier** – This is about 300 feet of road that travels North of Deer Lodge Drive that will be part of RV resort development. I was unclear that I needed 10 property owners to sign, there really are not 10 owners down there.
- **Commissioner Hart** – The 10 property owners is any 10 property owners (freeholders) in the road district which in this case is the entire ADLC property. They do have to be property owners.

- **County Attorney Krakowka** – That is Correct
- **Commissioner Hart**– Same circumstances that this is bordered by only local development corporation land. Is that correct?
- **Adam Vauthier** – Yes that is correct.
- **Marilyn Hagan Smith** – Have the property owners been notified and how?
- **Commissioner Hart** – In this instance some signatures are not actual property owners in Deer Lodge County . The surrounding properties are owned by the local development which is the entity petitioning for the property to be abandoned. The signatures on the petition itself must be 10 property owners within Deer Lodge County.

Place on agenda for Commissioner to be assigned for the review.

Grant of Trail Easement between Anaconda Local Development Corporation in favor of Anaconda-Deer Lodge County.

Adam Vauthier – The proposed RV resort is going on the north side of the industrial park next to the golf course. There is about 700 to 800 feet of trail that runs right over the top of our property. The rest of the trail runs around our property. That section is on local development corporation property. The potential developer would like to an easement in perpetuity for the trail so that it stays in place on the lower works that runs from the golf course down to Galen highway. He suggested that we do a trail easement in place with Deer Lodge County.

- **CEO Everett** – Best idea for all parties involved.

Place on Agenda

Washington Street Road Petition Commission Review

Commissioner Huotte – I was appointed to investigate. I started by researching the freeholders that the petitioner listed. I determined only 4 of the 12 owned any real property within the county. Asking the Commission to deem the petition invalid at next week's meeting, if we receive a valid petition we can move forward with the investigation.

- **Jim Liebetrau** – Who were the owners listed.
- **Commissioner Huotte** – There were 4 that were property owners and will be happy to email them to Mr. Liebetrau.
- **Commissioner Huotte** – Accessed his email and the names are Cody Swainston, Ramona Allick, Dan Wyant and Brian Wyant. Those are the 4 that are property owners.
- **Jim Liebetrau** – Asked if he should resubmit the petition.
- **Commissioner Hart** – Asked the county attorney if that would be a resubmit or filing an amended petition.
- **County Attorney Krakowka** – I believe it would be a resubmit all the way around including the ones from Adam. We get the petition, appoint a Commissioner to look at it, the Commissioner checks for the prerequisite number of names. A Commissioner does an examination here is way the names are coming from, here is where they live in relation to the road. They make the evaluation and come back and make a recommendation to the Commission. If there is an amended petition there will not be time to go into the meeting and talk about it. Recommend the petition be resubmitted.

- **Commissioner Hart** – For Washington Street, Polk Street and Deer Lodge Drive would be complete resubmits for those petitions. Asked the County Attorney regarding this particular one where that has already been through the review . . . should that be on next week's agenda for the Commission to take official action to reject the petition based on the finding of Commissioner Huotte.
- **County Attorney Krakowka** – That is up to the Commission or it could die right here if no one asks to place it on the agenda. It could fail here, and it could go to next week where it would fail because it was incomplete.
- **Commissioner Hart** – Recommend placing on agenda for next week to officially reject the petition based on the finding of Commissioner Huotte who was assigned to review the petition.
- **Kathie Miller, Leader** – Asked if the three roads requesting to be abandoned are all going to be rejected?
- **Commissioner Hart** – The roads for Washington street has officially been assigned a commissioner to review That will be on the agenda for next week. The other two from there will be an official assignment of a Commissioner to review, and if it comes back officially in the report that the signatures were not sufficient and should not have been included in the petition because they were not landowners, it will go to the same situation as Washington Street, and would be officially rejected.

Real Property Donation Agreement proposed by Smelter City Recreation Complex

Ed Delaney, President of SCRC - Number one, I want to impress how important this facility is to this community and of all age levels. We are proposing a complex that has an Arena, a Community center and aquatic center. We have done the background work and laid the foundation to make this happen. The architects of Seattle did conceptual drawings and preliminary cost estimates. Ballard's and Associates of Colorado did the demographic studies for the structures for the number of jobs, market study, comparison of existing facility, the need for services. We have paid a surveyor twice to do boundaries of different plats in the east yards. We have gone to planning commission and have their approval. All the Commission have signed a letter of support. Additional support letters from many organizations in this community. The Center would allow weddings, meetings, receptions and parties. We would like to include a commercial kitchen and the Job Corps has expressed interest in manning that with students. The Aquatic Center. . . feels the local pool is on its last legs. The large arena would allow car shows, gun shows, concerts, athletic events and tournaments, garage sales, seminars and conventions. Any Sport you can think of. This would be an incredible asset for the entire community. We need to move this forward. We are asking for land in the East Yards so we can start the next step and raise some money and build this.

- **Vanessa Romero, Vice President of SCRC** – Spoke of study we would like to have done. The next step is a feasibility study with the Bannack Group. The purpose of the study is to align the cost with what we are going to be able to do with potential donors and priorities of the 3 pieces of the project. Vanessa gave a presentation about the Smelter City Recreation Complex feasibility study. Briefly touched on financials, design, the plan, and the land. At the Conclusion there would be 3 questions.: 1. Can you see yourself donating to this project. 2. If so what level of donor do you think you would be and 3 What part of this project would you like to see where your money would go to. Provided some examples of potential donors and how the

different phases could work. This helps to realize where we stand budget wise but to prioritize what gets done first. Also provided hypothetical totals which would ultimately get a dollar range at the conclusion of the feasibility study. Where are people willing to give the money. Land must be finalized. Without the land we cannot launch the next step.

- **Ken Connors** – Thanked Commission for opportunity to present. Went through the way the agreement was put together and why it is put together in that way. Talked a bit about the Bannack group and learned a lot about the feasibility study. I learned they have significant success in their fundraising. They do not get involved with a project unless they think it has legs. They believe this project can be successful. The board has done the homework. One of the keys to getting donors is having something to start with. If they have the land or an agreement to get the land, donors are more likely to give. Key to start of fundraising campaign. The agreement is asking for 30 plus acres. I believe that was what was originally proposed. My understanding is the Commissioners were agreeable. Brought up the contingencies in the agreement. There is a fundraising issue, we have to do this in a way to increase odds of people to donate. We will get title insurance, SCRC will pay for that. My understanding is that there will be a Phase II on the hotel project. There will have to be some sort of a subdivision to create those lots. We feel that this could be a part of the subdivision. The restrictions of the covenant want to confirm they will not be a problem. The Easement contingency . . . there is a drainage ditch. The board is concerned about kids trying to get to this property from MT Hwy 1. We hope to get an easement to allow people to access on the south side of property. If we can get this property from the county, we want it under circumstances that everything will work for everybody. We would like to have protections in a prospective purchase agreement qualification to make sure there are no environmental contaminations that exist. These are just some of the issues. Proceeded to go over the feasibility study driving the timeline. SCRC wants to get the land under a contract, do a feasibility study and if positive . . . take the title to the property. Asking the county to sign the agreement then we would get the feasibility study done. If that was positive SCRS would notify the county that they would want to close the transaction. Important to point out in section 1.3 Mr. Everett is concerned about property being given to nonprofits and not doing anything with it. SCRC want to make sure they take it under the right circumstances; if they can't get construction started within 3-years the county would have the right to request the deed and reconveyed back. Trying to address concerns the CEO has raised. I have not been able to discuss this with an attorney. We would like the opportunity to work through any problems to make this happen.
- **CEO Everett** – Beneficial to hear from County Attorney first.
- **County Attorney Krakowka** – Went through the proposed agreement, Ms. Sievers also went through the agreement. One of the questions is about the title insurance? Looking at the proposed agreement, this is a project that the concept is good, if they can pull this off. Right now, we don't know, and I understand that is the need for the feasibility study. Support from community, but where is the financial support. Do we know where they are at financially?
- **Ken Connors** – I think they have funds in account but have spent more money than they attended to on some of the planning. I have no knowledge of the finances.
- **Ed Delaney.** – I would estimate that we raised in the neighborhood about 60 to 65 thousand to date.
- **County Attorney Krakowka**– How much in the bank right now and how much will this cost to implement?
- **Ed Delaney** - I think about 10 to 15,000, in the bank. It is an ambitious project and if we go with the 3 centers it is about a 20-million-dollar facility and is probably 23 to 24 million now.

We are doing our best to raise 18 to 20 million in an endowment fund. This complex is not going to be a money maker. Trying to do this without tax money. The endowment fund would supplement the cost of running and operating the facility.

- **County Attorney Krakowka** – I don't want the County to buy another golf course. That would need to be supported by the county. I was expecting more of a Memorandum of Understanding rather than a Buy/sell agreement.
- **Ed Delaney** – We attempted to develop an MOU, but CEO Everett did not like what we brought forth at that time.
- **CEO Everett** – Never received an agreement. That has been referred to three different times. If you have a copy, I would love to see it and who prepared it? Absolutely false? I asked Mr. Grayson if he prepared one and he never did. Unless Mr. Connors prepared one there is no document.
- **Ed Delaney** – I don't know if there was a document, but it was discussed with you in your office.
- **CEO Everett** – Yes, we had verbal conversations.
- **County Attorney Krakowka** – This is the first agreement that has come through, one issue is with a warranty deed. No way to do that because we do not have a warranty deed to this property. It wasn't transferred to us from ARCO and feel uncomfortable giving a warranty deed to Smelter City Recreation. Also surprised at the size. . . . the 1st time they came I thought they wanted 5 acres, then 15 now 30 acres. Do they want to dedicate 30 acres to the project, what restrictions do they want to place on the land? This could be sold off by SMCR to finance project on a smaller parcel. I would suggest a right of first refusal for any potential property. There were a lot of references to indemnifications, my concept for the Commission is know that this is something you should not agree to. Mr. Delaney stated in a previous meeting that the property would be worth a million or 1.5 million. At that rate we are looking at 45 million dollars' worth of property. Do we want to tie up and have potential problems with indemnifications? There is no consideration being offered by Smelter City. An MOU might be more appropriate. Those are the broad concerns. The County Attorney also pointed out some Individual concerns, If the Commission is giving a large piece of land, the project should be responsible for all costs associated with surveys. On the Reacquisition option we are looking at a total of 3-years. I was coming up with 5 years.
- **Ken Connors** - Three years to complete the feasibility study, then within a year of that if they don't start construction you can request the deed back.
- **County Attorney Krakowka** – The donee who received the property would have to sign the property back. There is quite a bit that is at Smelter City's discretion. All types of opportunities for Smelter City to decide that they are not going to continue on with the project. There are not any options for the county if we don't like where buildings are going in or the style. The county has no option to say "No". I am sorry I did not sit down with Mr. Connors. Feeling gun shy because we were accused of doing things behind closed doors, it is problematic. Puts this in a situation where we try to do meetings to get things done. Could this be addressed with an MOU for a term of 2 years. How much money they would be able to raise? State goals in the agreement. We need to know what the phases are. Also bothered with "ground being broken" term. We need assurance that if something gets started, then fizzles, that it comes back to the county in substantially the same condition.
- **Ken Connors** – Title insurance, you can get a warranty deed. Indemnification was written so that neither party takes on liability that would be a superfund. SCRC would rely on this. A legally binding agreement, that is what the donors want to see. The problem is that they have to raise

the money. Asking for 2 or 3 years to make some major headway in fundraising. Can't sort this out at a Commission work session.

- **CEO Everett** – Thanked Mr. Connors for Explaining the contract. Still confused at the 2 plus 3 this could be cleared easily. Frustrating to deal with due to the misrepresentations. It has been proposed that there has been agreements that I wouldn't put forth to the Commission. No agreements have ever presented. This is the first. Ken, I wanted to meet with you, we talked verbally and that was February 10th. Six months later I heard back from you. Not holding onto documents. Bringing this forth very publicly. This agreement is not what I imagined it to be. This is not what the Commission agreed to. I went back and read the minutes, and this is not what it was. It was supposed to be a 3-year term, if they reached a goal and we thought it was viable, then 15 acres could be transferred. Once completed then look at the second phase. Support is huge from the Community; the problem is moral and financial support. Not one letter of financial support. Everybody wants it but do not want the County to have to pay for this. You said you haven't approached the county for funds, not a true statement. Everyone of the commissioners received what was a proposal of a revenue bond coming out of county funds. Received that 2 nights before the ARCO agreement. We love the project but is it attainable. I have done a lot of fundraising. You are talking 45 million dollars and that is an incredible goal to try and attain from a small community. I have heard names of possible donors and I have talked to them. I am not as optimistic as getting funds out of them as others might be. Amazing if we could get this done. Getting the funds is a tough reach. In five years, you have a checkbook of about \$10,000.00. The amount and the time frame are big concerns. I look at the agreement as "Rights and Responsibilities". Breaking ground it is not breaking ground; we dealt with that with the Tabish agreement. One of the worst agreements ever drafted. You see what we have out there . . . a partially started project. Fought for 2 years to try to get land back to the county. County was burned bad. Also, we gave land to the Assembly of God. They were going to build. I have people reach out to them to try to purchase land, they want 1 million. They can hold onto land for a long time, they pay nothing in taxes. Pointed out the generalities of What is Phase I and breaking ground what does that refer to. If a shed is started the county would lose access. Reacquisition of lands granted have first right of refusal for a dollar. That would have to be a mandate. For the feasibility study it is determined by you if it is feasible, the Commission has no say. That is confusing. Phase I has been talked about but there is no attachment of what Phase I is. Those are just the generals. This is the only comfortable way to address this after the accusations.
- **Ed Delaney** – Didn't not say the land was worth a million. It is unfortunate that the Shewey's made some comments and did some investigations that got confused with the Smelter City Recreation Complex and its goals. We are creating some distance and would like to move this forward. We met with the planning board and they gave us a unanimous approval to move forward with this project for 30 acres. When we brought this to the Commission CEO Everett. . . said "No", I only want to give them 15 acres'. Al Shewey negotiated a 15 plus 15 deal at that time. We have paid to have land surveyed twice. Ken Connors has supported us and has done a great job. Looking at the hotel, Mr. Grayson is being paid by the county through ARCO funds to write the agreement, to do the survey costs, and they were also given 3 years. The revenue bond that the Shewey's brought forth is the county could leverage 20 million dollars for a \$250,000 payment every year to fund this project. (Admitted he was not an investment counselor) There are ways to fund this project available. Because of decisions made behind closed doors only a small portion of the ARCO agreement is available to non-profits. That has

put a pair of handcuffs on us. This is an incredible project and would like to be given a chance to move this forward. Asking for opportunity.

- **County Attorney Krakowka** – Apologize I do believe it was Mr. Shewey about the value of the property.
- **Commissioner Hart** – It was I believe Mr. Shewey that made the comments. However, in the agreement that both the donor and donee agree that the fair market value of the property which is 31 acres is \$31,570.00 It is not millions.
- **Kathie Miller, Leader** – Asked if Donna and Al Shewey still involved?
- **Ed Delaney** – Their heart and soul is invested in the project but for the benefit of the group they are taking a step back. They will support in the best manner that they can. They are part of Smelter City Recreation whether Donna chooses to resign . . . that is her decision. Neither Donna or Al is a member of the board; Donna is currently an executive director and not a member of the board.
- **Michelle Beausoleil** – Attended the meeting last summer. Does this infringe on the 30 acres that are being given back to ARCO? The 30 Acres on the back half were given back to ARCO.
- **County Attorney Krakowka** – No answer for that. I would have to compare maps and I was focused on content of wording.
- **CEO Everett** – Believe we are fine. The acres that ARCO needs should not be an issue for what we are looking at. There is road plan to go through the middle of the property I refer to it as the Search and Rescue road.
- **Michelle Beausoleil** – I was at the meeting and the County Attorney did commit to 15 acres but no more. I believe he said “Let’s see what happens with the 15 and see maybe 15 more. Not a commitment of 30 acres.
- **Commissioner Hart** – The Letter of Support signed by Commission on Aug 6, 2019 states the county is willing to look at the donation of 15 acres of land with an additional 15 acres on contingency. The Commission is still looking at honoring the letter of support. These other things need to be taken care of.
- **Michelle Beausoleil** – Re do with the 15 acres.
- **Commissioner Hart** – Leave that to the attorney’s and the CEO. Sounds like the two attorneys have agreed to meet
- **Jim Davidson** – Complimented Ken Connors on the agreement particularly for the claw backs. The whole idea of claw backs and giving timelines and goals to get things done is a good move for the County. The County has gotten into too many agreements where land has been tied up and not used. There are deals that ALDC did that we should have had more claw backs. Land being tied up and not used. Believes that the whole agreement is premature. The details need to be worked out between the attorneys and parties before it comes to the public.
- **Rose Nyman** – Express appreciation for this being placed on the agenda. As a resident listening, I think the remark about closed doors in the hotel refers to the negotiations, the attic testing and environmental coordinator. . . all were negotiated behind closed doors. Many complained about the gag order, but no one had control over that. In the interest of fairness and equal treatment that the Commission will look at the project.
- **Ed Delaney** – Thank you, appreciate your time and effort.
- **Commissioner Vermeire** – Love the concept, but this agreement there is a lot of issues to be addressed. Saw Tom Moodry’s name in the document and the oil and gas rights. Those were not transferred to the county in the 94-conveyance document. The warranty deed also drew questions for me. More dialog needs to be done. You need to talk with the CEO. As a Commission we have been burned in giving property away. Assembly of God deed over in 98

and they have been sitting on it all this time. There is no way to get this back. Now looking at 31.5 acres and the property values could be going up with the hotel. I hope Al Shewey is right when he said 7-11 paid 2 million. Mr. Delaney has already said it is not going to be a money maker. We already know that this is a project that is not going to be sustainable. We need to go through the document.

- **Commissioner Huotte** – I would echo Commissioner Vermeire’s thoughts. We are premature on this agreement. We are looking at a group that needs to raise about 40 million dollars to get this going and they have 3 years to do this. I believe it would be a great project, but it doesn’t seem feasible for a group with \$15,000 in the bank and has raised \$65,000 over the last couple of years. I would like to see some additional language to the 36 month agreement. . . Breaking ground is not enough. They could get close to the 36 months, dig a hole, place a foundation and the agreement is void. There is a lot of work to do.
- **Commissioner Vermeire** – Even after the 3-year period, if they had 28 million in the bank . . . another agreement could be negotiated. That would be great strides if they had donations like that.
- **Commissioner Hart** – That is where a plan for phases of development would be beneficial
- **Commissioner Gates** – Agree with Chairman Hart. They are not asking for much. I ran on helping the people of the community. Hopefully we will have a beautiful hotel that we can be proud of. Now we are fighting over land like it is worth a million. They are asking for a 3-year period and if they don’t produce it is back to the county. They have put a lot into this. I fully support this.
- **Commissioner Smith** – I would love to see the Smelter City Recreation Complex work. It would be a great asset. I agree with the other Commissioners and the CEO that this agreement is premature at this time. Would like to see this go back to the table but also would like to see it go back to the 15 acres and other 15 contingent upon construction, instead of committing to the 31 and some acres.
- **Commissioner Hart** – We are all in support of this or we would not have signed the letter of support for the land done in August of last year. This does need some work. The attorneys can get this worked out and possibly bring something forward. A Major Development Process would still need to be followed. Those types of things come later. I would love to hear from someone with the Bannack group. Mr. Connors brings up a good point that their reputation is on the line for fundraising and it would be beneficial to hear from them. What are the chances of raising the funds? I think we need something in writing to the phases of the plans, goals in 3 years, amount of dollars raised in a year one etc. Need a better agreement and glad to have had this discussion. No one is against this. I know that there has been some Issues come up over the funding. When this was first pitched to the Commission there was a statement that it would not include any tax dollars, no funding from the ARCO agreement it would be based on donations for the building and operations. That is where some of the conflict has come. Thanked everyone for the civility of this meeting and conversation.
- **CEO Everett** – A great idea.

Award the Willow Glenn Paving Project

Mike Johnson, Copper Environmental – We went out to bid in late July and only received 1 bid back on August 17th. We had a mandatory Prebid process. The Bid by Johnson Construction was compared to the engineers estimate and bid item appears to be in line with what we expected. They did come in about \$30,000 under the engineer estimate. Would like to move forward and ask that you put on the agenda to award the Willow Glenn Paving Project to Johnson Construction.

- **CEO Everett** – Good bid and a great project and will be funded by Mill Creek TIF. The largest taxpayer in the county is Northwest Energy. They built that tremendous plant for us and it provides a lot of funding opportunities for our community. They have a huge problem with dust control on the road and the dust clogs up the filters. The concept was to be a good neighbor and perhaps that will motivate them to look at more expansion at that site and that helps our tax base.

Place on Agenda

Request for appointment to the Housing Authority Board by Camille Erickson.(one vacancy) (Letter attached)

Place on Agenda

Request for appointment to the Local Emergency Planning Board as the Broadcast/Print Media Representative by Paul Johns. (Letter attached)

Place on Agenda

Special Event Permit –Request to Close the Alley behind Copper Village for Oktoberfest (October 10th). (Pending Certificate of Insurance)

Commissioner Hart – At the request of Lydia Janosko place this on the next work session.

Miscellaneous

Commissioner Mike Huotte: No Miscellaneous

Commissioner Steve Gates: No Miscellaneous

Commissioner Paul Smith: No Miscellaneous

Commissioner Vermeire: Received a request to be on the airport board. I believe there is vacancy. The request is from Monty Belguard of 123 Shirley Way. Letter from the airport manager saying he would be a huge asset. Will drop off to Lori in the morning.

Agenda for next week.

- **Rose Nyman** – Asked if he the address was in Butte-Silver Bow or Anaconda 132 Shirley Way.
- **Commissioner Vermeire** – Address is 132 Shirley Way, Anaconda Montana. I believe it is out by Fairmont.

- **Commissioner Hart** – Same thought, we will have to look that he is a property owner in this county. Will address next week.
- **Rose Nyman** - Property owner or resident.
- **Wayne Wendt** – Every address in Shirley way I believe is in Butte Silver Bow.

Commissioner Hart – Place on agenda for next week. Commissioner Vermeire to look at the issues.

Commissioner Hart: This will need to get on agenda: The County had received a petition with regards to Washington street, the same street that JEBSCO submitted and looks like it will be deemed as not a proper petition. This petition is submitted to keep the road closed and is signed by close to 100 signatures. Landowners yet to be vetted, but it only needs to have ten. We need to get this on the agenda to bring it forth so we can have a Commissioner review as well. Can we get this on the agenda?

- **CEO Everett** – Absolutely.
Place on agenda for next week

CEO Everett: No Miscellaneous. . . Everyone is ready to go home.

County Attorney Krakowka: No Miscellaneous

Public Comment

Rose Nyman – Question about Superfund. A resident is waiting for someone to knock on their door and see if they want their attic tested. My understanding is the homeowner should contact the Superfund coordinator. What is the process?

- **CEO Everett**– The department has not been set up yet. We just received funding and then there will be training. Then there is the COVID issue with people going into homes. The goal for this operation is to take off the first of 2021 hopefully in January. We still need to build a building, hold tight till the first of 2021. It will be its own entity.

Ray Haffey – Informed the Commission that Shirley way is in Silver bow County. My purpose is to address some unfinished business, relocation of the baseball player at Kennedy Common. I was told that if the silhouette had to be moved, I would be asked to choose where to put it. I need some clarification since previously approved I should have some input of where it should be located. I would like to meet with a Commissioner or appropriate person and show the choice that most people have contacted me is to place on 4th and Main. Would like your support to move forward.

- **Commissioner Hart** – I would like to see a written proposal for that.
- **CEO Everett** – Agree, get a written proposal and let it be discussed.
- **Commissioner Hart** – Address to the CEO and he will get it on the Commission Agenda.

ADLC Public Meeting Dates

Commissioner Hart read the meeting dates and times.

Adjourn

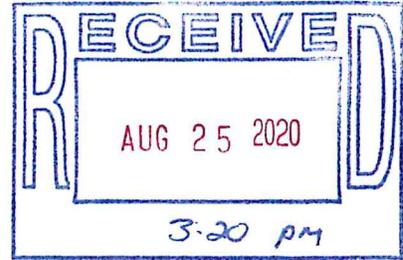
The meeting was adjourned at 8:49 p.m.

Lori Sturm
Clerk of Commission

Kevin Hart
Commission Chair

DRAFT

Anaconda-Deer Lodge County
Board of Commissioners
800 Main Street
Anaconda, MT 59711
August __, 2020



We the undersigned, duly noted as freeholders (property owners) in the Anaconda-Deer Lodge County Road District, have affixed our signatures to this petition.

We believe the south portion of Washington Street and the east portion of Seventh Street should remain closed. Closure of the listed streets dates back to 1898. It appears that the only property owner impacted by the existing closure is Jebco, Inc.

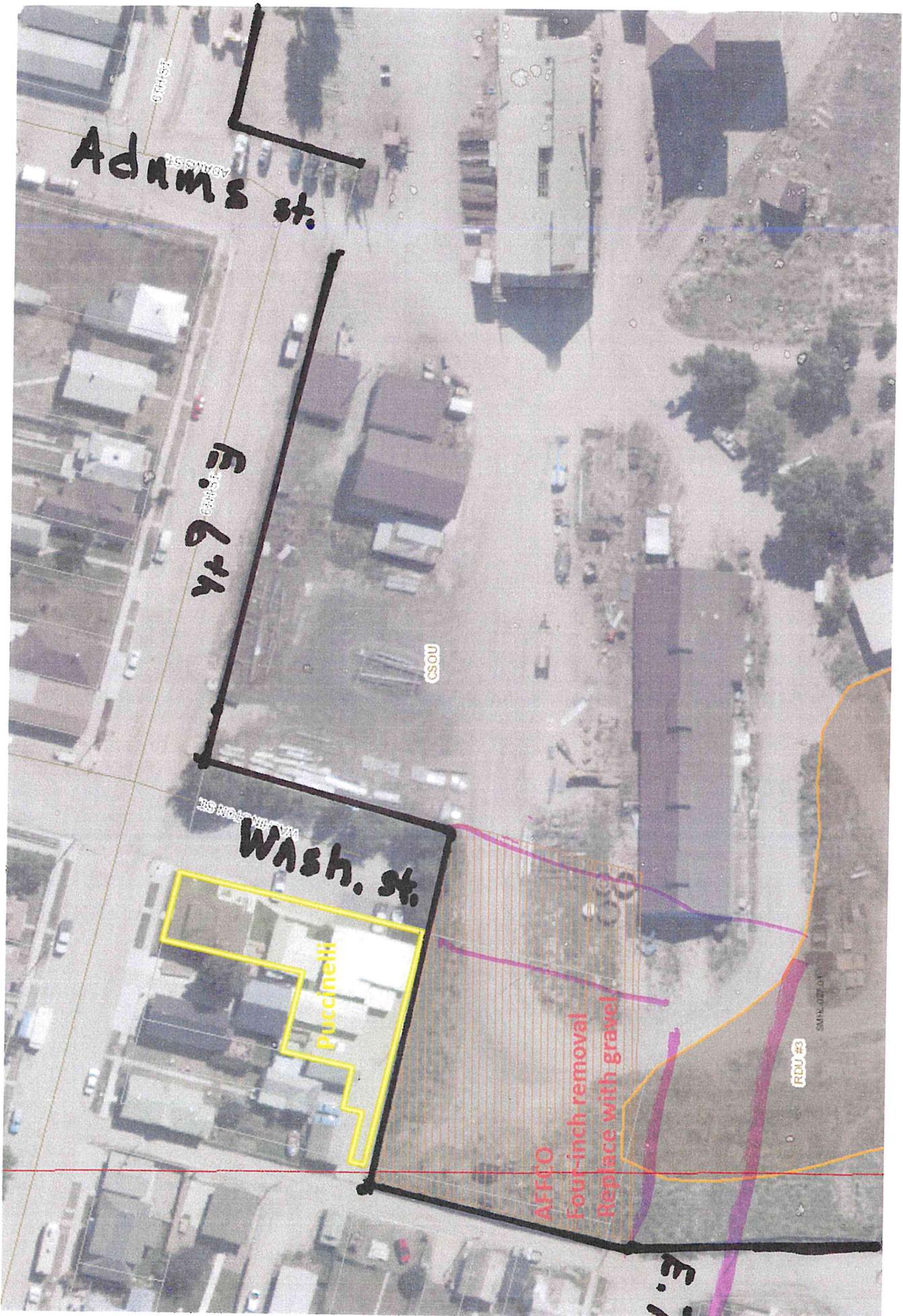
It is in the best interest of our neighborhood to maintain these street closures. In addition to the increased traffic by commercial vehicles, we cite health issues related to the dust, physical safety of residents, increase in decibels and the possible decrease of our property values.

Surveys of the streets/land in question were done in 2017/2018. At that time, Jebco, Inc. was deeded property on the south end of Washington Street and the east end of Seventh Street.

By signing this Petition, we acknowledge that we are freeholders of the Anaconda-Deer Lodge County Road District and request that the existing closures of the south end of Washington Street and the east end of Seventh Street remain in effect.

*See attached map.

*A "Freeholder" is a person who owns real property in the affected road district.



Adams St.

E. 6th

Wash. St.

Puccinelli

AFFCO
Four-inch removal
Replace with gravel

E. 7th

CSOU

RDU #3



Printed Name	Signature	Address	Comment	Date
Jeff Miller		910 E 6th St Ancon, OH		8/22/2020
Ruby Nyagaly	R. C.	908 E. 6th Annual		8-22-2020
RICH NICHOLSON		822 E 6th	years 48	8-22-20
Seoey Watson		817 E 6TH ST		8/22/20
Scott Proctor		804 E 7th		8-22-20
Paul Pucinelli	Paul Pucinelli	821 E. 6th	35 yrs	8-22-20
Paul Pucinelli	Paul Pucinelli	608 Washington	35 yrs	8-22-20
Paul Pucinelli	Paul Pucinelli	610 Washington	35 yrs	8-22-20
Robert Bates		810 F 6TH ST	35 years	8-22-20
Dennis		607 Ash St	35 Years	8/23/20
Adolfo Tellez		604 Ash St.	5 yrs	8/23/20
Paul Swanson		807 E. 6th	14 yrs	8/23/20
Roger Wyntse	Roger Wyntse	519 Washington St.	OWNER STEVENSON RATED MHP	8/23/20
Roger Wyntse	Roger Wyntse	515 Washington St	OWNER 2 YEARS RATED IN WELSH LAUND	8-23-20
Robert Tefti		409 Washington St	OWNER, REFERRED RETIRED ARMY 1SG	8-23-20

Printed Name	Signature	Address	Comment	Date
Vincent Campbell	Vincent Campbell	409 Washington St	Resident	8/23/20
David Gustafson	David Gustafson	909 E 4th St	resident	8/25/20
Veronica Bruce	Veronica Bruce	311 WASHINGTON ST	RESIDENT	8/23/20
Quanta Noel	Quanta Noel	817 E 5th	49 yrs	8-23-2020
Herb Lutey	Herb Lutey	105 Washington	10 yrs	8-23-2020
Marly He	Marly He	112 Washington	Remain closed	8/25/20
Stede Driver	Stede Driver	900 E 4th	Home Owner	8-23-20
JAMES STURM	JAMES STURM	214 WASHINGTON ST	HOME OWNER 1985.	8-23-20
James Blum	James Blum	518 ASH	Home owner - 60 yrs	8-23-20
Tim Strong	Tim Strong	580 ASH	Home owner	8/23/20
Sabine Strong	Sabine Strong	804 E 6th St	Home owner 38 yrs	8/23/20
R Gary Walker	R Gary Walker	820 E 6th	Home owner 50 yrs	8/23/20
Erma Miller	Erma Miller	806 E 7th	Home owner	8/23/20
Kirk Fortan	Kirk Fortan	801 E. 7th	Home owner	8/23/20
Debbie Fortan	Debbie Fortan	801 E. 7th	Home owner	8/23/20
George Procih	George Procih	600 ASH ST	Home Owner	8/23/20

Printed Name	Signature	Address	Comment	Date
Dillon Noraman	[Signature]	212 Washington St	Family owned 70 yrs Died 15 yrs Grandpa Kids stay	8-23-20
Karen Hancock	[Signature]	317 WASTON ST		8-24-20
Bruce Allen	[Signature]	315 Washington St	5 owners always owned by family	8-24-20
Cheryl Erickson	[Signature]	815 E 5th	Medication grandkids	8-24-20
Cheryl Hancock	[Signature]	812 S. 8th	McNay/Menden Property	8-24-20
Rose Violette	[Signature]	415 Washington	owner	8/24/20
Rose Violette	[Signature]	902 E 5th	owner	8/24/20
Krysten Nicholson	[Signature]	813 E. 6th	OWNER	8/24/2020
Toson Wingo	[Signature]	901 E 4th	OWNER	8/24
"	[Signature]	821 E 4th	OWNER	8/24
"	[Signature]	910 E 5th	OWNER	8/24
"	[Signature]	912 E 5th	OWNER	8/24
Bonnie Osborn	[Signature]	709 Ash	OWNER	8/25/20
Dorrell Osborne	[Signature]	709 Ash	RESIDENT	8/25/20

Printed Name	Signature	Address	Comment	Date
BRANDON PUCCELLI	<i>Brandon Pucelli</i>	511 WASHINGTON ST	8 YEARS AT 511 WASHINGTON ST.	AUG-22-20
Rich Wyatt	<i>Rich Wyatt</i>	902 E 6TH ST.	Heard All my life 59 years	AUG-22-20
Miss Wipart	<i>Miss Wipart</i>	902 E. 6TH ST	all my life 59 years	8-22-20
Roger Wyatt Sr	<i>Roger Wyatt</i>	515 6th St	31 years all my life they been kept or taken?	8-22-20
Karla Wipart	<i>Karla Wipart</i>	515 6th st	10 yrs	8/22/20
Annika Wipart	<i>Annika Wipart</i>	907 E 5th	25 years	8/23/20
Alexandra Wipart	<i>Alexandra Wipart</i>	905 E 5th	keep record & listed	8/23/20
Harmony Dukat	<i>Harmony Dukat</i>	901 E 5th	15 years record Dukat record re-located areas?	8/23/20
Wendell Johnson	<i>Wendell Johnson</i>	820 E 5th	40 yrs don't need any records	8/23/20
Wendell Johnson	<i>Wendell Johnson</i>	821 E. 5th (current residents) 2 years	keep record also	8/24/20
John R Kayes	<i>John R Kayes</i>	307 Wash	keep record closed	8/24/20
Bobby Reed	<i>Bobby Reed</i>	309 Washington (past resident)	same change	8/24/20
Danielle McGuire	<i>Danielle McGuire</i>	821 E. 5th Street	listed at 12 years	8-24-20
Tammy McGuire	<i>Tammy McGuire</i>	821 E 5th Street (owner)	owner 12 years	8/24/20



8/17/2020

To Whom it concerns,

My name is Jeff Muller and I live at 910 E 4th St Dracondu, mt 59711. I would like to express my concern for the opening of the Western gate at the Alfco complex. Alfco already has two functioning gates perfectly capable of accepting all of their deliveries. Opening the Western gate requires the cutting down of well established trees that should remain. Adams and Washington streets are already in need of significant repair due to the semi-trucks that use them for deliveries. Opening the Western gate will only further damage Adams St. and Washington. I feel all deliveries can be adequately handled through the Adams St. gate as they have for the last several years. Please consider this as to see no need to senselessly cut down trees and create another traffic route for semi trucks.

Thank You
Jeff

JEFF MULLER

RESOLUTION NO. 20-17 (A)

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

WHEREAS, the Board of County Commissioners has received a request from the Hearst Free Library Board to place language on the ballot in the next election on November 3, 2020; and

WHEREAS, the Anaconda-Deer Lodge County Commission wants to have funds available to provide financial support for the Hearst Free Library; and

WHEREAS, Section 22-1-304 (2) (a), MCA, allows a local governing body to act in relation to this request and resolution; and

WHEREAS, the Hearst Free Library Board of Trustees, as part of its budgeting has determined that an additional mill levy in the amount of TWELVE (12) permanent mills is necessary to maintain its current level of service, which is in the public interest, and should be placed before the qualified electors of Anaconda-Deer Lodge County for determination.

WHEREAS, Anaconda-Deer lodge County cannot levy additional mills without the approval of the voters under the current law.

NOW, THREFORE, BE IT RESOLVED AS FOLLOWS: by the Board of County Commissioners of Anaconda-Deer Lodge County that the ballot issue be placed before the voters on the ballot of the general election of November 3, 2020. Said ballot measure shall be in the form required by law and shall be in effect for two years.

NOW, THEREFORE BE IT FURTHER RESOLVED: that subject to the approval of the Anaconda-Deer Lodge County Clerk and Recorder and County Attorney, form on the ballot shall be as follows:

Proposed Ballot Language:

The specific purpose of this request is to permanently fund the Hearst Free Library in Anaconda-Deer Lodge County. Should Anaconda-Deer Lodge County voters choose to levy TWELVE (12) permanent mills for the operation of the Hearst Free Library as allowed by Section 22-1-304 MCA, approximately \$159,672.00 will be generated annually, as each mill is worth approximately \$13,306. This is a permanent levy. The approximate impact on a home valued at \$100,000 is approximately \$16.20 per year. The approximate impact on a home valued at \$200,000 is approximately \$32.40 per year.

- FOR THE LEVY OF TWELVE (12) PERMANENT MILLS FOR THE HEARST FREE LIBRARY.
- AGAINST THE LEVY OF TWELVE (12) PERMANENT MILLS FOR THE HEARST FREE LIBRARY

APPROVED BY THE BOARD OF COMMISSIONERS THIS 1st DAY OF SEPTEMBER 2020.

Kevin Hart, Chairperson
Anaconda-Deer Lodge County Commission

ATTEST:

Lori Sturm
Clerk of the Commission

Elections Administrator