AGENDA
ANAconda-DEER LODGE COUNTY
COMMISSION MEETING
6 PM TUESDAY, JULY 5, 2021
COURTHOUSE - COURTROOM

Please turn off or silence all cell phones and electronic devices.
Everyone is respectfully asked to follow these few Commission Rules of Procedure:
• To address the Commission, please approach the podium and state your name & address for the record.
• Please speak loud enough for the entire room to hear your comments.
• Please address all comments to the Commission as you are not in a debate with other presenters or members of the audience.
• Please be respectful to other speakers, presenters and members of the audience.
• No sidebar conversations will be allowed. Private conversations and whispering in the audience during the meeting is very disruptive so please step out of the room for any such conversations.

I. Pledge of Allegiance

II. Approval of Minutes from the Commission Meeting of June 21, 2022, the Commission Work Session of June 28, 2022.

At this time, the Commission could take action to approve the minutes from the Commission meeting of June 21, 2022, the Commission Work Session of June 28, 2022.

III. 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

IV. Reports of Boards, Committees and Officials

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

V. Presentation – Planning Board activities – Rose Nyman

VI. Unfinished Business

A. Letter of Support for the Bureau of Land Management (BLM) and Rocky Mountain Elk Foundation (RMEF) for the Seymour Creek Acquisition

At this time the Commission could take action to approve the Letter of Support for the Bureau of Land Management (BLM) and Rocky Mountain Elk Foundation (RMEF) for the Seymour Creek Acquisition
B. Resolution No. 22-12, A Resolution Increasing Rates for Basic Life Support, Emergency and Non-Emergency, and the “Per Loaded Mile” charge and creating a fee for Advance Life Support and Ambulance Request/Non-Transport for the Anaconda-Deer Lodge County Ambulance Service.

At this time the Commission could take action to approve Resolution No. 22-12, A Resolution Increasing Rates for Basic Life Support, Emergency and Non-Emergency, and the “Per Loaded Mile” charge and creating a fee for Advance Life Support and Ambulance Request/Non-Transport for the Anaconda-Deer Lodge County Ambulance Service.

C. Request to set a Public Hearing Date for Final Plat of the Derzay Subsequent Minor Subdivision located in the Lost Creek Development District. (Suggested date of July 19, 2022)

At this time the Commission could take action to approve a Public Hearing Date of July 19, 2022, for Final Plat of the Derzay Subsequent Minor Subdivision located in the Lost Creek Development District.

D. Request to set a Public Hearing Date for Development District Map Amendment. The subject property is located on either side of Landfill Road, north of MT Hwy 1. (Excluding the Superfund Building – Lot 6 to be a Light Industrial Development District) (Suggested date of July 19, 2022)

At this time the Commission could take action to approve a Public Hearing Date of July 19, 2022, for the Development District Map Amendment. The subject property is located on either side of Landfill Road, north of MT Hwy 1. (Excluding the Superfund Building – Lot 6 to be a Light Industrial Development District)

E. Request to set a Public Hearing Date for Development District Map Amendment. (Currently designated as Railroad Transitional Development District to amend the development district map for this area to Highway Commercial Development District (HCDD). (Suggested date of July 19, 2022)

At this time the Commission could take action to approve a Public Hearing Date of July 19, 2022 for Development District Map Amendment. (Currently designated as Railroad Transitional Development District to amend the development district map for this area to Highway Commercial Development District (HCDD).

F. Request to set a Public Hearing Date for BrightNight to construct a solar energy project on Atlantic Richfield Company property within the Opportunity Ponds. (Suggested date of July 19, 2022)

At this time the Commission could take action to approve a Public Hearing Date of July 19, 2022, for BrightNight to construct a solar energy project on Atlantic Richfield Company property within the Opportunity Ponds.

G. Lease with Option to Buy Lot 1B Proposal from Cody Neubauer, Mountain Standard Builders and Eric Tracy (See New Proposal)

At this time the Commission could take action to approve the Proposal for Lease with Option to Buy Lot 1B from Cody Neubauer, Mountain Standard Builders or Cody Neubauer.
H. Lease with Option to Buy Lot 1A Proposal from Nick Kriskovich, Copper City Sheet Metal and Eric Tracy [See New Proposal]

At this time the Commission could take action to approve the Proposal for Lease with Option to Buy Lot 1A from Nick Kriskovich, Copper City Sheet Metal or Cody Neubauer.

I. Proclamation Designating July 24, 2022, as Mickie Nazer Recognition Day.

At this time the Commission could take action to approve the Proclamation Designating July 24, 2022, as Mickie Nazer Recognition Day.

J. Request for Reappointment to the DUI Task Force Board by Debbie Robinson.

At this time the Commission could take action to appoint/reappoint a member to the DUI Task Force Board.

VII. New Business

A. First Reading and Request for a Public Hearing of Proposed Amendment to Anaconda-Deer Lodge County Ordinance #258 (A) Fireworks Ordinance: Article IV, Sec. 10-84

At this time the Commission could take action to set a Public Hearing Date for Proposed Amendment to Ordinance #258 (A) Fireworks Ordinance (Suggested Date of August 2, 2022)

B. Proposed Sale of the Greenway Service District’s 1/3 Interest in the Amelie Lode to Tom Mantha – Mike Huotte

At this time the Commission could approve the Sale of the Greenway Service District’s 1/3 Interest in the Amelie Lode to Tom Mantha

VIII. Miscellaneous

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

IX. 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.

X. Public Meeting Dates

XI. Adjournment
Anaconda-Deer Lodge County Public Meetings
Board Vacancies can be viewed on the A-DLC website: [https://adlc.us](https://adlc.us)

July 4, 2022 – HOLIDAY   - Courthouse Closed

July 5, 2022 - 6 p.m. Commission Meeting
Courthouse Courtroom

July 6, 2022 - 7:00 p.m. West Valley Volunteer Fire
West Valley Fire Hall

July 7, 2022 - 10:00 a.m. Historic Resource Board Meeting
Community Service Center, 3rd Floor Conference Room

July 11, 2022 - 4:30 p.m. Hearst Free Library Board of Trustees
Hearst Free Library – 401 Main St

July 11, 2022 – 5:30 p.m. Old Works Golf Course
Clubhouse

July 11, 2022 - 6:00 p.m. Planning Board Meeting
Courthouse Courtroom

July 11, 2022 – 6:00 p.m. Park and Recreation Board
Community Service Center, 3rd Floor Conference Room

July 12, 2022 - 3:00 p.m. TIFID (Mill Creek)
Community Service Center, 3rd Floor Conference

July 12, 2022 - 6 p.m. Commission Work Session Meeting
Courthouse Courtroom Possible location change due to trial

July 13, 2022 – 5:30 p.m. – Economic Development Board
Community Service Center, 3rd Floor

July 14, 2022 - 10:00 a.m. DUI Task Force Meeting
Community Service Center

July 14, 2022 - 4:30 p.m. Greenway Service District Board Meeting
Pioneer Technical – 1101 S. Montana – Butte

July 19, 2022 - 6 p.m. Commission Meeting
Courthouse Courtroom Possible location change due to trial
ANACONDA-DEER LODGE COUNTY
COMMISSION MEETING
6 P.M. TUESDAY, JUNE 21, 2021
HEARST LIBRARY

Present: District 1 Commissioner Terry Vermeire, District 2 Commissioner, Steve Gates District 3 Commissioner Kevin Hart (Vice-Chair), District 4 Commissioner Paul Smith, District 5 Commissioner Mike Huotte, (Chair), CEO Bill Everett, County Attorney Krakowka, and Clerk of Commission Lori Sturm

Excused Absence:

Members of the Press: James Rosien, Anaconda Leader

Members of the Public: Per Sign-In Sheet

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

Approval of Minutes

Approval of Minutes from the Commission meeting of June 7 2022; and the Commission Work Session Meeting of June 14, 2022

Motion made by Commissioner Smith to take action to approve the Minutes from the Commission meeting of June 7, 2022; and the Commission Work Session Meeting of June 14, 2022; Seconded by Commissioner Gates.

Motion Carried 5-0

Approval of Claims

Motion made by Commissioner Hart take action to authorize the payment of claims numbered 139219 through 139408 in the amount of $648,662.58; Seconded by Commissioner Vermeire.

Motion Carried 5-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

- Commissioner Hart – Today I Attended the 4-County Commission Meeting to find a replacement for Mark Sweeney and the June 16 University Board Training at the Metcalf Center.
County Commission Meeting Minutes
June 21, 2022

- **Commissioner Gates** – Attended the 4-County Commission Meeting and on the 16th a Head Start Policy Council meeting via Zoom.
- **Commissioner Smith** – Attended the Opportunity Mosquito Board Meeting on June 15 and today I attended 4 County Commission Meeting via zoom.
- **Commissioner Vermeire** – On the 15th I attended the Opportunity Mosquito Board Meeting and attended the County Board Training at the Metcalf Center and attended the Joint Commission Meeting.
- **Commissioner Huotte** – I also Attended the 4 County Special Commission Meeting via Zoom.
- **CEO Everett** – I was at the meeting this afternoon as well. The weight was carried by our County. All 5 of our County Commissioners were available. We had 60% of the vote. All the Commissioners voted unanimously for Jessica Wicks. Jessica Wicks is a former employee of the County, she is head of our search and rescue in Anaconda and is one of the lead union representatives in Butte. She represents 6 of our county unions and does a good job. Mike Greysen attended the meeting for legal counsel.
  - **Attended the planning board meeting last night.** They do a very professional job. The big concept at the meeting was Brightnite. They voted unanimously to support this. The Golf Course remodel is going well. Hope to have the bar open in the next couple of days. The state department of liquor was contacted to come over for an inspection. The new Parking lot is open with funding from Atlantic Richfield, outside of our CD. An interesting concept is that the parking lot is considered a cap... so we can have them replace that due to environmental erosion. The Murdoch’s store is going fantastic. Other construction projects are the Daly Addition. They are starting to place lights. It is the first-time streetlights will be in that area. The Old Works Subdivision by Goosetown athletic... we broke ground for waterlines. The state of Montana will be doing a chip seal from the Interstate into town.
- **County Attorney Krakowka** – I was in trial for the last 2 days. Now I am preparing for another trial this coming Monday.

PRESENTATION – Board of Adjustments Report

**Donna Kostelecky** – Announced that all seats on the Board of Adjustments are filled. This is the Semi-annual report. Reported on the Applicants and the decision of the Board of Adjustments.

Public Hearing - Ordinance No. 268, An Ordinance Repealing A-DLC Ordinance No. 128, Dissolving Tree Board, and Establishing Planning and Maintenance Requirements for Trees on County Right-Of-Way.

Meeting Started at 6:15 p.m.

**Lydia Janosko** – I am a member of the A-DLC Tree Board. We are a passionate, dedicated group of volunteers. I receive a lot of joy from my participation in this project and believe our work
has been beneficial to Anaconda. If there were issues, they were not brought to our attention to be properly addressed. Since 2012 we have brought in a little over $153,049.00 in grants grant funds and donations. Donations are from BP-Atlantic Richfield, NW Energy, Anaconda Community Foundation, Discover Anaconda, AARP, International Truck Body, Water and Environmental Technology, ADLC, DNRC and numerous individual donations. With those funds we completed a Tree Inventory in 2011, which was updated in 2017, Contracted for a Community Forestry Management Plan in 2012, in 2016 20 trees were donated to Old Works Golf Course, Contracted with a Tree Service in 2014-2018 and again in 2021. Anaconda received National recognition with the Tree City of the Year award in 2018; we worked with the Anaconda Job Corps to create hundreds of tree guards and assisted with the removal of 53 hazardous tree; we brought in 582 trees

- **Bob Androzzi** – I want to mention that I am a professional forester. I worked with the DNRC and with the Headwaters Resource Conservation District. Urban forestry is important in Montana and the United States. Provided information from the late 90’s there was federal monies available for urban forestry. The Headwaters took on projects that benefited 7 counties in SW Montana. Tree Boards were started in communities in SW Montana with the idea of planting trees. Trees provide air, shade, reduce temperature, beautification of places. A needs assessment for Anaconda was to beautify Commercial and Park Street. I started Tree Boards in 10 communities in SW Montana. When started I worked with Mary Lou McPhail, Milo Manning, Jim Davison and the County Extension Agent, the statewide Urban Forester. At that time, we wrote Ordinance No. 128 and presented it to the Commissioners. Lydia has expertise in planning, organizing, making sure we do what we said we were going to do. When my term came up, I sent in my letter to be reappointed. . . . I received a rejection notice where I found out about an ordinance written to replace the original ordinance. Believes there should be a process of evaluation for the Board. I see where all the boards are missing members, it is a volunteer situation. Volunteers are sometimes difficult to find. Not all boards are staffed fully. The tree board even when not fully staffed we accomplished what we set out to do. I was shocked when I found out that possibly one of the issues was, we did not have a quorum and were missing members. We never had contact that maybe something was wrong. It sounds like the same thing happens at the Park and Recreation Board. I have talked with Mr. Ungaretti, and he was surprised at being given the responsibilities of taking care of the trees in Anaconda. There is maintenance, replanting, etc. We would like to reorganize if that is a possibility. We have experience for almost 25-30 years. We have accomplished a lot. Our biggest goals were downtown and the East End. Sean Steinebach wrote a new Ordinance for the Commission to review 3 – 5 years ago. That is far as it got.

- **Sean Steinebach** – I was a forester with the DNRC for the past 13 years, I am now a Forester in Powell County. The town looks fantastic. If we are tracking with Butte, remember that Butte has a full-time urban forester to the tune of about $50,000.00 plus a couple of seasonal technicians to do pruning, removal, and maintenance. If this goes with the Park’s Department and there is no Tree Board, there will be no DNRC funding,
federal/state funding goes away. There must be a Tree Board. It will hit you in the pocketbook. You have trees that will need maintenance, pruning, removal, and planting.

Public Hearing Closed 6:28 p.m.

UNFINISHED BUSINESS

Ordinance No. 268, An Ordinance Repealing A-DLC Ordinance No. 128, Dissolving Tree Board, and Establishing Planning and Maintenance Requirements for Trees on County Right-Of-Way.

Commissioner Hart – No one is taking away from the Tree Board the things they have done in the community. Pointed out the issues of not meeting quorums and the numerous meetings without certain members attending. At the board training we learned they need to hear, discuss, or take action on items there has to be a quorum. Some of the boards have issues where they have separately appointed other committees within the board; and that can’t take place. All committee members, board members must be appointed by the Commission. Commissioner Huotte had been planning to contact Lydia to have a meeting. There are things in the existing ordinance that probably need to be removed but nothing that would change the organization of the tree board.

- CEO Everett – I would like to add the concept the operations of maintaining and planting the trees is not something the Park’s Department wants to administer. We do not have the expertise; a lot of your statements are correct. If we didn’t have the volunteers, it wouldn’t have flourished as it is. Not sure what the answer is . . . I see both sides of the issues.
- County Attorney Krakowka – I find it appealing what the tree board has accomplished with finding funds. It takes time to pursue those grants and get those things done. There are some significant funds that the Tree Board has brought to help with maintenance and planting. There is the issue asking if County can do this absent a Tree Board. I would like to see if there is a possibility to get the Tree Board Reorganized.
- Rose Nyman – Believes the Commission has 3 choices:
  1. Continue as is. The Board is dysfunctional because the Ordinance is dysfunctional. It gives too much power to 5 people.
  2. Abolish Ordinance #128 and make the board advisory.
  3. Continue with what you have in front of you.
- We have had 3 board trainings since 2016. We have learned about open meeting laws, the administrative code that supports our charter, and transparency. These are important. The Tree Board has worked hard. They do what they can. If one Board has to follow the rules, then all do.
- Ray Lappin – Worked with committee doing the planting, pruning, and watering. We have done a lot for this community. Believes the Board has done a good job. I support the Tree Board and believes it should continue maybe with some revisions.
- CEO Everett – Maybe this might work that the Tree Committee that we have in place . . . have an advisory on an annual basis. Once a year present to the Commission or the
Executive Branch plans for the year. That would provide some insight to the Commissioners. None of our other boards have authority, they are suggestive.

- **Commissioner Vermeire** – Are there 2 different boards, the Tree Board and Tree Committee?
- **Mr. Lappin** – Explained I am not on the Tree Board, I just do the grunt work
- **Lydia Janosko** – There is Tree Committee that meets with us. That is how we get the work done.
- **CEO Everett** – Is the Tree Committee selected by Commission? What about being advisory? The Park Board is advisory, on an annual basis they report to us.
- **Lydia Janosko** – The Tree Board is Commission appointed. The Committee is open to all volunteers that express an interest in our trees. They are invited to our meetings. That is how we get the work done, if was left to 5 of us we couldn’t do this. As far as transparency my financial records are in order and available for review.
- **Sean Steinebach** – Spoke about being an advisory board. In Urban Forestry as far as the DNRC is concerned you have to have a Tree Board. Feels it could be costly. Also believes there is a way for a better option than dissolving this.
- **Judy Little** – Clarified that there is a street tree committee, but they are not the Tree Board. Two separate entities that help. They are not making decisions but help with the work. Offered the suggestion in looking at the other boards . . . many of the others have a Commissioner on their Board. We would love to have a Commissioner on the Board.
- **CEO Everett** – I like the idea of a Commissioner on the board.

Motion made by Commissioner Hart to TABLE Ordinance No. 268, until it can be further discussed; Seconded by Commissioner Vermeire.

Motion to TABLE Carried 5-0

**Contract with Ann Morani as A-DLC Part-Time Superintendent of Schools (July 1, 2022 – June 30, 2026)**

Motion made by Commissioner Smith to take action to approve the Contract with Ann Morani as A-DLC Part-Time Superintendent of Schools (July 1, 2022 – June 30, 2026); Seconded by Commissioner Gates.

Motion Carried 5-0

**Anaconda Fire Department Ambulance Subscription Program.**

**Erick Brittain, Fire Chief** – These programs have been around awhile, you have seen a similar one in LifeFlight. It has had positive successes. For those who are insured, Medicare, Medicaid, or private insurance the ambulance company would bill their insurance. If for some reason the constituent was left with a bill and are a member of the program, we would write off the
remaining portion of the bill. For $105 there is a company that will administer the program for us. We will gain traction through mailers as well as social media. It is a win for our constituency, but it places much needed dollars in capital improvements funds.

- **CEO Everett** – I support our Fire Chief 100 percent. Any way to raise additional funds for the Fire Department. Not sure what the sales membership will be.
- **County Attorney Krakowka** – Encouraged to see the ideas of the new fire chief. This looks like a good one.
- **Commissioner Hart** – How are the funds that would be collected be handled. Are these going into Capital Improvement Fund or General Fund Dollars?
- **Erick Brittain** – It would go directly into the Capital Improvement Fund. This would be administered through our billing company. Our ambulances have over 100,000 miles so we need to increase the capital to put together a replacement program for some of the equipment.

Motion made by Commissioner Gates to take action to approve the Anaconda Fire Department Ambulance Subscription Program; Seconded by Commissioner Vermeire.

Motion Carried 5-0

**Task Order Amendment Number Two – Task Order for Healthy Montana Families – Task Order Number 22-25-5-41-160-0**

Motion made by Commissioner Hart to take action to approve Task Order Amendment Number Two – Task Order for Healthy Montana Families – Task Order Number 22-25-5-41-160-0; Seconded by Commissioner Gates.

Motion Carried 5-0

**Task Order Amendment Number Two – Task Order for FPP Extension – Task Order Number 21-25-5-11-052-0**

Motion made by Commissioner Vermeire to take action to approve Task Order Amendment Number Two – Task Order for FPP Extension – Task Order Number 21-25-5-11-052-0; Seconded by Commissioner Smith.

Motion Carried 5-0

**Task Order Number 23-07-1-01-154-0 - To the Master Contract Effective July 1, 2019, to June 30, 2026, between the State of Montana, Department of Public Health and Human Services and Anaconda-Deer Lodge County (Community Health Assessment and Community Improvement Plan)**
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Motion made by Commissioner Smith to take action to approve Task Order Number 23-07-1-01-154-0 - To the Master Contract Effective July 1, 2019, to June 30, 2026, between the State of Montana, Department of Public Health and Human Services and Anaconda-Deer Lodge County (Community Health Assessment and Community Improvement Plan); Seconded by Commissioner Hart.

Motion Carried 5-0

Task Order Number 23-07-4-31-112-0 – To the Master Contract Effective July 1, 2019, to June 30, 2026, between the State of Montana, Department of Public Health and Human Services and Deer Lodge County (Immunization Program)

Motion made by Commissioner Gates to take action to approve Task Order Number 23-07-4-31-112-0 – To the Master Contract Effective July 1, 2019, to June 30, 2026, between the State of Montana, Department of Public Health and Human Services and Deer Lodge County (Immunization Program); Seconded by Commissioner Hart.

Motion Carried 5-0

Pioneer Technical Services, Inc. – Modification No. 1 to Professional Service Agreement 20-049

Motion made by Commissioner Smith to take action to approve Pioneer Technical Services, Inc. – Modification No. 1 to Professional Service Agreement 20-049; Seconded by Commissioner Hart.

Motion Carried 5-0

Request for Reappointment to the Urban Renewal Agency Board by Dawn Dee.

Motion made by Commissioner Hart to take action to reappoint Dawn Dee to the Urban Renewal Agency; Seconded by Commissioner Gates.

Motion Carried 5-0

Resignation from the Tax Appeal Board by Dustin McKenney.

Motion made by Commissioner Gates to take action to approve the Resignation of Dustin McKenney from the Tax Appeal Board; Seconded by Commissioner Vermeire.

Motion Carried 5-0
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Special Event Permit – SW Montana Prevention – Movie on the Court House Lawn (Pending Certificate of Insurance)

Motion made by Commissioner Vermeire to take action to approve the Special Event Permit – SW Montana Prevention – Movie on the Court House Lawn (Pending Certificate of Insurance); Seconded by Commissioner Gates.

Motion Carried 5-0

Special Event Permit - Goosetown Softball Tournament at Yeoman Complex, Washoe Park Field and Benny Goodman Field on July 8th, 9th, 10th, 2022.

Commissioner Hart – Reiterate that for these Softball Tournaments that barricades be placed around Rotary Park. There are sprinkler heads, and it is not a parking lot.

Motion made by Commissioner Gates to take action to approve the Special Event Permit - Goosetown Softball Tournament at Yeoman Complex, Washoe Park Field and Benny Goodman Field on July 8th, 9th, 10th, 2022; Seconded by Commissioner Hart.

Motion Carried

Special Event Permit – Girl’s Youth Softball Tournament at Yeoman Complex July 15, 16, and 17, 2022

Motion made by Commissioner Smith to take action to approve the Special Event Permit – Girl’s Youth Softball Tournament at Yeoman Complex July 15, 16, and 17, 2022; Seconded by Commissioner Vermeire.

Motion Carried 5-0

Special Event Permit – Archie Dulaney Horseshoe at Washoe Park Horseshoe Pits on July 16th and 17th, 2022.

Motion made by Commissioner Gates to take action to approve the Special Event Permit – Archie Dulaney Horseshoe at Washoe Park Horseshoe Pits on July 16th and 17th, 2022; Seconded by Commissioner Vermeire.

Motion Carried 5-0
County Commission Meeting Minutes
June 21, 2022

Special Event Permit – Dead Ringer Horseshoe Tournament at Washoe Park Horseshoe Pits, August 20th and 21st, 2022.

Motion made by Commissioner Vermeire to take action to approve the Special Event Permit – Dead Ringer Horseshoe Tournament at Washoe Park Horseshoe Pits, August 20th and 21st, 2022; Seconded by Commissioner Smith.

Motion Carried 5-0

Special Event Permit – USA State Coed Softball Tournament at Charlotte Yeoman Complex – August 20th and 21st, 2022

Motion made by Commissioner Gates to take action to approve the Special Event Permit – USA State Coed Softball Tournament at Charlotte Yeoman Complex – August 20th and 21st, 2022; Seconded by Commissioner Hart.

Motion Carried 5-0

Action Inc. 2022-2023 Community Services Block Grant Work Plan.

Motion made by Commissioner Hart to take action to approve Action Inc. 2022-2023 Community Services Block Grant Work Plan; Seconded by Commissioner Vermeire.

Motion Carried 5-0

NEW BUSINESS

Canvassing of 2022 Primary Election

Toni Hofland, Election Administrator - The Commission has copies of the canvas. Asked if the Commission had any questions?

County Attorney Krakowka – Asked if things went relatively Smoothly?
Toni Hofland – Had a great staff, thanked department heads for loaning out staff. The Community Election did a great job.
  - Rose Nyman – Thanked Toni and her staff. It seemed like there was a poor turnout. Would there be any way to consolidate precincts or vote absentee?

Motion made by Commissioner Hart to take action to approve Canvassing of 2022 Primary Election; Seconded by Commissioner Vermeire.

Motion Carried 5-0
County Commission Meeting Minutes
June 21, 2022

Anaconda-Deer Lodge County 2022-2023 DUI Task Force Plan (July 1, 2022 – June 30, 2023)

County Attorney Krakowka – We are on the verge of submitting this late. It is a plan that is necessary so that we can continue having a DUI Task Force and participate with the state to receive money as a result of having a DUI Task Force per state statute. Every DUI where there is a conviction, there is a $200 surcharge associated with the driver getting their license back. $100 goes to the state of Montana and $100 is returned to the county to the DUI Task Force. The DUI Task force then utilizes that money to engage in local efforts to prevent driving under the influence. Asked the Commission to approve.

Motion made by Commissioner Vermeire to take action to approve the Anaconda-Deer Lodge County 2022-2023 DUI Task Force Plan (July 1, 2022 – June 30, 2023); Seconded by Commissioner Gates.

Motion Carried 5-0

Amendment #1 to the Statement of Work Montana Land Information Act FY 2022 Grant MLI_A_2022_07: Anaconda Deer Lodge GIS Reform an Agreement Between: Anaconda-Deer Lodge County and the Montana State Library.

Carl Hamming – This is a grant we received from the State Library last year. Water, Environmental Technologies (WET) has been doing a tremendous amount of work for us. We accomplished more work than we anticipated and had some budget remaining, so we have added some additional work to this grant and need to extend this into the next fiscal year and utilize the funds from the State Library.

Motion made by Commissioner Smith to take action to approve Amendment #1 to the Statement of Work Montana Land Information Act FY 2022 Grant MLI_A_2022_07: Anaconda Deer Lodge GIS Reform an Agreement Between: Anaconda-Deer Lodge County and the Montana State Library; Seconded by Commissioner Hart.

Motion Carried 5-0

MISCELLANEOUS

- Commissioner Hart – No Miscellaneous.
- Commissioner Gates - No Miscellaneous.
- Commissioner Smith – No Miscellaneous.
- Commissioner Vermeire – No Miscellaneous.
- Commissioner Huotte – No Miscellaneous.
- County Attorney – No Miscellaneous.
PUBLIC COMMENT

Rose Nyman — Talked about the Volunteer Boards. We have a lot of hard-working board members who attend the meetings, are prepared, and do their best to make a decision. Talked about the Planning Board and dealing with a Public Hearings. There was good participation. It lasted about 2 hours. This afternoon I attended a URA Board meeting. There were many applications from 6 to 50 pages. The applications were scored to be fair to every applicant. If I attend a board meeting, I don’t get up and walk out when out when what I am interested in is over. Members that work hard are the ones that should be reappointed. I don’t think people should apply for a board position if they don’t have the time for preparation, attending the meetings and follow up. Most of our boards are Advisory Boards. I believe TIFID 2 is an authority Board. Believes the Planning Board is one of the most important in the County and we are only an advisory board. When I vote and approve minutes or taking minutes, I ask myself... Could I defend myself in a court of law? The minutes are so important to be accurate. My point is... if you do not value your hard-working Board members whoever they are... then why do this. I don’t think Commissioners, employees, and elected officials have the time to put into some of the things the boards do.

ADLC Meeting Dates and Times

Commissioner Huotte - read the meeting dates and times.

ADJOURNMENT

Meeting Adjourned at 7:13 p.m.

Lori Sturm
Clerk of Commission

Mike Huotte
Commission Chair
County Commission  WS Meeting Minutes
June 28, 2022

ANACONDA-DEER LODGE COUNTY
COMMISSION WORK SESSION MEETING
6:00 P.M. TUESDAY, JUNE 28, 2022
HEARST LIBRARY

Present: District 1 Commissioner Terry Vermeire, District 2 Commissioner Steve Gates, District 3 Commissioner Kevin Hart (Vice-Chair), District 4 Commissioner Paul Smith, District 5 Commissioner Mike Huotte, CEO Bill Everett, and County Attorney Krakowka and Clerk of Commission Lori Sturm

Members of the Press: Patrick Williams, Anaconda Leader

Presentation — Bureau of Land Management (BLM) and Rocky Mountain Elk Foundation (RMEF) project in Deer Lodge County.

Lindsey Babcock, Butte Field Manager — I am here tonight to talk about the Seymour Creek Acquisition. We are partnering with the Reinhardt Family and Rocky Mountain Elk Foundation to purchase the Reinhardt Family ranch, which is about 3,600 acres. The majority of this is in Deer Lodge County. This acquisition will secure public access to 3,600 acres along the Big Hole River, adjacent to existing BLM (the Mount Haggin Wildlife Management area). This is a national priority for BLM and for RMEF. This is ranked second in the nation for next year’s LWCF (Land Water Conservation Funding) projects. Starting tribal consultation this week and hoping to start public scoping in July. BLM will move forward with our internal environmental assessment process.

- Mike Mueller, RMEF Program Manager — Thank you for letting us talk to you about this project. We have been in front of you over the years for a few projects. There is so much activity because there are great public lands. I want to recognize the Reinhardt Family. The Reinhardts have agreed to a purchase option for the appraised value, and we are locked in. Now the process starts with public scoping, meeting with you to bring you up to speed on the project, and getting funding gathered etc. Most of the funding will come from Mine Water and Conservation funds. Those are congressional approved federal funds from offshore oil and gas lease revenues. We do a lot of projects that are surrounded by other public lands. The location is next to Mount Haggin Wildlife management area, Deer Lodge National Forest, BLM lands, and even DNRC lands. Highlights would be: Opening the Ranch and having access to surrounding public lands. Seymour creek is a cold-water supply to the Big Hole River and the fisheries habitat is very valuable. The land is in great condition. This will provide improvement to public access and recreational opportunities. That will be a benefit to tourism opportunities. We hope to have broad public support.

- County Attorney Krakowka — I have heard about this project at the Sportsmen’s meeting. This will be an excellent enhancement to access our natural resources.

- Commissioner Smith — I am familiar with this property, and I support this 100%.

- Commissioner Vermeire — Are you seeking a letter of support for this project?
County Commission  WS Meeting Minutes
June 28, 2022

- **Mike Mueller** – Yes, I forgot to ask for that. We want to make sure you know what is going on with the project and that you are updated. If the leadership would write a letter of support, it makes the project stronger and will speak volumes.

  Place on Agenda for next week for a letter of Support.

**Resolution No. 22-12, A Resolution Increasing Rates for Basic Life Support, Emergency and Non-Emergency, and the “Per Loaded Mile” charge and creating a fee for Advance Life Support and Ambulance Request/Non-Transport for the Anaconda-Deer Lodge County Ambulance Service.**

**Erick Brittain, Fire Chief** – I did a state-wide rate study and found that the ambulance rates are one of the lowest in the state. I don’t think they have been touched since 2007. It would be wise to have the ambulance to be more sustainable. We are not looking to gouge anyone, but to bring the rates to modern times. We are proposing increases from middle to middle-low of the rest of the state. This sets us up for service for ALS (Advanced Life Support) and paramedic services.

- **CEO Everett** – Financially the ambulance and fire service for the community is under suppression. We are losing monies and we need to make some changes. Our rates are not in line with the rest of the state. We also have issues with providing service to areas that are not contributing to the financial cost. We will have to do some changes with that as well. The chief has done a great job of breaking down the costs and values of our ambulance service. There will be a lot of changes coming forth. The next one you will see is the Fire District boundaries. We must get that done quickly so that it will be on the next tax bill. It may be controversial. If they are using the service, they must pay for it as well.

- **County Attorney Krakowka** – Working on this even today.

- **Commissioner Hart** – Would it be possible to see the what the existing rates are and some of the places you have looked at for comparison Rates?

- **Erick Brittain** – “Yes”

  Place on Agenda

**Request to set a Public Hearing Date for Final Plat of the Derzay Subsequent Minor Subdivision located in the Lost Creek Development District. (Suggested date of July 19, 2022)**

**Carl Hamming, Planning Director** – This recommendation is stemming from the March Planning Board meeting. Mr. Derzay presented the subdivision and the board recommended approval of his subsequent minor subdivision. There is no further development. This is splitting 2 existing structures with new property lines so that each structure will have its own parcel. There were 3 conditions recommended with the approval from the planning board and since
that time Mr. Derzay has satisfied all 3 conditions. It is the Planning Department’s view that Mr. Derzay should be recommended for approval for final plat.

Place on Agenda

Request to set a Public Hearing Date for Development District Map Amendment. The subject property is located on either side of Landfill Road, north of MT Hwy 1. (Excluding the Superfund Building – Lot 6 to be a Light Industrial Development District) (Suggested date of July 19, 2022)

Carl Hamming, Planning Director – This is from the June 20th Planning Board meeting. This one is for the zoning around the Arbiter Plant Subdivision that the county is currently pursuing. We recently have gone out for Request for Development Proposal for several different lots. Since we are turning this over to private businesses for further business development it is time to update the boundaries. This is just cleaning up the zoning. Half of that is already Light Industrial and so this will match the zoning.

Place on Agenda for a Public Hearing Date of July 19, 2022

Request to set a Public Hearing Date for Development District Map Amendment. (Currently designated as Railroad Transitional Development District to amend the development district map for this area to Highway Commercial Development District (HCDD). (Suggested date of July 19, 2022)

Carl Hamming, Planning Director – This is also from the June 20th Planning Board at which the Planning Board recommended updating the zoning to match the East Yards Frontage Minor Subdivision (where the Forge Hotel exists). That is Highway Commercial Development District.

Place on Agenda

Request to set a Public Hearing Date for BrightNight to construct a solar energy project on Atlantic Richfield Company property within the Opportunity Ponds. (Suggested date of July 19, 2022)

Carl Hamming, Planning Director – The Planning Board entertained a very thorough presentation by the BrightNight team. Atlantic Richfield was also in attendance and support of the project. There was a healthy discussion at the meeting. The Planning Board recommended approval and thought it was a great project overall. Everyone realizes that there is still a lot more work to do and that this is just step 1 of all the permitting that BrightNight will need to undertake. It would be a potential great benefit to the county.

Place on Agenda
Proposals - Lease with Option to Buy Lots 1A and Lot 1B (land located along Arbiter Plant Road)
  - Lot 1B - Proposal from Cody Neubauer, Mountain Standard Builders
  - Lot 1A - Nick Kriskovich, Copper City Sheet Metal

Carl Hamming, Planning Director – We recently went out for development proposals for the revised Lot 1. Originally this was twice the size, but after Mr. Salle terminated his land lease and we decided to shrink the acreage and split the lot into 2. We would like 2 productive businesses on the land. There was interest from both businesses who do have existing leases. They fully understand that if granted the new land, they would terminate the existing land lease and it would go back to the county and would go out for development proposal again. The 2 businesses have been in communication so they could coordinate potential approaches together and maybe some development of the site. Recommending award to each of the individuals.

Place on Agenda

Proclamation Designating July 24, 2022, as Mickie Nazer Recognition Day.

Commissioner Gates – Mickie has worked at establishing the Veteran’s Memorial at Kennedy Common. Mickie Nazer is a household name. The least our community could do is give recognition to coincide with the dedication of the Memorial.
  - CEO Everett – Mickie Nazer is a phenomenal human being. He does so much for this county, and he does most things under the radar to avoid recognition. Most people in the county consider him a friend. He does amazing things for our police department and county vehicles. The Memorial at the Commons is a beautiful concept. In full support of this idea.
  - County Attorney Krakowka – I think it is a good idea. He is excellent to work with from my perspective as county attorney. His contributions to the community especially with his latest project has been positive and the energy he threw himself into the project was impressive. It is appreciated by the community.
  - Commissioner Vermeire – Well deserving of the public recognition.

Place on Agenda

Request for Reappointment to the DUI Task Force Board by Debbie Robinson

Place on Agenda

Miscellaneous -

Commissioner Kevin Hart: No Miscellaneous.
Commissioner Steve Gates: No Miscellaneous.
Commissioner Paul Smith: No Miscellaneous.
Commissioner Terry Vermeire: No Miscellaneous.
Commissioner Mike Huotte: No Miscellaneous
CEO Everett – I met with the New Region 3 Administrator Casey Beck but did not get into the issues of the superfund. There was also an exit audit interview with our CPA firm. John Sholey and Erick Holand are doing a fantastic job. The compliments were nice to hear. I think we only had 1 write-up which was a lack of separation of duties. Example we have one individual whose task is to get and open the mail then make a deposit. We are not big enough to have separation of duties. Before we used to be tough on cash and our expenses were out of control, revenues were under projection, expenses were over projection. Now the revenue is blown away, expenses were kept in line, surplus cash reserves were put in capital expenditures (road and building improvements). The county is in fantastic shape, we pretty much are debt free. Proud of our teams.

- Murdoch’s – We have 4-foot sidewalls put on today . . . the building is starting to take place.
- CEO Everett - Fireworks – Not a fun topic but is something we must deal with. The County Attorney, Commissioners, Code Enforcement, Police Department, and Parks and Recreation are getting phone calls. Our community is not in support of the fireworks as they were at one time. The concept of celebrating June 26, 27, 28, 29, 30th – July 4th is ridiculous. People are not getting sleep. We have to shorten this. Fireworks do not need to be lit for 2 weeks. The Parks Department is cleaning up from the night before. The streets are littered. Butte shortened their time a bit. Ninety percent of the community wants the time shortened. We love the 4th of July, but don’t understand celebrating starting June 24th. The time to deal with this is now. My proposal would be July 1-5 to buy and sell. Put my name on it as the guy who wants to shorten the firework season.
- County Attorney Krakowka – I agree with the CEO. Previously this was brought forward from a veteran and veterans who suffer from PTSD. The goal at the time was to shorten the time, but now we have medium level fireworks going on continuously for 2 weeks.
- Commissioner Hart – A few years ago when it was changed . . . It was July 1st to the 4th or 5th . . . reason for expanding was that Butte was selling theirs earlier and people would buy in Butte and light off in Anaconda. Now Butte has shortened their days. The questions is “Do you want to go back to the way it was and being in the same situation?
- CEO Everett – We have people who are going insane. The police department can’t do anything. Put it July 1 through July 5 then the cops can give a ticket for lighting fireworks. We don’t want to give tickets, but they could do something . . . where right now they can’t. Four to five days would be plenty. I don’t care what Butte does. Butte is trying to follow what we are doing; we are the ones leading the charge. What if you live in Missoula, next to the reservation where there is no time limit of sales. They sell daily on the reservation. Should Missoula say we should not have an ordinance because of what the reservation does. I disagree with the concept. We need a tool. We have dogs going crazy, adults going crazy and people who work going crazy. Would like to put out this to the community to discuss. Confident that 90% of the Community would want this.
County Commission  WS Meeting Minutes
June 28, 2022

- **Carl Hamming** – I had a conversation with Code Enforcement, and he was adamant that if we are looking at shortening it, he would like to strike July 5th as a possibility for sales. He thinks we are here to celebrate July 4th, enjoy and have fun. Would like the stands pack up on the 5th and not offer clearance sales, loading up on supplies to continue with fireworks. It also increases the worry of fire danger. He would like to see July 4th at midnight be the end of sales.
- **CEO Everett** - That is a good point.

PUBLIC COMMENT

Rose Nyman – One problem is that fireworks are much more powerful than they were years ago. It can sound like a war zone. The CEO mentioned animals, but there are lots of babies that suffer from this and then there are our veterans.

- I would also like to talk about 1972 to 2022 that signifies Montana’s constitution. I enjoyed the photos on the internet, and stories of people who served on the constitutional convention. Pleased to see Jeff Dahood wearing a pinstripe suit to honor his dad. All the articles written about Mr. Dahood mentioned his advocacy of people’s rights. Article 2, section 89 - The Public right to participate and public right to comment. Fortunate to have our County Attorney being so dedicated attending Commission meetings. One of the reason’s the county attorney should attend is to keep the county from getting sued. To stop something that would be inappropriate before it gets out of hand. Concerned about the Tree Board not meeting since September 21, 2021, yet we have all this activity going on outside of the public eye. There is nothing in the minutes about trees being removed from Durston Park. We can read in the minutes that “Wayne” and I assume that is Wayne Wendt is going to grind down the stumps. In the minutes they say they would plant 4 to 5 appropriate trees. I sent you all a description of the 3 trees that were planted. I am sure they will be beautiful, but they are too big for a park that size. No one in this community had an opportunity to hear the reason why the trees were taken out. No one had an opportunity to comment on the replacements. This could be a civil suit. What is anyone going to do about it? I started talking about this in November. The Community didn’t have the opportunity to speak about the trees. Businesses were told it doesn’t matter if you want the tree or not . . . you are getting it. This is a dysfunctional board and 90% of the reason for dysfunction is because of the ordinance. It isn’t working. I am asking you to pay attention to this so that the public can participate and comment. I did hear from Dan Lucas from MSU about tree species and shrubs. The County Extension office should have the information by Friday. If you can read, you can choose an appropriate tree. You can see where homeowners have planted too close to structures, or too large of a tree for the property. I don’t care if you brought in zillions in grants; that doesn’t help if we are denied our right. Believes every board tends to do that occasionally. There needs to be an ordinance that requires them to meet for “X” amount and requires them to report to the Commission and requires approval for projects. I am frustrated
and want people to choose reasonable trees. On the record I am requesting that those 3 trees at Durston Park be moved to the West Valley Park or Washoe Park.

Meeting Dates

Commissioner Huotte - Read the meeting date and times.

Adjournment

Meeting Adjourned at 6:49 p.m.

Lori Sturm
Clerk of Commission

Mike Huotte
Commission Chair
# Planning Board

**Sec. 2-190, 2-191 and Sec. 24-36**

## Members (9)
- Chair Rose Nyman
- Vice-Chair John Lombardi
- Frank Fitzpatrick
- Christine Klanecky
- Dan Reardon
- Colleen Riley
- Annette Smith
- Art Villasenor
- Bob Wren

## Result Table

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## Meetings (3)

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<td>Public Hearing, Preliminary Plat</td>
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<td>Medium Density Residential</td>
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<td>Vice-Chair John Lombardi</td>
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<td>Public Hearing, Preliminary Plat</td>
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<td>Recommendation of approval with conditions</td>
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<td>Public Hearing, Preliminary Plat</td>
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<td>Recommendation of approval with conditions</td>
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<tr>
<td></td>
<td>Public Hearing, for dispensary business license pursuant to Ordinance 265</td>
<td>Major Subdivision, 34-lot residential</td>
<td>Medium Density Residential</td>
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<td>Recommendation of approval with conditions</td>
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<td>Subdivision Preapplication Meeting</td>
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<td>Discussion</td>
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<td>Subdivision Preapplication Meeting</td>
<td>Major Subdivision, 34-lot residential</td>
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<td>03/21</td>
<td>Public Hearing, Preliminary Plat</td>
<td>John Derzay</td>
<td>Subsequent Minor, 2-lot subdivision to support 2 existing homes</td>
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<td>Galle II Minor/Lost Creek Development District</td>
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<td>Public Hearing, Preliminary Plat</td>
<td>John Fitzpatrick on behalf of Southern Cross, LLC</td>
<td>Major Subdivision, 23-lot planned unit development</td>
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<td>Tabled prior to conducting public hearing as applicant was unable to finalize a lease with Town Pump to establish business on their property</td>
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<td>Public Hearing, Preliminary Plat</td>
<td>John Fitzpatrick on behalf of Southern Cross, LLC</td>
<td>Major Subdivision, 23-lot planned unit development</td>
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<td>Recommendation of approval with conditions</td>
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Planning Board Semiannual Report 2022
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<tr>
<th>Date</th>
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<th>Description</th>
<th>Subdivision/DD</th>
<th>Result</th>
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<td>03/21</td>
<td>Public Hearing, for dispensary business license pursuant to Ordinance 265(A)</td>
<td>The Higher Standard LLC</td>
<td>Build &amp; operate a marijuana dispensary</td>
<td>Roundhouse/Highway</td>
<td>Tabled after public hearing</td>
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<td>Public Hearing, MDP</td>
<td>Overbluff LLC</td>
<td>Develop 16-condos in the Alpine Apartment</td>
<td>Central Business</td>
<td>Recommendation of approval with conditions</td>
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<td>Discussion</td>
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<td>Report of public outreach meetings and proposed DPS changes</td>
<td></td>
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<td>06/20</td>
<td>Public Hearing, MDP</td>
<td>BrightNight, agent of Atlantic Richfield</td>
<td>Construct a 1,500-acre solar array farm</td>
<td>East Valley</td>
<td>Recommendation of approval with conditions</td>
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<tr>
<td></td>
<td>Public Hearing, DD Map Amendment</td>
<td>Anaconda-Deer Lodge County (ADLC)</td>
<td>Request to change subdivision from RRTD to Highway Commercial</td>
<td>East Yards Major/ Railroad Transitional</td>
<td>Recommendation of approval with conditions</td>
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<td>Public Hearing, DD Map Amendment</td>
<td>ADLC</td>
<td>Request to change eastern area of subdivision from P/SP to Light Industrial</td>
<td>Arbiter Plant area/ Public/Semi-Public</td>
<td>Recommendation of approval with conditions</td>
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<td>Subdivision Preapplication Meeting</td>
<td>James Anderson</td>
<td>Subsequent Minor, 2-lot subdivision</td>
<td>West Valley</td>
<td>Discussion</td>
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Agendas and Minutes available at [https://adlc.us/AgendaCenter/Planning-Board-16](https://adlc.us/AgendaCenter/Planning-Board-16)
Letter of support

From: Anaconda-Deer Lodge County Commission
For: Support for the acquisition of the
Reinhart Ranch (aka Seymour Creek parcel)

On June 28, 2022, Lindsey Babcock, Butte Field Manager for the Bureau of Land Management and Mike Mueller with the Rocky Mountain Elk Foundation, came before the Anaconda-Deer Lodge County (ADLC) Commission to educate and provide public awareness on the proposed acquisition of a 3,600-acre parcel of land. The proposed purchase of the Reinhart Family property is directly adjacent to the Mt. Haggin WMA. 422 acres of this acquisition is situated in Beaverhead County and 3,178 acres are in Anaconda-Deer Lodge County. The number of high-quality supporting organizations lend credibility to the necessity of this importance for this acquisition.

This letter is to offer the unqualified support from the Anaconda-Deer Lodge County Commission and the Anaconda-Deer Lodge County Executive administration. The benefits of this acquisition are numerous and important to the many species of wildlife. It will provide for the protection of river habitat and provide the public with a pristine open space and access to the public lands, which is particularly important to the quality of life in Montana.

The presentation to the ADLC Commission was very appreciated and was very thorough. Anaconda-Deer Lodge County fully and without reservation support this acquisition. Anaconda-Deer Lodge County offers our sincere appreciation and thanks to the Reinhart family for their willingness to ensure that this property will for generations be open to the public.

By unanimous vote of the Anaconda-Deer Lodge County Commission, along with the support of the ADLC Chief Executive and ADLC County Attorney, we offer this letter of support for the acquisition of parcel of property stated above.

Dated this 5th day of July 2022.

_________________
Mike Huotte, Chairman
ADLC Commission
RESOLUTION NO. 22-12

A Resolution Increasing Rates for Basic Life Support, Emergency and Non-Emergency, and the “Per Loaded Mile” charge and creating a fee for Advance Life Support and Ambulance Request/Non-Transport for the Anaconda-Deer Lodge County Ambulance Service

WHEREAS, Anaconda-Deer Lodge County maintains the Anaconda-Deer Lodge County Ambulance Service for the benefit of all citizens; and

WHEREAS, the Anaconda Fire Department began operation of the Ambulance Service in July of 2007; and

WHEREAS, the current rates established for the A-DLC Ambulance Service have not been adjusted since 2011; and

WHEREAS, the level of care provided by the A-DLC Ambulance Service has increase dramatically.

NOW, THEREFORE, BE IT RESOLVED by the Anaconda-Deer Lodge County Commission the following rates for the Anaconda-Deer Lodge County Ambulance Service:

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<td>Basic Life Support – Non Emergency</td>
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<td>Basic Life Support – Emergency</td>
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<td>Per Loaded Mile Charge</td>
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<td>Ambulance Request/Non Transport</td>
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<td><strong>Other Charges (including but not limited to)</strong></td>
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<tr>
<td>Oxygen – per ½ hour or partial</td>
<td>- $50.00</td>
</tr>
<tr>
<td>I.V. (attempt or establish)</td>
<td>- $60.00</td>
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<tr>
<td>Blood Glucose Test</td>
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<tr>
<td>Defibrillation</td>
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<td>Cardiac Monitoring</td>
<td>- $25.00</td>
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<tr>
<td>Intubation</td>
<td>- $150.00</td>
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<td>C-Spine immobilization</td>
<td>- $100.00</td>
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<tr>
<td>Medications</td>
<td></td>
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<tr>
<td>Glucagon injection</td>
<td>- $250.00</td>
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<tr>
<td>Glucose Gel - $15.00 per administration</td>
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<tr>
<td>Epinephrine auto injection</td>
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<tr>
<td>Albuterol Inhaler</td>
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<tr>
<td>Albuterol Nebulizer</td>
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<tr>
<td>Morphine auto injection</td>
<td>- $200.00</td>
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All other medications will be included with the base rate

Dated this ________ day of July, 2022

__________________________
Michael Huotte, Chairman
Anaconda-Deer Lodge County Commission

ATTEST:

__________________________
Lori Sturm
Clerk of the Commission
Good Morning,

Please see attached ambulance rate comparison commission requested at last nights work session. ADLC is column 1 there are also state wide averages on the right hand side of the spreadsheet.

Let me know if there are any questions.

Thank you

EB

Anaconda Fire Department

Erick Brittian
Fire Chief
420 W. Commercial, Anaconda, MT 59711
Office Phone: 406-563-2164  Cell Phone: 406-490-5791
Email: ebrittian@adlc.us  Website: https://adlc.us/162/Fire-Emergency-Medical-Service
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FIRE/EMS COMBO
EMS ONLY
June 24, 2022

Anaconda-Deer Lodge County
Planning Department
800 Main Street
Anaconda MT 59711

ADLC Board of Commissioners:

I appreciate the opportunity to submit a Development Proposal for Lots 1A and 1B of the Arbiter parcels.

Attached you will find written responses to each of the approval objectives outlined in previous legal advertisements for these lots. A site plan showing a potential layout is also attached.

The site plan that I’m proposing is general in nature and can be configured to work on either or both lots available. I’m willing to work with adjoining parcel owners to maximize the best use of this area. If you’d like to discuss how this can work on one lot, or work in conjunction with other proposals on the other lot, please let me know how we can work together to make this the best use for the Anaconda local businesses.

If there are any questions, or if you need additional information, please feel free to reach out to me.

Sincerely,

[Signature]

Eric Tracy, PE
etracype@gmail.com
Cell Phone: 970-443-3629
Development Objectives

Objective 1: Provide the best use and expedient development of the land

The East Anaconda Reuse Guideline in the ADLC 2019 Growth Policy calls for development such as "business park" featuring both office, industrial and showroom space. The Growth Policy states “These lands should and will play a major role in the community’s attainment of its economic development goals.”

This proposal is to develop in-line with the recommendations set forth in these planning documents. Buildings and site layout is set to allow for light industrial use with fenced storage areas to support the trades and other light industrial uses in the area. Leased space with sufficient storage for those types of uses is difficult to find and will help to promote these types of businesses in the area and provide means for those starting new businesses to get started without having to invest in expensive real estate, or store equipment in areas where it isn’t allowed.

Each building is proposed to have the ability to be divided into a duplex. Garage bays in the front will allow for the industrial uses, and can be converted to showroom style retail front windows for those types of uses. The storage areas proposed for the industrial use is sized appropriately to allow for parking to support the showroom/office use.

The goal is to allow a market-driven development. The way the buildings are built, and the site is laid out, the uses can be easily converted between the light industrial or retail/showroom or office uses. At this point, it appears the light industrial use is most likely. At full-buildout, the site would support 8-10 businesses and support the economic growth of Anaconda and surrounding areas.

Objective 2: Promote increased property values for the adjacent properties and surrounding area

Development of this parcel following the suggestions set forth in the ADLC 2019 Growth Policy will help encourage similar development throughout the Red Sands/Arbiter area and thus increase property values for adjacent properties and surrounding area.

Objective 3: Provide a plan and evidence showing the ability to improve and maintain the property

I'm a licensed professional engineer with 15 years of engineering design and construction management experience and a real estate agent with experience in both residential and commercial properties and leases. Construction of the project will be solicited from local contractors. Outside property management services may be solicited for long term operations of the leases and maintenance of the property.

Objective 4: Promote proper infrastructure development of the area

Water: It is assumed that an appropriate easement is existing or would be granted for the utility tie-in. It is assumed that the existing water line has capacity to serve the proposed uses on this property and no offsite improvements will be required except for the tie-ins to the existing line.
Sewer: It is assumed that the existing sewer line has capacity to serve the proposed use on this property and no offsite improvements will be required except for the tie-in to an existing line.

Power: It is assumed that electrical service is located in the utility easement on the frontage of the property and is sufficient to serve multiple industrial use businesses in the proposed business park.

Natural Gas: It is assumed that the natural gas line is located in the utility easement on the frontage of the property and is sufficient to serve multiple industrial use businesses in the proposed business park.

Road/Walks/Trails/Landscaping: It is assumed that no offsite road improvements will be required. As this is an industrial area, it is also assumed that the County will not require a full improvement of the right-of-way of Arbiter Rd including sidewalk, curb and gutter and street lights. It is assumed that landscaping requirements will be minimal beyond what will be required for proper screening and maintaining native grasses in the drainage swale will county towards the Landscape Ratio (LSR). The Growth Policy mentions trails for this area, however it doesn’t appear that any trails would go through this property and thus it is assumed they would not be required for this particular lot.

Stormwater: An existing drainage swale exists on the frontage of the property. That swale would be preserved with the proposed development. It is assumed that an access crossing this existing swale would only require a minimally sized culvert similar to the access at the Jordan Contracting site just east of the property. It is assumed that the site can fully discharge stormwater into this existing swale. To reduce runoff, it is assumed a semi-pervious surface such as recycled asphalt or crushed concrete would be acceptable for the development.

Phased Improvements: As this development is proposed to be completed in phases, only the infrastructure necessary for each phase will be installed during that phase. Services will be sized appropriately to serve the entire development, however the lines will be installed per the phasing plan.

Building Architecture: I’ve read through the Anaconda Development Park Development Guidance document sent to me by Carl Nyman. I will work with the County in a pre-development conference to discuss details that will be appropriate for an industrial area. The concept of having facade offsets, etc. will be incorporated.

Phased Improvements: As this development is proposed to be completed in phases, only the infrastructure necessary for each phase will be installed during that phase. Services will be sized appropriately to serve the entire development, however the lines will be installed per a final phasing plan.

Objective 5: Describe in detail, the necessary terms for an agreement with ADLC to lease and subsequently purchase the land from ADLC.

An agreement to lease the land at a minimal rate during the development process with a restriction to not use the land for any other use until development occurs would be acceptable. The proposed lease amount would be a minimum of $1000/yr with an escalation clause of $500
more per year than the highest offer submitted to ADLC in this call for development proposals that has been received by the office prior to the deadline of 5:00pm on June 24, 2022.

It will be expected that no later than the completion of the first phase (first building, not including tenant finishes), the developer will have a vested right in the property and the County will then allow the developer to exercise the purchase option for the property. Full development beyond the first phase of the property would be directed by market demand and not forced by the County.

Objective 6: Describe in detail, a proposed timeline for development of the land

*It is assumed this process will only require an Administrative Development Permit and will not require any public hearing processes. The Retail/Showroom use does not appear to be a use by right in the Light Industrial Development District (LIDD) and may require public processes for approval despite it being a desired use in the ADLC 2019 Growth Policy. If public processes are required, the timeline may change.

Finalize Agreements with ADLC – 2-3 Months
Design/Survey/Engineering – 4-6 Months
Permitting – 2 months
Construction of Phase I – 6 Months
Full Buildout – Based on Market Demand

Objective 7: Provide information on how the developer intends to finance the development, acquisition cost, and long-term maintenance of the property

Development of Phase I along with the acquisition of the property can be completed utilizing the developer’s cash-on-hand. It is expected that after completion of the first building (not including tenant finishes) the developer will have a vested interest in the property and ADLC will allow the developer to exercise the option to purchase the property. After the purchase of the property and the developer owns fee-simple interest in the land, future phases will be funded through normal financing options.

The current intention is to keep the property as one lot and lease the commercial/industrial space to tenants. A portion of the lease amount can be preserved in a separate account for site maintenance and improvements. Management of the property may be done by a professional management company. If future subdivisions occur, an overall owners association will require consistent maintenance of the property and can be better defined through that process.

Objective 8: The bid must include a minimum valuation of $1,000/acre for the land

The proposed bid is $1000/year for the land lease, then an acquisition bid of $10,000 (8.123 acres @ $1562/acre) with an escalation clause of $500 more per year than the highest offer submitted to ADLC in this call for development proposals that has been received by the office prior to the deadline of 5:00pm on June 24, 2022.
Ordinance # 258 (A)
Anaconda-Deer Lodge County Amended Fireworks Ordinance

BE IT ORDAINED BY THE COMMISSION OF ANACONDA-DEER LODGE COUNTY AS FOLLOWS.

I. The Code of Ordinances, Anaconda-Deer Lodge County, Montana, Chapter 10, article IV, Section 10-84 shall be amended as follows:

SEC. 10-84 SELLING AND DISCHARGING DATES AND TIMES.

A. The selling and discharging of fireworks within the incorporated limits of Anaconda Deer Lodge County shall be June 24th through July 5th from 8 am to midnight.

The selling and discharging of fireworks within the incorporated limits of the County shall be July 1 through July 4 from 8:00 a.m. to midnight.

B. In addition to section (A) above, fireworks may be discharged within Anaconda-Deer Lodge County on the following times and events:
   a. December 31 from 10:00 p.m. to 12:30 a.m. January 1.
   b. The day before, the day of, and the day after the local high school graduation.
   c. By special event permit approved by the Commission and reviewed by the Fire Chief or his designee.

C. Professional Fireworks Displays using display fireworks. Public displays of fireworks by a licensed, bonded pyrotechnic operator are exempt from CODE SECTION. Permits for any public display by a licensed bonded pyrotechnic operator from the Fire Department are required to conduct a public fireworks display. "Display Fireworks" means an aerial shell, salute, flash shell, comet, sky battle, mine, and any similar 1.3g (display fireworks) and 1.4g (consumer fireworks) explosive as defined by the U.S. Department of Transportation in Part 173, Title 49, Code of Federal Regulations.

D. The Chief Executive Officer may, at his discretion and in the interest of public safety, order an emergency ban on the use and sale of fireworks pending an approval of the Chief Executive Officers actions at the next subsequent Commission meeting.

SEC. 10-85 - POSSESSION ILLEGAL.

A. Possession of fireworks not allowed to be sold or discharged by the State of Montana shall be illegal.

B. It shall be unlawful for any parent, guardian, or custodian of any child, the child being age seven (7) or younger, to permit or consent to the possession or discharge by the child of any fireworks as defined herein, unless that parent, guardian or custodian be in direct supervision of the child at the time of discharge. For purposes of CODE SECTION
"direct supervision" means the overall direction and control of an individual and requires the individual furnishing direct supervision to be present and immediately available to furnish assistance while he or she is in possession of or is discharging any and all fireworks. Direct supervision also requires the individual directly supervising to control the application of flame or other means of discharge of the firework and must be no greater than ten (10) feet away from the individual being directly supervised at time of the firework’s discharge.

SEC. ________10-86 - PERMISSIBLE FIREWORKS.

Shall be the same as those authorized by the State of Montana.

SEC. ________10-87 - LITTERING ILLEGAL.

It shall be illegal for anyone to leave debris from discharged fireworks on any public place including but not limited to parks, sidewalks, streets, and alleys, or on private property not owned by the individual discharging the fireworks.

SEC. ________10-88 - ENFORCEMENT.

A. Law Enforcement and Firefighters shall enforce these rules and regulations.

B. Any official charged with enforcing these rules and regulations may;
   1. Issue a Notice to Appear to Anaconda-Deer Lodge County Justice Court for violations of this Chapter.
   2. Seize illegal fireworks that are offered for sale, sold, or in the possession of any individual in violations of this chapter.
   3. Recommend to the Planning and Community Development Department that any wholesaler/retailer found in violation of this chapter have his/her license revoked.

C. Any person who violates these rules and regulations shall be guilty of a misdemeanor and subject to the following fines.

1st Offense—Fifty dollars ($50.00).

2nd Offense—One hundred dollars ($100.00).

3rd Offense—Three hundred dollars ($300.00).

4th and higher—Five hundred dollars ($500.00).

SEC. ________10-89 - FIREWORKS PROHIBITED IN PUBLIC PARKS & RESTRICTIONS:

A. Fireworks may not be discharged in any Anaconda-Deer Lodge County park.

B. Fireworks may not be discharged on the Kennedy Common.
C. Any fireworks discharged on any other ADLC property cannot interfere with the use by the public.

SEC. 10-90 - FIREWORKS STANDS AND PERMIT FEES.

A. Anyone, group or organization wishing to sell fireworks within the incorporated boundaries of Anaconda-Deer Lodge County shall obtain a special permit. The fees collected from the permit shall cover the costs to issue said permit; to inspect the fireworks stands; and costs of enforcement.

B. Operators of fireworks stands shall educate all patrons on the
   1. Legal, safe use of fireworks
   2. The dates and times allowed for fireworks to be discharged, and
   3. The requirement to clean up all debris left from discharged fireworks.

C. Fireworks stand permit fees shall be $100.00.

D. All firework stands will be inspected by the Fire Chief or his designee of the fire district in which the stand is placed before opening for business. The Fire chief or his designee may randomly inspect firework stands in their respective fire district.

Dated this _______ day of August, 2022.

_________________________________________
Mike Huotte, ADLC Commission Chairman

_________________________________________
Lori Sturm, ADLC Commission Clerk

First Reading: June 28, 2022
Second reading / Public Hearing:
Adopted:
Effective date: