

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

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

Members of the Press: Patrick Williams, Anaconda Leader

Members of the Public: Per Sign-In Sheet

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

Approval of Minutes

**Approval of Minutes from the Commission meeting of January 3, 2023; and the Commission
Work Session Meeting of January 10, 2023**

Motion made by Commissioner Gates to take action to approve the Minutes from the
Commission meeting of January 3, 2023; and the Commission Work Session Meeting of January
10, 2023; Seconded by Commissioner Gallagher.

Motion Carried 5-0

Approval of Claims

Motion made by Commissioner Huotte take action to authorize the payment of claims
numbered 140925 through 141091 in the amount of \$271,822.76 Seconded by Commissioner
Gates.

Motion Carried 5-0

REPORTS OF BOARDS, COMMITTEES AND OFFICIALS

- **Commissioner Huotte** – On January 10 I attended the Head Start meeting with review.
- **Commissioner Gates** – Attended the January 10th meeting with Head Start and Mark Heinert and on the 12th there was a Head Start Policy Meeting via zoom.
- **Commissioner Gallagher** – Attended the January 12th Greenway Service Board Meeting in Butte. Reported they are funded for the year. Talked some about the construction

- **Commissioner Gallagher** – Attended the January 12th Greenway Service Board Meeting in Butte. Reported they are funded for the year. Talked some about the construction plan starting at the Rest area and working south. The Board did vote to approve pursuing a RAISE Grant, which will compete with the Mill Creek improvement. Informed the board that I will have to go with the Mill Creek improvements.
- **Commissioner Beausoleil** – Attended the DUI Task Force Meeting. Red Ribbon week was discussed along with the MIP's and DUI's for the last quarter. Took action to give some money for Red Ribbon week and St. Patrick's Day.
- **Commissioner Hart** – Nothing to Report.
- **CEO Everett** – This is my 6th year as CEO, so this is my 3rd state legislature. I am proud to say that Anaconda has two representatives. Anaconda has two people representing them in Helena. One is Representative Fitzpatrick and the other is Senator Vermeire. They are writing bills on behalf of Anaconda. There is a lot of money available in Helena right now, and the fight is who gets what percentage of the allocation. We are being very well represented. They are working on a bill to get a state match to redo Lost Creek Road. Lost Creek road goes to a state park and there is a twist. Our residents use it, and so do people around the state.
 - We are also gearing up for summer projects with a lot of bids going out. Pricing right now is high. If prices do not come down, there may be some potential budgeting issues.
- **County Attorney Krakowka** – Attended the DUI Task Force meeting and the ACI meeting. The ACI group are planning some upcoming events to encourage students to remain sober following the prom. Would like to have some Commissioners volunteer to chaperone the activity.

UNFINISHED BUSINESS

Proposals for A-DLC Property near Old Works Golf Course

- K.V. Development, LLC
- Jay Fortune Construction Inc.

Commissioner Gates – This is a hard decision and could go either way.

- **CEO Everett** – Whatever the Commission chooses . . . you can't go wrong. Both developers are phenomenal. Whoever is not successful there maybe an alternative site where they might be motivated to bring their project. I did not have to do a lot of selling on this project.
- **County Attorney Krakowka** – You have two good options. Regarding the concerns brought up at the last meeting by Tom Gallagher; Mr. Grayson looked at the issue and we discussed it. We both agreed that there is not an issue.
- **Justin Fotune** – We did the renovation of the Old Works and would like to stay in Anaconda. We would like to build some high-end condo's and provide 24 new houses for Anaconda. Hired 2 new carpenters from Anaconda, and we would like to keep business and suppliers in Anaconda.

- **Jay Fortune** – Thanked all of you for taking time to look at the project. We appreciate the effort.

Motion made by Commissioner Gates to take action to approve the Proposal from Jay Fortune Construction Inc. for the A-DLC Property near Old Works Golf Course; Seconded by Commissioner Gallagher.

Commissioner Huotte – For Disclosure purposes in Mr. Fortune’s proposal he referenced a business that is partly owned by my mother. This has nothing to do with me so I do not feel there is a conflict, and I will vote on the subject.

- **Commissioner Gallagher** – The issue in front of me is selling a piece of county property.

Motion Carried 4-1

Dissenting Vote Commissioner Beausoleil

Resolution No. 23-03, A Resolution Establishing Registration Fees and Inspection Fees for Ordinance No. 256 Vacant Registry and Vacant Structure Registration Requirements for Calendar Year 2023.

Motion made by Commissioner Huotte to take action to approve Resolution No. 23-03, A Resolution Establishing Registration Fees and Inspection Fees for Ordinance No. 256 Vacant Registry and Vacant Structure Registration Requirements for Calendar Year 2023; Seconded by Commissioner Gates.

Motion Carried 5-0

Resolution No. 23-04, A Resolution Adopting A Building Permit Fee Schedule for Calendar Year 2023

Motion made by Commissioner Gates to take action to approve Resolution No. 23-04, A Resolution Adopting A Building Permit Fee Schedule for Calendar Year 2023; Seconded by Commissioner Beausoleil.

Motion Carried 5-0

Agreement between Anaconda-Deer Lodge County and KLJ Engineering – RAISE Grant for Mill Creek Road (“Project”)

Motion made by Commissioner Beausoleil to take action to approve the Agreement between Anaconda-Deer Lodge County and KLJ Engineering – RAISE Grant for Mill Creek Road (“Project”); Seconded by Commissioner Gates.

Motion Carried 5-0

Job Description for the Anaconda-Deer Lodge County Water Department - Working Foreman/Supervisor Position

Motion made by Commissioner Gates to take action to approve the Job Description for the Anaconda-Deer Lodge County Water Department - Working Foreman/Supervisor Position; Seconded by Commissioner Beausoleil.

Motion Carried 5-0

Introduction/First Reading and a Request for a Public Hearing for A-DLC Ordinance No. 271 An Ordinance Adopting and Incorporating The International Fire Code & NFPA 72. (Suggested Public Hearing Date of February 7, 2023)

Motion made by Commissioner Huotte to take action to approve the Request for a Public Hearing Date for A-DLC Ordinance No. 271 An Ordinance Adopting and Incorporating The International Fire Code & NFPA 72 on February 7, 2023; Seconded by Commissioner Gallagher

Motion Carried 5-0

Public Hearing Date of February 7, 2023

Lease Agreement between Anaconda Local Development Corporation DBA (doing business as) Discover Anaconda and Anaconda-Deer Lodge County.

JH Delaney – Where is this lease agreement going to be held? Also asked about Discover Anaconda and the Chamber of Commerce.

- **Commissioner Hart** – This is a lease agreement for the Health Department at the Local Development building, which is the former hospital. Discover Anaconda was formerly known as the Local Development Corporation. The Chamber has been absorbed by Discover Anaconda.

Motion made by Commissioner Gates to take action to approve the Lease Agreement between Anaconda Local Development Corporation DBA Discover Anaconda and Anaconda-Deer Lodge County; Seconded by Commissioner Huotte.

Motion Carried 5-0

NEW BUSINESS

American Rescue Plan Act (ARPA) Grant Agreement – Conservation and Resource Development Division Montana Department of Natural Resources and Conservation

CEO Everett – This is pretty neat, and I give credit to Carl Hamming and John Sholey for putting this together. The work we did last summer behind West Thriftway for streets, water, sewer,

lights, and asphalt. We put in for a grant for that and even though the work is all done, we just were awarded 1.3 million for that project.

Motion made by Commissioner Gates to take action to approve the American Rescue Plan Act (ARPA) Grant Agreement – Conservation and Resource Development Division Montana Department of Natural Resources and Conservation; Seconded by Commissioner Gallagher.

Motion Carried 5-0

Approve the Appointment of John Sullivan to the Park and Recreation Board – Commissioner Hart. (Per Ordinance #270 the School District No. 10 representative appointed by the ADLC Commission has been reduced to one member)

Commissioner Hart – Explained about having to reduce the number of members to the Park and Recreation board due to difficulty of getting a quorum. The new ordinance decreased members from 7 to 5. The school district originally had 2 positions and was reduced to 1. The school district did not have a lot of interest in having a member on board, so the Superintendent stepped up and requested to be the school representative on the Park and Recreation Board.

Motion made by Commissioner Huotte to take action to approve the Appointment of John Sullivan to the Park and Recreation Board; Seconded by Commissioner Beausoleil.

Motion Carried 5-0

Special Event Permit – Friends of the Hearst Free Library – Chocolate Wine & Cheese Fundraiser, February 11, 2023.

Commissioner Hart – Pointed out the Certificate of Insurance was in order.

Motion made by Commissioner Gates to take action to approve the Special Event Permit – Friends of the Hearst Free Library – Chocolate Wine & Cheese Fundraiser, February 11, 2023; Seconded by Commissioner Beausoleil.

Motion Carried 5-0

MISCELLANEOUS

- **Commissioner Beausoleil**– No Miscellaneous
- **Commissioner Gates** - No Miscellaneous.
- **Commissioner Gallagher** – No Miscellaneous.
- **Commissioner Huotte** – No Miscellaneous.
- **Commissioner Hart** – No Miscellaneous
- **CEO Everett** – No Miscellaneous.
- **County Attorney** – No Miscellaneous.

PUBLIC COMMENT

Kevin Orrino – Addressed a rumor regarding use of the Common. There is talk that the use of the Common has been axed for all community events due to some law from 100 years ago. That the common is off grounds for every function.

- **CEO Everett** – They can't charge fees. The land was given with a covenant stating no fees can be charged. It will be the same Common as we have always had.

Rose Nyman - Talked about the Historic Resource Board Project "Speaker Series". Thanked Commissioner Beausoleil for attending last week. There was an astounding turnout of 84 people. The average has been about 60. There seems to be a thirst in the Community for the information that is being offered. Next month Dave McKernan will be talking about the 1935 Winter Carnival that took place up in Sheepegulch and around the community and Wraith Ski Hill. The Board has worked very hard and we are astounded that it has been so successful. The reason for the success is the Anaconda Leader has been faithful about doing an interview prior to the speaker series date. The Forge Hotel continues to offer us space and coffee pro-bono. We bring in the cookies.

ADLC Meeting Dates and Times

Commissioner Hart - Read the meeting dates and times.

- **Commissioner Huotte** - January 23rd at 5:30 there is an Old Works Board meeting at the Old Works Clubhouse.
- **CEO Everett** – Just to clarify, I do not think the Commission has ever rejected someone's use of the Common. What you are hearing is someone who didn't even ask to use the Common.
 - **Commissioner Hart** – There are guidelines for use with the Special Event Permits. There is some special issues regarding Kennedy Common but that was addressed through a rework about 2 years ago. It is open for business.

ADJOURNMENT

Meeting Adjourned at 6:34 p.m.



Lori Sturm
Clerk of Commission



Kevin Hart
Commission Chair