

ANACONDA-DEER LODGE COUNTY
COMMISSION WORK SESSION MEETING
6:00 P.M. TUESDAY MARCH 28, 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: James Rosien, Anaconda Leader

Courthouse Masonry Repairs - Review of Masonry Bid – Hydro-Tech Incorporated, Recommendation to award bid. (1 bid received)

CEO Everett – They have been here since my existence here and have done a fantastic job on the courthouse with all of the renovations. All the stonework has been done by them. We have a 130-year-old building, and they are slowly piecing it together.

- **Commissioner Gallagher** – Asked if there was a warranty? Contractors usually have a warranty.
- **CEO Everett** – There is no warranty that I know of.
- **Rose Nyman** – I was happy to see this on the agenda again. Bit by bit it is coming together. This company does fabulous work. They are the best. They have worked on the library and the courthouse, which are two of the historical buildings that are in wonderful condition. Thank you for bringing this forward.
- **CEO Everett** – They do every cool building in the United States. If you want to see their work, we can show you around the courthouse. Every time they do a project, they then hang around a bit longer. They are actually looking at building an office and warehouse facility in Anaconda. They have fallen in love with our area.

Place on Agenda

Designation of Deer Lodge County Earmarked Alcohol Tax Money

CEO Everett – This is money we are given from the state of Montana from revenue generated from the tax of alcohol. This money has some specific constraints on what it can and cannot be used for. On the form are listed two different firms that are eligible, one is Western Montana Addiction Services and the other is Aware. Last year we got involved with CCCS. They have done a phenomenal job for our jail system and for other entities around our community. The form has not been filled out, but we can pencil CCCS in and they could receive at least 80% of this. I would like to put them at 100% and see what happens. We would like all of the funds to go to them; but at least 80% and the other 20% could go to Western Montana Addiction Services.

- **Commissioner Hart** – Your preference would be 100% to CCCS.

- **CEO Everett** – “Yes” it would be. Not sure if that would be eligible. If the state rejects it, I know they will accept 80%.
- **Commissioner Gallagher** – For clarification . . . is CCCS AWARE?
- **Commissioner Hart** – It is Community Corrections Counseling Services. They operate the Pre-Release, the START program, and believe they operate the Watch program at Warm Springs.

Place on Agenda

Request to apply for “The Foundation for Montana History” grant for the fiscal year 2024. (To pay for UV window filters for the library in order to protect the library’s artwork and artifact collection from sun damage. The grant is up to \$10,000.00 dollars.)

Commissioner Gallagher – The Library is an important part of the community. I encourage them to pursue this grant.

Place on Agenda

Renewal Application for Miscellaneous Professional Liability Insurance – Public Health Department.

Lauren Bolten, Public Health – This is our yearly application for Professional Liability Insurance that covers all of the clinical services that we provide.

- **Commissioner Gallagher** – This covers malpractice plans?
- **Lauren Bolten** “yes”

Place on Agenda

Bridgercare Business Associate Agreement

Lauren Bolten, Public Health Director – This agreement allows us to share our clinical information in HIPAA compliance.

Place on Agenda

Healthy Montana Families and Rural Maternity and Obstetrics Management Strategies (RMOMS) Data Sharing Agreement

Lauren Bolten, Public Health Director – This is pretty much the same thing but for a different grant that we have. It allows us to do quality improvement on our maternal and perinatal health care systems in this area.

Place on Agenda

Redistricting Map of the County's House District, Senate District, Commission District and Voting Precinct boundaries

Toni Hofland, Election Administrator – You have examples of the maps prepared for us by Shane Ellingson and Jordan Hulla of WET. Following each decennial U.S. Census, Montana counties are required to update their respective county areas into county commission districts to meet the updated requirements of the MT Code Annotated. Commission District boundaries must be as equal as practicable and within a plus or minus 1% relative deviation from the ideal population of a district as calculated from the information based on the latest 2020 U.S. Census data. Now that the data is available Deer Lodge County must update the Commission District boundaries to meet the new requirements. The proposed boundary changes will bring the county into this requirement of the 1% rule and make the Commission districts more equal in population size. You will also see some minor precinct boundary changes. The adjustments were made because the House Districts were recently adjusted and the county now falls under House District 71 and House District 76. Since the Commission districts boundaries were adjusted, precinct boundaries need to be adjusted so the voting precinct won't be split between 2 commission districts or 2 House Districts.

- **Commissioner Hart** – The Legislature seems to have had quite a bit of time to work on this. The County has 45 days. That 45 days is up the week after next (April 7) that is the same day that we would be approving this. The 1% deviation is from the total population and what 1% of that is . . . is how you figure out what that 1% difference could be in the districts. The districts also have to be continuous. Another stipulation was that they couldn't change the commission district for any of the current commissioners. They have to remain in the Commission district they are in. Working this out in 45 days involves the County Attorney preparing paperwork for the district judge to sign. The district judge has to approve what the county and commission do in these 45 days. The voting precincts themselves may still be able to have some change, as long as they are in the same house district.
- **Toni Hofland** – We are permitted to change voting precincts at any time as long as it is more than one hundred days before an upcoming election. Initial changes have to be made to coincide with the Commission district changes. I am looking to try and combine some of the precincts simply because it would save the county in the long run.
- **County Attorney Krakowka** – I believe I have the appropriate paperwork prepared. As soon as I have a signature on the Resolution from the Commission, I can attach that as an exhibit to the paperwork and provide that to district court.
- **James Rosien, Leader** – I just saw on Monday what the new House and Senate District boundaries look like. They carved it up pretty darned well. My understanding is that Georgetown Lake residents will now be with Montana City, Whitehall, and Seely Lake for their state senate.

- **Commissioner Hart** – I know there is one piece of Deer Lodge County that is now on its own. That is why we will end up having a voting precinct separate for that piece because of that carving. We will have to see how it works.

Place on Agenda

Commissioner Hart – The next 3 items there will be a request for setting a Public Hearing. It is not for discussion on the merits. This is just for setting a Public Hearing Date. For general knowledge for the Commissioners we will be looking to setting some on April 18 (a business meeting and April 25th that would be a work session).

Request for a public hearing – Major Development Permit for Gneiss Properties, LLC – 4 geodesic dome campsites and escape rooms on their property at the west end of Lime Spur Rd. – Spring Hill Development District. (Suggested Date for Public Hearing April 18, 2023)

Carl Hamming, Planning Director – We had a Planning Board meeting earlier this month and there were two public hearings that generated quite a bit of public comment. Would like to set a public hearing date so that I can alert the applicant on the hearing date. It will generate public comment since there were quite a few neighbors and residents of the Spring Hill Development District who had concerns about what they were proposing.

- **CEO Everett** – There is a lot of opposition to this. It will be a heated public hearing.
- **Commissioner Gallagher** - “What is an escape room?”
- **Carl Hamming** – My understanding is it is a team or group effort where you are locked into a room or house, and you have to work puzzles and codes to try to free yourself and your group. There is a theatrical element to it. It is a popular group outing. Similar to a mystery dinner.
- **Commissioner Hart** – My recommendation is going to be to set the public hearing date for April 25th, which is a work session. There was quite a bit of opposition to this, so there could be a large turnout. This would allow for more time for consideration..

Place on Agenda

Request for a public hearing – Major Development Permit for Jeff and Stephanie Hritsco to erect three billboards along I-90 on their property in the East Valley Development District (Suggested Date for Public Hearing April 18, 2023)

Carl Hamming, Planning Director – At the last Planning Board meeting there was one opponent at the Planning Board hearing. I believe Mr. Beaudette will be in attendance since he expressed interest after the Planning Board meeting in attending the public hearing before Commission.

- **Commissioner Hart** – The suggested public hearing date on this is April 18th.
- **CEO Everett** – This may also be a heated one as well.

Place on Agenda

Request for a public hearing for Development District Map Amendment to re-designate the development district for county-owned land on the west side of the Old Works Golf Course to the High-Density Residential Development District. (Suggested Date for Public Hearing April 18, 2023)

Carl Hamming, Planning Director - There was no public comment at the planning Board meeting. This ties up what we have been doing with Mr. Grayson and Mr. Nyman with modification to the covenants for the hotel parcel that will be future condo development by the Old Works club house. Just cleaning up the zoning.

- **Commissioner Hart** – So this is for the development for the condo’s that we accepted the proposal from Fortune Construction.
- **Commissioner Gallagher** – This is a 2.38-acre piece and the one we sold to J. Fortune was slightly larger.
- **Carl Hamming** – We are doing a boundary line adjustment. The draft of the survey is to fall in line with the slightly larger 3 acre’s and should be recorded in the next couple of weeks.
- **Commissioner Hart** – This is not unique to that area for the High-Density Residential Development. If you are familiar with the four-plexes behind Dee Motors and the NW Energy Building, they are considered high density

Place on Agenda

Natural Resource Damage Program (NRDP) Contract No. 800030

Carl Hamming, Planning Director – The CEO a few weeks ago presented information about the 4 million dollars that the Natural Resource Damage Program has earmarked for restoration after the required remediation on county owned lands. This is stemming from that pot of funds from the NRDP. Mr. Nyman was in attendance and presented about work on the C-Hill and Arbor Day being planned. This contract would release the funds for the county to be reimbursed by these efforts. The next agenda item is the RFQ for Open Space Planning and this would reimburse the county for that planning effort, Arbor Day and the tree’s for planting and watering and potential acquisition that we are working on. It is money coming back from the state to reimburse us for what we are trying to accomplish in 2023 with the NRDP.

- **CEO Everett** – We are working with NRD . . . it is their dollar. We want to make sure that we comply with the request for requirements
- **Commissioner Gallagher** – Clarification that this is what Carl Nyman presented to us. This would be about one thousand trees and purchase of the A-Hill?
- **Carl Hamming** – Correct.
- **JH Delaney** – What does Mr. Hamming mean by potential acquisition?
- **Carl Hamming** – This is spelled out in the contract. The county is hoping and working to acquire the A-Hill. This has been in private ownership and is in the process of being donated to a local non-profit entity. The county has approached them about acquiring it with the NRDP funds, so that we have public ownership of the A-Hill. We think that is a

worthwhile acquisition. Since there is no legal access without the county granting access . . . the appraised value is very fair.

- **Commissioner Gallagher** – Is this like a conservation easement?
- **Carl Hamming** – There is talk about trying to figure out some sort of conservation easement down the road. Right now, it would just bringing it to public ownership so that it is safe for people to hike and maintain the A.

Place on Agenda

Review of Request for Qualification for the A-DLC Open Lands Plan

- **SCJ Alliance, Mark Garff**
- **Cushing Terrell, Wayne Freeman**
- **Water & Environmental Technologies (WET), Shane Ellingson**

Carl Hamming, Planning Director – The RFQ closed last week, I wanted to get the submittals in front of you. The plan right now as the CEO alluded to with the Natural Resource Damage Program, we do have to follow along with their procurement process. They provided us a scoring rubric and would like a small committee (the CEO, Myself and Ray Vinkey of NRDP) score the proposals. With the scores we would make a formal recommendation to the Commission a week from tonight. They are all three solid applications.

- **Commissioner Gallagher** – Thank you Carl.
- **JH Delaney** – Where are the open lands?
- **Carl Hamming** – Since this is NRDP funding it would be for county owned lands only. This does include lands that the county may acquire in the future.

Place on Agenda

Resignation of John Sullivan from the Park and Recreation Board (Letter Attached)

Commissioner Hart – The letter explains that Superintendent Sullivan took the job because there was no one showing any interest with the school district to fill the position. The ordinance does require that there be a school district appointee for that board. This is to accept the resignation of John Sullivan and the next item will appoint Charlie Farmer to the board as the representative for that board.

Place on Agenda

Request for Appointment to the Park and Recreation Board by Charlie Farmer (See Mr. Sullivan's Letter appointing Mr. Farmer as the SD representative)

Place on Agenda

Resignation of Bill Shegina from the Library Board (Letter Attached)

Commissioner Hart – The letter we have is from Sam Walter the Library Director. He states that the resignation of Bill Shegina is for health reasons.

Place on Agenda

Request for Appointment to the Police Commission Board by Greg Warner (Letter Attached)

Place on Agenda

Special Event Permit – Art in the Park by Copper Village Museum and Art Center July 21 – 23, 2023 (Pending Certificate of Insurance)

Erin Swift, CVMAC Director – This is a standard permit for the annual Art in the Park. I do have an additional question. . . I was wondering what permits are required or insurance to do a fire work display? I have done them previously with the Ranch at Rock Creek. I haven't done this on public land (Washoe Park).

- **CEO Everett** – Go to the Fire Department and talk to Erick Brittain the Fire Chief. Keep in mind that it would be subject to change with weather conditions. We also want people to know in advance if there is a big firework. Certain permits are required due to fire hazards.

Place on Agenda

Miscellaneous -

Commissioner Mike Huotte: No Miscellaneous.

Commissioner Steve Gates: No Miscellaneous.

Commissioner Tom Gallagher: No Miscellaneous.

Commissioner Mike Beausoleil: No Miscellaneous.

Commissioner Mike Hart: No Miscellaneous.

CEO Everett – You will see as New Business next week, but I want you to be aware of an RFP concerning engineering services for our airport. I want to start advertising that, if you don't approve it . . . it is just an RFP and we can throw it out. You will see it in the paper.

County Attorney Krakowka – No Miscellaneous.

PUBLIC COMMENT

Blake Hempstead – Last week a member of the audience asked for me to provide some updates to listener stats from previous meetings. You have been provided some screenshots from the first meeting of January 3rd of this year. It shows regional stats. The bottom left

shows the number of listeners for the individual day. I can break down to how many listeners log on for a minute, 1-5 minutes, or a more detailed breakdown. This is just a brief synopsis. The statistical program does not have the ability to differentiate between the Commission meetings and other broadcasts provided by Copper County Media (Example high school basketball). The first meeting with 186 listeners coincided with a girls' basketball game. The largest listening in the audience was February 28th with 122 listeners and January 10th with 111 listeners. Those meetings discussed proposals for land use, RFP's for the east yards, and 2 presentations for land use for ADLC. They had a higher-than-average attendance. There was an average of seventy-four people per week logged in to listen. Also remember it is not just individual listener . . . there are a lot of families that listen. If you would like to see the platform after a meeting, I can show you the different statistical details. Thank you.

- **CEO Everett** – The only complaint I get is that sometimes the internet goes to hell. What can we do about that?
- **Blake Hempstead** – Anaconda has places where people get their internet. One is Dunne Communications and the other is Bresnan. There could be a down time where everyone is experiencing high traffic, it will be a problem. The meetings are recorded, and people can always log on to the A-DLC website and listen to the meeting in its entirety. There are now 2 WIFI routers at the Courthouse. There are times where the WIFI here shows strength, but individual internet connections can be a problem.

JH Delaney – Asked for the audio's to be on the website and have a good history record. Then asked about an informal gathering and is that considered a meeting?

- **Commissioner Hart** - She is referring to the Forge Hotel Roundtable Discussion. That is just a community informational type of thing. It is not a meeting.
- **Carl Hamming** – We are just hoping to make the public aware. It is public engagement where we are trying to get input from interested parties. Property owners, who might be interested in the application to the MT Dept. of Transportation for grant funding for sidewalks in the area. It is required as part of MDT application to try and invite as many members of the public as possible.

Meeting Dates

Commissioner Hart - Read the meeting date and times.

Adjournment

Meeting Adjourned at 6:50 p.m.



Lori Sturm
Clerk of Commission



Kevin Hart
Commission Chair