

**ANACONDA-DEER LODGE COUNTY**  
**COMMISSION MEETING**  
**6 P.M. TUESDAY, JUNE 21, 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, (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.

- **Commissioner Gates** – Attended the 4-County Commission Meeting and on the 16<sup>th</sup> 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 15<sup>th</sup> 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 Greyson 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 MaryLou 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 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 cant 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)**

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

**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 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 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 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 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 16<sup>th</sup> and 17<sup>th</sup>, 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 16<sup>th</sup> and 17<sup>th</sup>, 2022; Seconded by Commissioner Vermeire.

Motion Carried 5-0



**Special Event Permit – Dead Ringer Horseshoe Tournament at Washoe Park Horseshoe Pits, August 20<sup>th</sup> and 21<sup>st</sup>, 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 20<sup>th</sup> and 21<sup>st</sup>, 2022; Seconded by Commissioner Smith.

Motion Carried 5-0

**Special Event Permit – USA State Coed Softball Tournament at Charlotte Yeoman Complex – August 20<sup>th</sup> and 21<sup>st</sup>, 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 20<sup>th</sup> and 21<sup>st</sup>, 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

**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 MLIA\_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 MLIA\_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.

  
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Lori Sturm  
Clerk of Commission

  
\_\_\_\_\_  
Mike Huotte  
Commission Chair