

**Anaconda-Deer Lodge County
Commission Meeting
6:00 p.m. September 1, 2015
Courthouse Courtroom**

Present: Commission Chair Hart, Commissioner Mulvey, Commissioner Lux-Burt, Commissioner Smith, CEO Ternes Daniels, and County Attorney Krakowka.

Excused: Commission Vice-Chair Vermeire

Others Present: Julie Hoffman, Clerk of the Commission

Commission Chair Hart called the meeting to order at 6:03 p.m. and the Pledge of Allegiance was recited.

Commission Chair Hart explained the Commission Rules of Procedure.

Approval of Minutes from the Commission Meeting of August 18, 2015, the Commission Work Session of August 25, 2015 and the Commission Special Meeting of August 25, 2015

No corrections or comments were made with regard to the minutes.

Commissioner Smith moved to approve the minutes from the Commission Meeting of August 18, 2015, the Commission Work Session of August 25, 2015 and the Commission Special Meeting of August 25, 2015; seconded by Commissioner Mulvey.

Motion carried unanimously.

Approval of Claims

Commissioner Lux-Burt estimated approximately \$250,000 was paid toward the bridge project, historic lighting project, waterlines project, and the West Valley Sewer project.

Commission Chair Hart noted approximately \$161,000 was paid to H & H Contracting, \$41,000 to Intermountain and \$58,000 for bridge projects.

CEO Ternes Daniels stated there is a lot of work going on. She stated MDT is still working on some lights on Park and there is still some lighting work to do on 3rd, Front and some side streets.

Commissioner Lux-Burt moved to authorize the payment of claims numbered 120385 through 120521 in the amount of \$432,341.07; seconded by Commissioner Mulvey.

Motion carried unanimously.

Reports of Boards, Officials, Committees, etc.

Commissioner Lux-Burt attended the Health Board Meeting and two West Valley Sewer construction meetings.

CEO Ternes Daniels informed the Commission she has been involved in full-blown negotiations and hopes to get the contracts done soon.

County Attorney Krakowka stated he had a trial last Monday where the jury found the defendant not guilty. He informed the Commission his office has been working with law enforcement to go after meth in the community. He stated law enforcement has seized 100 grams of meth in the last two weeks. Each gram is worth approximately \$100. Lastly, County Attorney Krakowka stated the DUI Task Force is sponsoring a "Coffee with Cops" event at the Coffee Corral. This is an opportunity for the community to informally meet with law enforcement to express any concerns they may have.

UNFINISHED BUSINESS

CEO Ternes Daniels informed the Commission the mill levies were received from the school district and the salary resolution now includes a range for the Public Health RN salary.

Joey Blodnick, Clerk and Recorder, informed the Commission the school levy amounts will go into the Downtown TIFID and the Mill Creek TIFID. She stated she inadvertently deleted the bridge revenue from the preliminary budget. It has been added back in which increased revenue for FY 2015-2016.

CEO Ternes Daniels stated FY 2015-2016 will be another busy year. She informed the Commission the following projects and capital purchases are planned for this fiscal year:

- Cemetery Improvements (out for bid in the new year)
- Public Health Building repairs (inside of building)
- Hearst Free Library (\$260,000 has been budgeted but it may cost more once an estimate is obtained)
- West Valley Sewer (awaiting CDBG award announcement to assist with sewer hook-up)
- Airport improvements (planning and purchase of land)
- Two car pool vehicles
- Code Enforcement Truck
- Truck for Coroner
- Truck for Parks
- Vac Truck (to be purchased as part of the RDU3 Project with ARCO funds)
- Fire and Ambulance equipment (next year an addition to the fire hall to house fire trucks and ambulance equipment)
- Excavator for Road Department (to be paid for over a 3-year period)
- New Police Vehicle

CEO Ternes Daniels stated these major purchases in the budget are necessary to improve things in ADLC and provide departments with quality machinery and equipment in order to provide services to the community.

Resolution No. 15-23, a Resolution Establishing the Mill Levy for Anaconda-Deer Lodge County for Fiscal Year 2015-2016

Commissioner Smith moved to approve Resolution No. 15-23, a Resolution Establishing the Mill Levy for Anaconda-Deer Lodge County for Fiscal Year 2015-2016; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Resolution No. 15-24, a Resolution Establishing Salaries for Anaconda-Deer Lodge County Employees for Fiscal Year 2015-2016

Commission Chair Hart stated the Commission received a good overview of this at last week's meeting.

CEO Ternes Daniels stated most employees will receive a 2% increase with a moderate increase in the amount the county pays toward insurance. She informed the Commission Kaitlin Leary was promoted to Planner II. However, Ms. Leary resigned. She stated she will be sadly missed as she has done a great job.

Commissioner Lux-Burt stated Ms. Leary will be the new Director at the Public Housing Authority so we will not be losing her from the community.

Commissioner Mulvey moved to approve Resolution No. 15-24, a Resolution Establishing Salaries for Anaconda-Deer Lodge County Employees for Fiscal Year 2015-2016; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Resolution No. 15-25, a Resolution Adopting a Budget for Anaconda-Deer Lodge County for Fiscal Year 2015-2016

CEO Ternes Daniels stated the budget process was a collaborative effort that included over 26 hearings with department heads/supervisors, commissioners and staff. She thanked everyone who participated in the process.

Commissioner Lux-Burt stated she attended the budget hearings and believes it is a good process. She stated department heads had reasonable requests and it makes sense to sit down with department heads and listen to their needs. She stated the County has a great group of employees and it is great working with them.

Commissioner Lux-Burt moved to approve Resolution No. 15-25, a Resolution Adopting a Budget for Anaconda-Deer Lodge County for Fiscal Year 2015-2016; seconded by Commissioner Mulvey.

Motion carried unanimously.

Final Plat Application Approval for the East Yards Frontage Minor Subdivision

CEO Ternes Daniels respectfully requested the Commission approve the final plat application in order to move forward with this project.

Commissioner Lux-Burt moved to approve the final plat application for the East Yards Frontage Minor Subdivision; seconded by Commissioner Smith.

Motion carried unanimously.

Authorize the Call for Bids for the Materials for the Willow Glen Pedestrian Bridge

CEO Ternes Daniels informed the Commission CTEP dollars in addition to some matching funds from the County will be used to complete this project. She anticipates the bridge will get more use as the County develops its trail system.

Commissioner Smith moved to authorize the call for bids for the materials for the Willow Glen Pedestrian Bridge; seconded by Commissioner Mulvey.

Motion carried unanimously.

2015-2016 Cooperative Agreement between Anaconda-Deer Lodge County Head Start and Anaconda Public Schools

Commissioner Mulvey moved to approve the 2015-2016 Cooperative Agreement between Anaconda-Deer Lodge County Head Start and Anaconda Public Schools; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Lease Agreement between Anaconda-Deer Lodge County and GJ Walker for Property Adjacent to Sunnyside Road

CEO Ternes Daniels respectfully requested this item be tabled for two weeks in order for herself, the County Attorney and Mr. Walker the opportunity to review the lease together as she expects substantial changes in the terms of the lease to take place.

County Attorney Krakowka concurred with CEO Ternes Daniels' recommendation.

Commissioner Lux-Burt moved to table the lease agreement between Anaconda-Deer Lodge County and GJ Walker for property adjacent to Sunnyside Road for two weeks; seconded by Commissioner Mulvey.

Motion carried unanimously.

Special Event Permit for the Society for Creative Anachronism Medieval Tournament

CEO Ternes Daniels attended this past weekend's event and stated everyone was in costume and approximately 100 people were in attendance, including folks from out of state. She believes the next tournament will be another great event. She added the jousting is done on foot and not on horseback.

Commissioner Lux-Burt moved to approve the Special Event Permit for the Society for Creative Anachronism Medieval Tournament; seconded by Commissioner Mulvey.

Motion carried unanimously.

NEW BUSINESS

Change Order #2 Request by Bjorn Johnson Construction, LLC for the ADLC Public Health Building Remodel to add to the contract work the shimming the top west wall to facilitate the installation of new roof trusses at the cost of \$1,692.00 and an extension of the project contract time by one (1) day; and consolidate existing plumbing vent pipes in the attic in order to minimize the number of penetrations through the new roof at a cost of \$1,886.00 and an extension of the project contract time by one (1) day for a total cost of \$3,578.00 and total extension of the project contract time by two (2) days

Commissioner Lux-Burt stated the Public Health Building looks good.

CEO Ternes Daniels stated any time an older building is being remodeled there is always a possibility other issues will arise. She stated these additional repairs are necessary and good modifications to the building. She stated this year's repairs will stabilize the foundation and fix the roof.

Commissioner Smith moved to approve Change Order #2 Request by Bjorn Johnson Construction, LLC for the ADLC Public Health Building Remodel to add to the contract work the shimming the top west wall to facilitate the installation of new roof trusses at the cost of \$1,692.00 and an extension of the project contract time by one (1) day; and consolidate existing plumbing vent pipes in the attic in order to minimize the number of penetrations through the new roof at a cost of \$1,886.00 and an extension of the project contract time by one (1) day for a total cost of \$3,578.00 and total extension of the project contract time by two (2) days; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

MISCELLANEOUS

County Attorney Krakowka stated a lot of new women are showing up at the archery range this year, including young women with their dad's or just on their own. He commented it is a resource the community offers and it is really getting used. In addition, he stated he has not caught anyone using broadhead arrows.

PUBLIC COMMENT

Jim Priestly – 715 Chestnut: Mr. Priestly informed the Commission Wayne Wendt contact him on August 20th, two days after he appeared before the Commission to express his concerns about flooding in his alley. He stated Mr. Wendt spent about a half-hour with him discussing his concerns. Mr. Priestly informed the Commission the road crew came back yesterday morning and took the block out of the alley, installed a new blacktop ridge across the alley and took care of the flooding. He stated they did an excellent job and asked the Commission to tell Wayne and his crew he appreciates it. He thanked the Commission for getting it done.

Rose Nyman – 121 E. 3rd: Ms. Nyman informed the Commission she had quite a morning. She brought several concerns before the Commission. Ms. Nyman expressed concern with regard to a letter mentioned at the February 10th Commission Meeting under Public Comment. Ms. Nyman stated the letter was mentioned in the minutes but it was not in the Commission Book at the library and she would like to read it. She informed the Commission the most recent set of minutes available at the library is from March 17, 2015. However, she did state drafts of August minutes are available at the library. Ms. Nyman was under the impression the new website would allow better access to information, but minutes are missing from the site as well. Ms. Nyman went on to state she believes all of her comments from the April 21, 2015 meeting were not included in the minutes. Further, Ms. Nyman is concerned that two county boards may have violated open meeting laws.

Commission Chair Hart informed Ms. Nyman the minutes are meant to be a summary of the meeting but stated the Commission will take a look at the minutes to determine what may be missing.

Ms. Nyman thanked the Commission with regard to the dog leash sign being removed from the gazebo from Durston Park. However, she stated that open meeting laws do not say elected officials have to like what the public says under public comment and felt that Commissioner Hart's comments were unfair. Commission Chair Hart clarified that his comment was not directed at her but rather was a comment expressing concern about why the sign had not been taken care of since it had been discussed at a previous meeting.

Ms. Nyman then informed the Commission she has had a number of people from the medical field call her and ask how the Public Health Department is functioning without a nurse. Ms. Nyman asked how an LPN can give an injection without an RN in the building. CEO Ternes Daniels informed Ms. Nyman that she and Linda Best met with a representative from the State to discuss this issue and were informed that an RN does not need to be present for an LPN to perform this duty. CEO Ternes Daniels also stated an RN has been hired who has 20 years' experience in public health. She will start September 28th. Ms. Nyman then stated she is concerned that employees at Public Health are not wearing stockings or hosiery.

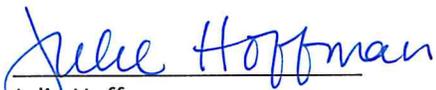
Ms. Nyman informed Commission Chair Hart she will wait to hear back from him on the above-mentioned issues.

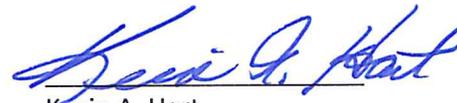
ADLC PUBLIC MEETING DATES

Commission Chair Hart read the ADLC Public Meeting dates.

ADJOURNMENT

Commissioner Lux-Burt made a motion to adjourn the meeting. The meeting adjourned at 6:57 p.m.


Julie Hoffman
Clerk of the Commission


Kevin A. Hart
Commission Chair