

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

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

Others Present: Julie Hoffman, Clerk of the Commission

Commission Chair Hart called the meeting to order at 6:06 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 SEPTEMBER 15, 2015, THE COMMISSION WORK SESSION OF SEPTEMBER 22, 2015 AND THE COMMISSION SPECIAL MEETING OF SEPTEMBER 22, 2015.**

CEO Ternes Daniels requested the following correction: Commission Work Session of September 22, 2015; pg. 3, paragraph 1, 2<sup>nd</sup> sentence should say *CTEP funds will be used.....*

Commissioner Smith moved to approve the minutes from the Commission Meeting of September 15, 2015, the Commission Work Session of September 22, 2015 and the Commission Special Meeting of September 22, 2015 with the change noted by CEO Ternes Daniels; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**APPROVAL OF CLAIMS**

Commissioner Vermeire moved to authorize the payment of claims numbered 120651 through 120777 in the amount of \$305,732.44; seconded by Commissioner Mulvey.

Motion carried unanimously.

**REPORTS OF BOARDS, OFFICIALS, COMMITTEES**

Julie Hoffman, Tax Appeal Board Secretary, informed the Commission the Department of Revenue mailed out a little over one-hundred AB-26 denials. Homeowners have thirty (30) days from the date of the denial to file a tax appeal with the county. It is likely the County will have a large number of appeals. Appeals must be heard by December 31, 2015. However, the County may file a request for extension to hear appeals with the State.

Commissioner Smith attended the Old Works Golf Course Authority Board Special Meeting.

Commissioner Vermeire attended the Head Start Policy Council Meeting and the HRC District XII Meeting.

Commissioner Lux-Burt attended the Public Health Board Meeting. She attended a retirement party for Major Brian Hansen; CEO Ternes Daniels wrote a letter for the occasion which Commissioner Lux-Burt read and presented to Major Hansen. In addition, she attended two West Valley construction meetings. Mungas was unable to bring on a second crew so it has subcontracted with Hoffman Construction to do some paving work before winter sets in.

Commissioner Mulvey attended the Library Board Meeting. She informed the Commission that Sam Walters is implementing new programs, including a toddler reading program.

Commission Chair Hart apologized to the Commission noting the Parks and Recreation Board held a meeting last night but he was not in attendance.

CEO Ternes Daniels read a letter into the record from Governor Bullock informing her Anaconda-Deer Lodge County was awarded CDBG funds in the amount of \$450,000 to assist LMI residents in the West Valley to hook-up to the new sewer. She also informed the Commission the CDBG application submitted by Jim Davison in conjunction with ADLC, Highlands College and Job Corps to implement a TIG welding program at Job Corps was awarded as well.

County Attorney Krakowka attended the funeral of Molly Grosvold. She was a former "We the People" student at the high school. He stated Molly was a fantastic, vivacious young woman. County Attorney Krakowka also participated in an event at the fish hatchery where volunteers clipped the adipose fins of 15,000 cutthroat trout in order to keep track of how many survive in the east fork reservoir.

## **UNFINISHED BUSINESS**

### **Amendment of the April 21, 2015 Commission Meeting Minutes to include the transcribed comments of Rose Nyman with regard to the resignation of Sandra Wenger from the Hearst Free Library Board**

County Attorney Krakowka informed the Commission that Ms. Nyman's verbatim minutes were read into the record at the September 15, 2015 Commission Meeting. Therefore, it is within the discretion of the Commission to either amend the April 21, 2015 Commission Meeting minutes or accept the comments into the record as part of the September 15, 2015 Commission Meeting.

Commission Chair Hart noted the verbatim minutes were read into the record at the September 15, 2015 meeting by County Attorney Krakowka, which alleviates having to amend the April 21, 2015 minutes. He explained that verbatim minutes are not required by law and does not believe the Commission should get into the practice of publishing verbatim minutes. Individuals who prefer their comments to be verbatim may type up and present their comments to the Commission or committee to be attached to the minutes.

Rose Nyman – 121 E. 3<sup>rd</sup>: Ms. Nyman expressed her disappointment with the Commission both individually and as a group. Although she is normally satisfied with the minutes, she believes her comments from the April 21, 2015 meeting should be verbatim. Ms. Nyman reminded the Commissioners that each of them took an oath to uphold both the U.S. and Montana Constitutions and also signed an ethics statement. She believes her comments at the April 21<sup>st</sup> meeting raised enough red flags concerning Ms. Wenger's resignation that it should have been tabled and looked into further prior to the Commission accepting it. Ms. Nyman appreciated the County Attorney's willingness to follow-up on the issue. She believes it comes down to the public's right to know and its right to request information.

Item died due to lack of motion.

### **Amendment No. 1 to BETA Contract for the Anaconda 2015 Capital Improvement Plans (CIP)**

CEO Ternes Daniels informed the Commission the Capital Improvements Plan required a bit more time/work than previously thought. The amendment is in the amount of \$3,303.80 for a total contract cost of \$15,303.80.

A draft should be ready to go before the Commission later this month, at which time a date for a public hearing will need to be set.

Commissioner Lux-Burt moved to approve Amendment No. 1 to BETA Contract for the Anaconda 2015 Capital Improvement Plans; seconded by Commissioner Mulvey.

Motion carried unanimously.

**Agreement between Anaconda-Deer Lodge County Head Start and Jeananne Murphy, LCPC for Mental Health Counseling and Training Services for the School Year 2015-2016**

Commissioner Lux-Burt reminded the Commission the Head Start Policy Council recommended approval of the agreement.

CEO Ternes Daniels informed the Commission the agreement has not changed from past years' agreements.

Commissioner Vermeire moved to approve the Agreement between Anaconda-Deer Lodge County Head Start and Jeananne Murphy, LCPC for Mental Health Counseling and Training Services for the School Year 2015-2016.

Motion carried unanimously.

**Award of Bid for the Materials for the Construction of the Willow Glen Road Pedestrian Bridge**

CEO Ternes Daniels informed the Commission the abutments have been installed for the pedestrian bridge.

Commissioner Lux-Burt moved to award the bid for materials for the construction of the Willow Glen Road Pedestrian Bridge to TrueNorth Steel in the amount of \$28,500; seconded by Commissioner Vermeire.

Motion carried unanimously.

**Authorization for the Call for Bids for the Construction of the Benny Goodman Park Bathrooms Renovation Project**

CEO Ternes Daniels informed the Commission the dates and primary paper of publication are incorrect in the Invitation to Bid for both Benny Goodman and Washoe Park Bathrooms Renovation Projects. Julie Hoffman will work with the engineer to correct this information. She requested the Commission move forward with authorizing the call for bids.

Commissioner Lux-Burt would like to see air dryers installed in the bathrooms to cut down on waste. She would also like graffiti-proof paint to be used.

Commission Chair Hart would like to see the pavilion at Benny Goodman open all summer in order for people to have access to the bathrooms.

Commissioner Vermeire moved to authorize the call for bids for the construction of the Benny Goodman Park Bathrooms Renovation Project; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**Authorization for the Call for Bids for the Construction of the Washoe Park/Legion Field Bathrooms Renovation Project**

See comments above regarding the Benny Goodman Park Bathrooms Renovation Project.

Commissioner Smith moved to authorize the call for bids for the Construction of the Washoe Park Bathrooms Renovation Project (including Legion Field bathrooms); seconded by Commissioner Lux-Burt

Motion carried unanimously.

**Authorization of the Call for Bids for a 2015-2016, ½ ton 4x4 Chevy or GMC Pickup Truck for the Anaconda-Deer Lodge County Water Department**

CEO Ternes Daniels informed the Commission upgrading equipment was discussed early on in the budget hearings.

Commission Chair Hart inquired whether one of the Water Department's other trucks will go to another department. CEO Ternes Daniels noted one of its trucks will go to the Parks Department.

Commissioner Mulvey moved to authorize the call for bids for a 2015-2016, ½ ton 4x4 Chevy or GMC pickup truck for the Anaconda-Deer Lodge County Water Department; seconded by Commissioner Vermeire.

Motion carried unanimously.

**Authorization of the Call for Bids for a 2013-2014, 4-Wheel Drive Pickup Truck for the Anaconda-Deer Lodge County Coroner's Department**

Commissioner Smith believes this vehicle is needed for the Coroner considering the purpose it is used for and cited the example of the accident on I-90 last week.

Commissioner Smith moved to authorize the call for bids for a 2013-2014, 4-wheel drive pickup truck for the Anaconda-Deer Lodge County Coroner's Department.

Motion carried unanimously.

**Agreement between Anaconda-Deer Lodge County and the Hearst Free Library Board for Records Management**

CEO Ternes Daniels attended the Hearst Free Library Board Meeting on Monday. The Library Board agreed that Sam Walters may continue doing records management for the County in addition to his library director duties. Any work Mr. Walters does with regard to records management will be paid for out of those designated funds. The agreement had legal review and was signed by Library Board Vice-Chair, Mary Murphy at yesterday's meeting.

Commissioner Mulvey moved to approve the Agreement between Anaconda-Deer Lodge County and the Hearst Free Library Board for Records Management; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

### **Job Description for Public Health Office Manager**

CEO Ternes Daniels informed the Commission this position requires some extensive training. She would like to advertise the position in order to meet the needs of the Public Health Department.

Katherine Basirico, Public Health Director informed the Commission she has noticed some definite changes that need to take place with the positions at the department in order to make it more functional and to address the needs of the community. The office manager will take on additional responsibilities in her absence.

Commissioner Vermeire moved to approve the Job Description for Public Health Office Manager; seconded by Commissioner Mulvey.

Motion passed unanimously.

### **Job Description for Public Health Nurse**

CEO Ternes Daniels informed the Commission several nursing positions were designed specifically for the various grant programs. Both she and Katherine Basirico looked at the various programs and staffing needs and determined the job descriptions need to meet the requirements for all the programs.

Katherine Basirico added the job descriptions are much broader in order to avoid confusion.

Commissioner Mulvey moved to approve the Job Description for Public Health Nurse; seconded by Commissioner Vermeire.

Motion passed unanimously.

### **Agreement between Anaconda-Deer Lodge County and Restorical Research, LLC for Cost Recovery Assistance**

CEO Ternes Daniels informed the Commission that Restorical Research looks into old insurance policies to see if any cost recovery exists.

Commissioner Lux-Burt noted their services seem too good to be true.

Commissioner Mulvey moved to approve the agreement between Anaconda-Deer Lodge County and Restorical Research, LLC for Cost Recovery Assistance; seconded by Commissioner Vermeire.

Motion carried unanimously with four votes in favor; Commissioner Lux-Burt was opposed.

### **Appointment to the Anaconda-Deer Lodge County Tax Appeal Board**

Both Commission Chair Hart and Commissioner Lux-Burt noted Ms. McKay will be an asset to the Tax Appeal Board.

Julie Hoffman, Tax Appeal Board Secretary, informed the Commission that Ms. McKay will be going to Helena next week to receive Tax Appeal Board training.

Commissioner Lux-Burt moved to appoint Kristy McKay to the Anaconda-Deer Lodge County Tax Appeal Board for a three (3) year term; seconded by Commissioner Mulvey.

Motion carried unanimously.

**Appointment of a Member to the Headwaters RC&D Area, Inc. Board of Directors**

CEO Ternes Daniels noted the Headwaters Board has done a lot for the area and region.

Commissioner Smith moved to appoint Commissioner Lux-Burt to the Headwaters RC&D area, Inc. Board of Directors; seconded by Commissioner Vermeire.

Motioned carried unanimously with four votes; Commissioner Lux-Burt abstained from voting.

**NEW BUSINESS**

Commissioner Lux-Burt informed the Commission a citizen inquired into the status of the County's car seat installation program. She suggested the County look into providing this service.

**MISCELLANEOUS**

Commissioner Lux-Burt informed the Commission the well in the West Valley park is working, as well as the lights.

**PUBLIC COMMENT**

Rose Nyman – 121 E. 3<sup>rd</sup>: Ms. Nyman noted Anaconda had a Buckle Up Montana representative at one time. She noted the need for this program in Anaconda as many families do not have the economic resources to travel out of town to have a car seat fitting.

Ms. Nyman thanked the CEO and members of the Commission who supported the Community Garden and the hydrant. She informed them it was a successful season and the food bank was very receptive. Kathie Miller from the Leader would like to do an article comparing the value of the grown produce versus what it costs to purchase it at the store.

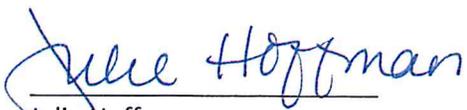
Commission Chair Hart thanked Ms. Nyman for sending out the information regarding suicide in Montana.

**ADLC PUBLIC MEETING DATES**

Commission Chair Hart announced upcoming ADLC public meeting dates.

**ADJOURNMENT**

Commissioner Lux-Burt made a motion to adjourn the meeting. The meeting adjourned at 7:07 p.m.

  
Julie Hoffman  
Clerk of the Commission

  
Kevin A. Hart  
Commission Chair