

**Anaconda-Deer Lodge County
Commission Meeting
6:00 p.m. December 1, 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: Artha Mae Whealon, Deputy Clerk and Kathie Miller, Anaconda Leader

Commission Chair Hart called the meeting to order at 6:00 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 NOVEMBER 17, 2015 AND THE COMMISSION WORK SESSION OF NOVEMBER 24, 2015.

Commissioner Mulvey moved to approve the minutes from the Commission Meeting of November 17, 2015 and the Commission Work Session of November 24, 2015; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

APPROVAL OF CLAIMS

CEO Ternes Daniels informed the Commission claims included payments for the West Valley Sewer project for \$286,459.97 and the purchase of two vehicles for the Coroner and the Water Department which totaled \$57,587.00.

Commissioner Vermeire moved to approve claims numbered 121074 through 121164 in the amount of \$439,224.09; seconded by Commissioner Mulvey.

Motion carried unanimously.

REPORTS OF BOARDS, OFFICIALS, COMMITTEES

Commissioner Smith did not attend any meetings during this time.

Commissioner Vermeire attended two Superfund meetings, Sportsmen Club meeting, Head Start Policy Council meeting, Solid Waste Board meeting and Airport Board.

Commissioner Lux-Burt attended the two Superfund meetings with Commissioner Vermeire, the West Valley Sewer meeting, Health Board meeting and an Accelerate Anaconda meeting which had a great speaker. She attended a review meeting of the Horizon's Project. It's amazing how much this program has reached out into the community.

Commissioner Mulvey had nothing to report.

Commission Chair Hart did the Welcome Speech at the Christmas Stroll. Even though it was really cold, they had a great turnout. Kudos to the Parks Department for getting the snow off the grass which made it easier for people to stand on.

CEO Ternes Daniels attended a CDBG meeting for the grant that was received for the West Valley Sewer Project in Helena for 2 days. This will be a challenging grant but Mrs. Tillman is doing an outstanding job for us and the training was very beneficial. The first day was group training with other CDBG grantees and the second day was individual training on our specific project

County Attorney Krakowka had a great week of vacation. He was able to harvest one deer which he donated to a needy family which will really help them out.

UNFINISHED BUSINESS

Anaconda-Deer Lodge County 2015 Capital Improvements Plan

Commission Chair Hart stated this item would be removed from the agenda and tabled. It will be up for Commission consideration at the Work Session on December 8, 2015 and voted on at the Commissioners Meeting on December 15, 2015.

CEO Ternes Daniels stated the CIP (Capital Improvements Plan) needs to be adopted by a resolution. During Mr. Beard's second power point presentation they revised several pages. We would like to make those changes to this CIP so when it is adopted those changes are reflected. Mr. Beard has done an outstanding job on the plan and we want to make sure we get it right. Everyone turned in their list and the top 10 priorities will be considered.

Commission Chair Hart stated this was an important document and this will give sufficient time for the Commissioners and the public to review it.

Amendment No. 2 to Professional Services Term Agreement No. 04-HKM-0420 Task Order No. Ten between Anaconda-Deer Lodge County and DOWL for Wastewater and Groundwater Monitoring and Reporting

CEO Ternes Daniels mentioned Mr. Janney was in the audience and that he did a good job of reporting on this last week. This amendment is for a third year budget extension to complete a third year of wastewater and groundwater monitoring. It is part of our operation of the facility and ground water discharge permits.

Commissioner Smith moved to approve Amendment No. 2 to Professional Services Term Agreement No. 04-HKM-0420 Task Order No. Ten between Anaconda-Deer Lodge County and DOWL for Wastewater and Groundwater Monitoring and Reporting; seconded by Commissioner Vermeire.

Motion passed unanimously.

Change Order No. 1 to the Anaconda-Deer Lodge County West Valley Sewer Extension Project Phase 2 for Second Mobilization to Flush and Video Inspect the Sewer Mains

CEO Ternes Daniels stated this Change Order is for \$600.00. It will help get the systems checked out and is another piece to make sure everything is operational.

Commissioner Lux-Burt made a motion to approve Change Order No. 1 to the Anaconda-Deer Lodge County West Valley Sewer Extension Project Phase 2 for Second Mobilization to Flush and Video Inspect the Sewer Mains; seconded by Commissioner Mulvey.

Motion passed unanimously.

Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local # 2 - Clerical Teamsters

CEO Ternes Daniels stated the Commissioners had already approved this agreement but there was an error in rounding that was corrected. The Union reps are O.K. with the Agreement which added \$20.00 to the health insurance (which bumped it up to \$600.00 a month), a two-year contract with a 2% increase each year and \$.10 each year to their pension plan.

Commissioner Smith moved to approve this Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 – Clerical Teamsters; seconded by Commissioner Lux-Burt.

Motion passed unanimously.

Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 - Detention Unit

CEO Ternes Daniels stated this Agreement initially had a problem with longevity. For the whole unit it was \$505.04 which was the County's error. This year's contract was set with that difference in mind. Health insurance was bumped up to \$600.00 a month. There is language in this agreement that if next year the County can increase their portion of health insurance, it would be given to everyone across the board. The Detention Unit wanted to front load their raise with the salary increase this year and nothing next year, a \$.50 increase in longevity the second year and a \$50.00 increase in clothing allowance.

Commissioner Mulvey moved to approve the Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 – Detention Unit; seconded by Commissioner Lux-Burt.

Motion passed unanimously.

Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local # 2 – Road Department

CEO Ternes Daniels stated this Agreement is for \$.40 an hour, roughly 2% with an increase in their clothing allowance of \$40.00 and the bump in health insurance to \$600.00. The language in the Agreement does give a minimum of four (4) hours on a Call-out, at time and one-half. These call-outs are usually not pleasant and felt this language was important. Standard language throughout all these contracts was the ability to cash out any personal days by June 30th of each year.

Commissioner Vermeire moved to approve the Agreement between Anaconda-Deer Lodge County and Butte Teamsters Union Local #2 – Road Department; seconded by Commissioner Smith.

Motion passed unanimously.

Appointment/Reappointment of One Member to the Old Works Golf Course Authority Board (one vacancy; 5-year term; Gene Vuckovich has requested reappointment)

CEO Ternes Daniels stated that even though she appreciated Mr. Buskirk's interest in this position, Mr. Vuckovich has an outstanding record on this Board. He has been a long term member of this board during good and bad times and she would hope the Commissioners would reconsider him for reappointment to this position.

Commissioner Smith made a motion to Reappoint Gene Vuckovich to the Old Works Golf Course Authority Board for a 5-year term; seconded by Commissioner Mulvey.

Motion passed unanimously.

Head Start Request for a Non-Federal Share Waiver in the Amount of \$35,000

CEO Ternes Daniels stated Gayle Mickey sent out an email regarding this waiver. Gayle noted Head Start has already met its in-kind match for the year and this waiver means Head Start will not have to meet the match a second time.

Commissioner Vermeire made a motion to approve the Head Start Request for a Non-Federal Share Waiver in the Amount of \$35,000.00; seconded by Commissioner Mulvey.

Motion passed unanimously.

NEW BUSINESS

CEO Ternes Daniels said there were issues with the Modesty Creek decision but she would let County Attorney Krakowka address them.

County Attorney Krakowka stated after consulting with CEO Ternes Daniels and their attorneys, he felt there was one last option they can take and they are going to pursue it. If anyone would like more information regarding the details of this action, please come and see County Attorney Krakowka directly.

MISCELLANEOUS

Commission Chair Hart said he would like to see the Parks Department berm up the snow around the Commons instead of piling it up. It would make the Commons more picturesque and a lot nicer.

CEO Ternes Daniels stated the contract with Shopko is due to expire December 14, 2015. Shopko is still very interested in working with us and Carl Nyman has been in discussion with them. This item may be required for a Special Session at the Work Session on December 8, 2015.

County Attorney Krakowka also requested a resolution be done at this Special Session on the 8th regarding assistance in the case of State vs. Joshua James Miller. Mr. Miller is a client and friend. County Attorney Krakowka contacted the Attorney General regarding this conflict of interest and they will appoint a special deputy county attorney to assist in this prosecution.

PUBLIC COMMENT

Rose Nyman, 121 E. 3rd: Ms. Nyman asked if this was the 2nd or 3rd extension for Shopko and didn't they put down \$500 in earnest money?

Commission Chair Hart stated this was the 1st extension for the 2nd Developer. He said there was discussion with the Developer regarding this extension and possibly putting more earnest money down but because they had already spent around \$25,000 on the project and not to derail this project, he felt \$500.00 was sufficient.

Rose Nyman, 121 E. 3rd: Ms. Nyman commented on the condition of the road between Hope Lutheran and the Park on Pennsylvania Street. There was not any gravel on it and the road was extremely icy. She pays her taxes and drives on roads that have no sand on them.

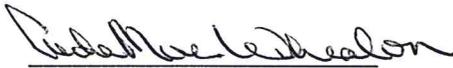
ADLC PUBLIC MEETING DATES

Commission Chair Hart announced upcoming ADLC public meeting dates.

Mike Burt, 369 Highpark Drive: Mr. Burt commented that the Hearst Free Library Board Meeting has been changed to 3:00 on December 7, 2015. This is Pearl Harbor Day and Charles Dowd, Sr. is going to have his uniform displayed at the Courthouse. Charles is the last Pearl Harbor survivor in Montana. The time was changed to accommodate this installation.

ADJOURNMENT

Commissioner Lux-Burt made a motion to adjourn the meeting. The meeting adjourned at 6:39 p.m.



Artha Mae Whealon
Deputy Clerk



Kevin A. Hart
Commission Chair

