

**Anaconda-Deer Lodge County
Commission Meeting
6:00 p.m. January 19, 2016
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 K. Pooley, Clerk of the Commission 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 January 5, 2016 and the Commission Work Session of January 12, 2016

Rose Nyman noted that Traci Thomas' name was spelled incorrectly on pg. 6 of the January 5, 2016 minutes. She also suggested attaching the list of Commission representatives to the various boards to the January 5, 2016 minutes.

Commissioner Lux-Burt moved to approve the minutes from the Commission Meeting of January 5, 2016 and the Commission Work Session of January 12, 2016 with the two corrections noted by Rose Nyman; seconded by Commissioner Smith.

Motion carried unanimously.

APPROVAL OF CLAIMS

Commission Chair Hart informed the Commission the claims included approximately \$300,000 for the Washoe Park/Hefner's Dam Project.

Commissioner Vermeire moved to approve claims numbered 121372 through 121477 in the amount of \$570,373.05; seconded by Commissioner Mulvey.

Motion carried unanimously.

REPORTS OF BOARDS, OFFICIALS, COMMITTEES

Julie K. Pooley, Tax Appeal Board Secretary, informed the Commission that the Tax Appeal Board finished its hearings last week. They heard approximately 28 appeals. Of those, four have appealed to the State Tax Appeal Board.

Carl Nyman, Superfund Coordinator, informed the Commission that Capital Growth's due diligence period expired today. He received an email on Sunday from Capital Growth requesting an extension until March 19, 2016. Mr. Nyman met with Dan Manson to review the County's options. Mr. Manson suggested the County hold a Special Commission Meeting on January 26, 2016 wherein the Commission could take action to waive the current due diligence period by seven (7) days to January 26, 2016 and take action to extend the due diligence period to 7:00 p.m. EST on March 19, 2016.

Commission Chair Hart felt the County has been working on this project for such a long time that another sixty (60) days should not be an issue. He asked the other Commissioners if they had any opposition to holding a Special Meeting to consider the options presented by Mr. Nyman. The Commission agreed to hold a Special Meeting on January 26, 2016. Carl Nyman will get the appropriate documents and Special Meeting Notice to Julie Pooley.

Commissioner Smith attended the Greenway Service District Board Meeting.

Commissioner Vermeire attended the Human Resources Council Board Meeting and four Superfund Global Settlement meetings.

Commissioner Lux-Burt attended four Superfund Global Settlement meetings and attended the Weed Board Meeting as a member of the public.

Commissioner Mulvey attended the DUI Task Force and the Weed Board Meeting.

Commission Chair Hart attended the Study Commission Meeting.

CEO Ternes Daniels attended four Superfund Global Settlement meetings.

County Attorney Krakowka attended an ACI Meeting, a Child Protective Services and Adult Protective Services Meeting and the DUI Task Force Meeting. He had a drug-related, 3-day jury trial last week wherein the defendant was convicted on 9 counts.

UNFINISHED BUSINESS

Resolution No. 15-30A, a Resolution Amending Resolution No. 15-30 to Determine the Minimum Sale Price for Tax Deed Auction Properties Sold at a Tax Deed Land Sale in Anaconda-Deer Lodge County

Commissioner Smith moved to approve Resolution No. 15-30A; seconded by Commissioner Mulvey.

Motion carried unanimously.

Award of Request for Qualifications for Superfund Re-Vegetation, Maintenance and Noxious Weed Control Services (Big Sky Reclamation, Inc. was the only RFQ received)

Commissioner Lux-Burt will abstain from voting as her son works for Big Sky Reclamation, Inc.

CEO Ternes Daniels commended the Superfund team and consultants who worked on this. She believes this is a good way to ensure weed management on disturbed ground in the County.

Mark Moodry, President of Big Sky Reclamation: Mr. Moodry informed the Commission his company has provided these services to the County in the same capacity over the past five (5) years. He is looking forward to continue handling Superfund issues for the County.

Carl Nyman, Superfund Coordinator, informed the Commission he has worked with Mr. Moodry for a long time and his company has done good work for the County.

Commissioner Mulvey moved to award the Request for Qualifications for Superfund Re-Vegetation, Maintenance and Noxious Weed Control Services to Big Sky Reclamation, Inc.; seconded by Commissioner Smith.

Motion carried 4-0 with Commissioner Lux-Burt abstaining from the vote.

Task Order No. 3 to the Agreement for Professional Services between Anaconda-Deer Lodge County and Tilman Consulting for the Administration of the CDBG Public Facilities Grant West Valley Sewer Extension Project

CEO Ternes Daniels informed the Commission this Task Order is not to exceed \$17,500.

Commissioner Vermeire moved to approve Task Order No. 3 to the Agreement for Professional Services between Anaconda-Deer Lodge County and Tilman Consulting for the Administration of the CDBG Public Facilities Grant West Valley Sewer Extension Project; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Income Certification Form for Direct Benefit for LMI Households for Sewer Hookups in the West Valley

CEO Ternes Daniels informed the Commission these forms will be mailed out to West Valley property owners late this week or early next week.

Rose Nyman asked how the property owner's financial information will be protected.

CEO Ternes Daniels informed her that Judie Tilman will be meeting individually with property owners, sign a confidentiality agreement with them, and the documents will be kept in a locked file cabinet. The Commissioners will not have access to the information.

Commissioner Lux-Burt moved to approve the Income Certification Form for Direct Benefit for LMI Households for Sewer Hookups in the West Valley; seconded by Commissioner Mulvey.

Motion carried unanimously.

Anaconda-Deer Lodge County Sewer Connection Program Policies and Procedures

Commissioner Vermeire moved to approve the Anaconda-Deer Lodge County Sewer Connection Program Policies and Procedures; seconded by Commissioner Mulvey.

Motion carried unanimously.

Authorization to Advertise for the Invitation to Bid for the Irrigation System Replacement for New Hill Cemetery

CEO Ternes Daniels recognized Jerold Forkan and his crew for doing an outstanding job getting the cemeteries cleaned up. Irrigation systems in Mt. Olivet were replaced last year and New Hill Cemetery be replaced this year.

Commissioner Mulvey moved to authorize to advertise the Invitation to Bid for the Irrigation System Replacement for New Hill Cemetery; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Request by Tony and Sandy Puccinelli to Remove Sewer Fees at 107 N. Hickory

As reported by the Planning Director, Commissioner Lux-Burt noted this property is a mini-storage and does not have any sewer or water connections.

CEO Ternes Daniels also concurred with the Planning Director's recommendation to remove the fees.

County Attorney Krakowka agreed the fees should be removed.

Commissioner Mulvey moved to approve the request by Tony and Sandy Puccinelli to remove sewer fees at 107 N. Hickory; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Appointment/Reappointment of a Member to the Anaconda-Deer Lodge County Board of Adjustments

CEO Ternes Daniels remarked that Ms. Kostelecky has been a long-time member of this board.

Commissioner Lux-Burt moved to reappoint Donna Kostelecky to the Anaconda-Deer Lodge County Board of Adjustments for a two-year term; seconded by Commissioner Vermeire.

Motion carried unanimously.

Authorization to Advertise for the Anaconda Urban Renewal Agency Board – Board Vacancies

CEO Ternes Daniels informed the Commission this is a 5-member board with requirements for four of the positions; the fifth member is the Planning Director.

Commissioner Smith moved to authorize to advertise for the Anaconda Urban Renewal Agency Board – Board Vacancies; seconded by Commissioner Mulvey.

Motion carried unanimously.

NEW BUSINESS

A. Letter of Permission from Anaconda-Deer Lodge County for the Hearst Free Library Application to the Montana History Foundation for a grant in the amount of \$5,000 to Assist with Roof Repair

Sam Walters, Library Director, is submitting a grant to the Montana History Foundation. CEO Ternes Daniels informed the Commission that the County needs to submit a Letter of Permission with the grant since it owns the building.

County Attorney Krakowka commended Mr. Walters for seeking out additional funds for the project as the library is valuable to the community. He takes his kids there and it is always fun.

Sam Walters, Library Director, informed the Commission the roof has deteriorated since SMA evaluated the roof in 2013. He extended an invitation to everyone to come enjoy the library.

Commissioner Vermeire moved to approve the Letter of Permission from Anaconda-Deer Lodge County for the Hearst Free Library Application to the Montana History Foundation for a grant in the amount of \$5,000 to Assist with Roof Repair; seconded by Commissioner Mulvey.

Motion passed unanimously.

MISCELLANEOUS

No Miscellaneous.

PUBLIC COMMENT

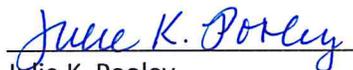
No public comment.

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 6:40 p.m.


Julie K. Pooley
Clerk of the Commission


Kevin A. Hart
Commission Chair