

**Anaconda-Deer Lodge County
Study Commission Meeting
6:00 p.m. Thursday, December 10, 2015
Opportunity Community Club**

Present: Heather Edwards, Dan Tocher, Milo Manning

Excused: Adam Vauthier, Terry Galle and Kevin Hart

Others Present: Julie K. Pooley, Secretary

Members of the Public: Please see sign-in sheet.

I. Call to Order

Heather Edwards, Study Commission Chair, called the meeting to order at 6:00 p.m.

II. Pledge of Allegiance

The Pledge of Allegiance was recited.

III. Approval of Minutes from the Study Commission Meeting of November 12, 2015

Heather Edwards informed the group the minutes from the November 12, 2015 will not be approved until the January 14, 2016 meeting. The secretary had a medical emergency.

IV. Financial Report

Heather Edwards reviewed the YTD financial report with the group. Expenses included secretary wages and benefits, as well as the charge for publishing the ad for this evening's meeting.

VI. Old Business

A. Public Comments regarding Tentative Report and Proposed Ballot Language

Heather Edwards explained the role of the Study Commission is to review the current form of government for Anaconda-Deer Lodge County. The Study Commission must review proposals and outcomes from previous Study Commission review cycles plus any proposals that have been voted on by either ordinance or petition process. Ms. Edwards informed the audience the Study Commission began meeting November 13, 2014. The Study Commission first met with various departments of the local government to obtain their input. Next, the Study Commission met with several local civic groups to solicit input.

The second step was a survey. The surveys returned by the citizens, expressly requested three major changes.

- 1) Place on the ballot a question to have the Commissioners nominated by district in the Primary Election and voted by the citizens "at-large" in the General Election.
- 2) Place on the ballot a question to allow the Commission to appoint a CEO Manager

- 3) Place on the ballot a question to have the Chief of Police an appointed position with proper qualifications to fit the position. The second part of the ballot language is whether the position should be appointed by the Commission through a public process OR appointed by the CEO or Manager.

Ms. Edwards noted the information above is contained in the Tentative Report. The Final Report will contain ONLY the information the citizens recommend changing and will include the final ballot language to be placed on the Primary ballot.

Rose Nyman – Ms. Nyman followed up on her question from last month’s meeting with regard to adding qualifications to the Charter for the elected officials. Heather Edwards informed Ms. Nyman she contacted Dan Clark from the Montana Local Government Center. Mr. Clark referred to MCA 7-1-114 (1)(d) which states that local governments are subject to all laws regulating the election of local officials; meaning that ADLC cannot supersede election law and “backdoor” qualifications. Ms. Nyman asked if chief legal counsel at MACO was contacted. Ms. Edwards informed her she will follow up with MACO.

CEO Connie Ternes Daniels – Ms. Daniels thanked the Study Commission for staying focused on the structure of the local government and leaving other things out. She believes voting for commissioners at-large is fair and citizens should have the right to vote for all of the commissioners in the General Election as it takes a minimum of 3 commissioners to make a decision for the entire community. Ms. Daniels noted that even though the CEO position did change from being appointed to elected, the duties did not change. If the position remains elected, Ms. Daniels feels it will remain challenging as it requires no education to get elected and the duties are numerous and expectations are high.

With regard to the lack of attendance at the meeting, Ms. Daniels remarked that she has had the honor and pleasure to attend meetings at the Opportunity Community Club on numerous occasions. She commented the citizens must feel the Study Commission is doing the best job they can.

Rose Nyman commented the wintry weather could be contributing to the lack of attendance.

Heather Edwards informed the audience the list of Study Commission members is available at the door. Milo Manning’s correct email address is jmanning3091@gmail.com.

VI. New Business

A. Drafting of Final Report

Heather Edwards informed the group the Final Report is due February 11, 2016. All comments and recommendations need to be reviewed by that time, and the Study Commission must determine what information will be contained in the Final Report. Heather Edwards informed the group she is going to request someone other than herself be responsible for drafting the Final Report. Dan Tocher suggested Adam Vauthier. Heather Edwards recommended Adam Vauthier as well. Heather Edwards will email Adam Vauthier regarding the Final Report.

VII. Miscellaneous

Milo Manning asked for clarification regarding the timeline. Heather Edwards stated the Final Report is due by February 11, 2016. Anything that is being considered will be placed on the ballot for the June Primary Election, so all information has to be to the Clerk and Recorder 75 days before the Primary.

Dan Tocher asked if any further comments have come in through the website. Heather Edwards informed the group two comments have been received from Ms. Nyman and one from a “concerned citizen.”

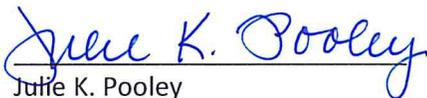
VIII. Public Comment

Rose Nyman: Ms. Nyman expressed concern that the Study Commission is relying on Dan Clark for support and information when it pays dues to MACO which has attorneys on staff. She believes the Study Commission should be getting opinions from both sides on some issues.

Gary Wenger: Mr. Wenger asked Ms. Edwards if the Study Commission planned on holding a meeting in the West Valley. Ms. Edwards informed the Mr. Wenger the Study Commission does not plan on holding any additional meetings in other parts of the county due to time constraints and lack of public comment.

XI. Adjournment

Milo Manning moved to adjourn the meeting; seconded by Dan Tocher. The meeting adjourned at 6:43p.m.


Julie K. Pooley
Secretary


Heather Edwards
Study Commission Chair