

Anaconda-Deer Lodge County  
Commission Work Session Minutes  
6:00 p.m. Tuesday, June 28, 2016  
Courthouse Courtroom

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

Excused: Commissioner Mulvey and Commissioner Vermeire, *County Attorney Krakowka*

Others Present: Julie K. Pooley, Clerk of Commission and Kathie Miller, Anaconda Leader

Commission Chair Hart called the meeting to order at 6:01 p.m. and explained the Commission Rules of Procedure.

Commission Chair Hart announced that Commissioner Mulvey was excused due to a medical procedure and Commissioner Vermeire was excused due to a family emergency. For informational purposes, Commission Chair Hart explained the Charter states a minimum of four commissioners must be present to take official action. However, being this is a Work Session and no official action will occur, the meeting will proceed as scheduled.

**Public Hearing – Second Public Hearing to Obtain Comments Regarding the Community Development Needs and Priorities of the County for Economic Development, Housing and Community Revitalization and Public Facilities; particularly as those needs affect Low and Moderate Income Persons**

CEO Ternes Daniels informed the Commission a general hearing has taken place. This hearing determines if there are specific projects people would like to see in the community.

Commission Chair Hart opened the public hearing at 6:03 p.m.

Jim Davison – 118 E. 7<sup>th</sup> Street: Mr. Davison informed the Commission a transportation planning grant will be submitted and will be matched by other funds. Housing projects are in the wings but no matching funds are available. He was in Bozeman today looking for some money for matching funds. He explained that planning grants are on a first come, first serve basis. Mr. Davison anticipates moving forward with a housing project in the next few months.

Commission Chair Hart called for public comment three additional times. With no further public comment, Commission Chair Hart closed the public hearing at 6:05 p.m.

**Resolution No. 16-29, a Resolution Authorizing Anaconda-Deer Lodge County to Dispose of Unneeded City-County Property**

Wayne Wendt informed the Commission the purpose of this resolution is to sell a Tenant Sweeper to Philipsburg. It is an older model that the County does not use. Mr. Wendt spoke with a representative

from the Tenant Company who informed him \$1500 for this year and model is a good price. Tenant does not make parts for this model anymore and Philipsburg is aware of this. Mr. Wendt stated the Road Department would like to continue to downsize in terms of equipment.

CEO Ternes Daniels informed the Commission that Philipsburg has used the sweeper in the past, and our County no longer has a need for it.

Commissioner Lux-Burt is glad to see Wayne selling off what the County does not use and getting money for what it needs.

Item placed on the agenda.

**Fourth Addendum to the Real Property Conveyance/Transfer Agreement between Atlantic Richfield Company, Anaconda-Deer Lodge County and Old Works Golf Course, Inc.**

Carl Nyman, Superfund Coordinator, informed the Commission the golf course has deferred the purchase of capital equipment and leases off and on for the past 20 years. The golf course wants to begin providing the product that people expect and are paying for. The lift that raises equipment to be repaired is too small to accommodate the larger equipment the golf course now has. In addition, many amenities the golf course has are original to the course. In advance of the funding that will be provided to the golf course later this year, Mr. Nyman explained that this loan will be treated like all the other loans. However, when the money is received, the loan payment will come off the top. Mr. Nyman was out with Anthony Bennis today looking at sediment issues and intake irrigation from Washoe Creek. Both of these critical issues will be addressed with the loan money from this addendum. Dan Manson has reviewed the agreement and it has been shared with the Authority Board.

Item placed on the agenda.

**West Valley Phase 2 Sewer Extension Easement Agreement for the Gagnon Drive Sewer between Anaconda-Deer Lodge County (Grantee) and Leonard C. Gagnon and Constance J. Best (Grantors)**

Ed Janney with DOWL Engineering informed the Commission this easement provides that the County will pay for any damage done to fencing or trees and restore the grounds to its previous condition if any excavating work takes place.

Item placed on the agenda.

**Bridge Agreement between Anaconda-Deer Lodge County and Pintler Pets for the Period July 1, 2016 through September 30, 2016**

CEO Ternes Daniels received a letter from Pat Phillips today informing her Pintler Pets is terminating its contract effective June 30, 2016. The CEO did make an effort to contact Ms. Phillips but she was out of town. The CEO and Ms. Phillips have scheduled a meeting for Thursday at 10:00 a.m. to discuss the issue further.

Commissioner Lux-Burt questioned whether this item should be placed on the agenda. Commission Chair Hart believes it should go on the agenda. It is possible some emotions are involved in her decision. In all fairness it should go on the agenda and if need be, the item can be tabled. He would like the CEO and Ms. Phillips to have the opportunity to have a conversation about the issue.

Mike Merino – 1101 Heather Drive #13: Mr. Merino informed the Commission he knows Pat Phillips as she has worked at the National Guard Armory. He understands the difficult position Pintler Pets is in. Pintler Pets is expected to provide a service and must contract out to a local veterinarian. At the same time it functions as the local Humane Society. Mr. Merino suggested the County remain involved and requested the County pay the vet costs since Pintler Pets struggles with these costs.

Commission Chair Hart clarified that the County does pay some vet bills in addition to the contract amount paid to Pintler Pets. The County has no issue continuing with the contract and paying the amount. The Commission asked for documentation regarding the number of animals served to determine if the contract amount is fair and reasonable.

Item placed on the agenda.

**Request for Qualifications for Professional Services at Anaconda-Deer Lodge County's Airport Bowman Field (Morrison Maierle was the only RFQ received)**

CEO Ternes Daniels informed the Commission that Morrison Maierle was the only respondent. The County has been working with them and they have done a tremendous job. She would like to move forward with the RFQ.

Commissioner Lux-Burt agreed with the CEO. She believes they have done a fantastic job and have made progress with the airport.

Commission Chair Hart noted Morrison Maierle has done a number of airport projects and they are certainly qualified.

Item placed on the agenda.

**Award of Bid for a 2011 or Newer Skid Steer Loader for the Wastewater Treatment Plant**

CEO Ternes Daniels informed the Commission two bids were received from CAT and Titan. CAT submitted the lowest bid.

Kurt Wyant, Maintenance Supervisor, recommended the Commission go with Titan. Titan is offering a new loader with a warranty for a few hundred dollars more. The CAT quote is for a used loader.

Commissioner Smith agreed and noted a 2016 model will cause fewer problems. The CAT is from a rental store and has had numerous operators.

Commission Chair Hart noted it is only a \$600 difference.

Commissioner Lux-Burt asked Mr. Wyant if the Titan loader had air conditioning. He indicated it did not, but he had only requested the loader have heat. Commissioner Lux-Burt recommended going with the new loader.

Item placed on the agenda.

**DPHHS Task Order No. 17-07-3-31-062-0; Montana Tobacco Use Prevention Program for FY 2016-2017**

Katherine Basirico, Public Health Director, informed the Commission the grant is in the amount of \$81,900 and has the same deliverables as last year. She explained that tobacco companies are getting more creative to attract youth. With the declining use of traditional tobacco products, marketing of e-cigarettes has increased. She noted she saw a display, which was placed by the gum and candy, for cinnamon-flavored nicotine toothpicks. At this time, nicotine is not regulated. However, legislation is coming into play that should start to regulate it.

Item placed on the agenda.

**Appointment/Reappointment of a Member to the Solid Waste Board for a Four-Year Term (Tim Flynn has requested reappointment)**

CEO Ternes Daniels noted that Tim Flynn has been a member of this board for some time.

Commission Chair Hart believes Tim Flynn is a very good member of this board.

Item placed on the agenda.

**Special Event Permit for 2016 Art in the Park to be held July 15<sup>th</sup> through July 17<sup>th</sup> at Washoe Park**

CEO Ternes Daniels informed the Commission the event will take place July 15<sup>th</sup> through 17<sup>th</sup> at Washoe Park and the insurance is in order.

Commission Chair Hart noted all signatures have been obtained.

Commissioner Lux-Burt always enjoys the event but believes it will be a little different this year without John Andrews.

Item placed on the agenda.

**Miscellaneous**

**Special Event Permit for the Anaconda Horse Shoe Club's Horse Shoe Tournament**

CEO Ternes Daniels informed the Commission this event will take place July 16<sup>th</sup> and 17<sup>th</sup> at Washoe Park, and the insurance is in order.

Item placed on the agenda.

### Auction Report

Wayne Wendt informed the Commission all but three items sold at the auction. Profits from the auctioned totaled \$54,000. Overall, the auction was a success. A few complaints came in about items being held until checks cleared. However, Mr. Wendt explained that the County has to cover itself in case a check happens to bounce. Checks were deposited on Monday around noon and some folks came in and exchanged their checks for cash. Commission Chair Hart suggested taking credit cards at future auctions.

CEO Ternes Daniels thanked Artha Whealon, Wayne Wendt, Tom Williams (auctioneer), and all of the other County staff who helped with the auction.

Commission Chair Hart noted the auction sets an example for people in the community to clean up their properties since they see the County cleaning up its property. He thanked all who participated in the auction.

**Public Comment – *This is the time for members of the public to comment on items NOT appearing on this agenda.***

No public comment.

### ADLC Public Meeting Dates

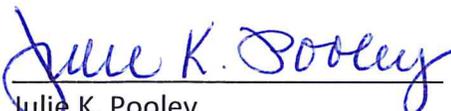
Commission Chair Hart read the ADLC Public Meeting dates.

CEO Ternes Daniels announced that budget hearings start on July 5<sup>th</sup> and will be published in the Leader. Twenty-six hearings will be held with department heads and commissioners. All budget hearings are open to the public.

### Adjournment

Commissioner Lux-Burt moved to ~~adjourn~~ the meeting. The meeting adjourned at 6:33 p.m.

*adjourn*



Julie K. Pooley  
Clerk of the Commission



Kevin A. Hart  
Commission Chair

