

Anaconda-Deer Lodge County
Commission Work Session Minutes
6:00 p.m. Tuesday, August 9, 2016
Courthouse Courtroom

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

Excused: CEO Ternes Daniels

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.

Request by the West Valley Volunteer Fire Department to Apply for an INTERCAP Loan to Purchase a Water Tender

Jim Bjornemo – 1604 Tammany: Mr. Bjornemo is the Chair of the Board for the West Valley Fire District. He informed the Commission the Fire District would like to purchase a newer water tender that holds about 3,000 gallons. The current tender is from 1982 and costs a lot of money to keep it running. The district applied for a FEMA grant and has made it to the final round, but it needs a Plan B in case they do not get the grant. The INTERCAP loan would be for \$75,000 and the district has \$25,000 for the match.

Commissioner Hart believes the West Valley Volunteer Fire Department has a lot of equipment that needs repair or replacement, but the biggest one is the water tender. Since the fire department responds to fires that do not have a water source, Commissioner Hart believes the water tender is one to go after.

Commissioner Lux-Burt agreed with Commissioner Hart and hopes the FEMA grant is awarded. She asked Mr. Bjornemo what the percentage rate on the loan is, and he informed her it is 1.55%.

Item placed on the agenda.

Updated Anaconda-Deer Lodge County Head Start Employee Handbook

Gail Mickey, Head Start Director, informed the Commission that Head Start hired Montana Associated Employers out of Billings to update the handbook to ensure it is up to the latest codes. It took them seven hours to update it at a cost of \$95 per hour. No changes were made to sick or vacation leave; however, FMLA was addressed since Head Start only has 24 employees. The handbook is basic, but it meets the requirements of Montana law.

Commissioner Lux-Burt informed Ms. Mickey she started reading through the handbook and questioned the usage of the word "him" throughout the handbook as opposed to "he/she." With the

CEO's approval, Commissioner Lux-Burt would like to have Julie Pooley, Clerk of Commission, proofread the handbook. Gail Mickey indicated that she gave a corrected copy of the handbook to CEO Ternes Daniels. Commissioner Lux-Burt noted that the handbook referenced managers, an HR Director and President, and she was not aware that Head Start had those positions. Ms. Mickey believes the firm out of Billings utilized those terms not knowing the structure of ADLC's Head Start. She informed Commissioner Lux-Burt she will get in contact with them and report back to the Commission before next week's meeting.

Item placed on the agenda for review and corrections if needed.

Updated Narrative for Anaconda-Deer Lodge County Head Start Enrollment Improvement Plan

Gail Mickey informed the Commission that Head Start has struggled with enrollment issues for the past three years. Last year, Head Start asked for a reduction in enrollment, reducing enrollment from 90 students to 81 students. Head Start added a six-hour class and went to a 180 day school year in order to compete with the school district's pre-school program. As of today, Head Start only has 61 children enrolled for the upcoming school year. Head Start's continuation grant is due in November, and they will be asking for another reduction in enrollment and asking to retain its current funding amount. By reducing to four classrooms with all classrooms going to six hours, five days a week, 180 days per year, it will enable Head Start to compete with other pre-school programs in the community. Ms. Mickey noted that doing nothing jeopardizes the entire program, so asking for a reduction is the best thing to do at this point.

Commissioner Hart noted not that long ago there was a waiting list and now Head Start cannot find enough kids to fill the spots. Gail Mickey noted that our schools went from Class A to Class B and people just do not have large families anymore.

Item placed on the agenda.

Agreement between Anaconda-Deer Lodge County Head Start and Jeananne Murphy, LCPC for Mental Health Consultation and Training Services for School Year 2016-2017

Gail Mickey informed the Commission this is the fourth year Head Start has entered into this agreement with Ms. Murphy. The only thing that has changed in the agreement is Ms. Murphy's rate, which is now \$70/hour. Ms. Murphy provides double the services the previous mental health provider did.

Commissioner Lux-Burt asked what the previous rate was and what the previous mental health provider's rate was. Ms. Mickey informed her that Ms. Murphy's previous rate was \$60/hour and Dr. Casey's rate was \$120/hour.

Commissioner Hart believes Ms. Murphy has been great for Head Start.

Item placed on the agenda.

Gail Mickey also provided an update on the playground equipment and informed the Commission the tiles were delivered today and work will begin on Thursday. However, she does not know when the old playground equipment will be removed.

Fourth Extension Agreement (Weed MOU) between Anaconda-Deer Lodge County and Atlantic Richfield Company

Carl Nyman, Superfund Coordinator, informed the Commission this is an extension to the MOU which started in 2011. In the 1994 Conveyance Agreement, the County agreed to do maintenance on various properties, including weed spraying. The MOU provides the funding to do so. In the future, this will be part of the Institutional Controls (IC) Agreement. The County just received the scope of work last week which identified some other issues. Mr. Nyman anticipates additional weed spraying taking place in the fall, as well as some erosion control work.

Commissioner Lux-Burt asked if the County is doing the spraying. Mr. Nyman indicated Michael Marker, the County's Weed Coordinator, is aware of the scope of work. He indicated he will work with Mr. Marker to see what needs to be done on other County properties. Incentives are built into the IC Agreement. In order to ensure the County meets its performance goals, it utilizes a contractor for weed management and erosion control. However, Mr. Nyman recognized that Michael Marker has brought the County's weed program a long way, and he is confident the County's weed program and Superfund weed program can work together.

Kathie Miller with the Anaconda Leader asked Mr. Nyman who provided the scope of work. Mr. Nyman informed her that ARCO utilizes contractors who go out in the field in the summer and fall to look at storm drains, vegetation and weeds to determine what needs to be done. The IC Agreement will provide funding to transition the County into doing the inspections and developing the scope of work. Ms. Miller felt it was later in the year to get a scope of work for weed spraying and noted that one of her concerns with ARCO is they provide things late in the year and the County cannot stay on top of it. Mr. Nyman informed her it did not prevent the County from doing its work as there was \$6,000 in carryover left from last year and people were out in June and July spraying. He noted that ARCO cannot be faulted as they are just as buried as the County is in terms of the IC Agreement and the consent decree.

Commissioner Lux-Burt noticed the agreement is retroactive back to February 2016. Mr. Nyman confirmed it is and informed her the dates do not correspond to our fiscal year because the agreement was first implemented mid-year.

Item placed on the agenda.

Request for Qualifications for Administration of the Anaconda-Deer Lodge County Urban Renewal Agency (URA) Board and Tax Increment Finance (TIF) District

Julie Pooley, Clerk of Commission, informed the Commission that Anaconda Local Development Corporation (ALDC) was the only organization that submitted an RFQ. ALDC has numerous years of experience in the community. Executive Director, Jim Davison, has been with ALDC for 34 years and

Lydia Janosko, Executive Assistant, has been with ALDC for 20 years. ALDC has extensive experience with grant writing and administration, loan administration, project management, and planning. ALDC completed Anaconda's Downtown Master Plan, successfully wrote a CDBG grant to secure funding for Job Corps' TIG Welding Lab and started the Pop-Up Shop Program last summer. ALDC proposes to charge \$50/hour, not to exceed \$8,900 for fiscal year 2016-2017, which is 10 percent of the Urban Renewal Agency's budget. Ms. Pooley informed the Commission the Urban Renewal Agency's main focus is to provide grant funds to businesses in order to make façade improvements, infrastructure improvements, etc., in order to increase the tax base in the Downtown TIF.

Jim Davison informed the Commission the Urban Renewal Agency has received several applications requesting a total of almost \$90,000. He does not expect the entire amount to be used as people have asked for more than the allowable amount. However, people are very enthusiastic about the opportunity.

Commissioner Lux-Burt is glad to see this moving forward.

Item placed on the agenda.

Project Specific Agreement between Anaconda-Deer Lodge County and the State of Montana Department of Transportation to Develop and Construct a SAFETEA-LU Section 1934 Transportation Improvement Project #242, UPN 9219, West Valley Park

Julie Pooley, Clerk of Commission, informed the Commission this agreement is for CTEP funds for the West Valley Park project in the amount of \$329,932. The County must provide a match in the amount of \$51,139. Once this agreement is signed, WWC Engineering will provide the Consultant Agreement, which will go before the Commission at the August 23rd Work Session for review. Once it is approved, public meetings with the West Valley residents will take place to determine the project scope. The final project scope will be brought to the Commission for approval before the project design begins. Jeremy Fadness with WWC anticipates that the survey and design will occur from October 2016 through January 2017. From there, the project will go out to bid and construction will start late spring or early summer 2017.

Commissioner Lux-Burt expressed her excitement about this project and is glad the County can utilize the leftover CTEP funds from the Beaverdam Park project. She noted that the residents of the West Valley have put up with a lot of construction from the sewer project, and it will be really nice to have the park.

Commissioner Hart agreed and noted the importance of the public meetings in order for the residents to have input for the park.

Item placed on the agenda.

Appointment/Reappointment of Two Members to the Cemetery Board for a Three-Year Term

Commissioner Hart noted that both Mark Callison and Larry Sladich would like to be reappointed to the Cemetery Board.

Julie Pooley, Clerk of Commission, informed the Commission that Larry Sladich has served on the Cemetery Board since 1998, and Mark Callison has served since 2007. In addition, the vacancies were advertised for over 30 days.

Commissioner Lux-Burt ran into Mark Callison who told her the Cemetery Board hopes to reduce its permanent mill levy in the future when the major projects are completed. She was very pleased to hear that. Commissioner Hart believes the levied funds have been put to very good use.

Item placed on the agenda.

Resignation of Rick Hamilton from the Planning Board and Authorization to Advertise the Vacancy to Fill the Remainder of the Term through January 20, 2017

Commissioner Hart indicated that Mr. Hamilton is resigning from the Planning Board due to family commitments. Mr. Hamilton hopes he can find time in the future to serve the County again.

Item placed on the agenda.

Special Event Permit for the State Co-Ed Softball Tournament to be held August 20th and 21st at Charlotte Yeoman Complex

Commissioner Hart informed the Commission this event will take place on August 20th and 21st at Charlotte Yeoman. All signatures have been obtained and the insurance is in order. He commented that this is another event that will bring more business to town.

Item placed on the agenda.

Special Event Permit for the Dead Ringer Horseshoe League Picnic to be held August 27th at Washoe Park

Commissioner Hart informed the Commission this event will take place August 27th from 10 a.m. to 6 p.m. at Washoe Park. All signatures have been obtained and the insurance is in order.

Item placed on the agenda.

Special Event Permit for the Job Corps Picnic to be held August 31st at Washoe Park

Commissioner Hart informed the Commission this event will take place on August 31st from 12 p.m. to 6 p.m. at Washoe Park, Washoe pool and Legion Field. All signatures have been obtained, and the insurance is in order. He believes this is a good way for the community to show its support for Job

Corps. They do a fantastic job in the community and have done an especially good job with the cemeteries this past year.

Commissioner Mulvey has volunteered at the event the past few years and stated the Job Corps kids love this picnic.

Item placed on the agenda.

Special Event Permit for the Kiwanis Bike Give Away to be held September 10th at Kennedy Common

Commissioner Hart informed the Commission this event will take place on September 10th at Kennedy Common. All signatures have been obtained and the insurance is in order. He stated that Al Messer has done this event for many years, and it is very well received.

Item placed on the agenda.

Miscellaneous

Washoe Park Road Storm Drains

Commissioner Vermeire received a phone call from Russ Bilodeau this afternoon regarding the letter that was discussed at last week's Commission Meeting. Mr. Bilodeau expressed concern that no one has been down to look at the storm drains. Commissioner Vermeire asked Wayne Wendt, Road Foreman to speak to this issue. Wayne Wendt informed the Commission he looked at the storm drains after Sunday's rain storm. Two of the drains were working well. In Mr. Bilodeau's letter he refers to last summer's big rain event. Mr. Wendt believes the drains are not the problem, but the issue is actually the hillside behind the homes. This hillside is on private property. Further, Mike Arvish who is the inspector for the waterlines project, checked the culverts that run across Washoe Park Road, and they seem to be fine. Mr. Wendt indicated the drains will be flushed out again once the waterline project is complete. He also indicated that in order to install additional drains, it needs DEQ approval which takes months. However, he reiterated that he does not believe it is a drain problem, but a problem with the drainage on the hillside which is on private property. He has spoken with Mr. Bilodeau and explained this to him, but Mr. Bilodeau does not seem happy with this explanation.

Tom Williams and Bea McCarthy

Commissioner Hart announced the passing of Tom Williams, ADLC's Animal Control Officer, and stated he will be missed dearly. He also announced the passing of Bea McCarthy who was a great community advocate and state legislator.

Superslide

County Attorney Krakowka referenced the memo he issued to the Commissioners and John Leo Sladich regarding the safety of the Superslide. In the memo he informed the Commission the slide was still accessible because the orange plastic fencing was not doing anything to keep people out. In response,

John Leo Sladich put up a plywood fence, which County Attorney Krakowka believes has been very effective. At this point, he believes it has solved the County's liability issue. Until such time that there can be new puck board installed on the slide to make it safe, this is the best solution. The County Attorney believes the County was given an albatross in that the slide is expensive to maintain and there is no budget to do so. Commissioner Hart agreed and noted that most people think puck board is indestructible when it is actually fragile and does not withstand the weather and needs constant repair. Ultimately, the County needs to decide if it wants to continue to maintain it. County Attorney Krakowka wondered if there is an alternate material for the slide, and Commissioner Hart commented that the CEO had previously stated that the puck board had been replaced, and the County had to get it from Canada.

Public Comment

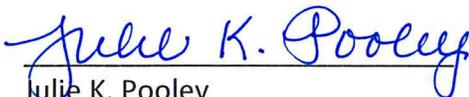
Bill Everett – 801 E. 3rd: Mr. Everett informed Commissioner Hart that Larry Harwood and Rick Nicholson got in touch with him and informed him they went to Canada to pick up the puck board. They have the puck board and want to install it, but have been unsuccessful in getting a response from the County. Mr. Everett gave the contact information to the County Attorney who passed it along to Julie Pooley, Clerk of Commission. Ms. Pooley will ensure the information gets passed along to the CEO.

ADLC Public Meeting Dates

Commission Chair Hart read the ADLC Public Meeting dates.

Adjournment

Commissioner Lux-Burt moved to adjourn the meeting. The meeting adjourned at 7:02 p.m.



Julie K. Pooley
Clerk of the Commission



Kevin A. Hart
Commission Chair

