

**Anaconda-Deer Lodge County
Commission Meeting Minutes
6:00 p.m. Tuesday, October 4, 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 Commission

Members of the Press: Kathie Miller, Anaconda Leader

Commission Chair Hart called the meeting to order at 6:02 p.m. and the Pledge of Allegiance was recited.

Commission Chair Hart explained the Commission Rules of Procedure.

APPROVAL OF MINUTES

Approval of Minutes from the Commission Meeting of September 20, 2016, the Commission Work Session of September 27, 2016 and the Commission Special Meeting of September 27, 2016.

Commissioner Smith moved to approve the minutes from the Commission Meeting of September 20, 2016, the Commission Work Session of September 27, 2016 and the Commission Special Meeting of September 27, 2016; seconded by Commissioner Mulvey.

Motion carried unanimously.

APPROVAL OF CLAIMS

CEO Ternes Daniels commented claims were substantial due to construction projects. The water project was over \$500,000. It is reflective of the construction work going on in the County.

Commissioner Vermeire moved to approve claims numbered 123443 through 123534 in amount of \$916,662.31; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

REPORTS OF BOARDS, OFFICIALS, COMMITTEES

Update on the Urban Renewal Agency Board/Downtown Tax Increment Finance District Grant Applications/Awards

Jim Davison informed the Commission that the Urban Renewal Agency Board has been incredibly busy. Twenty-seven applications have been submitted since mid-July. A total of \$208,000 was requested,

but only \$160,000 was eligible under the criteria developed by the board. To date, \$68,000 has been awarded, and Mr. Davison informed the Commission approximately 11 applications remain to be processed.

Report on the USDA Public Meeting held Thursday, September 29th

Julie Pooley, Clerk of Commission, provided an overview of the meeting hosted by the USDA. The meeting was held on Thursday, September 29th at the Community Service Center. Members representing various USDA programs, including the Farm Service Agency, Rural Development Program, Natural Resources Conservation Service, Food and Nutrition Service, and Animal and Plant Health Inspection Service were present. Representatives from local businesses, organizations, agencies, and the County were present, as well as several private citizens.

Montana was designated as a StrikeForce Initiative for Rural Growth and Opportunity by the USDA in 2016. The StrikeForce Initiative was launched in 2010 to support investment and economic growth in high-poverty areas in rural America. Efforts over the past six years have invested more than \$23.5 billion to create jobs, build affordable housing, feed children, and assist farmers.

The USDA cites that 85 percent of the country's persistent poverty counties are in rural America. In Montana, 13 counties have been identified as having persistent poverty. Of these 13 counties, 10 have reservations located within the county. The following Montana counties have been identified by the USDA: Big Horn, Blaine, Choteau, Deer Lodge, Glacier, Golden Valley, Hill, Lake, Liberty, Prairie, Roosevelt, Rosebud, and Sanders.

Thursday's discussion was productive and focused on several areas. It is important to remember that Deer Lodge County extends down to the Big Hole/Wise River area and west to the Deer Lodge Valley/Galen area. Therefore, concerns extend far beyond Anaconda.

Participants discussed opportunities for greenhouse growing, organic food growing, food co-ops, private land forestry, and processing of livestock in Montana (currently livestock gets sent out of state to be processed), and the farm to school program.

In terms of economic development, discussion focused on several areas. Jim Davison with Anaconda Local Development Corporation discussed the need for reliable internet and cell phone service. He informed USDA staff that his organization is working with the school district to bring broadband to the community. As businesses heavily rely on high-speed internet, this is a key to economic growth for our community. Participants discussed the waterline replacements taking place in Anaconda, as well as the new sewer system in the West Valley. Related to this discussion, many participants expressed concern over the increase of the sewer fees, with the manager of Hearthstone and the Public Housing Director noting it has been particularly difficult to manage the increase within their limited budgets.

The USDA informed the group it has several lending programs through its Rural Development Program in the form of grants and loans. It was suggested this may be an option for the remodel of Anaconda's fire hall. Most of the participants were unaware of the program, and it was determined that outreach efforts are lacking and need improvement. In addition, the USDA offers technical assistance, which may be very beneficial for the community.

Housing and poverty were discussed at length. Anaconda's lack of quality housing was a concern voiced by several participants. Participants felt the County's current decay ordinance hindered housing development as vacant, condemned and burnt homes/buildings have been sitting for years. If torn down, new housing could be built on these lots. In addition, suggestions were made to utilize historic buildings for housing/retail/office space. It was also noted that many homes are in disrepair because owners are living in poverty. The USDA's Rural Development Program offers the 504 Home Repair Program which provides loans to very-low-income homeowners to repair, improve or modernize their homes. Grants are available to elderly very-low-income homeowners to remove health and safety hazards. In addition, it offers loans/grants through its Rural Community Development Initiative to facilitate housing projects.

With regard to poverty, many felt the community's youth were missing basic life skills and believed a youth mentoring program would be helpful. In addition, many felt mental health issues were directly related to poverty. It was noted that many people will not seek mental health services in our community for fear of running into someone they know – so they choose to go without. The USDA questioned whether transportation was an issue in our community, and the answer was a resounding "yes!" The County Extension Agent and Public Health Director suggested a transportation system that picks people up in Anaconda, Philipsburg and Deer Lodge and takes them to Missoula and Deer Lodge for appointments.

By the end of the meeting, it was determined that the USDA needs to do more face-to-face outreach in the community. The USDA has a few more town hall meetings to do. Once the meetings are complete, the USDA will compile all of the information and present it to the USDA state leadership. From there, it will be presented to the USDA leadership in Washington D.C. who will then determine what type of assistance Montana's counties are eligible for. It is estimated this will take three to four months.

Commission/CEO/County Attorney Reports

Commissioner Vermeire attended the Airport Board Meeting and a Superfund meeting.

Commissioner Lux-Burt attended a MMIA Training in Butte, the Head Start Policy Council meeting, the golf course breakfast for Jack Nicklaus, a contractor's meeting, and a Superfund meeting.

Commissioner Mulvey attended the Library Board meeting and a Western Montana Mental Health Center Board meeting.

CEO Ternes Daniels commented on the fire that destroyed Club Moderne on Monday night. She expressed her deepest sympathies to the Hekkel Family, as well as one of the firefighters who was injured and life-flighted to Harborview Medical Center in Seattle. He is doing well and may be released on Wednesday. She went onto explain that Julie Pooley has been in touch with representatives from the Montana State Historical Society, which may have emergency funds available to assist the owners. Julie Pooley explained she is working with Kate Hampton from the Historical Society to obtain emergency funding for the owners to have a historic architect do a feasibility study to determine what can be salvaged from the bar. Along with Jim Davison and Jamie Roessler, Julie Pooley will work with the Historical Society to provide this assistance.

County Attorney Krakowka attended the ACI meeting. He checked out the reverse angle parking demonstration and noted it seems like an excellent idea for the stretch of road because it easily doubles the amount of available parking. He thanked the CEO for the update on Bucko (firefighter) and is glad to hear he is doing okay. He informed the Commission he went to Racetrack over the weekend to check out the trail that has been improved for better 4-wheel access. He reported substantial work has been done. Although it is not restored to what it was when the road was open, the public can access Modesty Creek again. Mr. Krakowka thanked the CEO, Senator Tester and the Sportsmen's Club for their work in getting this done.

PUBLIC HEARING

Quick Minor Subdivision - A request by Steve Quick to subdivide Lot 2A-1A of the Galle II Minor Subdivision located in the Northeast ½ Section of 25 of T5N, R11W, P.M.,M., Lot 2A-1 of Amended Plat 399-B, which is on file in the Anaconda-Deer Lodge County Clerk & Recorder's Office in Anaconda, Montana. This minor subdivision will create two (2) tracts from an existing tract of 16.72 acres. The subsequent two (2) tracts will total 13.786 acres and 2.936 acres in size.

Bob Horne, Interim DPS Coordinator, informed the Commission this is a one-lot subsequent minor subdivision. The lot consists of three acres. After the two tracts are created, it still leaves a parcel of 13.72 acres. The preliminary plat was approved with conditions in November 2013. Mr. Quick has met the conditions.

Commission Chair Hart opened the public hearing at 6:36 p.m. Receiving no public comment after three calls for public comment, Commission Chair Hart closed the public hearing at 6:37 p.m.

UNFINISHED BUSINESS

Approval of the Final Plat for the Quick Minor Subdivision

Commission Chair Hart stated that Mr. Quick has done his due diligence to meet the conditions.

Commissioner Vermeire moved to approve the Final Plat for the Quick Minor Subdivision; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Approval of Ordinance No. 247, an Ordinance Creating a Local Emergency Planning Committee and Establishing Its Powers, Duties and Responsibilities

CEO Ternes Daniels stated that this ordinance has been discussed at length. It was inadvertently repealed, and is being reinstated. The LEPC falls under the guidelines of federal law.

Commissioner Lux-Burt moved to approve Ordinance No. 247; seconded by Commissioner Mulvey.

Motion carried unanimously.

Approval of the Professional Services Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies, PC

CEO Ternes Daniels explained to the Commission that this item is on the agenda tonight because of an oversight. She stated that the County went out for and did a Request for Qualifications for technical and environmental assistance. One firm responded and it happened to be Water & Environmental Technologies. The CEO explained that the Commission approved to accept the Request for Qualifications and to enter into a professional services agreement. Lengthy discussions regarding the agreement went on for a while. She went on to state she believes the County has been well-served with Water & Environmental Technologies. She would suggest that the Commission authorize approval of the agreement dating back to when it was executed by her on February 20, 2014.

Although she is not going to repeat herself from last week and does not feel she is in a position to judge the quality of work of the principals and staff of WET, Rose Nyman informed the Commission she does have some concerns. In 2015, Mrs. Nyman requested information regarding WET invoices. The request was addressed directly to the Commission, and a County employee replied to the request informing her it was denied. Money flows to WET from the County, which is a government agency, and the EPA is also involved. Mrs. Nyman was told that it was Charlie Coleman's responsibility to review all of WET's invoices and then the invoices are to be confirmed by an ARCO staff member. Mrs. Nyman believes she has a right to the information. She informed the Commission she has copies of invoices from August 2016. She noticed claims for things like rent, a lab, janitorial, supplies, telephone, and truck leases. She asked to be pointed to the provision in the agreement that allows WET to invoice the County for these items. As a former business owner, Mrs. Nyman stated it seems like the cost of doing business. CEO Ternes Daniels told Mrs. Nyman she will get whatever information she can and get it to her. Mrs. Nyman raised an additional concern with regard to the CEO's political brochure. Mrs. Nyman is concerned that WET employees are pictured in the brochure and believes this is an issue because WET is a contractor. In addition, Mrs. Nyman pointed out the picture was taken in the ALDC 3rd floor conference room. She believes this may violate campaign laws and will be contacting the Commissioner of Political Practices; she also feels this is poor judgement on the principals of WET. Mrs. Nyman acknowledged she is not in a position to judge WET's qualifications; however, she does have the concerns.

Commissioner Smith moved to approve the Professional Services Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies, PC; seconded by Commissioner Vermeire

CEO Ternes Daniels stated the agreement is to be retroactive back to February 10, 2014 when she executed it.

Commissioner Smith moved to approve the Professional Services Agreement between Anaconda-Deer Lodge County and Water & Environmental Technologies, PC retroactive to February 10, 2014; seconded by Commissioner Vermeire.

Motion passed unanimously.

Approval of the Construction Contract between Anaconda-Deer Lodge County and Mild Fence to Construct Improvements at the Bowman Field Airport Consisting of a New Wildlife Fence AIP 3-30-0002-017-2016

The Commission had requested legal review of this contract, and Commissioner Lux-Burt asked if this was done. County Attorney Krakowka confirmed it was with only minor edits to the contract.

CEO Ternes Daniels asked Julie Pooley if the changes were discussed with Morrison Maierle. Julie Pooley informed her that the contract was emailed to Shawn Shea who had no issues with the changes.

Commissioner Lux-Burt moved to approve the Construction Contract between Anaconda-Deer Lodge County and Mild Fence to Construct Improvements at the Bowman Field Airport Consisting of a New Wildlife Fence AIP 3-30-0002-017-2016; seconded by Commissioner Mulvey.

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

Motion carried unanimously.

Approval of Task Order Twenty to Professional Services Term Agreement No. 04-HKM-0420 between Anaconda-Deer Lodge County and DOWL for Groundwater Discharge Permit Application

Commission Chair Hart noted that Ed Janney with DOWL explained this very well last week.

CEO Ternes Daniels agreed with Commission Chair Hart and hopes the Commission approves the task order.

Commissioner Mulvey moved to approve Task Order Twenty to Professional Services Term Agreement No. 04-HKM-0420 between Anaconda-Deer Lodge County and DOWL for Groundwater Discharge Permit Application; seconded by Commissioner Vermeire.

Motion carried unanimously.

Approval of Task Order No. 3 for 2017 Anaconda Water System Improvements for Ogden Street Water Mains, West Side Valves & Hydrants and Warm Springs Evaluation

Commissioner Lux-Burt is very happy to see the water project continuing. She stated it is exciting to see the amount of improvements to the County's infrastructure, and noted it is much better than other towns in the state.

CEO Ternes Daniels stated that NRD funds (over \$18 million) have been tremendous in getting these projects done.

Commissioner Smith moved to approve Task Order No. 3 for 2017 Anaconda Water System Improvements for Ogden Street Water Mains, West Side Valves & Hydrants and Warm Springs Evaluation; seconded by Commissioner Lux-Burt.

Commissioner Vermeire thought the motion was vague and should mention the task order is between the County and Copper Environmental. Commission Chair Hart asked that the motion be re-stated.

Commissioner Smith moved to approve Task Order No. 3 between Anaconda-Deer Lodge County and Copper Environmental for 2017 Anaconda Water System Improvements for Ogden Street Water Mains, West Side Valves & Hydrants and Warm Springs Evaluation; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Approval of the Memorandum of Understanding between Anaconda-Deer Lodge County and Anaconda School District #10 Regarding Use of District Buildings to Provide Shelter to Persons in Case of Emergency or Natural Disaster

County Attorney Krakowka had the opportunity to review the agreement. He informed the Commission it is simplistic and allows the County to utilize school district buildings. The liability falls to the County if it uses the buildings. He did not have any issues with the agreement.

Commissioner Smith moved to approve the Memorandum of Understanding between Anaconda-Deer Lodge County and Anaconda School District #10 Regarding Use of District Buildings to Provide Shelter to Persons in Case of Emergency or Natural Disaster; seconded by Commissioner Vermeire.

Motion carried unanimously.

Approval of Easement Termination by Anaconda-Deer Lodge County and Patricia Johnson and Sherri Ann Johnson, 116 N. Maple St., Anaconda, MT 59711

County Attorney Krakowka informed the Commission the easement was established for the waterlines. As it turns out, waterlines were constructed elsewhere and did not have to go through the Johnson's property. Therefore, there is no need for the easement.

Commissioner Vermeire moved to approve the Easement Termination by Anaconda-Deer Lodge County and Patricia Johnson and Sherri Ann Johnson, 116 N. Maple St., Anaconda, MT 59711; seconded by Commissioner Mulvey.

Motion carried unanimously.

Approval of the Professional Services Contract Extension through December 31, 2016 between Anaconda-Deer Lodge County and Anaconda Family Resource Center for the Maternal, Infant and Early Childhood Home Visiting Program (MIECHV)

CEO Ternes Daniels reminded the Commission this extension is with regard to the task order amendment that was approved last week.

Commissioner Mulvey moved to approve the Professional Services Contract Extension through December 31, 2016 between Anaconda-Deer Lodge County and Anaconda Family Resource Center for the Maternal, Infant and Early Childhood Home Visiting Program (MIECHV); seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Approval of the Special Event Permit for Pintler Pets Walk of Terror to be held October 28th & 29th in Washoe Park

Commissioner Lux-Burt stated this sounds like a fun event and fundraiser for Pintler Pets.

CEO Ternes Daniels stated this event is always a fun time and thinks everyone should go out to the park and get terrorized.

Commissioner Lux-Burt moved to approve the Special Event Permit for Pintler Pets Walk of Terror to be held October 28th & 29th at Washoe Park; seconded by Commissioner Mulvey.

Commission Chair Hart pointed out that the insurance is in order.

Motion carried unanimously.

Appointment/Reappointment of a Member to the Greenway Service District Authority Board

Commissioner Smith moved to reappoint Kay Eccleston to the Greenway Service District Authority Board for a three-year term; seconded by Commissioner Vermeire.

Motion carried unanimously.

Appointment/Reappointment of a Member to the West Valley Mosquito Control Board

Commissioner Mulvey moved to reappoint Joanne Jense to the West Valley Mosquito Control Board for a three-year term; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

Acceptance of the Resignation of Bill Willing from the Airport Board and Authorization to Advertise the Vacancy to Fill the Remainder of the Term through July 10, 2017

Commissioner Vermeire reported that members of the Airport Board have made several attempts to contact Bill Willing, and Commissioner Vermeire really thinks Bill Willing no longer wants to be on the board. He has not returned any of Commissioner Vermeire's phone calls.

CEO Ternes Daniels has tried to contact Bill Willing two or three times and has not been successful.

Commissioner Vermeire moved to accept the resignation of Bill Willing from the Airport Board and authorize the advertising of the vacancy to fill the remainder of the term through July 10, 2017; seconded by Commissioner Mulvey.

Motion carried unanimously.

NEW BUSINESS

Approval of the Dedication and Renaming of the Hefner's Dam Wetlands Area to the "LF 'Lorry' Thomas Anaconda Wildlife Area"

Commissioner Lux-Burt expressed her support for this stating that Lorry Thomas always did so much for the Community, tried to make it a better place and secure more lands. He was a man she truly respected and this is an honor to his memory.

Mark Sweeney is the project manager for the Washoe Park/Hefner's Dam project which is funded through NRD. He informed the Commission the Hefner's Dam project is drawing to a close. The project consisted of reconstructing the duck pond and building a connecting paved trail between Washoe Park and Hefner's Dam. He explained that Hefner's Dam is a wetlands area. On Wednesday, the crew is placing the bridge over Warm Springs Creek on the south side of the pump house. This area is owned by the County and a deed restriction was placed on the land to protect the wetland and the wildlife into perpetuity. Mr. Sweeney noted that when Lorry Thomas passed earlier this year, it was a "no brainer" to dedicate and rename the area in his honor. It epitomizes what Lorry did for Anaconda. He did a great job of rallying support for sportsmen and women all over the state, and he was a champion for public access. Mr. Sweeney told the Commission that when Jordan Contracting first went to the area to start creating the trail, they encountered a black bear. He informed the Commission that Warm Springs Creek has been inaccessible and now with the bridge it will be accessible. Job Corps built and placed 14 benches between the duck pond and Hefner's Dam. Through the dedication, Mr. Sweeney hopes it can inspire future generations to follow in Lorry's footsteps to give back to the community. Mr. Sweeney informed the Commission that Lorry's family, as well as the Washoe Park Foundation, the community, and the Sportsmen Club are in support of renaming the site. If the Commission approves it, a resolution will come forth formalizing the renaming, and a formal dedication will take place.

Commissioner Vermeire stated that having Lorry Thomas as a father-in-law was quite an experience. Many times he would get a call from Lorry and they would go for a ride and end up in the Big Hole fixing a fence. Commissioner Vermeire stated that Lorry was always out there helping people, and "mending the fence" between sportsmen and landowners. Lorry testified many times before the legislature as well. Commissioner Vermeire believes this would be a real honor.

Commission Chair Hart thanked everyone involved in the project for doing a fantastic job. He stated that Lorry was a giant of a man, especially when it came to access to wilderness and forest service areas. He believes this is an absolutely fitting dedication, and he fully supports it.

CEO Ternes Daniels thanked Lorry's family, friends and members of the Sportsmen Club for attending the meeting, and believes it is a testimony to the great work he did in the community. She thinks the renaming and dedication is fitting and likes Mark Sweeney's idea of a resolution. The CEO stated the improvements to Washoe Park/Hefner's Dam are absolutely beautiful, and they really open the area up for the community to experience the beautiful area. She stated it will be great to have Lorry's name on it, and she fully supports it.

Tracey Thun with the Washoe Park Foundation fully supports the renaming and dedication and told the Commission that Lorry was a man whose passion for the outdoors and the community showed in everything he did. Opening up this wetland area for the public to enjoy fits in with all of the things that Lorry worked so hard for all his life. Getting public access to an area that people could enjoy while keeping its integrity in tact was a vision shared by both Lorry and the Foundation. The area will allow people to enjoy the natural wetland and the wildlife that frequent the area. Ms. Thun noted that Lorry was at every community meeting hosted by the Foundation and always offered his support and the sportsman's view.

Rose Nyman commended the Commission for bringing Mark Sweeney's suggestion forward. She believes it is important to honor Lorry Thomas' valor, as he did not just talk the talk, he walked the walk. She thinks he missed his calling and would have been a great asset to our nation's diplomatic corps. She thanked the Commission for considering this.

Tracey Thun informed the Commission that if anyone would like to make a donation to assist with the sign for the area, to please indicate on the donation it is for that purpose.

Kathy Hadley lives in the northeast part of the County east of Galen. She told the Commission that Lorry Thomas was an incredible man. He was a real conservation hero to many who were younger than him. He taught her an awful lot, and she feels he was a kind and giving man who would help anyone, anytime. She stated that he had in his heart that wildlife was there for everyone. She can think of no better dedication to a man who stood so tall.

Wayne Hadley informed the Commission that he has been a professional biologist for 50 years and has worked to protect the public's right to use public resources. He attested to Lorry Thomas' devotion to this as well. He stated that Lorry was always on the front lines and he hopes that it set an example for future generations to do the same thing. Mr. Hadley fully supports the dedication in Lorry's honor.

Commissioner Vermeire moved to approve the Dedication and Renaming of the Hefner's Dam Wetlands Area to the "LF 'Lorry' Thomas Anaconda Wildlife Area"; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

MISCELLANEOUS

Washoe Park

Commissioner Lux-Burt acknowledged Tracey Thun with the Washoe Park Foundation and noted that, along with NRD, the Foundation has been a driving force in fixing up the duck pond. As a commissioner, she attends several meetings and sometimes does not take the time to enjoy all of the beauty around our community. The other day she went to Washoe Park and sat down by the creek. She believes our park is absolutely beautiful. She thanked Tracey Thun, Mark Sweeney, and everyone that has been involved in the project. She believes we are all blessed in this community and do not focus enough on all of the wonderful things going on. She stated that Lorry Thomas knew that and sometimes we all just need to slow down and enjoy it.

Mark Sweeney added that John Leo and his crew with the Parks Department are working their tails off.

PUBLIC COMMENT

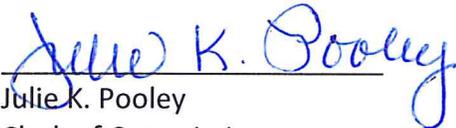
No public comment.

ADLC PUBLIC MEETING DATES

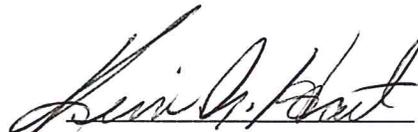
Commission Chair Hart read the public meeting dates.

ADJOURNMENT

Commissioner Lux-Burt motioned to adjourn the meeting. The meeting adjourned at 7:28 p.m.



Julie K. Pooley
Clerk of Commission



Kevin A. Hart
Commission Chair

