

**Anaconda-Deer Lodge County  
Commission Meeting Minutes  
6:00 p.m. Tuesday, October 18, 2016  
Courthouse Courtroom**

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

Excused: Commission Vice-Chair Vermeire

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 6:01 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 October 4, 2016 and the Commission Work Session of October 11, 2016**

Commissioner Smith moved to approve the minutes from the Commission Meeting of October 4, 2016 and the Commission Work Session of October 11, 2016; seconded by Commissioner Mulvey.

Motion carried unanimously.

**APPROVAL OF CLAIMS**

Commissioner Lux-Burt moved to approve claims numbered 123535 through 123635 in the amount of \$210,710.92; seconded by Commissioner Smith.

Motion carried unanimously.

**REPORTS OF BOARDS, OFFICIALS, COMMITTEES**

**Update on the Upcoming 2016 General Election Ballot/Voting Process**

Joey Blodnick informed the Commission that regular registration closed last Tuesday at 5:00 p.m. Early voting began last Wednesday. Anaconda-Deer Lodge County has 5,243 registered voters, and 2018 ballots were mailed out on Friday. She informed the Commission that 39 election judges are returning for the general election and three new judges will be doing training on October 26<sup>th</sup>. Four County staff have volunteered to be election judges this year. It was brought to her attention there are some

concerns with moving the elections office back to the courthouse and into the Clerk and Recorder's Office – historically the elections office has been at the Vo-Tech Building. The Elections office and the ballot counting machine are now in the Clerk and Recorder's office, and the office has been restructured to allow for more visibility. Ms. Blodnick stated that one of the main reasons this is being kept in the Clerk and Recorder's office is because the ballot machine is cumbersome and the more it gets bounced around, the harder it is to calibrate. If the calibration is off and if it is out of line, it will not run the ballots. She indicated that staff is not trying to hide any of the processes – staff is coming and going and is very involved in the process and keeps in close communication with the Secretary of State. Ms. Blodnick stated that the Secretary of State's Office has no concerns with the procedures in place. Due to the high influx of early absentee ballots, this year there will be a prep team that will start opening secrecy envelopes. This will be open to the public, but anyone coming in to observe will have to do so in a certain area. As always, the public will be welcome to view the process on election night as long as they come before the polls close. Ms. Blodnick addressed the issue of the resolution board and stated it is at the discretion of the administrator whether or not to have one. There is an optional resolution board and staff has the authority to recreate ballots. She stated she has always done a combination of both and does not put all of the optional resolution boards in place because so many staff are involved with prepping and counting the ballots. This year, Commissioner Lux-Burt will be a resolution judge along with a staff member and a member of the public. Ms. Blodnick also indicated that all judges are given a copy of Title XII of MCA and copy is available in the Election Office, and stated that any concerns are addressed as quickly as possible.

Rose Nyman received an email from the Secretary of State's office indicating that three election judges must be present when a ballot is interpreted. She did not witness this on the night of the primary and this is where her concern came from. However, after Ms. Blodnick provided her update, Mrs. Nyman believes it sounds like it will be different for the general election. Ms. Blodnick informed Mrs. Nyman and the Commission that MACO will propose to the Legislature to move to an all absentee ballot system. Mrs. Nyman commented that this system can better control the election and costs.

### **Settlement between Department of Revenue and NorthWestern Energy**

CEO Ternes Daniels informed the Commission that the County received a notice of settlement between NorthWestern Energy and the Department of Revenue which affects the County's taxable values. The CEO indicated the County may need to recertify its values and mills and may need to amend the budget. She stated the impact to the County is still being analyzed by Joey Blodnick and Eric Hoiland.

Joey Blodnick informed the Commission this issue could impact the County's mill revenues and at first glance it looks to be about a \$300,000 shortfall. At this point, she does not know what the impact will be on the Mill Creek TIFID. However, since the TIFID is used to backfill the budget it may have a potential impact on some portions of the budget. She stated that the number of mills will not increase but the value of the mills may decrease. It is a concern with the school districts because it cannot use a rolling mill value.

CEO Ternes Daniels indicated that MACO released a lengthy memo on this issue, but she needs to review it and understand what it ultimately means and make the necessary adjustments.

## **Commission/CEO/County Attorney Reports**

Commissioner Smith attended the Old Works Golf Course Authority Board Meeting.

Commissioner Lux-Burt had nothing to report.

Commissioner Mulvey attended the Hearst Free Library Board Meeting and the DUI Task Force Meeting.

Commission Chair Hart had nothing to report.

CEO Ternes Daniels had nothing to report.

County Attorney Krakowka attended the DUI Task Force Meeting, a CEC Meeting and an Adult Protective Services Team Meeting.

## **UNFINISHED BUSINESS**

### **Approval of the Revised Anaconda-Deer Lodge County Personnel Policy Manual**

CEO Ternes Daniels informed the Commission that MMIA has reviewed the changes. However, the CEO recommended an additional change to Section 21 regarding Workplace Violence. She explained that some offices do allow employees to keep pepper spray, and she would like that section to be removed. MMIA does not have a problem with removing this language.

Commissioner Lux-Burt asked if MMIA provided feedback regarding her concerns related to the wording of veteran's preference. CEO Ternes Daniels informed her MMIA did not have any comments and reiterated the policy manual has to be finished by the end of October. Commissioner Lux-Burt asked the County Attorney if language could be added to clarify. The County Attorney suggested leaving the language in place since it is the language suggested by MMIA. Commission Chair Hart agreed as he thinks the language is clear enough.

Commissioner Mulvey moved to approve the revised Anaconda-Deer Lodge County Personnel Policy Manual; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

### **Approval of Addendum No. 1 to Fourth Extension Agreement (Weed MOU) between Anaconda-Deer Lodge County and Atlantic Richfield Company**

Commissioner Lux-Burt stated last week that she would abstain from voting because she has a family member who is employed by Big Sky Reclamation. However, because Commissioner Vermeire is absent, she stated she will go ahead and vote.

County Attorney Krakowka advised that as long as Commissioner Lux-Burt abstains and does not recuse herself from voting, the Commission still has a quorum. Commissioner Lux-Burt decided to abstain from the vote.

Commissioner Smith moved to approve the Addendum No. 1 to Fourth Extension Agreement (Weed MOU) between Anaconda-Deer Lodge County and Atlantic Richfield Company; seconded by Commissioner Mulvey.

Motion carried unanimously with Commissioners Hart, Mulvey and Smith in favor and Commissioner Lux-Burt abstaining.

**Approval of the 2016 Final Pesticide General Permit Issuance and Renewal Notice for Expiring Authorization Anaconda-Deer Lodge County, Anaconda W Valley Mosquito Control MTG870044**

Commissioner Lux-Burt spoke with Chad Gochanour who is on the West Valley Mosquito Control Board. She made a copy of the document and dropped it off to him, but has not heard back from him.

CEO Ternes Daniels commented that the Mosquito Control Board has always filled out this form. Julie Pooley, Clerk of Commission, informed the CEO that she received the previous form from DEQ. This form was filled out by Heather Edwards and signed by the CEO. Ms. Pooley indicated it is a very straightforward form, she has already filled it out, and the CEO just needs to sign it.

Commissioner Mulvey moved to approve the 2016 Final Pesticide General Permit Issuance and Renewal Notice for Expiring Authorization Anaconda-Deer Lodge County, Anaconda W Valley Mosquito Control MTG870044; seconded by Commissioner Smith.

Motion carried unanimously.

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**Approval of the Property Designation Plan Disposal Option and Authorization to Invite Proposals for the Abandoned 5<sup>th</sup> Street Right-of-Way between Main Street and the Alley that Runs between Main and Oak Streets**

CEO Ternes Daniels informed the Commission she agrees with this method in order to dispose of the property.

County Attorney Krakowka believes this method was used to dispose of the property up on Sunnyside, and believes it is appropriate for this situation as well.

Commissioner Smith moved to approve the Property Designation Plan Disposal Option and Authorization to Invite Proposals for the Abandoned 5<sup>th</sup> Street Right-of-Way between Main Street and the Alley that Runs between Main and Oak Streets; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**Approval of the Request for Qualifications (RFQ) and Authorization to Advertise for Architectural Services for Interior Architectural Designs Relative to the Interior Renovation of the Anaconda-Deer Lodge County Health Building**

Commissioner Lux-Burt pointed out that the health director received a \$39,000 grant to help pay for this.

This will get an architect on board to provide a design for much needed improvements to the inside of the public health building. CEO Ternes Daniels noted that improvements to the foundation and roof have been completed. It will be beneficial for the office and the community.

Commissioner Lux-Burt moved to approve the Request for Qualifications (RFQ) and Authorization to Advertise for Architectural Services for Interior Architectural Designs relative to the Interior Renovation of the Anaconda-Deer Lodge County Health Building; seconded by Commissioner Mulvey.

Motion carried unanimously.

**Approval of the Request by Todd Harvey to Name a Road on a Parcel of Land Platted as COS 427B**

Dusty McKenney, Building Inspector, informed the Commission that Harvey Road is the first choice for the name of the road and believes this would satisfy what Mr. Harvey is looking for.

Commissioner Lux-Burt moved to approve the request by Todd Harvey to Name a Road on a Parcel of Land Platted as COS 427B as Harvey Road; seconded by Commissioner Mulvey.

Motion carried unanimously.

**Approval of the Request for Removal of One (1) Solid Waste Fee by Catherine and James Carroll at 220 Hickory Street**

Commission Chair Hart noted that the Solid Waste Board recommended removal of one solid waste fee.

The County Attorney believes it is appropriate for one fee to be removed.

Commissioner Mulvey moved to approve the request for removal of one (1) solid waste fee by Catherine and James Carroll at 220 Hickory Street; seconded by Commissioner Smith.

Motion carried unanimously.

**Approval of the Request for Removal of One (1) Solid Waste Fee by Alice Smith at 21 Main Street**

This request was also reviewed by the Solid Waste Board and they recommended removing one solid waste fee. CEO Ternes Daniels added that this is also a vacant lot.

Commissioner Lux-Burt moved to approve the request for removal of one (1) solid waste fee by Alice Smith at 21 Main Street; seconded by Commissioner Mulvey.

Motion carried unanimously.

### **Proclamation of the Week of October 23<sup>rd</sup> through 31<sup>st</sup> as Red Ribbon Week in Anaconda-Deer Lodge County**

Commission Chair Hart read the proclamation aloud.

Commissioner Lux-Burt believes this is a terrific program, and it is a positive way to promote anti-alcohol and anti-drug use. She is happy to support it.

County Attorney Krakowka believes Red Ribbon week is important as it focuses on young children and encourages a lifestyle of not using drugs or alcohol. With the increasing use of marijuana, the County Attorney believes starting preventative measures at a young age and encouraging kids not to use in a positive way is a good thing.

Rose Nyman stated she has the same sad feeling in her heart tonight as she did a year ago. Several generations do not understand why Red Ribbon Week was started. A DEA agent was kidnapped, tortured and brutally murdered in 1985. Red Ribbon Week was started to honor this agent.

Commissioner Lux-Burt moved to proclaim October 23<sup>rd</sup> through 31<sup>st</sup> Red Ribbon Week in Anaconda-Deer Lodge County; seconded by Commissioner Mulvey.

Motion carried unanimously.

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### **Appointment of a Commissioner to the Local Emergency Planning Committee**

Commissioner Lux-Burt will abstain from voting.

Commissioner Mulvey is thankful Commissioner Lux-Burt volunteered, and CEO Ternes Daniels believes she is a good choice for the position.

Commissioner Smith moved to appoint Commissioner Lux-Burt as the Commission Representative to the Local Emergency Planning Committee; seconded by Commissioner Mulvey.

Motion carried unanimously with Commissioners Hart, Mulvey and Smith in favor and Commissioner Lux-Burt abstaining.

### **Appointment of a Voting Member to the Public Health Board for a three-year term**

CEO Ternes Daniels noted that Kate Coward is the current ex-officio member and would like to be a voting member.

Commissioner Mulvey moved to appoint Kate Coward as a voting member to the Public Health Board for a three-year term; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**Appointment of a County Representative to the TIFID No. 2 (Mill Creek) Board for a four-year term**

Commissioner Lux-Burt pointed out that Carl Nyman served for eight years; however, she did not see that he had stepped down.

CEO Ternes Daniels recognized Dyan Parrow in the audience, noting she was in attendance last week as well, and believes she must be enthusiastic about the position. She went on to state that the TIFID Board is a big board in terms of future development for the County.

County Attorney Krakowka thanked Dyan for volunteering her time.

Commissioner Mulvey moved to appoint Dyan Parrow has a County Representative to the TIFID No. 2 Board (Mill Creek) for a four-year term; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**Acceptance of the Resignation of Melanie Armstrong from the Housing Authority Board and Authorization to Advertise the Vacancy to Fill the Remainder of the Term through March 31, 2020**

CEO Ternes Daniels did not have an opportunity to speak with Melanie so she assumes she wants to move forward with her resignation. She will send her a letter of appreciation.

Commissioner Smith moved to accept the resignation of Melanie Armstrong from the Housing Authority Board and authorize the advertising of the vacancy to fill the remainder of the term through March 31, 2020; seconded by Commissioner Lux-Burt.

Motion carried unanimously.

**NEW BUSINESS**

**Acceptance of the Resignation of Nancy Dahood from the Housing Authority and Authorization to Advertise the Vacancy to Fill the Remainder of the Term through March 31, 2017**

Commissioner Lux-Burt is sorry to see Nancy Dahood stepping down as she has been on this board for a long time. Commissioner Lux-Burt attended a few Housing Authority Board meetings and noted that Nancy was always very active and interested.

Commission Chair Hart read Nancy Dahood's resignation letter.

CEO Ternes Daniels thinks her resignation is unfortunate as she has served for a long time. Dahood Law Firm represents the Housing Authority and an issue with an audit came forth; the CEO indicated this is why Nancy resigned.

County Attorney Krakowka had the opportunity to work with Nancy Dahood regarding the Housing Officer agreement. During the course of discussions, they had some slight disagreements, but they were able to work through those and incorporate both of their perspectives into the agreement.

Julie Pooley, Clerk of Commission, is a Housing Authority Board Commissioner. She informed the Commission, the County Attorney and the CEO that HUD became aware that Knight and Dahood provides legal counsel to the Housing Authority. Since Nancy Dahood serves on the board, HUD advised it was a conflict of interest, and Nancy Dahood determined it was in the best interest of the Housing Authority that she step down.

Commissioner Lux-Burt moved to accept the resignation of Nancy Dahood from the Housing Authority Board and authorize the advertising of the vacancy to fill the term through March 31, 2017; seconded by Commissioner Mulvey.

Motion carried unanimously.

### **Appointment of a Planning Director for Anaconda-Deer Lodge County**

CEO Ternes Daniels informed the Commission she, along with Commissioner Vermeire, Bob Horne, Carl Nyman, and Jay Slocum interviewed two candidates for Planning Director back in April. A decision to fill the Planning Director's position was delayed due to funding and the overall makeup of the office including coordination with our Superfund program. With the delay of the IC's Agreement and additional funding and no telling when that will be resolved it seemed that it is time to move forward with the appointment.

She recommends that Steve Hess be appointed as the Planning Director. Steve has served as a planner for many years in Butte and filled in for the Director, Jon Sesso, in his absence. Steve has years of experience including; floodplain work, subdivisions, permits, and is familiar with Superfund.

She believes Steve's years of experience in planning will be beneficial for ADLC. The CEO requested that the Commission accept Steve Hess as her recommendation for Planning Director.

Commissioner Lux-Burt stated she has never met Steve Hess that she knows of. However, she did read his resume earlier today. It was impressive, and he has a lot of experience. He comes from a planning background in Butte-Silver Bow County and has experience working with Superfund. From his resume, Commissioner Lux-Burt thinks he sounds like a good fit.

Sarah Jones with Copper Environmental informed the Commission she supports Steve Hess. She has had the opportunity to work with him several times in Butte. He is reasonable and makes good decisions.

Kathie Miller with the Anaconda Leader asked the CEO if he was one of the two applicants that applied for the position, and the CEO indicated he was.

Elizabeth Erickson with WET recommended Mr. Hess as she has worked with him for years in Butte. She stated he knows about planning and is familiar with Superfund issues. She believes he will be a good fit.

Commissioner Lux-Burt moved to appoint Steve Hess as the Planning Director for Anaconda-Deer Lodge County; seconded by Commissioner Mulvey.

Commissioner Lux-Burt asked if the CEO has talked to him to ensure he is still interested in the position. CEO Ternes Daniels stated that Mr. Hess is still interested and will be available to start in two weeks.

Motion carried unanimously.

### **MISCELLANEOUS**

County Attorney Krakowka informed the Commission that Geri Staley's replacement, Jodi Lechman, is being training and doing well. Interviews for the Victim Witness Advocate position took place today.

### **PUBLIC COMMENT**

Artha Whealon, 115 Howe – Ms. Whealon thanked the CEO and Commissioners and informed them she just got connected to the sewer. If she would not have been hooked up, it would have compromised her water supply and her home would have been worth nothing. Ms. Whealon works for the County and handles the loan program which assists residents to hook up to the sewer. She believes it is wonderful that people have the CDBG program and the ADLC loan program available to help with the sewer hookup. She noted that many of the sewers were already compromised before the project began. She believes the West Valley Sewer Project will make a huge difference for the residents who live out there.

Elizabeth Erickson with WET commented that there is a lot of information in the paper about WET, especially regarding the IT contract with the County. She asked to clear up a few things. IT services was one of the things WET took over from a former provider who was doing on-call work for the County. This provider could not keep up with the amount of work, and requests were coming in and it took days and weeks for the requests to be processed, and the County was having a hard time meeting obligations. According to Ms. Erickson, the Commission decided to put out a RFP and there were no qualified applicants. WET had been asked to do some IT services out of the Superfund department because WET's GIS person was very knowledgeable. Ms. Erickson explained that WET also has some IT staff at its Butte office. Ms. Erickson explained that WET put together a proposal as the County saw a need to upgrade its systems. She stated the Windows XP computers were no longer supported. So WET put together a proposal to do a full inventory of all of the IT services for the County. Part of that was to continue on an on-call basis for whatever IT services were needed whenever they came up. Mrs. Erickson stated the contract came before the Commission on March 3, 2015, and the contract was

approved by the Commission. She believes WET has gone over and above dealing with the emergency needs for the IT services of the County but has stayed within the contract and working under the contract. Mrs. Erickson explained that every IT call is documented and gets submitted with the invoices. From everyone she has heard from, she understands that everyone is very happy with the services WET provides. She added that WET always acts in an ethical manner. In FY 15-16, Mrs. Erickson stated WET billed \$51,581.50 for IT services. She understands why the County did not get a response to their RFP – because it is hard to find someone qualified to provide the extensive services the County needs but only able to pay someone \$40,000 per year. She stated it is very difficult to hire someone with the quality that WET provides.

Kathie Miller with the Anaconda Leader went on record to state that the Leader has never done a story regarding the County having an IT Contract with WET. Although there have been letters to the editor, there have been no newspaper articles.

Blake Hempstead, 803 W. Park – Mr. Hempstead thanked Elizabeth Erickson for her comments regarding the IT services. Mr. Hempstead asked for clarification about what level of service constitutes a contract. He informed the Commission that he was told by Julie Pooley, Clerk of Commission that a contract for IT services does not exist, yet Elizabeth Erickson stated a contract does exist. CEO Ternes Daniels informed Mr. Hempstead at this time that she has the contract as well. She clarified her remarks noting that there is not an agreement for IT services per se outside of the contract to do GIS and IT Inventory. Mr. Hempstead wanted to know if WET was able to continue with providing IT services once WET was supplied with the scope of work. Mr. Hempstead noted that last week Commission Chair Hart stated the County did not hire an IT person because there were no qualified applicants, and WET's services were a stop-gap measure. Mr. Hempstead pointed out it has been 23 months and asked how big of stop gap measure the County intends this to be. Mr. Hempstead appreciated the dollar amount provided by Mrs. Erickson; however, he pointed out that it does not reflect full-time work so it cannot compare to a full-time employee. He questioned again how services can be performed for a county government without a contract.

Through her research, Rose Nyman found a proposal for IT Services and 911 GIS. The proposals were signed by the CEO and Elizabeth Erickson as the principal of WET. Mrs. Nyman noted that Mrs. Erickson is referring to these proposals as contracts and suggested to the Commission this is where the confusion is coming into play.

CEO Ternes Daniels informed the Commission that two proposals were brought forward by WET. As a result of those proposals, WET has been performing IT services for the County. Rose Nyman informed Chairman Hart that under normal circumstances, all Commission Meeting information is incorporated into a Commission Book. She asked him if the proposal is considered a contract. Without having the information in front of him and not knowing this was going to come up during public comment, Commission Chair Hart would like some time to look into the issue. Mrs. Nyman appreciated his response, but hopes he can see where the confusion comes from because a proposal is not the same as a contract. Mrs. Nyman went onto remind the Commission that she asked to be pointed to some information that supports expenses for WET – this was two weeks ago, and she still has not received the information. Commission Chair Hart informed her they will get the information to her.

CEO Ternes Daniels asked that the following statement be entered into the official record of the meeting.

“Information Technology (IT) services are very important to the overall operation of Anaconda-Deer Lodge County. We must have qualified IT support staff. The County made an effort to hire an IT staff member and it was clear from the applicants that they could not meet the County needs. Therefore, it was decided to enter into two proposals with WET, 1) to provide Geographic Information Services (GIS) services that MAP was previously providing and 2) an evaluation of ADLC’s system. It was determined in order to meet ADLC’s complex IT needs, WET would assist ADLC with IT services as needed. No statute requires local governments to do a request for proposal for IT services. This fact was substantiated by Brian Hopkins, Associate General Counsel/Personnel Services Administration, for MACO. It is very important to know that WET as an Engineering Contractor and providing ADLC with IT support has proven to be exceptional **“BAR NONE”** and nothing but positive work has been accomplished. ADLC has benefited terrifically from WET’s IT services. WET’s work and performance has been transparent and is subject to review by anyone.”

Rose Nyman clarified for the Commission that claims have only been available at the library three times. She also stated that the quality of WET’s work has never been in question. The question is – is there a contract? The question she asked two weeks ago was not about IT or GIS. Mrs. Nyman asked about invoices and why the County is paying for things like telephone and internet. Mrs. Nyman informed the Commission that the MOU states that ARCO will not reimburse the County for some of these expenses. Mrs. Nyman reminded the Commission that often times the public hears that county staff and elected officials welcome comments from the public. Commission Chair Hart told her the Commission will have to look into everything.

Joey Blodnick informed Mrs. Nyman she could answer the question about phone services. When she came on as the Clerk and Recorder, she also functioned as the “quasi” IT person. If the server went down, she took care of it. She explained that the County had budgeted \$40,000 for an IT person. The County’s IT systems have had serious problems, including space issues, corrupted hard drives, and the server overheating and crashing. Ms. Blodnick indicated that WET has been wonderful to work with and is trying to get consistency in place. They are very quick to respond; however, they are still reevaluating the County’s systems.

Blake Hempstead pointed out there is a clause in the proposal that deliverables were to be met in April 2015. He asked if those were met or if he misunderstood the term “deliverables.” Again, Commission Chair Hart stated the Commission would have to look at the proposal to see what was expected of WET. Mr. Hempstead asked why the IT position is still in the budget if WET is providing the service. Joey Blodnick informed him the position was cut out of the budget this year while WET continues to provide the services and continues to assess the County’s IT needs.

CEO Ternes Daniels explained that WET submitted two proposals – one for GIS mapping and another to evaluate the County’s IT systems. She stated that the County had an antiquated system. The CEO informed the Commission and the public the County has a right to do business with a firm without having to go through the RFP process. She stated that WET is willing to do a full-blown presentation to show they have saved the County thousands and thousands of dollars getting equipment up-to-speed. However, she does not think it would be fair to put WET in that position tonight. She believes the

question before the Commission is do they want to continue the great working relationship with WET or go out for a RFP, which is not necessary.

Blake Hempstead reiterated that this discussion stemmed from a question he had about an invoice last week. It was only a question. He is not being accusatory, but simply trying to be an informed member of the public and as someone running for office. He suggested that if the CEO and Commission want to remove the stigma of public outcry than they should stop getting so defensive when people ask questions in a public setting. He is trying to do his due diligence as he is running for Commissioner.

Linda Brooks, 403 E. 8<sup>th</sup> St – Ms. Brooks commented on the amount of discussion surrounding the contract with WET. She does not believe the questions were answered very well. However, her question does not have to do with WET. Ms. Brooks informed the Commission that the County entered into a contract with a Deputy County Attorney named Susan Callahan back in 2013. She does not believe it was a legal contract after June 30, 2013. She has looked through Commission minutes and asked several questions and stated she has been served with an injunction through Judge Dayton which prohibits her from obtaining information. She was told by Heather Edwards that a legal contract with the county for Ms. Callahan does not exist after June 30, 2013. Ms. Brooks stated she has asked for this information repeatedly from County Attorney Krakowka but has been denied the information. She is hoping the contract that was supposedly signed can be sent to her in the mail. She stated there were no Commission meetings regarding Susan Callahan's contract and does not believe the contract was legally renewed. Ms. Brooks believes this is business as usual.

CEO Ternes Daniels believes this type of work is also in line with the IT work with WET. She does not believe there has to be a contract and the Commission has the authority to hire these types of services. Ms. Brooks interjected and informed the CEO that there is a state law which mandates that when prosecutors are hired it must go before the County Commission. A prosecutor is a powerful individual who can send people to prison and Warm Springs and Ms. Brooks stated Ms. Callahan did not have a legal contract. She stated that Ms. Callahan caused problems for her, and Ms. Brooks feels she has a right to express her opinion in this matter.

County Attorney Krakowka responded to Ms. Brooks' comments and informed the Commission that Ms. Callahan was a sworn deputy of Anaconda-Deer Lodge County. Ms. Callahan was in the process of handling charges against Ms. Brooks. He informed the Commission that Ms. Brooks has taken her complaints to the Governor, the Attorney General, the CEO, Judge Dayton, the State Bar, and they have all responded the same to her complaints. He understands she is upset and believes she may be upset because she has pending charges. The injunction signed by Judge Dayton was signed after due process, and after the County proved its case against Ms. Brooks.

Rose Nyman stated if it seems like we are talking in circles, she believes we are. She clarified that the invoice she is referring to is dated August 11, 2016. The Clerk and Recorder did not answer her question, which is who is paying the expenses not allowed by ARCo? According to the MOU, some of the expenses being invoiced by WET are not allowed. Mrs. Nyman is not saying WET is not allowed to submit the charges, but the MOU states that ARCO will not reimburse for certain charges.

Elizabeth Erickson stated that WET works under a Superfund budget. WET charges a lower hourly rate, but they are allowed to charge for those extra things such as power, phone, rent, and truck usage that the taxpayers should not pay for. Ms. Erickson stated the charges are legitimate and there has been no disagreement about those charges. In terms of IT services, she stated the proposal, not a contract, was signed off by both Connie and herself after it went before and was approved by the Commission. Ms. Erickson stated she has not read the MOU that Mrs. Nyman referred to.

Karla Valentini stated she does not understand all of the questions raised at tonight's meeting. She stated there is a lot of negative energy, but it is obvious to her that our town has not looked this wonderful in years. She believes it is on its way up, and she has heard comments from people who do not live in Anaconda that our town has a different flavor now. She believes Anaconda finally has good paying jobs and it is alive and well.

Rose Nyman noted a previous agenda item was the removal of a solid waste fee at 220 Hickory. The property had been in foreclosure and squatters had been living there. She informed the Commission that the Valentini's live next door to this property. She stated that Code Enforcement has cited this property more than once. Mrs. Nyman acknowledged that while there are many beautiful things in our community, there are many things that are not and it is just the reality.

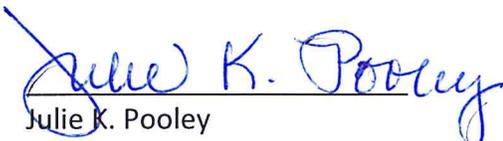
Jay Slocum, 119 Maclund Drive – Mr. Slocum addressed a public safety issue related to the beaver problem behind Cedar Park. He went out and looked at it today and is concerned if something is not done now, when it freezes it will cause an ice jam which will cause water to go over the road. Trapping is not an option and the beaver deceiver is not working. Mr. Slocum informed the Commission the best option is to physically remove the structure. Commissioner Mulvey informed Mr. Slocum that the beaver deceiver could not be installed because the water level was too high.

**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 7:47 p.m.

  
Julie K. Pooley  
Clerk of Commission

  
Kevin A. Hart  
Commission Chair

