



ROOM A | 130 6TH STREET WEST
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391
FAX (406) 892-4413

**CITY COUNCIL REGULAR MEETING
AGENDA
MONDAY, MARCH 04, 2024
COUNCIL CHAMBERS CITY HALL**

FINANCE COMMITTEE – 6:30 P.M

(Barnhart, Shepard, King)

Contact City Clerk Barb Staalnd for virtual ZOOM meeting registration information no later than 6:00 pm the day of the meeting by calling (406) 892-4391 or email: staalandb@cityofcolumbiafalls.com

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONSENT AGENDA:

1. Approval of Claims - March 4, 2024 - \$79,239.95
2. Approval of Special Payroll - February 20, 2024 - \$8,899.66
3. Approval of Payroll Claims - March 1, 2024 - \$109,306.39
4. Approval of Regular Meeting Minutes - February 20, 2024

APPOINTMENTS:

Probationary Patrolman Ronald "RJ" Thompson Appointment and Oath

VISITORS/PUBLIC COMMENT (Items not on agenda)

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

5. Public Hearing Continued - Amend Title 13 Water/Sewer Account Provisions:

The City Council continued the hearing from February 20, 2024 on the Title 13 Amendments, related to requiring the water/sewer utility accounts to remain in the name of the owner.

City staff will present additional information and updated amendments based on the public input from the February 20, 2024 hearing. The proposed amendments in Ordinance 829 represent a compromise from the original amendments, providing for maintaining the owner account while also billing a tenant.

UNFINISHED BUSINESS:

Railroad Park Update - Baseball Field availability on School District 6 Property

NEW BUSINESS:

- 6.** Call for Bids - WWTP Improvements Project Phase 2
- 7.** Call for Bids - Scum Pump and Controls Replacement Project

ORDINANCES / RESOLUTIONS:

- 8.** **First Reading** - Ordinance # 829 Amending Title 13 - Water/Sewer Utility Account Provisions:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AMENDING THE TITLE 13 WATER/SEWER UTILITY ACCOUNT PROVISIONS
- 9.** Resolution # 1915 - Authorizing Application for Land & Water Conservation Fund Assistance

REPORTS / BUSINESS FROM MAYOR & COUNCIL

CITY MANAGER REPORT

CITY ATTORNEY REPORT

MISCELLANEOUS

- 10.** Police Department Activity - December 2023 and January 2024
- 11.** Fire Department Activity - February 2024
- 12.** Correspondence

ADJOURN

Next Scheduled Meetings:

City Council – Regular Meeting, **Monday, March 18, 2024** – 7:00 PM

Planning Board – TBD (NO MARCH MEETING)

Council Parks Committee - Wednesday, March 6, 2024 - 6:30 PM
City Planning Commission - Thursday, March 14, 2024 - 6:00 PM

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
*** Claim from another period (2/24) ****									
45550		3071 ACTIVE 911, INC.	472.50						
	545889	01/22/24 FD-ACTIVE ALERTING SUBSCRIPTIO	472.50			1000 420400	390		101000
		Total for Vendor:	472.50						
*** Claim from another period (2/24) ****									
45543		999999 ANNA FARMER	252.71						
	022624	02/26/24 WTR-DEPOSIT REFUND FARMER	252.71			5210 214010			101000
		Total for Vendor:	252.71						
*** Claim from another period (2/24) ****									
45534		1260 CARQUEST AUTO PARTS	22.39						
	89596	02/16/24 STR-RECT MAGNET PRT TRY	22.39			2500 430200	220		101000
		Total for Vendor:	22.39						
*** Claim from another period (2/24) ****									
45526		3028 CENTURYLINK - BUSINESS SERVICES	347.82						
	08949	02/16/24 COMP-01/16/24-02/15/24	347.74			1000 410580	345		101000
	094171	02/20/24 LONG DISTANCE CHARGE	0.08			1000 410580	345		101000
		Total for Vendor:	347.82						
*** Claim from another period (2/24) ****									
45528	E	997 CENTURYLINK - ELECTRONIC PAY	755.79						
	022324	02/23/24 CRTS-FEB/MARCH	32.65			1000 410360	345		101000
	022324	02/23/24 PD-FEB/MARCH	131.99			1000 420100	345		101000
	022324	02/23/24 FD-FEB/MARCH	66.12			1000 420400	345		101000
	022324	02/23/24 POOL-FEB/MARCH	36.73			1000 460445	345		101000
	022324	02/23/24 STRTS-FEB/MARCH	135.13			2500 430200	345		101000
	022324	02/23/24 WTR-FEB/MARCH	206.47			5210 430500	345		101000
	022324	02/23/24 SWR-FEB/MARCH	146.70			5310 430600	345		101000
		Total for Vendor:	755.79						
*** Claim from another period (2/24) ****									
45525	E	2852 CHARTER COMMUNICATIONS	310.93						
	020124	02/01/24 PD-INTERNET 02/01/24-02/29/24	157.97			1000 420100	345		101000
	020624	02/06/24 SWR-INTERNET02/06/24-03/05/24	152.96			5310 430600	345		101000
		Total for Vendor:	310.93						
*** Claim from another period (2/24) ****									
45542		14 CITY OF COLUMBIA FALLS	404.24						
	022624	02/26/24 FAC-01/18/24-02/16/24	113.14			1000 411200	342		101000
	022624	01/29/24 FD-01/18/24-02/16/24	33.26			1000 420400	342		101000
	022624	01/29/24 PRKS-01/18/24-02/16/24	30.49			1000 460400	342		101000

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	022624	01/29/24 STRS-01/18/24-02/16/24	98.55			2500 430200	342		101000
	022624	01/29/24 WTR-01/18/24-02/16/24	46.79			5210 430500	342		101000
	022624	01/29/24 SWR-01/18/24-02/16/24	82.01			5310 430600	342		101000
		Total for Vendor:	404.24						
45560		776 COL.FALLS VOLUNTEER FIRE	23,482.95						
	030124X	03/01/24 SEPT, OCT & NOV REAL TAXES	21,169.18			7120 212520			101000
	030124X	03/01/24 SEPT, OCT & NOV - P&I	22.27			7120 212520			101000
	030124X	03/01/24 SEPT, OCT & NOV PP TAXES	35.48			7120 212520			101000
	030124X	03/01/24 STATE ENTITLEMENT-2ND Q FY24	2,228.75			7120 212520			101000
	030124X	03/01/24 INTEREST	27.27			7120 212520			101000
		Total for Vendor:	23,482.95						
		*** Claim from another period (2/24) ****							
45532		1679 COMMERCIAL MACHINE SERVICES INC.	225.00						
	54492	02/16/24 SWR-CLEANING NOZZLE	225.00			5310 430600	220		101000
		Total for Vendor:	225.00						
		*** Claim from another period (2/24) ****							
45507		3026 DAILY INTER LAKE	235.70						
	0000019404	02/11/24 AMEND TITLE 13	235.70			1000 410500	331		101000
		Total for Vendor:	235.70						
		*** Claim from another period (2/24) ****							
45548		2889 DAKOTA SUPPLY GROUP	42.97						
	S103490800	02/14/24 SWR-UV REPAIR	42.97			5310 430600	220		101000
		Total for Vendor:	42.97						
		*** Claim from another period (2/24) ****							
45515		1797 DEPARTMENT OF ADMINISTRATION	44.80						
	SITSD52049	02/23/24 PD-ITSD/EMAIL 1/1/24-1/31/	44.80			1000 420100	355		101000
		Total for Vendor:	44.80						
		*** Claim from another period (2/24) ****							
45530		3230 DEX IMAGING LLC	189.00						
	AR10792931	02/12/24 STR-SERVICE ON PLOTTER PRI	47.25			2500 430200	360		101000
	AR10792931	02/12/24 WTR-SERVICE ON PLOTTER PRI	47.25			5210 430500	360		101000
	AR10792931	02/12/24 SWR-SERVICE ON PLOTTER PRI	47.25			5310 430600	360		101000
	AR10792931	02/12/24 P/Z-SERVICE ON PLOTTER PRI	47.25			1000 411000	390		101000
		Total for Vendor:	189.00						

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		*** Claim from another period (2/24) ****							
45527		438 FERGUSON WATERWORKS	832.12						
	0880104	02/20/24 PRK-BATHROOM VALVE SENSOR	704.76			1000 460400	220		101000
	2323977	02/14/24 SWR-UV REPAIR	127.36			5310 430600	220		101000
		Total for Vendor:	832.12						
		*** Claim from another period (2/24) ****							
45557		3104 FIRST CALL COMPUTER SOLUTIONS,	1,800.00						
	95005	03/01/24 COMP-MARCH IT SERVICES	1,800.00			1000 410580	355		101000
		Total for Vendor:	1,800.00						
		*** Claim from another period (2/24) ****							
45523		240 FLATHEAD CONCRETE PRODUCTS, INC.	83.00						
	25352	02/12/24 SWR-LONG SEALANT/ 8 ROLLS	83.00			5310 430600	240		101000
		Total for Vendor:	83.00						
		*** Claim from another period (2/24) ****							
45554		1819 FLATHEAD COUNTY TRANSPORTATION	5,500.00						
		TRANSIT SYSTEM-CITY CONTRIBUTION 2024 FY							
	FY-2024	02/26/24 CITY CONTRIBUTION FY-2024	5,500.00			1000 430400	300		101000
		Total for Vendor:	5,500.00						
		*** Claim from another period (2/24) ****							
45529		3113 GLOBAL ARCHIVES INC	166.32						
	2023936	02/25/24 WTR-MONTHLY STORAGE AS BUILTS	83.16			5210 430500	363		101000
	2023936	02/25/24 SWR-MONTHLY STORAGE AS BUILTS	83.16			5310 430600	363		101000
		Total for Vendor:	166.32						
		*** Claim from another period (2/24) ****							
45547		3095 GREAT NORTHERN LOCK AND SAFE	80.00						
	1278	02/26/24 REKEY OF MASTER KEY SYSTEM	80.00			1000 460400	399		101000
		Total for Vendor:	80.00						
		*** Claim from another period (2/24) ****							
45552		3227 HALL, TODD	30.00						
		Dinner per diem on days of travel to/from academy per city policy 2/11/24-2/23/24							
	022824	02/28/24 Meal Per Diem Academy	30.00			1000 420100	380		101000
		Total for Vendor:	30.00						
		*** Claim from another period (2/24) ****							
45505		2806 HANSON'S HARDWARE	121.19						
	609253	02/15/24 WTR-FOOD GRADE GREASE FOR HYDR	24.28			5210 430500	240		101000
	609266	02/15/24 WTR-PAINT MARKER/BATTERIES	14.48			5210 430500	220		101000
	609086	02/01/24 SWR-GOOP/VALVE/ELBOW	74.09			5310 430600	240		101000

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	609093	02/05/24 SWR-MISC SCREWS	8.34			5310 430600	240		101000
		Total for Vendor:	121.19						
		*** Claim from another period (2/24) ****							
45536		1659 HIGH COUNTRY LINEN SUPPLY	299.48						
	0583437	02/26/24 FAC-CITY HALL, POLC, CRT, FIN	262.74			1000 411200	224		101000
	0583438	02/26/24 FAC-FIRE HALL	36.74			1000 411200	224		101000
		Total for Vendor:	299.48						
		*** Claim from another period (2/24) ****							
45539		2849 J2 BUSINESS PRODUCTS	282.05						
	1366993	02/23/24 FIN-FRONT COUNTER INK	46.46			1000 410500	210		101000
	1366993	02/23/24 SWR-FRONT COUNTER INK	23.22			5310 430600	210		101000
	1366993	02/23/24 WTR-FRONT COUNTER INK	23.22			5210 430500	210		101000
	1361407	02/09/24 FIN-PRECISE PENS	22.99			1000 410500	210		101000
	1362520	02/14/24 PD-INKCART HP 952XL	65.37			1000 420100	210		101000
	1364449	02/16/24 FIN-SMALL NOTEPADS	2.50			1000 410500	210		101000
	1364449	02/16/24 SWR-SMALL NOTEPADS	2.50			5310 430600	210		101000
	1364449	02/16/24 WTR-SMALL NOTEPADS	2.50			5210 430500	210		101000
	1365358	02/19/24 FIN-16GB FLASH DRIVE	21.99			1000 410500	210		101000
	1366968	02/21/24 FAC-URINAL SCREENS	36.60			1000 411200	224		101000
	1366560	02/23/24 FIN-12CT BLACK BINDERS	11.56			1000 410500	210		101000
	1366560	02/23/24 WTR-12CT BLACK BINDERS	11.57			5210 430500	210		101000
	1366560	02/23/24 SWR-12CT BLACK BINDERS	11.57			5310 430600	210		101000
		Total for Vendor:	282.05						
		*** Claim from another period (2/24) ****							
45545		999999 JOSHUA KINGERY	169.60						
	022624	02/26/24 WTR-DEPOSIT REFUND KINGERY	169.60			5210 214010			101000
		Total for Vendor:	169.60						
		*** Claim from another period (2/24) ****							
45516		3233 KALISPELL FIRE DEPARTMENT	495.00						
	022324	02/23/24 FD-INCIDENT SAFETY OFFICER ACA	495.00			1000 420100	380		101000
		Total for Vendor:	495.00						
		*** Claim from another period (2/24) ****							
45514		2316 KOIS BROTHERS EQUIPMENT CO	75.00						
	131898	02/12/24 SWR-VAC TRUCK PART	75.00			5310 430600	232		101000
		Total for Vendor:	75.00						

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			*** Claim from another period (2/24) ****						
45506		3140 KUBWATER RESOURCES, INC	6,626.77						
	12280 02/09/24	SWR-DEWATERING POLY	6,626.77			5310 430600	221		101000
		Total for Vendor:	6,626.77						
			*** Claim from another period (2/24) ****						
45513		162 LOGAN HEALTH - WHITEFISH	40.00						
	013024 01/30/24	PD-EVID BLOOD COLLECTION	20.00			1000 420100	390		101000
	021124 02/11/24	PD-EVID BLOOD COLLECTION	20.00			1000 420100	390		101000
		Total for Vendor:	40.00						
			*** Claim from another period (2/24) ****						
45508		3152 MONTANA ELITE LLC	1,247.00						
	2414 02/21/24	SWR-INSTALL NEW GFCI IN BLOWER	1,247.00			5310 430600	360		101000
		Total for Vendor:	1,247.00						
			*** Claim from another period (2/24) ****						
45522		44 MONTANA LEAGUE OF CITIES AND	200.00						
	MLO1189 02/15/24	MANGAN & BENNION SUPRT EXPENS	200.00			1000 410100	399		101000
		Total for Vendor:	200.00						
			*** Claim from another period (2/24) ****						
45546		158 MONTANA LEGISLATIVE SERVICES	700.00						
	39634 02/12/24	FIN-MCA FULL SET	350.00			1000 410500	330		101000
	39634 02/12/24	CTY ATTNY-MCA FULL SET	350.00			1000 411100	330		101000
		Total for Vendor:	700.00						
			*** Claim from another period (2/24) ****						
45512		2004 MONTANA STATE UNIVERSITY	695.00						
	219-38 12/15/23	FD-LEADERSHIP CLASS KARL WEEKS	695.00			1000 420400	380		101000
		Total for Vendor:	695.00						
			*** Claim from another period (2/24) ****						
45520		722 MORRISON-MAIERLE, INC.	2,193.50						
	000240215 02/12/24	BIZ DISTRICT PARKNG & SIDEW	406.00			2310 470300	931		101000
	000240218 02/12/24	12TH AVE WEST ROADWAY PROJ	1,787.50			2959 470300	930		101000
		Total for Vendor:	2,193.50						
			*** Claim from another period (2/24) ****						
45510		2707 MOUNTAIN ALARM	120.75						
		ALARM MONITORING SERVICES FEB 2024							
	4362469 03/01/24	FAC-CITY HALL MARCH 24	57.35			1000 411200	366		101000
	4361525 03/01/24	FAC-FD MARCH 24	63.40			1000 411200	366		101000
		Total for Vendor:	120.75						

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*** Claim from another period (2/24) ****									
45556		3234 MQS, INC.	15,704.00						
40' X 84' POLE BARN FOR STREET SHOP - DEPOSIT PAYMENT PER CONTRACT (\$15,704.00)									
DATED 09/01/2023									
		PAYMENT 1 02/28/24 STRS-40'X84' POLE BARN DEPO	15,704.00			4000 430200	930		101000
Total for Vendor:			15,704.00						
*** Claim from another period (2/24) ****									
45533		52 NAPA AUTO PARTS	244.12						
	072459	02/09/24 SWR-FUEL FILTER	35.08			5310 430600	232		101000
	071863	02/02/24 STR- PARTS FOR 521 CASE LDR	183.06			2500 430200	232		101000
	071863	02/02/24 STR-2.5 DEF	25.98			2500 430200	231		101000
Total for Vendor:			244.12						
*** Claim from another period (2/24) ****									
45517		2678 O'NEIL PRINTERS, INC	822.00						
	2080	02/20/24 FIN-1000 WINDOW ENVELOPES	232.67			1000 410500	210		101000
	2080	02/20/24 WTR-1000 WINDOW ENVELOPES	232.67			5210 430500	210		101000
	2080	02/20/24 SWR-1000 WINDOW ENVELOPES	232.66			5310 430600	210		101000
	2080	02/20/24 FD- WEEKS. K BIZ CARDS	124.00*			1000 420400	210		101000
Total for Vendor:			822.00						
*** Claim from another period (2/24) ****									
45540		2816 O'REILLY AUTO PARTS	127.90						
	464441	02/13/24 PD-SNOW BRUSH	27.98			1000 420100	220		101000
	464352	02/12/24 PD-MOTOR OIL	29.96			1000 420100	231		101000
	464352	02/12/24 PD-WIPER FLUID	10.00			1000 420100	220		101000
	463762	02/06/24 STR-LOCTITE	14.99			2500 430200	240		101000
	463883	02/07/24 STR-PLIERS/HOOK PIC SET	28.98			2500 430200	220		101000
	464362	02/13/24 STR-TUB O' TOWELS	15.99			2500 430200	220		101000
Total for Vendor:			127.90						
*** Claim from another period (2/24) ****									
45535		3192 POP A SQUAT PORTABLES	380.00						
	15457	02/26/24 PRKS-4 PORTA POTTIES	380.00			1000 460400	399		101000
Total for Vendor:			380.00						
*** Claim from another period (2/24) ****									
45521		99999 REDTAIL EDUCATION AND RESEARCH	280.00						
8 STUDENTS FROM CF FD- CERTIFICATIONS VALID FOR TWO YEARS AND WILL EXPIRE END OF									
FEB 2026									
	022324	02/23/24 FD-BASIC LIFE CPR/AED CLASS	280.00			1000 420730	380		101000
Total for Vendor:			280.00						

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		*** Claim from another period (2/24) ****							
45538		3136 RICE, BRANDON	176.69						
	022224	02/22/24 PD-REIMBURSE WIPER BLADES	65.94			1000 420100	232		101000
	022224	02/22/24 PD-REIMBURSE SCOTT TOWELS/RAIN	32.77			1000 420100	220		101000
	022224	02/22/24 PD-REIMBURSE KS OIL	77.98			1000 420100	231		101000
		*** Claim from another period (2/24) ****							
45553		3136 RICE, BRANDON	386.84						
	02/25/24-03/01/24								
	022824	02/28/24 REIMBURSE TRAVEL CLAIM	386.84			1000 420100	380		101000
		Total for Vendor:	563.53						
		*** Claim from another period (2/24) ****							
45544		1042 SANDS SURVEYING, INC.	2,205.00						
	38226	02/20/24 P/Z-ROUTINE SRVS 01/22-02/16	2,205.00			1000 411000	399		101000
		Total for Vendor:	2,205.00						
		*** Claim from another period (2/24) ****							
45519		2755 SHERWIN-WILLIAMS CO	316.12						
	4123-3	02/13/24 FD-PAINT VARIETY	274.13*			1000 411200	240		101000
	4767-0	02/26/24 FD-GALLON OF PAINT	41.99*			1000 411200	240		101000
		Total for Vendor:	316.12						
		*** Claim from another period (2/24) ****							
45549		3222 SUMMIT FIRE & SECURITY LLC	130.00						
	1363392	01/08/24 PD-5LB CHEMICAL EXTINGUISHER	130.00			1000 420100	399		101000
		Total for Vendor:	130.00						
		*** Claim from another period (2/24) ****							
45509		1653 SUPER 1 FOODS	39.42						
	041223	04/12/23 SWR-WATER	23.46			5310 430600	222		101000
	022124	02/21/24 WTR-DONUTS FOR TRAINING	5.32			5210 430500	380		101000
	022124	02/21/24 SWR-DONUTS FOR TRAINING	5.32			5310 430600	380		101000
	022124	02/21/24 WTR-DONUTS FOR TRAINING	5.32			1000 420400	380		101000
		Total for Vendor:	39.42						
		*** Claim from another period (2/24) ****							
45551		1644 THE CHEMNET CONSORTIUM	105.00						
	121562	02/28/24 SWR -DRUG/ALCOHOL SCREEN K. HE	105.00			5310 430600	399		101000
		Total for Vendor:	105.00						

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
*** Claim from another period (2/24) ****									
45531		2699 THE MAIL ROOM, INC	482.48						
INVOICE #D118908									
	D118908	02/19/24 PD-MAIL SRVS 02/5-02/16	6.07			1000 420100	310		101000
	D118908	02/19/24 FIN-MAIL SRVS 02/5-02/16	34.86*			1000 410500	310		101000
	D118908	02/19/24 WTR-MAIL SRVS 02/5-02/16	176.42			5210 430500	310		101000
	D118908	02/19/24 SWR-MAIL SRVS 02/5-02/16	176.42			5310 430600	310		101000
	D118908	02/19/24 CRT-MAIL SRVS 02/5-02/16	69.81			1000 410360	310		101000
	D118908	02/19/24 PLN-MAIL SRVS 02/5-02/16	18.90			1000 411000	310		101000
Total for Vendor:			482.48						
*** Claim from another period (2/24) ****									
45524		1623 THE UPS STORE #4515	45.15						
	019867	02/13/24 PD-EVIDENCE SHIPPING	12.67			1000 420100	310		101000
	020131	02/26/24 PD-EVIDENCE SHIPPING	12.67			1000 420100	310		101000
	020159	02/27/24 PD-SHIPPING	19.81			1000 420100	310		101000
Total for Vendor:			45.15						
*** Claim from another period (2/24) ****									
45511		2923 TORGERSON'S LLC	286.00						
	P29581	02/15/24 STRS-GAS STRUT	286.00			2500 430200	232		101000
Total for Vendor:			286.00						
*** Claim from another period (2/24) ****									
45537		246 URECO INC.	7,098.10						
	18560	02/26/24 STRS-DEICER 34.40 TONS	7,098.10			2500 430200	221		101000
Total for Vendor:			7,098.10						
*** Claim from another period (2/24) ****									
45518		3200 USABLUEBOOK	272.98						
	INV0026091	01/30/24 SWR-HACH TUBE SET 50 TESTS	226.00			5310 430600	222		101000
	INV0026091	01/30/24 SWR-TNT+AMONIA TESTS	173.58			5310 430600	222		101000
	SCN037567	01/22/24 SWR-CREDIT FOR PLEATED FILT	-126.60			5310 430600	240		101000
Total for Vendor:			272.98						
*** Claim from another period (2/24) ****									
45555	E	1218 VERIZON WIRELESS	1,395.98						
	9956593213	02/28/24 ADMIN-01/13/24-02/12/24	19.94			1000 410400	345		101000
	9956593213	02/28/24 FIN-01/13/24-02/12/24	19.94			1000 410500	345		101000
	9956593213	02/28/24 FIRE-01/13/24-02/12/24	120.42			1000 420400	345		101000
	9956593213	02/28/24 FAC-01/13/24-02/12/24	12.44			1000 411200	345		101000
	9956593213	02/28/24 STRS-01/13/24-02/12/24	111.92			2500 430200	345		101000

03/01/24
18:37:29

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 3/24

Page: 9 of 11
Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
	9956593213	02/28/24 PD-01/13/24-02/12/24	748.15			1000 420100	345		101000
	9956593213	02/28/24 PRKS-01/13/24-02/12/24	49.73			1000 460400	345		101000
	9956593213	02/28/24 WTR-01/13/24-02/12/24	181.59			5210 430500	345		101000
	9956593213	02/28/24 SWR-01/13/24-02/12/24	82.11			5310 430600	345		101000
	9956593213	02/28/24 CRT-01/13/24-02/12/24	49.74			1000 410360	345		101000
		Total for Vendor:	1,395.98						
		*** Claim from another period (2/24) ****							
45541		84 WESTERN BUILDING CENTER	198.59						
	4I683060	02/15/24 FAC-PAINTING SUPPLIES	79.72			1000 411200	220		101000
	4I682756	02/15/24 STR-PLUS BIT CUTTER	31.50			2500 430200	220		101000
	4I692128	02/22/24 FAC-PRIMER/COVERS/CEMENT	34.47*			1000 411200	240		101000
	4I688708	02/20/24 FD-FAMOWOOD PINE 60Z WOOD FI	6.49			1000 420400	220		101000
	4I696862	02/27/24 FAC-HD TGL BOLTS 10PK	14.49*			1000 411200	240		101000
	4I696237	02/26/24 FD-ASSORTED FASTNERS	31.92			1000 420400	220		101000
		Total for Vendor:	198.59						
		# of Claims	54	Total:	79,239.95	# of Vendors	50		
		Total Electronic Claims			2,462.70				
		Total Non-Electronic Claims			76777.25				

03/01/24
18:37:29

CITY OF COLUMBIA FALLS
Fund Summary for Claims
For the Accounting Period: 3/24

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Report ID: AP110

Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH/CASH EQUIVALENTS	18,289.70
2310 TAX INCREMENT DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	406.00
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	8,099.84
2959 EDA	
101000 CASH/CASH EQUIVALENTS	1,787.50
4000 CAPITAL PROJECTS FUND - Building	
101000 CASH/CASH EQUIVALENTS	15,704.00
5210 WATER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	1,478.03
5310 SEWER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	9,991.93
7120 FIRE RELIEF DISABILITY/PENSION FUND	
101000 CASH/CASH EQUIVALENTS	23,482.95
Total:	79,239.95

03/01/24
18:37:30

CITY OF COLUMBIA FALLS
Claim Approval Signature Page
For the Accounting Period: 3 / 24

Page: 11 of 11
Report ID: AP100A

March 4, 2024

Council Meeting Date: _____

Claims Submitted to Council: \$ 79,239.95

Claims Denied/Withheld by Council Finance Committee: \$ _____ Claim #'s: _____

Prepared By: Shawn Bates, Finance Director

S. Bates

Approved by Susan M. Nicosia, City Manager

S. Nicosia

City Council to Approve by motion on consent agenda

Mayor and Council -

The following claims are large or unusual in nature:

Fire Relief - \$23,482.95 - includes both November and December tax collections.

Flathead County Transportation - annual \$5,500 contribution (General)

Kubwater Resources Inc (Sewer) - \$6,626.77 - dewatering polymer

MQS, Inc. (Capital Bldg) - \$15,704 - street shop pole barn deposit

Please let me know if you have any questions or comments on any claim.

S.Bates

Total for Payroll Checks

	Employee	Employer	Amount
VACA HOURS (Vacation Time Used)	141.76		7,624.79
GROSS PAY	7,624.79	0.00	
NET PAY	4,704.71	0.00	
FIT	1,362.42	0.00	
MEDICARE	110.56	110.56	
P.E.R.S.	602.36	691.57	
SIT	372.00	0.00	
SOCIAL SECURITY	472.74	472.74	
UNEMPL. INSUR.	0.00	34.31	
WORKERS' COMP	0.00	48.43	
GLACIER BANK/CF	4,704.71	0.00	
FIT/SIT BASE	7,022.43	0.00	
MEDICARE BASE	7,624.79	0.00	
PERS BASE	7,624.79	0.00	
SOC SEC BASE	7,624.79	0.00	
UN BASE	7,624.79	0.00	
WC BASE	7,624.79	0.00	
Total		1,357.61	
Total Payroll Expense (Gross Pay + Employer Contributions):		8,982.40	

2-20-2024
Vacation payout
\$ 8899.46
Bub Stalant

Check Summary

Payroll Checks Prev. Out.	\$64,154.82
Payroll Checks Issued	\$0.00
Payroll Checks Redeemed	\$2,327.10
Payroll Checks Outstanding	\$61,827.72
Electronic Checks	\$4,704.71

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	945.48	945.48	1890.96	212260
Medicare	221.12	221.12	442.24	212260
P.E.R.S.	1293.93	1293.93	2587.86	212270
Unempl. Insur.	34.31	1792.72	1827.03	212210
Workers' Comp	48.43	11954.60	12003.03	212220
FIT	1362.42	1362.42	2724.84	212260
SIT	372.00	372.00	744.00	212260
NATIONWIDE/EMP	0.00			212280
NATIONWIDE/CITY	0.00			212280
HEALTHINS/PRE	0.00			212400
FLEX ALLEGIANCE	0.00			212285
Total Ded.	4277.69	17942.27	0.00	22219.96

**** Carried Forward column only correct if report run for current period.

Total for Payroll Checks

	Employee	Employer	Amount
	-----	-----	-----
COMP HOURS (Comp Time Used)	24.00		579.84
HOL HOURS (Holiday Pay)	283.20		8,790.64
HOLW HOURS (Holiday Worked @ 2.5x)	8.00		311.76
J003 HOURS (PD HOL WK)	24.00		1,286.82
J008 HOURS (PD HOL WK OT)	32.00		1,254.36
OTHE HOURS (Other Time Used)	80.00		3,329.60
OVER HOURS (Overtime)	34.25		1,514.53
OVDH HOURS (STEP overtime)	10.00		386.25
PERS HOURS (Personal Time Used)	10.50		520.44
REG HOURS (Regular Time)	2,250.00		69,844.07
SHFN HOURS (Shift B)	300.00		600.00
SHFQ HOURS (OVT B)	12.00		36.00
SHFU HOURS (Hol wk B)	24.00		120.00
SICK HOURS (Sick Time)	58.00		1,386.24
VACA HOURS (Vacation Time Used)	173.25		5,583.24
GROSS PAY	95,543.79	0.00	
NET PAY	66,131.33	0.00	
AFLAC-POSTTAX	86.97	0.00	
AFLAC-PRETAX	165.04	0.00	
CHILD SUPPORT P	206.76	0.00	
CITY OF CF ELEC	1,948.00	0.00	
CITY OF COLUMBI	20.00	0.00	
FIT	7,539.88	0.00	
FLEX ALLEGIANCE	782.33	22.50	
POP	405.00	0.00	
HEALTHINS/PRE	2,676.72	23,498.50	
MEDICARE	1,338.82	1,338.82	
MT ST FIRE ASSO	105.88	0.00	
NATIONWIDE/CITY	0.00	2,363.15	
NATIONWIDE/EMP	238.33	0.00	
P.E.R.S.	3,885.03	4,460.41	
PERS RETIREE	0.00	97.96	
PERS/FURS	1,132.85	1,520.36	
PERS/POLICE	2,655.73	4,252.11	
SIT	2,649.00	0.00	
SOCIAL SECURITY	3,106.07	3,106.07	
TEAMSTERS DUES	327.00	0.00	
UNEMPL. INSUR.	0.00	429.93	
UNUM LIFE INS.	143.05	0.00	
WORKERS' COMP	0.00	2,895.03	
CHARLES SCHWAB	1,728.39	0.00	
FIRST INTERSTAT	1,116.14	0.00	
FREEDOM BANK	3,666.28	0.00	
GLACIER BANK KA	8,548.78	0.00	
GLACIER BANK MS	3,048.67	0.00	
GLACIER BANK/CF	18,775.82	0.00	
GLACIER BANK/WF	1,903.83	0.00	
NAVY FEDERAL CR	2,557.30	0.00	

3-1-24
 Payroll
 \$109,306.39
 Bob Staland

PARKSIDE CR U	7,708.23	0.00
STRIDE BANK	1,158.77	0.00
USAA FEDERAL	1,646.85	0.00
USBANK.	803.65	0.00
WELLS FARGO	2,483.77	0.00
WELLS FARGO, TX	2,060.64	0.00
WFISH CR UNION	8,924.21	0.00
FIT/SIT BASE	82,059.76	0.00
MEDICARE BASE	92,334.85	0.00
PERS BASE	90,353.11	0.00
SOC SEC BASE	50,097.71	0.00
UN BASE	95,543.79	0.00
WC BASE	94,063.14	0.00

Total 43,984.84
Total Payroll Expense (Gross Pay + Employer Contributions): 139,528.63

Check Summary

Payroll Checks Prev. Out.	\$4,376.66
Payroll Checks Issued	\$2,934.12
Payroll Checks Redeemed	\$0.00
Payroll Checks Outstanding	\$7,310.78
Electronic Checks	\$106,372.27

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	6212.14	6212.14		212260
Medicare	2677.64	2677.64		212260
P.E.R.S.	8345.44	8345.44		212270
Unempl. Insur.	429.93	2222.65	2652.58	212210
Workers' Comp	2895.03	14849.63	17744.66	212220
FIT	7539.88	7539.88		212260
SIT	2649.00	2649.00		212260
AFLAC-PRETAX	165.04	165.04	330.08	212230
NATIONWIDE/EMP	238.33	238.33		212280
Teamsters dues	327.00	327.00	654.00	212310
PERS/Police	6907.84	6907.84		212240
NATIONWIDE/CITY	2363.15	2363.15		212280
AFLAC-POSTTAX	86.97	86.97	173.94	212230
PERS/FURS	2653.21	2653.21		212275
MT ST FIRE ASSO	105.88	105.88		212315
HEALTHINS/PRE	26175.22	26175.22	52350.44	212400
CITY OF COLUMBI	20.00	20.00		212450
UNUM LIFE INS.	143.05	143.05	286.10	212400
FLEX ALLEGIANCE	804.83	804.83		212285
CHILD SUPPORT P	206.76	206.76		212330
FOP	405.00	405.00		212335
CITY OF CF ELEC	1948.00	1948.00		212450
PERS RETIREE	97.96	97.96		212270
Total Ded.	73397.30	43969.56	43175.06	74191.80

**** Carried Forward column only correct if report run for current period.

CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD FEBRUARY 20, 2024

Mayor Barnhart called the meeting to order at 7:00 p.m.

ROLL CALL: Councilor King, Councilor Lovering, Councilor Piper, Councilor Price via zoom, Councilor Robinson, Councilor Shepard and Mayor Barnhart.

Also present: City Manager Nicosia, City Clerk Staland, City Attorney Breck and Police Chief Peters.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Lovering made motion to approve the agenda, seconded by Councilor Robinson and the motion carried.

CONSENT AGENDA: Councilor Piper motioned to approve the consent agenda noting all claims appeared to be in order, seconded by Councilor Robinson with council voting as follows. Ayes: Robinson, Shepard, King, Lovering, Piper, Price and Barnhart.

Approval of Claims - February 20, 2024 - \$93,208.85

Approval of Payroll Claims - February 16, 2024 - \$165,861.21

Approval of Regular Meeting Minutes - February 5, 2024

Approval of Request to Connect to City Sewer - Meadow Lake Development Corp, 1030 Best Way, Lot 1 Homestead Industrial Park, Section 7, T 30N, Range 20 W

VISITORS/PUBLIC COMMENT (Items not on agenda)

Dave Petersen, 201 4th Ave E. said he spoke with Shirley Folkwein about CFAC and his initial comment was that train has already left the station. Petersen said it sounds like the group has some momentum with many signatures on a petition. Petersen asked what is wrong with making some noise to haul the material away.

Gary Hall, Columbia Falls, said he would like to know if everything that happens out of the city limits goes through the Flathead County Planning Board for review. Hall requested clarification on a property that is initially in the county then annexed into the city. Mayor Barnhart said if the property owner wants city services they would request to be annexed into the city. With annexation into the city, the property would fall under the City Planning Commission.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Public Hearing - Amend Title 13 - Water/Sewer Utility Account Provisions:

Mayor Barnhart read the notice of hearing and asked City Manager Nicosia to present.

On Tuesday, February 20, 2024, during the 7:00 p.m. Regular City Council meeting, the City Council of the City of Columbia Falls, shall conduct a public hearing for the purpose of reviewing and revising the water/sewer customer provisions, specifically Chapter 13.04.020 Definitions, 13.04.050 Service-Application, and 13.04.090 Deposits – Generally, and 13.08.060 Service Deposits, all of which are related to allowing customer accounts to be transferred out of the owner's name and established in the name of a renter.

The City Council is proposing revising these provisions to require the water/sewer utility account to remain in the name of the owner and not be transferred to a renter thereby eliminating excessive paperwork, deposits, multiple meter reads and duplicative billing and notices.

City Manager Nicosia said the request has come forward from the Public Works Department and Finance Department to once again review the water/sewer utility account holders. The City last reviewed the provisions in 2014 and while the Landlord Agreement was updated, the process left in place was to change the account with every new tenant or back to the property owner when a new tenant is not available. The City gave written notice to 380 property owners that have tenants according to the most recent Utility Billing records and notification was posted on the city website and published in the newspaper as required by state law.

Nicosia said it is encouraging to see public comments that have been included in the council packet and have public interest this evening. Currently with the landlord agreement the water account can be transferred out of the owners' name and into the tenant's name. Ultimately, the owner is always responsible for the bill, the past due notice will go to the owner and the tenant. There is extra work with the bills not getting paid and the city trying to collect the outstanding balance. When a tenant moves out the city does not always get notified from the owner or the tenant. In City Code, the owner should be paying the bill, but the owner is waiting for the tenant to pay the final bill and when the tenant does not pay the city is trying to locate them to collect money. The work involved for both the Utility Billing Clerk and Water operators when the bill is in the tenant's name is doubled.

The proposal is to change Title 13 to send the water bill to the owner. This code change would delete the landlord agreement and the \$250 water deposit. There are 116 landlords that have asked for the \$250 water deposit to be held by the City, said Nicosia.

Councilor King asked if the city can send someone to collections for not paying their water bill. Nicosia said the last resort is to go to collections due to the lengthy time to collect and the loss of revenue to the city utility. The city does not report to credit agencies on delinquent water bills. King said basically in the end it's up to the owner to satisfy the bill. City Attorney Breck said if the tenant doesn't pay and the owner chooses not to pay, the city has to recover what is due. King asked if the water is turned off and the pipes break is that the owner's responsibility. Nicosia replied that is correct.

Councilor Robinson asked City Manager Nicosia when looking at excessive paperwork, meter reads, deposits, and notices etc. how much staff time it involves. City Manager Nicosia said it takes hours between the Utility Billing Clerk, Water Operator and Cashier, at least doubling the paperwork, if not more for some properties. If the water account does not leave the owners name, we are just maintaining one account which will save staff time.

Councilor Shepard said the city is basically doing the landlords work in collecting water payments correct. City Manager Nicosia replied yes. Shepard asked if the city has increased the water rates to cover the time it takes. Nicosia replied no the city has not.

Councilor Lovering asked how many other cities our size keeps the water bill in the property owner's name. Nicosia said in polling other cities they do not put the water bill in the tenants name. There has been an

increase in move in move outs, in one month we had two tenants and one owner on one water account. Lovering asked how much staff we have working on this. Nicosia said a water operator, utility billing clerk, and cashier and on some occasions the Finance Director. Lovering asked if this is a staff burden or financial burden or both. Nicosia replied both.

Councilor Piper asked if the meters are still being read by the city. Nicosia said yes.

Councilor King asked if delinquencies are more so in multifamily or single family homes. Nicosia said the multifamily buildings tend to have one meter and stay in the owner's name, the delinquencies are with the individual single-family homes or properties.

Councilor King asked if it could be entertained to have a 3 month or 6 month lease. Nicosia stated the city is not a party to a lease agreement.

Councilor Robinson asked if State Statute allows utility bills to be applied to taxes. Nicosia said that is correct, but only in September of each year.

Councilor Price said she is in support of keeping the water bill in the owner's name.

Mayor Barnhart asked in the last ten years how many more rentals are we looking at. Nicosia said we have added 150 rentals. Mayor Barnhart asked if we could change to fee schedule. Nicosia replied we can look at rate code.

Mayor Barnhart opened the public hearing at 7:49 p.m.

James Livingston, 175 4th Ave. EN. said he has rentals and has not had any problems. He would like to know if a water bill will go to the owner and the tenant. Nicosia said it would go to the property owner and the property owner could get it to the tenant.

Paula Johnson-Gilchrist said she and her husband own rentals in Columbia Falls, Whitefish and Kalispell and pride themselves on having nice houses to rent. Ms. Gilchrist said to do what you are suggesting would have an impact on them as their office is in Whitefish, and they would have to get the bill to the tenant which could be multiple transactions. The tenant should be responsible for paying their utilities. Gilchrist believes it would punish them as landlords to not let tenants continue with what they already have in place.

Steve Haymond, 321 Hope Court, said when he first received the notice he called Finance Director Bates and he was able to put him at ease. The city can e-bill property owners and property owners can forward the email to the tenant; this will save on postage and time plus the tenant can pay the bill directly to the city. Mr. Haymond asked what the fees are to have the water turned on or off for non-payment? Nicosia said there is a \$5 door hanger, and if we have to shut the water off it is \$25.

Cindy Shaw, 3328 Columbia Falls Stage Road, believes the city should not be collecting a water deposit on behalf of the tenant, but believes her tenants should receive their water bill directly. One of the tenants noticed the sound of water and called immediately, they may not have been so alert if the water bill was not in their name. Her suggestion would be on the first notice of non-payment send a copy to the owner. Nicosia

said that procedure is already in place. Shaw suggested a \$25 application fee for a tenant. Shaw asked how the city would notify a tenant of water contamination. Nicosia said if there was a boil order the city would notify television, radio, newspaper, city website and the Police Dept. Facebook page.

Tracy Ziess, 3 Diane Rd. said she is here representing property owners in Columbia Falls, her owners believe that water is a business providing a service and they should be billing and collecting payment for such service. The city let one bill get \$500 past due and they never received a notice and had to pay the bill said Ziess. She asked if the owner can pass the bill on to the tenant. Nicosia said yes, they can pass on the bill to the tenant and the tenant can pay at the city.

Matt Hutcheson, 227 7th Street E. said he is opposed to changing to the responsibility to the owner. The electric and telephone companies are not doing this.

Megan Tabor owns 6 rentals in Columbia Falls and stated as the community grows and technology changes we have to adapt. Tabor suggested instead of mailing water bills perhaps the city can email the water bills. City staff noted that ebills are already available.

Tim Deardurff, 370 Chubb Lane, Columbia Falls asked how much property tax is going towards water and sewer. Mr. Deardurff said the tenant should be responsible for their water bill and receive the bill. Mr. Deardurff said he is thinking of purchasing another parcel to put rentals on and is wondering where he could dump sewage. Mayor Barnhart replied the city does not accept RV dumping; you could talk to the Public Works Director. City Manager Nicosia added you could reach out to Flathead County Environmental Health for advice as his property is several miles outside of the city limits.

Mayor Barnhart closed the Public Hearing at 8:24 p.m.

Councilor Robinson motioned to have the City Manager bring forward an ordinance amending Title 13 – Water/Sewer Utility Account Provisions, seconded by Councilor Shepard.

Councilor Shepard said he did not know he could get an e-bill. Nicosia replied you have to sign up for e-billing. Councilor Piper asked if the issues are with multifamily units or single family units. Nicosia replied the multifamily units are not the problem it is primarily the single family dwellings.

Councilor Lovering said it seemed pretty cut and dry but is now is not so sure. She would like to see further discussion and is concerned we may be short-staffed. Councilor Piper concurs with Lovering.

City Manager Nicosia said she is confident city staff and City Attorney can address a lot of public comment and an ordinance be brought forward to the March 4, 2024 council meeting.

Councilor Robinson asked if technology is limiting staff, is it possible to text message notices or bills. Nicosia said there would be a special change in city software to add a program to text residents. We can take the comments and work on a compromise. The City can receive comments on a first reading of an ordinance said Nicosia. City Attorney Breck said we can make an amendment and continue the public hearing to the next meeting instead of closing the Public Hearing.

Ayes: Lovering, Piper, Price, Robinson, Shepard and Barnhart. Noes: King.

Mayor Barnhart reopened the Public Hearing, continuing the hearing to March 4, 2024.

ORDINANCES / RESOLUTIONS:

Resolution # 1914:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION.

City Manager Nicosia said this review is required every ten years pursuant to the Constitution of the State of Montana. The City Council must conduct an election asking our electorate if they want to undertake the local government review. At the last meeting the council decided to have three Study Commissioners. Nicosia reviewed the procedures and dates. Election expenses have increased exponentially and with other costs will potentially be \$55,000. This resolution will include the newer language, noting that the \$55,000 is funded with a permissive levy, above and beyond the general levy set in 15-10-420, MCA.

Councilor Shepard motioned to approve Resolution #1914, seconded by Councilor Lovering with council voting as follows. Ayes: King, Lovering, Piper, Price, Robinson, Shepard and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Lovering said the Parks Committee met with an Eagle Scout who has a proposal for a children's memorial park. Lovering said she will keep the council updated on progress.

Councilor Shepard said in regard to CFAC, the more they dig into the soil the more contaminants will seep into the river. There is some material that will have to be removed said Shepard. We have worked on this for 8 years; the frustration is the Commissioners and the Governor have been absent.

Councilor Piper said he does not believe this council has ever squashed anything with CFAC, we have done our due diligence. If the new group wants to proceed that is great and he wishes them well. Mayor Barnhart added they have done a lot of work, and he too wishes the group luck.

Mayor Barnhart inquired about applicants for the City Manager position. City Manager Nicosia replied at this time we have seven applicants.

CITY MANAGER REPORT

Project Update - ARPA Wastewater Phase 2

City Manager Nicosia said initially the ARPA Wastewater Phase 2 project was estimated to be \$3.5 million, on February 7th the city finally received an estimate from the engineers at \$7.5 million. At that time, we asked them to go back to review it, thinking there must be an error in their calculations. Today, we received new numbers and now the project estimate is at \$8 million, which is a 131% increase since the application and funding approval. Nicosia noted that we could not call for bids until we determine the accuracy of the estimates and how we can proceed if the bids come in significantly higher than our available funding. Councilor Shepard asked if the increase was in building material costs. Mayor Barnhart said what we are presenting to the bid is their design and not their numbers. If the city went ahead and called for bids, we would find out what those numbers would be. Could we then take that number to the DNRC? Nicosia replied we will have that conversation with the project manager but most likely that is the best scenario. Mayor

Barnhart asked how many other cities are in the same situation with the same engineer. Nicosia said she is unsure.

Nicosia noted that the RAISE grant is still at OST and as of today has not gotten the final signature and the City is working on the RTP grant for the Skatepark.

MISCELLANEOUS REPORT

Chief Peters said starting February 25th the Police Department has one more Patrolman on staff.

MISCELLANEOUS

Correspondence

ADJOURN

Councilor Lovering made motion to adjourn, seconded by Councilor Shepard and the meeting was adjourned at 9:17 p.m.

Mayor

City Clerk

**CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING
AMEND TITLE 13 – WATER/SEWER UTILITY ACCOUNT PROVISIONS**

On Tuesday, February 20, 2024, during the 7:00 p.m. Regular City Council meeting, the City Council of the City of Columbia Falls, shall conduct a public hearing for the purpose of reviewing and revising the water/sewer customer provisions, specifically Chapter 13.04.020 Definitions, 13.04.050 Service-Application, and 13.04.090 Deposits – Generally, and 13.08.060 Service Deposits, all of which are related to allowing customer accounts to be transferred out of the owner’s name and established in the name of a renter.

The City Council is proposing revising these provisions to require the water/sewer utility account to remain in the name of the owner and not be transferred to a renter thereby eliminating excessive paperwork, deposits, multiple meter reads and duplicative billing and notices.

The proposed changes are available for review at the office of the City Clerk, City of Columbia Falls 130 6th Street West, Columbia Falls, MT. Persons may contact the City Clerk or City Manager at 406-892-4391 or 130 6th Street West, Columbia Falls, MT for more information about the hearing.

Written comments can be submitted to the City Clerk at 130 6th Street West, Columbia Falls, MT 59912, email: staalandb@cityofcolumbiafalls or delivered in person to the City Council during the hearing on February 20, 2024.

Dated this 5th day of February 2024.

Barb Staalnd
City Clerk

Publish: Daily Interlake Sunday February 11th and Sunday February 18th

March 1, 2024

To: Mayor and Council

From: City Manager Nicosia

RE: Recommendation to Call for Bids – WWTP Phase 2

City staff, along with Mayor Barnhart and Councilman Shepard, followed up with HDR on their updated cost estimates. We reviewed the project and determined it was in the best interest of the City to move forward with the Call for Bids and put the project out to potential bidders. The City of Hamilton also bid a similar project 6 months ago and their project, \$3.8m, came in as originally projected. The high estimate presented to the City is essentially “worst case” scenario and included high inflation estimates as well as high % estimates on the work to be completed.

As indicated on the attached Call for Bids, bid proposals are due back on April 9th at 2:00 pm. We will proceed according to the bid results.

CALL FOR BIDS
City of Columbia Falls, Montana
WWTP Improvements

General Notice

City of Columbia Falls (Owner) is requesting Bids for the construction of the following Project:

Wastewater Treatment Plant (WWTP) Improvements Project
HDR Project Number 10330911

Bids for the construction of the Project will be received at the City of Columbia Falls City Hall located at 130 6th St W, Columbia Falls, MT 59912 until **Tuesday, April 9, 2024 at 2:00 PM** local time. Received bids will be publicly opened and read aloud on **Tuesday, April 9, 2024 at 2:00 PM** local time. Original copies must be submitted; no faxed or electronic bids will be accepted.

The Project includes the following Work:

1. Expansion of the existing bioreactor from a 3-stage A2O process to a 5-stage Bardenpho process. Work includes the addition of a post-anoxic zone, a post-aerobic zone, and associated equipment.
2. Furnishing a supplemental carbon unit.
3. Mixed liquor recycle (MLR) piping improvements.
4. Provide new redundant high speed aeration blower.
5. Provide new redundant sludge thickening equipment which includes construction of a new building with thickening room, chemical room, and electrical room. Work also includes a new equipment platform, HVAC systems, replacement of existing WAS pumps and installation of new VFDs, and associated structural, mechanical, electrical and instrumentation necessary to create a complete and workable system.
6. Pretreatment Building improvements including expansion of existing building, installation of new redundant mechanical fine screen with screenings washer/compactor, HVAC improvements, and other miscellaneous electrical, controls, building, piping and valve improvements.
7. Provide new sewage receiving station.

Bids are requested for the following Contract: City of Columbia Falls, WWTP Improvements Project

Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is:

HDR
700 SW Higgins Ave., Suite 200
Missoula, MT 59803

Prospective Bidders may obtain or examine the Bidding Documents at the Issuing Office on Monday through Friday between the hours of 8:00 AM and 4:30 PM local time, and may obtain copies of the Bidding Documents from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda, if any, obtained from sources other than the Issuing Office.

Paper copies of the Bidding Documents may be obtained from the Issuing Office by paying a deposit of \$150.00 for each set. Bidders who return full sets of the Bidding Documents in good condition within 10 days after receipt of Bids will receive a full refund. Non-Bidders and Bidders who obtain more than one set of the Bidding Documents, will receive a refund of \$75.00 for documents returned in good condition within the time limit indicated above. Make deposit checks for Bidding Documents payable to "HDR

Engineering, Inc.” and mailed to Devie Bessette, 700 SW Higgins Avenue, Suite 200, Missoula, MT 59803.

Bidding Documents may be purchased from the Issuing Office during the hours indicated above. Cost does not include shipping charges. Upon Issuing Office’s receipt of payment, paper Bidding Documents will be sent via the prospective Bidder’s delivery service or electronic documents shared via an online cloud storage system. The shipping charge amount will depend on the shipping method chosen. Bidding Documents are available for purchase in the following formats:

Format	Cost
Bidding Documents (including half-size Drawings)	\$500
Electronic download of Bidding Documents via hyperlink to cloud storage	\$0

Project Funding

The “Columbia Falls WWTP Improvements” project is funded with American Rescue Plan Act (ARPA) funds. Bidder must meet all requirements of the appropriate Federal/State agencies, as indicated in the specifications.

Pre-bid Conference

A mandatory pre-bid conference for the Project will be held on **Tuesday, March 26, 2024 at 10:30 AM** at Columbia Falls WWTP located at 600 Veteran Drive, Columbia Falls, MT 59912. Bids will not be accepted from Bidders that do not attend the mandatory pre-bid conference.

Instructions to Bidders

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

CONTRACTOR and any of the CONTRACTOR’s subcontractors bidding or doing work on this project will be required to be registered with the Montana Department of Labor and Industry (DLI). Forms for registration are available from the DLI, PO Box 8011, 1805 Prospect, Helena, Montana 59604-8011. Information on registration can be obtained by calling (406) 444-7734. CONTRACTOR is required to have registered with the DLI prior to bidding on this project. All laborers and mechanics employed by CONTRACTOR or subcontractors in performance of the construction work shall be paid wages at rates as may be required by the laws of City of Columbia Falls and the State of Montana.

By entering a Bid the CONTRACTOR agrees that all hiring by CONTRACTOR of persons doing work on this project shall be on the basis of merit and qualifications. The CONTRACTOR will have a policy to provide equal employment opportunity in accordance with all applicable State and Federal anti-discrimination laws, regulations, and contracts. The CONTRACTOR will not refuse employment to a person, bar a person from employment, or discriminate against a person in compensation or in a term, condition, or privilege of employment because of race, color, religion, creed, political ideas, sex, age, marital status, national origin, actual or perceived sexual orientation, gender identity, physical or mental disability, except when the reasonable demands of the position require an age, physical or mental disability, marital status, or sex distinction. The CONTRACTOR shall be subject to and comply with Title VI of the Civil Rights Act of 1964; Section 140, Title 2, United States Code, and all regulations promulgated thereunder. CONTRACTOR represents it is, and for the term of this project will be, in compliance with the requirements of the Equal Pay Act of 1963 and Section 39-3-104, MCA (the Montana Equal Pay Act).

Each Bid or proposal must be accompanied by a Certified Check, Cashier’s Check, or a Bid Bond payable to **City of Columbia Falls**, in an amount not less than ten percent (10%) of the total amount of the Bid.

Successful BIDDER(s) shall furnish an approved Performance Bond and a Labor and Materials Payment Bond, each in the amount of one hundred percent (100%) of the Contract amount. Insurance, as required, shall be provided by the successful BIDDER(s) and certificates of that insurance shall be provided.

No bid may be withdrawn after the scheduled time for the public opening of the Bids specified above.

City of Columbia Falls reserves the right to reject any or all proposals received, to waive informalities to postpone the award of the Contract for a period of sixty (60) days, and to accept the lowest responsive and responsible Bid which is in the best interest of City of Columbia Falls.

This Advertisement is issued by:

Owner: City of Columbia Falls

By: Barb Staaland
Title: City Clerk

Publication Dates:
March 10, 2024,
March 17, 2024, and
March 31, 2024

**CITY OF COLUMBIA FALLS
INVITATION TO BID
SCUM PUMP AND CONTROLS REPLACEMENT PROJECT**

The City of Columbia Falls, Montana will receive sealed bids for the **WWTP Scum Pump and Controls Replacement Project**. The project consists of furnishing materials, labor and equipment required for the replacement and installation of a new Scum Pump and Controls in the Secondary Clarifier building at the City’s Wastewater Treatment Plant. Bid documents may be obtained at City Hall, 130 6th Street West, Columbia Falls, MT 59912 or on the City’s website, www.cityofcolumbiafalls.org. Any bidder wishing further information should contact the City of Columbia Public Works Director, Chris Hanley, phone (406) 892-4430. Bids will be received by the City Clerk, 130 6th Street West, Columbia Falls MT. 59912 until 2:00 P.M. on **Tuesday, March 26, 2024 at 2:00 PM** at which time all bids will be publicly opened and read aloud in the City Council Chambers, 130 6th Street West, Columbia Falls. MT 59912. Proposals shall be addressed to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 and entitled **BID FOR WWTP SCUM PUMP AND CONTROLS REPLACEMENT PROJECT**.

Each bid must be accompanied by bid security in the amount of 10% of the bid. The security must consist of cash, a cashier’s check, a certified check, a bank money order, a certificate of deposit, a money market certificate, or a bank draft. The security must be: (i) drawn and issued by a federally chartered or state-chartered bank or savings and loan association that is insured by or for which insurance is administered by the federal deposit insurance corporation;(ii) drawn and issued by a credit union insured by the national credit union share insurance fund; or (iii) a bid bond or bonds executed by a surety company authorized to do business in the state of Montana. The bid security must be signed by an individual authorized to submit the security by the corporation or other business entity on whose behalf the security is submitted.

The City will accept the lowest responsible bid, but the City Council reserves the right to reject any and all bids or to waive any technicality or informality and accept any bid which may be deemed in the best interest of the City.

s/Barb Staaland
Barb Staaland
City Clerk

Publication Dates: March 10, 2024
March 17, 2024

**CITY OF COLUMBIA FALLS
ORDINANCE 829**

AMEND TITLE 13 - WATER/SEWER UTILITY ACCOUNTS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AMENDING THE TITLE 13 WATER/SEWER UTILITY ACCOUNT PROVISIONS

WHEREAS, the City identified excessive paperwork, multiple meter reads and duplicative billing and notices for utility billing accounts when the account had been transferred to a tenant;

WHEREAS, the City had previously established an account process that involved a transfer of billing to the tenant, the completion and processing of a Landlord Agreement as well as the collection and accounting of deposits for accounts with tenants, resulting in additional Finance and Water Department staff hours for those accounts;

WHEREAS, the City Council held a Public Hearing on February 20, 2024 for the purpose of reviewing and revising the water/sewer customer provisions that resulted in the use of additional resources and whereas the Council considered the written and verbal comment received during the Hearing and are now proposing amending the provisions to meet the needs of the city as well as the customers;

NOW THEREFORE, be it ordained by the Council of the City of Columbia Falls, in the State of Montana, as follows:

SECTION 1: **AMENDMENT** “13.04.020 Definitions” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.04.020 Definitions

As used in this chapter, the following words and phrases shall be as set out in this section:

- A. Consumer or Customer. This term means the individual, partnership, or corporation identified on an approved application as the owner of property served or owner's representative.
- B. Customer Class. The term means the grouping of water users with other users that share a similar usage pattern or usage environment. The city recognizes the following classes for the purpose of assigning a volume rate:
 - 1. Commercial Class. Customers who occupy a premises for the purpose of buying, selling, trading, acquiring, disposing, storing, leasing articles,

- commodities, or property; or providing a service, craft, amusement, or recreation; or provide assemblage; or provide education of one hundred or less students; or provide lodging accommodations for transient persons.
2. Government Class. Customers that occupy premises that provide governmental services, institutional lodging or education for more than one hundred students.
 3. Industrial Class. A customer that consumes at least an average of five hundred thousand gallons per month over any twelve-month period and the highest and lowest demand (measured in gallons per minutes) does not vary by more than ten percent from one-half the sum of the average demand for a thirty-minute interval preceding and succeeding the time of interest.
 4. Multi-family Class. Customers that occupy premises where multi-unit dwellings, consisting of three or more units, located on a single property, provide housing for permanent residents.
 5. Single Family Class. Customer occupying a premises used as a dwelling for permanent residents consisting of a family or not more than five unrelated persons, where one unit is on a single property.
- C. Landlord Agreement. An agreement between the utility and the owner of a property whereas the owner allows the utility to establish an account in the name of the renter while retaining responsibility for unpaid charges.
- D. Payment Agreement. This term means a written agreement, on city form, that prescribes the schedule of payment for past due amounts.
- E. Plant Investment Fee. A one-time charge used to recover the pro-rata share of the capital cost for the construction and provision of the water system.
- F. Plumbing Inspector. This term means a person designated by the city to inspect plumbing.
- G. Rate-Rate Schedule. These terms mean water rates or fees set forth under the rate schedule adopted by the city council by resolution.
- H. Regular Service Line-General Service Line. These terms refer to a service line or portion thereof that is constructed to provide water for uses other than temporary service or fire service.
- I. Service Charge-Base Service Charge. An amount charged per connection based on the diameter size of service connection.
- J. Service Line. This term means every part of the piping and appurtenances from the water main to the customer's side of the meter, including the corporation stop, curb stop, meter, meter isolation valves, check valve and connecting piping between these components.
- K. Temporary Service. A temporary service means any service of water to a consumer for a period of time less than six months and likely not recurring.
- L. Utility. This term means the city water department.
- M. Volume Charge. The charge for volume of water delivered to the property served determined by meter reading or estimate based on an average of known volume usage.
- N. Sharing of Costs. Subject to exceptions set forth in 13.04.600, for repairs to leaks in service lines between the main and the curb stop, the City and the customer will each pay 50% of the incurred cost. For repairs to leaks in service lines between the curb

stop and the customer's structure, the customer will pay 70% of the cost and the City will pay 30% of the incurred costs.

AFTER AMENDMENT

13.04.020 Definitions

As used in this chapter, the following words and phrases shall be as set out in this section:

- A. Consumer or Customer. This term means the individual, partnership, or corporation identified on an approved application as the owner of property served or owner's representative.
- B. Customer Class. The term means the grouping of water users with other users that share a similar usage pattern or usage environment. The city recognizes the following classes for the purpose of assigning a volume rate:
 - 1. Commercial Class. Customers who occupy a premises for the purpose of buying, selling, trading, acquiring, disposing, storing, leasing articles, commodities, or property; or providing a service, craft, amusement, or recreation; or provide assemblage; or provide education of one hundred or less students; or provide lodging accommodations for transient persons.
 - 2. Government Class. Customers that occupy premises that provide governmental services, institutional lodging or education for more than one hundred students.
 - 3. Industrial Class. A customer that consumes at least an average of five hundred thousand gallons per month over any twelve-month period and the highest and lowest demand (measured in gallons per minutes) does not vary by more than ten percent from one-half the sum of the average demand for a thirty-minute interval preceding and succeeding the time of interest.
 - 4. Multi-family Class. Customers that occupy premises where multi-unit dwellings, consisting of three or more units, located on a single property, provide housing for permanent residents.
 - 5. Single Family Class. Customer occupying a premises used as a dwelling for permanent residents consisting of a family or not more than five unrelated persons, where one unit is on a single property.
- C. ~~Landlord Agreement. An agreement between the utility and the owner of a property whereas the owner allows the utility to establish an account in the name of the renter while retaining responsibility for unpaid charges.~~
- D. Payment Agreement. This term means a written agreement, on city form, that prescribes the schedule of payment for past due amounts.
- E. Plant Investment Fee. A one-time charge used to recover the pro-rata share of the capital cost for the construction and provision of the water system.
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portion thereof that is constructed to provide water for uses other than temporary service or fire service.

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- L. Utility. This term means the city water department.
- M. Volume Charge. The charge for volume of water delivered to the property served determined by meter reading or estimate based on an average of known volume usage.
- N. Sharing of Costs. Subject to exceptions set forth in 13.04.600, for repairs to leaks in service lines between the main and the curb stop, the City and the customer will each pay 50% of the incurred cost. For repairs to leaks in service lines between the curb stop and the customer's structure, the customer will pay 70% of the cost and the City will pay 30% of the incurred costs.

SECTION 2: **AMENDMENT** “13.04.050 Service-Application” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.04.050 Service-Application

- A. New Applicant for Existing Service. All persons, organizations and/or entities wishing water service must be the owner of the property serviced or authorized by the owner to make application for such with the water utility upon application forms provided by the city.
- B. New Applicant for New Service. Any applicant desiring service that includes a new service connection shall comply with Section 13.04.070.
- C. Party Liability. Where two or more parties have jointly applied for water service at premises, each shall be jointly and severally liable for all bills and shall be billed by means of a single periodic bill to the party designated.
- D. Applications. Applications shall include as a minimum the following information:
 - 1. Date and place of application;
 - 2. Location of premises to be served;
 - 3. Date applicant will be ready for service;
 - 4. Whether the premises have previously been supplied with water by the utility;
 - 5. Purpose for which service is to be used;
 - 6. Size of service desired;
 - 7. Address to which bills are to be mailed or delivered;

8. Whether applicant is owner or tenant of, or agent for, the premises (if other than owner, a landlord agreement shall be provided);
 9. Agreement of applicant to abide by all regulations of the utility;
 10. Notice that the application will expire in one hundred eighty days and may be extended only by reapplication.
- E. Change in Customer. Any change in the identity of the contracting customer at a premise shall require a new application for water.
 - F. One Hundred Eighty Days to Connect. Each application for water connection, once approved by the public works director, is good for one hundred eighty days. One extension for an additional ninety days may be made upon payment of a reapplication fee according to the rate schedule.
 - G. Inspection Required. Each applicant for service that includes a new service connection and water permit must possess a building permit and an occupancy permit or, if under construction, verification from the plumbing inspector that the premises plumbing is reasonably compliant with the acceptable plumbing practices.
 - H. Landlord Agreement. The owner of a rental property may enter into a landlord agreement with the utility whereby the property owner agrees to allow the utility to establish an account in the name of the renter. The landlord may require the utility to collect a deposit from the tenant. Such an agreement does not reduce nor negate the owner's responsibility for unpaid charges. Such agreement shall be on forms provided by the utility.
 - I. Application Process. Within ten working days after a completed application is submitted to the public works director, the utility shall approve or disapprove the application. Additional time may be required if the utility is waiting for additional information such as fixture count or fire service requirements.

AFTER AMENDMENT

13.04.050 Service-Application

- A. New Applicant for Existing Service. All persons, organizations and/or entities wishing water service must be the owner of the property serviced or authorized by the owner to make application for such with the water utility upon application forms provided by the city.
- B. New Applicant for New Service. Any applicant desiring service that includes a new service connection shall comply with Section 13.04.070.
- C. Party Liability. Where two or more parties have jointly applied for water service at premises, each shall be jointly and severally liable for all bills and shall be billed by means of a single periodic bill to the party designated.
- D. Applications. Applications for service shall include as a minimum the following information and are completed and submitted to the Utility Billing Clerk every time there is a new property owner:
 1. Date and place of application;
 2. Location of premises to be served;
 3. Date applicant will be ready for service;

- 4. Whether the premises have previously been supplied with water by the utility;
- 5. Purpose for which service is to be used;
- 6. Size of service desired;
- 7. Address to which bills are to be mailed or delivered;
- 8. ~~Whether applicant is owner or tenant of, or agent for, the premises(if other than owner, a landlord agreement shall be provided)~~ Owner name, address and complete contact information;
- 9. Agreement of applicant to abide by all regulations of the utility;
- 10. ~~Notice that the application will expire in one hundred eighty days and may be extended only by reapplication.~~

- ~~E. One Hundred Eighty Days to Connect. Each application for water connection, once approved by the public works director, is good for one hundred eighty days. One extension for an additional ninety days may be made upon payment of a reapplication fee according to the rate schedule.~~
- ~~F. Inspection Required. Each applicant for service that includes a new service connection and water permit must possess a building permit and an occupancy permit or, if under construction, verification from the plumbing inspector that the premises plumbing is reasonably compliant with the acceptable plumbing practices.~~
- ~~G. Landlord Agreement. The owner of a rental property may enter into a landlord agreement with the utility whereby the property owner agrees to allow the utility to establish an account in the name of the renter. The landlord may require the utility to collect a deposit from the tenant. Such an agreement does not reduce nor negate the owner's responsibility for unpaid charges. Such agreement shall be on forms provided by the utility.~~
- ~~H. Application Process. Within ten working days after a completed application is submitted to the public works director, the utility shall approve or disapprove the application. Additional time may be required if the utility is waiting for additional information such as fixture count or fire service requirements.~~

SECTION 3: AMENDMENT “13.04.300 Billing” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.04.300 Billing

- A. General Purpose Charges. Bills for general purpose service connections shall be based on volume usage, multiplied by the rate per one thousand gallons, plus the base service charge, as set forth under the rate schedule. The full monthly base service charge is due for any portion of a month that the connection is in service.
- B. Usage Determined. Meters shall be read by the utility monthly for the purpose of determining usage. The utility shall attempt to read the meters at approximately the

same time each month. However, no adjustment to bills shall be made for failure to read the meter at the same time each month. If meters cannot be read, the utility may estimate usage based upon an average of the previous three months or three months of similar season on the year previous, whichever is the larger volume.

- C. Due Date. The bill shall be due within fifteen days after the same has been mailed by the utility, or the fifteenth of each month, whichever is later. If the bill is not paid within such time, it shall be considered delinquent.
- D. Contents of Bill. Bills shall show the following items:
 - 1. The amount of the bill;
 - 2. The consumption of water in gallons or units for the current billing period;
 - 3. The last meter reading;
 - 4. The billing date;
 - 5. The present meter reading date;
 - 6. The previous meter reading date;
 - 7. The delinquency charge;
 - 8. Other charges.
- E. Payment Application. Payment for a utility bill shall be applied by the utility in the following manner: (1) first to any unpaid balance from previous billing, (2) second to current sewer charges, (3) last to current water charges.
- F. Inclusion of Charges for Other Service. Bills for other services rendered by the utility may be included with the normal water usage bill.
- G. Payment Plan for Large Bill. In cases where a customer is presented a water bill much larger than the previous month bill, for any reason, the customer may request a payment plan. The utility and the customer may enter into such a plan according to a written agreement signed by the customer. Such a plan may spread the unpaid portion of the bill over a period of time not to exceed six months. In such a case the utility shall charge a past due fee as set forth under the existing rate schedule.
- H. Delinquency Charge. If a bill becomes delinquent, a penalty fee shall be added to the bill as set forth under the rate schedule.
- I. Disputed Bills.
 - 1. In cases where a customer disputes a bill, the account shall not be considered delinquent and subject to shutoff as long as the customer is taking all of the following steps:
 - a. Makes payment of the undisputed portion of the bill if such exists;
 - b. Has submitted the dispute in writing to the utility billing clerk for review.
 - (1) If unsatisfied with the utility billing clerk's determination, the customer may submit the dispute in writing to the Finance Director, who within five business days of receiving such must make a determination.
 - (2) If dissatisfied with the Finance Director's determination, then the customer may within five business days of receiving such submit the matter to the city manager, who within five business days of receiving such must make a determination.
 - (3) If dissatisfied with the manager's determination, the customer

must within five business days of receiving such, submit the matter to the city council for resolution at the next regular council meeting. The council's determination on the matter shall be final.

- 2. A dispute, if being pursued diligently as outlined in this section, shall not become delinquent. But, if action on the dispute is not pursued, the bill shall become delinquent in thirty days.
- 3. Leakage in a system that results in a large bill is not a disputable item.

J. Adjustment for Meter Error.

- 1. In case of a dispute as to the accuracy of a meter, the consumer, upon depositing the estimated cost of making a test, may demand that the meter be removed and tested as to accuracy, in the customer's presence. A meter is accurate if reporting within plus or minus two percent of test flow.
- 2. In case the meter is found to be registering correctly, the cost of disconnecting, testing and reconnecting the meter shall be borne by the consumer.
- 3. In case the meter is found to be registering incorrectly, the amount deposited by the consumer will be credited to their account and a reasonable adjustment made for the overcharge, based upon the corrected meter reading for a period not to exceed six months. If it can be shown that the error was due to some cause, the date of which can be fixed, the overcharge shall be computed back to, but not beyond such a date, or six months, whichever is the least.

AFTER AMENDMENT

13.04.300 Billing

- A. General Purpose Charges. Bills for general purpose service connections shall be based on volume usage, multiplied by the rate per one thousand gallons, plus the base service charge, as set forth under the rate schedule. The full monthly base service charge is due for any portion of a month that the connection is in service.~~e.~~
- B. Billing Party. The city will send the bill to the property owner or a property manager if the owner has completed a Property Manager's Authorization form. The city will send a second bill to a tenant if authorized by the property owner or property manager upon completion of a PROPERTY OWNERS AGREEMENT FOR CITY UTILITY SERVICES.
- C.
- D. Usage Determined. Meters shall be read by the utility monthly for the purpose of determining usage. The utility shall attempt to read the meters at approximately the same time each month. However, no adjustment to bills shall be made for failure to read the meter at the same time each month. If meters cannot be read, the utility may estimate usage based upon an average of the previous three months or three months of similar season on the year previous, whichever is the larger volume.
- E. Due Date. The bill shall be due within fifteen days after the same has been mailed by the utility, or the fifteenth of each month, whichever is later. If the bill is not paid within such time, it shall be considered delinquent.

- F. Contents of Bill. Bills shall show the following items:
1. The amount of the bill;
 2. The consumption of water in gallons or units for the current billing period;
 3. The last meter reading;
 4. The billing date;
 5. The present meter reading date;
 6. The previous meter reading date;
 7. The delinquency charge;
 8. Other charges.
- G. Payment Application. Payment for a utility bill shall be applied by the utility in the following manner: (1) first to any unpaid balance from previous billing, (2) second to current sewer charges, (3) last to current water charges.
- H. Inclusion of Charges for Other Service. Bills for other services rendered by the utility may be included with the normal water usage bill.
- I. Payment Plan for Large Bill. In cases where a customer is presented a water bill much larger than the previous month bill, for any reason, the customer may request a payment plan. The utility and the customer may enter into such a plan according to a written agreement signed by the customer. Such a plan may spread the unpaid portion of the bill over a period of time not to exceed six months. In such a case the utility shall charge a past due fee as set forth under the existing rate schedule.
- J. Delinquency Charge. If a bill becomes delinquent, a penalty fee shall be added to the bill as set forth under the rate schedule.
- K. Disputed Bills.
1. In cases where a customer disputes a bill, the account shall not be considered delinquent and subject to shutoff as long as the customer is taking all of the following steps:
 - a. Makes payment of the undisputed portion of the bill if such exists;
 - b. Has submitted the dispute in writing to the utility billing clerk for review.
 - (1) If unsatisfied with the utility billing clerk's determination, the customer may submit the dispute in writing to the Finance Director, who within five business days of receiving such must make a determination.
 - (2) If dissatisfied with the Finance Director's determination, then the customer may within five business days of receiving such submit the matter to the city manager, who within five business days of receiving such must make a determination.
 - (3) If dissatisfied with the manager's determination, the customer must within five business days of receiving such, submit the matter to the city council for resolution at the next regular council meeting. The council's determination on the matter shall be final.
 2. A dispute, if being pursued diligently as outlined in this section, shall not become delinquent. But, if action on the dispute is not pursued, the bill shall become delinquent in thirty days.

- 3. Leakage in a system that results in a large bill is not a disputable item.
- L. Adjustment for Meter Error.
 - 1. In case of a dispute as to the accuracy of a meter, the consumer, upon depositing the estimated cost of making a test, may demand that the meter be removed and tested as to accuracy, in the customer's presence. A meter is accurate if reporting within plus or minus two percent of test flow.
 - 2. In case the meter is found to be registering correctly, the cost of disconnecting, testing and reconnecting the meter shall be borne by the consumer.
 - 3. In case the meter is found to be registering incorrectly, the amount deposited by the consumer will be credited to their account and a reasonable adjustment made for the overcharge, based upon the corrected meter reading for a period not to exceed six months. If it can be shown that the error was due to some cause, the date of which can be fixed, the overcharge shall be computed back to, but not beyond such a date, or six months, whichever is the least.

SECTION 4: AMENDMENT “13.04.410 Service Discontinuance By Customer” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.04.410 Service Discontinuance By Customer

- A. Notice by Customer Required. Every customer shall give the utility at least sixteen business hours notice, specifying the date on which it desires that service be discontinued. Until the utility has such notice, the customer shall be held responsible for all service rendered.
- B. The utility shall shut off the water on the date specified by the customer for the service to be discontinued, unless a new customer has made application for service prior to the time that service is to be discontinued. If service has been discontinued and a request to reestablish water service has been received, a service turn-on fee shall be charged as set forth under the rate schedule.
- C. Final Bill. When a customer has notified the utility of discontinuance of service, the utility shall prepare a final bill. Such bill, even if for less than one month service, shall include the monthly service charge and usage in the amount of actual water used, and both billed as set forth under the rate schedule.
- D. Temporary Discontinuance. Should the customer decide to discontinue the use of water temporarily, the utility, when notified to do so, shall shut off the water and charge a turn-off fee. Upon request for reconnection, the utility, when notified to do so, shall turn on the water and charge a turn-on fee. Turn-on and turn-off fees shall be as set forth under the rate schedule, unless the water was shut off due to an emergency or repair during regular business hours. These notices to the utility need not be in writing.

AFTER AMENDMENT

13.04.410 Service Discontinuance By Customer

- A. Notice by Customer Required. Every customer shall give the utility at least sixteen business hours notice, specifying the date on which it desires that service be discontinued. Until the utility has such notice, the customer shall be held responsible for all service rendered.
- B. The utility shall shut off the water on the date specified by the customer for the service to be discontinued, unless a new customer has made application for service prior to the time that service is to be discontinued. If service has been discontinued and a request to reestablish water service has been received, a service turn-on fee shall be charged as set forth under the rate schedule.
- C. Final Bill. When a customer has notified the utility of discontinuance of service, the utility shall prepare a final bill. Such bill, even if for less than one month service, shall include the monthly service charge and usage in the amount of actual water used, and both billed as set forth under the rate schedule. If the account has a credit balance it shall be refunded to the customer unless it is under five dollars, a refund will not be issued.
- D. Temporary Discontinuance. Should the customer decide to discontinue the use of water temporarily, the utility, when notified to do so, shall shut off the water and charge a turn-off fee. Upon request for reconnection, the utility, when notified to do so, shall turn on the water and charge a turn-on fee. Turn-on and turn-off fees shall be as set forth under the rate schedule, unless the water was shut off due to an emergency or repair during regular business hours. These notices to the utility need not be in writing.

SECTION 5: AMENDMENT “13.04.090 Deposits-Generally” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.04.090 Deposits-Generally

- A. The following types of consumers shall be required to make a deposit.
 - 1. Renter. Where the owner has entered into a landlord agreement allowing an account in the name of the tenant and the agreement requires the utility to collect a deposit. The deposit shall be in accordance with the rate schedule for renter deposit.
 - 2. Temporary User. A temporary user of water shall make a deposit that shall be returned upon discontinuance of use and payment of the bill. Such deposit shall be as set forth under the rate schedule.
- B. Refund. Deposits shall be refunded upon discontinuance of service, less the amount of

any unpaid water bills. If the refund is under five dollars, a refund will not be issued.

AFTER AMENDMENT

13.04.090 Deposits-Generally

- A. ~~The following types of consumers shall be required to make a deposit. Renter. Where the owner has entered into a landlord agreement allowing an account in the name of the tenant and the agreement requires the utility to collect a deposit. The deposit shall be in accordance with the rate schedule for renter deposit. Temporary User. A temporary user of water shall make a deposit that shall be returned upon discontinuance of use and payment of the bill. Such deposit shall be as set forth under the rate schedule. Refund. Deposits shall be refunded upon discontinuance of service, less the amount of any unpaid water bills. If the refund is under five dollars, a refund will not be issued.~~

SECTION 6:**AMENDMENT** “13.08.060 Service Deposits” of the Columbia Falls Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.08.060 Service Deposits

- A. The following types of consumers shall be required to make a deposit but not if a deposit was made as a water customer:
Renter. Where the owner has entered into a landlord agreement allowing an account in the name of the tenant and the agreement requires the utility to collect a deposit. The deposit shall be in accordance with the rate schedule for renter deposit.
- B. Refund. Deposits shall be refunded upon discontinuance of service, less the amount of any unpaid sewer bills. If the refund is under five dollars, a refund will not be issued.

AFTER AMENDMENT

13.08.060 Service Deposits

- A. ~~The following types of consumers shall be required to make a deposit but not if a deposit was made as a water customer: Renter. Where the owner has entered into a landlord agreement allowing an account in the name of the tenant and the agreement requires the utility to collect a deposit. The deposit shall be in accordance with the rate schedule for renter deposit. Refund. Deposits shall be refunded upon discontinuance of service, less the amount of any unpaid sewer bills. If the refund is under five dollars, a refund will not be issued.~~

SECTION 7: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 8: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 9: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF COLUMBIA FALLS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Barnhart	_____	_____	_____	_____
Fisher	_____	_____	_____	_____
Hamilton	_____	_____	_____	_____
Lovering	_____	_____	_____	_____
Piper	_____	_____	_____	_____
Robinson	_____	_____	_____	_____
Shepard	_____	_____	_____	_____

Presiding Officer

Attest

Donald Barnhart, Mayor, City of
Columbia Falls

Barb Staaland, Clerk, City of
Columbia Falls

Resolution No. 1915

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AUTHORIZING APPLICATION FOR LAND & WATER CONSERVATION FUND ASSISTANCE

WHEREAS, the City of Columbia Falls is interested in developing outdoor recreational facilities on the following described project for the enjoyment of the citizenry of the City of Columbia Falls and the State of Montana.

Project Title: Fenholt Park Skatepark and Restroom

Total Estimated Cost (LWCF Request and Match): \$738,000

Brief Description of the Project: The City is partnering with the non-profit Badrock Skatepark Association to construct the City’s first skatepark in Fenholt Park, utilizing the unused southwest corner of the park, complimenting the existing ballfield, sledding hill, and playground. The City will install a permanent concrete bathroom in Fenholt Park replacing the seasonal portapotty currently utilized.

AND, Land & Water Conservation Fund financial assistance is required for the development of said recreational facilities, skatepark and restroom.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section one: That Susan M. Nicosia, City Manager is authorized to submit this application to Montana Fish, Wildlife & Parks to seek 2024 Land & Water Conservation Fund financial assistance from the National Park Service in an amount not to exceed 50% of the actual, direct cost of the project on behalf of the City Council of the City of Columbia Falls.

Section two: The City of Columbia Falls certifies that it will accept the terms and conditions set forth in the Land & Water Conservation Fund State Assistance Program, Federal Financial Assistance Manual, and the official contract agreement between the City of Columbia Falls and Montana Fish, Wildlife & Parks for any grant awarded.

Section three: The City is in complete accord with the attached proposal and that it will carry out the development in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from Montana Fish, Wildlife & Parks.

Section four: The City is committed, at the time of application, to fund the entire project (the applicant/subrecipient must make full payment on all project expenses before being reimbursed for up to 50 percent of allowable direct project costs) and will initiate work within 90 days following federal approval (weather permitting).

Section five: The City will operate and maintain the project in perpetuity at the expense of the City of Columbia Falls for public outdoor recreation use.

Section six: The City will maintain adequate financial records on the proposed project to substantiate claims for cost sharing.

Section seven: The City will ensure that open public participation was encouraged throughout the planning phases of the project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 4th DAY OF MARCH 2024. THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 4th DAY OF MARCH 2024.

Mayor

Attest: _____
City Clerk

**Columbia Falls Police Department
Monthly Activity Report
January 2024**

Police	January					5 Year Average
	2024	2023	2022	2021	2020	
Arrests (Total)	25	24	13	34	32	26
Adult	22	18	10	30	24	21
Juvenile	3	6	3	4	8	5
Accidents Investigated	25	10	16	12	13	15
Stolen Property (Value)	6367	5566	7541	59	33610	10629
Stolen Property (Recovered)	4462	236	27511	27	8	6449
Criminal Mischief (Incidents)	3	5	8	2	12	6
Damage Amount	1	1600	3301	480	853	1247
Misdemeanor Citations Issued	109	65	66	207	116	113
Traffic Offenses	90	53	57	188	109	99
Cell Phone Viol.	6	1	0	57	30	19
DUI Offenses	4	3	1	7	2	3
Drug Offenses	0	0	2	4	3	2
Traffic Stops	138	138	104	258	235	175
Court Fines and Forfeitures	17535	10042	12686	16503	17258	14805
Miles patrolled	5293	6260	7344	7408	7445	6750
911 Phone Calls	248	121	99	133	141	148
Incident Reports	839	718	688	889	896	806
Domestic Abuse/Assaults/Disorderly	21	27	22	31	33	27
Felony Investigations/Arrest	4	6	9	9	12	8
Business Checks	103	68	54	65	64	71
Welfare Checks	15	10	11	5	8	10
Citizen Assist	40	47	58	60	67	54
Agency Assist	18	43	35	36	36	34

**Columbia Falls Police Department
Monthly Activity Report
December 2022**

Police	December					5 Year Average
	2023	2022	2021	2020	2019	
Arrests (Total)	27	21	29	21	27	25
Adult	24	20	23	16	25	22
Juvenile	3	1	6	5	2	3
Accidents Investigated	9	13	14	12	13	12
Stolen Property (Value)	10305	26722	44600	1667	20374	20734
Stolen Property (Recovered)	1483	2578	0	2100	0	1232
Criminal Mischief (Incidents)	3	2	3	5	2	3
Damage Amount	500	100	1500	3550	100	1150
Misdemeanor Citations Issued	164	52	87	68	138	102
Traffic Offenses	100	40	73	55	130	80
Cell Phone Viol.	25	0	2	7	20	11
DUI Offenses	16	3	5	1	9	7
Drug Offenses	1	2	1	3	4	2
Traffic Stops	221	95	127	101	282	165
Court Fines and Forfeitures	19609	7692	13811	13584	18862	14712
Miles patrolled	12014	N/A	6795	5586	8113	8127
911 Phone Calls	242	141	123	133	105	149
Incident Reports	802	714	766	670	905	771
Domestic Abuse/Assaults	18	36	28	29	16	25
Felony Investigations/Arrest	12	9	10	3	7	8
Buisness Checks	100	63	62	59	61	69
Welfare Checks	8	19	17	5	7	11
Citizen Assist	42	59	51	37	53	48
Agency Assist	17	29	32	28	41	29

Columbia Falls Fire Department Incident Breakdown

Item No. 11.

2024	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2024
Dispatches	44	17											61	Dispatches
ALS Medical Total	2	0											2	ALS Medical Total
BLS Medical Total	12	5											17	BLS Medical Total
Medical CPR	2	0											2	Medical CPR
Medical ALS	0	0											0	Medical ALS
Medical BLS	1	0											1	Medical BLS
Medical Lift Assist	6	1											7	Medical Lift Assist
MVA with injury	1	0											1	MVA with injury
Extrication	0	0											0	Extrication
Ambulance Driver	0	0											0	Ambulance Driver
MVA non injury	4	4											8	MVA non injury
Airport Emergency	0	0											0	Airport Emergency
Traffic Control	0	0											0	Traffic Control
HazMat	8	1											9	HazMat
Hazardous Conditions	2	1											3	Hazardous Conditions
CO	0	1											1	CO
Gas Leak/Odor inside	1	0											1	Gas Leak/Odor inside
Gas Leak/Odor outside	1	0											1	Gas Leak/Odor outside
Powerline	3	0											3	Powerline
Other	0	0											0	Other
Service	4	0											4	Service
Good Intent	2	2											4	Good Intent
Fire Alarm	3	2											5	Fire Alarm
False Alarm	3	0											3	False Alarm
Illegal burn	0	1											1	Illegal burn
Smoke Investigation, outside	0	0											0	Smoke Investigation, outside
Smoke Investigation, inside	1	0											1	Smoke Investigation, inside
Cancelled enroute	5	4											9	Cancelled enroute
Fire, residential	5	0											5	Fire, residential
Fire, chimney	0	0											0	Fire, chimney
Fire, commercial	1	0											1	Fire, commercial
Fire, vehicle	0	1											1	Fire, vehicle
Fire, vegetation, grass	0	0											0	Fire, vegetation, grass
Fire, vegetation, wildland	0	0											0	Fire, vegetation, wildland
Dispatch Totals	44	17											61	Dispatch Totals
Structure fires (In District)	2	0											2	Structure fires
Structure fires (Mutual aid)	4	0											4	
Acres burned	0	0											0	Acres burned

Columbia Falls Fire Department
2024 Runs

Item No. 11.

	Jan	Feb	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Calls YTD 2024	2024	
calls	44	17											61		
Weeks	18	13											31	50.82%	
Peterson	16	3											19	31.15%	
Smith, R.	18	6											24	39.34%	
Thomas	17	7											24	39.34%	
Ross	3	2											5	8.20%	
Kemppainen	1	0											1	1.64%	
Loughery	8	0											8	13.11%	
Shanks	1	0											1	1.64%	
Perkins	3	0											3	4.92%	
Smith, K.	0	6											6	9.84%	
Arnold	3	6											9	14.75%	
Woodruff	13	7											20	32.79%	
Vanhaverbeke	0	0											0	0.00%	
Bates	0	1											1	1.64%	
Stuhler	5	1											6	9.84%	
Schrader	5	1											6	9.84%	
Willcut	12	1											13	21.31%	
Grogan	32	10											42	68.85%	
O'Brien	16	6							22				22	36.07%	
Dickerson	7	0											7	11.48%	
Butts	1	1											2	3.28%	
Hogan	16	9											25	40.98%	
Dolph	9	6											15	24.59%	
Kehl, S	9	3											12	19.67%	
Kehl, M	4	2											6	9.84%	
Ryan	0	1											1	1.64%	
Vessels	28	13											41	67.21%	
			#1 month		#2 month			2023 #1					Department Average:	14.68	24.06%

	Jan	Feb	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Calls YTD 2023	2023
Total calls	44	17											61	
Rural	24	9											33	54.10%
City	20	8											28	45.90%
Mutual Aid Received	0	0											0	0.00%
Mutual Aid Given	4	1											5	8.20%
Medical & MVA	14	5											19	31.15%

**CITY OF COLUMBIA FALLS
CORRESPONDENCE LIST
COUNCIL MEETING
MARCH 4, 2024**

02/20/2024 Email James Johnsrud –opposed to amending Title 13 – Water/Sewer Utility Account

02/29/2024 Letter from Glacier National Park – An environmental assessment on a proposal to Update Glacier National Park’s Fire Management Plan

02/29/2024 – Coalition for a Clean CFAC – Miscellaneous letters

From: Shawn Bates
Sent: Tuesday, February 20, 2024 4:35 PM
To: B Staaland
Subject: FW: Amend title 13 - Water/sewer utility account provisions

From: James Johnsrud <jamesjohnsrud@gmail.com>
Sent: Tuesday, February 20, 2024 4:04 PM
To: Shawn Bates <batess@cityofcolumbiafalls.com>; B Staaland <staalandb@cityofcolumbiafalls.com>
Subject: Amend title 13 - Water/sewer utility account provisions

City Clerk,

I am opposed to changing the current water billing system to the owner of the prosperity . When I constructed my property I paid the extra cost of having the services provided for each unit..This does not change the number of meter reads made, this is the way the system has been set up for years. It's already in the budget the city needs to continue to do its job.,

Best Regards,

Jim Johnsrud

--
James Johnsrud
jamesjohnsrud@gmail.com
907-223-5265
406-897-2077



PUBLIC SCOPING for an environmental assessment on a proposal to: **Update Glacier National Park's Fire Management Plan**

RECEIVED
FEB 29 2024
CITY OF COLUMBIA FALLS

Background—The National Park Service (NPS) is preparing an environmental assessment (EA) in compliance with the National Environmental Policy Act (NEPA) to update a long-term Fire Management Plan (FMP) for Glacier National Park. The park's FMP was last updated in 2003 (https://parkplanning.nps.gov/FMP_2003).

As part of its mission, the NPS Wildland Fire Program manages wildland fire and fuel treatments to protect the public, park communities, and infrastructure; conserve natural and cultural resources; and maintain and restore natural ecosystem processes. The 2006 NPS Management Policies require each park unit with burnable vegetation to have an approved FMP.

An updated FMP is needed to ensure Glacier's fire management guidelines are consistent with current conditions and the latest NPS guidance, and to continue to provide for firefighter and public safety, protect park values and resources, and remain consistent with the park's resource management objectives.

Proposal— The proposed plan would provide a framework and parkwide guidelines for the management of all wildfires, regardless of cause, size, or complexity. The plan would provide guidance on the use of prescribed fire and non-fire fuels treatments to reduce hazardous fuel loading and accomplish resource protection objectives. The plan would provide for firefighter and public safety, consider the ecological benefits of wildland fire, and remain consistent with Glacier's resource management goals.

Objectives

- Update Glacier's outdated 2003 FMP
- Protect human health and safety, property, and infrastructure
- Promote conditions that maintain fire-resilient landscapes in a changing climate
- Protect natural and cultural resources, including species federally listed under the Endangered Species Act, and ethnographic resources through engagement with area tribes
- Maintain communication and engagement with the public, bordering agencies, and tribes on fire-related issues and activities

Issues and Concerns

- Protection of human health and safety, property and infrastructure
- Climate change
- Natural ecosystem processes
- Aquatic invasive species (AIS) prevention
- Vegetation management, including control of non-native invasive plants
- Impacts to wilderness character
- Impacts on water quality and aquatic species
- Impacts to ESA-listed whitebark pine
- Effects to bordering entities and jurisdictions

Alternatives Identified to Date

- **Alternative A (Proposed Action)**— update Glacier National Park's FMP to provide comprehensive guidance for wildland fire preparedness and management, the use of prescribed fire, and non-fire fuel treatments.
- **Alternative B (No Action)**—under no action, the NPS would not update Glacier's FMP and would continue with the current management direction.

The proposed action is only an initial proposal; no decision to implement any action can be made until the NEPA process, including consideration of reasonable alternatives to the proposed action, is complete.

Public Comments During Scoping

Your comments will help identify issues, concerns, and other alternatives to evaluate in the EA. There will be another opportunity to comment when the EA is completed.

Please post comments online to the NPS Planning, Environment, and Public Comment (PEPC) website at:

<https://parkplanning.nps.gov/FMP2024>

Or mail comments to:

Superintendent, Glacier National Park

Attn: Fire Management Plan EA

PO Box 1

West Glacier, MT 59936

Comments by email or phone will not be accepted.

Please provide comments by:

March 27, 2024



To : Carolina Balliew,
 Montana Remedial Section C Supervisor, Region 8,
 US Environmental Protection Agency (EPA)
 10 West 15th Street, Helena, MT 59626

To: Christopher Dorrington,
 Director, Montana Department of Environmental Quality (DEQ)
 P.O. Box 200901, Helena MT 59620-0901

Feb. 26, 2024

Dear Ms. Balliew and Mr. Dorrington,

We are writing you to share that we have surpassed over 1000 signatures¹ from local residents asking you to pause your record of decision on the Columbia Falls Aluminum Company Superfund site for the reasons we set forth in our previous letter to you on January 18, 2024. Additionally, the following organizations have joined the call for this timeout including, American Rivers, Flathead Lake Protection Association, Flathead Rivers Alliance, Flathead Lakers, Swan View Coalition, and West Glacier Community Preservation Association, with a number of others considering joining pending approval of their boards. These organizations collectively with the Coalition for a Clean CFAC represent over 10,000 individuals.

These petition signatures/names were primarily gathered by citizen volunteers who reached out to their friends and neighbors about the proposed plan to leave the highly toxic waste buried at the former aluminum plant and their concerns about the implications for our water and our community, as well as for future use and economic redevelopment of the site.

The hours and hours of time such grassroots outreach takes demonstrates the depth of concern that exists in our community about the proposed plan. We are not done. We plan to come back to you over the next month with another 1000 names and then another and another. This is so important to residents of the Flathead as they begin to understand what is at stake if a comprehensive cleanup of CFAC is not fairly analyzed and implemented. While gathering these signatures, a common refrain from our fellow residents was their overwhelming frustration that they had not been kept better informed

¹ These individuals signed a petition that states "To: The Environmental Protection Agency (EPA) and the MT Department of Environmental Quality (DEQ)— I signed this petition to respectfully request that your agencies pause the decision-making process to fully and fairly evaluate the cost-benefits of removing (not leaving) the toxic waste at the CFAC Superfund site. No cost analysis was done by CFAC when they wrote the cleanup plan. CFAC simply dismissed this option as too costly, even though they acknowledged it would likely be a permanent and effective solution. We ask the EPA and DEQ to require an independent cost analysis be done to evaluate the permanence and long-term effectiveness of off-site removal. This is necessary to ensure the cleanup truly protects our water, our health, our community, and our economy. CFAC and ARCO, and early on Anaconda Co., made many millions of dollars operating this aluminum smelter from 1955-2009 and provided good jobs. But the citizens of the Flathead watershed shouldn't be left with their toxic mess. The site must be fully cleaned up and restored for future beneficial uses."

RECEIVED

FEB 27 2024

CITY OF COLUMBIA FALLS

about opportunities for public input and that more town halls and public information sessions were not consistently held to engage and inform the public in a genuine and meaningful way.

Having been asked so many times why there was not more extensive public outreach, we recently went to the EPA web site to try to find a list of community public information sessions and townhall style meetings where the public might have missed opportunities. What we found was an aspirational Community Involvement Plan (CIP) at a broken link that was written in 2017. When we finally got to read this plan, once one of us brought the broken link to EPA's attention, it did not list any such broad-based public meetings that really reached out and tried to engage the larger community. It did reference the CFAC Community Liaison Panel, which consisted of CFAC hand-picked community representatives only, and was run, we are told by members selected, by a public relations firm out of Denver, Colorado that CFAC hired. We can find no record of public notice of the meetings, certainly not the kind of informational, questions and answer, townhall style meetings that we heard over and over again from those who signed the petition they had wanted to see.

One of us then emailed to Missy Haniewicz with EPA and asked for a list of the public out-reach meetings that EPA has held since 2017. Her email response did not provide any. Instead, she wrote, *"...As far as a report on the community engagement efforts outlined in the CIP, there isn't anything formal. The CIP is meant to be guidance for community engagement efforts, which are described in the Record of Decision. Once the ROD is released, the Agency conducts additional community interviews to help inform an update to the CIP. The original was written in 2017 so it would make sense to do this update now, as is the practice."* We hope we are not the only ones who sees the gross irony in updating a community engagement report **after the most important decision in the entire Superfund process is made** and the public's ability to meaningfully inform that plan is over.

To say that the we, and the public we have been interacting with, are frustrated would be an understatement. To say that we are even more frustrated than when we last wrote you on January 18, 2024 (we have not received any response to that letter) would also be an understatement. In that letter we **formally requested that the EPA order a time-out to the proposed issuing of a Final Record of Decision on the CFAC Superfund Site scheduled for an estimated time frame in March of 2024**. We requested in that letter that EPA and Montana DEQ not go forward with a Record of Decision based on its proposed waste-in-place plan outlined in the 2021 Feasibility Study and the 2023 proposed cleanup plan for the Columbia Falls Superfund site. (Please see that 1/18/24 letter attached again for the details we raised.)

Additionally, to help address the public's frustration, **the Coalition For A Clean CFAC is applying for the EPA's Technical Assistance Grant (TAG)** program to better help us and community members have additional opportunities to gain the information needed to meaningfully participate in decision making and to help the community as a whole better understand what is at stake at the Columbia Falls Aluminum Plant Superfund site. There are many technical issues at this site that are hard for people to understand. The grant will help provide money for a technical advisor to meet with community members to explain site reports, discuss how the site contaminants affect the soil and water, and to evaluate any health issues related to the site.

Once again, we urge you to hold off on a final decision until a complete feasibility study evaluating the actual costs and benefits for removal of the highly toxic waste, as well as other missing data and costs for other clean-up activities discussed in our original letter. Residents and businesses of Columbia Falls and

the Flathead want and deserve this information before any proposed cleanup plan can receive community acceptance. Furthermore, **we believe this missing information is essential to crafting a future vision for the redevelopment of this site that is good for the community, the economy, the environment, and for future generations. Without this information the public and EPA cannot really know if the proposed solution would meet the EPA's goals for solutions that offer long term effectiveness and permanence, as well as community acceptance.**

In closing, we want to offer to drive to Helena to meet with you soon so we can deliver these petitions directly and share what we hear from our community outreach about the desire for a hard pause in the decision-making process prior to issuing a final Record of Decision. One of us will follow up directly with you soon to try to arrange a meeting. We appreciate the important work you do to create a clean and healthful environment, and recognize that you have many demanding issues you must deal with. We look forward to meeting with you and working together to ensure the cleanup of the former Columbia Falls Aluminum plant site leads to a healthier and more prosperous future for our community and the environment.

Sincerely,

Mayre Flowers, Shirley Folkwein, Phil Matson, and Peter Metcalf on behalf of the ***Coalition for a Clean CFAC***, PO Box 2198, Kalispell, MT 59903

Mayre Flowers, Mayre@Flatheadcitizens.org, 406-755-4521, Flathead County Resident
 Shirley Folkwein, upperflatheadna@gmail.com, 406-890-1659, Columbia Falls Resident
 Phil Matson, flbsphil@gmail.com, 406-249-2529, Columbia Falls Resident
 Peter Metcalf, peterwmetcalf@hotmail.com, 406-531-5098, Columbia Falls Resident
 Nicole Bond, Columbia Falls Resident
 Becca Wheeler, Columbia Falls Resident
 Jim and Heather Peacock, Columbia Falls Residents
 Larry D. Williams, Columbia Falls Resident
 Rebecca R. (Becky) Williams, Columbia Falls Resident

Attached:

- The Clean CFAC Coalition's letter of January 18, 2024
- City of Columbia Falls City Council letters to EPA and DEQ in opposition to a waste-in-place solution, 4/6/2015 and 3/25/2022.
- Senator Jon Tester's 5/3/2022 Letter to EPA Administrator, Michael Regan

Cc

- KC Becker, Regional Administrator for EPA's Region 8
- Matthew Dorrington, Remedial Project Manager, U.S. EPA Region 8
- Columbia Falls City Council, Mayor Don Barnhart,
- Whitefish City Council, Mayor John Mulfield,
- Kalispell City Council, Mayor Mark Johnson
- Flathead County Commissioners: Brad Abell, Randy Brodehl, and Pam Holmquist

- US Senator Jon Tester , c/o Erik Nylund, Regional Director Butte, and Chad Cambell, Regional Director, Kalispell
- US Senator Steve Daines, c/o Katie Devlin, Natural Resource Liaison
- Confederated Salish and Kootenai Tribal Council, Tom McDonald, Chair
- The Confederated Salish & Kootenai Tribes: Richard Janssen, Head of CSKT Natural Resources Dept
- The Montana Natural Resource Damage Program: Doug Martin and Katherine Hausrath
- Montana DEQ Project Manager, Richard Sloan
- Flathead City-County Health Department: Jennifer Rankosky
- Flathead Lake Biological Station, UM, James Elser, Director and Tom Bansak , Associate Director
- Western Montana Conservation Commission, Casey Lewis, Executive Director
- Flathead Conservation District, Pete Woll, Board Chair, and Samantha Tappenbeck, Resource Conservationist



To : Carolina Balliew,
 Montana Remedial Section C Supervisor, Region 8,
 US Environmental Protection Agency (EPA)
 10 West 15th Street, Helena, MT 59626

To: Christopher Dorrington,
 Director, Montana Department of Environmental Quality (DEQ)
 P.O. Box 200901, Helena MT 59620-0901

January 18, 2024

Dear Ms. Balliew and Mr. Dorrington,

Citizens for a Better Flathead is a citizen-based advocacy organization representing more than 3000 residents of Flathead County. We, along with the Columbia Falls-based Upper Flathead Neighborhood Association representing some 200 residents in the Columbia Falls area, and a rapidly growing number of city and county residents throughout the Flathead including a number of former Columbia Falls Aluminum Company (CFAC) employees and other local organizations, have come together to form the **Coalition for a Clean CFAC**. Our mission is to *secure the comprehensive cleanup of the Columbia Falls Aluminum Company (CFAC) Superfund site for the health, enjoyment, and economic benefit of the local community and the protection of the Flathead watershed.*

We are writing now to formally request that the EPA order a time-out to the proposed issuing of a Final Record of Decision on the CFAC Superfund Site scheduled for an estimated time frame in March of 2024. We Request that EPA and Montana DEQ not go forward with a Record of Decision based on its proposed waste-in-place plan outlined in the 2021 Feasibility Study and the 2023 proposed Cleanup plan for the Columbia Falls smelter site.

While the public record will show that the option of off-site removal of highly toxic waste has all along been called for and supported by the local community and the Columbia Falls City Council, the Feasibility Study Report never seriously considered this as a viable option and instead it was deemed, and early on dismissed, as too expensive. An actual cost estimate was never produced. (See discussion of "Relative Cost" beginning on page 69 of the 2021 Feasibility Study Report and page 10 of the 2023 Proposed Plan for Cleanup Columbia Falls Aluminum Company Superfund Site.)

We request that EPA and DEQ take a time-out to produce a focused feasibility study evaluating realistic costs for removal of acute and extremely hazardous wastes including the Spent Pot Liner and Wet Scrubber Pond Wastes to an offsite hazardous waste disposal facility. This will require investigation not previously completed during the remedial investigation, including waste volumes, amount of waste intermingling, and volumes of contaminated soils beneath the existing waste dumps.

This focused feasibility study should include consideration of use of the existing rail lines at the CFAC site which were used for many years after 1990 to remove highly toxic Spent Pot Liners (SPL) and other hazardous waste. Not only does the CFAC smelter after 1990 have a history of successfully using the existing rail lines at CFAC to ship highly toxic waste like SPLs to a federally certified hazardous waste landfill out of state¹, other smelters in the northwest like the Alcoa Smelter in Vancouver, Washington have done so as well.

Our reservation regarding the proposed action calling for leaving toxic waste in place at the CFAC site is validated and heightened by the recent conclusion of the Montana Natural Resource Damage Program, acting on behalf of Gov. Greg Gianforte, who was joined by the Confederated Salish and Kootenai Tribes (CSKT) as well as two federal natural resource trustees, the U.S. Departments of Interior and Agriculture, to issue a notice of intent to perform a natural resource damage assessment at the CFAC site. Most telling is the conclusion of their detailed 34-page pre-assessment screen which states regarding the proposed CFAC cleanup plan that, “EPA has issued a proposed plan for a final cleanup in 2023; the preferred alternative, however, will not return the Site to baseline. Rehabilitation, restoration, or replacement of natural resources is required to reduce future injuries and compensate the public for interim losses of natural resources and the services they provide.”² These findings are one more reason we believe a time out is warranted to ensure more effective cleanup solutions are considered and adopted.

Actual cost estimates and investigation of additional alternatives should be done as well on treatment of other potential remaining wastes at the site including their consolidation into a “high and dry” lined and capped landfill meeting state-of-art design and containment standards for toxic wastes. This and the removal of the most toxic wastes should be reviewed as a cost-effective alternative to the very expensive proposed slurry wall containment structure. The proposed use of a slurry wall at this site faces unique site-specific challenges of high ground water that fluctuates significantly during the year by as much as 25 feet and the inability of these proposed slurry walls to reach to the depth of a suitable impermeable layer needed to prevent ongoing contact between groundwater and the buried waste proposed currently to be left in place. Cost estimates and alternatives should also be reviewed for some low-level wastes not contaminated with cyanide and fluoride or other such highly toxic wastes, which could perhaps be sent to the Flathead County landfill, if justified, in limited quantities, as this is a lined facility that sits some 300 feet above groundwater.

This requested time-out should also provide time to facilitate the missing consideration of an assessment of climate vulnerability for this superfund site including consideration of long-term impacts from flooding (climate change) and seismic activity. This assessment is now being done all around the country and for the Smurfit Mill site in Missoula.

Another important reason and need for EPA and DEQ to take a time-out before issuing a final Record of Decision (ROD) is a missed step under the Superfund Redevelopment Initiative (SRI) process established in 1999 to help communities return Superfund sites to productive use³. As this directive sets forth, “Regions should review the Superfund Land Use Directive and ensure that reasonable future land use assumptions are incorporated into the development, evaluation and selection of response actions, where appropriate.”

¹ CV 18-131-M-DWM, FINDINGS OF FACT AND CONCLUSIONS OF LAW, CFACLLC vs Atlantic Richfield, 8/25/21

² *Montana Begins Natural Resource Damage Assessment at CFAC Superfund Site*, Flathead Beacon 1/16/2024

³ <https://www.epa.gov/superfund-redevelopment/superfund-redevelopment-policy-guidance-and-resources> and <https://www.epa.gov/superfund-redevelopment/superfund-reuse-planning-support-technical-assistance>

For whatever reason or set of reasons, be it the disbandment of the Glencore-created Community Liaison Panel once CFAC was designated as a superfund site in 2016, the time wait for site analysis that followed this, ~~or the chaos of the covid years where no one wanted to gather,~~ a stakeholder process has never been held to engage the community in imagining potential reuses and future development at the CFAC 900+ acre site. In our recent outreach in the community, this lack of a future vision for redevelopment is one that the community wants to see happen so that it can be considered prior to the final selection of cleanup and remedial processes. Indeed, the EPA has a program to facilitate such community visioning known as *Regional Seeds*. "The purpose of Regional Seeds is to provide site teams with technical assistance to facilitate redevelopment, remove barriers to productive reuse, and ensure future use is well aligned with the cleanup and removal/remedial process."

The 2023 proposed Cleanup plan for the Columbia Falls smelter site states on page 4 that "Local authorities have not adopted a future land use plan for the site." But the plan fails to call for or identify the benefits to the community of having such a plan in place. Instead, it simply repeatedly states that the recommended cleanup strategies in this plan are sound given the "current and reasonably expected future uses" of this CFAC site. But this is not the consensus of the public.

As noted in a front-page story in the Hungry Horse News earlier this month referring to the over 750 pages of comment the EPA received in August on this proposal, "Community members were almost universally opposed to leaving the waste in place, slurry walls or not. "Leaving the waste in place next to the Flathead River is a recipe for disaster," one person commented."

The proposed waste-in-place plan would indeed impose severe restrictions on future land uses at the site with the need for deed restrictions limiting available land uses near the waste dumps, a groundwater control area banning drinking water wells, and access control points such as fencing and warning signs; not the vision of a cleaned-up, economically revitalized property that the community so desires and deserves. A waste-in-place solution fails to provide the assurances the community deserves that there will not be on-going and worsening leaking of these toxic wastes to ground water and surface waters. as the waste plume grows and moves.

Removal of the most contaminated wastes including spent pot liners and wet scrubber pond waste, and consolidation of less contaminated materials in lined and capped and high-and dry landfills on site will reduce the burdensome restrictions that leaving the waste in place would cause. This will allow a broader range of land uses benefitting the community in the future.

The smelter produced aluminum, good jobs and taxes for about 54 years, yet the wastes from that process have remained on site limiting the available uses of the land for 15 years since the smelter closed. We do not support leaving the waste in place and restricting the use of this land in perpetuity, just to save some money on cleanup today. The community deserves better than this.

We urge you to call for a time-out to provide Columbia Falls and Flathead residents and businesses a focused feasibility report evaluating realistic costs for removal of the highly toxic waste on site, as well as other missing data and costs for other clean-up activities discussed above. **We believe this missing information is essential to be able to craft a future vision for the redevelopment of this site that is good for the community, the economy, the environment, and for future generations. Without this information the public and EPA cannot really know if the proposed solution would meet the EPA's**

goals for solutions that offer long term effectiveness and permanence, as well as community acceptance.

Sincerely,

Mayre Flowers, Shirley Folkwein Phil Matson, and Peter Metcalf on behalf of the *Coalition for a Clean CFAC*, PO Box 2198, Kalispell, MT 59903

Mayre Flowers, Mayre@Flatheadcitizens.org, 406-755-4521, Flathead County Resident
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Attached:

- City of Columbia Falls City Council letters to EPA and DEQ in opposition to a waste-in-place solution, 4/6/2015 and 3/25/2022.
- Senator Jon Tester's 5/3/2022 Letter to EPA Administrator, Michael Regan

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- Matthew Dorrington, Remedial Project Manager, U.S. EPA Region 8
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- US Senator Steve Daines, c/o Bret Slaughter, Natural Resource Liaison
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- Montana DEQ Project Manager, Richard Sloan
- Flathead City-County Health Department: Jennifer Rankosky
- Flathead Lake Biological Station, UM, James Elser, Director and Tom Bansak, Associate Director
- Western Montana Conservation Commission, Casey Lewis, Executive Director
- Flathead Conservation District, Pete Woll, Board Chair, and Samantha Tappenbeck, Resource Conservationist



130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

April 6, 2015

Docket Coordinator, Headquarters
U.S. Environmental Protection Agency
CERCLA Docket Office (Mail Code - 5350T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RECEIVED

APR 14 2015

EPA DOCKET CENTER

RE: FDMS Docket # EPA-HQ-SFUND-2015-0139

The Columbia Falls City Council supports the listing of the Columbia Falls Aluminum Company Plant (CFAC) on the National Priorities List. The Council recognizes the importance of the process, particularly the completion of the Remedial Investigation/Feasibility Study. As the owner of the property elected to end negotiations with MT DEQ, DEQ and EPA must ensure that remediation and cleanup will occur in a timely manner.

The City Council, on behalf of the community, express their desire to see the site cleaned up, preventing the spread of groundwater contaminants. Providing clean, safe drinking water is important to the Council and to that end, the City has made significant investments in providing safe drinking water to the citizens of Columbia Falls. While the testing of the City's well have not revealed that the known contaminants from the CFAC site have made their way into the City's drinking water supply as of now, the City would not like to see cleanup and remedial action delayed until the City is faced with costly emergency measures to protect the City's water supply.

Also important, is the redevelopment of the CFAC site to provide long-term, sustainable employment and development in the community.

Please record the City Council's unanimous support of the listing of the CFAC site on the National Priorities List.

Sincerely,

Donald W. Barnhart, Mayor

Darin Fisher, Councilman

Doug Karper, Councilman

Jenny Loving, Councilman

Julie Plevel, Councilman

David Petersen, Councilman

Michael Shepard, Councilman

POSTMARKED

APR 07 2015

EPA DOCKET CENTER



130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

March 25, 2021

US EPA – Region 8
Attn. Ken Champagne
10 West 15th Street
Helena, MT 59626
Sent Via Email: Champagne.Kenneth@epa.gov

RE: Columbia Falls Aluminum Company Site Feasibility Study

Dear Ken:

The Columbia Falls City Council would like to express concerns over the initial draft feasibility study for the cleanup of the former Columbia Falls Aluminum Company site which proposed leaving some hazardous materials on the property. The EPA and Glencore hosted a virtual meeting on February 11, 2021 whereby the draft plan was discussed. We understand that the EPA will prepare the draft plan for public comment later this spring but we wish to submit our comments at this time.

The City Council, on behalf of the community, continues to express their desire to see the site cleaned up with the contaminants removed from the site and not covered up or left in place to prevent the spread of groundwater contaminants. Providing clean, safe drinking water is important to the Council and to that end, the City has made significant investments in providing safe drinking water to the citizens of Columbia Falls. While testing of the City's wells have not revealed that the known contaminants from the CFAC site have made their way into the City's drinking water supply as of now, the City would not like to see cleanup and remedial action delayed until the City is faced with costly emergency measures to protect the City's water supply.

History has shown that contaminants can surface many years later. Respectfully, we do not want to have a repeat of the Opportunity/Anaconda site issues with groundwater contamination appearing years after "clean up." Leaving contaminants on site should not be an option.

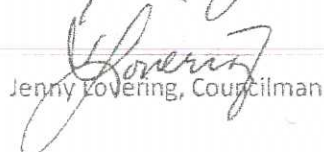
Please consider the City's paramount concern of providing safe, clean drinking water to our community while preparing the cleanup plan as well as the impacts in the residential areas just outside the City, such as Aluminum City. The ecological well-being of the Flathead River is of utmost significance to our community.

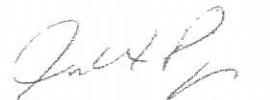
Sincerely,


Donald W. Barnhart, Mayor


Darin Fisher, Councilman


Doug Karper, Councilman


Jenny Covering, Councilman


John Piper, Councilman


Paula Robinson, Councilman


Michael Shepard, Councilman

JON TESTER
MONTANA

COMMITTEES:
APPROPRIATIONS
BANKING
COMMERCE
INDIAN AFFAIRS
VETERANS' AFFAIRS

SENATE HART BUILDING
SUITE 311
WASHINGTON, DC 20510
202-224-2644

tester.senate.gov/contact

United States Senate

May 3, 2022

The Honorable Michael Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Regan:

I am writing to highlight growing concerns from communities in Montana about the EPA's use of waste-in-place remedies at Superfund sites, and the importance of outreach from EPA staff to communities navigating the Superfund process. EPA has a critical responsibility to ensure communities are well-informed so that they can provide meaningful input into cleanup decisions, and that remedies the agency supports are protective of human health and the environment.

I am troubled by the EPA's reliance on waste-in-place remedies at multiple sites in Montana. Communities are rightfully skeptical about the risks posed by leaving toxic waste on site where it could migrate into groundwater or surface water. There are multiple waste-in-place remedies that are either already in place or under consideration that are mere feet away from rivers in Butte, Anaconda, Frenchtown, and Columbia Falls. In 2017, flooding at the Smurfit Stone site damaged the berm separating the site from the Clark Fork River, and also sent a plume of material into the river. Modeling from the Montana Bureau of Mines indicated that waste from tailings at the Butte-Silver Bow site would migrate much more quickly than EPA suggested, and present an imminent risk to groundwater and surface water. Despite EPA assurances about the extent and mobility of contamination, there has been subsequent testing by state entities raising serious questions about assumptions made during the investigation. At Columbia Falls, community leaders have told me that their repeated concerns about the risks a potential waste-in-place remedy poses to headwaters have seemingly fallen on deaf ears. At a minimum, this creates a public trust and confidence issue at other sites. Worse, a remedy that isn't effective poses a direct threat to human health and water quality.

The EPA needs to do more to ensure that planned remediation actions are actually protective of the sites in question, and that the public is well-informed of the inherent risks associated with waste-in-place remedies. EPA should work with affected communities to ensure that controversial waste-in-place remedies receive significant additional scrutiny, either through direct analysis from EPA staff or in concert with hydrology experts from other agencies. Objective experts should clearly demonstrate to the public, based on real-world monitoring from the site and surrounding waters, that their proposed remedy keeps waste where it should be. Input from outside experts, especially those with additional monitoring data, should be welcomed, and responses to that input should be included in the EPA's analysis of the site and its outreach to the affected community. If an affected community calls for an alternative remedy, EPA should give serious consideration to developing an alternative cleanup solution and, if those

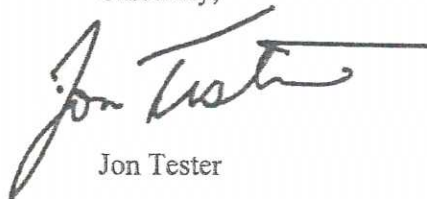
alternatives aren't feasible, provide detailed explanations in public meetings and online why those remedies are not possible.

In addition to bolstering its scientific analysis of waste-in-place remedies, EPA also needs to improve its outreach to affected communities. The public needs a clear understanding of the procedural and scientific steps involved with cleaning up a Superfund site, and much earlier in the process than has occurred, so that their input can be considered in feasibility studies remediation investigations. I have spoken directly with many community leaders from across Montana who have attended EPA briefings on their site, and left without a clear understanding of what steps remained before remediation could begin, when and how the public could comment on proposed remedies, and how EPA was verifying that a proposed remedy was protective. In many cases, briefings that contain digestible information came long after critical steps were complete. When local elected officials, leaders of community groups, and business owners don't have this information in plain English, it is supremely difficult for them to effectively advocate for the remediation that actually works for the community during those critical early portions of the process.

For community leaders to be better informed, the Community Involvement Coordinators for Montana's sites need to ensure public meetings are sufficiently noticed. Information presented at those meetings must be comprehensible to members of the public who are not subject matter experts, and local stakeholders need to be informed about the scientific justification for specific remedies well before milestones are reached. Montana communities also need to be informed about their options to secure direct financial support for technical assistance through EPA's Technical Assistance Grants and Technical Assistance Services for Communities. Online information needs to be presented clearly, informatively, and as objectively as possible. The website for Columbia Falls includes a misspelling in the first few sentences explaining the site, and links through to the potentially responsible party's non-government website to explain the Superfund process and remedial investigation. This does not inspire confidence that EPA is treating this site with a high attention to detail and providing objective information to the public. I encourage you to revisit your online presentation of information, and promptly schedule in-person public meetings within your ongoing COVID safety guidelines to more clearly explain proposed remedies and the Superfund cleanup process with Montana's Superfund communities.

Thank you for your work to engage with Montana's Superfund communities, and to ensure remedy options are substantially protective of human health and the environment. EPA has an important role to play in our daily lives and has an opportunity to improve public perception across its programs.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Tester", with a long horizontal flourish extending to the right.

Jon Tester

Flathead County
Board of Commissioners

(406) 758-5503



Brad W. Abell
Randy L. Brodehl
Pamela J. Holmquist

February 12, 2024

Missy Haniewicz
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, Colorado 80202-1129

Subj: Columbia Falls Aluminum Company Superfund Site

The Flathead County Board of Commissioners is urging the EPA to postpone its final determination on the cleanup of the Columbia Falls Aluminum Superfund site until a comprehensive evaluation is conducted. This evaluation must thoroughly assess the potential impacts on the pristine waters of the Flathead River, Lakes, and the Columbia River headwaters that could result from the retention of a million cubic yards of hazardous waste on-site. Additionally, it should entail a thorough cost analysis comparing the removal of waste versus capping and lining in place, with a focus on the implications for the next century and beyond.

Given the proximity of this project to the vibrant and expanding community of Columbia Falls, Montana, the EPA should also actively seek public input from residents regarding the potential impact on adjacent neighborhoods and the future growth prospects of Columbia Falls.

Please include these comments in the Administrative Record for the Superfund Site.

Sincerely,

BOARD OF COMMISSIONERS
FLATHEAD COUNTY, MONTANA

A handwritten signature in blue ink, appearing to read "R. Brodehl", is written over a horizontal line.

Randy L. Brodehl, Chairman

Not Available for Signature

Pamela J. Holmquist, Member

A large, stylized handwritten signature in blue ink is written over a horizontal line.

Brad W. Abell, Member