

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, OCTOBER 06, 2020**

A Council Workshop was held in Council Chambers and called to order by Council President Eaton at 6:29 p.m. on October 6, 2020.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Don Nelson

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer
Kurt Markegard, Public Works Director
Nick Altonaga, Planning Director
Brent Peters, Fire Chief
Matt Smith, KLJ

Public Input:

There was none.

General Items

1. Appointment of Clint Willis and Levi Dostal to the Laurel Volunteer Fire Department

Brent Peters, Fire Chief, introduced Mr. Dostal to the Council. Mr. Willis was unable to attend tonight's meeting. The Fire Association voted unanimously on both of these gentlemen. This will bring the total to 36 members.

Executive Review

2. Resolution - Riverside Park Campground Rules

Kurt Markegard, Public Works Director, presented the attached Riverside Park Campground Rules.

It was noted that on the "The maximum limits for a single occupancy campsite shall be 8 people, one camping unit, and two additional tents, unless otherwise authorized (by who)." Rule the who had not been established. It was questioned if that would be decided before next week's meeting. The Public Works Director stated he felt having Public Works Director or their Designee would be appropriate.

It was questioned how much it would cost per night to rent a spot. It was clarified that it would \$15 for a campsite and \$12 for a tent site. It was questioned how they would pay the nightly fee. It was clarified that there is a collection box. The Clerk/Treasurers office would collect the money. Each space is clearly labeled. There will be envelopes for people to put their payments in. They are looking into a reservation system with online payments. Will look into these options this winter. It will be an "on your honor" system.

3. Resolution - MSA Amendment with KLJ

This resolution is an extension of the Master Service Agreement with KLJ. This amendment extends the three-year contract that was set to expire in December of this year. With ongoing projects and future projects coming up, Staff felt it was in the City's best interest to extend the contract. This amendment is a five-year extension and is set to expire in 2025.

4. Resoluion - CBDG Grant

A few weeks ago, KLJ brought forward information regarding applying for a CDBG grant. The Public Works Director worked with KLJ in brainstorming various projects to apply for these funds. The project that fits the best is a Capital Improvements Projects program. The grant could be awarded up to \$50k with a \$16k match from the City. The Capital Improvements Projects Program would look at all City infrastructure, Fire, Police, Ambulance, Water, Sewer, Solid Waste. And prioritize where funds and spent and when those funds are needed. This plan can be used to apply for grants and is one of the first things those grants are looking for. This grant is one of the better grants available.

5. Resolution - Dyer Boulevard Request

Nick Altonaga, Planning Director, gave a brief overview of the attached memo.

Council Issues

6. Christmas To Remember Discussion

Jean Carol Thompson, 606 6th Avenue, briefly reviewed the attached plan with Council for this year's Christmas To Remember celebration.

There is nothing additional the Council needs to approve. The Mayor approves Special Event Permits.

7. Update on Public Works Projects

Kurt Markegard, Public Works Director, gave a brief overview of all ongoing public works projects; see attached.

It was questioned if there are any openings on the Public Works Committee. It was clarified there is one vacancy.

The Public Works Director noted that recently two employees have retired and thanked them for their service.

8. Regal Subdivision Discussion

Multiple Council Members have received complaints regarding the Regal Subdivision. Complaints range from landscaping to storage of items on the property.

Nick Altonaga, Planning Director, stated that the Regal Subdivision is located off E. 8th Street. Both Code Enforcement and Planning have been in touch with the developer of this subdivision. He was able to find the Weed Management Plan, which requires the landscaping to be kept in grass and trees. This plan has not been followed. There are also issues with the Subdivision Improvements Agreement that also mentions landscaping is unrecordable. The owner has been in touch with the Planner and Code Enforcement Officer. The owner is making plans to cut back the weeds, resod, and plant trees this spring.

There is an illegal access where someone has a carport that is not allowed. The conditions of the trailers have been subpar. The internal roadways are private. She cannot legally enter, and therefore she is not able to cite the central properties.

It was questioned if the City has any legal recourse if a satisfactory solution is not achieved. It was clarified that they could be cited for not following the weed management plan.

The Planning Director stated that the ordinance needs to be updated. Years ago, the fees section was reserved. The section for fines and penalties is nonexistent. The Code Enforcement Officer has been working on updating the nuisance code. However, it dovetailed into other chapters and then was set aside for the noise ordinance. She is working to get that put together to send to Council.

It was questioned when someone is cited how long they have to fix the issue. There is a 1st notice, then a 2nd notice, then a fine or penalty would be sent out. The Planning Director thought the timeframe for each notice was 30 days.

It was questioned if the developer may not finish the subdivision. The Planning Director thought that the developer would finish the development.

9. Conflict of Interest Discussion

Council President Eaton briefly reviewed the attached handout. Conflicts of interest are not to be taken lightly, especially when in recent years Council/Mayor/Staff have been

accused. Any conflict of interest or perceived conflict of interest needs to be stated in advance and removed from the discussion. This applies to at the committee level and at the Council level. There are fines; this is serious. She has held back on having her husband come and present things because she was the committee chair. There have been people interested in serving on a committee and have not been filled because there might have been a conflict of interest.

10. Fire Department CIP Discussion

Council President Eaton stated this item comes from the Budget/Finance Committee and felt this information needed to be presented to Council.

Bethany Langve, Clerk/Treasurer, stated that there had been questions on when the Fire Department CIP started. Resolution No. 07-53 set up the Fire Department's CIP and was passed in July of 2007. This was before the 07-08 budget was passed. It stated that 15% of all Fire District contract revenues be set aside for CIP and will continue until either that resolution is rescinded or changed by Council. When there is a significant change such as this, it is put in the budget message. It explains how and why that change was made and can help future Clerk/Treasurers understand what happened. Every year after 15% of the Fire District contracts are put into the Fire Department's CIP.

Other Items

- **Budget Correction**

Bethany Langve, Clerk/Treasurer, stated that every year the City has to submit its budget to the State by October 1st. This year they found an error; see the attached table. There was no formula in the cell, and there was an error. This resolution is to fix this error. It is not an audit finding, and there are no other budgetary changes. It will be voted on next week.

- **CARES Act Submission**

Bethany Langve, Clerk/Treasurer, stated Council might have noticed that Billings is getting a CARES Act reimbursement. The Clerk/Treasurer and Council Secretary spent a lot of time preparing a submission for the City. City Staff submitted a 600-page document totaling \$943,346 in CARES Act funds.

The Clerk/Treasurer was on the fence on some of the wages they stated the City could submit. Her suggestion was to set the wages reimbursement aside until after it is audited. The Treasury stated the City could submit all wages for Police, Fire, and Ambulance from March 21st through August 31st. She stated this sits oddly with her, but the City did submit them. She was only going to submit the overtime for Ambulance. The State came back and stated we could submit for all Police, Fire, and Ambulance wages. So she called the auditor, who confirmed that was the intent of these funds. Staff also submitted all items needed to work from home, Zoom software, personal protective equipment, etc.

Review of Draft Council Agendas

- Review Draft Council Agenda for October 13, 2020.

There were no changes.

Attendance at Upcoming Council Meeting

All present will be in attendance at next week's meeting.

Announcements

Council questioned the tree removal at the old Burger King. They questioned if this should have been allowed. Will add to Council Issues for the next Workshop.

Council thanked the Public Works Director for all his work on Public Works various Public Works projects and his outstanding report of those projects.

Council thanked the Clerk/Treasurer and Council Secretary for all their hard work on the CARES Act submission.

The council workshop adjourned at 7:49 p.m.

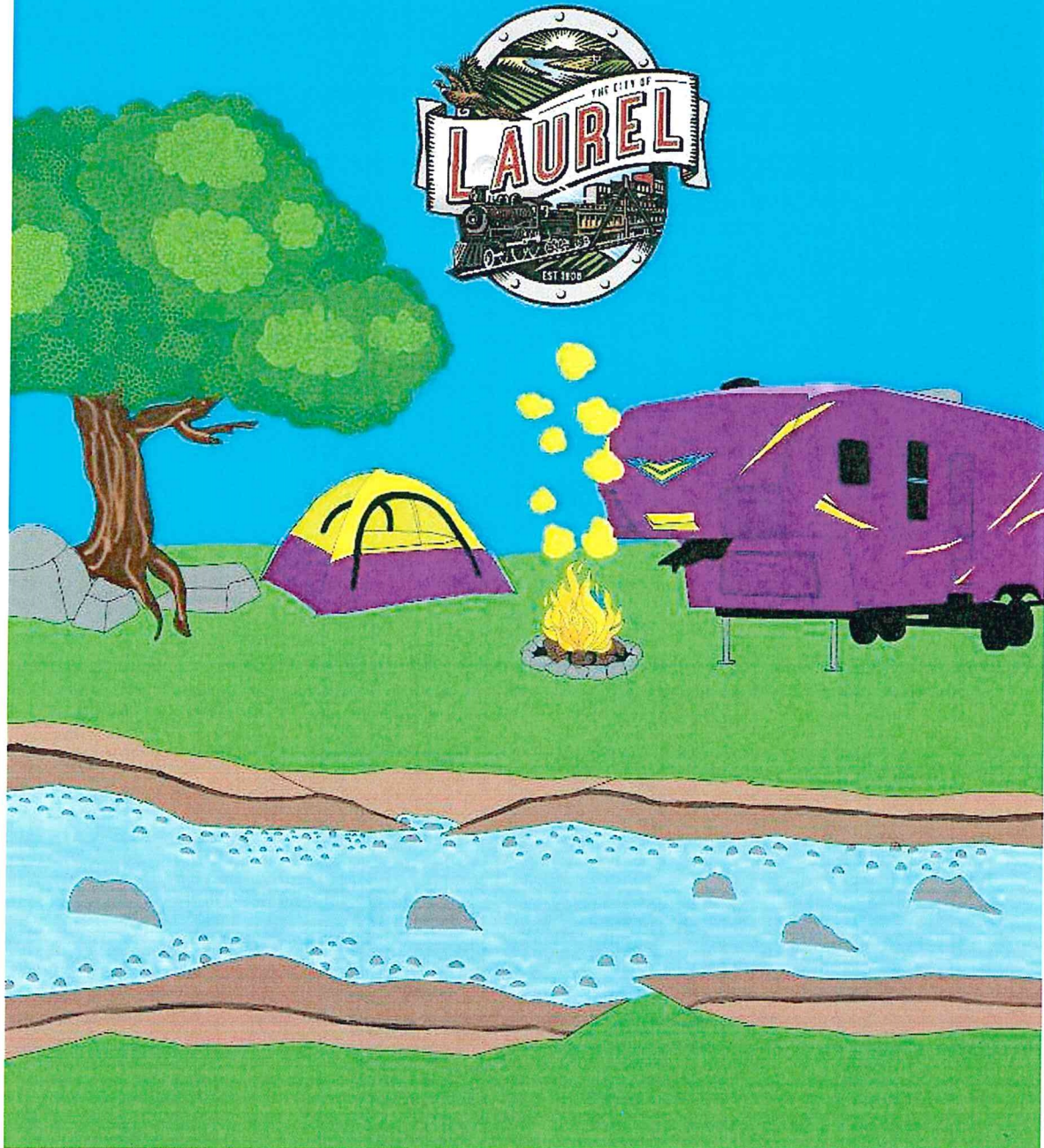
Respectfully submitted,



Brittney Moorman
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

RIVERSIDE PARK CAMPGROUND



Riverside Park Campground Rules

- RV and Tent camping are limited to 16 days, within a consecutive 30-day period, beginning with the first night's stay.
- Campfires are not permitted except in provided campfire rings. Campfires must be attended and extinguished prior to leaving the campsite. Campfires may be restricted during periods of high fire danger.
- Dogs must be leashed with no longer than an 8-foot tether. Service animals, clearly identified as such, are exempt from the leash rule.
- Individuals bringing domestic pets into the campground shall be responsible for proper removal and disposal of any waste produced by the pet. Failure to pick up pet waste will be grounds for eviction from the campground.
- No outside storage of food or trash is permitted at the campsite. Store food within a vehicle or camper and use the provided dumpsters, located within Riverside Park, for trash.
- No RV, camping, or human waste dumping of any kind is allowed.
- The discharging of any firearms, including BB guns or pellet guns, is a violation of Laurel Municipal Code, and therefore not permitted at any time.
- No discharging of Fireworks is allowed, at any time.
- Speed limit shall be 10 mph.
- Free standing portable gas grills are allowed but must be attended when in use. No tabletop grilling campground equipment is allowed.
- Driving of vehicles is allowed only on designated roads or parking pads.
- Quiet hours are 10 pm until 6 am.
- Metal detectors are not allowed.
- Check in time after 2pm. Check out time will be by 11 am.
- No wood collecting from any trees or shrubs in Riverside Park, for the purpose of starting or maintaining a campfire is allowed.
- No unattended campsite, tent, or vehicles for more than 24 hours is allowed, and after 48 hours they will be subject to impound and removal.
- The maximum limits for a single occupancy campsite shall be 8 people, one camping unit, and two additional tents, unless otherwise authorized (by who).
- No use of unmanned aircraft, drones, or radio-controlled toys allowed in campground.
- Consumption of alcohol is permitted within the boundaries of the individual campsites only.
- No operation of generators during the established quiet hours.
- No excessive noise created from any person, radio, tv or any other equipment that disturbs other visitors.
- All campers must pay the appropriate fee for camping as set by resolution of the Laurel City Council. Failure to pay for every night's stay will result in expulsion from the campground.
- Penalties for violation of the campground rules will result in:
 - First violation - expulsion from the campground for 48 hours.
 - Second violation - 7-day suspension from the campground.
 - Third violation – permanent ban from campground.

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

October 6, 2020

Laurel City Council
115 West 1st Street
Laurel, MT 59102

Comments regarding Darrell Dyer's Request for rocks in boulevard on 112-114 3rd Ave

Mayor and City Council,

Darrell Dyer has requested to replace the trees and grass in the boulevards in front of his properties at 112-114 3rd Avenue with river rock as is required by "LMC 12.32.010 - Boulevards to be kept in grass and trees." I am in support of this change with minor conditions that should be put in place to ensure a positive aesthetic and proper maintenance. Conditions for approval include:

- Install weed barrier landscape fabric below river rock and around any planted shrubs or plants
- Remove weeds and other invasive species of plants regularly
- Spray weedkiller twice yearly to control any weeds or invasive plant species present.
- Use Xeriscaping best practices to install drought-tolerant plants and shrubs to cover a minimum of 25% of the boulevard landscaping area.

These conditions of approval will allow the boulevard landscaping to be more easily maintained, provide a positive aesthetic, and soften the harsh building forms and paved areas of the downtown area. Thank you for your consideration of the request and these conditions of approval.

Regards,

Nicholas Altonaga

Planning Director



Christmas to Remember Inc.
P.O. Box 463
Laurel, MT 59044

October 6, 2020

To whom it may concern:

The Christmas to Remember has had 35 years of history in Laurel. The Covid 19 has created a problem for our annual celebration. The success of our event incorporates many organizations, the city, the firemen, the school, and the businesses to mention a few.

In our meeting with the firemen we decided their display set up in Memorial Park better known as Fireman's Park will happen and Santa will arrive in Laurel on December 6. Social distancing should be maintained and everyone should wear masks. Business and organizations will be encouraged to enter our parade. The committee will be selling poinsettias to help pay for the insurance.

The committee will decorate a Grinch tree at the Moss Mansion this year. Since the committee has been decorating trees for 35 years we will offer our decorations to businesses that will provide a tree, lights and the labor to decorate the tree in their business.

Since the school is not renting out their buildings, our bazaar held at the Laurel Middle School will return hopefully in 2021. We have several businesses that will allow our bazaar to be held in their stores on December 6. This is in conjunction with the stroll and downtown activities the Laurel Chamber of Commerce will sponsor on December 6. Social distancing will be maintained and everyone should wear a mask. If the government orders a return to Phase I, we will not be able to hold a bazaar.

We are glad to bring the 35th Christmas to Remember back to downtown.

If more information is needed please contact:

Jean Carroll Thompson
1-406-248-8557

If you are not in agreement, please call as soon as possible.



**Christmas to
Remember**

CITY HALL
115 W. 1ST ST.
PUB. WORKS: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the Director of
Public Works

10/6/2020 City Council Presentation Public Works Update

2019 Pavement Repairs Project Warranty period ends this Friday.

2019 East 6th Street project one-year warranty has been completed.

East Downtown Infrastructure Improvement Project is mostly complete.

2020 Pavement Closeout is October 9th.

Design Standards is ongoing when we have time to review.

Data and Asset management is under final review. Utility Maps updated.

Riverside Park Campground is completed except for some grass seeding and park bench installation. Williston Basin Pipeline has informed the City they will be removing their building and replacing pipeline in the Park next summer.

Lions Park design is starting and will be out to bid by February hopefully.

Future Projects

Water Reservoir Preliminary Engineering Report for 2021. Apply for a TSEP Grant by 2022. Hopefully awarded grant funds by the 2023 Legislative session. Design work in 2023 and 2024 with construction to take place in 2025.

Replacing the water line to Riverside Park.

Rerouting water line under residential properties between West 11th and West 12th Street.

Sewer Plant lift screw B replacement

Sewer Main for the Elm Street Lift Station

West Railroad Street

Storm water for south side and street reconstruction plan including new water and sewer mains.

West 7th Street water, sewer main replacement and street reconstruction from 1st Ave to 2nd Ave.

Hopefully participate in a Citywide Capital Improvement Plan if the City is successful with the CDBG grant.

Solid Waste will need new refuse trucks

Recognition of City Employees

Guy Rolison Retirement

Tim Reiter Retirement

The men and women of the Public Works Department that continually choose to spend their lives serving the citizens of this great city. They have my deepest gratitude and I want to thank them for their skill, knowledge, advice, and their efforts that they carry out every day.

The Mayor, City Council, and the Public Works Volunteers for their advice and efforts to make Laurel a better place to live for its citizens.

The City Clerk's Office personnel that work with us daily to keep the department running.

Planning and code enforcement that helps us every day.

Police dispatch that wake us up at all hours of the night. Fire Department for putting out all the trash fires.

The Engineers that design and build our projects and must work with me.

The Public Works Department Volunteers that take the time to help their fellow citizens.

The Citizens of Laurel that make all this possible. It is my hope that they understand the efforts that our department is taking to better serve them for today and into the future.

Thank you

Kurt Markegard

Public Works Director

City of Laurel

MONTANA CODE OF ETHICS

CONSTITUTION OF MONTANA -- ARTICLE XIII -- GENERAL PROVISIONS

Section 4. Code of ethics. The legislature shall provide a code of ethics prohibiting conflict between public duty and private interest for members of the legislature and all state and local officers and employees.

Montana Code Annotated (2019)

TITLE 2. GOVERNMENT STRUCTURE AND ADMINISTRATION CHAPTER 2. STANDARDS OF CONDUCT

Part 1. Code of Ethics

2-2-101. Statement of purpose. The purpose of this part is to set forth a code of ethics prohibiting conflict between public duty and private interest as required by the constitution of Montana. This code recognizes distinctions between legislators, other officers and employees of state government, and officers and employees of local government and prescribes some standards of conduct common to all categories and some standards of conduct adapted to each category. The provisions of this part recognize that some actions are conflicts per se between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstances.

2-2-102. Definitions. As used in this part, the following definitions apply:

- (1) "Business" includes a corporation, partnership, sole proprietorship, trust or foundation, or any other individual or organization carrying on a business, whether or not operated for profit.
- (2) "Compensation" means any money or economic benefit conferred on or received by any person in return for services rendered or to be rendered by the person or another.
- (3) (a) "Gift of substantial value" means a gift with a value of \$50 or more for an individual.
 - (b) The term does not include:
 - (i) a gift that is not used and that, within 30 days after receipt, is returned to the donor or delivered to a charitable organization or the state and that is not claimed as a charitable contribution for federal income tax purposes;
 - (ii) food and beverages consumed on the occasion when participation in a charitable, civic, or community event bears a relationship to the public officer's or public employee's office or employment or when the officer or employee is in attendance in an official capacity;
 - (iii) educational material directly related to official governmental duties;
 - (iv) an award publicly presented in recognition of public service; or
 - (v) educational activity that:
 - (A) does not place or appear to place the recipient under obligation;
 - (B) clearly serves the public good; and
 - (C) is not lavish or extravagant.
 - (4) "Local government" means a county, a consolidated government, an incorporated city or town, a school district, or a special district.
 - (5) "Official act" or "official action" means a vote, decision, recommendation, approval, disapproval, or other action, including inaction, that involves the use of discretionary authority.
 - (6) "Private interest" means an interest held by an individual that is:
 - (a) an ownership interest in a business;
 - (b) a creditor interest in an insolvent business;
 - (c) an employment or prospective employment for which negotiations have begun;
 - (d) an ownership interest in real property;
 - (e) a loan or other debtor interest; or

- (f) a directorship or officership in a business.
- (7) "Public employee" means:
 - (a) any temporary or permanent employee of the state;
 - (b) any temporary or permanent employee of a local government;
 - (c) a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority; and
 - (d) a person under contract to the state.
- (8) (a) "Public officer" includes any state officer and any elected officer of a local government.
 - (b) For the purposes of 67-11-104, the term also includes a commissioner of an airport authority.
- (9) (a) "Public officer" includes any state officer and any elected officer of a local government.
 - (b) For the purposes of 67-11-104, the term also includes a commissioner of an airport authority.
- (10) "Special district" means a unit of local government, authorized by law to perform a single function or a limited number of functions. The term includes but is not limited to conservation districts, water districts, weed management districts, irrigation districts, fire districts, community college districts, hospital districts, sewer districts, and transportation districts. The term also includes any district or other entity formed by interlocal agreement.
- (11) (a) "State agency" includes:
 - (i) the state;
 - (ii) the legislature and its committees;
 - (iii) all executive departments, boards, commissions, committees, bureaus, and offices;
 - (iv) the university system; and
 - (v) all independent commissions and other establishments of the state government.
 - (b) The term does not include the judicial branch.
- (12) "State officer" includes all elected officers and directors of the executive branch of state government as defined in 2-15-102.

2-2-103. Public trust -- public duty. (1) The holding of public office or employment is a public trust, created by the confidence that the electorate reposes in the integrity of public officers, legislators, and public employees. A public officer, legislator, or public employee shall carry out the individual's duties for the benefit of the people of the state.

(2) A public officer, legislator, or public employee whose conduct departs from the person's public duty is liable to the people of the state and is subject to the penalties provided in this part for abuse of the public's trust.

(3) This part sets forth various rules of conduct, the transgression of any of which is a violation of public duty, and various ethical principles, the transgression of any of which must be avoided.

- (4) (a) The enforcement of this part for:
 - (i) state officers, legislators, and state employees is provided for in 2-2-136;
 - (ii) legislators, involving legislative acts, is provided for in 2-2-135 and for all other acts is provided for in 2-2-136;
 - (iii) local government officers and employees is provided for in 2-2-144.
- (b) Any money collected in the civil actions that is not reimbursement for the cost of the action must be deposited in the general fund of the unit of government.

2-2-104. Rules of conduct for public officers, legislators, and public employees. (1) Proof of commission of any act enumerated in this section is proof that the actor has breached the actor's public duty. A public officer, legislator, or public employee may not:

- (a) disclose or use confidential information acquired in the course of official duties in order to further substantially the individual's personal economic interests; or

(b) accept a gift of substantial value or a substantial economic benefit tantamount to a gift:

(i) that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties; or

(ii) that the person knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the person for official action taken.

(2) An economic benefit tantamount to a gift includes without limitation a loan at a rate of interest substantially lower than the commercial rate then currently prevalent for similar loans and compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.

Campaign contributions reported as required by statute are not gifts or economic benefits tantamount to gifts.

(3) (a) Except as provided in subsection (3)(b), a public officer, legislator, or public employee may not receive salaries from two separate public employment positions that overlap for the hours being compensated, unless:

(i) the public officer, legislator, or public employee reimburses the public entity from which the employee is absent for the salary paid for performing the function from which the officer, legislator, or employee is absent; or

(ii) the public officer's, legislator's, or public employee's salary from one employer is reduced by the amount of salary received from the other public employer in order to avoid duplicate compensation for the overlapping hours.

(b) Subsection (3)(a) does not prohibit:

(i) a public officer, legislator, or public employee from receiving income from the use of accrued leave or compensatory time during the period of overlapping employment; or

(ii) a public school teacher from receiving payment from a college or university for the supervision of student teachers who are enrolled in a teacher education program at the college or university if the supervision is performed concurrently with the school teacher's duties for a public school district.

(c) In order to determine compliance with this subsection (3), a public officer, legislator, or public employee subject to this subsection (3) shall disclose the amounts received from the two separate public employment positions to the commissioner of political practices.

2-2-105. Ethical requirements for public officers and public employees. (1) The requirements in this section are intended as rules of conduct, and violations constitute a breach of the public trust and public duty of office or employment in state or local government.

(2) Except as provided in subsection (4), a public officer or public employee may not acquire an interest in any business or undertaking that the officer or employee has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the officer's or employee's agency.

(3) A public officer or public employee may not, within 12 months following the voluntary termination of office or employment, obtain employment in which the officer or employee will take direct advantage, unavailable to others, of matters with which the officer or employee was directly involved during a term of office or during employment. These matters are rules, other than rules of general application, that the officer or employee actively helped to formulate and applications, claims, or contested cases in the consideration of which the officer or employee was an active participant.

(4) When a public employee who is a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority is required to take official action on a matter as to which the public employee has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the public employee's influence, benefit, or detriment in regard to the matter, the public employee shall disclose the interest creating the conflict prior to participating in the official action.

(5) A public officer or public employee may not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm or undertaking.

2-2-121. Rules of conduct for public officers and public employees. (1) Proof of commission of any act enumerated in subsection (2) is proof that the actor has breached a public duty.

(2) A public officer or a public employee may not:

(a) subject to subsection (7), use public time, facilities, equipment, supplies, personnel, or funds for the officer's or employee's private business purposes;

(b) engage in a substantial financial transaction for the officer's or employee's private business purposes with a person whom the officer or employee inspects or supervises in the course of official duties;

(c) assist any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the officer's or employee's agency;

(d) assist any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from any agency;

(e) perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the officer or employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent; or

(f) solicit or accept employment, or engage in negotiations or meetings to consider employment, with a person whom the officer or employee regulates in the course of official duties without first giving written notification to the officer's or employee's supervisor and department director.

(3) (a) Except as provided in subsection (3)(b), a public officer or public employee may not use or permit the use of public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:

(i) authorized by law; or

(ii) properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties.

(b) As used in this subsection (3), "properly incidental to another activity required or authorized by law" does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to:

(i) the activities of a public officer, the public officer's staff, or legislative staff related to determining the impact of passage or failure of a ballot issue on state or local government operations;

(ii) in the case of a school district, as defined in Title 20, chapter 6, compliance with the requirements of law governing public meetings of the local board of trustees, including the resulting dissemination of information by a board of trustees or a school superintendent or a designated employee in a district with no superintendent in support of or opposition to a bond issue or levy submitted to the electors. Public funds may not be expended for any form of commercial advertising in support of or opposition to a bond issue or levy submitted to the electors.

(c) This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political views.

(d) (i) If the public officer or public employee is a Montana highway patrol chief or highway patrol officer appointed under Title 44, chapter 1, the term "equipment" as used in this subsection (3) includes the chief's or officer's official highway patrol uniform.

(ii) A Montana highway patrol chief's or highway patrol officer's title may not be referred to in the solicitation of support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

(4) (a) A candidate, as defined in 13-1-101(8)(a), may not use or permit the use of state funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains the candidate's name, picture, or voice except in the case of a state or national emergency and then only if the announcement is reasonably necessary to the candidate's official functions.

(b) A state officer may not use or permit the use of public time, facilities, equipment, supplies, personnel, or funds to produce, print, or broadcast any advertisement or public service announcement in a newspaper, on radio, or on television that contains the state officer's name, picture, or voice except in the case of a state or national emergency if the announcement is reasonably necessary to the state officer's official functions or in the case of an announcement directly related to a program or activity under the jurisdiction of the office or position to which the state officer was elected or appointed.

(5) A public officer or public employee may not participate in a proceeding when an organization, other than an organization or association of local government officials, of which the public officer or public employee is an officer or director is:

(a) involved in a proceeding before the employing agency that is within the scope of the public officer's or public employee's job duties; or

(b) attempting to influence a local, state, or federal proceeding in which the public officer or public employee represents the state or local government.

(6) A public officer or public employee may not engage in any activity, including lobbying, as defined in 5-7-102, on behalf of an organization, other than an organization or association of local government officials, of which the public officer or public employee is a member while performing the public officer's or public employee's job duties. The provisions of this subsection do not prohibit a public officer or public employee from performing charitable fundraising activities if approved by the public officer's or public employee's supervisor or authorized by law.

(7) A listing by a public officer or a public employee in the electronic directory provided for in 30-17-101 of any product created outside of work in a public agency is not in violation of subsection (2)(a) of this section. The public officer or public employee may not make arrangements for the listing in the electronic directory during work hours.

(8) A department head or a member of a quasi-judicial or rulemaking board may perform an official act notwithstanding the provisions of subsection (2)(e) if participation is necessary to the administration of a statute and if the person complies with the disclosure procedures under 2-2-131.

(9) Subsection (2)(d) does not apply to a member of a board, commission, council, or committee unless the member is also a full-time public employee.

(10) Subsections (2)(b) and (2)(e) do not prevent a member of the governing body of a local government from performing an official act when the member's participation is necessary to obtain a quorum or to otherwise enable the body to act. The member shall disclose the interest creating the appearance of impropriety prior to performing the official act.

2-2-131. Disclosure. A public officer or public employee shall, prior to acting in a manner that may impinge on public duty, including the award of a permit, contract, or license, disclose the nature of the private interest that creates the conflict. The public officer or public employee shall make the disclosure in writing to the commissioner of political practices, listing the amount of private interest, if any, the purpose and duration of the person's services rendered, if any, and the compensation received for the services or other information that is necessary to describe the interest. If the public officer or public employee then performs the official act involved, the officer or employee shall state for the record the fact and summary nature of the interest disclosed at the time of performing the act.

2-2-144. Enforcement for local government. (1) Except as provided in subsections (5) and (6), a person alleging a violation of this part by a local government officer or local government employee shall notify the county attorney of the county where the local government is located. The county attorney shall request from the complainant or the person who is the subject of the complaint any information necessary to make a determination concerning the validity of the complaint.

(2) If the county attorney determines that the complaint is justified, the county attorney may bring an action in district court seeking a civil fine of not less than \$50 or more than \$1,000. If the county attorney determines that the complaint alleges a criminal violation, the county attorney shall bring criminal charges against the officer or employee.

(3) If the county attorney declines to bring an action under this section, the person alleging a violation of this part may file a civil action in district court seeking a civil fine of not less than \$50 or more than \$1,000. In an action filed under this subsection, the court may assess the costs and attorney fees against the person bringing the charges if the court determines that a violation did not occur or against the officer or employee if the court determines that a violation did occur. The court may impose sanctions if the court determines that the action was frivolous or intended for harassment.

(4) The employing entity of a local government employee may take disciplinary action against an employee for a violation of this part.

(5) (a) A local government may establish a three-member panel to review complaints alleging violations of this part by officers or employees of the local government. The local government shall establish procedures and rules for the panel. The members of the panel may not be officers or employees of the local government. The panel shall review complaints and may refer to the county attorney complaints that appear to be substantiated. If the complaint is against the county attorney, the panel shall refer the matter to the commissioner of political practices and the complaint must then be processed by the commissioner pursuant to 2-2-136.

(b) In a local government that establishes a panel under this subsection (5), a complaint must be referred to the panel prior to making a complaint to the county attorney.

(6) If a local government review panel has not been established pursuant to subsection (5), a person alleging a violation of this part by a county attorney shall file the complaint with the commissioner of political practices pursuant to 2-2-136.

COMMISSIONER OF POLITICAL PRACTICES

The Commissioner has jurisdiction over laws and rules pertaining to: Ethics (Title 2, chapter 2, part 1), Lobbying (Title 5, chapter 7) and Campaign finance and practices (Title 13, chapters 35 and 37).

Our Mission

We fairly and impartially carry out our assigned responsibilities monitoring and enforcing campaign finance and practices and government ethics standards. We serve the public and interested parties in a helpful and responsive way.

Commissioner of Political Practices 1205 8th Ave P.O. Box 202401 Helena, MT 59620-2401 (Tel.) 406-444-2942
<http://politicalpractices.mt.gov/>

City of Laurel
2020-2021

4000 - Capital Projects - Summary Schedule

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources
4000	Cap Improv Program						
	Judicial	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	City Hall	\$ 57,089.00	\$ 10,486.28	\$ 67,575.28	\$ 56,748.28	\$ 10,827.00	\$ 67,575.28
	Fire Dept	\$ 25,000.00	\$ 16,621.96	\$ 41,621.96	\$ 41,621.96	\$ -	\$ 41,621.96
	Police Equip	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Swimming Pool	\$ -	\$ 0.54	\$ 0.54	\$ 0.54	\$ -	\$ 0.54
	Library	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Ambulance	\$ -	\$ 6.88	\$ 6.88	\$ 6.88	\$ -	\$ 6.88
	Office Equip	\$ -	\$ 1.03	\$ 1.03	\$ 1.03	\$ -	\$ 1.03
	Street Equip	\$ -	\$ 0.36	\$ 0.36	\$ 0.36	\$ -	\$ 0.36
	Land & Bldgs	\$ -	\$ 93,610.73	\$ 93,610.73	\$ 93,610.73	\$ -	\$ 93,610.73
	Cemetery Improv	\$ -	\$ 31,935.31	\$ 31,935.31	\$ 27,935.31	\$ 4,000.00	\$ 31,935.31
	Cemetery Care	\$ -	\$ 8,290.78	\$ 8,290.78	\$ 8,290.78	\$ -	\$ 8,290.78
	Equip Reserve	\$ -	\$ 680.47	\$ 680.47	\$ 680.47	\$ -	\$ 680.47
	Vets Cemetery	\$ -	\$ 12,546.94	\$ 12,546.94	\$ 12,546.94	\$ -	\$ 12,546.94
	FAP Offices	\$ 43,875.00	\$ 38,438.19	\$ 82,313.19	\$ 82,313.19	\$ -	\$ 82,313.19
	Park Improv	\$ 200,000.00	\$ 59,102.21	\$ 259,102.21	\$ 259,102.21	\$ -	\$ 259,102.21
	Unallocated	\$ -	\$ 107,199.60	\$ 107,199.60	\$ 107,199.60	\$ -	\$ 107,199.60
	TOTAL	\$ 325,964.00	\$ 378,921.28	\$ 704,885.28	\$ 690,058.28	\$ 14,827.00	\$ 704,885.28