



**REVISED AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, MAY 24, 2022
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R22-24

NEXT ORD. NO.
O22-01

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of May 10, 2022.

Correspondence

2. Beartooth RC&D May 2022 Correspondence.

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

3. Claims entered through May 20, 2022.
4. Approval of Payroll Register for PPE 5/15/2022 totaling \$205,036.16.

Ceremonial Calendar

5. Poppy Day Proclamation

Reports of Boards and Commissions

6. Budget/Finance Committee Minutes of May 10, 2022.
7. City/County Planning Board Minutes of March 16, 2022.
8. City/County Planning Board Minutes of April 20, 2022.
9. City/County Planning Board Minutes of May 18, 2022.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

- [10.](#) Appointment of Lynn Galovatti and Bridger Fournier to the Laurel Volunteer Ambulance.
- [11.](#) Resolution No. R22-24: Resolution Authorizing Owner's Request To Seek Annexation Of A Parcel Of Property Located At 1702 E. 8th Street, Laurel Mt, Pursuant To The City Of Laurel Annexation Policy.
- [12.](#) Resolution No. R22-25: A Resolution Awarding The Bid And Authorizing The Mayor To Execute All Contract And Related Documents For The Project Known As South 4th Street Reconstruction Project.
- [13.](#) Resolution No. R22-26: A Resolution Of The City Council Authorizing The Mayor To Execute An Extension Of The Agreement Between The City Of Laurel And Yellowstone County For A Satellite Yellowstone County Treasurer's Office, Motor Vehicle Division
- [14.](#) Resolution No. R22-27: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With True North Contracting

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates

Unscheduled Matters

Adjournment

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

[DATES TO REMEMBER](#)

File Attachments for Item:

1. Approval of Minutes of May 10, 2022.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

May 10, 2022

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Council President Sparks at 6:30 p.m. on May 10, 2022.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Bruce McGee Richard Herr
 Richard Klose Irv Wilke
 Don Nelson

COUNCIL MEMBERS ABSENT: Scot Stokes

OTHER STAFF PRESENT: Jean Kerr, City Judge

Council President Sparks led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of April 26, 2022, as presented, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CORRESPONDENCE:

- Fire Monthly Report – April 2022
- Police Monthly Report – April 2022
- Building Monthly Report – April 2022

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through May 6, 2022.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 5/1/2022 totaling \$205,036.16.**
- **Council Workshop Minutes of April 5, 2022.**
- **Council Workshop Minutes of April 19, 2022.**

The Council President Sparks asked if there was any separation of consent items. There was none.

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of April 26, 2022.
- Cemetery Commission Minutes of April 20, 2022.
- Library Board Minutes of February 8, 2022.
- Library Board Minutes of March 8, 2022.
- Tree Board Minutes of April 14, 2022.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Randy Hand to the Laurel Airport Authority for a five-year term ending June 30, 2027.**

Motion by Council Member Eaton to approve the Mayor's appointment of Randy Hand to the Laurel Airport Authority for a five-year term ending June 30, 2027, seconded by Council Member Mize. There was no public comment.

Council asked for clarification on the resident requirements to serve on this Board. It was clarified that this Board does not require its members to reside within the City limits.

A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Appointment of Phyllis Bromgard to the Tree Board for a three-year term ending June 30, 2025.**

Motion by Council Member Mize to approve the Mayor's appointment of Phyllis Bromgard to the Tree Board for a three-year term ending June 30, 2025, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Appointment of Richard Herr to the Cemetery Commission for a two-year term ending June 30, 2024.**

Motion by Council Member Klose to approve the Mayor's appointment of Richard Herr to the Cemetery Commission for a two-year term ending June 30, 2024, seconded by Council Member Wilke. There was no public comment.

Council Member Herr recused himself from voting as this is his appointment.

A vote was taken on the motion. All six remaining council members present voted aye. Motion carried 6-0.

- **Appointment of Rick Musson to the Cemetery Commission for a two-year term ending June 30, 2024.**

Motion by Council Member Mountsier to approve the Mayor's appointment of Rick Musson to the Cemetery Commission for a two-year term ending June 30, 2024, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Appointment of Wallace Hall to the Cemetery Commission for a two-year term ending June 30, 2024.**

Motion by Council Member Herr to approve the Mayor's appointment of Wallace Hall to the Cemetery Commission for a two-year term ending June 30, 2024, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R22-21: A Resolution Of The City Council Authorizing The Removal Of City Council Member Emelie Eaton From All-City Accounts And Adding City Council President Heidi Sparks To All Such Accounts.**

Motion by Council Member Eaton to approve Resolution No. R22-21, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R22-22: A Resolution Of The City Council Setting The Salary Of The City Court Judge Effective July 1, 2022, To January 1, 2026.**

DRAFT

Council Minutes of May 10, 2022

Motion by Council Member Wilke to approve Resolution No. R22-22, seconded by Council Member Mountsier.

Judge Kerr requested that this item be tabled until all items of her request had been considered.

Council questioned the proper way to move forward with this motion while considering the Judge's request. It was clarified that Council needed to vote on the question before it. Council could request that this item be brought back at a later date.

A roll call vote was taken on the motion. Council Members Eaton, Klose, and Herr voted aye. Council Members Mize, Mountsier, Wilke, and Sparks voted no. Motion failed 3-4.

- **Resolution No. R22-23: A Resolution Of The City Council Authorizing The Council President Sparks To Execute All Agreements Necessary To Secure Insurance Benefits With Unum For City Of Laurel Employees**

Motion by Council Member Mize to approve Resolution No. R22-23, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

There was a presentation made at the last Park Board meeting regarding the City pool. It is in poor condition, and it will not be open this year and may not be able to be repaired.

COUNCIL DISCUSSION:

Council noted that they had asked about the use of two parks located in downtown for parking at last week's meeting. It has been clarified that those parks are private property, and the City does not have control over the use of those parcels. They would like this added to the next Workshop agenda under downtown parking.

Council requested an update on the S. 4th Street bid opening. It was clarified that would be on next week's Workshop agenda.

Council requested an update on W. Railroad Street.

Council requested that the Judge's wage be brought back to a future Workshop.

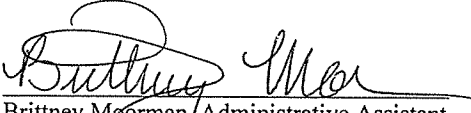
MAYOR UPDATES:

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Eaton to adjourn the council meeting, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 6:57 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Council President Sparks and passed by the City Council of the City of Laurel, Montana, this 24th day of May 2022.

Dave Waggoner, Mayor

DRAFT

Council Minutes of May 10, 2022

Attest:

Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

2. Beartooth RC&D May 2022 Correspondence.

Beartooth RC&D Area, Inc.

Board of Director's Meeting Agenda

Meeting 1:00 P.M.

Columbus Fire Hall 944 Pike Ave, Columbus, MT

Thursday, May 19th, 2022

Conference Number

605-475-5900

Access code 8472365



1:00 pm	<p><u>Meeting Called to Order</u></p> <p>Pledge of Allegiance, Introduction of Members and Guests</p> <p>Review March Board Minutes</p> <p><u>Congressional Updates</u> Maddie Alpert (Sen. Tester) Tory Kolkhorst (Sen. Daines) Cade Overstreet (Rep. Rosendale)</p> <p><u>Treasurer/Financial Reports</u> 1. Treasurer Update 2. RC&D Financials 3. RLF Financials</p> <p>CEDS UPDATE BSTF Signature</p> <p><u>Staff Reports – Program/Project updates</u> 1. Food/Ag Program – Joel Bertolino 2. Revolving Loan Fund – Nan Knight 3. Economic Development/ CRDC – Jacy Head 4. Operations Support- Myrna Lastusky</p> <p><u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories.... (see topics on next page)</i></p> <p><u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u> <i>July 21st, 2022 - Beartooth RC&D Carbon County</i></p> <p>Adjourn</p>	<p>Chair</p> <p>Chair, All</p> <p>Chair, All</p> <p></p> <p></p> <p>Head, Lastusky Head</p> <p>Bertolino Knight Head Lastusky</p> <p>Roe et al</p>	<p></p> <p>Action</p> <p>Information</p> <p>Information Action Action</p> <p>Information Action</p> <p>Information Information Information Information</p> <p>Information</p> <p>Information</p>
2:30 PM			Information

Beartooth RC&D Area, Inc. Board of Director’s Meeting MINUTES March 21st, 2022

Agenda

<p>1:00 pm</p>	<p><u>Meeting Called to Order</u></p> <p>Pledge of Allegiance, Introduction of Members and Guests</p> <p>Review January Board Minutes</p> <p>Executive Committee Nominations</p> <p><u>Congressional Updates</u> Maddie Alpert (Sen. Tester) Tory Kolkhorst (Sen. Daines) Cade Overstreet (Rep. Rosendale)</p> <p><u>Treasurer/Financial Reports</u> 4. Treasurer Update 5. RC&D Financials 6. RLF Financials</p> <p>CEDS UPDATE</p> <p><u>Staff Reports – Program/Project updates</u></p> <p>5. Food/Ag Program – Joel Bertolino 6. Revolving Loan Fund – Nan Knight 7. Economic Development/ CRDC – Jacy Head 8. Operations Support- Myrna Lastusky</p> <p><u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories.... (see topics on next page)</i></p> <p><u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u> <i>May 19th, 2022 - Stillwater County</i></p>	<p>Chair</p> <p>Chair, All</p> <p>Chair, All</p> <p>Chair</p> <p></p> <p></p> <p>Head, Lastusky</p> <p>Bertolino Knight Head Lastusky</p> <p>Roe et al</p>	<p></p> <p>Action</p> <p>Action</p> <p>Information</p> <p>Information Action Action</p> <p>Information</p> <p>Information Information Information Information</p> <p>Information</p> <p>Information</p>
<p>2:30 PM</p>	<p>Adjourn</p>	<p></p>	<p></p>

ATTENDANCE

Board of Directors Meeting March 17, 2022 Minutes

Members Present:

Joel Bertolino, BRCD
Nan Knight, BRCD
Jacy Head, BRCD
Myrna Lastusky, BRCD
Ryan Van Ballegooyen, Billings Job Service
Holly Higgins, First Interstate Bank of Hardin
Lorene Hintz, Big Sky EDA SBDC
Dan Lowe, Big Horn County Conservation District
Scott Miller, Carbon County Commissioner
Larry Keltner, FIB Hardin President

Meeting Called to Order at 1:00 pm.

Pledge of Allegiance, Introduction of Members and Guests

Review January Board Minutes

- Scott Miller motioned to approve the minutes. Holly Higgins seconded. Motion passed.

Executive Committee Nominations

- Jeff McDowell no longer has time to serve, but will continue as an alternate. Ryan, Melanie, and Marissa are all willing to continue serving, and no one else was nominated.
- Motion to keep current Executive Committee officers: Ryan motioned, Lorene seconded. Motion carried.

Congressional Updates – No one attended

Treasurer/Financial Reports

1. Treasurer Update
 - a. See the attached report.
 - b. If you would like to review the audit report, give Nan your email and she will send it to you.
 - c. Pg. 12: RLF updates on loans:
 - i. 2 in Big Horn
 - ii. 2 in Stillwater
 - iii. Closed a loan in Yellowstone yesterday – with a concrete company and great people to work with. 20-year loan but they will probably pay it off sooner.
 - iv. Carbon County has a loan pending – will bring us up to 3. Will hopefully be closed at the beginning of April.
 - v. 2 in Sweet Grass
 - d. At bottom is where bank accounts are sitting at end of February – what we have to lend out.
 - e. 2 “troublemakers”: Nan was able to get in touch with one lender and is working with them to get the money from that loanee (they must give half the money up front and then remainder will be paid off in

monthly increments). Another one has an inter-creditors agreement with Yellowstone Bank, so we are sitting pretty good with it.

2. RC&D Financials

- a. Beartooth Books (p 13): Showing what ins and expenses are moving out.

3. RLF Financials

- a. A \$200,000 loan for Yellowstone County and a \$210,000 loan for Carbon County are both set to close this month.
- b. RLF funding inquiries have been very active.
- c. EDA de-federalization application is completed and accepted; just waiting on EDA signature.
- d. One of Stillwater County loans was paid off in January.

- Dan motioned to approve the financial updates; Holly seconded. Motion carried.

CEDS Update (Jacy)

- Had most recent CEDS Committee meeting this week and have goals pretty well in place.
- Working on Evaluation Framework and Strategies / Projects for the next 5 years.
- Myrna & Jacy have been working on Summary Background, have SWOT Analysis completed, and overall moving forward. But in May we will need to definitely prioritize to work on CEDS a LOT.
 - Need to have it pretty much complete by July 1st, then open it for a 30-day window for public comment. Then have another 30-day window to address all public comments and address to EDA how we responded to every single public comment. Not many in the past, but we need to be ready for that. Must submit to EDA by September.
- Keep fingers crossed that EDA is happy with everyone now. CEDS 5-year update came up a year early for us because EDA wants to get all Economic Development Districts on the same timeline. Many other EDDs have asked for extensions to finish their CEDS.
 - Joel: We don't want to ask for an extension unless we absolutely have to because it just prolongs the pain.
 - Jacy: Yes, we are going to just do our best on it.
 - Ryan/Joel: The CEDS is a great outline or roadmap for needs and projects in our region. Joel said Jacy & Myrna have done a great job of outreach and that is continuing as we work through the CEDS.
- Jacy: Tara Mastel with the Extension is working on a study of migration patterns – where are all these people moving from and where are our people moving to. I'm hoping she can come to Red Lodge in September and want to incorporate that study.
 - If anyone knows of good studies, pass them on to Jacy.
 - Joel: Bureau of Economic Research has some good data on this, also – in and out migration with estimates.
 - Ryan: California and Colorado. Californians moved to Colorado at one point because it was like Montana, but now they want to move to Montana b/c it's like CO used to be – at least until they saturate us, too.
 - Scott: Growth happened after the census. From 2010-2020, Carbon County only grew by 400 people, which isn't accurate.
 - Ryan & Scott discussed the water issue around Bozeman – one of the main concerns of those commissioners right now.
 - Ryan: 40% of real estate transactions are by a holding company and not an individual right now.
 - Joel: And Bozeman's growth record isn't just based on the state but on the country.
 - Lorene: We don't want their MHI either – about \$800,000
 - Ryan: \$3800/month for a 2-bedroom apartment
 - Lorene: They are doing a great job on the CEDS. Keep it up!

Staff Reports – Program/Project updates

Food & Ag Program (Joel)

1. Working through Growth Through Ag grants. Several applicants made it to the second round. Pioneer Meats got improved for improvements to their plant.
2. Worked through ARPA Value-Added Ag Grants – quite a few meat plants applied to add space and capacity. Will hear back on those in a couple weeks. Up to \$500,000.
3. Growth Through Ag Projects & ARPA Value-Added Producer Grants
 - i. Yellowstone Valley Farms – Reuben Stahl in Laurel
 1. Joel & Nan visited with Reuben Stahl outside of Laurel – trying to add space to his greenhouse. Good-sized operation he’s been doing for 15 years.
 - ii. Mill Creek Farms – Josh Sian in Pompey’s Pillar
 - iii. Blue Creek Marbled Beef – Nels Pearson in Blue Creek south of Billings
 1. Really mind-blowing operation. Invited Lorene to tour that with them. Hope to be up and running in July. Set it up so they can add on to it easily. Should help direct marketers and raise production level.
 2. Scott asked if anyone is processing Bison? Joel said Stillwater Packing does. Blue Creek is likely just doing beef (no pork), but possibly yaks, maybe bison?
 - iv. Carbon County Meats – Sabina Giovetti in Belfry
 1. Joel toured recently. They opened last summer. Have had so much demand, they want to build a larger one at a different location. Possibly use the current one for just wild game.
 - v. Toews Family Farms – Aaron Toews in Hardin
 1. Been growing grain for years and decided to bag it; surprised with demand and needs a bigger place. Looking for funding options.
 - vi. Prime Meats – Lamont Herman in St. Xavier
 - vii. Primitive Meats – Kelsey Grice in Worden
 1. Put them in touch with an engineer
4. Doing more outreach each month with Lane Gobbs. Visited Meadowlark Brewing in Billings. Fascinating! Huge microbrewery.
 - i. Lorene was there yesterday with SBDC and he has 9 tanks he is brewing. Not open yet, but is getting very close – maybe waiting on licensing.
 - ii. Joel: He’s trying to get a full liquor license.
5. Ongoing Projects
 - i. Basin Inc – Judy Edwards in Big Timber
 - ii. Yellowstone Valley Food Hub – Schahczenski in Billings
 - iii. 406 Bovine LLC – Bryan Elliot in Laurel
 1. Still trying to raise money for Ag Tech product line – facial recognition for livestock; hardest part is initial entry of photos.
 2. Lorene: Mainly for registered cattle? Additional marketing piece – people will know where their meat came from; can follow an animal throughout entire life.
 - iv. Stillwater Packing Co/Emmett’s Meats – Jason Emmett in Columbus
 1. Joel will visit them & bring Carbon County Meats along to help them get more info.
 - v. Pioneer Meats – Brian Engle in Big Timber
 1. Invested \$600,000 in that facility. Toured them in Nov.
 - vi. Big Sky Beef – Gary Guessman
 1. Large processing facility
 - vii. Becky’s Berries – Becky Stahl in Absarokee
 - viii. F Bar 3 Vineyards – Kasey Felder in Laurel
 1. Toured this recently

6. Beartooth FADC initiated contact with:
 - i. Kathy Bauer – Roberts – ways to add value for a small ag operation
 - ii. North 40 Ag – Huntley
 - iii. Robin Whalen – Columbus – referred to us by Veterans Business Outreach Center
 - iv. Patrick Certain – Billings – local vegetable farm operation
 - v. Bio Economy Solutions – Hardin
 - vi. Miller’s Custom Meats – possible processing in Joliet

2. Economic Development/CRDC (Jacy)
 1. EDA CARES Act – continuing through June 2022
 - i. Myrna meets with Deb Brown, Watch Parties, Bozeman Trail meetings
 1. \$3380 left of CARES money, and we got it approved to use for some mapping work on Bozeman Trail. Myrna recently met with DOC and others to discuss these efforts.
 - ii. Big Sky EDA – using funding for trainings and other work. Myrna is working with our EDA rep, Caroline, and BSEDA on possible extension so they can complete an industry study on TIF Districts. Waiting to hear more from BSEDA.
 - iii. Received final housing study from Cushing Terrell and CT will be presenting to Montana Housing Coordinating Team in April.
 2. BSTF
 - i. Red Lodge Pea Cannery – hopefully wrapping up in April. Will get funds from DEQ once we finalize with High Plains Architects.
 - ii. Stillwater County Industrial Park Feasibility Study – KLJ was selected for the project’s contractor; hope to execute contracts by March 25th. Moving along well.
 3. ARPA
 - i. Jacy continues to attend the meetings for updates
 4. USDA RCDI Grant – create Economic Dev position in BHC
 - i. Interviewed 4 different applicants, but they weren’t suited for the position so it remains open until filled. 1 more applicant came in since. Once someone is hired we will be training them.
 5. CEDS
 - i. Creating draft document, meeting with CEDS Strategy Committee, and doing remaining public outreach, getting input and incorporating it.
 - ii. Anticipated completion of first final document will be June & open for public comment for 30 days.
 6. Reporting: April is busy month
 - i. EDA Partnership Planning Grant – similar to CEDS Annual update
 - ii. 1st Qtr CRDC Report
 1. Almost approved with 4th qtr reports from CRDC
 - iii. BSTF
 1. Qtr reports for 2 grants
 - iv. 1st qtr reports for RCDI grant

3. RLF (Nan) – see notes above from Treasurer’s Report
 1. Defederalization
 - i. Everything is submitted, but it’s been delayed due to ARPA stuff going. We should be able to sign off in the next month.

Regional Roundup:

Scott Miller, Carbon County Commissioner

1. Marijuana has hit MT. Carbon County is leading the way on resolutions. With the recent issue of the marijuana shop in Roberts, we didn’t shut the guy out or run his business out – we put a resolution together to put ordinances in, which were required distances from churches/schools, etc. He already had a commercial

business, so he didn't need a commercial license to put it in. Our resolutions were to prevent shacks from popping up next to schools. We have a Green County Commissioner Team to let others know what is happening. It's up to the people of Carbon County (we live in America!).

2. We have a Health Dept that works for the people. 3 new people that are nurses and are hiring 3 more people. All the schools are on board with MOU to have health nurses in the schools, have school nurses to provide shots and other care. Many people were scared of County Health officer before, so now have County Health Dept that works for the people.
 - a. Dane Lowe asked if nurses were operating under a doctor. Scott said yes, they are. Nurse can also send them to regular provider and confirm that prescriptions are correct, lining people up with Medicare/Medicaid, getting children healthcare, etc.
3. County hired some new people because some people were doing 8 jobs.
4. This summer they're hiring an engineer to provide guidance on the courthouse, sheriff's department, and fairgrounds to provide for growth in the future. We don't have the facilities now so we need to look forward.
5. Big Sky Rail Authority has started to really pick up. Board President has been in DC and met with Transportation Secretary. Ramping up to provide services across the country. It's coming faster than Scott thought it would happen. Passenger Rail Authority may be here in the next 2 years. Money is coming faster. Will take a BIG number. They have to inspect tracks since it's passenger – different weight for passenger vs. freight. Will go through Denver. Once Transportation Authority passes it, Amtrak will be rolling. Everyone is on board, but big government is slowing things down.
 - a. No major upgrades needed – just inspections and upgrading some older track – and where/how to put the depots in. Yellowstone County doesn't want it, but other counties are very excited about it. Will bring money to the state but will cost the federal government a lot of money.
6. Just had Ski Joring in Red Lodge.
7. Renaissance Faire in June – 7,000 people will be coming (10,000 in entire county!)

Dan Lowe, Big Horn County Conservation District

1. Invasive Aquatic Station – in middle of hiring Board-approved applicant. Unique because the position is from daylight to dark. Supposed to start April 15th.
2. National Association of Conservation Districts Conference in Orlando this year – Dan has been to about half of these conferences. Great opportunity to talk to other people and see what is happening in other regions since there are people from all over U.S. and U.S. territories even. There were many young Native American people there who are taking an active role in their areas, which was a breath of fresh air.

Holly Higgins, First Interstate Bank of Hardin

1. Now have 3 places to buy coffee in town (and rolls!).
2. Annie's Deli is now in downtown.
3. Police Force is now up and running. Hired 6 deputies. Some issues between County Sheriff's Office and the City Police and dispatch and who acts on which calls.
 - a. Article in paper today about the division between the departments.
4. Concern over inflation with Custom Combiners – for farmers who don't own a combine. This is one of most expensive things usually, but with gas inflation, who knows what this will cost this year. Some farmers have such big farms they are unable to help neighboring farms out.
 - a. Scott: Hay shortage due to drought has made hay very expensive, so many people need to sell the cattle because they can't feed them . . . ripple effect.
 - b. Joel: Herd is decreasing. If we have another drought many won't make it. Might be able to survive one, but not two in a row.
 - c. Holly: People were struggling already, so inflation is really hurting.
 - d. Scott: It's not just the oil the war is impacting – a lot of food came out of Ukraine, which is similar to war in Iraq.

Lorene Hintz, Big Sky EDA Small Business Development Center

1. Veterans Training coming up on Tuesday

2. Celebrated SBDC Day yesterday – national day started by the center in Helena. Bought a big Costco cake and went to 14 businesses and served cake to employees. Fun day!
 - a. _____ = little restaurant started during Covid and then expanded. There were 11 employees there for lunchtime.
3. Rise & Restore 1-day business workshop – Nikki Edmonds is keynote speaker, panel, 2 breakout sessions, showing Edge of Plains documentary over lunch, at 3:00 there are optional tours – Swanky Roots, Red Ox, Cauty Boots, then Beer & Bingo at night. Join them for a great day.
4. Ask Lorene to tell you about her grandkids and their State Basketball Championships! ☺

Next Beartooth RC&D Board of Directors Meeting: May 19, 2022 – Stillwater County

2:33: Adjourn

Revolving Loan Fund Books- February 2022

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>
Big Horn	2	\$166,176.89
Stillwater	2	\$145,779.59
Yellowstone	7	\$343,486.16
Carbon	2	\$17,946.55
Sweet Grass	2	\$161,730.90

- A \$200K loan for Yellowstone County & A 210K for Carbon County set for closing this month.
- RLF funding inquiries has been very active.
- EDA De-federalization application completed an accepted, waiting on EDA signature.
- One of Stillwater County loans paid off in January.

Bank Balances as of February 2022 Total available for lending

Bank of Joliet- EDA	\$78,964.78	78,964.78
Bank of Joliet-CDBG	\$426,940.59	226,940.59
Bank of Joliet- IRP	\$157,117.43	37,117.43
Bank of Joliet-Fromberg	\$31,238.77	<u>31,238.77</u>
		\$374,261.57

Beartooth Books- Reporting Ending February 2022

	Budgeted	Actual	% of budgeted
Income			
AG-FOOD AND AG CEN	45,000	11,235	25%
AG-MCDC	500	0	0%
BOARD - EDA SPONSC	56,979	42,731	75%
BOARD-INTEREST INC	400	11	3%
BOARD-FOUNDATION	3,300	0	0%
RLF-STAFF REIMBURS	18,000	0	0%
RLF-ORIG FEES	5,000	0	0%
CRDC	71,000		0%
CGWG	-	0	#DIV/0!
MISC- GRANT ADMIN\$	12,750	4,013	31%
EDA- GRANT	70,000	0	0%
EDA- CARES	100,000	100,000	
TOTAL INCOME	382,929	157,990	41%

Expense

TOTAL STAFF EXPENS	233,104	38,617	17%
COMMUNICATIONS	6,000	1,563	26%
EQUIPMENT & VEHICL	8,520	630	7%
CONTRACTUAL	20,000	47,270	236%
SUPPLIES	12,900	1,784	14%
TRAVEL	11,080	65	1%
OTHER	10,420	8,465	81%
RESERVE	-		
EXPENSE TOTAL	302,024	98,394	33%

Account Balances

Bank of Joliet-Building , \$4,476.88

Bank of Joliet- Savings \$64,604.78

Bank of Joliet- Checkin, \$176,181.79

Revolving Loan Fund Books- April, 2022

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>	
Big Horn	2	\$34,847.60	
Stillwater	1	\$153,834.92	
Yellowstone	8	\$554,907.43	
Carbon	3	\$230,255.33	
<u>Sweet Grass</u>	<u>2</u>	<u>\$169,052.08</u>	Total:
	16	\$1,142,897.85	

- One new \$165K loan for Yellowstone County set to close in June. (2nd position on commercial property for a Car wash/ Business building).
- New loan closed in Carbon county (1st position for a commercial building)
- EDA De-federalization still waiting on EDA signature.
- One of Stillwater County loans paid off in April.

Bank Balances as of February 2022 Total available for lending

Bank of Joliet- EDA	\$88,009.57	\$88,009.57
Bank of Joliet-CDBG	\$231,279.89	\$66,276.89
Bank of Joliet- IRP	\$174,352.99	\$54,352.99
Bank of Joliet-Fromberg	\$31,238.77	<u>31,238.77</u>
		\$262,916.34

Beartooth Books- Reporting Ending April 2022

	<u>Budgeted</u>	<u>Actual</u>	<u>% of budgeted</u>
Income			
AG-FOOD AND AG CENTER	45,000	11,235	24.97%
AG-MCDC	500	0	0.00%
SPECIALTY BLOCK	40,000		0.00%
BOARD - EDA SPONSOR DUES	56,979	43,005	75.48%
BOARD-INTEREST INCOME	400		0.00%
BOARD-FOUNDATION MONEY	3,300	3,529	106.93%
RLF-STAFF REIMBURSE	18,000	0	0.00%
RLF-ORIG FEES	5,000	4,190	83.80%
CRDC	71,000	17,961	25.30%
MISC- GRANT ADMIN\$	12,750	3,380	26.51%
EDA- GRANT	70,000	35,000	0.00%
EDA- CARES	100,000	100,000	0.00%
NOT BUDGED INCOME		7,140	0.00%
TOTAL INCOME	422,929	225,440	53.30%

Expense			
TOTAL STAFF EXPENSE	233,104	76,384	32.77%
COMMUNICATIONS	6,000	2,500	41.67%
EQUIPMENT & VEHICLE	8,520	1,270	14.91%
CONTRACTUAL	20,000	57,355	286.77%
SUPPLIES	12,900	4,188	32.47%
TRAVEL	11,080	685	6.18%
OTHER	10,420	12,899	123.79%
RESERVE	-		
EXPENSE TOTAL	302,024	155,282	51.41%

Account Balances

Bank of Joliet-Building Account	\$4,477.43
Bank of Joliet- Savings Account	\$64,636.64
Bank of Joliet- Checking Account	\$198,720.83

Beartooth RC&D Staff Project Update

May 2022

FOOD AND AG CENTER PROJECTS

Beartooth FADC

Beartooth FADC activities have been focused on assisting producers with the Growth Through Ag Grant and Loan program and waiting on the Montana Value Added ARPA grant funding as well as conference calls with the Dept of Ag. Beartooth FADC worked with Weston Merrill and the Department of Agriculture to develop a tour of Ag businesses that were previous grant recipients. The Director, Deputy Director, Bureau Chief and Communications toured Becky's Berries, Midland Bull Test, Blue Creek Marbled Meats, Ranch House Meats, Yellowstone Food Hub and Grains of Montana. Beartooth FADC has worked with the other Food and AG Centers to develop an application for the USDS Local Food Promotion Program that would provide funding for the FADC network to promote Montana Beef in Montana Schools. Part of the funding would also be used in development a collaborative state wide training for food entrepreneurs with the SBDC network.

Growth Through Ag Projects and ARPA Value Added Ag Grant

Beartooth FADC has worked with several businesses Growth Through Ag grant some of these will have an opportunity to be granted funding and we will continue to assist them in completing their business expansion projects.

New England Chowder Co

Location- Big Timber, MT

Contact- Craig Rief

Craig Rief has been in the soup business for 18 years on the East Coast and decided to move his business to Big Timber where he has owned a building for several years. Beartooth FADC visited his new location that is nearly operational. We discussed the local Agricultural commodities he is using in his recipes and where he could source some local products as well as the addition of local products in the future. The business markets its soups nationwide and internationally and will be looking at funding for equipment in the future.

BioEconomy Solutions

Contact- Victor Garlington

Location- Hardin, MT

Victor Garlington is the contact for BioEconomy Solutions a firm interested in investing in the development of a Safflower Oil Seed processing operation in Big Horn County. Beartooth FADC has worked with them on exploring funding sources and put them in contact with an engineering firm locally that will be able to assist them with the design of infrastructure on their site. Beartooth FADC will be touring their location in the coming months.

Oswald Farms

Contact- Melissa Oswald

Location- Joliet, MT

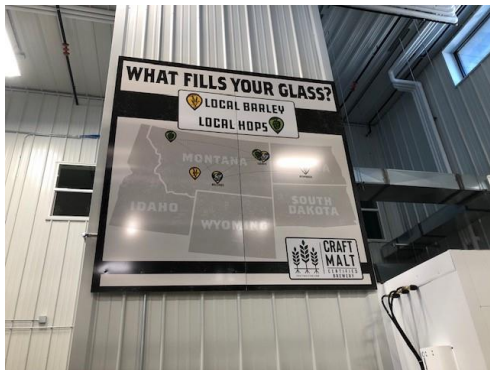
Oswald Farms in Joliet has been marketing their beef locally through direct sales and wholesale through local restaurants, they are looking to expand and develop a retail store on highway 310 so Beartooth FADC worked with them on the development of a USDA Value Added Producer Grant for operating capital.

Meadowlark Brewing

Contact- Travis Peterson

Location- Billings, MT

Meadowlark brewing is finishing the construction of a brewery on the west end of Billings, we toured their facility with MMEC representative Lane Gobbs and discussed the local ingredients they use in their product line.



Ranch House Meats/ Pure MT Meats

Contact- Tonya Flowers

Location- Huntley, MT

Ranch House Meats began processing and retailing their branded meats in Billings and expanded their operation when they bought a meat plant in Miles City where their locally grown hogs and beef are processed and they shipped to their plant outside of Billings for further processing and distribution. Beartooth FADC assisted them with the development of a successful ARPA grant for \$200,000.00 for upgrades to their operation. They also hosted a tour of their retail facility for the MT Department of Agriculture staff in April.

On Going Projects

Mill Creek Farms

Contact- Josh Sian

Location-Pompeys Pillar

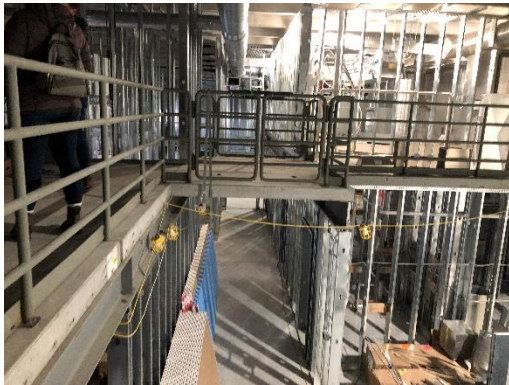
Josh Sian manages Mill Creek Farms they farm and ranch in Yellowstone county and operate a value added feedlot where they specialize in heifer development for other producers offering a custom feeding program tracking their weights, carcass traits and reproduction suitability. Beartooth FADC assisted Josh in developing a Value Added ARPA grant for improved infrastructure in their heifer development operation. Unfortunately, their application was not successful, however Beartooth FADC will be following up with the business.

Blue Creek Marbled Beef

Contact-Nels Pearson

Location-Blue Creek South of Billings

Blue Creek Marbled beef are developing a state inspected meat processing plant South of Billings they are under construction and expect it to be a 2-3 million dollar project. Beartooth FADC assisted this business in applying for the Value Added ARPA grant for construction and equipment costs. The business receive the ARPA funding for \$300,000.00. Their new plant is located next to their feedlot, which they are now expanding as well to include more pens for finishing beef, we plan to continue to assist them with any grants that will assist them with this project, they hope to be ready to open for business this summer. Blue Creek Marbled Meats hosted the Department of Ag Staff and the Governor on a tour of their new facility in April.



Yellowstone Valley Farm

Contact-Reuben Stahl

Location-Laurel

Reuben Stahl has a family greenhouse business growing basil and selling to FSA and Sysco, he would like to add another greenhouse to keep up with increased demand this last year. He has applied for the Montana Value Added Ag ARPA funding. Beartooth FADC and Nan Knight toured Yellowstone Valley Farms operation and discussed their plans for expansion as they are currently unable to meet the increased demand for their products and would like to add another greenhouse to their operation.



Carbon County Meats-

Contact-Sabina Giovetti

Location-Belfry

Sabina and Shane Giovetti have built a custom exempt meat processing plant in Belfry, MT and opened this Fall, they have been busy but have a need to expand already especially their cooler space, Beartooth FADC took a tour of their facility in Belfry, discussed potential funding sources and worked with them on their plans to expand their business, we arranged tours of two area meat plants to look at their process and layout.

Prime Meats of MT

Contact-Lamont Herman-

Location- St Xavier Big Horn County

Lamont Herman has a cattle ranch and is looking to add profit by finishing some beef having then processed and packaged and then selling directly to consumers and restaurants. He began direct selling over a year ago and the demand has grown he is now looking for increased cooler space to store his processed products before they are delivered and other delivery equipment. Beartooth FADC assisted this business in the development of an application for the ARPA funding through the Department of Agriculture. Their application was not approved however they have developed a retail location in Hardin to sell their beef products.

Primitive Meats

Contact- Kelsey Grice

Location- Worden, MT

Kelsey Grice and her husband are looking for funding assistance through the GTA grant to help them with construction costs and equipment for their start up meat processing business. This Business also applied for an ARPA Value Added Ag Grant, Beartooth FADC put the business in contact with a local engineering firm to discuss the plans for their plant. Their application was approved for \$150,000.00, we will be touring their location next month.

Business/ Project Name: **Basin Inc**

Contact- Judy Edwards

Location-Big Timber, MT

Basin Inc

Contact- Judy Edwards

Location – Big Timber, MT

The Hagerman family raises natural grass fed beef in Sweet Grass County and is developing a fresh beef business that will add value to their beef production business. These products will be marketed as grass-fed locally grown beef. Beartooth FADC is assisted this business with a successful USDA Value Added Producer Grant application to help them expand their business to increase the number of animals processed and sold in an effort to meet increased demand for local beef. Beartooth FADC assisted them with developing a GTA application. Beartooth FADC will Follow up with this business.

Yellowstone Valley Food Hub

Contact- Michelle Schahczenski

Location-Billings, MT

The Yellowstone Valley Food Hub is looking to expand their business and add space for aggregating locally produced foods. Beartooth FADC assisted them with applying for a Growth Through Ag Grant that was approved for \$20,000.00 to expand. Beartooth FADC has reached out to follow up with this business and determine any further needs; they are still working with the department of Ag on their GTA project and have needed to change their initial project scope. The Department of Agriculture toured their facility in April and Beartooth FADC has worked with them on a USDA LFPP grant that would help fund add staff and expand their wholesale sales and deliveries.

406 Bovine LLC

Contact- Bryan Elliott

Location-Laurel, MT

406 Bovine LLC has worked with Beartooth staff and is nearing the commercialization and launch of his Ag Tech product. Bryan Elliott has developed a facial recognition software that can be used on computer and iPhones to track livestock. He has produced a YouTube video outlining his product that can be viewed via this link. <https://youtu.be/kTwxhUj9leA> Beartooth will continue to assist this business as needed. Beartooth FADC followed up with 406 Bovine to give them the updates on the status of state and federal funding sources. Bryan had been granted investments from two entities that have developed funds specifically for supporting new technologies such as facial recognition. He does have interest from a large Agricultural business in investing in the business he is trying to raise 3- 5M in order to fully launch and commercialize the product. Beartooth FADC also provided information on the USDA guaranteed loan programs that they would be eligible for and did research on any food security programs available. Bryan has been touring feedlots in Southern Texas Oklahoma and Kansas testing his app Beartooth FADC will be conducting follow up visits with this business in May.



Stillwater Packing Co/ Emmett's Meats

Contact- Jason Emmett

Location- Columbus, MT

Stillwater Packing has been working through an increase in business due to the supply chain bottlenecks shifting some buyer interest to smaller plants like theirs. Beartooth FADC staff has visited the business to discuss upcoming funding opportunities. We have visited about potential future funding needs, the difficulties they are having with their incinerator and workforce, they are having a difficult time finding workers. Beartooth has posted their job openings on our Facebook page and attempted to get in touch with them to assist with their incinerator. Stillwater Packing was helpful in providing a tour of their facility to Carbon County meats owners and discussing their process, equipment and layout.

Pioneer Meats

Contact- Brian Engle

Location- Big Timber, MT

Pioneer Meats purchased another meat processing location in Big Timber that will allow them to process wild meat at one location while expanding their beef, pork, bison and lamb processing at their main facility. Beartooth FADC staff will continue to work with Pioneer to utilize any new funding opportunities in completing their expansion; they received \$50,000 from the Growth Through Ag grant and \$150,000 from the ARPA grant for its expansion of their new location.



Becky's Berries- Absarokee, MT

Contact- Becky Stahl

Location-Absarokee

Becky has purchased a new commercial freezer needed to keep up with increased demand for her products she said her business has been very busy this summer and fall. She has also recently was able to secure a contract with western sugar to get bulk sugar for her operation increasing her efficiency and profitability with a local product. Beartooth FADC has been working with Becky on a long range expansion plan, and she is expanding her business to include a line of freeze dried berries.

Beartooth FADC initiated contact with the following businesses

- Kathy Bauer- Roberts
- North 40 Ag- Huntley
- Justine Kougl- Huntley
- Brett Clause- Columbus
- Mac Dean- Red Lodge
- Jen Brady and Jo Paloni- Billings, MT
- Jessica Jane Hart Swift Buckets- Billings, MT
- Agrika Foods- Billings, MT
- Carbon County Watershed- Joliet, MT
- Courtney Long- Red Lodge, MT
- NuFood- Beartooth Region

Montana Department of Ag Road Show Business Tour



Blue Creek Marbled Meats



Becky's Berries



Grains of Montana



Ranch House Meats

Economic Development Director Report for May 2022

4/19/2022

- Economic Development/ CRDC
 - EDA CARES Act – ends in June 2022
 - Deb Brown- watch parties and Bozeman Trail
 - Big Sky EDA- ERRT
 - Cushing Terrell-regional housing study is complete
 - BSTF
 - Pea Cannery – 100% complete with High Plains Architect; closed out with BSTF
 - Stillwater County Industrial/Business Park Feasibility Study – KLJ held a kickoff meeting; project continuing forward.
 - ARPA – meetings continue to educate on funding opportunities
 - USDA RCDI Grant – Big Horn County has decided to hire Tina Toyne as the Economic Development Director
 - CEDS-Myrna and I are working on the first draft.
 - Reporting in April that is complete: EDA's Partnership Planning Grant; 1st Quarter Report for CRDC; BSTF Quarter Reports for 2 Projects; USDA RCDI 1st Quarter Report is the only remaining report
 - Red Lodge Housing Forum
 - Helping Hands Food Bank in Hardin- DEQ Petroleum Brownfields Eligibility is approved; Targeted Brownfields Assessment Request was submitted to EPA
 - MEDA Spring Conference

Frequently Used Acronyms

BEAR – Business Expansion and Retention
BIA – Bureau of Indian Affairs
BLM – Bureau of Land Management
BRCD – Beartooth RC&D
BSEDA – Big Sky Economic Development Association
BSTF – Big Sky Trust Fund
CDBG – Community Development Block Grant
CRDC – Certified Regional Development Corporation
CEDS – Comprehensive Economic Development Strategy
CTEP – Community Transportation Endowment Program
EDA – Economic Development Administration
EDD – Economic Development District
ESRI – Environmental Systems Research Institute, Inc.
GIS – Geographic Information Systems
GPS – Global Positioning System
HOME – Montana Home Investment Partnerships Program
HUD – US Department of Housing and Urban Development
IRP – Intermediary Relending Program
LESA – Land Evaluation Site Assessment
MBI – Montana Board of Investments
MDOC – Montana Department of Commerce
MDOL – Montana Dept. of Labor
MDOT – Montana Dept. of Transportation
MDFWP – Montana Dept. of Fish, Wildlife and Parks
MEDA – Montana Economic Developers Association
NADO – National Association of Development Organizations
NCOC – National Carbon Offset Coalition
NHS – Neighborhood Housing Services
NRCS – Natural Resource Conservation Service
RBEG – Rural Business Enterprise Grant
RBOG – Rural Business Opportunity Grant
RC&D – Resource Conservation & Development Area, Inc.
RCDI – Rural Community Development Initiative
RD – Rural Development (a division of USDA)
RCPP- Regional Conservation Partnership Program
RLF – Revolving Loan Fund
RTA – Resource Team Assessment
SBA – Small Business Administration
SBDC – Small business Development Center
TIFD – Tax Increment Finance District
TSEP - Treasure State Endowment Program
USDA – United States Department of Agriculture
USFS – United States Forest Service

File Attachments for Item:

5. Poppy Day Proclamation

Poppy Proclamation

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers;

WHEREAS, Millions who have answered the call to arms have died on the field of battle;

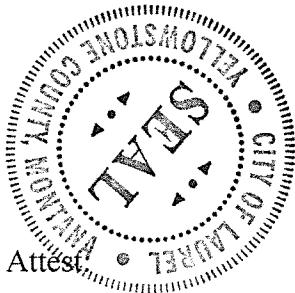
WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war;

WHEREAS, The red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

THEREFORE, I, Dave Waggoner of the City of Laurel, County of Yellowstone, Montana, do hereby proclaim this 27th day of May 2022, as POPPY DAY and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of City of Laurel, Montana this 17th day of May 2022.



CITY OF LAUREL


Dave Waggoner, Mayor


Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

6. Budget/Finance Committee Minutes of May 10, 2022.

File Attachments for Item:

7. City/County Planning Board Minutes of March 16, 2022.

**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 16, 2022**

A regular meeting of the City/County Planning Board was held in the Council Chambers and called to order by Board Chairperson Judy Goldsby at 5:35 p.m. on March 16, 2022.

Present:

Jon Klasna	Evan Bruce	Roger Giese
Dan Koch	Judy Goldsby	Ron Benner (5:40)
Karen Courtney (City of Laurel)		

Absent:

Gavin Williams

General Items

Meeting Minutes: February 16, 2022

Motion by Evan Bruce to approve minutes of February 16, 2022. seconded by Dan Koch. All five members present voted aye. Motion carried 5-0.

New Business

Special Review Application - Firebox Kitchen & Tap Room

Karen Courtney, Building Official, briefly reviewed the attached Staff report.
Chair, Judy Goldsby opened for public hearing. Asked for proponents.

Dana Lich – Has worked with Canyon Creek Station on properties and they have been above par in quality and feels that it will be a definite asset to our community. Therefore, is in favor of approving.

Chair, Judy Goldsby called for opponents. There were none.
Called for Board discussion.

Jon Klasna: Will signage be brought forward later?

Judy Goldsby: This special review is for the Tap room and signage will be forth coming.

Jon Klasna motioned to approve application; Evan Bruce seconded. All six members present voted Aye. Motion carried 6-0.

Public Hearing on Request for Annexation and Plan of Annexation - Laurel Golf Club

Forrest Sanderson, Interim City Planner, presented attached staff report.

Question from Ron Benner: You are stating initial zone of Public above the redline on the map. However also shows public below the redline.

Forrest: City Public zone above the red line and current County Public zoning below the redline. Does not affect the Yellowstone County Public at all.

Chair Judy Goldsby asked if any further questions. None stated, Chair called for proponents.

Jesse Norman – 2445 Saddleback Drive – Thanked Forrest for presentation. Golf Course Board discussed the per square foot valuation and it was a concern of the board. The board also wanted to ensure that annexation would not affect the golf course's water rights on any of the ditches they currently have. Also, that the waiver or covenant would not be required and would be part of the development agreement, which he believes as written by Sanderson Stewart in documents the Planning board currently has in their packet. If we commit to keeping the golf course itself and property associated with the golf course as a golf course, that the City of Laurel does not apply any SIDS as the property is remaining as a golf course. If it was ever decided to discontinue the property as a golf course and develop it, then the city applying SIDS to the property would be understandable. There are no plans currently nor in the near future to develop this land. Intent is to keep it as a golf course.

Question from Judy Goldsby: All of those issues have been addressed in the annexation request?

Forrest: Yes, all of those are a part of the annexation agreement, the final form of which will be presented to the City Council for consideration. Ultimately those are terms that are negotiated. The commit to not do SIDS are not in the current version, that is something that must be discussed with City Council.

Judy: Is the application that has been submitted to the board inclusive enough of these issues or does it is something that needs to be resubmitted?

Forrest: No, they are inclusive enough of the issue. The question that is being asked that is a governing body decision, is the SID. It is unnecessary to what is being decided here for annexation request and initial zoning designation.

Forrest did request to hold questions until all public comment has been taken, however is willing to answer one more from Mr. Benner.

Ron Benner: When looking over the agreement I do not see an easement along Golf Course Road. Is there already an easement in place if that road needs to be widened due to development? If so, shouldn't it be in this agreement?

Forrest: Very good question. The owner is 100% owner and have the right to do with it as they wish for access to their property.

Ron Benner: But if they are requesting to be annexed into the city shouldn't that be a requirement of the annexation?

Clarification between Forrest and Ron that this is Golf Course Road that Ron is meaning not the access road.

Forrest: We would request that at subdivision, should that ever occur. Until we have a development plan it isn't necessary to request for annexation.

Ron Benner: When we have annexed properties into the city we have asked for easement at that time.

Forrest: The only ones that I have worked on is when development, subdivision and annexation have come at the same time. Most recently was the Yard Office Road Subdivision where we had annexation, subdivision, and initial zoning all at the same time. The easement was part of it due to the increased traffic from the development, is that the case here today? Probably not, we could request but is not necessary for this annexation request.

Benner: There has been development out there with Elena Subdivision, Saddleback Ridge Estates, and the planned extension of West Maryland there will need to be widening of the roadway.

Forrest: From a developer's point of view – why should I have to give up property for something that I would not be benefitting from? The constitutional ground that they have not burdened the existing infrastructure being Golf Course Road would exempt the requirement to request easement.

Benner: Worry about having to come back and argue it later because we do not know when the development is. My thought is if we are going to do it and look at this as a growth area, even though this is a P-Zone, that easement should be in there automatically because we have hodge-podges of easement all over town. When do we stop doing this and start to address it right from the start?

Forrest: Through the development process, the developable portion of this is going to trigger a traffic impact study. At that point the traffic study will tell us the needs of that portion of real property and the burden on infrastructure and the improvements needed therewith, and then we can impose by condition an exaction that meets those needs.

Benner: If development grows up above the golf course this area is still impacted. Isn't the time to put the easement on there now and not later? Because later we will have to go back to get that easement.

Forrest: True. You can certainly make that a condition, but I don't recommend it. I struggle with an exaction where an impact has not yet occurred.

Chair Judy Goldsby called for proponents.

Brian Alexander – Sanderson Stewart – I felt Forrest did a wonderful job presenting this, I offer my services to answer any questions. Also, on the topic of the easement, I wish to clarify that there is already a thirty-foot easement located on the current Certificate of Survey.

Benner – So it runs along the property on Golf Course Road?

Brian – Yes on the golf course side from the middle of the road.

Chair Judy Goldsby called for any more proponents. None heard.

Chair Judy Goldsby called for any opponents. Called three times. None Heard. Closed public hearing.

Chair Judy Goldsby called for a motion.

Forrest apologized for the interruption, but he does have a request for the wording of the motion, and he is happy to explain the reason for this. For this to proceed to City Council for approval in a timely fashion, there are three specific things that must be stated to allow for this to happen. The three things that need to happen and the motion covers these is as follows: The favorable recommendation

on annexation, favorable recommendation on the public zone and thirdly we need to have the board to empower the board chair the authority to execute and recommendations and documents to the City Council.

Ron Benner: I motion to approve the staff report on the Laurel Golf Course Annexation and Initial zoning as our findings of facts and conclusions of Law. Further I move to recommend the annexation of the Laurel Golf Course property as described in the afore mentioned staff report under Title 7-2-4601 of the Montana Code Annotated with an initial zoning of Laurel P-Public. The motion includes authorization from the Planning Board and Zoning Commission allowing the Chair to execute and forward all recommendations and documents necessary to facilitate the required hearing and decisions required of the Laurel City Council.

John Klasna seconded.

Jon Klasna: I do have a question for Forrest. You stated that this does not include the maintenance shop area of the property.

Forrest: you are correct that the golf course maintenance facility is not included in the annexation. The simple reason is that the maintenance facilities at golf courses tend to have noise and uses that in cities could be classified by municipalities as a nuisance. It's not a nuisance it's maintenance, lawn clippings, sharpening mower blades, etc.

Roger Giese: The last sentence in the motion "The motion includes authorization from the Planning Board and Zoning Commission allowing the Chair to execute and forward all recommendations and documents necessary to facilitate the required hearing and decisions required of the Laurel City Council." Would that include from previous discussion the widening of Golf Course Road?

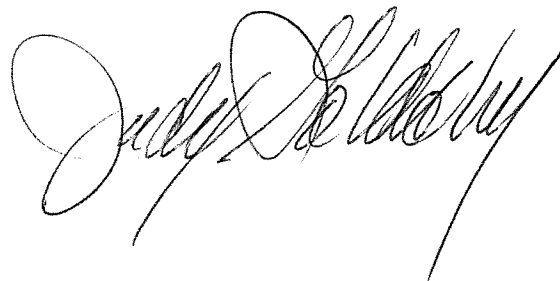
Forrest: Lets clarify there is a county road easement - Laurel Golf Course Road. Within the confines of annexation that 60 feet will become City of Laurel Street. At some point in the future if there is a cause for this ask, the developer of the project causing the need for a greater right of way, we will then act on that ask. That last sentence is allowing for us to move forward, the next City Council workshop if 5 April, public hearing 12 April. If we wait until next meeting to grant Judy approval to move forward, we are into the heart of building season. This allows us to take about 3.5 weeks out of the wait time to get this into the hands of the decision makers to make their decision on final approval of annexation and initial zoning.

Chair asked for any further discussion. There is a motion and a second to approve the annexation request. All those in favor?

All six members present voted Aye. Motion passes 6-0.

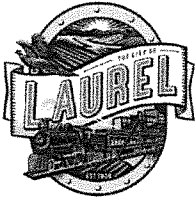
Announcements

Next Meeting: April 20, 2022
Adjourned at 6:25 p.m.



File Attachments for Item:

8. City/County Planning Board Minutes of April 20, 2022.



MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, APRIL 20, 2022
5:35 PM
CITY COUNCIL CHAMBERS

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at: 5:35 PM

Present:

Ron Benner

Evan Bruce

Dan Koch

Judy Goldsby

Karen Courtney, Kurt Markegard, Forrest Sanderson (City of Laurel)

Absent:

Jon Klasna

Gavin Williams

Roger Giese

General Items

2. Meeting Minutes: March 16, 2022

The Members reviewed the meeting minutes from March 16, 2022.

Dan Koch motioned to approve the minutes

Ron Benner Seconded

Motion Carried 4-0.

New Business

3. Sign Permit Review: MH EBY 1348 East Railroad Street

Karen Courtney presented the details of the sign permit application.

Construction of building has been completed, they have passed final building inspection and fire inspection. They are open for business and paid to have a temporary sign installed.

Application has been reviewed for code compliance and they meet all requirements of Laurel Municipal Code. Staff recommends approval of the sign permit.

Judy Goldsby: What type of a business are they?

Karen Courtney: They sell and service semitrailers. They are located across the street from the rental shop.

Motion to approve by Evan Bruce.

Seconded by Dan Koch

Motion carried 4-0.

4. Miller Minor Subdivision Preliminary Plat Application

Forrest Sanderson presented the details of the Miller Minor Subdivision Preliminary Plat Application.

Miller Minor Subdivision will create one new residential tract. Essentially what we are doing is lifting the agricultural covenant. Parcel was created several years ago with the agricultural exemption.

There are 2 ways in which to lift agricultural restrictions: one is to go through subdivision review, such as the case we are looking at this evening, or to reaggregate the parcel into the parent tract of land.

Lot one is where Ken's current house is located, the lot being proposed there is a building site and room for a septic tank and drain field. Project was reviewed by several county agencies, their comments were received and incorporated into the report. The preliminary plat is on the wall, we have the summary of probable impacts.

Staff recommendation is for the planning board to recommend approval to the Board of County Commissioner subject to the comments that were received from the various county agencies.

Judy Goldsby: From what she had reviewed it appears to be slightly downhill from where the current residence is.

Forrest Sanderson: It is just to the north of the current residence.

Dan Koch: Does an approach need to be built?

Forrest Sanderson: We have the MDT approach for the use. It was included within their submittal packet.

Ron Benner: And it does need to be moved from where it is currently to the north about 100' from where it currently is. Question to Forrest – There is room for septic and drain field on the lot? How do you put drainage on a slope like that?

Forrest Sanderson: Technically it will not go on the slope (referring to the plat on the wall) it would be placed on this flat area of the lot.

Ron Benner: But Ken's house is on that lot.

Forrest Sanderson: No Ken's house is down here (referring to Miller Tract A of the plat). The flat area is right here on the plat. You can see that you have the proposed house, septic, drain field and a replacement drain field locations here. But you are correct that once you move off that area it does get too steep for primary or secondary drain fields.

Ron Benner asked for clarification that the diagram on the plat is not his current house. Forrest clarified that it is not the current house. That is where the confusion came in on Ron's review of the plat.

Ron Benner motioned to approve the subdivision and the changes if necessary.

Evan Bruce seconded the motion.

Ron Benner: Before we take a vote do we have to put a condition on that conditional to the approval of the Department of Transportation? Forrest stated that we already have that. Do we already have the easement through there as well? Forrest deferred to Kurt Markegard.

Kurt Markegard: For water and sewer through that parcel, no we do not. If you were to look off where the water reservoir is, we would probably come up Cove Lane to go out to the airport in public right of way. His understanding is that the special conditions would be the County staff findings and the commissions approval. One comment was that there was already a Miller subdivision, but this is called Miller Minor Subdivision. It wasn't a requirement but was a recommendation to change it.

Ron Benner once again made the motion to approve with the conditions stated by County Staff.

Evan Bruce seconded the motion.

Motion carried 4-0.

Old Business

No old business.

Other Items

Kurt Markegard stated that City Council had approved the Golf Course Annexation and that it is moving forward.

Announcements

5. Next Meeting: May 18, 2022

6. Motion to Adjourn

Motion made by Ron Benner

Seconded by Evan Bruce

Meeting Adjourned at 5:48 PM



File Attachments for Item:

9. City/County Planning Board Minutes of May 18, 2022.



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MAY 18, 2022
5:35 PM
CITY COUNCIL CHAMBERS**

Meeting called to order at 5:35 PM.

Roll Call:

Present:

Evan Bruce	Jon Klasna	Judy Goldsby (Chair)	Karen Courtney (Advisory)
Dan Koch	Gavin Williams	Roger Giese	

Absent:

Ron Benner

General Items

1. Approval of April 20, 2022, minutes.
Correction of Evan Bruce's name on page 3 of minutes.
Jon motioned to approve; Dan seconded
Judy stated the corrections needing to be made. Karen stated that she will make those changes.
Judy accepted motion to approve pending required changes.
Motion passes 6-0.

New Business

2. Beartooth Tax Sign Permit Application - 319 1st Avenue

Karen stated this is a nonilluminated building letters only. Sign does meet sign code requirements and Building Department recommends approval of sign permit.

Gavin motioned to approve; Evan seconded
Jon stated that he believed their sign was already up. Karen stated that this was a sign rebranding/refresh.
Motion passes 6-0

3. Chen's Express Sign Permit Application - 415 S. 1st Avenue Suite A

Karen presented the sign application, has been reviewed for compliance with sign code. Building department recommends approval of sign permit.

Jon asked if some were lighted and others not. Evan stated that it states that all signs will be illuminated.
Jon motioned to approve; Evan seconded
Motion passes 6-0

4. Chase Bank ATM Sign Permit Application - 415 S. 1st Avenue

Karen presented the sign application. Signing does meet the sign code requirements. Building Department recommends approval of sign permit.

Evan stated that it does not state whether it is illuminated or not. Karen stated that she believes just

the chase bank logo on top will be illuminated. Jon stated that he would assume they will have lighting over the kiosk for security. Karen stated that he is correct.

Gavin motioned to approve; Dan seconded
Motion passes 6-0

5. Public Hearing: Cassie Page Variance Request - 319 3rd Avenue

Judy stated that what was listed on the application and what was listed on Montana Cadastral was not matching. Asked Cassie for clarification. Cassie stated it is approximately 1900 Sq. ft on 2 levels. Judy asked what sq footage the main level was and if it had a full basement. Cassie did not have exact footage for main level and stated that the basement is only a partial basement She believed main floor is approximately 1000 sq ft. She stated that the upstairs has 3 bedrooms. Judy thanked her for the clarification.

Karen presented the history behind the variance request. Building department was contacted about the desire to do an addition onto the back portion of house. The house was built prior to the current setbacks that adopted, the addition that they were wanting would be in line with the existing house. This would be a 6' setback from side adjacent to street rather than the now required 20'. Therefore, Cassie came in and requested a variance from the required 20' setback. Building and planning departments have no issue with the addition as it is not affecting neighboring property, clear vision triangles or sight obstructions. Planning Department does recommend approval of this variance request. Karen did go over the 7 items outlined in LMC 17.60.020 – Land Use variances issuance and denial (attached to these minutes).

Judy called for Proponents.

Cassie Page – Would just like to add onto existing house, if required to meet the setbacks it would be in the middle of the yard, and they would be unable to add onto their home. Therefore, they are asking for approval of their request.

Judy called for any more proponents, second call for proponents. None heard.

Judy called for Opponents, second call for opponents, third call for opponents. None heard, public hearing closed.

Board discussion. Roger asked about the addition being 17' x 11' will this be a conventional 8' tall addition? Cassie stated that it will only be one story. Just wanting to add a closet and bathroom. Jon asked when they planned on starting. Cassie stated as soon as they are allowed.

Jon motioned to approve; Evan seconded.

Motion passes 6-0. Variance will move on to City Council.

6. Public Hearing: Your Pie Special Review - 102 S. 1st Avenue

Karen explained the correction of the address of the property, therefore explaining the difference on application and staff report. Karen presented the staff report concerning the Special review application.

Judy stated that there did not appear to be any representatives of Your Pie present to speak to. She does have a question about what appears to be a drive thru as part of their building plan? Karen stated that she had not seen any plans for how they plan on renovating the building. If the drive thru is kept it would not be a point to pick up alcohol. Karen's understanding is that the alcohol served is strictly on premises sale and consumption. Karen stated that if the drive thru

window was kept it would be for pizza order pick up.

Gavin stated that it does not appear that they will have that much seating space. Karen stated it did appear that they were planning on putting an awning on the front of the building, this may be for some additional outdoor seating. Again, there have been no building plans submitted at this time. At time of plan review it would be determined if the extension would be allowed or not. Judy asked if that would make a difference in the availability of alcohol, and would it be addressed then? Karen stated that it would not change anything as to the serving of alcohol. Dan stated that he believed that there was a code that determined the amount of parking spaces you would need based on the occupant load/capacity. How is this going to be addressed. It was discussed that there is a lot more parking in the back, plus the 10 spots up front. Karen did state that Kurt Markegard had been the person on contact with the owners, however he was unable to attend the meeting tonight. The parking would need to be addressed when building plans were submitted. Roger asked if any plans had been received yet? Karen stated that she has not seen any. Roger stated that with having no plans submitted and nobody present to speak on their behalf that it be denied at this time until more information is given.

Judy called for any proponents three times. None heard.

Judy called for any opponents three times. None Heard. Public hearing closed.

Judy asked for clarification that the special review that was before the board was only for the sell and consumption of alcohol on premises. Karen stated that yes it was only for the sell and consumption of alcohol on premises. Judy asked for any other discussion.

Gavin motioned to approve; Jon seconded.

Motion carries 5-1, Roger Giese opposed.

Old Business

Judy announced that Karen Courtney would be leaving the City's employ. Karen stated that it has been wonderful working with the Planning Board. Karen will be going to work for the State of Montana as a multi-discipline building inspector. Last day with the city will be May 27th.

Other Items

7. Next Meeting: June 15, 2022


Karen stated that Forrest had requested that she announce that there are two items on the agenda for the June 15th meeting. There will be an annexation and a 1 lot minor subdivision. Gavin stated he would not be able to attend the June meeting due to other commitment. Board asked about the subdivision and annexation. Karen stated the Beehive subdivision out past the T/A and old meat processing plant will be like what was proposed to lift ag restriction like Miller Minor. Annexation she believes is the Hull annexation which is over by where they are building across from library. Forrest is reviewing these items at this time but will be on next meeting agenda.

Question asked if any more applicants for planner position. Karen stated not that she is aware of at this time.

Announcements

8. Motion to adjourn

Gavin motioned to adjourn; Dan seconded. Meeting adjourned 6:10 PM.



File Attachments for Item:

10. Appointment of Lynn Galovatti and Bridger Fournier to the Laurel Volunteer Ambulance.



**CITY OF LAUREL
MONTANA**
EMERGENCY MEDICAL SERVICES
215 W 1ST ST
LAUREL, MONTANA – 59044
OFFICE: (406) 628 – 1611 | DISPATCH: (406) 628 - 8737



Dear Mayor and City Council,

We are still working diligently in these trying times to recruit. We are excited to announce that we have 2 EMS providers interested in joining our service as a volunteer. We have interviewed the following people and would be excited to bring them onto our team.

- Lynn Galovatti, Paramedic. Lynn has been in EMS for many years. She has worked as a volunteer and as a full time provider in Yellowstone County. Lynn is currently employed by the VA hospital in Helena and Billings and would like to join our team as a volunteer and possibly look at joining as a full time paramedic in the future. She is excited to help provide care in the 911 setting again.
- Bridger Fournier, EMT. Bridger just received his EMT license. He is a volunteer firefighter for LVFD and would love to join our team as well to help gain the skills necessary to take care of patients and be an even bigger asset to our city. I believe he would be a great addition to our team.

We are now conducting background checks on candidates. If the candidates are granted Council and Mayor approval, once the background checks are complete and approved, we can bring them on the team.

I feel that these 2 new applicants will fit in great with our current team and our mission to provide excellent care to our community.

Thank you very much for your consideration on these candidates.

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 591044
lgurchiek@laurel.mt.gov
406-860-8233

File Attachments for Item:

11. Resolution No. R22-24: Resolution Authorizing Owner's Request To Seek Annexation Of A Parcel Of Property Located At 1702 E. 8th Street, Laurel Mt, Pursuant To The City Of Laurel Annexation Policy.

RESOLUTION NO. R22-24

**RESOLUTION AUTHORIZING OWNER’S REQUEST TO SEEK ANNEXATION OF
A PARCEL OF PROPERTY LOCATED AT 1702 E. 8TH STREET, LAUREL MT,
PURSUANT TO THE CITY OF LAUREL ANNEXATION POLICY.**

WHEREAS, Property Owner Humble Creek, LLC (hereinafter “the Property Owner”) submitted a request to annex a parcel of property located at 1702 E. 8th Street, Laurel MT, near the City of Laurel, which will require annexation to allow the Property Owner to connect to city water and sewer services; and

WHEREAS, the City’s Annexation Policy requires the City Council to approve any requests for annexation of property that is less than 2 acres in size; and

WHEREAS, the Property Owner submitted the attached letter of request seeking the City Council’s approval and authorization to seek annexation of its property; and

WHEREAS, City Staff reviewed the request and discussed annexation with the Property Owner and is recommending the approval of the request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the parcel of property located at 1702 E. 8th Street, Laurel MT, near the City of Laurel, is appropriate for annexation; and

BE IT FURTHER RESOLVED, that the Property Owner is hereby authorized to file an Annexation Application with City Staff seeking formal annexation to the City.

Introduced at a regular meeting of the City Council on the 24th day of May, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 24th day of May, 2022.

APPROVED by the Mayor the 24th day of May, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

HUMBLE CREEK LLC

PO Box 967
Laurel, MT 59044

April 29, 2022

City Council
City of Laurel
P.O. Box 10
Laurel, MT 59044

Re: 1702 E. 8th Street, Laurel

Dear Council Members,

Please accept this letter as formal request to annex in the above referenced property into the City of Laurel.

Sincerely,



Cindy Drake
Member
Humble Creek LLC
(406) 628-5989

File Attachments for Item:

12. Resolution No. R22-25: A Resolution Awarding The Bid And Authorizing The Mayor To Execute All Contract And Related Documents For The Project Known As South 4th Street Reconstruction Project.

RESOLUTION NO. R22-25

A RESOLUTION AWARDING THE BID AND AUTHORIZING THE MAYOR TO EXECUTE ALL CONTRACT AND RELATED DOCUMENTS FOR THE PROJECT KNOWN AS SOUTH 4TH STREET RECONSTRUCTION PROJECT.

WHEREAS, the City of Laurel needs to conduct reconstruction work on South 4th Street, Laurel MT, known as the South 4th Street Reconstruction Project (hereinafter “the Project”);

WHEREAS, the City of Laurel has complied with its procurement policy and Montana law by utilizing a competitive bid process to ensure the project cost and firm selected is in the best interests of the City in both quality and price; and

WHEREAS, the City of Laurel sought bids from qualified firms to complete the project by publicly advertising the project pursuant to Montana law; and

WHEREAS, the City of Laurel received a responsive bid from Cop Construction for the project; and

WHEREAS, Cop Construction’s bid to complete the project is for the total cost of Four Million Two Hundred Ninety-Eight Thousand Seventy Dollars and No Cents (\$4,298,070.00), with the City setting aside an additional Two Hundred Fourteen Thousand Nine Hundred Three Dollars and Fifty Cents (\$214,903.50) for contingency purposes;

WHEREAS, Cop Construction was the lowest qualified bidder, and such bid is attached hereto and incorporated by reference herein; and

WHEREAS, the City of Laurel currently possesses adequate funds to complete the project and it is in the City of Laurel’s best interests to proceed with the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the City Council accepts the bid with Cop Construction and the Mayor is authorized to execute all contract and related documents with Cop Construction for the project known as South 4th Street Reconstruction, pursuant to the terms and conditions contained in the attached bid for the total cost of Four Million Two Hundred Ninety-Eight Thousand Seventy Dollars and No Cents (\$4,298,070.00), with the City setting aside an additional Two Hundred Fourteen Thousand Nine Hundred Three Dollars and Fifty Cents (\$214,903.50) for contingency purposes.

Introduced at a regular meeting of the City Council on the 24th day of May, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 24th day of May, 2022.

APPROVED by the Mayor the 24th day of May, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney



May 9, 2022
Kurt Markegard
City of Laurel
115 W. 1st Street
Laurel, MT 59044

Re: S. 4th Street Reconstruction Project – Recommendation of Award

Dear Kurt:

Bids for the S. 4th Street Reconstruction project were received on May 5th, 2022. Five bids were opened and read aloud, with bid amounts being \$4,816,738.00, \$5,264,339.00, \$5,063,731.52, \$5,246,058.00, and \$4,298,070.00. All bids were considered responsive bidders. The bids were checked for mathematical accuracy and two bids had discrepancies. Western Municipal miscalculated the total price of schedule 4 and subsequently their total bid amount. KLE Construction miscalculated several bid items on schedules 1, 2, & 3, and subsequently their total bid amount. Their recalculated bids amounts do not affect the order of bids from high to low.

In addendum No. 1 we made allowances for either the Contractor or the owner to request a unit price change for the asphalt pay item. This was due to the volatility of recent asphalt prices and the time expected between bidding and paving of the project. This price adjustment along with expected varying amounts of bid item quantities leads us to recommend that the Owner include a 5% contingency into their proposed budget for this project.

The lowest bidder for the total project is Cop Construction. We recommend the overall contract for bid be awarded to Cop Construction for the amount of \$4,298,070.00 with the City setting aside an additional \$214,903.50 for contingency. Enclosed is the Notice of Award (NOA) for the City's approval and a Certified Bid Tabulation. Please sign, date and return four (4) original NOA forms; upon receipt, we will work with Cop Construction to route final Contracts for the City's approval.

If you have any questions or concerns, please contact me at (406) 245-5499.

Sincerely,

KLJ

A handwritten signature in blue ink, appearing to read 'Ryan E. Welsh'.

Ryan E. Welsh, PE
Project Engineer

Enclosure(s): Notice of Award
Certified Bid Tabulation

Project #: 2104-00862
cc: file

Notice of Award

Date: 5/9/2022

Project: S. 4th Street Reconstruction

Owner: City of Laurel

Owner's Contract No.: N/A

Contract: South 4th Street Reconstruction Project

Engineer's Project No.: 2104-00862

Bidder: Cop Construction

Bidder's Address: 242 S. 64th street West, Billings, MT 59106

You are notified that your Bid dated 5/4/2022 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for Schedule 1, 2, 3, & 4, South 4th Street Reconstruction.
[Indicate total Work, alternatives, or sections of Work awarded]

The Contract Price of your Contract is four million, two-hundred ninety-eight thousand and seventy Dollars (\$ 4,298,070.00).

3 copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

3 sets of Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within fifteen [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner 3 fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract Security [Bonds] as specified in the Instructions to Bidders (Article 20) and General Conditions (Paragraph 5.01).
3. Other conditions precedent:
 - a. A preliminary copy of the construction schedule
 - b. List of subcontractors and suppliers
 - c. A breakdown of the costs associated with Item no. 417 Asphalt Concrete Pavement (4")

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Owner

By: _____
Authorized Signature

Title

Copy to Engineer



TABULATION OF BIDS
5th AVENUE WATERLINE REROUTE PROJECT
 City of Laurel, MT
 May 6, 2021



<i>Schedule 1 - Storm Improvements</i>				Enginner's Opinion of Cost		Western Municipal Construction		Wilson Brothers Construction		KLE Construction LLC		JR Civil LLC		Cop Construction	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
101	Mobilization	LS	1	136,000.00	136,000.00	119,000.00	119,000.00	120,000.00	120,000.00	115,000.00	115,000.00	69,470.00	69,470.00	180,500.00	180,500.00
102	Taxes, Insurance and Bonds	LS	1	65,000.00	65,000.00	34,000.00	34,000.00	25,000.00	25,000.00	20,000.00	20,000.00	20,150.00	20,150.00	15,000.00	15,000.00
103	Traffic Control	LS	1	40,000.00	40,000.00	6,000.00	6,000.00	25,000.00	25,000.00	18,500.00	18,500.00	44,078.00	44,078.00	15,000.00	15,000.00
104	Stormwater Management and Erosion Control	LS	1	40,000.00	40,000.00	8,500.00	8,500.00	5,500.00	5,500.00	17,000.00	17,000.00	9,285.00	9,285.00	6,900.00	6,900.00
105	Excavation above Subgrade	CY	5850	25.50	149,175.00	30.00	175,500.00	25.00	146,250.00	12.50	73,125.00	35.00	204,750.00	33.00	193,050.00
106	Type 2 Pipe Bedding	CY	1595	35.54	56,686.30	4.00	6,380.00	50.00	79,750.00	42.00	66,990.00	89.00	141,955.00	33.00	52,635.00
107	Imported Trench Backfill	CY	1595	29.68	47,339.60	4.00	6,380.00	40.00	63,800.00	42.00	66,990.00	86.00	137,170.00	28.00	44,660.00
108	12" Storm Drain Pipe	LF	157	45.00	7,065.00	124.00	19,468.00	52.00	8,164.00	95.00	14,915.00	88.00	13,816.00	92.00	14,444.00
109	15" Storm Drain Pipe	LF	169	52.00	8,788.00	127.00	21,463.00	60.00	10,140.00	94.00	15,886.00	97.00	16,393.00	99.00	16,731.00
110	18" Storm Drain Pipe	LF	767	60.00	46,020.00	107.00	82,069.00	63.00	48,321.00	94.00	72,098.00	98.00	75,166.00	62.00	47,554.00
111	24" Storm Drain Pipe	LF	1133	85.00	96,305.00	139.00	157,487.00	90.00	101,970.00	124.00	140,492.00	137.00	155,221.00	100.00	113,300.00
112	24" Perforated Storm Drain Pipe	LF	337	85.00	28,645.00	142.00	47,854.00	100.00	33,700.00	132.00	44,484.00	105.00	35,385.00	100.00	33,700.00
113	30" Storm drain Pipe	LF	396	100.00	39,600.00	178.00	70,488.00	120.00	47,520.00	162.00	64,152.00	179.00	70,884.00	130.00	51,480.00
114	36" Storm Drain Pipe	LF	384	140.00	53,760.00	210.00	80,640.00	140.00	53,760.00	186.00	71,424.00	207.00	79,488.00	160.00	61,440.00
115	Storm Drain Inlets	EA	17	3,065.00	52,105.00	3,500.00	59,500.00	4,200.00	71,400.00	5,115.00	86,955.00	5,666.00	96,322.00	4,900.00	83,300.00
116	48" Storm Drain Manholes	EA	13	3,775.00	49,075.00	3,850.00	50,050.00	4,800.00	62,400.00	5,670.00	73,710.00	7,279.00	94,627.00	5,500.00	71,500.00
117	60" Storm Drain Manholes	EA	4	4,500.00	18,000.00	5,400.00	21,600.00	5,600.00	22,400.00	7,530.00	30,120.00	7,580.00	30,320.00	8,700.00	34,800.00
118	72" Storm Drain Manholes	Ea	1	5,700.00	5,700.00	7,000.00	7,000.00	7,900.00	7,900.00	8,595.00	8,595.00	10,184.00	10,184.00	8,800.00	8,800.00
119	84" Storm Drain Manholes	EA	1	7,200.00	7,200.00	8,500.00	8,500.00	11,500.00	11,500.00	11,990.00	11,990.00	11,354.00	11,354.00	11,000.00	11,000.00
120	Stormwater Hydrodynamic Separator #1	EA	1	250,000.00	250,000.00	101,750.00	101,750.00	155,000.00	155,000.00	104,700.00	104,700.00	121,835.00	121,835.00	100,000.00	100,000.00
121	Stormwater Hydrodynamic Separator #2	EA	1	175,000.00	175,000.00	55,500.00	55,500.00	85,000.00	85,000.00	54,070.00	54,070.00	62,323.00	62,323.00	48,000.00	48,000.00
122	Boulder Pit	CY	337	20.50	6,908.50	63.00	21,231.00	85.00	28,645.00	58.00	19,546.00	89.00	29,993.00	32.00	10,784.00
123	Landscape Drain	EA	4	1,850.00	7,400.00	600.00	2,400.00	2,500.00	10,000.00	569.00	2,276.00	873.00	3,492.00	850.00	3,400.00
124	Remove Playground Equipment	LS	1	1,600.00	1,600.00	4,200.00	4,200.00	8,500.00	8,500.00	1,280.00	1,280.00	4,156.00	4,156.00	550.00	550.00
125	Strip & Replace Top Soil	CY	1970	2.50	4,925.00	24.00	47,280.00	20.00	39,400.00	5.60	11,032.00	74.00	145,780.00	24.00	47,280.00
126	Exploratory Excavation	HR	4	359.67	1,438.68	300.00	1,200.00	650.00	2,600.00	528.00	2,112.00	603.00	2,412.00	350.00	1,400.00
127	Landscape Restoration (Seeding)	SY	7870	\$7.85	\$61,779.50	\$1.90	\$14,953.00	\$4.00	\$31,480.00	\$1.90	\$14,953.00	\$2.00	\$15,740.00	\$2.00	\$15,740.00
Schedule 1 Subtotal:					\$1,455,515.58		\$1,230,393.00		\$1,305,100.00		\$1,222,395.00		\$1,701,749.00		\$1,282,948.00
<i>Schedule 2 - Water System Improvements</i>				Enginner's Opinion of Cost		Western Municipal Construction		Wilson Brothers Construction		KLE Construction LLC		JR Civil LLC		Cop Construction	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
201	Mobilization	LS	1	\$125,000.00	\$125,000.00	\$171,000.00	\$171,000.00	\$120,000.00	\$120,000.00	\$80,000.00	\$80,000.00	\$41,698.00	\$41,698.00	\$210,000.00	\$210,000.00
202	Taxes, Insurance and Bonds	LS	1	\$60,000.00	\$60,000.00	\$32,000.00	\$32,000.00	\$25,000.00	\$25,000.00	\$19,370.00	\$19,370.00	\$20,355.00	\$20,355.00	\$14,000.00	\$14,000.00
203	Traffic Control	LS	1	\$30,000.00	\$30,000.00	\$6,000.00	\$6,000.00	\$25,000.00	\$25,000.00	\$21,870.00	\$21,870.00	\$43,016.00	\$43,016.00	\$17,000.00	\$17,000.00
204	Stormwater Management and Erosion Control	LS	1	\$30,000.00	\$30,000.00	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$17,000.00	\$17,000.00	\$9,245.00	\$9,245.00	\$4,600.00	\$4,600.00
205	Excavation above Subgrade	CY	2140	\$25.50	\$54,570.00	\$22.00	\$47,080.00	\$25.00	\$53,500.00	\$16.00	\$34,240.00	\$39.00	\$83,460.00	\$22.00	\$47,080.00
206	Temporary Water System,	LS	1	\$60,000.00	\$60,000.00	\$12,000.00	\$12,000.00	\$30,000.00	\$30,000.00	\$31,250.00	\$31,250.00	\$100,415.00	\$100,415.00	\$7,600.00	\$7,600.00
207	Asbestos Inspection	LS	1	\$10,128.00	\$10,128.00	\$6,200.00	\$6,200.00	\$8,500.00	\$8,500.00	\$2,500.00	\$2,500.00	\$10,000.00	\$10,000.00	\$1,600.00	\$1,600.00
208	Remove Ex. Valve	ea	9	\$1,008.17	\$9,073.50	\$50.00	\$450.00	\$1,200.00	\$10,800.00	\$479.00	\$4,311.00	\$916.00	\$8,244.00	\$250.00	\$2,250.00
209	Remove EX. Fire Hydrant Assembly	EA	6	\$3,500.00	\$21,000.00	\$50.00	\$300.00	\$1,500.00	\$9,000.00	\$2,395.00	\$14,370.00	\$916.00	\$5,496.00	\$1,300.00	\$7,800.00
210	Abandon Ex. Valve	EA	5	\$300.00	\$1,500.00	\$50.00	\$250.00	\$800.00	\$4,000.00	\$479.00	\$2,395.00	\$916.00	\$4,580.00	\$250.00	\$1,250.00
211	Remove Ex. Water Main	EA	670	\$30.75	\$20,602.50	\$20.00	\$13,400.00	\$15.00	\$10,050.00	\$44.40	\$29,748.00	\$50.00	\$33,500.00	\$13.00	\$8,710.00
212	Abandon Ex. Water Main	LF	2088	\$22.00	\$45,936.00	\$5.00	\$10,440.00	\$25.00	\$52,200.00	\$18.00	\$37,584.00	\$11.00	\$22,968.00	\$14.00	\$29,232.00
213	Connect to Ex. Water Main	EA	16	\$2,986.67	\$47,786.67	\$4,500.00	\$72,000.00	\$2,500.00	\$40,000.00	\$4,130.00	\$66,080.00	\$6,237.00	\$99,792.00	\$2,000.00	\$32,000.00
214	10" C900 PVC Water Main	LF	60	\$95.00	\$5,700.00	\$174.00	\$10,440.00	\$105.00	\$6,300.00	\$88.30	\$5,298.00	\$136.00	\$8,160.00	\$170.00	\$10,200.00
215	8" C900 PVC Water Main	LF	3083	\$85.00	\$262,055.00	\$115.00	\$354,545.00	\$88.00	\$271,304.00	\$81.00	\$249,723.00	\$96.00	\$295,968.00	\$78.00	\$240,474.00

216	10" Gate Valve & Box	EA	2	\$3,215.00	\$6,430.00	\$5,400.00	\$10,800.00	\$5,800.00	\$11,600.00	\$4,825.00	\$9,650.00	\$5,173.00	\$10,346.00	\$5,300.00	\$10,600.00
217	8" Gate Valve & Box	EA	29	\$2,287.50	\$66,337.50	\$3,700.00	\$107,300.00	\$4,300.00	\$124,700.00	\$3,480.00	\$100,920.00	\$3,809.00	\$110,461.00	\$4,300.00	\$124,700.00
218	8" X 6" Tee	EA	8	\$1,250.00	\$10,000.00	\$1,750.00	\$14,000.00	\$1,400.00	\$11,200.00	\$1,255.00	\$10,040.00	\$1,540.00	\$12,320.00	\$1,600.00	\$12,800.00
219	8" Tee	EA	4	\$1,390.00	\$5,560.00	\$1,900.00	\$7,600.00	\$1,600.00	\$6,400.00	\$1,380.00	\$5,520.00	\$1,684.00	\$6,736.00	\$1,700.00	\$6,800.00
220	8" X 10" Cross	EA	1	\$1,600.00	\$1,600.00	\$2,600.00	\$2,600.00	\$2,550.00	\$2,550.00	\$2,420.00	\$2,420.00	\$3,091.00	\$3,091.00	\$2,300.00	\$2,300.00
221	8" Cross	EA	6	\$1,500.00	\$9,000.00	\$2,300.00	\$13,800.00	\$2,300.00	\$13,800.00	\$1,915.00	\$11,490.00	\$2,564.00	\$15,384.00	\$2,100.00	\$12,600.00
222	8" X 6" Reducer	EA	10	\$1,094.00	\$10,940.00	\$1,350.00	\$13,500.00	\$900.00	\$9,000.00	\$957.00	\$9,570.00	\$1,113.00	\$11,130.00	\$1,000.00	\$10,000.00
223	8" X 4" Reducer	EA	5	\$1,000.00	\$5,000.00	\$1,350.00	\$6,750.00	\$850.00	\$4,250.00	\$907.00	\$4,535.00	\$1,086.00	\$5,430.00	\$980.00	\$4,900.00
224	8" Bends	EA	4	\$900.00	\$3,600.00	\$1,500.00	\$6,000.00	\$950.00	\$3,800.00	\$1,070.00	\$4,280.00	\$1,245.00	\$4,980.00	\$1,400.00	\$5,600.00
225	8" Waterline Lowering for Connection	EA	10	\$2,660.00	\$26,600.00	\$3,500.00	\$35,000.00	\$4,500.00	\$45,000.00	\$5,425.00	\$54,250.00	\$4,960.00	\$49,600.00	\$7,800.00	\$78,000.00
226	10" Waterline Lowering for Connection	EA	2	\$2,400.00	\$4,800.00	\$5,300.00	\$10,600.00	\$5,500.00	\$11,000.00	\$6,915.00	\$13,830.00	\$5,739.00	\$11,478.00	\$8,200.00	\$16,400.00
227	Fire Hydrant Assembly	EA	8	\$6,489.50	\$51,916.00	\$10,100.00	\$80,800.00	\$7,800.00	\$62,400.00	\$10,080.00	\$80,640.00	\$9,207.00	\$73,656.00	\$8,500.00	\$68,000.00
228	6" Sewer Crossing	EA	2	\$5,320.00	\$10,640.00	\$800.00	\$1,600.00	\$2,250.00	\$4,500.00	\$3,505.00	\$7,010.00	\$4,401.00	\$8,802.00	\$2,200.00	\$4,400.00
229	18" Sewer Crossing	EA	4	\$4,800.00	\$19,200.00	\$7,300.00	\$29,200.00	\$4,500.00	\$18,000.00	\$6,215.00	\$24,860.00	\$3,491.00	\$13,964.00	\$8,900.00	\$35,600.00
230	Insulation Board	SF	500	\$7.75	\$3,875.00	\$19.00	\$9,500.00	\$28.00	\$14,000.00	\$38.30	\$19,150.00	\$9.00	\$4,500.00	\$16.00	\$8,000.00
231	Install 2" Water Service w/Curb Box	EA	1	\$2,550.00	\$2,550.00	\$3,900.00	\$3,900.00	\$2,550.00	\$2,550.00	\$1,585.00	\$1,585.00	\$3,116.00	\$3,116.00	\$3,300.00	\$3,300.00
232	Install 1" Water Service w/Curb Box	EA	15	\$1,601.50	\$24,022.50	\$2,400.00	\$36,000.00	\$1,200.00	\$18,000.00	\$3,705.00	\$55,575.00	\$2,200.00	\$33,000.00	\$2,500.00	\$37,500.00
233	1" Water Service Reconnection	EA	15	\$881.00	\$13,215.00	\$360.00	\$5,400.00	\$850.00	\$12,750.00	\$561.00	\$8,415.00	\$1,080.00	\$16,200.00	\$30.00	\$450.00
234	2" Water Service Reconnection	EA	1	\$1,150.00	\$1,150.00	\$800.00	\$800.00	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$1,483.00	\$1,483.00	\$130.00	\$130.00
235	Type 2 Pipe Bedding	CY	1686	\$44.50	\$75,027.00	\$4.00	\$6,744.00	\$50.00	\$84,300.00	\$50.00	\$84,300.00	\$89.00	\$150,054.00	\$33.00	\$55,638.00
236	Imported Trench Backfill	CY	1686	\$44.50	\$75,027.00	\$4.00	\$6,744.00	\$40.00	\$67,440.00	\$50.00	\$84,300.00	\$86.00	\$144,996.00	\$28.00	\$47,208.00
237	Trench Plugs	EA	22	\$999.17	\$21,981.67	\$100.00	\$2,200.00	\$1,800.00	\$39,600.00	\$3,875.00	\$85,250.00	\$3,670.00	\$80,740.00	\$750.00	\$16,500.00
238	Exploratory Excavation	HR	12	\$359.67	\$4,316.00	\$300.00	\$3,600.00	\$650.00	\$7,800.00	\$528.00	\$6,336.00	\$603.00	\$7,236.00	\$350.00	\$4,200.00
239	Landscape Restoration (Seeding)	LS	1	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$5,500.00	\$5,500.00	\$1,250.00	\$1,250.00	\$5,254.00	\$5,254.00	\$13,000.00	\$13,000.00
Schedule 2 Subtotal:					\$1,241,139.33		\$1,159,043.00		\$1,251,794.00		\$1,301,715.00		\$1,570,854.00		\$1,212,422.00

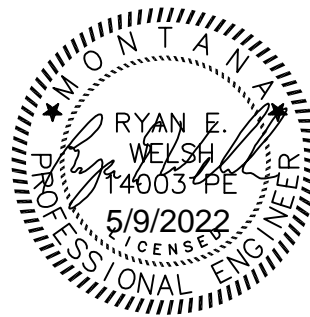
Schedule 3 - Waste Water System Improvements

				Enginner's Opinion of Cost		Western Municipal Construction		Wilson Brothers Construction		KLE Construction LLC		JR Civil LLC		Cop Construction	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
301	Mobilization	LS	1	\$14,000.00	\$14,000.00	\$18,200.00	\$18,200.00	\$14,000.00	\$14,000.00	\$78,150.00	\$78,150.00	\$36,373.00	\$36,373.00	\$27,000.00	\$27,000.00
302	Taxes, Insurance and Bonds	LS	1	\$7,000.00	\$7,000.00	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00	\$19,370.00	\$19,370.00	\$14,090.00	\$14,090.00	\$1,500.00	\$1,500.00
303	Traffic Control	LS	1	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00	\$5,500.00	\$5,500.00	\$6,250.00	\$6,250.00	\$17,281.00	\$17,281.00	\$7,000.00	\$7,000.00
304	Stormwater Management and Erosion Control	LS	1	\$5,000.00	\$5,000.00	\$800.00	\$800.00	\$2,000.00	\$2,000.00	\$5,560.00	\$5,560.00	\$9,285.00	\$9,285.00	\$1,200.00	\$1,200.00
305	Remove Ex. Sanitary Sewer Main	LF	480	\$31.00	\$14,880.00	\$12.00	\$5,760.00	\$12.00	\$5,760.00	\$36.80	\$17,664.00	\$49.00	\$23,520.00	\$16.00	\$7,680.00
306	Excavation above Subgrade	CY	150	\$25.50	\$3,825.00	\$26.00	\$3,900.00	\$25.00	\$3,750.00	\$26.60	\$3,990.00	\$27.00	\$4,050.00	\$25.00	\$3,750.00
307	Connect to Ex Manhole	ea	9	\$2,100.00	\$18,900.00	\$1,700.00	\$15,300.00	\$4,500.00	\$40,500.00	\$4,130.00	\$37,170.00	\$4,363.00	\$39,267.00	\$1,300.00	\$11,700.00
308	Connect to Ex. Sewer Main	EA	9	\$2,100.00	\$18,900.00	\$1,300.00	\$11,700.00	\$500.00	\$4,500.00	\$1,980.00	\$17,820.00	\$3,621.00	\$32,589.00	\$1,400.00	\$12,600.00
309	8" PVC Sanitary Sewer Main	LF	505	\$83.33	\$42,083.33	\$118.00	\$59,590.00	\$110.00	\$55,550.00	\$102.00	\$51,510.00	\$96.00	\$48,480.00	\$170.00	\$85,850.00
310	Sanitary Sewer Service Replacement	LF	100	\$66.83	\$6,683.33	\$101.00	\$10,100.00	\$50.00	\$5,000.00	\$317.00	\$31,700.00	\$115.00	\$11,500.00	\$50.00	\$5,000.00
311	Type 2 Pipe Bedding	CY	118	\$44.50	\$5,251.00	\$4.00	\$472.00	\$50.00	\$5,900.00	\$39.50	\$4,661.00	\$89.00	\$10,502.00	\$33.00	\$3,894.00
312	Imported Trench Backfill	CY	118	\$44.50	\$5,251.00	\$4.00	\$472.00	\$40.00	\$4,720.00	\$39.50	\$4,661.00	\$89.00	\$10,502.00	\$28.00	\$3,304.00
313	Exploratory Excavation	HR	8	\$359.67	\$2,877.33	\$300.00	\$2,400.00	\$650.00	\$5,200.00	\$528.00	\$4,224.00	\$603.00	\$4,824.00	\$350.00	\$2,800.00
314	Landscape Restoration (Seeding)	LS	1	\$5,000.00	\$5,000.00	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$5,254.00	\$5,254.00	\$800.00	\$800.00
Schedule 3 Subtotal:					\$154,651.00		\$134,194.00		\$158,380.00		\$285,230.00		\$267,517.00		\$174,078.00

Schedule 4 - Street Improvements				Engineer's Opinion of Cost		Western Municipal Construction		Wilson Brothers Construction		KLE Construction LLC		JR Civil LLC		Cop Construction	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
401	Mobilization	LS	1	\$145,000.00	\$145,000.00	\$707,000.00	\$707,000.00	\$250,000.00	\$250,000.00	\$100,000.00	\$100,000.00	\$62,636.00	\$62,636.00	\$131,250.00	\$131,250.00
402	Taxes, Insurance and Bonds	LS	1	\$75,000.00	\$75,000.00	\$64,000.00	\$64,000.00	\$50,000.00	\$50,000.00	\$19,370.00	\$19,370.00	\$18,795.00	\$18,795.00	\$15,000.00	\$15,000.00
403	Traffic Control	LS	1	\$35,000.00	\$35,000.00	\$16,000.00	\$16,000.00	\$35,000.00	\$35,000.00	\$26,870.00	\$26,870.00	\$48,586.00	\$48,586.00	\$23,000.00	\$23,000.00
404	Stormwater Management and Erosion Control	LS	1	\$35,000.00	\$35,000.00	\$8,000.00	\$8,000.00	\$12,500.00	\$12,500.00	\$18,310.00	\$18,310.00	\$9,285.00	\$9,285.00	\$10,000.00	\$10,000.00
405	Concrete Curb & Gutter Removal	LF	5296	\$14.98	\$79,351.73	\$7.00	\$37,072.00	\$15.00	\$79,440.00	\$14.07	\$74,514.72	\$6.00	\$31,776.00	\$7.50	\$39,720.00
406	Concrete Flatwork Removal	SY	2750	\$38.33	\$105,416.67	\$12.00	\$33,000.00	\$28.00	\$77,000.00	\$14.07	\$38,692.50	\$31.00	\$85,250.00	\$11.00	\$30,250.00
407	Excavation above Subgrade	CY	164	\$25.50	\$4,182.00	\$29.00	\$4,756.00	\$28.00	\$4,592.00	\$47.00	\$7,708.00	\$19.00	\$3,116.00	\$28.00	\$4,592.00
408	Remove Ex. Sign	EA	15	\$371.00	\$5,565.00	\$200.00	\$3,000.00	\$300.00	\$4,500.00	\$73.40	\$1,101.00	\$145.00	\$2,175.00	\$150.00	\$2,250.00
409	Mailbox Remove and Reset	EA	1	\$350.00	\$350.00	\$300.00	\$300.00	\$600.00	\$600.00	\$283.00	\$283.00	\$235.00	\$235.00	\$250.00	\$250.00
410	Tree Removal	EA	53	\$1,500.00	\$79,500.00	\$900.00	\$47,700.00	\$1,250.00	\$66,250.00	\$1,850.00	\$98,050.00	\$300.00	\$15,900.00	\$1,050.00	\$55,650.00
411	Tree Trim	EA	2	\$1,000.00	\$2,000.00	\$1,100.00	\$2,200.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$393.00	\$786.00	\$440.00	\$880.00
412	Tree Relocate	EA	3	\$5,000.00	\$15,000.00	\$1,300.00	\$3,900.00	\$1,500.00	\$4,500.00	\$1,125.00	\$3,375.00	\$2,000.00	\$6,000.00	\$990.00	\$2,970.00
413	Geogrid	SY	4300	\$3.65	\$15,695.00	\$3.00	\$12,900.00	\$4.50	\$19,350.00	\$6.60	\$28,380.00	\$6.00	\$25,800.00	\$2.95	\$12,685.00
414	Separation Fabric	SY	10742	\$2.95	\$31,688.90	\$2.20	\$23,632.40	\$3.75	\$40,282.50	\$5.00	\$53,710.00	\$3.00	\$32,226.00	\$2.50	\$26,855.00
415	3" Minus Sub-base Course	CY	2865	\$41.17	\$117,942.50	\$61.00	\$174,765.00	\$50.00	\$143,250.00	\$58.00	\$166,170.00	\$90.00	\$257,850.00	\$60.00	\$171,900.00
416	1-1/2" Crushed Base Course	CY	3585	\$41.67	\$149,375.00	\$41.00	\$146,985.00	\$55.00	\$197,175.00	\$60.00	\$215,100.00	\$62.00	\$222,270.00	\$41.00	\$146,985.00
417	4" ACC	SY	10742	\$44.17	\$474,438.33	\$35.00	\$375,970.00	\$38.00	\$408,196.00	\$33.00	\$354,486.00	\$25.00	\$268,550.00	\$27.00	\$290,034.00
418	Gravel Alley Surface Repair	SY	230	\$37.85	\$8,705.50	\$21.00	\$4,830.00	\$20.00	\$4,600.00	\$18.60	\$4,278.00	\$23.00	\$5,290.00	\$14.00	\$3,220.00
419	Concrete Curb & Gutter	LF	4931	\$67.00	\$330,377.00	\$25.00	\$123,275.00	\$45.00	\$221,895.00	\$44.00	\$216,964.00	\$35.00	\$172,585.00	\$25.00	\$123,275.00
420	Concrete Drive Approach	SF	9480	\$19.50	\$184,860.00	\$12.50	\$118,500.00	\$24.00	\$227,520.00	\$19.00	\$180,120.00	\$10.00	\$94,800.00	\$12.00	\$113,760.00
421	Concrete Sidewalk (4-inch Thick)	SF	19087	\$19.50	\$372,196.50	\$8.50	\$162,239.50	\$21.00	\$400,827.00	\$18.00	\$343,566.00	\$9.00	\$171,783.00	\$9.00	\$171,783.00
422	Concrete ADA Approach	SF	2894	\$19.50	\$56,433.00	\$13.00	\$37,622.00	\$26.00	\$75,244.00	\$22.00	\$63,668.00	\$14.00	\$40,516.00	\$13.00	\$37,622.00
423	Concrete Valley Gutter	SF	680	\$19.50	\$13,260.00	\$14.00	\$9,520.00	\$22.00	\$14,960.00	\$39.31	\$26,730.80	\$10.00	\$6,800.00	\$13.00	\$8,840.00
424	Concrete Curb Return	EA	56	\$1,090.00	\$61,040.00	\$1,300.00	\$72,800.00	\$1,950.00	\$109,200.00	\$1,650.00	\$92,400.00	\$700.00	\$39,200.00	\$1,300.00	\$72,800.00
425	Adjust Manhole	EA	3	\$989.50	\$2,968.50	\$1,100.00	\$3,300.00	\$1,000.00	\$3,000.00	\$900.00	\$2,700.00	\$713.00	\$2,139.00	\$550.00	\$1,650.00
426	Adjust Valve Box	EA	2	\$500.00	\$1,000.00	\$250.00	\$500.00	\$1,000.00	\$2,000.00	\$900.00	\$1,800.00	\$713.00	\$1,426.00	\$270.00	\$540.00
427	Truncated Dome Warning Panels	EA	53	\$39.00	\$2,067.00	\$310.00	\$16,430.00	\$550.00	\$29,150.00	\$324.50	\$17,198.50	\$400.00	\$21,200.00	\$310.00	\$16,430.00
428	18" FES	EA	1	\$561.40	\$561.40	\$750.00	\$750.00	\$650.00	\$650.00	\$847.00	\$847.00	\$1,155.00	\$1,155.00	\$390.00	\$390.00
429	18" Culvert	LF	5	\$195.00	\$975.00	\$150.00	\$750.00	\$500.00	\$2,500.00	\$284.00	\$1,420.00	\$1,082.00	\$5,410.00	\$110.00	\$550.00
430	Concrete Pad Between Tracks	SF	220	\$19.50	\$4,290.00	\$40.00	\$8,800.00	\$35.00	\$7,700.00	\$32.00	\$7,040.00	\$8.00	\$1,760.00	\$38.00	\$8,360.00
431	New Sign & Post	EA	14	\$371.00	\$5,194.00	\$600.00	\$8,400.00	\$800.00	\$11,200.00	\$937.00	\$13,118.00	\$530.00	\$7,420.00	\$570.00	\$7,980.00
432	8" Striping	LF	1404	\$2.50	\$3,510.00	\$9.35	\$13,127.40	\$10.00	\$14,040.00	\$15.00	\$21,060.00	\$9.00	\$12,636.00	\$9.00	\$12,636.00
433	2' Striping	LF	135	\$15.20	\$2,052.00	\$29.00	\$3,915.00	\$30.00	\$4,050.00	\$18.80	\$2,538.00	\$26.00	\$3,510.00	\$27.00	\$3,645.00
434	Yellow Curb Striping	LF	2094	\$4.35	\$9,108.90	\$5.00	\$10,470.00	\$5.25	\$10,993.50	\$8.00	\$16,752.00	\$5.00	\$10,470.00	\$5.00	\$10,470.00
435	16" Striping	LF	100	\$10.80	\$1,080.00	\$19.00	\$1,900.00	\$20.00	\$2,000.00	\$25.00	\$2,500.00	\$17.00	\$1,700.00	\$18.00	\$1,800.00
436	Exploratory Excavation	HR	16	\$359.67	\$5,754.72	\$300.00	\$4,800.00	\$650.00	\$10,400.00	\$528.00	\$8,448.00	\$603.00	\$9,648.00	\$350.00	\$5,600.00
437	Landscape Restoration (Seeding)	LS	1	\$5,000.00	\$5,000.00	\$30,000.00	\$30,000.00	\$3,500.00	\$3,500.00	\$7,500.00	\$7,500.00	\$5,254.00	\$5,254.00	\$63,000.00	\$63,000.00
Schedule 4 Subtotal:					\$2,440,938.65		\$2,293,109.30		\$2,549,065.00		\$2,237,768.52		\$1,705,938.00		\$1,628,622.00
Schedule 1					\$1,455,515.58		\$1,230,393.00		\$1,305,100.00		\$1,222,395.00		\$1,701,749.00		\$1,282,948.00
Schedule 2					\$1,241,139.33		\$1,159,043.00		\$1,251,794.00		\$1,301,715.00		\$1,570,854.00		\$1,212,422.00
Schedule 3					154,651.00		\$134,194.00		\$158,380.00		\$285,230.00		\$267,517.00		\$174,078.00
Schedule 4					2,440,938.65		\$2,293,109.30		\$2,549,065.00		\$2,237,768.52		\$1,705,938.00		\$1,628,622.00
TOTAL PROJECT COST:					\$5,292,244.57		\$4,816,739.30		\$5,264,339.00		\$5,047,108.52		\$5,246,058.00		\$4,298,070.00

This represents a true tabulation of bids opened and read on May 5, 2022.

 Ryan Welsh
 Project Engineer
 Date: _____



File Attachments for Item:

13. Resolution No. R22-26: A Resolution Of The City Council Authorizing The Mayor To Execute An Extension Of The Agreement Between The City Of Laurel And Yellowstone County For A Satellite Yellowstone County Treasurer's Office, Motor Vehicle Division

RESOLUTION NO. R22-26

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION OF THE AGREEMENT BETWEEN THE CITY OF LAUREL AND YELLOWSTONE COUNTY FOR A SATELLITE YELLOWSTONE COUNTY TREASURER'S OFFICE, MOTOR VEHICLE DIVISION

Section 1: Approval. The Extension of Agreement Between the City of Laurel and Yellowstone County for a Satellite Yellowstone County Treasurer's Office, Motor Vehicle Division, attached hereto and incorporated by reference herein, is recommended by the Mayor and accepted by the City Council.

Section 2: Execution. The Mayor is hereby given authority to execute the Extension of Agreement Between the City of Laurel and Yellowstone County for a Satellite Yellowstone County Treasurer's Office, Motor Vehicle Division.

Introduced at a regular meeting of the City Council on the 24th day of May, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 24th day of May, 2022.

APPROVED by the Mayor the 24th day of May, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

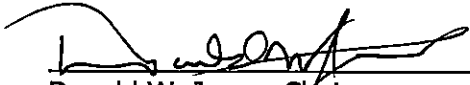
EXTENSION OF AGREEMENT BETWEEN THE CITY OF LAUREL AND YELLOWSTONE COUNTY FOR SATELLITE TREASURER'S OFFICE

The parties, Yellowstone County ("County"), a political subdivision of the State of Montana and the City of Laurel ("City"), a municipality hereby exercise their option to renew an agreement (attached) originally dated January 4, 2022 that provides for the use of office space owned by the City to the County for housing a satellite branch of the Yellowstone County Treasurer's Office, Motor Vehicle Division. The term of this extension shall begin January 2, 2022 and shall run for a period of five (5) years. The parties mutually agree to an option to extend this agreement upon the expiration of this extension.

Other than the new term of this extension, the original terms of the January 4, 2011 agreement shall remain in full force and effect.

Dated this 3rd day of May 2022.

YELLOWSTONE COUNTY

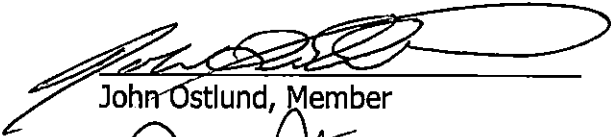


Donald W. Jones, Chair

ATTEST:



Jeff Martin, Clerk and Recorder



John Ostlund, Member



Denis Pitman, Member

CITY OF Laurel

Mayor

ATTEST:

Clerk/Treasurer

RESOLUTION NO. R16-04

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN AN AGREEMENT WITH YELLOWSTONE COUNTY TO PROVIDE
OFFICE SPACE AT CITY HALL FOR MOTOR VEHICLE LICENSING
SERVICES FOR A PERIOD OF FIVE (5) YEARS.

WHEREAS, the City of Laurel currently provides Yellowstone County office space at City Hall to enable Yellowstone County to provide motor vehicle licensing services in Laurel for the benefit and convenience of all citizens of Laurel, pursuant to an agreement between the City and County dated January 4, 2011, authorized through Resolution No. R11-06; and,

WHEREAS, the City Council and Yellowstone County Commissioners have agreed to continue the service in Laurel under the terms and conditions of the attached agreement; and

WHEREAS, it is in the best interest of the City of Laurel for the City Council to approve the agreement for continued licensing services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the City Council hereby approves the attached agreement with Yellowstone County and further authorizes the Mayor to sign the agreement on the City's behalf.

Introduced at a regular meeting of the City Council on January 5, 2016, by Council Member Mountsier.

PASSED and APPROVED by the City Council of the City of Laurel this 5th day of January, 2016.

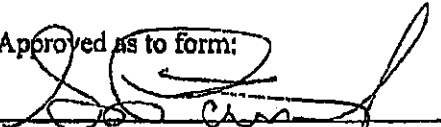
APPROVED by the Mayor this 5th day of January, 2016.

CITY OF LAUREL


Mark A. Mace, Mayor

ATTEST:


Shirley Ewan, Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

R16-04 Yellowstone County Agreement DMV

File Attachments for Item:

14. Resolution No. R22-27: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With True North Contracting

RESOLUTION NO. R22-27

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN INDEPENDENT CONTRACTOR SERVICE CONTRACT WITH TRUE NORTH CONTRACTING

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Independent Contractor Service Contract by and between the City of Laurel and True North Contracting, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Independent Contractor Service Contract with True North Contracting on behalf of the City.

Introduced at a regular meeting of the City Council on the 24th day of May, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 24th day of May, 2022.

APPROVED by the Mayor the 24th day of May, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

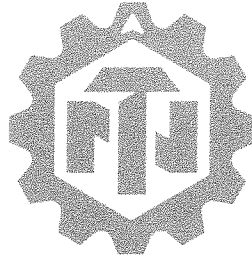
ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

9431 Anglers Way
 Billings Mt 59101
 jb.tnc@outlook.com
 406-850-8745



PROPOSAL

Date Estimate #
 5/18/2022 9-70

TRUE NORTH CONTRACTING

City Of Laurel
 P.O. Box 10
 Laurel, MT
 59044

Riverside park

Description	Total		
Place 30 concrete platforms in ground with loop to chain picnic tables too	6,000.00		
1. Bid does not include price for bond or traffic control. 2. The signing of this proposal will serve as a binding contract between True North Contracting LLC and signing party. 3. Thank you for the opportunity to earn your business	<table border="1" style="width: 100%;"> <tr> <td style="width: 60%;">Total</td> <td style="text-align: right;">\$6,000.00</td> </tr> </table> ACCEPTANCE OF PROPOSAL _____ DATE OF ACCEPTANCE _____	Total	\$6,000.00
Total	\$6,000.00		

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 24th day of May 2022, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as “City” and True North Contracting, a contractor licensed to conduct business in the State of Montana, whose address is 9431 Anglers Way Billings, MT 59101, hereinafter referred to as “Contractor”.

SECTION ONE DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated May 18, 2022, attached hereto as Exhibit “A” and by this reference made part of this contract.

B. Effective Date. This contract is effective upon the date of its execution by both Parties. Contractor shall complete the services within 60 days of commencing work. The parties may extend the term of this contract in writing prior to its termination for good cause.

C. Scope of Work. Contractor shall perform his/her work and provide services in accordance with the specifications and requirements of this contract, any applicable Montana Public Work Standard(s) and Exhibit “A”.

SECTION TWO CONTRACT PRICE

Payment. City shall pay Contractor six thousand dollars and no cents (\$6,000.00) for the work described in Exhibit A. Any alteration or deviation from the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE CITY’S RESPONSIBILITIES

Upon completion of the contract and acceptance of the work, City shall pay Contractor the contract price, plus or minus any additions or deductions agreed upon between the parties in accordance with Sections one and two, if any.

SECTION FOUR CONTRACTOR’S WARRANTIES AND RESPONSIBILITIES

A. Independent Contractor Status. The parties agree that Contractor is an independent contractor for purposes of this contract and is not to be considered an employee of the City for any purpose hereunder. Contractor is not subject to the terms and provisions of the City’s personnel policies or handbook and shall not be considered a City employee for workers’ compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings, agreements or sub-contracts in any dealings between Contractor and any third parties. The City is interested solely in the

results of this contract. Contractor is solely responsible for all work and work product under this contract, including techniques, sequences, procedures, and means. Contractor shall supervise and direct the work to the best of his/her ability.

B. Wages and Employment. Contractor shall abide by all applicable State of Montana Rules, Regulations and/or Statutes in regards to prevailing wages and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act. Contractor shall maintain workers' compensation coverage for all members and employees of his/her business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA. Contractor understands that all contractors or subcontractors working on publicly funded projects are required to have withheld from earnings a license fee of one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars (\$5,000) or more. This license fee is paid to the Montana Department of Revenue pursuant to Montana law.

C. Unless otherwise specified by the terms of this Agreement, all materials and equipment used by Contractor on the Construction Project shall be new and where not otherwise specified, of the most suitable grade for their intended uses.

D. All workmanship and materials shall be of a kind and nature acceptable to the City.

E. All equipment, materials, and labor provided to, on, or for the Contract must be free of defects and nonconformities in design, materials, and workmanship for a minimum period beginning with the commencement of the work and ending one (1) year from completion and final acceptance by the City. Upon receipt of City's written notice of a defective or nonconforming condition during the warranty period, Contractor shall take all actions, including redesign and replacement, to correct the defective or nonconforming condition within a time frame acceptable to the City and at no additional cost to the City. Contractor shall also, at its sole cost, perform any tests required by City to verify that such defective or nonconforming condition has been corrected. Contractor warrants the corrective action taken against defective and nonconforming conditions for a period of an additional one (1) year from the date of City's acceptance of the corrective action.

F. Contractor and its sureties are liable for the satisfaction and full performance of all warranties.

G. Contractor has examined the facilities and/or has made field examinations. Contractor has knowledge of the services or project sought under this Contract and he/she further understands the site conditions to be encountered during the performance of this Contract. Contractor has knowledge of the types and character of equipment necessary for the work, the types of materials needed and the sources of such materials, and the condition of the local labor market.

H. Contractor is responsible for the safety of the work and shall maintain all lights, guards, signs, temporary passages, or other protections necessary for that purpose at all times.

I. All work is performed at Contractor's risk, and Contractor shall promptly repair or replace all damage and loss at its sole cost and expense regardless of the reason or cause of the damage or loss; provided, however, should the damage or loss be caused by an intentional or negligent act of the City, the risk of such loss shall be placed on the City.

J. Contractor is responsible for any loss or damage to materials, tools, work product or other articles

used or held for use in the completion or performance of the Contract.

K. Title to all work, work product, materials and equipment covered by any payment of Contractor's compensation by City, whether directly incorporated into the Contract or not, passes to City at the time of payment, free and clear of all liens and encumbrances.

**SECTION FIVE
INDEMNITY AND INSURANCE**

Contractor shall indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees.

**SECTION SIX
COMPLIANCE WITH LAWS**

Contractor shall comply with all federal, state, local laws, ordinances, rules and regulations. Contractor shall either possess a City business license or shall purchase one, if a City Code requires a business license.

**SECTION SEVEN
NONDISCRIMINATION**

Contractor agrees that any hiring of persons as a result of this contract must be on the basis of merit and qualification and further that Contractor shall not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin.

**SECTION EIGHT
DEFAULT**

If either party fails to comply with any term or condition of this Contract at the time or in the manner provided for, the other party may, at its option, terminate this Contract and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law except for punitive damages. The Parties hereby waive their respective claims for punitive damages. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Contract.

**SECTION NINE
TERMINATION**

Either party may terminate the contract for their convenience upon thirty days written notice sent postage prepaid, to the addresses provided herein.

**SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION**

The Parties agree that the laws of the State of Montana govern this Contract. The Parties agree that venue is proper within the Courts of Yellowstone County, Montana. If a dispute arises, the Parties, through a representative(s) with full authority to settle a dispute, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

**SECTION ELEVEN
ATTORNEY FEES**

If any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either is ordered to pay, a reasonable sum for the successful party's attorney's fees and all costs charges and expenses related to the action.

**SECTION TWELVE
ENTIRE AGREEMENT**

This contract and its referenced attachment and Exhibit A contain the entire agreement and understanding of the parties and supersede any and all prior negotiations or understandings relating to this project. This contract shall not be modified, amended, or changed in any respect except through a written document signed by each party's authorized respective agents.

**SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS**

The rights of each party under this Contract are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

**SECTION FOURTEEN
SEVERABILITY**

Each provision, section, or subsection of this Contract shall stand separate and independent of every other. In the event that a court of competent jurisdiction shall find any provision, section, or subsection of this contract to be invalid, the remaining provisions, sections, and subsections of this contract shall remain in full force and effect.

**SECTION FIFTEEN
PARAGRAPH HEADINGS**

The titles to the paragraphs of this contract are solely for the convenience of the parties and shall not be used to explain, simplify, or aid in the interpretation of the provisions of this agreement.

SIGNED AND AGREED BY BOTH PARTIES ON THE 24th DAY OF APRIL 2022.

CITY OF LAUREL

CONTRACTOR

Dave Waggoner, Mayor

True North Contracting

ATTEST:

Employer Identification Number

Kelly Strecker, Clerk/Treasurer
