



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, OCTOBER 28, 2025
6:30 PM
COUNCIL CHAMBERS**

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.

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 Special Minutes of September 25, 2025.
- [2.](#) Approval of Revised Minutes of September 23, 2025.
- [3.](#) Approval of Minutes of October 14, 2025.

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.*

4. Claims entered through October 24, 2025.
5. Approval of Payroll Register for PPE 10/12/2025 totaling \$259,225.95.
- [6.](#) Council Workshop Minutes of October 7, 2025.
- [7.](#) Council Workshop Minutes of October 21, 2025.

Ceremonial Calendar

Reports of Boards and Commissions

- [8.](#) Budget/Finance Committee Minutes of October 14, 2025.
- [9.](#) Emergency Services Committee Minutes of September 22, 2025.
- [10.](#) Tree/Park Board Minutes of October 2, 2025.
- [11.](#) Library Board Minutes of May 13, 2025.

[12.](#) Library Board Minutes of April 8, 2025.

[13.](#) Laurel Urban Renewal Agency Minutes of October 7, 2025.

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

[14.](#) Appointment of Erin English to the Laurel Emergency Medical Service.

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.

File Attachments for Item:

1. Approval of Special Minutes of September 25, 2025.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

September 25 2025

A special meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:00 p.m. on September 25, 2025.

COUNCIL MEMBERS PRESENT: Thomas Canape Heidi Sparks
Jessica Banks
Casey Wheeler Irv Wilke
Richard Klose Jodi Mackay

COUNCIL MEMBERS ABSENT: Michelle Mize

OTHER STAFF PRESENT: Kurt Markegard, CAO
Brittney Harakal, Administrative Assistant

Mayor Waggoner led the Pledge of Allegiance to the American flag.

MINUTES: None.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS: None.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- Resolution No. R25-88: A Resolution Of The City Council Authorizing The Mayor To Approve A Change Order With Knife River For The Project Known As The Southside Paving Project

Motion by Council Member Klose to approve Resolution No. R25-88, 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): None.

COUNCIL DISCUSSION: None.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Sparks to adjourn the Council meeting, seconded by Council Member Klose. 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.

DRAFT

Special Council Minutes of September 25, 2025

There being no further business to come before the Council at this time, the meeting was adjourned at 6:04 p.m.


Brittney Harakal, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 28th day of October 2025.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

2. Approval of Revised Minutes of September 23, 2025.

MINUTES OF THE CITY COUNCIL OF LAUREL

~~DATE~~ 2025
Sept. 23 2025

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:30 p.m. on September 23, 2025.

COUNCIL MEMBERS PRESENT:

- | | |
|----------------|---------------|
| Thomas Canape | Heidi Sparks |
| Michelle Mizze | Jessica Banks |
| Casey Wheeler | Irv Willeke |
| Richard Klose | Jodi Mackay |

COUNCIL MEMBERS ABSENT:

None

OTHER STAFF PRESENT:

- Michele, Braukmann, Civil City Attorney
Kelly Strecker, Clerk/Treasurer
Jarred Anglin, Interim Police Chief
Matt Wheeler, Public Works Director
Jean Kerr, City Judge
Kurt Markegard, CAO

Mayor Waggoner led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of August 26, 2025, as presented, seconded by Council Member Sparks. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

Motion by Council Member Sparks to approve the minutes of the regular meeting of September 9, 2025, as presented, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Fire Monthly Report - August 2025
- Beartooth RC&D September Correspondence.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through September 19, 2025.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Clerk/Treasurer Financial Statements for the month of July 2025.**
- **Clerk/Treasurer Financial Statements for the month of August 2025.**
- **Approval of Payroll Register for PPE 9/14/2025 totaling \$264,949.22.**
- **Council Workshop Minutes of August 19, 2025.**
- **Council Workshop Minutes of September 2, 2025.**

The Mayor asked if there was any separation of consent items. There was none.

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Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Sparks. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of September 9, 2025.
- Budget/Finance Committee Minutes of August 26, 2025.
- Laurel Urban Renewal Agency Minutes of September 8, 2025.
- Park Board Minutes of September 4, 2025.
- Public Works Committee Minutes of August 18, 2025.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Jarred Anglin as Police Chief.**

Motion by Council Member Mize to approve the Mayor's appointment of Jarred Anglin as Police Chief, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

Judge Kerr swore in the newly appointed Police Chief.

Former Police Chief Langve performed the pinning ceremony.

- **Resolution No. R25-83: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding Between The City Of Laurel And Yellowstone County For GIS Services.**

Motion by Council Member Canape to approve Resolution No. R25-83, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R25-84: Resolution Of City Council (APPROVING or DENYING) Zone Change For Iron Horse Station Subdivision From Residential R-6000 (Duplex) To Residential RMF (Multi-Family).**

Motion by Council Member Mize to approve Resolution No. R25-84A, seconded by Council Member Sparks.

The developers' agent was present to answer any questions that they had on this matter.

Ron Benner, City/County Planning Board, stated that the Planning Board put a lot of thought into this, and overriding them is a mistake.

The Council expressed concern about ensuring appropriate fire access if it were to approve the zone change.

The Council expressed concern that a 6-plex would be included in this zoning.

Council questioned whether, once they make a decision on this zone change, they will have a say in whether a 4-plex or 6-plex is built there. It was clarified that zoning is not conditional; if it is an allowable use, it is allowed.

Council noted that the area looks pretty congested and expressed concern about parking and the ability of first responders to respond appropriately.

Council noted they have concerns about the lack of a sidewalk between this development and the new school.

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Council noted that in LMC, RMF is noted to be a buffer between commercial and residential. They had concerns that this would lead to commercial properties in the area. The Council noted the option of RMLF instead of RMF.

Council noted the consequences of parking recreational equipment, such as campers, trailers, and boats, in the area.

Council questioned the process by which first responders weigh in on these matters. It was clarified that an item goes through the Planning Board process, which does require public notice to the surrounding residents and notice in the paper.

A roll call vote was taken on the motion. All eight Council Members present voted no. Motion carried 0-8.

Motion by Council Member Canape to approve Resolution No. R25-84B, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R25-85: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With Donahue Roofing & Siding LLC.**

Motion by Council Member Banks to approve Resolution No. R25-85, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R25-86: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With Bartram Services, LLC.**

Motion by Council Member Mackay to approve Resolution No. R25-86, seconded by Council Member Canape. There was no public comment.

A Council Member questioned why the City would not go with the company that has installed all the previous systems.

A vote was taken on the motion. Seven Council Members present voted aye. Council Member Klose voted no. Motion carried 7-1.

- **Resolution No. R25-87: A Resolution Of The City Council Authorizing The Mayor To Execute The Memorandum Of Understanding Between The City Of Laurel And The Yellowstone Valley Animal Shelter, For The Provision Of Temporary Shelter Services For Displaced Animals.**

Civil Attorney Braukmann briefly reviewed what this contract entails.

Motion by Council Member Wheeler to approve Resolution No. R25-87, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

There is a Special City Council Thursday at 6:00 p.m. in Council Chambers.

September is a five-Tuesday month. There is no Council next week.

MAYOR UPDATES:

They have started the Southside Paving Project. So far, it looks good.

Council noted the new sidewalk at Nutting Park and the millings on the shoulder of the road, which provide a safe walking surface for the kids.



UNSCHEDULED MATTERS:

There will be a change order presented to the Council on Thursday for a special meeting. There was an error in calculating the total square feet of asphalt needed. It is an increase of \$45,000.

It was questioned whether there are funds in the Gas Tax fund to cover this additional cost. It was clarified that there are funds available.

ADJOURNMENT:

Motion by Council Member MiZe 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 eight Council Members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:18 p.m.


Britney Harakej, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 14th day of October 2025.


Dave Waggoner, Mayor

Attest:


Kelly Strecker, Clerk/Treasurer





File Attachments for Item:

3. Approval of Minutes of October 14, 2025.

MINUTES OF THE CITY COUNCIL OF LAUREL

October 14, 2025

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 Vice President Wilke at 6:30 p.m. on October 14, 2025.

COUNCIL MEMBERS PRESENT: Thomas Canape
Michelle Mize Jessica Banks
Casey Wheeler Irv Wilke
Richard Klose Jodi Mackay

COUNCIL MEMBERS ABSENT: Heidi Sparks

OTHER STAFF PRESENT: Michele, Braukmann, Civil City Attorney (via phone)
Brittney Harakal, Administrative Assistant
Matt Wheeler, Public Works Director

Council Vice President Wilke led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Banks to approve the minutes of the regular meeting of September 23, 2025, as presented, seconded by Council Member Mize. 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:

- LURA Letter
- Fire Monthly Report - September 2025.
- Police Monthly Report - September 2025.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through October 10, 2025.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 9/28/2025 totaling \$268,385.63.**
- **Workshop Minutes of September 16, 2025.**

The Council Vice President 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 Canape. 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 September 23, 2025.
- Laurel Airport Authority Minutes of March 31, 2025.
- Laurel Airport Authority Minutes of April 15, 2025.
- Laurel Airport Authority Minutes of April 22, 2025.
- Laurel Airport Authority Minutes of May 27, 2025.
- Laurel Airport Authority Minutes of July 22, 2025.
- Laurel Airport Authority Minutes of July 30, 2025.

- Laurel Airport Authority Minutes of August 26, 2025.
- Public Works Committee Minutes of September 15, 2025.
- Laurel Urban Renewal Agency Minutes of September 22, 2025.
- Library Board Minutes of June 10, 2025.
- Library Board Minutes of July 8, 2025.
- Library Board Minutes of August 12, 2025.
- Laurel Airport Authority Minutes of September 23, 2025.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Renee Studiner to the Tree/Park Board for the remainder of a 4-year term ending December 31, 2026.**

Motion by Council Member Mize to approve the Mayor's appointment of Renee Studiner to the Tree/Park Board for the remainder of a 4-year term ending December 31, 2026, seconded by Council Member Wheeler. 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. R25-89: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With Donahue Roofing & Siding LLC.**

Motion by Council Member Canape to approve Resolution No. R25-89, seconded by Council Member Mize. There was no public comment.

Council questioned whether this small service contract is for roof repair or replacement. It was clarified that, when obtaining quotes, the project was shown to two vendors, with the direction to provide a quote so that the roof does not leak. One gave a quote for a repair, and the other for a replacement. The vendor that presented an entire roof replacement was offered the opportunity to quote a repair similar to Donahue. The other vendor has not resubmitted a quote.

Council questioned whether the recent resolution regarding the Water Plant's roof was a repair or replacement. It was clarified that it was for a replacement. They have done a good job on previous projects for the City.

Council questioned whether, if they were to postpone tonight's vote, the Public Works Director would be worried about the weather. It was clarified that if the Council chooses to postpone the vote, a cycle would not cause issues. However, there is no guarantee that another quote will be obtained. The Public Works Director reminded Council that the City budgeted 50k for roof repairs. At this time, a complete replacement is not an option.

Council questioned if weather conditions were a concern. It was clarified that yes, that is a concern.

The City Attorney clarified the difference between a quote and a bid. A bid is a formal process, while a quote is informal. If a purchase or project is over 80k, it must be bid. She also clarified that this resolution is explicitly written for Donahue. If the Council wants an additional quote, they would need to decline the resolution tonight.

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

- **Resolution No. R25-90: A Resolution Of The City Council Of The City Of Laurel, Montana Authorizing The Mayor To Seek Bids For Ambulance Purchase.**

Motion by Council Member Mackay to approve Resolution No. R25-90, seconded by Council Member Mize. 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.

DRAFT

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Reminder, October 25, 2025, is the Spook-ghetti event at Riverside Hall from 4 to 8 p.m.

COUNCIL DISCUSSION:

The Cemetery Commission's next meeting is next Tuesday at 5:00 p.m. in the Council Conference Room.

The next Public Works Committee meeting is next Monday at 6:00 p.m. in Council Chambers.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Wheeler to adjourn the Council meeting, seconded by Council Member Klose. 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 6:55 p.m.


Brittney Harakal, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 28th day of October 2025.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

6. Council Workshop Minutes of October 7, 2025.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, OCTOBER 07, 2025**

A Council Workshop was held in Council Chambers and called to order by Council Vice President Wilke at 6:30 pm on October 7, 2025.

COUNCIL MEMBERS PRESENT:

☒ Tom Canape	☐ Heidi Sparks
☒ Michelle Mize	☒ Jessica Banks
☐ Casey Wheeler	☒ Irv Wilke
☒ Richard Klose	☒ Jodi Mackay

OTHERS PRESENT:

Brittney Harakal, Administrative Assistant
Michele Braukmann, Civil Attorney (Phone)
Kurt Markegard, CAO

Public Input:

Barbara Anne Sprague Emineth, 501 Alder Avenue, read the attached statement.

General Items

1. Appointment of Renee Studiner to the Tree/Park Board for the remainder of a 4-year term ending December 31, 2026.

There was no discussion on the item.

Executive Review

Council Issues

2. Ambulance Discussion

The EMS Chief had a prior engagement this evening and was unable to attend. She had previously spoken to the Emergency Services Committee. The CAO state he would be able to speak on this matter.

The CAO reviewed the attached handout and the City's CIP, see attached. There will be fundraising to help pay for the new ambulance. There is 40k in the CIP for this project. The City can also use reserves to help with a one-time purchase. The local option tax has been disbursed to multiple funds instead of the General Fund, allowing the City to utilize those funds for this purchase as well. The Chamber and the Small Business Alliance are on board to help with fundraising. He has also spoken with Jersey Mikes to do a fundraiser during their grand opening. This will have to go out to bid as it is a purchase over 80k.

Community Advocates Leading Laurel (CALL) is hosting a spaghetti dinner as a fundraiser on October 25th. Once all details are finalized, those details will be shared with the Council.

The City needs a resolution to seek bids, as it is an item not budgeted for.

It was questioned whether the City is required to accept a bid. It was clarified that the City can reject all bids.

Council questioned whether the City needs to update its CIP, similar to the recent update for the fire truck. It was clarified that this purchase is listed in the CIP as a priority 1 in FY 2026. No update is needed.

The Council questioned whether the vehicle is being held for the City or if someone else can purchase it. It was further questioned if there are any deadlines. It was clarified that this vehicle is available for purchase. The company has requested a down payment to secure the vehicle; however, the City cannot make a down payment because it must undergo the public bidding process. The bidding process will take a few weeks.

Council questioned if this rig has a couple of hundred miles on it. It was clarified that the vendor drove the vehicle to an event in Butte, resulting in more miles on the ambulance than pictured. However, it only has a couple of hundred miles on it.

A Council Member on the Emergency Services Committee noted that the Fire Chief had mentioned a fire truck that can be sold to help fund the ambulance. Council noted they were in favor of this. The CAO stated that he has not yet had that conversation with the Fire Chief, but he can discuss it further.

Amy Mullaney of Sunlight Property Management stated she was in support of funding this ambulance.

Other Items

The City needs to repair the roof at City Shop. Part of the roof has collapsed. Water is entering the building, indicating the roof needs repair. Staff got two different quotes; Donahue's is under 80k and does not need to go to bid. This repair has been budgeted.

It was questioned if there is a warranty on the work. It was clarified that there is no warranty from the last contractor. The small service contract includes a one-year warranty for the work.

It was questioned whether this is a roof repair or a replacement. It was clarified that Staff would need to clarify further and will have an answer for next week's meeting.

Attendance at Upcoming Council Meeting

All Council Members present will be at the next meeting.

Announcements

There will be a fundraiser on October 25, 2025, from 4 to 8 pm at Riverside Hall to support the new ambulance. There will be a costume contest, raffle items, games, and a spaghetti dinner.

The CAO will be out of the office for training next week and will ask Matt to clarify whether the roof requires repair or replacement.

Monday is a holiday; City Hall will be closed.

The construction on W. Main Street has begun to place the water and sewer lines out to the new Love's location. Please plan accordingly. Love's hope is to be open by March.

The council workshop adjourned at 7:16 pm.

Respectfully submitted,



Brittney Harakal
Administrative Assistant

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

Barbara Anne Sprague Emineth 501 Alder Ave. Laurel
10/7/2025

"THE EMPEROR'S NEW SUIT" Once there was a self-obsessed emperor who commanded two dishonest tailors to make him a new suit and they were to use gold and silver thread. When he checked on their progress they hadn't even begun. They explained that they had made him a magic suit that was invisible to stupid people, not wanting to appear stupid the emperor accepted the tailors' explanation when in fact they had stolen the materials to make the suit! The day came when there was a big celebration and since his loyal subjects had told him what a nice suit had been made, not wanting to appear stupid themselves, he decided to wear it. When the parade began a child yelled out the truth: the emperor isn't wearing any clothes! I find parallels between this fictional story by Hans Christian Anderson and our current reality. If the powers that be only surround themselves with people who agree with and flatter them I must conclude their intentions are simply to inflate their own egos. The rest of the world is watching and have come to realize the United States is indeed in a constitutional crisis. If we are to preserve our civil rights we must speak truth to power. The lack of personal character among our elected officials is on full display. The wannabe emperor has no clothes and he enjoys young girls! One in three girls and one in five boys are sexually abused in this country. I suspect most of us don't tell a soul until we're adults, if ever. Teach your precious children that no one else should touch their private parts and they should tell you if they are uncomfortable around someone. Be aware a large percentage of the time an abuser is a trusted family member or friend. We all must rise like never before, we are a powerful force When We Stand Together! Our voices will not be silenced moving forward because the stakes are too high. If the false prophets are not brought down things won't end well. Our founding fathers attempted to prevent exactly what is taking place today. The problem is there are too many in this administration who are complicit when they should be calling out the corruption. They are no longer serving the people who elected them therefore it lands on our shoulders to right the ship before it sinks, while others are attempting to blow it out of the water. Please help in this mission in whatever way you are able. Know in your hearts that Light, Love, and Truth will prevail!

Barbara A.S. Emineth

2024 RAM 4500 MXP 150 Demo Demers Ambulance

V.I.N. Is 3C7WRLBL9RG280022

Quote from Apgar Ambulance as is - \$250,676.00

Rough estimate to make it road ready:

- \$79,000.00 - Stryker V2 and V2 Stryker Cot
- \$5900.00 - Graphics
- \$450.00 - Install Radio of Customer
- \$4600.00 - Ali-Arc Aluminum Grille Install
- \$1800.00 - Dealer Prep, hook up batteries, wash detail,

Option #1 - Total from Apgar Ambulance for Road Ready - approximately \$342,426.00

Option #2 - Total from Apgar Ambulance for Ambulance with Stryker Power Cot/Power load system - \$329,676.00

Option #3 – This option is our first choice.

Total from Apgar Ambulance for Ambulance only / not road ready - \$250,676.00. We would have to pay to have our old radios, cot system taken from the old ambulance and purchase the grill guard and striping graphics once we receive it.

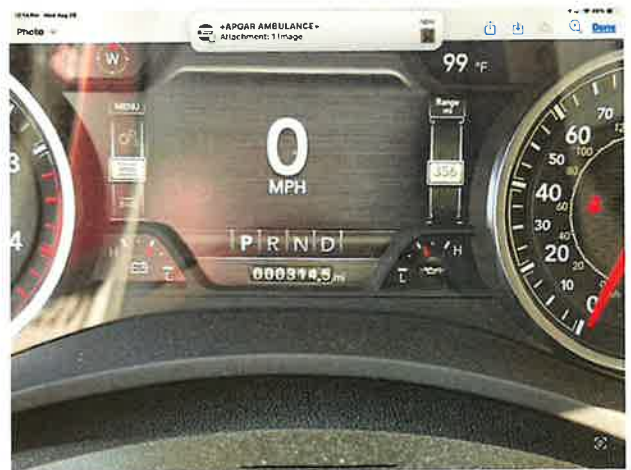
- \$2,000.00 - Moving old cot from Care 2 to new ambulance and then Care 1 cot to Care 2
 - \$4,990.00 – Inferno Auto Body estimate for grill guard and striping
 - \$1,000.00 – Radio wiring and moving radio from Care 1 to new ambulance (can be done in house by a staff member)
 - \$1,500.00 – Lifepak EKG monitor mount
- Total to make road ready - \$260,166.00

This is a significant discount for a new ambulance. He does have more coming in the near future however they are Ford F350 (not exactly what we want) and he quoted the price, not road ready, as likely being \$300,000 - \$325,000.00. That price is aligned with all of the ambulance quotes that we received last year when asked to research.

We also inquired about a trade in with this dealer. Without a cot in it he states that it would be very little money as he generally just re sells to retrofit as a camper, so likely best to sell ourselves.









APGAR AMBULANCE

Montana's Premier Ambulance Dealership

Steve Apgar



Cell - (503) 720-4067



Website - www.apgarambulance.com

APGAR AMBULANCE LLC
300 Dunwoody Lane
Columbia Falls, Montana 59912

503-720-4067
Federal I.D. No.: 20-3365474

Purchase Agreement Invoice for:	Purchase from
City of Laurel Upon approval. PO Box 10 Laurel, Montana 59044	Apgar Ambulance LLC 300 Dunwoody Lane Kalispell, Montana 59901 503-720-4067 Shop Phone 406-885-0086

Customer P.O.	Order Day	Ship Day	Ship Via	Delivered To	Terms
CLEMS001	9-12-2025		driver	customer	30 Days

Description	VIN Number	Price US\$
Proposal for purchase of a new built 2024 RAM 4500 MXP 150E - D24-117563. Demo Demers Ambulance V.I.N. Is 3C7WRLBL9RG280022 Cost: Ambulance as is - \$250,676.00 Rough estimate to make it road ready: -\$79,000 Stryker V2 and V2 Stryker Cot -\$5900.00 Graphics -\$450. Install Radio of Customers -\$5600. Ali-Arc Aluminum Grille Install -\$1800. Dealer Prep, hook up batteries, wash detail, Total from Apgar Ambulance for Road Ready - \$343,426.00 Total from Apgar Ambulance for Ambulance and Stryker Power Cot/Power load system - \$329,676.00 Total from Apgar Ambulance for Ambulance only / not road ready - \$250,676.00 2024 RAM 4500 Chassis Demers MXP 150 module. 150" Ambulance March 2024 Build. C.A.S.S. Certified.	VIN:3C7WRLBL9RG290022 MXP 150E -D24-117563 Include Installing cost for Apgar supplied Power floor Plate TOTAL Ambulance With shipping \$1500. and Install price of \$2780. client supplied. Loader and Power Cot. Graphics per new regulations including Chevrons Estimated by local Vendor Cost for All new 2025 Installed STRYKER V2 Cot and Loader >> TOTAL AMOUNT TO for Title and Delivery PAY -----> We do offer Trade ins.	MSRP. Insured Value \$279,863.00 \$250,676.00 Clearance \$2,780.00 Total Ambulance Only First Price \$250,676.00 \$2,780.00 Existing Stryker V2 Cot and Loader Installed. All new \$77,890.00 Ali-Arc Aluminum Full Bumper Grille Install move lights speakers as needed \$5790.00 \$343,426.00

Payment and wire transfer account information:

APGAR AMBULANCE L.C. OFFICE • 300 Dunwoody Lane • Columbia

Bank Information	Account Information
Freedom Bank Columbia Falls 530 9 TH STREET WEST COLUMBIA FALLS, MT 59901 (406)-892-6631	Account Name: Apgar Ambulance LLC Business Account Number: 21009667 ABA Routing Number: 092905456 All County Checks please Note send to Bank Address.

CIP.

Shed for Major Equipment: \$500,000

The facility currently being utilized for equipment belongs to Public Works, and, as such, is primarily utilized for storage of public works equipment, resulting in fire department equipment being stored outside. When equipment is exposed to weather, the useful life is diminished due to wear from the elements. A separate shed for fire station equipment would ensure that all equipment can be adequately stored and protected from weather and related wear and tear, increasing the time equipment is viable and ensuring the quality of the equipment for the duration of its use.

New Fire Station: \$15,000,000

The current fire station no longer meets the needs of the fire department or the anticipated growth of the community. Construction of a new fire station would allow for additional bays/storage for all vehicles and apparatus, living quarters for increasingly diverse staff, and adequate office space to perform required administrative functions of the Department.

Custom-Chassis Rescue Fire Truck Addition: \$1,100,000

Costs are for the addition of a Custom-Chassis Rescue Fire Truck. This Fire Truck, if purchased, will include a 3/16" Extruded Aluminum Body Configuration, with Pump Capacity of 1500 GPM and a Tank Capacity of 1000 Water/30 Foam.

Ambulance General:

The Laurel Ambulance Service provides emergency medical and public safety services for the City of Laurel and surrounding territory in Yellowstone County, serving approximately 205 square miles. The ambulance service is staffed by volunteer EMRs, EMTs, and paramedics and became a city-run agency in June of 1976. The Ambulance Service responds to approximately 850-1000 calls annually.

Ambulance/EMS Services:

Project	Project Year	Funding Sources	Priority 1-5	Project Costs
Replace Ambulance-Care 2	2026	General	1	\$300,000
Communication Equipment Replacement	2026	General	2	\$20,000
3 - Physio Control LP-15 Defibrillator	2027	General	1	\$90,000
Replace Primary Ambulance	2027	General	2	\$300,000
Acquire 'Mega Code Kelly'	2028	General	4	\$10,000
Community Paramedicine Equipment	2028	General	5	\$120,000

Additional Detail:

Ambulance Replacement, Care 2: \$300,000

Care 2, the second ambulance, needs replacement. It is a 1999 unit, has high mileage, and is nearing the end of its useful life. In addition, it does not have 4-wheel drive, which given the unpredictable weather

in Laurel is required to ensure accessibility throughout the Laurel service area. Annual maintenance costs for the vehicle are reaching a level near the cost of the new ambulance.

Communication Equipment replacement: \$20,000 (Annually)

As is the case with replacement of the communications equipment in the Fire Department, the Ambulance Service is also considering a bulk replacement of all the communications equipment or an annual partial replacement that ensures communications equipment is always fully functional and of the highest quality. The primary advantage of a total replacement is ensuring all equipment is standardized and compatible. The obvious drawback is centralizing the full cost into a single fiscal year. The most expedient and cost-effective solution would be to purchase half of the equipment in June of one fiscal year and the second half in July, which would be a new fiscal year, allowing for purchase of standardized and compatible equipment with the costs spread over two separate fiscal years.

Physio Control LP-15 Defibrillator: \$90,000



The Departments' defibrillators need to be upgraded or replaced. These are essential life-saving equipment. The current plan is to place these devices on a routine amortization schedule so that the equipment is updated promptly and remains within current health and safety standards for use.

Ambulance Replacement, Primary: \$300,000

Cost includes the replacement of the primary ambulance in 2024. This is the anticipated time frame in which the primary vehicle will reach high enough mileage and needed repair/maintenance that meets or exceeds the cost of replacement.

Mega Code Kelly. \$10,000

Mega Code Kelly is the most recent generation of training aids available to EMS Departments. Training and training aids are a critical piece of providing continual preparation for first responders to address life-threatening situations.

Community Paramedicine Equipment: \$120,000



There is a strong desire is to create a Quick Response Unit (QRU) to address urgent EMS needs within the jurisdiction. The cost estimate provided is not for personnel costs but is instead proposed to acquire the necessary equipment and a vehicle to support QRU operations.

RESOLUTION NO. R25-__

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE AN INDEPENDENT CONTRACTOR SERVICE CONTRACT WITH
DONAHUE ROOFING & SIDING LLC.**

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 (hereinafter “the City”) and Donahue Roofing & Siding LLC, 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 Donahue Roofing & Siding LLC on behalf of the City.

Introduced at a regular meeting of the City Council on the 14th day of October 2025 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 14th day of October 2025.

APPROVED by the Mayor on the 14th day of October 2025.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 14th day of October, 2025, 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 Donahue Roofing & Siding LLC, a contractor licensed to conduct business in the State of Montana, whose address is 3970 Avenue D Suite D, Billings, MT 59102, 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 September 29, 2025, 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 thirty-nine thousand nine hundred six dollars and forty-eight cents (\$39,906.48) 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 14th DAY OF OCTOBER 2025.

CITY OF LAUREL

CONTRACTOR

Dave Waggoner, Mayor

Donahue Roofing & Siding LLC

ATTEST:

Employer Identification Number

Kelly Strecker, Clerk/Treasurer

ESTIMATE

Donahue Roofing and Siding LLC
3970 Avenue D,
Suite D
Billings, MT 59102
(406) 248-5428

Sales Representative
Rob Walla
(406) 861-4347
rob.donahuerooting@gmail.com



City of Laurel Maintenance Shop
Brandon Gonzales
20 South 7th Ave
Laurel, MT 59044

Estimate #	4558
Date	9/29/2025

Item	Description	Qty	Price	Amount
Build roof onto roof to divert water and close the gap between the two buildings. Install roofing over all.				\$39,906.48
Mule-Hide Modified Bitumen Base Sheet Self-Adhered	Mule-Hide Modified Bitumen Base Sheet Self-Adhered			
Mule-Hide SA-SBS Modified Bitumen Cap Sheet	Mule-Hide SA-SBS Modified Bitumen Cap Sheet			
TITANIUM PSU SYNTHETIC UNDERLAYMENT	Titanium PSU is a high performance underlayment designed for superior waterproofing and durability. It provides excellent adhesion, slip resistance, and protection against-wind driven rain and ice dams, making it ideal for high quality roofing applications.			
2x4x16 Lumber	doug fir dimensional lumber			
2x6 Lumber	to support transitions from roof to roof			
23/32" OSB	4X8 SHEETS (EA)			
Duration Owens Corning	Premium Laminate shingles to blend into existing roof.			
custom flashing	20 GA custom flashing for transition from one roof elevation to the next and to close off trough which exists.			
Roofing Labor	Labor per square to install modified bitumen roofing and blend in shingles			
METAL ROOF LABOR	Cut back metal roof to accept cricket transition and install valley metal			
24" W Valley	Valley Metal			
PBR bottom closure				
Build Cricket	build cricket out of plywood and 2x4's and 2x6's to divert water			
Diamond Kote Siding	to fill in ends of downslope crickets and finish with siding of your choice. Lap siding or 4x8 pre-finished sheet siding.			
J-channel	J-channel for steel siding			
DRIP EDGE FLASHING	Metal flashing installed at the edges of the roof to help control the flow of water away from the fascia preventing rotting			
Commercial Supervision	Project Management and coordination of workforce and jobsite on complex repair project.			
Building Permit	City of Billings			

Item	Description	Qty	Price	Amount
MANLIFT	For work inside to support the metal roof from the bottom, between the purlins where we will cut the metal to make a valley.			
one flash sealant tubes	Sausage tubes of permanent repair sealant and water blocker. Thick and permanently flexible with tenacious adhesion.			
1"X12' EMSEAL ROLL	UNIVERSAL CLOSURE FOR METAL ROOFING			
Steel Support Beam	Steel or cost holder for alternate wood Cross members to support roof deck 12' and angle support between purlins			
LABOR	MISC LABOR for steel support of roofing and flashings under metal roof and to had seal the rest of the existing roof			

Sub Total	\$39,906.48
Total	\$39,906.48

SPECIAL INSTRUCTIONS

We calculated the cost for the work you have requested on your Project. Thank you for the opportunity to bid on your roofing project, we look forward to working with you in the near future. The scope of work will consist of the following:

Make roof modifications to stop leaking at roof to roof elevation change where the low slope metal roof meets the end wall of the shingle roof.

1. Cut into the metal roof in a triangle shape upslope to create a transition point for water to flow into new valleys. Support the metal roofing from underneath with supports to span the purlins at the new angle created. Build a roof cricket onto the existing roof and divert water into two valleys to flow off of the roof beyond the elevation change of the taller roof.

Build a plywood and 2x4 roof structure to approximate the height of the existing shingle roof and cover it with Modified Bitumen low slope roofing membrane. Continue this slope down onto the shingle roof where the elevation changes and slope water out and fill in the gap between the two buildings where water had been leaking in the past. Apply shingles to this slope and blend them into the existing shingles on the shingle roof creating a valley for water to flow out of and off the roof. Color of shingles will approximate the existing but may not be exact match to existing if that color is not available. Replace any rotten plywood in this area where we discover it under the shingles we will be replacing. We will try to come out far enough from the sidewall to capture the replacement of what looks rotten from the underside, up to 20 feet at the eave, from the building join area on the low slope rear of the building.

Hand seal screws, skylights and other penetrations on this entire metal roof slope, and hand seal the flashing along this entire side where the roof joins with the sidewall to reduce chance of future leaks in these areas.

All of the above work to be completed in a substantial and workmanlike manner according to standard practices for the price stated above. Payments to be made 100% upon completion of the project.

 Date _____
 Authorized Signature

Acceptance of proposal:

Any alterations or deviations from the above specifications involving extra costs of labor or material will only be executed upon written order for the same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing.

You are hereby written to furnish all materials and labor required to complete the work mentioned in the above proposal, for which I agree to pay the amount mentioned on said proposal, and according to the terms thereof. This guarantee shall not become effective until the contractor has been paid in full for said in accordance with agreement.

Notice: Balance due after 30 days will be charged 1.5% per month. All costs of collections to include attorney's fees shall be assessed.

Accepted by:

 Dated: _____

TEST TEMPLATE

Kirkness Roofing & Exteriors
144 Moore Lane,
PO BOX 23165 Zip Code 59104
Billings, MT 59101
(406) 256-1798

Sales Representative
Jerome Miller
(406) 200-9968
Jerome@kirknessroofing.com



Brandon Gonzales
20 South 7th avenue
Laurel, MT 59044

Estimate #	5303
Date	10/6/2025

Item	Description	Qty	Price	Amount
Shingle Roof				\$19,255.16
Malarkey Highlander	Remove existing roofing materials and dispose Install Malarkey Highlander Shingle Color:	38.33	\$395.00	\$15,140.35
Malarkey H&R	Install Malarkey hip and ridge	61.00	\$7.03	\$428.83
GAF starter strip	Install GAF starter course on all eaves	122.00	\$1.12	\$136.64
MS-300 Ice and Water 1 line	Install 1 row of ice and water shield at eaves and in valleys. R905.2.7.1	450.00	\$1.79	\$805.50
Kirkness Synthetic Underlayment	Install Super premium synthetic underlayment per local codes. R905.2.7	30.00	\$39.90	\$1,197.00
Drip Edge Other	Install Drip Edge Color:	235.00	\$3.63	\$853.05
Tri 4in 1 Pipe Flashing	Install new boots on all vent pipes	2.00	\$52.00	\$104.00
Zip Boot	Install split boot on electrical mast	1.00	\$94.79	\$94.79
Lomanco 750 Vent	Install new box vents on roof Color:	11.00	\$45.00	\$495.00
Coil Nails	Fasten shingles with 6 nails per shingle to meet high wind application requirements.	3.00	\$0.00	\$0.00
Plastic caps	Pail of cap nails for underlayment	3.00	\$0.00	\$0.00
Sealant tube black	Seal all penetration's	3.00	\$0.00	\$0.00
Blue Metal Roof				\$45,359.16
Metal Roof 26ga Tuff Rib Panel	Remove existing roofing replace with Metal roofing Tuff Rib Panel 26 ga	14.00	\$719.72	\$10,076.08
Metal Ridge Cap	Install Non Venting metal ridge cap	45.00	\$11.43	\$514.35
Metal Rake Edge	Install Metal Rake pieces	60.00	\$6.90	\$414.00
Metal Drip Edge	Install Pre-painted drip edge for metal roofing per local code. R905.2.8.5	88.00	\$5.38	\$473.44

Item	Description	Qty	Price	Amount
MS-300 Ice and Water 2 lines.	Install 2 rows of ice and water shield at eaves and 1 row in all valleys. R905.2.7.1	528.00	\$1.93	\$1,019.04
Kirkness Synthetic Underlayment	Install Super premium synthetic underlayment per local codes. R905.2.7	806.00	\$39.90	\$32,159.40
Metal Rib Fill	Fill Metal areas that meet flashing or ridge cap	352.00	\$0.40	\$140.80
Pipe Flashing Metal	Install Boots on all soil pipes for metal roofing	3.00	\$80.50	\$241.50
Heat boot Metal	Replace metal Boots on HVAC Pipe	2.00	\$112.88	\$225.76
Zip Boot	Install split boot on electrical mast	1.00	\$94.79	\$94.79
Screws Metal	Fasten roofing with screws	13.34	\$0.00	\$0.00
Big Metal Shop Roof				\$63,594.90
Metal Roofing PBR panel 26ga	Remove 1 layer of existing roofing materials and install 26gauge metal roofing with a "PBR" profile.	64.00	\$863.21	\$55,245.44
Metal Ridge Cap	Install Non Venting metal ridge cap	100.00	\$11.43	\$1,143.00
Metal Rake Edge	Install Metal Rake pieces	130.00	\$6.90	\$897.00
Metal Drip Edge	Install Pre-painted drip edge for metal roofing per local code. R905.2.8.5	200.00	\$5.38	\$1,076.00
Unit Flashing	Flash all units to manufacturers specifications	4.00	\$500.00	\$2,000.00
Heat boot Metal	Replace metal Boots on HVAC Pipe	8.00	\$112.88	\$903.04
Custom Bent metals	Custom metal for lower edge of roofline Photo attached	65.00	\$12.50	\$812.50
Metal Rib Fill	Fill Metal areas that meet flashing or ridge cap	400.00	\$0.40	\$160.00
Screws Metal	Fasten roofing with screws	59.04	\$0.00	\$0.00
High Roof 2 story	For additional labor and safety requirements to complete high roof areas	59.04	\$23.00	\$1,357.92
The Kirkness Difference				(\$209.22)
Protect Landscaping	Protect Landscaping with tarps during tear off	1.00	\$0.00	\$0.00
Run Nail Magnet	Use nail magnet to pick up nails on the ground.	1.00	\$0.00	\$0.00
Disposal of Debris	Clean up and remove all project related debris from jobsite.	1.00	\$0.00	\$0.00
2-Year warranty	Warrant all labor for a period of 2 years. (No Leak Guaranty)	1.00	\$0.00	\$0.00
3- Year Extended Warranty	Extend labor warranty to 5-years for exterior failures caused by installation deficiencies. No interior work is included in the extended warranty period.	1.00	\$0.00	\$0.00
Right Start Program	Kirkness Roofing to do yearly inspections, tune ups and photo documentations of roof condition, for a period of 5-years after installation of a new roof system.	1.00	\$0.00	\$0.00
Permit	Permit Fees are added after they are incurred. If Needed	1.00	\$0.00	\$0.00

Item	Description	Qty	Price	Amount
discount	As noted on contract	1.00	(\$209.22)	(\$209.22)
Sub Total				\$128,000.00
Total				\$128,000.00

SPECIAL INSTRUCTIONS

File Attachments for Item:

7. Council Workshop Minutes of October 21, 2025.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, OCTOBER 21, 2025**

A Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:29 p.m. on September 2, 2025.

COUNCIL MEMBERS PRESENT:

☒ Tom Canape	☒ Heidi Sparks
☒ Michelle Mize	☒ Jessica Banks
☒ Casey Wheeler	☒ Irv Wilke
☒ Richard Klose	☒ Jodi Mackay

OTHERS PRESENT:

Brittney Harakal, Administrative Assistant
Michele Braukmann, Civil Attorney (via phone)
Kurt Markegard, CAO

Public Input:

Karl Dan Koch, 320 Colorado Avenue, spoke regarding the garbage cans placed in the road on Montana Avenue and E. 3rd Street. He noted that there is a trailer on the Street that makes getting to one of the cans more difficult.

The Mayor stated that he will follow up with the Public Works Director. Can also look at placing these homes in the 90s instead of the 300s. Code Enforcement can address the trailer.

General Items

Executive Review

Council Issues

1. State Forensic Mental Health Facility Discussion

CAO Markegard introduced Senator Vince Ricci and House Representative Lee Deming to Council, both represent Laurel. He briefly reviewed the items included in the Council's packet, see attached. Senator Ricci also handed out an analysis from Senator John Esp. This discussion was purely informational and in response to recent rumors via news articles.

Other Items

CAO Markegard read the attached statement regarding the issue with ballots for the election.

The Spookghetti for Sierns fundraiser is this Saturday from 4 to 8 p.m. at Riverside Hall. There will be a costume contest and raffle. Tickets will be available at the door.

The next Emergency Services Committee meeting is on Monday at 6 p.m. in Council Chambers.

Attendance at Upcoming Council Meeting

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

Announcements

CAO Markegard thanked the Laurel EMS. Today, he had a family member who needed their services, and they provided excellent care. He appreciates what they do for the community.

The council workshop adjourned at 7:51 p.m.

Respectfully submitted,



Brittney Harakal
Administrative Assistant

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

10/19/2025

Senator John Esp

Senator Tom McGilvray

Memo: To Yellowstone County Commissioners, Billings City Council and Mayor, other interested local leadership in the Behavioral Health Provider Groups, and all other interested parties, including the Laurel City Council members, and Mayor:

Re: The proposed 32 bed Forensic Facility

In our estimation, it's time to take a fresh look at the underlying problem and just why the solution is being proposed for this geographic area. Both of us have served many years in the Montana Legislature, wrestling with, and looking in depth into the challenges that face the State and local governments, and the provider community in delivering services to both the civil side of behavioral health and the challenges on the forensic side. We have served in many capacities, and on various budget subcommittees during both of our tenures in Helena. The three committees with clear ties to this initiative are Section B, (Health and Human Services), Section D, (Judicial Branch, Law Enforcement, and Justice), and Section F, (Long-Range Planning) are all subcommittees we have served on over the years.

We have taken an active role in the various meetings called together by Senator Yakawich and others in the Billings area. For a **fresh perspective**, we suggest we look at this facility, as filling a void in our Justice system, because at its core, that's what it does. All of the people that will be served in this facility and ordered to be treated in this facility are being held in a local detention facility or jail somewhere in the state. From there they will be ordered to the forensic unit proposed here. They are facing criminal charges and disposition of those charges by a District Court Judge and/or a jury. If they are stabilized and found to be fit for trial they will be discharged to the jail they were previously held in, to await the outcome of their case. This is no different than any other defendant that doesn't have a mental health issue. In no case are they turned loose on the streets of the city that happens to house the forensic unit.

The State funds services for this population. The State of Montana funds most of the services to adjudicate those individuals that are charged with a crime that apparently have behavioral health issues. We fund all of the District Court Expenses, The State funds all of the Public Defender costs for the indigent defendants. The Dept. of Justice often assists counties in the prosecution of more complex cases on an as-needed basis. Dept. of Public Health, is charged with housing and caring for those individuals if we are ordered to so by the District Court Judge.

Counties and Cities have costs too. Counties and Cities fund detention center costs, local Law Enforcement costs, and most of the costs of prosecuting County and City cases. Counties and in some cases, Cities, also fund most of the behavior health care given to inmates in their detention centers. **(See Appendix A and B)**

Our point here is that at every level of government, this issue generates **significant costs for our taxpayers**. We have an obligation to care for, and attempt to treat the justice involved individuals with significant behavior health issues. All told, this likely costs hundreds of millions of dollars annually.

There is also a cost, of doing nothing, both in greater demand for detention center space and services and in human misery terms. There are individuals detained in the Yellowstone County that have been waiting in that facility for some kind of forensic intervention for months to years. That is why we feel it is important to move this solution forward.

In taking this approach the legislature chose an option that more closely resembles a **private enterprise venture**, and how private enterprise would approach building infrastructure to meet a growing market need. We know it's a change from business as usual at a government level, but it has worked efficiently, when the State has built other buildings by this method.

Galen has about 70 budgeted staff. Keep in mind the Galen Unit which has a capacity of 54 justice involved individuals, currently has about 70 employees. This includes janitors, cooks, medical staff, and administration staff. We are planning for a 32-bed, low to medium security forensic unit. Our plan is to have 8-bed pods that can allow more flexibility in segregating individuals by gender. It will be a modern well-designed facility with better line of sight to common areas and residential units. Although we don't have a current estimate, it seems reasonable that the new facility should take less staff than is currently employed at Galen.

In discussing **the need for a facility in Eastern Montana**, a major consideration to Legislators, were the transportation costs in time, personnel, and in fuel and wear and tear on patrol vehicles. Some jurisdictions have a challenge transporting an individual to Warm Springs or Galen and getting their officer back home before his or her shift is up. Of course, you as local leaders know that, because you pay that bill for every trip your officer makes with a forensic transport or civil transport. Mental health professionals will also attest that the hours riding in the back seat of a patrol car can be a traumatic experience for an individual as well. Locating a behavior health unit in close proximity to Billings would certainly lessen those costs for your jurisdiction and for those of your neighbors to the east of Billings geographically.

So why Billings? There are a lot of obvious reasons, including capacity and the available medical infrastructure in this community. Billings is located farther east than any city in Montana, that actually has the capacity and infrastructure for a forensic unit. Consider the other factors outlined in **Appendix C** and **Appendix D** for other insights.

We have both been in situations where it is hard to get **accurate background information** that we felt we needed to choose a reasonable path forward. We sensed frustration with some of the information discussed last Tuesday. In that vein, we remain willing to work along with you to make this project work out well for the citizens of Yellowstone County, and for the good of the state's population as a whole.

Senator Tom McGilvray and Senator John Esp

Appendix A: Estimated Annual Mental Health Budget: Yellowstone County + City of Billings

Entity	Estimated Annual Spending	Key Areas Funded
Yellowstone County	\$2.5M – \$3.5M	Jail mental health services, youth & family services, public health outreach, grants to nonprofits
City of Billings	\$1.2M – \$2.0M	Crisis response teams, co-responder programs, municipal court mental health diversion, partnerships with hospitals and nonprofits

◆ Combined Estimated Total:

\$3.7 million – \$5.5 million per year

📌 Notes:

- **Yellowstone County Detention Facility** is one of the largest single recipients of mental health funding, due to the high volume of inmates requiring psychiatric care.
- The **City of Billings** has invested in **co-responder models**, where mental health professionals accompany law enforcement on crisis calls.
- Both entities often **leverage state and federal grants**, which can fluctuate year to year.
- Some services are **contracted out** to providers like **RiverStone Health**, **Billings Clinic**, and **Community Crisis Center**.

Appendix B: Budget Comparison: Region 1 – Montana Public Defender vs. Yellowstone County
Attorney prepared by Senator John Esp

Category	Montana OPD – Region 1	Yellowstone County Attorney’s Office
Jurisdiction	Primarily Yellowstone County (Billings) and surrounding areas	Yellowstone County only
Annual Budget (Est.)	\$7.5M – \$8.5M (FY 2024 est.)	\$6.5M – \$7.5M (FY 2024 est.)
Funding Source	100% state-funded (Montana General Fund)	Primarily county-funded , with partial state reimbursement
Staffing	~35–45 attorneys + support staff	~30–40 attorneys + support staff
Caseload	~15,000+ cases/year (criminal, juvenile, dependency, mental health)	~10,000+ cases/year (criminal, civil, juvenile, child support enforcement)
Primary Role	Defense of indigent clients	Prosecution and county legal services
Special Units	Conflict defense, mental health, dependency & neglect	Major crimes, drug prosecution, civil litigation, child support

 Key Insights:

- **Region 1 OPD** has a **slightly larger budget** than the Yellowstone County Attorney’s Office, reflecting its broader mandate to provide constitutionally required defense services.
- Both offices handle **high caseloads**, but OPD’s includes **civil and mental health defense**, which adds complexity.
- The **County Attorney’s Office** also handles **civil representation** for the county, which OPD does not.

Appendix C: City Rankings: Forensic Behavioral Health & General Workforce Attractiveness

City	 Forensic Behavioral Healthcare Workforce Rank	 General Professional Workforce Rank	 Housing Impact
Billings	1 – Strong infrastructure, affordable housing	1 – Balanced economy, accessible housing	✓ Moderate cost, good availability
Helena	2 – State services, central location	3 – Stable government jobs	✓ Moderate cost, stable market
Missoula	3 – Academic hub, rising housing costs	2 – Cultural appeal, tight housing market	! High cost, low availability
Great Falls	4 – Affordable, fewer forensic roles	4 – Affordable, fewer high-skill jobs	✓ Low cost, good availability
Kalispell	5 – Growing, limited forensic specialization	5 – Attractive lifestyle, tight housing	! Moderate cost, tightening supply
Bozeman	6 – High cost limits workforce attraction	6 – Desirable but unaffordable	✗ Very high cost, low availability

Key Insights

- **Billings** ranks highest in both categories due to its infrastructure, affordability, and workforce demand.
- **Bozeman**, while culturally and economically vibrant, ranks lowest due to **housing affordability and availability issues**.
- **Helena** offers a strong balance for both forensic and general professionals, especially with its central role in state services.

Appendix D: Ranking Montana cities by their ability to attract forensic behavioral healthcare workforce

Ranking Montana cities by their ability to attract **forensic behavioral healthcare workforce** requires a more specialized lens than general healthcare. This workforce includes professionals like forensic psychologists, psychiatrists, social workers, and counselors who work at the intersection of mental health and the legal system.

Key factors to consider:

- **Presence of forensic or correctional facilities**
- **Access to mental health institutions**
- **Partnerships with law enforcement or judicial systems**
- **Academic and training programs in forensic psychology or criminal justice**
- **Urbanization and population needs**

1. Billings

- **Why #1:** Home to Montana's largest mental health and correctional infrastructure, including Yellowstone County Detention Facility and Billings Clinic's psychiatric services.
- **Draw:** Strong partnerships between healthcare and legal systems; higher demand for forensic services due to population size.

2. Missoula

- **Strengths:** University of Montana offers psychology and criminal justice programs; Missoula County Detention Facility and Western Montana Mental Health Center provide practical settings.
- **Draw:** Academic pipeline and progressive mental health initiatives.

3. Helena

- **Strengths:** State capital with proximity to Montana State Hospital (Warm Springs) and state-level forensic evaluations.
- **Draw:** Government contracts and policy-related forensic work; central role in statewide mental health policy.

4. Great Falls

- **Strengths:** Benefis Health System and Cascade County Detention Center; some behavioral health services with forensic overlap.
- **Draw:** Mid-sized city with growing behavioral health needs.

5. Bozeman

- **Strengths:** Bozeman Health and Montana State University (psychology programs).
- **Draw:** Less emphasis on forensic specialization, but growing interest in behavioral health.

6. Kalispell

- **Strengths:** Logan Health and Flathead County Detention Center.
- **Draw:** Smaller forensic footprint, but potential for growth as population increases.

MONTANA BEHAVIORAL HEALTH FACILITY SITE EVALUATION



OFFICE OF THE GOVERNOR
Budget and Program Planning

[\[https://budget.mt.gov/\]](https://budget.mt.gov/)



DEPARTMENT OF
PUBLIC HEALTH &
HUMAN SERVICES

[\[https://dphhs.mt.gov/\]](https://dphhs.mt.gov/)

MONTANA

BOARD OF INVESTMENTS

[\[https://investment.mt.gov/\]](https://investment.mt.gov/)

Montana's Department of Public Health and Human Services (DPHHS) and the Board of Investments (BOI) are seeking proposals from eastern Montana communities interested in partnering on a new, state-of-the-art 32-bed forensic mental health facility. This project represents a focused effort to expand access to high-quality mental health services, improve patient outcomes, and strengthen eastern Montana's public health infrastructure.

The new facility is designed for long-term flexibility—providing immediate help for forensic populations, with the ability to adapt its modular design to meet future civil commitment or psychiatric service needs as they evolve. With legislative support and \$26.5 million in funding secured through House Bill 5, this initiative will add capacity to serve more Montanans, with the goal of reducing wait times and enhancing access to restoration services throughout the state.

Stakeholder input and local engagement are priorities. DPHHS and BOI will work collaboratively with communities to ensure informed planning and responsible site selection. For additional details, the Department's guidance letter and analysis—outlining the project vision and needs—are available [here](#).

SUBMIT SITE PROPOSALS HERE [\[HTTPS://MT.ACCESSGOV.COM/BOI/FORMS/PAGE/BOI/MONTANA-BEHAVIORAL-HEALTH-FACILITY-SITE-EVALUATION/\]](https://mt.accessgov.com/BOI/FORMS/PAGE/BOI/MONTANA-BEHAVIORAL-HEALTH-FACILITY-SITE-EVALUATION/)

MONTANA

BOARD OF INVESTMENTS

Statement of Board of Investments Executive Director Dan Villa August 20, 2025, Meeting

"I received a call Monday from the Executive that, in my opinion, necessitates a pause by the Board. The Executive and Legislative branches currently hold differing interpretations of the Board's authority under Section 17 of House Bill 5 relating to the construction of a Behavioral Health Facility. In respect of both branches, in compliance with the Act, and to avoid acting without clear direction, I recommend the Board suspend any further consideration and forgo further implementation of House Bill 5 until we receive written guidance specifying services to be provided at the facility, the general location desired for the facility, and confirmation that the facility is to be built as an investment security held in trust for the State. The Board must avoid being placed between coequal branches to which we owe legal and fiduciary duties.

I thank local leaders of Billings and Laurel for their candid input, especially Councilmen Aspenlieder and Kennedy, Billings City Administrator Chris Kukulski, Laurel City Administrator Kurt Markegard, Director Brereton and staff at DPHHS, Budget Director Osmundson and staff at OBPP, as well as Senators Esp, Yakawich, Lenz, Ricci, and Representatives Etchart, Brewster and Schomer. Their efforts reflect a shared commitment to expanding behavioral health service capacity while protecting community safety and interests.

If due diligence resumes upon receipt of written guidance, no previously reviewed sites—including those on Skyway Drive—are viable, given local feedback, infrastructure costs, local zoning regulations, impacts on targeted economic development districts, and state land leasing processes. If BOI is to engage further, our future work must begin with clarity on services and siting from our partners, while still meeting our obligations to secure profits and cost savings for Montanans."

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

September 10, 2025

Montana Board of Investments
PO Box 200126
Helena, MT 59620-0126

Dear Members of the Montana Board of Investments,

Thank you for the brief pause you have placed on developing and constructing the behavioral health facility contemplated by House Bill 5, which the Legislature passed and I signed into law. At the most recent meeting of the Board of Investments (BOI), the Board requested written guidance from my office about how to best proceed with implementing House Bill 5 so that we can continue addressing the behavioral health challenges across our state.

As you know, House Bill 5 provided \$26.5 million to BOI to prepare and build a behavioral health facility in Eastern Montana in coordination with the Department of Public Health and Human Services (DPHHS) as an investment for the State. Under the law, the Legislature directed BOI and DPHHS to prepare a plan for facility type and location subject to approval by the Director of the Governor's Office of Budget and Program Planning.

Over the course of the last few months, this project has gained the attention of many in the public, both because of the great need for the proposed facility and because its location impacts their communities. In proceeding with this project, public participation should play a critical role as it moves forward. Engaging the public and stakeholders will ensure that these decisions are made in the open, allowing Montanans to have a voice in how their hard-earned tax dollars are spent.

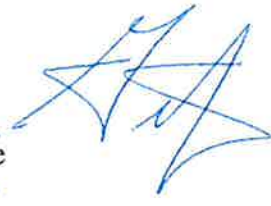
As the Board moves expeditiously to resume implementation of House Bill 5, I encourage BOI to work closely with DPHHS during the development of the behavioral health facility plan to specify services to be provided at the facility and ensure that the public has an opportunity to be heard. While the building is to be constructed by BOI, it is important that DPHHS work closely alongside the Board so that the facility meets the behavioral health needs of Montanans. To ensure that all interested communities have the opportunity to provide feedback, I also encourage the Board to work with DPHHS to consider additional locations beyond the previously reviewed sites.

This project is of great importance to the State of Montana, as DPHHS must continue to build out capacity to take care of Montanans in need of behavioral health services. I share the goals of

the Legislature to complete this project quickly while also ensuring transparency, fairness, and public involvement.

Thank you to each member of the Board for their work on this important project. Should you have any additional questions, please do not hesitate to reach out to my office.

Sincerely,



Greg Gianforte
Governor



October 6, 2025

Dan Villa
Executive Director
Montana Board of Investments
2401 Colonial Drive, 3rd Floor
PO Box 200126
Helena, MT 59620-0126

Executive Director Villa,

I write regarding the following language from House Bill 5, passed by the 2025 Montana Legislature and signed into law by Governor Gianforte on June 19, 2025:

Section 17. Transfer of funds -- plan and reporting. (1) *By June 30, 2026, the state treasurer shall transfer \$26.5 million from the capital developments long-range building program account established in 17-7209 to the board of investments for the purposes of building a behavioral health facility.*

(2) *Prior to the transfer in subsection (1) taking place, the budget director shall adopt a plan from the board of investments and the department of public health and human services on the facility type and location. The board of investments and the department of public health and human services shall report to the health and human services interim budget committee established in 5-12-501 on the progress of choosing the facility type and location. Once a plan is adopted by the budget director, the board of investments and the department of public health and human services shall provide a progress report at each subsequent meeting of the health and human services interim budget committee and each subsequent meeting of the long-range planning budget committee that are held prior to December 31, 2026.*

(3) *Any unspent funds must revert to the capital developments long-range building program account.*

Pursuant to these statutory requirements, the Department of Public Health and Human Services (DPHHS) looks forward to continuing our collaboration with the Board of Investments (BOI) to build a much-needed behavioral health facility for Montanans. As we enter the next phase of this critical project, I am providing you with the following guidance concerning DPHHS's preferred location for the facility, as well as the type and purpose of the facility that we believe should be built based on our observed demand for state psychiatric services.

Site Location

While DPHHS remains interested in site opportunities in Yellowstone County, it is important that all Eastern Montana communities equipped with adequate infrastructure and a potential workforce are afforded the opportunity to submit proposals for hosting our new facility. As

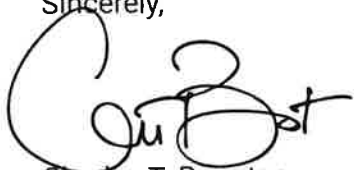
we've agreed, a Due Diligence Questionnaire process would help solicit input from all communities in Eastern Montana, and the Department authorizes BOI to proceed on our behalf with that process. In light of anticipated future demand for state psychiatric services, communities and stakeholders should be aware that any site selected must allow for potential expansion in future years. Working together, I am confident that both of our agencies will facilitate robust engagement with local stakeholders when appropriate and prior to final site selection.

Facility Type and Purpose

As demonstrated in the enclosed analysis, DPHHS seeks to construct and operationalize a 32-bed forensic mental health facility. The facility would be designed with scalability in mind should the agency determine a need to leverage beds for the civil population in the future. From our perspective, it is most appropriate to "build up" to forensic facility standards and be able to scale down as deemed necessary. As many Montanans know, DPHHS has experienced surging demand for forensic psychiatric services over the past several years, resulting in a problematic statewide waitlist that adversely impacts local communities. While we have taken a variety of steps to try to address this issue operationally, our bed capacity remains severely limited, and the agency believes that the funds granted to us by the Legislature must be prioritized for the forensic population.

I thank you and BOI for your partnership and support of our work on behalf of the Montanans we serve.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Brereton", written over a large, stylized "C" that loops around the first part of the name.

Charles T. Brereton
Director

Enclosure: Building a Foundation for Future Generations: Montana's New Behavioral Health Facility

BUILDING A FOUNDATION FOR FUTURE GENERATIONS: MONTANA'S NEW BEHAVIORAL HEALTH FACILITY

Prioritizing Forensic Capacity to Resolve a Systemic Bottleneck

October 2025



DEPARTMENT OF
**PUBLIC HEALTH &
HUMAN SERVICES**



TABLE OF CONTENTS

EXECUTIVE SUMMARY3

 BACKGROUND3

 SYSTEMS OF CARE.....4

**WHY PRIORITIZE THE FORENSIC POPULATION VS. THE CIVIL
POPULATION?6**

 SYSTEM BOTTLENECK6

 RAPID GROWTH IN FORENSIC DEMAND AND WAITLIST6

 OPERATIONAL CONSTRAINTS AT THE FMHF IN GALEN9

 LEGAL RISKS OF FORENSIC BED SHORTAGES 10

 ADDITIONAL RATIONALE..... 11

PROJECTED IMPACT OF THE 32-BED EXPANSION 12

WHY THE INTEREST IN EASTERN MONTANA? 12

THE IMPORTANCE OF A FLEXIBLE DESIGN 13

CONCLUSION 13

EXECUTIVE SUMMARY

Montana's behavioral health system is facing an ongoing and critical challenge: a growing forensic psychiatric population is overwhelming the state's limited capacity, resulting in delayed treatment and adjudication, as well as admission waitlists that adversely impact local detention facilities. In response to this issue, the Montana Department of Public Health and Human Services (DPHHS) seeks to prioritize the construction of a 32-bed forensic psychiatric facility in Eastern Montana. This expansion will address urgent legal, clinical, and operational needs while improving geographic equity and system efficiency. Importantly, the facility will be strategically designed to allow DPHHS to convert wings or pods for civil commitment use if demand shifts in the future.

BACKGROUND

DPHHS is responsible for providing inpatient psychiatric care to individuals who require involuntary treatment due to severe mental illness. These individuals fall into two primary categories: forensic and civil patients.

- **Forensic patients** are individuals who are involved in the criminal justice system. They may be:
 - Awaiting trial but in need of a mental health evaluation to determine if they are competent to stand trial.
 - Found Unfit to Proceed (UTP) and in need of inpatient restoration services.
 - Sentenced under Montana Code Annotated (MCA) 46-14-312, which mandates DPHHS to provide treatment for individuals found Guilty but Mentally Ill (GBMI) or Not Guilty by Reason of Mental Illness (NGMI).
- **Civil patients** are individuals who, due to a mental illness, pose a danger to themselves or others, and/or are unable to care for their basic needs. These individuals are typically admitted through civil commitment proceedings.

To meet the needs of both populations, the Gianforte administration has secured funding for renovations and expansions at Montana State Hospital (MSH), MSH Grasslands, and the Montana Mental Health Nursing Care Center (MMHNCC), which will increase total state psychiatric bed capacity to 307 beds, with a potential net increase of 40 beds.

In addition to funding provided to MSH during the 2025 Legislative Session, the Gianforte administration secured funding to reopen the D wing at MMHNCC. Reopening the D wing will add 24 civil beds to serve the geriatric psychiatric population, including some patients previously served on the Spratt Unit.

This ultimately maintains the existing number of civil beds in the civil care continuum.

Wing/Unit	Type	Current	Proposed	Difference
Alpha	Civil	31	41	10
Bravo	Civil	26	34	8
Echo	Civil	25	23	-2
Grasslands	Civil	0	20	20
Spratt	Civil	60	0	-60
MMHNCC-D-Wing	Civil	0	24	24
TOTAL		142	142	0
Delta	Forensic	31	41	10
Galen	Forensic	54	54	0
Group Homes	Forensic	40	40	0
Former Spratt	Forensic	0	30	30
TOTAL		125	165	40

SYSTEMS OF CARE

Forensic

At MSH, individuals involved in the criminal justice system may be admitted for forensic psychiatric evaluation or treatment. The typical process for a forensic patient includes the following steps:

1. Fitness Evaluation/Court-Ordered Evaluation (COE)

A court may order a mental health evaluation, frequently referred to as a COE, to determine whether a defendant is fit to proceed to trial. This is an initial "fitness" evaluation and is restricted to a diagnosis of the mental condition of the defendant, including opinions as to: a) whether the defendant suffers from a mental disorder and may require commitment or is seriously developmentally disabled, and b) if the defendant suffers from a mental disease or disorder or developmental disability, whether the defendant has the capacity to: i) understand the proceedings against the defendant, and ii) assist in the defendant's own defense.

- This evaluation can be conducted in the community through an investment made possible by the Behavioral Health System for Future Generations (BHSFG) Commission or may require inpatient admission to the Forensic Mental Health Facility (FMHF) in Galen.
- If the individual is found competent, they are returned to the county of origin to proceed with trial.

2. **Unfit to Proceed (UTP)**

If the initial fitness evaluation (COE) determines the individual is not fit to proceed to trial, they must be ordered to be admitted to the FMHF in Galen for inpatient restoration treatment.

- These individuals do not go to the Delta Unit at this stage.

3. **Non-Restorable Cases**

If the individual cannot be restored to fitness due to a persistent mental illness, their criminal case may be dismissed.

- They may then be ordered to be civilly involuntarily committed for ongoing treatment.

4. **Pre-Sentence Evaluation (PSE)**

In some cases, a PSE is ordered to determine whether the individual met the legal criteria for GBMI at the time of the offense as part of a sentencing proceeding.

5. **Sentenced Forensic Patients (GBMI)**

Individuals found “Guilty but Mentally Ill” are initially admitted to the FMHF in Galen and placed on a waitlist for transfer to the Delta Unit, which houses sentenced forensic patients.

- These patients progress through a Level 1–10 privilege system at MSH.
- Those reaching Level 6 or higher may be eligible for placement in on-campus group homes or, in the future, the converted Spratt Unit.

Civil

MSH also serves individuals who are civilly involuntarily committed. These are individuals who, due to a mental illness, are considered a danger to themselves or others, and/or are unable to meet their basic needs.

The typical process for a civil patient at MSH or MSH Grasslands is as follows:

1. **Admission through Civil Commitment**

A court orders the individual to receive inpatient psychiatric care based on clinical evidence of risk and/or inability to care for themselves.

2. **Evaluation and Stabilization**

Upon arrival, the patient is admitted to the admissions wing (Echo) at MSH, where they undergo evaluation and receive initial stabilization treatment.

3. **Discharge or Continued Treatment**

- If the patient stabilizes quickly, they may be discharged and returned to their home or community with appropriate supports.

- If further care is needed, the patient is transferred to a treatment wing (Alpha or Bravo) for continued therapy and rehabilitation, with the goal of eventual discharge.

Note: This is a simplified overview intended to illustrate the general continuum of care. Individual treatment plans and legal processes may vary based on clinical needs and statutory requirements.

WHY PRIORITIZE THE FORENSIC POPULATION VS. THE CIVIL POPULATION?

SYSTEM BOTTLENECK

The FMHF in Galen is currently the only facility in the state equipped to restore individuals who a court has determined are UTP. It also serves as the admission point for defendants sentenced as GBMI, and those committed to the custody of the director of DPHHS to be placed in an appropriate mental health facility for custody, care, and treatment after the court has determined they present a danger to themselves or others. This set of defendants, as distinguished from GBMI defendants, is referred to as NGMI patients.

Since 2022, the FMHF in Galen has consistently maintained a waitlist of over 70 patients, creating a significant bottleneck that affects:

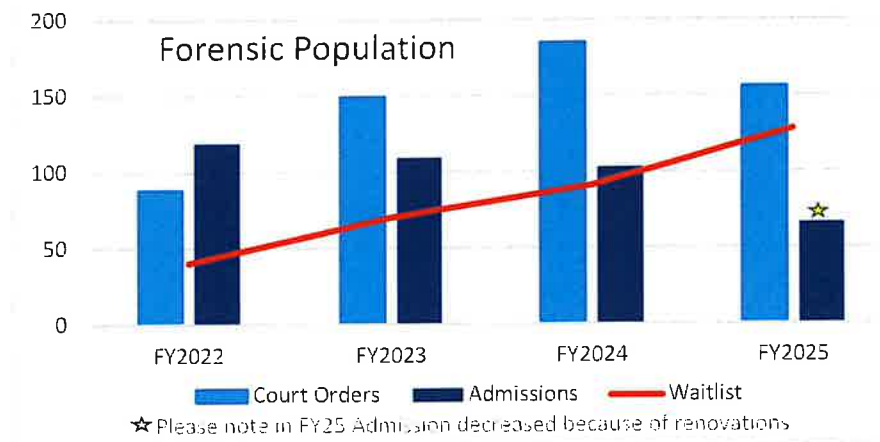
- County court proceedings
- Jail populations
- Local mental health systems

This backlog delays access to treatment, strains public safety systems, and increases the state's legal risk.

RAPID GROWTH IN FORENSIC DEMAND AND WAITLIST

Forensic court orders have surged 77% since FY 2022, with GBMI orders increasing 650%. In contrast, civil admissions have remained relatively stable, aided by the MSH Grasslands facility and other community-based supports. The forensic system, however, has no such relief valve, making the sought expansion urgent.

As noted above, Montana has experienced a sharp increase in forensic court orders over the past four years, which has consequently increased DPHHS's forensic waitlist. As the state's population grows, the number of individuals requiring forensic evaluation and treatment is expected to rise proportionally in accordance with national trends.



The following table reflects the court orders, by type, issued in each fiscal year.

TYPE	FY 2022	FY 2023	FY 2024	FY 2025	% Change FY 2022 to FY 2025	AAGR FY 2022-FY 2025
COE	55	93	81	67	21.80%	13.00%
UTP	23	42	52	43	86.90%	29.70%
PSE	6	7	13	20	333%	52.10%
GBMI	4	7	39	26	650%	166%
NGMI	0	0	0	0	N/A	N/A
TOTAL	88	149	185	156	77.20%	25.90%

Note: Not all COE orders result in admission to the FMHF in Galen. Some evaluations are being completed in the community through the aforementioned BHSFG initiative launched in 2024.

Forensic Waitlist Growth and Contributing Factors

The forensic waitlist for the FMHF in Galen has grown significantly in recent years; however, this growth is not a straightforward function of court orders minus admissions. The waitlist is shaped by a variety of operational and legal factors, including court orders from multiple fiscal years.

Why Waitlist Numbers Are Complex

Several factors contribute to the growing waitlist:

- **Community-Based Evaluations:** Some COEs and PSEs are completed by DPHHS-approved providers in the community, without requiring admission to the FMHF in Galen.
- **Dismissed Cases:** A defendant's case may be dismissed by a court due to a determination that a defendant cannot be made fit within the reasonably foreseeable future and that alternatives to forensic commitment are inappropriate, due to speedy trial violations, or due to other Constitutional considerations. This may remove the defendant from the system before admission, which is an outcome that DPHHS seeks to avoid through expanding forensic bed capacity.
- **Non-Court-Ordered/Emergency Admissions:** Some admissions are for patients who are held up to 72 hours in connection with an "emergency detention." An emergency detention is coordinated with a county attorney, the state hospital, and other mental health facilities for individuals who are experiencing acute crises, have rapidly decompensated, or require higher security, even if they are not tied to a court order.

The following table reflects the waitlist at the end of the fiscal year and the fiscal year in which the court order was initially issued.

FY	Waitlist	Year the Court Order was Issued				
		FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
2022	40	4	36			
2023	70		4	66		
2024	91		1	5	85	
2025	128*			1	26	101

**Note: FY 2025 totals were impacted by renovations and pod reconfigurations that temporarily reduced forensic admissions capacity.*

The waitlist is not just a backlog. It is a dynamic, multi-year accumulation of unmet forensic service needs. This underscores the importance of expanding capacity and building flexible infrastructure that can absorb fluctuations in demand and operational disruptions.

Conversely, DPHHS has not observed a corresponding rapid increase in the waitlist for the civil population. When operating at full capacity, MSH typically admits around 650 civil patients per year. While admissions declined in FY 2025 due to limited bed space associated with renovations required for CMS certification, by the end of FY 2025, only five individuals were on the civil waitlist, and they were ultimately cleared for admission.

While infrastructure upgrades have temporarily impacted civil admissions, the system is functioning effectively and has adapted through initiatives such as opening MSH Grasslands. This reinforces the need to prioritize forensic expansion, where the misalignment between demand and capacity is more acute.

OPERATIONAL CONSTRAINTS AT THE FMHF IN GALEN

Renovations, pod closures, and gender-based housing needs have further reduced forensic capacity. Internal transfers (e.g., from Delta Unit to Galen) consume bed space without reducing the waitlist, furthering the need for dedicated additional capacity.

The following table reflects the number of admissions and the fiscal year in which the known court order was issued.

FY	Number of Admissions	Year the Court Order was Issued					
		Unknown	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
2022	119	76	4	39			
2023	109	26		14	69		
2024	103			1	43	59	
2025	66*					47	19

Admissions Are Not Always Court-Driven

- Annual admissions include individuals with court orders from multiple fiscal years, not just the current one.
- Some admissions are not tied to new court orders. For example, patients from the Delta Unit may be temporarily transferred back to Galen if they decompensate and require a higher-security setting.

Gender-Based Pod Reconfiguration

The growth of Montana's forensic population is further complicated by the need to separate male and female patients, which is a requirement driven by both safety and clinical standards. Over the last five years, roughly 20% of forensic orders have been for female patients.

- The FMHF in Galen consists of two large pods and one small pod.
- This layout limits flexibility in managing gender-specific housing needs, especially when demand fluctuates.

To address a growing female waitlist, over the past four years, one pod has been converted from male to female housing twice. To safely complete the transition, overall male capacity is temporarily reduced, and new male admissions are paused, worsening one component of the statewide forensic waitlist.

LEGAL RISKS OF FORENSIC BED SHORTAGES

A shortage of forensic psychiatric beds poses **serious legal and constitutional risks** for the State of Montana and its counties. These risks stem from the inability to provide timely mental health treatment to individuals who are legally entitled to it.

Due Process Violations

- Defendants found incompetent to stand trial must receive treatment to restore their competency.
- Delays in admission can result in individuals spending more time in jail than they would have if convicted, violating their constitutional right to due process.
- Prolonged incarceration without treatment can lead to worsening mental health and increased suicide risk, potentially protracting treatment at the FMHF in Galen upon admission and worsening the existing bottleneck.

Risk of Federal Intervention and Litigation

- Other states, such as Washington, have faced class-action lawsuits and federal court oversight due to delays in forensic mental health services.
- Courts have required states to:
 - Expand forensic capacity
 - Improve access to treatment
 - Pay damages for constitutional violations

Montana's Current Exposure

While Montana has not yet faced federal intervention, Department leadership believes the risk is growing. The number of **court orders dismissed due to speedy trial violations** – a direct result of forensic bed shortages – demonstrates this legal vulnerability. In FY 2024 and 2025, the number of court orders dismissed totaled 12.

Why This Matters

- Forensic patients are often held in jails while awaiting admission, where they may not receive adequate psychiatric care.
- Delays in restoration can lead to constitutional violations, including speedy trial and due process concerns.
- Civil patients, while also in need, have more diversified treatment pathways (e.g., Grasslands, community-based services), whereas forensic patients rely most exclusively on the FMHF in Galen.

- Each dismissal represents a missed opportunity for treatment, a potential public safety concern, and a legal liability for the state.

ADDITIONAL RATIONALE

National and Regional Benchmarking

By early 2026, MSH is projected to operate with:

- 142 civil beds (including 24 at MMHNCC) – 13.10 civil beds per 100,000 residents
- 125 forensic beds (including those for sentenced patients) – 11.53 beds per 100,000 residents
- Total: 24.63 state psychiatric beds per 100,000 residents

National benchmarks recommend 20–40 state psychiatric beds per 100,000 population (TAC, KFF). Montana's current capacity places it at the lower end of the national benchmark for total civil and forensic beds. The Department's desired changes to system bed capacity, as described above, will ultimately increase state psychiatric beds to 339 in total, bringing Montana's per 100,000 rate to a midpoint of 31.27.

Note: Increase in capacity is a combination of changes referenced in the chart on page 4 and the proposed new forensic facility.

National Trends in Forensic Psychiatric Populations

Across the United States, states are experiencing a sustained surge in forensic psychiatric demand, particularly related to competency to stand trial evaluations and restorations.

Growth in Competency Cases

- From 1999 to 2014, there was a 76% increase in forensic patients in state hospitals.
- From 2017 to 2024, the number of individuals found incompetent to stand trial rose by 23%.
- National forensic waitlists have ballooned – from 883 in 2019 to approximately 2,400 by 2024 – leading to overcrowding in jails and emergency departments.

Other State Responses: Expanding Forensic Capacity

According to a July 2025 report by NRI, Inc., 11 states added over 1,300 forensic beds between 2022 and 2024, and an additional 317 beds were added in 2025 alone.

- Mississippi: Built an 83-bed maximum-security forensic unit, doubling capacity to 123 beds.
- Kansas: Constructed two new state psychiatric hospitals following a legal settlement.
- Pennsylvania: Built a 270-bed forensic facility at Norristown State Hospital.
- New York: Added 125 beds in four months, with 325 total added under the current governor's administration.

PROJECTED IMPACT OF THE 32-BED EXPANSION

- **DPHHS projects that adding 32 forensic beds would increase annual capacity to serve approximately 170 patients.**
- This represents a 60% increase in the availability of care, significantly reducing wait times and improving access to timely evaluation and restoration services.
- Montana's forensic system is under-resourced relative to national benchmarks and uniquely strained by legal sentencing practices.
- Expanding forensic capacity is a strategic, data-driven response to both current deficiencies and future needs.

WHY THE INTEREST IN EASTERN MONTANA?

Geographic Balance and Access

Because Eastern and Central Montana currently lack essential forensic infrastructure, counties are forced to transport patients long distances to the FMHF in Galen, which delays care and increases costs. Establishing a new facility in Eastern Montana would improve geographic balance.

Strategic Advantages

The proposed 32-bed forensic facility is being considered for Eastern Montana, a region with limited access to forensic psychiatric services and one that provides a growing share of the state's forensic admissions. This location is expected to:

- Improve geographic access for law enforcement, court systems, defendants, and families in Eastern and Central Montana.
- Reduce transportation burdens for counties that currently face long distances when transporting defendants to the FMHF in Galen.
- Support regional equity by expanding behavioral health infrastructure beyond the western corridor.

THE IMPORTANCE OF A FLEXIBLE DESIGN

The facility will be designed for medium- to low-security forensic care, which allows for conversion to civil use if future demand shifts and DPHHS determines a need to repurpose pods/units. Designing the new forensic facility with scalability and adaptability in mind offers significant long-term cost savings.

A modular layout and medium- to low-security infrastructure will allow the facility to be scaled up or down based on changing demand, whether that means expanding forensic capacity, converting pods/units for civil use, or adjusting gender-specific housing.

This flexibility reduces the need for costly new construction or major retrofits in the future. By investing in a facility that can evolve with Montana's behavioral health landscape, the state can maximize the return on capital investment, avoid duplication of infrastructure, and ensure that taxpayer dollars are used efficiently and effectively over time.

With the new facility, DPHHS will be better positioned to provide state psychiatric services regardless of what type of capacity (forensic or civil) is most strained in future years.

CONCLUSION

Montana's forensic psychiatric system is under significant and growing strain. Without immediate investment in expanded capacity, the state faces serious and far-reaching consequences not only for individuals with mental illness, but also for the legal system, public safety, and public finances.

County jails are increasingly housing individuals who require psychiatric care, not incarceration. These facilities are not equipped to provide appropriate treatment, leading to worsening symptoms, increased risk of self-harm, and potential violations of constitutional rights. Concurrently, the lack of available forensic beds has forced courts to dismiss charges or release individuals without treatment, contributing to a cycle of relapse, homelessness, and recidivism. These consequences often adversely impact the civil mental health system, which is not designed to manage forensic-level acuity.

The proposed 32-bed forensic facility in Eastern Montana offers a strategic, flexible, and future-ready solution. It will:

- Relieve pressure on local governments and jails, as well as reduce legal exposure
- Improve access to timely, appropriate treatment
- Expand geographic equity in behavioral health services

- Increase forensic evaluation capacity by 60%
- Boost annual forensic care delivery from 106 to 170 patients (estimated)
- Provide long-term adaptability for DPHHS to shift between forensic and civil use as needed

By designing the facility with scalability in mind, Montana can avoid costly retrofits or duplicative construction in the future. This investment not only addresses today's most pressing behavioral health challenge, but it also builds a more resilient, efficient, and balanced system for the future.

Inaction carries a high cost. DPHHS's desired expansion of forensic beds is a fiscally responsible, legally sound, and clinically necessary way to continue building a stronger statewide behavioral health system for future generations.



Montana Legislative Services Division
Legal Services Office

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To: Speaker Ler
From: Julie Johnson, Staff Attorney
Re: Securities Classification of the Construction of a Behavioral Health Unit Pursuant to
Section 17 of House Bill 5 from the 2025 Legislative Session
Date: October 1, 2025

I. Introduction and Issue

At the September meeting of the Legislative Finance Committee, legal staff was asked to work with Chair Kassmier to request an Attorney General Opinion on the following question of law:

Whether the behavioral health unit that the Legislature directed the Board of Investments to have constructed in House Bill 5 is a security under state and federal securities laws?

This memo provides basic research and points of law bearing upon the request. The memo also reaches a preliminary conclusion that the building would most likely constitute a security.

II. Factual Background

Article VIII, section 13, of the Montana Constitution mandates the creation of a “unified investment program for public funds.” This unified investment program is overseen and managed by the Board of Investments. The total market value of the Montana Board of Investments’ Unified Investment Program as of June 30, 2024, was \$29.6 billion.

Part of the board’s investment portfolio includes real estate and buildings. The Board of Investments owns several buildings that it rents to state agencies or third parties as a part of its real estate investment portfolio. This includes the workforce housing apartments that the Board of Investments had built pursuant to House Bill 819 from the 2023 legislative session. These assets are included in common investment pools and are commingled with other participants’ assets. These asset pools are managed by the staff at the Board of Investments with no individual participant control.

During the 2025 session, the Legislature passed House Bill 5, which provided for the construction of a behavioral health facility. See section 17 of HB 5. Specifically, the Legislature directed the transfer of \$26.5 million from the capital developments long-range building program account to the Board of Investments “for the purposes of building a behavioral health facility.”¹ According to section 17(2) of HB 5, prior to the transfer of funds to the Board of Investments, the budget director “shall adopt a plan from the board of investments and the department of public health and human services on the facility type and location.”

At its September 18, 2025, meeting, the Legislative Finance Committee discussed the

¹ Rent for the behavioral health facility may be eligible for federal reimbursement.

construction of the behavioral health facility and the committee members' understanding that the building constitutes a security under Montana law. Members want to make certain this understanding is correct. Therefore, given the importance of the facility's timely construction and the legislative directive to the Board of Investments to construct this facility instead of the Department of Administration Office of Architecture and Engineering, the Legislative Finance Committee has requested an Attorney General opinion on this question of law.

III. Applicable Law

A. Federal Law

In S.E.C. v. W.J. Howey Co., 328 U.S. 293, 66 S.Ct. 1100, 90 L.Ed. (1946), the United States Supreme Court set out what is now commonly referred to as the Howey test to determine whether an investment contract exists. The Supreme Court stated that the test to determine whether an investment contract exists "is whether the scheme involves an investment of money in a common enterprise with profits to come solely from the efforts of others." Howey, 328 U.S. at 301.

The Ninth Circuit Court of Appeals distilled the Howey definition into a three-part test, which requires the following:

- (1) an investment of money
- (2) in a common enterprise
- (3) with an expectation of profits produced by the efforts of others.

Warfield v. Alaniz, 569 F.3d 1015, 1020 (9th Cir. 2009). The Montana Supreme Court has also noted that "[t]he leading case for determining the existence of an investment contract security is S.E.C. v. W.J. Howey Co." and has similarly reiterated that the "established three criteria to the determination of an investment contract security" under Howey is: "an investment, a common enterprise, and the expectation of profits *solely* from the efforts of others." State v. Duncan, 181 Mont. 382, 390-91, 593 P.2d 1026, 1031-32 (1979) (Emphasis in original).

B. State Law

As discussed above, the three-part Howey test determines whether an investment contract exists. Under Montana law, an investment contract is a security pursuant to § 30-10-103(24)(xiii), MCA.

C. Law Governing the Board of Investments

The Board of Investments is charged with the creation of a "unified investment program for public funds" under Article VIII, section 13, of the Montana Constitution. §17-6-201, MCA,

provides that the Board of Investments must administer public funds “in accordance with the prudent expert principle,” which requires the board to:

- (a) discharge the duties with the care, skill, prudence, and diligence, under the circumstances then prevailing, that a prudent person acting in a like capacity with the same resources and familiar with like matters exercises in the conduct of an enterprise of a like character with like aims;
- (b) diversify the holdings of each fund within the unified investment program to minimize the risk of loss and to maximize the rate of return unless, under the circumstances, it is clearly prudent not to do so; and
- (c) discharge the duties solely in the interest of and for the benefit of the funds forming the unified investment program.

§17-6-201(1), MCA (Emphasis added). The Board of Investments is charged with maximizing the rate of return on investments for the benefit of funds within the unified investment program. The board is also granted the power to execute conveyance deeds for real property and to direct the sale of securities. §17-6-201(6), MCA.

IV. Analysis

Because a security is defined as an investment contract under Montana law, the three-part Howey test applies.

1. Is there an investment of money? Yes, 26.5 million is to be invested in the construction of a behavioral health unit pursuant to section 17 of HB 5 (2025).
2. Is there a common enterprise? Most likely, yes. HB 5 does not explicitly provide that the building will be included in a common investment pool managed by the Board of Investments. However, it is reasonable to infer that the Legislature, by directing the board, instead of the Department of Administration Office of Architecture and Engineering, to construct the building, intended to have the building be included in the “unified investment program for public funds.”
3. Is there an expectation of profits produced by the efforts of others? Most likely, yes. The Board of Investments charges rent to state agencies and third parties on buildings in its real estate portfolio. HB 5 does not explicitly provide that the board will charge rent on the new behavioral health facility. However, given the board’s duty under §17-6-201, MCA, to maximize its rate of return and produce profits for its investors, it is reasonable to infer that the Legislature intended the board to charge whoever occupies the behavioral health facility a rent that yields a rate of return. It is possible that the building rent would be partially reimbursed with federal funds, which depends on the purpose of the facility. If the building rent is reimbursed with federal funds, it is not clear how the Board of Investments can maximize profits while adhering to strict policies for federal reimbursement.

V. Preliminary Conclusion

The three-part Howey test indicates that the behavioral health facility would most likely be considered a security under state and federal law. This conclusion is bolstered by the fact that the workforce housing project constructed by the Board of Investments pursuant to House Bill 219 in the 2023 session is included in the board's real estate portfolio that is in a common investment pool. Lastly, had the Legislature not intended the facility to be considered a security, it would have instead directed the Department of Administration Office of Architecture and Engineering to construct the facility, and not the Board of Investments.

October

2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 DPHHS responds to BOI information request.	7	8	9 Due Diligence Questionnaire released at www.hb5.mt.gov .	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November

2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
			CFH&HS Interim Committee			
9	10	11	12	13	14	15
	Due Diligence Questionnaire responses due at 5PM to www.hb5.mt.gov .	All Due Diligence Questionnaires posted. Review process				
16	17	18	19	20	21	22
			On site reviews and local government presentations.	On site reviews and local government presentations.	On site reviews and local government presentations.	
23	24	25	26	27	28	29
			Final proposal submitted to Budget Director for approval.	THANKSGIVING		
30						



AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2027; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT AND A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A STATE SPECIAL REVENUE FUND; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; ESTABLISHING REPORTING REQUIREMENTS; ALLOWING A COMBINATION OF PREVIOUSLY APPROVED APPROPRIATIONS FOR THE CLAPP BUILDING; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 1, CHAPTER 468, LAWS OF 2021, SECTION 9(1), CHAPTER 739, LAWS OF 2023, SECTION 14(1), CHAPTER 762, LAWS OF 2023, AND SECTION 3, CHAPTER 763, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Definitions. For the purposes of [sections 1 through 10], unless otherwise stated, the following definitions apply:

- (1) "Authority only" means approval provided by the legislature to expend money that does not require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and university funds.
- (2) "Capital development" has the same meaning as provided in 17-7-201(2).
- (3) "Capital project" means the planning, design, renovation, construction, alteration, replacement, furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 10].
- (4) "LRBP capital development" means the long-range building program capital developments

account in the capital projects fund type provided for in 17-7-209.

(5) "LRBP major repair" means the long-range building program major repair account in the capital projects fund type provided for in 17-7-221.

(6) "Major repair" means capital projects provided for in 17-7-201(7).

(7) "Other funding sources" means money other than LRBP money, state special revenue, or federal special revenue that accrues to an agency under the provisions of law.

(8) "SBECF" means funds from the state building energy conservation program account in the capital projects fund type which may be utilized on either or both major repair or capital development projects.

Section 2. Major repair projects appropriations and authorizations. (1) The following money is appropriated to the department of administration for the indicated major repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to adjust capital project amounts within the legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the office of budget and program planning, and to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
MUS	MSU Completion of Montana Hall Life Safety Improvements				
	2,100,000				2,100,000
DPHHS	MMHNCC Completion of Door Access Controls				
	130,000				130,000
MUS	UM Missoula College Mechanical, Electrical, and Accessibility Upgrades				
	2,200,000				2,200,000
MUS	UM Montana Tech Selected Upgrades Exterior Steps, Stairs, Ramps				
	710,000				710,000
DPHHS	MMHNCC Additional Security Cameras				

		300,000	300,000
MUS	UM-W Selected Fire Alarm Upgrades		
		500,000	500,000
DOC	MSP MCE New Emergency Generators		
		200,000	200,000
DOA	Aviation Support Facility Shop Building New Fire Suppression System		
		950,000	950,000
MUS	UM Montana Tech Campus Heating Plant Boiler System Upgrade		
		2,400,000	2,400,000
DOAg	State Grain Lab Heating System Upgrades		
		150,000	150,000
MUS	MSU GFC Campus Heating and Domestic Hot Water Upgrades		
		400,000	400,000
DOJ	MHP Boulder MHP/IBC Campus Heating System Upgrades		
		2,350,000	2,350,000
MUS	UM Helena College Donaldson/Airport Boiler System Replacement		
		150,000	150,000
DOA	Original Governor's Mansion Heating and Fire Alarm Systems		
		300,000	300,000
MUS	UM-W Swysgood Tech Center HVAC Cooling System Replacement		
		370,000	370,000
DOC	Continuation of Xanthopoulos Building Repairs		
		2,200,000	2,200,000
MUS	MSU Linfield Hall Roof Replacement		
		850,000	850,000
DOA	State Print and Mail Building Roof Replacement		
		825,000	825,000
MUS	MSU-N Cowan Hall Exterior Envelope Upgrades		

	1,725,000	1,725,000
	DPHHS EMVH Water Infiltration and Exterior Envelope Repairs	
	1,900,000	1,900,000
MUS	MSU-N Automotive Technology Building Roof Replacement	
	460,000	460,000
MUS	UM HC Donaldson Campus Roofing Replacement	
	2,400,000	2,400,000
DOC	MSP MCE Roof Replacements	
	1,350,000	1,350,000
DOA	Aviation Support Fac Hangar Door Reconstruction and Replacement	
	320,000	320,000
MUS	UM Montana Tech Campus-wide Building Electrical System Upgrades	
	1,300,000	1,300,000
MSDB	Completion of Parking Lot Improvements	
	780,000	780,000
MUS	UM-W Selected Sewer Main Repairs and Replacement	
	690,000	690,000
OPI	Montana Learning Center Site Infrastructure Upgrades	
	700,000	700,000
MUS	UM-W Steam Distribution System Upgrades	
	475,000	475,000
DOC	PHYCF Utility Tunnel and Heating System Repairs	
	1,200,000	1,200,000
MUS	UM Selected Building Electrical System Upgrades	
	1,100,000	1,100,000
MUS	MSU South Campus Primary Electrical Distribution Upgrades	
	1,750,000	1,750,000
DOC	MSP Gravel Pit Equipment Generator Replacement	

		180,000		180,000
DLI	Kalispell Job Service Renovations			
		325,000		325,000
MUS	UM Selected Elevator System Upgrades			
		1,675,000		1,675,000
MUS	MT Tech Science and Engineering, and ELC Building Elevator Upgrades			
		400,000		400,000
DOL	New Laboratory Casework and Fixed Equipment, Combined Labs Building			
		1,000,000		1,000,000
MSDB	Selected HVAC Systems Upgrades			
		2,000,000		2,000,000
MUS	MSU McCall Hall Demolition			
		1,100,000	300,000	1,400,000
DOA	Capitol Building Interior Lighting Restoration			
		125,000		125,000
DOA	Capitol Complex Restroom Renovations			
		625,000		625,000
DOC	MSP MCE Restroom Repairs			
		200,000		200,000
DOJ	MLEA Air Conditioning Installation			
		300,000		300,000
MUS	MT Tech Mining and Geology Building Temp Controls System			
		300,000		300,000
DOA	Statewide Facility Condition Assessment Services for Agencies			
		750,000		750,000
DOA	Statewide Selected Feasibility Studies for Agencies			
		500,000		500,000
MUS	MSU Replace Failed Data Center Cooling Systems			

1,300,000

(3) The following money is appropriated to the department of military affairs for the indicated major repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization and are subject to the provisions of 18-2-103.

**Legislative
Services
Division**

1,900,000

1,900,000

(4) The department of administration shall bundle requests for the purchase and installation of the electrical generators into a single project for bid.

Section 3. Capital development projects appropriations and authorizations. (1) The following money is appropriated to the department of administration for the indicated capital development projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
DOC	MSP Low-Side Housing Expansion				
	150,000,000				150,000,000

Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The department may extend existing design, construction, and other contracts at its sole discretion, in order to expedite the project.

DOC	MSP Site Infrastructure Upgrades				
	21,000,000				21,000,000

Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The department may also extend existing design, construction, and other contracts at its sole discretion, in order to expedite the project.

	DPHHS MSH Comprehensive Mechanical System Replacement				
	11,200,000				11,200,000
DOC	MSP Comprehensive Mechanical System Replacement				
	4,750,000				4,750,000
	DPHHS MSH Spratt Building Upgrades for Licensure and Facility Fences				
	14,660,000				14,660,000

Funding may be redirected by the office of budget and program planning to address other capital project needs at the Montana State Hospital, subject to 17-7-210.

DPHHS MMHNCC Unit D

Remodel for Licensure

700,000	700,000
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MUS UM Selected Classrooms and Teaching Labs Modernization

11,600,000	11,600,000
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DNRC Missoula New Forestry and Trust Lands Office Building

2,000,000	2,000,000
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DNRC Bunkhouses in Helena, Libby, and Plains and Office Addition

1,500,000	600,000	2,100,000
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The department of administration may prioritize the funding, design, and construction between each of the bunkhouses and office additions as necessary to meet the intent of [sections 3(8)(c) and 3(9)].

DOA Capitol Complex Roof Replacements

4,100,000	4,100,000
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MUS UM Selected Roof Replacements

3,000,000	3,000,000
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MUS MT Tech Highlands College Roof Replacement

5,000,000	5,000,000
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MUS MSUB Cisel Hall HVAC and Plumbing System Upgrades

4,000,000	4,000,000
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DOA Capitol Complex Elevator System Upgrades

5,700,000	5,700,000
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MSDB Vocational Building Demolition and New Construction

4,000,000	4,000,000
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MUS MSU Lewis Hall New Elevator and ADA Upgrades

4,600,000	4,600,000
-----------	-----------

MUS UM Music Building Renovation

		7,250,000	7,250,000	14,500,000
DOA	1227 11th Avenue Renovation			
		3,600,000		3,600,000
DOA	1300 11th Avenue Renovation			
		4,150,000		4,150,000
MUS	UM Mansfield Library Renovation			
		9,000,000	9,000,000	18,000,000
MUS	MSU Hamilton Hall 3rd and 4th Floor Renovation			
		5,230,000		5,230,000
DOA	5 South Last Chance Gulch Building Renovation			
		17,300,000		17,300,000
DMA	SMART Deferred Maintenance Program, Statewide			
		1,500,000	4,500,000	6,000,000
DOC	MSP Construction Education Program Building and Old Territorial Prison Repair			
		4,200,000		4,200,000
DMA	Billings Limited Army Aviation Support Facility, Phase 2			
		23,100,000		23,100,000
DMA	MTANG New Training Drop Zone			
		1,800,000		1,800,000
DOJ	MLEA New Indoor Firing Range			
		10,000,000		10,000,000
DMA	MT State Veterans' Cemetery, New Interment Processing Center			
		600,000		600,000
FWP	Central Services Site Upgrades Phase 2			
		13,350,000		13,350,000
FWP	Central Services Site Upgrades Phase 3			
		16,680,000		16,680,000
FWP	State Park Storage Building at Cooney Park and Deadman Basin FAS			

375,000

375,000

The department of administration may prioritize the funding, design, and construction between each of the storage buildings as necessary to meet the intent of [sections 3(8)(c) and 3(10)].

MDT Equipment Storage Buildings at Three Forks, Wolf Creek, Lodge Grass, Conrad, and Miles City

5,300,000

5,300,000

The department of administration may prioritize the funding, design, and construction between each of the equipment storage buildings as necessary to meet the intent of [sections 3(8)(c) and 3(11)].

MDT Purchase of Equipment Repair Shop and Property

8,500,000

8,500,000

MUS MSUB New Art Building

13,400,000

13,400,000

MUS UM New Bandy Ranch Field Research Housing

2,000,000

2,000,000

MUS UM Bio Research Building Addition

8,000,000

8,000,000

MUS MSU Instructional Space Modernization

4,000,000

4,000,000

MUS UM Law School Interior Remodel

3,000,000

3,000,000

MUS UM McGill Hall Addition

3,000,000

3,000,000

Authority-only increase is provided for the project in Section 3, Chapter 763, Laws of 2023.

MUS MSU Nopper Building Purchase

6,500,000

6,500,000

MUS UM Undergraduate Research Lab Upgrades and Improvements

10,000,000

10,000,000

MUS UM South Campus Tennis Court Complex

8,300,000

8,300,000

MUS MSU Visual Communications Building Classroom Addition

11,500,000 11,500,000

Authority-only increase is provided for the project in Section 2, Chapter 422, Laws of 2019, and Section 3, Chapter 763, Laws of 2023.

MUS Women's Soccer Locker Room Remodel and Lighting

400,000 400,000

MUS Montana Tech Campus Expansion and Upgrades 50,000,000 50,000,000

(2) The following money is appropriated to the department of military affairs for the indicated capital development projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization and are subject to the provisions of 18-2-103.

Agency/Project LRBP	State	Federal	Authority	Total
CD	Special	Special	Only	
Fund	Revenue	Revenue	Sources	

DMA Fort Harrison Open Bay Barracks

10,500,000 10,500,000

Federal special revenue is provided for the purposes of construction for the project consented to by the governor in August 2024 in accordance with 18-2-102(2)(e) for use of \$1,880,000 of federal funds for design only.

DMA Fort Harrison Vehicle Paint Shop Construction

4,000,000 4,000,000

DMA MTARNG Vehicle Maintenance Shop Construction

20,000,000 20,000,000

DMA Limestone Hills Target Storage Building Replacement

60,000 60,000

DMA Veterans' Cemetery Expansions, Statewide

1,000,000 1,000,000

DMA Capital Reserve Fund

31,505,000 31,505,000

(3) (a) The capital reserve fund may be used by the department of military affairs to fund projects

in [section 3] subsequently identified after the passage of [this act].

(b) A project must be prepared that describes each task to be completed with a budget for each proposed project. The project description must be submitted by the department of military affairs through the department of administration to the general government budget committee and the long-range planning budget committee. After the project description has been submitted to those committees, the budget director may approve, modify, or deny the proposed project.

(4) (a) The following money is appropriated to the office of budget and program planning for the indicated capital development project from the indicated source for the purpose of major repairs and capital projects on the Capitol complex:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
OBPP	Capitol Complex Deferred Maintenance and Renewal				
	50,000,000				50,000,000

(b) The office of budget and program planning is authorized to transfer any or all of the appropriation to the department of administration. The department of administration is authorized to adjust major repair or capital development project amounts within the legislative intent, if approved by the office of budget and program planning, and to transfer the appropriations, authority, or both among the necessary fund types.

(c) The funds may be used in conjunction with projects appropriated in Section 14, Subsection 4, Chapter 762, Laws of 2023. The department may also extend existing design, construction, and other contracts at its sole discretion.

(d) The funds may not be utilized in or for space leased or to be leased by a state agency or to construct or acquire additional state-owned square footage.

(5) (a) The following money is appropriated to the department of administration for the purpose of capital development projects planning studies for agencies, including the university system, on capital projects that are anticipated to be greater than a total project cost of \$10 million:

Agency/Project	LRBP	State	Federal	Authority	Total
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	CD	Special	Special	Only
	Fund	Revenue	Revenue	Sources
DOA	Capital Development Projects Planning Studies			
	2,000,000			2,000,000

(b) Prior to usage of the funds, the department shall require agencies to submit individual capital project applications, along with 6-year facilities strategic plans, and make recommendations to the office of budget and program planning. A planning study must be approved by the office of budget and program planning prior to commencement by the department.

(c) The results of a planning study must contain the full narrative and explanation of the needs, project scope and programmatic information, design and construction schedule, itemized total capital project costs, any future staffing costs, and any future operations and maintenance costs.

(d) Subject to 17-7-211, agencies, including the university system, may utilize other funding sources to initiate or participate in a capital projects planning study.

(6) (a) The following money is appropriated to the department of administration as reserve funding on major repair-type and capital development-type capital projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
DOA	Reserve Funds for Market, Supply Chain, and Inflationary Impacts				
	10,000,000				10,000,000

(b) Prior to usage of the funds, the department shall submit a recommendation with sufficient justification for approval to the office of budget and program planning.

(c) Funding may not be used to expand beyond the scope of a project authorized by the legislature. This aggregate amount does not limit or restrict 17-7-211.

(7) (a) Pursuant to 17-7-210, if construction or acquisition of a new facility requires an immediate or future increase in state funding for program expansion or operations and maintenance, the legislature may not authorize the new facility unless it also appropriates funds for the increase in state funding for program expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year

following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in this subsection reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

(b) Subject to subsection (7)(e), the following money is appropriated for the biennium beginning July 1, 2025, to the indicated agency from the indicated sources for program expansion or operations and maintenance for the indicated new facility:

Agency/Project	General Fund	State Special Revenue	Federal Special Revenue	Authority Only Sources	Total
DNRC Missoula New Forestry and Trust Lands Office Building		50,876			50,876
DNRC Helena Wildland Firefighter Bunkhouses		66,360			66,360
DNRC Libby Wildland Firefighter Bunkhouses and Office Addition		33,180			33,180
DNRC Plains Wildland Firefighter Bunkhouse		33,180			33,180
MUS MSU Lewis Hall New Elevator and ADA Upgrades	37,800				37,800
DOA 5 South Last Chance Gulch Building Renovation	173,550				173,550
DMA Billings Limited Army Aviation Support Facility, Phase 2			107,400		107,400
DOJ MLEA New Indoor Firing Range		150,000			150,000
DMA MT State Veterans' Cemetery, New Interment Processing Center	9,625				9,625
FWP Central Services Site Upgrades Phase 2		133,468			133,468

FWP	Central Services Site Upgrades Phase 3	208,545	208,545
FWP	Region 5 Cooney State Park Storage Building	2,778	2,778
FWP	Region 5 Deadman's Basin FAS Storage Building	4,250	4,250
MDT	Three Forks Equipment Storage Building	48,150	48,150
MDT	Wolf Creek Equipment Storage Building	33,400	33,400
MDT	Lodge Grass Equipment Storage Building	33,400	33,400
MDT	Conrad Equipment Storage Building	41,650	41,650
MDT	Miles City Equipment Storage Building	44,750	44,750
MUS	MSUB New Art Building	257,680	257,680
MUS	UM New Bandy Ranch Field Research Housing	108,705	108,705
MUS	UM Bio Research Building Addition	246,050	246,050
MUS	UM McGill Hall Addition	71,968	71,968
MUS	MSU Nopper Building Purchase	1,252,186	1,252,186
MUS	UM South Campus Tennis Court Complex		
		359,086	359,086

MUS	MSU Visual Communications Building Classroom Addition		
		59,286	140,403 199,689
DMA	Fort Harrison Open Bay Barracks		
		204,800	204,800
DMA	Fort Harrison Vehicle Paint Shop Construction		
		42,100	42,100
DMA	MTARNG Vehicle Maintenance Shop Construction		
		134,800	134,800
DMA	Fort Harrison Facility Maintenance Shop #3 (FMS #3) Acquisition		
		31,000	31,000
MUS	Montana Tech Campus Expansion and Upgrades		
		2,543,693	2,543,693

Funds for operations and maintenance are provided upon completion of the transfer of the facility from federal to state ownership. The department of administration may utilize the FMS #3 to construct either or both the capital projects DMA DES State Emergency Coordination Center Expansion and DMA DES State Disaster Warehouse in Section 3, Chapter 763, Laws of 2023. If constructed within the FMS #3, the operations and maintenance funding for either or both the projects in Section 3, Chapter 763, Laws of 2023, shall transfer to the acquired FMS #3.

DMA	Billings Readiness Center and Innovation Campus (BRIC)		
		98,500 (General Fund)	98,500 (Federal Special Revenue) 197,000 (Total)

Funds for operations and maintenance are provided for the project in Section 3, Chapter 763, Laws of 2023, and are contingent on the sale of the existing Billings Armed Forces Reserve Center (BAFRC). After the sale, operations and maintenance funding currently appropriated to the department of military affairs for the existing Billings Armed Forces Reserve Center shall then be added to and utilized for the new Billings Readiness Center operations and maintenance.

DOA	Governor's Office, 720 Madison Avenue		
		270,250 (General Fund)	270,250 (Total)

Funds for operations and maintenance are provided upon completion of the transfer of the real property

to the department of administration.

(c) Subject to subsection (7)(e), the following money is appropriated for fiscal year 2027 to the indicated agency from the indicated sources for program expansion or operations and maintenance for the indicated new facility:

Agency/Project	General State	Federal Authority		Total
	Fund	Special	Special	Only
		Revenue	Revenue	Sources
DOC MSP Low-Side Housing Expansion				
	6,950,000			6,950,000

(d) It is the legislature's intent that the appropriations in this subsection become part of the respective agency's base budget for the biennium beginning July 1, 2025.

(e) Appropriations in subsections (7)(b) and (7)(c) are contingent on the passage and approval of a bill that includes an appropriation for the construction of the indicated projects in subsections (7)(b) and (7)(c).

(f) Funds appropriated in [this act] and prior appropriations, including House Bill 2, House Bill 5, and House Bill 872 from the 2023 session, may not be used to construct or staff a guard house at the Montana state hospital.

(8) The department of administration shall prioritize the project management and contracting for design and construction of capital projects contained in [this act] and may combine or bundle projects at its discretion, in the following order:

(a) (i) projects for the department of public health and human services, specifically DPHHS MSH Comprehensive Mechanical System Replacement, DPHHS MSH Spratt Building Upgrades for Licensure and Facility Fences, and the DPHHS MMHNCC D-Wing Remodel for Licensure;

(ii) projects for the department of corrections, specifically DOC MSP Low-Side Housing Expansion, DOC MSP Site Infrastructure Upgrades, DOC MSP Comprehensive Mechanical System Replacement, and the DOC MSP Construction Education Program Building Renovation and Old Territorial Prison Repair;

(iii) remaining projects in [this act] as determined by the department in accordance with 18-2-104 and taking into consideration prior appropriated capital projects.

(b) Based upon project type or location, the department may combine or bundle the procurement

of design services, bidding, and construction contracting for the purposes of efficiently implementing capital projects in either [section 2] or [section 3] or both.

(c) The department may also extend existing design, construction, and other contracts for capital projects in either [section 2] or [section 3] or both at its sole discretion, in order to expedite the implementation, design, and construction of capital projects in [this act].

(d) Should funding in House Bill 3 be insufficient for the replacement of the security doors in the RHU and SAU facilities at the Montana State Prison, the department of administration is authorized to adjust prior capital project appropriations in House Bill 817 of the 68th session and appropriations in [this act] for the department of corrections to complete the replacement of the security doors.

(9) The department shall develop standardized designs for bunkhouses used by all state agencies differentiated only by the number of beds they contain. Only one architectural fee may be paid for the bunkhouse design.

(10) The department shall develop standardized designs for storage sheds used by all state agencies differentiated only by the size of the shed. Only one architectural fee may be paid for the storage shed design.

(11) The department shall develop standardized designs for department of transportation equipment storage buildings differentiated only by the number of equipment bays in the structure. Only one architectural fee may be paid for the equipment storage building design.

(12) The architecture and engineering division of the department of administration shall provide a written report on the progress in implementing the projects identified as priority projects in subsections (8)(a)(i) and (8)(a)(ii) and the work done to implement projects in subsection (8)(a)(iii) 5 days prior to a meeting of the following committees:

- (a) the legislative finance committee; and
- (b) the long-range planning budget committee.

Section 4. Capital improvement projects. (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization.

The department of fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only Source	Total
FWP Statewide Administrative Facilities Major Maintenance	2,800,000			2,800,000
FWP Fishing Access Site Major Maintenance	1,590,000			1,590,000
FWP Statewide Hatchery Maintenance and Repairs	2,500,000			2,500,000
FWP Fishing Access Site Noxious Weed Control	250,000			250,000
FWP Wildlife Management Area Maintenance	3,380,000			3,380,000
FWP State Parks Major Maintenance	4,500,000			4,500,000
FWP State Parks Noxious Weed Control	250,000			250,000
FWP Statewide Wildlife Habitat Management Areas Improvements	680,000			680,000
FWP Future Fisheries	2,000,000			2,000,000
FWP Contract Programs	2,250,000			2,250,000
FWP Fish Connectivity	1,635,000	1,775,000		3,410,000
FWP Lewis and Clark Caverns State Park Water System				

		692,500	692,500	1,385,000
FWP	Community Fishing Ponds			
		200,000		200,000
FWP	Parks and Outdoor Recreation Site Development and Upgrades			
		4,509,680	510,000	5,019,680
For the Judith Landing Site, noxious weed control must be performed with a portion of the funds appropriated for the location.				
FWP	Upland Game Bird Enhancement Program			
		2,000,000		2,000,000
FWP	Dam Maintenance			
		90,000		90,000
FWP	Region 5 HQ Pemberton Lane Improvements			
		255,000		255,000
FWP	Grants Programs			
		5,800,000	7,900,000	13,700,000
FWP	Bannack State Park Historic Preservation			
		250,000		250,000
FWP	Forest Management Program			
		250,000		250,000
FWP	Tongue/Yellowstone/Muggli Fishery Infrastructure Improvements			
		1,430,000		1,430,000

(2) Authority is granted to the Montana university system for the purpose of making capital improvements to campus facilities statewide. Authority-only funds may include donations, grants, auxiliary funds, proprietary funds, nonstate funds, and university funds. Use of authority-only funds may be allocated at not more than \$2,500,000 per project and are subject to the provisions of 18-2-103. All costs for the operations and maintenance of any improvements constructed under this authorization must be paid by the Montana university system from nonstate sources:

Agency/Project LRBP	State	Federal	Authority	Total
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Fund	Special Revenue	Special Revenue	Only Sources	
General Spending Authority, MUS All Campuses			20,000,000	20,000,000

(3) The following money is appropriated to the department of transportation in the indicated amount for the purpose of making capital improvements to statewide facilities as indicated and are subject to the provisions of 18-2-103:

Agency/Project LRBP	State	Federal	Authority	Total
Fund	Special Revenue	Special Revenue	Only Sources	
Maintenance, Repair, and Small Projects, Statewide				
	3,000,000			3,000,000

(4) The following money is appropriated to the department of military affairs in the indicated amount for the purpose of making capital improvements to statewide facilities. The capital improvements are subject to the provisions of 18-2-103. All costs for the operation and maintenance of any improvements constructed with these funds must be paid by the department of military affairs from nonstate sources:

Agency/Project LRBP	State	Federal	Authority	Total
Fund	Special Revenue	Special Revenue	Only Sources	
Federal Spending Authority		3,000,000		3,000,000

(5) The following money is appropriated to the department of environmental quality in the indicated amount for the purpose of leaking petroleum tank remediation to address risks to human health or the environment at petroleum sites where there is no readily apparent potentially liable person or entity that is financially viable:

Agency/Project LRBP	State	Federal	Authority	Total
Fund	Special Revenue	Special Revenue	Only Sources	Revenue
Remediation of Leaking Petroleum Tanks				
	2,000,000			2,000,000

Section 5. Land acquisition appropriations. The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purposes of land acquisition, land leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
FWP Habitat Montana				
	12,000,000			12,000,000
FWP Fishing Access Site Acquisition				
	500,000			500,000
FWP Habitat Montana -- Enhanced 701 Funding				
	18,000,000			18,000,000

Section 6. Planning and design. The department of administration may proceed with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of other funding sources.

Section 7. Capital projects -- contingent funds. (1) If a capital project is financed, in whole or in part, with appropriations contingent on the receipt of other funding sources, the department of administration may not let the project for bid until a financial plan and agreement with the agency has been approved by the director of the department of administration. A financial plan and agreement may not be approved by the director if:

- (a) the level of funding and authorization provided under the financial plan and agreement deviates substantially from the funding level provided in either or both [sections 2 and 3] for that project; or
- (b) the scope of the project is substantially altered or revised from the concept and intent for that

project as presented to the 69th legislature.

(2) For any capital project financed, in whole or in part, with appropriations contingent on the receipt of other funding sources in this biennium and any prior biennium, the agency, including the university system, for which the capital project is for must submit a report through the department of administration architecture and engineering division to the Joint Appropriations Subcommittee for Long-Range Planning indicating the status of the other sources of funding, how much funding has been received, projections of when the funding is anticipated to be received, or if the project should be canceled. A report must be provided to the subcommittee during every regular session of the legislature until a project begins construction or is canceled by the legislature.

(3) This section does not limit or restrict the application of 17-7-211.

Section 8. Review by department of environmental quality. The department of environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a review shows that a capital project will result in energy or utility savings and improvements, that project must be submitted to the energy conservation program for funding consideration by the SBECP. Funding provided under the energy conservation program guidelines must be used to offset or add to the authorized funding for the project, and the amount will be dependent on the annual utility savings resulting from the capital project. Agencies must be notified of potential funding after the review and are obligated to utilize the SBECP funding, if available, on the terms and conditions specified by the department.

Section 9. Legislative intent. The appropriations authorized in [sections 2 through 5] constitute legislative consent for the capital projects contained in [sections 2 through 5] within the meaning of 17-7-201 and 18-2-102.

Section 10. Increase in state funding for program expansion or operations and maintenance. If an immediate or future increase in state funding for program expansion or operations and maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 69th legislature, that new

facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

Section 11. Section 17-7-201, MCA, is amended to read:

"17-7-201. Definitions. In this part, the following definitions apply:

- (1) (a) "Building" includes a:
 - (i) building, facility, or structure constructed or purchased wholly or in part with state money;
 - (ii) building, facility, or structure at a state institution;
 - (iii) building, facility, or structure owned or to be owned by a state agency, including the department of transportation.
- (b) The term does not include a:
 - (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or special improvement district;
 - (ii) facility or structure used as a component part of a highway or water conservation project.
- (2) "Capital development" means a:
 - (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or more;
 - (b) new facility with a construction cost of \$250,000 or more; or
 - (c) purchase of real property for which an appropriation is required to fund the purchase.
- (3) "Construction" includes construction, repair, alteration, renovation, and equipping and furnishing during construction, repair, or alteration.
- (4) "Division" means the architecture and engineering division of the department of administration.
- (5) "High-performance building" means a building that integrates and optimizes all major high-performance building attributes, including but not limited to:
 - (a) energy efficiency;
 - (b) durability;
 - (c) life-cycle performance; and
 - (d) occupant productivity.
- (6) (a) "Long-range building program-eligible building" means a building, facility, or structure

eligible for major repair account funding that:

(i) is owned or fully operated by a state agency and for which the operation and maintenance are funded with state general fund money; or

(ii) supports academic missions of the university system and for which the operation and maintenance are funded with current unrestricted university funds.

(b) The term does not include a building, facility, or structure:

(i) owned or operated by a state agency and for which the operation and maintenance are entirely funded with state special revenue, federal special revenue, or proprietary funds; or

(ii) that supports nonacademic functions of the university system and for which the operation and maintenance are funded from nonstate and nontuition sources.

(7) (a) "Major repair" means:

(i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;

(ii) a site or utility improvement with a total cost of less than \$2.5 million; or

(iii) a new facility with a total construction cost of less than \$250,000.

(b) The term does not include operations and maintenance as defined in this section.

(8) (a) "New facility" means the construction or acquisition of a new building on state property regardless of funding source and includes:

(i) an addition to an existing building; and

(ii) the enclosure of space that was not previously fully enclosed.

(b) The term does not include the replacement of state-owned space that is demolished or that is otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5 million.

(9) "Operations and maintenance" means operational costs and regular, ongoing, and routine repairs and maintenance funded in an agency operating budget that does not extend the capacity, function, or lifespan of a facility.

(10) "Replacement cost of existing long-range building program-eligible building" means the current replacement value of all long-range building program-eligible buildings included in the statewide facility inventory and condition assessment as provided in 17-7-202."

Section 12. Section 17-7-202, MCA, is amended to read:

"17-7-202. Preparation of building programs and submission to department of administration -- statewide facility inventory and condition assessment. (1) Before ~~July 1~~ April 1 of the year preceding a legislative session, each state agency and institution shall submit to the architecture and engineering division of the department of administration, on forms furnished by the division, a proposed long-range building program for major repair projects and capital developments, if any, for the agency or institution along with the agency's or institution's 6-year capital development facilities strategic plan. Excluding major repair projects greater than \$2,500,000, the division may not include a capital development project request in the information provided pursuant to 17-7-202(4) without the project also being included in an agency's or institution's 6-year capital development facilities strategic plan, unless approved by the office of budget and program planning. Each agency and institution shall furnish any additional information requested by the division relating to the utilization of or need for major repair projects and capital developments.

(2) (a) Except as provided in subsection (3), the division shall compile and maintain a statewide facility inventory and condition assessment that:

- (i) for each state-owned building:
 - (A) identifies its location and total square footage;
 - (B) identifies the agency or agencies using or occupying the building and how much square footage each agency uses or occupies;
 - (C) lists the current replacement value of the building in its entirety and each agency's portion of the building; and
 - (D) identifies whether the building is a long-range building program-eligible building; and
- (ii) for each long-range building program-eligible building:
 - (A) includes a facility condition assessment of the building and an itemized list of the building's deficiencies; and
 - (B) compares the building's current building deficiency ratio to its deficiency ratio in the previous biennium.

- (b) The division may contract with a private vendor to collect, analyze, and compile the building

information required in this subsection (2).

(c) The facility inventory and condition assessment must be updated as determined by the division.

(d) The division may incorporate in the statewide facility inventory and condition assessment any facility condition assessment or similar document compiled by an agency.

(e) The division shall provide the statewide facility inventory and condition assessment, including a calculation of the deferred maintenance backlog and overall building deficiency ratio of the long-range building program-eligible buildings, to the office of budget and program planning and the legislative finance committee by September 1 of the year preceding a regular legislative session in an electronic format. The division shall provide a copy of the report to the legislature in accordance with 5-11-210.

(3) The division is not required to include a state-owned building that has a current replacement value of ~~\$150,000~~ \$300,000 or less in the facility inventory and condition assessment.

(4) The division shall examine the information furnished by each agency and institution and shall gather whatever additional information is necessary and conduct whatever surveys are necessary in order to provide a factual basis for determining the need for and the feasibility of major repair projects and capital developments. The information compiled by the division shall be submitted to the governor before October 1 of the year preceding a regular legislative session."

Section 13. Section 17-7-210, MCA, is amended to read:

"17-7-210. Required funding for maintenance of newly authorized state buildings. (1) If construction or acquisition of a new facility requires an immediate or future increase in state funding for program expansion or operations and maintenance, the legislature may not authorize the new facility unless it also appropriates funds for the increase in state funding for program expansion and operations and maintenance.

(2) (a) To the extent allowed by law, at the end of each fiscal year following approval of a new facility but prior to receipt of its certificate of occupancy or acquisition, the appropriation made pursuant to subsection (1) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

(b) When a certificate of occupancy or acquisition for a new facility is received prior to the end of the fiscal year, the amount of the appropriation made pursuant to subsection (1) that reverts to its originating

fund is the prorated amount from the beginning of the fiscal year to the date of the receipt of the certificate of occupancy."

Section 14. Section 17-7-223, MCA, is amended to read:

"17-7-223. Major repair -- submission of list to legislature -- priorities. (1) By November 15 of the year preceding a regular legislative session, the division shall, on behalf of all state agencies, submit a list of anticipated major repair projects to the governor. The governor shall review the list of anticipated long-range building program-eligible major repair projects recommended by the division and submit it to the legislature.

(2) The division shall ensure that the list identifies:

(a) single projects that cost more than ~~\$150,000~~ \$300,000;

(b) multiple projects within a single building or facility that collectively cost more than ~~\$150,000~~ \$300,000; and

(c) single projects that will be constructed in phases with an aggregate cost of more than ~~\$150,000~~ \$300,000.

(3) Unless otherwise directed by the legislature, the division shall execute major repair projects from the prioritized list submitted to the legislature up to the level of appropriation made by the legislature.

(4) In prioritizing major repair projects, the division shall consider the results of the statewide facility inventory and condition assessment prepared pursuant to 17-7-202.

(5) In prioritizing major repair projects, the division shall allocate at least 80% of the funds that the legislature appropriates for major repair to:

(a) projects that address:

(i) any issue that impacts health and safety;

(ii) failing building envelopes;

(iii) structural deficiencies;

(iv) energy, utility, or water savings;

(b) projects that upgrade, repair, or replace:

(i) mechanical, plumbing, or control systems;

(ii) electrical systems;

- (iii) fixed equipment;
- (iv) an essential building component; or
- (v) infrastructure, including a utility tunnel, water line, gas line, sewer line, roof, parking lot, or road;

or

(c) projects that demolish and replace an existing building or facility that is in extensive disrepair and cannot be fixed by repair or maintenance.

(6) In prioritizing major repair projects, the division shall allocate no more than 20% of the funds that the legislature appropriates for major repair to:

- (a) remodeling and aesthetic upgrades to meet programmatic needs; or
- (b) construct an addition to an existing building or facility."

Section 15. Section 3, Chapter 763, Laws of 2023, is amended to read:

The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance

15,903,000

15,903,000

~~Up to \$10,000,000 of funding for the project must be used for rebuilding a water line constructed by the state serving the Montana State Hospital. The department is authorized to contract with Anaconda-Deer Lodge County for this portion of the project at the department's discretion."~~

Section 16. Transfer of funds. (1) By June 30, 2027, the department of administration shall transfer \$150 million from the general fund to the capital developments long-range building program account established in 17-7-209.

(2) By July 1, 2025, the state treasurer shall transfer \$2 million from the general fund to a state special account within the department of environmental quality for the purpose of leaking petroleum tank remediation.

Section 17. Transfer of funds -- plan and reporting. (1) By June 30, 2026, the state treasurer shall

transfer \$26.5 million from the capital developments long-range building program account established in 17-7-209 to the board of investments for the purposes of building a behavioral health facility.

(2) Prior to the transfer in subsection (1) taking place, the budget director shall adopt a plan from the board of investments and the department of public health and human services on the facility type and location. The board of investments and the department of public health and human services shall report to the health and human services interim budget committee established in 5-12-501 on the progress of choosing the facility type and location. Once a plan is adopted by the budget director, the board of investments and the department of public health and human services shall provide a progress report at each subsequent meeting of the health and human services interim budget committee and each subsequent meeting of the long-range planning budget committee that are held prior to December 31, 2026.

(3) Any unspent funds must revert to the capital developments long-range building program account.

Section 18. Coordination instruction. If both House Bill No. 217 and [this act] are passed and approved, then the reference to the department of environmental quality in [section 8 of this act] must be changed to "the department of administration architecture and engineering division".

Section 19. Section 14(1), Chapter 762, Laws of 2023, is amended to read:

"**Section 14. Appropriations.** (1) There is appropriated ~~\$12.5~~ \$15 million from the account established in [section 11] to the legislative branch for the biennium beginning July 1, 2023, for the purposes set forth in subsections (2) and (3). This appropriation is reappropriated for the purposes of the original appropriation until the funds are fully expended."

Section 20. Section 9(1), Chapter 739, Laws of 2023, is amended to read:

"**Section 9. Appropriations for capital projects.** (1) After the administrative rules have been adopted under [section 4] and only after the commission transmits its summary report on its recommendations to the governor after following the process set forth in [section 2], there is appropriated ~~\$55~~ \$28.5 million to the department of administration from the capital developments long-range building program account in the capital

projects fund type provided for in 17-7-209 for the behavioral health system for future generations capital development."

Section 21. Operations and maintenance appropriation. (1) The amount of \$10 million is appropriated from the general fund to the department of public health and human services for the fiscal year beginning July 1, 2026, for program expansion or operations and maintenance for the indicated new setting.

(2) It is the intent of the legislature that the appropriation in subsection (1) become part of the base budget for the department of public health and human services for the biennium beginning July 1, 2027.

Section 22. Section 1, Chapter 468, Laws of 2021, is amended to read:

The portion of section 1, Chapter 468, Laws of 2021, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"MONTANA UNIVERSITY SYSTEM

~~UM Forestry Conservation & Science Lab~~

~~25,000,000 20,000,000 45,000,000"~~

Section 23. Section 3, Chapter 763, Laws of 2023, is amended to read:

The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"MUS UM Clapp Building ~~Renovation~~ Replacement

~~27,000,000 10,000,000 37,000,000~~

52,000,000 20,000,000 72,000,000"

Section 24. Combination of capital development appropriations. (1) The architecture and engineering division of the department of administration shall combine the UM Forestry Conservation & Science Lab capital project previously authorized in section 1, Chapter 468, Laws of 2021, with the Clapp Building Replacement capital project, previously authorized in section 3, Chapter 763, Laws of 2023. The combined appropriation must result in a single facility of not more than the gross square footage of the existing Clapp

Building on the same site and may not expand existing programs into other UM facilities or result in any new programs.

(2) The architecture and engineering division of the department of administration may reutilize portions of the existing Clapp Building, including the basement, foundation, and utility systems, or other portions of the existing building, based on analysis of the existing facility taking into consideration existing asbestos containing materials, seismic and structural conditions, mechanical and electrical or plumbing systems, energy efficiency, functionality, UM program needs, and long-term operational and maintenance costs.

Section 25. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 26. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 5, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 5

INTRODUCED BY J. FITZPATRICK

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2027; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT AND A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A STATE SPECIAL REVENUE FUND; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; ESTABLISHING REPORTING REQUIREMENTS; ALLOWING A COMBINATION OF PREVIOUSLY APPROVED APPROPRIATIONS FOR THE CLAPP BUILDING; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 1, CHAPTER 468, LAWS OF 2021, SECTION 9(1), CHAPTER 739, LAWS OF 2023, SECTION 14(1), CHAPTER 762, LAWS OF 2023, AND SECTION 3, CHAPTER 763, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Laurel voters and citizens,

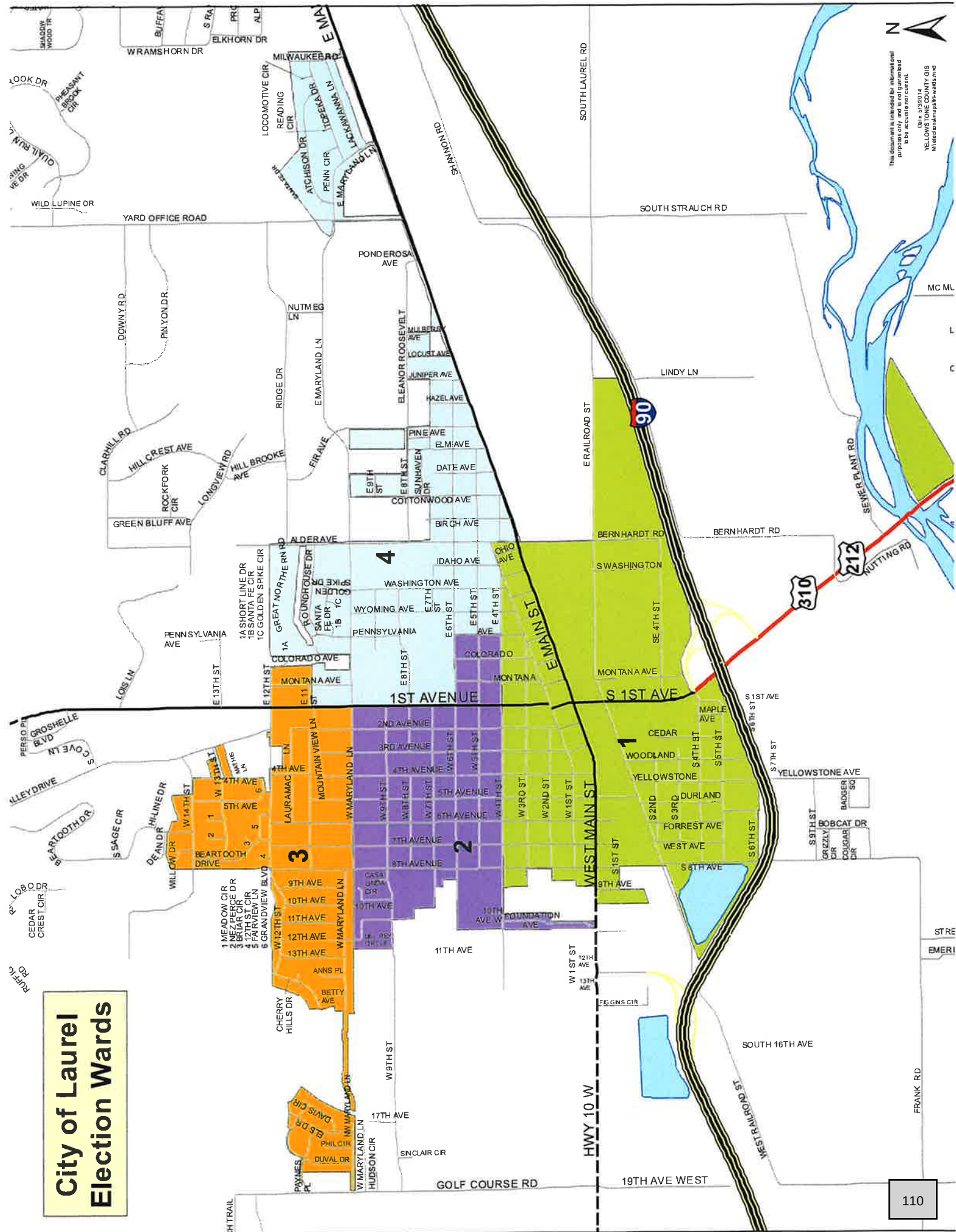
It has come to the City's attention that discrepancies occurred in the General Municipal Election, resulting in voters receiving the wrong ballots. The City was notified by the Yellowstone County Election's office today about new ballots being mailed out. The new ballots have gone out in the mail today to correct the discrepancies that affected two of the four city Wards – Wards 2 and 4. At some point in the election's programming, the two different Wards (Wards 2 and 4) were inadvertently switched, and voters appear to have received the incorrect ballots for these Wards. Again, reissued ballots will be sent to voters in these Wards today. Registered voters' ballots will include a letter from the County Election's Office explaining voters' next steps. All candidates who filed and are qualified to appear will be on the reissued ballots. It is important that, as a voter, you submit the corrected ballot instead of the original one received in Ward 2 and Ward 4.

Any already-submitted ballots with discrepancies will be voided, and the replacement ballots will be utilized in ensuring proper vote counts in the City of Laurel Municipal General Election.

According to Yellowstone County's Election Office, Ward 1 and Ward 3 voters were not impacted by this mistake. Should you have any questions regarding your ballot, please reach out to Yellowstone County Election's Office at 406-256-2740. Please be advised that the City does not manage local elections. The City of Laurel wanted to make sure everyone had been notified of this issue.

If you are unsure which Ward you reside in, a copy of the City's Ward map has been provided.

City of Laurel Election Wards



This document is intended for informational purposes only and should not be used for legal or financial purposes. It is not a guarantee of accuracy and should be used as a guide only. The City of Laurel reserves the right to change the boundaries at any time without notice.

File Attachments for Item:

8. Budget/Finance Committee Minutes of October 14, 2025.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, October 14, 2025**

Members' Present: Michelle Mize, Casey Wheeler, Richard Klose

Others Present: Kelly Gauslow, Matt Wheeler, JW Hopper

The meeting was called to order by the Committee Chair at 5:30 pm.

Public Input: There was no public comment.

General Items –

1. Review and approve September 23, 2025, Budget and Finance Committee meeting minutes. Michelle Mize moved to approve the minutes of September 23, 2025. Casey Wheeler seconded the motion. With no objection, the minutes of September 23, 2025, were approved. There was no public comment or committee discussion.
2. Review and approve purchase requisitions. JW Hopper presented a purchase requisition for an 18" Battery Vent Fan. The fan can be put in a house that has had a fire and expel the smoke out of it. That way you won't have the smell of gas/smoke. This runs on Milwaukee batteries just like everything else on the truck. Michelle Mize moved to approve the purchase requisition for the battery vent fan. Casey Wheeler seconded the motion. With no objection, the purchase requisition was approved.
JW Hopper also discussed that CHS is also going to be donating \$30,000 for extrication gear for the truck. He is unsure whether it will be paid in one lump sum or if it will spread out over a period of time. For instance, the previous \$50,000 donation that was paid out over a 5-year period. This will leave him with \$2,000 to pay out of pocket. Besides, a few things to hold fittings, Engine 25 is complete. They had \$22,000 in donations, which paid for most of the tools.
3. Review and recommend approval to Council; claims entered through October 10, 2025. Casey Wheeler moved to approve the claims and check register for claims entered through October 10, 2025. Michelle Mize seconded the motion. With no objection, the claims and check register of October 10, 2025, were approved. There was no public comment.
4. Review and approve Payroll Register for the pay period ending September 28, 2025, totaling \$268,385.63. Michelle Mize motioned to approve the payroll register for the pay period ending September 28, 2025, totaling \$268,385.63. Richard Klose seconded the motion. With no objection, the payroll register for September 28, 2025, was approved. There was no public comment.
5. Review and approve the September 2025 Utility Billing Adjustments. Michelle Mize moved to approve September 2025 Utility Billing Adjustments. Casey Wheeler seconded the motion. With no objection, the September 2025 Utility Billing Adjustments were approved. There was no public comment or Committee discussion.

New Business – Matt Wheeler mentioned that there was a community cleanup day that happened over the weekend. He said that a few city employees helped. Matt stated that there will be some overtime on the next payroll due to the cleanup day.

Old Business –

Other Items –

1. Review Comp/OT reports for the pay period ending September 28, 2025.
2. Mayor Update – The mayor was not present at the meeting.
3. Clerk/Treasurer Financial Update-Kelly Gauslow stated that the Clerk Treasurer has been working on the Annual Financial Report that is due on December 31, 2025. The third quarter taxes have been completed. Kelly Strecker Clerk Treasurer was not present at the meeting.

Announcements –

1. The next Budget and Finance Committee meeting will be held on October 28, 2025, at 5:30 pm.
2. Michelle Mize is scheduled to review the claims for the next meeting.

Meeting Adjourned at 5:50 p.m.

Respectfully submitted,



Kelly Gauslow

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

File Attachments for Item:

9. Emergency Services Committee Minutes of September 22, 2025.



**MINUTES
CITY OF LAUREL
EMERGENCY SERVICES COMMITTEE
MONDAY, SEPTEMBER 22, 2025**

The Emergency Services Committee meeting was called to order at 6:00pm on Monday, September 22, 2025 by Chair Heidi Sparks

Members Present: Heidi Sparks- Chair, Jodi Mackay- Vice Chair, Irv Wilke, Richard Klose, Bruce McGee

Others Present: Ambulance Chief Lyndy Gurchiek, Police Chief Jarred Anglin, Fire Chief JW Hopper, City Attorney Michele Braukmann, Shane Lacasse

Public Input:

General Items:

1. Approval of the Minutes from July 28, 2025. Motion made by Irv, seconded by Jodi. Motion carried 5-0.
2. Approval of the Minutes from August 25, 2025. Motion made by Irv, seconded by Jodi. Motion carried 5-0.
3. Update from Emergency Departments
 - . Police Chief Jarred Anglin- report attached
 - . This has been a quieter month than last year at this time
 - . With school in session, SROs are reporting traffic congestion by the new Laurel Intermediate School. Looking at making the intersection of Alder and 8th a 3-way stop. Also need to take down the school zone signs where no longer applicable
 - . Budget constraints- will not be able to fill the open position at this time
 - . Ambulance Chief Gurchiek- report will be included- both July and August
 - . July reported included since not provided last month
 - . 6 calls missed due to being on a previous call
 - . One of these times, were on 3 calls already when the call came in
 - . Chief Gurchiek stated this is the first time she can remember the Ambulance Service being on 3 calls at once
 - . Staffing- hired a volunteer EMT and interviewing for a paramedic
 - . Stop the Bleed is scheduled for school district staff in conjunction with training from the police department. This will be for roughly 150 staff
 - . Department needs a new ambulance. Chief Gurchiek provided the estimates along with options for the purchase
 - . Chief Gurchiek stated that there is some money in the CIP and the budget. This would total roughly \$70K
 - . Bruce stated there are groups that could be interested in doing fundraising for this project

- . Jodi will reach out to the group Bruce mentioned to see if they would do a fundraiser
 - . Chief Hopper stated he has Engine 4 that the fire department is going to sell. This could be used as a trade-in instead
- . Fire Chief Hopper- report attached- July and August included
 - . 34 members on the roster currently, 6 recently completed rookie school. 4 new members approved last council cycle
 - . Fire Prevention Month- October 5-11
 - . Open House Oct 8 from 6pm-8pm
 - . Received DNRC Grant for \$13,000
 - . This will go for wildland backpacks
 - . Presenting at Budget/Finance committee tomorrow for bunker gear and ready lockers for the station
 - . Will be going to the high school in October to do extinguisher training with the buses
 - . Irv thanked Chief Hopper for having some of the firefighters come out for the field day for hunters education

New Business:

4. Committee Bylaws- City Attorney Braukmann spoke regarding these
 - . There was a previous situation that came from Public Works committee that brought to light that most of the city's committees do not have formalized bylaws to govern and operate the committees
 - . Most of the committees are covered in Laurel LMC, but not in great detail around how they are to function
 - . This can allow for issues and stalemates
 - . This can also be used as a great training tool for new members coming on to the various committees
 - . Attorney Braukmann has prepared a draft of the bylaws which she hopes to distribute this week. These will then be reviewed by the committee and voted on at next month's meeting before going to the full city council

Old Business:

Other Items:

Announcements:

5. Next meeting will be Monday, October 27, 2025 at 6:00pm in Council Chambers

Meeting adjourned at 6:49 p.m.



LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Emergency Services Report September 22, 2025

Between August 25, 2025, and September 22, 2025, the FAP had a total of **780 calls for service**. This marks a decrease from 907 calls during the same period in 2024, representing a 14% reduction.

Year-to-date, the department has responded to **7,358 calls for service**, up from **7,037 calls** at this point last year, an increase of 4.6% in overall activity.

During the reporting period, a total of 78 crimes were reported. Of these cases, 36 resulted in charges being filed. There were 10 arrests made and 3 warrant requests submitted. Eleven cases resulted in no charges being filed. Thirteen remain open due to a lack of suspect information, and the remaining cases are still under active investigation.

School Traffic Concern:

With school now back in session, our School Resource Officers have identified traffic congestion at the new intermediate school, particularly during drop-off and pick-up hours. SRO Sedgwick reports that the intersection of E 8th Street and Alder is a recurring issue. Currently, E 8th (westbound) has a stop sign, while Alder does not, leading to frequent backups and traffic delays.

Training Update:

Officer Schaff is currently attending the police academy and is performing well. He is expected to complete training in approximately two months.

Staffing Update:

Due to budget constraints, the department is unable to fill its 15th officer position at this time. Staffing remains at 14 sworn officers, with coverage managed through scheduling adjustments and overtime as needed.

Closing:

As always, we'll continue doing everything we can to meet the needs of the community with the resources we have. I'll keep you updated as things develop with staffing, academy progress, and traffic concerns near the school. Let me know if you have any questions or need additional information.

Respectfully,

Captain Anglin



Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 ▪ Phone 406-628-8737 ▪ Fax 406-628-4641

Total Calls

Printed on September 22, 2025

[CFS Date/Time] is between '2025-08-25 08:42' and '2025-09-22 08:26' and

[Primary Incident Code->Code : Description] All

Code : Description	Totals	
10-15 : With Prisoner	0	0
: Abandoned Vehicle	18	18
: Agency Assist	52	52
: Alarm - Burglary	9	9
: Alarm - Fire	1	1
AMB : Ambulance	86	86
: Animal Complaint	6	6
: Area Check	6	6
: Assault	4	4
: Bad Checks	0	0
: Barking Dog	1	1
: Bomb Threat	0	0
: Burglary	0	0
: Child Abuse/Neglect	4	4
: Civil Complaint	14	14
: Code Enforcement Violation	6	6
: Community Integrated Health	1	1

Code : Description	Totals	
: Counterfeiting	1	1
: Criminal Mischief	4	4
: Criminal Trespass	9	9
: Cruelty to Animals	1	1
: Curfew Violation	5	5
: Discharge Firearm	4	4
: Disorderly Conduct	5	5
: Dog at Large	20	20
: Dog Bite	3	3
DUI : DUI Driver	11	11
: Duplicate Call	4	4
: Escape	0	0
: Family Disturbance	16	16
: Fight	3	3
FIRE : Fire or Smoke	24	24
: Fireworks	1	1
: Forgery	0	0
: Found Property	8	8
: Fraud	5	5
: Harassment	8	8
: Hit & Run	3	3

Code : Description	Totals	
: ICAC	2	2
: Identity Theft	2	2
: Indecent Exposure	0	0
: Insecure Premises	3	3
: Intoxicated Pedestrian	0	0
: Kidnapping	0	0
: Littering	0	0
: Loitering	2	2
: Lost or Stray Animal	10	10
: Lost Property	7	7
: Mental Health	5	5
: Missing Person	1	1
: Noise Complaint	0	0
: Open Container	0	0
: Order of Protection Violation	3	3
: Parking Complaint	9	9
: Possession of Alcohol	0	0
: Possession of Drugs	2	2
: Possession of Tobacco	0	0
: Privacy in Communications	0	0
: Prowler	1	1

Code : Description	Totals	
: Public Assist	57	57
: Public Safety Complaint	5	5
: Public Works Call	4	4
: Report Not Needed	0	0
: Robbery	0	0
: Runaway Juvenile	6	6
: Sexual Assault	0	0
: Suicide	0	0
: Suicide - Attempt	0	0
: Suicide - Threat	5	5
: Suspicious Activity	56	56
: Suspicious Person	15	15
: Theft	21	21
: Threats	6	6
: Tow Call	1	1
: Traffic Accident	20	20
: Traffic Hazard	8	8
: Traffic Incident	19	19
: TRO Violation	0	0
: Truancy	1	1
T/S : Traffic Stop	137	137

Code : Description	Totals	
: Unattended Death	1	1
: Unknown - Converted	0	0
: Unlawful Transactions w/Minors	0	0
: Unlawful Use of Motor Vehicle	0	0
: Vicious Dog	3	3
: Warrant	12	12
: Welfare Check	13	13
Totals	780	780

Laurel Emergency Services Report created 9/22/25:

2021

1228 requests for service

135 times LEMS was unavailable

34 times AMR was unavailable

318 responses in Ward 5=26% of

calls outside of the city of Laurel

2022

1238 requests for service

177 times LEMS was unavailable

48 times AMR was unavailable

351 responses in Ward 5=29% of

calls outside of the city of Laurel

2023

1300 requests for service

171 times LEMS was unavailable

23 times AMR was unavailable

351 responses in Ward 5=27% of

calls outside of the city of Laurel

2024

1363 requests for service

73 times LEMS was unavailable

14 times AMR was unavailable

373 responses in Ward 5=27% of

calls outside of the city of Laurel

Recent Month Summary:

August 2025:

Requests	127
Missed Calls	6 = 5%
Shortest Delay	4 minutes
Longest Delay	53 minutes
Average Delay	28 minutes
Fire Driver Available	2 times
City Driver Available	1 time
QRU Response With 1 Provider	0 times **
On A Previous Call	6 times
2 Units On A Call	10 times****
No Crew / Provider Available	0 times
AMR Transported or Responded	3 times*
Red Lodge Transported	0 times
HELP Flight Transported	0 times
HELP Amb Transported or Responded	1 time
Columbus Transported or Responded	0 times
Joliet Transported	0 times
Park City Transported	0 times
PD Assisted Pt or Transported	0 times
FD Assisted Pt no transport	0 times
POV Transport	1 time
Refusal or no transport	1 times
YCSO Transported	0 times
MHP Transported	0 times

**2 times the QRU responded to begin patient care. 0 times the QRU responded and the patient refused / no transport to hospital or no patient found.
 ***3 units were out on a call at the same time.

30 responses in Ward 5 = 24% of calls outside of the city of Laurel
 0 LEMS response for mutual aid. None of these responses resulted in LEMS not being available for another call.



2025 Running Totals

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Requests	124	123	99	124	115	134	130	127					842
Missed Calls	1	7	5	4	1	4	1	6					29
Shortest Delay (minutes)	38	12	18	26	27	18	24	4					12
Longest Delay (minutes)	38	40	38	38	27	26	24	53					53
Average Delay (minutes)	38	29	27	33	27	22	24	28					27
Fire Driver Available	2	6	1	1	7	3	2	2					24
City Driver Available	1	0	0	0	0	0	0	1					2
QRU Response w 1 Provider	2	0	1	0	0	2	0	0					5
On A Previous Call	1	7	5	4	1	4	1	6					29
2 Units On A Call	8	6	5	7	6	7	4	10					53
No Crew / Provider Available	0	0	0	0	0	0	0	0					0
AMR Transported or Responded	0	2	3	3	1	3	1	3					16
Columbus Transported or Responded	0	1	0	0	0	0	0	0					1
Joliet Transported	1	1	0	0	0	0	0	0					2
Park City Transported	0	0	0	0	0	0	0	0					0
Red Lodge Transported	0	0	0	0	0	0	0	0					0
HELP Flight Transported	0	0	0	0	0	0	0	0					0
HELP Amb Transported or Responded	0	1	1	1	0	0	0	1					4
POV Transport	0	0	0	0	0	1	0	1					2
PD Assisted Pt or transported	0	1	0	0	0	0	0	0					1
FD Assisted Pt no transport	0	0	0	0	0	0	0	0					0
YCSO Transported	0	0	0	0	0	0	0	0					0
MHP Transported	0	0	0	0	0	0	0	0					0
QRU/AMR, Refusal or No Patient	0	1	1	0	0	0	0	1					3
Responses in Ward 5	28	36	29	33	33	39	35	30					263
LEMS response for mutual aid	1	3	1	0	2	1	3	0					11

*correction made after report given

Other Reporting Information

- Staffing – we have hired 1 volunteer EMT – he has started training and we have a paramedic that we are planning to interview at the end of the month.
- We are scheduled to teach a Stop the Bleed class with LPD for the school district teachers/staff at the end of September.
- Mandi was able to give away 15 bike helmets and 39 life vests at the Fall Fest, the majority of these were donated by Scheels for the Laurel Safe Kids prevention program. Tony has done several show and tells for church/school kids.
- We had our MT State ambulance inspection and have successfully been relicensed.
- Our patient care protocol update has been finalized and approved by our Medical Director. He will be at the station on the 24th to provide initial training and then we will be doing in house training and testing with hopes of implementation by November 1st at the latest.
- SJ 13 is going to be presented 9/23 at 0900. It is listed as a "A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF STATEWIDE EMERGENCY MEDICAL SERVICES PLANNING, COORDINATION, AND FUNDING TO ENSURE THE EQUIABILITY OF EMERGENCY MEDICAL SERVICES THROUGHOUT MONTANA; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE" It discusses the lack of EMS services, personnel and funding, as well as EMS not being an essential service. There was a recent incident in the Anaconda area that has spurred a friend of the patients, Tim Montana – who is a Montana music celebrity, to bring this issue forward publicly and he is gaining a bit of traction. There was a recent article in many local newspapers, including the Gazette, discussing this and he is going to present at the hearing on 9/23. The important thing to remember, if it does move forward in our state, making us an essential service does not automatically include funding. We really need to make sure that our representatives understand funding is the root issue.

Laurel Emergency Services Report created 7/28/25:

2021

1228 requests for service

135 times LEMS was unavailable

34 times AMR was unavailable

318 responses in Ward 5=26% of

calls outside of the city of Laurel

2022

1238 requests for service

177 times LEMS was unavailable

48 times AMR was unavailable

351 responses in Ward 5=29% of

calls outside of the city of Laurel

2023

1300 requests for service

171 times LEMS was unavailable

23 times AMR was unavailable

351 responses in Ward 5=27% of

calls outside of the city of Laurel

2024

1363 requests for service

73 times LEMS was unavailable

14 times AMR was unavailable

373 responses in Ward 5=27% of

calls outside of the city of Laurel

Recent Month Summary:

July 2025:

Requests	130
Missed Calls	1 = 1%
Shortest Delay	24 minutes
Longest Delay	24 minutes
Average Delay	24 minutes
Fire Driver Available	2 times
City Driver Available	0 times
QRU Response With 1 Provider	0 times **
On A Previous Call	1 times
2 Units On A Call	4 times
No Crew / Provider Available	0 times
AMR Transported or Responded	1 time*
Red Lodge Transported	0 times
HELP Flight Transported	0 times
HELP Amb Transported or Responded	0 times
Columbus Transported or Responded	0 times
Joliet Transported	0 times
Park City Transported	0 times
PD Assisted Pt or Transported	0 times
FD Assisted Pt no transport	0 times
POV Transport	0 time
Refusal or no transport	0 times
YCSO Transported	0 times
MHP Transported	0 times

**0 times the QRU responded to begin patient care. 0 times the QRU responded and the patient refused / no transport to hospital or no patient found.
 35 responses in Ward 5 = 27% of calls outside of the city of Laurel
 3 LEMS responses for mutual aid. None of these responses resulted in LEMS not being available for another call.



2025 Running Totals

	January	February	March	April	May	June	July	August	September	October	November	December	Total
Requests	124	123	99	124	115	134	130						715
Missed Calls	1	7	5	4	1	4	1						23
Shortest Delay (minutes)	38	12	18	26	27	18	24						12
Longest Delay (minutes)	38	40	38	38	27	26	24						40
Average Delay (minutes)	38	29	27	33	27	22	24						25
Fire Driver Available	2	6	1	1	7	3	2						22
City Driver Available	1	0	0	0	0	0	0						1
QRU Response w 1 Provider	2	0	1	0	0	2	0						5
On A Previous Call	1	7	5	4	1	4	1						23
2 Units On A Call	8	6	5	7	6	7	4						43
No Crew / Provider Available	0	0	0	0	0	0	0						0
AMR Transported or Responded	0	2	3	3	1	3	1						13
Columbus Transported or Responded	0	1	0	0	0	0	0						1
Joliet Transported	1	1	0	0	0	0	0						2
Park City Transported	0	0	0	0	0	0	0						0
Red Lodge Transported	0	0	0	0	0	0	0						0
HELP Flight Transported	0	0	0	0	0	0	0						0
HELP Amb Transported or Responded	0	1	1	1	0	0	0						3
POV Transport	0	0	0	0	0	1	0						1
PD Assisted Pt or transported	0	1	0	0	0	0	0						1
FD Assisted Pt no transport	0	0	0	0	0	0	0						0
YCISO Transported	0	0	0	0	0	0	0						0
MHP Transported	0	0	0	0	0	0	0						0
QRU/AMR, Refusal or No Patient	0	1	1	0	0	0	0						2
Responses in Ward 5	28	36	29	33	33	39	35						233
LEMS response for mutual aid	1	3	1	0	2	1	3						11

Other Reporting Information

*correction made after report given

2024 RAM 4500 MXP 150 Demo Demers Ambulance

V.I.N. Is 3C7WRLBL9RG280022

Cost:

Ambulance as is - \$250,676.00

Rough estimate to make it road ready:

- \$79,000.00 - Stryker V2 and V2 Stryker Cot
- \$5,900.00 - Graphics
- \$450.00 - Install Radio of Customers
- \$4,600.00 - Ali-Arc Aluminum Grille Install
- \$1,800.00 - Dealer Prep, hook up batteries, wash detail,

Option #1 - Total from Apgar Ambulance for Road Ready - \$342,426.00

Option #2 - Total from Apgar Ambulance for Ambulance and Stryker Power Cot/Power load system - \$329,676.00

Option #3 - Total from Apgar Ambulance for Ambulance only / not road ready - \$250,676.00. We would have to pay to have our old radios, cot system taken from the old ambulance and purchase the grill guard and striping graphics once we receive it.

- \$2,000.00 - Moving old cot from Care 2 to new ambulance and then Care 1 cot to Care 2 approximately
 - \$4,990.00 - Inferno Auto Body estimate for grill guard and striping
 - \$1,000.00 - Radio wiring and in house moving radio from Care 1 to new ambulance
 - \$1,500.00 - Lifepak EKG monitor mount
- Total to make road ready - \$260,166.00



Montana's Premier Ambulance Dealership

Steve Apgar

Cell - (503) 720-4067

Website - www.apgarambulance.com

APGAR AMBULANCE LLC
300 Dunwoody Lane
Columbia Falls, Montana 59912

503-720-4067
Federal I.D. No.: 20-3365474

Purchase Agreement Invoice for:

City of Laurel Upon approval.
 PO Box 10
 Laurel, Montana 59044

Purchase from

Apgar Ambulance LLC
300 Dunwoody Lane
Kalispell, Montana 59901
503-720-4067
Shop Phone 406-885-0086

Customer P.O.	Order Day	Ship Day	Ship Via	Delivered To	Terms
CLEMS001	9-12-2025		driver	customer	30 Days

Description	VIN Number	Price US\$
Proposal for purchase of a new built 2024 RAM 4500 MXP 150E - D24-117563. Demo Demers Ambulance V.I.N. Is 3C7WRLBL9RG280022 Cost: Ambulance as is - \$250,676.00 Rough estimate to make it road ready: -\$79,000 Stryker V2 and V2 Stryker Cot -\$5900.00 Graphics -\$450. Install Radio of Customers -\$5600. Ali-Arc Aluminum Grille Install -\$1800. Dealer Prep, hook up batteries, wash detail, Total from Apgar Ambulance for Road Ready - \$343,426.00 Total from Apgar Ambulance for Ambulance and Stryker Power Cot/Power load system - \$329,676.00 Total from Apgar Ambulance for Ambulance only / not road ready - \$250,676.00 2024 RAM 4500 Chassis Demers MXP 150 module. 150" Ambulance March 2024 Build. C.A.S.S. Certified.	VIN:3C7WRLBL9RG290022 MXP 150E -D24-117563 Include Installing cost for Apgar supplied Power floor Plate TOTAL Ambulance With shipping \$1500. and Install price of \$2780. client supplied.Loader and Power Cot. Graphics per new regulations including Chevrons Estimated by local Vendor Cost for All new 2025 Installed STRYKER V2 Cot and Loader >> TOTAL AMOUNT TO for Title and Delivery PAY —————> We do offer Trade ins.	MSRP. Insured Value \$279,863.00 \$250,676.00 Clearance \$2,780.00 Total Ambulance Only First Price \$250,676.00 \$2,780.00 Existing Stryker V2 Cot and Loader Installed. All new \$77,890.00 Ali-Arc Aluminum Full Bumper Grille Install move lights speakers as needed \$5790.00 \$343,426.00

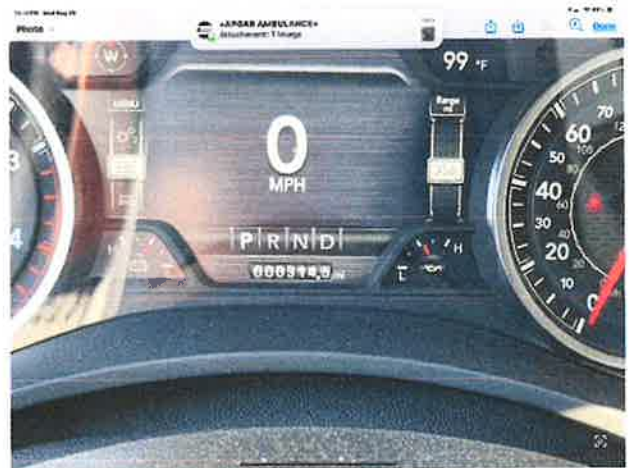
Payment and wire transfer account information:

APGAR AMBULANCE L.C. OFFICE • 300 Dunwoody Lane • Columbia, Montana 59912

Bank Information	Account Information
Freedom Bank Columbia Falls 530 9TH STREET WEST COLUMBIA FALLS, MT 59901 (406)-892-6631	Account Name: Apgar Ambulance LLC Business Account Number: 21009667 ABA Routing Number: 092905456 All County Checks please Note send to Bank Address.









Inferno Auto Body & Glass Inc.
Zack Winchell
2742 S Ramshorn Dr.
Laurel, MT 59044
Business Phone: (406) 545-9554
firejnkee@gmail.com

Estimate

Est # 281
ID # 16316239

Vehicle Info

2025 Ram -3500 Tradesman
Body Type: 2 Door Regular Cab 140

Owner

City of Laurel Ambulance Service
lgurchiek@laurel.mt.gov
215 W 1st Street
Laurel, MT 59044

Insurance Company

Inspection Date: 08/26/2025
Repair Days: 5

Shop Info

Tax ID: 81-2784059

	Oper	Description	Part Number	Price	Labor
OTHER					
1	Replace	INSTALL REFLECTIVE STRIPPING		\$1,650.00	20 hrs. Body
2	Replace	INSTALL RANCH HAND GRILL GUARD		\$1,500.00	3 hrs. Body

Totals

Type	Labor Time	Cost	Total	Taxable
Body Labor	23.0	\$80.00	\$1,840.00	
OEM Parts			\$3,150.00	
Taxable Amount			\$0.00	
Tax	0%		\$0.00	
Nontaxable Amount			\$4,990.00	
Grand Total			\$4,990.00	



LAUREL FIRE DEPARTMENT

215 West 1st Street • Laurel, Mt • 59044 • Office 406.628.4911 • Fax 406.628.2185

Emergency Services Meeting 7/21/2025 – 9/22/2025

Calls-

- Responded to 96 **Total** Calls for 7/21/2025 – 9/22/2025.
- Total Hours on Calls-
 - Firefighters – 885
 - Officers – 584
 - Combined Hours – 1469
 - Training Hours – **3445 HRS YTD**

Training-

- Water Rescue
- Rope Rescue
- Search and Rescue
- Apparatus Maintenance
- Training on E25
 - October 1st and 2nd Night burn with CHS.

Rookie School Training-

- Water Rescue
- Rope Rescue
- Search and Rescue
 - Administrative Training
 - Structure Fires

Department News-

- Current Numbers
 - 34 Members
 - 6 firefighters (Matt Vanderpool, Zach Crone, Dylan Scott, Kylan Scott, John Herr JR and Landon Gradwohl)
 - 4 New firefighters in rookie school.
- DNRC Staffing
 - DNRC Staffing will end on 9/24/2025 unless we get increased fire activity in the DNRC Southern Land Office.
- Misc.-
 - Fire Prevention Month (October 5th – 11th Lithium – Ion Batteries in Your Home)
 - Arbor Day October 7th
 - Open House October 8th 6pm – 8pm
 - School Tours October 8th
 - Moser Dome Fire (1000 Acres)
 - DNRC Grant for \$13,000
 - Bunker Gear
 - Ready lockers for station (lockers)
 - Thank you to all firefighters!

File Attachments for Item:

10. Tree/Park Board Minutes of October 2, 2025.

Laurel Park Board Minutes for October 2, 2025

The meeting was called to order at 5:30

In attendance were Irv Wilke, Michele Mize, Tom Canape, Paul Kober, Richard Klose, and Jon Rutt.

Public input – Shawna Hopper spoke on renting Riverside Park for an event the 1st weekend in August 2026. It would be a public event for the region. She would like to use the entire park, and wondered about the possible charges?

1. LPB Minutes for October 2, 2025 – Richard Klose moved to approve Tom Canape 2nd the motion. Approved
2. Exxon/Mobil Money – There is some left
3. Other Parks - Sidewalk is done in Nutting Park and the sprinkler for Nutting Park will be done in October.
4. Riverside Park Campground – Considered a success this year, some complaints of transients hanging around and people with reservations arriving to find their spot occupied. Enforcement to be worked out before the beginning of next season. Picnic tables are not purchased yet but are being worked on. Tent sites are not rented very often.
5. Riverside Hall/Lions Club – Painting on the new windows is being done. Paul matched the trim color with other buildings and suggested that we develop a policy for future painting projects to keep the colors uniform. Discussion followed.
6. Billie Riddle Splash Park – Closed for the season Toilet building layout needs to be determined to start getting costs for bathrooms.
7. Laurel Rod and Gun Club Building – Nothing to report. City Council has discussed and decided to investigate drain field conditions.
8. Tree Board Business – Arbor Day will be on October 7th at 1 PM with setup at 11:30 AM. The 3 trees have been planted in Thompson Park.

Other Items

Trees need to be trimmed or removed on the south side of the American Legion building. The Legion will try to finish the tile in the next couple of weeks in the building.

Michele, Jon and Richard have been appointed to the Laurel Park/Tree Board.

Next meeting November 6, 2025.

Adjourn 6:17

Submitted Jon Rutt

File Attachments for Item:

11. Library Board Minutes of May 13, 2025.

MINUTES
CITY OF LAUREL

05/13/2025

06:07 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

X Katie Fjelstad	X Arthur Vogeles – via Zoom
X Kate Manley – Board Chair	X Paige Farmer
X Nancy Schmidt, Secretary	X Mary Nelson
X Clair Killebrew – Foundation Liaison – via Zoom	

OTHERS PRESENT: None

1. **Public Input**

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

- a. Addressing the Board – None

2. **General Items**

- a. Minutes for March and April 2025 were presented for approval. Arthur motioned that the minutes for March 2025 be approved as presented and April minutes corrected, then approved. Paige seconded the motion. Motion approved.
- b. Correspondence – There was not any correspondence to share with the board members. Arthur had received a letter from the City asking if he was going to serve another term on the board.
- c. **Circulation Report** – (compared to the same time period as last year) *Traffic*: down 8.5%; *circulation*: all items circulated totaled 5,367 (including 578 eBooks), book circulation was up 10.5%, media circulation was up 7.5%, eBook checkouts for this month was 11.9% of total book circulation, we circulated 1,185 items to partners and 318 items from other libraries; *computers*: internet use was up 43.5% children's use was down 28.6%, wi-fi use was up 13%; *patron cards*: city patrons make up 61.3% of our registered users, county is 29.2%, and state/out of county has 9.5% of our registered patrons. There were 83 tech assists in April.

3. **Old Business**

- a. The final amount raised at the book sale was \$3,157.42. These funds will be added to the Foundation account to help purchase more books and shelving units.
- b. Kate, Arthur, and Nancy attended the South-Central Federation Meeting on Saturday, April 12th in Big Timber. Kriss Goss was the speaker for the afternoon training. He presented "Library & Open Meeting Laws" for directors and trustees. Kris is a lawyer and a librarian, so he comes to us with knowledge that covers both areas for us. There is

a MSL YouTube video available for this training if anyone wants a refresher. The Plan of Service was discussed and approved for FY26. Crazy Peak Boutique presented luncheon for the meeting.

- c. There were no videos presented for training this month. We will review some of the previous videos if needed and start using training videos in the fall. If there are any questions about the videos, please ask for more information.
- d. No update on the foundation funding currently. We do have enough funds to order a shelving unit for the non-fiction section. The amount in the account is currently just over \$9,000.

4. New Business

- a. A letter was presented to the City Council from Peggy Miller concerning the use of the community room. Mrs. Miller is concerned that the room is not available for community members to use but is being used for storage instead (library staff were sorting numerous boxes of donated books after our fall book sale). Board members agreed that this just points out the need for more space in the library. Nothing can be done about it right now, but we will keep looking for a solution to our space problem.
- b. Nancy presented a copy of the final proposed library budget for FY 25/26. Other than the expected 3% pay increase for library staff, most of the line items either stayed the same or decreased slightly. There were adjustments in line items that show cost increases such as the Montana Shared Catalog and MontanaLibrary2Go memberships. We will find out our final budget once the mill values are determined in August.
- c. A safety report was presented to the Board concerning a shelf that fell in the non-fiction section of the library. Chris was shelving books and moved on to fit another in its proper place and the shelf fell out completely. There were no injuries from the books falling but again, it presents the need for more room and newer shelving in the library.
- d. Book Buzz will be our summer reading program again this year. The school librarians have given us 4 dates that they will present activities for the kids. Library staff will create activities for the last 2 Wednesdays in July. Nancy has applied for, and received, a "Keep Kids Reading" grant from Town Pump to use for costs associated with the reading program. We will also have an intern joining us this summer to help with anything that we need at the library for 14 hours per week. Anyone that wants to help with the programming, they are welcome to join us.
- e. Nancy sent links for the Internet Use and Library Use Rules library policies to board members to review and suggest edits for adoption. Members will review the policies further and suggest final edits next month.

5. Other Items

- a. Board concerns – None.
- b. Other Items: the library will be closed for the Memorial Day weekend: Saturday, May 24th – Monday, May 26th.

6. Announcements

- a. The next regular meeting is June 10th, 2025, at 6:00 pm in the library community room.
A Zoom link will be added to the next agenda.

Meeting adjourned at 7:32 pm.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

12. Library Board Minutes of April 8, 2025.

MINUTES
CITY OF LAUREL
04/08/2025 06:06 PM
Laurel Public Library

COMMITTEE MEMBERS PRESENT:

Katie Fjelstad	X Arthur Vogeles – via Zoom
X Kate Manley – Board Chair	X Paige Farmer
X Nancy Schmidt, Secretary	Mary Nelson
X Clair Killebrew – Foundation Liaison – via Zoom	

OTHERS PRESENT: None

1. **Public Input**

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

- a. Addressing the Board – None

2. **General Items**

- a. Wait until the next meeting to approve minutes and discuss circulation report to accommodate board members illness.
- b. Correspondence – The library received the ELSA (Excellent Library Service Award) for this year.
- c. **Circulation Report** – (compared to the same time period as last year) *Traffic:* up 18.2%; *circulation:* all items circulated totaled 5,164 (including 556 eBooks), book circulation was down 4.8%, media circulation was up 51.8%, eBook checkouts for this month was 12.3% of total book circulation, we circulated 957 items to partners and 269 items from partner libraries; *computers:* internet use was up 35.3%, children's use was down 7.7%, wi-fi use was down 39.6%; *patron cards:* city patrons make up 61.3% of our registered patrons, county is 29.3% and state/out of county has 9.6% of our registered patrons. There were 77 tech assists in March.

3. **Old Business**

- a. Trustee learning videos – 2 very prominent women from Montana that were extremely critical in the future of libraries. One was about Sheila Cates who worked for the state library. The other was Alma Jacobs, the first black librarian in Montana. She was the first director at Great Falls Public Library for over 20 years. We can discuss any videos that have been sent as part of our trustee learning at any of the future meetings.
- b. Nancy gave her report on attending sessions at Montana Library Association. She attended training on CANVA (maybe purchase for staff use?), managing budgets and which funds should be part of the library monthly reports (revenues, expenditures, cash balance, budget vs actuals), creating library levy campaigns (make sure the city is on-board with this), Trust For Montana Foundation (future of libraries in Montana),

- cooperative purchasing through the state for local libraries, and statewide programming such as the courier & partner sharing groups. Our keynote speaker was from the University of Kentucky. She talked about the value of trustees in the library.
- c. There was a brief update on the foundation funds. It was suggested that as we do more fundraising, we should consider having the funds moved into money-market accounts and have it overseen by accountants. It was also suggested that we produce a list of “needs” for the library and pass it along to the foundation board for consideration. Shelves were mentioned as well as remodeling for extra space. Updates will be provided as they become available.

4. New Business

- a. The book sale is starting at the end of the month. Nancy had the wrong dates last month. Instead of April 21st through May 3rd, it will be April 28th through May 10th. We welcome anyone that would like to help with setting up and working the sale. Sign-up sheets will be available at the circulation desk.
- b. The policy review for this month is the Internet Use Policy. It will be sent out for the next meeting along with the Computer Usage Guide.
- c. The South-Central Federation meeting is Saturday, April 12th, 2025, in Big Timber. Crazy Peak Boutique is providing the luncheon. We will report on the meeting next month. Kris Goss, lawyer/librarian from Helena, will be the guest speaker.

5. Other Items

- a. Board concerns – Should we close for 4-day weekend over Memorial Day. We have done it both ways in the past. This will help library staff use up vacation and personal time that is on the books.

6. Announcements

- a. The next regular meeting is May 13, 2025, at 6:00 pm in the library community room. A Zoom link will be added to the next agenda.

Meeting adjourned at 6:46 pm.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

13. Laurel Urban Renewal Agency Minutes of October 7, 2025.



**MINUTES
CITY OF LAUREL
LAUREL RENEWAL AGENCY
MONDAY, OCT 7TH, 2025
11:00 AM
CITY BOARDROOM**

A LAUREL RENEWAL AGENCY meeting was held in City Boardroom and called to order by Cami Story
at 10:00 p.m. on Oct 7th, 2025

COMMITTEE MEMBERS PRESENT:

x	Judy Goldsby	x	Dean Rankin
x	Cami Story	x	Daniel Klein
x	Cheryl Hill		

OTHERS PRESENT:

	Myrna Beartooth RC&D
x	Forrest Sanderson
	Doug Whitney
x	Kurt Markegard
	Triple Tree
	Diane Lehm

General Items:

Roll Call

Approval of Minutes – All minutes were approved Judy and 2nd by Daniel – all in favor

New Business:

Ditch Covering: Need approval from owners for the beautification – Still can't go out to bid until this is done.

We are waiting for Notice from Triple Tree – if owners doesn't approve we will change scope without landscape.

Project 1: Still waiting for MDT

SE 4th Lighting: Judy made a motion to expanding the battery study life done for the poles beyond 5 years. Dean 2nd and all in favor.

Old Business:

Daniel wants to update the bylaws expanding it to 6 rather than 7 committee members.

Advisory members update: needs the mayors approval

Other updates:

Big Sky EDA & Beartooth RC&D – The director moved on and in the works for a new directory.

Laurel is not apart of the MT Main St. program and it is currently not taking applications

Announcements: Next meeting will be Oct 27th, 2025

Adjourn Meeting: Cheryl made a motion to adjourn the meeting Judy 2nd at 11:40

Respectfully submitted,

Cheryl Hill

Cheryl Hill - LURA Secretary

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.



Task Order #5 – LURA Project #2 Design, Permitting, Bidding, and Construction Administration (Bernhardt Ditches)

- Design Updates:
 - Completed 95% Design and submitted for review 09/15/2025.
 - Working through structural details.
- Schedule:
 - 95% Design – Submitted September 15, 2025
 - 100% Design – October 1, 2025
 - Bidding – October 2025
 - Construction – Begin November 2025
- Budget:
 - Contracted - \$40,000
 - Billed to Date - \$4,387.50

Task Order #6 – SID Lighting Cost Analysis

- Study report in progress.
- Finishing up final numbers on the project estimates.
- Schedule:
 - Submit 99% Report & Estimates for client review by end of day 09/16/2025
 - Will make any updates as necessary pending comments from client.
- Budget:
 - Contracted - \$3,900
 - Billed – None to Date.

Thank you again, and please call me anytime at (406) 461-7856 if you have any questions or need additional information.

Sincerely,
Triple Tree Engineering, Inc.

Douglas C. Tamcke, P.E., Project Manager

File Attachments for Item:

14. Appointment of Erin English to the Laurel Emergency Medical Service.



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



October 15, 2025

Dear Mayor and City Council,

We are excited to announce that we have Paramedic interested in joining our service as a volunteer. We have interviewed her and are excited to bring them onto our team with your approval.

Volunteer Paramedic:

-Erin English has been in EMS since 2019 and a paramedic since 2021. She gained experience at AMR in Billings as well as at a fire department in California. She has recently moved back to the area along with her husband who is a Billings Police Officer. She is excited to get back on an ambulance wants to join our team.

Our staff interviewed her and we feel that she would be a great fit and asset to our service. If they are granted Council and Mayor approval, we will begin conducting their background checks and bring them onto our team.

Thank you very much for your consideration.

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