



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, MAY 26, 2020
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R20-28

NEXT ORD. NO.
O20-02

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

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

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of May 12, 2020.

Correspondence

2. Beartooth RC&D Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

3. Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police and Police Commission.

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 5/22/2020
5. Approval of Payroll Register for PPE 5/15/2020 totaling \$6264.44.
6. Approval of Payroll Register for PPE 5/17/2020 totaling \$196,739.84.

Ceremonial Calendar

Reports of Boards and Commissions

7. Budget/Finance Committee Minutes of May 12, 2020.
Library Board Minutes of March 11, 2020.
Library Board Minutes of April 14, 2020.

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

8. Appointment of Dustin Riveland to the Laurel Police Reserves.
9. Resolution No. R20-28: Resolution Awarding Weave Consulting The Contract For The City Of Laurel's Riverside Park Campground Project And To Authorize The Mayor To Sign All Documents Relating To The Project On The City's Behalf.
10. Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police And Police Commission.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

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

Council Discussion

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

Mayor Updates

Unscheduled Matters

Adjournment

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

DATES TO REMEMBER

Item Attachment Documents:

1. Approval of Minutes of May 12, 2020.

MINUTES OF THE CITY COUNCIL OF LAUREL

MAY 12, 2020

A regular meeting of the City Council of the City of Laurel, Montana, was held virtually via Zoom and called to order by Mayor Tom Nelson at 6:34 p.m. on May 12, 2020.

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

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Levi Vandersloot, Interim Ambulance Director
Stan Langve, Police Chief

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

Mayor Nelson asked the Council to observe a moment of silence.

MINUTES:

Motion by Council Member McGee to approve the minutes of the regular meeting of April 28, 2020, as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Laurel Airport Authority Minutes of February 24, 2020.
- STIP Correspondence 2020-2024

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- Claims enter through 4/10/2020 totaling \$247,216.21, 4/24/2020 totaling \$125,312.52, and 5/8/2020 totaling \$592,467.74.
- Clerk/Treasurer Financial Statements for the month of February 2020.
- Clerk/Treasurer Financial Statements for the month of March 2020.
- Approval of Payroll Register for PPE 3/22/2020 totaling \$190,913.95.
- Approval of Payroll Register for PPE 4/5/2020 totaling \$199,986.56.
- Approval of Payroll Register for PPE 4/19/2020 totaling \$217,219.28.
- Approval of Payroll Register for PPE 5/3/2020 totaling \$206,123.59.
- Approval of Workshop Minutes of April 21, 2020.

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

Motion by Council Member Eaton to approve the consent items as presented, seconded by Council Member McGee. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.**REPORTS OF BOARDS AND COMMISSIONS:**

- Budget/Finance Committee minutes of April 28, 2020.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

The Council Secretary read into record the attached public comment from Patricia Smith of 409 Maple Avenue, Laurel, MT.

SCHEDULED MATTERS:

- **Appointment of Police Commission for a term ending April 30, 2023.**

Motion by Council Member McGee to appoint Bill Mountsier to the Police Commission for a three-year term ending April 30, 2023, seconded by Council Member Klose.

Mayor Nelson asked for any public comment.

Bill Mountsier gave a brief overview of his experience in law enforcement. He thanked Council for their consideration in the matter.

The Council Secretary read into record the attached public comment from Jessica McCartney, 3030 Union President.

Mayor Nelson asked for any Council discussion.

A Council Member commented that they support the nomination of Bill Mountsier. They are excited to see a new perspective brought to the Police Commission. They acknowledged that candidate Rick Musson was also an outstanding candidate and thanked him for his service on the Police Department.

A roll call vote was taken on the motion. Council Members Sparks, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Council Member Herr voted nay. Motion carried 7-1.

- **Appointment of Amber Beck to the Laurel Volunteer Ambulance Service.**

Motion by Council Member Nelson to approve the Mayor's appointment of Amber Beck to the Laurel Volunteer Ambulance Service, seconded by Council Member Wilke.

Levi Vandersloot, Interim Ambulance Director, stated that Miss Beck is a great asset to the Ambulance Service. Miss Beck is currently in nursing school and a very qualified individual.

There was no council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

- **Resolution No. R20-25: A Resolution Of The City Council Authorizing The Disposal Of City Records.**

Motion by Council Member Sparks to approve Resolution No. R20-25, seconded by Council Member McGee. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

- **Resolution No. R20-26: A Resolution Of The City Council Authorizing The Disposal Of City Records.**

Motion by Council Member Herr to approve Resolution No. R20-26, seconded by Council Member Sparks. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

DRAFT

- **Resolution No. R20-27: Resolution Approving Change Order #1 To The City's Contract With Hardrives Construction, Inc. Authorizing Additional Work For City Of Laurel's 2020 Pavement Maintenance Project And To Authorize the Mayor To Sign Change Order Documents On The City's Behalf.**

Motion by Council Member Wilke to approve Resolution No. R20-27, seconded by Council Member Klose. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

- **Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police and Police Commission. (1st reading)**

Motion by Council Member Stokes to adopt Ordinance No. O20-02, seconded by Council Member Sparks. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council commented on the amount of street work being completed within the City.

Council President Eaton noted that Budget/Finance had a lot of material to cover during their meeting and were able to complete their entire agenda within 45 minutes. It was a very quick and efficient meeting.

MAYOR UPDATES:

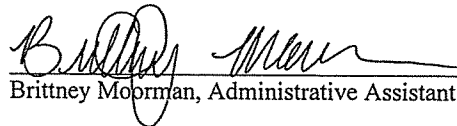
Mayor Nelson stated he is hoping to have a COVID update soon.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Klose to adjourn the council meeting, seconded by Council Member McGee. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Klose, Nelson, Stokes, McGee, and Eaton voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:06 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 26th day of May 2020.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

Laurel City Council
115 West 1st Street
Laurel, MT 59044

May 8, 2020

Good evening,

Mr. Mayor and Council Members,

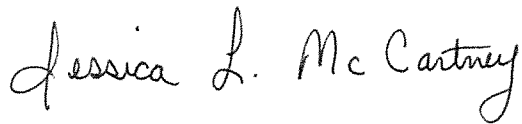
As the President of Local Union 303, I am writing this letter regarding the open seat on the Police Commission Board. Local Union 303 believes that the Police Department and the Union have a vested interest in who is appointed to serve on the Board. The individual appointed will have a direct effect on the hiring of any Police Officer for the Laurel Police Department and the potential to have an effect on a disciplinary action involving a police officer.

Local Union 303 believes that both candidates are qualified for the position, both having had previous law enforcement experience and understanding of the inner workings of the City and the Police Department. We would like to express our sincere thanks to both individuals for showing an interest in the position.

By majority vote, the Local Union 303 is recommending Bill Mountsier, as the preferred candidate for the open position on the Police Commission Board.

Thank you for your time and consideration in this matter.

Sincerely

A handwritten signature in cursive script that reads "Jessica L. McCartney". The signature is written in dark ink and is positioned above the printed name and title.

Jessica L. McCartney
Local 303 Union President
American Federation of State, County and Municipal Employees AFL-CIO

Brittney Moorman

From: Laurel MT via Laurel MT <noreply@cityoflaurelmontana.com>
Sent: Tuesday, May 12, 2020 11:11 AM
To: Brittney Moorman
Subject: Patricia Smith

Submitted on Tuesday, May 12, 2020 - 11:10am Submitted by anonymous user: 72.174.115.140 Submitted values are:

Name: Patricia Smith

Address: 409 Maple Ave, Laurel

Public Comment: Two questions please. Can we do anything about the ever growing length of Rail

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcityoflaurelmontana.com%2fnode%2f16092%2fsubmission%2f291&c=E,1,yI8Kpmsh6p_MfJaHOkEtkepvb3orxQ74QSF0T5bzxv32dzTuRKTKXgKhktu3tzEE33U4O-FE0hTznZ7Z5i6SOU2Llp2vcwg7vymTasnMywD-0So_idUZ2w,,&typo=1

Brittney Moorman

From: Laurel MT via Laurel MT <noreply@cityoflaurelmontana.com>
Sent: Tuesday, May 12, 2020 11:12 AM
To: Brittney Moorman
Subject: Patricia Smith

Submitted on Tuesday, May 12, 2020 - 11:12am Submitted by anonymous user: 72.174.115.140 Submitted values are:

Name: Patricia Smith

Address: 409 Maple Ave

Public Comment: Wasn't finished. The train horns are getting way more often and longer, at 3am to blow horn for 60 seconds is ridiculous!

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcityoflaurelmontana.com%2fnode%2f16092%2fsubmission%2f301&c=E,1,r1HyLRf-WZGeZoTs1cF02C7q_PDVkxVTPGE2_AJ7ThBb8jQ6ZJYLBTVWB0A_280MbeHRzIKMpuJJeM6A2stw9CuxoR9IRSFJe47P98iGs9qtxn0whNeKeJXe&typo=1

Item Attachment Documents:

2. Beartooth RC&D Correspondence

Beartooth RC&D Area, Inc.
May Meeting Materials and Updates



Beartooth RC&D Area, Inc. Staff Reports

2020 Beartooth Resource Conservation and Development Budget
Income

ITEM	Income
AG-FOOD AND AG CENTER	85,007
AG-MCDC	1,000
BOARD - EDA SPONSOR DUES	51,072
BOARD-INTEREST INCOME	400
BOARD-FOUNDATION MONEY	3,700
RLF-STAFF REIMBURSE	18,000
RLF-ORIG FEES	5,000
CRDC	71,907
FUELS AND CGWG	-
EDA - GRANT	70,000
TOTAL INCOME	306,086

Expense

TOTAL STAFF EXPENSE	233,104
COMMUNICATIONS	6,000
EQUIPMENT & VEHICLE	8,520
CONTRACTUAL	20,000
SUPPLIES	12,900
TRAVEL	11,080
OTHER	10,420
RESERVE	
EXPENSE TOTAL	302,024

4,062

PROJECTED NET INCOME 12/31/2020

Beartooth Books- Reporting Ending April 2020

	<u>Budgeted</u>	<u>Actual</u>	<u>% of budgeted</u>
Income			
AG-FOOD AND AG CENTER	85,007	41,543	49%
AG-MCDC	1,000	0	0%
BOARD - EDA SPONSOR DUES	51,072	42,768	84%
BOARD-INTEREST INCOME	400	166	42%
BOARD-FOUNDATION MONEY	3,700	3,390	92%
RLF-STAFF REIMBURSE	18,000	0	0%
RLF-ORIG FEES	5,000	0	0%
CRDC	71,907	28,834	40%
FUELS-TOTAL	-	0	#DIV/0!
EDA - GRANT	70,000	35,000	50%
NOT BUDGETED INCOME	-	1,875	0%
TOTAL INCOME	306,086	153,576	50%

Expense			
TOTAL STAFF EXPENSE	233,104	69,198	30%
COMMUNICATIONS	6,000	2,838	47%
EQUIPMENT & VEHICLE	8,520	2,928	34%
CONTRACTUAL	20,000	1,325	7%
SUPPLIES	12,900	4,446	34%
TRAVEL	11,080	705	6%
OTHER	10,420	6,198	59%
RESERVE	-		
EXPENSE TOTAL	302,024	87,639	29%

Account Balances

Bank of Joliet-Building Account	\$4,469.63
Bank of Joliet- Savings Account	\$75,171.78
Bank of Joliet- Checking Account	\$151,593.20

Revolving Loan Fund Books- Ending April 30, 2020

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>
Big Horn	2	\$176,324
Stillwater	4	\$507,948
Yellowstone	7	\$388,895
Carbon	4	\$145,594
Sweet Grass	2	\$189,665

- I have 3 potential loans in various stages to get to committee. I have 2 payoffs that have been quoted and I expect in the near future.
- We are still working on getting the money from Big Horn County.
- I have been in contact with all loan clients, offering any help we can. We have 4 that have arranged for deferred payments, 5 have taken advantage of the PPP loans, and at least 4 have applied for the state relief programs

Bank Balances as of April 30, 2020 Total available for lending

Bank of Joliet- EDA	\$20,403	20,403
Bank of Joliet-CDBG	\$175,615	175,615
Bank of Joliet- IRP	\$303,405	214,087
Bank of Joliet-Fromberg	\$29,729	<u>29,729</u>
		\$439,834

Beartooth RC&D Staff Project Update

May 2020

FOOD AND AG CENTER MANAGER PROJECTS

Beartooth FADC

Beartooth FADC Staff has been working to assist businesses with the development of Montana Department of Ag Mini Grants and the new Emergency Ag Adaptability grant programs. Staff has had two FADC conference calls to discuss the current state of Ag businesses and potential resources being finalized. Beartooth FADC has also been in contact with the Montana Ag Marketing staff discussing their activities through the Made in Montana program. A discussion with our US Senate staff has given FADC staff with a better picture of how some programs are still being developed through the USDA Farm Services Agency to assist Farmers and Ranchers with emergency programs that should start sign ups in June. Many existing businesses are still trying to determine the market environment and will be better situated to make decisions on their needs in the summer and this fall.

On Going Projects

Business/ Project Name: **Toews Family Farms**

Contact-Hunter Aaron Toews

Location- Hardin, MT

Aaron Toews of Hardin, MT has started a business using his family farms corn acreage and began bagging grain corn and selling 50lb bags retail through local ranch stores and 1ton and 2ton bags off his farm. We discussed his unexpected growth where he sold 300 acres worth his first year exceeding his expectations he now wants to build a larger shop to process and store bags that he can deliver to his growing customer base. We have talked about his marketing price points and the Growth Through Ag grants, and loans and will be determining his needs this summer and fall.

Business/ Project Name: **Trembling Prairie Farms**

Contact- Jill Herold

Location- Huntley Project, MT

Trembling Prairie Farms is producing a unique type of Ag commodity they are in the development phase of processing into a value added product that will add value to Montana agriculture if fully developed. We have signed a non-disclosure agreement with this business to protect their innovative intellectual property rights but will be able to share more about the business once their concept is commercialized.

Carbon County Mud Springs Wind Development

Location- Warren, MT

Contact- Pacificorp

The wind development began construction on schedule in March and April and are working towards having the majority of construction completed by the December time frame.



Business/ Project Name: **406 Bovine LLC**

Contact- Bryan Elliott

Location-Laurel, MT

406 Bovine LLC has worked with Beartooth Staff due to Steve assisting in the development of a Big Sky Trust Fund grant they have now received funding for planning, and are working through details regarding confidentiality before proceeding.

Stillwater Packing Co/ Emmett's Meats

Location- Columbus, MT

Contact- Jason Emmett

Stillwater Packing has been working through an increase in business due to the COVID 19 having shut down some large national meat plants shifting some buyer interest to smaller plants like theirs.



Yellowstone Region Ag Sustainability Project- RCPP

Location- Huntley, MT

Contact- Dave Dougherty

The group had their last meeting in February in Huntley to set the annual deadlines for applications and complete reporting, there was discussion about developing field tour of projects this summer in Carbon County, the recent social distancing guidelines will require additional planning for this tour to go forward.



Becky's Berries- Absarokee, MT

Location-Absarokee

Becky Stahl has been a client of Beartooth for several years and we last assisted her with development of an expansion plan for her Jams, Jellies and Barbeque sauce business. She has completed construction of the facility. Beartooth staff has assisting Becky with the development of a Mini Grant but the funds ran out in approximately 10 days so staff then developed an Ag Adaptability Grant for the addition of a makeup air system and a commercial food processor for her new facility. Funding was also requested for the development of labels for a new line of products and improvements to her on line ordering presence. Becky's Berries Website <http://www.beckysberries.com/>

Steve's Economic Director's Report April/May to the Beartooth R, C& D Board

The **two programs** I administer on behalf of the organization are listed below.

Quarterly **Certified Regional Development Corporation** (CRDC) reports have been submitted. Our current annual budget for CRDC is \$70,000. Payment was received for first quarter work which included:

1. Targeted Brownfields assessment grant applications for Red Lodge pea cannery building, Joliet & Laurel affordable housing projects. Pending Sports Hut grant application.
2. Two successful Big Sky Trust Fund grants. Pea Cannery and 406 Bovine an Artificial Intelligence start up firm. Pending USDA Rural Business Development Grant for the pea cannery.

3. Yellowstone and Carbon County economic recovery teams. Steve is serving on both. In addition regular outreach to other County leadership team, Chambers of Commerce, and economic development organizations.
4. Assisting with subcommittee for Yellowstone County economic recovery team. Completed retail leakage study for five county region. Shared Churma vulnerability index with all five counties. Working on regional 'loop' tours to help promote local travel and purchasing of products in outlying counties. Daily zoom meetings with economic developers across Montana and within the region.
5. Business assistance to possible relocation of a business from Whitefish to Roberts. Outreach to Montana Silversmiths. Promotion of SBA and other grant/loan programs on Facebook page. Promotion of Big Sky EDA's business survey and Beartooth survey designed by NW Energy for our use in the region.

Economic Development Administration (EDA) has indicated an additional \$400,000 will be made available to help our region with additional staffing over a two year period for assisting us with recovery efforts. The additional \$200,000 could be used to hire additional staff. Our currently in the second year funding of a three year grant cycle of \$210,000, or (70,000/year). Stillwater County has submitted a \$6.5M road rebuilding grant with our assistance.

Frequently Used Acronyms

BEAR – Business Expansion and Retention
BIA – Bureau of Indian Affairs
BLM – Bureau of Land Management
BRCD – Beartooth RC&D
BSEDA – Big Sky Economic Development Association
BSTF – Big Sky Trust Fund
CDBG – Community Development Block Grant
CRDC – Certified Regional Development Corporation
CEDS – Comprehensive Economic Development Strategy
CTEP – Community Transportation Endowment Program

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

Benchmark Retail Gap/Leakage Analysis for the Beartooth RC&D Region, MT

prepared for

Beartooth RC&D

128 S. Main St.

Joliet, MT 59041

prepared by

DCG Corplan Consulting LLC



20

April 2020

DCG Corplan

Beartooth RC&D, MT Region – Benchmark Retail Gap/Leakage Analysis

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Table 2 – Ranking by Retail Demand 6

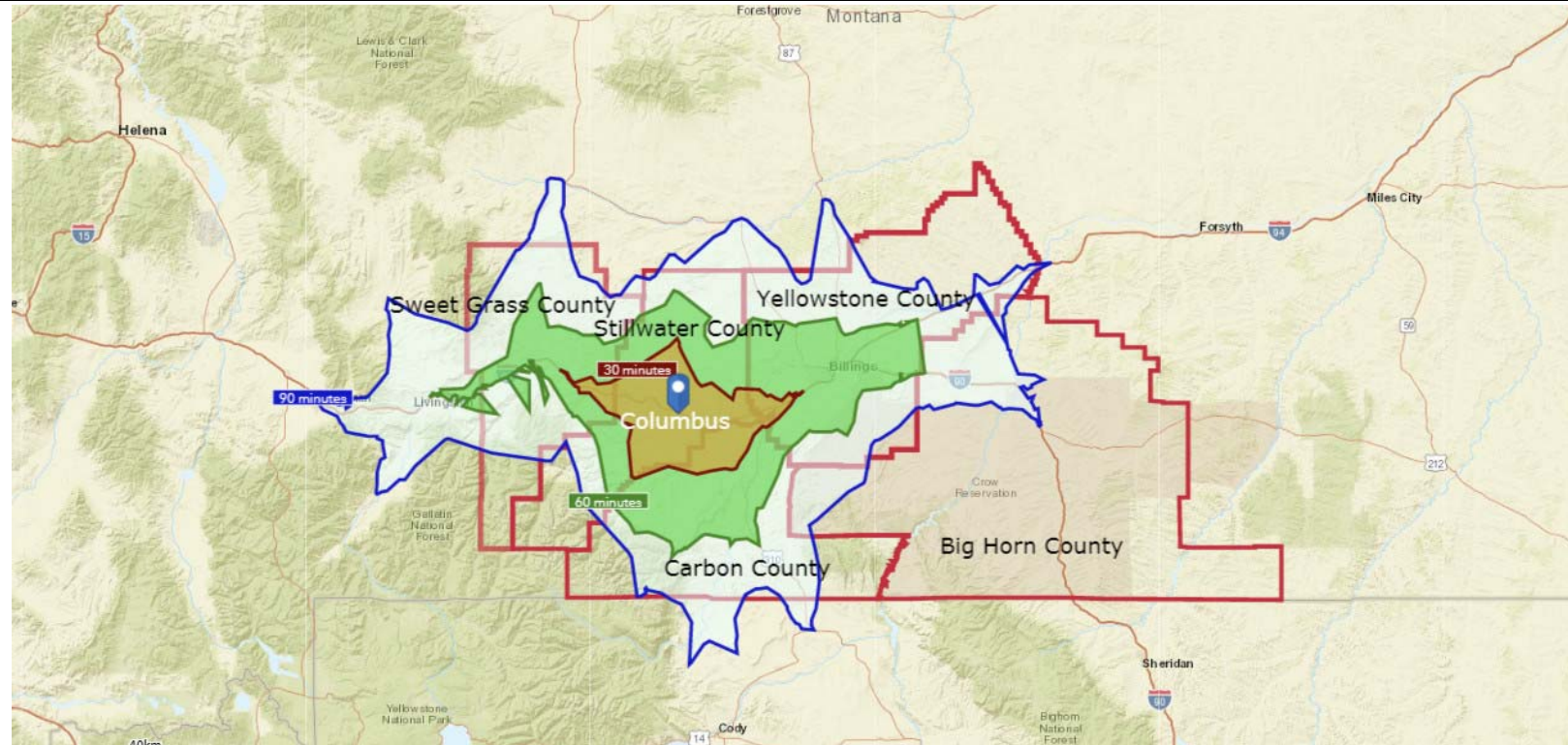
Table 3 – Ranking by Retail Capture 7

Table 4 – Ranking by Retail Leakage 8

Table 5 – Ranking by Average Leakage per Establishment 8



Exhibit 1 – Beartooth RC&D Region, MT Retail Trading Area



Source: ESRI Business Analyst

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Key Findings

In response to the Covid-19 outbreak and the ensuing deleterious effects on the retail and food service industries, the Beartooth RC&D Region, MT engaged DCG Corplan Consulting LLC to develop a Benchmark Retail Gap/Leakage Analysis based on a 5-county Retail Trading Area (RTA) the organization serves. The objective of the Benchmark is to establish a pre-virus picture of the market conditions that will help in the community's recovery efforts once the Coronavirus is mitigated.

Retail Gap/Leakage studies compare the actual sales (supply) of establishments within the search area against the demand for retail consumption by the local consumer base. A Retail Gap (capture) occurs when Supply exceeds Demand which signifies that businesses originates from visitors or other non-resident means. Leakage occurs when spends in retail sales by residents occurs outside RTA and represents business risk (or, growth) potential. From the report, some key findings include:

- ❖ The RTA produced **\$3.380 billion** in retail sales by **1,759** establishments represented across **27** retail categories.
- ❖ Local demand accounted for **\$2.838 billion** or **74%** of actual sales.

- ❖ A net Sales Gap of **\$992.6 million** resulted from a Sales Capture of **\$1.126 billion** from outside the Beartooth RC&D Region RTA and a Sales Leakage of **\$133.3 million** to other areas outside of the RTA.
- ❖ The 1,759 retail establishments in the RTA averaged **\$2.178 million** in sales.

For sustainable retail business activity, recognition of retail categories that witness Sales Capture is vital. The following five groups account for **83%** of overall Sales Capture in the RTA represent the area's strongest retail assets:

1. Automobile Dealers
2. Gasoline Stations
3. Department Stores
4. Other General Merchandise Stores
5. Restaurants/Other Eating Places

To mitigate risk, identification of retail businesses that witness Sales Leakage to outside areas is critical. The target of \$133.3 million is RTA-wide leakage and retention efforts throughout the 5-county region could provide a stabilizing factor for the local economy.

Based on Average Leakage per Typical Establishment, the five most critical retail business types representing **86%** (\$114.8 million) of the annual Sales Leakage and having the greatest impact on the five counties' economic development efforts are:

1. Grocery Stores
2. Specialty Food Stores
3. Book, Periodical & Music Stores
4. Electronics & Appliance Stores
5. Sporting Goods/Hobby/Musical Instr. Stores

In total, these five categories represent 252 of the **482** establishments that may be at risk in the RTA. The remaining **5** business categories distribute the balance of **\$18.5** million in Sales Leakage. Each of these industries is important to the vitality of the RTA, and loss would be difficult. From the outstanding 5 business categories, the following **2** have a potential loss of at least **\$100,000 each**:

- Health & Personal Care Stores (83 estb.)
- Used Merchandise Stores (39 estb.)

Every Leakage category may be important in the future for marketing and recruitment efforts. Proactive measures should be taken to identify the leading retail chains or corporations that could establish new operations within the Beartooth RC&D Region RTA and capture the leakage of sales dollars once the economy recovers.

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Methodology

For this study, the five-county Beartooth RC&D Region forms the Retail Trading Area (RTA). The RTA is shown in Exhibit 1, with varying drive-time polygons presented that are centered on the City of Columbus in Stillwater County

The identification of Retail opportunities has been accomplished through evaluation of the ESRI projections from the US Census of Retail Trade¹ for the five Beartooth counties. The retail industries are organized under the North American Industrial Classification System (NAICS) hierarchy and the RTA's sales and establishment data is segmented into 30 industry groups, shown as follows:

- 4411 Automobile Dealers
- 4412 Other Motor Vehicle Dealers
- 4413 Auto Parts, Accessories & Tire Stores
- 4421 Furniture Stores
- 4422 Home Furnishings Stores
- 4431 Electronics & Appliance Stores
- 4441 Bldg. Material & Supplies Dealers
- 4442 Lawn & Garden Equip & Supply Stores
- 4451 Grocery Stores
- 4452 Specialty Food Stores
- 4453 Beer, Wine & Liquor Stores

- 4461 Health & Personal Care Stores
- 4471 Gasoline Stations
- 4481 Clothing Stores
- 4482 Shoe Stores
- 4483 Jewelry, Luggage & Leather Goods Stores
- 4511 Sporting Goods/Hobby/Musical Instr. Stores
- 4512 Book, Periodical & Music Stores
- 4521 Department Stores Excluding Leased Depts.
- 4529 Other General Merchandise Stores
- 4531 Florists
- 4532 Office Supplies, Stationery & Gift Stores
- 4533 Used Merchandise Stores
- 4539 Other Miscellaneous Store Retailers
- 4541 Electronic Shopping & Mail-Order Houses
- 4542 Vending Machine Operators
- 4543 Direct Selling Establishments
- 7223 Special Food Services
- 7224 Drinking Places - Alcoholic Beverages
- 7225 Restaurants/Other Eating Places

The three highlighted retail groups are removed from further consideration as they do not occupy physical premises. The net **27** categories represent the framework for the analysis. Sources for ESRI's data are based on projections of the US Census of Retail Trade (2012) and include estimates of consumer spending from the US Bureau of Labor Statistics' Annual Consumer Expenditure Surveys (CEX).

¹ ESRI – Business Analyst - December 2019 for the Big Horn County, Carbon County, Stillwater County, Sweet Grass County, and Yellowstone County; Source ESRI and Infogroup

Retail Gap/Leakage Evaluation

The data used in this section is drawn from the summary Appendix Table 1 – Retail Gap/Leakage Analysis. Appendix Tables 2a-2e are presented which illustrate the five individual counties' performance. The evaluation is compiled using the US Census, BLS, and ESRI data for the RTA. Terminology utilized in the analysis is presented below:

- **Actual Sales (Supply)** – estimates of sales to consumers occurring within the RTA.
- **Demand** – the potential for retail sales in the RTA through consumer spending from both residents and visitors to the five counties.
- **Sales Capture** – retail sales by RTA businesses that originates from visitors or other non-resident means.
- **Sales Leakage** – retail sales by residents that is occurring outside of the RTA and represents business growth potential.

Actual Sales

The data in Appendix Table 1 is presented in NAICS order of industry category. In Table 1 (below), the 27 retail categories are ranked by actual Retail Sales. In aggregate, the RTA's **1,759** retail establishments produced **\$3.830 billion** in retail sales, or an average of **\$2.178 million** per establishment. The five leading categories resulted in **64%** of total sales and accounted for **36%** (633) of the total establishment census.

Table 1 – Ranking by Actual Sales

Industry	Actual Retail Sales	% of Total Sales	# of Existing Estbls.
Automobile Dealers	\$765,275,984	20.0%	91
Gasoline Stations	\$560,801,634	14.6%	112
Department Stores	\$543,589,218	14.2%	18
Restaurants/Other Eating Places	\$317,232,987	8.3%	381
Other General Merchandise Stores	\$276,392,593	7.2%	31
Grocery Stores	\$263,476,517	6.9%	57
Bldg. Material & Supplies Dealers	\$174,250,405	4.5%	121
Sporting Goods/Hobby/Musical Instr. Stores	\$128,195,374	3.3%	109
Health & Personal Care Stores	\$126,174,768	3.3%	83
Clothing Stores	\$89,279,490	2.3%	105
Other Motor Vehicle Dealers	\$86,277,443	2.3%	29

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Auto Parts, Accessories & Tire Stores	\$84,383,323	2.2%	79
Furniture Stores	\$66,621,549	1.7%	44
Electronics & Appliance Stores	\$60,205,754	1.6%	52
Other Miscellaneous Store Retailers	\$59,050,867	1.5%	96
Home Furnishings Stores	\$55,013,858	1.4%	45
Office Supplies, Stationery & Gift Stores	\$32,039,019	0.8%	42
Lawn & Garden Equip & Supply Stores	\$31,148,163	0.8%	35
Jewelry, Luggage & Leather Goods Stores	\$25,820,498	0.7%	32
Beer, Wine & Liquor Stores	\$25,338,037	0.7%	13
Used Merchandise Stores	\$14,955,272	0.4%	39
Drinking Places - Alcoholic Beverages	\$13,573,550	0.4%	52
Shoe Stores	\$11,188,576	0.3%	15
Book, Periodical & Music Stores	\$6,206,492	0.2%	7
Florists	\$6,055,618	0.2%	24
Specialty Food Stores	\$4,370,259	0.1%	27
Special Food Services	\$3,508,361	0.1%	20
Total	\$3,830,425,609	100.0%	1,759
Leading 5 Actual Sales Categories Subtotal	\$2,463,292,416	64.3%	633

Retail Demand

In Table 2 (right), the 27 retail categories are ranked by Retail Demand. In aggregate, the RTA generated **\$2.838 billion** in

retail demand. The five leading categories resulted in **58%** of overall demand.

Table 2 – Ranking by Retail Demand

Industry	Demand (Potential Sales)	% of Total Demand
Automobile Dealers	\$428,065,928	15.1%
Gasoline Stations	\$332,000,796	11.7%
Grocery Stores	\$329,713,507	11.6%
Department Stores	\$322,475,253	11.4%
Restaurants/Other Eating Places	\$244,283,534	8.6%
Other General Merchandise Stores	\$197,244,559	7.0%
Bldg. Material & Supplies Dealers	\$150,350,385	5.3%
Sporting Goods/Hobby/Musical Instr. Stores	\$146,108,496	5.1%
Health & Personal Care Stores	\$137,809,380	4.9%
Electronics & Appliance Stores	\$76,865,208	2.7%
Clothing Stores	\$65,120,038	2.3%
Other Motor Vehicle Dealers	\$58,380,402	2.1%
Auto Parts, Accessories & Tire Stores	\$51,948,672	1.8%
Other Miscellaneous Store Retailers	\$48,597,913	1.7%
Furniture Stores	\$48,285,631	1.7%
Home Furnishings Stores	\$30,939,649	1.1%
Office Supplies, Stationery & Gift Stores	\$29,791,215	1.0%
Jewelry, Luggage & Leather Goods Stores	\$26,362,516	0.9%
Beer, Wine & Liquor Stores	\$19,638,590	0.7%
Used Merchandise Stores	\$19,142,857	0.7%
Lawn & Garden Equip & Supply Stores	\$16,448,007	0.6%
Specialty Food Stores	\$15,583,474	0.5%
Drinking Places - Alcoholic Beverages	\$14,994,723	0.5%

Shoe Stores	\$9,944,872	0.4%
Book, Periodical & Music Stores	\$8,981,430	0.3%
Florists	\$6,726,994	0.2%
Special Food Services	\$2,064,485	0.1%
Total	\$2,837,868,514	100.0%
Leading 5 Demand Categories Subtotal	\$1,656,539,018	58.4%

Sales Gap

The 27 retail categories produced a net Sales Gap of **\$992.6 million**. The figure resulted from a positive value of **\$1.126 billion Sales Capture** from outside RTA and the negative **\$133.3 million of Sales Leakage** value to other areas outside of the RTA.

Sales Capture

As shown in Table 3 (right), the **17** retail categories that produced a sales surplus are ranked by Retail Capture. In aggregate, RTA generated **\$1.126 billion** in retail capture, with the five leading categories resulted in **83%** of overall activity. As a special note, those retail businesses that demonstrate Capture represent the strongest performing categories for the RTA.

Table 3 – Ranking by Retail Capture

Industry	Sales Surplus (Capture)	% of Total Capture
Automobile Dealers	\$337,210,056	30.0%
Gasoline Stations	\$228,800,838	20.3%
Department Stores	\$221,113,965	19.6%
Other General Merchandise Stores	\$79,148,034	7.0%
Restaurants/Other Eating Places	\$72,949,453	6.5%
Auto Parts, Accessories & Tire Stores	\$32,434,651	2.9%
Other Motor Vehicle Dealers	\$27,897,041	2.5%
Clothing Stores	\$24,159,452	2.1%
Home Furnishings Stores	\$24,074,209	2.1%
Bldg. Material & Supplies Dealers	\$23,900,020	2.1%
Furniture Stores	\$18,335,918	1.6%
Lawn & Garden Equip & Supply Stores	\$14,700,156	1.3%
Other Miscellaneous Store Retailers	\$10,452,954	0.9%
Beer, Wine & Liquor Stores	\$5,699,447	0.5%
Office Supplies, Stationery & Gift Stores	\$2,247,804	0.2%
Special Food Services	\$1,443,876	0.1%
Shoe Stores	\$1,243,704	0.1%
Total	\$1,125,811,578	100.0%
Leading 5 Capture Categories Subtotal	\$939,222,346	83.4%

Sales Leakage

As shown in Table 4 (below), the **10** retail categories that produced a sales deficit are ranked by Retail Leakage. In aggregate, RTA witnessed **\$133.3 million** in retail Leakage. The five leading categories resulted in **93%** of the overall loss.

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Table 4 – Ranking by Retail Leakage		
Industry	Sales Deficit (Leakage)	% of Total Leakage
Grocery Stores	\$66,236,990	49.7%
Sporting Goods/Hobby/Musical Instr. Stores	\$17,913,122	13.4%
Electronics & Appliance Stores	\$16,659,454	12.5%
Health & Personal Care Stores	\$11,634,612	8.7%
Specialty Food Stores	\$11,213,215	8.4%
Used Merchandise Stores	\$4,187,585	3.1%
Book, Periodical & Music Stores	\$2,774,938	2.1%
Drinking Places - Alcoholic Beverages	\$1,421,173	1.1%
Florists	\$671,376	0.5%
Jewelry, Luggage & Leather Goods Stores	\$542,018	0.4%
Total	\$133,254,483	100.0%
Leading 5 Leakage Categories Subtotal	\$123,657,393	92.8%

Risk/Growth Potential

From the Sales Leakage evaluation, a projection of potential retail risk/growth can be made. In Appendix Table 1, a column is presented that calculates Leakage per typical establishment. Based on Sales Leakage, there represents an enhanced risk for the five counties to lose retail businesses in these categories.

Table 5 (right) revisits the retail categories that demonstrate leakage and through ranked calculation of Leakage per Typical

Establishment, forecasts the **482** potential businesses that may be at risk in RTA if leakage to other areas is not curtailed.

Table 5 – Ranking by Average Leakage per Establishment			
Industry	Net Sales Leakage (Risk Potential)	Avg Leakage per Typ. Estbl.	# of Existing Estbls.
Grocery Stores	\$66,236,990	\$1,162,052	57
Specialty Food Stores	\$11,213,215	\$415,304	27
Book, Periodical & Music Stores	\$2,774,938	\$396,420	7
Electronics & Appliance Stores	\$16,659,454	\$320,374	52
Sporting Goods/Hobby/Musical Instr. Stores	\$17,913,122	\$164,341	109
Health & Personal Care Stores	\$11,634,612	\$140,176	83
Used Merchandise Stores	\$4,187,585	\$107,374	39
Florists	\$671,376	\$27,974	24
Drinking Places - Alcoholic Beverages	\$1,421,173	\$27,330	52
Jewelry, Luggage & Leather Goods Stores	\$542,018	\$16,938	32
Total	\$133,254,483		482
Leading 5 Leakage Categories Subtotal	\$114,797,719	86.1%	

Lower retail sales denote weaker levels of sales tax generation, less likely employment sustainability, and smaller direct and indirect economic impacts to the community. By recognizing the importance these more sectors play in the local economy, economic development agencies should be able to prioritize efforts to protect and enhance weakened business performance through targeted incentives, tax relief, incubator services, and or other proven strategies for business retention.

Based on Average Leakage per Typical Establishment, the five most critical retail business types representing **86%** (\$114.8 million) of the annual Sales Leakage and having the greatest impact on the five counties' economic development efforts are:

1. Grocery Stores
2. Specialty Food Stores
3. Book, Periodical & Music Stores
4. Electronics & Appliance Stores
5. Sporting Goods/Hobby/Musical Instr. Stores

In total, these five categories represent 252 of the **482** establishments that may be at risk in the RTA. Conversely, these retail categories also represent the potential for new growth once the economy recovers. The remaining **5** business categories distribute the balance of **\$18.4** million in Sales

Leakage. Each of these industries is important to the vitality of the RTA, and loss would be difficult. From the outstanding 5 business categories, the following **2** have a potential loss of at least **\$100,000 each**:

- Health & Personal Care Stores (83 estb.)
- Used Merchandise Stores (39 estb.)

Conversely, these retail categories also represent the potential for new growth. These categories may be important in the future for marketing and recruitment efforts. Proactive measures should be taken to identify the leading retail chains or corporations that could establish new operations within the Beartooth RC&D Region RTA and capture the leakage of sales dollars.

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix

- Appendix Table 1 – Retail Gap/Leakage Analysis for Beartooth RC&D Region RTA
- Appendix Table 2a – Retail Gap/Leakage Analysis for Big Horn County RTA
- Appendix Table 2b – Retail Gap/Leakage Analysis for Carbon County RTA
- Appendix Table 2c – Retail Gap/Leakage Analysis for Stillwater County RTA
- Appendix Table 2d – Retail Gap/Leakage Analysis for Sweet Grass County RTA
- Appendix Table 2e – Retail Gap/Leakage Analysis for Yellowstone County Region RTA
- DCG Corplan Consulting LLC disclaimer

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Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 1 - Retail Gap/Leakage Analysis for Beartooth RC&D Region RTA

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$765,275,984	\$428,065,928	\$337,210,056		91	
4412	Other Motor Vehicle Dealers	\$86,277,443	\$58,380,402	\$27,897,041		29	
4413	Auto Parts, Accessories & Tire Stores	\$84,383,323	\$51,948,672	\$32,434,651		79	
4421	Furniture Stores	\$66,621,549	\$48,285,631	\$18,335,918		44	
4422	Home Furnishings Stores	\$55,013,858	\$30,939,649	\$24,074,209		45	
4431	Electronics & Appliance Stores	\$60,205,754	\$76,865,208		\$16,659,454	52	\$320,374
4441	Bldg. Material & Supplies Dealers	\$174,250,405	\$150,350,385	\$23,900,020		121	
4442	Lawn & Garden Equip & Supply Stores	\$31,148,163	\$16,448,007	\$14,700,156		35	
4451	Grocery Stores	\$263,476,517	\$329,713,507		\$66,236,990	57	\$1,162,052
4452	Specialty Food Stores	\$4,370,259	\$15,583,474		\$11,213,215	27	\$415,304
4453	Beer, Wine & Liquor Stores	\$25,338,037	\$19,638,590	\$5,699,447		13	
4461	Health & Personal Care Stores	\$126,174,768	\$137,809,380		\$11,634,612	83	\$140,176
4471	Gasoline Stations	\$560,801,634	\$332,000,796	\$228,800,838		112	
4481	Clothing Stores	\$89,279,490	\$65,120,038	\$24,159,452		105	
4482	Shoe Stores	\$11,188,576	\$9,944,872	\$1,243,704		15	
4483	Jewelry, Luggage & Leather Goods Stores	\$25,820,498	\$26,362,516		\$542,018	32	\$16,938
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$128,195,374	\$146,108,496		\$17,913,122	109	\$164,341
4512	Book, Periodical & Music Stores	\$6,206,492	\$8,981,430		\$2,774,938	7	\$396,420

Appendix Table 1 - Retail Gap/Leakage Analysis for Beartooth RC&D Region RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$543,589,218	\$322,475,253	\$221,113,965		18	
4529	Other General Merchandise Stores	\$276,392,593	\$197,244,559	\$79,148,034		31	
4531	Florists	\$6,055,618	\$6,726,994		\$671,376	24	\$27,974
4532	Office Supplies, Stationery & Gift Stores	\$32,039,019	\$29,791,215	\$2,247,804		42	
4533	Used Merchandise Stores	\$14,955,272	\$19,142,857		\$4,187,585	39	\$107,374
4539	Other Miscellaneous Store Retailers	\$59,050,867	\$48,597,913	\$10,452,954		96	
7223	Special Food Services	\$3,508,361	\$2,064,485	\$1,443,876		20	
7224	Drinking Places - Alcoholic Beverages	\$13,573,550	\$14,994,723		\$1,421,173	52	\$27,330
7225	Restaurants/Other Eating Places	\$317,232,987	\$244,283,534	\$72,949,453		381	
Total		\$3,830,425,609	\$2,837,868,514	\$1,125,811,578	\$133,254,483	1,759	
Sales per Typical Establishment		\$2,177,600					
Gap (millions)		\$992.56					
Capture (millions)		\$1,125.81					
Leakage (millions)		\$133.25					
Supply (millions)		\$3,830.43					
Demand (millions)		\$2,837.87					
Ration of Demand to Supply		74.1%					
Avg. Sales (millions)		\$2.178					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 2a - Retail Gap/Leakage Analysis for Big Horn County RTA

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$14,879,066	\$20,829,260		\$5,950,194	3	\$1,983,398
4412	Other Motor Vehicle Dealers	\$0	\$2,875,688		\$2,875,688	0	
4413	Auto Parts, Accessories & Tire Stores	\$1,380,424	\$2,298,399		\$917,975	2	\$458,988
4421	Furniture Stores	\$0	\$1,927,808		\$1,927,808	0	
4422	Home Furnishings Stores	\$0	\$1,197,960		\$1,197,960	0	
4431	Electronics & Appliance Stores	\$177,562	\$3,093,244		\$2,915,682	1	\$2,915,682
4441	Bldg. Material & Supplies Dealers	\$4,986,649	\$7,117,450		\$2,130,801	5	\$426,160
4442	Lawn & Garden Equip & Supply Stores	\$426,372	\$721,592		\$295,220	2	\$147,610
4451	Grocery Stores	\$31,020,382	\$14,846,944	\$16,173,438		10	
4452	Specialty Food Stores	\$0	\$700,953		\$700,953	0	
4453	Beer, Wine & Liquor Stores	\$0	\$741,915		\$741,915	0	
4461	Health & Personal Care Stores	\$1,254,327	\$6,322,616		\$5,068,289	1	\$5,068,289
4471	Gasoline Stations	\$60,422,074	\$16,004,870	\$44,417,204		14	
4481	Clothing Stores	\$109,293	\$2,546,213		\$2,436,920	1	\$2,436,920
4482	Shoe Stores	\$426,137	\$398,740	\$27,397		1	
4483	Jewelry, Luggage & Leather Goods Stores	\$0	\$889,388		\$889,388	0	
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$4,318,868	\$5,965,113		\$1,646,245	7	\$235,178
4512	Book, Periodical & Music Stores	\$0	\$353,115		\$353,115	0	

Appendix Table 2a - Retail Gap/Leakage Analysis for Big Horn County RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$1,545,554	\$13,432,290		\$11,886,736	1	\$11,886,736
4529	Other General Merchandise Stores	\$2,025,184	\$8,805,572		\$6,780,388	4	\$1,695,097
4531	Florists	\$0	\$267,712		\$267,712	0	
4532	Office Supplies, Stationery & Gift Stores	\$203,269	\$1,225,348		\$1,022,079	2	\$511,040
4533	Used Merchandise Stores	\$814,396	\$743,264	\$71,132		2	
4539	Other Miscellaneous Store Retailers	\$308,211	\$2,574,911		\$2,266,700	3	\$755,567
7223	Special Food Services	\$40,805	\$85,521		\$44,716	1	\$44,716
7224	Drinking Places - Alcoholic Beverages	\$1,218,946	\$555,394	\$663,552		2	
7225	Restaurants/Other Eating Places	\$9,534,766	\$9,729,661		\$194,895	18	\$10,828
Total		\$135,092,285	\$126,250,941	\$61,352,723	\$52,511,379	80	
Sales per Typical Establishment		\$1,688,700					
Gap (millions)		\$8.84					
Capture (millions)		\$61.35					
Leakage (millions)		\$52.51					
Supply (millions)		\$135.09					
Demand (millions)		\$126.25					
Ration of Demand to Supply		93.5%					
Avg. Sales (millions)		\$1.689					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 2b - Retail Gap/Leakage Analysis for Carbon County RTA

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$5,332,601	\$26,996,414		\$21,663,813	2	\$10,831,907
4412	Other Motor Vehicle Dealers	\$7,158,990	\$3,847,836	\$3,311,154		7	
4413	Auto Parts, Accessories & Tire Stores	\$1,845,104	\$3,042,701		\$1,197,597	5	\$239,519
4421	Furniture Stores	\$0	\$2,461,216		\$2,461,216	0	
4422	Home Furnishings Stores	\$877,538	\$1,625,128		\$747,590	3	\$249,197
4431	Electronics & Appliance Stores	\$1,513,983	\$4,097,541		\$2,583,558	3	\$861,186
4441	Bldg. Material & Supplies Dealers	\$4,323,771	\$9,737,738		\$5,413,967	6	\$902,328
4442	Lawn & Garden Equip & Supply Stores	\$1,751,109	\$994,868	\$756,241		2	
4451	Grocery Stores	\$12,234,282	\$19,170,545		\$6,936,263	8	\$867,033
4452	Specialty Food Stores	\$555,174	\$901,900		\$346,726	3	\$115,575
4453	Beer, Wine & Liquor Stores	\$2,838,721	\$1,012,105	\$1,826,616		3	
4461	Health & Personal Care Stores	\$1,921,380	\$8,368,570		\$6,447,190	2	\$3,223,595
4471	Gasoline Stations	\$32,400,014	\$20,545,959	\$11,854,055		12	
4481	Clothing Stores	\$2,032,656	\$3,285,112		\$1,252,456	10	\$125,246
4482	Shoe Stores	\$0	\$498,728		\$498,728	0	
4483	Jewelry, Luggage & Leather Goods Stores	\$1,353,125	\$1,258,968	\$94,157		4	
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$1,684,248	\$7,679,659		\$5,995,411	5	\$1,199,082
4512	Book, Periodical & Music Stores	\$228,895	\$461,967		\$233,072	1	\$233,072

Appendix Table 2b - Retail Gap/Leakage Analysis for Carbon County RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$0	\$17,548,006		\$17,548,006	0	
4529	Other General Merchandise Stores	\$1,546,910	\$11,410,736		\$9,863,826	2	\$4,931,913
4531	Florists	\$329,390	\$380,426		\$51,036	3	\$17,012
4532	Office Supplies, Stationery & Gift Stores	\$1,022,709	\$1,608,595		\$585,886	5	\$117,177
4533	Used Merchandise Stores	\$518,252	\$974,944		\$456,692	4	\$114,173
4539	Other Miscellaneous Store Retailers	\$1,878,840	\$3,370,837		\$1,491,997	8	\$186,500
7223	Special Food Services	\$30,529	\$112,422		\$81,893	1	\$81,893
7224	Drinking Places - Alcoholic Beverages	\$1,398,567	\$741,739	\$656,828		9	
7225	Restaurants/Other Eating Places	\$15,419,789	\$12,681,119	\$2,738,670		27	
Total		\$100,196,577	\$164,815,779	\$21,237,721	\$85,856,923	135	
Sales per Typical Establishment		\$742,200					
Gap (millions)		\$64.62					
Capture (millions)		\$21.24					
Leakage (millions)		\$85.86					
Supply (millions)		\$100.20					
Demand (millions)		\$164.82					
Ration of Demand to Supply		164.5%					
Avg. Sales (millions)		\$0.742					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 2c - Retail Gap/Leakage Analysis for Stillwater County RTA

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$3,651,880	\$23,110,651		\$19,458,771	2	\$9,729,386
4412	Other Motor Vehicle Dealers	\$0	\$3,261,504		\$3,261,504	0	
4413	Auto Parts, Accessories & Tire Stores	\$450,981	\$2,702,649		\$2,251,668	2	\$1,125,834
4421	Furniture Stores	\$0	\$2,323,238		\$2,323,238	0	
4422	Home Furnishings Stores	\$297,733	\$1,569,172		\$1,271,439	1	\$1,271,439
4431	Electronics & Appliance Stores	\$779,788	\$3,762,030		\$2,982,242	3	\$994,081
4441	Bldg. Material & Supplies Dealers	\$1,816,944	\$8,536,712		\$6,719,768	5	\$1,343,954
4442	Lawn & Garden Equip & Supply Stores	\$1,275,969	\$901,059	\$374,910		4	
4451	Grocery Stores	\$8,784,457	\$16,974,616		\$8,190,159	4	\$2,047,540
4452	Specialty Food Stores	\$135,431	\$798,214		\$662,783	1	\$662,783
4453	Beer, Wine & Liquor Stores	\$488,462	\$959,068		\$470,606	1	\$470,606
4461	Health & Personal Care Stores	\$7,360,273	\$7,357,165	\$3,108		2	
4471	Gasoline Stations	\$102,413,002	\$17,650,919	\$84,762,083		11	
4481	Clothing Stores	\$0	\$3,147,483		\$3,147,483	0	
4482	Shoe Stores	\$0	\$478,184		\$478,184	0	
4483	Jewelry, Luggage & Leather Goods Stores	\$581,169	\$1,230,743		\$649,574	1	\$649,574
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$2,317,174	\$7,188,990		\$4,871,816	8	\$608,977
4512	Book, Periodical & Music Stores	\$0	\$430,056		\$430,056	0	

Appendix Table 2c - Retail Gap/Leakage Analysis for Stillwater County RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$0	\$16,183,228		\$16,183,228	0	
4529	Other General Merchandise Stores	\$908,376	\$10,162,853		\$9,254,477	2	\$4,627,239
4531	Florists	\$145,076	\$362,563		\$217,487	1	\$217,487
4532	Office Supplies, Stationery & Gift Stores	\$50,675	\$1,488,948		\$1,438,273	1	\$1,438,273
4533	Used Merchandise Stores	\$0	\$914,999		\$914,999	0	
4539	Other Miscellaneous Store Retailers	\$388,152	\$2,750,851		\$2,362,699	2	\$1,181,350
7223	Special Food Services	\$0	\$106,148		\$106,148	0	
7224	Drinking Places - Alcoholic Beverages	\$2,686,537	\$716,826	\$1,969,711		7	
7225	Restaurants/Other Eating Places	\$4,727,123	\$11,922,433		\$7,195,310	16	\$449,707
Total		\$139,259,202	\$146,991,302	\$87,109,812	\$94,841,912	74	
Sales per Typical Establishment		\$1,881,900					
Gap (millions)		\$7.732					
Capture (millions)		\$87.1					
Leakage (millions)		\$94.8					
Supply (millions)		\$139.3					
Demand (millions)		\$147.0					
Ration of Demand to Supply		105.6%					
Avg. Sales (millions)		\$1.882					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 2d - Retail Gap/Leakage Analysis for Sweet Grass County RTA

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$0	\$9,965,501		\$9,965,501	0	
4412	Other Motor Vehicle Dealers	\$0	\$1,455,190		\$1,455,190	0	
4413	Auto Parts, Accessories & Tire Stores	\$881,817	\$1,040,807		\$158,990	2	\$79,495
4421	Furniture Stores	\$0	\$776,668		\$776,668	0	
4422	Home Furnishings Stores	\$307,218	\$518,082		\$210,864	1	\$210,864
4431	Electronics & Appliance Stores	\$317,416	\$1,304,590		\$987,174	1	\$987,174
4441	Bldg. Material & Supplies Dealers	\$1,899,533	\$3,558,055		\$1,658,522	5	\$331,704
4442	Lawn & Garden Equip & Supply Stores	\$854,747	\$356,731	\$498,016		1	
4451	Grocery Stores	\$5,475,569	\$6,741,839		\$1,266,270	2	\$633,135
4452	Specialty Food Stores	\$0	\$317,330		\$317,330	0	
4453	Beer, Wine & Liquor Stores	\$5,183,454	\$309,782	\$4,873,672		1	
4461	Health & Personal Care Stores	\$2,084,400	\$2,939,120		\$854,720	2	\$427,360
4471	Gasoline Stations	\$16,613,387	\$7,435,722	\$9,177,665		5	
4481	Clothing Stores	\$626,073	\$1,026,829		\$400,756	3	\$133,585
4482	Shoe Stores	\$0	\$159,714		\$159,714	0	
4483	Jewelry, Luggage & Leather Goods Stores	\$391,475	\$341,025	\$50,450		2	
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$1,304,904	\$2,519,976		\$1,215,072	4	\$303,768
4512	Book, Periodical & Music Stores	\$0	\$148,009		\$148,009	0	

Appendix Table 2d - Retail Gap/Leakage Analysis for Sweet Grass County RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$704,967	\$5,870,930		\$5,165,963	1	\$5,165,963
4529	Other General Merchandise Stores	\$827,946	\$4,015,939		\$3,187,993	1	\$3,187,993
4531	Florists	\$121,677	\$131,645		\$9,968	1	\$9,968
4532	Office Supplies, Stationery & Gift Stores	\$56,692	\$528,821		\$472,129	1	\$472,129
4533	Used Merchandise Stores	\$148,072	\$308,549		\$160,477	2	\$80,239
4539	Other Miscellaneous Store Retailers	\$626,309	\$1,314,334		\$688,025	4	\$172,006
7223	Special Food Services	\$0	\$40,603		\$40,603	0	
7224	Drinking Places - Alcoholic Beverages	\$196,914	\$232,180		\$35,266	1	\$35,266
7225	Restaurants/Other Eating Places	\$1,825,933	\$4,052,887		\$2,226,954	8	\$278,369
Total		\$40,448,503	\$57,410,858	\$14,599,803	\$31,562,158	48	
Sales per Typical Establishment		\$842,700					
Gap (millions)		\$16.96					
Capture (millions)		\$14.60					
Leakage (millions)		\$31.56					
Supply (millions)		\$40.45					
Demand (millions)		\$57.41					
Ration of Demand to Supply		141.9%					
Avg. Sales (millions)		\$.843					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

Appendix Table 2e - Retail Gap/Leakage Analysis for Yellowstone County RTA							
NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4411	Automobile Dealers	\$741,412,437	\$347,164,102	\$394,248,335		84	
4412	Other Motor Vehicle Dealers	\$79,118,453	\$46,940,184	\$32,178,269		22	
4413	Auto Parts, Accessories & Tire Stores	\$79,824,997	\$42,864,116	\$36,960,881		68	
4421	Furniture Stores	\$66,621,549	\$40,796,701	\$25,824,848		44	
4422	Home Furnishings Stores	\$53,531,369	\$26,029,307	\$27,502,062		40	
4431	Electronics & Appliance Stores	\$57,417,005	\$64,607,803		\$7,190,798	44	\$163,427
4441	Bldg. Material & Supplies Dealers	\$161,223,508	\$121,400,430	\$39,823,078		100	
4442	Lawn & Garden Equip & Supply Stores	\$26,839,966	\$13,473,757	\$13,366,209		26	
4451	Grocery Stores	\$205,961,827	\$271,979,563		\$66,017,736	33	\$2,000,537
4452	Specialty Food Stores	\$3,679,654	\$12,865,077		\$9,185,423	23	\$399,366
4453	Beer, Wine & Liquor Stores	\$16,827,400	\$16,615,720	\$211,680		8	
4461	Health & Personal Care Stores	\$113,554,388	\$112,821,909	\$732,479		76	
4471	Gasoline Stations	\$348,953,157	\$270,363,326	\$78,589,831		70	
4481	Clothing Stores	\$86,511,468	\$55,114,401	\$31,397,067		91	
4482	Shoe Stores	\$10,762,439	\$8,409,506	\$2,352,933		14	
4483	Jewelry, Luggage & Leather Goods Stores	\$23,494,729	\$22,642,392	\$852,337		25	
4511	Sporting Goods/Hobby/Musical Instr. Stores	\$118,570,180	\$122,754,758		\$4,184,578	85	\$49,230
4512	Book, Periodical & Music Stores	\$5,977,597	\$7,588,283		\$1,610,686	6	\$268,448

Appendix Table 2e - Retail Gap/Leakage Analysis for Yellowstone County RTA – cont'd.

NAICS	Industry	Supply (Actual Sales)	Demand (Potential Sales)	Sales Surplus (Capture)	Sales Leakage (Risk/Growth Potential)	Number of Existing Estbl.	Avg. Leakage per Typ. Estbl.
4521	Department Stores	\$541,338,697	\$269,440,799	\$271,897,898		16	
4529	Other General Merchandise Stores	\$271,084,177	\$162,849,459	\$108,234,718		22	
4531	Florists	\$5,459,475	\$5,584,648		\$125,173	19	\$6,588
4532	Office Supplies, Stationery & Gift Stores	\$30,705,674	\$24,939,503	\$5,766,171		33	
4533	Used Merchandise Stores	\$13,474,552	\$16,201,101		\$2,726,549	31	\$87,953
4539	Other Miscellaneous Store Retailers	\$55,849,355	\$38,586,980	\$17,262,375		79	
7223	Special Food Services	\$3,437,027	\$1,719,791	\$1,717,236		18	
7224	Drinking Places - Alcoholic Beverages	\$8,072,586	\$12,748,584		\$4,675,998	33	\$141,697
7225	Restaurants/Other Eating Places	\$285,725,376	\$205,897,434	\$79,827,942		312	
Total		\$3,415,429,042	\$2,342,399,634	\$1,168,746,349	\$95,716,941	1,422	
Sales per Typical Establishment		\$2,401,800					
Gap (millions)		\$1.073					
Capture (millions)		\$1.2					
Leakage (millions)		\$95.7					
Supply (millions)		\$3.4					
Demand (millions)		\$2.3					
Ration of Demand to Supply		68.6%					
Avg. Sales (millions)		\$2.402					

Source: US Census, Bureau of Labor Statistics, and ESRI December 2019

Beartooth RC&D Region, MT – Benchmark Retail Gap/Leakage Analysis

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Governor Bullock Coronavirus Relief Fund Advisory Council Recommendation Report

May 2020



Dear Governor Bullock,

Congress recently passed the Coronavirus Aid, Relief and Economic Security Act (CARES Act). The CARES Act established a Coronavirus Relief Fund of \$150 billion for states, tribes and in certain circumstances, local governments dealing with the impacts of COVID-19. Montana has received \$1.25 billion of this federal allocation from the U.S. Treasury Department.

On April 15th, you announced the Coronavirus Relief Advisory Council comprised of a diverse, geographically dispersed group of unselfish Montanans who committed to work together to provide guidance and process for the \$1.25 billion. On the afternoon of the announcement, every person on the Advisory Council attended a virtual meeting to begin a process that gathered ideas while awaiting further guidance from the federal government. You would be proud of the effort, commitment, and robust dialogue that started across Montana shortly after that call. Despite the communication challenges presented by COVID-19, virtual meetings and individual efforts began in earnest to compile ideas.

In a little over two weeks from start to finish, we present to you this report of our recommendations attempting to reach our goal to provide advice and guidance as to how best to deploy Montana's CARES Act funds to reinvigorate Montana's path toward economic recovery and revive our communities. While not every comment is reflected in this report, we can assure you everyone was heard in a collaborative process supported by detailed proposals submitted by committee members.

We are all honored that you trusted us to work hard, despite unique business and personal challenges with COVID-19. The unwavering support and effort from your staff (particularly Tom Livers, Amy Sassano, Ryan Evans, Adam Schafer, and Ken Fichtler) was critical. Our collective urgency was not defined by the CARES Act, but by a genuine desire from everyone on the committee to return to the strong, robust economy that Montana experienced prior to this unprecedented pandemic. We feel it is essential to deploy funds quickly and effectively to citizens of Montana.

Thank you for the opportunity. We stand ready to be steady, conscientious, and representative advisors on how best to assist Montanans now, as well as throughout the next phases of Montana's response to the COVID-19 pandemic.

Sincerely

Larry Simkins, Chair
Governor's Coronavirus Relief Fund Advisory Council



Coronavirus Relief Fund Advisory Council
Advisory Members and Business/Organization

Larry Simkins	The Washington Companies
Charlie Beaton	The Big Dipper Ice Cream
Scott Brown	The Base Camp
Eric Bryson	MT Association of Counties
Tim Burton	MT League of Cities and Towns
Nick Checota	Logjam Presents
Randy Chesler	Glacier Bancorp
Bill Coffee	Stockman Bank
Colin Davis	Chico Hot Springs
Shalon Hastings	Fly FisHer Adventures, Small Business
Jacquie Helt	Service Employees Int'l Union (SEIU)
Mike Hope	Bar and Restaurant Owner (Rockin R)
Llew Jones	State Representative, Small Business Owner
Casey Lozar	Federal Reserve Bank
Jim Markel	Red Oxx Manufacturing
Janice Mattson	Mattson Farms
Liz Moore	MT Nonprofit Association
Jim Peterson	Rancher, former Senate President
Kevin Riley	1st Interstate Bank
Mark Semmens	D.A. Davidson (Retired)
Jon Sesso	State Senator, Small Business Owner
Jason Smith	Montana Indian Affairs Office
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SECTION I – COMMITTEE PROCESS

On April 15th, Governor Steve Bullock appointed the Coronavirus Relief Advisory Council. The Council is comprised of a diverse and geographically dispersed group of Montanans committed to work together to provide guidance for the \$1.25 billion allocated to the State of Montana through the CARES Act. A collective process has been at the forefront to ensure the best recommendations and guidance to help Montana families and businesses. Since inception of the Council, virtual meetings were held twice a week with each meeting including an update from Governor's staff on issues pertinent to the Council, followed by discussion and idea-sharing among the Council members. Despite the communication challenges presented by COVID-19, the virtual meetings were a success and individual and coordinated group efforts began to compile ideas. A Council email box and a Microsoft Teams site were established for Council members to ask questions and share ideas, and to allow for transparency and integrity in the overall process. Over the last two weeks, ideas have been submitted around the clock, which speaks volumes to the dedication of the Council, and their overall attentiveness to the urgent situation at hand brought on by the COVID-19 pandemic.

SECTION II – CORONAVIRUS RELIEF FUND GUIDANCE FROM U.S. TREASURY

During the first half of the Advisory Council's process, we eagerly awaited guidance from the U.S. Department of Treasury as a basis to help inform our decision making, and ultimately our recommendations. On April 23, the U.S. Treasury supplied supplemental guidance on use of the Coronavirus Relief Fund. Although the guidance still leaves many important questions yet to be answered, the supplemental guidance did provide enough information for the Council to continue its work and to formulate formal recommendations. Below is a selection of the guidance that is most applicable to our recommendations, grouped by topics of guidance that is now known, and the guidance that remains unclear or not included in the recent supplemental:

Known Guidance

- If a government has not used funds it has received to cover costs incurred by December 30, 2020, as required by statute, those funds must be returned to the Department of the Treasury.
- Expenditures must be used for actions taken to respond to the COVID-19 public health emergency. These may include expenditures incurred to allow state, territorial, local, or tribal governments to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures. Further, the CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020.



- Eligible expenses include COVID-19 related expenditures for specific items including, but not limited to: medical expenses; public health expenses; payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency; expenses to facilitate compliance with COVID-19 related public health measures; and expenses associated with the provision of economic support such as grants to businesses experiencing impacts from business interruption or closure.
- Coronavirus Relief Funds may not be used to fill shortfalls in government revenue or be used to replace lost revenue, to duplicate reimbursement of expenses already reimbursed by the federal government, or workforce bonuses other than hazard pay or overtime.

Guidance Not Available or Known

- Guidance on financial reporting, specifically sub-recipient grant reporting, is currently unknown, though various channels of professional organizations anticipate guidance on recipient and sub-recipient reporting is forthcoming.
- Guidance on using Coronavirus Relief Funds to match other federal funds such as FEMA is unknown.
- Guidance on the terms by which the State has the ability to loan funds directly to entities, or guidance on the State's ability to pass through funds to other entities for them to loan funds, is unknown.

SECTION III – GUIDING PRINCIPLES

Although important and necessary for strategic and practical purposes, there is great humility in attempting to define a single set of overarching guiding principles in a time of such intense need caused by a worldwide pandemic. No set of principles can encompass all situations or circumstances for each individual, business, or organization, particularly with limited resources that must be spent in accordance with the limited guidance contained within the CARES Act. Even so, guiding principles were developed to help frame the discussion and facilitate the work of the Council in an attempt to efficiently and effectively identify the best ways to address the needs of those most directly and severely impacted by the effects of COVID-19. The Council's Guiding Principles follow:

Guiding Principles

- Focus on those impacted most.
- Stay focused on strategies and funding not already allocated elsewhere, ensuring there is no duplication of efforts or funds.



- Deploy funds quickly, while preparing for the long-term challenges and acknowledge all needs might not be apparent now or readily known, particularly for businesses that may need to remain closed for longer periods into the future.
- Prioritize leveraging of funds when possible, encourage utilizing and leveraging existing programmatic infrastructure that is underutilized, consider existing distribution channels for allocation of funds, and consider public/private partnerships when appropriate. In other words, do not recreate the wheel.
- Focus on assistance that can be used now and that is not built into any future base allocation for state or local budgeting purposes.
- Consider how targeted investments now in COVID-19 impacted areas may impact the overall health and well-being of Montanans moving forward, and how investments now may impact the future economic strength and diversity of the State of Montana and its residents.
- Keep it simple, as the complexity of the initial federal relief injection into Montana left many worthy recipients without assistance for a variety of reasons.

SECTION IV – METHODS OF FUND DISTRIBUTION

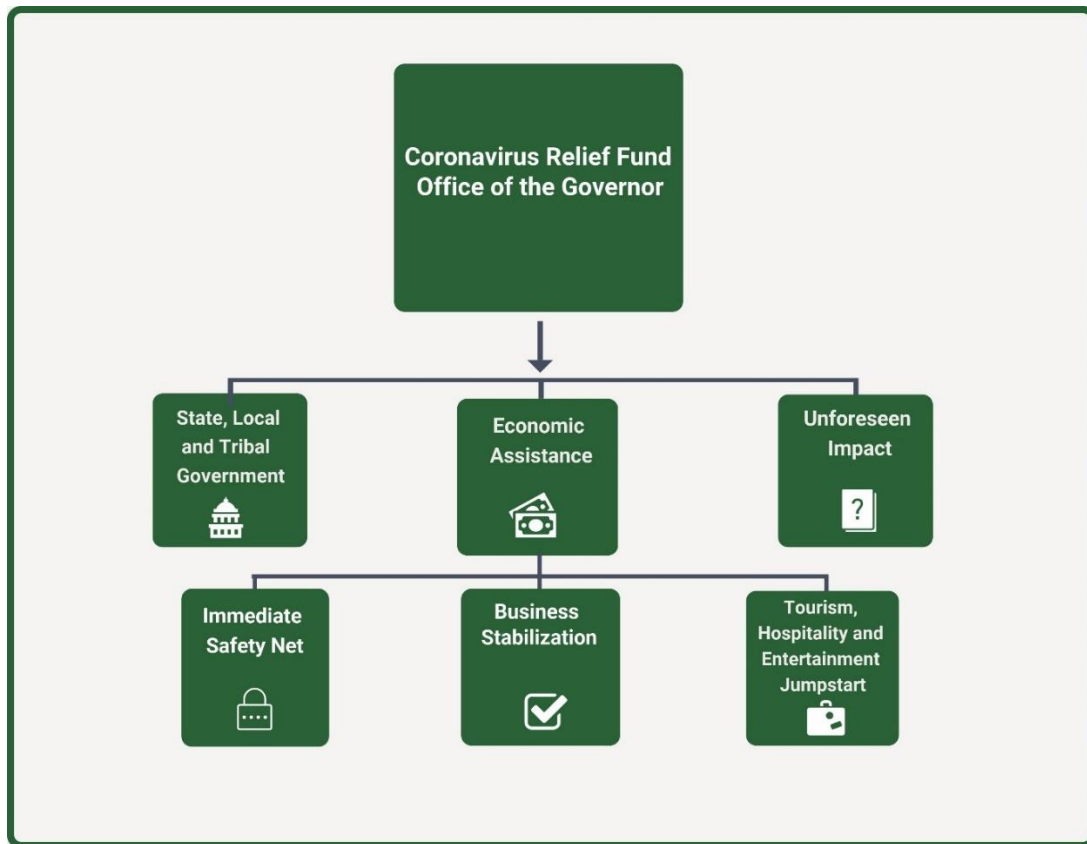
As was stated in the Guiding Principles above, the Council recommends the Governor prioritize leveraging of funds, encourage utilizing existing programmatic infrastructure that is underutilized, consider existing distribution channels for allocation of funds, and consider employing public/private partnerships for the distribution of funds. The Council views this guiding principle as the means to most efficiently deploy funds to those most impacted by COVID-19 and recommends the Governor consider not only existing state programs as conduits for funding allocation, but also partners beyond state government. In this, the following entities should be considered as channels for delivering funding to COVID-19 impacted individuals and entities:

- Regional or Local Economic Development Organizations
- Regional or Local Banking, Financial, and Lending Institutions
- The Montana Board of Investments (BOI); and/or the Montana BOI in partnership with Regional or Local Banking, Financial, and Lending Institutions
- Existing and/or Refocused State of Montana Programs



SECTION V – PROPOSED FLOW AND ALLOCATION OF FUNDING

The Council established three primary silos of funding: State, Local and Tribal Government; Economic Assistance; and Unforeseen Impacts.



In an effort to align with the expertise on the Council, and to effectively identify the best way to establish an immediate safety net for individuals, businesses and nonprofits, the Council focused our time and efforts on Economic Assistance.

The Council has compiled recommendations particular to Economic Assistance for the Governor in the following sections of this report, with specific emphasis on sub-areas focusing on:

- Immediate Safety Net
- Business Stabilization
- Tourism, Hospitality and Entertainment Jumpstart

Perhaps noticeably and notably absent from our specific sub-area recommendations are concepts pertaining explicitly to the State, Local, and Tribal Government silo shown in the flow chart above. This in no way should be construed as the Advisory Council not recognizing a pressing and apparent need for assistance for entities, individuals, and services largely or wholly dependent on funds from



state, local or tribal government, such as K-12, the Montana University System (MUS), Corrections and Law Enforcement, and the Courts. Rather the Council chose to dedicate our collective time to fleshing out ideas and recommendations most apparent in the Economic Assistance silo. And while in no way would we recommend that any single eligible individual or entity under the over-arching umbrella of government, K-12, MUS, and others be specifically precluded from obtaining assistance under the Economic Assistance silo, if appropriate, we do contend that the Governor, in consultation with local and tribal governments, is better positioned to address funding and reimbursement needs of the almost 200 city/town, county, and tribal governments across Montana throughout the duration of the emergency.

With these caveats in mind, the following sections include the distillation of our comments, ideas and considerations into formal recommendations pertinent to each sub area for your consideration.

SECTION VI – ECONOMIC ASSISTANCE

In the following sections, we outline the recommendations pertinent to each Economic Assistance sub area.

IMMEDIATE SAFETY NET

The Council's Immediate Safety Net Recommendations are intended to deploy funds immediately (i.e. over the coming days and weeks) to those that are negatively impacted as a result of COVID-19, with particular attention to people, businesses, nonprofits and other entities that have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.

IMMEDIATE SAFETY NET FUNDING RECOMMENDATIONS:

1. Food Security

- **Provide Enhanced Support for Individual Food Security through Food Banks and Food Pantries**
 - The 167 food banks and pantries across the state report since the beginning of the COVID-19 pandemic impacts in Montana, demand for food is up 10 - 20% in rural Montana, and up 100 – 200% in some larger Montana communities. Considering food is a basic and immediate need, the Council recommends **direct grant assistance** to food banks and food pantries serving Montana communities. Further, the Council recommends the Governor consider ways to





facilitate the provision of food from local producers to food banks, particularly if there is risk of food being left to waste.

2. Providers of Social Safety Net Services

- **Provide Enhanced Support for Providers of Immediate Social Safety Net Services** – Acknowledging the term “social safety net service” is expansive, the Council recommends prioritized **direct grant assistance** to entities directly impacted by COVID-19, or directly assisting or caring for those impacted by COVID-19. Such entities include but are not limited to: emergency shelters; behavioral health and substance abuse providers; homeless shelters; direct care workers; child care providers; disability services; emergency services; urban Indian health centers; child protection; domestic violence; first responders; senior services; and economic and workforce development.

3. Individuals, Business, and Nonprofits

- **Provide Rental and Mortgage Assistance to Individuals, Businesses, and Nonprofits** – Assisting Montanans and their businesses to remain economically viable and afford to remain in their current home or business location is a priority identified by the Council as an immediate need. Therefore, the Council recommends **direct grant assistance** be deployed to individuals, businesses and nonprofits for assistance to pay monthly rent or mortgage payments, or to assist an individual with paying the costs of their property taxes if a recipient is an owner of property.

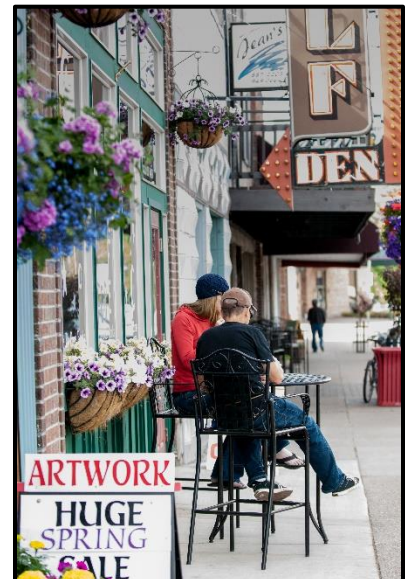
BUSINESS STABILIZATION

The Council’s Business Stabilization Recommendations are intended to deploy funds over an immediate to mid-term (i.e. the coming weeks and months) time frame, with particular attention to businesses and nonprofits (ranging from sole-proprietors and independent contractors to larger Montana businesses) that are negatively impacted as a result of COVID-19, have been or currently are subject to closure, and may have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.

BUSINESS STABILIZATION FUNDING RECOMMENDATIONS:

1. Direct Support

- **Support for Montana Businesses** – The Council anticipates current and lingering financial difficulties for many, varied-sized Montana businesses. The Council recommends **direct grant assistance** be provided to Montana businesses, with priority given to businesses that are or have been subject to statewide closure, and/or have been directly impacted by the COVID-19 pandemic. Eligible uses of assistance could include general inventory, personnel costs, and operating





costs associated with utilities, supplies, property and other taxes, and fees. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through local and regional economic development organizations, banks, and the Montana Board of Investments. Further, the Council recommends funding be allocated in an amount that provides the greatest benefit for the most in need.

- **Support for Montana Nonprofits** – Likewise, the Council anticipates current and lingering financial difficulties for many, varied-sized Montana nonprofits. The Council recommends **direct grant assistance** be provided to Montana nonprofits, with priority given to nonprofits that are or have been subject to statewide closure, have been negatively impacted by the COVID-19 pandemic, and whose mission is to serve a population impacted directly or indirectly by COVID-19. Eligible uses of assistance could include general administrative costs, personnel costs, operating costs associated with utilities, supplies, property and other taxes, and fees. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through local and regional economic development organizations, banks, and the Montana Board of Investments. Further, the Council recommends funding be allocated in an amount that provides the greatest benefit for the most in need.

2. Sustainability

- **Assistance to Businesses and Nonprofits through Forgivable Loans, Low/Zero Interest Loans, or State of Montana backed Lines of Credit Guaranty** – Acknowledging that the sizable allocation to Montana under the CARES act is finite with substantial demands on it, that some businesses and nonprofits may need more than a one-time infusion of immediate assistance, and that some entities may require larger sums of assistance over a longer period of time that could willingly be paid back, the Council recommends funding be allocated to assist businesses that may have mid-to-long-term (e.g. in the coming months and years) sustainability needs based on the likelihood that they may be closed for the foreseeable future, or are linked to an industry that may be not as quick to recover. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through the Montana Board of Investments and/or local and regional banks and lending institutions to administer lending programs to assist those Montana businesses with unique situations. This recommendation anticipates that





funding will be necessary to address particularly unique situations that some businesses and nonprofits may endure that are not explicitly addressed in any previous or forthcoming recommendation. The Council acknowledges that further federal guidance pertaining to this recommendation is pending and will be necessary to help guide how this recommendation is ultimately implemented.

TOURISM, HOSPITALITY AND ENTERTAINMENT JUMPSTART

The Council's Tourism, Hospitality, and Entertainment Jumpstart recommendations are intended to deploy funds over an immediate to mid-term (i.e. coming weeks and months) time frame, acknowledging that funds should be deployed to best align with the time when the business types contained in the tourism, hospitality, and entertainment industry can safely reopen to Montana consumers and in-state/out-of-state tourists. Particular attention is given to businesses and nonprofits (ranging from sole-proprietors to larger Montana businesses and nonprofits) that are most impacted as a result of COVID-19, have been or currently are subject to closure, and may have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.

TOURISM, HOSPITALITY AND ENTERTAINMENT JUMPSTART FUNDING RECOMMENDATIONS:



1. Direct Immediate-to-Mid Term Assistance

- **Support for Montana Businesses and Nonprofits** – As stated before, the Council anticipates current and lingering financial difficulties for many, varied-sized Montana businesses and nonprofits, particularly those in the tourism, hospitality, and entertainment industry who face an uncertain time of when they can safely reopen. The Council recommends **direct assistance** be provided to Montana tourism, hospitality, and entertainment businesses and nonprofits through grants and loans, with priority

given to businesses that are subject to continued closure, have businesses focused on accommodating in-state and out-of-state tourists, and have been (and will continue to be) most negatively impacted by the COVID-19 pandemic. Revenue tests from 2019 to 2020 and possibly utilizing North American Industry Classification System (NAICS) codes as a starting point for identifying industries may help quantify targeted assistance. For instance, providing grants for lodging tax or live entertainment gate and concession shortfalls would provide a measurable mechanism for support. Specific uses of funds could include sustaining reduced payrolls, distressed inventory from refunded ticket or event sales, costs associated with evolving health guideline compliance, or other costs associated with sustaining operations through mandatory closures, up to and through the reopening phase. Further, the Council recommends funding be allocated in an amount



that provides the greatest benefit, for the most in need, over the longest period of time, in an effort to sustain those businesses with opening dates not yet known.



2. Longer Term Sustainability

○ **Assistance to Businesses and Nonprofits through Forgivable Loans, Low/Zero Interest Loans, or State of Montana backed Lines of Credit Guaranty** – Acknowledging that the sizable allocation to Montana under the CARES act is finite with substantial demands on it, that some businesses and nonprofits - particularly in the performing arts, live entertainment, and other business/nonprofits dependent on large crowds and tourists - may need more than a one-time infusion of immediate assistance, and that some entities may require larger sums of assistance over a longer period of time that could willingly be paid back, the Council recommends funding be allocated to assist businesses that may have mid-to-long term

(e.g. in the coming months and years) sustainability needs based on the likelihood that they may be closed for the foreseeable future, or are linked to an industry that may be less quick to recover. Assistance could take the form of restructuring assistance, term extensions and interest rate buydowns. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through the Montana Board of Investments and/or local and regional banks and lending institutions to administer lending programs to assist those Montana businesses with unique situations. This recommendation anticipates that funding will be necessary to address atypical situations that some businesses and nonprofits may endure that are not explicitly addressed in any previous or forthcoming recommendation. The Council acknowledges that further federal guidance pertaining to this recommendation is pending and will be necessary to help guide how this recommendation is ultimately implemented.

SECTION VII – OVERARCHING THEMES AND OTHER RECOMMENDATIONS

During the Council's work, there were several themes that transcended any particular sub-area of need for assistance. That is to say that some assistance is and will be applicable to any individual, business, nonprofit, or other entity that has been negatively impacted as a result of COVID-19, whether that be through immediate safety net efforts, business stabilization efforts, or the jumpstart phase of Montana's COVID-19 response. Specific themes and recommendations that are overarching in nature include:

- 1. Facilitate Coordinated Testing, Tracing, Distribution of Personal Protective Equipment (PPE) and Strike Team Efforts** – This would allow coordinated, statewide processes and information pertaining to testing and tracing efforts as we all learn more about the prevalence, occurrence and incidence of COVID-19 across Montana and our nation as a whole. Moreover, this would



allow funding to help support the provision of protective supplies to entities that can then furnish services in ways that will keep Montana among the safest states in the nation. This would also provide for State coordinated strike team efforts and funds to address local or regional flare-ups of COVID-19.

- 2. Facilitate Statewide Guidance and Coordination with Local Public Health Departments** – This will allow businesses and nonprofits to safely open and operate under a single-set of guidance that is easily understandable and practical to implement. This will also help make consumers feel that it is safe to return to a particular business. Further, coordinated efforts on statewide guidance could, in part, be disseminated via Montana print and online newspapers. This would provide assistance to an industry whose sales and advertising budgets have been impacted by a decline in overall business activity attributable to COVID-19.
- 3. Provide for Ease of Access to Funding and Simple, Straight-Forward Reporting Requirements** – This would allow impacted individuals and entities with little experience seeking government funding to access funds quickly and efficiently, and to have straight-forward, predictable and pre-prescribed expectations for if/how they will be expected to report on how they used particular assistance granted or loaned to them or their business.
- 4. Facilitate State of Montana Guidance and Resources that are Clear and Concise for Coronavirus Outreach to Individuals, Businesses, and Potential Financial Partners** – This would allow for individuals and entities to reach out to one, single, coordinated source of information and guidance on topics varying from sanitation guidance to financial assistance available from state and federal government. Further, this would provide potential financial partners charged with distributing funds through grants or loans, when applicable, with greater clarity and guidance on who should qualify to receive economic relief in an effort to ensure that funds are not deployed to many with little or no meaningful impact from COVID-19.
- 5. Provide for Equity, Prioritization, and Accountability of Funds** – This allows for distribution of funds in transparent ways to entities that need it most, regardless of their administrative resources to apply for funds, geographical location, size of business, economic stature, or other standing or influence.
- 6. Provide for a Dedicated Holdback of Coronavirus Relief Funds for Unforeseen/Unknown Impacts and Provide a Backstop of Coronavirus Relief Funds as Supplemental Funds to Augment Recommended Funding that May End Up Being Insufficient** – This would allow the Governor to respond to issues as they arise that might currently be unforeseen or unknown, and to potentially augment funding for any of the Council's recommendations that are of particular benefit. Further, this would provide a backstop for the provision of existing



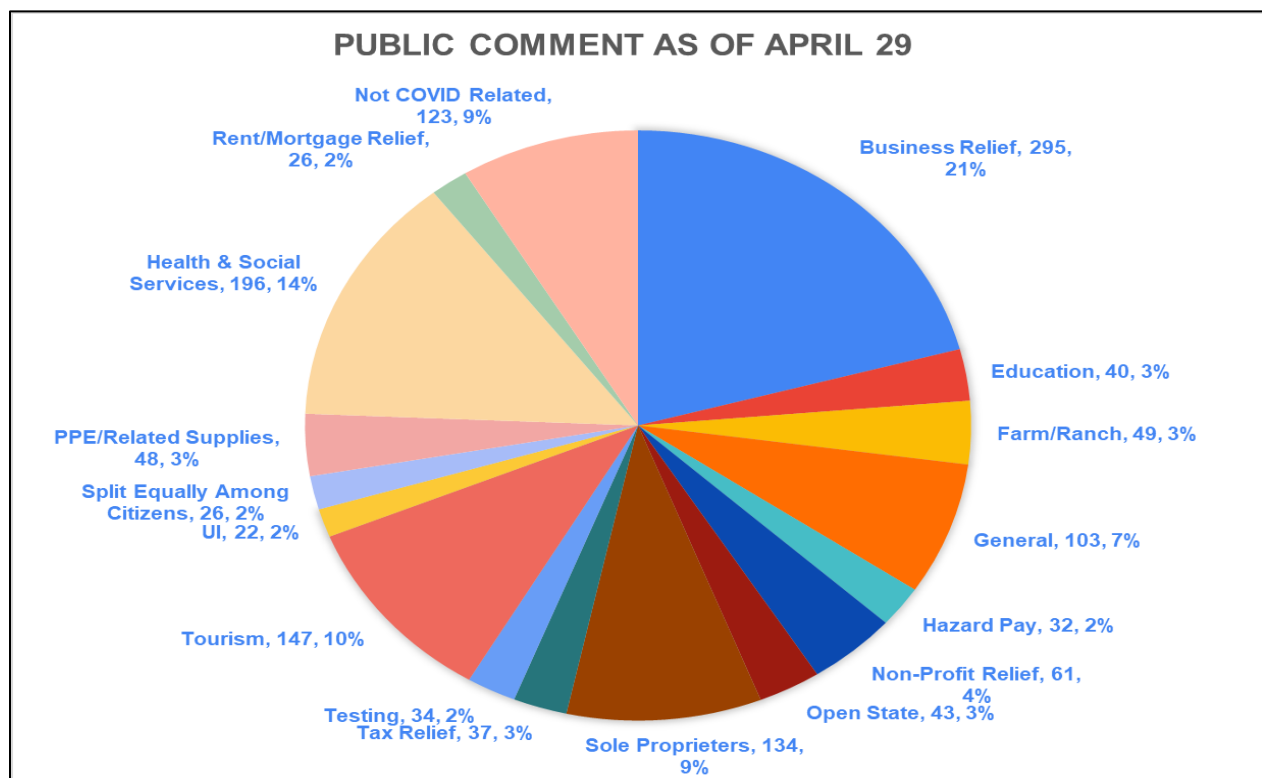
government services in future years under the new economic uncertainty brought on by COVID-19.

7. **Consider Continued State and Local Flexibility, When Possible, Towards State and Local Levied Taxes, Fees and Assessments** – This allows state and local governments the ability to gauge in real-time the relationship between their residents' immediate needs versus their immediate ability to pay.

SECTION VIII – OTHER FEEDBACK

Over the past two weeks, the Council has received significant feedback from professional organizations and coalitions, businesses, nonprofits and individuals. The formal written feedback received by these groups is included in Section X as an appendix of your hardcopy report for your reference as you begin the task of operationalizing the Council's recommendations.

Additionally, parallel to our Council process, your staff set up a public comment portal where individuals could submit ideas for use of the Coronavirus Relief Fund. As of this report, more than 1,400 public comments have been received. At each Council meeting, we were given an update on the status and content of public responses through the public portal. Based on the public feedback received, it is heartening to see that the public ideas most frequently submitted are very much in alignment with our recommendations contained in this report. For your reference, the following graph illustrates the types of ideas submitted through the public portal comment process.





SECTION IX – CLOSING THOUGHTS AND REMARKS

In no way could one report of recommendations comprehensively and satisfactorily address the many, varied needs created by COVID-19 across our great state. That said, we hope the recommendations provided in this report give you guidance on how best to deploy Coronavirus Relief Funds to those who need it most, when they need it most. Further, we appreciate the opportunity to provide recommendations on behalf of the Montana business and nonprofit community – large to small, east to west, urban to rural, and everywhere and everyone in between. We stand ready to be steady, conscientious, and representative advisors on how best to assist Montanans now, as well as throughout the next phases of Montana’s response to the COVID-19 pandemic.



SECTION X - APPENDIX

Item Attachment Documents:

7. Budget/Finance Committee Minutes of May 12, 2020.
Library Board Minutes of March 11, 2020.
Library Board Minutes of April 14, 2020.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, May 12, 2020**

Members Present: **Emelie Eaton** **Richard Klose**
 Scot Stokes **Bruce McGee**

Others Present: **Mayor Nelson** **Bethany Langve**

The Meeting was called to order by Chair Eaton at 5:30 pm.

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

General Items

- Review and approve the minutes of the April 28, 2020 meeting. Richard Klose made a motion to approve the minutes of the April 28, 2020 Budget and Finance Committee meeting. Scot Stokes seconded the motion to approve the April 28, 2020 Budget and Finance Committee meeting minutes, all in favor, motion passed.
- Review and approve purchase requisition from the Parks Department – The Committee was presented with a purchase requisition from the Parks Department for a new lawnmower. The Committee clarified that this lawnmower is being purchased out of the Elena Maintenance District fund, and the Clerk/Treasurer confirmed the lawnmower is being purchased with those funds. The Committee asked if a lawnmower was purchased for Elena approximately five years ago. The Clerk/Treasurer stated that was prior to her time, however she would find out. The Committee commented these are expensive lawnmowers to be replacing every five years, however if they are needed it must be approved. The Committee asked if the trees were ever planted at Elena, as they were in the budget. The Clerk/Treasurer stated the trees were not planted due to the worry of their survival. Some of the current trees at Elena are dying and the City Staff doesn't want to play more only to have them die. Emelie Eaton made a motion to approve the purchase requisition from the Parks Department for the purchase of a new lawnmower for the Elena Maintenance District. Richard Klose seconded the motion to approve the purchase requisition from the Parks Department for the purchase of a new lawnmower for the Elena Maintenance District, all in favor, motion passed.
- Review and approve purchase requisition from the Mayor – The Committee was presented with a purchase requisition from the Mayor for an audio and video upgrade for the City Council Chambers. The Mayor stated this upgrade would provide the Council with current audio equipment. This new equipment would allow the Council Secretary to better hear the meeting for transcription of Council Minutes, allow the public to hear on the Facebook Live feed, and allow the Council to hear each other via the upgraded mic/speaker units. The Committee agreed this upgrade was much needed, however there was concern regarding the use of funds at this time. Richard Klose made a motion to approve the purchase requisition from the Mayor for the purchase of an upgrade to the audio and video system in the City Council Chambers. Emelie Eaton seconded the motion to approve the purchase requisition from the Mayor for the purchase of an upgrade to the audio and video system in the City Council Chambers, all in favor, motion passed.

- Review and approve the March 2020 Utility Billing Adjustments. The Committee reviewed the March 2020 utility billing adjustments and had no questions. Scot Stokes made a motion to approve the March 2020 Billing Adjustments. Richard Klose seconded the motion to approve the March 2020 Billing Adjustments, all in favor, motion passed.
- Review and approve the April 2020 Utility Billing Adjustments. The Committee reviewed the April 2020 utility billing adjustments and had no questions. Scot Stokes made a motion to approve the April 2020 Billing Adjustments. Emelie Eaton seconded the motion to approve the April 2020 Billing Adjustments, all in favor, motion passed.
- Review and approve the February 2020 Month End Balancing Sheet. The February 2020 Month End Balancing Sheet was reviewed by the Committee and they had no questions or comments. Scot Stokes made a motion to approve the February 2020 Month End Balancing Sheet. Richard Klose seconded the motion to approve the February 2020 Month End Balancing Sheet, all in favor, motion passed.
- Review and approve the February 2020 Financial Statements. The February 2020 Financial Statements were reviewed by the Committee and they had no questions or comments. Richard Klose made a motion to approve the February 2020 Financial Statements. Scot Stokes seconded the motion to approve the February 2020 Financial Statements, all in favor, motion passed.
- Review and approve the March 2020 Month End Balancing Sheet. The Clerk/Treasurer stated there is a \$30.00 discrepancy on this balancing sheet. She is still investigating it and when she finds her error, she will bring an updated balancing sheet to the Committee. The March 2020 Month End Balancing Sheet was reviewed by the Committee and they had no questions or comments. Richard Klose made a motion to approve the March 2020 Month End Balancing Sheet. Scot Stokes seconded the motion to approve the March 2020 Month End Balancing Sheet, all in favor, motion passed.
- Review and approve the March 2020 Financial Statements. The Clerk/Treasurer stated she would bring updated financial statements after she finds the \$30.00 discrepancy on the balancing sheet. The March 2020 Financial Statements were reviewed by the Committee and they had no questions or comments. Scot Stokes made a motion to approve the March 2020 Financial Statements. Richard Klose seconded the motion to approve the March 2020 Financial Statements, all in favor, motion passed.
- Review and recommend approval to Council Claims entered through 04/10/2020, 04/24/2020, and 05/08/2020. The Claims Detail reports and the Check Registers were reviewed for accuracy prior to the meeting by the Committee. There were no questions or comments regarding the claims. Emelie Eaton made a motion to recommend approval to Council the claims entered through 04/10/2020, 04/24/2020, and 05/08/2020. Scot Stokes seconded the motion to recommend approval to Council the claims entered through 04/10/2020, 04/24/2020, and 05/08/2020, all in favor, motion passed.
- Review and approve Payroll Register for pay period ending 03/22/2020 totaling \$190,913.95. The two-page summary was reviewed, signed, and dated. Emelie Eaton made a motion to approve the payroll register for pay period ending 03/22/2020 totaling \$190,913.95. Scot Stokes seconded the motion, all in favor, motion passed.
- Review and approve Payroll Register for pay period ending 04/05/2020 totaling \$199,986.56. The two-page summary was reviewed, signed, and dated. Richard Klose made a motion to approve the payroll register for pay period ending 04/05/2020 totaling \$199,986.56. Scot Stokes seconded the motion, all in favor, motion passed.
- Review and approve Payroll Register for pay period ending 04/19/2020 totaling \$217,221.85. The two-page summary was reviewed, signed, and dated. Scot Stokes made a motion to

approve the payroll register for pay period ending 04/19/2020 totaling \$217,221.85. Richard Klose seconded the motion, all in favor, motion passed.

- Review and approve Payroll Register for pay period ending 05/03/2020 totaling \$206,213.59. The two-page summary was reviewed, signed, and dated. Richard Klose made a motion to approve the payroll register for pay period ending 05/03/2020 totaling \$206,213.59. Bruce McGee seconded the motion, all in favor, motion passed.

New Business – None

Old Business – None

Other Items

- Review the Comp/Overtime Report for pay period ending 03/08/2020. The Committee reviewed the report and had no questions or comments.
- Review the Comp/Overtime Report for pay period ending 03/22/2020. The Committee reviewed the report and had no questions or comments.
- Review the Comp/Overtime Report for pay period ending 04/05/2020. The Committee reviewed the report and had no questions or comments.
- Review the Comp/Overtime Report for pay period ending 04/19/2020. The Committee reviewed the report and had no questions or comments.
- Review the Comp/Overtime Report for pay period ending 05/03/2020. The Committee reviewed the report and had no questions or comments.
- Review the February 2020 Journal Vouchers. The Committee reviewed the February 2020 Journal Vouchers and had no questions or comments.
- Review the March 2020 Journal Vouchers. The Committee reviewed the March 2020 Journal Vouchers and had no questions or comments.
- Clerk/Treasurer Update – The Clerk/Treasurer stated she had nothing at this time.
- Update from the Mayor – The Mayor stated he may begin allowing the subcommittees to have meetings out in the Council Chambers with masks if they adhere to the social distancing requirements. He stated the Committees would need to ensure that the public can participate in the meetings either in person or via Facebook Live. The Committee asked if the County Health Officer has pushed back on meetings being held. The Mayor stated he would know more after his policy meeting the next day. He stated that Billings is not holding any meetings at this time in person. The Mayor stated he is trying to get some code changes to Council by the 19th of May or the 2nd of June. He would like to have them approved by July 1st. The Committee asked if there has been any word regarding the cancellation of 4th of July. The Mayor stated he has not heard anything yet. The Committee asked what was going to happen with regards to the pool opening. The Mayor stated that with the Council voting down the YMCA contract, and the requirements of phase 2, it does not look like the pool will be open this year. He is afraid that COVID-19 is going to affect a lot of summer activities throughout the State.

Announcements –

- The next Budget and Finance Meeting will be held on Tuesday May 26, 2020 at 5:30pm
- Bruce McGee will be reviewing claims for the next meeting
- The meeting was adjourned at 6:15pm

Respectfully submitted,

Bethany Langve
Clerk/Treasurer

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

DRAFT

MINUTES
CITY OF LAUREL
Library Board
04/14/2020 06:00 PM
Laurel Library

Library Board meeting cancelled because of COVID-19 per
direction of Mayor Nelson.

COMMITTEE MEMBERS PRESENT:

Dixie Feller, Board Chair
Bill Hanson, Vice-Chairman
Nancy Schmidt, Secretary
Emilie Eaton

Arthur Vogeles
Samantha Barnhart
Clair Killebrew – Foundation Liaison

OTHERS PRESENT:

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.

2. General Items

- a. Circulation Report – Traffic: up 72%; circulation: all items circulated totaled 3,804 (including 516 eBooks), book circulation was down 4%, media circulation was down 85%, eBook check outs for this month was 15% of total book circulation, we circulated 625 items to partners and 164 items from other libraries; computers: internet use was up 0.01%, children's use was down 10%, wi-fi use was up 383.82%; patron cards: city registrations made up 62.4% of library users, county patrons 34.3% and non-resident patrons 3.2%. There were 28 tech assists in March.

3. New Business

4. Old Business

5. Other Items

6. Announcements

- a. Next regular meeting is Tuesday, May 12, 2020 at 6:00 pm in the Community Room of the Laurel Public Library.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Secretary for the Board

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

MINUTES
CITY OF LAUREL
Library Board
03/11/2020 06:00 PM
Laurel Library

COMMITTEE MEMBERS PRESENT:

X Dixie Feller, Board Chair	X Arthur Vogeles
X Bill Hanson, Vice-Chairman	Samantha Barnhart
X Nancy Schmidt, Secretary	X Clair Killebrew – Foundation Liaison
Emilie Eaton	

OTHERS PRESENT:

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. No one addressed the Board.

2. General Items

- a. Arthur motioned the Library Board minutes for February 2020 be accepted as presented and corrected, Bill seconded the motion; motion passed.
- b. No correspondence received.
- c. Circulation Report -Traffic: up 22.1%; circulation: all items circulated totaled 4,568 (including 515 eBooks), book circulation was up 18.1%, media circulation was up 7.9%, eBook checkouts for this month was 13.2% of total book circulation, we circulated 816 items to partners and 265 items from other libraries; computers: internet use was up 46%, children's use was up 50%, wi-fi use : up 519% (not a typo); patron cards: city registrations made up 62.6% of library users, county patrons 34.3% and non-resident registered patrons 3.2%. There were 61 tech assists in February.

3. New Business

- a. The library received numerous, generous donations in memory of Marilee Wold. The total came to \$580 in donations.
- b. We are waiting to hear whether MLA is going to be cancelled or postponed due to the COVID-19 preparedness. As soon as the Library Association Executive Board makes a definitive decision, Nancy will let everyone know what they

decide and if they are getting a refund. Motel rooms will be cancelled as soon as possible if needed.

- c. COVID-19 preparedness is an ongoing issue and will be monitored accordingly. If we need to close the library, notices will be posted on social media and in the newspaper.
- d. It has become apparent the library is becoming a day care for young patrons. After some discussion, it was decided that parents would be asked to monitor how long their children stay at the library without supervision or snacks. The library will not provide snacks or meals directly to afterschool students because of liability and cost issues.
- e. The library has applied for e-Rate funds for reimbursement on internet costs. If the application is accepted the library account will be credited at 40-50% of original costs. This will start July 1, 2020 and end June 30, 2021.
- f. There has been no communication in relation to the budget. We are waiting partly on what the collective bargaining agreement says concerning the union staff. The Director and Board Chair can prepare the rest of the budget according to the projected needs and submit to the Mayor.
- g. Tare Sather called about starting the process for serving lunches throughout the summer. We will start June 1st and run through August 23rd, 2020. The Board has approved the continuation of the Summer Lunch Program.

4. Old Business

- a. The next Federation meeting is Saturday, March 14, 2020 here at the library. Lunch and snacks are being catered by Red Rooster Kitchen here in Laurel. It will be delivered at about 11:30. Coffee, tea, and water will be served as beverages. There will be a training in the morning on mental health issues in the library. The Crisis Intervention Team of Montana will be presenting the continuing education training. The business meeting will be held in the afternoon.
- b. Foundation business was presented to Clair Killebrew for review. Mike and Nancy spent an afternoon at Barnes & Noble selecting books that patrons had requested or would be of high-interest to our patrons. There were 131 items purchased with a savings of over \$700. The next book sale is tentatively scheduled for May 5th – 9th and November 2nd – 7th, 2020. Sales will be by donation again.
- c. Invoices for February 2020 were reviewed, commented upon, and accepted as presented. No further questions were asked by the Board Chair.
- d. The phone service has successfully been moved to Spectrum voice. We haven't experienced any issues with calls being dropped or not connecting. If this happens, Spectrum service will be called.

5. Other Items

a. Upcoming Items:

There is a NAC meeting scheduled for April 23rd in Helena.

Library staff will be using up vacation and personal time in April and May, so they don't lose it.

6. Announcements

a. Next regular meeting is Tuesday, April 14, 2020 at 6:00 pm in the Community Room of the Laurel Public Library.

b. Partner mtg

Bill motioned to adjourn the meeting at 7:33 pm, Arthur seconded the motion; motion passed.

Respectfully submitted,



Nancy L Schmidt
Secretary for the Board

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

Item Attachment Documents:

8. Appointment of Dustin Riveland to the Laurel Police Reserves.



Laurel Police Department

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

Chief of Police Stanley J Langve

May 5th, 2020

To: Mayor Tom Nelson

From: Chief of Police Stanley J Langve

RE: Reappointment of Dustin Riveland to the Laurel Police Reserves

Greetings,

Dustin Riveland is a former Laurel Police Reserve Officer who resigned in good standing on June 21st of 2019 after 6 years of service. Dustin resigned as the personal demands of a new job did not allow him to complete his obligations to the City.

I have recently spoken to Dustin and he has expressed his desire and ability to return to the Laurel Police Reserves. On May 4th, 2020 I received a completed application from Dustin Riveland. I am writing you to request his appointment to the Laurel Police Department.

Respectfully,

A handwritten signature in blue ink, appearing to be "S. Langve", written over a horizontal line.

Chief of Police
Stanley J Langve

Item Attachment Documents:

9. Resolution No. R20-28: Resolution Awarding Weave Consulting The Contract For The City Of Laurel's Riverside Park Campground Project And To Authorize The Mayor To Sign All Documents Relating To The Project On The City's Behalf.

RESOLUTION NO. R20-28

RESOLUTION AWARDING WEAWE CONSULTING THE CONTRACT FOR THE CITY OF LAUREL'S RIVERSIDE PARK CAMPGROUND PROJECT AND TO AUTHORIZE THE MAYOR TO SIGN ALL DOCUMENTS RELATING TO THE PROJECT ON THE CITY'S BEHALF.

WHEREAS, the City of Laurel planned and publicly advertised the project known as the Riverside Park Campground Project, and the City received responsive bids from qualified contractors; and

WHEREAS, the City's Engineers, KLJ, and City Staff considered the bids received and recommends the City Council award the project and that the contract is in the City's best interest; and

WHEREAS, Weave Consulting submitted a bid of \$245,057.00 and both KLJ and the City Staff have determined the bid is in the best interest of the City. The Bid documents are attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Laurel, Montana, finds that the City has followed its procurement policies and state law requiring competitive bidding; and

BE IT FUTHER RESOLVED the City Council hereby awards the contract and project to Weave Consulting for its bid price of \$245,057.00. The Mayor and City Clerk are authorized to sign all necessary documents, agreements or contracts on the City's behalf consistent with this resolution for the Project.

Introduced at a regular meeting of the City Council on May 26, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 26th day of May 2020

APPROVED by the Mayor this 26th day of May 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney

Notice of Award

Date: _____

Project: Riverside Park Campground

Owner: City of Laurel

Owner's Contract No.:

Contract: Riverside Park Campground

Engineer's Project No.: 1904-00634

Bidder: Weave Consulting

Bidder's Address: P.O. Box 22745

Billings, MT 59104

You are notified that your Bid dated May 13, 2020 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for Riverside Park Campground.

The Contract Price of your Contract is Two-Hundred Forty-Five Thousand, Fifty-Seven Dollars (\$245,057.00).

4 copies of the proposed Contract Documents (except Drawings) and one additional agreement accompany this Notice of Award.

(tbd) sets of Drawings will be delivered separately or otherwise made available to you immediately.

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

1. Deliver to the Engineer four (4) fully executed counterparts of the Contract Documents and one additional signed agreement.
2. Deliver with the executed Contract Documents the Contract Security [Bonds] as specified in the Instructions to Bidders (Article 20) and General Conditions (Paragraph 5.01).
3. Other conditions precedent: (none)

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

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

City of Laurel

Owner

By: _____
Authorized Signature

Title

Copy to Engineer



May 14, 2020

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

Re: Riverside Park Campground,
Recommendation of Award

Dear Mr. Markegard:

Six bids were received and opened for the Riverside Park Campground project at 1:00 PM on May 13, 2020. The bids were checked for mathematical accuracy and several discrepancies were found. All discrepancies were resolved using the unit prices as required by the contract documents. Specifically, Weave Consulting did not extend the unit price for "Concrete Removal" to the total price but, used the correct number when adding up the total bid price. The apparent low bidder is Weave Consulting, with a total bid amount of \$245,057.00. We recommend the City of Laurel award the contract to Weave Consulting.

Enclosed is the Notice of Award (NOA) for the City's approval and a Certified Bid Tabulation. Please sign, date and return four (4) original NOA forms, and we will prepare the contract documents for execution.

If you have any questions or concerns, please contact me at (406) 247-2905 or (406) 670-0617.

Sincerely,

KLJ

A handwritten signature in blue ink that reads "Matthew Smith". The signature is fluid and cursive, with a small dot above the 'i' in "Smith".

Matthew Smith, PE
Project Manager

Enclosure(s): Notice of Award
Tabulation of Bids

Project #: 1904-00634
cc: file

TABULATION OF BIDS
Riverside Park Campground - KLJ#1904-00634
CITY OF LAUREL, MONTANA
Wednesday, 13 May, 2020



Base Bid				Engineers Opinion of Cost		Weave Consulting		FirstMark Construction		Askin Contruction		Millennium Construction		Huppert Contruction		Knife River	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
101	Mobilization	1	LS	\$24,000.00	\$24,000.00	\$ 14,045.45	\$ 14,045.45	\$ 14,504.50	\$ 14,504.50	\$ 8,450.04	\$ 8,450.04	\$ 3,475.00	\$ 3,475.00	\$ 10,000.00	\$ 10,000.00	\$ 20,412.20	\$ 20,412.20
102	Taxes, Bonds & Insurance	1	LS	\$7,200.00	\$7,200.00	\$ 3,270.00	\$ 3,270.00	\$ 4,050.00	\$ 4,050.00	\$ 7,493.20	\$ 7,493.20	\$ 17,960.00	\$ 17,960.00	\$ 12,000.00	\$ 12,000.00	\$ 12,300.00	\$ 12,300.00
103	Stormwater Management & Erosion Control	1	LS	\$6,500.00	\$6,500.00	\$ 4,565.00	\$ 4,565.00	\$ 4,350.00	\$ 4,350.00	\$ 3,114.35	\$ 3,114.35	\$ 6,500.00	\$ 6,500.00	\$ 13,650.00	\$ 13,650.00	\$ 10,500.00	\$ 10,500.00
104	Concrete Removal	1,858	SY	\$13.00	\$24,154.00	\$ 7.00	\$ 13,006.00	\$ 6.75	\$ 12,541.50	\$ 7.29	\$ 13,544.82	\$ 10.00	\$ 18,580.00	\$ 2.91	\$ 5,406.78	\$ 3.30	\$ 6,131.40
105	Tree Removal - Class I	11	EA	\$1,500.00	\$16,500.00	\$ 412.00	\$ 4,532.00	\$ 420.00	\$ 4,620.00	\$ 400.00	\$ 4,400.00	\$ 450.00	\$ 4,950.00	\$ 613.00	\$ 6,743.00	\$ 543.00	\$ 5,973.00
106	Tree Removal - Class II	1	EA	\$2,500.00	\$2,500.00	\$ 825.00	\$ 825.00	\$ 840.00	\$ 840.00	\$ 1,000.00	\$ 1,000.00	\$ 600.00	\$ 600.00	\$ 1,010.00	\$ 1,010.00	\$ 1,090.00	\$ 1,090.00
107	Tree Removal - Class III	2	EA	\$3,500.00	\$7,000.00	\$ 2,577.00	\$ 5,154.00	\$ 2,630.00	\$ 5,260.00	\$ 2,900.00	\$ 5,800.00	\$ 1,500.00	\$ 3,000.00	\$ 1,820.00	\$ 3,640.00	\$ 2,155.00	\$ 4,310.00
108	Tree Removal - Class VI	1	EA	\$5,000.00	\$5,000.00	\$ 4,640.00	\$ 4,640.00	\$ 4,740.00	\$ 4,740.00	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,090.00	\$ 3,090.00	\$ 5,434.00	\$ 5,434.00
109	Gravel Salvage	2,871	SY	\$0.75	\$2,153.25	\$ 0.90	\$ 2,583.90	\$ 2.00	\$ 5,742.00	\$ 1.12	\$ 3,215.52	\$ 4.00	\$ 11,484.00	\$ 0.90	\$ 2,583.90	\$ 1.40	\$ 4,019.40
110	4" Gravel Surfacing	4,182	SY	\$2.50	\$10,455.00	\$ 6.10	\$ 25,510.20	\$ 4.75	\$ 19,864.50	\$ 7.52	\$ 31,448.64	\$ 9.72	\$ 40,649.04	\$ 3.42	\$ 14,302.44	\$ 7.50	\$ 31,365.00
111	8" Gravel Surfacing	7,024	SY	\$6.00	\$42,144.00	\$ 7.55	\$ 53,031.20	\$ 12.25	\$ 86,044.00	\$ 7.75	\$ 54,436.00	\$ 13.32	\$ 93,559.68	\$ 11.55	\$ 81,127.20	\$ 12.00	\$ 84,288.00
112	Vault Toilet	1	EA	\$50,000.00	\$50,000.00	\$ 57,400.00	\$ 57,400.00	\$ 57,000.00	\$ 57,000.00	\$ 52,797.38	\$ 52,797.38	\$ 54,410.00	\$ 54,410.00	\$ 59,500.00	\$ 59,500.00	\$ 60,000.00	\$ 60,000.00
113	Chain Barrier	150	LF	\$75.00	\$11,250.00	\$ 24.50	\$ 3,675.00	\$ 24.00	\$ 3,600.00	\$ 23.15	\$ 3,472.50	\$ 25.47	\$ 3,820.50	\$ 56.67	\$ 8,500.50	\$ 25.00	\$ 3,750.00
114	Drop Box	1	EA	\$500.00	\$500.00	\$ 370.00	\$ 370.00	\$ 360.00	\$ 360.00	\$ 345.00	\$ 345.00	\$ 345.00	\$ 345.00	\$ 600.00	\$ 600.00	\$ 375.00	\$ 375.00
115	Relocate Sign	1	EA	\$500.00	\$500.00	\$ 937.00	\$ 937.00	\$ 165.00	\$ 165.00	\$ 160.00	\$ 160.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	\$ 174.00	\$ 174.00
116	New Signs	9	EA	\$600.00	\$5,400.00	\$ 420.00	\$ 3,780.00	\$ 335.00	\$ 3,015.00	\$ 320.00	\$ 2,880.00	\$ 368.00	\$ 3,312.00	\$ 650.00	\$ 5,850.00	\$ 350.00	\$ 3,150.00
117	Bollards	34	EA	\$200.00	\$6,800.00	\$ 157.00	\$ 5,338.00	\$ 140.00	\$ 4,760.00	\$ 135.00	\$ 4,590.00	\$ 155.25	\$ 5,278.50	\$ 200.00	\$ 6,800.00	\$ 150.00	\$ 5,100.00
118	Spot Marker Post	35	EA	\$100.00	\$3,500.00	\$ 113.00	\$ 3,955.00	\$ 120.00	\$ 4,200.00	\$ 115.00	\$ 4,025.00	\$ 126.50	\$ 4,427.50	\$ 205.00	\$ 7,175.00	\$ 125.00	\$ 4,375.00
119	Seeding	9,785	SY	\$0.50	\$4,892.50	\$ 2.05	\$ 20,059.25	\$ 2.10	\$ 20,548.50	\$ 4.00	\$ 39,140.00	\$ 0.30	\$ 2,935.50	\$ 5.12	\$ 50,099.20	\$ 4.40	\$ 43,054.00
120	Populus deltoides - "Siouxland Poplar" Tree - 2.25"	8	EA	\$800.00	\$6,400.00	\$ 567.00	\$ 4,536.00	\$ 575.00	\$ 4,600.00	\$ 999.00	\$ 7,992.00	\$ 731.25	\$ 5,850.00	\$ 605.00	\$ 4,840.00	\$ 1,085.00	\$ 8,680.00
121	Gleditsia triacanthos - "Harve Northern Acclaim Honeylocust" Tree - 1.25"	3	EA	\$800.00	\$2,400.00	\$ 309.00	\$ 927.00	\$ 365.00	\$ 1,095.00	\$ 899.00	\$ 2,697.00	\$ 1,522.50	\$ 4,567.50	\$ 330.00	\$ 990.00	\$ 977.00	\$ 2,931.00
122	Acer negundo - "Sensation Sensation Maple" Tree - 1.75"	3	EA	\$800.00	\$2,400.00	\$ 309.00	\$ 927.00	\$ 420.00	\$ 1,260.00	\$ 949.00	\$ 2,847.00	\$ 1,049.69	\$ 3,149.07	\$ 440.00	\$ 1,320.00	\$ 1,032.00	\$ 3,096.00
123	Tilia cordata - "Greenspire Littleleaf Linden" Tree - 2"	6	EA	\$800.00	\$4,800.00	\$ 465.00	\$ 2,790.00	\$ 470.00	\$ 2,820.00	\$ 999.00	\$ 5,994.00	\$ 1,443.75	\$ 8,662.50	\$ 495.00	\$ 2,970.00	\$ 1,086.00	\$ 6,516.00
124	Fire Ring Foundations	25	EA	\$400.00	\$10,000.00	\$ 272.00	\$ 6,800.00	\$ 300.00	\$ 7,500.00	\$ 794.73	\$ 19,868.25	\$ 682.31	\$ 17,057.75	\$ 500.00	\$ 12,500.00	\$ 274.00	\$ 6,850.00
125	Tent Site Concrete Markers	12	EA	\$ 400.00	\$ 4,800.00	\$ 200.00	\$ 2,400.00	\$ 310.00	\$ 3,720.00	\$ 293.00	\$ 3,516.00	\$ 293.00	\$ 3,516.00	\$ 600.00	\$ 7,200.00	\$ 1,050.00	\$ 12,600.00
Total of Base Bid				\$261,248.75		\$ 245,057.00		\$ 277,200.00		\$ 288,226.70		\$ 322,289.54		\$ 322,498.02		\$ 346,474.00	

This represents a true tabulation of bids opened and read on May 13, 2020.

Matt Smith
Project Engineer
Date: May 13, 2020

* Indicates a mathematical correction made following the bid opening.

Item Attachment Documents:

10. Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police And Police Commission.

ORDINANCE NO O20-02

AN ORDINANCE AMENDING TITLE 2 CHAPTER 2.60 OF THE LAUREL MUNICIPAL CODE RELATING TO THE CITY'S POLICE AND POLICE COMMISSION.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating chapters, sections and subsections to address situations and problems within the City and to remain in accordance with Montana law; and

WHEREAS, the City's Chief of Police and Captain prepared the amendments below to the Laurel Municipal Code to remain consistent and in accordance with the State of Montana's Laws adopted by the legislature and contained in the Montana Code Annotated (2019).

WHEREAS, the City's Chief of Police and Captain prepared, reviewed, and is recommending the following amendments for adoption into the existing Title 2 as noted herein.

Chapter 2.60 POLICE DEPARTMENT

Sections:

2.60.010 Mayoral authority.

2.60.015 Police arrest authority.

2.60.020 Composition and nomination of same.

2.60.030 Chief of police– Duties.

~~2.60.040 Assistant chief of police.~~

~~2.60.050 Police duties.~~

~~2.60.060 Special policemen.~~

2.60.~~070-040~~ Reserve ~~and auxiliary police forces~~Officers Authorized.

2.60.045 Termination of Reserve Officers.

2.60.~~080-050~~ Reserve and auxiliaryAuxiliary Officers Authorized ~~police forces– Police chief authority.~~

2.60.~~090-060~~ Reserve and auxiliaryAuxiliary Officers ~~police forces–~~ Powers and duties.

2.60.~~100-070~~ Police commission– ~~Appointment– Terms and conditions of office.~~

~~2.60.110 Police commission—Rules and regulations.~~

~~2.60.120 Mayor to refer appointments.~~

~~2.60.130 Applicants—Examination required.~~

~~2.60.140 Presentation of charges—Police commission jurisdiction.~~

~~2.60.150 Police commission—Trial procedure.~~

~~2.60.170 Police commission decision—Enforcement—Appeal.~~

~~2.60.180 Suspension—Discharge—Power and authority.~~

~~2.60.190 Temporary police duty—Mayoral authority.~~

2.60.~~200-080~~ Police commission— Officers.

2.60.~~210-090~~ Police officers' retirement system.

2.60.010 Mayoral authority.

The mayor ~~shall have~~has charge of and supervision over the police department. The mayor shall appoint all the members and officers of the department. Subject to the provisions of this part, the mayor may suspend or remove any member or officer of the force. The mayor shall make rules, not inconsistent with the provisions of this part, the other laws of the state, or the ordinances of the city council, for the government, direction, ~~He shall enforce the observance of all ordinances that regulate the management,~~ and discipline of the police force.

(Prior code § 2.20.010)

2.60.015 Police arrest authority

All police officers of the city of Laurel shall have the power to make arrests of persons committing crimes or charged with crimes:

1. Within the limits of the city; and
2. Within five miles thereof; ~~and.~~
- ~~3. Along the line of water supply of the city.~~

(Ord. 00-3, 2000)

2.60.020 Composition and nomination of same.

The mayor shall nominate, and with the consent of council, appoint one chief of police, ~~one assistant chief of police,~~ and such subordinate officers of the police force as may be required.

(Prior code § 2.20.020)

2.60.030 Duties Chief of police—~~Duties.~~

~~It is the duty of t~~ (1) The chief of police:

A. ~~To Shall~~ execute and return all process issued by the city judge, or directed to him/her by any legal authority, and ~~to attend upon~~ must be present and assist the city court regularly;

B. ~~To Shall~~ arrest all persons guilty of a breach of the peace or for the violation of any ~~municipal city~~ ordinance, and bring them before the city judge for trial;

C. ~~To have~~ Must have charge and control of all ~~policemen~~ police officers, subject to ~~such~~ rules ~~as that~~ may be prescribed by resolution or ordinance, and ~~to~~ report to the council all delinquencies or neglect of duty or official misconduct of ~~policemen~~ police officers for action of the council; and

D. Shall perform other duties that the council may prescribe.

~~D.(2)~~ The chief of police has the same powers as a constable in the discharge of his/her duties, but he/she must not serve a process in any civil action or proceeding except when the city is a party;.

~~E.(3) Quotas for investigative stops, citations, or arrests may not be established and may not be used in evaluating police officers. To perform such other duties as the council may prescribe.~~

(Prior code § 2.20.030)

~~2.60.040 Assistant chief of police.~~

~~The assistant chief of police shall be under the direct supervision and control of the chief of police and shall, in the absence or disability of the chief of police, perform the duties of that officer.~~

(Prior code § 2.20.040)

~~2.60.050 Police duties.~~

~~The police officers of the city shall carry out the orders of their superior officers and observe the rules and regulations prescribed for the discipline of the police force. Within the limits prescribed by law, they shall do all things necessary for the prevention and detection of crime in the city.~~

~~(Prior code § 2.20.050)~~

~~2.60.060 Special policemen.~~

~~Whenever the mayor considers it necessary to increase the police force, he may employ suitable persons as special policemen.~~

~~(Prior code § 2.20.060)~~

~~2.60.070-040 Reserve and auxiliary police forces~~Officers Authorized.

~~A local government may authorize reserve officers. A person who meets minimum standards for appointment as a peace officer may be appointed as a reserve officer. The chief of police shall recommend and the council shall approve membership in the reserve police force and the auxiliary police force. The number of persons enrolled in the reserve police force and auxiliary police force shall be set by the council.~~

~~(Prior code § 2.20.120)~~

2.60.045 – Termination Of Reserve Officers.

Reserve officers serve at the pleasure of the chief of police and may be terminated at any time by the chief of police by written notification without any cause.

(Prior code §)

~~2.60.080-050 Reserve and auxiliary~~Auxiliary police forcesOfficers Authorized– Police chief authority.

~~A local government may authorize auxiliary officers only on the orders and at the direction of the chief law enforcement administrator of the local government. The chief of police shall be responsible for the training and conduct of the reserve police force and auxiliary police force, and shall prepare rules and regulations governing the conduct and use of such reserve police force and auxiliary police force, subject to the approval of the mayor.~~

~~(Prior code § 2.20.130)~~

~~2.60.090-060 Reserve and auxiliary~~Auxiliary Officerspolice forces– Powers and duties.

The ~~reserve police force and auxiliary police force~~Auxiliary Officers, under the direction of the chief of police and the mayor, shall aid the regular police department in any manner the police chief and mayor deem advisable in protection of the inhabitants and property of the city. The ~~reserve police force and auxiliary policemen~~Auxiliary Officers, when on duty, shall have all the powers and be subject to the discipline of a regular police officer of the city pursuant to state law.

(Prior code § 2.20.140)

2.60.~~100-070~~ Police commission—~~Appointment—Terms and conditions of office.~~

~~These code sections are supplementary to the provisions of Title 7, Chapter 32, Part 41, MCA, and §7-32-4151 through §7-32-4164 as they relate to the authority, procedures, and rules of the Police Commission. The mayor shall nominate, with the consent of the council, three residents of the city, who shall have the qualifications required by law to hold a city board to be known by the name of "police commission," and who shall hold office for three years. One member of such board must be appointed annually at the first meeting of the council in May of each year.~~

(Prior code § 2.20.150)

2.60.~~110~~ Police commission—~~Rules and regulations.~~

~~The police commission shall make rules and regulations necessary to implement and administer the commission, not inconsistent with this code, and shall have such other and further powers as is provided by ordinance or statute.~~

(Prior code § 2.20.160)

2.60.~~120~~ Mayor to refer appointments.

~~The mayor shall not make any appointment to the police force until an application for such position on the police force has been filed with the mayor, and by him referred to the police commission, and such applicant has successfully passed the examination required to be held by the police commission and a certificate from the police commission filed with the mayor that the applicant has qualified for such appointment.~~

(Prior code § 2.20.170)

2.60.~~130~~ Applicants—~~Examination required.~~

~~A. All applicants for positions on the police force, whose application shall have been referred to the police commission, shall be required successfully to undergo an examination before the police commission, and to receive a certificate from the commission that the applicant is qualified for the appointment for the probationary period on the police force.~~

~~B. The police commission shall examine all applicants as to their age, legal, mental, moral and physical qualifications, and their ability to fill office as a member of the police force. It shall also be the duty of the police commission subject to the approval of the mayor, to make such rules and regulations regarding such examinations not inconsistent with this code or the laws of the state of Montana.~~

~~C. Any applicant who shall make any false statement to the police commission as to his age or other qualifications required, at his examination before the police commission, shall be subject to suspension or dismissal from the police force, after trial.~~

~~(Prior code § 2.20.180)~~

~~2.60.140 Presentation of charges—Police commission jurisdiction.~~

~~A. The police commission shall have the jurisdiction, and it shall hear, try and decide all charges brought by any person or persons against any member or officer of the police department, including any charge that such member or officer is incompetent, or by age or disease, or otherwise, has become incapacitated to discharge the duties of his office, or has been guilty of neglect of duty, or of misconduct in his office, or of conduct unbecoming a police officer or has been found guilty of any crime, or whose conduct has been such as to bring reproach upon the police force.~~

~~B. Any charge brought against any member of the police force must be in writing in the form required by the police commission and a copy thereof must be served upon the accused officer or member at least fifteen days before the time fixed for hearing such charge.~~

~~(Prior code § 2.20.190)~~

~~2.60.150 Police commission—Trial procedure.~~

~~A. The police commission shall hear, try and determine the charge according to the rules of evidence applicable to courts of record in the state of Montana. The accused shall have the right to be present at the trial in person and by counsel, and to be heard, and to give and furnish evidence in his defense. All trials shall be open to the public.~~

~~B. The chairman, or acting chairman, of the police commission, shall have the power to issue subpoenas, attested in its name, to compel the attendance of witnesses at the hearing and any person duly served with a subpoena is bound to attend in obedience thereto, and the police commission shall have the same authority to enforce obedience to the subpoena, and to punish the disobedience thereof, as is possessed by a judge of the district court in like cases, provided however, that punishment for disobedience is subject to review by the district court of Yellowstone County.~~

~~C. The police commission shall, after the conclusion of the hearing or trial, decide whether the charge was proven or not proven, and shall have the power, by a decision of a majority of the~~

~~commission, to discipline, suspend, remove or discharge any officer who shall have been found guilty of the charge filed against him.~~

~~(Prior code § 2.20.200)~~

~~2.60.170 Police commission decision—Enforcement—Appeal.~~

~~A. When a charge against a member of the police force is found proven by the board, the mayor must make an order enforcing the decision of the board, and such decision or order shall be subject to review by the district court of Yellowstone County on all questions of fact and all questions of law.~~

~~B. The district court of Yellowstone County shall have jurisdiction to review all questions of fact and all questions of law in a suit brought by any officer or member of the police force within a period of sixty days after the decision of the police commission or order of the mayor has been filed with the city clerk treasurer.~~

~~(Ord. 02-9, 2002; Ord. 97-2 § 4 (part), 1997; prior code § 2.20.220)~~

~~2.60.180 Suspension—Discharge—Power and authority.~~

~~A. The mayor or chief of police, subject to the approval of the mayor, shall have the power to suspend a policeman or any officer for a period of not exceeding ten days in any one month, such suspension to be with or without pay as the order of suspension may determine. Any officer suspended, with or without pay, is entitled to appeal such suspension to the police commission and the commission shall hear, try and decide all charges brought by any person or persons against any member or officer of the department.~~

~~B. No officer or member of the police force shall be discharged without a hearing or trial before the police commission.~~

~~(Prior code § 2.20.230)~~

~~2.60.190 Temporary police duty—Mayoral authority.~~

~~The mayor shall have the power and authority at any time when he deems it expedient to employ not to exceed two persons at one time for a period not to exceed thirty days to do police duty who are not members of the police department.~~

~~(Prior code § 2.20.240)~~

2.60.~~200-080~~ Police commission– Officers.

A. At the first regular meeting of the police commission in the month of May of each year, following new appointments by the city council, the members of the police commission shall select a chairman to serve a term of one year.

B. The police commission may employ a secretary or may designate one of its own members to act as such. The secretary shall keep the minutes of the commission's proceedings, shall be custodian of all papers pertaining to the business of the police commission, shall keep a record of all examinations held, and shall perform such other duties as the commission shall prescribe.

C. The city attorney shall be the legal adviser to the police commission, and commission and shall approve all action of the commission as to form.

~~(Prior code § 2.20.250) A. At the first regular meeting of the police commission in the month of May of each year, following new appointments by the city council, the members of the police commission shall select a chairman to serve a term of one year.~~

~~B. The police commission may employ a secretary or may designate one of its own members to act as such. The secretary shall keep the minutes of the commission's proceedings, shall be custodian of all papers pertaining to the business of the police commission, shall keep a record of all examinations held, and shall perform such other duties as the commission shall prescribe.~~

~~C. The city attorney shall be the legal adviser to the police commission, and shall approve all action of the commission as to form.~~

(Prior code § 2.20.250)

2.60.~~210-090~~ Police officers' retirement system.

The police department ~~of the city of Laurel, Montana,~~ shall be under, subject to and within the provisions of the municipal police officers' retirement system (statewide plan) laws of the ~~state~~ State of Montana, as set forth in Title 19, ~~Chapters 2 and 9,~~ M.C.A. and all amendments thereto. The ~~said~~ police department retirement system shall be managed, conducted, governed and controlled ~~as in said~~ pursuant to state law and this section ~~provided.~~

(Ord. 98-3 § 1, 1998)

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on May 12, 2020, by Council Member Stokes.

PASSED and ADOPTED by the Laurel City Council on second reading this 26th day of May 2020, upon motion of Council Member _____.

APPROVED BY THE MAYOR this 26th day of May 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney