



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, JANUARY 25, 2022
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R22-04

NEXT ORD. NO.
O22-01

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

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

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of January 11, 2022.

Correspondence

2. Beartooth RC&D Correspondence.
3. Ambulance Monthly Report - December 2021.

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

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

4. Claims Entered Through January 21, 2022.
5. Approval of Payroll Register for PPE through 1/9/2022 totaling \$208,094.18.
6. Council Workshop Minutes of December 7, 2021.

Ceremonial Calendar

Reports of Boards and Commissions

7. Budget/Finance Committee Minutes of December 28, 2021.
8. Tree Board Minutes of December 16, 2021.

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

- [9.](#) Appointment of Ryan Roche to the Police Reserves.
- [10.](#) Appointment of Bruce McGee to the Emergency Services Committee.
- [11.](#) Appointment of Jonathan Gotschall and Lorenzo Olvera to the Laurel Volunteer Fire Department.
- [12.](#) Mayor's Committee Appointments
- [13.](#) Resolution No. R22-04: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Thompson Painter Law Pc For The Provision Of Civil Legal Services For The City Of Laurel.
- [14.](#) Resolution No. R22-05: Resolution Of The City Council Approving The Development Agreement Between The GL Development LLC, The Laurel Depot LLLP, And The City For The Development And Construction Of Low Income Housing To Be Located Within The City Of Laurel.
- [15.](#) Resolution No. R22-06: Resolution Of The City Council Authorizing The Yellowstone County Treasurer To Remove The United States Postal Service From The Official County Tax Rolls.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

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

Council Discussion

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

Mayor Updates

Unscheduled Matters

Adjournment

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

DATES TO REMEMBER

File Attachments for Item:

1. Approval of Minutes of January 11, 2022.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

JANUARY 11, 2022

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Council President Eaton at 6:31 p.m. on January 11, 2022.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Michelle Mize Richard Herr
 Scot Stokes Irv Wilke
 Richard Klose Bill Mountsier

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Jean Kerr, City Judge
 Sherri Phillips, Court Clerk

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

Council President Eaton asked the Council to observe a moment of silence.

MINUTES:

Motion by Council Member Sparks to approve the minutes of the regular meeting of December 28, 2021, as presented, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Resignation of Bill Mountsier from the Police Commission.
- Fire Monthly Report – December 2021
- Police Monthly Report – December 2021
- Building Department Monthly Report – December 2021

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Public Hearing – Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.

Council President Eaton stated this is the time and place set for the public hearing on the City of Laurel's Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.

Council President Eaton opened the public hearing and asked Staff to present the item.

Council President Eaton noted the memo from Planning Director Altonaga; see attached.

Council President Eaton opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Council President Eaton asked if there were any proponents.

Lance Hull, 1009 Davis Circle, thank you for looking at my project. I'm just here for any questions you might have.

Council President Eaton asked two (2) additional times if there were any proponents. There were none.

Council President Eaton asked three (3) times if there were any opponents. There were none.

Council Minutes of January 11, 2022

Council President Eaton stated that he would not have Staff respond to questions as there were none.

Council President Eaton closed the public hearing.

CONSENT ITEMS:

- **Claims entered through January 7, 2022.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 12/26/2021 totaling \$175,231.78.**

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

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

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of December 28, 2021.
- Emergency Services Committee Minutes of December 27, 2021.
- Library Board Minutes of August 10, 2021.
- Library Board Minutes of September 14, 2021.
- Library Board Minutes of October 12, 2021.
- Library Board Minutes of November 9, 2021.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Steve Krum, 249 24th Avenue, commented on the water trucks leaving the water plant and spilling water over the highway. He was concerned about ice accumulation.

The attached email from Carah Ronan, 1721 Nicholas Lane, was read into the record.

SCHEDULED MATTERS:

- **Nomination and Voting of Council President and Vice President.**

Motion by Council Member Wilke to nomination and voting of the Council President and Vice President, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

Council President Eaton asked if there were any nominations for Council President.

Motion by Council Member Klose to nominate Council Member Eaton as Council President, seconded by Council Member Mountsier.

Motion by Council Member Herr to nominate Council Member Sparks as Council President, seconded by Council Member Wilke.

Council President Eaton asked if there were any other nominations. There were none. Council cast their vote via silent ballot. Ballots were collected and read aloud by Council President Eaton. The results are as follows: Council Member Eaton received three votes. Council Member Sparks received five votes; see attached ballots. Council Member Sparks will be Council President for the next two years at a vote of 5 to 3.

Council President Eaton asked if there were any nominations for Council Vice President.

Motion by Council Member Klose to nominate Council Member Stokes as Council Vice President, seconded by Council Member Mountsier.

DRAFT

Council Minutes of January 11, 2022

Motion by Council Member Herr to nominate Council Member Wilke as Council Vice President, seconded by Council Member Mountsier.

Council President Eaton asked if there were any other nominations. There were none. Council cast their vote via silent ballot. Ballots were collected and read aloud by Council President Eaton. The results are as follows: Council Member Stokes received four votes. Council Member Wilke received four votes; see attached ballots. Council President Eaton, as acting Mayor, cast the deciding vote for Council Member Wilke. Council Member Wilke will be Council Vice President for the next two years.

- **Mayor's Committee Appointments**

Council President Eaton stated the Mayor requested this item be pulled. She clarified that until Council has voted on the Mayor's Committee appointments, the Committee assignments will stay as they were.

- **Resolution No. R22-01: Resolution Authorizing Owner's Request To Seek Annexation Of A One Acre Lot Located West Of 8th Avenue Between 1st And 2nd Streets Pursuant To The City Of Laurel Annexation Policy.**

Motion by Council Member Herr to approve Resolution No. R22-01, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R22-02: Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.**

Motion by Council Member Klose to approve Resolution No. R22-02, seconded by Council Member Herr. There was no public comment.

It was questioned if there was a map of the locations of each property. It was further questioned why a City park was not annexed during the subdivision process. It was clarified the City owns all these properties.

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

- **Resolution No. R22-03: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Daysel Consulting For Development Of Software To Assist With The Management And Operation Of The City's Riverside Park Camping And Recreation Program.**

Motion by Council Member Wilke to approve Resolution No. R22-03, seconded by Council Member Mize. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Sparks thanked Council for instilling confidence in her to be the Council President.

Public Works Committee has been canceled for January due to the holiday. The Public Works Committee for February has been moved to February 23, 2022, at 6:00 p.m.

There will be an in-person Hunter's Ed program this spring.

Cemetery Commission's next meeting will be on January 26, 2022, at 5:00 p.m. in Council Chambers.

Council Member Klose thanked those who helped pick up wreaths last Friday. There was City Staff out helping as well.

DRAFT

Council Minutes of January 11, 2022

Council asked for clarification on if it is a conflict of interest for the Council President to break a tie vote; see the attached Attorney General's opinion.

Council requested a written opinion for the City Attorney on the process taken to temporarily fill the Mayor's chair and the Ward 1B position.

Recently the Council Secretary, Clerk/Treasurer, and Mayor attended training regarding parliamentary procedure. During that training, it was clarified that called to question is an actual motion that would need to be voted on, and the Council no longer needs to do this.

The Council President requested that the City of Laurel obtain a copy of the application and all supporting documents regarding the NorthWestern Energy activities.

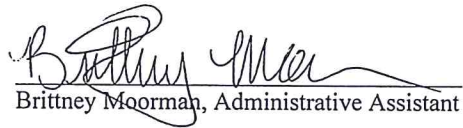
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Mize to adjourn the council meeting, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:08 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 25th day of January 2022.

Dave Waggoner, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

Brittney Moorman

From: carah ronan <carahronan@yahoo.com>
Sent: Tuesday, January 11, 2022 4:00 PM
To: Brittney Moorman; Laurel City Planner; City Mayor; Ward 1A; Ward 1B
Subject: Pipeline

[Download Attachment](#)
[Available until Feb 10, 2022](#)

Dear Dave, Nick, Brittney, Heidi and Emelie-

Unfortunately, I will be unable to attend the city Council meeting this evening at 6:30 PM. It is my hope that this email and video that I am attaching the entered into the public record And if it all possible played for the city council members and members of the public that will be in attendance of the meeting tonight. The below video shows Northwestern energy putting in their pipeline at the end of our lane. They have not received permissions for their plant, they pulled their permitting from city Council consideration and according to emails from Nick they have pulled out their zoning request. So, my question to each of you is how is it that they are already putting in a pipeline that hasn't been approved? It makes me absolutely sick to my stomach to know that there will be two 90° bends in a pipeline less than a stones throw from our property where my 87-year-old grandmother lives and still there have been no questions answered as to when something goes wrong at these two week points how is it that the city plans on evacuating our families from the area? Is it simply that you're willing to risk the lives that live on the south side of the river and next to this tumultuous pipeline That is being built in secrecy and not going through the proper channels? You were leaving us a sitting duck's for the day when those two 90° bends break. And when they do and there's a loss of life know that each of you will have blood on your hands.

Carah Ronan
1721 Nicholas Lane
Juanita Rowland
1715 Nicholas Lane

Click to Download

[Video_1.mov](#)
0 bytes

Click to Download

[Video.mov](#)
0 bytes

carah ronan
www.evolveyogaandfilm.com
406.570.8932 cell

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

January 11, 2022

Regarding the Request by Lance Hull to Submit an Annexation Application for Property West of 8th Avenue between 1st and 2nd Streets.

Mr. Mayor and City Council,

Mr. Lance Hull has submitted a request letter to allow him to submit an annexation application for a property located off of 8th Avenue, accessible by currently unbuilt portions of W 1st Street and W. 2nd St. Lance Hull met with me in October of 2021 to discuss his plans to develop the lot. He plans to update the zoning designation to Residential Multi-Family (RMF) and to develop four four-plex residential buildings, install landscaping, and add parking, as well as improve portions of W. 1st St and W 2nd St. to access the site. He hopes to annex the property into the city to access municipal water and sewer services.

His design concept is in-keeping with the strategic goals of the Laurel Growth Management Policy of 2020, by adding a diverse array of housing to the city, as well as locating high growth developments along high-volume roadways. This annexation would also expand the municipal utility system.

To be clear, this approval would only open up the possibility of Mr. Hull being able to submit an annexation application. He would be submitting his designs and engineering and other documents at that time. He would be able to update the zoning from Residential Tracts (RT) to the proposed Residential Multi-Family (RMF).

I support the approval of Mr. Hull's request to submit an application for annexation. His proposed development would be a positive addition to the city by creating more housing options and improving the road network as well as expand the city utility system. Thank you for your consideration of this request. Please let me know if you have any questions or concerns about this request.

Regards,

Nicholas Altonaga, CFM

A handwritten signature in black ink, appearing to read "N. Altonaga".

Planning Director

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

January 11, 2022

Regarding the Resolution of Intent for the Annexation of Contiguous Government Land

Mr. Mayor and City Council,

This letter will provide some detail on the accompanying legal descriptions that were provided with the resolution detailing the annexation of government land contiguous to the Municipal City Limits of Laurel.

The attached list of legal descriptions includes the city-owned property contiguous with, and immediately adjacent to the city limits of Laurel. The Annexation of these properties not only clears up the jurisdiction in which city property falls under, but also allows for the City to expand its zoning jurisdiction outwards. Extra-territorial zoning extends 1-mile outside the municipal city limits. This is important for long range planning activities as well as planned provision of public services and basic land-use management.

Please let me know if there are any questions or comments about the properties in question or the process that this will take. Thank you for your consideration of this matter.

Regards,

Nicholas Altonaga, CFM

Planning Director

To: Sam Painter <sam@thompsonpainterlaw.com>

Subject: Fwd: Mayor out Sick

Sam,

I asked Dan Clark about our Mayor being out, and he gathered up some MCA and Attorney General opinions. He is such an amazing man!! I don't know how long the Mayor is going to be out, but I foresee it being an extended time. I hope this information helps you, and let me know if you need anything from me.

This sucks a lot, and I hope he recovers soon.

Bethany

Get [Outlook for iOS](#)

From: Clark, Daniel <daniel.clark@montana.edu>

Sent: Monday, October 18, 2021 5:54:30 PM

To: Bethany Langve <cityclerk@laurel.mt.gov>

Cc: Kent, Ashley <ashleykent@montana.edu>; Sam Painter <sam@thompsonpainterlaw.com>

Subject: RE: Mayor out Sick

Bethany,

Here is what I have been able to find in the City of Laurel's Charter, Council Rules of Procedure and an AG Opinion. There is a reference in the MCA (7-3-113(1)(m) and 7-3-221(3), MCA) but it says the same basic information as the city's charter and rules of procedures. As you know, the order of supremacy is the City Charter, city ordinances, city policies and then the MCA.

The challenge here is the term "preside". It is the main word used to describe the council presidents role in the absence of the mayor and primarily in reference to voting rights. I suggest asking Sam Painter if the word "presides" includes carrying out the chief-executive role and duties of the mayor (i.e. day-to-day operations) while the mayor is absent/disabled. I am more comfortable with the Council President assuming the role and duties of the mayor in the mayor's absence than a staff person. Elected official performing an elected officials duties.

Here is what the city charter says:

Section 2.06 Chairman of the Council

The council shall have a chairman who shall be elected by the members of the council from among their own number for a term established by resolution. The chairman of the council, who may be called the president of the council, shall preside when the mayor is absent.

These next two sections are from the City's Council Rules of Procedures:

2.08.090 Meeting – Presiding officer.

The presiding officer of the council shall be the mayor who shall decide all tie votes of the council but have no other vote. The chairman of the council (called the president) shall preside if the mayor is absent. The vice chairman of the council (called the vice president) shall preside if both the mayor and vice president (??) are absent (Ord. 1009, 1992 prior code §2.12.030) [you may want to check this section as it should say "council president" or "president" instead of "vice president"].

2.10.020 Duties of the presiding officer

A. The presiding officer of the council shall be the mayor who shall arrange the meeting agenda coordinate the affairs of the council and **preside at all meetings of the council.**

B. In the absence or **disability** of the mayor the president of the council shall serve as its **presiding officer** and may vote as other members of the council. The clerk of the council shall record and maintain the minutes of the council proceedings showing the vote of each member upon every question or if failing to vote indicating that fact shall keep records of its examinations and other official actions shall summarize briefly and accurately the substance of all matters proposed discussed or decided shall record the names and addresses of all persons appearing before the council shall subject to the direction of the council and presiding officer conduct the correspondence of the council shall file said minutes and records in the office of the council which minutes and records shall be a public record and shall be the custodian of the files and records of the council. (Ord 98-1§ 2(part), 1998)

MT Attorney General Opinion:

Number of Town Council Members Necessary to Constitute Quorum When Mayor Resigns: Regarding the question of what constitutes a quorum of municipal council members when the mayor resigns and the mayoral duties are assumed by one of the municipal council members, at common law, the general rule is that the total number of all of the duly elected and qualified members of the municipal council is taken as the basis. Although the mayor or chief executive may be included in the count under some statutes, the mayor is not made a member of the council and is not included in the number on which a quorum is reckoned. However, even though the mayor is not counted in the determination of a quorum, a member of the municipal council **who acts as mayor or presiding officer pro tempore** in absence of the mayor is counted in determining whether a quorum is present and retains the right to vote as a member of the council. Thus, the president of the council, when serving as **acting mayor** in the absence of the mayor, may vote on a measure with the other members of the council and then, as acting mayor, cast the deciding vote in case of a tie. 47 A.G. Op. 20 (1998).

The online "legal-dictionary" gives a definition of "pro tempore" or pro tem as: A person who acts as a temporary substitute serves pro tem. The term is often used to describe the acting head of a governing body, such as the president pro tem of the Senate, who presides over the Senate when the vice president is unable to do so.

pro tem: 1) adj. short for the Latin "pro tempore", temporarily or for the time being. In law, judge pro tem normally refers to a judge who is sitting temporarily for another judge or to an attorney who has been appointed to serve as a judge as a substitute for a regular judge. When an appeals justice is not available or there is a vacancy, a lower court judge is appointed Justice Pro Tem until a new Justice is appointed. Small claims cases are often heard by an attorney serving as Judge Pro Tem. 2) n. short for a temporary judge as "Sam Collins is Pro Tem today."

I suggest the City of Laurel create an ordinance or policy that defines the duties of the Council President in the absence or "disability" of the mayor (different than if the mayor is out of town for 2 or 3 days or misses a meeting). For example, in Homer, Alaska, they have used more detail in their rules of procedure: "**Council's Operating Manual: Mayor Pro Tem.** A Mayor Pro Tem shall be elected by the majority of the Homer City Council. The term of the Mayor Pro Tem shall be until the call for election by the Homer City Council of a New Mayor Pro Tem. **The Mayor Pro Tem shall, in the absence of the Mayor, act as Mayor of the City of Homer as though they themselves had taken the Oath of Office of Mayor with all duties, responsibilities and powers of the Office of the Mayor of the City of Homer.**"

I hope you find this information helpful.

Dan

Dan Clark
Director
MSU Local Government Center
Culbertson Hall 235-A
P.O. Box 170535
Bozeman, MT 59717
Office: 406-994-7756
Cell: 406-570-4259
email: daniel.clark@montana.edu
Website: msulocalgov.org

The Montana State University Extension
is an ADA/EO/AA/Veteran's Preference
Employer and Provider of Educational Outreach

From: Bethany Langve <cityclerk@laurel.mt.gov>
Sent: Monday, October 18, 2021 9:39 AM
To: Clark, Daniel <daniel.clark@montana.edu>
Subject: Mayor out Sick

Dan,

Our Mayor is in the hospital and will be for quite some time. He is unable to do his mayor duties. The seat is not vacant because we expect him to return. According to MCA would the City Council President step in until he can return? That is what we are doing right now but I don't know what MCA rules say.



Bethany Langve
Clerk/Treasurer
City of Laurel, Montana
(406) 628-7431 extension 6669

Heidi
Sparks
Pres.

Ernie

Hide

Heidi

Heidi Sparks

Heidi

ÉMÉLIE

Estim

IPV

Scot

Scot

Scot

Scott

IR ✓

Wilke

2020

File Attachments for Item:

2. Beartooth RC&D Correspondence.

SWOT Analysis

- Quality of life and place
- Public Safety
- Agriculture
- Tourism
- Entrepreneurship
- Embracing technology/virtual learning
- Remote Work Ability
- Business-friendly tax structure
- Access to healthcare
- Online education access & opportunities
- Rural-Urban Interdependency
- Transportation Infrastructure (airport, interstates, railways)

Strengths

- Aging infrastructure
- Broadband coverage
- Distance to markets
- High cost for specialized contractors
- Available workforce
- Housing availability & affordability
- New Infrastructure Development
- Access to healthcare (Crow)
- Shortage of long-term planning efforts
- Industry / Cultural diversification
- Access to funding
- Childcare

Weaknesses

- Influx of new residents
- Funding for Infrastructure Development
- Opportunity Zone investment
- Value-added agriculture
- Tourism Development
- Manufacturing sector development
- Workforce training/recruitment/retention
- Connect business and education
- Placemaking in rural areas
- Better planning for future growth
- Natural Resource Development
- Better planning for Future Growth

Opportunities

- Aging workforce / available workforce
- Limited Pipeline for Available Labor
- Housing/Property Inflation
- Natural resource regulation
- External Migration of Young People
- Agricultural Succession
- Property/land prices
- *Reductions in Revenue for Local and State Governing Bodies??*
- Pressure to reduce fossil fuel energy generation, potentially causing higher base load costs for industry
- Competition from other communities and states to attract workers and businesses
- Wage gap & area affordability

Threats

Beartooth RC&D Area, Inc.

Board of Directors Meeting Agenda

Meeting 1:00 P.M.

Billings Job Service, 2121 Rosebud Dr, Ste B, Billings, MT

Thursday, January 20th, 2022

Conference Number

605-475-5900

Access code 8472365



| | | | |
|----------------|---|--|---|
| <p>1:00 pm</p> | <p><u>Meeting Called to Order</u></p> <p>Pledge of Allegiance, Introduction of Members and Guests</p> <p>Review November Board Minutes</p> <p><u>Congressional Updates</u> Maddie Alpert (Sen. Tester) Tory Kolkhorst (Sen. Daines) Cade Overstreet (Rep. Rosendale)</p> <p><u>Treasurer/Financial Reports</u></p> <ol style="list-style-type: none"> 1. Treasurer Update 2. RC&D Financials 3. RLF Financials 4. Audit 5. Annual Budget <p><u>Staff Reports – Program/Project updates</u></p> <ol style="list-style-type: none"> 1. Food/Ag Program – Joel Bertolino 2. Revolving Loan Fund – Nan Knight 3. Economic Development/ CRDC – Jacy Head 4. Operations Support- Myrna Lastusky <p><u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories... (see topics on next page)</i></p> <p><u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u></p> <p><i>March 17th, 2022 - Big Horn County</i></p> | <p>Chair</p> <p>Chair, Simonson, MacLean</p> <p>Chair, All</p> <p>Bertolino Knight Head Lastusky</p> <p>Roe, et al</p> | <p>Action</p> <p>Information</p> <p>Information Action Action Information Action</p> <p>Information Information Information Information</p> <p>Information</p> <p>Information</p> |
| <p>2:30 PM</p> | <p>Adjourn</p> | | |

Beartooth RC&D Area, Inc. Board of Director’s Meeting MINUTES November 18th, 2021

Agenda

| | | | |
|----------------|--|---|---|
| <p>1:00 pm</p> | <p><u>Meeting Called to Order</u></p> <p>Pledge of Allegiance, Introduction of Members and Guests</p> <p>Review September Board Minutes</p> <p><u>Congressional Updates</u> Maddie Alpert (Sen. Tester) Tory Kolkhorst (Sen. Daines) Cade Overstreet (Rep. Rosendale)</p> <p><u>Treasurer/Financial Reports</u> 6. Treasurer Update 7. RC&D Financials 8. RLF Financials</p> <p><u>Financial Director Update</u></p> <p><u>MOU’s</u></p> <p><u>Staff Reports – Program/Project updates</u></p> <p>5. Food/Ag Program – Joel Bertolino 6. Revolving Loan Fund – Knight 7. Economic Development/ CRDC – Jacy Head 8. Operations Support- Myrna Lastusky</p> <p><u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories... (see topics on next page)</i></p> <p><u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u> <i>January 20th, 2021 - Yellowstone County</i></p> | <p>Chair</p> <p>Chair, All</p> <p>Chair, All</p> <p></p> <p></p> <p>Bertolino</p> <p>Bertolino</p> <p>Bertolino knight Head Lastusky</p> <p>Roe et al</p> | <p></p> <p>Action</p> <p>Information</p> <p>Information Action Action</p> <p></p> <p>Information</p> <p>Information Information Information</p> <p>Information</p> <p>Information</p> |
| <p>2:30 PM</p> | <p>Adjourn Optional short tour to look at Pioneer Meats new Retail store</p> | <p></p> | <p></p> |

**Board of Directors Meeting
November 18th, 2021
Minutes**

Members Present:

Joel Bertolino, BRCD
Nan Knight, BRCD
Jacy Head, BRCD
Myrna Lastusky, BRCD
Bill Foisy, City of Red Lodge
Lorene Hintz, Big Sky EDA SBDC
Dan Lowe, Big Horn County Conservation District
Raymond Porter, Sweet Grass County Chamber Director
Don Jones, Yellowstone County Commissioner
Barb Wagner, Yellowstone Conservation District
Melanie Roe, Sweet Grass County
Amie Kusch, Sen. Tester's Office
Caitlin _____, Sen. Tester's Office
John Durnal, Sen. Daines' Office
Earl Atwood, Guest - CGWG Rep

Meeting Called to Order at 1:03 pm.

Pledge of Allegiance, Introduction of Members and Guests

Review September Board Minutes Bill motioned to approve. Don seconded. Motion carried.

Congressional Updates

Caitlin / Amie Kusch (Sen. Tester)

- Biggest thing is bi-partisan infrastructure package – huge for roads, bridges, etc.
 - Think this is a huge win for the State and our counties
 - Hoping to get NDAA finalized
 - Debt limit also needs to be addressed
 - Sen. Tester is dealing with some cattle pricing/transparency stuff
- Bill asked if MDT is putting anything out about which projects will be accelerated with the infusion of dollars
 - Caitlin didn't know yet. Her understanding is that the funding is designated through existing programs other than some of the broadband/internet issues. It might be divvied up through the State or a Revolving Loan Fund.
 - Direct questions to Tester's office and they will try to answer.

John Durnal (Sen. Daines):

- Sen. Daines didn't support the infrastructure bill.
- No other major updates
- Questions on any legislation, reach out to John/Tory

Cade Overstreet (Rep. Rosendale) NOT PRESENT

Treasurer/Financial Reports

1. Treasurer Update (Joel)

- a. Jillann is on contract as we transition to a new Finance Director, Nan Knight, who started on Tuesday. Jillann was training Nan yesterday and will be back tomorrow and helping as needed.
- b. RLF books look good – had several payoffs in last couple years that were unexpected. About \$800,000 to loan yet. There was a question on whether it was \$800K or \$600K.
- c. 2 new applications recently. Jillann and Nan are working on a Red Lodge business – one that looks real good. It would be a partner loan & \$75,000 would come from BRCD RLF.
- d. Nan Knight was hired fairly quickly – Bill asked for some background/intro from Nan
 - i. Degree in Occupational Safety & Health. Has experience in loan funding, but more indirect loans with Altana and First Interstate Bank.
 - ii. Then she managed a plastic surgery center in Billings.
 - iii. Has learned a lot already from Jillann. She knows the language from experience with banks, but needs to learn all the acronyms.
 - iv. Loves the way BRCD is helping the community and is eager to be part of the team.

2. RC&D Financials (Joel)

- a. The books look good. Need to remember that contractual is always higher than actual due to CARES Act.

3. RLF Financials (Joel)

- a. Don asked about the \$200K Yellowstone County loan.
 - i. Our RLF committee approved it, but the business has had some delays due to supply chain issues. Hope to allocate it in the next couple months.
- b. Don asked if the \$200K was part of the \$800K available.
 - i. We believe that there is \$600 unencumbered and the \$200K was part of the original number Joel mentioned.

Financial Director Update – see above

MOUs

- In the middle of annual MOU presentations to entities who partner with us as match against our EDA Partnership Planning grant. Have met with 3 so far. Will meet with all 5 counties and Cities of Billings, Laurel, and Hardin.
- Bill asked about dues
 - Base fee plus .19/citizen. Most counties lost population other than Yellowstone County (according to 2020 census).

Staff Reports – Program/Project updates

1. Food/Ag Program – Joel Bertolino - p. 16ff

- a. GTA (Growth Through Ag) changed format a bit this year and Joel reached out to clients to let them know.
 - i. Had 3 approved to move on to next phase.
 - ii. Met with Dept of Ag about the program on Sept. 9th.
 - iii. Scheduled outreach with Lane Gobbs
 - iv. Met with Primitive Meats and their GTA app
 - v. Reconnected with Big Sky Beef – big meat processing plant. They are struggling to find a suitable site since many will need infrastructure. Looking at Hardin, TEDD in Billings, and other locations.
- b. Passed on info from Value-Added funding opportunities that came out of ARPA.
 - i. Agrika Foods put one in but were not selected
 - ii. Corey Wilson – fresh mushrooms but not selected
 - iii. Toews Family Farms – raise own corn and bag and sell it. Talked last year and this year they got the pre-app in but weren't selected.

1. Melanie asked why they aren't being selected. Joel said because it is SO competitive. They only select about 30 to move on. They received 158 apps this time (record number – which broke the record from last year).
 2. Total dollar amount of program \$900,000. Max grant is \$50K and average received is about \$25K
- iv. Prime Meats – LaMont Herman received Value-Added Producer grant
 - v. Primitive Meats – were selected and are working on full application
 - vi. Basin, Inc – were selected. Joel worked with them on Value-Added grant. They want to expand ranch business.
 - vii. JWK Enterprises – direct sales. Didn't get GTA app in.
 - viii. Charter Ranch Vermicast Soil Amendment – pretty much done with improvements they've been making.
 - ix. Yellowstone Valley Food Hub – GTA approved for \$20K to expand.
 - x. 406 Bovine – developed cool software phone app that involves facial recognition for livestock. Owner is seeking investors with a goal of \$5 million.
 - xi. Stillwater Packing/Emmett's Meats – didn't submit GTA. Joel passed along new opportunities.
 - xii. Pioneer Meats – selected for GTA and are working on app as well as new funding opportunities.
 - xiii. Big Sky Beef – bigger processing plants
 - xiv. Restoration Beef – Jess Peterson has done a lot of feasibility study work for a larger facility.
 - xv. F Bar 3 Vineyard – would like to expand to have a wedding venue/agri-tourism piece
- c. Don asked: Did you work with Shane Flowers at Project Meats? Yes
- i. Don said this is a skilled labor at these processing plants. Shane and others are getting a group together to figure out the labor shortage issue in their field. Don suggested that Joel may want to reach out and find out about this group.
 - ii. Melanie asked if they were going to do meat processor training in Miles City? Joel: Yes, but they can't get the people
 - iii. Joel: Many issues with building processing plants – like waste stream, amount of water needed, and how to manage all this. Not many options where a municipal water supply would be sufficient. Need to have trained employees to manage all this, too.
 - iv. Joel said workforce continues to be a huge issue especially in these areas, and he will reach out to Shane Flowers.
- d. Melanie asked about the Mobile Meat Processor that was in the works.
- i. Joel said it's good for educational purposes, but they won't put a dent in the overall need. Shane Flowers has a good thing going. The plant they bought in Miles City hangs 80 head, which is a huge cooler. They are using cattle from Billings and sending them on trucks a couple times per week to Miles City, then sending back to Billings.
 1. Melanie: What do they do with their waste? Joel wasn't sure. Don speculated this was why they moved to Miles City. Joel said some processors use incinerators, some landfills, etc.
 2. Lorene asked if it could be made into dog food or something?
 - a. Joel said that has been done – Baker Commodities had a rendering plant and would do pickups from Stillwater Packing and charged quite a bit to do that. But one plant when out of business, so it was no longer financially feasible for Baker to make the route.
 3. Melanie: Is Stillwater getting their incinerator issues figured out? Not that Joel knows

2. Revolving Loan Fund – Nan / Joel

- a. Nan is starting to look at the current loans and the new one with Jillann. Hoping to present the applicant from Red Lodge to the Exec. Committee in Dec.
- b. De-federalization: Jillann has been working on this and is very close to being done. Contract is in writing. We have a resolution to de-federalize funds, but it just came up yesterday. If the Board is

willing to allow Executive Committee to make a final determination of that, we can complete it in December. This will greatly lessen reporting and the regulations for which businesses we can loan money to.

- i. Melanie asked if the Board is able to make this decision. Need a motion?
- ii. Bill motioned to allow EC to effectualize any resolution needed to the de-federalization of the federal loans. Don seconded.
- iii. Bill said the Executive Committee historically has authority to act on behalf of the Board. This is even better since the Board is resolving ahead of time.
- iv. No further discussion. Motion passed unopposed.

3. Economic Development/ CRDC – Jacy Head – pg. 22

- a. EDA CARES Act
 - i. Deb Brown – visited in October. Got a lot of good info, especially regarding the Bozeman Trail. Met with mapping experts to work on the actual route. Deb did a lot of recording of the Bozeman Trail stories to put on YouTube. Also met with officials throughout the 5 counties.
 - ii. Big Sky EDA – Economic Resiliency in Yellowstone County. Several committees to address Covid-related issues; workshops/webinars offered to small business owners; Diane Lehm has seen good progress with this project.
 - iii. Cushing Terrell – Regional housing study is pretty much wrapped up and we are waiting to roll it out.
- b. BSTF project
 - i. Red Lodge Pea Cannery – High Plains Architects (HPA) is working on the feasibility study. Hoping to have this by Feb. 2022.
 - ii. Sandstone School – HPA completed the feasibility study. Continuing to work with them.
 - iii. Laurel West Interchange – not moving forward due to lack of matching funds
 - iv. Stillwater Industrial Park feasibility study – just awarded \$27K for this. Working with Steph Ray and AnnMarie to move that project forward.
- c. ARPA – still looking at project possibilities with other CRDCs and our 5 counties. 2nd round of ARPA funds will be released in June.
- d. Mountain Health Co-op: partnering on an Emergency Rural Healthcare Grant, track 2 (impact grant). Would allow healthcare in Busby or Lodge Grass. Awaiting approval.
- e. RCDI Grant with USDA RD - \$120,000 toward the EDD position in Hardin and Big Horn County. Working together to get it off the ground.
- f. CDBG-CV: \$1.375 mil for Big Horn County for affordable housing.
 - i. Joel mentioned that Plenty Doors CDC also put one in for rural wastewater systems.
- g. Bill asked about the Pea Cannery feasibility study – he asked us to send a copy of it to James Caniglia, Community Planning Director, to keep him in the loop

4. Operations Support- Myrna Lastusky

- a. There has been a lot of government reporting to do recently including the CRDC quarterly report, EDA CARES Act semi-annual report. These were all completed.
- b. Just submitted our 3-year EDA Partnership Planning Grant application.
- c. Working on better ways to track what everyone is doing – creating spreadsheets that will hopefully assist us in future reporting and follow-up with clients.
 - i. Joel mentioned that the reports provided by CRDC, in particular, are not good. Creating our own spreadsheets will help as we complete those, too.

5. CGWG (Custer Gallatin Working Group) – Earl Atwood

- a. CGWG has been an entity going on 5 years now. Upcoming rewrite for Custer-Gallatin. It is a group with great diversity in it.
- Moved to meeting on a quarterly format, & then Covid came and it became quarterly and virtual.
 - Hoping the Dec. 8th meeting is in person.

- Forest Plan has been the anchor project, but they have also selected a variety of specific projects within the forest arena and voted to adopt it as a project for the working group. They offer input, advocacy, and support to those projects. Many have to do with fuel mitigation, trail development, and other areas.
 - Melanie asked if FWP gave Forest Service the grizzly bear stuff yet. She had a meeting with Mary Erickson and discussed the issue of where grizzlies are going, etc – they are wanting to move grizzlies around possibly.
 - Earl didn't know about it but wondered if this was to mitigate some of the problems they are having with grizzlies?
 - Melanie thought it could exacerbate the issue. Also talk of moving buffalo into the grizzly bear recovery area – concerns about brucellosis and overgrazing.
 - Earl said CGWG has worked near Ashland as well as a few areas around Red Lodge.
 - Melanie mentioned the possible land swap on the eastern side of the Crazies. Raymond said he believes it's in the Forest Service's hands at this point.
 - Bill: Last time we saw Earl he was trying to be less involved in CGWG . . .
 - Earl said he's had discussions about having a lesser role and it's still on the table. Once John Prinkki relocated back to MT, he is more available and a little more involved as the frontline person, which has given some relief to Earl's workload.
 - Melanie asked who is a part of the CGWG group.
 - 10 county commissioners from BRCD district and beyond
 - NGOs – Wilderness Society, Recreational groups (e.g. biking group)
 - Kerry White (was in legislature) is in the group and knowledgeable for weed management, trails, etc.
 - 2 seats for Ag
 - Timber
 - Ski Industry. And more!
 - It is a very diverse group and was designed with that intent. They try to reflect the many areas of the Forest Service.

Regional Roundup – *News and updates from regional members on projects and activities in key CEDS categories....Infrastructure, Economy, Communication, Services, Natural Resources, Human Capital.*

Bill Foisy – Red Lodge

- Resort tax – from 3rd quarter last year to 3rd quarter this year: preliminary numbers show up 15%. Hotel and alcohol are the highest.
- TIF District is teetering – not approved yet by Council. Issue is School District revenue.
- 60-unit condo development goes before Planning Board next week (will be on Hwy 78). NOT affordable housing.
- Dec 3-4 Christmas Stroll
- Money for wayfinding plans, phase 2
 - If anyone needs help getting MDT approval, designs, specs, etc – Bill is your guy! 😊
 - Myrna mentioned the Bozeman Trail group may want to talk to him.
- New Mayor – Kristen Cogswell
- Bill will be transitioning off BRCD Board eventually.

Dan Lowe: Big Horn Conservation District

- Conservation isn't a restriction of use. It's a wise and prudent use of resources to maintain them.
- Number of saline seeps – concern about aggression and growth. Natural moisture filtrates into the ground, absorbs salt, and then resurfaces. The water evaporates and leaves white residue. Result is often that no vegetation can grow. As this advances, the size of these seeps increases.

- Considering use of drone and 310s to help with this issue. Using drones comes with all sorts of legal issues, but it is helpful to do some photographic work periodically and relate back to annual precipitation.
- Some groups will be meeting in January to revisit the issue.
- Conservation District has 3 hats
 - District
 - Weed Board
 - Aquatic Invasive Species check stations
 - One at Fort Smith and just finalized processes for Hardin check station at Rest Stop. So far so good, but once there is an introduction, it's very hard to reverse.
- Dan comes to meetings for 2 reasons
 - Support BRCD
 - Support of Conservation District
 - He loves hearing the stories & work being done at these bi-monthly meetings
- Earl asked if there is a fix or remediation for saline seeps.
 - Try to catch at the source – introduce plants that are tolerant and reduce subsurface water.
- Dan said they are also struggling with an invasive species similar to Cheatgrass. Leaves are sharp and barby, nothing will eat it, and they are limited to chemicals to fight it. Herbicides cause other issues. Try to be proactive. It's a complicated process.
 - Dan: Every time you do some remediation, you have to examine what else will be impacted.

Raymond Porter, Sweet Grass Chamber of Commerce:

- Welcome to Big Timber
- Pioneer Meats, Crazy Mountain Brewing, and Greycliff Mill are all available for short tours after the board meeting.
 - Greycliff is being put on the map by this group. They have supported so many things around Big Timber. They have a mill, are putting in a creamery, will have Air BnB, etc.
 - Housing, inflation, workforce are all big issues here, too . . .
 - New businesses: Grand Hotel changed hands this summer.

Lorene: Big Sky EDA / SBDC

- Big project was the *Edge of the Plains* documentary and showed in 5 locations. The best part was getting out, building relationships, & meeting people during the process.
 - The documentary will be on the Rock31 website near the end of November.
 - Great response from Q&A at the showings.
 - Big Sky EDA hopes to move to their new building in May 2022.
 - Kevin, Kayla and Lorene went to Boise and Salt Lake City to visit some co-working spaces. They thought there would be a huge buzz of activity, but it was more about private offices being used. This provided good feedback regarding how they will structure their co-working space.
 - One-day business summit – Rise and Restore – at the Depot. Working with Dept of Disadvantaged Business Enterprise. Will have keynote speaker and some breakout sessions to encourage businesses in this strange time.
 - Don asked if the Coke bottling plant is moving forward. Lorene didn't know.

Don Jones, Yellowstone County

- Coke Bottling Plant – should be going in on frontage road
- Amazon Prime is putting in a warehouse (he thinks . . .)
- Alcohol – for mental health.
- Vision 2025 for Metra is ongoing.

Barb Wagner, Yellowstone County Conservation

- Video for Lake Elmo project – start to finish of draining. The grant was approved. Draining is taking a long time and more expensive than anticipated.
- Approval for Billings Bench Water Association.
- Saline seeps are a big problem around Billing, too. They are using some reverse osmosis wells, which is helping but expensive. Looking at doing a workshop in the spring.
- Salt Cedar – Finding that the Yellowstone River Counsel sees that the Salt Cedar is taking over.
 - Mel: Mostly on the Yellowstone? Barb thinks so
 - Don: How much water per day? Barb didn't have the number, but it's a crazy amount.
- 310s – a LOT of complaints the last two years. Have been able to take care of most of them.
- We funded Rocky Mountain College for Yellowstone River cleanup. So much garbage cleaned up in this effort! It's a great project that does a lot of good.

Meeting adjourned at 2:28 pm. Optional tours of Main Street Meats, Crazy Peak Brewing, and Greycliff Mill followed. Thanks to Raymond Porter for setting everything up!

Next Beartooth RC&D Area, Inc. Board of Directors Meeting
January 20th, 2021 - Yellowstone County

Beartooth Books- Reporting Ending October 2021

| | <u>Budgeted</u> | <u>Actual</u> | <u>% of budgeted</u> |
|--------------------------|-----------------|----------------|--------------------------|
| Income | | | |
| AG-FOOD AND AG CENTER | 85,007 | 80,262 | 94% |
| AG-MCDC | 1,000 | 0 | 0% |
| BOARD - EDA SPONSOR DUES | 55,907 | 54,613 | 98% |
| BOARD-INTEREST INCOME | 400 | 99 | 25% |
| BOARD-FOUNDATION MONEY | 3,700 | 3,372 | 91% |
| RLF-STAFF REIMBURSE | 18,000 | 0 | 0% |
| RLF-ORIG FEES | 5,000 | 0 | 0% |
| CRDC | 71,907 | 35,922 | 50% |
| MISC GRANT ADMIN \$ | 10,750 | 0 | 0% |
| EDA - GRANT | 70,000 | 35,000 | 50% |
| NOT BUDGED INCOME | - | 468,944 | 0% |
| TOTAL INCOME | 321,671 | 678,212 | 211% |

| | | | |
|----------------------|----------------|----------------|-------------|
| Expense | | | |
| TOTAL STAFF EXPENSE | 256,044 | 207,447 | 81% |
| COMMUNICATIONS | 6,000 | 6,336 | 106% |
| EQUIPMENT & VEHICLE | 8,520 | 3,973 | 47% |
| CONTRACTUAL | 21,220 | 428,686 | 2020% |
| SUPPLIES | 9,800 | 10,237 | 104% |
| TRAVEL | 10,140 | 1,296 | 13% |
| OTHER | 8,430 | 10,118 | 120% |
| RESERVE | - | | |
| EXPENSE TOTAL | 320,154 | 668,093 | 209% |

Account Balances

| | |
|----------------------------------|--------------|
| Bank of Joliet-Building Account | \$4,475.22 |
| Bank of Joliet- Savings Account | \$64,572.23 |
| Bank of Joliet- Checking Account | \$134,613.02 |

Revolving Loan Fund Books- October 2021

Loan Client Review

| <u>County</u> | <u># of loans</u> | <u>\$ Loaned out</u> |
|---------------|-------------------|----------------------|
| Big Horn | 2 | \$167,891 |
| Stillwater | 3 | \$429,013 |
| Yellowstone | 7 | \$347,610 |
| Carbon | 2 | \$20,900 |
| Sweet Grass | 2 | \$166,956 |

- A \$200K loan was for Yellowstone County that hasn't been funded yet.
- Loan interest is very slow.
- Work is being done to de-federalize the EDA funding, I hope to have this completed and approved soon.

Bank Balances as of October 2021 Total available for lending

| | | |
|-------------------------|-----------|---------------|
| Bank of Joliet- EDA | \$48,197 | 48,197 |
| Bank of Joliet-CDBG | \$419,174 | 419,174 |
| Bank of Joliet- IRP | \$389,606 | 134,214 |
| Bank of Joliet-Fromberg | \$29,880 | <u>29,880</u> |
| | | \$631,465 |

Beartooth RC&D Budget Comparison

| INCOME | 2019 | | 2020 | | 2021 | | 2022 | |
|-----------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------|
| | Budget | Actual | Budget | Actual | Budget | Actual | Budget | Actual |
| AG-FOOD AND AG CENTER | 65,000 | 81,396 | 85,007 | 83,340 | 85,007 | 73,538 | 45,000 | |
| AG-MCDC | 1,000 | 1,070 | 1,000 | 270 | 1,000 | | 500 | |
| BOARD - EDA SPONSOR DU | 50,767 | 50,305 | 51,072 | 54,823 | 55,907 | 54,614 | 56,979 | |
| BOARD-INTEREST INCOME | 400 | 845 | 400 | 459 | 400 | 300 | 400 | |
| BOARD-FOUNDATION MOI | 3,700 | 3,373 | 3,700 | 3,390 | 3,700 | 3,373 | 3,300 | |
| RLF-STAFF REIMBURSE | 18,000 | | 18,000 | | 18,000 | | 18,000 | |
| RLF-ORIG FEES | 5,000 | 2,377 | 5,000 | | 5,000 | | 7,500 | |
| CRDC | 43,500 | 43,492 | 71,907 | 69,751 | 71,907 | 71,844 | 71,000 | |
| CGWG/ fuels | 11,000 | 13,048 | | 1,875 | | 6,147 | | |
| MISC GRANT ADMIN \$ | | | | | 10,750 | | 12,750 | |
| EDA - GRANT | 70,000 | 70,000 | 70,000 | 170,000 | 70,000 | 70,000 | 70,000 | |
| SW-GRANT | | | | | | 224,357 | | |
| BSTF | | | | | | 44,220 | | |
| EDA-CARES ACT | | | | | | 200,000 | | |
| Total Income | 268,367 | 265,906 | 306,086 | 383,908 | 321,671 | 748,393 | 285,429 | 0 |
| EXPENSES | | | | | | | | |
| TOTAL STAFF EXPENSE | 210,300 | 190,898 | 233,104 | 214,386 | 256,044 | 245,234 | 231,429 | |
| COMMUNICATIONS | 4,000 | 5,018 | 6,000 | 6,712 | 6,000 | 7,194 | 4,500 | |
| EQUIPMENT & VEHICLE | 5,000 | 6,501 | 8,520 | 9,938 | 8,520 | 4,970 | 4,500 | |
| CONTRACTUAL | 25,000 | 26,693 | 20,000 | 106,640 | 21,220 | 442,632 | 21,100 | |
| SUPPLIES | 4,000 | 13,246 | 12,900 | 19,335 | 9,800 | 10,908 | 5,000 | |
| TRAVEL | 6,000 | 7,561 | 11,080 | 2,001 | 10,140 | 1,534 | 7,800 | |
| OTHER | 11,700 | 11,987 | 10,420 | 15,912 | 8,430 | 10,618 | 10,000 | |
| Total Expense for the year | 266,000 | 261,903 | 302,024 | 374,923 | 320,154 | 723,091 | 284,329 | 0 |
| Net Income | 2,367 | 4,003 | 4,062 | 8,985 | 1,517 | 25,302 | 1,100 | 0 |

The above income figures currently include both "net income" and "pass-through" funds. We are working on the ability to state these amounts independently to provide a more accurate picture of the budget.

Account Balances

Bank of Joliet-Building \$4,476.88
 Bank of Joliet- Savings \$75,544.36
 Bank of Joliet- Checkin \$105,203.79

Revolving Loan Fund Books- December 2022

Loan Client Review

| <u>County</u> | <u># of loans</u> | <u>\$ Loaned out</u> |
|---------------|-------------------|----------------------|
| Big Horn | 2 | \$167,094.91 |
| Stillwater | 3 | \$428,907.11 |
| Yellowstone | 7 | \$345,400.18 |
| Carbon | 2 | \$20,900.88 |
| Sweet Grass | 2 | \$163,569.10 |

- A \$200K loan was for Yellowstone County that hasn't been funded yet. Completion soon
- Loan interest is very slow.
- Work is being done to de-federalize the EDA funding, I hope to have this completed and approved soon.
- Expecting one Stillwater loan payoff by end-of-month

Bank Balances as of December 2021 Total available for lending

| | | |
|-------------------------|--------------|------------------|
| Bank of Joliet- EDA | \$49,699.62 | 49,699.62 |
| Bank of Joliet-CDBG | \$424,541.35 | 424,541.35 |
| Bank of Joliet- IRP | \$366,181.91 | 110,789.91 |
| Bank of Joliet-Fromberg | \$30,938.66 | <u>30,938.66</u> |
| | | \$631,465 |

Beartooth RC&D Staff Project Update

January 2022

FOOD AND AG CENTER PROJECTS

Beartooth FADC

Beartooth FADC activities have been focused on assisting producers with the Growth Through Ag Grant and Loan program and waiting on the Montana Value Added ARPA grant funding as well as conference calls with the Dept of Ag.

Growth Through Ag Projects and ARPA Value Added Ag Grant

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

Yellowstone Valley Farm

Contact-Reuben Stahl

Location-Laurel

Reuben Stahl has a family greenhouse business growing basil and selling to FSA and Sysco, he would like to add another greenhouse to keep up with increased demand this last year. He has applied for the Montana Value Added Ag ARPA funding.

Mill Creek Farms

Contact- Josh Sian

Location-Pompeys Pillar

Josh Sian manages Mill Creek Farms they farm and ranch in Yellowstone county and operate a value added feedlot where they specialize in heifer development for other producers offering a custom feeding program tracking their weights, carcass traits and reproduction suitability. Beartooth FADC assisted Josh in developing a Value Added ARPA grant for improved infrastructure in their heifer development operation.

Blue Creek Marbled Beef

Contact-Nels Pearson

Location-Blue Creek South of Billings

Blue Creek Marbled beef are developing a state inspected meat processing plant South of Billings they are under construction and expect it to be a 2-3 million dollar project. Beartooth FADC assisted this business in applying for the Value Added ARPA grant for construction and equipment costs.

Carbon County Meats

Contact-Sabina Giovetti

Location-Belfry

Sabrina and Shane Giovetti have built a custom exempt meat processing plant in Belfry, MT and opened this Fall, they have been busy but have a need to expand already especially their cooler space, Beartooth FADC have assisted them with the development of a Value Added Ag ARPA grant for expansion.

Toews Family Farms

Contact-Aaron Toews

Location- Hardin

Aaron Toews has been working with Beartooth FADC for the last two years discussing his startup business working off the family farm he plants several hundred acres of corn for grain, which he harvests, bags and sells direct to the public both off his farm and through local feed stores. This business has growth each year and Beartooth worked with them on a GTA last year but they did not make the deadline, they have submitted a GTA and Value Added Ag application for the deadline this year for equipment to help their business continue to grow.

Business/ Project Name: **Prime Meats**

Contact-Lamont Herman-

Location- St Xavier Big Horn County

Lamont Herman has a cattle ranch and is looking to add profit by finishing some beef having then processed and packaged and then selling directly to consumers and restaurants. He began direct selling over a year ago and the demand has grown he is now looking for increased cooler space to store his processed products before they are delivered and other delivery equipment.

Business/ Project Name: **Primitive Meats**

Contact- Kelsey Grice

Location- Worden, MT

Kelsey Grice and her husband are looking for funding assistance through the GTA grant to help them with construction costs and equipment for their start up meat processing business. This Business also applied for an ARPA Value Added Ag Grant

On Going Projects

Business/ Project Name: **Basin Inc**

Contact- Judy Edwards

Location-Big Timber, MT

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

Business/ Project Name: **Yellowstone Valley Food Hub**

Contact- Schahczenski

Location-Billings, MT

The Yellowstone Valley Food Hub is looking to expand their business and add space for aggregating locally produced foods. Beartooth FADC assisted them with applying for a Growth Through Ag Grant that was approved for \$20,000.00 to expand. Beartooth FADC has reached out to follow up with this business and determine any further needs; they are still working with the department of Ag on their GTA project and have needed to change their initial project scope.

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

Contact- Bryan Elliott

Location-Laurel, MT

406 Bovine LLC has worked with Beartooth staff and is nearing the commercialization and launch of his Ag Tech product. Bryan Elliott has developed a facial recognition software that can be used on computer and iphones to track livestock. He has produced a youtube video outlining his product that can be viewed via this link. <https://youtu.be/kTwkhUj9leA> Beartooth will continue to assist this business as needed. Beartooth FADC followed up with 406 Bovine to give them the updates on the status of state and federal funding sources. Bryan had been granted investments from two entities that have developed funds specifically for supporting new technologies such as facial recognition. He does have interest from a large Agricultural business in investing in the business he is trying to rais 3- 5M in order to fully launch and commercialize the product. They have refined the app and worked hard on the company pro forma for potential investors. Bryan was given the information on the Value Added ARPA grant and was determining if we would apply.

#EDAUnivCenters



“

We are addressing a global market with cattle identification and traceability including imports, exports, disease traceability, and cattle management is just a small portion of that. There's many different ways we can go with our API and integrate with other systems that are out there today to improving cattle management.

BRYAN ELLIOT
406 Bovine
Montana AgTech Showcase
Watch the presentation on Youtube!



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 supply chain bottlenecks shifting some buyer interest to smaller plants like theirs. Beartooth FADC staff has visited the business to discuss upcoming funding opportunities. We have visited about potential future funding needs, the difficulties they are having with their incinerator and workforce, they are having a difficult time finding workers.



Pioneer Meats

Location- Big Timber, MT

Contact- Brian Engle

Pioneer Meats received a Montana Meat Processors Infrastructure grant of over \$100,000.00 which will allow them to expand their meat processing business, they have purchased another meat processing location in Big Timber that will allow them to process wild meat at one location while expanding their beef, pork, bison and lamb processing at their main facility. Beartooth FADC staff will continue to work with Pioneer to utilize any new funding opportunities in completing their expansion; they are working on a USDA Meat and Poultry Inspection Readiness Grant. Brian has also submitted a Growth through Agriculture Grant, and we have assisted them with developing a Value Added ARPA grant.



Big Sky Beef

Contact- Gary Guessman

Gary Guesman is working with Big Sky EDA the Department of Ag and Beartooth FADC on their potential 300-500 head a day meat processing project they are interested in developing in the Yellowstone County area. Beartooth FADC staff met August 21st to discuss the project and initial steps and potential barriers to the project with Allison Corbin, Ty Thompson, Joe Goggins, Weston Merrill from Montana Department of Ag as well as Gary Guessman. Beartooth FADC staff look forward to the potential to utilize funding to assist with this project. We had a follow up meeting to discuss the challenges they are having finding a site for this project. They have looked at sites in Lockwood as well as Hardin but are now looking at areas just outside of Yellowstone County, the major obstacle is to find a site that has the infrastructure they will need. The plant will need either a municipal water supply or several large wells as well as water treatment. They were given the information on the Value Added Ag ARPA grant and developed an application.

Becky's Berries- Absarokee, MT

Location-Absarokee

Contact- Becky Stahl

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 assisted Becky with the development of a successful Ag Adaptability Grant for \$9,000.00 for a makeup air system in her new processing facility and a commercial food processor. She has installed the commercial food processor and the new makeup air system has been installed. Becky has purchased a new commercial freezer needed to keep up with increased demand for her products she said her business has been very busy this summer and fall.

F Bar 3 Vineyards

Location- Laurel, MT

Contact-Kasey Felder

Beartooth FADC visited F Bar 3 Vineyard in Laurel, after visiting about their needs, Lane Gobbs with Montana Manufacturing Extension has begun working with a Senior Engineering class at MSU on designing an irrigation system for the vineyard. Beartooth FADC has had follow up discussions with the business and assisted them with developing an application for the Value Added Ag ARPA grant for improved irrigation, which would allow them to expand their business and add more vines.



Economic Development Director Report for January 2022

BRCB Board Meeting- December 15th

1. EDA Cares Act
 - a. Deb Brown- Bozeman Trail Project and monthly watch parties
 - b. Big Sky EDA- ERRT
 - c. Cushing Terrill Housing Study- January 25th Zoom Presentation
2. BSTF Projects-
 1. Red Lodge Pea Cannery- 75% complete
 2. Sandstone School- 100% complete
 3. Stillwater Industrial Park Feasibility Study- Request for Proposals has been advertised
3. ARPA-attending the commission meetings
4. Mountain Health CoOp- no follow up from Ed Vozzo about the impact grant for the Lodge Grass remote clinic
5. RCDI Grant with USDA RD- The position has been advertised and the hiring committee has been created. Hiring will begin shortly.
6. CDBG CV- \$1.375 mil for Bighorn County; turned down by DOC.
7. Montana Community Foundation grant- \$9,870 for both Sweet Grass and Stillwater County; divided in half for the two counties

Frequently Used Acronyms

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

File Attachments for Item:

3. Ambulance Monthly Report - December 2021.



Laurel Emergency Services Report created 12/20/21:

2020

1090 requests for service

159 times LEMS was unavailable

72 times AMR was unavailable

288 responses in Ward 5 = 27% of calls outside of the city of Laurel

Recent Month Summary:

December 2021:

| | |
|------------------------------|-------------|
| Requests | 102 |
| Missed Calls | 21=21 % |
| Shortest Delay | 14 minutes |
| Longest Delay | 56 minutes |
| Average Delay | 29 minutes |
| Fire Driver Available | 17 times |
| QRU Response With 1 Provider | 15 times ** |
| On A Previous Call | 2 times |
| No Crew / Provider Available | 5 times |
| AMR Transported or Responded | 14 times |
| Red Lodge Transported | 0 times |
| HELP Flight Transported | 0 times |
| Columbus Transported | 0 times |
| Joliet Transported | 0 time |
| Park City Transported | 1 time |
| PD Assisted Pt no transport | 0 times |
| POV Transport | 4 times |
| YCSO Transported | 0 times |
| MHP Transported | 0 times |

**2 times the QRU responded and the patient refused / no transport to hospital or no patient found

*27 responses in Ward 5 = 26 % of calls outside of the city of Laurel

2021 Running Totals

| | January | February | March | April | May | June | July | August | September | October | November | December | Total 2021 |
|-------------------------------|---------|----------|--------|--------|--------|--------|--------|--------|-----------|---------|----------|----------|------------|
| Requests | 92 | 98 | 117 | 96 | 108 | 89 | 127 | 100 | 91 | 110 | 98 | 102 | 1228 |
| Missed Calls | 8=9% | 2=3% | 10=9% | 12=12% | 8=7% | 16=18% | 11=9% | 12=12% | 9=10% | 7=6% | 19=19% | 21=21% | 135 |
| Shortest Delay (minutes) | 20 | 43 | 15 | 15 | 36 | 10 | 14 | 7 | 3 | 15 | 12 | 14 | 3 |
| Longest Delay (minutes) | 45 | 70 | 80 | 87 | 73 | 60 | 75 | 52 | 53 | 44 | 65 | 56 | 87 |
| Average Delay (minutes) | 25 | 47 | 30 | 50 | 61 | 36 | 35 | 23 | 29 | 28 | 40 | 29 | 36 |
| Fire Driver Available | 11 | 21 | 26 | 9 | 15 | 7 | 16 | 20 | 17 | 37 | 32 | 17 | 228 |
| QRU Response w 1 Provider | 6 | 1 | 5 | 7 | 3 | 14 | 9 | 9 | 7 | 4 | 15 | 15 | 91 |
| On A Previous Call | 3 | 1 | 4 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 3 | 2 | 20 |
| No Crew / Provider Available | 0 | 2 | 1 | 3 | 4 | 2 | 2 | 2 | 1 | 2 | 2 | 5 | 24 |
| AMR Transported or Responded | 4 | 1 | 5 | 7 | 5 | 5 | 4 | 5 | 6 | 2 | 12 | 15 | 69 |
| Columbus Transported | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 4 |
| Joliet Transported | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Park City Transported | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 4 |
| Red Lodge Transported | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| HELP Flight Transported | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| POV Transport | 3 | 1 | 4 | 3 | 2 | 2 | 3 | 3 | 1 | 4* | 5 | 4 | 36 |
| PD Assisted Pt no transport | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| YCSO Transported | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| MHP Transported | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| QRU/AMR Refusal or No Patient | 1 | 0 | 0 | 1 | 0 | 5 | 1 | 4 | 2 | 1* | 1 | 2 | 18 |
| Responses in Ward 5 | 21=23% | 40=41% | 30=26% | 28=29% | 36=33% | 27=30% | 43=34% | 26=26% | 20=22% | 36=33% | 23=23% | 27=26% | 318=26% |

*correction made from previous report 12-21

Other Reporting Information:

- We are working on recruiting to fill 2 full time paramedic spots. This has been a challenge. There is a of a shortage in paramedics across the country, as with all workers currently. We do have a few applicants interested and are working on interviews. We are also working on possibly bringing on a couple more EMT volunteers.
- The end of the year brings recertification time for many of our crews, working on ensuring they have the hours required to recertify.
- We are excited to announce that we have received a donation for some proper Stop the Bleed equipment and will work on announcing some class times in the near future and as always if you know of a group that would like us to come and teach the program we would be excited to do so.
- We had 2 of our staff attend a week long car seat safety check program. This program certifies them to inspect car seats for infants and children and make sure that they are properly installed. Although it seems like a simple thing to do, many accidents with car seats have proven that installation is a difficult thing to do correctly. The car seat technicians can evaluate and show you how to make sure it is safely installed and will hold properly in an accident. Again in the near future we will have a day where anyone can come and have their seats evaluated. In the mean time if you have anyone needing this service, reach out and we can schedule a time to have one of them get it all checked out.
- Current staffing – we have 21 volunteers = 13 EMTs and 8 paramedics. Full time staff – currently 3 with 2 open positions = 2 EMTs and 1 paramedic and the 2 open spots are paramedics.

File Attachments for Item:

6. Council Workshop Minutes of December 7, 2021.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, DECEMBER 07, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Eaton at 6:30 p.m. on December 7, 2021.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer (Zoom)
Matt Smith, KLJ

Public Input:

Council heard public comment from Steve Krum, 249 24th Avenue, regarding NorthWestern Energy's pipeline.

General Items

Executive Review

1. Resolution - A Resolution Of The City Council To Accept The Southside Master Stormwater Plan Prepared For The City Of Laurel By KLJ Engineering.

Matt Smith, KLJ, stated this is the final stormwater plan for the southside. The pond will be located just north of I90. At some point, that pond will need an outfall. This is not an all-inclusive solution, and there will need to be a discussion with the DOT. This solution does give the City flexibility.

It was questioned if the bore under I90 would affect the refinery. It was clarified that that bore would discharge around the refinery's property. The City currently is using a discharge through the middle of the refinery. The refinery must have a discharge permit with DEQ and take samples during rainfall events. The goal is to keep all stormwater from the City of Laurel off CHS's property.

2. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With CMS, LLC For Services Relating To Upgrading The City's Laserfiche System.

Brittney Moorman, Council Secretary, briefly reviewed the attached information regarding the upgrade of Laserfiche.

It was questioned if this upgrade is budgeted out of the CARES funds. It was clarified that it is budgeted out of General Fund with CARES funds.

Council noted the substantial cost increase. It was questioned with 100 licensees how do you keep confusion on feeding information into the system. It was clarified that there are different permission levels. Some people will have permission to view documents but not have access to change anything within the system. Others will have permission to view and add documents. And very few people will have the ability to view, add and delete documents.

It was questioned if the Police Department would be storing media in LaserFiche. It was clarified that the Police Department was talked to about having their own repository, but they decided they would like to continue storing media using their current storage methods. However, they can if they want to. That is what is nice about moving to this new platform. Anyone within any department will be able to use it. As it stands right now, the Council Secretary is the only one who can add documents to the system. A document must be hand-delivered to her or sent via email, and she must enter it into the system.

3. Resolution – A Resolution Approving An Encroachment Permit For The Installation Of A Trash Enclosure On A Portion Of South Montana Avenue Adjacent To 415 South 1st Avenue.

It was questioned what a trash enclosure is. It was clarified that it is an enclosure for trash. It was further clarified that these structures are typically three-sided and have a door to keep trash enclosed.

A Council Member noted that they discussed this topic at the last City/County Planning Board meeting. This is for the new coffee shop and Chinese restaurant that is going in where the old Burger King building is currently located. The trash enclosure is located on City property on the street between the Chevy dealership and Verizon, at the end of the street.

It was further questioned if the doors would be kept closed and how many dumpsters the enclosure contains. It was also questioned how many businesses would have access to this enclosure. It was clarified that the old Burger King building would be torn down, and there would be two new businesses using this structure.

Mayor Eaton stated she would get clarification on these questions from the Public Works Director or pull this item from next week's Council meeting.

4. Resolution – Resolution Authorizing The Mayor To Execute An Agreement With Beartooth RC&D Economic Development District.

Joel Bertilinio and Jaycee Head, Beartooth RC&D, presented the annual MOU. They briefly reviewed the work they have done in the Laurel area; see attached.

It was questioned why the Laurel interchange study was not done. It was clarified that this study was not conducted due to securing funding. It will be looked at down the road.

5. Arbor Day Proclamation 2022

The Arbor Day proclamation will be read at next week's meeting. Lions Park will have a dedication soon. Council will be notified when the date for the dedication has been set.

Council Issues

6. Update on W. Railroad.

A letter has been sent to the State regarding the local matching commitment. The letter is going to the Commission in February and, pending their approval, should have a draft funding agreement in February or March of 2022.

It was questioned if the City knows the portion they will need to fund. It was clarified that the City has all cost estimates for the project.

7. Update on Electronic Recycling

Council briefly reviewed the attached report.

Other Items

- **Low Income Home Water Assistance Program ("LIHWAP")**

Bethany Langve, Clerk/Treasurer, briefly reviewed the Low Income Home Water Assistance Program; see attached.

It was questioned if this will add some bookkeeping to the Clerk/Treasurers role. It was clarified that there is some reporting that the UB Clerk will do, and the reporting is not in-depth. Once Council approves this contract, we would include information with the letters that go out for people who are behind. We could also put the information on our website as well.

It was questioned if there are safeguards in place for misuse of this program. It was clarified that this program is run by the Department of Health and Human Services. The City will only receive money and post it to the correct accounts.

It was questioned if this program would put a moratorium on shut-offs. It was clarified that there would be no moratorium on shut-offs. The hope is that this program would reduce the number of homes being shut off.

It was questioned how it would be determined if someone would be shut off. It was clarified that the account holder is still responsible for paying their bill until approved. Shut-offs begin after someone is 75 days behind.

Review of Draft Council Agendas

8. Draft Council Agenda of December 14, 2021.
Will be adding the Low Income Home Water Assistance Program to the next City Council agenda.

Attendance at Upcoming Council Meeting

Council Member Herr stated he would not be in attendance at next week's meeting.

Announcements

The Public Works Director spoke with CHS regarding their next turnaround. It looks like they are expecting 1,700 to 1,800 people, not 6,000 like previously stated.

Ward 4 letters of interest are due by December 17, 2021. All interested persons will be requested to appear in front of the Council on December 21, 2021. Council will nominate and vote on December 28, 2021.

City Hall will be closed over the noon hour for the office Christmas party on December 17, 2021. This closure will be posted on the door.

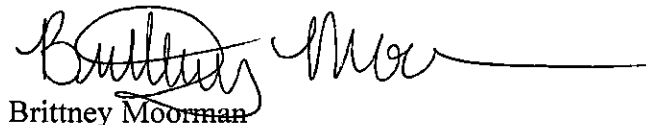
City Hall will be closed on December 24th and 31st for the holidays.

The City Planner has resigned effective January 21, 2022.

The Mayor received a phone call today from the City Attorney. Mr. Painter has handed in his resignation. He will service the City until another appointment has been made. He has spent the last 18 years serving the City but would like to focus on his main job.

The council workshop adjourned at 7:22 p.m.

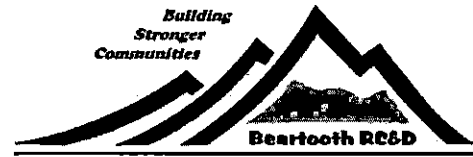
Respectfully submitted,



Brittney Moorman
Administrative Assistant

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

- What is LaserFiche?
 - LaserFiche is where we currently store an electronic copy of our records to make them searchable and easier to pull up when needed.
- How long did we have the last version?
 - MCCI acquired our account in 2014. The type of service we are on is over 20 years old.
- When do you think we will have to do it again? How long will it last?
 - We are moving to a subscription-based model and will always be on the newest update.
- What benefits are we going to get?
 - We currently have the ability to scan and retrieve documents. We currently have one full license with five retrieval licenses. This means that only one person is able to add anything to the LaserFiche Repository. The upgraded system would have 100 full named users. Which means all City Staff who needs access to LF could have access. Their permissions would be set based on their needs. There will be a mobile option for City Staff who are away from their computers to be able to access LaserFiche on the go. We will also have a public portal that the public can access documents. There will be an audit trail on all documents to see who did what and when within the system. There is records management as well. This will allow us to note what a documents retention is and pull a report each year of the documents that need to retention out. There is also business process automation to help save time and money within the City. LaserFiche forms allows our constituents to file documents that are currently paper based or fillable PDF and have them automatically routed to the proper approvers, such as employment applications.
- Why do we need this?
 - LaserFiche is working on sunsetting our current platform. Once it is has reached its end of life it will no longer be supported.
- Cost
 - One Time - \$6,150.00
 - Recurring - \$12,395.00 annually (currently \$916.30 annually)
 - Discount/Credit - \$1,616.52
 - Total - \$16,928.47
 - Budgeted - \$28,000
- Where is the money coming from?
 - It is budgeted in General Fund.



2021 Laurel Projects

- Revolving Loan Fund
 - Seven loans in Yellowstone County totaling \$370,720.71 (plus one approved but not funded for \$200K)
 - Three loans in Laurel totaling \$104,859.64
- EDA CARES Act Funding
 - Cushing Terrell Regional Housing Study
 - Economic Resilience & Tourism
 - Yellowstone Economic Response & Recovery
- Yellowstone Valley Farms
- LARC planning
- BSTF grant funding for West Laurel Interchange feasibility study
- LURA
 - Joint meetings with Big Sky EDA to assist City and planning board.
- Kids Kingdom Playground
- 406 Bovine LLC
- F Bar 3 Vineyard

| Calculation of 2022 EDA dues: | | | | | |
|--------------------------------------|-------------------------------------|--------------------------|------------------|---------------------|------------------------------------|
| | Est Census (as of April 2020) | Per Capita Per Capita | Base Base Fee | Total Assessment | Share % of County Assessment |
| County | % share (Population x .19) | | | | |
| Big Horn | 13,124 | \$2,493.56 | \$2,250.00 | \$4,743.56 | |
| Big Horn County | 1/3 | \$831.19 | \$750.00 | | \$1,581.19 |
| City of Hardin | 1/3 | \$831.19 | \$750.00 | | \$1,581.19 |
| Two Rivers Authorit | 1/3 | \$831.19 | \$750.00 | | \$1,581.19 |
| Carbon | 10,473 | \$1,989.87 | \$2,250.00 | \$4,239.87 | \$4,239.87 |
| Stillwater | 8,963 | \$1,702.97 | \$2,250.00 | \$3,952.97 | \$3,952.97 |
| Sweet Grass | 3,678 | \$698.82 | \$2,250.00 | \$2,948.82 | \$2,948.82 |
| Yellowstone | 164,731 | \$31,298.89 | \$4,500.00 | \$35,798.89 | |
| Big Sky EDA | 34.00% | \$ 10,641.62 | \$1,530.00 | | \$12,171.62 |
| City of Billings | 36.00% | \$ 11,267.60 | \$1,620.00 | | \$12,887.60 |
| City of Laurel | 6.00% | \$ 1,877.93 | \$270.00 | | \$2,147.93 |
| Yellowstone County | 24.00% | \$ 7,511.73 | \$1,080.00 | | \$8,591.73 |
| Total | | | | \$51,684.11 | \$51,684.11 |

(Est Census Population x .19 + Base Assessment Fee) + Base Assessment Membership = Total Dues to County



Electronics Pick Up Receipt:

Date of Pick Up: 10/18/2021

Employee Receiving Pick Up: Anthony

Material Description: Misc. Electronics

Weight Received: 1,689 Pounds

Green Technology Solutions
350 S Billings Blvd. Suite #2A
(406) 206-5376
www.greenmt.net

*Green Technology Solutions wipes, reformats, or physically destroys every hard drive we receive in house, guaranteeing destruction of ALL personal information. This includes drives still inside of electronic devices such as desktops, laptops, servers, DVR's, and other similar

equipment. For more information on our official process please contact us.



Department of Public Health and Human Services

Human and Community Services Division Intergovernmental Human Services Bureau
PO Box 202956 Helena, MT 59620-2956

Greg Gianforte, Governor

Adam Meier, Director

DATE: July 19, 2021

TO: Public Water System Providers

FROM: Sara Loewen, DPHHS Intergovernmental Human Services Bureau Chief

SUBJECT: Low-Income Home Water Assistance Program (LIHWAP) Contractor Application and Contract

A temporary emergency Low-Income Home Water Assistance Program¹ (LIHWAP) is being developed to provide low-income households assistance in paying their water and wastewater bills. Funds will be sent directly to Public Water System (PWS) operators to be credited to income eligible household accounts to reduce arrearages, prevent shutoffs and reduce monthly rates. This program is slated to operate from October 1, 2021 through September 30, 2023. Households will apply for assistance through a process coordinated with the Low-Income Energy Assistance (LIEAP) program.

The MT Department of Public Health and Human Services is providing the opportunity to PWS providers to participate in this program through a contract with the Department in order to receive and provide this assistance to income eligible households. The Department is beginning the process of securing contracts with PWS providers interested in participating in the LIHWAP.

The following documents are enclosed:

1. A copy of the (DPHHS-HWAP-001) Low Income Home Water Assistance Program Contractor Application and Contract for the time period October 1, 2021 through September 30, 2023.
Complete the Contractor Information sections, including the Contractor Taxpayer ID number field. Sign the bottom of page three. The contract will be signed by a Department representative and a copy will be returned for your records.
2. A Taxpayer Identification Number (TIN) Verification (W-9) form. The completed W-9 form is required to receive payments from the Department. The W-9 form will be used to verify the TIN and the address where the 1099 form will be sent.

¹ The LIHWAP program is authorized under Section 533 Title V of Division H of the Consolidated Appropriations act of 2021, Public Law No: 116-260 and as provided for under The American Rescue Plan Act (ARPA). Additional information can be found at: <https://www.acf.hhs.gov/ocs/programs/lihwap>.

3. A Payment Address Form to complete and return if the mailing address for the LIHWAP payment is to be made to an address other than the one entered on the W-9 form.
4. A Direct Deposit Sign-up Form to complete if your company would prefer to have payments made directly to your financial institution. A written Statement of Remittance (SOR) will be mailed as usual but LIHWAP funds will be available at least one day earlier.

In order to participate and receive funds under this program, items #1 and #2 (above) must be completed and returned, along with items #3 and #4 if applicable.

These documents should be mailed to:

DPHHS LIHWAP, PO Box 202925, Helena, MT 59620

We encourage all Public Water System providers to complete the above information in order to participate in the program and allow their customers to receive this assistance.

Look for additional information (coming soon) at www.lieap.mt.gov. A list of frequently asked questions will be available. You can also email Program Specialist Sheri Shepherd at sshepherd2@mt.gov.

Thank you for considering participating in the Low Income Home Water Assistance Program aimed at reducing arrearages and rates of low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services.



Sara Loewen
Intergovernmental Human Services Bureau Chief
Human and Community Services Division, MT DPHHS

Public Water System Suppliers FAQ'S

The LIHWAP program is authorized under Section 533 Title V of Division H of the Consolidated Appropriations act of 2021, Public Law No: 116-260 and as provided for under The American Rescue Plan Act (ARPA). Additional information can be found at: <https://www.acf.hhs.gov/ocs/programs/lihwap>.

1. How do I know if I am a qualified public water system?

Contact DPHHS/IHSB by emailing sshepherd2@mt.gov to determine if you are a qualified water vendor.

2. What do I need to track on payments that come in?

When you have contracted with DPHHS, payments for income eligible customers will be sent directly to the water vendor. Payments must be applied to the customer account for past-due amounts, disconnect or reconnect fees (if applicable) and water bills and sewer bills. The water vendor must be able to show DPHHS how those payments were applied to the eligible customer's account upon request.

Suppliers will be expected to submit reports/data indicating the financial accountability for these funds to eligible customer accounts were credited with LIHWAP benefits.

3. What if a client moves or passes away?

When a customer moves or passes away any unused LIHWAP funds will need to be returned to: DPHHS/HCSO; P.O. Box 202956, Helena, MT 59620. Include customer's name, LIHWAP benefit issuance date, and LIHWAP account number with remittance.

4. Do we have to return funds at a certain time if not used?

LIHWAP funds only need to be returned when the account is closed due to a move or a client passes away or when the program closes on June 30, 2023. In these cases, any LIHWAP attributable credit remaining on the customer account will need to be returned to DPHHS.

5. How will payments be issued via check or direct deposit?

All payments will be issued directly to the water/sewer provider who has entered into a contract with DPHHS on behalf of the customer. The LIHWAP vendor application allows the vendor to choose to receive funds (via check or direct deposit (EFT)).

6. How does the program work for vendors?

The LIHWAP benefits will be sent directly to the water/sewer provider who has an approved contract with DPHHS. Documentation will be sent with the payment indicating the customer's account number, benefit amounts (Water, sewer and arrearages). The vendor needs to apply the benefit to the correct customer's account. A Public Water System (PWS) provider application can be obtained by emailing sshepherd2@mt.gov.

7. Are we allowed to let our clients know about the program?

Water vendors are encouraged to refer customers to the local eligibility office. Eligibility offices are located on the LIHEAP, LIHWAP and Weatherization Assistance (mt.gov) website.

8. Will there be some type of brochure we can give our clients?

Information is available on the LIHEAP, LIHWAP and Weatherization Assistance (mt.gov) website.

9. If we have a question as a vendor, is there a number to call for questions?

Call Sheri at 406-447-4269 or email any questions to sshepherd2@mt.gov.

10. Can we request applications to provide our customers?

To obtain a supply of applications please email sshepherd2@mt.gov. Or contact your local HRDC office which can be found at LIHEAP, LIHWAP and Weatherization Assistance (mt.gov)

11. What is the application process, and what is our role in that?

Applicants will apply through the local eligibility offices. If deemed eligible, a payment will be sent to the water/sewer provider to apply to the applicant's water and/or sewer account as directed in the payment. The water/sewer providers do not process applications.

12. Is the Direct Deposit for each household or the vendor?

The Direct Deposit may include payments to the public water system supplier for more than one customer. The deposit will provide documentation indicating the account the payment is for and the amount to apply to each customer's account.

If additional information is needed regarding a payment please call Sheri at 406-447-4269.

Low Income Home Water Assistance Program

LIHWAP helps pay:

- | | |
|---|--|
| <ul style="list-style-type: none"> a. Water Bills b. Wastewater/Sewer Bills | <ul style="list-style-type: none"> b. Water and Wastewater (sewer) Past Due Bills c. Water and Wastewater (sewer) Late Fees and Reconnect Fees |
|---|--|

Funds will be sent directly to Public Water System (PWS) operators to be credited to income eligible household accounts. The Water Program is slated to start October 1, 2021 and continue through September 30, 2023.

Do I Qualify for LIHWAP Assistance?

To qualify for LIHWAP assistance, you must meet these requirements:

- Be responsible for paying water and/or wastewater (sewer) bill.
- Have an active water and/or wastewater(sewer) account or have an obligation to pay through a rental agreement.
- Be a United States citizen or legally admitted for permanent residency.
- Meet the following income and resource guidelines

| Household Members | Income Limits | Resource Limits |
|-------------------|---------------|-----------------|
| 1 | \$27,282 | \$12,043 |
| 2 | \$35,676 | \$18,071 |
| 3 | \$44,071 | \$19,277 |
| 4 | \$52,465 | \$20,483 |
| 5 | \$60,859 | \$21,689 |
| 6 | \$69,254 | \$22,895 |

How do I Apply?

You can apply for assistance by submitting the combined LIHWAP and Low-Income Energy Assistance Program (LIEAP) application. An application can be found at leap.mt.gov or by contacting your local LIEAP eligibility office. The local LIEAP offices are listed on the back of this flyer. Find the county you live in and return the application to the office listed.

What Items are Needed?

Before mailing your application, make sure you:

- Answer all questions completely.
- Ensure everyone in the home is included on the application.
- Ensure everyone age 16 or older signs and dates the application.
- Include your recent water and wastewater (sewer) bill(s).
- Include income records for the previous three months for everyone sixteen (16) years of age and older.
- Include a recent bank statement for all open bank accounts.
- Include copies of Social Security cards.

Local LIEAP/LIHWAP Offices

Find your county and return the application to the office listed.

| If you live in this county: | Return application to: | If you live in this county: | Return application to: |
|---|--|--|--|
| Carter Custer Daniels Dawson Fallon Garfield McCone Phillips Powder River | Prairie Richland Roosevelt Rosebud Sheridan Treasure Valley Wibaux Action for Eastern Montana 2030 North Merrill P.O. Box 1309 Glendive, MT 59330-1309 Ph. 377-3564 or 1-800-227-0703 | Fergus Golden Valley Judith Basin Musselshell Petroleum Wheatland | District VI HRDC Centennial Plaza 300 First Avenue North, Room 203 Lewistown, MT 59457 Ph. 535-7488 or 1-800-766-3018 |
| Blaine Hill Liberty | District IV HRDC 2229 5 th Avenue Havre, MT 59501 Ph. 265-6743 or 1-800-640-6743 | Gallatin Meagher Park | District IX HRDC 32 South Tracy Avenue Bozeman, MT 59715 Ph. 587-4486 or 1-800-332-2796 |
| Cascade Chouteau Glacier | Opportunities Inc. 905 First Ave North P.O. Box 2289 Great Falls, MT 59403-2289 Ph. 761-0310 or 1-800-326-0955 | Broadwater Jefferson Lewis & Clark | Rocky Mountain Development Council LIEAP Office 648 N. Jackson P.O. Box 1717 Helena, MT 59626-1717 Ph. 447-1625 or 1-800-356-6544 |
| Big Horn Carbon Stillwater Sweet Grass Yellowstone | District VII HRDC 3116 First Ave North P.O. Box 2016 Billings, MT 59103 Ph. 247-4778 or 1-800-433-1411 | Beaverhead Deer Lodge Granite Madison Powell Silver Bow | Action Inc. – Human Resource Council 25 W Silver Street, Butte, MT 59701 P.O. Box 39, Butte, MT 59703 Ph. 533-6855 or 1-800-382-1325 |
| Missoula Mineral Ravalli | District XI Human Resource Council 1801 South Higgins Missoula, MT 59801 Ph. 728-3710 | Pondera Teton Toole | North Central Area Agency on Aging 311 S Virginia St, Suite 2 Conrad, MT 59425 Ph. 271-7553 or 1-800-551-3191 |
| Flathead Lake Lincoln Sanders | Community Action Partnership of NW MT 214 Main Street P.O. Box 8300 Kalispell, MT 59904-1300 Ph. 758-5433 or 1-800-344-5979 | For additional information visit: lieap.mt.gov | |

File Attachments for Item:

7. Budget/Finance Committee Minutes of December 28, 2021.

7. Mayor Update – Mayor Eaton provided the committee with an update of City administrative activities.

Announcements –

8. The next Budget and Finance Committee meeting will be held on January 14, 2022, at 5:30 pm.
9. Emelie Eaton will be reviewing claims for the next meeting.

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

File Attachments for Item:

8. Tree Board Minutes of December 16, 2021.

Minutes
City of Laurel
Tree Board
12/16/21 9:30 AM

Council Conference Room

Attending: LuAnne Engh, Paul Kober, Matt Wheeler, Walt Widdis, Phyllis Bromgard, Dale Ahrens, Aaron Christensen

1. Public Input
 - a. None

2. General Items
 - a. Dec. minutes approved –
 - b. City balance \$528 School Balance ?????
 - c. Arbor Day grant for \$750 needs to be done by the end of the year. Matt will do that.
 - d. 2022 Arbor Day – Tuesday, May 3rd – South Pond – them is “Grow with the Flow” – Graff student art (don’t have the artist name available) - picture is a palm tree on an island. Cute and colorful.
 - e. LuAnne checked on shirt costs tie dyed is \$13.60 Regular shirts \$8.00 – costs have gone up. If we want to have the artwork done it is \$30.
 - f. Need a list of donors to start the process of collecting tree donations, cash donations, in kind donations (bark, signs, stakes)

3. Old Business
 - a. Downtown trees – We have 13 locations that should be replaced. If the trees are gone the stumps are still in the ground or suckers are growing...its looks awful.
 - b. We should notify the landowners it’s their responsibility to replace them.

4. Other Items
 - a. Volunteer hours - Everyone at the meeting turned in their hours.
 - b. South Pond – asphalt walkway is finished. Paul said the Lions would like to see the drip system improved so that more trees could be planted around the pond.
Benches are also an item – Rotary would like to add their benches.
City is fixing the playground for \$5,000
A retaining wall to hold back the east ledge will be necessary eventually.
 - c. The Charlie Fischer memorial tree is gone and should be replaced.

- d. Two willows are gone and the markers are needed to be removed as they are a trip hazard.

Next meeting January 20th – 9:30

LuAnne Engh, Chairman

File Attachments for Item:

9. Appointment of Ryan Roche to the Police Reserves.



Laurel Police Department

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

Chief of Police Stan Langve

January 7, 2022

To: Mayor Dave Waggoner

From: Chief of Police Stanley J Langve

Greetings,

Ryan Roche has expressed interest in becoming a Laurel Police Reserve. Ryan has successfully completed the required written testing, completed the interview process and passed a rigorous background check.

I would like to have Ryan appointed as a Laurel Police Reserve Officer. This will bring the total number of Police Reserves to 14. Thank you for your time in this matter.

Respectfully,

Chief of Police
Stanley J Langve

File Attachments for Item:

10. Appointment of Bruce McGee to the Emergency Services Committee.

Honorable Dave Wagner
City of Laurel, MT

Dear Mayor Wagner:

Please give consideration to my being added to the emergency services committee. My qualifications of volunteer and civic service are listed for your consideration.

- 16 collected years as a Volunteer Fire Fighter with 5 different departments. Wheaton, MO, Stigler, OK, Neosho, MO, Rawlins, WY and Park City, MT.
- 4 Years of Reserve Deputy Sheriff Newton County MO.
- 11 years with Laurel Police Reserves, still active.
- 10.5 years City Alderman Ward 2 City of Laurel.
- Past Member and Chair of the City of Laurel Emergency Services Committee .

Thank you for your time and consideration. Feel free to contact me with any questions.

Respectfully,



Bruce McGee
310 Foundation Ave.
Laurel, MT
406 321-0329
bruce.mcgee310@gmail.com

File Attachments for Item:

11. Appointment of Jonathan Gotschall and Lorenzo Olvera to the Laurel Volunteer Fire Department.



LAUREL FIRE/EMS

215 WEST 1ST STREET • LAUREL, MT • 59044
OFFICE 406.628.4911 • FAX 406.628.2185

City of Laurel
PO Box 10
Laurel, Mt. 59044

January 20, 2022

Mayor and Laurel City Council,

The following have been selected by the members of the Laurel Volunteer Fire Department/ Association to become volunteers.

Firefighter

Jonathan Gotschall
Lorenzo Olvera

Both Mr. Gotschall and Mr. Olvera has been selected unanimously by the Department, approved by the Chief of the Department, and are seeking your appointment.

Brent Peters
Fire Chief
Laurel Volunteer Fire Department

File Attachments for Item:

12. Mayor's Committee Appointments

Budget/Finance Committee

- Bill Mountsier
- Richard Klose
- Michelle Mize
- Emelie Eaton

Emergency Services Committee

- Heidi Sparks
- Irv Wilke
- Bill Mountsier
- Richard Klose

Human Relations Committee

- Scot Stokes
- Heidi Sparks
- Irv Wilke

Public Works Committee

- Richard Herr
- Irv Wilke
- Bill Mountsier
- Emelie Eaton

Cemetery Committee

- Richard Herr
- Richard Klose

Library Board

- Emelie Eaton

Park Board

- Irv Wilke
- Richard Herr
- Scot Stokes

Tree Board

- Michelle Mize

Health Insurance Committee

- Scot Stokes
- Michelle Mize

File Attachments for Item:

13. Resolution No. R22-04: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Thompson Painter Law Pc For The Provision Of Civil Legal Services For The City Of Laurel.

RESOLUTION NO. R22-04

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THOMPSON PAINTER LAW PC FOR THE PROVISION OF CIVIL LEGAL SERVICES FOR THE CITY OF LAUREL.

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

Section 1: Approval. The Agreement between the City of Laurel and Thompson Painter Law PC, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor and the City Clerk of the City of Laurel are hereby given authority to execute the Agreement on behalf of the City.

Introduced at a regular meeting of the City Council on January 25, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 25th day of January 2022.

APPROVED by the Mayor this 25th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

CIVIL CITY ATTORNEY CONTRACT

THIS AGREEMENT, made and entered into by and between the City of Laurel, hereinafter referred to as Client, and Thompson Painter Law PC hereinafter referred to as "Attorney."

ATTORNEY CLIENT RELATIONSHIP: Client hereby employs Attorney to exercise and perform the civil duties of the City Attorney for Client, which includes all civil matters assigned and directed by Client. Client's Mayor shall be the primary contact for Attorney and shall assign and direct the Attorneys' provision of services. Attorney agrees to provide his/her own office, staff and equipment at no additional charge to Client.

FEES AND BILLING: For services performed for Client by Attorney, Client agrees to pay Attorney \$200.00 per hour. In addition to the fees provided herein, Client agrees to reimburse Attorney for costs incurred during the course of representation. Attorney agrees to provide Client an invoice each and every month itemizing services rendered and costs incurred each and every month.

COSTS: Costs are defined as all filing fees, court costs, subpoena costs, certified driving records for defendants, mail costs, copies of video-taped or DVD evidence, depositions, court report charges, expert witness fees, expert reports, witness statements, and travel expenses except as set forth herein, and any other disbursements or expenses incurred by Attorneys while representing Client. Photocopies shall be reimbursed at \$.05 per page. These costs may be billed monthly by Attorneys and, if unpaid, shall bear interest at the rate of one percent (1%) per month.

Travel costs beyond local travel shall be undertaken only upon Client's request. Client shall reimburse Attorney his/her actual costs of travel (other than local) and pay per diem at rates established by the State of Montana.

DURATION: This contract shall immediately commence on January 22, 2022 and continue until terminated by the Parties. Attorney agrees to assist the newly retained City Attorney during the transition period.

MODIFICATION AND TERMINATION: This contract or any provision thereof may be modified at any time upon mutual consent expressed in a mutually signed writing. The contract may be terminated at any time by either party without cause.

DATED this _____ day of _____, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST.

Bethany Langve, Clerk/Treasurer

ATTORNEY:

Sam S. Painter, Thompson Painter Law PC

File Attachments for Item:

14. Resolution No. R22-05: Resolution Of The City Council Approving The Development Agreement Between The GL Development LLC, The Laurel Depot LLLP, And The City For The Development And Construction Of Low Income Housing To Be Located Within The City Of Laurel.

RESOLUTION NO. R22-05

RESOLUTION OF THE CITY COUNCIL APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE GL DEVELOPMENT LLC, THE LAUREL DEPOT LLLP, AND THE CITY FOR THE DEVELOPMENT AND CONSTRUCTION OF LOW INCOME HOUSING TO BE LOCATED WITHIN THE CITY OF LAUREL.

WHEREAS, representatives from the GL Development LLC, the Laurel Depot LLLP, and the City of Laurel hereinafter (“Parties”) negotiated a Development Agreement that contains the terms and conditions required by the City for the development and construction of twenty-four apartments to be utilized for low-income housing for eligible and qualified residents; and

WHEREAS, the Development Agreement provides the duties, responsibilities, and requirements for all Parties’ including, but not limited to, water, sewer, wastewater, street construction and improvements, and parking for the proposed development; and

WHEREAS, the Parties negotiated and prepared the attached Development Agreement that now requires the approval of the City Council since the Development Agreement, once approved, shall constitute a final, valid and enforceable agreement between the Parties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana that the attached Development Agreement is hereby approved and that the Mayor and appropriate staff are hereby authorized to sign the Development Agreement on the City’s behalf and take whatever steps required for perfection of the City’s interest under the Development Agreement.

Introduced at a regular meeting of the City Council on January 25, 2022, by Council Member

_____.

PASSED and APPROVED by the City Council of the City of Laurel this 25th day of January 2022.

APPROVED by the Mayor this 25th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

Return to:

Laurel Depot LLLP
c/ GL Development, LLC
4799 Echo Drive
Helena, MT 59602

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT is made this ____ day of _____, 20____, by and between GL Development, LLC, a Montana limited liability company, 4799 Echo Dr. Helena, MT 59602, hereinafter referred to as "DEVELOPER," Laurel Depot LLLP, a Montana limited liability limited partnership, 4799 Echo Dr. Helena, MT 59602, "OWNER", and the CITY OF LAUREL, MONTANA, a municipal corporation, c/o City Hall, 115 West 1st Street, Laurel, Montana, 59044, hereinafter referred to as the "CITY."

WHEREAS, DEVELOPER is the owner of certain real property in the form of single tract situated in Yellowstone County, Montana, more particularly described as follows:

LEGAL DESCRIPTION: according to the official plat on file and of record in the office of the Clerk and Recorder of said County, hereinafter referred to as "Developer Tract" as well as all adjacent public right-of-way.

Tract 1A of Amended Certificate of Survey No. 3785. Located in the SE ¼ of the SE ¼ of Section 8, Township 02 South, Range 23 East, P.M.M.

WHEREAS, CITY has approved the Petition for Annexation by Resolution No. _
____ R17-14 _____ for the Developer Tract. Approval of an amended Certificate of Survey and the issuance of building permits is contingent upon the execution of this Development Agreement executed by and between CITY, OWNER and DEVELOPER to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

1. Development Summary. The Development consists of the new construction of 24 apartments for low-income residents consisting of four 1-story buildings with associated site improvements, including parking, driveways, sidewalks and landscaping.
2. VariANCES. The following proposed code variances are hereby consented to and approved by the City: 1) [17.16.020] At future extension of W. 2nd Street

DA-1

along the south property line, reduction of Side-Adjacent-to-Street setback for residential district RMF from 20-feet to 13-feet. 2) [17.16.020] Reduction of minimum required district size from 2.07 acres to 1.946 acres due to the granting of 0.413 acres of the parcel to City of Laurel as Right-of-Way at 3rd Street, 8th Avenue and W. 2nd Street edges of the parcel. 3) [17.08.800] Reduction in width of standard parking space from 10-feet in width to 9-feet in width. 4) [17.40.090-A-2] Reduction in off-street required parking from 1.5 spaces per unit to 1.42 spaces per unit since it is anticipated that four residents will be non-driving or will only own one vehicle and to provide for additional accessible parking spaces beyond the minimum required number accessible spaces.

3. Roads and Access. The Developer Tract shall be accessible by access from 8th Avenue from two new approaches constructed to City of Laurel standard design. The Developer shall install curb, gutter, sidewalk and roadway along the northern boundary of the property along W. 3rd Street.
4. Sanitary Sewer. The Developer Tract shall be served by the City wastewater system. Each building will have an independent connection to sanitary sewer mains located in W. 3rd Street and 8th Avenue. The Sanitary Sewer system design must be reviewed and approved by the City of Laurel and the Department of Environmental Quality, if applicable.
5. Water. The Developer Tract shall be served by the City water system. The project is served by central meter room feed from the water main located in 8th Avenue. Separate piping for domestic water and fire service is being provided. The project is served by a single water meter as water will be included in tenant's rent. The Water system design must be reviewed and approved by the City of Laurel and the Department of Environmental Quality, if applicable.
6. Storm Drain. The surface storm water and roof drains will surface-drain to two shallow surface detention ponds; and surface storm water and roof drains will connect directly to buried storm piping sloping to a buried storm water detention structure consisting of a lined buried boulder absorption pit with a controlled overflow outlet to the City storm main located in 8th Avenue. The Stormwater system design must be reviewed and approved by the City of Laurel and the Department of Environmental Quality, if applicable.
7. Rights-of-Way. The Development includes the dedication of R.O.W to the City of Laurel including 0.176 acres at 3rd Street at the north property line, 0.031 acres at 8th Avenue at the east property line, and 0.206 acres at the south property line for a future west extension of W. 2nd Street.

8. Zoning. The Property is zoned Residential Multi-Family (RMF).
9. Compliance. Except as set forth in Section 2 above, nothing herein shall be deemed to exempt the Developer Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.
10. Runs with Land. The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.
11. Attorney's Fees. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.
12. Amendments and Modifications. Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

“DEVELOPER”

GL DEVELOPMENT, LLC

By: Eugene Leuwer

Title: Manager

STATE OF MONTANA)

:ss

County of Lewis and Clark)

On this ____ day of _____, 20____, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of DEVELOPER, and who acknowledged to me that said DEVELOPER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana

Printed name: _____

Residing at: _____

My commission expires: _____

“OWNER”

LAUREL DEPOT LLLP
a Montana limited liability limited partnership

By: Echo Development 2019 LLC,
a Montana limited liability company,
its General Partner

By:

Eugene Leuwer, its Manager

STATE OF MONTANA)
 :SS
County of Lewis and Clark)

On this ____ day of _____, 20____, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of OWNER, and who acknowledged to me that said OWNER executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

This Agreement is hereby approved and accepted by City of Laurel, this ____ day of _____, 20____.

“CITY”

CITY OF LAUREL, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this _____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

Approved as to Form:

City Attorney

File Attachments for Item:

15. Resolution No. R22-06: Resolution Of The City Council Authorizing The Yellowstone County Treasurer To Remove The United States Postal Service From The Official County Tax Rolls.

RESOLUTION NO. R22-06

**RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE YELLOWSTONE COUNTY
TREASURER TO REMOVE THE UNITED STATES POSTAL SERVICE FROM THE
OFFICIAL COUNTY TAX ROLLS.**

WHEREAS, representatives from the United States Postal Service notified the Yellowstone County Treasurer that they had wrongly assessed and billed \$1424.30 in light district fees and street maintenance fees on behalf of the City of Laurel; and

WHEREAS, federal law prohibits state and local governments from levying taxes upon the United States Postal Service; and

WHEREAS, based on the federal law prohibiting state and local taxation, the City of Laurel concurs that the taxes were levied in error by Yellowstone County and the request to remove the Postal Service in Laurel from the County Tax Rolls is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana that the City Council hereby consents and agrees that the United States Postal Service located in Laurel should be removed from the Tax Rolls of Yellowstone County.

Introduced at a regular meeting of the City Council on January 25, 2022, by Council Member

_____.

PASSED and APPROVED by the City Council of the City of Laurel this 25th day of January 2022.

APPROVED by the Mayor this 25th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney



November 9, 2021

Yellowstone County Treasurer
PO Box 35010
Billings, MT 59107-5010

RE: **Parcel ID/Geo Code: 03-0821-09-3-48-01-0000**

This is in response to Property Tax Bills received.

The referenced property is owned by the United States Postal Service. The U.S. Postal Service is an "independent establishment of the Executive Branch of the Government of the United States," 39 U.S.C. § 201, and was created pursuant to the constitutional mandate for Congress "to establish Post Offices and Post Roads." U.S. Const. Art. I, Sec. 8, cl. 3. It has been settled since *McCulloch v. Maryland*, 17 U.S. (4 Wheat) 316 (1819) that the Supremacy Clause of the U.S. Constitution, U.S. Const. Art VI, Cl. 2, shields the federal government, its agencies and instrumentalities from all forms of state and local taxation; therefore, the Postal Service is immune from state and local taxation. See *United States v. City of Huntington*, 999 F.2d 71 (4th Cir. 1993), *cert denied*, 114 S. Ct. 1048 (1994) ("service fees" charged to the Postal Service as property owner are a tax that cannot be imposed against Postal Service); *United States v. Harford Co., Md.*, 572 F.Supp. 239 (D.Md.1983) (Postal Service immune from special assessments for county water and sewer construction projects); *Mullen Benev. Corp. v. United States*, 290 U.S. 89, 54 S.Ct. 38, 78 L.Ed. 192 (1933) (United States immune from liability for "taxes in the nature of reassessments for sewers and sidewalks."); see also *Federal Reserve Bank v. Metro Center Improvement District # 1*, 657 F.2d 183 (8th Cir.1981), *aff'd*, 455 U.S. 995, 102 S.Ct. 1625, 71 L.Ed.2d 857 (1982) (federal immunity from taxation includes immunity from special assessment on real estate owned by federal instrumentality).

The Postal Service has no objections to paying fees that bear some reasonable relationship to actual use of a service; however, the charges of **\$1,424.30** bear no relationship at all to any services used by the Postal Service. Therefore, the Postal Service respectfully declines to make a payment as it is under no obligation to do so.

Please remove the Postal Service from the property tax rolls and adjust future records accordingly. Thank you for your cooperation in this matter. Please contact me if you have any questions or comments.

Sincerely,



Connie James
Facilities Contract Specialist
7500 E. 53rd Place Room 1108
Denver, CO 80266
Connie.y.james@usps.gov

cc: USPS Attorney – Joseph Fray
Joseph.B.Fray@usps.gov



Sherry Long
Yellowstone County Treasurer
 P.O. Box 35010
 Billings, MT 59107-5010

IMPORTANT TAX BILL ENCLOSED

176*2**G48**0.43**1/2*****ALL FOR AADC 590
 UNITED STATES POSTAL SERVICE
 MAIL TO: ADMINISTRATIVE SERV
 PO BOX 9998
 LAUREL MT 59044



2803

COUNTY TAX BILL 2021 REAL ESTATE

Phone: (406) 256-2802 Website: www.yellowstonecountymt.gov/treasurer

| | | | |
|---|---|----------------------|-------------------------|
| TAX CODE: B00748 | LEVY DISTRICT: 7: LAUREL INSIDE | | |
| Property Location: 614 1ST AVE | | | |
| Legal Description: LAUREL HEIGHTS SUBD, S09, T02 S, R2 E, BLOCK 20, Lot 1 - 10 | | | |
| Valuation Type | Market Value | Taxable Value | DELINQUENT TAXES |
| Real Estate | 171,277.00 | 0.00 | YEAR AMOUNT |
| Improvements | 0.00 | 0.00 | |
| Personal Property | 0.00 | 0.00 | |

| GENERAL TAX DETAIL | | | |
|---------------------|--------|------------------------------|--------|
| Levy Description | Amount | Levy Description (Continued) | Amount |
| Total General Taxes | | 0.00 | |

35.61 ccf ee

| SPECIAL ASSESSMENTS | | | | |
|------------------------------|------|----------|----------|--|
| Description | Code | 1st Half | 2nd Half | |
| OT LL#2 LAUREL LIGHT DIST #2 | LL#2 | 64.01 | 64.00 | |
| OT LSM LAUREL STREET MAINT | LSM | 648.15 | 648.14 | |

Please review the back of the tax bill for Dist. Breakdown and further information.

*-Voted as a new levy/charge for 2021
 ***-Voted to exceed Statutory Authority

**Voted to increase the levy/charge for 2020

| | | |
|-------------------------------------|--------|--------|
| Total Special Assessments | 712.16 | 712.14 |
| Total Taxes Due Current Year | 712.16 | 712.14 |

Please fold on perforation BEFORE tearing

2021 2ND HALF PAYMENT STUB

Second Half Amount Due: **\$712.14**

Remember - Mark this date on your calendar!

Payment Due: 05/31/2022 Tax Code: B00748

Property Tax Assistance eligibility reflected in amount due for current tax year

If you are low income, elderly, 100% disabled veteran, or had a large increase in your property taxes due to reappraisal, you may qualify for tax assistance. For more information, contact the Montana Department of Revenue, Billings Office at (406) 896-4000 or email dorprop3a@mt.gov.

UNITED STATES POSTAL SERVICE
 MAIL TO: ADMINISTRATIVE SERV
 PO BOX 9998
 LAUREL MT 59044



NO SECOND HALF NOTICE WILL BE SENT YOUR CHECK IS YOUR RECEIPT. STUBS MUST ACCOMPANY PAYMENT. FOR A COPY OF YOUR TAX RECEIPT INCLUDE A SELF ADDRESSED STAMPED ENVELOPE.

RETURN THIS STUB WITH YOUR SECOND HALF PAYMENT TO:

YELLOWSTONE COUNTY TREASURER
 P.O. BOX 35010
 BILLINGS MT 59107-5010

Please fold on perforation BEFORE tearing

2021 1ST HALF OR FULL YEAR PAYMENT STUB

Total Current/Full Year Tax Due: **\$1,424.30**

Payment Due: 11/30/2021 Tax Code: B00748

OR First Half Amount Due: **\$712.16**