



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, JANUARY 24, 2023
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R23-03

NEXT ORD. NO.
O23-01

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 10, 2023.

Correspondence

2. Beartooth RC&D January Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

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

3. Claims entered through January 20, 2023.
4. Approval of Payroll Register for PPE 1/8/2023 totaling \$231,104.99.

Ceremonial Calendar

Reports of Boards and Commissions

5. Budget/Finance Committee Minutes of January 10, 2023.
6. Cemetery Commission Minutes of November 15, 2022.
7. Tree Board Minutes of November 17, 2022.
8. Library Board Minutes of October 28, 2022.
9. Library Board Minutes of November 8, 2022.
10. Library Board Minutes of December 13, 2022.

Audience Participation (Three-Minute Limit)

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

Scheduled Matters

- [11.](#) Appointment of Cheryl Hill to the Laurel Urban Renewal Agency for the remainder of a four-year term ending December 31, 2025.
- [12.](#) Appointment of Shawn Mullaney to the Laurel Urban Renewal Agency - Advisory for the remainder of a four-year term ending December 31, 2025.
13. Appointment of Jodi Mackay to the Public Works Committee.
14. Appointment of Jodi Mackay to the Emergency Services Committee.
- [15.](#) Resolution No. R23-03: A Resolution Of The City Council Authorizing The Mayor To Execute The Customer Agreement With Northwestern Energy.
- [16.](#) Resolution No. R23-04: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The City Of Laurel Zoning Services By And Between The City Of Laurel And Klj Engineering, Inc.
- [17.](#) Resolution No. R23-05: A Resolution Of The City Council Authorizing The Extension Of Approval Of Application For Special Review For J. Johnson Properties Pursuant To Resolution No. R22-07.

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 10, 2023.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

January 10, 2023

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:30 p.m. on January 10, 2023.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Casey Wheeler Richard Herr
 Richard Klose Irv Wilke
 Jodi Mackay

COUNCIL MEMBERS ABSENT: Michelle Mize

OTHER STAFF PRESENT: Michelé, Braukmann, Civil City Attorney
 Brittney Moorman, Administrative Assistant
 Kelly Strecker, Clerk/Treasurer

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

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of December 27, 2022, as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CORRESPONDENCE:

- Resignation Letter from Jodi Mackay.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through January 6, 2023.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 12/25/2022 totaling \$177,656.15.**

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

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of December 27, 2022.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Mayoral Nomination of Ward Member 4 Jodi Mackay.**

Motion by Council Member Sparks to approve the Mayoral nomination of Ward Member 4 Jodi Mackay, seconded by Council Member Wilke. There was no public comment or council

Council Minutes of January 10, 2023

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

Council President Sparks swore in the newly appointed Ms. Mackay as Ward 4 Council Member.

Council thanked Ms. Mackay for stepping up for this role. Mayor Waggoner stated he had received multiple letters of interest in the vacant Ward 4 position.

Motion by Council Member Eaton to have a brief recess to properly seat the newly sworn-in Council Member, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

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

- **Appointment of Abbigail Nagel to the Laurel Fire Department.**

Motion by Council Member Eaton to approve the appointment of Abbigail Nagel to the Laurel Fire Department, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Appointment of Judy Goldsby to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2026.**

Motion by Council Member Wilke to approve the Mayor's appointment of Judy Goldsby to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2026, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R23-01: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With True North Contracting.**

Motion by Council Member Wheeler to approve Resolution No. R23-01, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R23-02: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Splash Park Installation By And Between The City Of Laurel And KLJ Engineering, Inc.**

Motion by Council Member Herr to approve Resolution No. R23-02, seconded by Council Member Eaton. There was no public comment.

Council requested a brief overview of the Task Order and how this project would be paid for. Mayor Waggoner stated this project would be paid for with donations.

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

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council asked which Boards/Committees/Commissions Council Member Mackay would be appointed to. She will be appointed to the Emergency Services Committee and Public Works Committee at the next City Council meeting.

Council welcomed the newly appointed Council Member.

DRAFT

Council Minutes of January 10, 2023

Cemetery Commission's next meeting is January 17, 2023, at 5:00 p.m. in the Council Conference room.

Public Works Committee's customarily scheduled meeting is on Martin Luther King Jr. Day. That meeting has been moved to January 30, 2023, at 6:00 p.m. in Council Chambers.

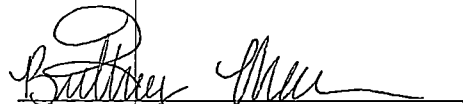
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

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

There being no further business to come before the council at this time, the meeting was adjourned at 6:50 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 24th day of January 2023.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

2. Beartooth RC&D January Correspondence

Beartooth RC&D Area, Inc.

Board of Director's Meeting Agenda

Meeting 1:00 P.M. Thursday, January 19, 2023

Big Sky EDA Zoot Room

201 North Broadway Ave Second Floor, Billings, MT



1:00 pm	<u>Meeting Called to Order</u>	Chair	
	Pledge of Allegiance, Introduction of Members and Guests	Chair, All	
	Review Board Minutes	Chair, All	Action
	<u>Congressional Updates</u>		Information
	Josiah Porcel (Sen. Tester)		
	Tory Kolkhorst (Sen. Daines)		
	Emily Schneller (Rep. Rosendale)		
	<u>Treasurer/Financial Reports</u>		
	1. Treasurer Update	Knight	Information
	2. RC&D Financials		Action
2:30 PM	3. RLF Financials		Action
	4. Audit		Action
	Re Election of officers	VanBallegooyen	Action
	Development of signature stamp		Action
	<u>Staff Reports – Program/Project updates</u>		
	1. Food/Ag Program – Joel Bertolino	Bertolino	Information
	2. Revolving Loan Fund – Nan Knight	Knight	Information
	3. Economic Development/ CRDC – Jacy Head	Head	Information
	4. Operations Support- Myrna Lastusky	Lastusky	Information
	<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>	Roe et al	Information
2:30 PM	Optional Tour of BSEDA and Rock 31		
	<u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u>		
	March 16th, 2023- Big Horn County		Information
	Adjourn		

Beartooth RC&D Area, Inc. Board of Director's Meeting MINUTES November 17, 2022

1:00 pm	<u>Meeting Called to Order</u>		Chair	
	Pledge of Allegiance, Introduction of Members and Guests		Chair, All	
	Review Board Minutes		Chair, All	Action
	<u>Congressional Updates</u> Josiah Porcel (Sen. Tester) Tory Kolkhorst (Sen. Daines) Emily Schneller (Rep. Rosendale)			Information
	<u>Treasurer/Financial Reports</u> 5. Treasurer Update 6. RC&D Financials 7. RLF Financials 8. Resolution for USDA RMAP Grant		Knight	Information Action Action Action
	Whistleblower Policy Review Document Destruction Policy Review Financial Policy Review		Bertolino Bertolino Bertolino	Action Action Action
	<u>Staff Reports – Program/Project updates</u> 5. Food/Ag Program – Joel Bertolino 6. Revolving Loan Fund – Nan Knight 7. Economic Development/ CRDC – Jacy Head 8. Operations Support- Myrna Lastusky		Bertolino Knight Head Lastusky	Information Information Information Information
	<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>		Roe et al	Information
	Optional Tour of New England Chowder Co-60 Big Timber Loop			
	<u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u>			
2:30 PM	<i>January 19th, 2022- Rock 31 Billings, MT</i>			Information
	Adjourn			

Regional Roundup

CEDS SWOT

Our goals for the Roundup are to find out what's happening in the area, keep the conversations focused, inform the others attending the meeting, and to tie it all back to and reinforce the importance of the CEDS. Please help us identify the projects in their area that fit into our CEDS categories:

- Infrastructure
 - Housing
 - Transportation
 - Broadband
- Economy
 - Upturns or downturns in industry sectors
 - New business openings (or closures)
- Communication
 - Marketing and outreach
- Services
 - Health care
- Natural Resources
 - Agriculture
 - Energy
- Human Capital
 - Workforce
 - Education

NOTES:

[illegible]

**Beartooth RC&D
Board Meeting Minutes
November 17, 2022 – 1:00 pm
Sibanye-Stillwater Conference Room**

Members Present:

Joel Bertolino, BRCD
Myrna Lastusky, BRCD
Randy Weimer, Sibanye-Stillwater Mine
Kayla Vokral, SBA
Commissioner Melanie Roe, Sweet Grass County
Raymond Porter, Sweet Grass Chamber
Emily Schneller, Rep. Rosendale

Members via Zoom:

Commissioner Scott Miller, Carbon County
Jeff McDowell, TRA
Heidi Sparks, Laurel City Council – Zoom
Tory Kolkhorst, Sen. Daines
Brent Moore, City of Red Lodge
Josiah Porcel, Sen. Tester

NOTE: Jacy Head and Nan Knight are both at the state MEDA conference this week, along with Tina Toyne of Big Horn County.

Meeting Called to Order: Vice Chair Melanie Roe

Pledge of Allegiance, Introduction of Members and Guests

Review September Board Minutes (Action): Randy moved to approve the minutes as presented. Kayla seconded. Motion carried.

Congressional Updates:

Tory Kolkhorst (Sen. Daines)

- Sen. Daines elected to serve as next chairman of National Republican Senatorial Committee.
- Safe Banking Act – allow cannabis businesses to put money into federal banking system. Currently have to store unsafely in warehouses, etc. Hope it will pass by end of year. May be included in Hope Act – package of marijuana reforms.
- Respect for Marriage Act – Sen. Daines believes marriage is between a man and woman and he will vote accordingly.

Josiah Porcel (Sen. Tester)

- Sen. Tester as chairman of Senate Veterans Affairs Committee – big hearing on the PACT Act (Promise to Address Comprehensive Toxics Act) and what implementation will look like. He was in Billings for Veterans Day celebration in Lockwood.
- Shooting at Fort Harrison today – checking in with VA leadership in Billings to make sure they have all they need

- Army Corps and permitting process – tracking issues on this. Trying to expedite the permitting process, but Army Corps says they are short-staffed. Everyone is, so that is no longer a valid excuse. We'll probably see a letter coming from Senator Tester on that soon.
- Respect for Marriage Act passed yesterday with all 50 Democrats and 12 Republicans voting for it.

Emily Schneller (Rep. Rosendale)

- Rep. Rosendale was in MT a lot last month with congress in recess. Visited many counties – Carbon, Stillwater, and other flood-impacted counties especially.
- Wrote letter asking to deploy National Guard for debris removal and other issues.
- Wrote letter to BLM and HOA to reverse position on grazing/permitting issues.
- Involved in natural resources and focused on increasing energy.
- Visited Laurel plant.
- Working on diesel issue and concerns with that shortage – letter to Governor.
- Had a bill on House floor a couple days ago – VA Information Technology reform. Vote coming soon.

Treasurer/Financial Reports (Joel reported for Nan Knight) – pp. 11-14

RC&D Financials – p. 14

- **ACTION: Randy moved to approve the RC&D Financials as presented. Kayla seconded. Motion passed.**

RLF Financials - p. 13

- Participating in the SSBCI 2.0 State RLF program talking with Bankers - pot of statewide money. We applied and were approved to access those funds. Participation loan with private lenders. Allows us to access more money for RLF clients.
- Applying for RMAP (Rural Microentrepreneur Assistance Program) Grant - Due by end of December.
- Most of RLF is active; hesitation with the rising interest rates for new clients.
- **ACTION: Kayla moved to approve the RLF financials as presented. Randy seconded. Motion passed.**

Resolution for USDA RMAP Grant – ACTION NEEDED

- Discussion about risks and benefits of the RMAP
 - E.g. one of the current funds only allows us to loan to rural areas (50K or less).
 - Criteria and reporting is different for each agency.
 - Provides another pot of money to lend out.
- **ACTION: Randy motioned to approve the RMAP Board Resolution. Kayla seconded. Motion carried.**

Whistleblower Policy Review – just updated, no major changes. Any questions/thoughts on this?

Document Destruction Policy Review – this one the board has seen before.

- Mel: Will you put it on the same letterhead? YES
- There is a line saying these follow federal guidelines.
- Mel mentioned that some e-docs there are rules about storing them in the U.S.

Financial Policy Review – No substantial changes. Just titles and amounts updated.

- Amount Executive Director can approve was raised from \$500 to \$1500 earlier this year.

ACTION: Kayla motioned to adopt the revisions for all policies as presented. Randy seconded. Motion carried.

Staff Reports – Program/Project updates

Food/Ag Program – Joel Bertolino

- Growth Through Ag (GTA) and ARPA Value-Added Ag Grant projects
 - Valley Farmers Supply – Worden
 - Great business. Transport fuels (propane, etc) through southern MT and have a contract with Yellowstone National Park. Working on fertilizer expansion program; Joel met with them and helped them with the application which was due Nov. 14th. Hope they have a good shot at this: \$5 million project to expand. Will allow them to more quickly and efficiently load and unload trucks. Grant is for \$2.3 million. Will find out in a couple months.
 - Shamrock Foods – Billings
 - Visited with Lane and Kayla. Many small businesses like Becky's Berries get products from Shamrock. Joel and other FADCs applied for a grant to get local food in schools. Shamrock is definitely interested in these sort of programs. Have the capacity to grow in the next few years.
 - Kayla will reach out and set up a tour. They sell wholesale bulk meat, eggs, veggies, etc. They have all sorts of coffee supplies – great place for Mom and Pop shops to do one-stop shopping for their businesses.
 - Joel said Roberts School is starting to purchase food from Shamrock.
- Joel said everyone can read through the other ones – not a lot of activity on some of them right now, but he's still working with them from time to time.
 - New England Chowder Co – Big Timber
 - BioEconomy Solutions - Hardin
 - Oswald Farms - Joliet
 - Ranch House Meats/Pure MT Meats - Huntley
 - Vista Ridge Montana - Huntley
 - Greycliff Mill – Big Timber
- Ongoing Projects
 - Blue Creek Marbled Beef - Billings
 - Yellowstone Valley Farm - Laurel
 - Carbon County Meats - Belfry
 - Primitive Meats - Worden
 - Pioneer Meats – Big Timber
 - Becky's Berries
- Beartooth FADC initiated contact with the following businesses
 - North 40 Ag- Huntley
 - Justine Kougl- Huntley
 - Brett Clause- Columbus
 - Doggie Style Gourmet Treats- Billings, MT
 - Jessica Jane Hart Swift Buckets- Billings, MT
 - J and K Farms- Huntley, MT
 - Wilcoxson's Ice Cream

- Swanky Roots
- Big Timber Meat Plant Dan Snyder

Revolving Loan Fund – Nan Knight (See above)

Economic Development/ CRDC – Jacy Head (Myrna summarized Jacy's report in her absence)

- BSTF
 - Stillwater County Industrial/Business Park Feasibility Study – continuing forward with site selection
 - Working with two clients on BSTF: one job creation and one planning
- USDA RCDI Grant – training has continued with Tina Toyne; currently exploring housing options for the county to pursue
- CEDS- approved by EDA and copies are ready to be dispersed
- Remaining reports from October: USDA RCDI Quarter 3 report (due to complications with USDA and waiting on additional reports)
- Next reporting period will include:
 - USDA RCDI Quarter 4 report- December 2022
 - CRDC Quarter 4 report- January 2023
 - EDA Partnership Planning Grant report
 - BSTF Quarter 4 report- January 2023
- Helping Hands Food Bank in Hardin- geophysical survey occurred this week
- Community-Wide Brownfield Assessment Grant- deadline November 18, 2022
- Carbon County Historical Society & Museum- provided technical assistance and suggested grant opportunities
- EIG/EDA case study for Big Horn County- final deliverable is expected by the end of 2022
- Montana Community Foundation- announced a new grant opportunity: MT Disaster Recovery Fund grant; BRCD applied

Operations Support- Myrna Lastusky

Assisting Jacy and staff, including:

- EDA CARES Act reporting completed & approved at end of September
- 5-year CEDS completed and approved in mid-October
- CRDC 3rd quarter report
- MOU presentations set-up & preparation of Project Reviews (assisting at some MOUs)
- Jacy and Myrna met with our EDA Denver rep on Oct. 3rd – great visit
- Brownfields grant app, MT Community Foundation app
- Carbon County Historical Society & Museum/Paul Bruhn Grant – coordinating and communicating with partners in Red Lodge
- RMAP app – assisting Nan

Regional Roundup

Brent Moore, City of Red Lodge

- Still responding to flooding
- Affordable housing is an ongoing issue
- Short-term rental committee is looking at that issue
- Community pool completed this summer
- 14 inches at Red Lodge Mountain last night and it opens next Friday

Heidi Sparks, Laurel City Council

- New hotel – Fairfield by Marriott is open now
- The Palace (formerly KC's Palace) is under new ownership. Remodeled and opened end of September. Now serving food.
- S. 4th Street reconstruction on south-side area off interstate will be starting in the spring. Originally was going to be a 2-phase approach that was supposed to start this year. But there were supply chain delays and will now do in one phase (end of March/start of April).
- Just had MOU come before Council with State of Montana to plan on West RR construction – slated for 2026 project. Will vote on next week.
- New City Brew building is coming along nicely. They are building on other side of gas station where Burger King used to be. Should open early in New Year.
- New golf course clubhouse is under reconstruction. Kitchen operating out food tents for about 8 months. Hope to open by end of spring.

Randy Weimer, Sibanye-Stillwater Mine

- Same challenges as last quarter.
- Still dealing with flood issues. Working with Stillwater County to put road back in.
- Just got in Stillwater River this week to do cleanup – doing about 3 miles of cleanup. Helping out as many people as possible in that area.
- Housing is still a huge issue, as well as attrition. East Boulder Mine last month was 27%, Stillwater trends around 17%. 120 positions they are trying to fill right now.
- Supply delivery still a challenge – getting materials.
- Gearing up for legislative session in January.
 - May need some letters of support

Kayla Vokral, SBDC

- RVU is the medical school opening in Billings – construction going really well and staff are operating out of it and 90 students signed up for first year, which will start in Aug 2023.
- St. Vincent's is also building on Shiloh for a new walk-in with offices that have general and specialty practices.
- Expert Week in October
 - Planned 3 days – themed: Accountant, Attorneys, Marketers. Attendees could schedule a slot to sit down with experts.
 - Also had 16+ resources from across the state (including Beartooth) available.
 - 92 slots open, 88 filled, and 78 showed up - great for businesses getting off the ground.
- Had some grants go through and will have some new businesses coming.
- Working with SSBCI – educating people

Melanie Roe, Sweet Grass County

- Courthouse – need another elevator or need to build another building

- Have court case coming up where they will need to accommodate (ADA).
- Flooding challenges – campground closed, bridge needing repair (FEMA dollars have so many strings attached, so probably won't use them).
- Some movement on wind farm – looking at road agreements
 - Joel: Would this provide impact fees to help local school districts?
 - Mel: Not to that point yet.
- Grand Hotel has new management.
- Some campgrounds on Boulder aren't getting fixed.

Raymond Porter, Sweet Grass Chamber of Commerce

- Tim Weimer from Red Lodge and other folks from Cooke City and Gardiner are trying to plow the Wyoming road from Cody to Cooke City. This would open up a whole loop through northern Yellowstone for some winter access. Some difficulties with this.
- AirBnB issue – Red Lodge and Livingston are battlegrounds, and there are different sides to this issue. Anner Marble said from a realtor's perspective they are a different product from workforce housing – having or not having vacation rentals doesn't really impact workforce housing, in her opinion.
- Great Falls has a phenomenal workforce development program – sent team to Tuscaloosa, Alabama. They are training workers vs. traditional education. Very hands-on. Check out Great Fall Workforce Development online: [Workforce | Great Falls Development Authority \(growgreatfallsmontana.org\)](http://Workforce|GreatFallsDevelopmentAuthority(growgreatfallsmontana.org))
- Big Timber grocery store is huge problem.
- Movement to copy Rock31's space on a smaller scale in Big Timber. Hoping to create a community of young professionals.
 - Kayla offered for Raymond to come to Rock31 someday to get a tour and learn a little more about how to set it up.
- Wednesday Rodeo was a huge driver post-flood.
- 100th annual Big Timber Rodeo this June – one of oldest in the state.
- Excited about Melville event venue that Jacy is working on.

Optional Tour of New England Chowder Co – 60 Big Timber Loop (This was canceled by the owners due to a conflict).

Next Beartooth RC&D Area, Inc. Board of Directors Meeting: Jan. 19th, 2023 – Rock31 Billings

Meeting adjourned at 2:15 pm.

Revolving Loan Fund Books- October, 2022

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>	
Big Horn	2	\$183,884.44	
Stillwater	1	\$150,774.08	
Yellowstone	10	\$738,295.63	
Carbon	2	\$226,602.46	
<u>Sweet Grass</u>	<u>2</u>	<u>\$162,099.30</u>	Total:
17		\$1,461,655.91	

- Participating in the SSBCI 2.0 State RLF program talking with Bankers
- Working on RMAP Grant
- Lots of RLF active, hesitation with the rising interest rates

Bank Balances as of October, 31, 2022 Total available for lending

Bank of Joliet- EDA	\$96,182.97	\$96,182.97
Bank of Joliet-CDBG	\$67,346.31	\$67,346.31
Bank of Joliet- IRP	\$186,431.57	\$146,431.57
Bank of Joliet-Fromberg	\$31,302.79	<u>\$31,302.79</u>
		\$ 341,260.64

Beartooth Books- Reporting Ending October 2022

	<u>Budgeted</u>	<u>Actual</u>	<u>% of budgeted</u>
Income			
AG-FOOD AND AG CENTER	45,000	33,706	74.90%
AG-MCDC	500		0.00%
SPECIALTY CROP BLOCK	40,000	16,477	0.00%
BOARD - EDA SPONSOR DUES	56,979	59,442	104.32%
BOARD-INTEREST INCOME	400	140	34.89%
BOARD-FOUNDATION MONEY	3,300	3,529	106.94%
RLF-STAFF REIMBURSE	18,000		0.00%
RLF-ORIG FEES	5,000	6,125	122.50%
CRDC	71,000	53,883	75.89%
MISC- GRANT ADMIN\$	12,750	1,904	14.93%
EDA- GRANT	70,000	70,000	0.00%
EDA- CARES	100,000	100,000	0.00%
NOT BUDGED INCOME			0.00%
TOTAL INCOME	422,929	345,206	81.62%

Expense			
TOTAL STAFF EXPENSE	233,104	192,742	82.68%
COMMUNICATIONS	6,000	6,450	107.49%
EQUIPMENT & VEHICLE	8,520	7,235	84.91%
CONTRACTUAL	20,000	181,799	908.99%
SUPPLIES	12,900	6,795	52.67%
TRAVEL	11,080	3,321	29.98%
OTHER	10,420	11,731	112.59%
RESERVE	-		
EXPENSE TOTAL	302,024	410,072	135.77%

Account Balances

Bank of Joliet-Building Account	\$4,477.99
Bank of Joliet- Savings Account	\$64,724.50
Bank of Joliet- Checking Account	\$105,151.96

Revolving Loan Fund Books- December 31, 2022

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>	
Big Horn	2	\$183,884.44	
Stillwater	1	\$149,731.21	
Yellowstone	10	\$728,295.49	
Carbon	2	\$226,267.65	
<u>Sweet Grass</u>	<u>2</u>	<u>\$160,354.66</u>	Total:
	17	\$1,448,533.45	

- Participating in the SSBCI 2.0 State RLF program
- RMAP Grant - Submitted
- 2021 Audit done, Ready for Board approval

Bank Balances as of December, 31, 2022 Total available for lending

Bank of Joliet- EDA(RMAP match) \$109,010.34	\$ 9,010.34
Bank of Joliet-CDBG \$76,907.55	\$ 76,907.55
Bank of Joliet- IRP \$164,761.47	\$ 126,431.57
Bank of Joliet-Fromberg \$31,336.24	\$ <u>31,336.24</u>
	\$ 243,685.70

Beartooth RC&D Budget Comparison

		2020		2021		2022		2023 Income		2023	
INCOME		Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
AG-FOOD AND AG CENTER		85,007	83,340	85,007	73,538	45,000	70,057	AG-FOOD AND AG CENTER		45,000	
AG-MCDC		1,000		1,000		500	0	Specialty Crop Block		35,000	
BOARD - EDA SPONSOR DUES		51,072	54,823	55,907	54,614	56,979	56,844	BOARD - EDA SPONSOR DUES		56,979	
BOARD-INTEREST INCOME		400	459	400	300	400	845	BOARD-INTEREST INCOME		400	
BOARD-FOUNDATION MONEY		3,700	3,390	3,700	3,373	3,300	3,830	BOARD-FOUNDATION MONEY		3,300	
RLF-STAFF REIMBURSE		18,000		18,000		18,000	0	RLF-STAFF REIMBURSE		15,000	
RLF-ORIG FEES		5,000		5,000		7,500	6,152	RLF-ORIG FEES		5,000	
CRDC		71,907	69,751	71,907	71,844	71,000	71,844	CRDC		71,000	
CGWG/ fuels			1,875		6,147			EDA - GRANT		70,000	
MISC GRANT ADMIN \$				10,750		12,750		BSTF ADMIN \$		4,000	
EDA - GRANT		70,000	170,000	70,000	70,000	70,000	70,000	RCDI (Big Horn)		2,500	
SW-GRANT					224,357			RCDI (Red Lodge)		4,000	
BSTF					44,220			Pass- Through			
EDA-CARES ACT					200,000		100,000				
Pass- Through							73,102				
Total Income		306,086	383,638	321,671	748,393	285,429	452,674			312,179	0
EXPENSES								Expenses for 2023			
TOTAL STAFF EXPENSE		233,104	214,386	256,044	245,234	231,429	233,496	TOTAL STAFF EXPENSE		244,441	
COMMUNICATIONS		6,000	6,712	6,000	7,194	4,500	7,167	COMMUNICATIONS		7,000	
EQUIPMENT & VEHICLE		8,520	9,938	8,520	4,970	4,500	9,581	EQUIPMENT & VEHICLE		6,000	
CONTRACTUAL		20,000	106,640	21,220	442,632	21,100	195,509	CONTRACTUAL		25,000	
SUPPLIES		12,900	19,335	9,800	10,908	5,000	10,559	SUPPLIES		7,000	
TRAVEL		11,080	2,001	10,140	1,534	7,800	3,756	TRAVEL		5,500	
OTHER		10,420	15,912	8,430	10,618	10,000	12,515	OTHER		11,500	
Total Expense for the year		302,024	374,923	320,154	723,091	284,329	472,583	EXPENSE TOTAL		306,441	0
Net Income		4,062	8,715	1,517	25,302	1,100	-19,910			5,738	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 as of 12/31/2022											
Bank Of Joliet- Checking		\$100,235.98									
Bank Of Joliet- Savings		\$ 64,830.63									
Bank Of Joliet - Building		\$ 4,482.94									

Beartooth RC&D Staff Project Updates

January 2023

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 funding. Beartooth FADC also worked with our regional MMEC and SBDC to develop an outreach visit with Shamrock Foods in Billings and Fishtail General Store in Columbus. Beartooth FADC attended a specialty crop and Food and Ag meeting in Lewistown and toured a local apiary. Discussions and zoom meetings were held about potential funding for a beef to school initiative.

Growth Through Ag Projects and ARPA Value Added Ag Grant

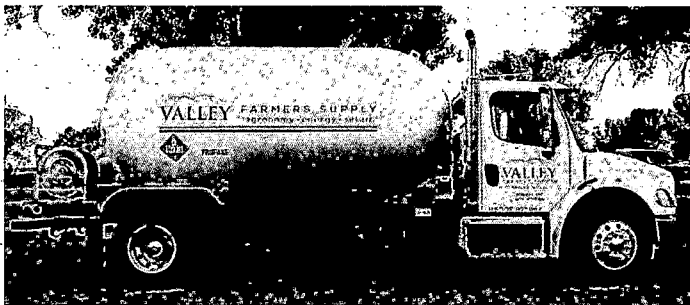
Beartooth FADC has worked with several businesses interested in Growth Through Ag and USDA grants some of these will have an opportunity to be granted funding and we will continue to assist them in completing their business expansion projects.

Valley Farmers Supply

Location- Worden, MT

Contact- Calvin Wilson

Valley Farmers Supply is a rural cooperative business that delivers fuel, propane and fertilizer to Rural and Agricultural Clients, provides seed crop and soil analysis and has a retail store in Worden. Beartooth FADC has been working with them on the development of a USDA Fertilizer Production Expansion Program grant application to assist them with their 3-million-dollar expansion project that will increase their businesses capacity, allow for increased efficiency, reduce energy consumption, increase profitability and their ability to compete in the market.



Shamrock Foods

Location- Billings, MT
Contact- Brad Raddoch

Beartooth FADC along with our partners from SBDC and MMEC were able to visit with Shamrock Foods about our clients which they already have a relationship with most of them and either deliver regionally sources commodities to them for processing or distribute some of their products. We were able to discuss their potential future expansion in Billings and how that will allow them to purchase and distribute even more locally produced offerings.



Ranch House Meats/ Pure MT Meats

Contact- Tonya Flowers
Location- Huntley, MT

Ranch House Meats began processing and retailing their branded meats in Billings and expanded their operation when they bought a meat plant in Miles City where their locally grown hogs and beef are processed and they shipped to their plant outside of Billings for further processing and distribution. Beartooth FADC passed along potential funding sources for their business expansion plans at their Billings area facility.

Vista Ridge Montana

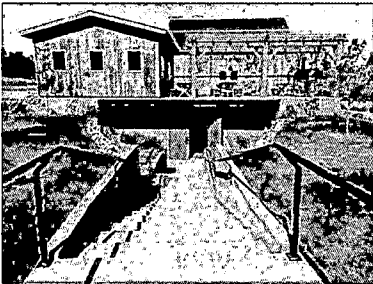
Contact- Shaun Martinez
Location- Huntley, MT

Vista Ridge Montana is a startup value added agricultural operation that plans to produce and sell organic produce, heritage and native plant seedlings for restoration, conservation, reforestation and landscaping as well as honey and honey bees.

Greycliff Mill

Contact- Daniel Seylor
Location- Big Timber, MT

Beartooth FADC visited Greycliff mill in Big Timber to see their progress in developing a value added ag operation that mills local grains used in the breads that are served at their restaurant and coffee shop they are now finishing a larger value added venture with plans to use local milk to make a line of cheeses as well as having sweet corn, beans, apples and berries which will be utilized to be sold fresh and in jams. Beartooth FADC are writing a Growth Through Ag grant for additional equipment for their operation.



On Going Projects

Blue Creek Marbled Beef

Contact-Nels Pearson
Location-Blue Creek South of Billings

Blue Creek Marbled beef are developing a state inspected meat processing plant South of Billings they are under construction and expect it to be a 2-3-million-dollar project. Beartooth FADC assisted this business in applying for the Value Added ARPA grant for construction and equipment costs. The business received the ARPA funding for \$300,000.00. Their new plant is located next to their feedlot, which they are now expanding as well to include more pens for finishing beef, we plan to continue to assist them with any grants that will assist them with this project, the business is now fully operational and will add to the amount of custom beef processing in our region.

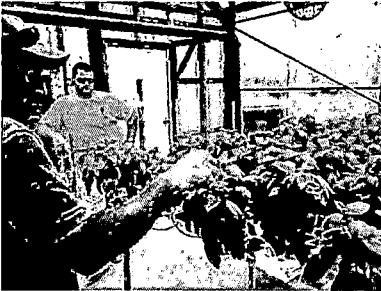


Yellowstone Valley Farm

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



Carbon County Meats-

Contact-Sabina Giovetti

Location-Belfry

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

Primitive Meats

Contact- Kelsey Grice

Location- Worden, MT

Kelsey Grice and her husband are looking for funding assistance through the GTA grant to help them with construction costs and equipment for their start up meat processing business. This Business also applied for an ARPA Value Added Ag Grant, Beartooth FADC put the business in contact with a local engineering firm to discuss the plans for their plant. Their application was approved for \$150,000.00, Beartooth FADC has been in contact with the owners they are very busy this summer and may wait for the cost of construction to come down before starting the project.

Becky's Berries- Absarokee, MT

Contact- Becky Stahl

Location-Absarokee

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

Beartooth FADC initiated contact with the following businesses

- Justine Kougl- Huntley
- Brett Clause- Columbus
- Jessica Jane Hart Swift Buckets- Billings, MT
- J and K Farms- Huntley, MT
- Big Timber Meat Plant Dan Snyder
- Barb Skelton Horses Spirit Healing
- Zach Griffin

Beartooth FADC Outreach

MT Prime Meats Retail Outlet Billings, MT

Fishtail General Store Fishtail, MT



Economic Development Director Report for January 2023

1/19/2023

- Economic Development/ CRDC
 - BSTF
 - Stillwater County Industrial/Business Park Feasibility Study – continuing forward with site selection; possibly extension request upcoming
 - BSTF Planning Application submitted on Dec. 14th –CMM LLC; recently “pitched” to DOC on January 4th
 - USDA BHC RCDI Grant – training has continued with Tina Toyne; currently exploring housing options for the county to pursue; assisted her with applying to HUD’s Distressed Cities and Persistent Poverty Technical Assistance (DCTA) program and NACo’s BRECC Coal Communities Commitment Coalition
 - USDA RLACF RCDI Grant- awarded in September 2022; working with Angela Getchell and Tesla Palmatier; kickoff meeting with USDA on January 10th
 - CEDS- copies are available
 - Next reporting period will include:
 - USDA RCDI Quarter reports (2)- end of January 2023
 - CRDC Quarter 4 report- end of January 2023
 - CRDC Work Plan- February 2023
 - EDA Partnership Planning Grant report- January 2023
 - BSTF Quarter report- January 2023
 - Helping Hands Food Bank in Hardin- updated timeline from Brandon:
 - Draft SAP- January 25, 2023
 - Final SAP- February 8, 2023
 - Field Work- Sometime between mid-February and early April, 2023. (Weather Dependent) April 3, 2023
 - Lab Analytical Completion- Mid-March to late April, 2023 (Fieldwork Dependent) April 28, 2023
 - Draft Phase II Report- Late March to Mid-May (Lab dependent) May 17, 2023
 - Final Phase II Report- Mid April to Late May. May 31, 2023.
 - Community-Wide Brownfield Assessment Grant- being reviewed currently and will be notified in May-June 2023 if application is successful
 - Carbon County Historical Society & Museum- still on standby assistance with their new business plan
 - EIG/EDA case study for Big Horn County- final report is complete and will be available for distribution
 - Montana Community Foundation- announced a new grant opportunity: MT Disaster Recovery Fund grant; BRCD applied and received \$15,000
 - Additional Clients:
 - Mitzi Racine with 3 of her own clients (Timberline Dirtworks, Chunky Knits, Living Canvas)
 - BHC Road & Fire Department- Coal Board grant assistance

Frequently Used Acronyms

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

December 28, 2022

Beartooth Resource Conservation and Development Area, Inc.
Board of Directors
Joliet, Montana

Dear Board of Directors:

We have audited the financial statements of Beartooth Resource Conservation and Development Area, Inc. for the year ended December 31, 2021, and have issued our report thereon dated December 27, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Our Responsibility Under Auditing Standards Generally Accepted in the United States

As stated in our engagement letter dated December 14, 2022, our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your responsibilities.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to your representative, Nan Knight, Finance Director, in our meeting about planning matters in addition to our engagement letter dated December 14, 2022, accepted by Joel Bertolino, Executive Director.

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Organization are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year.

We noted no transactions entered into by the Organization during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive accounting estimate affecting the financial statements was:

Management's estimate of the allowance for doubtful accounts is based on various criteria, including payment history, status of loan, borrower ability to pay, historical losses, current economic conditions, and collateral. We evaluated the key factors and assumptions used to develop the allowance of doubtful accounts and determined that it is reasonable in relation to the basic financial statements taken as a whole

The disclosures in the financial statements are neutral, consistent and clear. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

The disclosure of the loans receivable and the related allowance account in Note 4 to the financial statements describes the extent and status of the loans receivable, the allowance of doubtful accounts, and the related values associated.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The attached schedule summarizes the material misstatements that we identified as a result of our audit procedures and were brought to the attention of, and corrected by, management.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 27, 2022, a copy of which accompanies this letter

Management's Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Organization's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Company's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

We appreciate the opportunity to be of service to Beartooth Resource Conservation and Development Area, Inc.

This communication is intended solely for the use of the Board of Directors and management of Beartooth Resource Conservation and Development Area, Inc. and is not intended to be, and should not be, used by anyone other than these specified parties.

Respectfully,

A handwritten signature in black ink that reads "Wipfli LLP". The signature is written in a cursive, flowing style.

Wipfli LLP
Billings, Montana

Beartooth Resource Conservation and Development Area, Inc.

Year End: December 31, 2021

AJE

Date: 1/1/2021 To 12/31/2021

AJE

Number	Date	Name	Account No	Debit	Credit
AJE 01	12/31/2021	Checking - Bank of Joliet	1031-05		-1,360.00
AJE 01	12/31/2021	Savings-Bank of Joliet	1031-07		-10,873.00
AJE 01	12/31/2021	Revolving Loan Accounts	1040-50		-79.00
AJE 01	12/31/2021	Revolving Loan Accounts:Savings - IRP (29-97)	1040-51		-383.00
AJE 01	12/31/2021	Revolving Loan Accounts:Savings-EDA (29-54)	1040-53		-1,050.00
AJE 01	12/31/2021	Revolving Loan Accounts:Savings-CDBG (29-62)	1040-54	34.00	
AJE 01	12/31/2021	ACCRUED INTEREST RECEIVABLE	1400-10	21,707.00	
AJE 01	12/31/2021	Loan Receivable:BRCD 0063 Flower Expression #2	1500-16	43,180.00	
AJE 01	12/31/2021	Loan Receivable:BRCD 0054 Iron Horse Products	1500-54	7,800.00	
AJE 01	12/31/2021	Loan Receivable:BRCD0061 Y-STOP	1500-68	245.00	
AJE 01	12/31/2021	Loan Receivable:BRCD0077 MT Chiropractic Health	1500-90		-192.00
AJE 01	12/31/2021	Loan Receivable:BRCD 0078 State Cinema	1500-91	352.00	
AJE 01	12/31/2021	Loan Receivable:BRCD0081 Y-Stop Refinance	1500-94		-245.00
AJE 01	12/31/2021	Current Portion-Offset	1500-98		
AJE 01	12/31/2021	Note Receivable - Current Portion	1500-99		
AJE 01	12/31/2021	ALLOWANCE FOR DOUBTFUL ACCOUNTS	1510-00	375,532.00	
AJE 01	12/31/2021	PY MISC DUE FROM RLF	1540-01		-557.00
AJE 01	12/31/2021	ACCOUNTS RECEIVABLE BOARD	1550-01		-57,861.00
AJE 01	12/31/2021	Machinery and Equipment:Board	1640-01		-4,197.00
AJE 01	12/31/2021	Machinery and Equipment:Board:Dell Computers 2005	1640-02		-2,741.00
AJE 01	12/31/2021	Machinery and Equipment:Board:Camera	1640-03		-900.00
AJE 01	12/31/2021	Machinery and Equipment:Certified Communities	1640-04		-1,000.00
AJE 01	12/31/2021	Machinery and Equipment:MACH & EQUIP - FUELS	1640-20		-2,668.00
AJE 01	12/31/2021	Machinery and Equipment:EDA	1640-26		-1,198.00
AJE 01	12/31/2021	Machinery and Equipment:National Housing	1640-32		-500.00
AJE 01	12/31/2021	Machinery and Equipment:Board:Automobile-Board	1650-01	10,751.00	
AJE 01	12/31/2021	Machinery and Equipment:Board:Accum Dep	1680-01	1,101.00	
AJE 01	12/31/2021	Machinery and Equipment:MACH & EQUIP - FUELS:ACCUM	1680-20	2,670.00	
AJE 01	12/31/2021	Accumulated Depr-Cert Comm	1680-23	200.00	
AJE 01	12/31/2021	Machinery and Equipment:EDA:Accum Dep	1680-26	1,197.00	
AJE 01	12/31/2021	Machinery and Equipment:National Housing:Accum Dep	1680-32	500.00	
AJE 01	12/31/2021	ACCOUNTS PAYABLE BOARD	2100-01	131,538.00	
AJE 01	12/31/2021	ACCOUNTS PAYABLE BOARD	2100-01	2,400.00	
AJE 01	12/31/2021	PY DUE TO RC&D	2100-30	15,738.00	
AJE 01	12/31/2021	Payroll Liabilities:941 Payable	2110-34		-694.00
AJE 01	12/31/2021	ACCRUED VACATION AND SICK PAY	2120-32		-9,710.00
AJE 01	12/31/2021	MBOI - IRP Program	2210-50		-1,841.00
AJE 01	12/31/2021	Current Portion LTD-Offset	2298-50		
AJE 01	12/31/2021	Current Portion LTD	2299-50		
AJE 01	12/31/2021	Fund Balance:Unrestricted	2740-01		-27,708.00
AJE 01	12/31/2021	Fund Balance:Unrestricted	2740-01		-2,400.00

Number	Date	Name	Account No	Debit	Credit
AJE 01	12/31/2021	IRP/MBOI Revolving Loan Fund:W/O SG Dairy #70 (12	2750-45		-29,062.00
AJE 01	12/31/2021	IRP/MBOI Revolving Loan Fund:W/O Flower Expression	2750-48		-36,991.00
AJE 01	12/31/2021	IRP/MBOI Revolving Loan Fund:W/O Perfection Cycle#	2750-49		-8,285.00
AJE 01	12/31/2021	Fund Balance-RLF	2750-50		-130,635.00
AJE 01	12/31/2021	Bad Debt Recovery	2750-51	1,419.00	
AJE 01	12/31/2021	EDA Revolving Loan Fund:W/O Cowboys Toys #47 10/14	2750-83		-43,413.00
AJE 01	12/31/2021	CDBG Revolving Loan Fund:W/O Link Comm #46	2750-84		-267,183.00
AJE 01	12/31/2021	IRP/MBOI Revolving Loan Fund:W/O Link Comm #44	2750-85		-23,849.00
AJE 01	12/31/2021	Retained Earnings	2999-98		-64,154.00
AJE 01	12/31/2021	Retained Earnings	2999-98	36,601.00	
AJE 01	12/31/2021	Retained Earnings Loan	2999-99	121,378.00	
AJE 01	12/31/2021	Retained Earnings Loan	2999-99		-36,601.00
AJE 01	12/31/2021	Loan Receivable:BRCD0085 Nye Trading Post	1500-101	2,194.00	
AJE 01	12/31/2021	Loan Receivable:BRCD0090 JJJ Enterprises	1500-106		-407.00
AJE 01	12/31/2021	Loan Receivable:BRCD0091 Iron Titan Cross Fit	1500-107		-7,800.00
To adjust beginning equity for:PY unposted audit entries.					
AJE 02	12/31/2021	Machinery and Equipment:Board:Accum Dep	1680-01		-5,000.00
AJE 02	12/31/2021	Depreciation Exp-Board	7300-01	5,000.00	
To record depreciation expense for the year.					
AJE 03	12/31/2021	ACCOUNTS PAYABLE BOARD	2100-01		-50,295.00
AJE 03	12/31/2021	Contractual	6510-01	50,295.00	
To adjust accounts payable for amounts that should have been included at year end.					
AJE 04	12/31/2021	ACCRUED INTEREST RECEIVABLE	1400-10		-7,892.00
AJE 04	12/31/2021	Loan Receivable:BRCD0075 Wildflower Gardens	1500-88		-5,828.00
AJE 04	12/31/2021	Loan Receivable:BRCD0080 MAV Properties	1500-93	633.00	
AJE 04	12/31/2021	Loan Receivable:BRCD0081 Y-Stop Refinance	1500-94		-1,935.00
AJE 04	12/31/2021	Bad Debt Recovery - RLF	3030-51		-48,337.00
AJE 04	12/31/2021	Loan Interest Income	3500-49	57,531.00	
AJE 04	12/31/2021	Contractual:Professional Fees:Accounting	6510-03	5,828.00	
To adjust loan receivable accounts to actual					
AJE 05	12/31/2021	ALLOWANCE FOR DOUBTFUL ACCOUNTS	1510-00		-30,523.00
AJE 05	12/31/2021	Bad Debts	6015-50	30,523.00	
To adjust the allowance for loans receivable.					
AJE 06	12/31/2021	ACCRUED VACATION AND SICK PAY	2120-32	9,663.00	
AJE 06	12/31/2021	Salaries:Salaries & Wages	5020-05		-9,663.00
To adjust accrued vacation/sick to actual.					
AJE 11	12/31/2021	Current Portion-Offset	1500-98		-556,250.00
AJE 11	12/31/2021	Note Receivable - Current Portion	1500-99	556,250.00	
To adjust the current portion of LT Debt					
				1,492,260.00	-1,492,260.00

**BEARTOOTH
RESOURCE CONSERVATION AND DEVELOPMENT AREA, INC.**

December 27, 2022

Wipfli LLP
550 N. 31st Street, Suite 300
Billings, MT 59101

This representation letter is provided in connection with your audit of the financial statements of Beartooth Resource Conservation and Development Area, Inc., which comprise the statement of financial position as of December 31, 2021, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm that, to the best of our knowledge and belief, as of December 27, 2022, the following representations made to you during your audit:

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement dated December 14, 2022, including our responsibility for the preparation and fair presentation of the financial statements in accordance with GAAP.



128 So. Main St.
P. O. Box 180
Joliet, MT 59041

PHONE 406-962-3914
FAX 406-962-3647
WEBSITE www.Beartooth.org

2. The financial statements referred to above are fairly presented in conformity with GAAP.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
6. There are no known related-party relationships or transactions which need to be accounted for or disclosed in accordance with GAAP.
7. All events subsequent to the date of the financial statements and for which GAAP requires adjustment or disclosure have been adjusted or disclosed.
8. We agree with the adjusting journal entries proposed by you and which are given effect to in the financial statements.
9. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with GAAP.
10. Significant estimates and material concentrations have been properly disclosed in accordance with GAAP
11. Guarantees, whether written or oral, under which the Organization is contingently liable, have been properly recorded or disclosed in accordance with GAAP.
12. We accept responsibility for and have designated an individual with suitable skill, knowledge, or experience to oversee the following nonattest services:
 - a. Financial statement preparation
 - b. Preparation of Form 990

Information Provided

13. We have provided you with:

- a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
- b. Additional information that you have requested from us for the purpose of the audit.
- c. Unrestricted access to persons within the Organization from whom you determined it necessary to obtain audit evidence.
- d. Minutes of the meetings of the governing board or summaries of actions of recent meetings for which minutes have not yet been prepared.

14. All material transactions have been recorded in the accounting records and are reflected in the financial statements.

15. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

16. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:

- a. Management;
- b. Employees who have significant roles in internal control; or
- c. Others when the fraud could have a material effect on the financial statements.

17. We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, grantors, regulators, or others.

18. We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements in accordance with GAAP.

19. All material transactions have been recorded in the accounting records and are reflected in the financial statements.

20. There are no other liabilities and gain or loss contingencies that are required to be accrued or disclosed by accounting standards.

21. There are no unrecorded transactions and/or side agreements or other arrangements (either written or oral).

22. We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.
23. The Organization has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any material asset been pledged.
24. The Organization has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
25. Receivables recorded in the financial statements represent valid claims against debtors for services provided or other charges arising on or before the statement of financial position date and have been reduced to their estimated net realizable value.
26. The Organization has identified all accounting estimates that could be material to the financial statements, including the key factors and significant assumptions underlying those estimates, and we believe the estimates are reasonable in the circumstances.
27. There are no estimates that may be subject to a material change in the near term that have not been properly disclosed in the financial statements. We understand that near term means the period within one year of the date of the financial statements. In addition, we have no knowledge of concentrations existing at the date of the financial statements that make the Organization vulnerable to the risk of severe impact that have not been properly disclosed in the financial statements.
28. The methods we used in developing accounting estimates are applied consistently, data is accurate and complete, and the assumptions are reasonable.
29. We have fully disclosed to you all terms of contracts with customers that affect the amount and timing of revenue recognized in the financial statements, including delivery terms, rights of return or price adjustments, side adjustments, implicit provisions, unstated business conventions, and all warranty provisions.

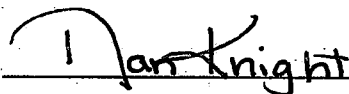
30. We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.

31. We have complied with all restrictions on resources (including donor restrictions) and all aspects of contractual and grant agreements that would have a material effect on the financial statements in the event of noncompliance. This includes complying with donor requirements to maintain a specific asset composition necessary to satisfy their restrictions.

32. Beartooth Resource Conservation and Development Area, Inc. is an exempt organization under Section 501(c)(3) of the Internal Revenue Code. Any activities of which we are aware that would jeopardize the Organization's tax-exempt status, and all activities subject to tax on unrelated business income or excise or other tax, have been disclosed to you. All required filings with tax authorities are up-to-date.

To the best of our knowledge and belief, no events, including instances of noncompliance, have occurred subsequent to the statement of financial position date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.

Sincerely,



Nan Knight, Finance Director



Joel Bertolino, Executive Director/Food and Ag Director

Beartooth Resource Conservation and Development Area, Inc.

Financial Statements and
Independent Auditor's Report

Year Ended December 31, 2021



WIPFLI

**Beartooth Resource Conservation and
Development Area, Inc.**
Year Ended December 31, 2021

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Independent Auditor's Report

Board of Directors
Beartooth Resource Conservation and Development Area, Inc.
Joliet, Montana

Opinion

We have audited the accompanying financial statements of Beartooth Resource Conservation and Development Area, Inc. (the "Organization"), a nonprofit organization, which comprise the statement of financial position as of December 31, 2021, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Beartooth Resource Conservation and Development Area, Inc. as of December 31, 2021, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America ("GAAP").

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS"). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Beartooth Resource Conservation and Development Area, Inc. and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with GAAP, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Beartooth Resource Conservation and Development Area, Inc.'s ability to continue as a going concern for one year after the date the financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Beartooth Resource Conservation and Development Area, Inc.'s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Beartooth Resource Conservation and Development Area, Inc.'s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Wipfli LLP

Wipfli LLP

Billings, Montana
December 27, 2022

Beartooth Resource Conservation and Development Area, Inc.

Statement of Financial Position

As of December 31, 2021

ASSETS

Current Assets

Cash	\$ 187,956
Accrued interest receivable	75,173
Loans receivable - current portion, net of allowance for doubtful accounts of \$407,061	149,189
Prepaid expenses	1,717
Total current assets	<u>414,035</u>

Cash restricted to revolving loan fund	<u>868,395</u>
--	----------------

Fixed Assets

Property and equipment	24,179
Accumulated depreciation	<u>(24,179)</u>

Other Assets

Loans receivable - long-term portion	<u>571,408</u>
--------------------------------------	----------------

TOTAL ASSETS	<u><u>\$ 1,853,838</u></u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Accounts payable	\$ 60,895
Accrued expenses	28,349
Notes payable - current portion	37,310
Total current liabilities	<u>126,554</u>

Long Term Liabilities

Notes payable - long-term portion	<u>486,600</u>
-----------------------------------	----------------

Net Assets

Without donor restrictions - undesignated	70,466
With donor restrictions	<u>1,170,218</u>
	<u>1,240,684</u>

TOTAL LIABILITIES AND NET ASSETS	<u><u>\$ 1,853,838</u></u>
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See accompanying notes to financial statements.

Beartooth Resource Conservation and Development Area, Inc.

Statement of Activities

<i>Year Ended December 31, 2021</i>	Without Donor Restrictions	With Donor Restrictions - Revolving Loan Fund	Total
REVENUE			
Grants	\$ 705,989	\$ -	\$ 705,989
Dues	42,664	-	42,664
Interest	300	44,870	45,170
Other revenue	-	-	-
Bad debt adjustments and recoveries	-	48,337	48,337
Net assets released from restrictions	11,519	(11,519)	-
Total Revenue	<u>760,472</u>	<u>81,688</u>	<u>842,160</u>
EXPENSES			
Loan and economic development programs	760,273	-	760,273
Management and general	51,097	-	51,097
Total Expenses	<u>811,370</u>	<u>-</u>	<u>811,370</u>
CHANGES IN NET ASSETS	(50,898)	81,688	30,790
NET ASSETS - Beginning	<u>121,364</u>	<u>1,088,530</u>	<u>1,209,894</u>
NET ASSETS - Ending	<u>\$ 70,466</u>	<u>\$ 1,170,218</u>	<u>\$ 1,240,684</u>

See accompanying notes to financial statements.

Beartooth Resource Conservation and Development Area, Inc.

Statement of Functional Expenses

	Loan and Economic Development Programs	Management and General	Total
<i>Year Ended December 31, 2021</i>			
FUNCTIONAL EXPENSES			
Bad debts	\$ 30,523	\$ -	\$ 30,523
Contractual	477,655	21,100	498,755
Depreciation	5,000	-	5,000
Interest	6,295	-	6,295
Miscellaneous	10,144	102	10,246
Rent	2,503	247	2,750
Repairs and maintenance	4,623	348	4,971
Salaries and benefits	210,846	24,726	235,572
Supplies	9,272	1,636	10,908
Telephone	1,879	2,938	4,817
Travel	1,533	-	1,533
Totals	\$ 760,273	\$ 51,097	\$ 811,370

See accompanying notes to financial statements.

Beartooth Resource Conservation and Development Area, Inc.

Statement of Cash Flows

Year Ended December 31, 2021

CASH FLOWS FROM OPERATING ACTIVITIES

Increase in net assets	\$ 30,790
Adjustments to reconcile increase in net assets to net cash from operations:	
Allowance for bad debts adjustment	(30,523)
Depreciation	5,000
(Increase) decrease in:	
Accrued interest receivable	7,892
Increase (decrease) in:	
Accounts payable	50,295
Accrued expenses	9,387
Net cash flow from operating activities	<u>72,841</u>

CASH FLOWS FROM INVESTING ACTIVITIES

Payments on loans receivable	191,273
Bad debt recoveries	44,616
Net cash flow from investing activities	<u>235,889</u>

CASH FLOWS FROM FINANCING ACTIVITIES

Principal payments on notes payable	(36,894)
Net cash flow from financing activities	<u>(36,894)</u>

CHANGE IN CASH	271,836
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CASH - Beginning of year	<u>784,515</u>
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CASH - End of year	<u><u>\$ 1,056,351</u></u>
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Reconciliation to cash on statement of financial position:

Cash	\$ 187,956
Cash restricted to revolving loan fund	868,395
Total cash	<u><u>\$ 1,056,351</u></u>

SUPPLEMENTAL CASH FLOW INFORMATION:

Cash paid during the year for:	
Interest	\$ 6,295
Income taxes	-

See accompanying notes to financial statements.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 1: Summary of Significant Accounting Policies

Nature of Operations

Beartooth Resource Conservation and Development Area, Inc. (BRCDA or the Organization) is a governmental nonprofit corporation organized to improve the quality of life in the counties of Big Horn, Carbon, Stillwater, Sweet Grass, and Yellowstone. BRCDA accomplishes this objective through a comprehensive and coordinated effort of local citizens, and by providing local decision makers with technical information and the necessary access to resources to better manage, protect and utilize the area's natural and human resources. Since BRCDA's board of directors is appointed by the conservation districts, board of county commissioners and town and city councils of the aforementioned counties, it is defined as a governmental not-for-profit.

In 1996, the Economic Development Administration of the US Department of Commerce designated BRCDA the Economic Development District for the region. BRCDA operates a Community Development Block Grant (CDBG), a Revolving Loan Fund (RLF) and an Intermediary Relending Program and Montana Board of Housing (IRP/MBOH) to assist companies with their financing needs.

In 2003, the Montana Legislature created the Certified Regional Development Corporations (CRDC) program. In 2004, Beartooth RC&D became a CRDC to help encourage a regional approach to economic development.

Basis of Accounting

The financial statements of the Organization have been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States for nonprofit organizations.

New Accounting Pronouncements

In February 2016, the FASB issued ASU No. 2016-02, *Leases (Topic 842)*. This ASU provides guidance on the recognition of lease assets and lease liabilities by lessees for those leases classified as operating leases under previous accounting standards and new disclosures on key information about leasing arrangements. The new standard supersedes current leases accounting in FASB Accounting Standards Codification (ASC) Topic 840, *Leases*. When adopted, the amendments in the ASU must be applied using a modified retrospective approach. ASU No. 2016-02 is effective for nonpublic companies for annual periods beginning after December 15, 2021. The Organization is currently evaluating the impact of the provisions of ASC 842.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 1: Summary of Significant Accounting Policies (Continued)

Accounts Receivable

Accounts receivable consist primarily of grants and membership dues receivable. The Organization has elected to record bad debts using the direct write-off method. Generally accepted accounting principles require that the allowance method be used to recognize bad debts; however, the effect of using the direct write-off method is not materially different from the results that would have been obtained under the allowance method. There were no credit losses relating to accounts receivable in 2021.

Loans Receivable

Loans receivable are stated at the amount reasonably expected to be collected. The Organization maintains allowances for doubtful accounts for estimated losses resulting from the inability of its customers to make required payments. Management considers the following factors when determining the collectability of specific loan receivables: payment history, status of loan, borrower ability to pay, historical losses, current economic conditions and collateral. Based on management's assessment, the Organization provides for estimated uncollectible amounts through a charge to earnings and a credit to the valuation allowance. Balances that remain outstanding after the Organization has used reasonable collection efforts are written off through a charge to the valuation allowance and a credit to loan accounts receivable.

Property and Equipment

All acquisitions and improvements of property and equipment of \$1,000 or more are capitalized while all expenditures for repairs and maintenance that do not materially prolong the useful lives of assets are expensed. Purchased property and equipment is carried at cost. Donated property and equipment is carried at the approximate fair value at the date of donation. Depreciation is computed using the straight-line method over the estimated lives of the assets.

Net Assets

Net assets and revenues, expenses, gains, and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets of the Organization and changes therein are classified and reported as follows:

Net assets without donor restrictions: Net assets available for use in general operations and not subject to donor (or certain grantor) restrictions.

Net assets with donor restrictions: Net assets subject to donor- or grantor-imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Donor-imposed restrictions are released when a restriction expires; that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 1: Summary of Significant Accounting Policies (Continued)

Grant and Contribution Revenue

Grants and contributions are considered available for general use unless specifically restricted by the donor. Grants and contributions received are recorded as support with donor restrictions or support without donor restrictions, depending on the existence and nature of the stipulated restrictions.

Grants and contributions that are with donor restrictions are reported as increases in net assets with donor restrictions, which are reclassified to net assets without donor restrictions at the point when a stipulated time restriction ends or a purpose restriction is accomplished.

Advertising and Promotion

Advertising and promotion costs are charged to operations when incurred. There were no advertising and promotion expenses incurred during the year ended December 31, 2021.

Income Taxes

The Organization is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code. However, income from certain activities not directly related to the Organization's tax-exempt purpose is subject to taxation on unrelated business income. In addition, the Organization qualifies for the charitable contribution deduction under Section 170(b)(1)(A) and has been classified as organizations that are not private foundations. The Organization is also exempt from Montana income taxes.

Penalties and interest assessed by income taxing authorities are included in management and general expenses, if applicable. The Organization has no interest and penalties related to income taxes for the year ended December 31, 2021. The Organization's federal returns are subject to examination generally for three years after they are filed.

Functional Allocation of Expenses

The costs of providing various programs and other activities have been summarized on a functional basis in the statement of activities and by functional and natural classification in the statement of functional expenses. Accordingly, certain costs have been allocated among the program services and supporting activities benefited. When expenses cannot be directly assigned to a function, management uses informal time studies and allocations of similar expenses when determining the functional allocation.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 1: Summary of Significant Accounting Policies (Continued)

Estimates

Management uses estimates and assumptions in preparing the financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities and the reported revenues and expenses. Actual results could differ from those estimates. The most significant estimate in the financial statements relates to the allowance for loan losses account. This estimate may be adjusted as more current information becomes available and any adjustment could be significant.

Subsequent Events

The Organization's management has evaluated events and transactions for potential recognition or disclosure in the financial statements through December 27, 2022, which is the date the financial statements were available to be issued. There were no subsequent type events identified by management that are required to be disclosed.

Note 2: Liquidity and Availability of Financial Resources

The Beartooth Resource Conservation and Development Area, Inc. has \$187,956 of financial assets available within one year of the statement of financial position date consisting of cash of \$187,956. None of the above-listed financial assets are subject to donor or other contractual restrictions that make them unavailable for general expenditure within one year of the statement of financial position date. The short-term loans receivable (net of allowance for doubtful accounts) are subject to time restrictions, but will be collected within one year. The Organization has a goal to maintain financial assets, which consist of cash and short-term receivables, on hand to meet 90 days of normal operating expenses (total expenses, less depreciation and bad debts), which are, on average, approximately \$95,000. As part of its liquidity management, the Organization monitors and maintains excess cash in a separate savings account.

Note 3: Restricted Cash

The Organization is subject to restrictions of its cash balances related to its revolving loan programs. The cash held in these programs is required to be used to make new loans and cannot be used for other operating needs. The restricted cash balance consists of the following revolving loan programs:

Year Ended December 31, 2021

EDA	\$ 48,650
CDBG	423,773
Fromberg CDBG	29,900
IRP	366,072
<hr/>	
Total	\$ 868,395

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 4: Loans Receivable

The Organization was approved by the Economic Development Administration of the US Department of Commerce to establish a revolving loan fund. In addition, the Organization administers CDBG and IRP/MBOH loans. Outstanding loans receivable as of December 31, 2021, are as follows:

LOAN FUND	
EDA	\$ 74,563
CDBG	662,930
Fromberg CDBG	12,766
IRP	<u>377,399</u>
	1,127,658
Less: Allowance for loan losses	<u>(407,061)</u>
	720,597
Less: Current portion, net of allowance	<u>(149,189)</u>
Long-term portion	<u>\$ 571,408</u>

Loans receivable mature as follows:

Year:	
2022	\$ 556,250
2023	44,322
2024	39,280
2025	37,281
2026	39,630
Thereafter	<u>410,895</u>
	<u>\$ 1,127,658</u>

The terms of the loans receivable indicate that if any payments are past due (or not current on payments), the entire balance of the loan becomes payable in full immediately. Management defines delinquent or impaired as any loan with past due payments. Therefore, all delinquent loans are included in the current portion of the loans receivable. The Organization's total investment in loans with delinquent status is \$492,823.

The Organization recognizes interest income on the loans when it is earned in accordance with the accrual basis of accounting. Interest rates on the loans range from 5.00% to 9.72% and total interest income on loans receivable for the year ended December 31, 2021, was \$42,319. It is the Organization's policy to accrue interest on current loans and loans which are delinquent by less than one year. Interest accrual ceases after loans become delinquent by over one year.

The allowance is determined by evaluating delinquent loans and the collectability of loans based on the collateral.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 4: Loans Receivable (Continued)

Activity in the allowance for loan losses account for the year ended December 31, 2021, is as follows:

Balance, January 1, 2021	\$	376,538
Allowance adjustment		51,022
Collections		<u>(20,499)</u>
Balance, December 31, 2020	\$	<u>407,061</u>

Note 5: Property and Equipment

A summary of property and equipment is as follows as of December 31, 2021:

	December 31, 2020	Additions	Disposals	December 31, 2021
PROPERTY AND EQUIPMENT				
Vehicles	\$ 20,000	\$ -	\$ -	\$ 20,000
Machinery and equipment	4,179	-	-	4,179
	<u>24,179</u>	-	-	<u>24,179</u>
LESS ACCUMULATED DEPRECIATION FOR:				
Vehicles	15,000	5,000	-	20,000
Machinery and equipment	4,179	-	-	4,179
	<u>19,179</u>	5,000	-	<u>24,179</u>
Total	<u>\$ 5,000</u>			<u>\$ -</u>

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 6: Notes Payable

The Organization has the following notes payable as of December 31, 2021:

Note payable to the U.S. Department of Agriculture (USDA), bears interest at a rate of 1% per year, 30-year note with principal and interest payments due annually, matures November 2034.	\$ 386,209
Note payable to the Board of Investments of the State of Montana, bears interest at a rate of 2% per year, 30-year note with principal and interest payments due quarterly, matures November 2034.	<u>137,701</u>
	523,910
Less: Current portion	<u>(37,310)</u>
Long-term portion	<u><u>\$ 486,600</u></u>

Scheduled principal payments on long-term debt at December 31, 2021, including current maturities, are summarized as follows:

2022	\$ 37,310
2023	37,778
2024	38,246
2025	38,734
2026	39,222
Thereafter	<u>332,620</u>
	<u><u>\$ 523,910</u></u>

Note 7: Retirement Plan

The Organization maintains an IRA retirement plan for its employees. Employees become eligible for the retirement plan if they are a full-time employee and have completed a 90 day probation period. For 2021, the Organization matched up to 3% of eligible employee contributions. Retirement plan expense for the year ended December 31, 2021, was \$5,914.

Note 8: Concentration of Credit Risk

The Organization maintains cash balances at financial institutions where the accounts are insured by the Federal Deposit Insurance Corporation (FDIC) for up to \$250,000. At certain times during the year, cash balances were in excess of FDIC coverage. The Organization has not experienced any losses in such accounts, and believes it is not exposed to any significant credit risk on cash.

Beartooth Resource Conservation and Development Area, Inc.

Notes to Financial Statements

Note 8: Concentration of Credit Risk (Continued)

Four loans receivable had balances at December 31, 2021, that exceeded 10% of total loans receivable. These loans receivable comprised 11.89%, 12.23%, 24.42%, and 10.13% of total loans receivable. Two of these loan receivables that comprise 36.82% of the total loans receivable are in a delinquent status as regular monthly payments were not being made as of year-end.

December 28, 2022

Board of Directors
Beartooth Resource Conservation and Development Area, Inc.
Joliet, Montana

In planning and performing our audit of the financial statements of Beartooth Resource Conservation and Development Area, Inc. as of and for the year ended December 31, 2021, in accordance with auditing standards generally accepted in the United States of America we considered Beartooth Resource Conservation and Development Area, Inc.'s internal control over financial reporting (internal control) as a basis for designing our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the Organization's financial statements will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

This communication is intended solely for the information and use of the Board of Directors, management, and others within the Organization, and is not intended to be, and should not be, used by anyone other than these specified parties.



Wipfli LLP
Billings, Montana

File Attachments for Item:

5. Budget/Finance Committee Minutes of January 10, 2023.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, January 10, 2023**

Members Present: Richard Klose, Emelie Eaton, Heidi Sparks

Others Present: Kelly Strecker, Mayor Dave Waggoner

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

Public Input: There was no public comment.

General Items –

1. Review and approved December 27, 2022, Budget and Finance Committee meeting minutes. Heidi Sparks moved to approve the minutes of December 27, 2022. Emelie Eaton seconded the motion, all in favor, motion passed 3-0.
2. Review and approve purchase requisition, there were none.
3. Review and recommend approval to Council; claims entered through January 6, 2023. Richard Klose moved to approve the claims and check register for claims entered through January 6, 2023. Heidi Sparks seconded the motion, all in favor, motion passed 3-0.
4. Review and approve the December 2022 Utility Billing Adjustments, Emelie Eaton moved to approve the December 2022 Utility Billing Adjustments. Heidi Sparks seconded the motion, all in favor, motion passed 3-0.
5. Review and approve Payroll Register for the pay period ending December 25, 2022, totaling \$177,656.15. Heidi Sparks motioned to approve the payroll register for the pay period ending December 25, 2022, totaling \$177,656.15. Emelie Eaton seconded the motion, all in favor, motion passed 3-0.

New Business –

Old Business –

Other Items –

1. Review Comp/OT reports for the pay period ending December 25, 2022.
2. Mayor Update –Mayor stated that donations were coming in for the new splash park, and that city general funds would not be used to build the park.
3. Clerk/Treasurer Financial Update-Kelly stated that W-2s are out and end of year reports are being completed.

Announcements –

4. The next Budget and Finance Committee meeting will be held on January 24, 2023, at 5:30 pm.
5. Heidi Sparks is scheduled to review claims for the next meeting.

Meeting 5:58 p.m.

Respectfully submitted,


Kelly Strecker
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.

File Attachments for Item:

6. Cemetery Commission Minutes of November 15, 2022.

MINUTES

CITY OF LAUREL

CEMETERY COMMISSION

TUESDAY November 15,2022

COUNCIL CHAMBERS

In Attendance; Richard Herr, Rick Musson, David Gauslow, Wallace Hall, Kenny Olson, and chairman Richard Klose

PUBLIC INPUT; There was none

GENERAL ITEMS;

1. Approve Minutes of July 19, 2022
Motion by Hall 2nd by Olson to approve minutes, motion passed

NEW BUSINESS;

1. None

OLD BUSINESS;

1. Kiosk delivered put in place but not cemented in
2. In rate increase had been approved by this committee and approved by the city council

Other Items Next Cemetery Meeting January 17,2022 at 5pm

File Attachments for Item:

7. Tree Board Minutes of November 17, 2022.

Minutes
City of Laurel
Tree Board
11/17/2022

Council Conference Room

Attending: LuAnne Engh, Paul Kober, Matt Wheeler

1. Public Input
 - a.
2. General Items
 - a. October minutes approved –
 - b. City balance \$843 for Arbor Day. School Balance \$220
 - c. Arbor Day Date – We finalized May 2 as Arbor Day. Theme is **Heroes for Life** by Finley Watts. Walt did a very nice job of working up the graphic. LuAnne will get the copy to Dynamic Designs. We discussed hot Yellow or bright green for the shirts. Aaron checked the trees in the park and it looks like 5 trees are either missing or need we need to plant between dead trees. He estimates tree are \$500-600 each planted.
 - d. Laurel Foundation (Jon Rutt) said we could use their online system for donations and they would start a page for us.
 - e. LuAnne is still looking into the grants Dale applied: Walmart, NW Energy and DNRC.
 - f. Plaques – Walt is going to check with Stacey Lawver at Woods Power Grip to see if she could make new plaques if needed.
3. Old Business
 - a. The Laurel Foundation has acquired the Meadowlark Gallery building. They are interested in improving the building and renting out apartments and retail space. They would also like to start a downtown improvement for sidewalks and trees.
4. Other Items
 - a. Volunteer hours – Keep your hours for all meetings, time spent on Arbor Day or any other project.

No meeting in December

Next meeting Thursday, January 17th - 9:30 Council Conference room

File Attachments for Item:

8. Library Board Minutes of October 28, 2022.

MINUTES
CITY OF LAUREL
Library Board

10/28/2022

09:00 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

X Katie Fjelstad	Arthur Vogelee, Board Chair
X Kate Manley	X Lela Schlitz
X Nancy Schmidt, Secretary	Vacant
X Clair Killebrew – Foundation Liaison	

OTHERS PRESENT: None

1. Public Input

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

- a. Addressing the Board - None

2. General Items

- a. Minutes for September 2022 were presented. Lela motioned to accept the minutes as corrected, Kate seconded the motion. Motion passed.
- b. The library received a \$50 donation from Ray Wells, \$100 donation from Charitable Fidelity to the Foundation, and a \$500 donation from Sherry Fenner.
- c. Circulation Report - Traffic: up 6.4%; circulation: all items circulated totaled 4,033 (including 507 eBooks), book circulation was up 7.3%, media circulation was down 7.3%, eBook checkouts for this month was 13.7% of total book circulation, we circulated 1,079 items to partners and 188 items from other libraries; computers: internet use was up 17%, children's use was up 61.9%, wi-fi use up 96.9%; patron cards: city patrons make up 60.9% of registered users, county 28.4% and out of county users make up 10.7%. There were 45 tech assists in September.

3. New Business

- a. A new Hotspot Policy was presented and discussed. Katie motioned that we accept this policy as presented, Kate seconded the motion. The new Hotspot Policy passed unanimously. Nancy handed out the current policies that are already in place in the library and asked that members review and bring comments at the next meeting so we

can up date our policies. This may take more than one meeting to accomplish but we are at least trying to complete them in a timely manner.

- b. The biggest item on the agenda was the mill-levy discussion. After doing so valuable research and talking to other library directors, Nancy has presented the idea of pursuing a permanent mill levy for our library. This would benefit us and the City in a couple of ways. Having a source of revenue that does only to the library would free up funds from the City's General mills. After much discussion and calculation, it was decided to present a request to the Council for a Mill Levy resolution in January. We would like to see this on the ballot for a vote in June if possible. Different values were discussed with 44 mills being the optimal number. The thought is that this is sufficient to fund the library with any extra going toward capital improvements in the future. The median home value is currently \$167,000. The cost for a levy at 44 mills for this price home was about \$8.59 per month. We have a couple well-known citizens in Laurel that are willing to help campaign for the mill levy as soon as the Council has passed a resolution to pursue one. We looked at using the value per month rather than the yearly cost of the levy and the impact on children & technology for our community.

4. Old Business

- a. We had 488 children, 283 older children and 8 adults participate in the summer reading program. For the themed program we had 3 families participate (beyond the Book Buzz program offered through the school). Of the families, there were 9 kids that read 36,465 minutes. They were ages 3 – 16, 5 boys and 4 girls, with the highest time read being a 12-year old boy. The grand prize of a kindle was given to the highest reader.
- b. There were 495 breakfasts and 1,279 lunches distributed during the summer with 13 adults also purchasing meals. We are planning on running the program again next summer and applying for recertification in the spring.
- c. Nancy and Lela reported on the workshops they attended at the Fall Retreat in Chico. There are scanned copies of their notes available for reading. They both stated that they enjoyed meeting with the other librarians and trustees and felt they received a lot of valuable information to use in our library.

5. Other Items

- a. Upcoming Items:

Nancy is taking a week vacation to go on a spa retreat November 12th - 18th. She will be in contact via email or phone if needed.

6. Announcements

- a. Next regular meeting is being canceled since this meeting is being held so late in the month. The following meeting is scheduled for December 8, 2022 at 6:00 pm.

Kate motioned that meeting be adjourned, Katie seconded the motion. Meeting adjourned at 11:37 am.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

9. Library Board Minutes of November 8, 2022.

MINUTES
CITY OF LAUREL
Library Board

11/08/2022

06:00 PM

Laurel Public Library

Meeting Canceled

COMMITTEE MEMBERS PRESENT:

Katie Fjelstad

Kate Manley

Nancy Schmidt, Secretary

Clair Killebrew – Foundation Liaison

Arthur Vogeley, Board Chair – via Zoom

Lela Schlitz

Vacant

OTHERS PRESENT: None

1. Public Input

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

- a. Addressing the Board - None

2. General Items

- a. Circulation Report - *Traffic*: up 8%; *circulation*: all items circulated totaled 3,846 (including 546 eBooks), book circulation was up 2%, media circulation was down 8.5%, eBook checkouts for this month was 15.5% of total book circulation, we circulated 866 items to partners and 188 items from other libraries; *computers*: internet use was up 52%, children's use was down 67%, wi-fi use up 142%; *patron cards*: city patrons make up 61% of registered users, county 27.5% and out of county users make up 12.6%. There were 41 tech assists in October.

3. New Business

- a.

4. Old Business

- a.

5. Other Items

- a. Upcoming Items:

6. Announcements

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

10. Library Board Minutes of December 13, 2022.

MINUTES
CITY OF LAUREL
Library Board

12/13/2022

06:00 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

X Katie Fjelstad

X Kate Manley - online

X Nancy Schmidt, Secretary

X Clair Killebrew – Foundation Liaison - online

X Arthur Vogeles, Board Chair

X Lela Schlitz

Vacant

OTHERS PRESENT: None

1. Public Input

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

- a. Addressing the Board - None

2. General Items

- a. Kate motioned that the minutes for October 2022 and November 2022 board meetings be adopted as presented. Lela seconded the motion, passed.
- b. The library received a \$50 donation from Ray Wells, \$250 from Virginia Gomer, \$40 from the morning book club, and a \$500 bequest from the estate of Todd Yeager.
- c. Circulation Report - Traffic: up 6.4%; circulation: all items circulated totaled 4,033 (including 507 eBooks), book circulation was up 7.3%, media circulation was down 7.3%, eBook checkouts for this month was 13.7% of total book circulation, we circulated 1,079 items to partners and 188 items from other libraries; computers: internet use was up 17%, children's use was down 61.9%, wi-fi use up 96.9%; patron cards: city patrons make up 60.9% of registered users, county 28.4% and out of county users make up 10.7%. There were 45 tech assists in November.

3. New Business

- a. Evaluations have been completed for all library staff. The Board Chair should probably sign off on each evaluation so he has an idea how staff members are doing on the job. These will be turned in to the mayor's office for his approval then put into their personnel files.
- b. By the next Board meeting in January, we should have new shelves installed in the children's area. The mayor had authorized purchase of a shelf unit to replace those that are falling apart and have become a danger to our young patrons. MCE has called with the information that we need to make some adjustments to the current shelf design because they are too large to get through the doors. Once the adjustments have been made and a driver is available, we will have new shelves installed.

4. Old Business

- a. Nancy sent copies of the library policies home with the board members for review. It was suggested that we review and update the Collection Management Policy in January. The rest of the policies will be reviewed and updated at later subsequent board meetings. The recommendation of the State Library is to update policies every 3-5 years. By-laws were the latest policy to be updated and that was in 2020 when Dixie was still on the board.
- b. We are planning to go to the City Council with the mill levy request in January. If we want to get the resolution heard, and passed, to be put on the June election we need to have this to the Council by the end of January. This will involve meeting with the city attorney to work on verbiage and a definitive timeline. Once we have the details worked out, we can take the request to the Council.
- c. The final numbers for our fall book sale was \$2,728.93. This will be put into the Foundation account to be used for purchasing more books, etc. Suggestions are welcomed for what we need to purchase. Currently, the fax service and Prime membership are being paid out of this account monthly.

5. Other Items

- a. Upcoming Items:

With the holidays falling on the weekend this year, I am planning for staff to close early on each of the Saturdays before Christmas and New Year's. Arthur stated that the library should be closed for the whole weekend rather than have the staff work a part day just to have a couple days off. "If there is no great demand to be open, we should have it closed all weekend." All board members are in complete agreement. Staff are willing to take a couple extra days off to enjoy the holidays.

6. Announcements

- a. The next regular meeting is January 10, 2023 at 6:00 pm in the library community room.

Motion to adjourn made by Kate, seconded by Lela. Meeting adjourned at 7:00 pm.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

11. Appointment of Cheryl Hill to the Laurel Urban Renewal Agency for the remainder of a four-year term ending December 31, 2025.

Brittnev Moorman



City Mayor
Wednesday, January 11, 2023 1:40 PM
Brittnev Moorman; Kurt Markegard
FW: Requesting Lura Board Member

Dave Waggoner

Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: The Front Porch <thefrontporchmt@gmail.com>
Sent: Tuesday, January 10, 2023 11:03 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Requesting Lura Board Member

Hello,

My name is Cheryl Hill, owner of The Front Porch here in Laurel. I am interested in being on the Lura Board

I have been a community member for almost 20 years and a business owner for almost 10 years. I want to be a voice for our business community.

This program is a big asset to our business owners and community - I want to be an advocate for my fellow business owners and help with making our tift district a thriving place for our community.

Thank you for considering me as a board member to this Lura Board
Cheryl Hill
Owner of The Front Porch

--

The Front Porch MT

[Contact Us >>>](#)
[Register for a Class >>>](#)
[Order a Wood Sign >>>](#)

File Attachments for Item:

12. Appointment of Shawn Mullaney to the Laurel Urban Renewal Agency - Advisory for the remainder of a four-year term ending December 31, 2025.

Brittney Moorman



City Mayor
Wednesday, January 11, 2023 1:41 PM
Kurt Markegard; Brittney Moorman
FW: Lura

Dave Waggoner

Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Shawn Mullaney <1smullaney@gmail.com>
Sent: Thursday, January 5, 2023 7:59 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Lura

Good evening dave. I understand jodi has resigned from the lura board to pursue the city council position. I would like to apply for the lura board. I am a native laurelite and im seeing some good things starting to develop here in laurel. I understand (mostly) how the lura money can and should be distributed and am willing to learn what im unfamiliar with.

Sincerely
Shawn Mullaney
406 672 4406

File Attachments for Item:

15. Resolution No. R23-03: A Resolution Of The City Council Authorizing The Mayor To Execute The Customer Agreement With Northwestern Energy.

RESOLUTION NO. R23-03

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE THE CUSTOMER AGREEMENT WITH NORTHWESTERN ENERGY.**

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

Section 1: Approval. The Customer Agreement by and between the City of Laurel and NorthWestern Energy, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Customer Agreement with NorthWestern Energy on behalf of the City of Laurel.

Introduced at a regular meeting of the City Council on the 24th day of January 2023 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 24th day of January 2023.

APPROVED by the Mayor the 24th day of January 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

CUSTOMER AGREEMENT

This Customer Agreement (the "Agreement") is made and entered into effective as of 01/10/2023 by and between NorthWestern Energy (the "Company") and CITY OF LAUREL (the "Customer"). Sometimes in this Agreement, Company and Customer are collectively referred to as "Parties" or individually as a "Party." Capitalized terms have the meaning set forth in NorthWestern Energy's Electric Tariff and the NorthWestern Energy Natural Gas Tariff (collectively the "Tariffs" and individually the "Gas Tariff" or "Electric Tariff"), which sets forth service, installation and contribution rules and regulations established by the Montana Public Service Commission (the "MPSC"). The Tariffs are available for review at <http://www.northwesternenergy.com/residential-services/how-to-read-your-bill/tariffs-and-rates/montana-tariffs-and-rates>.

RECITALS

WHEREAS, Customer applied for natural gas or electrical service from the Company; and
WHEREAS, in accordance with the Tariffs, Customer must execute this Agreement and contribute to the cost of installing the facilities required to provide service to Customer's premises because the distance of the new service line is greater than the permitted free extension allowance;
NOW, THEREFORE, in consideration of the covenants and conditions contained in this Agreement, the Parties agree as follows:

AGREEMENT

1. SERVICE AND CONTRIBUTION REQUIREMENTS.

The Company agrees to install, operate and maintain facilities generally described as OH Primary Removal, UG Primary Removal, Primary OH Single Phase, Primary UG Single Phase and is specifically described in Quote 25137733, which is incorporated herein by this reference (the "Quote"), to serve Customer at 1405 SEWER PLANT RD, LAUREL, MT 59044 in accordance with the requirements of the Tariffs. Customer agrees to comply with the terms and conditions of this Agreement and remit to Company the total contribution of
\$ 29,347.00 , which may include a federal tax surcharge and administrative/engineering fees and is more fully described as follows:

1.1 Advance. In consideration of the Company's agreement to install facilities, Customer agrees to pay an Advance in the sum of \$ 0.00 for construction of the facilities identified in the Quote.

ELECTRICAL

_____ Single Family Residential
(Electrical Tariff 6-2)
_____ General Service or Non-Single Residential
(Electrical Tariff Rule 6-2)
_____ Loads of Uncertain Duration
(Electrical Tariff Rule 5-7)
_____ New Subdivision or Housing Project
(Electrical Tariff Rule 6-7)
_____ Electric Lighting
(Electrical Tariff ELDS-1)

NATURAL GAS

_____ Residential/Other Core Customers
(Gas Tariff Rule 6-2)
_____ New Subdivision or Housing Project
(Gas Tariff Rule 6-6)
_____ Loads of Uncertain Duration
(Gas Tariff Rule 5-7)

For clarification, an "Advance" is a refundable contribution to the installation costs of the Company's facilities, and is made by the applicant prior to the initial installation. A portion of that advance, up to but not exceeding the full amount, may be refunded when additional residences or properties requiring service may connect to the facilities installed under this Agreement within the applicable 5 year (all natural gas customers, General Service electric, non-Single Family Residential electric, all new residential subdivision and townhouse connects) or 10 year (for Single Family Residential electric) periods after Company's completion of the line extension for the Customer. Future applicants attaching to existing facilities that carry Advance line extension designation within the time periods referenced above share in cost of the installation of the original line extension. Any future attachments will result in a refund to Customer in an amount determined by the Company in accordance with the Tariff. No refund will be made after the applicable 5 or

10 year period.

AND/OR

1.2 Contribution in Aid of Construction. In consideration of the Company's agreement to install service facilities, Customer agrees to pay a CIAC in the sum of \$ 29,347.00 for construction of the facilities identified in the Quote.

For clarification, a "CIAC" is a non-refundable payment made by a customer to pay for costs in excess of the free allowance set forth in the Tariffs.

2. CONDITIONS TO INSTALLATION.

2.1 Payment. Customer shall make payment of the Advance or the CIAC (if payment is required) prior to Company scheduling a construction start date. Company must receive payment and satisfactory evidence of required permits and right-of-way authority prior to ordering materials, scheduling crews or starting construction.

2.2 Right-of-Way. Customer shall provide the right-of-way required for the installation of the Company's service facilities. Customer shall grant or obtain for the Company an easement along the route of the line extension in a form satisfactory to the Company.

2.3 Permits. Customer shall provide all required permits from appropriate governmental agencies for the construction work and installation of the Company's facilities and Customer's equipment. Copies of all permits must be provided to the Company.

2.4 Additional Costs. If the Customer requests facilities be installed in frozen, rocky or hard ground, the Customer may be responsible for additional charges for installation. The Company will notify the Customer of these charges prior to installation when feasible, and otherwise when encountered during the installation work. If the Company requires additional charges prior to installation, and the basis for such extra cost is not encountered during the performance of the work, Company shall refund such charges to Customer.

2.5 Storm Water. Customer is solely responsible for compliance with all Montana Department of Environmental Quality storm water regulations. All soil disturbing activities deemed necessary by the Company for the installation, operation and maintenance of the facilities must be incorporated by Customer in the Storm Water Pollution Prevention Plan. Customer shall operate and maintain all storm water best management practices at all times.

2.6 Underground Facilities. Prior to construction, all customer-owned, rented or leased underground facilities (including but not limited to sprinkler systems, septic systems propane tanks and associated lines, and communication and electric lines) must be properly identified and physically marked by Customer. The Company is not responsible for damages resulting from mismarked or unidentified customer facilities. Contact the Company's Construction Department with questions related to appropriately marking Customer-owned facilities.

2.7 Customer's Equipment. Customer shall install Customer's facilities in accordance with the Company's "New Service Guide" and "Electric Service Requirements & Guidelines." The location of Customer's meter must be approved by the Company prior to the installation of equipment owned by the Customer. Customer shall provide service entrance and termination points as specified by the Company's installation standards in effect at the time construction begins.

2.8 Restoration and Grading. The Company will make a reasonable attempt to preserve private roadways and landscaping, but Customer is responsible for final compaction and restoration of private roadways and landscaping, including the removal of excess spoil piles. The Company will install facilities with the understanding that ground-level is the final grade, unless otherwise directed in writing by Customer. Should changes to grade be made in the future that result in Company's facilities being raised or lowered, the Customer is responsible for the costs associated with this change.

3. GENERAL CONDITIONS.

3.1 All terms, prices and conditions set forth herein are subject to modification resulting from changes in applicable rules, Tariffs, regulations, ordinances, the scope of project, and laws that may be amended or enacted after the date of this Agreement.

3.2 The payment amounts set forth in this Agreement are effective for 4 months from the date of this Agreement. If construction has not commenced within such period due to any action, omission or failure to act by Customer, the project will be reviewed for any changes in the cost. The Company will perform one line extension engineering cost estimate per year at Customer's location free of charge. If subsequent

redesign estimates are requested within the one year period from the original quote, a charge of \$68.12/hour (minimum charge = \$68.12) will be assessed and is payable prior to delivery of the estimate to Customer. If Customer proceeds with installation, fees paid for estimates will be credited toward the contribution payment.

3.3 If the facilities required to serve Customer must be relocated or modified at the request of Customer after installation, the Customer shall pay the costs of moving Company facilities.

3.4 The Company agrees to establish service within a reasonable period of time after the Customer's equipment passes inspection by the state and local authorities as required by law. The Company will proceed with the survey, design and construction of its facilities in a normal manner using its existing work force (Company employees or contractors) and material supply sources. Installation will be performed during normal working hours and the Company may reschedule the work to achieve efficient workload of Company forces. Availability of materials, weather conditions, frozen ground, access, or obtaining permits from governmental agencies or railroads may cause delays beyond the control of the Company or the Customer.

3.5 If Company is installing lighting units, the facilities will be placed in a location agreeable to both Customer and Company. Customer is responsible for notifying Company of any outage of lighting units. Company will make repairs and replace defective or damaged facilities within a reasonable time after notice of any outage, but Company does not patrol the system to determine if the lighting units are in operating condition at all times.

3.6 In the event of a conflict between the terms of this Agreement and the Tariffs, the terms of the Tariffs prevail.

4. **ADDITIONAL CONDITIONS.**

This quote covers 670' single phase river crossing, 1 new pole, 2 new anchors, and 250' of UG primary to tie into existing pole.

The cost of this project is based on the following conditions and may be adjusted at any time:

1. This estimate is valid for 4 months. After that point, the project will be reviewed for any changes in costs.
2. NWE will perform one line extension engineering cost estimate per year at this location free of charge. If subsequent estimates are requested, a charge of \$61.00/hour (minimum charge = \$61.00) will be assessed and is payable prior to the subsequent estimate being calculated. If the customer decides to proceed, fees paid would be credited toward the construction costs.
3. The electric meter base will be placed in a location approved by NWE prior to the installation of the customer's or NWE's facilities.
4. The customer is to install their facilities as specified in NWE's "New Service Guide" and "Electric Service Requirements & Guidelines" book. This can also be download at www.northwesternenergy.com.
5. The customer is to obtain an electrical permit for the above installation from the appropriate governmental agency, and will provide a copy of the permit to NWE.
6. Normal digging conditions (i.e. no frost or large rock). An additional fee will be assessed and collected prior to construction if either condition is anticipated at the time of construction.
7. Any required easements and/or permits can be obtained at no cost to NorthWestern Energy. The customer agrees to grant NWE an easement along the route of the power line on his/her property, and must obtain easements/permission from any other landowners whose property the line will cross.
8. Restoration of asphalt, gravel, concrete and vegetation is the responsibility of the customer. NWE will not be responsible for any restoration.
9. All underground facilities belonging to the customer must be marked (i.e. septic lines, electric or phone lines to out buildings). NorthWestern Energy will not be responsible for repair if these lines are not accurately marked.

NorthWestern Energy must receive all fees, contracts, permits, easements etc. prior to the ordering of materials, scheduling of crews or the start of construction by NorthWestern Energy crews.

Due to current supply chain issues your project may not be completed within the normal timeframe or may be only partially completed. NWE is experiencing unprecedented material shortages on many common

items. Please consult your project contact to determine if your project may be affected. NWE is committed to make all possible efforts to acquire, install and complete projects when possible.

FROST

The cost of a frost charge is included in this customer agreement in preparation of NorthWestern Energy crews having to dig in the frost and or encounter hard digging. If by the time NorthWestern Energy shows up to complete the construction of your project and the crew finds 6 inches of frost or less, or if there is no hard digging present, the customer has the ability to get up to 100% of the frost charge refunded back to them. Only the NorthWestern Energy crew on site and doing the work will determine if the customer gets a frost refund back and how much of the frost refund will be refunded back to them.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed in duplicate as of the day and year first above written.

NORTHWESTERN ENERGY

CUSTOMER

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Phone: _____

Phone: _____

Quotation

Customer

CITY OF LAUREL
 PO BOX 10
 LAUREL MT 59044

Customer Contact: CITY OF LAUREL
Customer Number: 1074075

Service Address

CITY OF LAUREL
 1405 SEWER PLANT RD
 LAUREL MT 59044

Quotation No. 25137733
Notification No.

Document Date 01/10/2023
Quotation Valid To: 05/10/2023

Quotation Details

Item	Material Description	Quantity	Unit Price	Amount
	<p><i>This quote covers 670' single phase river crossing, 1 new pole, 2 new anchors, and 250' of UG primary to tie into existing pole.</i></p> <p><i>The cost of this project is based on the following conditions and may be adjusted at any time:</i></p> <ol style="list-style-type: none"> <i>1. This estimate is valid for 4 months. After that point, the project will be reviewed for any changes in costs.</i> <i>2. NWE will perform one line extension engineering cost estimate per year at this location free of charge. If subsequent estimates are requested, a charge of \$61.00/hour (minimum charge = \$61.00) will be assessed and is payable prior to the subsequent estimate being calculated. If the customer decides to proceed, fees paid would be credited toward the construction costs.</i> <i>3. The electric meter base will be placed in a location approved by NWE prior to the installation of the customer's or NWE's facilities.</i> <i>4. The customer is to install their facilities as specified in NWE's "New Service Guide" and "Electric Service Requirements & Guidelines" book. This can also be download at www.northwesternenergy.com.</i> <i>5. The customer is to obtain an electrical permit for the above installation from the appropriate governmental agency, and will provide a copy of the permit to NWE.</i> <i>6. Normal digging conditions (i.e. no frost or large rock). An additional fee will be assessed and collected prior to construction if either condition is anticipated at the time of construction.</i> <i>7. Any required easements and/or permits can be obtained at no cost to NorthWestern Energy. The customer agrees to grant NWE an easement along the route of the power line on his/her property, and must obtain easements/permission from any other landowners whose property the line will cross.</i> <i>8. Restoration of asphalt, gravel, concrete and vegetation is the responsibility of the customer. NWE will not be responsible for any restoration.</i> 			

Quotation

Customer	Service Address
CITY OF LAUREL PO BOX 10 LAUREL MT 59044 Customer Contact: CITY OF LAUREL Customer Number: 1074075	CITY OF LAUREL 1405 SEWER PLANT RD LAUREL MT 59044

Quotation No. 25137733
Notification No.

Document Date 01/10/2023
Quotation Valid To: 05/10/2023

Quotation Details

Item	Material Description	Quantity	Unit Price	Amount
	<p>9. All underground facilities belonging to the customer must be marked (i.e. septic lines, electric or phone lines to out buildings). NorthWestern Energy will not be responsible for repair if these lines are not accurately marked.</p> <p>NorthWestern Energy must receive all fees, contracts, permits, easements etc. prior to the ordering of materials, scheduling of crews or the start of construction by NorthWestern Energy crews.</p> <p>Due to current supply chain issues your project may not be completed within the normal timeframe or may be only partially completed. NWE is experiencing unprecedented material shortages on many common items. Please consult your project contact to determine if your project may be affected. NWE is committed to make all possible efforts to acquire, install and complete projects when possible.</p> <p>FROST</p> <p>The cost of a frost charge is included in this customer agreement in preparation of NorthWestern Energy crews having to dig in the frost and or encounter hard digging. If by the time NorthWestern Energy shows up to complete the construction of your project and the crew finds 6 inches of frost or less, or if there is no hard digging present, the customer has the ability to get up to 100% of the frost charge refunded back to them. Only the NorthWestern Energy crew on site and doing the work will determine if the customer gets a frost refund back and how much of the frost refund will be refunded back to them.</p>			
0010	QT1910 OH Primary Removal Admin/Engineering/Other	1 EA		1,185.44 213.38 ----- 1,398.82
0020	QT1900 UG Primary Removal Admin/Engineering/Other	1 EA		790.28 142.25 -----

Quotation

Customer

CITY OF LAUREL
 PO BOX 10
 LAUREL MT 59044

Customer Contact: CITY OF LAUREL
Customer Number: 1074075

Service Address

CITY OF LAUREL
 1405 SEWER PLANT RD
 LAUREL MT 59044

Quotation No. 25137733
Notification No.

Document Date 01/10/2023
Quotation Valid To: 05/10/2023

Quotation Details

Item	Material Description	Quantity	Unit Price	Amount
	Total Item Price			932.53
0030	QT1100 Primary OH Single Phase	1 EA		11,204.73
	Admin/Engineering/Other			2,016.85
	Income Tax Surcharge			1,983.24
	Total Item Price			15,204.82
0040	QT1000 Primary UG Single Phase	1 EA		6,080.47
	Frozen Ground			2,625.00
	Admin/Engineering/Other			1,566.98
	Income Tax Surcharge			1,540.87
	Total Item Price			11,813.32

Quotation

Customer

CITY OF LAUREL
 PO BOX 10
 LAUREL MT 59044

Customer Contact: CITY OF LAUREL
Customer Number: 1074075

Service Address

CITY OF LAUREL
 1405 SEWER PLANT RD
 LAUREL MT 59044

Quotation No. 25137733
Notification No.

Document Date 01/10/2023
Quotation Valid To: 05/10/2023

Quotation Details

Item	Material Description	Quantity	Unit Price	Amount
	Items Total.....			29,349.49
	Total before Taxes			29,349.49
	Rounding			2.49-
	Total Amount...			29,347.00
	Please contact TAYLOR ERSKINE at 406-655-2539 if you have questions regarding this quote.			
	To schedule work, sign and return the Customer Agreement to NorthWestern Energy. If advance payment is also required prior to scheduling the installation, payment can be made at:			
	-NorthwesternEnergy.com/PAYMYBILL			
	-Paymentus (third party vendor) toll-free at 833-970-2262 for English or 833-970-2263 for Spanish.			
	-Checking or saving account payments are limited to \$10,000.			
	-Credit or debit card payments are limited to \$2,500 and a \$2.75 processing fee applies.			
	-Customer service locations for check and cash payments			
	Please have your customer number, provided above, available when making a payment.			

File Attachments for Item:

16. Resolution No. R23-04: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The City Of Laurel Zoning Services By And Between The City Of Laurel And Klj Engineering, Inc.

RESOLUTION NO. R23-04

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE CITY OF LAUREL ZONING SERVICES BY AND BETWEEN THE CITY OF LAUREL AND KLJ ENGINEERING, INC.

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

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and KLJ Engineering, Inc., a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and KLJ Engineering, Inc.

Introduced at a regular meeting of the City Council on the 24th day of January 2023, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 24th day of January 2023.

APPROVED by the Mayor on the 24th day of January 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

Task Order: City of Laurel Zoning Services

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated December 5th, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: January 24, 2023
- B. Owner: City of Laurel, MT
- C. Engineer: KLJ Engineering LLC
- D. Specific Project (title): **City of Laurel Zoning Services**
- E. Specific Project (description): Zoning Services related to City of Laurel new Zoning Code

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
Set forth in Part 1—Basic Services of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.
- B. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:
Set forth as Additional Services in Part 2—Additional Services, of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

Planning services shall be completed within the timelines found in the applicable local regulations or Montana Law. It is anticipated that services will be provided "on-call" throughout the duration of the Agreement, upon request of Owner.

6. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)	-	-
a. Fixed Fee	\$67,000	Lump Sum
TOTAL COMPENSATION (lines 1.a)	\$67,000	Lump Sum
2. Additional Services (Part 2 of Exhibit A)	(tbd)	(tbd)

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits: None

9. Attachments:

Exhibit A – Engineer’s Services for Task Order

10. Other Documents Incorporated by Reference:

December 5, 2017, Agreement between Owner and Engineer for Professional Services, Task Order Edition

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

OWNER:

By: _____

Print Name: _____

Title: _____

ENGINEER: KLJ Engineering LLC

By: _____

Print Name: _____

Title: _____

Firm's Certificate No. (if required): _____

PEL-EF-LIC-37

State of: _____

Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurt Markegard

Name: Forrest Sanderson, AICP, CFM

Title: Director of Public Works

Title: Senior Planner

Address: PO Box 10
Laurel, MT 59044

Address: PO Box 80303
Billings, MT 59108

E-Mail Address: kmarkegard@laurelmt.gov

E-Mail Address: forrest.sanderson@kljeng.com

Phone: 406-628-4796

Phone: 406-245-5499

Engineer's Services for Task Order No. 2204-01585: City of Laurel Zoning Services

1. Background Data:

- a. Effective Date of Task Order: January 24, 2023
- b. Owner: City of Laurel, MT
- c. Engineer: KLJ Engineering LLC
- d. Specific Project: City of Laurel, Zoning Code Services

Article 1 of the Agreement is supplemented to include the following agreement of the parties.

Engineer shall provide Basic and Additional Services as set forth below.

PART 1 – BASIC SERVICES

A1.01 Zoning Services

A. Engineer shall:

- 1. Review existing zoning regulations and issues listed by City Staff and Zoning Commission.
- 2. Attend kick off meeting with City Council and Zoning Commission.
- 3. Attend a maximum of 1 kickoff meeting, eight (8) Laurel Zoning Commission work sessions, and one (1) public hearing by Laurel Zoning Commission. A total of ten (10) meetings.
 - a. *The kickoff meeting, work sessions, and public hearing comprise the total ten (10) meetings.
- 4. Prepare draft zoning regulations and official zoning map in accordance with Laurel Municipal Code Title 17: Zoning, Chapter 17.04 et. seq. and 76-2-301 et. seq. MCA for the public hearing by the Zoning Commission.
- 5. Prepare legal notice for publication of the Laurel Zoning Commission public hearing;
- 6. Attend one (1) work session and one (1) public hearing and first reading of the Laurel City Council to adopt the Ordinance adopting Zoning Regulations and Official zoning Map. Preparation of the Ordinance shall be the responsibility of the City.
- 7. Prepare legal notice for the public hearing and first reading of the Ordinance Adopting the Zoning Regulations and Official Zoning Map for the City of Laurel.
- 8. Provide ten (10) bound and one (1) electronic pdf copies of the final regulations and official zoning map after adoption.

B. Deliverables:

- 1. Meeting Minutes
- 2. Draft Zoning Regulations

3. Draft Zoning Map
4. Legal Notice for Hearings
5. Final Zoning Regulation (10 Copies)
6. Final Zoning Map (10 Copies)

PART 2 – ADDITIONAL SERVICES

A1.01 Additional Services Requiring Owner's Written Authorization

- A. If authorized in writing by Owner, Engineer shall provide Additional Services of the types listed below. These services are not included as part of Basic Services and will be paid for by Owner as indicated in Exhibit C.
 1. Services to make measured drawings of existing conditions or facilities, to conduct tests or investigations of existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by Owner or others.
 2. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Engineer, or the Project's design requirements, including, but not limited to, changes in size, complexity, Owner's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Construction Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date or are due to any other causes beyond Engineer's control.
 3. Services resulting from Owner's request to evaluate additional Study and Report Phase alternative solutions beyond those agreed to in Paragraph A1.01.A.1 and 2.
 4. Services required as a result of Owner's providing incomplete or incorrect Project information to Engineer.
 5. Providing renderings or models for Owner's use, including services in support of building information modeling or civil integrated management.
 6. Undertaking investigations and studies including, but not limited to:
 - a. detailed consideration of operations, maintenance, and overhead expenses;
 - b. the preparation of feasibility studies (such as those that include projections of output capacity, utility project rates, project market demand, or project revenues) and cash flow analyses, provided that such services are based on the engineering and technical aspects of the Project, and do not include rendering advice regarding municipal financial products or the issuance of municipal securities;
 - c. preparation of appraisals;
 - d. evaluating processes available for licensing, and assisting Owner in obtaining process licensing;
 - e. detailed quantity surveys of materials, equipment, and labor; and
 - f. audits or inventories required in connection with construction performed or furnished by Owner.
 7. Furnishing services of Consultants for other than Basic Services.

8. Services during out-of-town travel required of Engineer, other than for visits to the Site or Owner's office as required in Basic Services (Part 1 of Exhibit A).
9. Assistance to Owner in training Owner's staff to operate and maintain Project equipment and systems.
10. Assistance to Owner in developing systems and procedures for (a) control of the operation and maintenance of Project equipment and systems, and (b) related recordkeeping.
11. Preparing to serve or serving as a consultant or witness for Owner in any litigation, arbitration, lien or bond claim, or other legal or administrative proceeding involving the Project.
12. Overtime work requiring higher than regular rates.
13. Providing more extensive services required to enable Engineer to issue notices or certifications requested by Owner.
14. Other additional services performed or furnished by Engineer not otherwise provided for in this Agreement.

A2.02 Additional Services Not Requiring Owner's Written Authorization

- B. Engineer shall advise Owner that Engineer is commencing to perform or furnish the Additional Services of the types listed below. For such Additional Services, Engineer need not request or obtain specific advance written authorization from Owner. Engineer shall cease performing or furnishing such Additional Services upon receipt of written notice to cease from Owner.
 1. Services in connection with Work Change Directives and Change Orders to reflect changes requested by Owner.
 2. Evaluating unreasonable or frivolous requests for interpretation or information (RFIs), Change Proposals, or other demands from Contractor or others in connection with the Work, or an excessive number of RFIs, Change Proposals, or demands.

File Attachments for Item:

17. Resolution No. R23-05: A Resolution Of The City Council Authorizing The Extension Of Approval Of Application For Special Review For J. Johnson Properties Pursuant To Resolution No. R22-07.

RESOLUTION NO. R23-05

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE EXTENSION OF
APPROVAL OF APPLICATION FOR SPECIAL REVIEW FOR J. JOHNSON
PROPERTIES PURSUANT TO RESOLUTION NO. R22-07.**

WHEREAS, the City of Laurel (hereinafter “the City”) previously approved the Application for Special Review (hereinafter “the Application”) for J. Johnson Properties (hereinafter “the Applicant”), pursuant to Resolution No. R22-07, on February 8, 2022;

WHEREAS, the approval of the Application was subject to conditions that have not yet been completed by the Applicant;

WHEREAS, the conditions included that “[c]onstruction of any improvements to the site and building must be completed within twelve (12) months of special review approval”;

WHEREAS, the conditions also specified that the Applicant could request an extension, if necessary;

WHEREAS, the Applicant needs additional time to complete the conditions, and the Applicant has requested a six (6) month extension from the City; and

WHEREAS, the City is agreeable to the Applicant’s request, by way of formally extending the provisions of Resolution No. R22-07 for an additional six (6) months from the date of the original Resolution.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Laurel, Montana that the terms and conditions of Resolution No. R22-07 are hereby extended by six (6) months from the date of the original Resolution to allow the Applicant time to meet the conditions for approval of the Application for Special Review.

Introduced at a regular meeting of the City Council on the 24th day of January 2023 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana on the 24th day of January 2023.

APPROVED by the Mayor on the 24th day of January 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney



JOHNSON RESTAURANT GROUP, INC

229 East 2nd St. Suite 200 (82601) | PO Box 50630 | Casper, WY 82605

PHONE 307.265.3029 | FAX 307.473.2909

January 10, 2023

City Council
115 W. 1st Street
Laurel, MT 59044

Re: Resolution No. R22-07
Request for Extension

Dear City Council.

We are requesting a 6 Month extension to Resolution No. R22-07 per Condition 3 for the remodel of 305 South 1st Avenue.

We have experienced delays in finding a contractor, but we fully intend to complete this project and open this business. We have received our blueprints and intend to actively pursue getting this project started as soon as possible.

Our goal is to submit the application for a building permit within 60 days.

We respectfully request this six month extension. Please contact us if you need more information or have further questions.

Sincerely,

John Johnson
J Johnson Properties



RESOLUTION NO. R22-07

A RESOLUTION OF THE CITY COUNCIL APPROVING AN APPLICATION FOR SPECIAL REVIEW FOR J. JOHNSON PROPERTIES AUTHORIZING THE OPERATION OF LUCKY LOUIE'S, A BAR AND CASINO, WITHIN AN EXISTING STRUCTURE LOCATED AT 305 SOUTH 1ST AVENUE, CITY OF LAUREL.

WHEREAS, J. Johnson Properties ("Applicant"), submitted a Special Review Application for the above-described property which is currently zoned Highway Commercial (HC) and is located within the Community Entryway Zoning District (CEZD) within the City of Laurel; and

WHEREAS, the Applicant is the property owner who desires to renovate an existing structure located at 305 South 1st Avenue for the purpose of operating a bar and casino to be known as Lucky Louie's; and

WHEREAS, the Laurel Municipal Code authorizes such action upon City Council approval through the Special Review Procedure; and

WHEREAS, the Applicant submitted an application for special review to the Laurel-Yellowstone City-County Planning Board (acting as the Zoning Commission) for review and consideration. The Planning Board (Zoning Commission) recommends the City Council's approval of the application for special review, subject to the following conditions:

1. Any applicable permits, including but not limited to building permits, sign permits, and right-of-way permits must be applied for within twelve (12) months of the approval.
2. A signage plan shall be provided to the Planning and Building Departments that conforms to the requirements of the Laurel Sign Code and signage requirements of the overlay districts wherein the property is located.
3. Construction of any improvements to the site and building must be completed within twelve (12) months of special review approval. Applicant may request an extension if necessary.
4. The operation of the business at the site shall not constitute a nuisance.
5. Any use of the property not specifically included in this approval or allowable within its underlying zoning district shall be deemed a violation of the laurel Zoning Code.
6. Any subsequent use or change of use associated with this special review shall submit additional documentation to the City for subsequent processing and approval or denial.

WHEREAS, a public hearing was held on February 8, 2022 at the City Council Meeting;

WHEREAS, the City Council of the City of Laurel hereby finds, based on the recommendation of the Zoning Commission, Staff recommendation, and public comment gathered at the public hearing, that it is in the best interests of the residents of the City of Laurel to approve the application for special review as provided in the Staff Report and Findings attached hereto, subject to the above stated conditions.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby approves the application for special review to allow the Applicant to operate a bar and casino on the property located at 305 South 1st Avenue, Laurel, Montana; and

BE IT FURTHER RESOLVED, that the approval of the application for special review is site specific to this address, and the approval granted herein is subject to the conditions listed in this resolution and the Staff Report.

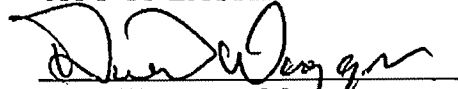
FINALLY, BE IT RESOLVED, the Application, Staff Report and all attachments thereto are hereby incorporated as part of this resolution.

Introduced at a regular meeting of the City Council on February 8, 2022, by Council Member Klose.

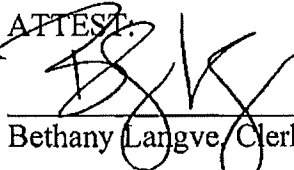
PASSED and APPROVED by the City Council of the City of Laurel this 8th day of February 2022.

APPROVED by the Mayor this 8th day of February 2022.

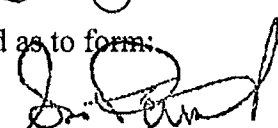
CITY OF LAUREL


Dave Waggoner, Mayor

ATTEST:


Bethany Langve, Clerk-Treasurer

Approved as to form:


Sam S. Painter, Civil City Attorney

RESOLUTION NO. R22-07

A RESOLUTION OF THE CITY COUNCIL APPROVING AN APPLICATION FOR SPECIAL REVIEW FOR J. JOHNSON PROPERTIES AUTHORIZING THE OPERATION OF LUCKY LOUIE'S, A BAR AND CASINO, WITHIN AN EXISTING STRUCTURE LOCATED AT 305 SOUTH 1ST AVENUE, CITY OF LAUREL.

WHEREAS, J. Johnson Properties ("Applicant"), submitted a Special Review Application for the above-described property which is currently zoned Highway Commercial (HC) and is located within the Community Entryway Zoning District (CEZD) within the City of Laurel; and

WHEREAS, the Applicant is the property owner who desires to renovate an existing structure located at 305 South 1st Avenue for the purpose of operating a bar and casino to be known as Lucky Louie's; and

WHEREAS, the Laurel Municipal Code authorizes such action upon City Council approval through the Special Review Procedure; and

WHEREAS, the Applicant submitted an application for special review to the Laurel-Yellowstone City-County Planning Board (acting as the Zoning Commission) for review and consideration. The Planning Board (Zoning Commission) recommends the City Council's approval of the application for special review, subject to the following conditions:

1. Any applicable permits, including but not limited to building permits, sign permits, and right-of-way permits must be applied for within twelve (12) months of the approval.
2. A signage plan shall be provided to the Planning and Building Departments that conforms to the requirements of the Laurel Sign Code and signage requirements of the overlay districts wherein the property is located.
3. Construction of any improvements to the site and building must be completed within twelve (12) months of special review approval. Applicant may request an extension if necessary.
4. The operation of the business at the site shall not constitute a nuisance.
5. Any use of the property not specifically included in this approval or allowable within its underlying zoning district shall be deemed a violation of the laurel Zoning Code.
6. Any subsequent use or change of use associated with this special review shall submit additional documentation to the City for subsequent processing and approval or denial.

WHEREAS, a public hearing was held on February 8, 2022 at the City Council Meeting;

WHEREAS, the City Council of the City of Laurel hereby finds, based on the recommendation of the Zoning Commission, Staff recommendation, and public comment gathered at the public hearing, that it is in the best interests of the residents of the City of Laurel to approve the application for special review as provided in the Staff Report and Findings attached hereto, subject to the above stated conditions.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby approves the application for special review to allow the Applicant to operate a bar and casino on the property located at 305 South 1st Avenue, Laurel, Montana; and

BE IT FURTHER RESOLVED, that the approval of the application for special review is site specific to this address, and the approval granted herein is subject to the conditions listed in this resolution and the Staff Report.

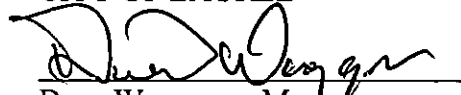
FINALLY, BE IT RESOLVED, the Application, Staff Report and all attachments thereto are hereby incorporated as part of this resolution.

Introduced at a regular meeting of the City Council on February 8, 2022, by Council Member Klose.

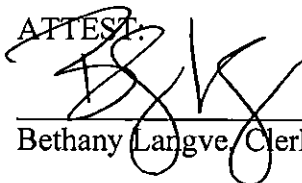
PASSED and APPROVED by the City Council of the City of Laurel this 8th day of February 2022.

APPROVED by the Mayor this 8th day of February 2022.

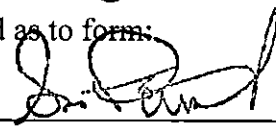
CITY OF LAUREL


Dave Waggoner, Mayor

ATTEST:


Bethany Langve, Clerk-Treasurer

Approved as to form:


Sam S. Painter, Civil City Attorney



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board and Zoning Commission
FROM: Nicholas Altonaga, Planning Director
PROJECT: Special Review Application for Lucky Louie's (305 S. 1st Ave)
DATE: December 3, 2021

DESCRIPTION OF REQUEST

An application for Special Review was submitted by J Johnson Properties for the property at 305 S. 1st Avenue in Laurel. The property owner plans to renovate the currently vacant commercial building to operate a bar and casino. The property is located within the Highway Commercial (HC) zoning district, as well as the Community Entryway Zoning District (CEZD) and the SE 4th Street Overlay District. The Laurel Municipal Code requires all cocktail lounges, restaurants, bars and taverns located in the Highway Commercial (HC) zoning district to go through the Special Review process prior to the start of operations. An approval of the special review application would allow the operation of a cocktail lounge, bar, or tavern on the location in addition to the proposed casino.

Owner: J Johnson Properties LLC
Legal Description: HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 15 - 18, W100' LTS 15-18 & 30' X 100' VAC 3RD ST S
Address: 305 S 1st Ave, Laurel, MT 59044
Parcel Size: 15,000sqft
Existing Land Use: Commercial, currently vacant building
Proposed Land Use: Casino and Bar with full-service liquor license.
Existing Zoning: Highway Commercial (HC), Community Entryway Zoning District (CEZD), SE 4th Street Overlay District

BACKGROUND AND PROCEDURAL HISTORY

- Autumn, 2020: Initial conversations begin between Planning Department and Louie Carranco, of Lucky Louie's (located at 117 E. Main Street) about relocating his business to 305 S. 1st Avenue.

- Intermittent discussions take place between Planning Department and Louie Carranco regarding the requirements for relocating his business to 305 S. 1st Ave.
- Planning Department review codes and provide clarification to Louie regarding the procedural requirements.
- September 8, 2021: Planning Department contacted by assistant for developer regarding the land use requirements of the property at 305 S. 1st Ave.
- September 9, 2021: Planning Department provide the codes and forms regarding the special review procedure including the application form, commercial zoning and use requirements, and schedule of fees.
- October 20, 2021: Special Review Application submitted to the Laurel Planning Department.
- December 15, 2021: Public Hearing scheduled at the Planning Board and Zoning Commission for the Special Review.

STAFF FINDINGS

- The applicant has submitted an application for the operation of a bar and tavern at the property of 305 S 1st Avenue in conjunction with the operation of a casino.
- The application contains all the necessary information to move forward to review by Planning Board and City Council.
- The proposed used of the building as a bar and/or tavern conforms with a previous use as a restaurant that offered beer and wine to customers.
- The building is located in close proximity to other establishments operating as casinos with beverage licenses.
- The applicant seeks to relocate their current gaming and bar operation from 117 E. Main St. to 305 S. 1st Ave.
- The applicant seeks to renovate a currently vacant commercial building and place it into productive use.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 17.68 – Special Review Procedures, contains the review criteria for the decision-making process for Special Review applications.

- A. *After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:*
 1. *Grant the application for special review;*
 2. *Deny the application;*
 3. *Delay action on the application for a period not to exceed thirty days; or*
 4. *Grant the application subject to conditions and recommendations and give the reasons therefor.*
- B. *Before approving a special review use, the zoning commission shall find that the contemplated use(s):*

1. *Complies with all requirements of this section;*
2. *Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;*
3. *Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;*
4. ***Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:***
 - a. ***Street and road capacity,***
 - b. ***Ingress and egress to adjoining streets,***
 - c. ***Off-street parking,***
 - d. ***Fencing, screening and landscaping,***
 - e. ***Building bulk and location,***
 - f. ***Usable open space,***
 - g. ***Signs and lighting,***
 - h. ***Noise, vibration, air pollution and similar environmental influences.***

The following actions are to be taken by City Council:

17.68.50 - City council action.

- A. *Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.*
- B. *The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning commission and the notice of public hearing before the city council shall both be published twice in the newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board with the first publication being at least fifteen days prior to the hearing.*

RECOMMENDATIONS

The Planning Director recommends the Planning Board and Zoning Commission approve the Special Review with the following conditions:

1. Any applicable permits, including but not limited to building permits, sign permits, and right-of-way permits must be applied for within twelve (12) months of special review approval.
2. A signage plan shall be provided to the Planning Department and Building Department that conforms to the requirements of the Laurel Sign Code and signage requirements of the overlay districts wherein the property is located.
3. Construction of any improvements to the site and building must be completed within twelve (12) months of special review approval with the ability to request an extension.
4. The operation of the site shall not be done in such a manner as to be a nuisance.

5. Any use of the property not specifically included in this approval or allowable within its underlying zoning district shall be deemed a violation of the laurel Zoning Code.
6. Any subsequent use or change of use associated with this special review shall submit additional documentation to the City for subsequent processing and approval or denial.

ATTACHMENTS

1. *Special Review Application Packet and Form*
2. *Site Overview*
3. *Adjacent Property Owners List (300ft)*
4. *Adjacent Property Owners Map (300ft)*
5. *Mailing Labels*
6. LMC 17.68 – Special Review Procedures
7. Public Notice for Special Review Public Hearing

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

Application for Special Review

The undersigned as owner or agent of the following described property requests a Special Review as outlined in Chapter 17 of the Laurel Municipal Code.

Applicant: Tavern Partners, Inc. dba Lucky Louie's Tavern and Casino
Legal Description: HAGEMAN SUBD. S16, T02 S, R24 E, BLOCK 4, Lot 15 - 18, W100' LTS 15-18 & 30' X 100' VAC 3RD ST S
General Address: 305 S 1st Ave; Laurel, MT 59044
Owner of Tract: J Johnson Properties, LLC
Mailing Address: PO Box 50630; Casper, WY 82605-0630
Phone Number: 307-265-3029
Email Address: accounting@jrgrestaurants.com

General Description of the requested Special Review:

We want to relocate our business from 117-1/2 E. Main St; Laurel, MT 59044 to 305 S. 1st Ave; Laurel, MT 59044. Our business includes a Liquor license and a Gambling license.

Timeline for development:

Once this zoning issue has been settled, the remodel of the property will begin. The remodel will take approximately 6 months to complete.

Attachments:

- ☒ Site Map (printed on at least 11"x17" in paper size showing dimensions, acreage and location of tracts in question)
- ☒ Site Plan (printed on at least 11"x17" paper size including: property boundaries and lot line dimensions, the location of proposed/existing structures, off-street parking, site elevations, service and refuse areas, means of ingress and egress, landscaping, screening, signs and open space areas, and latitude and longitude of the site.)
- ☒ Justification letter describing the special review requested and reasoning
- ☒ Map of all properties within 300 feet of the property
- ☒ List of the names and addresses of the property owners and/or agents for all parcels within 300 feet of the parcel under Special Review. (City staff can assist with this process)
- ☒ Special Review fee as per Laurel Schedule of Fees.

Applicant Signature: _____

Date: _____

John V. Johnson
10/20/11

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

Instructions for Special Review Applications

Special Review applications are reviewed by the Laurel City-County Planning Board, which acts as the City Zoning Commission for Special Reviews. The Zoning Commission shall make a recommendation to the Laurel City Council for final approval, approval with conditions, or denial of the application. The City Council has the final authority to grant or deny application requests.

1. Applications must be received on or before the 1st of the month to be considered at the following month's meeting.
2. Application forms and supporting documents must be completely filled out, printed legibly or typed, with sufficient detail for the Zoning Commission and City Council to make a decision on the matter.
3. If new construction or a change in the use of the property is contemplated, building and/or development plans shall be submitted with the application.
4. Applications must be submitted to the Planning Department with the applicable fee as noted in the most recent Schedule of Fees.
5. A public hearing is required to be held for all Special Review applications.
6. The City will notify all property owners listed within the 300-foot radius and a legal ad will be published at least 15 days prior to the public hearing.
7. The Laurel Zoning Commission meets the 3rd Wednesday of the month at 5:35PM at the Laurel City Council Chambers. The applicant or a representative of the applicant must be present at the public hearing.
8. Recommendations of the Laurel City-County Planning Board shall be provided to the Laurel City Council for their review and final Approval, Conditional Approval, or Denial of the application.

October 20, 2021

City of Laurel

Application For Special Review for Tavern Partners, Inc. dba Lucky Louie's Tavern & Casino

RE: Justification Letter

In regard to the attached Application for Special Review for the City of Laurel, MT, we request that the zoning with respect to the property located at 305 S. 1st Ave, Laurel, MT 59044 be reviewed. We understand that the zoning for the property currently allows gambling establishments, but does not allow alcoholic beverage businesses. We ask that the zoning be updated to allow alcoholic beverage businesses.

Tavern Partners, Inc. dba Lucky Louie's Tavern & Casino currently operates at 117-1/2 E. Main St, Laurel, MT 59044. The operation consists of alcoholic beverage service and operates 14 gaming machines on the premises. The property is leased from 117 Properties, LLC.

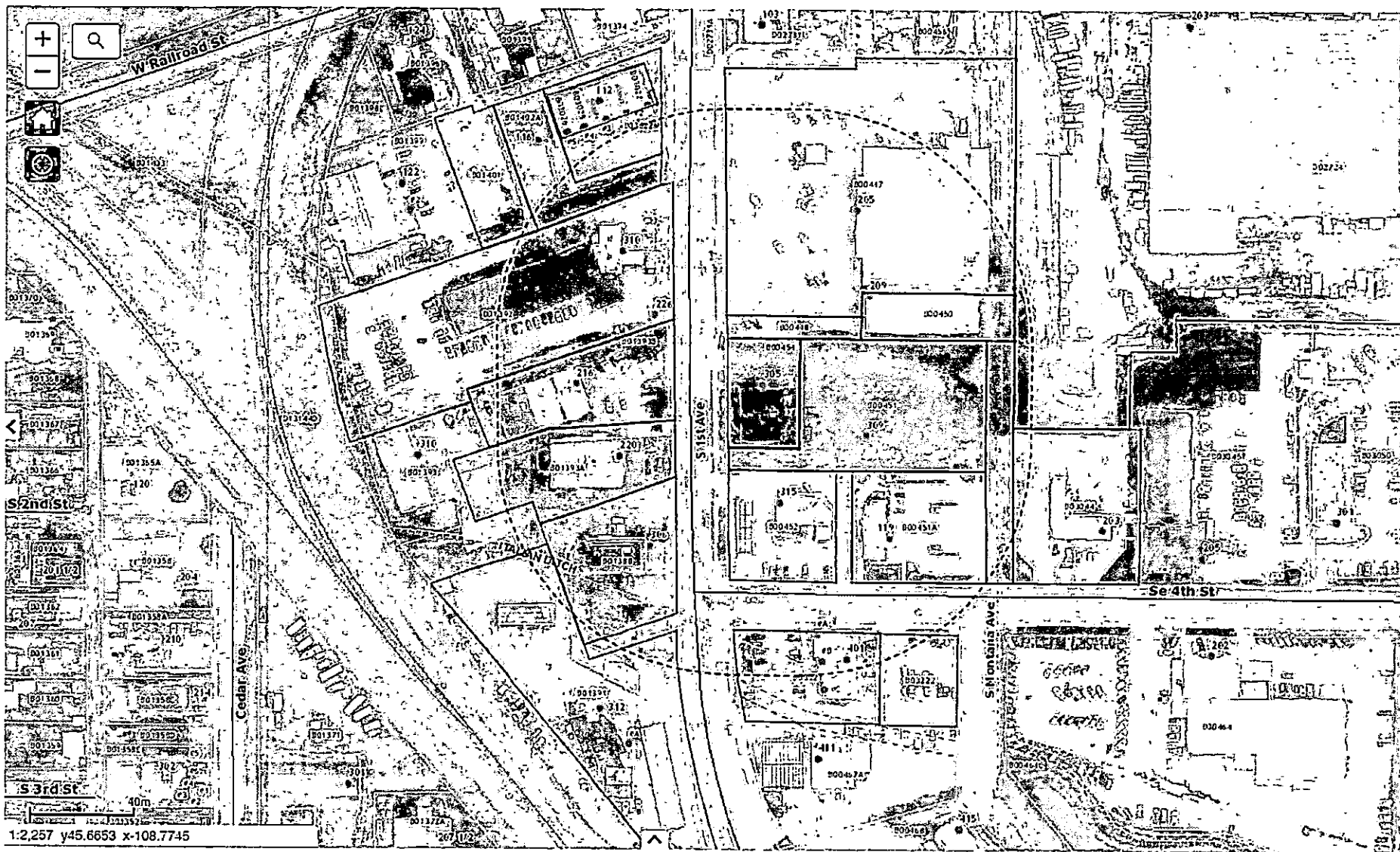
Tavern Partners would like to relocate its business to the 305 S. 1st Ave property, owned by J Johnson Properties, LLC. However, to do so, the property zoning needs to allow alcoholic beverage service. We believe the new property is in a better location and will help increase business revenues.

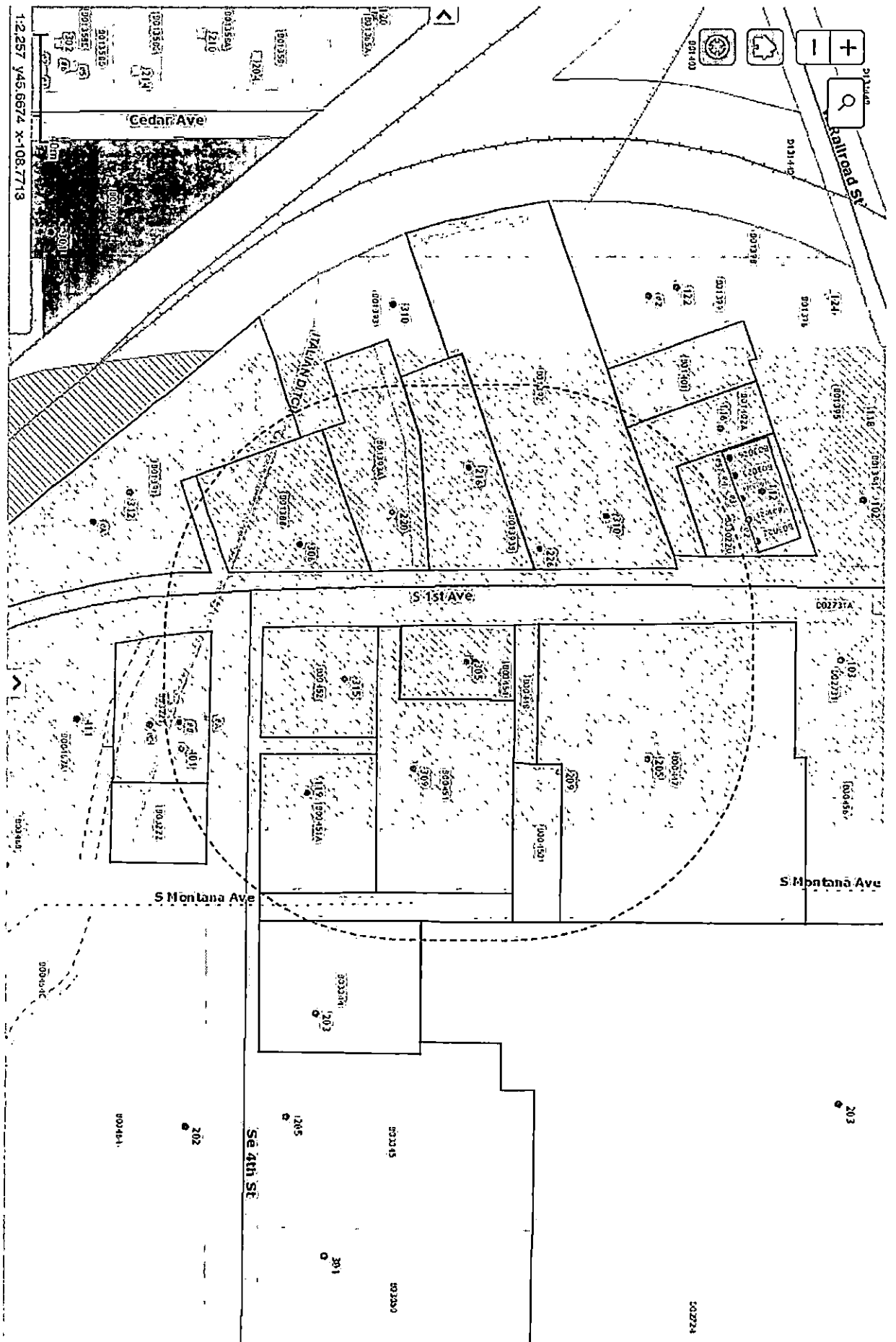
Ownership of the businesses in question are as follows:

- 1) Tavern Partners, Inc. dba Lucky Louie's Tavern & Casino
 - a. Louis J. Carranco – 50%
2233 Interlachen
Billings, MT 59105
 - b. John D. Johnson – 50%
1917 Rustic Ct
Casper, WY 82609
- 2) J Johnson Properties, LLC (100% owner of 305 S. 1st Ave., Laurel, MT 59044)
 - a. John D. Johnson – 50%
1917 Rustic Ct
Casper, WY 82609
- 3) 117 Properties, LLC (100% owner of 117 E. Main St., Laurel, MT 59044)
 - a. Louis J. Carranco – 50%
2233 Interlachen
Billings, MT 59105
 - b. John D. Johnson – 50%
1917 Rustic Ct
Casper, WY 82609

Thank you.

Regards.....Louis J. Carranco and John D. Johnson





Owner name	Tax Code	Legal Description	Address
MARVIN DEVELOPMENT OF MONTANA LLC	B00451A	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 6 - 9, & LT 19 BLK 4 HAGEMAN SUB *	119 SE 4TH ST
J JOHNSON PROPERTIES LLC	B00454	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 15 - 18, W100' LTS 15-18 & 30' X*	305 S 1ST AVE
TOWN & COUNTRY SUPPLY ASSOCIATION	B00452	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 10 - 13, & LT 20 BLK 4 HAGEMAN S*	315 S 1ST AVE
WENDAUREL LLC	B00451	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 4, Lot 1 - 5, LT14, E40' LTS15-18, VAC A*	309 S 1ST AVE
SUPERPUMPER INC	B00448	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 3, AMD	S 1ST AVE
WELLS, COLLEEN A &	B00450	S16, T02 S, R24 E, C.O.S. 1752, PARCEL B, & C	209 S 1ST AVE
ABS MT-O LLC	B00447	HAGEMAN SUBD, S16, T02 S, R24 E, BLOCK 1, Lot 1 - 2, & LT 4 AMD (I-656 LOCATED*	205 S 1ST AVE
FOX LUMBER SALES INC	D02724	S16, T02 S, R24 E, C.O.S. 1423, PARCEL A1A1, AMND A1A 19.120 ACRES	203 E RAILROAD ST
S&G COMMERCIAL HOLDINGS LLC	B03044	CANYON CREEK STATION SUBD, S16, T02 S, R24 E, Lot 1, (98)	203 SE 4TH ST
INNOVATIVE PROPERTIES LLC	B03221	HAGEMAN SUBD 5TH FIL (07), S16, T02 S, R24 E, BLOCK 1, Lot 1, 22000 SQUARE FEET	401 S 1ST AVE
INNOVATIVE PROPERTIES LLC	B03222	HAGEMAN SUBD 5TH FIL (07), S16, T02 S, R24 E, BLOCK 1, Lot 2, 11887 SQUARE FEET	S 1ST AVE
LAUREL 1 RE2 LLC	B01391	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 29, Lot 7 - 21, ADJ VAC ALLEY &*	312 S 1ST AVE
LAUREL 2 RE LLC	B01388	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 29, Lot 1 - 6, & ADJ 30 FT ABND*	306 S 1ST AVE
PEKOVICH, GREG & BECKY	B01393B	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 30, Lot 37, AMD (09) (I00791*	216 S 1ST AVE
LOCOMOTIVE INN & CASINO INC	B01392	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 30, Lot 18A, (09)	310 S 1ST AVE
JOE-JOE'S LLC	B01393A	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 30, Lot 27A, & LT 35 AMND & W30*	220 S 1ST AVE
LOCOMOTION FITNESS CENTER INC	B01401	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 31, Lot 26 - 28, & N30 FT ABND *	
STOKKE, SAMUEL & LORNA	B01402A	EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 31, Lot B, AMD & ADJ VAC S 2ND *	116 S 1ST AVE
PIONEER PLAZA CONDOMINIUM	B03022M	PIONEER PLAZA CONDOS (84), S16, T02 S, R24 E, MASTER CARD LOC @ LT A BLK 31 E*	112 S FIRST AVE

NOTE: This is the list of all properties within 300 feet of our property at 305 S. 1st Ave., Laurel, MT 59044. It was prepared by Nick Altonaga, the Planning Director for the City of Laurel.

Jim Hinton

From: John Atkinson <john@atarchitecture.com>
Sent: Thursday, September 30, 2021 9:11 AM
To: Jim Hinton
Cc: John Johnson
Subject: Re: City of Laurel Special Review
Attachments: FloorPlan.pdf; SitePlan.pdf

Hi Jim,

Attached are the plan on 8.5x11 and the ~~site plan on 11x17 that are requested. This should be good for the site map/site plan mentioned.~~ Usually the city provides the names and addresses of the property owners within 300', so I would check with them on that.

I'm not a surveyor, so I'm not sure I can do anything with the survey affidavit. Please let me know if I can help with anything else.

thanks,

John Atkinson
AT Architecture
p 406.245.2724
cell 406.697.0651
john@atarchitecture.com

On 9/28/2021 1:15 PM, Jim Hinton wrote:

John,

I have attached all the documents our attorney needs us to have completed.

On page 1, I have completed what I could. I do not yet know the "Timeline for development", but will have that later.

This page says we need a "Site Map", "Site Plan", "Map of properties within 300 feet", and "Names and addresses of these property owners".

Page 3 is the "Certified Survey Affidavit".

Pages 4 through 10 are printouts that I got on the Yellowstone County Assessor's website concerning the property we will be moving to -- 305 S. 1st Ave.

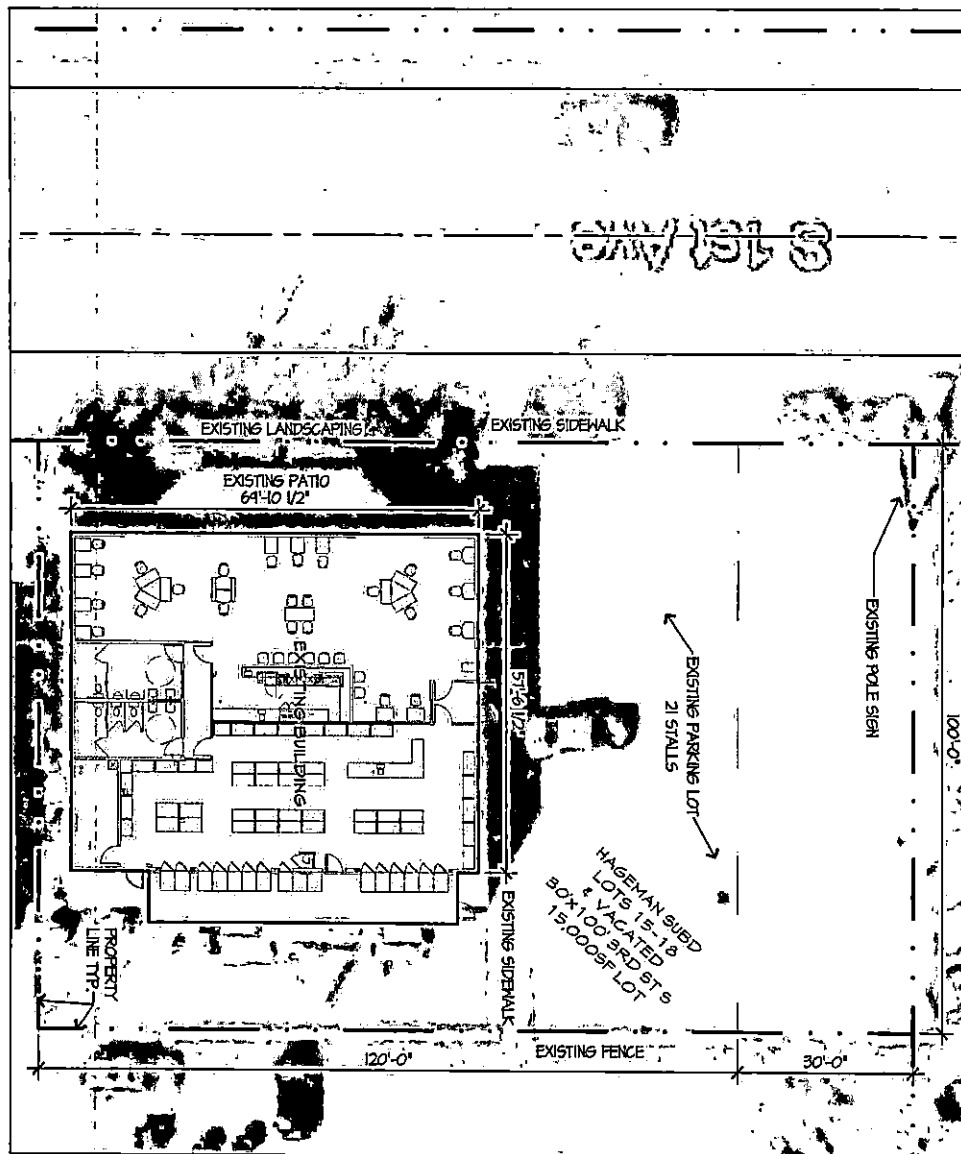
Page 11 states that we need a floor plan (I will take care of the lease).

The remaining pages came from our attorney, including ordinances and fees, for your information.

Let me know if you have any questions for me or John Johnson.

Thank you.

Regards,



NORTH
 →

ABS MT-O LLC B00447 205 S 1ST AVE LAUREL, MT 59044	ABS MT-O LLC B00447 205 S 1ST AVE LAUREL, MT 59044	ABS MT-O LLC B00447 205 S 1ST AVE LAUREL, MT 59044
FOX LUMBER SALES INC D02724 203 E RAILROAD ST LAUREL, MT 59044	FOX LUMBER SALES INC D02724 203 E RAILROAD ST LAUREL, MT 59044	FOX LUMBER SALES INC D02724 203 E RAILROAD ST LAUREL, MT 59044
INNOVATIVE PROPERTIES LLC B03221 B03222 2040 CLAIM CREEK RD BOZEMAN, MT 59715-6718	INNOVATIVE PROPERTIES LLC B03221 B03222 2040 CLAIM CREEK RD BOZEMAN, MT 59715-6718	INNOVATIVE PROPERTIES LLC B03221 B03222 2040 CLAIM CREEK RD BOZEMAN, MT 59715-6718
J JOHNSON PROPERTIES LLC B00454 305 S 1ST AVE LAUREL, MT 59044	J JOHNSON PROPERTIES LLC B00454 305 S 1ST AVE LAUREL, MT 59044	J JOHNSON PROPERTIES LLC B00454 305 S 1ST AVE LAUREL, MT 59044
JOE-JOE'S LLC B01393A 220 S 1ST AVE LAUREL, MT 59044	JOE-JOE'S LLC B01393A 220 S 1ST AVE LAUREL, MT 59044	JOE-JOE'S LLC B01393A 220 S 1ST AVE LAUREL, MT 59044
LAUREL 1 RE2 LLC B01391 312 S 1ST AVE LAUREL, MT 59044	LAUREL 1 RE2 LLC B01391 312 S 1ST AVE LAUREL, MT 59044	LAUREL 1 RE2 LLC B01391 312 S 1ST AVE LAUREL, MT 59044
LAUREL 2 RE LLC B01388 306 S 1ST AVE LAUREL, MT 59044	LAUREL 2 RE LLC B01388 306 S 1ST AVE LAUREL, MT 59044	LAUREL 2 RE LLC B01388 306 S 1ST AVE LAUREL, MT 59044
LOCOMOTION FITNESS CENTER INC B01401 122 S 1ST AVE LAUREL, MT 59044	LOCOMOTION FITNESS CENTER INC B01401 122 S 1ST AVE LAUREL, MT 59044	LOCOMOTION FITNESS CENTER INC B01401 122 S 1ST AVE LAUREL, MT 59044
LOCOMOTIVE INN & CASINO INC B01392 310 S 1ST AVE LAUREL, MT 59044	LOCOMOTIVE INN & CASINO INC B01392 310 S 1ST AVE LAUREL, MT 59044	LOCOMOTIVE INN & CASINO INC B01392 310 S 1ST AVE LAUREL, MT 59044
MARVIN DEVELOPMENT OF MONTANA B00451A 119 SE 4TH ST LAUREL, MT 59044	MARVIN DEVELOPMENT OF MONTANA B00451A 119 SE 4TH ST LAUREL, MT 59044	MARVIN DEVELOPMENT OF MONTANA B00451A 119 SE 4TH ST LAUREL, MT 59044

PEKOVICH, GREG & BECKY B01393B 216 S 1ST AVE LAUREL, MT 59044	PEKOVICH, GREG & BECKY B01393B 216 S 1ST AVE LAUREL, MT 59044	PEKOVICH, GREG & BECKY B01393B 216 S 1ST AVE LAUREL, MT 59044
PIONEER PLAZA CONDOMINIUM B03022M 112 S FIRST AVE LAUREL, MT 59044	PIONEER PLAZA CONDOMINIUM B03022M 112 S FIRST AVE LAUREL, MT 59044	PIONEER PLAZA CONDOMINIUM B03022M 112 S FIRST AVE LAUREL, MT 59044
S&G COMMERCIAL HOLDINGS LLC B03044 203 SE 4TH ST LAUREL, MT 59044	S&G COMMERCIAL HOLDINGS LLC B03044 203 SE 4TH ST LAUREL, MT 59044	S&G COMMERCIAL HOLDINGS LLC B03044 203 SE 4TH ST LAUREL, MT 59044
STOKKE, SAMUEL & LORNA B01402A 116 S 1ST AVE LAUREL, MT 59044	STOKKE, SAMUEL & LORNA B01402A 116 S 1ST AVE LAUREL, MT 59044	STOKKE, SAMUEL & LORNA B01402A 116 S 1ST AVE LAUREL, MT 59044
SUPERPUMPER INC B00448 411 S 1ST AVE LAUREL, MT 59044	SUPERPUMPER INC B00448 411 S 1ST AVE LAUREL, MT 59044	SUPERPUMPER INC B00448 411 S 1ST AVE LAUREL, MT 59044
TOWN & COUNTRY SUPPLY ASSOCIATION B00452 315 S 1ST AVE LAUREL, MT 59044	TOWN & COUNTRY SUPPLY ASSOCIATION B00452 315 S 1ST AVE LAUREL, MT 59044	TOWN & COUNTRY SUPPLY ASSOCIATION B00452 315 S 1ST AVE LAUREL, MT 59044
WELLS, COLLEEN A & B00450 209 S 1ST AVE LAUREL, MT 59044	WELLS, COLLEEN A & B00450 209 S 1ST AVE LAUREL, MT 59044	WELLS, COLLEEN A & B00450 209 S 1ST AVE LAUREL, MT 59044
WENDAUREL LLC B00451 309 S 1ST AVE LAUREL, MT 59044	WENDAUREL LLC B00451 309 S 1ST AVE LAUREL, MT 59044	WENDAUREL LLC B00451 309 S 1ST AVE LAUREL, MT 59044
Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044	Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044	Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044
Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044	Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044	Laurel Planning Department 115 W. 1 st St. Laurel, MT 59044

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a Special Review Application submitted by Tavern Partners, DBA Lucky Louie's Tavern and Casino. The Planning Board has scheduled the public hearing for **5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, December 15, 2021.**

Tavern Partners plans to relocate the current Lucky Louie's Tavern from its location at 117 E. Main Street to 305 S. 1st Avenue. A Special Review Approval by the City Council is required for any cocktail lounge, restaurant, bar, or tavern within the Highway Commercial (HC) zoning district that the property in questions is located.

Additionally, the City Council shall schedule a subsequent public hearing to make a final decision on the Special Review application after Planning Board has met and submitted their recommendations to the City Council.

Public comment is encouraged and can be provided in person at the public hearing on **December 15th.** Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the Special Review Application and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.68 - SPECIAL REVIEW PROCEDURE

Sections:

17.68.010 - Purpose of provisions.

Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this title and the objectives of the Laurel comprehensive planning process.

(Prior code § 17.88.010)

17.68.020 - Application requirements.

An application for a special review may be filed by the property owner, contract purchaser, or his authorized agent. The application shall be filed with the zoning commission secretary and shall be submitted under the following conditions:

- A. The application shall include, but not be limited to the following information:
 - 1. A legal and general description of the tract(s) upon the special review use is sought;
 - 2. A map showing the dimensions, acreage and location of the tract(s);
 - 3. The name and addresses of the owner(s) of the tract(s) and their agents, if any and the names and addresses of property owners of record within three hundred feet of the property for which a special review has been requested; such list of property owners shall be so certified by the county clerk and recorder's office;
 - 4. A site plan showing major details of the proposed development including but not limited to, the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping; screening; signs and open space areas;
 - 5. A time schedule for development;
 - 6. Any other information the applicant believes will support his request.
- B. An application for a special review shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.

(Ord. 94-15, 1994; prior code § 17.88.020)

17.68.030 - Evaluation responsibility—Consultation—Notification.

The planning director, upon receiving an application for a special review of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any special review upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. Advertise twice in a newspaper of general circulation in the jurisdictional of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- D. Notify, by mail, the applicant or his authorized agent at least five days prior to the date of the public hearing of the time and place of such hearing;
- E. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the special review of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have a substantial environmental impact on surrounding land uses;
- F. After the public hearing and as part of the public record, the planning director shall report his findings, conclusions and recommendations to the zoning commission.

(Ord. 94-16, 1994; prior code § 17.88.030)

17.68.040 - Zoning commission action.

- A. After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:
 - 1. Grant the application for special review;
 - 2. Deny the application;
 - 3. Delay action on the application for a period not to exceed thirty days; or
 - 4. Grant the application subject to conditions and recommendations and give the reasons therefor.
- B. Before approving a special review use, the zoning commission shall find that the contemplated use(s):
 - 1. Complies with all requirements of this section;
 - 2. Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;
 - 3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
 - 4. Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
 - a. Street and road capacity,
 - b. Ingress and egress to adjoining streets,
 - c. Off-street parking,
 - d. Fencing, screening and landscaping,
 - e. Building bulk and location,
 - f. Usable open space,
 - g. Signs and lighting,
 - h. Noise, vibration, air pollution and similar environmental influences.

(Ord. 94-17, 1994; Ord. 953, 1989; prior code § 17.88.040)

17.68.050 - City council action.

- A. Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.**
- B. The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning commission and the notice of public hearing before the city council shall both be published twice in the newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board with the first publication being at least fifteen days prior to the hearing.**

(Ord. 94-18, 1994; prior code § 17.88.050)



**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, DECEMBER 15, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

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

1. Roll Call

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

Jon Klasna
Ron Benner
Gavin Williams
Evan Bruce
Roger Giese
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)

The Chair announced the agenda change to place Chens Express before the North Western Energy Discussion.

General Items

2. Approve Meeting Minutes: November 17, 2021

Board members reviewed the minutes.

Ron Motioned to Approve the minutes from the meeting on November 17, 2021.
Evan Seconded.
Motion Carried.

3. Public Hearing: Lucky Louie's Special Review

The Chair called for Proponents.
The Chair called for Proponents.

John Johnson, 1917 Rusting Court, Casper, Wyoming.

Owner of the Building, and also a partner of Louis Carrano with Tavern Partners.

Want to speak in favor of the project. Would like to have the 3rd condition of approval be changed to "Have started within 6 months of special review approval."

Another issue with the timeframe is that we still have to have approval by the state. The Department of Justice and the State need to sign off and approve it as well.

Ron: Will there be any food service?

John: Very limited kitchen and food service. Want to make sure that it will be limited to bar and casino and not a bar, casino, restaurant. It will be very limited, not a restaurant with full service. Limited service area of about 8 seats.

Roger: One of the recommendations and discussion items has it as ingress and egress. Will there be additional ingress and egress created to the neighboring site?

None planned at this time. No major site work is being done.

The Bar in this location will be a service bar, not a full-on bar for customers. It will have full beverage service available but limited seating.

Judy: What will the hours of operation be?
Hours of operation will be 8am-12am.

Ron: The Bar downtown will close? What will be done with it?

John: We have a verbal agreement with a gentleman down the street who will take over the space.

The Chair Called for Proponents.

The Chair called for Opponents.
The Chair called for Opponents.
The Chair called for Opponents.

There being none, the Chair closed the public hearing.

Forrest Sanderson, KLJ: Suggest taking up the 1-year limit and impose the ability of an extension.

Board members discussed amending the recommendation of a 1-year development timeframe.

Gavin Motioned to Approve the Special Review for Lucky Louie's with the amended Recommendations as discussed.
Evan Seconded.

Roger Giese Opposed.

Motion Carried.

4. Plan Review: City-Brew / Chen's Express

Nick Presented the amended plan for the City Brew / Chens Express

Ron: Will there be a pedestrian walkway to the ATM? This is very problematic as not everyone has a car. Also problematic for Larger vehicles heading into the parking areas.

Ron: Trash Enclosure? Nick explained the encroachment permit that was approved last night

Ron: Parking issues, ATM Island, and multiple lanes of traffic will be very problematic. I think cars are going to get all over.

Can we put an addendum that the Police won't have to attend to any accidents here? Not sure how they will deal with traffic here.

Where is the overflow parking for large vehicles or how will the developer deal with vehicles with trailers?

Ron Motioned to table the plan review until January and invite the developer to present it then.

Jon Seconded.

Motion Carried.

5. Staff Update

The Planning Director announced that his last day with the city of Laurel will be January 21st, 2022.

Karen Courtney the Building Official will be taking over the day to day items with Forrest Sanderson at KLJ assisting with the larger projects.

6. Discussion: Northwestern Energy Zone Change

Ron Motioned to Adjourn the meeting to hold a work session.

Evan Seconded.

Motion Carried.

Meeting adjourned at 6:05pm.

Ron recommended to send our standing decision back to City Council. We should not be forced to make the decision.

Ron left the meeting due to a prior engagement.

Forrest Sanderson, KLJ. Inc. was present to summarize the findings regarding the NW Energy Zone Change.

You have a comprehensive record. We did not yet address the statutory criteria in the MCA. (Just those in the LMC). We MUST address the items in MCA regarding the zone change. There is no proof that those 11 items were addressed.

In 32 years, it is the first time a AGB has decided to NOT go through the official process and build the record. Through a quick run-back through the record I have prepared a comprehensive list of findings for each. The public is entitled and should be invited to participate in the public process and the findings.

Even through a quick search we have prepared a significant list. I recommended that the City Council remand the review of the item to the Planning Board. We must review the Zone Change criteria and findings and adopt conclusions.

We must prove that we have reviewed the record, we have reviewed the findings, and can state that our decision is based upon those.

Tasking for Nick: Is NWE still interested in the zone change process?
They must affirm or drop the zone change.

If they don't respond to us, assume they are still interested. We must invite them to the Public Hearing in January.

Request to the Board is in two parts:

1. I need you to review the record (Summary of findings)
2. If you have additional findings, SEND THEM TO NICK

We want to have all findings available for the Public Hearing. Charge the public: Review the summary of findings, email Nick with any further findings. We will come to a conclusion for each and every one of those 11 questions.

Next issue to address: After the public hearing, Councilman McGee. Councilman McGee asked the question whether the Council or Commissioners were the appropriate body. Who is the appropriate body? There is a statutory process for amending the zoning jurisdiction and it has not been followed.

Does the City of Laurel have the legal authority to assign zoning?
The City Attorney is going to have to make a decision on that.

It does not matter who the appropriate governing body is, but this is the planning board that has the power over this portion of review process. That is crystal clear. No matter who the governing body is, they will review the findings and conclusions prepared by the Laurel City-County Planning Board. Going through the findings and public process shall show that we completed our requirements.

Does the Board have any questions for it?

Dan: Doesn't the City have authority 1-mile out for zoning?

Forrest: There are some specific prohibitions for zoning outside city limits. There are some specifics for the zoning area.

Dan: Maybe there were some things that were done wrong in the past.

The answers we find for this item.

Our question to Yellowstone County: has YC adopted Zoning under 76-2-2 MCA?

Our record will be complete, defensible, developed through an open, fair, and transparent process, and will be sent to the appropriate governing body.

Judy: The determination of the appropriate governing body would not impact our review of findings?

Forrest: Correct.

Dan: Could the Commissioners override our decisions?

Forrest: Yes

Dan: Then why are we not doing it backwards? To figure out who the appropriate GB is?

Forrest: No, we started the process and must finish it correctly. Assumptions were made during this process that blocked the underlying questions. We are going to find who the appropriate governing body is and shall send our recommendations to them.

We are dealing with Private Property and Private Property rights. This decision directly deals with impacts to private property. Let's navigate the process with this in mind. Dealing with both sides of the issue, both For and Against.

Can we have a meeting before the 19th to meet on the findings?

Must provide notice. Thou shalt not meet in private.

- Make sure the public is aware
- Make sure they are afforded the opportunity to attend
- Ensure that if they are working on their tasking, that you are as well

Want to ensure that things are open, fair, and transparent.

'If NW Energy withdraws their application, IN WRITING, we are done. Everything stops.

Evan: Can an EPA or DEQ agent come in and speak with us regarding this issue?

Yes, but the DEQ agent would provide details on a different set of questions than what we have under our review. We would start to mix regulatory mandates, and it is all relevant, but might not all belong as part of this process.

If you believe you have heard testimony that gives you pause, in regard to property values impacted, and the presentation from DEQ would answer that question, they will be required by law to show up and answer your questions. All state agencies are required to attend a meeting when requested in order to answer questions. They are good at attending. But we need to know in advance to invite them.

Dan: There should be a better way of having the public be aware of the hearings and processes. They were not aware of the process and that we did not have sufficient information.

Forrest: We have struggled for years to get people to know about meetings and information. We do more than most communities to get the word out. Follow what the code says, publish the notices.

Dan: The local paper tracks it. It is incumbent upon the public to attend meetings. In all due respect to Dr. Benner, We must deal with this for the city, for the public.

Steve Krum, 249 24th Ave West, Laurel, MT 59044

One thing through the process is that the public has come in and voiced a lot of thoughts and feelings and ideas. It has come through the health and safety and environment.

Dan brought up and I agree that it is the Public's responsibility to attend meetings. The YC News is not the proper location for public notices to be sent. It is not published within the statutory area for the Board. We are missing a big opportunity to reach out to the public by not publishing in the Outlook.

Forrest: The paper of record is set by the Governing Body. We are just living with the decision.

Jon: With that in mind, can we direct someone to request that our notices be put in Laurel's paper?

Nick can forward the request to have our notices in both.

Carol Blades 1805 Denidas Lane.

I DO read the Outlook. I like that you are giving us a second chance for contact on this issue. Asked what is the role for Forrest? Can we contact you directly?

Forrest: No, primary contact is with Nick who then contacts me if necessary.

Jon: Would like to see a specific list of the 11 questions. Where can I find those?

Forrest explained the document with the findings. I-XI findings and conclusions, followed by the 6 questions posed by Nick and Forrest.

The Roman Numerals are the statutory questions, followed by the questions posed by staff.

If we hear about Yellowstone County, WE DO NOT CARE, we only care about our jurisdiction.

To deviate from that puts us on a path that is untenable and indefensible.

Where our decision goes, it does not matter, and has no impact on the decision-making process.

You serve the county and the city of Laurel in equal measure.

We are still going to deal with the application, as we are the appropriate board.

Jon: We need to decide whether NW Energy wants to proceed or they want to withdraw?

If the answer is full-stop, it should be front page above the fold news.

We would want to have a 1-minute comment period per person at the end of the work session. In the interim between the 5th and the 19th, send it in as an email, it is the fastest way to get it into the record.

Carol Blades: Have been prolific in letter writing to the editor, but has not included them with City Council as they were longer than 3 minutes.

New Business

Old Business

Other Items

7. Adjourn

Dan Motioned to adjourn the work session.

Gavin Seconded.

Motion Carried.

Meeting Adjourned at 7:15pm

Announcements

8. Next Meeting: January 19, 2022

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