



**Stevensville Town Council Meeting
Agenda for
THURSDAY, MAY 23, 2024
6:30 PM
206 Buck Street, Town Hall**

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Public Comments (Public comment from citizens on items that are not on the agenda)
4. Approval of Minutes
 - [a.](#) Town Council Meeting Minutes 03/28/2024
 - [b.](#) Town Council Meeting Minutes 04/11/2024
 - [c.](#) Town Council Meeting Minutes 04/25/2024
 - [d.](#) C.O.W. Meeting Minutes 05/02/2024
5. Approval of Bi-Weekly Claims
6. Administrative Reports
 - a. Airport
 - [b.](#) Building Department
 - c. Finance
 - [d.](#) Fire Department
 - e. Police Department
 - [f.](#) Public Works
7. Unfinished Business
 - [a.](#) Discussion/Decision: Exemption to No Overnight Camping in Lewis & Clark Park for the Special Event Permit for the Circus
 - [b.](#) Discussion/Decision: Approval of Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site
8. New Business
 - [a.](#) Discussion/Decision: Resolution No. 532, a Resolution of the Stevensville Town Council Adopting a Purchasing Policy for the Town of Stevensville
 - [b.](#) Opening of RFP's for Audit Services Fiscal Years 23/24, 24/25 and 25/26
 - [c.](#) Discussion/Decision: Awarding of Bid for Audit Services
 - [d.](#) Opening of RFP's for Towing Services
 - [e.](#) Discussion/Decision: Awarding of Bid for Towing Services
 - [f.](#) Opening of Surplus Sale Item Bidding Sheets
9. Board Reports
10. Town Council Comments
11. Executive Report
12. Adjournment

Welcome to Stevensville Town Council Chambers

We consider it a privilege to present, and listen to, diverse views.

It is essential that we treat each other with respect.

We expect that participants will:

- ✓ Engage in active listening
- ✓ Make concise statements
- ✓ Observe any applicable time limit

We further expect that participants will refrain from disrespectful displays:

- ✗ Profanity
- ✗ Personal Attacks
- ✗ Signs
- ✗ Heckling and applause

Guidelines for Public Comment

Public Comment ensures an opportunity for citizens to meaningfully participate in the decisions of its elected officials. It is one of several ways your voice is heard by your local government. During public comment we ask that all participants respect the right of others to make their comment uninterrupted. The council's goal is to receive as much comment as time reasonably allows. All public comment should be directed to the chair (Mayor or designee). Comment made to the audience or individual council members may be ruled out of order. Public comment must remain on topic, and free from abusive language or unsupported allegations.

During any council meeting you have two opportunities to comment:

1. During the public comment period near the beginning of a meeting.
2. Before any decision-making vote of the council on an agenda item.

Comment made outside of these times may not be allowed.

Citizens wishing to speak during any public comment period should come forward to the podium and state their name and address for the record. Comment may be time limited, as determined by the chair, to allow as many people as possible to comment. Comment prior to a decision-making vote must remain on the motion before the council.

Thank you for observing these guidelines.

File Attachments for Item:

- a. Town Council Meeting Minutes 03/28/2024

Stevensville Town Council Meeting Minutes
for THURSDAY, MARCH 28, 2024, 6:30 PM 206 Buck Street, Town Hall
CONDENSED MINUTES

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order, Councilmembers Brown, Nelson and Smith are all present. Councilmember Barker has an excused absence.

2. Pledge of Allegiance

3. Public Comments (Public comment from citizens on items that are not on the agenda)

NONE

4. Approval of Bi-Weekly Claims

a. Claims #18884-#18888, #18892-#18896

Mayor Michalson: introduced bi-weekly claims #18884-#18888, #18892-#18896.

Councilmember Smith: I move that we adopt claims #18884-#18888, #18892-#18896.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd, discussion from the council?

Councilmember Brown: claim #18884, where there three tires that where repaired?

Gina Crowe: no, that was split out among three departments.

Mayor Michalson: any further discussion? Public Comment? Seeing none, Jenelle, would you take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

5. Guests

a. Bear Aware Presentation, Michele Dieterich

Presentation was given by Bear Aware of Ravalli Count Bitterroot Bear Resources, Fish Wildlife & Parks, Biologist for Wind River Bear Institute and Bitterroot Disposal. Gave background information on being bear aware in Ravalli County. The importance of bear proof garbage cans, education around keeping your property protected from bears. Spoke about grants that are available.

6. Public Hearings

- a. 2nd Reading: Proposed Amendment of Ordinance 141, and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville

Mayor Michalson: introduced the public hearing.

Will Rowe, airport board manager: here for any further questions.

7. Unfinished Business

- a. Discussion/Decision: Proposed Amendment of Ordinance 141, and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville

Mayor Michalson: introduced unfinished business a. Proposed Amendment of Ordinance 141, and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville

Councilmember Brown: I move that we adopt the proposed amendment of Ordinance 141, and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville

Councilmember Smith: 2nd

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: is this the cleaned-up version?

Jenelle Berthoud, Town Clerk: if you look at the last page you will see where it is signed from the last meeting. I cleaned it up.

Councilmember Brown: thank you for doing that, this is much cleaner.

Mayor Michalson: any further questions for Will. Public Comment? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

8. New Business

- a. Discussion/Decision: Special Event Fee for the Stevensville Civic Club Events

Mayor Michalson: introduced new business item a. Special Event Fee for the Stevensville Civic Club Events

Sean Doyle, President of the Stevensville Civic Club: I came in a couple of weeks ago to start filing the event permits for three events coming up as we went through, I started to ask about the fees. I have a breakdown of the fees for all of the events around town. I also included the Scarecrow Festival. As we looked at the fees that we pay for some of our events, one that came into question was the special event with alcohol fee that has a \$200.00 permit fee. I am not sure what that gets us, we provide everything. The other thing that we started to question on the fees is the fee for the Farmers Market and that is a flat \$100.00 that works out to 20 Saturdays and that makes it about \$5.00 per day. Creamery is a two-day event, and we are \$300-\$400 per day. You can see as I was finalizing with Jenelle our fees increased by \$225.00. We are looking at a fee for Creamery of \$935.00. I don't mind paying it but it does set up questions about the event fees.

Mayor Michalson: my question to the council, Jenelle brought this up earlier today, where it says stage set up, the stage is owned by the civic club, a couple of administrations ago he put it in the fee schedule to charge the civic club for their own stages, so I would like the council to defiantly wave that one tonight.

Councilmember Smith: doesn't this have to do with where the stages are being stored?

Mayor Michalson: yes, we store them, but still.

Councilmember Nelson: so, we are charging them storage fees?

Mayor Michalson: I would like the council to consider waving that fee and then we get to our working on the budget we will bring the fee schedule back to the council, \$935.00 is pretty high. Same events every year, creamery, scarecrow the Civic Club promotes this, and it brings so much business to the town. I would think that it would only be fare that we give the Civic Club a break, we do it for the Farmers Market and I have talked to Stacie about it, she is all for it.

Councilmember Smith: I move that we get rid of the stage fee for \$100.00.

Mayor Michalson: wouldn't that be two?

Jenelle Berthoud, Town Clerk: in this case he has two.

Councilmember Smith: we will get rid of it don't need it; wave \$200.00.

Councilmember Nelson: 2nd.

Mayor Michalson: we have a motion and a 2nd. Discussion from the council?

Councilmember Brown: so, the town is storing the stage somewhere?

Jenelle Berthoud: in the field.

Councilmember Brown: so, it is up to the Civic Club to move it from where it is stored or is that streets and alleys?

Sean Doyle: public works has helped, and we have also sent a truck down to bring it up. Over the last two years it has been about half and half. One comes to the park and one to 3rd and Main. And at Scarecrow it is on the east side of 3rd.

Councilmember Brown: I think that we should put something in there about public works and them taking time out of their day.

Sean Doyle: that would make sense, gas and resources.

Councilmember Nelson: I was just looking at this, I know that I have been to the Scarecrow festival many times and I am sure that it brings a pretty good flow of people.

Sean Doyle: Creamery brings about 8000 people and Scarecrow brought 10,000. Two biggest events that take place.

Councilmember Nelson: I am thinking that we permanently wave the fees altogether.

Councilmember Brown: I think that for now we wave the fees for tonight and then when we come back to this, we review the fees and make that change. If they are not using public works, then there should not be a fee.

Mayor Michalson: we have a motion and 2nd. Public comment? Jenelle, will you take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

- b. Discussion/Decision: Special Event Permit for the Culpepper/Merriweather Circus Sponsored by the Stevensville Civic Club

Mayor Michalson: introduced new business item b. Special Event Permit for the Culpepper/Merriweather Circus Sponsored by the Stevensville Civic Club

Sean Doyle: every two years the circus goes through western Montana. After talking to Lassiter and Ms. Berthoud. it has been held in the past on a lot owned by the Stevensville Foundation, parking was an issue. So, it was brought up to put it at the park. I have been talking with the circus for weeks, they do this in parks and fairgrounds, and everything looks good. The only damage as you will were from the tent spikes, Mr. Lassiter will mark sprinkler lines. They do not need power, they need a space, access to get in and out and water. June 21, two shows and then they are gone by the morning. They only thing left behind will be the trash container and we will have that picked up that day. It is a circus that works with small communities and it is a lot of fun.

Councilmember Smith: I move that we adopt special event permit for the Culpepper/Merriweather Circus Sponsored by the Stevensville Civic Club.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: is there going to be camping overnight after the circus.

Sean Doyle: potentially in the parking lot before they pull out in the morning. I can work with Chief Boe and Steve Lassiter.

Councilmember Brown: we have a no camping and that would have to come.

Mayor Michalson: we would have to bring that to the council to wave that.

Sean Doyle: do I need to bring that as a request? I will do that. It will be covered by our insurance and then the civic club and the town are on the circus policy.

Councilmember Brown: I just knew that we had an ordinance about overnight camping, so we need to look at that.

Sean Doyle: I will find out exactly how long,

Mayor Michalson: any other questions, any questions from the public. Jenelle, please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

- c. Discussion/Decision: Special Event Permit for the 4th of July Pig Nic Sponsored by the Stevensville Civic Club

Mayor Michalson: introduced new business item c. Special Event Permit for the 4th of July Pig Nic Sponsored by the Stevensville Civic Club

Sean Doyle: Pig Nic is an annual tradition that has been going on, no charges, we provide everything, and the community brings a side dish. We use the pavilion by the pool, and we had about 200 people last year.

Councilmember Brown: I move that we approve the special event permit for the 4th of July Pig Nic Sponsored by the Stevensville Civic Club.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? I have been going to this picnic for a couple of years, more people keep attending. Public comments? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

- d. Discussion/Decision: Special Event Permit for the 111th Creamery Picnic Sponsored by the Stevensville Civic Club

Mayor Michalson: introduced new business item d.

Sean Doyle: we want to put on the 111th Creamery Picnic. We would like to do all of our normal events on Friday and Saturday. Just like last year, added a few more things.

Councilmember Nelson: make a motion to approve Special Event Permit for the 111th Creamery Picnic Sponsored by the Stevensville Civic Club

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Nelson: I love what the civic club does for this town.

Mayor Michalson: any further discussion, public comment. Seeing none, Jenelle take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0. We will bring this all up at the budget meetings.

Sean Doyle: I will have a traffic plan for Chief Boe and Jenelle knows how to get a hold of me.

- e. Discussion/Decision: Request an RFP for Towing Services for the Town of Stevensville

Mayor Michalson: introduced new business item e. Request an RFP for Towing Services for the Town of Stevensville.

Jenelle Berthoud: we have used a local towing company because they have been available for us, there has now been an interest from another towing company so at this point we need to look at an RFP.

Councilmember Smith: I move that we adopt a Request an RFP for Towing Services for the Town of Stevensville.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Is it okay that I did a little presentation, that is one of the reasons that the RFP came forward. The other reason, as you know we were ordered by the district judge to do the abatement process, it has been appealed. So, it has put us at a standstill but has not stopped us, Mr. Overstreet has appealed that to the supreme court and wants to name us. So, we do not have to wait and that will speed up that process. Another thing that is going on is I walk all over town and I put an article in the Bitterroot Star about cleaning up our town. I am serious about cleaning up our town, I see vehicles parked on the streets with expired plates and flat tires that have not been moved in years. Not only that but we have yards in disrepair and properties that need to be taken care of. I will be sending out letters about cleaning up. We have to get serious. Getting back to the case, the district judge ordered us to clean it up. We can go and mow our property. We have rights too. We have town ordinances that back us up. We used to have a spring clean up day, we have not had that for a long time. Anyone that wants to help me out please do.

Councilmember Nelson: I go on as well, I pick up a lot of beer cans, pick up your trash.

PUBLIC COMMENT

Pat Groninger: we have been fighting this for a long time. I moved here in 1990, it has always been a problem. I was told to my face by the previous mayor that if I want to, I can make a complaint then they would act on it. It is not my job; it is the towns. Remember the boulevards are the towns responsibility. I want to thank you and it is your time and it is your rights.

Loye Knapp: I am across the street I just want to say that there is comment that the town of Stevensville was taken off of the suit, the reason the town was taken off is because we were told by the town that they would clean it up if they were taken off of the suit. It just keeps coming up please help us out.

Mayor Michalson: any further discussions? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

- f. Discussion/Decision: Resolution No. 527 a Resolution of the Stevensville Town Council Declaring Certain Town Property as Surplus and Authorizing its Disposal

Mayor Michalson: introduced new business item f. Resolution No. 527 a Resolution of the Stevensville Town Council Declaring Certain Town Property as

Surplus and Authorizing its Disposal. We have a pretty extensive list, thank you Jenelle, Jenelle put it into who has what.

Councilmember Brown: I move that we adopt Resolution no. 527 a Resolution of the Stevensville Town Council Declaring Certain Town Property as Surplus and Authorizing its Disposal.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Brown: just a couple of questions, because I know that it will be asked at one board, the money if any from the courtesy car, will go back into the airport fund and also the police vehicle.

Mayor Michalson: correct.

Councilmember Brown: thank you.

Mayor Michalson: I will make a mention on the police car, that John said that if it is needed to put in the general fund to help out others.

Councilmember Smith: that is the car at the airport?

Mayor Michalson: yes, it is, any further comments? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

9. Board Reports

NONE

10. Town Council Comments

Councilmember Nelson: What is it with the town being taken off of the lawsuit, it just seems back handed especially if nothing is being done. Is this really how the citizens were delt with in the past.

Mayor Michalson: that is what happened.

Councilmember Nelson: I understand that, I was just curious.

Pat Groninger: can I make a quick comment to that, that was a Dewey deal.

Councilmember Smith: I had the honor of going to Cassi Kopsa's graduation for the police academy. She came through with flying colors almost at the top of her group.

11. Executive Report

Mayor Michalson: 19th met with Fred Simpson and the Burnt Fork lawsuit. Fred has also made a motion to dismiss. 27th, we had a pre-construction meeting for the Mission Street project. Emerine will be passing out flyers to let everyone know of road closures and water shut offs. Jenelle put me up to Colette at the fire department and if anyone needs to get water, they can get that from the fire department. Water issues, we are going to be making phone calls to get water bills paid. Tomorrow is our 5th Friday workshop and will be fine tuning job descriptions with public works and start on budgets. We will be starting workshops in May, the budget is going to be tight again this year, we are only going to be funding three officers. We do have some savings, not having a utility billing clerk, speaking of that we are going to have to bring an agenda item forth, we have a clerk that is sitting over there who has worked her but off since December, she is doing utility billing, her work and that is why there are no minutes on the agenda tonight, she is also helping John. She is doing three roles, and we can say what we want but I believe that we have to have some compensation we owe that to her. Yes, we should have had a clerk by now, but we want to get that right, 7 interviews already, Jenelle knows this, they know what is going on. I want to put that out there now, we do need to compensate her.

Jenelle Berthoud/Gina Crowe: email migration, budget, housekeeping, job descriptions.

Councilmember Smith: one other quick announcement that I forgot, April 5th is a meet and greet for our new chief and Cassi.

Mayor Michalson: when Cassi got back yesterday, we were able to give her a raise to \$24.00 per hour.

12. Adjournment

Councilmember Smith: motion.

Councilmember Nelson: 2nd.

APPROVE:

ATTEST:

Bob Michalson, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

b. Town Council Meeting Minutes 04/11/2024

Stevensville Town Council Meeting Minutes

for THURSDAY, APRIL 11, 2024, 6:30 PM 206 Buck Street, Town Hall

CONDENSED MINUTES

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order. Councilmembers Barker, Brown, Nelson and Smith were all present.

Pledge of Allegiance

2. Public Comments (Public comment from citizens on items that are not on the agenda)

Vicky Motley, 318 9th Street: I am wondering if we could check on the pine bush at the corner of College and Middle Burnt Fork. And it is really hard to see around, I think that it needs to be trimmed back.

3. Approval of Minutes

a. C.O.W. Meeting Minutes 04/03/2024

Mayor Michalson: introduced C.O.W. meeting minutes for 04/03/2024.

Councilmember Smith: I move that we approve the COW meeting minutes 04/03/2024.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comments? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

4. Approval of Bi-Weekly Claims

a. Claims #18883, #18889-18891, #18897-18932

Mayor Michalson: introduced approval of bi-weekly claims, #18883, #18889-18891, #18897-18932.

Councilmember Barker: make a motion to approve bi-weekly claims #18883, #18889-18891, #18897-18932.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. I would like to add some comments. Overstreet Law Group for \$1023.00 I just want to put it out there \$891.00 has to do with the Berta

Farms. Some of that is George Thomas \$125.00 we had George ride around with Robert to see how he had done the meter readings. Colette Taylor, she had traveled to judge school in Billings and a piece of wood flew out and hit her car, I did not approve it at the time, but after reviewing and calling MMIA they do not pay for it, but we can, she agreed to pay \$500.00 of the \$1,000.00.

Councilmember Brown: Claim # don't know, the printers? Have we checked into purchasing printers instead of leasing printers. #18293-#18925

Gina Crowe: we do not have three printers just two, one for upstairs and one for downstairs.

Councilmember Brown: so, it is the most cost effective?

Gina Crowe: yes.

Councilmember Barker: credit card charges. I see a lot of Costco and Amazon. My questions is what are we purchasing from these.

Gina Crowe: when you see them spread out in the lines that means that they are spread out between the departments.

Councilmember Barker: I did not realize that we had a Costco card.

Jenelle Berthoud: I have to use my personal one to purchase.

Councilmember Baker : so, then we reimburse you? I just see a lot of those charges.

Gina Crowe: the reason that it looks like a lot is because it is split out among all departments.

Councilmember Barker: have we looked at using Staples for office stuff.

Gina Crowe: Jenelle does a good search for copy paper. It has gone through the roof.

Jenelle Berthoud: our best price for paper is through Costco. And just recently we order legal pads for the whole building, and our best price was through Amazon.

Mayor Michalson: further council comments? Public comment? Seeing none, Jenelle

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

6. Administrative Reports

a. Airport

Will on vacation.

b. Building Department

In the packet.

c. Finance

d. Fire Department

Chief Motley: report was provided in the packet. March 21st, we did an active shooter training with the FD, PD and students. Items have been surplus and we are ready to move that forward.

e. Police Department

Chief Boe: report was provided to the council at their table. Chief Boe gave his report to the council.

Councilmember Nelson: unattended deaths? Just people dying?

Chief Boe: yes, natural deaths. Calls for Service 51 calls, we typically get a lot of assistance calls, so there may not be a report generated. Been getting a lot of complaints about the 4-way stop at 3rd. Giving warnings at this time and then we will write citations.

Councilmember Barker: the more activities that start downtown, even though we have the street closed for farmers market they still come right through.

f. Public Works

Stephen Lassiter, Public Works Supervisor: small progress on installing new meters. Emerine doing great with the Mission Street Project.

Councilmember Brown: on your report, Mr. Steve Kruse is still on your report.

Stephen Lassiter: there are names that need to be cleaned up, I need to be the new administrator on that, most of those that you are seeing his name attached to are routine items that happen every month.

Councilmember Brown: I have had a couple of people ask about additional garbage barrels out on the path. Is there a chance that we can get a few more out there.

Stephen Lassiter: we will see what we have.

Councilmember Barker: what about potholes being filled.

Stephen Lassiter: the one that you are talking about, the cold patch is what we are using and then that needs to be repaired. I need to get Marty over there with some hot patch.

Councilmember Barker: where the pole is at it fills up with water right there.

Stephen Lassiter: that street was on the first set to be repaired, but Spring Street got all the money. I need to get Marty over there with some hot patch.

7. New Business

a. Discussion: Finance Report, Budget vs. Actual & Cash Report

Mayor Michalson: introduced new business item a. Finance Report, Budget vs. Actual & Cash Report.

Robert Underwood, assistant finance officer: The report is in your packet. Talked about cash on hand, interest made from October-February, budget vs. actual. We moved another \$150,000.00 out of Rocky Mountain Bank and over to First Security and that will start making money.

Councilmember Barker: it is not going to affect us now that it has sold?

Robert Underwood: they sold to First Security.

Gina Crowe: I think that they have plans. We will have everything moved over, there are a lot of things that have to happen to do that.

Robert Underwood: budget vs. actual. Went over that report with the council. We are currently at 42%, looks pretty good with less than three months left. The paving of the streets will hit us soon and make those numbers different.

Councilmember Barker: my biggest thing is the Jean Thomas.

Robert Underwood: at this time, it is not being used but.

Councilmember Barker: it should not be. I went back through some of the minutes that we had as well as documentation. There were supposed to be partial donations. You saying that there is only \$6,000.00 there is not going to be anything left for beautification.

Robert Underwood: I can say that the only thing that fund is being used for is for the parks.

Councilmember Brown: Planning doesn't look like that is doing very well.

Robert Underwood: we get the planning money based on the amount of building permits.

Jenelle Berthoud: the only time that money would come into that would be when a building permit is pulled. Nothing comes from electrical, plumbing or mechanical.

Councilmember Brown: thank you for clarifying that. Police Training and Pension? It still says that he has all of his money. Did we have to pay for Cassi stuff.

Robert Underwood: some of it will come out of there, since this report the state has paid us another \$5,000.00. Some of Cassi's will come out of that.

Councilmember Brown: was just wondering about that.

Gina Crowe: it was on the claims for \$1500.00 and it has been paid out.

PUBLIC COMMENT

Vicky Motley: fireman's disability. It shows \$5300.00 has that come in yet or have we budgeted for that.

Robert Underwood: the report is due by May 1st, you have sent it in, and I have sent it in and then we will get a check. Fire uses it for retirement and the police for training. Auditor knows that it is a pass through.

b. Discussion/Decision: Amendment to Agreement for Engineering Services between HDR Engineering and the Town of Stevensville

Mayor Michalson: introduced new business item b. Amendment to Agreement for Engineering Services between HDR Engineering and the Town of Stevensville.

Councilmember Barker: I make a motion to approve Amendment to Agreement for Engineering Services between HDR Engineering and the Town of Stevensville.

Councilmember Nelson: 2nd

Mayor Michalson: motion and a 2nd. Discussion from the council? Discussion from the public.

Vicky Motley: it says 2020.

Mayor Michalson: that is when this first thing started, ARPA grant. Any further comments from the public, seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: Passes 4-0.

c. Informational: Updates to the ARPA Project, Mission Street: Budget, Status of Funds and Pay Application

Mayor Michalson: introduced new business item c. Updates to the ARPA Project, Mission Street: Budget, Status of Funds and Pay Application. Read an email from HDR, giving a project update to the council about Mission Street.

Councilmember Nelson: the contactors application for payment is the first installment?

Mayor Michalson: yes, it was in the claims tonight.

Mayor Michalson: proposed items d, e, f, g, and h. because of all of the corrections and suggestions from MMIA and the staff, be tabled.

Councilmember Brown: is there any way to bring Heidi forth.

Jenelle Berthoud: you would have to look at Resolution No. 530.

Councilmember Brown: can we just go that one?

Jenelle Berthoud: I think that one of the suggestions that came back from MMIA had to do with years old.

Councilmember Brown: I did find that fire and police have to be set at 18 years of old.

Jenelle Berthoud: you could look at that one and see about pulling it out.

Jeff Motley: 21 years of age or older at time of appointment.

Councilmember Brown: on page 132 special requirements. We will need to change that to 18 years.

Jeff Motley: what does MMIA request or say?

Jenelle Berthoud: we just heard back from them finally.

Councilmember Brown: all that I could find it stated 18.

Jenelle Berthoud: you could change all of the fire department ages. For Resolution 530.

Mayor Michalson: we could suspend council rules.

Heidi Motley: it can come back to.

Councilmember Brown: I do not want to put Heidi out, if she doesn't mind, we can clean everything up then we can bring it back.

Jenelle Berthoud: let me make note of that, Mr. Motley, you signed it.

Jeff Motley: my assistant.

d. Discussion/Decision: Resolution No. 528, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

e. Discussion/Decision: Resolution No. 529, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

f. Discussion/Decision: Resolution No. 530, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

g. Discussion/Decision: Resolution No. 531, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

h. Discussion/Decision: Consent to the Mayor's Appointment of Heide Motley as a Volunteer Support Person for the Town of Stevensville Fire Department

i. Discussion/Decision: Resolution No. 515A, a Resolution Amending the Personnel Policy Manual for the Town of Stevensville

Mayor Michalson: a motion to table. Because of the changes from MMIA.

Councilmember Smith: make a motion to table items d, e, f, g, h, and i.

Councilmember Nelson: 2nd.

Mayor Michalson: would you like these to come back as a special meeting or the next meeting.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: Passes 4-0.

j. Discussion/Decision: Town Council to set a Date and Time for a C.O.W. Meeting to Discuss Changes and Updates to the Town of Stevensville Purchasing Policy

Mayor Michalson: introduced new business item j. I have brought this up multiple times

Councilmember Barker: make a motion for May 2nd, 6:00 pm to set a time for the C.O.W. meeting to discuss changes and updates to the town of Stevensville Purchasing Policy.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public Comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

8. Board Reports

Mayor Michalson: I attended the airport board meeting; Will went over Ordinance 141 and the surplus car. Runway and gravel pit.

Councilmember Nelson: this is a retired police vehicle.

Mayor Michalson: yes, it is.

Councilmember Barker: do we have any updates on the gravel pit.

Mayor Michalson: when we were on the council it was going to go out for discussion.

Jenelle Berthoud: from what I understand from Will and Brian the county has moved on.

9. Town Council Comments

Councilmember Brown: I have at least 6-7 people complain about the political signs at intersections blocking their view when getting off and on at Main Street. And the one at Middle Burnt Fork, from Baldwin.

Mayor Michalson: since I am the zoning administrator, I will take care of that and make phone calls.

Councilmember Barker: I know that farmers market is coming up and on April 26th they are doing a street clean up, I don't know about disposing of the stuff, but I will get with you about that.

Councilmember Brown: this is more of a question. Is there going to be another spring pick up?

Councilmember Nelson: what day was that clean up.

Councilmember Barker: April 25th by Valley Drug. I do have to say thank you very much for cleaning up the mess that has been off of 2nd and Winslett. Some one had called town hall and spoke to Jenelle about the pile.

Stephen Lassiter: we did not know that was there.

Councilmember Barker: it does look nice, thank you very much. (Continued discussion with Stephen Lassiter about the drop off area at 2nd and Winslett).

10. Executive Report

Mayor Michalson: March 29th, we had our 5th Friday training and used the fire conference room. We discussed insurance, job descriptions, meters. It was good to have the discussion between public works and administration. April 3rd had a meeting in Hamilton with Ross Miller and Jesse Reeves attorney about water rights. They talked about development of that land and needed hookups for that, at this time we do not have water rights. Going out the 16th at 1:00 pm to the property. We will see what it is that we need in regard to the ponds. Met with neighbors on the Park and 3rd property, and the order from the judge, and we will be moving forward with that. Robert, Gina and I are working on the budget, and we will get the workshops going in May. Mission Street project going along. HDR is setting up a meeting with us, we have leftover ARPA grant money from not having to replace some of the water lines. After speaking to Stephen, Jenelle and Gina, especially Jenelle, she has basically taken over the utility billing most of these unread can be fixed and easier to manage with a meter pit.

Jenelle Berthoud: the meter pits would resolve a lot of problems.

Mayor Michalson: Jenelle and Gina and I have met with Riley Lubbers to work out the details on Spring Street and Railroad. Spring clean up starts April 15-26. You can stop by town hall to pick up a flyer or it is on the website. There is no dumping at Lewis & Clark Park.

11. Adjournment

Councilmember Smith: motion

Councilmember Barker: 2nd.

APPROVE:

ATTEST:

Bob Michalson, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

c. Town Council Meeting Minutes 04/25/2024

Stevensville Town Council Meeting Minutes

for THURSDAY, APRIL 25, 2024, 6:30 PM 206 Buck Street, Town Hall

CONDENSED MINUTES

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order, Councilmembers Barker, Brown, and Smith were all present. Councilmember Nelson was not present.

2. Pledge of Allegiance

3. Public Comments (Public comment from citizens on items that are not on the agenda)

NONE

4. Approval of Minutes

a. Town Council Meeting Minutes 03/14/2024

Mayor Michalson: introduced approval of town council meeting minutes for 03/14/2024.

Councilmember Barker: make a motion to approve town council meeting minutes for 03/14/2024.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Barker: page 16 of the minutes, spelling errors. Mayor Michalson spelt wrong. And Jackies name on the same page.

Mayor Michalson: any more comments from the council/ Comments from the public? Jenelle, please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

5. Approval of Bi-Weekly Claims

a. Claims #18933-18946

Mayor Michalson: introduced approval of bi-weekly claims #18933-18946.

Councilmember Smith: I move that we approve claims #18933-18946.

Councilmember Barker: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: #18933, for four physicals?

Gina Crowe: Fire fighter physicals.

Councilmember Brown: this is just a question; do we have a contract with Storybrook?

Jeff Motley, Fire Chief: we put it out a while back and they can meet what we need. The results of the physical go back to the fire fighter. We just get a yes or a no.

Councilmember Barker: #18941., Montana Saws for \$500.00.

Gina Crowe: they needed some supplies; chain and a pole saw.

Councilmember Barker: #18943, Tall Timber Climbing, who is that?

Gina Crowe: tree cutting services, it was a large tree that our guys could not do.

Jenelle Berthoud: he turned in everything with his business license.

Mayor Michalson: any other questions from the council? Questions from the public?

Jenelle, please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

6. Unfinished Business

a. Discussion/Decision: Exemption to No Overnight Camping in Lewis & Clark Park for the Special Event Permit for the Circus

Mayor Michalson: introduced unfinished business item a. Exemption to No Overnight Camping in Lewis & Clark Park for the Special Event Permit for the Circus.

Sean Doyle: gave a brief description, talked to the circus, after the last show on Friday they will take down and then several will leave, there are usually about 8-10 circus staff that stay the night to finish cleanup.

Jeff Motley: I would like to see a special event permit.

Sean Doyle: I will get with Stephen about the layout and get that back.

Councilmember

Councilmember

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle would you take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

b. Discussion/Decision: Resolution No. 528, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Mayor Michalson: introduced unfinished business item b. Resolution No. 528, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Barker: make a motion that we approve Resolution No. 528, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Barker: some little typos, page 34. Bottom of the page changed to April 25. Page 35-36 all the same correction. Page 51, typo, where it says, Full Court as one word.

Jenelle Berthoud: it is one word.

Councilmember Brown: on page 37, finance officer and I did not see, needs to be bonded. And under the assistant finance officer. On page 45 under the town clerk, add bonded. Double space on page 45, to the mayor. I think that the town clerk should also supervise the deputy clerk as needed. Under deputy clerk we should have that person supervised by the finance officer and the town clerk. Page 48 under 5 it does say that they will work under the town clerk also. I see that it says provides help as needed. Since she is working, and her title is deputy clerk, I feel that the town clerk should also supervise her.

Jenelle Berthoud: I do feel comfortable assisting.

Gina Crowe: I think that if she has two supervisors that can be confusing.

Councilmember Brown: it does say that she will provide to the finance officer and the clerk.

Gina Crowe: but she is supervised by the finance officer.

Councilmember Brown: I had the same question as the court clerk. Airport manager page 53, responsible to manage the volunteers.

Mayor Michalson: because he is hands on, I would say the airport manager.

Councilmember Brown: technically if someone was to get hurt up there. Do they not have to be supervised.

Gina Crowe: they would go to the airport manager and then the airport manager would come to me.

Mayor Michalson: we can put that there.

Councilmember Brown: then you do not have the chair of the airport board dealing with the volunteers.

Jenelle Berthoud: how would you like that to read.

Councilmember Brown: oversees volunteers.

Mayor Michalson: anything else from the council. Any comments from the public?

Seeing none, Jenelle, would you take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

c. Discussion/Decision: Resolution No. 529, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Mayor Michalson: introduced unfinished business item c. Resolution No. 529, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Barker: I make a motion that we approve Resolution No. 529, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council.

Councilmember Brown: clean up, I guess I do not have any.

Mayor Michalson: any further discussion from the council? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Barker: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

d. Discussion/Decision: Resolution No. 530, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Mayor Michalson: introduced unfinished business item d. Resolution No. 530, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Barker: I make a motion for Resolution No. 530, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd.

Councilmember Brown: now I do have some corrections page 88, clean up on number five and number six. Indent. Page 89 number 12 and number 5 indent. Page 93, under special requirements C held needs to be moved over. We had A, B, C, C. Page 112 under (i) knowledge of clean up. Page 118, necessary knowledge and skills needs to be bolded.

Mayor Michalson: further discussion from the council? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

e. Discussion/Decision: Resolution No. 531, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville

Mayor Michalson: introduced unfinished business item e. Resolution No. 531, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Barker: make a motion to approve Resolution No. 531, A Resolution of the Stevensville Town Council Adopting Job Descriptions for the Town of Stevensville.

Councilmember Smith: 2nd

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: page 130, under plant operator, only because it was in one of our previous meetings, as long as Glenn is available by phone Cody can operate the plant. Does Cody need to be supervised by the plant operator.

Mayor Michalson: I think that still falls under Stephen Lassiter.

Councilmember Brown: that takes care of my other two questions. Last one is page 154; aerobics instructor is being supervised by the pool manger or head lifeguard?

Mayor Michalson: I understand your reasoning Councilmember Brown. But you start to get to many supervisors.

Councilmember Brown: I am only questioning that because the lifeguards work under the head lifeguard.

Mayor Michalson: okay, any other questions from the council? Questions from the public? I would like to add that everyone should be proud of themselves. We started this from scratch, three COW meetings, there are a lot of pieces and parts, MMIA responses, thank you all. Now that we have them in place, we can feel comfortable and I will say thank you to Jenelle, she is the one that thought of the resolutions to put them in different orders. When a mayor wanted to change a job description, they would just change it. Now it is in a resolution, and we bring back the whole resolution, easier to follow and change. With that Jenelle, please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

f. Discussion/Decision: Consent to the Mayor's Appointment of Heidi Motley as a Volunteer Support Person for the Town of Stevensville Fire Department

Mayor Michalson: introduced unfinished business item f. Consent to the Mayor's Appointment of Heidi Motley as a Volunteer Support Person for the Town of Stevensville Fire Department .

Jeff Motley, Fire Chief: Heidi is here tonight. We have always had support people, they fill huge responsibilities. She brings many skills.

Councilmember Smith: I move that this council adopt the Consent to the Mayor's Appointment of Heidi Motley as a Volunteer Support Person for the Town of Stevensville Fire Department.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Discussion by the council? Public discussion? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

7. New Business

a. Discussion/Decision: Consent to the Mayor's Appointment of Tasia Rohbock as a Volunteer Cadet for the Town of Stevensville Fire Department

Mayor Michalson: introduced new business item a. Consent to the Mayor's Appointment of Tasia Rohbock as a Volunteer Cadet for the Town of Stevensville Fire Department.

Jeff Motley: Tasia will be a good cadet.

Councilmember Barker: make a motion to approve the Consent to the Mayor's Appointment of Tasia Rohbock as a Volunteer Cadet for the Town of Stevensville Fire Department .

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public discussion. Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

b. Discussion/Decision: Approval of Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site

Mayor Michalson: introduced new business item b. Approval of Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site. The more that I read through this the more questions that I have about this. When you look at the plans, the parking does go into the town's land.

Councilmember Barker: make a motion to approve a memorandum of agreement between the town of Stevensville and MDT for the John Owen Fishing Access Site.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd.

Councilmember Barker: I think that originally there was the land swap, and we could not come to an agreement. I do not remember that we would give land. I do not remember MDT being involved at that time.

Mayor Michalson: I also have questions about liability. When you look at the attachment B is it just the signs or the fishing access.

Councilmember Barker: I also read through this, and it does look like it is the fishing access. We already have our public works department with responsibilities, and this would be a lot of work.

Mayor Michalson: I propose that we table this, and I will get some questions answered.

Councilmember Brown: I noticed that they had camp sites, day or night and are we responsible for cleaning those up.

Mayor Michalson: who is going to take care of this.

Councilmember Smith: I did not see any type of dollar amount.

Councilmember Brown: it looks like the town is doing the maintenance so what are we getting back from this.

Mayor Michalson: they talk about the money that we get back from the fisherman but when I walk by, they load up their boats and head out of town.

Councilmember Barker: how I read it is that when they are done, they are going to pass this over to the town and it is our responsibility. I thought that Myla and FW&P were working on this.

Mayor Michalson: I also read that this is just between MDT and signage.

PUBLIC COMMENTS

Jeff Motley: I remember that this had to do with FW&P and the Ranch not the town. A lot of this talks about the right of way.

Mayor Michalson: any other comments from the public.

Councilmember Barker: I would like to make a motion to table Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Any further discussion? I will bring this back and if I have to I will bring in FW&P. Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

c. Discussion/Decision: Special Event Permit for the Stevensville Harvest Valley Farmers Market

Mayor Michalson: introduced new business item c. Special Event Permit for the Stevensville Harvest Valley Farmers Market.

Councilmember Brown: I make a motion for the Special Event Permit for the Stevensville Harvest Valley Farmers Market.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: abstain.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 2-0, 1 abstained.

d. Discussion/Decision: Special Event Permit for the Stevensville Harvest Valley Farmers Market and Car Show

Mayor Michalson: introduced new business item d. Special Event Permit for the Stevensville Harvest Valley Farmers Market and Car Show.

Councilmember Brown: make a motion for the Special Event Permit for the Stevensville Harvest Valley Farmers Market and Car Show.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion?

Jeff Motley: is there a special event permit for this. Generally, we get this to come through.

Jenelle Berthoud: I can bring those back through for comment.

Mayor Michalson: any further discussion? Seeing none, Jenelle please take the vote.

Councilmember Barker: abstain.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 2-0 1 abstain.

e. Discussion/Decision: Compensation for City Clerk Jenelle Berthoud

Mayor Michalson: introduced new business item e. Compensation for City Clerk Jenelle Berthoud. Gave background, the deputy clerk resigned, and Jenelle and Gina took over, we started to dig into everything, we have had training through Black Mountain. And since then, Jenelle has still taken on that roll. It has been trying at times, she has to take billing her position. Jenelle also took over the role of the police clerk, when John came in, she was hands on. Gina and I proposed this amount, she did not ask for this. She has been helping with the new deputy clerk. Last year I voted no but this is a different situation, I truly did not know the roles and now I do. With out a deputy clerk Jenelle has had to fill in. I hear that is part of the job responsibilities, part is the key. She did that role completely, she did the billing every month, she has kept Cody going with the meters. Cemeteries, those duties. She has taken three roles on and is asking for a little bit of compensation. Last meeting you approved on call. Call pay for public works, you are

paying them for sitting at home and waiting for a call to come in. she is here on the clock, not sitting at home waiting she is doing.

Councilmember Barker: I make a motion to approve compensation for city clerk Jenelle Berthoud.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Smith: with this three-dollar amount compensation, will there be additional vacation and sick.

Mayor Michalson: she already collects that as the town clerk.

Councilmember Brown: this is a one-time payment is that correct. I want to say that I did not vote for the on-call.

Mayor Michalson: yes.

Councilmember Barker: will she continue the \$3.00 per hour after this.

Mayor Michalson: compensation also includes for stepping up Jenelle has history in this town, Eli Maloey, relationships with people that we do not even know. She has relationships with everyone that comes in to pay their bill. I think that we do this for stepping up and filling the role. Any other comments from the council. Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

f. Discussion/Decision: Suspend Town Council Rules to Cancel the May 9, 2024, Town Council Meeting and Authorizing Claims to be Paid out of Cycle

Mayor Michalson: introduced new business item f. Suspend Town Council Rules to Cancel the May 9, 2024, Town Council Meeting and Authorizing Claims to be Paid out of Cycle. We will be going to training and we did this last year when we went to the meeting. if we need to have a special meeting we can.

Councilmember Barker: I make a motion to suspend town council rules to Cancel the May 9, 2024, Town Council Meeting and Authorizing Claims to be Paid out of Cycle.

Councilmember Smith 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

8. Board Reports

NONE

9. Town Council Comments

NONE

10. Executive Report

Mayor Michalson: 11th meeting about the Spring Street project. Met with Thomas Orr on the abatement project. 16th met with Ross Miller and Jesse Reeves about the ponds on his property, had to do with water rights. 24th disaster mitigation plan meeting, it was very informative, and they are going to help me with putting it together. we are supposed to be part of the disaster mitigation plan as well. I do not have a problem attending those meetings. I met with Jen about our water rates, we have to raise them. Jenelle and I went through resolutions and the last time they raised them was in 2015. We also starting our budget soon. Last Friday in town a lady at a local establishment, a lady took a sign put it in her pickup got out and grabbed another sign and was being videoed by the other person, the lady taking the video came down to the police department and our chief gave her a ticket, this is an 81-year-old. The audacity to go down to our police department and have her charged with theft is just appalling to me. When they could have just walked into that café and worked out their differences. This is the same political party, two republicans. It has gotten really ugly. Shame on the lady for steeling the sign and double shame on the other lady for turning this in. on Sunday I had the chief come over to my house and I did what I thought was right. She would have had to come in and be fingerprinted, picture, we all know who she is. I do not believe that we need this coverage. I used my authority as the mayor to pardon on a city ordinance. I granted her a pardon.

11. Adjournment

Councilmember Barker: make a motion to adjourn.

Councilmember Brown: 2nd.

APPROVE:

**Bob Michalson, Mayor
Town Clerk**

ATTEST:

Jenelle S. Berthoud,

File Attachments for Item:

d. C.O.W. Meeting Minutes 05/02/2024

Stevensville Committee of the Whole Meeting Minutes
for THURSDAY, MAY 02, 2024, 6:00 PM 206 Buck Street, Town Hall

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order. Councilmembers Barker, Brown, Nelson and Smith were all present.

2. Discussion on the Following Items

a. Purchasing Policy, Review & Revise

Councilmembers, Mayor and Staff discussed the current purchasing policy and made recommendations/changes. Recommendations and changes will be presented at the May 23rd town council meeting for approval.

3. Public Comment

4. Adjournment

APPROVE:

Bob Michalson, Mayor
Town Clerk

ATTEST:

Jenelle S. Berthoud,

File Attachments for Item:

b. Building Department

MONTHLY REPORT

Building Department

April 2024

<u>Permits Issued</u>	<u>Fees Collected</u>
<u>Building</u> (2 permits)	
1. NSFR	\$0
2. New Commercial Building	\$1002.13
3. Renovation/Remodel	\$150.00
4. Demo re-roof, commercial.....	\$
<u>Electrical</u> (1 permits)	
1. NSFR	\$0
2. New Commercial Building	\$286.50
3. Renovation/Remodel	\$0
4. Demo	\$0
<u>Mechanical</u> (0 permits)	
1. NSFR	\$0
2. New Commercial Building	\$0
3. Renovation/Remodel	\$0
4. Demo	\$0
<u>Plumbing</u> (4 permit)	
1. NSFR	\$178.00
2. New Commercial Building	\$79.00
3. Renovation/Remodel	\$45.00
4. Demo	\$0
Total permits issued: 7	Total fees collected: \$1740.63
<u>Activities</u>	
1. Inspections and consultations.	
2. Active clearing or archiving old and expired permits, depending on age of activity.	
3. Implement uniform strategies to increase records retention and accessibility thereof.	
<u>Items of Interest</u>	
1. Continued exploration of best ways to universally digitize records and day to day functions to be accessible across pertinent staff for greater efficiency.	

Prepared by Jenelle Berthoud, Town Clerk

File Attachments for Item:

d. Fire Department



STEVENSVILLE FIRE DEPARTMENT

206 BUCK STREET

Activity Report – April 2024

Calls for the Month of April: 55

Calls for Stevensville Town: 20

Calls for Stevensville Rural: 34

Mutual Aid: 1

Missed calls: 0

Medical Response: 40

Fire Calls: 14

Motor Vehicle Crash: 1

Total Calls: 55

Calls for the Year to Date: 219

Calls for Stevensville Town: 77

Calls for Stevensville Rural: 134

Mutual Aid: 8

Missed call: 0

Medical Response: 170

Fire Calls: 45

Motor Vehicle Crash: 4

Total Calls: 219

File Attachments for Item:

f. Public Works

WO Number	Type	Status	Description	Locations	Assigned To	Requester
003695	CORRECTIVE	Closed	Run camera in 5th st sewer	Town of Stevensville		Stephen Lassiter
003694	CORRECTIVE	Closed	Replace two tires on Skidsteer trailer	Town of Stevensville		Stephen Lassiter
003693	CORRECTIVE	Closed	Begin mowing all parks	Town of Stevensville		Stephen Lassiter
003692	CORRECTIVE	Closed	MR Asphalt to fill in potholes on 3rd and by Fire Hall	Town of Stevensville		Stephen Lassiter
003691	CORRECTIVE	Closed	Urn burial Riverside	Town of Stevensville		Stephen Lassiter
003690	CORRECTIVE	Closed	Urn burial Riverside	Town of Stevensville		Stephen Lassiter
003689	CORRECTIVE	Closed	Spring Cleanup Apr 15-26	Town of Stevensville		Stephen Lassiter
003688	CORRECTIVE	Closed	Run camera in 5th St sewer main	Town of Stevensville		Stephen Lassiter
003630	CORRECTIVE	Closed	Weedeat/clean out irrigation ditch at trailer park	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003610	SCHEDULED	Closed	Submit monthly DMR	Wastewater / Town of Stevensville	Cody Anderson Stephen Lassiter	Stephen Lassiter
003572	CORRECTIVE	Closed	Trim fenceline and front irrigation ditch at Riverside	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003570	CORRECTIVE	Closed	Locate curb stops for Mission St water main replacement	Town of Stevensville	Cody Anderson Jeff Wilkinson Stephen Lassiter	Stephen Lassiter

TOWN OF STEVENSVILLE PUBLIC WORKS ACTIVITY REPORT April 2024

UTILITIES REPORT

Domestic Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Produced</i>	18,023,000	18,077,000

- 💧 Monthly, weekly and Annual reports to the state
- 💧 Monthly Meter Readings
- 💧 Unread Meters: 170

Waste Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Treated</i>	5,265,000	6,412,000

- 💧 State Reports and EPA, weekly monthly and Annual samples taken and reports submitted.
- 💧 Wasting to drying beds
- 💧 Satisfied Permit reporting, testing and regulatory requirements
- 💧 Continued sludge press
 -

OTHER

- 💧 Preemptive Sanitary Sewer Jetting in all Grids
- 💧 Meter reads and billing cycle
- 💧 Daily road grid inspections
- 💧 Continued leaf and debris removal throughout town
- 💧 Plowing and sanding
- 💧 Burning yard debris as conditions permit
- 💧 Pre-Construction meeting With Emerine
- 💧 Coordinate with engineers on paving project, Spring and RR Ave
- 💧 Street maintenance, potholes, sign installation and replacement
- 💧 Water and Waste plants rounds
- 💧 2 Utility inspections
- 💧 Preventive maintenance at WWTP buildings
- 💧 Vehicle Maintenance
- 💧 Continued review and update of Riverside Cemetery map
- 💧 Alley maintenance
- 💧 Downtown risk management inspections

- 💧 Installed new water meter on Mission
- 💧 Reviewed/updated job descriptions
- 💧 2 Urn burials at Riverside
- 💧 Spring Clean Up
- 💧 Began mowing all Parks and Cemeteries
- 💧 Put camera in 5th St sewer
- 💧 Continued support for Emerine (Mission St. Water Main)
- 💧 Patched potholes on 3rd St where Farmer's Market is
- 💧 Patched faults in asphalt at Fire Dept
- 💧 Changed out 13 water meters
- 💧 3 after hours emergency call outs
- 💧 Pre Construction meeting with HDR and MR Asphalt
- 💧 Weedeated/trimmed supply ditch to Riverside for upcoming irrigation

File Attachments for Item:

a. Discussion/Decision: Exemption to No Overnight Camping in Lewis & Clark Park for the Special Event Permit for the Circus



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	Unfinished Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	Jenelle Berthoud, Town Clerk
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Discussion/Decision: Exemption to No Overnight Camping in Lewis & Clark Park for the Special Event Permit for the Circus
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Choose an item.
If Approved, Meeting Date for Consideration:	
Notes:	This agenda item was brought forth at the April 25, 2024 Town Council Meeting where it was voted on but did not have a motion and a 2 nd . The agenda item is being brought back for a motion and a 2 nd .

File Attachments for Item:

b. Discussion/Decision: Approval of Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	Unfinished Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Discussion/Decision: Approval of Memorandum of Agreement between the Town of Stevensville and MDT for the John Owen Fishing Access Site
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	This agenda item was brought forth at the April 25, 2024 Town Council Meeting. More information was requested on this agenda item both by the mayor and the council.

Stevensville, MT
MEMORANDUM OF AGREEMENT
John Owen Fishing Access Site
MT Fish, Wildlife and Parks
March 2024

This Memorandum of Agreement is made and entered into by and between the town of Stevensville (the "Town"), 206 Buck Street Stevensville, MT 59870, and the State of Montana Department of Transportation ("MDT" or "the State"), whose address is 2701 Prospect Ave., P.O. Box 201001, Helena, MT 59620-1001, together referred to as the "Parties."

The Purpose of this Agreement is to set forth the respective design, construction, and maintenance responsibilities and duties of the Parties associated with the John Owen Fishing Access site (MT-269) near mile post 20, Northwest of Stevensville, MT proposed by Montana Fish, Wildlife and Parks. Montana Fish, Wildlife and Parks has proposed several improvements to the fishing access site which include, extending the shared use path, additional signage, and crosswalk markings off (MT-269) (the "Project") as shown on the approved plans (Attachment B). This Agreement sets forth the terms of the Town's construction and maintenance responsibilities for the Project for MDT to provide the Town with the necessary Encroachment Permits to construct and install the Project. Any Encroachment Permits granted to the Town for construction of the Project is explicitly subject and subordinate to the rights and title of MDT and the State of Montana.

WHEREAS, MDT is responsible for planning, designing, constructing, and maintaining State highway and roadway associated transportation facilities, including associated pull-offs, parking areas, and rest areas for the use and benefit of the traveling public, in a safe and efficient manner in accordance with Title 23 of the United States Code and Title 60 of the Montana Code Annotated, which includes MT-269, an MDT highway system route; and

WHEREAS, The Town has agreed to maintain, or cause to be maintained, the proposed John Owen Fishing Access Site and the Project improvements as shown in Attachment B; and

WHEREAS, This Agreement must be fully executed before an encroachment permit will be issued and before any work within MDT right-of-way may begin; and

NOW, THEREFORE, The Parties set forth below the fundamental duties, obligations, and responsibilities necessary for the encroachment of the Project into MDT right-of-way on MT-269.

ARTICLE I. GENERAL OBLIGATIONS OF MDT

1. If the Town does not fulfill its maintenance requirements as stated herein, MDT may complete the required maintenance and seek compensation from the Town for any and all costs incurred. In doing so, MDT must first provide notice to the Town allowing 60 days to complete any such maintenance. If MDT performs such maintenance under this section, it must provide detailed invoices of such costs to the Town.
2. Notwithstanding the foregoing, MDT may complete any maintenance required during a public emergency and seek compensation from the Town for any and all costs incurred. In doing so, MDT may first provide notice to the Town, when possible, allowing the Town time to complete any such maintenance. If MDT performs maintenance under this section, it must provide detailed invoices of such costs to the Town.

ARTICLE II. GENERAL OBLIGATIONS OF THE TOWN

1. The Parties acknowledge that MDT and the Town shall review the Project plans. The Parties further agree that MDT will approve the conceptual plans submitted by the Town, at its sole discretion, for the purpose of constructing the Project. All Project design documents shall be finalized showing project specific features for maintenance and appended to Attachment B upon MDT approval of the Project design. The Parties agree change to designs in Attachment B may be required and further agree to follow all necessary steps to finalize any changes to the Project design, obtain approvals, and append final designs to this Agreement in Attachment B in order to detail the project specific features to be maintained per the terms of this Agreement.
2. The Town agrees that MDT has the sole decision-making authority for plan approval regarding facilities in MDT right-of-way.
3. The Town will not perform any construction or maintenance within MDT right-of-way that requires lane closure or equipment in MDT right-of-way without first obtaining written approval from MDT District maintenance staff.
4. The Town shall not install or allow others to install any fixture, building, structure, or other permanent installation other than those shown in Attachment B within MDT right-of-way without prior written approval from MDT.
5. The Town shall complete the necessary environmental processes for modification to the state highways and roadways and demonstrate that all, if any, environmental issues associated with the Project have been identified and mitigated. The Town will prepare and file any required environmental documents and apply for and obtain any permits required by other governmental agencies at no expense to MDT prior to construction and/or maintenance taking place within MDT right-of-way.
6. The Town shall be responsible for any and all damages to MDT's right-of-way and facilities caused by the Town, the Town's staff or contractors, or resulting from the

Town's operations. The Town will repair any and all damage, at its sole expense, after receiving notice of the damage and approval of repair work needed, method of repair, and schedule for repair.

7. If the Town fails to cure any and all deficiencies in its duties to perform or cause to be performed, its maintenance obligations as required by this Agreement within 60 days of written notification from MDT, MDT may complete the required maintenance and the Town shall compensate MDT for its performance of said maintenance.
8. Notwithstanding the foregoing, MDT may complete any maintenance required due to a public emergency without prior notice to the Town. In that circumstance, the Town shall reimburse MDT for said maintenance.

ARTICLE III – PROJECT SPECIFIC FEATURES

1. Shared-Use Path

- a. Upon completion of the project, the Town shall be responsible, at no cost to MDT, to service, maintain, repair, and pay the cost of operating the path within the project limits, such that it does not negatively impact the operation of the path or the safety of the traveling public. If all or part of the shared use path becomes unsafe for use, the Town shall restrict access to the affected area until the condition is remedied.
- b. For the purposes of this Agreement, "maintenance of a shared-use path" is defined as: grinding or milling down displacements; surface patching; crack sealing; sweeping; cleaning; washing; replacing portions of damaged path; removal of snow and ice; repair of chipped, fractured, or broken surface from any cause, including but not limited to frost heaving, landscaping, tree roots, or encroachments; removal of debris and other obstructions or impediments to the safe travel of pedestrians or other path users; maintenance of all associated drainage features; maintenance of path-related signs; and any and all other normally accepted maintenance practices.
- c. For the purposes of this Agreement, "maintenance of shared-use path signs," is defined as: the inspection, cleaning, repair, and replacement of signs damaged through weathering, vandalism, wind, and other means.

2. Local Agency Signs

- a. Upon completion of the Project the Local Agency agrees that it is responsible, at no cost to MDT, to maintain the Local Agency signs (e.g., trail signs, parking signs, etc.) within the Project.
- b. For the purposes of this Agreement, "maintenance of signs," is defined as: the inspection, cleaning, repair and replacement of signs damaged through weathering, vandalism, wind, or other means.

3. Pavement Markings

- a. Upon completion of the Project, the Town agrees that it is responsible, at no cost to MDT, to service, maintain, repair, and pay the cost of operating the pavement markings within the project limits.
- b. For the purposes of this Agreement, "maintenance of pavement markings," is defined as: the inspection, cleaning, repair and replacement of pavement markings damaged through use, weathering, vandalism, wind, or other means.

ARTICLE IV – GENERAL TERMS AND CONDITIONS

1. **Term** – The term of this Agreement shall be ten (10) years. After the initial ten (10) year term, this Agreement will renew automatically, for successive ten (10) year terms, unless superseded by a new agreement between the Parties.

2. **Termination** – This Agreement may be terminated by MDT if the Town has violated or breached any term, condition or article of this Agreement and the Town has failed to correct the same within 60 days of receiving notice in writing addressed to the Town at the addresses shown above, from MDT of such violation or breach of any term condition or article of this Agreement. If this Agreement is terminated and the Project improvements are not removed by the Town, the Parties shall consider the improvements abandoned and may, as solely determined by MDT, become the property of MDT, without reimbursement. MDT will maintain the abandoned improvements as it sees fit and may remove it without Town approval. MDT may seek compensation from the Town for maintenance or removal of the Project improvements.

3. **Hold Harmless & Indemnification**

The Town shall protect, defend, indemnify, and hold the State of Montana; MDT; and its elected and appointed officials, agents, and employees, while acting within their duties as such, harmless from and against all claims, liabilities, demands, causes of action, and judgments (including the cost of defense and reasonable attorney fees) arising in favor of or asserted by the Town's employees or third parties on account of personal or bodily injury, death or damage to property, arising out of any act or omission of the Town, its agents, or sub-contractors, under this Agreement, except the sole negligence of MDT.

4. **Insurance**

a. **General Requirements:** Each party shall maintain for the duration of this Agreement, at its own cost and expense, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the duties and obligations in this Agreement by each party, its agents, employees, representatives, assigns, or sub-contractors. This insurance shall cover such claims as may be caused by any negligent act or omission.

- b. General Liability Insurance: Each party shall purchase and maintain occurrence coverage with combined single limits for bodily injury, personal injury, and property damage of \$1 million per occurrence and \$2 million aggregate per year to cover such claims as may be caused by or arising out of any negligent acts or omissions in work or services performed under this Agreement, or as established by statutory tort limits as provided by a public entity self-insurance program either individually or on a pool basis as provided by Mont. Code Ann. Title 2, Chapter 9.
- c. General Provisions: All insurance coverage must be with a carrier licensed to do business in the State of Montana or by a public entity self-insured program either individually or on a pool basis. Each party must notify the other immediately of any material change in insurance coverage, such as changes in limits, coverage, change in status of policy, etc. Each party reserves the right to request complete copies of the other party's insurance policy or self-insured memorandum of coverage at any time.
- d. Workers' Compensation Insurance: The Town must maintain workers' compensation insurance and require its contractors and its contractor's sub-contractors and agents to carry their own workers compensation coverage while performing work within MDT right-of-way in accordance with Mont. Code Ann. §§ 39-71-401 and 39-71-405. Neither the Town, the Project contractors, or any of their employees are employees of MDT. This insurance/exemption must be valid for the entire Agreement period.

5. Public Safety

If any repairs to the elements of the Project must be performed to address or prevent a public hazard, the Town will immediately protect the area from public access, contact MDT's District Maintenance Office, and make reasonable and timely effort to correct or repair the hazard.

6. Invoicing and Indirect Cost ("IDC")

If MDT incurs any costs as a result of a public emergency or necessary action on MDT's part concerning the maintenance or repair of the Project, the Town shall compensate MDT for such costs. The Town shall pay MDT within thirty (30) days of its receipt of such invoices.

Mont. Code Ann. § 17-1-106 requires any state agency, including MDT, which receives non-general funds to identify and recover its indirect costs. These costs are in addition to direct project costs. MDT's IDC rate is determined annually as a percentage of the Project's direct costs to cover the Project's share of MDT's IDC as defined by 2 CFR § 200, Appendix VII. MDT's current IDC rate is 13.56% for fiscal year 2024 (July 1, 2023, to June 30, 2024). If the work occurs or extends into fiscal year 2025 or beyond, the IDC rate will be charged at the rate agreed to by MDT and the Federal Highway Administration.

a. Invoice will be sent to:

Big Rose Town, Inc.
PO Box 905
Shelby, MT 59474

Commented [BL1]: Verify invoicing address.

b. Payments shall be made to:

Montana Department of Transportation
Attention: Collections
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

7. Choice of Law and Venue

This Agreement shall be governed by the laws of Montana. The parties agree that any litigation concerning this Agreement must be brought in the First Judicial District Court, in and for the Town of Lewis and Clark, State of Montana, and each party shall pay its own costs and attorney fees, except as otherwise noted in this Agreement on Indemnification.

8. Binding Effect – The benefits and obligations set forth in this Agreement shall be binding upon, and inure to the benefit of, the Parties’ respective successors, administrators and assigns.

9. Relationship of Parties – Nothing contained in this Agreement shall be deemed or construed (either by the Parties hereto or any third party) to create the relationship of principal and agent or create any partnership, joint venture, or other association between the Parties.

10. Non-Discrimination – The Town will require that during the performance of any work arising out of this Agreement the Town, for itself, assignees, and successors shall comply with all applicable non-discrimination regulations and requirements set forth in Attachment “A” attached hereto and made part of this Agreement.

11. ADA - Any construction or maintenance resulting from this Agreement must include appropriate pedestrian facilities that meet or exceed current MDT standards for accessibility as set forth by the United States Department of Justice 2010 ADA Standards for Accessible Design, United States Access Board Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, and MDT’s Detailed Drawings, 608 series.

12. Audit – The Legislative Auditor and the Legislative Fiscal Analyst may, without prior notice and during normal business hours, audit, at their own cost and expense, all records, reports, and other documents the Town maintains in connection with this Agreement.
13. Access and Retention of Records – The Town agrees to provide the State, Legislative Auditor, or their authorized agents access to any records necessary to determine compliance with this Agreement (Mont. Code Ann. § 18-1-118). The Town agrees to create and retain records supporting this Agreement for a period of three years after the completion date of this Agreement or the conclusion of any claim, litigation or exception relating to this Agreement taken by the State of Montana or a third party.
14. Highway Modifications – If MDT modifies or improves the highway or roadway facilities effected by this Agreement, the Town will modify, upon reasonable notice at no expense to MDT, the Project accordingly.
15. Revocation – This Agreement is revocable by MDT in the event that the Project facilities within the right-of-way cease to be used by the Town for a period of one year or abandoned otherwise. Upon revocation or abandonment, the system facilities must be removed in compliance with this Agreement.
16. Utilities – The right of any private or public utility now lawfully occupying the right-of-way to operate and maintain utility facilities supersedes any right granted by this Agreement to the Town. Copies of existing utility permits may be obtained from MDT’s District Utility Agent.
17. Amendment and Modification – The Parties may modify or amend this Agreement only by a written Amendment signed by the Parties. In addition to the terms and conditions contained herein, the provisions of any Amendment may be incorporated and made a part hereof by this reference in the terms of the amendment so provided. In the event of any conflict between the terms and conditions hereof and the provision of any Amendment, the provision of the Amendment shall control.
18. Representatives
 - a. Town’s Representative: The Town’s Representative for this Agreement shall be Bob Michalson, Town Mayor, and Jenelle Berthoud, Town Clerk, as designated by Stevensville. Whenever approval or authorization from or communication or submission to the Town is required by this Agreement, such communication or submission shall be directed to the Town’s Representative and approvals or authorizations shall be issued only by such Representative; provided, however, that in exigent circumstances when Town’s Representative is not available, MDT may direct its communication or submission to other designated Town personnel or agents.

- b. MDT's Representative: MDT's Representative for this Agreement shall be the District Administrator or Maintenance Chief or such other individual as MDT shall designate in writing. Whenever direction to or communication with MDT is required by this Agreement, such direction or communication shall be directed to MDT's Representative; provided, however, that in exigent circumstances when MDT's Representative is not available, Town may direct its direction or communication or submission to other designated MDT personnel or agents.

19. Counterpart Execution - This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same Agreement. The counterparts of this Agreement may be executed and delivered by facsimile or other electronic signature by any of the parties to any other party and the receiving party may rely on the receipt of such document so executed and delivered by facsimile or other electronic means as if the original had been received.

(Signature Pages to Follow)

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the date of final signature.

SIGNATURES:

MONTANA DEPARTMENT OF TRANSPORTATION

Date: _____ By: _____
Montana Department of Transportation

Title Printed name

Approved for Legal Content: By: _____

Approved for Civil Rights Content: By: _____

Town of Stevensville

Date _____
Town Mayor

Date _____
Town Clerk

ATTACHMENT A

MDT Nondiscrimination and Disability Accommodation Notice

DRAFT

ATTACHMENT B

Plans

DRAFT

File Attachments for Item:

- a. Discussion/Decision: Resolution No. 532, a Resolution of the Stevensville Town Council Adopting a Purchasing Policy for the Town of Stevensville



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Discussion/Decision: Resolution No. 532, a Resolution of the Stevensville Town Council Adopting a Purchasing Policy for the Town of Stevensville
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	A C.O.W. Meeting was held to discuss proposed changes to the current Town of Stevensville Purchasing Policy

RESOLUTION NO. 532

**A RESOLUTION OF THE STEVENSVILLE
TOWN COUNCIL ADOPTING A
PURCHASING POLICY FOR THE TOWN
OF STEVENSVILLE**

WHEREAS, the Town of Stevensville Montana is a significant purchaser of goods and services to provide for the needs of its citizens; and

WHEREAS, the Town of Stevensville employees make decisions for the purchase of goods and services; and

WHEREAS, the Town of Stevensville supports an open and transparent system for the public. Vendors, and employees to follow in making those decisions; and

NOW THEREFORE, BE IT RESOLVED, by this Town Council that the following purchasing policy be adopted as the guiding document in the purchasing of goods and services.

DATED this 23rd day of May 2024, after motion and second at a regular meeting of the Stevensville Town Council.

Approved:

Attest:

Bob Michalson, Mayor

Jenelle S. Berthoud, Town Clerk

Town of Stevensville Purchasing Policy

Purpose: The Town of Stevensville takes care to ensure that we comply with federal and state laws and Town ordinances for all expenditures. The public can rely on us to make fair, competitive, and open purchasing decisions that are in the best interest of the Town.

Policy:

1. General Provisions:

- a) No employee will personally benefit from a contract or purchase entered into by the Town of Stevensville.

- b) No employee will use Town funds for personal purchases of any nature.
 - i) Authorized personal use of Town-provided cell phone, data devices, and internet usage is allowed in certain cases, according the Town's phone and internet usage policy.

- c) No employee will receive a commission, profit, gratuity, or gift as a result of any contract or purchase made by the Town.

- d) Itemized receipts and invoices are required for all purchases. Details must be shown to ensure the public can determine EXACTLY what is being paid for, including individual units purchased and/or hours of service and the associated rate for each.

- e) All boards, committees, or other recognized entities of the Town of Stevensville wherein a Town employee is the authorized approver of the board's purchases must comply with this purchasing policy.

Town of Stevensville Purchasing Policy

2. Transaction with employees and related parties:

- a) The Town does not contract with or purchase goods or services from employees or employee-owned businesses.
- b) The Town does not contract with or purchase goods or services from a business owned by an employee's spouse, ex-spouse, mother, father, sister, brother, child, stepchild, or adopted child.
- c) Waiver of these employee and related-party restrictions can only be granted by the Mayor BEFORE the purchase or contract has been entered into. Such a waiver requires a publicly advertised hearing for that specific purpose, along with consideration of the circumstances and factors outlined in MCA 7-5- 4109.
- d) Provisions for annual review and disclosure of employee-vendor relationships will be developed by the Treasurer, with disclosures on file in the Town Clerk's office.

3. Credit Card transactions: Use of credit card accounts can be advantageous to the Town. We seek to take advantage of the convenience of these accounts.

- a) Items charged to credit card accounts are subject to all existing purchasing and approval requirements.
- b) Cash advances are prohibited.

4. Meal and food purchases: Meal and food purchases are subject to all existing purchasing and approval requirements.

- a) All meal and food purchases must have receipts. Refer to the Town of Stevensville Personnel Policy Section 35 A.
- b) Town of Stevensville Per Diem amounts follow the established State of Montana rates.
- c) The purchase of alcohol, tobacco or a cannabis product with Town funds is prohibited.

Town of Stevensville Purchasing Policy

5. **Information Technology software and hardware purchases:** Computers, servers, telephones, cell phones, personal data devices, printers, etc. All technology-related purchases, both hardware and software, must be approved by the Mayor prior to purchase.

6. **Prevailing wage requirements:** Certain “public works construction contracts and other Town non-construction contracts over \$25,000 must pay Montana’s prevailing wage. Refer to Section 18-2-401 MCA for definitions of these services.

7. Documentation and selection of vendors:

a) **Purchasing goods** i.e. supplies, materials, equipment, or other assets. The Town seeks the lowest life-cycle costs when comparing like goods. Estimated useful life and maintenance costs must be documented whenever they are factored into purchasing decisions.

i) Purchases up to \$500 per Department. The department may purchase at the Department Supervisor’s authorized signatory’s discretion.

ii) \$501 - \$1,500 per Department. The department may purchase at the Department Supervisor’s authorized signatory discretion. For new vendors, the Department Supervisor will get a minimum of two phone quotes (or other documentation, i.e. catalog price lists, online price listings, etc.) for the item. For existing vendors, the Department Supervisor will do an annual review of vendor pricing vs. their competition. Documentation must accompany the claim submitted for approval.

iii) \$1,501 - \$25,000 per Department. A minimum of two written quotes (on vendor’s stationary) is required. Documentation must accompany the claim submitted for approval. For existing vendors, the Department Supervisor will do an annual review of vendor pricing vs. their competition.

For purchases contained in the Department’s current fiscal year budget or the Town’s current Capital Improvement budget, Department Supervisor’s need only get approval by the Mayor prior to purchasing.

Town of Stevensville Purchasing Policy

For purchases not contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's must obtain prior purchase approval from the Mayor and the Town Council.

iv) \$25,001 - \$79,999. A minimum of three written quotes on vendor's stationary is required. Documentation must accompany the claim submitted for approval.

For purchases contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's need only get approval by the Mayor prior to purchasing.

For purchases not contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's must obtain prior purchase approval from the Mayor and the Town Council.

v) \$80,000 and up. All items in this range must follow the formal advertisement process as outlined in MT MCA 7-5-4302. All purchases in this category must receive prior Town Council approval.

b) Purchasing services: Contracts for services are awarded to the lowest most-responsible vendor or bidder. When determining which vendor or bidder is the lowest most responsible you may take into consideration generally available information regarding their skill, ability, their integrity to do faithful, conscientious work, and promptly, fulfill the contract according to its letter and spirit. (Including: qualifications, available Staff, references, delivery date, inspection, testing, quality and workmanship, etc.). All contracts for services must be approved by the Town Council.

i) For all Architectural, Engineering, and Land-Surveying services: Advertised Requests for Proposals or Requests for Qualifications must be made for services costing over \$20,000. Refer to Section 18-8-201 MCA for the procedures required for selection of these vendors.

Town of Stevensville Purchasing Policy

ii) **Other Professional Services:** as per the Town's policy, any contract must be approved in advance by the Town Council. In regards to contracting for other professional services, including non-construction services as defined in Section 18-2-401 (9) MCA:

- Professional services totaling up to \$1,500 per agreement
 - The department may purchase at the Department Supervisor's authorized signatory's discretion
- Professional Services totaling between \$1,501 - \$25,000 per agreement:
 - At least three written quotes must be accumulated, with the lowest most-responsible vendor selected

For purchases contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's need only get confirmation by the Mayor prior to purchasing.

For purchases not contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's must obtain prior purchase approval from the Mayor and the Town Council.

- Professional Services totaling \$25,001 or more per agreement:
 - A published Request for Proposals must be made, with the lowest most-responsible vendor selected

For purchases contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's need only get confirmation by the Mayor prior to purchasing.

For purchases not contained in the Department's current fiscal year budget or the Town's current Capital Improvement budget, Department Supervisor's must obtain prior purchase approval from the Mayor and the Town Council.

Town of Stevensville Purchasing Policy

ii) Government Services (GSA, WSCA, etc.) Procurement: Supplies, equipment, and other professional services may be purchased from another government entity (including government purchasing programs) without bids or advertisements when done so at a substantial savings to the Town.

- It should be noted that these purchasing arrangements are often, but not always, the lowest price available.
- Requirements for prevailing wages must still be met for public works construction contracts and non-construction contracts over \$25,000. Refer to Section 17-2-401 MCA for definitions of these services.

iii) Special Cases for Sole Source Purchases: In the case of some of the Town's information technology, building mechanical, public works utility, and other infrastructure, it is in the best interest of the Town to maintain a compatible and reliable system provided by a single vendor. For cases where:

- There is only one source for the supply or service item, or
- Only one source is acceptable or suitable for the supply or service item, **or service item.**

Refer to specific dollar amount purchasing authority guidelines to determine Department Supervisor purchasing authority limits.

8. Approval of purchases: Payment for any goods or service purchased by the Town must be approved by the Town Council as part of the bi-weekly claims process. The following must appear on each claim submitted to the Treasurer:

- Authorizing signature: must be the Department Supervisor.
- To verify receipts of goods, packing slip and/or other shipping documents must be submitted to the Treasurer.

9. Emergency purchasing provisions: In the case of an emergency or disaster declared under Section 10-3-401 MCA, these purchasing rules may be temporarily suspended.

10. Violations of this policy: Violations of this policy are subject to disciplinary action in accordance with the Personnel Policy.

File Attachments for Item:

b. Opening of RFP's for Audit Services Fiscal Years 23/24, 24/25 and 25/26



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Opening of RFP's for Audit Services Fiscal Years 23/24, 24/25 and 25/26
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	The Town Council approved an RFP for audit services for Fiscal Years 23/24, 24/25 and 25/26.

File Attachments for Item:

c. Discussion/Decision: Awarding of Bid for Audit Services



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Discussion/Decision: Awarding of Bid for Audit Services
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	

File Attachments for Item:

d. Opening of RFP's for Towing Services



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Opening of RFP's for Towing Services
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	The Town Council approved an RFP for towing services for two years.

File Attachments for Item:

e. Discussion/Decision: Awarding of Bid for Towing Services



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Discussion/Decision: Awarding of Bid for Towing Services
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	

File Attachments for Item:

f. Opening of Surplus Sale Item Bidding Sheets



Stevensville Town Council Meeting

Agenda Item Request

To be submitted BEFORE Noon on the Wednesday immediately preceding the Thursday agenda publishing deadline (8-days ahead of the meeting).

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	05/23/2024
Agenda Topic:	Opening of Surplus Sale Item Bidding Sheets
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	05/23/2024
Notes:	The Town Council approved items for surplus sale. The items were viewed by the public the week of May 13-17, 2024. Item is awarded to the highest bidder.