



**Stevensville Town Council Meeting
Agenda for
THURSDAY, MARCH 14, 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 02/08/2024
 - [b.](#) Special Town Council Meeting Minutes 02/14/2024
 - [c.](#) Town Council Meeting Minutes 02/22/2024
 - [d.](#) C.O.W. Meeting Minutes 02/27/2024
 - [e.](#) Special Town Council Meeting Minutes 02/29/2024
5. Approval of Bi-Weekly Claims
 - [a.](#) Claims #18834-#18838, #18840-#18882
6. Administrative Reports
 - [a.](#) Airport
 - [b.](#) Building Department
 - c. Finance
 - [d.](#) Fire Department
 - e. Police Department
 - [f.](#) Public Works
9. Public Hearings
 - [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
10. Unfinished Business
 - [a.](#) Discussion/Decision: Emergency Facilities & Land Use Agreement Between the USDA Forest Service and the Town of Stevensville Airport
 - [b.](#) Discussion/Decision: Schedule a C.O.W. Meeting Date and Time to Continue Reviewing Job Descriptions
11. New Business
 - [a.](#) Discussion/Decision: Request RFP for Abatement Services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT
 - [b.](#) Discussion/Decision: RFP for Audit Services for Fiscal Years 23/24, 24/25, 25/26
 - [c.](#) Discussion/Decision: Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department
 - [d.](#) Discussion/Decision: Consent to the Mayor's Appointment of Avery Henderson as a Volunteer Cadet for the Town of Stevensville Fire Department
 - [e.](#) Discussion/Decision: Consent to the Mayor's Appointment of Grace Waters as a Volunteer Cadet for the Town of Stevensville Fire Department
 - [f.](#) Discussion/Decision: Ms. Goren would like to discuss her past due water bill and late fees for her rental property.
 - [g.](#) Discussion: New Payment Portal through Black Mountain Software
12. Board Reports

13. Town Council Comments
14. Executive Report
15. 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 02/08/2024

Stevensville Town Council Meeting Minutes

for THURSDAY, FEBRUARY 08, 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 were 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 #18799-#18801, #18804-#18820, #18822, #18824-#18825

Mayor Michalson: introduced bi-weekly claims. #18799-#18801, #18804-#18820, #18822, #18824-#18825.

Councilmember Smith: I make a motion to approve bi-weekly claims . #18799-#18801, #18804-#18820, #18822, #18824-#18825 and as amended, #18826-#18828.

Councilmember Brown: 2nd.

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

Councilmember Brown: can we have an explanation on the First Call charges.

Gina Crowe, Finance Director: First Call called me last week and stated that they had some turnover in the office, so these are catch-ups. Jenelle and I working on the .gov when we were signing up to go with .gov and that First Call is going to manage .gov they are charging First call. .gov closed down for the month of December, our first bill in November, I sent an email to First Call and asked why are we getting charged and we are not receiving .gov services. We cannot penalize First Call and they are trying to help us sort this out. We have to pay First Call.

Councilmember Smith: there will be adjustments as we go along?

Gina Crowe: I don't know if .gov is going to give us a credit or not, that is what we are trying to figure out.

Councilmember Brown: what about the Spectrum account for the pool. I don't remember, does it do any benefit to shut this pool account down during the off season?

Gina Crowe: we called about that, we were not able to suspend or turn it off. If you shut the service off, we would have to go through the connection process and fees again.

Councilmember Nelson: it that Spectrum Aquatics in Missoula?

Jenelle Berthoud: aquatics is there because it is our pool, Spectrum is the provider.

Mayor Michalson: any other comments from the council, comments from the public.
Seeing none, Jenelle take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

5. Administrative Reports

a. Airport

Will Rowe: nothing has changed since last month.

b. Building Department

In the packet.

c. Finance

d. Fire Department

Chief Motley: report was provided in the packet. Gave out awards at our annual banquet. We gave out a life saving award. Business as usual. You will start to see some controlled burns done by the Forest Service.

e. Police Department

In the packet.

f. Public Works

In the packet.

6. Unfinished Business

a. Discussion/Decision: Schedule a C.O.W. Meeting Date and Time to Continue Reviewing Job Descriptions

Mayor Michalson: introduced unfinished business item a. I would ask the council; Gina will be gone next week. So please pick a date after she is back.

Councilmember Nelson: motion to have the meeting on the 27th.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. To continue the COW meeting on the 27th. Jenelle, please take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

7. New Business

a. Discussion/Decision: Consent to the Mayor's Appointment of Jim Johnson to the Airport Board

Mayor Michalson: introduced new business item a. Consent to the Mayor's Appointment of Jim Johnson to the Airport Board

Councilmember Brown: I move that we appointment Jim Johnson to the airport board.

Councilmember Nelson: 2nd.

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

Councilmember Brown: as Councilmember barker has stated, to have people here.

Councilmember Smith: I move that we table this until he is present.

Jenelle Berthoud: this would fill the board they have a meeting next week.

Mayor Michalson: motion and a 2nd. Public comment?

PUBLIC COMMENT

Craig Thomas: Mr. Johnson owns an aircraft, they are the ones that put on the breakfast

Mayor Michalson: no more discussion from the public, we will wait for Jenelle to fix our live stream. Jenelle, please call for the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

b. Discussion/Decision: Rescind Resolution No. 502, a Resolution to Authorize the Town of Stevensville to Solicit Bids for a half time Zoning Administrator

Mayor Michalson: introduced new business item b. gave background on the resolution. Mayor Gibson brought this forth, we approved that, and we did not have anybody apply. He took the job and Jenelle helped, this is cleaning up the books and I will remain the zoning administrator.

Councilmember Brown: I move that we rescind resolution no. 502, a Resolution to Authorize the Town of Stevensville to Solicit Bids for a half time Zoning Administrator

Councilmember Smith: 2nd.

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

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

c. Discussion/Decision: RESOLUTION NO 525, A RESOLUTION OF THE TOWN OF STEVENSVILLE TOWN COUNCIL OF STEVENSVILLE, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO

Mayor Michalson: introduced new business item c. RESOLUTION NO 525, A RESOLUTION OF THE TOWN OF STEVENSVILLE TOWN COUNCIL OF STEVENSVILLE, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO. This is required by law, cities, towns and counties. If you look at the steps, we adopt the resolution tonight and then it goes on the ballot in June. This goes to the voters.

Councilmember Smith: I move that we adopt RESOLUTION NO 525, A RESOLUTION OF THE TOWN OF STEVENSVILLE TOWN COUNCIL OF STEVENSVILLE, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Discussion?

Councilmember Smith: do I understand that this happens every 10 years?

Mayor Michalson: correct. Any comments from the public. Jenelle, can you take the vote.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-0

8. Board Reports

NONE

9. Town Council Comments

Councilmember Brown: nice to see that the streets were cleared this morning. I am happy that they got around and got the streets plowed.

10. Executive Report

Mayor Michalson: met with the Stevensville Airport Board Foundation, a get together with ideas, Will gave a good presentation. They were pretty excited about us moving forward and our new airport manager. Sat in on the Black Mountain training session, a lot of issues were fixed and addressed I want to personally thank the council for letting

the staff. We fixed a lot of issues, there is still stuff to go, but are confident when we get a deputy clerk, a little to do on the Harmony side for meter reading, once we get both sides working together, we should be good. I know everyone wants to see a utility clerk, but I have to agree with the ladies, but you would be setting someone up for failure if this is not corrected. Sat with Stephen Lassiter and DNRC about our water rights I sent you that email about that. It was very productive. He is putting us at a top priority, 12-18 months out. Councilmember Brown and I met with HDR and the Park Street Project.

11. Adjournment

Councilmember Smith: move that we adjourn.

Councilmember Brown: 2nd.

APPROVE:

**Bob Michalson, Mayor
Clerk**

ATTEST:

Jenelle S. Berthoud, Town

File Attachments for Item:

b. Special Town Council Meeting Minutes 02/14/2024

Stevensville Special Town Council Meeting Minutes for WEDNESDAY,
FEBRUARY 14, 2024, 3:00 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.

2. Pledge of Allegiance

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

NONE

4. New Business

a. Discussion/Decision: Consent to the Mayor's Appointment of John Boe as Chief of Police for the Stevensville Police Department

Mayor Michalson: introduced new business item a. Consent to the Mayor's Appointment of John Boe as Chief of Police for the Stevensville Police Department. Mayor Michalson gave a brief background to the situation and introduced John Boe.

John Boe: gave background to his career and time in the service. Public servant for over 32 years. Started out as a fire fighter. Bachelor's degree in criminal justice. Had a lot of training, been able to gather a lot of knowledge and skill sets and I can take over confidently as the chief of police for Stevensville. I am a pro-active type of person. I will be a working chief especially from the start. If you have any questions, I am open to that.

Councilmember Barker: make a motion to approve to the consent to the Mayor's Appointment of John Boe as Chief of Police for the Stevensville Police Department.

Councilmember Smith: 2nd.

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

Councilmember Barker: obviously you are coming from somewhere where it is nice and warm coming to a place that has colder weather. We had Mac Sosa from Texas, really liked him and he left obviously the weather issues is that going to be something that is going to detour you after being here for a short period of time.

John Boe: I am an empty nester. I don't have any plans to leave, I am in it for the long hall.

Councilmember Barker: that has been a concern, they want to be here and then the Montana weather scared them off for some reason.

John Boe: I have expressed my appreciation for the community and the mountains, I wake up every morning that I have been here look at those mountains and I am appreciative to be here in this position. I am grateful to be here. I am prepared for the weather.

Councilmember Smith: what was your salary structure at UCT as a captain.

John Boe: a little over \$79,000.00.

Councilmember Smith: are you aware that the cost of living is higher here than in Chattanooga?

John Boe: yes sir, but I also have a retirement. I have watched many of these council meetings and feel like I know each of you.

Councilmember Smith: you made mention of the proactive approach. Do you have any particular ideas how to do that in Stevi.

John Boe: plan is to evaluate what I have. What are my resources? Find out what are the strengths and weaknesses. There are a few things that I would like to implement but those things will come to the mayor. I am a data guy and I like to look at numbers, when I get my feet on the ground, I would be able to address these things.

Councilmember Brown: you said that you studied us, have you studied anything like the state of Montana constitution, Montana code.

John Boe: I have that information now, I will go to Montana POST and take my transition class, prior to that class I will have these things in my back pocket.

Councilmember Brown: I don't know if you are aware that Montana has a very high suicide rate.

John Boe: I am aware.

Councilmember Brown: do you have any ideas on how to help that person?

John Boe: I do, I have crisis management and have dealt with situations like that in the school environment.

Councilmember Brown: we are kind of a bedroom community; we have the older population and the younger population. You have to deal with both the older and younger. You are from the university how will you deal with the older set?

John Boe: I also have experience ranging from elderly down to juvenile. I have experience in different court systems as well. I am a compassionate person.

Councilmember Brown: you said that you had two children that were in university.

John Boe: one is out. One is still in, my biggest accomplishments in life are Macey who graduated from the University of Tennessee Chattanooga. My son Jake is a junior UT.

Councilmember Brown: after being one of twelve that put their name in do you have any concerns about that.

John Boe: I just feel grateful for the opportunity and being the best that I can be moving forward.

Councilmember Nelson: I don't want to be at the other end. Are there any disciplinary issues.

John Boe: In my public career? No sir, not that I know of. I have had a very successful career.

Councilmember Nelson: no issues with previous mayors?

John Boe: no sir. I get along with just about everybody.

Councilmember Smith: what were your two greatest failures and what did you learn from them.

John Boe: early on I did not delegate enough. The second one, I am a people person, and sometimes I will give people the benefit of the doubt and I have improved from that.

Mayor Michalson: any other questions from the council. Any questions from the public. Before we take the vote, I would like to say as soon as you take the vote, we will swear him in. Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

5. Adjournment

Councilmember Barker: motion to adjourn.

Councilmember Brown: 2nd.

APPROVE:

ATTEST:

**Bob Michalson, Mayor
Clerk**

Jenelle S. Berthoud, Town

File Attachments for Item:

c. Town Council Meeting Minutes 02/22/2024

Stevensville Town Council Meeting Minutes

for THURSDAY, FEBRUARY 22, 2024, 6:30 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. Pledge of Allegiance

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

NONE

4. Approval of Minutes

a. C.O.W. Meeting Minutes 01/30/2024

Mayor Michalson: introduced C.O.W. meeting minutes for 01/30/2024.

Councilmember Barker: make a motion to approve C.O.W. Meeting Minutes 01/30/2024.

Councilmember Nelson: 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 Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

5. Approval of Bi-Weekly Claims

a. Claims #18829-#18832

Mayor Michalson: introduced bi-weekly claims #18829-#18832.

Councilmember Barker: make a motion to approve claims #18829-#18832.

Councilmember Smith: 2nd.

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

Jenelle Berthoud: there were some months that First Call did not bill us for and they have gotten caught up and now we are paying those bills.

Mayor Michalson: and we are getting closer to the .gov.

Jenelle Berthoud: yes, we are.

Mayor Michalson: any further comments from the council? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

6. Unfinished Business

a. Discussion/Decision: Stevensville Airport Lease for Block 6 Lot 6

Mayor Michalson: introduced unfinished business item a, Stevensville Airport Lease for Block 6 Lot 6.

Will Rowe, Airport Manager: this is a business that is coming into the airport. He is currently not here, out of town.

Councilmember Brown: is this a vacant and going to be building?

Will Rowe: this is brand new.

Councilmember Smith: when I was meeting with you, you mentioned that there were some hangers that were not keeping their weeds down, I noticed in this lease that there is nothing about that.

Will Rowe: there isn't in the lease, that refers back to the minimum standards packet about upkeep.

Mayor Michalson: any other comments?

Councilmember Brown: I move that we approve Stevensville Airport Lease for Block 6 Lot 6 .

Councilmember Barker: 2nd.

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

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

7. New Business

a. Discussion/Decision: Opening of bids Stevensville Water System, Stevensville Water Main Replacement & Improvement Project, Mission Street

Mayor Michalson: introduced new business item a, Opening of bids Stevensville Water System, Stevensville Water Main Replacement & Improvement Project, Mission Street. We will open the bids, take the lowest bid and then make a motion to have Eli review and then bring back to a special meeting to be approved.

Jenelle Berthoud: 1st bid, Jackson Contracting Group, Eli I see that there is one total bid line and that is what I need to read? \$1,492,571.00. 2nd bid, Emerine Contracting, \$1,373,523.00. 3rd bid, Western Municipal Construction Inc. \$1,815,989.52.

Mayor Michalson: it appears that Emerine Contracting is the lowest bid at \$1,373,523.00.

Councilmember Brown: I move that we accept the lowest bid from Emerine Construction and have HDR review and bring back to the council.

Councilmember Nelson: 2nd.

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

Councilmember Barker: do we have an idea on when we will bring that back for review? How long does that take.

Mayor Michalson: on the 29th.

Eli, HDR: I will review and have that final and back to you before the 29th.

Mayor Michalson: 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

b. Discussion/Decision: Resolution No. 526, a Resolution Establishing a Special Fund for the Trout Spout Splash Pad

Mayor Michalson: introduced new business item b, Resolution No. 526, a Resolution Establishing a Special Fund for the Trout Spout Splash Pad.

Sean Doyle, President of Stevensville Civic Club: as you know from previous sessions in 2019 the Civic Club worked on putting together the splash pad and the money was from the community. So we felt that it was only right to take the remaining funds that were

donated by the community and give them to the town with it being earmarked for splash pad maintenance.

Councilmember Barker: make a motion to approve Resolution No. 526, a Resolution Establishing a Special Fund for the Trout Spout Splash Pad.

Councilmember Nelson: 2nd

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

Councilmember Brown: I want to thank the Civic Club for giving the additional funds to maintain the splash pad.

Mayor Michalson: further discussion from the council? Public comment?

PUBLIC COMMENT

Vicky Motley: I think that this is awesome, I want to make sure that money is protected, and it doesn't get dwindled away like the Jean Thomas fund money. I am not sure what components are.

Sean Doyle: we are talking about the parts that make up the splash pad, pipes. Features, circulating tank.

Vicky Motley: my question is how is this money going to be, it is earmarked but I also don't want to see this money being used for something for the pool or for another park. I want to know how the council is going to make sure that this money goes to the splash pad. Past history has not been real good in this area.

Mayor Michalson: any other comments from the public? Comments from the council?

Councilmember Barker: I agree with Vicki, it has been a battle over time. I do not know if there is a way to put that in the resolution.

Mayor Michalson: it is going to be its own line item.

Councilmember Barker: we were handed the same thing as Bear Mountain. The wood chips and these types of things, and then it was turned over to the town.

Mayor Michalson: I can honestly tell you that is not going to happen on my watch. It will be a line item, and to back it up, Miss Gina, who is not here right now, she is very strict about her book work.

Councilmember Barker: this is something and we only have a year and a half left and you say it is going to be good who is to say the next person coming in is going to back that. We need to be able to protect it somehow.

Mayor Michalson: how we protect that is to have a cash report every three months and look at that line item. As a mayor, councilmember and Gina we are responsible for that.

Stephen Lassiter: I will be checking that; it will be a line item. If you know what that number is, and you don't know it you don't have to pay it. I will be the one that will be putting those in, we do have some repairs coming up. It will be in my budget, before it is

paid you will see it. This is fantastic, we have a few things coming up, repair some lines from last winter. This helps the bucket and the frog also. You will see that come through.

Will Rowe: I am not sure how many members on the park board or who is sitting on the park board, but it happens, just this year we caught mistakes, and I suggest that whoever is in charge of that board, it is presented at that board meeting.

Councilmember Barker: it was done.

Will Rowe: we catch it before it comes to the council. Met with the mayor and Gina, it wasn't that anyone was stealing money it is just a mistake in the system and the only way to catch it is to stay on top of it.

Councilmember Barker: I understand, we need it for this, or that. We do know that some of that money has dwindled.

Will Rowe: I approach the board and know where it is going and if I see that there is something coming out of a fund, I have to be proactive.

Vicky Motley: the only thing that this is not connected to the park board. The resolution does not state that they have oversight. I would like to see that Steve and Cody be made aware that these things have to be coded properly. I believe in Gina and am sure that she is keeping tabs on things.

Mayor Michalson: any other comments from the public or council? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

c. Discussion/Decision: Approval of Service Agreement between the Town of Stevensville and Geosyntec Consultants, INC

Mayor Michalson: introduced new business item c, Approval of Service Agreement between the Town of Stevensville and Geosyntec Consultants, INC. got an email from Ross Miller, we have seen NewFields claims for year. NewFields has disbanded and two of those people have started this. I did have it approved by the town attorney.

Councilmember Barker: I make a motion for approval of Service Agreement between the Town of Stevensville and Geosyntec Consultants, INC

Councilmember Smith: 2nd.

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

Councilmember Brown: so, there is no, four year or three year.

Mayor Michalson: no, it is project related.

Councilmember Barker: are we going to be charged the same.

Mayor Michalson: same price. Still the same guys just a new company.

Councilmember Barker: do we still have Ross Miller.

Mayor Michalson: yes, he is still with us. Ross is who sent me the email to bring them in. I asked them to send me the contract.

Councilmember Barker: so, this is a contract, so we are approving before there is a contract.

Mayor Michalson: the contract is there.

Councilmember Nelson: when you say water rights are you talking about the towns water rights?

Mayor Michalson: yes, the towns water rights we have been working on this for a long time, we are getting close. You will see more coming forward. 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

d. Discussion/Decision: Consent to the Mayor's Appointment of James Crews to the Planning & Zoning Board

Mayor Michalson: introduced new business item d, Consent to the Mayor's Appointment of James Crews to the Planning & Zoning Board. We are short on members on the planning and zoning board. We have an annexation coming forward and an easement coming forward. And also, a piece of land by the Bass Mansion. We need members, also the growth policy.

Councilmember Nelson: I make a motion to consent to the Mayor's Appointment of James Crews to the Planning & Zoning Board.

Councilmember Smith: 2nd.

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

Councilmember Barker: who did we loose on the planning and zoning board.

Mayor Michalson: we have Angela Lyons, our secretary, our chairman just resigned. Angela, Greg, you, Jesse Reeves and Jim.

Jenelle Berthoud: currently, Greg Chilcott, Angela Lyons, Jesse Reeves, you the council member.

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

Councilmember Barker: aye.

Councilmember Brown: abstain.

Councilmember Nelson: aye

Councilmember Smith: aye

Mayor Michalson: passes 3-with 1 abstain.

e. Informational: Stevensville City Court Annual Report for 2023

Mayor Michalson: introduced new business item e, Stevensville City Court Annual Report for 2023.

NO COMMENTS

8. Board Reports

Councilmember Smith: Airport Board met and there were elections, Craig Thomas Chairman and Brian Germaine is the secretary. Mayor Michalson attended. There was discussion about the AWOS system. Discussed the proposed changes to Ordinance 141. Gravel pit discussion.

9. Town Council Comments

NONE

10. Executive Report

Mayor Michalson: Council president and I had a meeting about the Park Street Town houses. Airport board meeting taking the meeting to every other month. Police commission meeting confirming our new police chief. Had a meeting with Eli and HDR about SCADA, water/sewer computer system and that it needs to be updated. We may have the money left over and may be able to do that. Met with Pat Grainger and Loey Knap about the property on east 3rd street. That will coming to you in March with the details. Want to thank Jenelle and Colette for manning the fort for the last two weeks while Gina has been gone, and as soon as the COW meeting is done, we will advertise for the Deputy Clerk. Training for the meters and getting those meters changed. We got an award letter for HB 355 and the town was awarded the funds.

Councilmember Barker: motion to adjourn.

(2nd was made but unclear on the councilperson)

11. Adjournment

APPROVE:

**Bob Michalson, Mayor
Clerk**

ATTEST:

Jenelle S. Berthoud, Town

File Attachments for Item:

d. C.O.W. Meeting Minutes 02/27/2024

Stevensville Committee of the Whole Meeting Minutes
for TUESDAY, FEBRUARY 27, 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. Job Descriptions, Review & Revise

Councilmembers discussed job descriptions for the following positions:

Deputy Clerk

Public Works Supervisor

Public Works Assistant

Parks & Recreation Supervisor/Public Works Assistant

Seasonal Maintenance Worker

Pool Manager

Head Lifeguard

Lifeguard/Instructor

Aerobics Instructor

Police Chief

Police Officer

Police Clerk

3. Public Comment

NONE

4. Adjournment

APPROVE:

ATTEST:

Bob Michalson, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

e. Special Town Council Meeting Minutes 02/29/2024

Stevensville Special Town Council Meeting Minutes

for THURSDAY, FEBRUARY 29, 2024, 6:00 PM 206 Buck Street, Town Hall

CONDENSED MINUTES

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order. Councilmember's Barker, Brown, Nelson and Smith were all 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 01/25/2024

Mayor Michalson: introduced town council meeting minutes for 01/25/2024

Councilmember Barker: make a motion to approve town council meeting minutes for 01/25/2024.

Councilmember Nelson: 2nd

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

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

5. Unfinished Business

a. Discussion/Decision: Awarding of bid, Stevensville Water System, Stevensville Water Main Replacement & Improvement Project, Mission Street

Mayor Michalson: introduced unfinished business item a. Awarding of bid, Stevensville Water System, Stevensville Water Main Replacement & Improvement Project, Mission Street. As you all know we were here last week and we opened the bids it went to HDR and I would like to add that Eli sent us an email, it stated that there was an error in the bids the Emerine bid is \$174.00 more than was submitted. The bid requirements state that it has to be the correct amount. It was still the lowest bid. I would like to bring up a little on the contract time. There is a time when they have to start and complete the project, and then when they can pave. This should have them starting within the next month and finishing after school is out.

Councilmember Nelson: I make a motion to award the bid for the Stevensville Water System, Stevensville Water Main Replacement & Improvement Project, Mission Street.

Councilmember Barker: 2nd.

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

Councilmember Nelson: we are going to be taking the bid from the last meeting.

Mayor Michalson: yes. Any other comments from the council? 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

Jenelle Berthoud, Town Clerk: had the mayor sign the bid document to give to Eli with HDR.

6. New Business

a. Discussion/Decision: Consent to the Mayor's Appointment of John Anderson to the Planning & Zoning Board

Mayor Michalson: introduced new business Consent to the Mayor's Appointment of John Anderson to the Planning & Zoning Board. John put in for the council and you chose Isaiah. He would like to be involved.

Councilmember Brown: make a motion to Consent to the Mayor's Appointment of John Anderson to the Planning & Zoning Board

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd.

Councilmember Barker: I think that it is a good fit.

Councilmember Brown: did the growth plan come back?

Mayor Michalson: no.

Jenelle Berthoud: that was the subdivision regulations. That was reviewed by an outside agency.

Mayor Michalson: I know what you are talking about, HDR task order for development codes.

Jenelle Berthoud: yes, that is correct. Riley has been out, and we have not seen that come back yet.

Councilmember Brown: and the subdivision regulations because we were waiting for that to come back.

Mayor Michalson: that was approved when Mayor Gibson was here.

Councilmember Brown: thank you.

Jenelle Berthoud: we put out an RFP but had no bites on it and then we lost the funding from Main Street and the Department of Commerce.

Mayor Michalson: we had to send that money back. Any more comments? John comments? With that Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

7. Town Council Comments

Mayor Michalson: this was not a bill or a claim, this is a refund. This is what we owe him, the claim #18839

Councilmember Brown: I move that unscheduled matters that are not listed on the agenda be addressed to the council comments section as a general rule.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? I want to add for public record, Glenn Biess, it is a reimbursement for CDL.

Councilmember Barker: real quick question on reimbursement for this customer how many are we seeing come through that are really wonky.

Jenelle Berthoud: over the past couple of months, we really focused and saw this happen. We are down to about four with this gentleman. I am able to run a different report to see these. You, the mayor, came back two times and I was still doing it. I spent most of the day going through all of the accounts. In that case I believe that we had two. One came in and we fixed it and his was straight from his checking account. He has been extremely patient, and it wasn't simple, Gina was on the phone close to an hour trying to figure out how to do this.

Mayor Michalson: I would like to add that these charges are done because of the training we received.

Jenelle Berthoud: the training and the report that I can pull.

Councilmember Brown: you said 900 some meters.

Jenelle Berthoud: I believe that it is 911 but we can check on that number.

Councilmember Brown: and how many are unread?

Jenelle Berthoud: on the 27th there were 179 and that was 9 up from last month and 1 down from December.

Mayor Michalson: any questions on the claims?

Councilmember Nelson: how much is the CDL?

Mayor Michalson: no other comments? Jenelle, would you take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

8. Executive Report

NONE

9. Adjournment

Councilmember Smith: motion to adjourn.

Councilmember Barker: 2nd.

APPROVE :

ATTEST:

Bob Michalson, Mayor
Clerk

Jenelle S. Berthoud, Town

File Attachments for Item:

a. Claims #18834-#18838, #18840-#18882

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (2/24) ****								
18844	C	1881 Civic Plus	2,310.00					
Municode Meetings Premium Annual Renewal								
	277440	12/01/23 Civic Plus Annual Renwal	115.50			1000 410360	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	254.10			1000 410550	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	161.70*			1000 420100	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	161.70*			1000 420410	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	750.75*			5210 430510	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	750.75*			5310 430610	210	101000
	277440	12/01/23 Civic Plus Annual Renwal	115.50			5610 430300	210	101000
*** Claim from another period (2/24) ****								
18845		228 Norco, Inc.	62.28					
Welding Gas Cylinder Rent								
	020124	02/01/24 Welding Gas Cylinder Rent	20.76			1000 430200	220	101000
	020124	02/01/24 Welding Gas Cylinder Rent	20.76*			5210 430510	220	101000
	020124	02/01/24 Welding Gas Cylinder Rent	20.76*			5310 430610	220	101000
*** Claim from another period (1/24) ****								
18846		1874 Allegra	133.21					
EMS Data Collection sheets - this is split with Rural Fire District								
	80247	01/09/24 EMS Data collection sheets	133.21*			2230 420730	220	101000
*** Claim from another period (2/24) ****								
18847		366 Ravalli County Fire Council	164.86					
	020124	02/01/24 Annual Dues for 2024	164.86*			1000 420410	330	101000
*** Claim from another period (2/24) ****								
18848		1985 TIRE O RAMA	274.95					
9848		3 yr warranty battery for Police Department						
	7066345	02/29/24 Battery for PD Car	274.95			1000 420100	232	101000
*** Claim from another period (1/24) ****								
18849		958 TIRE RAMA	38.95					
Innertube for Backhoe Tire								
	5524	01/10/24 Replace Inner Tube on Backhoe	9.73			1000 430200	230	101000
	5524	01/10/24 Replace Inner Tube on Backhoe	9.74			1000 460430	230	101000
	5524	01/10/24 Replace Inner Tube on Backhoe	9.74			5210 430510	230	101000
	5524	01/10/24 Replace Inner Tube on Backhoe	9.74*			5310 430610	220	101000
*** Claim from another period (2/24) ****								
18850		1561 MOUNTAIN EQUIPMENT TECHNOLOGY,	250.00					
Annual LogMeIn remote access for up to four (4) city accounts & remote access by M.E.T. This is an unlimited remote access by the operators, an is available								
via computers, tablets, andd smart phones								
	3732	02/15/24 SCADA support services	250.00*			5310 430610	335	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (10/23) ****								
18858		470 American Water Works Association	358.00					
24-25		Annual membership renewal						
		7002164908 10/24/23 24-25 membership dues	358.00*			5210 430510	330	101000
*** Claim from another period (2/24) ****								
18859		1267 Witmer Public Safety Group Inc.	69.17					
		Uniform - Leather front - Weiss- Assistant Fire Chief						
		421430 02/16/24 Leather Front Assistant Fire C	69.17			1000 420460	226	101000
*** Claim from another period (2/24) ****								
18860		1653 MCKESSON MEDICAL - SURGICAL	122.44					
		Surgical Supplies for EMS - splits with Rural Fire District						
		21711318 02/13/24 Surgical Supplies for EMS	122.44*			2230 420730	220	101000
*** Claim from another period (2/24) ****								
18861		74 STEVENSVILLE RURAL FIRE DISTRICT	36.51					
		Meal Split - February training meal						
		143 02/21/24 Meal Split	36.51			1000 420410	229	101000
*** Claim from another period (1/24) ****								
18862		1460 American Welding & Gas	28.95					
		Annual Cylinder Maintenance on AWG Leased Cylinders						
		09870861 02/02/24 Annual Maintenance-Cylinders	15.37			1000 430200	230	101000
		09870861 02/02/24 Annual Maintenance-Cylinders	15.37			1000 460430	230	101000
		09870861 02/02/24 Annual Maintenance-Cylinders	15.39			5210 430510	230	101000
		09870861 02/02/24 Annual Maintenance-Cylinders	15.38			5310 430610	230	101000
		02/02/24 Credit from previous invoice	-32.56*			5310 430610	220	101000
*** Claim from another period (2/24) ****								
18863	C	1696 First Call Computer Solutions,	807.50					
		.GOV project - call on transition from GoDaddy to .GOV and update on streamlining department emails.						
		95249 02/29/24 .GOV email transition	96.90			1000 410550	331	101000
		95249 02/29/24 .GOV email transition from GoD	129.20			1000 420100	331	101000
		95249 02/29/24 .GOV email transition from GoD	48.45*			1000 410360	331	101000
		95249 02/29/24 .GOV email transition from GoD	80.75*			1000 420410	331	101000
		95249 02/29/24 .GOV email transition from GoD	129.20*			5210 430510	331	101000
		95249 02/29/24 .GOV email transition from GoD	129.20*			5310 430610	331	101000
		95249 02/29/24 .GOV email transition from GoD	129.20*			1000 410100	331	101000
		95249 02/29/24 .GOV email transition from GoD	32.30*			5610 430300	331	101000
		95249 02/29/24 .GOV email transition from GoD	32.30*			1000 410200	331	101000
18864	E	33 NORTHWESTERN ENERGY	14,341.52					
		Northwestern Energy 34 different accounts						
		03/05/24 721275-6 Light Dist 3	254.64			2430 430263	340	101000
		03/05/24 722451-2 206 Buck 45% TH	332.68			1000 411201	340	101000
		03/05/24 722451-2 206 Buck 45% PD	332.68			1000 420100	340	101000
		03/05/24 722451-2 206 Buck 10% Bldg Dep	73.93			2394 420531	340	101000
		03/07/24 723606-0 Peterson Add'n Lighti	188.42			2420 430263	340	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	03/07/24	723607-8 Dayton Add'n Lighting	259.08			2410 430263	340	101000
	03/05/24	724186-2 Maplewood Cemetery	10.88			1000 430900	340	101000
	03/05/24	724187-0 Main St seasonal Lig	6.00			1000 430263	340	101000
	03/07/24	724206-8 Orig Town Street Ligh	266.78			1000 430263	340	101000
	03/07/24	724207-6 ESH - 5th St. Lights	474.95			1000 430263	340	101000
	03/07/24	724208-4 5th St to Lange Park	18.57			1000 430263	340	101000
	03/07/24	724209-2 Add'l Town lighting	166.41			1000 430263	340	101000
	03/07/24	724515-2 MBF H20 plant	238.56			5210 430520	340	101000
	03/07/24	724518-6 102 Main St pump #1	98.13			5210 430520	340	101000
	02/05/24	724755-4 Riverside Cemetery IR	0.00			1000 430900	340	101000
	02/05/24	724756-2 Maplewood Cemetery	0.00			1000 430900	340	101000
	03/07/24	724942-8 Sewer lift station W.	15.73			5310 430620	340	101000
	03/07/24	724944-4 Sewer trtmnt plant	4,741.28			5310 430620	340	101000
	03/07/24	724971-7 Truck garage South	271.10			5210 430520	340	101000
	03/07/24	725036-8 L&C Yard Light	10.88			1000 460430	340	101000
	03/07/24	725041-8 L&C Park 5hp IRR	0.25			1000 460430	340	101000
	03/07/24	725042-6 L&C Park Parking Lot	6.00			1000 460430	340	101000
	03/07/24	725084-8 L&C Park Rest/Field	8.70			1000 460430	340	101000
	03/07/24	782189-5 214 Buck St.- H2O 25%	22.54			5210 430520	340	101000
	03/07/24	782189-5 214 Buck St. - WW 25%	22.55			5310 430620	340	101000
	03/07/24	782189-5 214 Buck St.- PD 50%	45.10			1000 420100	340	101000
	03/07/24	1447753-3 3rd & Park	13.23			1000 430263	340	101000
	03/07/24	1538216-1 421 Airport Rd - SRE	92.35			5610 430300	340	101000
	03/07/24	1583216-1 421 Airport Rd - FD	92.34			1000 420422	340	101000
	03/07/24	1685436-6 Crksde Mdws Ph 1	258.10			2440 430263	340	101000
	03/07/24	1685994-4 Crksde Mdws ph 2	140.01			2440 430263	340	101000
	03/07/24	2057364-8 Pool	56.91			1000 460445	340	101000
	03/07/24	2079637-1 MBF Well Field 305	4,922.47			5210 430520	340	101000
	03/07/24	2079645-4 MBF booster station	140.33			5210 430520	340	101000
	03/07/24	3148944-6 Twin Creeks Lighting	442.46			2450 430263	340	101000
	03/07/24	3218493-9 223 Main St	48.44			1000 460430	340	101000
	03/07/24	3672984-6 300 Main Street	6.00			1000 460430	340	101000
	03/07/24	3672985-3 Stevensville Cutoff	6.00			1000 430263	340	101000
	03/07/24	3691677-3 157 Sewer Work Rd	21.14			5210 430520	340	101000
	03/07/24	Sewer 157 Sewer Works Rd Depot	21.14			5310 430620	340	101000
	03/07/24	Streets 157 Sewer Works Rd Dep	21.14*			1000 430200	340	101000
	03/07/24	3763580-2 Dickerson Park	6.93			1000 460430	340	101000
	03/07/24	3795194-4 206 Buck St Light	186.69			1000 411201	340	101000
		*** Claim from another period (2/24) ****						
18865		16 MONTANA ENVIRONMENTAL LAB LLC	1,135.50					
		Chemicals for Water and WWTP						
	2401036	02/07/24 Chemicals for H2O/WWTP	62.00			5210 430540	355	101000
	2400817	02/07/24 Chemicals for H2O/WWTP	211.50*			5310 430640	355	101000
	2401039	02/07/24 Chemicals for H2O/WWTP	439.00*			5310 430640	355	101000
	2401421	02/07/24 Chemicals for H2O/WWTP	211.50*			5310 430640	355	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
		2401596 02/07/24 Chemicals for H2O/WWTP	211.50*			5310 430640	355	101000
		*** Claim from another period (2/24) ****						
18866	E	852 CENEX FLEETCARD	1,026.34					
		Fuel for the Town						
		2484285CL 02/29/24 Fuel	67.02			1000 420460	231	101000
		2484285CL 02/29/24 Fuel	33.40			2230 420730	231	101000
		2484285CL 02/29/24 Fuel	79.38			1000 420100	231	101000
		2484285CL 02/29/24 Fuel	88.46			1000 420100	231	101000
		2484285CL 02/29/24 Fuel	24.36			1000 420100	231	101000
		2484285CL 02/29/24 Fuel	480.81			1000 430100	231	101000
		2484285CL 02/29/24 Fuel	149.51			1000 430100	231	101000
		2484285CL 02/29/24 Fuel	36.78			1000 430100	231	101000
		2484285CL 02/29/24 Fuel	66.62			1000 430100	231	101000
18867	C	690 Core & Main LP	16,100.00					
		115 water meters that came from a back order						
		U413715 03/01/24 Water Meters	16,100.00			5210 430550	238	101000
18868	C	1696 First Call Computer Solutions,	2,154.00					
		Monthly IT Services						
		95001 03/01/24 IT Services for March	107.70			1000 410360	356	101000
		95001 03/01/24 IT Services for March	323.10			1000 410550	356	101000
		95001 03/01/24 IT Services for March	323.10*			1000 420100	356	101000
		95001 03/01/24 IT Services for March	107.70*			1000 420410	356	101000
		95001 03/01/24 IT Services for March	107.70*			2394 420531	356	101000
		95001 03/01/24 IT Services for March	538.50*			5210 430510	356	101000
		95001 03/01/24 IT Services for March	538.50*			5310 430610	356	101000
		95001 03/01/24 IT Services for March	107.70*			5610 430300	356	101000
18869	C	1696 First Call Computer Solutions,	72.00					
		Annual License for .GOV						
		94956 03/01/24 First Call .GOV License	3.60			1000 410360	356	101000
		94956 03/01/24 First Call .GOV License	10.80			1000 410550	356	101000
		94956 03/01/24 First Call .GOV License	10.80*			1000 420100	356	101000
		94956 03/01/24 First Call .GOV License	3.60*			1000 420410	356	101000
		94956 03/01/24 First Call .GOV License	3.60*			2394 420531	356	101000
		94956 03/01/24 First Call .GOV License	18.00*			5210 430510	356	101000
		94956 03/01/24 First Call .GOV License	18.00*			5310 430610	356	101000
		94956 03/01/24 First Call .GOV License	3.60*			5610 430300	356	101000

03/12/24
16:36:02

TOWN OF STEVENSVILLE
Claim Approval List
For the Accounting Period: 3/24

Page: 7 of 13
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (2/24) ****								
18870	C	1754 Construct Montana, LLC	795.45					
Building Inspection and Plan Review								
		1118 03/06/24 Construct MT Bldg Insp	636.36			2394 420531	350	101000
		1118 03/06/24 Construct MT Bldg Insp	159.09			2394 420531	350	101000
*** Claim from another period (2/24) ****								
18871	C	1787 Valli Information Systems, Inc.	1,472.41					
Utility Billing Services for the month of February 2024								
		93344 02/29/24 UB billing services	736.20*			5210 430510	331	101000
		93344 02/29/24 UB billing services	736.21*			5310 430610	331	101000
*** Claim from another period (2/24) ****								
18872		348 Snow Mountain Electric	283.00					
Electrical services for the Police Department								
		3737 02/06/24 Electrical Services for the PD	283.00*			1000 420100	360	101000
*** Claim from another period (2/24) ****								
18873	C	77 THATCHER COMPANY OF MONTANA	4,032.65					
Chlorine for drinking water								
		2024350100 02/16/24 Chlorine for drinking wate	4,032.65			5210 430540	222	101000
18874		1793 Montana Supreme Court	300.00					
MSC - COLJ conference registration Spring 2024								
		SPRING CON 03/04/24 MSC Spring Conference 2024	300.00			1000 410360	380	101000
18875		1996 UV Sales LLC	937.00					
Ballast UV Lights WWTP								
		3255 03/01/24 Ballast UV Lights WWTP	937.00			5310 430640	220	101000
*** Claim from another period (2/24) ****								
18876	E	1659 CHS Mountain West CO-OP	104.51					
Fuel								
		163343 02/29/24 Fuel	43.76			1000 420100	231	101000
		UV4-UL6781 02/08/24 Fuel	60.75			1000 430100	231	101000
*** Claim from another period (2/24) ****								
18877		23 VALLEY DRUG AND VARIETY	12.99					
Maintenance log book, Steno book/white paper, copies for well log								
		18791 02/01/24 Office supplies	2.99*			5210 430510	210	101000
		18790 02/01/24 Office supplies	10.00*			5310 430610	210	101000
*** Claim from another period (2/24) ****								
18878		1929 MISSOULA MOTOR PARTS CO.	69.73					
PW -Shop lubricants & penetrants, DEF additive for diesel fuel, Oil filter for work truck and trash bags. EMS - Heater hose & hose clamp.								
		785583 02/01/24 Operating supplies	3.97			2230 420730	232	101000
		785940 02/28/24 Operating supplies	34.90			1000 430100	231	101000
		787394 02/14/24 Operating supplies	12.99			1000 430100	231	101000
		785411 02/01/24 Operating supplies	8.88			1000 430100	231	101000
		789590 02/28/24 Operating supplies	4.49*			5310 430610	210	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	789590	02/28/24 Operating supplies	4.50*			5210 430510	210	101000
		*** Claim from another period (2/24) ****						
18879		34 STEVENSVILLE HARDWARE AND RENTAL	274.77					
		Operating supplies for the park, well house, cemetery and PD						
	16121853	02/02/24 Nuts & Bolts - Park	11.10			1000 460430	220	101000
	16122241	02/05/24 Cycle Oil - Well House	5.38*			5210 430510	220	101000
	16121805	02/02/24 Bit-Deerskin comfort tech	37.78			1000 460430	220	101000
	16121666	02/01/24 Nut -concrete anchor	1.15			1000 460430	220	101000
	16121642	02/01/24 Drillbit, chain, nuts/bolts	81.60			1000 460430	220	101000
	16122464	02/06/24 Nuts/Bolts -Well house	2.65*			5210 430510	220	101000
	16121812	02/02/24 Hammerbit -park	8.81			1000 460430	220	101000
	16123478	02/12/24 Nuts/bolts -parks	14.80			1000 460430	220	101000
	16123595	02/13/24 Pipe Sealant	8.99*			5210 430510	220	101000
	16123473	02/12/24 Bits for well house	50.83*			5210 430510	220	101000
	16124148	02/16/24 Belt conditioner	8.45			1000 430100	210	101000
	16125839	02/26/24 Rebar-tiewire grind wheel	28.33			1000 430900	220	101000
	16125274	02/23/24 Key Rings & Key	14.90*			1000 420100	210	101000
		*** Claim from another period (1/24) ****						
18880		108 BITTERROOT STAR	167.10					
		Calll for bids - Water Leak Repair project.						
	23661	01/24/24 Water Leak Bid	83.55			5230 430550	900	2 101000
	23661	01/31/24 Water Leak Bid	83.55			5230 430550	900	2 101000
		*** Claim from another period (2/24) ****						
18881	E	1823 Visa c/o Rocky Mountain Bank	5,277.70					
		February Visa Bill						
	CC-171	02/01/24 Bitterroot Disposal	237.00			1000 202200		101000
		BITTERROOT DISPOSAL 5411-88770						
	CC-171	02/01/24 Bitterroot Disposal	237.00			5310 202200		101000
		BITTERROOT DISPOSAL 5411-88770						
	CC-173	02/01/24 Cindy Brown Reg Fee	225.00			1000 202200		101000
		Montana State University						
	CC-174	02/01/24 Wallace Smith Reg Fee	225.00			1000 202200		101000
		Montana State University						
	CC-175	02/01/24 ZOOM for Video Meetings	5.53			1000 202200		101000
		ZOOM						
	CC-175	02/01/24 ZOOM for Video Meetings	5.53			5310 202200		101000
		ZOOM						
	CC-175	02/01/24 ZOOM for Video Meetings	5.53			5210 202200		101000
		ZOOM						
	CC-177	02/03/24 Fire Chief email	16.99			1000 202200		101000
		GoDaddy						
	CC-178	02/05/24 Ambulance Supplies	904.14			2230 202200		101000
		AMAZON						
	CC-178	02/05/24 Headlights for FD	89.99			1000 202200		101000
		AMAZON						

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	CC-179	02/01/24 Zoom video for court	155.52			1000 202200		101000
ZOOM				CC Accounting: 1000-		-410360-330		
	CC-181	02/06/24 Court Recorder	699.99			1000 202200		101000
Martel Electronics				CC Accounting: 1000-		-410360-212		
	CC-185	02/15/24 Replacement Sensor, O2	275.38			1000 202200		101000
Grainger				CC Accounting: 1000-		-420460-212		
	CC-187	02/15/24 Hi flow canister	12.39			2230 202200		101000
AMAZON				CC Accounting: 2230-		-420730-220		
	CC-188	02/12/24 PW email	10.99			5210 202200		101000
2932702225				CC Accounting: 5210-		-430510-331		
GoDaddy								
	CC-188	02/12/24 PW email	11.00			5310 202200		101000
2932702225				CC Accounting: 5310-		-430610-331		
GoDaddy								
	CC-189	02/22/24 Century Link Well House	52.67			5210 202200		101000
716B				CC Accounting: 5210-		-430510-345		
CENTURYLINK								
	CC-189	02/22/24 Century Link MBR	58.75			5210 202200		101000
767B				CC Accounting: 5210-		-430510-345		
CENTURYLINK								
	CC-189	02/22/24 Century Link WWTP	68.99			5310 202200		101000
586				CC Accounting: 5310-		-430610-345		
CENTURYLINK								
	CC-190	02/08/24 Century Link Airport	58.39			5610 202200		101000
499709556				CC Accounting: 5610-		-430300-345		
CENTURYLINK								
	CC-191	02/16/24 Cassi Kopsa email	21.99			1000 202200		101000
2939817509				CC Accounting: 1000-		-420100-331		
GoDaddy								
	CC-192	02/01/24 Admin	52.00			1000 202200		101000
172904001020124				CC Accounting: 1000-		-410550-345		
Spectrum								
	CC-192	02/01/24 PD	79.98			1000 202200		101000
172904001020124				CC Accounting: 1000-		-420100-345		
Spectrum								
	CC-192	02/01/24 FD	25.99			1000 202200		101000
172904001020124				CC Accounting: 1000-		-420410-345		
Spectrum								
	CC-192	02/01/24 Court	25.99			1000 202200		101000
172904001020124				CC Accounting: 1000-		-410360-345		
Spectrum								
	CC-192	02/01/24 H2O Dept	97.98			5210 202200		101000
172904001020124				CC Accounting: 5210-		-430510-345		
Spectrum								
	CC-192	02/01/24 WWTP	97.97			5310 202200		101000
172904001020124				CC Accounting: 5310-		-430610-345		
Spectrum								

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	CC-192	02/01/24 POOL	49.99			1000 202200		101000
	172904001020124							
	Spectrum					CC Accounting: 1000-	-460445-345	
	CC-194	02/21/24 PD Uniforms	383.69			1000 202200		101000
	2047					CC Accounting: 1000-	-420100-220	
	Greater Good Tactical							
	CC-194	02/21/24 PD operating supplies	396.03			1000 202200		101000
	2047					CC Accounting: 1000-	-420100-226	
	Greater Good Tactical							
	CC-195	12/11/23 ADOBE	33.59			1000 202200		101000
	AB02021200052CUS					CC Accounting: 1000-	-410550-331	
	ADOBE							
	CC-195	12/11/23 ADOBE	4.80			1000 202200		101000
	AB02021200052CUS					CC Accounting: 1000-	-420100-331	
	ADOBE							
	CC-195	12/11/23 ADOBE	28.79			5210 202200		101000
	AB02021200052CUS					CC Accounting: 5210-	-430510-331	
	ADOBE							
	CC-195	12/11/23 ADOBE	28.78			5310 202200		101000
	AB02021200052CUS					CC Accounting: 5310-	-430610-331	
	ADOBE							
	CC-196	02/15/24 Ravalli electric	7.25			1000 202200		101000
	RAVALLI ELECTRIC CO-OP					CC Accounting: 1000-	-420422-340	
	CC-196	02/15/24 Ravalli electric	137.75			5610 202200		101000
	RAVALLI ELECTRIC CO-OP					CC Accounting: 5610-	-430300-340	
	CC-198	02/10/24 Airport	52.40			5610 202200		101000
	9954533538					CC Accounting: 5610-	-430300-345	
	Verizon Wireless							
	CC-198	02/10/24 Mayor	-13.16			1000 202200		101000
	9954533538					CC Accounting: 1000-	-410200-345	
	Verizon Wireless							
	CC-198	02/10/24 Fire Department	30.06			1000 202200		101000
	9954533538					CC Accounting: 1000-	-420410-345	
	Verizon Wireless							
	CC-198	02/10/24 Police Department	274.86			1000 202200		101000
	9954533538					CC Accounting: 1000-	-420100-345	
	Verizon Wireless							
	CC-198	02/10/24 PW - Water	41.60			5210 202200		101000
	9954533538					CC Accounting: 5210-	-430510-345	
	Verizon Wireless							
	CC-198	02/10/24 PW-Sewer	41.60			5310 202200		101000
	9954533538					CC Accounting: 5310-	-430610-345	
	Verizon Wireless							
	CC-182	02/06/24 email for Robert	21.99			1000 202200		101000
	GoDaddy					CC Accounting: 1000-	-410550-331	

03/12/24
16:36:02

TOWN OF STEVENSVILLE
Claim Approval List
For the Accounting Period: 3/24

Page: 11 of 13
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
18882		1180 National Fire Protection	175.00					
		NFPA membersip renewal - Chief Motly						
		2974549 02/27/24 NFPA annual membership	175.00*			1000 420410	330	101000
		# of Claims	48	Total:				
			65,258.49					
		Total Electronic Claims	53,231.85	Total Non-Electronic Claims			12026.64	

Fund/Account	Amount
1000 GENERAL	
101000 Cash - Operating	17,384.40
2230 AMBULANCE	
101000 Cash - Operating	1,209.55
2394 BUILDING CODE ENFORCEMENT	
101000 Cash - Operating	980.68
2410 DAYTON LIGHTING #1 DISTRICT 55	
101000 Cash - Operating	259.08
2420 PETERSON ADDN LIGHTING #2 DISTRICT 80	
101000 Cash - Operating	188.42
2430 GEO SMITH LIGHTING #3 DISTRICT 76	
101000 Cash - Operating	254.64
2440 CREEKSIDE LIGHTING #4 DISTRICT 77	
101000 Cash - Operating	398.11
2450 TWIN CREEKS LIGHTING #5 DISTRICT	
101000 Cash - Operating	442.46
5210 WATER	
101000 Cash - Operating	31,710.86
5230 ARPA WATER LEAK REPAIR	
101000 Cash - Operating	167.10
5310 SEWER	
101000 Cash - Operating	10,255.70
5610 AIRPORT	
101000 Cash - Operating	2,007.49
Total:	65,258.49

03/12/24
16:36:03

TOWN OF STEVENSVILLE
Claim Approval Signature Page
For the Accounting Period: 3 / 24

Page: 13 of 13
Report ID: AP100A

ORDERED that the Director of Finance draw a check/warrant on the Town of Stevensville.

Stacie Barker, Councilmember

Isaiah Nelson, Councilmember

Cindy Brown, Councilmember

Wallace Smith, Councilmember

Bob Michalson, Mayor

Date Approved _____

File Attachments for Item:

a. Airport

March Airport Managers Report

1. The airport board held their first meeting of the year in Feb. Craig Thomas was re-elected as the board Chairman and Brian Jermain was elected to be the board secretary.
2. We discussed the issue of getting the awos fixed or replaced. However, since that meeting I have negotiated with OSI in a continued effort to get the awos fixed and a new VAL radio will be installed during their March site inspection at NO cost to the Airport. This was one of my top 3 projects that I wanted completed within one year of taking the airport managers position and it was able to be done in 6 months at no cost to the town.
3. Ordinance 141 has been updated with the help of Jenelle and the Mayor.
4. I am working on the revision to the airport Minimum standards to fix outdated information and simplify the lease process at the airport.
5. I am currently working on three business plans based off three different business models to further the revenue generating ability at the airport. Once these are complete, they will be presented to the Mayor, Board and the Town Council for a decision. This Airport needs to be an asset to the community not a liability.
6. The forest service is working on the LUA and we should be seeing that completed doc for review any day.

Will Rowe

32S Manager

File Attachments for Item:

b. Building Department

MONTHLY REPORT

Building Department

February 2024

<u>Permits Issued</u>	<u>Fees Collected</u>
<u>Building</u> (1 permits)	
1. NSFR	\$0
2. New Commercial Building	\$0
3. Renovation/Remodel	\$476.25
4. Demo re-roof, commercial.....	\$0
<u>Electrical</u> (2 permits)	
1. NSFR	\$200.00
2. New Commercial Building	\$0
3. Renovation/Remodel	\$75.00
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> (1 permit)	
1. NSFR	\$0
2. New Commercial Building	\$124.00
3. Renovation/Remodel	\$0
4. Demo	\$0
Total permits issued: 4	Total fees collected: \$875.25
<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 – February 2024

Calls for the Month of February: 46

Calls for Stevensville Town: 16

Calls for Stevensville Rural: 30

Mutual Aid: 0

Missed calls: 0

Medical Response: 42

Fire Calls: 4

Motor Vehicle Crash: 0

Total Calls: 46

Calls for the Year to Date: 115

Calls for Stevensville Town: 40

Calls for Stevensville Rural: 71

Mutual Aid: 4

Missed call: 0

Medical Response: 95

Fire Calls: 20

Motor Vehicle Crash: 0

Total Calls: 115

File Attachments for Item:

f. Public Works

TOWN OF STEVENSVILLE PUBLIC WORKS ACTIVITY REPORT February 2024

UTILITIES REPORT

Domestic Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Produced</i>	16,881,000	18,598,000

- 💧 Monthly, weekly and Annual reports to the state
- 💧 Monthly Meter Readings
- 💧 Unread Meters: 179

Waste Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Treated</i>	5,666,000	4,808,000

- 💧 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
- 💧 Opened bids for Mission Street water main replacement
- 💧 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
- 💧 3 after hours trouble calls
- 💧 2 Full burials at Riverside cemetery
- 💧 Continued review and update of Riverside Cemetery map

- 💧 Placed Block signs at Riverside to aid in finding plots
- 💧 Alley maintenance
- 💧 Downtown risk management inspections
- 💧 Installed new water meter on Sassafrass
- 💧 Emergency jet on sewer line on 5th street
- 💧 Met with DNRC about water rights
- 💧 Met with HDR about SCADA upgrade
- 💧 Received approval for HB 355 to go towards paving Railroad St

WO Number	Type	Status	Description	Locations	Assigned To	Requester
003481	CORRECTIVE	Completed	Place new metal Block signs at Riverside	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003476	SCHEDULED	Closed	Monday Check all trash can sites for weekend use	Town of Stevensville		Steve Kruse
003474	SCHEDULED	Closed	Inspect all Parks for safety issues, clearances, conditions, etc, and start work order for any issues needing attention	Town of Stevensville	Stephen Lassiter	Steve Kruse
003467	SCHEDULED	Closed	Garbage removal and bag replacement	Town of Stevensville	Ian Murray	Steve Kruse
003461	SCHEDULED	Closed	Wednesday Manhole Inspection and degreasing and bio treatment	Town of Stevensville Wastewater / Town of Stevensville		Steve Kruse
003450	SCHEDULED	Closed	Test	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003448	CORRECTIVE	Closed	Replace ballast in UV bank	Town of Stevensville	Cody Anderson Jeff Wilkinson Stephen Lassiter	Stephen Lassiter
003447	CORRECTIVE	Closed	Add roadbase to potholes on Railroad Ave	Streets	Jeff Wilkinson	Stephen Lassiter
003446	CORRECTIVE	Closed	Grease skidsteer and backhoe	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003445	CORRECTIVE	Closed	Repair roof on east pavillion Lewis and Clark park	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003444	CORRECTIVE	Closed	Bolt down picnic tables at Lewis and Clark park	Town of Stevensville	Jeff Wilkinson	Stephen Lassiter
003443	CORRECTIVE	Closed	Full burial at Riverside	Town of Stevensville	Cody Anderson Jeff Wilkinson Stephen Lassiter	Stephen Lassiter
003442	CORRECTIVE	Closed	Full burial at Riverside	Town of Stevensville	Cody Anderson Jeff Wilkinson Stephen Lassiter	Stephen Lassiter

WO Number	Type	Status	Description	Locations	Assigned To	Requester
003346	CORRECTIVE	Completed	Change oil in backhoe	Town of Stevensville	Glenn Bies Jeff Wilkinson	Stephen Lassiter
003264	CORRECTIVE	Completed	Bolt picnic tables to concrete pads under park pavilions to prevent people from moving them	Town of Stevensville	Cody Anderson Jeff Wilkinson Stephen Lassiter	Stephen Lassiter
003112	CORRECTIVE	Completed	Exercise and familiarize with sweeper truck and begin leaf sweeping on streets	Streets	Jeff Wilkinson	Stephen Lassiter

File Attachments for Item:

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



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:	Public Hearing
Person Submitting the Agenda Item:	Bob Michalson
Second Person Submitting the Agenda Item:	Will Rowe, Airport Manager
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	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
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	

ORDINANCE NO. 141

AN ORDINANCE INCORPORATING VARIOUS AIRPORT ORDINANCES, RESOLUTIONS AND POLICIES INTO AND ESTABLISHING TITLE 3 - AIRPORT OF THE MUNICIPAL CODE OF THE TOWN OF STEVENSVILLE

SECTION 1. **Chapter 3**-Airport -of the Municipal Code is hereby established.

SECTION 2. **Chapter 3 of Article II** is hereby created and titled "Municipal Airport."

SECTION 3. **Chapter 3** shall read in full as follows:

Section 3-31 Designation of Airport

The airport owned and operated by the town shall be and is hereby designated as the "Stevensville Airport."

Section 3-32 Municipal Regulation

The Town Council, in accordance with MCA 67-10-301, shall be authorized to adopt, amend and repeal ordinances, resolutions, rules and orders as it shall deem necessary for the management and use of the Stevensville Airport in conformance with federal and state laws, regulations and standards, and shall have the power to enforce penalties for the violation of such ordinances, resolutions, rules and orders. In addition, the town shall have the power to enforce the payment of charges for improvements, services, leases, rentals and other charges by placing a lien, as provided by law, on any real or personal property at the airport and to lock people out of any airport storage unit or hanger until payments have been made in full.

Section 3-33 Creation of Airport Board

The town shall have an advisory board known as the Stevensville Airport Board, consisting of seven (7) members: six (6) persons appointed by the Mayor with the concurrence of the Town Council for staggered three (3) year terms, plus one (1) council representative chosen by the Town Council. The council representative shall continue to serve only while a member of the Town Council.

The board shall elect a Chairperson who shall prepare agendas and conduct meetings and shall elect a Secretary who shall maintain minutes in accordance

with the laws and regulations that apply to public bodies. The Secretary will fill in as Chairperson in their absence.

Section 3-34 Duties of Stevensville Airport Board

The Stevensville Airport Board shall provide recommendations to the Town Council as pertains to development, operation and maintenance of the airport. Specifically, the board shall:

- (1) ~~Along with the Airport Manager and Mayor, develop the airport's annual operating and capital budget to be presented to the Town Council for adoption;~~
- (2) Recommend to the Town Council rates, fees, charges and assessments based upon the capital needs of the airport;
- (3) ~~Review and recommend to the Town Council approval or denial of all construction and development projects, including hanger construction and leases at the airport;~~
- (4) Review and recommend for compliance with FAA and town standards initial applications for airport business licenses as required in Section 3-36 of this chapter;
- (5) Develop and recommend to the Town Council periodic updates to the Capital Improvement Program for the airport;
- (6) Work with the Airport Manager, who is the as liaison with FAA and Montana Aeronautics, in complying with their respective standards, rules and regulations;
- (7) Create and promulgate a set of "Minimum Standards" for the airport in accordance with FAA guidelines; and
- (8) Provide assistance, advice and guidance as ~~needed or~~ requested by the Mayor, the Town Council, and the Airport Manager.

Section 3-35 Airport Fund

- (1) There is hereby created an "Airport Fund" which shall be the repository for all funds generated by leases, charges, fees and other revenue generated at the airport, as well as all grants and contributions received from the FAA, Montana Aeronautics and other sources.
- (2) The Town Council shall annually appropriate and transfer funds to the Airport Fund a portion of the estimated taxes generated at the airport that are collected by the town. The amount of such appropriation shall be determined based upon the proportionate

share of services included in the town's tax supported budget that are not applicable or provided to the airport such as, but not limited to, public works, street maintenance and lighting, parks and recreation, and others.

- (3) The ~~Town Treasurer~~ **Finance Officer** shall make expenditures from the Airport Fund for airport related expenses based upon the approved annual budget.
- (4) The Town Council shall cause the Airport Fund to be audited on a bi-annual basis and shall make a charge to the airport for a proportionate share of the town's cost of its regular audit or it shall charge the airport the actual cost of a special audit of the Airport Fund, whichever is applicable.
- (5) The Town Council shall utilize all available financing methods and tools to generate funds needed for the airport's capital budget, including, but not limited to, loans, grants, tax increment financing, selling of bonds and special assessments.

Section **3-36** Airport Business License

- (1) No person, corporation, partnership, company, association or society shall engage in business, as defined in Section **12-19** of the Municipal Code, upon the Stevensville Airport without first obtaining an airport business license. Any airport business licensed by the town under this chapter shall not be required to obtain an additional business license required by Section **12-22** for conducting business at the airport.
- (2) Applications for an airport business license under this chapter shall be in writing to the Town Clerk on a form provided by the town. All airport business licenses shall be good for one (1) year commencing July 1st. Licenses shall expire June 30th of each year, regardless of the issuance date.
- (3) Airport businesses licensed by the town under this chapter shall pay an annual fee, as established by resolution of the Town Council; provided, however, that a nonprofit organization shall be issued a license at no charge. License fees shall not be prorated and will not be refunded should a business ownership change and/or cease to operate at the airport.
- (4) Upon filing of the application in the proper form and upon payment of the required fee, the Town Clerk shall, subject to the provisions of Section **3-34**, issue the airport business license as provided herein.

Such license shall be nontransferable, except as to a change of address to a new location within the town. A license shall be denied to any business prohibited by law or regulation of the United States, the State of Montana, or by the provisions of this code or any ordinance of the Town of Stevensville.

- (5) A license may be suspended or revoked by action of the Stevensville Town Council for conducting business in violation of FAA standards, or in such a manner as to create a public nuisance or constituting a danger to the public welfare, health and safety, as well as fraud or misrepresentation on a license application.

Section 3-37 Other Airport Rates, Fees, Charges and Assessments

The Town Council shall, by resolution, adopt rates, fees, charges and special assessments at the Stevensville Airport, including but not limited to, land lease rates, infrastructure fees, airport user fees, tie-down fees and landing fees.

Section 3-38 Penalty

In addition to the enforcement provisions in specified in Section 3-32, any person found to be violating any provision of this chapter shall, upon conviction thereof, be punished as set forth in Section 1-8 of the Municipal Code.

SECTION 4. **Article III** is hereby created and titled "Airport Zoning."

Chapter 3-71 shall include the full text of the Stevensville Airport Zoning Ordinance adopted by the Town Council on November 29, 1989. **Which is incorporated by reference as if the ordinance were set forth herein in its entirety.**

SECTION 5. Repeal

All Town of Stevensville ordinances, resolutions and policies in conflict with the provisions of this Chapter are hereby repealed.

Passed on First Reading by the Stevensville Town Council this _____ day of March 2024.

APPROVED:

ATTEST:

**Bob Michalson, Mayor
Berthoud, Town Clerk**

Jenelle S.

Passed and Adopted on Second Reading by the Stevensville Town Council this
_____ day of March 2024.

APPROVED:

ATTEST:

**Bob Michalson, Mayor
Berthoud, Town Clerk**

Jenelle S.

File Attachments for Item:

a. Discussion/Decision: Emergency Facilities & Land Use Agreement Between the USDA Forest Service and the Town of Stevensville Airport



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:	Will Rowe, Airport Manager
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: Emergency Facilities & Land Use Agreement Between the USDA Forest Service and the Town of Stevensville Airport
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	At the January 25, 2024, Town Council Meeting the council approved to move forward with the process for an Emergency Facilities & Land Use Agreement between the USDA Forest Service and the Town of Stevensville Airport. The USDA Forest Service has come back with the agreement reflecting current mayor, airport manager and period of performance.

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS <i>OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30</i>				1. REQUISITION NUMBER 1120149		PAGE OF 1 12	
2. CONTRACT NO. 1202RZ24T0008		3. AWARD/ EFFECTIVE DATE	4. ORDER NUMBER		5. SOLICITATION NUMBER		6. SOLICITATION ISSUE DATE
7. FOR SOLICITATION INFORMATION CALL:		a. NAME DONALD KEEVER			b. TELEPHONE NUMBER (No collect calls) 505-252-4804		8. OFFER DUE DATE/LOCAL TIME
9. ISSUED BY USDA-FS AT-INCIDENT MGT SVCS BRANC 3833 S DEVELOPMENT AVE BOISE ID 83705-5354				CODE 02RZ	10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR: <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> ECONOMICALLY DISADVANTAGED WOMEN-OWNED SMALL BUSINESS (EDWOSB) <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB) <input type="checkbox"/> 8(A)		NORTH AMERICAN INDUSTRY CLASSIFICATION STANDARD (NAICS): 115310 SIZE STANDARD: \$34
11. DELIVERY FOR FREE ON BOARD (FOB) DESTINATION UNLESS BLOCK IS MARKED <input checked="" type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS		13a. THIS CONTRACT IS A RATED ORDER UNDER THE DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM - DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING 14. METHOD OF SOLICITATION <input type="checkbox"/> REQUEST FOR QUOTE (RFQ) <input type="checkbox"/> INVITATION FOR BID (IFB) <input type="checkbox"/> REQUEST FOR PROPOSAL (RFP)	
15. DELIVER TO BITTERROOT NATIONAL FOREST 1801 NORTH 1ST STREET HAMILTON MT 59840				CODE 0351	16. ADMINISTERED BY USDA-FS AT-INCIDENT MGT SVCS BRANC 3833 S DEVELOPMENT AVE BOISE ID 83705-5354		
17a. CONTRACTOR/ OFFEROR		CODE 1500131613#	FACILITY CODE	18a. PAYMENT WILL BE MADE BY USDA FOREST SERVICE ALBUQUERQUE SERVICE CENTER 101B SUN AVE NE ALBUQUERQUE NM 87109-4661			
TOWN OF STEVENSVILLE TOWN HALL PO BOX 30 STEVENSVILLE MT 59870-0030		CODE 33RK					
TELEPHONE NO.				17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER <input type="checkbox"/>			
				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM			

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
0001	<p>The purpose of this agreement is facilitate incident operations at the Stevensville Airport. See rate section for pricing options. Delivery: 12/31/2028 Period of Performance: 06/01/2024 to 12/31/2028</p> <p>Pre Season Land Use Agreement for incident support - Stevensville Airport (32S) Obligated Amount: \$0.00</p> <p>Continued ... <i>(Use Reverse and/or Attach Additional Sheets as Necessary)</i></p>				

25. ACCOUNTING AND APPROPRIATION DATA See schedule		26. TOTAL AWARD AMOUNT (For Government Use Only) \$0.00	
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE (FEDERAL ACQUISITION REGULATION) FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA		<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.	
<input checked="" type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA		<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.	

<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>1</u> COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.		<input type="checkbox"/> 29. AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:	
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30a. SIGNATURE OF OFFEROR/CONTRACTOR		31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)	
30b. NAME AND TITLE OF SIGNER (Type or print)		31b. NAME OF CONTRACTING OFFICER (Type or print) DONALD A. KEEVER	
30c. DATE SIGNED		31c. DATE SIGNED	

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	<p>The total amount of award: \$250,000.00. The obligation for this award is shown in box 26.</p>				

32a. QUANTITY IN COLUMN 21 HAS BEEN
 RECEIVED INSPECTED ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: _____

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE 32c. DATE 32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE 32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE
 32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER 34. VOUCHER NUMBER 35. AMOUNT VERIFIED CORRECT FOR 36. PAYMENT 37. CHECK NUMBER
 PARTIAL FINAL COMPLETE PARTIAL FINAL

38. S/R ACCOUNT NUMBER 39. S/R VOUCHER NUMBER 40. PAID BY

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT 42a. RECEIVED BY (*Print*)
 41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER 41c. DATE 42b. RECEIVED AT (*Location*)
 42c. DATE REC'D (*YY/MM/DD*) 42d. TOTAL CONTAINERS

Incident Support Facilities/Land Agreement Request

FACILITIES/LAND INFORMATION

UEI (Must be active in www.sam.gov and available for all awards and renewed yearly): YMASY7JFDA35

NAME: *Town of Stevensville- Airport*

BUSINESS ADDRESS: *P.O. Box 30 Stevensville, MT 59870*

Airport Address:

Stevensville Airport

3945 Flying Lane

Stevensville, MT 59870

2 miles NE of STEVENSVILLE, MT

Lat/Long:

46-31-30.4000N 114-03-10.1000W

AIRPORT POINT OF CONTACT NAMES:

Mayor: Bob Michalson EMAIL: bob@townofstevensville.com PHONE: (406) 777-5271

Airport Manager: William Rowe will@townofstevensville.com PHONE: (406) 381-1764

DESCRIPTION/ SPECIFICATIONS/ STATEMENT OF WORK

The owner of the property described herein, or the duly appointed representative of the owner, agrees to furnish the land/facilities for use of service including:

Air support areas for Land Management Agencies serviced by USFS R1 AQM, and incident fire and aviation management. Multiple areas/options are identified. Specific areas/timeframes for activation are variable and specified in a work order as needed. Areas may be utilized for aircraft fueling, parking, retardant operations, external load operations, or other aviation related activities. All use must be in accordance with airport rules and procedures.

All areas identified for use are located at the Stevensville Airport, Flying Lane, Stevensville, MT 59870. Any areas deemed suitable for operations (by mutual agreement of the agents of the City of Stevensville and the Forest Service) may be utilized under this agreement. The new North Taxiway, plus any other area within the perimeter denoted on the diagram (approximately 30 acres...see attached) may be utilized as agreed upon at time of activation.

Both a pre use and post use inspection shall be conducted and documented for each incident that utilizes the airport. Inspection shall be conducted to the maximum extent practical.

The exact location will be documented on the work order or on the EERA shift ticket. The specific planned uses are listed below:

_1) Small Aviation Operations (i.e.: Small helibase—up to 5 helicopters): Area around SRE building, or North taxiway and adjacent area of field, or as specified by Airport Manager.

2) Large Aviation Operations (i.e.: Large helibase—more than 5 helicopters): All of “area 1” listed above, plus additional area as needed and specified.

Additional: Option ‘C’: Fire Protection...Fire protection capability (fire engine support with at least 2 crewmembers for up to 14 hrs./day).

Stevensville Airport LUA

Additional: Option 'D': Dust Abatement...Dust abatement capability (generally water tender with spray bars or equivalent for up to 14 hrs./day)

Additional: Option "E": Facility—Snow Removal Equipment Building (SRE) use. Facility use, including any future improvements.

RATE

Area 1: \$250/day

Area 2: \$500/day

Option C: \$1325/day

Option D: \$1500/day

Option E: \$100/day

ESTIMATED PERIOD OF PERFORMANCE/START DATE

Start Date: 6/1/2024

End Date: 12/31/2028

DEFINITIONS, TERMINOLOGY OR ACRONYMS

Please include any applicable definitions required to help correctly identify specific language in you requirements.

ORDINARY WEAR AND TEAR: Ordinary wear and tear is based on the customary use of the land/facilities, and not the use resulting from the incident.

CONTRACT ADMINISTRATION DATA

PAYMENT

[PAID BY INCIDENT AT TIME OF USE] The Local National Forest Office is responsible for payments.

INVOICE

[PAID BY INCIDENT AT TIME OF USE] The Finance Unit or designated representative will receive vendor's commercial invoices or shift tickets, and documents providing itemized breakdown of charges. They will validate with incident approved vendor generated invoices, review, sign, and submit to the payment center.

The Contract Officer's Representative (COR) - Primary, local finance representative - Secondary, or Forest Incident Business Specialist (INBS) – Tertiary - will submit a payment package including all signed originals, including:

- A detailed invoice that supports each order
- Copy of resource order(s) to match/support Vendors Invoice
 - A copy of Vendors Agreement SF-1449 Including any Modifications
- Any other supporting documentation

Per the National Wildfire Coordinating Group (NWCG) Standards for Interagency Incident Business Management and transmittal sheet to the Albuquerque Service Center.

COR: Tyler Brothers, Tyler.Brothers@USDA.gov

Local Finance Representative: Amy Erickson, Amy.I.Erickson@USDA.gov

INBS: TBD

EXHIBITS AND OTHER ATTACHMENTS

The attachments to the Statement of Work/Specifications listed are hereby made part of this solicitation and any resultant contract.

Title	Pages
EXHIBIT A: Area Map	Page 12
EXHIBIT B: Reserved	

NOTE: IN COMPLIANCE WITH THE PAPER REDUCTION ACT, FAR CLAUSES 52.212-3, 52.212-1 AND 52.212-2 AND ADDENDUMS ATTACHED THERETO, WHICH APPLY ONLY TO THE SOLICITATION PHASE, ARE NOT DUPLICATED AFTER CONTRACT AWARD. HOWEVER, THEY ARE INCORPORATED BY REFERENCE INTO THE RESULTING CONTRACT.

Federal Acquisition & Regulations Clauses, Terms & Conditions

52.252-2 Clauses Incorporated by Reference (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

Federal Acquisition Regulation (FAR) Clauses:

<https://www.acquisition.gov/browse/index/far> (FAR clauses begin with 52)

Department of Agriculture Acquisition Regulation (AGAR) Clauses: <https://www.acquisition.gov/agar>

FAR and AGAR Deviations to clauses may be viewed at: [Policies & Regulations | USDA](#)

52.203-3 Gratuities (APR 1984)

52.204-13 System for Award Management Maintenance (OCT 2018)

52.204-18 Commercial and Government Entity Code Maintenance (AUG 2020)

52.204-19 – Incorporated by Reference or Representations (DEC 2014)

52.212-4 Contract Terms and Conditions – Commercial Products and Commercial Services (NOV 2023)

(DEVIATION 2017-1)

52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts (SEP 2013)

52-232-1 Payments (APR 1984)

52.232-11 Extras (APR 1984)

52.232-39 Unenforceability of Unauthorized Obligations (JUN 2013)

52.245-1 Government Property (SEP 2021)

52.252-6 Authorized Deviations in Clauses (NOV 2020)

52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders– Commercial Products and Commercial Services (DEC 2023)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (Dec 2023) (Section 1634 of Pub. L. 115-91).

(3) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015)

(5) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C.3903 and 10 U.S.C. 3801)

(6) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(7) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805note)).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

[Contracting Officer check as appropriate.]

(1) 52.203-6, Restrictions on Subcontractor Sales to the Government (June 2020), with Alternate I (Nov 2021) (41 U.S.C. 4704 and 10 U.S.C. 4655).

(2) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509)).

- (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (Jun 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)
- (4) 52.203-17, Contractor Employee Whistleblower Rights (Nov 2023) ([Whistleblower Guidance to Contractor Employees](#))
- (5) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).
- (6) [Reserved].
- (7) 52.204-14, Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).
- (8) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).
- (9) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).
- (10) 52.204-28, Federal Acquisition Supply Chain Security Act Orders – Federal Supply Schedules, Governmentwide Acquisition Contracts, and Multi-Agency Contracts (Dec 2023) (Pub. L. 115-390)
- (11)(i) 52.204-30, Federal Acquisition Supply Chain Security Act Orders – Prohibition. (Dec 2023) (Pub. L. 115-390, title II)
 - (ii) Alternate I (Dec 2023) of 52.204-30.
- (12) 52.209-6, Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Nov 2021) (31 U.S.C. 6101note).
- (13) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Oct 2018) (41 U.S.C. 2313).
- (14) [Reserved].
- (15) (i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Oct 2022) (15 U.S.C.657a).
- (16) (i) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Oct 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
- (17) [Reserved]
- (18) (i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 2020) (15 U.S.C.644).
 - (ii) Alternate I (Mar 2020) of 52.219-6.
- (19) (i) 52.219-7, Notice of Partial Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).
 - (ii) Alternate I (Mar 2020) of 52.219-7.
- (20) 52.219-8, Utilization of Small Business Concerns (Sep 2023) (15 U.S.C. 637(d)(2) and (3)).
- (21) (i) 52.219-9, Small Business Subcontracting Plan (Sep 2023) (15 U.S.C. 637(d)(4)).
 - (ii) Alternate I (Nov 2016) of 52.219-9.
 - (iii) Alternate II (Nov 2016) of 52.219-9.
 - (iv) Alternate III (Jun 2020) of 52.219-9.
 - (v) Alternate IV (Sep 2023) of 52.219-9.
- (22) (i) 52.219-13, Notice of Set-Aside of Orders (Mar 2020) (15 U.S.C. 644(r)).
 - (ii) Alternate I (MAR 2020) of 52.219-13
- (23) 52.219-14, Limitations on Subcontracting (Oct 2022) (15 U.S.C.637s)
 - [Contracting Officer check as appropriate.]*

 - By the end of the base term of the contract and then by the end of each subsequent option period; or
 - By the end of the performance period for each order issued under the contract.
- (24) 52.219-16, Liquidated Damages-Subcontracting Plan (Sep 2021) (15 U.S.C. 637(d)(4)(F)(i)).
- (25) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Oct 2022) (15 U.S.C. 657f).
- (26) (i) 52.219-28, Post Award Small Business Program Rerepresentation (Sep 2023) (15 U.S.C. 632(a)(2)).
 - (ii) Alternate I (MAR 2020) of 52.219-28.
- (27) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Oct 2022) (15 U.S.C. 637(m)).

- (28) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Oct 2022) (15 U.S.C. 637(m)).
- (29) 52.219-32, Orders Issued Directly Under Small Business Reserves (Mar 2020) (15 U.S.C. 644(r)).
- (30) 52.219-33, Nonmanufacturer Rule (Sep 2021) (15 U.S.C. 637(a)(17)).
- (31) 52.222-3, Convict Labor (Jun 2003) (E.O.11755).
- (32) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (Nov 2023) (E.O.13126).
- (33) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
- (34) (i) 52.222-26, Equal Opportunity (Sep 2016) (E.O.11246).
 - (ii) Alternate I (Feb 1999) of 52.222-26.
- (35) (i) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).
 - (ii) Alternate I (Jul 2014) of 52.222-35.
- (36) (i) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C.793).
 - (ii) Alternate I (Jul 2014) of 52.222-36.
- (37) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212).
- (38) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).
- (39) (i) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O. 13627).
 - (ii) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter78 and E.O. 13627).
- (40) 52.222-54, Employment Eligibility Verification (May 2022). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR 22.1803.)
- (41) (i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
 - (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (42) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).
- (43) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (Jun 2016) (E.O. 13693).
- (44) (i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (Jun 2014) (E.O.s 13423 and 13514).
 - (ii) Alternate I (Oct 2015) of 52.223-13.
- (45) (i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).
 - (ii) Alternate I (Jun 2014) of 52.223-14.
- (46) 52.223-15, Energy Efficiency in Energy-Consuming Products (May 2020) (42 U.S.C. 8259b).
- (47) (i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (Oct 2015) (E.O.s 13423 and 13514).
 - (ii) Alternate I (Jun 2014) of 52.223-16.
- (48) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020) (E.O. 13513).
- (49) 52.223-20, Aerosols (Jun 2016) (E.O. 13693).
- (50) 52.223-21, Foams (Jun 2016) (E.O. 13693).
- (51) (i) 52.224-3 Privacy Training (Jan 2017) (5 U.S.C. 552 a).
 - (ii) Alternate I (Jan 2017) of 52.224-3.
- (52)(i) 52.225-1, Buy American-Supplies (Oct 2022) (41 U.S.C. chapter 83).
 - (ii) Alternate I (Oct 2022) of 52.225-1
- (53) (i) 52.225-3, Buy American-Free Trade Agreements-Israeli Trade Act (NOV 2023) (19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, 19 U.S.C. chapter 29 (sections 4501-4732), Public Law. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
 - (ii) Alternate I [Reserved]

- (iii) Alternate II (Dec 2022) of 52.225-3.
 - (iv) Alternate III (Nov 2023) of 52.225-3.
 - (v) Alternate IV (Oct 2022) of 52.225-3.
 - (54) 52.225-5, Trade Agreements (Nov 2023) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).
 - (55) 52.225-13, Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
 - (56) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
 - (57) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
 - (58) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).
 - (59) 52.229-12, Tax on Certain Foreign Procurements (Feb 2021).
 - (60) 52.232-29, Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.3805).
 - (61) 52.232-30, Installment Payments for Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.3805).
 - (62) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (Oct 2018) (31 U.S.C. 3332).
 - (63) 52.232-34, Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) (31 U.S.C.3332).
 - (64) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C.3332).
 - (65) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).
 - (66) 52.242-5, Payments to Small Business Subcontractors (Jan 2017) (15 U.S.C. 637(d)(13)).
 - (67) (i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631).
 - (ii) Alternate I (Apr 2003) of 52.247-64.
 - (iii) Alternate II (Nov 2021) of 52.247-64.
- (c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:
 Contracting Officer check as appropriate.]
- (1) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).
 - (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

In compliance with the Service Contract Labor Standards statute and the regulations of the Secretary of Labor (29 CFR Part 4), this clause identifies the classes of service employees expected to be employed under the contract and states the wages and fringe benefits payable to each if they were employed by the contracting agency subject to the provisions of [5 U.S.C.5341](#) or [5 332](#).

This Statement is for Information Only: It is not a Wage Determination

Employee Class	Monetary Wage/Fringe Benefits
_____	_____/_____

Employee Class	Monetary Wage/Fringe Benefits
_____	_____/_____
_____	_____/_____

- (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (Aug 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
- (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
- (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).
- (7) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).
- (8) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).
- (9) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR 2.101, on the date of award of this contract, and does not contain the clause at 52.215-2, Audit and Records-Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e) (1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1), in a subcontract for commercial products or commercial services. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509).

(ii) 52.203-17, Contractor Employee Whistleblower Rights (Nov 2023) (41 U.S.C. 4712)

(iii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iv) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (Dec 2023) (Section 1634 of Pub. L. 115-91).

- (iv) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).
 - (vi) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328)
 - (vii)(A) 52.204-30, Federal Acquisition Supply Chain Security Act Orders – Prohibition. (Dec 2023) (Pub. L. 115-390, title II)
 - (B) Alternate I (Dec 2023) of 52.204-30.
 - (viii) 52.219-8, Utilization of Small Business Concerns (Sep 2023) (15 U.S.C.637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.
 - (ix) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
 - (x) 52.222-26, Equal Opportunity (Sep 2015) (E.O.11246).
 - (xi) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C.4212).
 - (xii) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C.793).
 - (xiii) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C.4212).
 - (xiv) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.
 - (xv) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).
 - (xvi) (A) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O 13627).
 - (B) Alternate I (Mar 2015) of 52.222-50(22 U.S.C. chapter 78 and E.O 13627).
 - (xvii) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
 - (xviii) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).
 - (xix) 52.222-54, Employment Eligibility Verification (May 2022) (E.O. 12989).
 - (xx) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).
 - (xxi) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).
 - (xxii) (A) 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).
 - (B) Alternate I (Jan 2017) of 52.224-3.
 - (xxiii) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
 - (xxiv) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
 - (xxv) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3903 and 10 U.S.C. 3801)
 - (xxvi) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C.2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.
- (2) While not required, the Contractor may include in its subcontracts for commercial products and commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of Clauses)



File Attachments for Item:

b. Discussion/Decision: Schedule a C.O.W. Meeting Date and Time to Continue Reviewing Job Descriptions



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:	03/14/2024
Agenda Topic:	Discussion/Decision: Schedule a C.O.W. Meeting Date and Time to Continue Reviewing Job Descriptions
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	The Town Council met on January 30, 2024, and began discussions about job descriptions. The Town Council met a second time on February 27, 2024, to review additional job descriptions. This next meeting will be to review proposed changes and finalize job descriptions to present to a Town Council Meeting.

File Attachments for Item:

a. Discussion/Decision: Request RFP for Abatement Services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT



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:	03/14/2024
Agenda Topic:	Discussion/Decision: Request RFP for Abatement Services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	

HON. JENNIFER B. LINT
District Judge, Dept. 2
Twenty-First Judicial District
Ravalli County Courthouse
205 Bedford, Suite B
Hamilton, Montana 59840
Ph: (406) 802-7192
Fax: (406) 802-7199

MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT, RAVALLI COUNTY

MEL COOK, LOEY KNAPP, JAMES
WALTERS, DAVID MCKINLEY, SUSAN
EVANS, PAT GRONINGER, and TERRI
GRONINGER,

Plaintiffs,

vs.

BERTA’S FARM LLC,

Defendant.

Cause No. DV 17-455

Department No. 2

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

This matter came before the Court for a Non-Jury Trial on August 24, 2020. Plaintiffs and their counsel appeared as did Defendant Berta’s Farm, LLC, through its Manager, Sarar Urfer, and its counsel. The parties introduced testimony and offered evidence.

Based on the testimony and evidence presented, the Court makes the following:

FINDINGS OF FACT

1. Berta’s Farm, LLC is an active domestic Montana Limited Liability Company, with a mailing address of 511 River Street, Missoula, Montana 59801, and its registered agent is Thomas C Orr, 523 South Orange Street, Missoula, Montana 59802. Ex 1.
2. Berta’s Farm, LLC is the owner of property (“Property”) located at 523 East Third Street in Stevensville, Montana, with an alternative address of 211 Park Street, Stevensville, Montana. Ex. 2.
3. The property consists of three separate parcels, Lots 1A, B and C of LOT 1 BLOCK 4 MAY ADDN AMEND SUB PLAT #573196.

4. All three parcels are categorized as vacant urban land with no living units by the Montana Department of Revenue, Ravalli County, and the Town of Stevensville. Ex 2.
5. None of the parcels has any dwelling or building or other improvement recognized by the Montana Department of Revenue, Ravalli County, or the Town of Stevensville. Ex 2.
6. Ravalli County sends property tax bills for the three parcels to Berta's Farm LLC, c/o Frank Piwarski, 211 Park St. Stevensville, MT 59870-2602. Ex 2.
7. Mel Cook resides and owns a home and property located at 210 Park Street, Stevensville, Montana.
8. Loey Knapp resides and owns a home and property located at 526 East Third Street, Stevensville, Montana.
9. Susan Evans and David McKinley reside and own a home and property located at 524 East Third Street, Stevensville, Montana.
10. Pat and Terri Groninger reside and own a home and property located at 518 East Third Street, Stevensville, Montana.
11. James Walters resides and owns a home and property located at 408 East Third Street, Stevensville, Montana.
12. Mel Cook purchased his home at 210 Park Street in 1973.
13. In 1973, the Property was the site of the Thomas Baird House, built circa 1905. Thomas Baird was the president of the First State Bank of Stevensville in the early 20th century. The Thomas Baird House, in its heyday, was a graceful example of period architecture. Ex. 3.
14. Frank Piwarski purchased the Property sometime prior to 1983.
15. Frank Piwarski attempted to remodel the residence on the Property into apartments. The Town of Stevensville sued Piwarski and obtained a favorable ruling from Judge Douglas Harkin in August 1986 that Piwarski did not have the proper permits. Judge Harkin ruled that Piwarski had to correct deficiencies or risk have the construction torn down by the Town of Stevensville at his expense.
16. In response to the court order, Piwarski partially demolished his attempted renovations as well as partially demolished the Thomas Baird House.
17. On or about June 6, 1989, authorities blew up dangerous chemicals that Piwarski had been storing on the Property.
18. In or about 1991, the Town of Stevensville sued Piwarski to comply with Judge Harkin's August 1986 order and to further clean up the Property. Ex. 6.

19. On or about February 17, 1993, the Town of Stevensville and Piwarski agreed to a stipulated order to resolve the lawsuit that required Piwarski to demolish the remaining structures and perform certain cleanup activities on the Property by May 1, 1993. Ex. 6.
20. Piwarski failed to comply with the stipulation and order, so the Town of Stevensville petitioned the Court for an order to enforce the stipulation and order. Ex. 6.
21. On or about September 22, 1993, the Court found Piwarski was non-compliant with the stipulation and order and ordered him to remove the remainder of the structure on the Property and cover the foundation, clean up the Property, and collect and neatly stack all reusable building materials. Ex. 6.
22. Frank Piwarski transferred ownership of the Property by quit claim deed to Berta's Farm, LLC on January 3, 2005. Ex. 8.
23. Since Piwarski's ownership, either individually or through his LLC, the Property has fallen deeper into disrepair, in stark contrast to the condition of the Property and graceful home decades before.
24. The condition of the Property also stands in stark contrast to the neighboring homes and properties in this historic Stevensville neighborhood. Ex. 15.
25. The Property has become overgrown with weeds, debris, sundry construction waste and materials, junk vehicles, and equipment. The sidewalk has been overgrown by weeds and debris. Ex. 9-14.
26. There are partially-constructed structures on the Property, all built based on a 2002 permit. Ex. 19-14. Testimony 2020 08 17.
27. Plaintiffs here, all neighbors of the Property, and residents of the Town of Stevensville have repeatedly requested the Town of Stevensville to require Piwarski and Berta's Farm to comply with ordinances of the Town of Stevensville.
28. On or about October 26, 2017, Plaintiffs filed the instant action against Berta's Farm LLC and the Town of Stevensville.
29. On or about May 11, 2018, Plaintiffs agreed to dismiss all claims against the Town of Stevensville in return for the Town of Stevensville agreeing to enforce its ordinances on the Property and, if necessary, to bring an action against Berta's Farm for violations of the town's ordinances. Ex. 19.
30. On or about June 29, 2018, Town of Stevensville Mayor Brandon Dewey sent a non-compliance letter to Berta's Farm, LLC's registered agent, and provided Berta's Farm 60 days to come into compliance. Ex. 18.
31. After the expiration of the 60-day period, the Town of Stevensville's compliance officer visited the Property and determined that the Property was in the same condition as it had been on June 29, 2018. Ex. 18.

32. On or about December 10, 2018, the Town of Stevensville filed an amended complaint against Berta's Farm in Stevensville City Court for violations of the town's ordinances. Ex. 18.

33. The Town of Stevensville determined that the condition of the Berta's Farm property violates the following town ordinances:

- Stevensville Municipal Code §22-227 condition of sidewalks
- Stevensville Municipal Code §10-179 screening debris and junk
- Stevensville Municipal Code §14-34 noxious weeds

Ex. 18.

34. The Town of Stevensville determined that construction on the Property was proceeding without proper permitting and structures on the Property did not conform to R-1 zoning standards and posed a danger to the community. Ex. 18

35. On or about December 19, 2018, Stevensville City Court Judge Maureen O'Connor dismissed the Town of Stevensville's lawsuit against Berta's Farm, LLC. Judge O'Connor ruled that the City Court lacked jurisdiction to enforce the Town of Stevensville's ordinances to provide the relief requested by the Town of Stevensville in the lawsuit. Ex. 20

36. Mel Cook testified credibly that his use and enjoyment of his property has been negatively impacted by the conditions of the Property. Cook's home at 210 Park Street, which was designed by the noted architect W.A. Gibson, is listed on the National Registry of Historic Buildings. Cook's spouse of many years recently died, and Mr. Cook, who is elderly, is in the process of selling his home.

37. Cook testified that because of the condition of the Berta's Farm Property, the sale value of Mr. Cook's property is diminished, however provided no documentation to support the assertion. However, it is apparent from the documentation provided that Berta Farm property is a general eyesore in an otherwise very well maintained neighborhood.

38. Cook testified that he takes meticulous care of his property, and it is apparent. Cook further testified that his property is negatively impacted by the spread of uncontrolled noxious weeds on Berta Farm Property. His viewshed is negatively impacted by the junk, debris and general trashed appearance of Berta Farm Property.

39. Cook also testified he has endured decades of continual construction noise on the Property, which has never produced any legally occupiable structure.

40. Loey Knapp testified, affirming that her home at 526 East Third Street is a 1908 May house, one of the first built in Stevensville. Knapp takes meticulous care of her property as well and spends several thousand dollars every year to keep her property fire-safe. Similarly with Cook, Knapp is required to manage the spread of noxious weeds from the Berta's Farm Property to her property. She also is concerned about the danger of fire spreading to her property from the Berta's Farm Property due to the significant amount of fire fuels on the Berta property.

41. She echoed Cook's testimony that her viewshed is negatively impacted by the junk, debris, and other materials on the Property in plain sight, along with the decades of continual construction noise on the Property, again producing no legally occupiable structure.
42. Knapp testified she has attempted to market her property as a wedding and event venue, but potential customers have lost interest because of the condition of the Berta's Farm Property. The exhibits confirm Knapp's experience – her property is very well maintained and would serve as a lovely outdoor function facility. The proximity to the equivalent of a construction supply and weed dump would reasonably negatively impact potential clients.
43. The Property's vegetation at the intersection is not properly maintained, and Knapp testified it is a hazard for her to turn into her driveway because sightlines are eliminated, the Court finds this assessment reasonable based upon the exhibits showing the condition of the Property.
44. The sidewalks on the Property are not in good repair and are obstructed to the extent that pedestrians and passers by cannot travel safely on the sidewalks and in some areas, cannot even access the sidewalks. The conditions and obstructions of the sidewalks on the property are an immediate hazard.
45. There are several inoperable vehicles on the Property in plain view of the public.
46. There are piles of junk and debris on the Property in plain view of the public.
47. Frank Piwarski is living on the Property, and has been living there continuously for at least three years, despite representations that there were plans for permanent structure and proper compliance, Piwarski's actions over decades demonstrate otherwise.
48. There is no valid certificate of occupancy for any of the structures on the Property.
49. Uncontroverted testimony established that there are noxious weeds on the Property, including leafy spurge and knapweed, that are uncontrolled.
50. Neighbors of the Property, including Mel Cook and Loey Knapp, have to treat their own properties with chemicals to exterminate the noxious weeds that spread from the Property. This is not to suggest that weed eradication would not be required but for the condition of the Berta Farm Property, however proximity of weed infestation will, more likely than not, cause neighboring properties to have to be more aggressive with their weed control.
51. The sight lines for motorists at the intersection of Third Street and Park Street are obstructed by vegetation on the Property.
52. Both Cook and Knapp testified that while other Plaintiffs were unable to testify due to COVID concerns, they experienced the same negative impacts to their property, viewshed and general enjoyment of their own property.

CONCLUSIONS OF LAW AND ORDER

53. “Anything that is injurious to health, indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or that unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin or any public park, square, street, or highway is a nuisance.” MCA §27-30-101(1).
54. Plaintiffs here are specially injured by the condition of the Berta’s Farm property, thus have standing to bring a public nuisance claim against Berta’s Farm. *See* MCA §27-30-203.
55. Plaintiffs must show an injury specific to the use and enjoyment of their properties in order to proceed on a private nuisance theory. *Tally-Bissell Neighbors, Inc. v. Eyrie Shotgun Ranch LLC*, 2010 MT 63, ¶32.
56. Plaintiffs here have shown that that the condition of the Berta’s Farm property has been and is injurious to the use and enjoyment of their properties. The Plaintiffs are uniquely situated in that they own historic homes in one of the oldest sections of town in Stevensville. They are conscientious about the upkeep and maintenance of their properties and strive to remain in conformity with Stevensville ordinances and State law. That Berta’s Farm property is in the same location, and does nothing to conform with ordinances or state laws, significantly negatively impacts Plaintiffs’ use and enjoyment of their properties.
57. The condition of the sidewalks on the Property constitutes both a public nuisance and a private nuisance.
58. The presence of inoperable vehicles on the Property in plain view of the public constitutes both a public nuisance and a private nuisance.
59. The presence of piles of junk and debris on the Property in plain view of the public constitutes both a public nuisance and a private nuisance.
60. The presence of piles of noxious weeds on the Property in plain view of the public constitutes both a public nuisance and a private nuisance.
61. The overgrown vegetation blocking motorists’ sight lines at the intersection of Third Street and Park Street constitutes both a public nuisance and a private nuisance.
62. Plaintiffs here are not seeking monetary damages caused by the Property’s nuisances. Plaintiffs seek injunctive relief for the abatement of the nuisances. *See* MCA §27-30-103.
63. The Court has determined that the proper and only remedy for the Property’s nuisances is abatement. *See* MCA §27-30-202(1). Testimony and exhibits demonstrated that government entities for decades have been trying to bring the Berta’s Farm Property into compliance. Settlement after settlement was abrogated by Defendant, to the continued detriment of Plaintiffs and the public.

64. The Town of Stevensville is statutorily authorized to abate the public nuisance on the Berta's Farm Property. MCA §27-30-204.
65. The Town of Stevensville is directed to conduct abatement activities on the Property within 60 days of entry of this Order to
- a. remove all hazards and obstructions from sidewalks on the Property and render the condition of the sidewalks non-hazardous to pedestrians and passers-by;
 - b. remove all inoperable vehicles from the Property or construct a barrier to remove the inoperable vehicles from public view;
 - c. remove all junk and piles of debris from the Property or construct a barrier to remove the junk and piles of debris from public view;
 - d. treat and mow all noxious weeds on the Property;
 - e. remove overgrown vegetation blocking motorists' sight lines at the intersection of Third Street and Park Street;
 - f. remove all non-conforming and dangerous structures from the Property; and
 - g. bring the Property into compliance with all applicable ordinances of the Town of Stevensville.
66. The Town of Stevensville may assign all costs of the abatement activities to the property tax assessment for the parcels comprising the Property.

IT IS SO ORDERED.

ELECTRONICALLY DATED AND SIGNED BELOW

Hon. Bob Michalson
Mayor of Stevensville

Greg Overstreet
Town Attorney

February 20, 2024

Tom Orr
Orr McDonnell Law, PLLC
627 Woody Street
Missoula, MT 59802

via email to tom@omlmt.com

Re: Cook v. Berta's Farm, LLC

Dear Mr. Orr:

I am the Stevensville Town Attorney.

This letter is notice to your client, Berta's Farm, LLC, that the Town will comply with the Court's February 14, 2024 order that the Town abate your client's nuisance and assess the costs against the property.

I trust that your clients will not interfere with the Town's abatement. Please verify.

Please contact me with any questions.

Sincerely,



Greg Overstreet

cc: Tim Bechtold



Stevensville Town Hall
206 Buck Street
Stevensville, MT 59870
Phone: 406-777-5271
Fax: 406-777-4284

BECHTOLD LAW FIRM, PLLC

317 East Spruce Street
PO Box 7051
Missoula, Montana 59807
406-721-1435

February 14, 2024

Bob Michalson, Mayor
Town of Stevensville
206 Buck Street
Stevensville, MT 59870

RE: 523 East Third Street in Stevensville

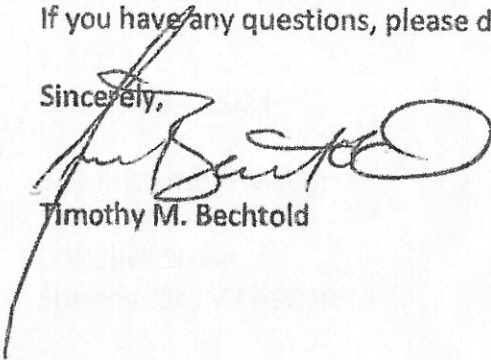
Mayor Michalson,

Please see the enclosed February 14, 2024, Ravalli County district court order regarding 523 East Third Street in Stevensville, a property owned by Berta's Farm, Inc.

Please note the affirmative directives to the Town of Stevensville in the court's order.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Timothy M. Bechtold

File Attachments for Item:

b. Discussion/Decision: RFP for Audit Services for Fiscal Years 23/24, 24/25, 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:	Finance Department/Accounting
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: RFP for Audit Services for Fiscal Years 23/24, 24/25, 25/26
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	The town's three-year contract for audit services is coming to an end, it is a requirement of the State of Montana that an annual audit be performed. This RFP would be for fiscal years 23/24, 24/25 and 25/26.

File Attachments for Item:

c. Discussion/Decision: Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department



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:	Jeff Motley, Fire Chief
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	



Stevensville Fire Department

206 Buck Street
Stevensville, MT 59870

March 14, 2024

Fire Chief Jeff Motley has recommended the appointment of Jacob Doran Rhodes as a volunteer recruit to the Town of Stevensville Fire Department.

Jacob has successfully completed all necessary steps of the hiring process for volunteers.

Respectfully submitted,

A handwritten signature in black ink, which appears to read "Jeff Motley".

Jeff Motley, Chief
Stevensville Fire Department

File Attachments for Item:

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



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:	Jeff Motley, Fire Chief
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: Consent to the Mayor's Appointment of Avery Henderson as a Volunteer Cadet for the Town of Stevensville Fire Department
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	



Stevensville Fire Department

206 Buck Street
Stevensville, MT 59870

March 14, 2024

Fire Chief Jeff Motley has recommended the appointment of Avery E. Henderson as a volunteer Cadet to the Town of Stevensville Fire Department.

Avery has successfully completed all necessary steps of the hiring process for volunteers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeff Motley".

Jeff Motley, Chief
Stevensville Fire Department

File Attachments for Item:

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



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:	Jeff Motley, Fire Chief
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: Consent to the Mayor's Appointment of Grace Waters as a Volunteer Cadet for the Town of Stevensville Fire Department
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	



Stevensville Fire Department

206 Buck Street
Stevensville, MT 59870

March 14, 2024

Fire Chief Jeff Motley has recommended the appointment of Grace E. Waters as a volunteer Cadet to the Town of Stevensville Fire Department.

Grace has successfully completed all necessary steps of the hiring process for volunteers.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeff Motley".

Jeff Motley, Chief
Stevensville Fire Department

File Attachments for Item:

f. Discussion/Decision: Ms. Goren would like to discuss her past due water bill and late fees for her rental property.



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:	Jacquelyn Goren
Second Person Submitting the Agenda Item:	
Submitter Title:	Citizen
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion/Decision: Ms. Goren would like to discuss her past due water bill and late fees for her rental property.
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	

File Attachments for Item:

g. Discussion: New Payment Portal through Black Mountain Software



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:	Gina Crowe, Finance Director
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	03/14/2024
Agenda Topic:	Discussion: New Payment Portal through Black Mountain Software
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	03/14/2024
Notes:	