



**Stevensville Town Council Meeting
Agenda for
THURSDAY, AUGUST 12, 2021
7:00 PM**

NVPL Community Room – 208 Main Street

The Town of Stevensville live streams Town Council meetings on our website at

<http://www.townofstevensville.com/meetings>

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.](#) 5/13/2021 Meeting Minutes
 - [b.](#) 5/27/2021 Meeting Minutes
 - [c.](#) 6/10/2021 Meeting Minutes
5. Approval of Bi-Weekly Claims
 - [a.](#) Claims #16913-#16969
6. Administrative Reports
 - [a.](#) Airport
 - [b.](#) Community Development
 - [c.](#) Finance
 - [d.](#) Fire Department
 - [e.](#) Parks Department
 - [f.](#) Police Department
 - [g.](#) Public Works
7. Guests
8. Correspondence
9. Public Hearings
10. Unfinished Business
11. New Business
 - [a.](#) Discussion/Decision: to nominate and elect a Councilmember to serve Council President in accordance with Town Council Rules Part XII
 - [b.](#) Discussion/Decision: Appointment of Councilperson to serve on Planning & Zoning Board in accordance with Stevensville municipal Code §2-313
 - [c.](#) Discussion/Decision: Appointment of Councilperson to serve on TIFID/TEDD Board in accordance with Stevensville Municipal Code §2-330
 - [d.](#) Discussion/Decision: Appointment of Councilperson to serve on Park Board
 - [e.](#) Discussion/Decision: Appointment of Councilperson to serve on the Airport Board in accordance with Stevensville Municipal Code §3-33
 - [f.](#) Discussion/Decision: Appointment of Councilperson to serve on the Climate Action Ad. Board
 - [g.](#) Discussion/Decision: Declaration of Emergency Termination
 - [h.](#) Discussion/Decision: Approval of Contract for the Stevensville Airport Gate Project
 - [i.](#) Discussion/Decision: First Addendum to Attorney Contract with City Attorney Scott Owens

12. Executive Report
13. Town Council Comments
14. Board Reports
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. 5/13/2021 Meeting Minutes

Stevensville Town Council Meeting Minutes for
THURSDAY, MAY 13, 2021, 7:00 PM

1. Call to Order and Roll Call

Mayor Dewey: called the meeting to order. Councilmembers, Ludington, Shourd and Vick were all present. Councilmember Devlin has an excused absence.

2. Pledge of Allegiance

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

Bob Michalson: 222 Turner Street, looking at the website I see that the last time that the audits were put online were FY 16/17 and there is no audit online for 18/19 and 19/20. I know my copy last fall I gave to Paul before I resigned so I would appreciate that you would get that online for the public to review because we are coming up on another audit.

4. Approval of Minutes

None.

Mayor Dewey: Ms. Berthoud can you give a brief to council on the minutes.

Jenelle Berthoud: I sure can, so as you can see there are none on here tonight for you to approve the remaining ones will be on our next meeting which is on May 27th and that is due to quiet an influx of prioritizing my time between records requests and a lot of business licenses that have not be renewed at this time and do getting a hold of those business' is taking time. I will keep you posted on that.

5. Approval of Bi-Weekly Claims

a. Claims #16717-16761

Mayor Dewey: introduced the claims.

Councilmember Vick: motion to approve.

Councilmember Ludington: 2nd.

Mayor Dewey: moved by Mr. Vick and 2nd by Mr. Ludington. Council questions or discussion.

Councilmember Ludington: there were charged for Judge's conference.

Mayor Dewey: that is for her annual conference, last year it was not held this year it was.

Councilmember Ludington: must have gone to Billings?

Mayor Dewey: yes, she did.

Councilmember Ludington: the other thing was Northwest Energy bills a zero (unclear audio), is there not a light in that park?

Mayor Dewey: so, we receive two batches of bills from Northwest energy, we receive one large batch which is a good bulk of bills that you have to approve and then you see a trickle of several other bills that they don't put on the master bill so if you see a zero that means that it did not come in on time for the claims review. And that one is.

Councilmember Ludington: it is not the only one, but that is the one that I had a question on.

Mayor Dewey: and it is probably comparable to the \$2.98 charges because I think it kind of depends, but that one is just a light.

Councilmember Ludington: I just wanted to make sure that there was still a light there.

Mayor Dewey: there still is, any further council questions? Hearing none, any public comment?

Bob Michalson: 222 Turner Street, I noticed that there was a hotel stay over here. What was that about?

Mayor Dewey: that was to cover the Chief of Police candidates stay for when he came for his testing.

Bob Michalson: okay, thank you.

Mayor Dewey: any further public comment on the claims, hearing none I will call for the vote.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: is that Jaime on the ZOOM call, she has been able to join us.

6. Administrative Reports

a. Airport

Included in the packet. Any questions I can direct them to the airport manager.

b. Community Development

Included in your packet. And it covers the building code. Zoning has subsided a little, no applications have come forward, after tonight when you review the item under new business that should pretty much be done.

c. Finance

Mr. Underwood did not get a finance report into the packet. Robert fell ill before the meeting. If there are any questions about finance let me know.

d. Fire Department

Chief Motley: gave his report that was included in the packet. Training tonight.

Councilmember Ludington: excellent response yesterday.

Chief Motley: thanks.

e. Parks & Recreation

Bobby is out of town and included is report in your packet.

f. Police Department

Chief Sosa: gave his report that was included in the packet. We have had a pretty affective week, been working on policy, getting it ready to post on the website, met with the school about graduation, met with the Judge and court clerk, met with the Hamilton Police Department and also the Sheriffs Department. Tomorrow I hope to be walking and knocking on doors.

g. Public Works

In the packet this evening. He was unable to join us this evening.

7. Guests

NONE

8. Correspondence

NONE

9. Public Hearings

a. Budget Amendment for FY2019-20

Mayor Dewey: introduced public hearing item (a). there was a comment during public comment about the audits on the website. We have verified all of the audits through 17/18 are on the website under town audits, the audits that are missing are 18/19 and 19/20 the 18/19 audit has not occurred and is scheduled for June and that kind of ties into the budget amendment this evening. The purpose of the public hearing is to give the public an opportunity to provide feed back and comment on amending the FY 19/20 budget, further in your packet you will see from the finance department addressing the budget amendment in its entirety. In brief the reason for the budget amendment is, there are certain lines that we had overspent due to various whatever cases existed, those are primarily in the lighting districts in the economic development fund and the fireman's disability fund, we underestimated expenditures for example in the fireman's disability fund we under estimated what we receive in insurance funds from the state that amount of money was greater and we are required to pass the money through to the fireman's disability fund and so because we have passed that through it exceeds our expenditures when we passed it through. Economic development is another area this would have been the year that the Main Street association closed down and we took on some of the work that they do we took on some of things like the economic development website for example. Stevensville, we finished that out and started transferring that to the Town of Stevensville website so there was some cost involved in doing that and it exceeded what we had

anticipated in spending. In other areas are around FAA funding the grant money we received for taxi way rehabilitation project that were we exceeded the revenue costs. I guess on all of these was some sort of revenue costs tied back to exceeding expenditures. The last piece is authorizing transfer of funds into the ambulance fund from the general fund, this is not one that is generally tied to revenues but were we exceeded revenues we overestimated the revenue in that fund and that fund is not generating the funds that we had anticipated so we are basically cash flowing and segregating those costs out. So, we need to transfer some cash out of the general fund to reserves into the ambulance fund to make it balance to a positive figure are questions from council on the budget amendment before we open the public hearing.

PUBLIC HEARING COMMENT

Bob Michalson: 222 Turner Street, these came up in December 2019 when Mr. Gibson was the president, I think that you segregated them all out instead of voting all at once, I would hope that you would right these down too and discuss each and every one. Thank you.

Leanna Rodabaugh: 204 Ravalli Street, I am a little confused, but I don't understand how you can go back that far to correct something and where are going to get the money from. If it comes out of the general fund, I think that this totals \$213,000 what is that going to do to the general fund, anybody?

Mayor Dewey: unfortunately, Ms. Rodabaugh the public comment area is not for dialog, but I am noting your questions and will address them under the agenda item.

Leanna Rodabaugh: I am little concerned that this has gone back so far, and you are just catching it, seems like a lack of paying attention to the funds in the town and I would hope that you people would be a little concerned about his, thank you.

Mayor Dewey: any other public comment? We will go ahead and close the

10. Unfinished Business

a. Discussion/Decision: First Reading of Ordinance No. 167, re-zoning certain parcels from R1 to R2 Residential

Mayor Dewey: this is carrying over from the last meeting and Mr. Nelson is here tonight per councils request and can answer any questions you may have. This constitutes first reading. Would you like to move it right into a discussion with Mr. Nelson?

Councilmember Vick: my biggest question is what is the plan if we were to do this and construction were to take place what is your guy's plan for where the water is going to go.

Terry Nelson: I have been talking with an engineer about seeing what we can do to help alleviate the problem there is certainly a drain going right through the middle of that we would probably reroute that we would have to follow DEQ standards there is a piece of property out of the city limits just north of this a small piece that already has some cat tails on it and what not and one thing that we discussed was maybe making a bigger retention pond there for addition water that would be created from this taking it out of the field and making it into the houses and roads and what not. So, we may end up and we supplied that. all this request is, is to request the

zoning change from R-1 to R-2 we did provide a sketch of what would possibly be there that may have to be scaled back some if we have to have more retention for the storm water on there.

Councilmember Ludington: so, this compliance would circulate is that required to give you a certificate, that license or approval or something in writing that says that you have a plan.

Terry Nelson: yes, DEQ reviews it to make sure, you are not required to deal with naturally what already comes off the property but you can't allow additional drainage to come off the property so that is where we would need to figure out the proper plan and typically that is done through retention or detention based I have not seen it in Ravalli County but in the big cities they even have membranes put under parking lots and roads to handle and hold water to drain so there are ways of doing that there is plenty of time to look into to see if we can do the R-2 and then get into the engineering and see what we can fit on there and what we can do with it.

Mayor Dewey: anything further from the town council?

Councilmember Shourd: to clarify what you just said, so the release of the water just has to be at what is considered to be a historical rate for R-2.

Terry Nelson: yes, through calculations what is going out of natural ground and what is becoming pavement, what is becoming roof top, what is becoming lawn actually reduces the runoff there are calculations that go into all of that and come up with how much excess water you have and show how you are going to do that.

Councilmember Shourd: thank you.

Mayor Dewey: are there any other questions from the town council, from this juncture is the council fine with approving the first reading?

Councilmember Vick: I will make a motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Councilmember Shourd. Council discussion? Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: so, this passes so we will schedule for second reading at the next council meeting.

11. New Business

- a. Discussion/Decision: Special Event and Alcohol Use Permit for Western Heritage Day

Mayor Dewey: introduced new business item (a) looks like we have a representative here tonight.

Victoria Howell: you may recall that last year we did not have a Western Heritage Days because of COVID. Last times was hugely successful so we want to copy it exactly so, what we are proposing, and I will give you the overview but only part of it involves the council. The chuckwagon cook off will be on private property. There will not be a parade. Downtown we would like to close the street from main and 3rd to Church. Bouncy houses in the bank parking lot, the bands and the food trucks will be on the street. Where we sell the alcohol will be sold on the Stevensville Hotel lawn. But what we are asking is that you allow us to allow people to have their open container in that block and that is how we have always done it that way. It makes for a nice celebration and it is very well contained we put up barriers we hire security and that goes from about noon to 10 pm. and then on the west side of 3rd street will be do an expanded farmers market we ask that the street be closed for the entire thing, we handle our own garbage, our own toilets, our own clean up and our own insurance of course do you have any questions?

Councilmember Shourd: thank you for bringing it back.

Councilmember Ludington: congratulations to Project 59870.

Councilmember Shourd: I just had a question; they are hiring their own security? Will we still have a police presence?

Mayor Dewey: yes, we will have our regular staffing.

Councilmember Vick: I will make a motion to approve.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. any further council comments?

Councilmember Ludington: let me know what you need.

Mayor Dewey: Public comment? Hearing none, Ms. Berthoud will you please call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: thank you.

b. Discussion/Decision: New re-phasing request for Phase II & III of the Twin Creeks Subdivision

Mayor Dewey: introduced new business item (b) I expected Ron to be here the request is in your packet. They are not changing; they are just showing on the map which lots are being built first. It is a straightforward request and ties in with the final deadline adjustments that the council

previously I think roughly a year ago maybe it would have been that you allowed them to final plat stage and now they are just asking to rephase which lots they build when.

Councilmember Vick: the way that I am looking at this, this is the original plan like you said.

Mayor Dewey: yes, same plan same preliminary plat they are just changing the number of lots that they build.

Councilmember Ludington: I think that their ultimate goal is to see if they can accomplish something else.

Councilmember Vick: I did have a question, is there a notice requirement like the 500 feet?

Mayor Dewey: we could not determine that was the case, you are only rephasing now before the phasing commences there is a public hearing before the final plat is filed. The public hearing is needed and that is typically of phasing plans before the final plat is filed public hearing is held.

Councilmember Vick: I will make a motion to approve.

Councilmember Ludington: I will 2nd that.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington. Council discussion? Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

c. Discussion/Decision: Resolution No. 486, amending the FY2019-20 Budget

Mayor Dewey: introduced new business item (c). total budget amendment, the impact of this budget amendment is \$251,532.00, \$232,000.00 is to fund the airport project directly. The impact to the general fund is a \$9800.00 transfer out of the general fund into the ambulance fund. The reality is if the ambulance fund did not exist the expenses for the ambulance fund would be in the general fund. The rest of the balance that I have not highlighted already come from cash reserves fund whether that be the lighting district or the economic development fund it needs the cash reserves to sustain, whether it be revenue or they have the cash on hand to do that when it comes to timing Mr. Underwood has been working diligently to close out the fiscal year books for fiscal year 19/20 and part of that process is the annual financial report and we have worked through that entire process and have brought back a bunch of budget amendments at one time so we don't premaritally bring budget amendments before the council because there is an expense to noticing them and all of things that we have to do to put a budget amendment before you. That is why sometimes they are timed a year after the fact because it takes us that whole slue of time to get through the AFR to identify exactly which funds need to be adjusted and then adjust them. If you decline and you say this will occur in fiscal year prior, if you decline any of these amendments it will result in an audit finding. Basically, to that the auditors want the governing body to acknowledge and reflect their budget.

Councilmember Vick: I want to make a motion to segregate out the ambulance and the lighting district.

Councilmember Ludington: I will 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington to segregate the ambulance and the lighting district from the primary resolution. Am I understanding that correctly? Council discussion on separating.

Councilmember Ludington: my primary question would be why an ambulance fund exists in the first place.

Mayor Dewey: the ambulance fund exists because we are set up to bill for ambulance services and because while we don't actually collect revenue on ambulance services on a regular basis because of the potential exists the states bars system that designates how we do our accounting system because there is a potential for that revenue and it is special revenue they require us to sperate the fund out and that puts us in a pickle, so we did all of that setting it up with good intentions knowing that we had a good backup service. we were short sided in the accounting side, so we have to move cash out of the general fund to keep this ambulance fund you are not spending money you don't have you spent it out of the general fund anyways it is just that we have to go through this process over. Instead of budget amending going forward we are going to anticipate those transfers going forward so we can make the transfers every year instead of asking you every year.

Councilmember Ludington: that is what I was going to suggest.

Mayor Dewey: we just have to get ahead of that bubble, any more discussion regarding those two pieces out of the primary resolution, any public comment on the separation of the items. Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously first we can consider the rest of the amendments separate from the ambulance and lighting district pieces from the others in resolution 486.

Councilmember Ludington: I will make a motion to approve resolution 486.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Ludington and 2nd by Mr. Shourd.

Councilmember Vick: you had mentioned about the airport, so you said that fund was already off set by FAA or.

Mayor Dewey: correct it was part of a project so there is that 90/10 split with the FAA so either in the case of the 10% split with the FAA they had to match for that project and the other 90% comes from the FAA.

Councilmember Vick: so, it is not like we are short or anything.

Mayor Dewey: in the 19/20 budget we build the budget, and we did not fully grasp what was left in terms of financing the project was the project and I don't think that specific project saw an over run in its expenses. But what we put in the computer was wrong in terms of what we were going to spend. We didn't know how much they were going to get done before the end of the fiscal year we missed the mark in terms of saying that project will be complete it turns out it was more.

Councilmember Ludington: this kind of projects (unclear audio) we anticipated what the ground was like.

Councilmember Vick: I remember the discussion on the asphalt and the catawampus.

Mayor Dewey: any further discussion about 486. Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye

Mayor Dewey: alright motion passes unanimously. You will move into what we would call resolution 487 the ambulance fund.

Councilmember Vick: quick question and I am truly not trying to kick the can down the road here, before a new ordinance don't, we need to post that in the paper?

Mayor Dewey: no because the public notice said that you were amending the fiscal year 19/20 budget and you are not updating an ordinance you are updating a resolution. And this would suffice amending the budget.

Councilmember Devlin: I will make a motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Shourd to approve resolution 487 amending the ambulance fund for fiscal year 19/20. Council discussion?

Councilmember Vick: I guess the same question a year and a half ago on a similar thing I guess that, so the money has already come out of the general fund, and I guess that we have to reappropriate it.

Mayor Dewey: correct, we are just moving it from one piggy bank to the next.

Councilmember Vick: and how much is that billing system with us not making any runs.

Mayor Dewey: it only costs us if we use it, they take a percentage of whatever the bill is if we bill zero, we pay zero.

Councilmember Vick: okay.

Mayor Dewey: any further discussion from council? Public comment?

Jeff Motley: can you explain the math on this we are over ran by \$714 and another over run of \$10,288 and you are asking for \$9800 can you explain the math on that?

Mayor Dewey: I think what we are covering is the overrun previous physical year that did not get approved, we have two fiscal years of a negative number in that fund.

Jeff Motley: so, there should be another years' worth of funds to balance that out.

Mayor Dewey: that is the \$9800 covers this fiscal year that we are amending and the previous.

Councilmember Ludington: it has already been audited.

Mayor Dewey: any other public comment? Okay hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: you next have in front of you resolution 488 amending the physical year 19/20 budget for the Creekside Lighting District.

Councilmember Devlin: make a motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Shourd. Council discussion?

Councilmember Vick: after our lengthy discussion two years ago I kind of have a little bit of an understanding, when is this cost going to start going down for these residents that are living in these areas.

Mayor Dewey: it already has gone down, those perspective subdivisions the power bill dropped between 40 and 50% we reflected that in the 19/20 budget, but we went to far down, we thought that we were going to save more money than we thought about \$460 short. We had hoped that it would been closer to 50% and I think for that district it was closer to 40% of the total drop. The other thing in that district, Creekside phase 1 is on one bill and phase 2 is on another bill. When they reconciled the lights, they billed for one light that had to be moved to phase 2. Any further council discussion on 488. Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: no

Mayor Dewey: motion passes 3-1.

d. Discussion/Decision: First reading of Ordinance No. 169, Amending Building & Technical Codes

Mayor Dewey: introduced new business item (d) periodically the building code division at the state updates codes that go down into the municipalities and this time it is the energy conservation code. They gave us a time frame to put this into effect. Gas and vacuum systems. The current contractor does almost everything but that. So it needs to be repealed and the state does not want us to adopt it.

Councilmember Shourd: make a motion.

Councilmember Vick: I will 2nd.

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Vick. Council comments? Public comment? Hearing none we will go ahead and call for the vote, Ms. Berthoud

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

e. Discussion/Decision: Planning & Zoning Board 2021-2022 Work Plan

Mayor Dewey: introduced new business item (e). the planning and zoning board has talked in their meetings that there are things that they would like to work on. So, they had a meeting we worked through an exercise to identify what those problems were what the tasks are who is responsible for them and who would get them accomplished. Admittedly the plan is realistic for the time frame, it holds individuals the staff the board and whatever committees to some sort of a line that we have to work on this we can't push this off another month. It largely addresses the concerns that have been raised through the Burnt Fork Estates review process in terms of land use and what our development code, policy and master streets address. They are listed in order and so more or less the plan is in front of you for your approval, they are on track to have some monthly meetings.

Councilmember Vick: I do really like this type of format. With that I will make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. Further council comments?

Councilmember Ludington: one of the things that you will see in here is we are looking for a subcommittee preferably members of the community and the town to help in voicing their concerns to help as to what we should really have as a standard for subdivisions so we don't have to go through what we went through the last time, and we can do better in application and trying to create partnerships when putting together neighborhoods so we will be looking for members of the community to help us out and to spend some time to do so research and help us out, hash some things out.

Councilmember Vick: a suggestion to the planning board, maybe a little color code to show like you know if they are coming up to a time when a task is due, but it isn't like, doesn't look like it is going to be on time, maybe a yellow or something like that. So, we can say that task is running behind what can we do to correct that. That is really the only thing that I would suggest I am not going to tack a motion onto that.

Mayor Dewey: I am pleased that you said that that is exactly what mysidewalk will do for us. We will be able to insert initiative-based goals and prioritize under certain sections of that site and be able to track the progress towards those and they will be able to show whether we are on track to get those things done or not. Exactly that coding, the red, yellow, green theory where you say you are green but running up against deadlines it may turn yellow if you past those deadlines then it will turn red. Not only will this be a good internal tool for the planning and zoning board to utilize but it will keep the public informed on how we are doing towards that progress. Because they will be able to visualize that as well through the web site.

Councilmember Shourd: I am really excited to see this process moving forward I would prefer to see it done by July, (laughing form the council)

Mayor Dewey: this is a format that we would like to see it utilized by other boards that are wanting to and willing to for their goals moving forward you may see this type of format coming forward. Is there any other council discussion on approving the work plan?

PUBLIC COMMENT

Bob Michalson: Mayor Dewey and I are the last two soldiers standing from 2016 when this was done. I was a rookie at the time, but it was probably the busiest year that I had ever had on a council and Brandon was very active in it we had many many meetings that Brandon can attest to went to church reported back to the planning and zoning board and Joan Prather and Main Street were very involved at the time it is a big time and it has to be done by law. Can I ask a question Mr. Dewey? Is there a grant for that like there was in 2016 or will the town absorb that cost?

Mayor Dewey: if a growth policy that is not something that the planning board has gotten fully into it is identified on their work plan, and tonight they are only approving the work plan they are not going towards the growth policy the growth policy is identified as a project and part of that process will be identifying how in-depth that policy needs to be done and what that cost would look like. In 2016 we saw a huge overhaul of the policy we spent a lot of money on that

upwards of \$50,000 we are hoping that we do not have to spend that kind of money to rewrite a policy all we need to do is go in and make updates.

Bob Michalson: thank you.

Mayor Dewey: you are welcome. Any further public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

f. Discussion/Decision: Cost share for the replacement of fencing at Father Ravalli Park

Mayor Dewey: introduced new business item (f) this is part of the Father Ravalli Park renovation project a good portion of the fence on the north side needs to be replaced the property owner that neighbors us approached us about a cost share, Mr. Sonsteng worked with the neighbor to identify the total linear feet and all those places that are involved in what the benefit to the town would be there is no doubt the town has a benefit to replacing the fence, I think in fact we are largely to blame for the deterioration of the fence as it stands due to the sprinkler system. While we address that we would like to see the fence replaced and since there is an opportunity to cost share the administration is recommending that the council approve such a thing. Cost shares are a bit unusual in this sort of thing and that is why it is coming in front of the council this evening because it is not addressed in policy the total cost to the town of Stevensville would be \$2900.00 which is budget for in the renovation budget from the \$25,000 Jean Thomas beautification project that you approved.

Councilmember Vick: this is not in addition to the \$25,000.00?

Mayor Dewey: no sir it is not it is included in the \$25,000.00.

Councilmember Shourd: one of the questions that came up during park board is whether or not this should go through the bidding process.

Mayor Dewey: so, when we addressed that with Mr. Owens and discussing that from a legal standpoint like I said it is not show that it has to go through some sort of a process in our purchasing policy because we are not pre-curing the services, we are sampling receiving an invoice from our neighbor who is pre-curing and doing all of that piece. We are not facilitating that we are facilitating the actual contract with the fence company or anything like that we are simply reimbursing our neighbor for a portion of the fence. So given all of those circumstances we felt this prudent action would be to give the governing bodies blessing on the project and we should be covered.

Councilmember Shourd: I will make a motion.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Ludington. Council discussion?

Councilmember Vick: is this going to affect any of the project that we had already approved?

Mayor Dewey: no, Mr. Sonsteng had already budgeted for that when he originally proposed the \$25,000.00.

Councilmember Vick: I know that you are stating yourself twice I apologize for that I just wanted to be clear.

Mayor Dewey: thank you, any further council comments? Public comments? With that we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

g. Discussion/Decision: COVID-19 precautions at Council meetings

Mayor Dewey: introduced new business item (g). this was kind of topic of conversation at your last council meeting on how you would like to handle precautions that are in place during council meetings currently your ground rules that were previously adopted by council stated that attendees needed to wear a mask and we would do a modified social distancing to what would allow. I will just give a couple of updates; I think anything that you do tonight should be contingent on the library policies because we are using their space and we would like to be consistent with what they are asking with their facility use. So, bear that in mind as you make a decision tonight. Also, today's CDC released guidelines that say if you are vaccinated no longer need no longer have to wear masks and can continue their pre pandemic activities subject to the local things that happen in state and local laws. I guess bear that in mind as you look on how you would like to facilitate any precautions that are in place.

Councilmember Vick: I do have a question I think it was yesterday or the day before Governor Gianforte signed that bill that from my understanding that local governments can not enforce a mask mandate this is a form of one, I just want to make sure that if you continue to require masks in some way shape of form that is not going to clash with that new law.

Mayor Dewey: I will just ask the question, do you intend to continue using masks in meetings, then it is a moot point. Ask that question first.

Councilmember Shourd: it would be my preference to no longer use the masks in the meeting.

Councilmember Vick: my preference is to follow guidance from the CDC as of today.

Councilmember Ludington: that would be my preference as well I would like to see us get back to town hall to meet in there and try to regulate from there as best that we can. Also think that

meeting in the library we should first off make our request known to the library that this is what we would like to do and follow what they would recommend. I think using this space we should be respectful of the people that are operating this facility.

Councilmember Shourd: I absolutely agree. I guess my concerns of the CDC guidelines how the council would go about policing who has a vaccination and who doesn't, who needs to have a mask on and who doesn't. I think that can become a very challenging.

Mayor Dewey: I think if you are going down the road of not requiring masks subject to whatever policy the library has in place, we will continue social distancing measures in the space that we have available and that would help mitigate any risk of someone that is not vaccinated and spreading the disease with out a mask.

Councilmember Shourd: I guess to prioritize it would be to (unclear audio) lift the mask mandate.

Councilmember Devlin: a lot of things were available to all parties that wanted it and I believe that they are available to children as well. I am not really in the mood to decide who has the vaccine and who has to wear a mask and who doesn't want to wear a mask, that is a battle that we have been having for over a year I truly think that we are adults and if people want to come into a group of people vaccinated, not vaccinated, wearing a mask or not wearing a mask that is none of our business. If we are borrowing somebody else's space, I don't believe that it is our right to go one side or the other of what they are proposing.

Mayor Dewey: so, what I am hearing is prioritize the library for the time that we are using their space and their wishes, and we will no longer require masks, but maintain social distancing in the space that we have. Does the council want to proceed in that direction, or do you want to codify that with a motion?

Councilmember Vick: I am with consensus once we can come to an agreement with the library.

Mayor Dewey: Ms. Devlin are you comfortable with proceeding with that.

Councilmember Devlin: I am sorry I couldn't really hear.

Mayor Dewey: we are seeking consensus from the council that we prioritize the library's policy secondary to that we will not wear masks and you will maintain social distancing with the space that we have.

Councilmember Devlin: I think that sounds fine.

Mayor Dewey: okay, with consensus from the council we will proceed in that direction and update, when necessary, we will reagendaize it.

Victoria Howell: can I comment for the library board. it is on our agenda, and I am pretty confident that we are going to get rid of the masks as well, it will be kind of a moot point after that.

Mayor Dewey: we have noticed, Jenelle and I have to set this room up about an hour ahead of the meeting and we have noticed the chairs dwindling, we usually haul them out so you guys

wouldn't notice but the chairs that are in here when we come in are dwindling so that means that they are moving them back into the library for patrons to use so that is a good sign.

Bob Michalson: 222 Turner Street, as everything gets restricted, is there a way that we can go back to town hall than for meetings so we wouldn't have to worry about the library. And your set up and take down takes some time I think we moved over here because of the pandemic so sooner or later it has to go back there I would hope. Thank you.

Councilmember Vick: I am going to say what I said before and that is I miss my chair over there.

Mayor Dewey: we can roll your chairs over. Any further public comment? Okay then we will move on to business item (h).

h. Discussion/Decision: Contract for construction services for the 5th Street Improvements Project

Mayor Dewey: introduced new business item (h). one question that may or may not be raised is why is this contract coming forward and possibly some other contracts don't come before council, received contracts that is. These contracts went through the state law process because they are contracts that are collectively over a certain dollar amount, and they are public works relates so when you do construction services for public like services under state law generally that threshold is \$80,000 then you go through that mandated process so that is why these are in front of you this evening. If you recall you did the bid request and now the contracts are before you this evening it is our intent to proceed with a notice to proceed to the contractors on May 24th. That is when I expect to see groundwork moving and shaken.

Councilmember Vick: I will make a motion to approve the contracts are these contracts separated out?

Mayor Dewey: yes, they are two separate contracts.

Councilmember Vick: okay let me rescind my motion and make a motion to go ahead and clump those two together.

Mayor Dewey: okay, Mr. Vick is making a motion to consider the 5th Street and 3rd Street projects together.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been 2nd by Mr. Shourd. Is there discussion? Public comment? We will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: in front of you tonight is the contract for services for 5th Street and 3rd Street from two different contractors.

Councilmember Vick: make a motion.

Councilmember Shourd: I will 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. Council discussion?

Councilmember Ludington: the contracts are essentially the same I don't think we are going to have an issue proceeding forward.

Councilmember Vick: neither do I.

Mayor Dewey: any further comments on the contracts? Public comment on the contracts?

PUBLIC COMMENTS

Bob Michalson: 222 Turner Street I would like to know if public works is going to fix those big leaks that you and I and George spoke about last summer. When we are putting this all together is would be a shame to not fix those big leaks.

Mayor Dewey: any further public comment. If you read through the contract language it is part of the project to replace every water and sewer service down the street so every service will be new from where the main lies under the pavement to the edge of the pavement.

Councilmember Ludington: there is a spot that won't it is not under the pavement.

Mayor Dewey: there are a couple of spots some houses will receive a new water service, and some will receive a new sewer service so will receive both it just depends on the block where the sewer line runs on the side of the road a water line can run out or under the pavement. All just kind of depends some are on corners. They will all be new. Any further public comment or council discussion. Alright Ms. Berthoud call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

j. Discussion/Decision: Funding for repairs to the swimming pool

Mayor Dewey: introduced new business item (j). Last summer we identified that there was a pretty significant leak in the swimming pool and the season was shortened to one month we only ran the month of July because we were losing so much water. Collectively the swimming pool used 135,000 gallons in that one month and that does include filling it of course. 40-50,000 gallons of water was just lost out of the pool itself. We knew that the baby pool was an issue for us, so we closed down the pool early and immediately began evaluating it had HDR engineering

out there to analyze and figure out how the pool sat in space and what was going on. Ultimately we needed to figure out what kind of material was under the pool we determined the floor of the baby pool, the main pool is fine the main pool is just fine and it is solid and it is not moving, the baby pool however we found that the floor was sinking away from the footers that was what was causing the leakage we were losing any were between 2-3 inches an hour out of that surface area so given that there is 24 inches in that pool it did not take long to drain. So the engineers determined that the main pool was solid and it actually sits pretty level with the space around and that the floor had separated from the baby pool and it was sinking. Public works did some drilling on the floor to figure out what was under neither that. One theory was that maybe we could just pump ground under it to stabilize it to keep it from sinking any further. Another theory was the material underneath just needed to be compacted period and we just need to redo a floor with rebar. We also didn't know what the floor was made of in the first place in terms of if there was rebar in it or not, we ended up going with the option of tear it out and recompact turns out it wasn't compacted in the first place it appears that we just poured concrete over dirt. So that is the route that we went in repairing it so, the new floor was poured, it is a bit shallower than the original baby pool was we raised it a little bit to get some more material in there to level it. It is rebar so that floor is not going to sink for a while we approached this with whatever fix we did we did not want to repeat in three years and any fix that we did want to extend the life of the pool. Needs assessments and evaluations on how the pool is utilized has determined that the pool sufficiently serves the need to the community it provides an educational area for kids to learn to swim, it prevents drowning and provides that outdoor recreation opportunity in a safe environment we don't see pool numbers exceeding we rarely ever see that unless temperatures get really high, we have never met capacity and had to turn people away. So, like I said the facility all together is upwards of 70 years old it serves its purpose to the community, and we think we can get another 10 years out of the facility knowing that the main pool is solid and the repair to the baby pool would extend the use. So, in comes the funding piece of this the reason that this is before you tonight is to give you an update and allow you to say specifically how these repairs will be funded. We designated a fund of \$10,000 to repair the pool in the last budget starting on July 1st that automatically takes care of the \$10,000 it is going to cost us roughly \$17,500 that is the estimate for all in done and that includes recoating the pool that is the total fix.

Councilmember Ludington: the whole thing \$17,500.

Mayor Dewey: yes, all in \$17,500 we will be all done with the swimming pool I will tell you that all of the things that I have been involved in with the town of Stevensville hundreds and hundreds of thousands of dollars for what ever reason this little project has been the most complex the most elaborate moving parts. So let me just address what we have where the funding lies and then you can ask your questions and further discuss. The funding for \$10,000 exists within capital improvement budget so there is also room in the parks and recreation budget in general fund because of the pandemic and how everything laid out that budget looks, you will actually see an underspending in that area. In addition to that Mr. Sonsteng has reached out to the community foundation that did have some money set a side in 2010 not all the funding was spent at that time for the rehab project I think six or seven thousand is left in that fund with the community foundation so Mr. Sonsteng is checking with them on that funding and

right now all indication point to yes that the funding could go towards this cause, so we are pretty well got the project paid for through all of those funding sources so I am not necessarily here to tell you or ask you to increase the budget in any necessary line more or less here to brief you on the rapid progression on this project and I will say rapid because we did not have a path to go down to say go and we knew that we were up against an opening date and we did not want to see the date pushed out and that school is out early we cant really start the pool any earlier than June 1st right now because of staffing and other circumstances and in part because of this project June 7th is that opening date. We did not have time to really sit on our hands but just had to say we have to take this action to get the pool open. There you have it in a nutshell.

Councilmember Vick: I was just going to ask isn't this a lot of work for a whole in the ground.

Mayor Dewey: it is a lot of work and throughout the entire project to a point that I may have driven people crazy, Bobby and I repeated ourselves multiple times, "we will not be back here in a year and a half, correct" there is some rhetoric out there that this pool is a lost cause this is a lot of money to spend all of sudden. This pool provides a vital service to the community for swim lessons, we fixed the problem permanently we could see where it had been attempted to be fixed but it was not a permanent fix. This is a fix we should never have to put more than \$10,000 into repairing the concrete structure of the pool for the rest of its useful life.

Councilmember Vick: and you are anticipating that the rest of the useful life of the pool is ten years? Is that what I heard correctly.

Mayor Dewey: we are hoping for that, we are saying looking long term and how the community is growing we could get ten years out of this pool we would be sitting pretty and that buy the governing body some time and that they can strategize that possible replacement. Now that replacement may not happen in ten years but maybe in ten years you will have a plan for it.

Councilmember Vick: how much of this \$17,500 is unaccounted for that we don't know yet where we are getting our funding source from?

Mayor Dewey: if the foundation comes through then the only funding that is not lined itemed for this project is about \$1500.00 but that room is available within Bobby's budget in other areas that he didn't spend. So, the spending authority is there throughout the budget with the exception of the grant where we are going to have to obviously fix the accounting for that but outside of that the spending authority is there today if we needed to. it is not an area where we are going over budget in terms of the over all budget it is an area that the project itself is over running its budget. If you recall I think our original projections, we were thinking that the pool could cost up to \$20,000 to fix and then the engineers backed down and said "well if we can do a few of these things we might be sitting okay" so we thought \$10,000 was a more appropriate budget to do we were wrong.

Councilmember Vick: I guess my last questions would be, so the work has already been completed, correct?

Mayor Dewey: with the exception of the coating. Yes, the concrete and the slab is in there and curing currently. Like I said I am not necessarily here to ask you for permission on the project but more or less an update on the where we sit on it and that there is some gravity to the

situation, and you can provide some feedback on what you would like to see it progress but if there is nothing and I am okay.

Councilmember Vick: I do know of a couple of different organizations so I can get with you and Bobby about that.

Mayor Dewey: sure, okay. Is there anything further from the council? Okay then we will move on.

k. Discussion/Decision: Cancellation or rescheduling of June 24, 2021, Town Council Meeting due to Councilmember planned absences

Mayor Dewey: introduced new business item (k). I was notified by two and three councilmembers that they would be out town and not able to attend that meeting due to other scheduling conflicts. You would not be able to hold a meeting so the question that I have for you is do you want to cancel the meeting altogether and pay claims out of cycle or do you want to schedule that for an alternative date that week.

Councilmember Shourd: is there any expectations of any major issues coming up that we should address?

Mayor Dewey: no, part of the reason we brought this up over a month in advance is that we want, if you were going to cancel the meeting then Jenelle and I would formulate your agendas accordingly this agenda was obviously a heavy agenda then your next agenda wont be as heavy and I am making some travel arrangements as well so your June 10th will probably be another moving and shaking meeting and then if you reschedule and go forward and just cancel we will agendaize accordingly. You cancel the meeting, and something comes up that is urgent there is nothing that says I can't call a special meeting in 48 hours that opportunity exists. It is council's preference if you want a gap between meetings.

Councilmember Devlin: I am not in a position to rescheduling.

Councilmember Shourd: make a motion to cancel the June 24th meeting.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Ludington to cancel the June 24th meeting. Mr. Shourd has moved to let the claims be paid out of cycle and Mr. Ludington 2nd. Comments on the amendment? Public comment on the amendment?

PUBLIC COMMENT

Bob Michalson: I know that this is out of order, but you did not vote on that last swimming pool.

Mayor Dewey: there was no vote required. Just because it says decision doesn't mean that one will happen. Back to the matter at hand. Is there a public comment on the motion to pay claims out of cycle?

Leanna Rodabaugh: this is back to item (j)

Mayor Dewey: if this is not to do with the.

Leanna Rodabaugh: don't shut me up.

Mayor Dewey: Ms. Rodabaugh we are going to keep control of the meeting we are asking specifically for public comment

Leanna Rodabaugh: you are very nervous about item (j) I know. You paid for this work

Mayor Dewey: Ms. Rodabaugh please take your seat, or we will adjourn the meeting, Ms. Rodabaugh please take your seat if you are not going to speak to the item at hand you are not allowed to. Ms. Rodabaugh, I have asked you to sit down and if you are not going to speak to the item that the council is considering, we will adjourn for a recess for 10 minutes.

BREAK

Mayor Dewey: the council is considering an amendment to cancel the June 24th council meeting the amendment on the floor was to allow administration to pay claims out of cycle due to the cancelation of that meeting. Is there any public comment on the amendment?

Councilmember Vick: I do have a quick question we will still see those claims at another meeting?

Mayor Dewey: yes, they will be brought to you at the next meeting.

Councilmember Ludington: I guess my only concern is the last meeting of the fiscal year and there may be some stuff that carries over that might have...

Mayor Dewey: we will pay everything that we can and get that done and that will show up on your July set of claims it is not atypical, with that lets call for the vote on the amendment on the motion, Ms. Berthoud

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion on the floor amended is to cancel the June 24th council meeting and pay claims out of cycle. Public comment on canceling the meeting, any last words from the council? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: alright the motion passes.

12. Executive Report

Mayor Dewey: you have been briefed by the department heads on department matters. One thing that I will brief you on is that we have had two meetings internally with department heads on Thursday mornings provided updates and all those things to improve the internal communication inside the organization with in the departments out of our work shop on a fifth Friday we were not aware that some departments are not as informed as others due to a volunteer status in order to adjust that we thought it would be better to try a weekly meeting and see if that improves communication and I can venture to say that after two meetings it has been successful and I think that people feel more informed and that they have a better idea of their department and others, success there. I don't have any other items to bring to your attention in the executive report I will address what just happened and I think that it needs to be addressed and some may not agree with me I have been extremely patient with Ms. Rodabaugh I have allowed her to go to great lengths to disrupt our meetings with the disrespect that she shows me and all of you and members of our council I will speak candidly. She stirs around with her plots to destroy my credibility and perhaps maybe even my career with an emphasis on me she attacks myself and my family the staff anyone that might have a sense to see the good work that we are trying to accomplish for our community and the benefit to the community and what this organization achieves for a better quality of life. While she has done all of that I have had an opportunity to observe these meetings throughout the community and have come to the realization that this isn't about accountability for her I think you all know this I welcome accountability I see absolutely nothing wrong with being held accountable but that is not what she is about that is not what is being achieved. I remember early on Ms. Rodabaugh came to into my office she wanted to bring me advice and at that time even offered to care for Carter because I brought Carter to work with me. And based on the experience that I have had with Ms. Rodabaugh to date it scares the hell out of me that she would be around my children any of them. She has shown an obsession with how I conduct myself in all respects of my life career and personal. It is unnerving to the point that my home becomes a fortress at night in fear of that she might try to harm someone, I am not afraid of a little lady that is not what I fear I have only observed a person who doesn't have limits to damage. I volunteered, and some of you know this I have been right alongside you; I have volunteered dozens of hours in this community and the only reason is to make it a better place and I have done is so humbly and that is the principal that I was raised to do so in this community I think that is all of us. I contribute to Stevensville in positive ways through civic organizations through projects even here at this table in our town government. I guess the point is Ms. Rodabaugh is causing some pain to this community that I don't want to stand for any longer a person doesn't participate like that any other way but to attack and dismantle the good that so many of us are working day in and day out to accomplish if you wish to be the town crier than contribute to a seat at the table to make change. Hiding behind a computer screen and keyboard, spouting lies at the podium with accusations that are untrue for our community it only makes hate and conflict. We don't do that in Stevensville we don't hate, and we don't do conflict and there is a long history of that, and we have allowed it to go on and I just wish that it would stop. If we are after a goal and let's talk about what that goal is and how to achieve rather than going and trying to tear people

down and lack progress for our community, I get so tired of people twice my age that have live here half as long as me telling me that I am ruining this town and I don't see that, it is just so few and those people themselves wont contribute in any other way we are not expecting everyone to join the civic club and help build a splash pad I don't see any one helping instead of complaining about how much the pool costs us money step back and say thank god we could do that thank god we were prepared to do that and fix the pool instead of just shutting it down and the community cry out to the council that they took a vital service away from their kids. I will just leave you with those remarks, the bottom line is I am not dealing with that anymore we are not dealing with that if that is how it is going to be I am not interested in participating I can find better things to do with my time, I think that everybody could so forgive me if it appears that I loose my temper in meetings moving forward I wont allow it any further, I have reached the end of the rope.

13. Town Council Comments

Councilmember Vick: I am going to start off with an email that we all received about a comment that I made, well Mr. Mayor this is one of the few times that I agree with you, in fact of the matter is that I was attempting to make a light hearted comment sitting at this table can be dull and what not it is not always exciting and everything I do love it and don't get me wrong there I was just trying to break the monotony and for anyone in the public that thought that I was trying to bring a personal bias into this meeting I apologize that was not my intent. Fact of the matter is there are somethings that the mayor and I agree on and there are somethings we disagree on but when it comes to my decision making in this seat, I don't allow my personal bias to come here. I just personally do what I believe is in the best interest of this town. I am wanting to seek some advice from the mayor and the rest of the council about my board appointment, I guess my work schedule I am unable to make those board meetings and this is not fair to the airport and this is something that I have discussed with the airport board the other night they were not interested in moving the meeting date and so I am looking to see if anyone had meetings that occurred on a different night and if they would like to swap boards with me if we came to an agreement on that. That is all that I got.

Mayor Dewey: I made a note about you switching boards and I will fire off an email to the council to see if there is interest in a trade or take on and we can agendaize it on the next meeting for you guys to consider an arrangement on how ever that looks. I will outline meeting dates.

Councilmember Shourd: a question regarding up-and-coming Planning & Zoning meetings will they be in person, or will they continue to be on ZOOM?

Mayor Dewey: my sense is and Paul may be able to speak to this, my sense is that the board is inclined to use ZOOM meetings out of convenience.

Councilmember Ludington: I think a lot of the, I think part of the issue is most of these meetings are long and they are going to continue to be long probably for the next 12-14 months until we can get some this stuff updated and kind of on a fast track, so when you start the meeting at 6:30 for people who don't work in town it makes it hard for them to get where they need to be on time it works okay for me I don't mind being at home I guess if we start to hear, that is really

why I was pushing for the subcommittee in a separate forum so we can come together and try to solve some of these issues, so we can meet independently and don't have to contend with (unclear audio) that continues to go on. So, I think that is what we will do, and I think there will be a time that we will have to meet to try to come with some recommendations for the council until than a lot of the ground work is going to be happening independently of each other.

Mayor Dewey: we will maintain virtual participation protocols for any virtual meeting that occurs in the organization, any boards that continue to we will continue that virtual participation piece. Any further council comments, Jaime, I can't see you.

Councilmember Devlin: I am debating on whether I want to have a council comment or not, I think that I will wait.

Councilmember Ludington: I will say that will be gone in June for a couple of different incidents out of state so I will be able to attend on the 10th and would have been on the 24th but I will be out of the state for a couple of different times.

14. Board Reports

Councilmember Vick: I do think that it is funny that I just said I wasn't able to make those meetings but this week I was able to make the airport board meeting, the biggest thing that the board voted on and has passed on to the county commissioners is the county gravel pit is almost at the end of its life there is only about 2 years of gravel left in that pit they are looking to see if we can allow them to break for gravel on the north side even after the extension when the project is finished we will still be in a safe distance and all of that. Once the county commissioners take care of their thing we will see it come back to us for approval that was my recommendation to the board the good thing out of this it is looking, what they are seeing right now based on current technology it is about 30-50 years of gravel there at an estimated one million dollars for the project that would not be our cost it would be what the airport receives so, they are estimating per year \$20,000. Just depends on how much they break out of there. The climate advisory board is still plugging along still looking for members anyone that wants to join in.

15. Adjournment

APPROVED:

ATTEST:

Brandon E. Dewey, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

b. 5/27/2021 Meeting Minutes

Stevensville Town Council Meeting Minutes

for THURSDAY, MAY 27, 2021, 7:00 PM

1. Call to Order and Roll Call

Mayor Dewey called the meeting to order (via ZOOM) councilmembers Devlin, Ludington, Shourd and Vick 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. April 8, 2021, Meeting Minutes

Mayor Dewey: introduced the meeting minutes.

Councilmember Devlin: I will make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Shourd.

Council discussion?

Councilmember Vick: page 12, I did not say rescind but I will go back and listen to what word I said.

Mayor Dewey: any further discussion from council assuming that there is no public comment we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye.

Mayor Dewey: thank you.

5. Approval of Bi-Weekly Claims

a. Claims #16763 -#16782

Mayor Dewey: introduced claims.

Councilmember Vick: I will make a motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd.

Discussion from council?

Councilmember Ludington: Street SCL exam #16763. It was a Visa.

Mayor Dewey: I think that it was a CDL for the streets department.

Councilmember Vick: #16781 taser lease. I don't know, are we paying yearly on those tasers?

Mayor Dewey: correct we pay an annual lease for those tasers.

Councilmember Vick: so, I guess if we don't pay it, they don't function?

Mayor Dewey: correct they would repose them. Any other questions from council on the claims? No public comment Jenelle?

Jenelle Berthoud: correct.

Mayor Dewey: we will go forward with calling for the vote, Ms. Berthoud.

Councilmember Devlin: aye

Councilmember Ludington: aye.

Councilmember Shourd: aye

Councilmember Vick: aye.

Mayor Dewey: okay.

6. Administrative Reports

NONE

7. Guests

NONE

8. Correspondence

NONE

9. Public Hearings

NONE

10. Unfinished Business

a. Discussion/Decision: Second Reading of Ordinance No. 167, re-zoning certain parcels from R1 to R2 Residential

Mayor Dewey: introduced unfinished business item (a) between Pine Street and North Ave.

Councilmember Vick: I will make a motion.

Councilmember Ludington: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington.

Council discussion?

Councilmember Vick: question, on the certificate of survey we are pretty much right on the line are there currently residents on those lots?

Mayor Dewey: are you talking about lots 16, 15

Councilmember Vick: no, the area that is within the perimeter.

Mayor Dewey: no there is nothing built inside the perimeter at all.

Councilmember Ludington: inside that purple line there is nothing those are legally created lots.

Mayor Dewey: any other questions or comments from the council on 167 2nd reading. Public comment Jenelle?

Jenelle Berthoud: there is none.

Mayor Dewey: okay we will go ahead and call for the vote.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: the motion passes unanimously that ordinance will take effect 30 days from Monday June 7th.

b. Discussion/Decision: Second reading of Ordinance No. 169, Amending Building & Technical Codes

Mayor Dewey: introduced unfinished business item (b).

Councilmember Vick: I will make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. Is there any council discussion? Barring any public comment Ms. Berthoud, you can call for the vote.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: take effect in 30 days starting June 7th.

11. New Business

a. Discussion/Decision: Special Event and Alcohol Use Permit for Lutzenhiser Fundraiser c/o Stevensville Civic Club

Mayor Dewey: introduced new business item (a) Jenelle you are probably more or less versed in this application would you please introduce to the council.

Jenelle Berthoud: special event permit for Lutzenhiser Fundraiser, the alcohol and liability insurance is through the civic club. Any questions I can answer most of them.

Councilmember Shourd: I will make a motion.

Councilmember Vick: 2nd.

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Vick.
Further council discussion? Hearing no public comment, we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: motion passes

b. Discussion/Decision: Contract with NewFields Companies, LLC for water rights hydrology

Mayor Dewey: introduced new business item (b). there was a three prong approach to resolving our water rights our legal council for water rights Ross Miller and then we needed a hydrology firm to come in to help with that project as well so this is that third piece that we need for that project so that it can finally come together in terms of pulling a permit with DNRC this contract was advertised through an RFQ process Newfields was the only firm to submit for the RFQ coincidentally they work with HDR our engineers on other water rights work in other communities so they already have a relationship established so that is advantages for our organization so, with that we have brought the contract forward for signature or excuse me for approval from the council from there we will put together a scope of services and nail down an exact dollar amount that will be incorporated into the FY 21 budget.

Councilmember Vick: before we go into a motion Mayor, I do have a couple of questions for you, how much does this cost?

Mayor Dewey: as I stated the scope of work will determine the costs. We need a contract with the firm so we can put a scope of work into place given the level that this project involves and then that scope of work will

determine, if we get that scope of work back and we give input into that scope of work and the costs don't look as they should for us whatever that looks like we are going to negotiate that scope of work and determine that, similar to a task order.

Councilmember Vick: okay, I guess the second question that I have is, this looks like a general contract that they sent like it doesn't have a date or have us listed as a client is that normal practice for that organization?

Mayor Dewey: so, upon your approval we will fill in the effective date because that effective date will be upon signature and then we will edit in our name into that document.

Councilmember Vick: I will make a motion.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington. Any further council discussion?

Councilmember Ludington: I noticed that the effective date is 365 days I would hope for some sort of conclusion and report before that year expires.

Mayor Dewey: yes, that is our hope as well. I think once this piece gets plugged into the project, I think we are going to see some pretty rapid movement in terms of the water right mind you as quickly as water rights can move that is all relative because water rights do not move fast. I think we are going to see some significant progress on that project. Anything further from the council assuming that there is no public comment, Ms. Berthoud you can call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: okay.

c. Discussion/Decision: Appointment of a Councilmember to serve on the Airport Board

Mayor Dewey: introduced new business item (c).

Councilmember Vick: I am willing to swap with somebody if there is a board somebody would like to exchange with.

Councilmember Devlin: I sent you an email to that, that said I will switch boards since this was brought up in our last meeting I have gone through my schedule, and I do not like to say no, and I tend to take on more with our community than I probably should I am not in a position that I can take something else on at this time. I was hoping that I would, I have a couple of other things fall into my lap and if I take on something else something is going to get dropped. So, I can't make that commitment right now.

Councilmember Vick: anyone else interested, if not I will find a way to make it work. I guess we can move onto the next item.

d. Discussion/Decision: Install "Dead End" sign on Central Ave.

Mayor Dewey: introduced new business item(d) Mr. Shourd I will let you take this one.

Councilmember Shourd: several of the individuals that live on Central are concerned that because it is at the end of a cul-de-sac and more of a straight shot that they would like to see a dead end sign installed at the corner of Central and Charlos I guess it would be facing east as you were entering the last section of Central Ave where it is not.

Councilmember Devlin: I will make a motion.

Councilmember Vick: 2nd

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Vick. Further council discussion?

Councilmember Ludington: I am assuming that you are talking about the northwest corner of that intersection, there is a boulevard there no sidewalk there?

Councilmember Shourd: correct.

Mayor Dewey: anything further from council?

Councilmember Vick: adding this to the list of other signs that still have yet to be put up that we have approved?

Mayor Dewey: yes, any further comments from the council? Public comment? Ms. Berthoud call for the vote.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: okay.

e. Discussion/Decision: Street name change request for Cowhide Lane

Mayor Dewey: introduced new business item e. Cowhide Lane is located in the Twin Creeks subdivision. Mr. Reeves has petitioned that Cowhide Lane be renamed his first is Silverstone Lane. If the council is inclined to rename Cowhide Lane than I would seek a motion from you that you approve the name change request from Cowhide Lane to the name that you prefer.

Councilmember Shourd: make a motion to change the street name from Cowhide Lane to Silverstone Lane.

Councilmember Ludington: 2nd

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Ludington. Further council discussion?

Councilmember Ludington: also, a dead end, correct?

Mayor Dewey: yes, it is a dead end and I don't think that he has any plans at this time to extend that.

Councilmember Vick: no other streets off of this?

Mayor Dewey: no there is not.

Councilmember Ludington: and Mr. Reeves is paying the processing fee.

Mayor Dewey: to the county, yes. The county requires a processing fee so they can change the name in there GIS system so that 911 and the other records are updated. We don't have a fee for it.

Councilmember Ludington: and the applicant pays for that correct?

Mayor Dewey: correct we do not pay for that.

Councilmember Vick: I know that this is not something Jenelle or anyone else in the office sees on a daily basis, but do we not have our own type of application for this?

Mayor Dewey: no, we don't, this is the first one that I have seen in 5-8 years the only other time that the council changed street names was when the credit union took over the subdivision in the first place, they changed all of the street names from the previous subdivided but that was the only time I remember significant street name changes in the town.

Councilmember Ludington: pretty sure that there is probably a story to go with why there are no street name changes.

Mayor Dewey: we know how change is, with that if there is no further comment from the council, I will have Ms. Berthoud call for the vote.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: okay.

f. Discussion/Decision: Recreation Program Facilitator Job Description & Wage

Mayor Dewey:

Bobby Sonsteng: introduced the job description to the council new business item (f). description is in your packet. Mr. Sonsteng is here tonight to introduce.

Bobby Sonsteng: this position would be programming, coaching currently with our parks program I am stretched pretty thin, so to give up 25-30 hours a week is hard. We are looking to hire a full-time person this summer at 13-15 dollars per hour and there is hopes for afterschool programing so this is something that we would like to get going this summer after a year of COVID we know how much kids need to get out and socialize and get back together. This is a position that I would help make curriculums for camps and events and this person would be responsible for coordinating those when they are not, they can assist with parks maintenance and special events.

Councilmember Vick: how many hours are we looking at?

Bobby: full time, at least 25 hours of programming time spent during the weeks of the summer and then it will be a full-time position coordinating curriculums, setting up taking down.

Mayor Dewey: the administrations intent that this position or positions if more than one is required on the level of programming that parks department can offer that the wages would be covered by fees from the programming, that is some what unclear still because we are not doing that yet so we don't know what actual revenue looks like we can make projections but that is all that they are, so given that this is a unique circumstance and that we are trying to set programming up and offer services to the community the tail end of that we are at the end of a pandemic our plan is to use American Rescue Plan funding that the town will receive to help off set any costs that are not covered by fees. That is a use of that funding and ties in with exactly what treasury wants us to do with programming especially with child programming we are not getting into the child care business necessarily with these positions and with this programming but we are trying to facilitate an education need in the community especially with social aspects with the youth being engaged so that is kind of the financial outlay basically is a program is not being offered then the position wont work if there are programs being offered and the positions are necessary in order to facilitate those programs Mr. Sonsteng in the midst of everything else he does in the parks department making

sure that the aquatics runs sufficiently making sure maintenance is being taken care of and overseeing his own budget he does not have time to oversee three age groups of camps 5 days a week that is not feasible for his positions alone so he needs some help and that is why you generally charge tuition of some kind even if it is just a day camp you usually charge a registration to offset the costs involved in doing those camps.

Councilmember Vick: final question on this are we looking at this as being a seasonal position or are we going to go out through the entire year?

Bobby Sonsteng: we are looking to hire a full-time position right now with hopes that programming does well and eventually run this into a full time year around position that runs after school programming all through the year including summer programming initially we are looking to get the program off the ground with a seasonal position this summer.

Councilmember Shourd: I guess my concern is, this is a full-time position with benefits.

Bobby Sonsteng: if they are seasonal there are no benefits.

Councilmember Shourd: I guess my concern is taking on a new position right before we go into our budget, and it would be my preference that we table this discussion until after our budget is finalized.

Councilmember Devlin: the ability to do an internship program, maybe a college student that is required to so many some depending on what their degree is. You might be able to put that together by partnering with Bitterroot College or University of Montana and get somebody for free if not very, very low cost.

Bobby Sonsteng: that is not something that I have fully explored I do have some decent connections with outreach stuff at the University but that is not something that I have looked into detail yet.

Councilmember Vick: and the only other thing that I have to say about that and having an internship would be that we still have to have a position we would still have to approve the position.

Councilmember Ludington: this does not have a financial aspect to it yet. I guess I am looking at it at this point as a job description something that we might be looking at doing. Are you going to primarily do this at Lewis and Clark Park?

Bobby Sonsteng: the initial thought, I have lots of idea for programming options some are at Lewis and Clark Park like last year I did nature walks and stuff at the refuge and River Park, maybe an outdoor adventure day where you go and do St. Mary's lots of different options. The basis would be at Lewis and Clark Park for sporting type camps and things of that nature. I think that it has the ability to be elsewhere.

Mayor Dewey: so, let me just clarify a few points. Mr. Sonsteng current budget can handle a position at least one position through the rest of this fiscal year until a new budget is adopted. One of the reasons that we are bringing this now rather than into the new budget because I don't anticipate you adopting a budget on or before July 1st and I see that you will adopt a budget closer to August 1st. when you do that, we kind of get into a stall on July 1st where we don't really make a lot of movement on anything until the budget is adopted which means that we would lose the summer of programming if we don't go ahead and move forward now. My intent of bring forward this position the job description and wage was to say we have the spending authority in the budget to hire the position, but the positions job description and salary doesn't exists in our policy and we need you to establish that or to utilize the funding that already exists in Mr. Sonsteng' s budget to implement the programming so we put the money in place last year anticipating that we would offer some programming this summer but what we did not do was put the position before you with a job description and an actual wage. So, that is what has brought us to this crossroads outside of the regular budget discussion that is what brought us here today with the hope that we could get some sort of preliminary programming underway sooner than later to at least start offering some programming into late June, July and August instead of trying to shove it all into the summer. Like I said before it is funding dependent we get to the end of the summer and curriculum and camps and programming are not satisfactory sustaining the positions and the program to the councils needs

and what you expect of it then the position is a reduction in force, it is our intent to hire it as such so just like we do with our lifeguards when the pool season ends they know that they are out of a job we would have the same discussion with the person in this position when programming slows down and we don't have a sufficient list of folks participating then we move on. I like the idea of utilizing internships in the parks department specifically I think that could be very advantages for Mr. Sonsteng's programs however I don't think that he needs somebody consistent through out at least the season and hopefully that person would be willing to come on every season if it doesn't turn out to be full time. But some consistency that Bobby can rely on and maintain a repour with limit the turnover and the on boarding that he might have to experience every time we had a new internship come through. That is not to say that an internship should not be available to help us actual facilitate hands on programming when the day comes to put boots on the ground, those are my thoughts.

Councilmember Vick: I will make a motion to approve.

Councilmember Devlin: I am feeling like right before our budget last year or during our budget meetings we already had discussed all of this you had brought forth a lot of ideas that you were going to springboard through out the summer and some winter activities and I thought that we had already, I know that we already did fund this position, but I thought we had already approved this.

Councilmember Vick: we did approve the funding, but we didn't approve the actual job.

Mayor Dewey: there was a position that you did approve Ms. Devlin and that was the sanitization position and when we went through and that was park attendant and there is an error at the bottom of this job description and we wanted to be more focused on the youth programming in the job description the park attendant job description does cover some programming facilitation but it does not, it is not at the level of what we wanted for youth programming our park attendant did not specifically require a background check which is something that we would want from somebody that is supervising children and so that is why we are bringing

this back to you folks, the park attendants position didn't really meet the needs of the program.

Councilmember Devlin: thank you for that clarification I just remembered having this conversation.

Councilmember Ludington: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington. Further discussion from council?

Councilmember Shourd: my concerns would be we are moving into a budget process and creating a position where we are going to allocate funding to fund this position but we have yet to figure out a solution into funding our police department to where we said we would put them at six officers maybe I need a little education in the budget process but we have yet to fulfill that and that is my concern to fulfill that first, that is just my opinion.

Councilmember Devlin: that is what I am trying to get clarification on that we already approved this in the budget.

Mayor Dewey: so, if you were to take the funding in FY 21 budget and transfer that into FY 22 which is the budget that you are going to start working on then nothing would change, and the position would still remain. It would not that bottom line budget for the general fund would not include a 5th FTE for the police department. That position whether that 5th FTE is incorporated into the next budget, that will be up for conversation, I mean this funding is established, if the councils inclination was to say we are going to fund this position tonight and instead we are going to reallocate the funding that was available for that and move it over to the police department okay that is your prerogative, but I will caution you the funding we did set in Mr. Sonsteng budget for this position was based on review from programs. So, Mr. Sonsteng has a revenue line in his budget that he is expected to meet in order to fund this position. So, it is tied to a revenue source so to say that we are going to cut a parks position and add a police officer position it isn't that easy because we aren't charging people for

police services, but we are charging for park services. Does that help clarify that a little bit for you?

Councilmember Shourd: it does.

Mayor Dewey: I don't expect, I will tell you we were very ambitious when we put together the FY 21 budget where I think Mr. Sonsteng has a very high wages appropriation in his parks budget a very high revenue line in his budget and we know that he is not going to meet that revenue so we are very cautious when we use those wages and we are making sure that those two pieces are relevant at all times. As I stated earlier our fall back we are hoping it is not the case all though it is the intent of the funding our fall back is to say the American Rescue funding would back fill those positions if need be because that was there intended purpose, one was to provide this type of programing to the community and two to offset any revenue losses so if the council decided or you were going to provide scholarships that would be another opportunity for that funding and you are going to get into conversations about American Rescue funding very soon because the check is coming next month. And I will address that in my executive report.

Councilmember Shourd: the American Rescue Plan, that funding I guess I don't want to talk down about the program, my expectation in participation is that we are not going to generate the revenue to cover the position and so we are going to use that fall back to cover that the difference, when that money could be used in other places.

Mayor Dewey: it depends on what other places you have in mind.

Councilmember Shourd: that is why I wanting to wait and go through the budget process and to hear what department heads need.

Mayor Dewey: sure, I guess if that is council's direction and understand that the program wont happen, we could investigate after school programing if that is a direction we want to move into but summer programming will probably not happen this year because of the gap in the budget process if we don't get a budget adopted July 1st and it is August 1st Mr. Sonsteng cant get a person hired and programming scheduled for one month of

programming, we will just push it off to fiscal year 22 and if that is your direction to do we will implement that.

Councilmember Shourd: Bobby we discussed in the park board meeting that you already have activities planned throughout the summer. Do you feel you are not going to be able to facilitate the current ones that you have planned, I look at it like this summer we are getting off the ground we will have a good understanding of how much revenue and participation you are going to have.

Bobby: kind of my thought is if it is on my shoulders, and I can't get the park attendant that is already an approved position me personally could facilitate one a week at the most with everything else going on. I mean if that is what council wants to do and go that way and see what kind of participation we get that would be the maximum availability that I have would be one camp a week at most, but if it is a park attendant I am just really stretched thin the pool is getting ready to go and maintenance to the parks is ramping up and with all that I will be stretched very thin to implement a bunch of programming I think that it is possible to do a few day camps here and there, but it won't be anywhere near the magnitude of what this position is talking about.

Councilmember Shourd: what was the participation last year?

Bobby: it was COVID, and kids had to wear masks, so a lot of people we didn't get because of that. I did have one nature walk with 12 participants I had another with only 3 it was crummy weather I had 7 signed up and only 3 showed on those maybe the average was about 10.

Councilmember Ludington: clarification Mr. Vick we need a motion to approve the job description I just want to make sure if you are talking about someone to fill that position or approving the job description.

Councilmember Vick: we are just talking about approving the job description right now we can get to hiring when someone applies.

Mayor Dewey: to be clear you are approving a job descriptions are we are hoping you will set a wage for that job description. Once you, once the spending authority is set in your budget and once the job description exists

the hire does not come back to the town council, the executive branch says we have the money we have the policy we blend them together and we move on. And we implement the program if you are expecting that a candidate would come back, or some sort of a hiring process would come back before council that was not our intent

Councilmember Devlin: we already approved the funding.

Mayor Dewey: the funding is already approved through the end of this fiscal year, you are going to address July 1 forward, but knowing that the position is established helps us move into that budgeting process. And I mean candidly when you get into some budget talks if Mr. Sonsteng has some opportunity to get some programming under way by the time you are at a point in finalizing your budget you should have some idea of how programming is being utilized or not utilized I think that there is an advantage now in doing it and going forward with the risk that the position may not be covered by fees, because you have the fall back of the American Rescue Plan and you are not counting on reserves to do that. The more guidance that comes out on the American Rescue Plan as it is geared towards these childcare programs and many other things in response to the pandemic the scope isn't as broad as we were initially led to believe of that funding when it comes in, we are not going down the road of beautification projects and that sort of things and a lot of other areas that funding could go. There are some functional areas that funding could go but there is a lot of it to go around in our organization so, I think that you have a good stop gap in place to say "okay if this programming doesn't go through and this is a flop, and we don't see the attendance in the programming funds that we thought we would see than you have something to subsidize that versus pulling it straight out of reserves and calling it a loss.

Councilmember Ludington: we are looking at 12 weeks of summer and total expense of less than \$10,000. I don't see you being able to create that kind of revenue in that time period that is quiet a bit of money for 12 weeks. And that is starting June 1 and ending August 30 that is 12 weeks of now we are going to be using some designated funds to get started with it I think that it is worth exploring if this is something that we want to try and

present to the community, like Bobby said there is nothing out there now and if you talk to groups of people that is something that they want.

Councilmember Vick: there is definitely a demand for it but we just don't have a supply.

Councilmember Ludington: I understand what Patrick is saying that we are trying to figure out what we are going to do with our budget and what kind of demands we have there. I would like to see it get started but I would also like to see you raise 75-80% of the cost in fees. So, and that is going to be a job.

Councilmember Devlin: you are looking to have to make almost \$21.00 an hour.

Mayor Dewey: how much did you say Jaime?

Councilmember Devlin: \$21.00 an hour.

Mayor Dewey: based on what wage?

Councilmember Devlin: \$15.00. at full time to cover three months. Just to give you an idea it comes out to \$21.00 an hour.

Mayor Dewey: so, if Mr. Sonsteng helped programming to help to just cover that cost and he did, hang on, I mean I guess the bottom line of this you guys even if the revenue is not there, we hope that it would be I just ran preliminary numbers based on \$14.00 per hour and I am watching what Mr. Sonsteng is trying to do with just swim lesson sign ups I don't know how realistic it is to get 200 campers over a 12 week period he needs to have 100 kids sign up with a \$35.00 fee. Over the next 12 weeks to just cover the wages. So, if council wants to continue this and you want us to bring forward some more concrete strategies for the need in our community, I think we can do that I think what we will probably pivot to is bagging programming in the summer for parks and recreation and more or less using the summer to strategize and implement programming in 22.

Councilmember Vick: instead of going ahead and turning this down I am going to rescind my motion.

Mayor Dewey: why don't we just vote on this guys when we do stuff like that if makes the minutes complicated for Jenelle. Let it go to vote.
Assuming that there is no public comment Ms. Berthoud call for the vote.

Councilmember Devlin: I don't even know what we are voting on. No

Councilmember Ludington: No.

Councilmember Ludington: no

Councilmember Shourd: no

Councilmember Vick: no

Mayor Dewey: the motion fails.

12. Executive Report

Mayor Dewey: the 5th street project is under way on 5th and Park Ave, and I think I can't tell you because I wasn't there today, but it sounded like they are going to start ripping out some dirt and get ready for concrete and new asphalt so if you have a minute to swing by that project and check things out, I encourage you to do so. American Rescue Plan, a lot of information regarding the American Rescue Plan funding and to Stevensville specifically I think over the last couple of weeks I have spent 15-20 hours on ZOOM calls and research of this funding a lot of it is good news. The town will receive just over \$501,000 dollars in direct assistances, it is going to go straight to us, through the states bank account, but they are not able to restrict it. Scope of that funding is for the effects of the pandemic, you can use it for some infrastructure purposes, public safety purposes there is an array of things that you can do with it on the flip coin of that there are some restrictions. Half of the funding will come in June of 2021 and the other half will come in June of 2022 and we have until June of 2024 to spend it. That is that direct assistance pot of money if you will and there is another pot of money through House bill 262 that the legislature did that is a chunk of money that funding is being based on the gas tax funding, so they are using a formula. It is allocated for our community, \$327,000 dollars for water and sewer, it does require a matching fund. It can be a one-to-

one match or 25% of the funding that you receive. In our case instead of matching the \$327,000 we will have to match it with a \$125,000, that is the second pot. Competitive money is the third pot of money from the state of Montana, and I want to say that is \$250 million dollars, application is due July 15th but there are no forms to do it. It is supposed to be a relatively simple process to acquire that funding there is a match requirement the better you do in a match the better you rank, that is our understanding. With all of that Stevensville stands to make some much-needed projects in the community because we have been diligent in putting away cash in our water fund we have a sizeable match all together our water fund sits at \$1.6 million of course a lot of that is tied up in bonds for future payments but there is a sizable amount of money in that fund to put towards the project that we could we could put with so what you will see on June 10th agenda, you will see the HDR report and hear from the administration and HDR on how to proceed with these funding opportunities we prioritized leakage and we would like to see a number of mains that we know are leaking it ties into a health and safety piece where we knew we could rack a little bit higher leverage, the idea that if we replace these leaking lines that would obviously help with some climate response which is one of the requirements of the funding the other part is we could increase some fire flows in the community by replacing some mains so that is one priority. Last piece that I will mention is thanking you to fill out the doodle pole for budget workshops. Barring any questions, I will let you move on.

13. Town Council Comments

Councilmember Vick: first off, I want to wish you a safe trip Mayor. Jaime congrats to you for getting the award for the Bitterroot Chamber of Commerce, I want to wish Renee Christianson who has been the office manager for many years at Family Active Care, she is moving to South Carolina and has done a lot for this community, and she doesn't even live in Stevensville actually lives in Hamilton. The biggest thing I want to say is I think we need to have more enfaces on public comment. I do know that Mr. Michalson and (unclear audio) two weeks ago wanted to make a comment on the pool agenda item I personally feel that we should come down to talk about this rule when it comes to meetings and what not is

that if something is on the agenda we should allow the public to have some sort of comment period about it because the public comment period is for things not on the agenda so if there is something listed on the agenda and whether or not we are coming to a conclusion on it the public should be able to have some sort of input on it rather than Facebook, letters and all that.

Councilmember Ludington: first of all, I want to say thanks to Bobby this is no way a lack of support for your job, I know that you work very hard, and I know that this is something necessary for the community these are tough so, know that we support you. I know what you are doing for the town is very important we will continue to work on it.

14. Board Reports

Councilmember Ludington: Planning and Zoning Board met last night and at the last council meeting you saw that the work plan that we put together which is pretty ambitious, so last time we talked about a few things in this work plan the expectations of a subcommittee to review a subdivision regulation procedure or a subdivision draft document that is produced by the department of commerce I would like to on behalf of the committee ask for consequences that would allow the town administration looking for members of the community that would want to be on the sub committee volunteer to look at this large document a limited number of the planning and zoning committee don't have to do all that work on their own people that live in town I especially came up with this idea after the issues with Burnt Fork Estates really being able to understand subdivision regulations on one end it is pretty simple and on the other end it is very complicated by state law, there are some specific areas I think if the public had some input being able to massage this document in a way for what the town is looking for so that being said I think the Mayor and the town administration is looking for or try to put out through various methods through the town website social media to ask for volunteers to put in between 15-20 hours in September to get together and look at some specific chapters that (unclear audio) document that has been put into (unclear audio) 128 pages long we would probably only be looking at about a quarter of those pages because

the rest in state law. This is what you have to do blah blah blah blah, but there are some areas in the procedures so the design criteria put our own stamp on it, and get people in my opinion that have some interest in what is going on in the community a chance to sit down together and sit down with the planning and zoning board and try to understand each other better so we can make something better for the town in the midst of expansion.

Councilmember Vick: climate change advisory board we had a great meeting by myself and have not come to any consensus on anything I will say as an outreach to the community that would like to join send me an email.

Mayor Dewey: with that if there is nothing else for the good of the order we will adjourn.

15. Adjournment

APPROVE:

ATTEST:

Brandon E. Dewey, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

c. 6/10/2021 Meeting Minutes

Stevensville Town Council Meeting Minutes
for THURSDAY, JUNE 10, 2021

1. Call to Order and Roll Call

Mayor Dewey called the meeting to order Councilmembers Devlin, Ludington, Shourd and Vick were all present.

2. Pledge of Allegiance

Councilmember Vick: I would like to suspend council rules to bring up an issue of urgent matter to the council.

Councilmember Shourd: 2nd to suspend council rules.

Councilmember Vick: in light of recent events, I mean the events that I made a press release on earlier today I believe that at the time those issues were cut and dry I found out later today from Mr. Underwood his services have been requested as no longer needed with the town of Stevensville and discovered that this issue had come up with something that had occurred back in December and the March/April time line that I was led to believe. And in light of this I am going to make a motion to try Mayor Dewey for misuse of public funds.

Mayor Dewey: is there a second, motion dies for lack of a second.

Councilmember Shourd: by making this particular motion is this without an investigation?

Councilmember Vick: I had asked Mr. Owens to preform a full investigation into the claim to find out exactly what had happened, so it is making a motion for trial pending the results of the investigation.

Councilmember Shourd: while I agree that there needs to be an investigation into the issue, I feel like a trial is jumping the gun here, just my opinion. I do feel that there needs to be an investigation into the issue, and everything needs to be brought to light.

Mayor Dewey: I will just offer rather going down the road of an investigation would it be helpful for the council to see the accounting of what happened is that what you are looking for rather than hiring a third party to come in and use funds to look at a situation that the city attorney says nothing illegal has happened he sent you all a letter today did you receive that? I will read the letter

Mayor Dewey: read the letter from city attorney Scott Owens (letter will be part of the minutes)

Councilmember Devlin: you were talked about this in April now it is June.

Councilmember Vick: that is correct.

Councilmember Devlin: than why didn't you do something about this then.

Councilmember Vick: I was informed at the time that is it was a cut a dry situation and I was going to allow Mr. Dewey the issue himself because it involved him completely since he did not that is why I chose to release the information.

Mayor Dewey: what is not cut and dry about it now?

Councilmember Vick: after that letter that you just read from Mr. Owens was released, I received a phone call from Mr. Underwood letting me know that he had been let go as of 5:00 this afternoon and then because he had an agreement with the town until we hired a new finance officer, I discovered that he had been let go.

Mayor Dewey: you are getting into a personal issue.

Councilmember Vick: I am not done, ended up discovering in this whole time back in December that on a day when Mr. Underwood was off from a day of work Mr. Dewey had instructed another town employee to recode in the black mountain software and the money had been repaid which I did ask and I did verify that they money had been paid back, he instructed an employee that was not a finance officer to go in the Black Mountain Accounting system in there and repaid and had been coded incorrectly.

Mayor Dewey: do you have any factual bases for that statement?

Councilmember Vick: I have this information from the former finance officer.

Mayor Dewey: okay, you have it firsthand from an employee that they were involved.

Councilmember Vick: I did not allege any employee I just said that I was informed that an employee was told to do it.

Mayor Dewey: but you didn't verify that with who you should have.

Councilmember Vick: I verified it with whom I should have and the only access to the Black Mountain Accounting software.

Mayor Dewey: you didn't ask me if I asked that employee to do it and you didn't ask that employee if she was asked to do it.

Councilmember Vick: I never verified the gender of the employee.

Mayor Dewey: her gender is irrelevant and there are only two gentleman that work in the office so you can narrow it down.

Councilmember Vick: Mayor did you instruct an employee to code into the system that you repaid the money?

Mayor Dewey: I turned in a claim to the individual that processes the claims for our organization, Laura enters all claims. I turned in a claim with my purchase order and my coding was appropriate and the coding was appropriate for legal services, she processed the claim the claims were run, the claims approval sheet was run and that is an understanding the Mr. Underwood approves the claims approval sheet prior to the meetings and in that case, it was an off cycle claim because of the Christmas holiday, it is also my understanding that Mr. Underwood views that checks prior to signing them, we co-sign checks, he signed the check I signed the check in the same batch of claims and checks were mailed. Following that we in February we realized that we did not run the out of cycles claims back through council and addressed the issue with the city attorney that is when he first became involved, he refers to that in his letter. It took his sometime to know what to do with it and that is where we ended up back in April was with the two options according to Scott, seek indemnification, regardless

that we missed a critical step, or the money was put back from where it belongs. No money transferred from the towns account to my bank account I want to be clear about that. As soon as we were made aware of the issue I wrote a personal check to the town and reimbursed the town for the cost of that lawsuit and did not seek indemnification as far as the city attorney was concerned there was nothing further to the issue, he did not feel that an audit finding would result because the money had been returned and we had memoed the accounting system and through documentation on what had happened, this an account for every step and a justification at every step there is a statement that acknowledges that we did not ratify the claims in December and that we discussed it as an administration and that we would prevent it from happening again. We have put things into place and have documented what had happened there was no attempt for a coverup or any of those types of allegations we paid the bill and later learned that indemnification should have happened, so we backed up.

Councilmember Vick: as far as this moment goes, this moment I am not saying that I am completely satisfied but I am satisfied at the moment for holding off on a trial, but I would like to for Mr. Owens to be given permission to continue the direction that I have pointed him in that I would like to see a full-on investigation including interviews with all staff members involved in this so we can figure out where the break down happened and prevent it from happening again.

Mayor Dewey: I can tell you where the break down happened, Christmas, we didn't bring the claims back after the Christmas holiday.

Councilmember Shourd: I am in favor of clarity and transparency and having the investigation provide the documentation to the council so that we can have it in front of us take a look at it and make a decision from there on an appropriate step.

Councilmember Vick: I will make a motion to allow an investigation utilizing a private investigator that Mr. Owens is able to locate for the town.

Councilmember Shourd: why isn't Mr. Owens doing the investigation?

Councilmember Vick: because Mr. Owens is too close to the facts and he serves as the town attorney he informed me that it should be an outside entity that performs the investigation.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd.
Council discussion?

Councilmember Devlin: I guess my concern is the money that is going to be spent when we have the documentation in front of us, we have an opinion from an attorney that we already pay the money was put back no money really exchanged hands (chatter from the audience) could you please not talk while I am talking. Thank you. I don't see, what are we investigating?

Councilmember Vick: the only reason that I am bringing up an investigation for this is simply after Mr. Owens letter came out and more information came out in light, more information about this entire thing had come out I would love to see every single piece of whatever.

Councilmember Devlin: I am a little concerned when you say more information came out, it is here say information that came out.

Councilmember Vick: then we should investigate the here say and determine what is truthful and what is not.

Councilmember Devlin: how do you know that in the investigation that somebody is just saying something.

Councilmember Vick: then let the investigation determine that.

Councilmember Devlin: they don't determine that they go through paperwork and a process they don't determine whether someone is being honest, or it is their opinion, they would look at the documents that we have the process that was followed and decide if basically anything illegal happened.

Councilmember Vick: I would still like to go down this route and look at things that are put in front of us and in layman's terms, I am not very good at reading Black Mountain Accounting software because I was not trained

in how to read it only thing that I know how to read is the claims sheet and that is simply money that is going out so I would like to have an investigator be able to pin point this claim especially because it was \$12000 dollars.

Councilmember Shourd: in my opinion many accusations get thrown around this council against the mayor and other things that happen within town hall, clarity and transparency is extremely important to me and if this is what is necessary to provide clarity to the town council and the public than I think that is what we need to do.

Councilmember Ludington: I will make a brief statement as a public employee myself this has happened to me once, I went to Napa to buy a part for my personal vehicle and it got put on the schools account, I discovered that this is what they had done I went to the school gave them a check signed a statement that said my intention was never to charge the school and it was a mistake and that I signed it and the clerk of the school signed it as well, I think that is basically wat we are looking at here. Because as long as we can show the check that was written with a PO and signed by the mayor and the finance officer and there was a check written by the mayor, a personal check written by the mayor, and they rectified that payment that was made to the attorney then I think we are square. I think that if we want to say that it was an attempt by the mayor to try and do something that he should not have done I think that will always be a matter of opinion no matter what. If you want to think that he got caught with his hand in the cookie jar it would be the same for anybody that would kind of put myself in that some sort of situation. Here is a he bought an alternator for his pickup and tried to have the school pay for it, well that is not what happened a mistake was made along the way and I rectified it and signed a statement that said a mistake was made I fixed it so if that is what you would like the mayor to say he probably would say that he decided that it would not be in good faith to do something like that or bring that issue up he resolved it and the only thing that I would be able to say would be there was a return check from the attorney and there was a personal check from Mr. Dewey. And that basically balances the books.

Mayor Dewey: we can provide all that documentation with out an investigation.

Councilmember Shourd: I think that there are necessary steps, provide us the documentation, look through that documentation and then let us make a determination if there is an investigation after that. I think we need to take the appropriate steps to where we need to be. Whether putting in trial or not I don't want to throw away the taxpayer's money into an investigation so I think that is probably the necessary steps, the documentation of what happened of the entire situation everything from Scott and we can move forward from there.

Councilmember Devlin: I guess I am a little flustered did you (mayor) speak to everyone?

Mayor Dewey: everyone but Mr. Vick because he was privy to it from Mr. Owens.

Councilmember Devlin: when this was brought to my attention, I asked for documentation I don't know why none of you asked for it. That is kind f my question two months later, we have a job to do and if there is something in question, we shouldn't be afraid to ask we don't always have to go at someone's throat that is how this town has been for decades and we don't always have to do that. Sometimes it is simple, sometimes it doesn't require thousands of dollars to do prove a point or not. Sometimes it is a conversation and we have gotten away from that I mean my questions were answered by going in and saying let me see this paperwork not let me see what you are hiding not are you hiding anything not did you do anything wrong let me see. With the original claim there are papers attached to it to back up with the examples of times that this has occurred and been okay for when the check was written to begin with. Whether it was found out that it was appropriate to do it or not the funds were back that same day the documentation to show. I am not here to waste anybody's time, but we do it a lot. We waste time and money it is black and white it is simple and that is available to anybody that wants to see it. That is transparency. It doesn't have to be a huge issue everything doesn't have to be a big deal sometimes it is simple, and it just takes a conversation if it

is something that you want to know ask. I did. And it is something that we want to make transparent let's make it transparent. There is nothing preventing that everything is in the public's eye. That is just my concern I don't know why we have to go through this every time.

Councilmember Vick: the only reason or one of the reasons why had brought this before a council meeting and what not and asking about this around the same time I had asked Mr. Dewey about my side walk stuff and the water billing stuff and I was given a "you seem to be spending a lot of time at focusing on something that I announced a month ago" rather than actually providing the documents to let me see whether or not the water billing thing was a contract or not. Which it was determined that it was a purchase agreement and not a contract from my understanding instead of Mr. Dewey and I had a back and forth one day about this and I have yet to see this documentation. So, it seems like any time I ask for documentation I have been pretty much shown the door. I could start going in more and more and say that I would like to see this documentation but instead I would really like to see this documentation and if it does take an investigation to get every single piece of documentation available then that is what we have to do. However, if Mr. Dewey is willing to go and get the documentation for us to allow us to look at the documentation to determine whether or not an investigation is needed, I am satisfied.

Councilmember Devlin: can we take a time for you to go and get that? Is that appropriate.

Mayor Dewey: for everyone's interest in mind I am happy to just, I am not going to go and get it because it is in different places, we have revenues files and expenditure files. So, it is not all-in-one file that says this is the claim it is scattered amongst all of our claims. I am happy to pull the documentation as soon as tomorrow scan it and email it. And if someone wants to see this item on their agenda in July or sooner if you want to call a special meeting, if you want to see it on your next agenda then ask for such, I have no problem with that. I prefer to pull on the documents together and in place, scan them in and let you review them at once.

Councilmember Shourd: at this point I am satisfied with that.

Councilmember Vick: at this point I would be satisfied with that as well.

Mayor Dewey: I don't think that there is any urgency the money is back where it goes it isn't going anywhere. Motion on the floor is to seek an investigation. Is there any further consideration to that motion?

Councilmember Shourd: I rescind my 2nd.

Councilmember Vick: I will rescind the motion and make a motion that you provide us the documentation.

Mayor Dewey: motion on the floor is that the mayor's office provide documentation on the matter discussed this evening. Moved by Mr. Vick and 2nd by Mr. Shourd. Council discussion? Public comment on the motion?

Public Comment

Jim Tadvick: 509 Mission Street, I have a problem with all of this, was there a whistle blower involved? What was the dollar amount, and someone was terminated? I think an investigation is needed as a taxpayer.

Leanna Rodabaugh: I wasn't going to speak this evening; I don't know why three questions were asked and no answer. Ravalli street, so my question would be where did the money come from, what fund did you take it from, the fact that you were just going to pass it by if there is no legal activity in part of the mayor you are involved. I think you need to think seriously about that this is criminal (unclear audio)

Councilmember Vick: I would like to add on to that motion as to why Mr. Underwood's services are no longer needed. I do understand that he filed a resignation letter however as I stated he had an agreement with the town to stay on until a replacement was found.

Mayor Dewey: forgive me are you amending the motion?

Councilmember Vick: correct.

Mayor Dewey: is there a 2nd to the amendment. With the discussion, Mr. Vick I can't provide that documentation to you it is an employment matter. Mr. Underwood was terminated, and I can't discuss it any further than that. He is an employee, and he has a right to privacy, and he has not waved that

right of privacy and it can't be discussed tonight period. I am not sure that I can release those employment documents with any justification to council.

Councilmember Devlin: we had an original motion that we were speaking to and then it got switched in the middle of public comment I don't think that is appropriate.

Mayor Dewey: it is a little cumbersome. There is an amendment on the floor it has been moved and 2nd. To include into the motion the employment matter be provided to the council as well. Council discussion?

Councilmember Devlin: we can't have that motion because it is not something that we can fulfill not to get into my other job, we can't discuss that. It can't be opened it is not something that can be provided. I don't think we can have that attached to the motion. I am wondering if Ms. Tadvick is standing up here ready to speak on the original motion that was on the floor, can we stick to the original motion and make amendments after that. This is disrespectful.

Councilmember Vick: I will rescind the motion. If you rescind the 2nd.

Councilmember Shourd: I will rescind my 2nd.

Leslie Tadvick: public comment, I would like to know where that money came from, I think you have the right as public servants to tell us where that money is and which fund that money came out of. I don't think we should let this drop, the normal person intown isn't going to have that information unless they come into city hall and in the real world outside this council chamber you would have been, bye. I think that is not a good thing Brandon to go and say that I am taking that money and using it. I think that you should resign tonight. Thank you.

Mayor Dewey: any further public comment? Okay with that the motion on the floor is to ask that documentation be provided to council on the mayor most of the questions asked this evening all of the questions asked this evening we be answered through that documentation so we will get that out as soon as we can to you folks. Any further council discussion? We will call for the vote.

Councilmember Vick: I would like for us to make once we get this documentation first July meeting that second Thursday, I would like us to make a determination on whether we need to do an investigation. Allow us to do our investigation first and then we can have an executive session at that meeting to determine if a full investigation is to happen.

Councilmember Ludington: I will sign that agenda.

Mayor Dewey: okay with that we will go ahead and call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes unanimously.

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

Vickie Motley: 318 9th street, going back to what Dempsey asked about Robert, I think that you have the right to know, and it can be a closed meeting. I know school board members have the right to know what happens at school with employees and they go into a closed session so that it is not public. So, if it something that you want to know as for that information, but it is in a closed meeting.

4. Approval of Minutes

NONE, Jenelle is pulling double duty as police clerk and town clerk at this time.

5. Approval of Bi-Weekly Claims

a. Claims #16783-#16815

Mayor Dewey: introduced the claims.

Councilmember Vick: I will make a motion.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington.
Questions from council?

Councilmember Ludington: 16792 annual for Montana rail link
underground water crossing?

Mayor Dewey: annual fee to Montana rail link so that are water line can go
under the tracks. There are two \$50.00 fees. Any further questions form
council? Public comment? Hearing none, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

6. Administrative Reports

a. Airport

b. Community Development

c. Finance

d. Fire Department

Chief Motley: gave his report that was provided to the council in their
packet.

e. Parks & Recreation

Bobby Sonsteng: gave his report that was provided to the council in their
packet.

f. Police Department

Chief Sosa: gave his report that was provided to the council in their packet.
Have a couple more blocks to walk, introducing myself to the public. I have
discussions going with the school and the superintendent.

g. Public Works

Report provided to the council in their packet.

7. Guests

NONE

8. Correspondence

Mayor Dewey: introduced the correspondence from Patrick Shourd and Scott Owens.

a. Resignation of Councilmember Patrick Shourd

b. Resignation of Town Attorney Scott Owens

9. Public Hearings

NONE

10. Unfinished Business

NONE

11. New Business

a. Discussion/Decision: 2021 Water System Preliminary Engineering Report

Mayor Dewey: introduced new business item (a).

Craig gave this presentation, was provided in the packet and additional documentation was provided on the website.

Mayor Dewey: any questions from the council?

Councilmember Ludington: the SCADA is a hardware, software system.

Mayor Dewey: that is the sewer system on Park Ave. it does not exist.

Craig: my life has been consumed by American Rescue Plan Act, there are three buckets of money, Craig referred to his slide provided in the packet.
Questions?

Councilmember Ludington: first question is who is scoring the grants?

Craig: there is a committee, DNRC, commerce, Rachel Clark DNRC. A committee that will rank them. The governor's committee that he has set up.

Councilmember Shourd: what are the benefits of the wye vs. the airport vs. the existing?

Craig: there are a couple of things, the benefit of putting some place else then the existing direction from where water can come from. Let's say that you have both out Middle Burnt Fork and that is where all of your storage is. Where can you acquire land? That is always a question. Elevated tank, some people don't like them.

Councilmember Ludington: my biggest question would be that are we looking at an increase in electrical use.

Craig: everything is going to operate on the same grade line. Pressure of the system will not change.

Councilmember Shourd: if we put it at the airport couldn't they just pay for it. (laughing)

Mayor Dewey: that is one consideration outside of the existing system is that it does give you the ability to expand services water services to areas that will eventually have a high demand for them. In 2019 the council asked for an annexation study of the WYE, and that is where that \$2.9 million dollar figure came from and that was the distribution system for that area. The assumption in Craigs chart would assume if you are going to put in water you are going to put in sewer. We look at the growth of the community and where is the best place for that location.

Councilmember Shourd: I think that the first part of that is getting the grant and see how much we get, then we can see where we are at.

Mayor Dewey: we can go that route and then come back with a design for what it looks like.

Craig: the funding agency through the process.

Councilmember Shourd: I think that it is very exciting news after hearing we are losing 96 gallons a minute with our current that is a lot of water.

Councilmember Ludington: where are the water lines on Main Street.

Mayor Dewey: under the asphalt, I think that it is in the driving lane of the parking area.

Councilmember Ludington: 1970's?

Craig: we really haven't gotten into the discussion with the staff about this part. We may be able to look at the fire pull in that area. The point being with the new SCADA system you will have some money left.

Mayor Dewey: the only other wrench that I can through into this is in the numbers that you see include using all of those treasury funds. The council has not yet engaged in a conversation in how they would like to see those funds budgeted those funds are much more flexible then the funds that Craig mentioned tonight the other two buckets where you can use the treasury funds to offset lost revenue in certain areas you can do some other more creative things for you community let you know that the administration has some ideas with those funds I don't think we have \$500,000 in ideas but I bet we could come up with some. That should be a consideration as well when you talk about prorates how much of that funding are you willing to commit to the project if there are competing priorities if that funding could help in the organization. I don't know if you have to answer that tonight because the application is due July 15th, and we have a council meeting July 8th. If you are with the priorities expressed in the PDR I think we could go ahead and get things drafted up and then we can fine tune it.

Craig: I think that it is a matter of how much money you want to throw in that pot for matching that grant.

Mayor Dewey: I think that we can evaluate the water fund and see how much to allocate. I think tonight we are looking to the council to consent to moving in the direction of what has been defined.

Councilmember Ludington: looking at the agenda I would make a motion that we go ahead and apply for grant funding.

Councilmember Vick: I will 2nd.

Mayor Dewey: it has been moved by Mr. Ludington and 2nd by Mr. Vick, Council discussion? Public comment?

Councilmember Ludington: and I think just for further clarification, and this is kind of taking items (a) and b. Discussion/Decision: American Rescue Plan Act Infrastructure Funding Priorities

and lumping them together because they are so closely related. That is basically the recommendations is that we need to update the system and without the ARPA funds it will be out of way to afford.

Mr. Tadvick: how many gallons a month are we losing now in leaks?

Councilmember Ludington: almost 400,000

Mayor Dewey: more like 14 million.

Councilmember Ludington: it is a lot.

Jim Tadvick: wouldn't it make more sense to fix the leaks?

Councilmember Ludington: if we could find them. The biggest problem that we are having right now from my conversations with Mr. Kruse is identifying where those leaks are and if that is a geological issue because the surface water is so high, if you can put a listening device to the street and can hear where the water is rushing, he puts a device to the street, and it is all rushing. He is trying to find another system that can help us with detecting the leaks instead of going around and digging up spots of where we think it might be. We have done a lot of that already.

Mayor Dewey: we have done a lot of tracking a lot of the leakage is either main replacement or services some services we know leak and some services will get replaced with the street's projects and a lot of those go back on the homeowner to replace they are not a responsibility of the towns, but we lean on those folks some don't even now that they leak. Depends on the time of year, irrigation and we fluctuate through out the

year. Sometimes as high as 80%. We caught a number of pretty serious leaks this spring that we saw production going down the next day. Further public comment?

Leslie Tadvick: 509 Mission Street, is the total for this going to be added onto what we already owe? And how much have we paid on the last water section that we did, I understood that we were just paying interest. Have we paid that bond down at all?

Mayor Dewey: I don't know the specifics on interest and principal, but our bond payment does pay down both interest and principal. Those are relatively new bonds we could find out that information and get that to you. This is not additional debt that the taxpayers or rate payers would take on, we are leveraging cash that we have, or we are getting from the state with additional grant funds there is no debt involved in this project at all, so we are talking a \$3.5 million dollar project with no debt at all.

Craig: I will add to that, they won't let you pay down principal with these funds. You are paying principal and interest you have to have a certain amount set aside all that. And this will not add to your rates.

Mayor Dewey: I would add we pay a bit higher of a rate to put us in this type of financial position so when these types of things come up, we have some cash set aside to leverage those funds, today we pay a little bit extra on their water bill anticipating the money would be set aside to fund a project. Any further public comment?

Chief Motley: we have to go after the loss I get that we also need the storage. If there is zero loss in the storage, we need it for the demand of the community.

Councilmember Vick: Chief Motley I have a question for you, being the fire chief where would you like to see the storage system at?

Chief Motley: well, the redundancy pieces are huge if we throw our eggs in one basket one straw coming into a system from an emergency standpoint it doesn't make sense, we are all about redundancy in light of that if we can have two storage systems one feeding into the other it totally makes sense to me. East side west side one or the other, whatever makes sense fiscally.

There are a lot of things that go into it. To go with the mayors, point if we are going to see growth on the other side of the river it makes a lot of sense to put it over there. We need storage.

Councilmember Vick: correct.

Mayor Dewey: last call for public comment. Motion on the floor is to proceed with grant application as was discussed tonight, we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes. We have addressed both of those issues (a) and (b). we will move on.

c. Discussion/Decision: Special Event and Alcohol Use Permit for Bikers Against Bullies Event

Mayor Dewey: introduced new business item (c)

Councilmember Vick: I will make a motion.

Councilmember Devlin: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Ms. Devlin. Council discussion? Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye

Councilmember Ludington: aye

Councilmember Shourd: aye

Councilmember Vick: aye

Mayor Dewey: thank you.

d. Discussion/Decision: Request a Variance to Town Code to Remove 2 Large Maple Trees Belonging to the Town of Stevensville

Mayor Dewey: introduced new business item (d). outlined in the packet this is pretty much an administrative decision. Install solar panels on the south side of his home.

Councilmember Shourd: I am a big fan of trees, and I am a big fan of solar systems and people being able to utilize solar. I drove past his home today and those are huge trees, and they are too close to his home those root systems if not now will damage his structure and they should be brought down for that reason. Removing two trees and he has agreed to replace it with three trees. Those are giant trees seven feet from his front door. I will make a motion to remove those trees.

Councilmember Vick: 2nd

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Vick.
Council discussion?

Councilmember Ludington: Northwest Energy has taken on a program to help people participate in the project on your own to help reduce your electric helping you go out as far as tax incentives and how much you will save, and it is an opportune time to let somebody put some solar panels up on his house.

Councilmember Vick: It is no secret; I love trees too. I do hate to see these older maples trees get taken down and as trees get older and no longer grow, they no longer help with the amount of carbon in the area, if Mr. McCanns replacement of three trees and replacing two possible end of life trees with three fruit baring trees will also help with his carbon footprint in using solar panels it will also help out the town as well.

Mayor Dewey: any further council discussion? Public comment?

Public comment

Vicki Motley: at who's cost to remove the trees.

Mayor Dewey: it would be solely his. Any further public comment? Hearing none we will call for the vote. Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

12. Executive Report

Mayor Dewey: we will provide some supplemental documentation to the issue discussed previously in the meeting. City attorney position we did not receive any so we will readvertise that we advertised in three newspapers previously. If we get to July 12th and don't have a solution, then we will start a conversation with Scott to see if we can limp along with him for month to month. I think that pretty much covers anything in the executive report.

13. Town Council Comments

Councilmember Vick: maybe two to three short things. Why I went to the extreme that I did when I asked for a trial. So that we could come to a happy medium. Instead of saying we go all the way or do nothing. The only reason that I came out today, honestly, I do believe that nothing happened, but the public still needed to know that it had happened. I should have come out a month ago when it came to my attention. I am done with that until we review it. The other thing is that the town logo being changed to a rainbow, I love each and every one of those guys. I propose that we put up a sign in an area where everyone can put up stickers or whatever they want to. Last thing I have to say is the reason why I am not going to be here at the June 24th meeting. I am not angry at anybody for asking these questions. I recently discovered that the man that I thought was my father was not my father. I am going to meet my biological father. Forth thing is I am going to miss working alongside this man, Mr. Shourd.

Councilmember Shourd: what prompted my resignation was short notice to leave the council. Family comes first and always will. Appreciate all that you do, thank you for allowing me the opportunity when things are resolved with my family I will be back. Thank you.

Councilmember Ludington: I will add to what Dempsey said, we will miss you and best of luck to you and we will keep you in our prayers.

Councilmember Devlin: I am looking to get some clarification it has been brought to my attention that the Farmers Market is being charged an extra \$10.00 for garbage, my understanding that they have not in the past. They clean the street up at the end of each Saturday they clean up after themselves. And this year it is something new so can we get clarification on why this is happening.

Mayor Dewey: the council adopted a \$10.00 per day garbage fee for special events in 2019, 2020 would have been the first year we charged for it. When the Farmers Market permit came forward in 2020, we waived that fee for COVID-19 purposes we wanted to encourage activity and we knew that there was an economic strain in the community. There was an approach to that as to why that was waived, this year we did not take that approach. It was a request from the public works department. In the summer public works get a extra waste reciprocal for all the garbage that we have up and down main street and in the parks. All events typically bring in dozens of there own trash cans but there is a residual trash use from that activity that fills our trash reciprocals from those. With the activity from Farmers Market on Saturdays we have to dump first thing on Monday morning at least the can at the corner yes, they have their trash receptacles, if you walk through Farmers Market it is caused by the event the \$10.00 per day fee is charged to all of those events. Western Heritage Days, Creamery Picnic they pay that fee. If the council wants to reassess those fees, they can at the budget talks.

Councilmember Devlin: let's make that a topic of discussion please, I am at a crossroads in my mind, a wonderful event took place this last weekend, we are getting into that part of the season. Everyone gets along there is no division there is no hatred and there are no nasty grams on social media.

And I think that it is wonderful. We would not have this hatred division if we did this all the time. Not only do I make my living bringing people together, but I also volunteer my time to bring people together in our town. Please don't ask me to choose a side I am asked to choose hate, don't ask me to do that it is not my job, it is not something that I believe in. I have lost people in the community because I haven't chosen hate. Ask yourself if what you are doing is building our town up or putting us down. Lastly, I am really going to miss you, you are so patient and so kind you have brought such a peace to this place I have high, high respect for you and your family.

14. Board Reports

NONE

15. Adjournment

APPROVED:

ATTEST:

Brandon E. Dewey, Mayor

Jenelle S. Berthoud, Town Clerk

Hon. Brandon E. Dewey
Mayor of Stevensville

Scott Owens
City Attorney



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

June 10, 2021

Mayor Brandon Dewey

Council President Dempsey Vick

Councilmember Jaime Devlin

Councilmember Patrick Shourd

Councilmember Paul Ludington

VIA: Email to: brandon@townofstevensville.com
dempsey@townofstevensville.com
jaimedevlin@townofstevensville.com
patrick@townofstevensville.com
paul@townofstevensville.com

Re: Statement of Legal Inquiry - Indemnification

Mayor / Councilmembers:

Today, June 10, 2021, I was notified of a statement that was released regarding a claim that was submitted on behalf of the Mayor's Office. This statement is provided to clarify/correct the information that was disseminated.

As I understand, a claim was submitted for indemnification of the costs incurred through litigation in the recall matter, *Dewey v. Rodabaugh*. This claim was processed out of cycle. Immediately, the Town Finance Officer and the Mayor reported this expenditure to my office and requested an opinion. The recent statement uses the term "whistleblower" to describe how this information came to my office. This is inaccurate.

Whether this claim qualifies for indemnification is a matter of debate. Sparring the legal analysis on this issue, public policy and statutory law (Title 2 and Title 9) form the basis for this debate. Looking at other jurisdictions, it is apparent that there is no clear answer. In 2020, a recall election was spurred in Helena where the City Attorney's Office provided a full defense for the officers subject to recall. Additionally, there is on-going litigation regarding indemnification in Jefferson County that may provide further clarification on this issue in the future. At this point, it is my opinion that the Mayor could submit this claim for indemnification. However, decision to indemnify would have to obtain Council approval or become an issue of litigation.


On or about April 19, 2021, advice from my office was given to repay the money, resubmit the claim, and present the issue of indemnification to the Council for determination. As part of my obligation, this information surrounding this issue was discussed with the Council President, Dempsey Vick.

Committed to Community, Dedicated to Progress

Shortly after delivering my opinion and consulting with the Council President, I was informed that the money had been repaid and that the Mayor was no longer interested in seeking indemnification.

Please let me know if you have any further questions.

Sincerely,


Scott B. Owens
Town Attorney

File Attachments for Item:

a. Claims #16913-#16969

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (7/21) ****									
16913			33 NORTHWESTERN ENERGY	15,864.58					
	July 21	07/06/21	Spec lighting #3	245.66			2430 430263	340	101000
	July 21	07/06/21	206 Buck 90% TH Facility	238.01*			1000 411201	340	101000
	July 21	07/06/21	206 Buck 10% Bldg Dept	26.45			2394 420531	340	101000
	July 21	07/08/21	Peterson Add'n lighting	182.89			2420 430263	340	101000
	July 21	07/08/21	Dayton Add'n lighting	251.45			2410 430263	340	101000
	July 21	07/06/21	Maplewood Cemetery	10.41			1000 430900	340	101000
	July 21	07/06/21	Main St seasonal lighting	9.98			1000 430263	340	101000
	July 21	07/08/21	Orig Town street lights	239.33			1000 430263	340	101000
	July 21	07/08/21	ESH - 5th St. lights	431.08			1000 430263	340	101000
	July 21	07/08/21	5th St - Lange Park lights	34.32			1000 430263	340	101000
	July 21	07/08/21	Add'l Town lighting	156.99			1000 430263	340	101000
	July 21	06/15/21	NW LDS parking lot	0.00			2430 430263	340	101000
	July 21	07/02/21	MBF H2O plant	100.78			5210 430540	340	101000
	July 21	07/06/21	102 Main St pump #1	30.82			5210 430530	340	101000
	July 21	07/02/21	Riverside Cemetery IRR	201.15			1000 430900	340	101000
	July 21	07/07/21	Maplewood Cemetery	205.27			1000 430900	340	101000
	July 21	07/06/21	Sewer lift station W. Central	9.73			5310 430640	340	101000
	July 21	07/07/21	Sewer trtmnt plant	4,284.44			5310 430640	340	101000
	July 21	07/06/21	Truck garage South	56.48*			1000 430100	340	101000
	July 21	07/06/21	L&C Yard Light	10.41			1000 460430	340	101000
	July 21	07/06/21	L&C Park Irrigation 5hp IRR	184.22			1000 460430	340	101000
	July 21	07/07/21	L&C Park Parking Lot	6.00			1000 460430	340	101000
	July 21	07/07/21	L&C Park Restrooms/Field ligh	104.80			1000 460430	340	101000
	July 21	07/07/21	214 Buck St. - H2O 25%	10.49			5210 430510	340	101000
	July 21	07/07/21	214 Buck St. - Sewer 25%	10.49			5310 430610	340	101000
	July 21	07/07/21	214 Buck St. - PD 50%	20.97			1000 420100	340	101000
	July 21	07/02/21	3rd & Park	12.42			1000 430263	340	101000
	July 21	07/02/21	421 Airport Rd - SRE 2/3	44.12			5610 430300	340	101000
	July 21	07/02/21	421 Airport Rd - FD 1/3	22.06			1000 420422	340	101000
	July 21	07/08/21	Pool	1,177.07			1000 460445	340	101000
	July 21	07/02/21	MBF Well Field	7,332.03			5210 430530	340	101000
	July 21	07/02/21	MBF booster station	133.31			5210 430550	340	101000
	July 21	07/06/21	Creamery Park (223 Main)	47.01			1000 460430	340	101000
	July 21	07/06/21	102 Main Street D-PD	33.94			1000 420100	340	101000
	July 21	06/15/21	Dickerson Park	0.00			1000 460430	340	101000
*** Claim from another period (7/21) ****									
16919			1702 DE Lage Landen Finance Services,	27.78					
	73180367	07/17/21	Printer lease	13.89			1000 410360	320	101000
	73180367	07/17/21	Printer lease	13.89			1000 420410	320	101000

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* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account		
16921	1696 First Call Computer Solutions,	2,100.00							
74632	08/01/21 Admin-Monthy Fee	315.00			1000 410550	356	101000		
74632	08/01/21 PD-Monthy Fee	315.00			1000 420100	356	101000		
74632	08/01/21 C-Monthy Fee	105.00			1000 410360	356	101000		
74632	08/01/21 BD-Monthy Fee	105.00			2394 420531	356	101000		
74632	08/01/21 FD-Monthy Fee	105.00			1000 420410	356	101000		
74632	08/01/21 Sewer-Monthy Fee	525.00			5310 430610	356	101000		
74632	08/01/21 Water-Monthy Fee	525.00			5210 430510	356	101000		
74632	08/01/21 Airport-Monthy Fee	105.00*			5610 430300	356	101000		
	*** Claim from another period (7/21) ****								
16922	1787 Valli Information Systems, Inc.	938.43							
	June 21 Water & Sewer Billing								
77194	07/21/21 July 21 Water Billing	469.22*			5210 430510	355	101000		
77194	07/21/21 July 2021 Sewer Billing	469.21*			5310 430610	355	101000		
	*** Claim from another period (7/21) ****								
16923	1811 Kenneth Thompson	107.88							
	Account 121180 Seller paid after house closed & title company paid								
121180	07/22/21 Overpayment Account 121180	107.88			5210 343022		101000		
	*** Claim from another period (7/21) ****								
16924	1812 Cardinal Properties	86.34							
	Account 200450 Seller paid after house closed & title company paid								
200450	07/21/21 Overpayment Account 200450	86.34			5210 343022		101000		
	*** Claim from another period (7/21) ****								
16925	1813 Whitesitt Funeral Home	125.00							
	Urn Vault payment paid by family Ms Dobbins with o/c charges for Maplewood Cemetery.								
3806	07/21/21 Urn Vault Reimbursement	125.00			1000 343340		101000		
16926	1436 Maureen M. O'Connor	1,500.00							
	August 08/01/21 Monthly Compensation								
		1,500.00			1000 410360	350	101000		
	*** Claim from another period (7/21) ****								
16927	285 BITTERROOT TREE SERVICE	1,124.00							
972936	07/22/21 Tree Spraying - Parks	374.66			1000 460430	350	101000		
	Parks								
972936	07/22/21 Tree Spraying - Streets	749.34*			1000 430200	350	101000		
	Main Street & Bike Path								
	*** Claim from another period (7/21) ****								
16928	230 Verizon Wireless	679.77							
9884363156	07/18/21 Cell Phone - Mayor	46.70			1000 410200	340	101000		
9884363156	07/18/21 Cell Phone/int - PD	231.88			1000 420100	340	101000		
9884363156	07/18/21 Cell Phone - BD	150.05			2394 420531	340	101000		
9884363156	07/18/21 Cell Phone - H2O	63.19			5210 430510	340	101000		
9884363156	07/18/21 Cell Phone - Sewer	63.18			5310 430610	340	101000		
9884363156	07/18/21 Cell Phone - Airport	94.71			5610 430300	340	101000		

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	9884363156 07/18/21 Mobile Internet-FD	20.04			1000 420410	340	101000
	9884363156 07/18/21 Mobile Internet Ambulance	10.02*			2230 420730	340	101000
	*** Claim from another period (7/21) ****						
16929	348 Snow Mountain Electric	445.20					
	3381 07/14/21 Sprinkler timer repair	220.20			1000 460430	230	101000
	3383 07/14/21 Digested sludge pump	225.00			5310 430640	360	101000
	*** Claim from another period (7/21) ****						
16930	1702 DE Lage Landen Finance Services,	51.02					
	73220062 07/24/21 Printer lease	25.51			1000 410360	320	101000
	73220062 07/24/21 Printer lease	25.51			1000 420410	320	101000
	*** Claim from another period (7/21) ****						
16931	1814 Sagehill Plumbing	1,165.00					
	3310 07/28/21 Locate sewer line 3rd & Park	1,165.00			5310 430630	350	101000
	*** Claim from another period (7/21) ****						
16932	1711 Office Solutions & Service	5.66					
	INV96869 07/30/21 Copies, Color & BW	2.83			1000 410360	320	101000
	INV96869 06/30/21 Copies, Color & BW	2.83			1000 420410	320	101000
	*** Claim from another period (7/21) ****						
16933	1582 Optical Scientific, Inc.	2,476.03					
	S421170 07/14/21 AWOS service	312.50			5610 430300	350	101000
	S421170 07/14/21 Travel time	875.00			5610 430300	350	101000
	S421170 07/14/21 Travel Expenses	875.86			5610 430300	350	101000
	S421170 07/14/21 G&A 20%	412.67			5610 430300	350	101000
	*** Claim from another period (7/21) ****						
16934	85 CENTURYLINK	170.21					
	July 21 07/22/21 WWTP Internet #0185	68.99			5310 430640	340	101000
	July 21 07/22/21 H2O Plant Phone #7132	48.06			5210 430540	340	101000
	July 21 07/22/21 MBF Reservoir #9934	53.16			5210 430530	340	101000
	*** Claim from another period (7/21) ****						
16935	1319 Silvertip Heating & Air, Inc.	448.00					
	3560 07/20/21 Svc call for mini-split system	448.00*			1000 411201	360	101000
16936	1183 ANDERS BUSINESS SOLUTIONS	1,210.00					
	Annual Copier Maintenance Agreement						
	75574 08/02/21 FY20-21 Annual Copier Base Cha	60.50			1000 410360	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	121.00			1000 410550	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	181.50*			1000 420100	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	60.50			2394 420531	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	363.00			5210 430510	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	363.00			5310 430610	320	101000
	75574 08/02/21 FY20-21 Annual Copier Base Cha	60.50*			5610 430300	320	101000

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*** Claim from another period (6/21) ****									
16937		1267 Witmer Public Safety Group Inc.		399.98					
	2137588	06/11/21 Badge and Leather Front		399.98			1000 420460	226	101000
*** Claim from another period (7/21) ****									
16938		74 STEVENSVILLE RURAL FIRE DISTRICT		59.77					
	106	07/21/21 Food for training		59.77			1000 420410	229	101000
*** Claim from another period (6/21) ****									
16939		748 Allegra Print & Imaging		121.96					
	70281	06/28/21 EMS Data Collection Forms		121.96			1000 420730	220	101000
*** Claim from another period (7/21) ****									
16940	E	8 RAVALLI ELECTRIC CO-OP		225.00					
		July 21 07/30/21 Airport Utilities - Lights 2/		150.00			5610 430300	340	101000
		July21 07/30/21 Airport Utilities - Water Pump		75.00			5610 430300	340	101000
16942	E	59 BITTER ROOT DISPOSAL		507.25					
	3769873	08/01/21 Court solid waste		5.07		9	1000 410360	340	101000
	3769873	08/01/21 H2O Dept TH facility		30.43			5210 430510	340	101000
	3769873	08/01/21 Sewer Dept TH facility		30.44			5310 430610	340	101000
	3769873	08/01/21 PD solid waste		15.22			1000 420100	340	101000
	3769873	08/01/21 TH solid waste		15.22*			1000 411201	340	101000
	3769873	08/01/21 BD solid waste		5.07			2394 420531	340	101000
	3769873	08/01/21 Street solid waste		152.18		9	1000 430200	340	101000
	3769873	08/01/21 Sewer plant solid waste		152.17		9	5310 430640	340	101000
	3770036	08/01/21 Parks		101.45			1000 460430	340	101000
*** Claim from another period (7/21) ****									
16943		108 BITTERROOT STAR		35.82					
	2418	07/14/21 Public Notice Vac		35.82			1000 410550	320	101000
*** Claim from another period (7/21) ****									
16944		77 THATCHER COMPANY OF MONTANA		1,858.75					
	352925	07/23/21 55 gal drum T Chlor 12.5		1,601.60			5210 430540	220	101000
	352925	07/23/21 Container Deposit		320.00			5210 430540	220	101000
	352925	07/23/21 Freight		226.52			5210 430540	220	101000
	352784	06/29/21 Container deposit refund		-440.00			5210 430540	220	101000
	352784	06/29/21 Freight deposit refund		150.63			5210 430540	220	101000
*** Claim from another period (7/21) ****									
16945		23 VALLEY DRUG AND VARIETY		4.49					
		July 21 08/02/21 Poster Board lamination		4.49			1000 460430	210	101000
*** Claim from another period (7/21) ****									
16946		6 Eastside Ace Hardware		9.99					
	15870	07/06/21 wasp traps pool		9.99*			1000 460445	220	101000

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Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (7/21) ****							
16947	16 MONTANA ENVIRONMENTAL LAB LLC	1,196.00					
	2106564 07/01/21 Sewer Testing	171.20			5310 430610	350	101000
	2106893 07/08/21 Sewer Testing	342.40			5310 430610	350	101000
	2107297 07/15/21 Sewer Testing	171.20			5310 430610	350	101000
	2107507 07/22/21 Sewer Testing	171.20			5310 430610	350	101000
	2108129 07/30/21 Water Testing coliform	50.00			5210 430510	350	101000
	2106953 07/06/21 Water Testing Lead & Copper	290.00			5210 430510	350	101000
*** Claim from another period (7/21) ****							
16948	690 Core & Main LP	319.03					
	P179348 07/08/21 TST-4 4TEE Tap saddle	124.60			5210 430550	220	101000
	P317117 07/29/21 101NS -0540 RM 4x3 4CC NYL Sa	63.75			5210 430550	220	101000
	P25363 07/22/21 306-0690 RM 6x3/4 CC Saddle	130.68			5210 430550	220	101000
16949	108 BITTERROOT STAR	50.00					
	1-year subscription						
	Aug 21 08/01/21 1-year subscription	50.00			1000 410550	330	101000
16950	1164 ATCO International	370.50					
	10582342 08/05/21 30 lb devour	370.50			5310 430630	230	101000
*** Claim from another period (7/21) ****							
16951	34 STEVENSVILLE HARDWARE AND RENTAL	77.81					
	A513098 07/03/21 Hand soap parks	1.79*			1000 460430	220	101000
	C473408 07/06/21 Galv nipple water lines	15.08*			5210 430550	230	101000
	B463861 07/08/21 9v battery sewer plant	9.99			5310 430640	220	101000
	C473494 07/07/21 Bulk fastners	4.20			5310 430640	230	101000
	C474042 07/13/21 Bulk polyfilm union ditch cem	29.99			1000 430900	230	101000
	C474757 07/21/21 Gloves parks	12.98*			1000 460430	220	101000
	A515475 07/23/21 Keys truck shop	3.78			1000 430100	210	101000
*** Claim from another period (7/21) ****							
16952	56 HAWKINS, INC.	1,192.05					
	4994687 07/28/21 chemicals-Aqua Hawk 7882441 L	1,192.05			5310 430640	220	101000
*** Claim from another period (6/21) ****							
16953	1815 Republic Manufacturing	2,135.66					
	0213091-IN 06/14/21 Repair blower sewer plant	2,135.66			5310 430640	360	101000
16954	1816 Amber Hight	100.00					
	4 hr private lesson cancelled due to broken pump, 2 1/2 hr lesson cancelled due to lightening refund requested						
	080221 08/02/21 swimming lesson cancelled	100.00			1000 346030		101000

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
16955	53 SUPER 1 FOODS	233.52							
02-1283575	07/16/21 Pallet of water	233.52			1000 420421	220		101000	
16956	348 Snow Mountain Electric	185.00							
3382	07/14/21 6 gang radio charger airport	185.00*			1000 420422	369		101000	
	*** Claim from another period (7/21) ****								
16957	29 STEVENSVILLE NAPA AUTO PARTS	46.28							
636690	07/30/21 Red Hi temp RTV 3oz	7.99			1000 420460	231		101000	
632395	07/07/21 Butt connector 2011	5.99			1000 420460	232		101000	
632304	07/07/21 Duck bill black 20apm 2011	4.49			1000 420460	232		101000	
632393	07/07/21 Fuse holder tape crim butt con	27.81			1000 420460	232		101000	
	*** Claim from another period (7/21) ****								
16958	228 Norco, Inc.	11.47							
FY 18-19 Annual Community Connection Fee									
32697283	07/31/21 Cylinder Rental Streets	3.82*			1000 430200	231		101000	
32697283	07/31/21 Cylinder Rental Water	3.82			5210 430510	220		101000	
32697283	07/31/21 Cylinder Rental Sewer	3.83			5310 430610	220		101000	
	*** Claim from another period (7/21) ****								
16959	1659 CHS Mountain West CO-OP	498.06							
July 21	07/01/21 PD-Fuel	89.26			1000 420100	231		101000	
July 21	07/01/21 PW fuel	153.30*			1000 430100	231		101000	
July 21	07/01/21 FD fuel	255.50			1000 420460	231		101000	
	*** Claim from another period (7/21) ****								
16960	E 852 CENEX FLEETCARD	2,029.74							
216965CL	07/31/21 Admin - Fuel	0.00			1000 410550	231		101000	
216965CL	07/31/21 PD - Fuel	620.42			1000 420100	231		101000	
216965CL	07/31/21 FD - Fuel	343.39			1000 420460	231		101000	
216965CL	07/31/21 PW - Fuel	1,022.18*			1000 430100	231		101000	
216965CL	07/31/21 Amulance - Fuel	19.20			2230 420730	231		101000	
216965CL	07/31/21 Airport - Fuel	24.55			5610 430300	231		101000	
16961	33 NORTHWESTERN ENERGY	842.60							
August	08/03/21 Crksde Mdws Lighting Dist #4 1	252.06			2440 430263	340		101000	
August	08/03/21 Crksde Mdws Lighting Dist #4 2	135.84			2440 430263	340		101000	
August	07/02/21 Water-157 Sewer Works Rd Depot	0.00			5210 430510	340		101000	
August	07/06/21 Sewer-157 Sewer Works Rd Depot	0.00			5310 430610	340		101000	
August	07/06/21 Streets-157 Sewer Works Rd Dep	0.00			1000 430200	340		101000	
August	08/03/21 Stevensville Cutoff Rd Path	6.00			1000 430263	340		101000	
August	08/04/21 Twin Creeks Dist #5	432.78			2450 430263	340		101000	
August	08/04/21 300 Main St seasonal lighting	6.00			1000 430263	340		101000	
August	07/02/21 Dickerson Park	0.00			1000 460430	340		101000	
August	08/04/21 206 Buck Fire Dept lighting	9.92*			1000 411201	340		101000	

08/10/21
15:55:13

TOWN OF STEVENSVILLE
Claim Approval List
For the Accounting Period: 8/21

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* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account	
16962	104 K & N ELECTRIC MOTORS, INC. 0134381 08/04/21 5 hp pool pump motor	1,449.68 1,449.68*			1000 460445	220	101000	
	*** Claim from another period (7/21) ****							
16963	107 HACH CO. 12572341 07/30/21 DPD Free Refill Vial	210.87 210.87			5210 430540	230	101000	
16964	1754 Construct Montana, LLC 1019 08/09/21 quarterly inspections	11,514.75 11,514.75*			2394 420531	350	101000	
	*** Claim from another period (7/21) ****							
16965	E 1166 VISA July 21 06/21/21 K & S Greenhouse July 21 06/25/21 Costco bath tissue parks July 21 06/25/21 Costco papertowel town hall July 21 06/25/21 Costco papertowel 1/2 water July 21 06/25/21 Costco papertowel 1/2 sewer July 21 06/26/21 Amazon bankerboxes townhall July 21 06/28/21 Canva subscription July 21 06/28/21 Costco A/C unit airport July 21 06/28/21 Costco charirs mayors office July 21 06/30/21 Facebook advertising July 21 06/29/21 Lowes Pool chemicals July 21 07/01/21 SBC Subscription July 21 07/01/21 Colonial flag Town Hall July 21 07/06/21 DNH Go Daddy subscription PD July 21 07/07/21 Pool & Pond supply July 21 07/07/21 Lowe's 40 lb clorox blue alge July 21 07/08/21 Amazon headlights Firetrucks July 21 07/08/21 Amazon liquid reagent pool ch July 21 07/12/21 Adobe Acropro DC 3 license July 21 07/15/21 Zoom pro 2 month July 21 07/15/21 USPS letter to Shunkwiler July 21 07/18/21 EIG Constantcontact July 21 07/16/21 Amazon court office supplies	2,389.00 384.61* 24.49* 14.39 11.49 11.50 97.12 12.99* 429.99* 179.99 20.00 55.92* 35.00* 180.98* 38.34 212.00* 119.92* 279.98 99.99* 50.97 31.10 7.00 70.00 21.23				2940 470310 1000 460430 1000 410550 5210 430540 5310 430640 1000 410550 1000 410550 5610 430300 1000 410200 1000 460445 1000 460445 1000 410550 1000 411201 1000 420100 1000 460430 1000 460430 1000 420460 1000 460430 1000 410550 1000 410550 1000 410550 1000 410550 1000 410550 1000 410360	220 220 220 220 220 210 339 210 210 330 220 339 220 220 220 232 220 312 312 311 312 210	101000 101000
	*** Claim from another period (7/21) ****							
16966	1817 3 Rivers Landworks 1045 07/30/21 3rd Street Improvements 1045 07/30/21 3rd Street water services 1045 07/30/21 3rd Street sewer services 1045 07/30/21 3rd Street Sidewalks	53,688.56 14,126.91* 22,544.07* 11,421.54* 5,596.04			2821 430200 5210 430550 5310 430630 4001 430262	931 934 934 950	101000 101000 101000 101000	

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TOWN OF STEVENSVILLE
Claim Approval List
For the Accounting Period: 8/21

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* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (7/21) ****									
16967		1667 Owens Law Firm, PLLC		2,222.80					
	3223	08/10/21 Town Legal Services		498.00			1000 411100	350	101000
	3224	08/10/21 Prosecuting Atty Services		1,724.80*			1000 410364	350	101000
*** Claim from another period (7/21) ****									
16968		1818 James Solomon		179.00					
Customer #140610-00 101 Winslett Avenue, paid \$179.00 after house closed and account was paid in full by Title Company									
	072121	07/21/21 Cust OP after house closed		179.00			5210 343022		101000
*** Claim from another period (7/21) ****									
16969		1744 MMIA-Liability Program		73,383.00					
FY 21-22 Liability Risk Retention Invoice									
	FY 21-22	07/01/21 FY 21 Liability Mayor		12.09			1000 410200	510	101000
	FY 21-22	07/01/21 FY 21 Liability Council		31,440.61*			1000 410100	510	101000
	FY 21-22	07/01/21 FY 21 Liability Court		39.09			1000 410360	510	101000
	FY 21-22	07/01/21 FY 21 Liability TH		13,071.12*			1000 410550	510	101000
	FY 21-22	07/01/21 FY 21 Liability PD		509.65			1000 420100	510	101000
	FY 21-22	07/01/21 FY 21 Liability Fire		52.68			1000 420410	510	101000
	FY 21-22	07/01/21 FY 21 Liability PW Admin		1,419.23*			1000 430100	510	101000
	FY 21-22	07/01/21 FY 21 Liability Parks		101.13			1000 430900	510	101000
	FY 21-22	07/01/21 FY 21 Liability Pool		465.97			1000 460445	510	101000
	FY 21-22	07/01/21 FY 21 Liability Building		54.28			2394 420531	510	101000
	FY 21-22	07/01/21 FY 21 Liability Water		317.12			5210 430510	510	101000
	FY 21-22	07/01/21 FY 21 Liability Sewer		22,673.42*			5310 430610	510	101000
	FY 21-22	07/01/21 FY 21 Liability Airport		3,226.61*			5610 430300	510	101000
		# of Claims	50	Total:	186,073.29				
		Total Electronic Claims		5,150.99	Total Non-Electronic Claims		180922.30		

Fund/Account	Amount
1000 GENERAL	
101000 Cash - Operating	\$64,634.94
2230 AMBULANCE	
101000 Cash - Operating	\$29.22
2394 BUILDING CODE ENFORCEMENT	
101000 Cash - Operating	\$11,916.10
2410 DAYTON LIGHTING #1 DISTRICT 55	
101000 Cash - Operating	\$251.45
2420 PETERSON ADDN LIGHTING #2 DISTRICT 80	
101000 Cash - Operating	\$182.89
2430 GEO SMITH LIGHTING #3 DISTRICT 76	
101000 Cash - Operating	\$245.66
2440 CREEKSIDE LIGHTING #4 DISTRICT 77	
101000 Cash - Operating	\$387.90
2450 TWIN CREEKS LIGHTING #5 DISTRICT	
101000 Cash - Operating	\$432.78
2821 BARSAA (HB 473)	
101000 Cash - Operating	\$14,126.91
2940 ECONOMIC DEVELOPMENT	
101000 Cash - Operating	\$384.61
4001 SIDEWALK IMPROVEMENT	
101000 Cash - Operating	\$5,596.04
5210 WATER	
101000 Cash - Operating	\$35,152.94
5310 SEWER	
101000 Cash - Operating	\$46,045.34
5610 AIRPORT	
101000 Cash - Operating	\$6,686.51
Total:	\$186,073.29

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TOWN OF STEVENSVILLE
Claim Approval Signature Page
For the Accounting Period: 8 / 21

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

Council Council

Council Council

Mayor

Date Approved _____

File Attachments for Item:

b. Community Development

MONTHLY REPORT

Building Department

July 2021

<u>Permits Issued</u>	<u>Fees Collected</u>
<u>Building</u> (6 permits)	
1. NSFR	\$1,146.25
2. New Commercial Building	\$0
3. Renovation/Remodel	\$396.25
4. Demo	\$0
<u>Electrical</u> (3 permits)	
1. NSFR	\$0
2. New Commercial Building	\$0
3. Renovation/Remodel	\$180.00
4. Demo	\$0
<u>Mechanical</u> (1 permits)	
1. NSFR	\$0
2. New Commercial Building	\$0
3. Renovation/Remodel	\$590.00
4. Demo	\$0
<u>Plumbing</u> (1 permits)	
1. NSFR	\$0
2. New Commercial Building	\$0
3. Renovation/Remodel	\$457.00
4. Demo	\$0
Total permits issued: 11	Total fees collected: \$2,769.50
<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 Tim Netzley, Building Official

File Attachments for Item:

d. Fire Department



STEVENSVILLE FIRE DEPARTMENT

206 BUCK STREET

Activity Report – July 2021

Calls for the Month of July: 72

Calls for Stevensville Town: 34

Calls for Stevensville Rural: 37

Mutual Aid: 1

Medical Response: 53

Fire Calls: 14

Motor Vehicle Crash: 5

Total Calls: 72

Calls for the Year to Date: 442

Calls for Stevensville Town: 152

Calls for Stevensville Rural: 284

Mutual Aid: 6

Medical Response: 346

Fire Calls: 68

Motor Vehicle Crash: 28

Total Calls: 442

File Attachments for Item:

e. Parks Department



August 12, 2021 Report to Council

Here is what's happening in your parks:

Lewis and Clark Park:

- ◆ Trimmed trees hanging over playground/pavilion sidewalks
- ◆ Trimmed inside and outside of east exterior fence

River Park/River Park Trail:

- ◆ Watering new apple trees regularly
- ◆ Removed debris from 2 down trees

Father Ravalli Park:

- ◆ Fixed irrigation and electrical for timer box
- ◆ Addressed long grass in basketball court cracks
- ◆ Working on site plan and calendar for installation of new play structure

Pool:

- ◆ Dealing with short staffing due to high school sports/employees going off to college
- ◆ All lessons sold out for 2021 season
- ◆ Private Lessons
 - 175 private lessons completed
- ◆ Group Lessons
 - 79 group lessons completed
- ◆ Private Party Rentals
 - 8 private party thus far
 - 3 private parties scheduled
- ◆ Pump motor went out, replaced and pool back up. We were closed for a week and a half.

Events:

- ◆ Class of 2011 10-year reunion at L&C Park 7/31/21
- ◆ 108th Creamery Picnic 8/6&7/21
- ◆ Pickleball Tournament 8/8/21
 - Upcoming: Concert at L&C Park 6:30-8:00pm 8/15/21

Other:

- ◆ Mowing parks weekly
- ◆ 14 pavilion rentals in July/Early August, 4 scheduled for Late August/September
- ◆ Trimmed trees on Bike Path
- ◆ Installed two dog waste stands on Bike Path
- ◆ New concrete around Blue and Gold Star Monuments at Veteran's Park

Sincerely,

Bobby Sonsteng

Parks and Recreation Director

File Attachments for Item:

f. Police Department

TOWN OF STEVENSVILLE POLICE DEPARTMENT ACTIVITY REPORT

July 1, 2021

MONTHLY REPORT: June 2021 - Police Activity Report

In June 2021, all SPD officers completed training focusing on Court Room Testimony. During the month of June, we saw a decrease in call volume. Officers completed 2 traffic related arrests, and multiple citations from increased traffic stops. The citizens have asked for more visibility and accessibility to the officers. It appears that this may be a contributing factor in reduced call volume during summer months.

Vacation Checks and Extra patrols/Area Checks are being documented and are a separate number from the calls for service. **AS of July 9 at noon July 2020 70 calls for**

PROACTIVE POLICING & CALLS FOR SERVICE:

PERSONNEL WORKLOAD	MONTH OF March	MONTH OF April	MONTH OF May	MONTH OF June	Month of July	YEAR TO DATE
<i>PATROL</i>						
Calls for service	64	47	68	49	29	346
Traffic Citations	10	8	24	15	5	69
Traffic Warnings	37	38	26	37	14	206
Arrests	2	2	4	2	1	16
<i>INVESTIGATIONS</i>						
Robbery/Homicide	0	0	0	0		0
Assault	0	1	1	1		5
Sex Crime	0	1	0	0		3
Burglary Theft	0	0	0	0		0
Theft	1	1	1	2	1	9
Crim Mischief	0	0	0	0	1	1
Fraud	2	0	0	0	4	6
Suspicious Incident	3	3	1	6		23
Disturbance/PF MA	6	5	2	2		20
Found Property	1	0	1	2	2	6
Traffic Hazard	1	0	0	2		5
Traffic Accident	0	0	2	1	1	8
Vacation Checks	0	0	0	4		4

Extra Patrols	12	13	29	116	287	288
SPD AGENCY ASSISTS						
Ravalli County S.O	2	7	0	11	1	26

File Attachments for Item:

g. Public Works

TOWN OF STEVENSVILLE PUBLIC WORKS ACTIVITY REPORT July 2021

UTILITIES REPORT

Water Production

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Produced</i>	35,633,000	29,906,000

- 💧 Monthly, weekly and Annual reports to the state
- 💧 Monthly Meter Readings
- 💧 Unread Meters: 71
- 💧 Jetted 3 sewer lines
- 💧

Waste Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Treated</i>	5,298,742	5,524,000

- 💧 State Reports and EPA, weekly monthly and Annual samples taken and reported
- 💧 Press
 - Sludge transitioned to drying beds, press serviced for summer, reduced energy consumption

OTHER

- 💧 Special events support, stage, trash, traffic control
- 💧 Full implementation of cemetery irrigation
- 💧 Water supply remains in good shape despite the prolonged hot temperatures
- 💧 Lost ditch irrigation water at Riverside Cemetery, spent a week reestablishing our ditches from the Union ditch to pumphouse. Enough water to irrigate for short periods of time, switched to watering at night when ditch level is higher
- 💧 Implemented preemptive sewer jetting
- 💧 Started implementation of Qware work order and asset management software with consulting engineers
- 💧 Extensive support for 3rd St project, inspections, water shutoffs and leak repair
- 💧 Noxious weed control at several locations
- 💧 Numerous 3rd party contractor locates
- 💧 School project support and inspections
- 💧 Escalated number of resident trouble calls
- 💧 Repaired large water leak on College
- 💧 Ongoing meter replacements

💧 Special Events Support

File Attachments for Item:

a. Discussion/Decision: to nominate and elect a Councilmember to serve Council President in accordance with Town Council Rules Part XII



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: to nominate and elect a Councilmember to serve Council President in accordance with Town Council Rules Part XII
Backup Documents Attached?	Choose an item.
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

b. Discussion/Decision: Appointment of Councilperson to serve on Planning & Zoning Board in accordance with Stevensville municipal Code §2-313



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: Appointment of Councilperson to serve on Planning & Zoning Board in accordance with Stevensville municipal Code §2-313
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

c. Discussion/Decision: Appointment of Councilperson to serve on TIFID/TEDD Board in accordance with Stevensville Municipal Code §2-330



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: Appointment of Councilperson to serve on TIFID/TEDD Board in accordance with Stevensville Municipal Code §2-330
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

d. Discussion/Decision: Appointment of Councilperson to serve on Park Board



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: Appointment of Councilperson to serve on Park Board
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

e. Discussion/Decision: Appointment of Councilperson to serve on the Airport Board in accordance with Stevensville Municipal Code §3-33



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: Appointment of Councilperson to serve on the Airport Board in accordance with Stevensville Municipal Code §3-33
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

f. Discussion/Decision: Appointment of Councilperson to serve on the Climate Action Ad. Board



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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	08/12/2021
Agenda Topic:	Discussion/Decision: Appointment of Councilperson to serve on the Climate Action Ad. Board
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	08/12/2021
Notes:	

File Attachments for Item:

g. Discussion/Decision: Declaration of Emergency Termination



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:	James Crews
Second Person Submitting the Agenda Item:	EnterName
Submitter Title:	Citizen
Submitter Phone:	406-546-1102
Submitter Email:	shadowsdolittle@gmail.com
Requested Council Meeting Date for Item:	8-12-21 or via Special Meeting of the Council (I would prefer the Mayor call a special meeting.)
Agenda Topic:	Declaration of Emergency Termination
Backup Documents Attached?	No
If no, why not?	The town has published these documents and all members of the Council should be cognizant of their contents. The Town should display these documents for the public at the meeting.
Approved/Disapproved?	Choose an item.
If Approved, Meeting Date for Consideration:	EnterDate
Notes:	See the following attachment

The Mayor of the Town of Stevensville has declared a State of Local Disaster Emergency. Reference the Proclamation Dated 3-31-2020.

The Mayor of the Town of Stevensville declared a State of Local Disaster Emergency on the 31st Day of March, 2020 and made the declaration retroactive to the 12th of March 2020. This by itself could become a legal issue regardless of the actions of the State of Montana

In the Declaration, item 4, page 2 of the declaration, the Mayor committed to implement all directives provided by the Governor of the State of Montana.

As the Governor has lifted the State of Emergency for the State of Montana effective June 30th, 2021 it seems to me that the Mayor should have complied and immediately lifted the Town's Declaration of a Local Disaster Emergency.

This Citizen is confused by the Declaration as the Governor(s) of the State of Montana did not declare a disaster, but declared a state of emergency and the President of the United States did not declare a disaster but a state of emergency. **The Mayor declared a Disaster Emergency.**

Item 1 of this Agenda Request

The Mayor should issue and order immediately to terminate his declared Disaster Emergency as none exists.

As it is the mayor that makes the determination that a Disaster or Emergency exists, the Council cannot direct the mayor to terminate the declaration. However, Emergency Ordinance 166 expired on June 17, 2020 and was not reviewed by either the executive branch or the legislative branch, thus the ordinance is a dead ordinance. .

Suggested Motion-I move that We, the Body of this Town Council, hereby request the Mayor to rescind the Town of Stevensville Disaster Emergency Declaration immediately, restore the Town of Stevensville to its constitutional form of government, resume normal meeting schedules and locations.

Item 2 of this Agenda Request

A comprehensive list of all agreements, contracts and purchases made between March 12, 2020 and the date the Declaration of Disaster Emergency termination needs to be compiled and brought forward so that the public can see what has transpired.

- This is a routine form of transparency that has not been demonstrated by the current administration.

Suggested Motion-I move that the Mayor and Finance Officer shall assemble a list of all agreements, contracts and purchases made between March 12, 2020 and the date the Declaration of Disaster Emergency has been terminated, so that this information can be brought forward for the Council and the Public may readily access and peruse the information as they see fit and that each purchase shall provide a justification for failure to comply with the provisions of the Town of Stevensville Purchasing Policy.

Item 3 of this Agenda Request

The Council should direct and implement a review of all contracts and expenditures consummated by the Mayor of the Town of Stevensville from March 12, 2020 until the date the Declaration of Disaster Emergency is terminated.

- This is necessary in order to determine the validity of all agreements, contracts and purchases made in order to verify compliance with items 7 and 8 of the Declaration of Disaster Emergency.
- The review is necessary as the current administration has shown a propensity to procrastinate bringing claims before the council. This has been shown to be the case as indicated during the council

of July 22, 2021 approximately \$92,000 worth of claims for computer purchases where presented approximately 7 months after the purchases. **This was noted by Council Member Allen, who did not, nor the remaining members of the Council, take formal action to stop this sort of activity by the current administration.**

- This is necessary to restore and validate the Checks and Balances between the Executive and Legislative Branches of our local government.
- The Declaration of Disaster Emergency did not include this provision in order to protect the Citizens of the Town of Stevensville and their assets and best interest.

Suggested Motion-I move that the Council shall schedule Council of the Whole meetings (COW Meeting) in order to review and determine the validity of all agreements, contracts and purchases made during the Disaster Emergency Declaration.

Item 4 of this Agenda Request

The Town of Stevensville Purchasing Policy, Section 9, states that the Purchasing Rules under the purchasing policy may be suspended during an emergency or disaster declared under § 10-3-401 MCA.

I believe a formal decision by the council is needed to direct the Mayor to comply with the Town of Stevensville Purchasing Policy.

- This Citizens does not believe that the Town of Stevensville Town Council formally suspended the purchasing policy, nor is it mentioned in the Disaster Emergency Declaration.
- The Council gave the Mayor powers that are reserved and assigned to the Town Council, which I believe is not legal as the Council cannot assign powers to a Mayor that are not assigned by the state legislature.

Suggested Motion-I move that the Mayor of the Town of Stevensville shall be required to comply with all provisions of the Town of Stevensville Purchasing Policy and recognize that the Town Council has not suspended the Purchasing Policy in regard to the Declaration of Disaster Emergency.

File Attachments for Item:

h. Discussion/Decision: Approval of Contract for the Stevensville Airport Gate Project

SECTION 1.5

CONTRACT

THIS CONTRACT, made as of the _____ day of _____, 2021 by and between **The Town of Stevensville, Montana**, hereinafter called the OWNER, and _____ hereinafter called the CONTRACTOR.

WITNESSETH THAT, whereas the OWNER intends to construct improvements at **STEVENSVILLE AIRPORT – AIP 3-30-0044-018-2021**, consisting of:

**New Automatic Vertical Pivot Gate
AIP 3-30-0044-018-2021**

hereinafter called the PROJECT, in accordance with Drawings, Specifications and other Contract Documents prepared by **Morrison-Maierle, Inc.**, hereinafter called the ENGINEER, and as such designated by the parties hereto as an agent for the OWNER to protect the interests of the OWNER and to ensure that the CONTRACTOR's work is done in full compliance with the terms of this CONTRACT.

NOW, THEREFORE, the OWNER and the CONTRACTOR, for the considerations herein set forth, agree as follows:

THE CONTRACTOR AGREES to furnish all the necessary labor, materials, equipment, tools and services necessary to perform and complete, in a workmanlike manner, all work required for the construction of the Project included in the following units and items of the Proposal in strict compliance with the Contract Documents herein mentioned, which are hereby made a part of the Contract:

A. CONTRACT TIME: Work under this Contract shall be commenced upon written Notice-To-Proceed and shall be completed within the specified calendar days of the commencement of the Contract Time as specified in the Special Provisions.

B. LIQUIDATED DAMAGES AND ACTUAL DAMAGES: Subject to the provisions of the General and Special Provisions, the OWNER shall be entitled to be paid by the Contractor for liquidated damages, actual damages and damages for additional engineering services as specified in the Special Provisions and as referenced in the "Bid Proposal Packet". (See attached "Acknowledgement of Liquidated Damages" form.)

C. LOBBY DISCLOSURE: As a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code, the Contractor agrees to provide Certification of Disclosure of Lobbying activities and shall require that the language of this certification be included in the award of documents for all sub-awards at all tiers and that all sub-recipients shall certify and disclose accordingly. (See attached "Disclosure of Lobbying Activities" form.)

D. SUBCONTRACTORS: The CONTRACTOR agrees to bind every subcontractor by the terms of the Contract Documents and incorporate into all subcontracts and purchase orders the required contract provisions in Section 1.8. The Contract Documents shall not be construed as creating any contractual relation between subcontractor and the OWNER.

E. CONTRACT PRICE: THE OWNER AGREES to pay, and the CONTRACTOR agrees to accept, in full payment for the performance of this Contract, the Contract amount of _____ Dollars (\$ _____) based on the prices stipulated in the Proposal and in accordance with the provisions of the Contract Documents.

F. PAYMENT PROCEDURES: Progress payments will be made in accordance with the General Conditions and Special Provisions.

G. CONTRACT DOCUMENTS: The term "CONTRACT DOCUMENTS" as used herein shall mean and include the "GENERAL CONDITIONS" hereto attached, all of which are by this reference incorporated into and made a part of this Contract. In the event any provision of one Contract Document conflicts with the provision of another Contract Document, the provision in that Contract Document first listed below shall govern, except as otherwise specifically stated:

- a. Contract (This Instrument)
- b. Performance and Payment Bonds
- c. Addenda to Contract Documents (List): _____
- d. Legal and Procedural Documents:
 - 1. Proposal
 - 2. Proposal Guaranty
 - 3. Instructions to Bidders
 - 4. Invitation to Bid
- e. Special Provisions
- f. Drawings (List Sheet Numbers): _____
- g. Technical Provisions
- h. General Conditions

H. AUTHORITY AND RESPONSIBILITY OF THE ENGINEER: The ENGINEER shall decide any and all questions which may arise as to the quality and acceptability of materials furnished, work performed, rate of progress of work, interpretation of drawings and specification, and all questions as to the acceptable fulfillment of the Contract on the part of the CONTRACTOR. In acting in this capacity under this Contract, the ENGINEER is acting as an agent for the OWNER to protect the interest of the OWNER. ENGINEER will endeavor for the benefit of the OWNER to determine, in general, if the work is proceeding in accordance with the contract documents. ENGINEER will not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the work. ENGINEER'S efforts will be directed toward providing for owner a greater degree of confidence that the completed work will conform generally to the contract documents. This service does not include direction or supervision of the CONTRACTOR's employees, agents or subcontractors, or the inspection of any of the equipment, installations, temporary shoring, or any other of the CONTRACTOR's operations or those of his subcontractor, to safeguard their agents or public employees or the general public, or to prevent damage to public or private property, these being the sole responsibility of the CONTRACTOR.

I. SAFETY PROVISIONS: It is a condition of the Contract, and shall be made a condition of each subcontract entered into pursuant to this Contract, that the CONTRACTOR and any subcontractor shall not require any laborer or mechanic employed in performance of the Contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety, as determined under construction safety and health

standards. Title 29 Code of Federal Regulations, Part 1518, 36 F.R., 7340, promulgated by the United States Secretary of Labor in accordance with Section 107 of the Contract Work Hours and Safety Standards Act, 82 Stat. 96.

J. LABOR PROVISIONS: The labor provisions of Section 1.8 A10. Davis Bacon Requirements are hereby made a part of this contract.

K. SUCCESSORS AND ASSIGNS: This contract and all of the covenants hereof shall insure to the benefit of, be binding upon the OWNER and the CONTRACTOR respectively, and his partners, successors, assigns, and legal representatives. Neither the OWNER nor the CONTRACTOR shall have the right to assign or transfer his interests or obligations hereunder without written consent of the other party.

L. ATTORNEY'S FEES: In the event either party engages the services of an attorney to enforce any provisions hereof or to secure payments, the prevailing party shall receive from the other party all costs, charges and expenses, including reasonable attorney's fees.

M. EQUAL EMPLOYMENT OPPORTUNITY CLAUSE: (Applies to all Construction Contracts in excess of \$10,000): During the performance of this contract, the contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

SECTION 1.5

PAGE 3 OF 10

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interest of the United States.

N. AFFIDAVIT OF AMOUNTS PAID DBE PARTICIPANTS: Upon completion of the project, the Bidder agrees to complete the attached "Affidavit of Amounts Paid DBE Participants" indicating actual DBE firms used, a description of utilization, and the amount paid each DBE firm. (see Forms Appendix, make copies as needed, complete and provide to project engineer.)

IN WITNESS WHEREOF, the parties have made and executed this Contract this day and year first above written.

Town of Stevensville
OWNER

CONTRACTOR

By: _____

By: _____

Title: _____

Title: _____

P.O. Box 30, 206 Buck Street
Business Address

Business Address

Stevensville, Montana 59870
City State Zip

City State Zip

The foregoing Contract, including all Contract Documents which are a part thereof, is in due form according to the law and is hereby approved.

Attorney for the Town of Stevensville

See attached forms:

- A. CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS**
(Requires Signature)
- B. DISCLOSURE OF LOBBYING ACTIVITIES** (Requires Disclosure)
- C. LETTER OF INTENT** (Requires Signature If Utilizing DBE)
- D. ACKNOWLEDGEMENT OF LIQUIDATED DAMAGES** (Requires Signature)

Attachment "A"
**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS,
AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobby Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signed: _____ Dated: _____
Contractor's Authorized Representative

Attachment "B"
DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

<p>1. Type of Federal Action:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Contract <input type="checkbox"/> b. Grant <input type="checkbox"/> c. Cooperative Agreement <input type="checkbox"/> d. Loan <input type="checkbox"/> e. Loan Guarantee <input type="checkbox"/> f. Loan Insurance 	<p>2. Status of Federal Action</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. id/Offer/Application <input type="checkbox"/> b. Initial Award <input type="checkbox"/> c. Post-award 	<p>3. Report Type:</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Initial filing <input type="checkbox"/> b. Material change <p>For Material Change Only: Year ___ Quarter ___ Date of last report</p>
<p>4. Name and Address of Reporting Entity:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee <li style="padding-left: 40px;">Tier ____, if known: Congressional District, if known: 	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>Congressional District, if known:</p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable:</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$</p>	
<p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</p> <p>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>	
<p>11. Amount of Payment (check all that apply):</p> <p>\$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned</p>	<p>13. Type of Payment (check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Retainer <input type="checkbox"/> b. One- time fee <input type="checkbox"/> c. Commission <input type="checkbox"/> d. Contingent fee <input type="checkbox"/> e. Deferred <input type="checkbox"/> f. Other; specify: 	
<p>12. Form of Payment (check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> a. Cash <input type="checkbox"/> b. In-kind: specify: nature _____ value _____ 		
<p>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment indicated in Item 11:</p> <p>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>		
<p>15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>Information requested through this form is authorized by title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No: _____ Date: _____</p>	
<p>Federal Use Only:</p>	<p>Authorized for Local Reproduction Standard Form - LLL</p>	

**DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET**

Reporting Entity: _____

Page _____ of _____

Attachment "C" LETTER OF INTENT

The Letter of Intent form shall be completed, and **submitted with the executed contract documents**. A separate Letter of Intent form is required for each proposed DBE subcontractor.

LETTER OF INTENT

Name of Bidder's Firm: _____

Bidder's Address: _____

City: _____ State: _____ Zip: _____

Name of DBE Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone (including area code): _____

Description of work to be performed by DBE firm:

Bidder intends to utilize the above named DBE firm for the work described above. The estimated amount of work is valued at \$ _____

Bidder's confirmation of intent to use DBE contractor:

Bidder's Signature: _____

Attachment "D"
ACKNOWLEDGEMENT OF LIQUIDATED DAMAGES

This acknowledgement dated this _____ day of _____, 2021, by _____ [CONTRACTOR] wherein *CONTRACTOR* acknowledges and agrees that the construction contract which is the subject matter of this submitted bid contains a liquidated damages clause.

Contractor acknowledges and agrees that because this is a construction contract, it is impracticable or extremely difficult to fix, determine and prove Owner's actual damages for delay in completing the project within the time specified, and for this reason a liquidated damages clause is both appropriate and necessary. It is mutually agreed that a sum of \$500.00 per day is a reasonable and good faith estimate of the anticipated and probable damages the Town of Stevensville will incur should the Contractor fail to complete within the contract time specified. Contractor acknowledges that this mutually agreed upon liquidated damages amount has been specifically taken into account in arriving at the dollar amount of Contractor's submitted bid. This liquidated damages amount shall be included in the construction contract and the Contractor acknowledges and agrees to be bound by this amount.

The mutually agreed upon liquidated damages amount may be deducted from money due or to become due to Contractor should Contractor be awarded the construction contract and should Contractor fail to complete the work within the time specified.

By: _____
(Contractor)

Its: _____
(Title)

File Attachments for Item:

i. Discussion/Decision: First Addendum to Attorney Contract with City Attorney Scott Owens



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Agenda Item Type:	New Business
Person Submitting the Agenda Item:	Brandon E. Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	8/12/2021
Agenda Topic:	Discussion/Decision: First Addendum to Attorney Contract with City Attorney Scott Owens
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	8/12/2021
Notes:	

**TOWN OF STEVENSVILLE
FIRST ADDENDUM TO ATTORNEY CONTRACT**

This is the First Addendum to that certain Attorney Contract made and entered into on the 12th day of July, 2019 by and between the Town of Stevensville, a Municipal Corporation, 206 Buck Street, Stevensville, Montana 59870 hereinafter referred to as “Town”, and Scott B. Owens, Attorney at Law, 2525 Colonial Drive, Suite C, Helena, MT 59601, hereinafter referred to as “Contractor”.

WHEREAS, Contractor has submitted his letter of intent to resign, the Town is currently seeking replacement legal counsel, and the Town still requires legal counsel in the interim; and

WHEREAS, it is the desire of the parties to the agreements referred to above to amend the same as hereinafter set forth and to reduce their mutual understanding to writing.

The said Contract, dated July 12, 2019, I amended as follows:

1. The Town and Contractor agree to renew this Contract for Two (2) Months commencing July 12, 2021, upon the same terms and conditions (except for the Term and Mileage Reimbursements) as in the Contract dated July 12, 2019.
2. The Town and Contractor agree that mileage between Stevensville and Helena, will be reimbursed to Contractor, monthly at the approved federal (IRS) mileage ratings.

It is further understood and agreed that, except as amended herein, all the provisions of the said Contract of July 12, 2019 shall remain in full force and effect and that this instrument is executed for the sole purpose of providing a minor amendment to the Term of Services and amending Mileage Reimbursement terms of the existing Contract. The effective date will be retroactive to the date of July 12, 2021.

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals the day and year first above written.

Scott B. Owens
Attorney at Law
2525 Colonial Drive, Suite C
Helena, MT 59601

Brandon Dewey – Mayor
Town of Stevensville - Mayor
206 Buck Street
Stevensville, MT 59870

By: _____
Scott B. Owens

By: _____
Mayor

Attest:

By: _____
City Clerk