

Town Council Meeting Wednesday September 13, 2023

Attendance: Jan Bowey, Tonya Romkema, Tammy Todd, Mayor Judy Edwards, Ty Gerth (public works director), and Jennifer Meacham (clerk/treasurer)

Other attendees: Stephanie Haag, Robert Reimard, Sherry Huff, Matt Grow, Phylly Saxon, David Haag, Lee Michaels, Abby Grow, Rick Hecker, Paul Marsh, Steve Stender, Kali Stender, Kay Carter-Colwell, Landon Dybdal, Karen Talley, Kevin Pearce, Nancy Males, Fred Morganthaler, Sand Levenson, Mike Zielinski, Daniel Cook, and Stephanie Kruer (Town attorney)

Call to order at 6pm by Judy Edwards

Pledge was recited.

Public Comment

Stephanie went over Roberts rules of order for public comment. Discussion about what can be discussed and when public comment can be discussed.

Interim Zoning Ordinance 1-2023 was read for first reading; discussion was open to the public. Comments were made about the annexation of section 2. The 1-mile marker was not properly noticed, and the wording has been changed. With the 1-mile marker would community homeowner association/covenants be affected by the 1-mile marker? Will it be in writing that it wouldn't be affected? Doesn't read as what the town is doing, more of a planning document. The intent of the ordinance was for planning and research for potential zoning ordinance. The second reading will be in October, this is a short-term ordinance which prevents uses. Why not go 1000 feet instead of 1 mile. Protecting the water is rational. No reason for including the 1-mile marker. Following the state statute by going 1 mile. Karen Talley read the mayor's September letter, and wants to know why the 1-mile, there was no notice to people in the 1-mile marker.

Public comment was closed on the interim zoning ordinance 1-2023 at 6:30 and the Regular Town Council meeting continued.

Dave and Stephanie Haag asked to get approval to build a house in March on 308 Hamilton. There was an existing house on the property. Unsure whether or not the impending setbacks apply. They were here in March and have the minutes from then, the thing that needs to be considered is public health, safety, and welfare. Looking at the minutes from March, the council and attorney read that they had approval in March, and they are good to go.

Matt Grow is planning a home at 106 Flick Lane moved out a mobile home and tearing down other buildings on the lot, because it isn't on the agenda it can't be voted on.

Approval of minutes from August 14, 2023, Tammy Todd, I so move to accept the minutes from August 14, 2023, with proposed edits, Tonya Romkema seconds, all in favor, motion passes.

Special Budget Meeting August 28 and 31, 2023: Jan Bowey makes a motion to approve both minutes as corrected, Tonya Romkema seconds, all in favor, motion passes.

Department Reports

Sheriff-Not here

Library-Not here

Attorney-nothing at this time

Fire Department- no update on the building, still waiting on DEQ. There was a profit on the gun raffle and dinner, which helps move forward.

Public Works-water/sewer water issue on well 6, it is failing to start, looking into it could be electronics. There is someone coming to look at it. One of the pumps on one of the lift stations has failed to perform correctly, right now we are waiting for the company to come out and look at it. Road's pothole filling as we can. MSIT purchased cold mill and sealer for the parking area at Mill and Main. This is going to be the test spot to see how well it holds up for further use within the town. Parks mowing and weed eating. Manhole on Jefferson coming.

Finance-working on spread sheet for better viewing. Working on the audit for FY 22/23. Budget report was given to the Council members in their packets. Recommend monthly percentages of funds. I recommended: used to date.

Mayor-reopened public comment to read a letter sent from Cal and Julie Ward concerning the interim zoning ordinance 1-2023. Because the public comment was reopened Karen Talley wanted to know if people can come before the council and get permission to be able to build a garage, etc. There was no response from the council or the mayor. Mayor Edwards then closed the public comment. Mayor Edwards introduced the Daughters of American Revolution which brought up the proclamation in recognition of constitution week coming up on September 17, 2023 at 2pm MDT to ring a bell for a minute at 2pm. Mayor Edwards read the proclamation.

For the council we heard back from MSU Extension city/county training and November 8, 2023, is what works best for everyone involved and the council agreed upon morning for the training. Money for 105,000 for the water improvement system we will be getting from the County.

Water and Sewer Ordinance 118 allows for late fees for \$5 for water/sewer charges. There haven't been late fees sent out before but is in the ordinance. Mayor Edwards would like the council to consider it. Rewriting of the growth plan, because there are errors in the latest growth plan that was submitted and approved in 2021, Steve Dobbs has been helping with the rewrites with Mayor Edwards. ~~There are about 20 pages of the rewrite~~ of the growth plans first 20 pages. Even though currently there is no zoning the growth plan needs to be corrected that we are getting zoning. Tammy would like the annexation of zoning left in. Judy will have it available next week for any suggestions. It will be a ~~substitute~~ substantive change. Madison County has applied for the CBDG grant from the state for the Tobacco Root Mountain Care Facility allowing them to redo the road in front of the hospital and Tobacco Root Mountain Care Facility. An opportunity was presented earlier today that isn't on the agenda from Madison County. They could add funds coming from SB536, which would allow them to redo the road in front of the hospital. If the council would like to discuss it Mayor Edwards could get back to the county if they would be interested in doing it. Unfortunately, we just found out about it and need to let the county know by Friday. The council discussed it and ~~hypothetically the council is behind it if they were to improve the road~~ supports the improvement of the road. They will let us know next week.

Town Council-Tammy Todd, we should have chair for the council at some point. In the past each council member was asked to report. The conference in Helena, in October each member should register on their own for the League of Cities and Towns Conference.

Boards and Committees

MSIT-Sherry [Huff](#), latest project is corner of Main St and Mill ~~has issues~~. Removed a lot of the signage and relocated them, poured cement, and put in a curb. Huge shout out, for Ty and Zach for their time and efforts, now it's completed. Put in a new post with park sign. Want to know if there has been any progress on the other sign on the property. There hasn't been any movement forward about the other sign. MSIT wrote up a statement and read it regarding the other signpost on the corner. The October 2016 minutes were researched while Phylly Saxon spoke. Phylly Saxon is here because she didn't know that this would be a problem and offered to let MSIT use. The [previous](#) mayor and council approved ~~it~~ [use](#) 8 years ago. No one came to her about the sign. Anne Goldthwait placed the sign when she owned the building and when Phylly purchased the building it came with the building. Jan asks that this be put on a later agenda to deal with it appropriately and avoid personal attacks.

Park District Board-nothing at this time.

SCCF-installation company didn't show up [as initially scheduled](#), ~~and is not working but the playground is being put up now.~~

Old Business

Redundant well project discussion/action-the bid that came in July and O'Keefe was only one to respond. Can happen possible by the end of the month. We are well within the budget of getting it done. Jan Bowey, moved that we approve the bid submitted by O'Keefe and authorize the drilling of the redundant well. Tammy Todd seconds, all in favor, motion carried. ~~The bid amount of \$290,415 drilling~~ [The bid submitted for the](#) cost of \$260,415 without the test drill [and authorized the drilling](#).

Engineering RFQ Score review and selection discussion/action- Was published in the paper received three proposals. There was a scoring on each, was advised on how to do a clean and consistent scoring, also to follow procedures correctly. Each score was done on each with consensus scoring, three individuals in the office scored independently for Triple Tree, Stahle, Great West. Consensus scoring put Triple Tree at the top. Judy stated that the scoring was done by standard scoring and followed the Montana Administrative scoring procedure and was not predetermined it was based on scoring in which every item was presented, and pages documented as to why the score was given the way it was. It was not allowed for bias; it was allowed for where in this document is this document. It was done methodically with three different people, at different times, each finding their own answers, their own documentation, and their own score. The three scores were then brought together and gave what the administrative rules people told us was a consensus score, an average of the three scores. Based upon those scores is how the engineering firm was decided. There was no predetermined no prior discussion about who we wanted and who didn't want. When it came to scoring it had to be very methodical and we were warned several times by the Department of Administration to make sure we followed it exactly. Because if we didn't and applied for a federal grant, it is well within the grant administrator to say how did you choose this engineering firm. We were very clear about who we chose, why we chose them and have complete and full documentation and eliminated any bias and didn't allow for a predetermined outcome. As we were advised the outcome was determined by staff and no member of council did any of the scoring. We are getting calls from the engineering companies. Great West has done projects with the town and currently is working with the county. Jan Bowey doesn't want to make a decision tonight because she was unavailable at the times that were provided to her to be able to look at the prospectus. The times available for her to look at the prospectus were limited to 8 to 5 Monday through Friday, and she works at that time. The urgency is to get grant funding in, and this is grant cycle time. Discussion was made about conflict of interest between the county and town with Great West. Move forward because of grant funding which hasn't been done for a couple of years for infrastructure and roads. Tammy Todd, moved to accept Triple Tree as our engineering firm, Tonya Romkema seconded. Discussion was made about the scoring and who made the scoring. The staff was directed to prepare the recommended scoring for you to vote on the

scores. The council can look at the scoring sheet but cannot change the score. The criteria are standard and comes from the state, the council didn't view and approve the questions. Tammy Todd, and Tonya Romkema voted yes, Jan Bowey voted no, because she felt the scoring procedure was a predetermined decision and didn't allow the council the ability to do so. Motion passed. It was recommended to the mayor that if the interviewing process which leads to a town council vote, a town council member ought to be included in the interview process.

~~Interim zoning resolution 1st reading was done at the beginning of the meeting.~~

New Business

Ruby Valley Hospital-expansion project to add 5 additional rooms, a procedural room and kitchen, looking for a waiver. Questions about adding an entry way, it has been discussed in the past, in case of emergency. They do have a disaster preparedness and are aware. Mutual agreement with the nursing home. About 5000 square feet of additional space. They have been planning with the board for about 3 years. Planning for groundbreaking in the spring around April. The financial impact of the nursing home preparing the meals. Meals cost \$8 a meal from the nursing home. Additional staff around 7 people. Looking for a waiver from the Interim Zoning Ordinance NO 1-2023 to move forward for the April groundbreaking for the project. Jan Bowey, I move to approve a waiver for the hospital to proceed with an expansion of up to an additional 8000 square feet, Tammy Todd seconds, all in favor. Motion passed.

Election resolution-action Judy read resolution 2023-3 edit the date of election to November 7, 2023. Jan is concerned about hearing the voice of the people. The cost of having the election and providing the opportunity to vote. Discussion was made [about having the election and saving the town \\$800](#). Save the money is one suggestion, state of affairs is other comments. [The public provided their opinion](#). Tammy Todd moves that we adopt resolution 2023-3, a resolution canceling the November 7, 2023, general election of certain principal officers, Tonya Romkema Seconds, all in favor, motion passes.

Adjourn Motion to adjourn by Tonya Romkema, seconded by Jan Bowey, all in favor, motion passed at 8:25pm.