

RESOLUTION 2015-6

A RESOLUTION OF THE TOWN OF WHITEHALL, MONTANA TO MODIFY THE BASIS ON WHICH SOLID WASTE CHARGES ARE IMPOSED AND TO INCREASE EXISTING RATES AND CHARGES FOR THE USERS OF MUNICIPAL SOLID WASTE SERVICES

RECITALS

WHEREAS, the Town of Whitehall (the "Town") has undertaken to provide solid waste collection and disposal services (the "Solid Waste Services"), including monthly collection and composting of compost material from May through October upon request (the "Compost Material Services"), to residential and commercial properties within the Town;

WHEREAS, it is necessary to collect sufficient revenues to pay costs associated with providing Solid Waste Services and Compost Material Services;

WHEREAS, under Sections 7-7-4404 and 69-7-101 and Title 75, Chapter 10, Part 1, Montana Code Annotated, the Town has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal utilities, including collection and disposal of Solid Waste (as defined in the Town's solid waste Ordinance). Rates, charges, and classifications must be reasonable and just;

WHEREAS, a notice of public hearing was posted notifying resident of the Town of Whitehall that it was the intention of the Town to modify the basis on which solid waste charges are imposed and to increase the rates and charges for all persons served by the Solid Waste Services. A public hearing was held on November 2, 2015 at 7:00 p.m. and December 14, 2015 at 7:30 p.m. at Town Hall, 2 North Whitehall Street, Whitehall, Montana, for the purpose of hearing comments from the public on the solid waste charges; and

WHEREAS, all persons appearing were given an opportunity to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Council (the "Council") of the Town as follows:

Section 1. Current Solid Waste Charges. The Town currently charges all properties in the Town a monthly rate and charge for Solid Waste Services (the "Solid Waste Charge") based on a user classification. The current Solid Waste Charge is as follows:

1.1 96-Gallon Garbage Can Rate. The Town currently charges a monthly rate equal to \$7.40 multiplied by the number of scheduled collections per week for each 96-gallon garbage can. For example, a user with a 96-gallon garbage can with Solid Waste collection scheduled once per week pays a monthly charge of \$7.40, while a user with a 96-gallon garbage can with Solid Waste collection scheduled twice per week pays a monthly charge of \$14.80.

1.2 300-Gallon Dumpster Rate. The Town currently charges a monthly rate equal to \$20.50 multiplied by the number of scheduled Solid Waste collections per week for users with 300-gallon dumpsters. For example, a user with a 300-gallon dumpster with Solid Waste

collection scheduled once per week pays a monthly charge of \$20.50, a user with a 300-gallon dumpster with Solid Waste collection scheduled twice per week pays a monthly charge of \$41.00, and a user with a 300-gallon dumpster with Solid Waste collection scheduled three times per week pays a monthly charge of \$61.50.

1.3 Rate for Users Sharing 300-Gallon Dumpster. For users sharing a 300-gallon dumpster, the Town currently charges a monthly rate to each user equal to the 96-gallon garbage can rate. For example, for three users sharing a 300-gallon dumpster with Solid Waste collection scheduled once per week, each user pays a monthly charge of \$7.40. For three users sharing a 300-gallon dumpster with Solid Waste collection scheduled twice per week, each user pays a monthly charge of \$14.80.

1.4 Special Calls. Special call pick up charges are determined on a case by case basis.

1.5 Billing and Payment. All charges are billed to the owner of record of the real property and are for the previous month. Payment is due within 30 days of the date of the bill.

1.6 General. The owner of the real property upon which the residence or business is located is ultimately liable and responsible for the payment of Solid Waste charges.

Section 2. 2016 Solid Waste Charges. Effective as of the January 1, 2016, the Solid Waste Charge per month will be as follows.

2.1. 96-Gallon Garbage Can Rate. The Town will charge a monthly rate equal to \$9.40 multiplied by the number of scheduled collections per week for each 96-gallon garbage can. For example, a user with a 96-gallon garbage can with Solid Waste collection scheduled once per week will pay a monthly charge of \$9.40, while a user with a 96-gallon garbage can with Solid Waste collection scheduled twice per week will pay a monthly charge of \$18.80.

2.2. 300-Gallon Dumpster Rate. The Town will charge a monthly rate equal to \$22.50 multiplied by the number of scheduled Solid Waste collections per week for users with 300-gallon dumpsters. For example, a user with a 300-gallon dumpster with Solid Waste collection scheduled once per week will pay a monthly charge of \$22.50, a user with a 300-gallon dumpster with Solid Waste collection scheduled twice per week will pay a monthly charge of \$45.00, and a user with a 300-gallon dumpster with Solid Waste collection scheduled three times per week will pay a monthly charge of \$67.50.

2.3. Rate for Users Sharing 300-Gallon Dumpster. For users sharing a 300-gallon dumpster, the Town will charge a monthly rate to each user equal to the 96-gallon garbage can rate. For example, for three users sharing a 300-gallon dumpster with Solid Waste collection scheduled once per week, each user will pay a monthly charge of \$9.40. For three users sharing a 300-gallon dumpster with Solid Waste collection scheduled twice per week, each user will pay a monthly charge of \$18.80.

2.4. Solid Waste Collection Schedule. Solid Waste will be collected from Residences and Businesses once per week unless additional weekly collection is requested. Requests for additional weekly collection must be made in writing to the Town Clerk-Treasurer. Special

requests for additional, irregularly scheduled or one-time-only collection are within the discretion of the Town to grant or refuse, and will be charged on a case-by-case basis.

2.5. Billing and Payment. The Solid Waste Charge will be billed to the owner of record of the real property benefited by the Solid Waste Services, and will be for the previous month. Payment will be due on the 10th of each month.

Section 3. 2017 Solid Waste Charges. Effective as of the January 1, 2017, the Solid Waste Charge per month will be as follows.

3.1 96-Gallon Garbage Can Rate. The Town will charge a monthly rate equal to \$11.40 multiplied by the number of scheduled collections per week for each 96-gallon garbage can. For example, a user with a 96-gallon garbage can with Solid Waste collection scheduled once per week will pay a monthly charge of \$11.40, while a user with a 96-gallon garbage can with Solid Waste collection scheduled twice per week will pay a monthly charge of \$22.80.

3.2 300-Gallon Dumpster Rate. The Town will charge a monthly rate equal to \$24.50 multiplied by the number of scheduled Solid Waste collections per week for users with 300-gallon dumpsters. For example, a user with a 300-gallon dumpster with Solid Waste collection scheduled once per week will pay a monthly charge of \$24.50, a user with a 300-gallon dumpster with Solid Waste collection scheduled twice per week will pay a monthly charge of \$49.00, and a user with a 300-gallon dumpster with Solid Waste collection scheduled three times per week will pay a monthly charge of \$73.50.

3.3 Rate for Users Sharing 300-Gallon Dumpster. For users sharing a 300-gallon dumpster, the Town will charge a monthly rate to each user equal to the 96-gallon garbage can rate. For example, for three users sharing a 300-gallon dumpster with Solid Waste collection scheduled once per week, each user will pay a monthly charge of \$11.40. For three users sharing a 300-gallon dumpster with Solid Waste collection scheduled twice per week, each user will pay a monthly charge of \$22.80.

3.4 Solid Waste Collection Schedule. Solid Waste will be collected from Residences and Businesses once per week unless additional weekly collection is requested. Requests for additional weekly collection must be made in writing to the Town Clerk-Treasurer. Special requests for additional, irregularly scheduled or one-time-only collection are within the discretion of the Town to grant or refuse, and will be charged on a case-by-case basis.

3.5 Billing and Payment. The Solid Waste Charge will be billed to the owner of record of the real property benefited by the Solid Waste Services, and will be for the previous month. Payment will be due on the 10th of each month.

Section 4. 2018 Solid Waste Charges. Effective as of the January 1, 2018, the Solid Waste Charge per month will be as follows.

4.1 96-Gallon Garbage Can Rate. The Town will charge a monthly rate equal to \$13.40 multiplied by the number of scheduled collections per week for each 96-gallon garbage can. For example, a user with a 96-gallon garbage can with Solid Waste collection scheduled once per week will pay a monthly charge of \$13.40, while a user with a 96-gallon garbage can with Solid Waste collection scheduled twice per week will pay a monthly charge of \$26.80.

4.2 300-Gallon Dumpster Rate. The Town will charge a monthly rate equal to \$26.50 multiplied by the number of scheduled Solid Waste collections per week for users with 300-gallon dumpsters. For example, a user with a 300-gallon dumpster with Solid Waste collection scheduled once per week will pay a monthly charge of \$26.50, a user with a 300-gallon dumpster with Solid Waste collection scheduled twice per week will pay a monthly charge of \$53.00, and a user with a 300-gallon dumpster with Solid Waste collection scheduled three times per week will pay a monthly charge of \$79.50.

4.3 Rate for Users Sharing 300-Gallon Dumpster. For users sharing a 300-gallon dumpster, the Town will charge a monthly rate to each user equal to the 96-gallon garbage can rate. For example, for three users sharing a 300-gallon dumpster with Solid Waste collection scheduled once per week, each user will pay a monthly charge of \$13.40. For three users sharing a 300-gallon dumpster with Solid Waste collection scheduled twice per week, each user will pay a monthly charge of \$26.80.

4.4 Solid Waste Collection Schedule. Solid Waste will be collected from Residences and Businesses once per week unless additional weekly collection is requested. Requests for additional weekly collection must be made in writing to the Town Clerk-Treasurer. Special requests for additional, irregularly scheduled or one-time-only collection are within the discretion of the Town to grant or refuse, and will be charged on a case-by-case basis.

4.5 Billing and Payment. The Solid Waste Charge will be billed to the owner of record of the real property benefited by the Solid Waste Services, and will be for the previous month. Payment will be due on the 10th of each month.


Section 5. Further Rate Increases. Subsequent adjustments to the Solid Waste Charge and charges for Compost Material Services will be made by resolution of the Town Council duly adopted after a public hearing with notice thereof given as provided by law.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 14TH DAY OF DECEMBER, 2015.



Dale Davis
Mayor

ATTEST:



Summer Fellows
Town Clerk

RESOLUTION 2015-5

A RESOLUTION ADOPTING A POLICY ON THE TOWN OF WHITEHALL'S INVENTORY PRACTICES AND PROCEDURES

WHEREAS, it is in the best interest of the citizens of the Town of Whitehall that a policy concerning the inventory practices and procedures of the Town of Whitehall be adopted by the Town Council, and

WHEREAS, the lack of clear inventory practices and procedures by the Town of Whitehall has created record-keeping difficulties for the Town Office, and

WHEREAS, the Mayor requests that the Town Council adopt a policy through this Resolution on the inventory practices and procedures of the Town of Whitehall.

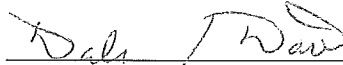
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

Section I. All items, tools, products, materials, machines, or other property ("Items") purchased by the Town of Whitehall, or through the use of funds intended for the Town of Whitehall or entities within the Town of Whitehall, shall be inventoried by the Whitehall Town Office prior to the use of such items by any employee, paid volunteer, or personnel of the Town of Whitehall.

Section II. The Director of each department within the Town of Whitehall shall produce to the Whitehall Town Office a current inventory list that includes a detailed description of the Item, make, model and serial number if applicable, the count of the Item no later than November 30, 2015.

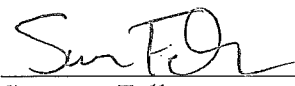
Section III. This Resolution shall become effective immediately upon its passage by the Town Council.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 9TH DAY OF NOVEMBER, 2015.



Dale Davis
Mayor

ATTEST:



Summer Fellows
Town Clerk

RESOLUTION 2015-4

A RESOLUTION ADOPTING A POLICY CONCERNING ITEMS, TOOLS, PRODUCTS, MATERIALS, MACHINES, OR OTHER PROPERTY USED BY TOWN OF WHITEHALL EMPLOYEES, PAID VOLUNTEERS, AND PERSONNEL WITHIN THE SCOPE OF THEIR JOB DUTIES.

WHEREAS, it is in the best interest of the citizens of the Town of Whitehall that a policy concerning the items, tools, products, materials, machines, or other property used by Town of Whitehall employees, paid volunteers, and personnel within the scope of their job duties be adopted by the Town Council, and

WHEREAS, the Mayor has been informed that Town of Whitehall employees, paid volunteers, or other personnel have used or are currently using personal property in the performance of their job duties for the Town of Whitehall, and

WHEREAS, the Town Attorney has advised the Mayor and Town Council that the use of personal property not subject to the maintenance and inspection of the Town of Whitehall presents a legal risk to the Town of Whitehall, and

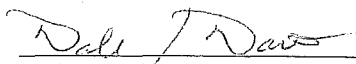
WHEREAS, the Mayor requests that the Town Council adopt a policy through this Resolution concerning personal property used by Town of Whitehall employees, paid volunteers, and personnel within the scope of their job duties.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

Section I. Unless expressly authorized in writing by the Mayor or Town Council, no employee, paid volunteer, or personnel member of the Town of Whitehall shall use any items, tools, products, materials, machines, or other property not owned by the Town of Whitehall or under contract by the Town of Whitehall within the scope of their job duties.


Section II. This Resolution shall become effective immediately upon its passage by the Town Council.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 9TH DAY OF NOVEMBER, 2015.



Dale Davis
Mayor

ATTEST:



Summer Fellows
Town Clerk

RESOLUTION 2015-3

A RESOLUTION ADOPTING A POLICY ON THE STORAGE OF TOWN RECORDS.

WHEREAS, it is in the best interest of the citizens of the Town of Whitehall that a policy concerning the storage of Town Records be adopted by the Town Council, and

WHEREAS, the lack of a policy on the storage of Town records has created difficulties for the Town Office to maintain Town records, and

WHEREAS, the Mayor requests that the Town Council adopt a policy through this Resolution on the storage on the Town of Whitehall records.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

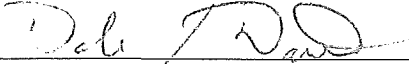
Section I. Unless expressly authorized in writing by the Mayor or Town Council, all records of the Town of Whitehall shall be stored and maintained by the Whitehall Town Office at the Whitehall Town Hall building located at 2 North Whitehall Street, Whitehall, MT 59759.

Section II. It is the responsibility of all employees, personnel, and volunteers of the Town of Whitehall to transfer all Town of Whitehall records generated in the scope of their duties to the Whitehall Town Hall building located at 2 North Whitehall Street, Whitehall, MT 59759.


Section III. All Town of Whitehall records currently in the possession of employees, personnel, and volunteers without written authorization of the Mayor of the Town Council, shall be promptly transferred to the Whitehall Town Hall building located at 2 North Whitehall Street, Whitehall, MT 59759 no later than November 23, 2015.

Section IV. This Resolution shall become effective immediately upon its passage by the Town Council.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 9TH DAY OF NOVEMBER, 2015.


Dale Davis
Mayor

ATTEST:


Summer Fellows
Town Clerk

RESOLUTION 2015-2

A RESOLUTION ADOPTING A POLICY ON NON-TRANSPORT RECORDS OF THE WHITEHALL AMBULANCE SERVICE AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is in the best interest of the citizens of the Town of Whitehall, and the Whitehall Ambulance Service, that a policy outlining the responsibility of the Ambulance Director and Ambulance Service relating to non-transport records be adopted by the Town Council, and

WHEREAS, the Town Council has adopted various Motions in the Minutes from previous Town Council Meetings, and

WHEREAS, the Town Council concludes that such Motions have not been effective in procuring the timely transfer of non-transport records from the Whitehall Ambulance Service to the Whitehall Town Office, and

WHEREAS, the Mayor requests that the Town Council adopt a policy through this Resolution on non-transport records of the Whitehall Ambulance Service.


NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

Section I. That the Ambulance Director shall provide, or direct the personnel of the Whitehall Ambulance Service to provide, any and all records pertaining to non-transport records in existence on the effective date of this Resolution dating back to January 1, 2015 to the Whitehall Town Office by no later than September 25, 2015.

Section II. That the Ambulance Director shall provide, or direct the personnel of the Whitehall Ambulance Service to provide, on a continuing and weekly basis any and all records pertaining to non-transport records from the previous week to the Whitehall Town Office by no later than Wednesday at 3:00 p.m.


Section III. This Resolution shall become effective immediately upon its passage by the Town Council.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 14TH DAY OF SEPTEMBER, 2015.



Dale Davis
Mayor

ATTEST:



Summer Fellows
Town Clerk

RESOLUTION 2015-1

A RESOLUTION ADOPTING A REVISED PERSONNEL POLICY AND PROCEDURES MANUAL FOR ALL TOWN EMPLOYEES AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is in the best interest of the citizens of the Town of Whitehall, and employees of the Town of Whitehall, that policies relating to persons working for the Town of Whitehall be placed in a Personnel Policy and Procedures Manual, and

WHEREAS, on October 13, 2009, the Town Council adopted the Town of Whitehall Personnel Policy and Procedures Manual and Job Descriptions, and

WHEREAS, on November 9, 2009, the Town Council amended Chapter 3 of the Town of Whitehall Personnel Policy and Procedures Manual and Job Descriptions, and

WHEREAS, the Town Attorney requests that the Personnel Policy and Procedure Manual and Job Descriptions be revised to address current personnel issues and reduce confusion and ambiguities in the language of the Manual.

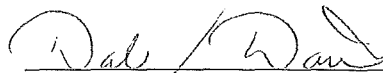
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WHITEHALL AS FOLLOWS:

Section I. That the Personnel Policy and Procedures Manual and Job Descriptions dated October 13, 2009 is hereby amended and replaced.

Section II. That the Personnel Policy and Procedures Manual presented to the Town Council on July 13, 2015, is hereby adopted as the official Personnel Policy and Procedures Manual for all employees of the Town of Whitehall, Montana.

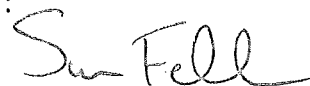
Section III. This Resolution shall become effective immediately upon its passage by the Town Council.

PASSED AND APPROVED BY THE TOWN COUNCIL AND SIGNED BY THE MAYOR OF THE TOWN OF WHITEHALL, THIS 14TH DAY OF SEPTEMBER, 2015.



Dale Davis
Mayor

ATTEST:



Summer Fellows
Town Clerk