

TOWN OF WHITEHALL
P. O. BOX 529
WHITEHALL, MT 59759
February 15th, 2022

The Whitehall Town Council held their regular meeting in the Council Chambers at 207 East Legion Ave, Tuesday, February 15th, 2022.

PRESENT: Council Members: Katy James, Bill Lanes, Pat Peterson, Linda Jung, Roy McBride, Shawn Hoagland, Clerk/Treasurer Allissa Christensen, and Mayor Mary Janacaro-Hensleigh.

VISITORS: Kory Klapan, Joe Granvold, Bridget and Dale Morse, Liz Pullman, Maxine Samuelson, Cliff and Nancy Edsall, Leonard Wortman and Town Attorney Ed Guza.

Mayor Mary Hensleigh called the Council Meeting to order at 7:00 P.M.

Roll Call was taken. All members present.

The Pledge of Allegiance was recited.

IV. AGENDA APPROVAL:

Katy motioned to approve, Roy seconding

MOTION PASSED UNANIMOUSLY

V. APPROVAL OF MINUTES:

Linda: okay, we have a problem on the minutes. Let me just find it here. Under the Planning Board, the consent agenda, the Brenda Sue Hartford development permit was rejected. Not tabled, it says tabled.

Mary: Okay, so that needs to be corrected?

Linda: Yes, it does.

Mary: okay are there any other corrections?

Linda: no

Mary: okay any more discussion?

Roy motioned to approve, Shawn seconding

MOTION PASSED UNANIMOUSLY

VI. REPORTS:

Mayor's Report:

Mayor: I hope everyone had a good Valentine's Day, having this meeting on Tuesday this week will make the rest of this week seem like a Monday every day, but that's okay. Monday is a holiday, so the offices will be closed. In Kory's report, he is trying to find out whether there will be garbage pick-up on Monday or not. So, he will include that in his report. Hopefully, he will give that information, before his report comes up. It's just been another lovely month; everything has been running smoothly. I just wanted to announce that I am going to be running for county commissioner, not everybody should hear it from the horses' mouth, because you know how people talk... so, yes, it's true! I just wanted everyone to know I am running for county commissioner

Attorney Report:

I guess my report will be coming in the form of commenting on several matters that I'm here today for. So, I don't have anything in specific to report.

Clerk / Treasurer's Report:

Allissa: On the 14th, we had a water conference call with all the funders and the engineer to discuss the water treatment plant. I've been working with the auditors on getting our audit finished up. We are all done on the Town's end but the auditors are waiting on the State for some final numbers regarding P.E.R.S.. The auditors came for an onsite visit on the 18th and 20th of January and just getting all the documentation. On the 26th, we had a water meeting here with our engineer, Jason, and Tetrtech to go over the plans for the Water Treatment Plant. Plans are 30% completed but I'll let Kory go more into that. On the 31st we had a meeting with Eric from JLDC and Terri regarding the ARPA funding opportunities for the county. I'm sure Leonard will give it in his report but there are grant opportunities for businesses in Jefferson County. If you are a business owner look into that, all the information is on the County's website. On the 3rd, Todd came in and helped me with bank recs and the budget and in his professional opinion things are looking good so far. We are about halfway through the fiscal year. We are working on getting ordinances submitted to Municode and that's going to be quite the process. The girls in the office are doing awesome and checking resolutions and making sure that nothing slipped through the cracks. I have been working on the prospect of bringing some playground equipment to Legion Park. I am only in the beginning stages but I am working on it, I just wanted to put that out there. Ed has been helping me with the request for the proposal for the housing project that I proposed in December. Other than that, just day to day stuff, claims, revenue, utilities...

Mary: and court!

Allissa: And court!

Public Work's Report:

Kory: Okay, I'll start with water. We took water samples January 11th, our quarterly samples and our bacteria samples, and February 9th, bacteria samples. We did lose a pump at the Division Street Well, it went down of February 2nd. Unknown cause, the motor went out. So, we are running on one pump right now. I'm suspecting that we will have the new pump and try to put it in by next week, I'm hoping, so, then we will be back up to two. Back to Allissa's Water Treatment Plant, we are at 30% designed. We had a meeting; I spent a lot of time working on this. We changed a ton of different stuff. If I can emphasize that if anyone has questions please just call. I've had 3 phone calls today and they were legitimate questions and it was pretty easy answers and rumors are flying of what is going on with it. So, please call and we can set a lot of that straight, I think. I think it is going quite well, everyone should know by now that the Water Treatment Plant is going to go at the Rec Complex on the softball field. It is going to be an 85x85 foot building. All the treatment that the Water Treatment Plant will be inside the building. I had, believe it or not, a lot of questions on what was going to be outside, people concerned about kids. It is a secured facility, from the fence, to the building, to everything. Anyways, any questions, just call. Sewer samples I took February 9th. We did get some more mapping done on our sewer system last week, sewer manholes. They are all mapped on our new digital map. Ice is starting to come off of the sewer lagoon, so, I think that everyone that has lived here knows what that means. There is going to be a smell and it will start here shortly because it's about $\frac{3}{4}$ of the way off on the ice. We don't have a whole lot of water in our sewer lagoon. I know these numbers don't mean a whole lot to anybody but cell 1 is 4.5ft, cell 2 is 6ft, cell 3 is 3.5ft. So, right now we have a total of about 4 ft which equalates out to about 8 turns of the pivot. Not a whole lot.

Linda: So, what do we want in there normally? That would help.

Kory: I would say to do a full year we would need, to be max capacity or close, to do a good crop, you know, we should burn through this water by July 1. Just so everybody knows where we are at on that. Streets, we did start cleaning some streets. We did get a new pick-up broom for our loader, works pretty good. Tomorrow I have a meeting with the state to finalize the contract on the millings. I know what we can get for BARRSA so we can fund it. We will go ahead and sign a contract with the State for taking them millings. Now that we know we can pay to have them put down. Cemetery, we got the rails put up on the new fence. We did have a car go through the fence on Kelly Rd. Those people went out to Smith Supply and paid for those materials and I told them that would be fair enough. We would just put it back up for them. Soon as the ground thaws we will get posts back in the ground. The other thing I've been working on is what I call the Manor Annexation. It's been kind of a rodeo, up and down, trying to find funding for that. We were going to use ARPA Pot B funds. We got denied a couple months but I think we finally got it worked out to use ARPA B funds. We actually sent that notice to proceed to the engineer today. We are actually cracking on that, finally. We plowed and sanded 4 days. We got called out 5 days on water shut offs between the well and everything else. We had 8 locate tickets.

Fire Chief's Report:

Joe: We have had 8 MVA's, 2 fatalities, one was just recently. We have had 2 structure fires, one car fire, or actually 4 vehicle fires, 1 brush fire, and 1 dump fire. Pagers, we got our new pagers for the City for the title IV money, I still haven't got a bill for that so, I can't not put anything into you guys until I get a bill for it. It's like 10% or something like that. Just so you guys know that's coming. We have 2 gas meters that are broke down. I had a meeting with the rural board last week. We have one meter coming back. The other one isn't worth fixing. So, we need to look at these gas meters. This time of year, is when we need them for CO2, those kinds of calls, gas calls. We are probably going to need a new meter. It's not worth putting the money into them, into the new filter. I think we are better off buying a new one. On our last business meeting we had turnouts, fit up for turn outs. I haven't got the whole price yet, as soon as I do, but we need to get those. The Rural Board is obligated to by two sets and I think the City should buy a set of those, also. I'm not exactly sure where I am at in our budget. I'm thinking we are at \$4,000.00. I'm not sure, I'm not sure where we are at. We definitely need to talk, because I see red. Firefighter 1 training, we are at our second, pretty much our second set of that. We still have 4 or 5 more to go. These guys are dedicated every Thursday night 4 hours and 8 hours Saturday, we are down there so, I just would like you to know what these guys are doing for YOU. Everybody out here, that's why they are doing it, to help everybody. They are doing a heck of a job. We had one firefighter resign. Our Christmas party was a really good party for those of you that attend. I was hoping more of the members could attend to interact. I would like you guys to reach out to the Rural Board or the Rural Board to reach out to you guys to come up with a about mutual aid and where we are with that because we need to get that squared away. I've talked to them pretty hardly about it and I think you guys need to reach out to them also. Just, I, don't know where we are. I've looked for agreements and I can't find them. I'm not sure where we are. Illegal burning, is an issue, in town, out of town, and I'm just letting everyone know that they are going to get a ticket if they do not have a burn permit. Period. I went to the Fire Chiefs' meeting for Jefferson County here about 3 weeks ago. I think we are pretty much, I hope, the county, I hope, is on the consignment now that that's what we are going to do. It would be nice to have the whole county out for that and get everybody on the same page. I'm not totally sure where we are on that yet, but I did propose that, that meeting that I went to. We are starting a Junior Firefighter Program. We had a new kid join. We welcome any kids that are 16years and older that would like to come. We are going to come up with some new by-laws that they are covered under the insurance. There is going to be a lot of restrictions on what they can and can't do. But maybe it will help some of them decide what they want to be when they grow up. I'm pretty sure we have one kid that has made that decision or at least that's what he told me. It's a pretty cool thing. I know we talked about our pancake breakfast. We are going to go ahead with that. SCBA's are still on for the middle of March for delivery, as far as I know. Just so you know on the turn outs, they are at least 8months out. We have had 7 new members join the department. We need 3 sets this year. So, the Rural obligated to 2, you know, I don't know how we are going to do it but we need to sit down and talk about where we are with the money thing.

Allissa: Hey Joe, two questions, do you know how many of the call outs this month were in town?

Joe: No, I don't have that written down. I will get that information for you tomorrow.

Katy: I can get that information for you tonight. I'm going into dispatch.

Joe: the call volume doesn't matter if it is City or Rural. Each department has obligation to provide the equipment and whatever they need for the departments.

Allissa: I understand that.

Joe: I don't know if that's where you are coming from or not.

Allissa: no, that's not where I am coming from. I'm just curious, I like to get those numbers...

Joe: yeah, normally I have them but I've been working a ton at the mine.

Allissa: that's okay. Do you know how many SCBA's you ordered?

Joe: yeah, we ordered 4 for each side. 4 for the Rural and 4 for the City.

Joe: I don't know if the batteries on the trucks were contention or not with. Back in December I think, the City truck wouldn't start and we were having trouble with the Rural truck. Literally, I had to take the old truck out of service and that City truck was the only structure truck we had for our whole fire district. I did talk to a couple of the... I didn't make the decision to buy the batteries but that's something we need to talk about because some of those decisions I have to make in, you know, some of you guys have reached out to me some of you haven't and I need to be able to make some decisions, you know, at a time when stuff happens. I want to make that decision if I have to. I know you guys require PO's and I'll do my best to get you guys a PO but on that, when we only have one structure truck to protect the whole county that would be mutual aid then I will make that decision and get my butt chewed out for it or whatever I have to do. That is kind of where I stand with that. Parking in the alleys and like at the Mount Horizons Subdivision there was parking on both sides of the road. I don't know that we could, if some residences up there, if we could fit a fire truck up through there if we needed to. I don't know where the conveniences are where they should park but we need to look into that. Are there any questions for me?

Pat: Just would like to say, if you put a PO in like you did with the training and all, just give us as much information as possible. I was going to ask the ladies here if they can pass that on to us so you don't have all 6 of us calling you up, asking you the same question.

Joe: I mean, when I put the PO in for it, I tell them what it was for, I think I did, and if I didn't, I mean I don't want to throw Jessica under the bus but I'm pretty sure, but I thought I told her it was for training.

Pat: Yes, we knew it was for training but we didn't know how many and all of that and not just that but other POs, if you can get some of the background information on it. It makes it easier for us to make a decision.

Joe: It's really hard to, some POs it's really hard to like, MX4 meters. You guys wouldn't have no clue. Some of you guys came down at took the tour, like I've given some people but it does help. It helps me too. I only have so much time and I know you guys only have so much time but if you guys would be willing to do that. I would be willing to go to each one of you guys, for a couple hours to take you down and show you what we have.

Sherriff's Report:

No report.

Commissioner Report:

Leonard: Congratulations Mary! You've done a very, very good job. Tomorrow at 10 o'clock down at Borden's we have a meeting with the county commission. Which drags out about every quarter or a couple times of year anyway at the most. Those get to be pretty interesting. The Western Legacy Center is moving along. The e-commerce store is up and running. We have products for sale on that for the Western Legacy Center. The meat processing facility we have been having a couple discussions with potential investors. They have had a bit of interest in the possibility that they may want to invest in the meat processing. The ARPA stuff, we have been processing a few grants. We did a couple today for a couple of residential programs that we have in the county. We have the business grants and the business loans that are available through the ARPA grant. We are putting money into the Jefferson Valley Foundation down here and also at the Elkhorn Foundation in Boulder. That money will be available for nonprofits. We are going through the foundations because they have the experience dealing with the non-profits and stuff and how to do that. Moving forward, we still have a request from the city about ARPA funds for water stuff. I'm not sure how much is still there. We've had a substantial number of requests from other water user types throughout the county so we are still looking at all that stuff right now. It's kind of interesting with the ARPA stuff. We are contacted by a county in Nebraska, that we had a little bit of a write up in the National Association of Counties newsletter about what we are doing with our ARPA funds in Jefferson County. We were contacted by a county in Nebraska that had some questions and wanted some guidance from us on some of the ARPA stuff which is always pretty interesting. We also got contacted by the National Association of Counties on behalf of another county in Minnesota who was very interested in our revolving loan fund. *inaudible* for businesses and the revolving loan fund we have set up in the county. *inaudible* ARPA administrators are doing a wonderful job and know lots of good stuff. Does anybody have any questions?

Katy: Question, Leonard, the ambulance district, where are we at with that?

Leonard: the county attorney he is, we have turned all that stuff over to him and I believe is working on that but I'm not sure on that right now.

Committee / Board Reports:

Planning Board:

See minutes

Recreational Complex Board:

No meeting

Pool Board:

No meeting.

Trees, Parks and Cemetery:

No meeting

Water/Sewer/Garbage and Streets/Alley/Sidewalks:

See minutes

T.I.F.F.:

See minutes

CTAC:

No meeting

VII. Public Comment:

Joe: I just wanted you guys to know that I didn't let you know that there is a board leadership training. I know it would help the Rural Board and I'm not sure how it pertains to the City Council but that's going to be on February 17th at 6-8pm. If you guys are interested in. I know you can do it over the internet. I have the RSVP if you guys are interested. I think it would be.... It is geared more toward the fire side of it but I think if you guys could watch it...

Mary: Could you send that to Allissa to send it out to the council?

Joe: yes.

Maxine Samuelson: I live in Ward 3. I would like to let the TIFF district know that they should really talk to the VFW group because they have been talking about purchasing U.S. flags so what kind of flags are going to be.

Mary: we have talked to them.

Maxine: oh good.

Mary: these are flags that will be flying when the U.S. flags will not be flying. We have already worked out the schedule with the VFW.

Maxine: Well, the first thing I would like to discuss today is that one picture is very disturbing to me. I really wish that we could have the Town of Whitehall Statement put back up here. I don't know where it is.

Mary: It's right there on the wall.

Maxine: oh, behind the door... that's always open and covering it.

Mary: Maxine, I'm glad to move the artwork around. We move it around all the time. Not a problem.

Maxine: well like I say. it looks like some man *laughter*

Allissa: Maxine, I've decided it looks like a man spraying a homeless man off of a bench.

Maxine: it does kind of look like that. What is all that blue?

Allissa: Water! He is spraying him with the hose!

Maxine: I don't know, it's disturbing.

Allissa: It's a conversation piece, I've had a lot of time to think about it.

Maxine: I bet you have. *laughter* nobody ever knows what I'm going to say.

Mary: what's next, Maxine?

Maxine: The Mayor and the Council work for the citizens of Whitehall. There are 24 hours in every day. My personal opinion is that I would rather be at the Star Theater this evening. They are showing The Chosen. The previously changed meeting, Town Council meeting, for this was changed last night for Valentine's Day. I was a public-school teacher for 29 years in all those 29 years. All vacations revolved around the school calendar. I worked birthdays, anniversaries, it didn't matter. I worked many holidays. We had to revolve around the days the students were not in session and sometimes teachers were in session when the students were. I really wish that you would have asked the council because I don't think you have asked the council about the change before the change happened. I don't think that's fair to the residents of the town I don't think it's fair to them. I think unless it is a holiday where banks, post offices, schools, things like that are closed, for instance, next Monday. I think then is a reasonable excuse to have the holiday changed. To have it changed for Valentine's Day, I don't believe it was a legitimate excuse. Thank you.

Mary: Thank you, Maxine. Leonard did you have something?

Leonard: Just really quick, with what Joe talked about with the Rural Board training stuff. It's *inaudible* is being done by Dan Clark the Local Government Center from MSU so it should be a really good training.

Liz: Okay, so I'm taking off my Ledger Hat and putting on my public hat. I would really like to see the council get more involved with the Master Plan. I've been on the committee since the Master Plan started and there is a lot of us that think this thing that was funded by the Town is kind of a joke. We received an email yesterday that says, "we have some great ideas for all sections of the plan based on the following observations and themes. First one is. Whitehall is a nice small town with a great location to serve as a central hub." They are not getting into the details of what makes Whitehall and we are not going to be able to get grants for things that are so generalized. The fact that we had a public meeting and about 10 minutes before the public meeting in the community center, they were showing how to run a master plan meeting on YouTube, kind of scares me. I don't have any problem with Staley Engineering in general, I just have a problem that they are not very committed to the community and they have shown that with a couple of the meetings that they have had. They won't give us a timeline on when things are planned to progress. They last meeting we had they opened up the presentation and said this is the first time that we have seen this information, it will be fun for all of us to look at together. Which, that is not what we are there for. That is not what the committee is there for. I would really like to see the Town maybe take a more active role in it. Just because the people that have been there from the beginning, we are really frustrated and it just doesn't seem like it is getting anywhere.

Allissa: Liz question, the last meeting we had for... that meeting? Was that the last one?

Liz: Yes. So, they sent... I don't know if you are even on this Allissa.

Allissa: I think I did get that email yesterday.

Liz: When I opened that I was like, they gave us nothing at the last meeting. You're giving us... this is your number one thing...

Allissa: I was just wanted to make sure I didn't miss some meetings.

Bridget: I do not live in city limits, but I do drive on the streets a lot. One thing I've noticed is garbage cans. So, if we are going to clean the place up, let's not have the giant ones in the street. Like we do

across from the bank. Those belong in the alley. When I was looking, I want to say it was two days ago, someone ran into a tree in a red truck. I wanted to see where someone ran into a tree on Second Street, curiosity wants to know. So, I drove on Second Street I believe that's where I saw another giant garbage can out in the street. I don't think that people can wheel that back in their yard. So, it's permanently in the street. The really big ones, they belong in the alleys. The red truck was at Doug Bachman's house.

Mary: Anymore public comment? This has been the best public comment we've had in MONTHS!

Cliff: I'm just sitting here with what Joe had to say with a truck out of service over batteries. That's nuts! There has got to be an emergency fund set up where this guy can go down, grab batteries, get it in the truck and get it on the road. I mean, we do all the emergency stuff on all the ambulances and stuff. There have been nights where we have been down there at like 10 or 11 o'clock fixing the ambulance. We keep them on the road but I just wanted to say for Joe, this is something that needs to be addressed.

Mary: Okay! Anyone who hasn't spoken?

Allissa: My name is Allissa. I don't live in the town but I wish I did but there is nowhere to live. Anyway, I just don't want you guys in here to think that we are meddling and saying that well, he didn't have a PO he can't buy those things. That's not how it works. If Kory has a water emergency and he finds out how expensive it is like \$20,000.00 he just calls, he comes here, to say hey this is what is happening. That's all we are asking. We are not picking on Joe.

Joe: I'm not saying... I mean I've been talked to about POs and I'm trying to do my best to... I guess I truly don't know where I stand on the council on how to make a decision that's *inaudible* I mean when I have to make a decision on something like that, I'm going to make the decision period and you guys can ruffle my feathers all you want so.

Allissa: yeah, that's all I'm saying is emergencies happen. We are not in here meddling.

Joe: You know I just want to know where I'm at on that kind of decision.

Allissa: we just have to follow the procedures. If we don't, the auditors see that and they ask us questions and we can get dinged on it. That's all, there is no hard feelings. Emergencies happen.

Pat: Yes, and as far as council is concerned, we feel responsible for the Town's money. So, we have to know how it's being spent.

Cliff: yeah, but an emergency....

Pat: well maybe we need to come up with an emergency fund in the new budget or maybe something like that. The reason is we're responsible. You don't want us passing things just willy-nillying it then boom your out of money.

Mary: okay, okay, okay. We are really veering from public comment. There is no debate or discussion in public comment but we hear you.

VIII. Consent Agenda :

Planning Board:

James and Logan Reiff- Development permit – Approved.

Brenda Sue Hartford update – we referred her last month to the Town Council to refer to Ed because there are issues. There have since been a few updates on that. Nothing we can decide on or anything yet.

Business License:

Al’s Mobile Glass – Business License – Approved

Rathe Color by Design – Business License – Approved

One Man and a Hammer – Business License – Approved

Fire Dept:

Parker McDuff – Junior Firefighter – Approved

Roy Moved to approve all items, Linda Second

THE MOTION PASSED UNANIMOUSLY

IX. PRESENTATIONS

None.

X. Unfinished Business

A. Council discussion and determination on employee pay scale – Tabled

THE MOTION PASSED UNANIMOUSLY

XI. New Business:

A. Council discussion and determination on Resolution 2022-1, Town Pump vacating a portion of Pyfer Street.

Shawn motion to discuss, Pat second.

Shawn: we talked about most of that in public comment. Does anyone have any other comments on how to make a motion for an amendment on that?

Roy: Can we amend it now and approve it or do we have to wait since we have changed the resolution?

Allissa: I think we have to wait.

Mary: you amend it now and then bring back the amended resolution.

Pat motioned to amend Resolution 2022-1 to include information that the road may be vacated but not blocked or in any way restrict access to Cliff's Automotive and to correct that there was no public comment. Linda Second

Joe: I have not seen anything on it as far as fire lanes through the county. Anything that's going on I get a plot map and I get to look at that stuff. To me it would be pretty... I would like to see that information.

Mary: we will let Town Pump know that.

THE MOTION PASSED UNANIMOUSLY

B. Council discussion and determination on Resolution 2022-3, accepting a public utility easement for Town Pump.

Ed: I would recommend that the council table this easement at this point because we are amending the resolution concerning vacate street. At some point I want to make sure that Kory sees the easement and it fits with what you need and what the Town need to ensure we have access. I looked at it and I thought it made perfect sense to what we are trying to accomplish to give us access still to the area for utility purposes but when we do get to that I want you to chime in too, obviously.

Linda motioned to table Resolution 2022-3, Roy second

THE MOTION PASSED UNANIMOUSLY

C. Council discussion and determination on Resolution 2022-2, applying for BARSSA funds.

Shawn motion to discuss, Linda second

Shawn: I just want some clarification on that, is it just simply that we are going to apply?

Allissa: Yes.

Shawn: That's all it is?

Allissa: yes, every year, as long as BARSSA is going on. I believe it started in 2018 and goes until 2024. Any city can apply. We have to use it for anything pertaining to that. It stands for bridges, roads, safety something. This resolution is just to apply.

Roy motion to approve Resolution 2022-2, Shawn second

THE MOTION PASSED UNANIMOUSLY

D. Council discussion and determination on bid(s) for the garbage truck.

Roy motioned to discuss, Shawn second

Roy: we've got a garbage truck, since we don't pick up garbage anymore. We have an outside contractor do it which is beneficial to us, beneficial to the community. That truck has sat there for two years now. It's just collecting rust. We think we need to get rid of it. We have advertised it and I believe we have some bids on it. Get it off our city books and get us some cash that we could put into the garbage fund for things down the road. The truck couldn't do what we needed it to now anyway. It's pretty much history.

Mary: We have the bid. It's sealed.

Pat: only one bid?

Mary: Only one bid came in.

Shawn: we put a floor on that?

Mary: Yes, we did. I just need a motion to open the bid.

Shawn motioned to open the bid on the garbage truck sale. Linda second.

Mary: Okay I will open the bid and read it. This bid is from Helena Curbside Recycling.

Please accept the bid from Helena Curbside Recycling LLC, located at 3 Industry Loop, East Helena, MT 59735. 2005 Freightliner Curbtendor Garbage Truck the amount of the bid is \$25,000.00 exact. From John Hilton, Owner.

Mary: This meets and exceeds our requirement so the motion would be to...

Roy motioned to accept the bid offer, Shawn second

THE MOTION PASSED UNANIMOUSLY

Roy: Allissa, did we find the title for that?

Allissa: Yes.

E. Council discussion and determination on professional services contract regarding the Montana Main Street grant for the Star Theater.

Pat motioned to discuss, Roy second.

Pat: This perpetual services contract is just for the evaluation of what would need to be done.

Mary: this is correct.

Pat: and who would administer this contract? Would we, do it?

Liz: Preserve Montana has already done... They were the ones that awarded the contract after our *inaudible* were submitted. It would go through Gold Junction Presents as a nonprofit. They are actually having their fee for us. It would usually be around \$50,000.00 - \$60,000.00 dollars and they are cutting it way down. This has already been approved with the grant process and things like that. That too, is part of the contract.

Pat: What responsibility does the Town have in this contract?

Liz: None. Because of the way the funds, the way I am understanding it, correct me if I am wrong. The way I'm understanding is, because of the way the funds had gone through Main Street Program that they had to be approved by the Town. That is why the Town and the Town attorney had to be involved.

Ed: That's true.

Shawn: and you can put Ed as...

Ed: I thoroughly went through this contract and added some provisions and took out others and I think it is good to go.

Roy motion to approve, Shawn second

THE MOTION PASSED UNANIMOUSLY

F. Council discussion and determination of appointing Mayor Mary as a Town enforcement officer

Roy motion to discuss, Linda second

Mary: Ed recommended that we do this. Ed to you want to take this?

Ed: Yes, absolutely.

Ed: I can't speak to line and verse on our ordinances but there are a couple spots where the Town Enforcement Officer is called out to take on specific roles on enforcing issues that lead to potential nuisances or perceived to be nuisances. As it stands now, we don't have anyone that is officially our Town Enforcement Officer to take that initial step. The problem with bypassing that step and moving forward there could be issues claimed about due process or other problems with enforcement of nuisance provisions in our code. If we don't have someone specifically filling that role. I think that they mayor could certainly take on that title.

Mary: So, we go around and I write these violations for parking on the boulevard or something. It just backs that up and the reason we changed it to Mayor instead of Allissa is that we felt that is my job to get yelled at. Not the clerk treasurer or the clerks in the office. If people have a problem with this then they need to come talk to me and not yell at my clerks.

Linda: The actual job description of that is what, exactly? You write tickets...

Ed: there isn't a specific, as I recall, any specific rule that spells out exactly what the rule is under our ordinances. It does refer to the Town Enforcement Officer as the individual who has to take initial steps when it comes to nuisances.

Linda: This is for the initial steps and then we have our sheriff's contract that would allow them to go into a place or up to it. So, you would be on the premises?

Mary: NO! We never go on private property.

Linda: Okay I just wanted to make sure.

Mary: and I can assure you there is nothing glamorous about this.

Joe: isn't that why we have our sheriff's contract? Why do we have a sheriff's contract if they aren't going to do this for us?

Shawn: there are so many ordinances that are not covered under our contract.

Allissa: If you would like to see that contract. Anyone can see it.

Joe: No, I'm just wondering why is it like that?

Mary: because every contract cost money and the voters didn't pass the mill levy for that so we have a very limited budget so it falls on me to write these lovely little...

Joe: Well, I'm just asking because I'm like...

Mary: it's all about the money

Joe: I guess in Montana I've never heard of that. Where the mayor goes out and writes tickets. To me that's a weird concept.

Allissa: A lot of Municipalities and cities have been dropping having their own police departments because it's very spendy and they have actually been doing a code enforcement officer. Its more cost prohibited and it's a lot less hassle. It's a newer thing, it's happening. Usually, it is an office staff but we've got enough going on. I already get yelled at enough.

Ed: Where the sheriff comes in is when we have to take a nuisance on to the next step. Then she sheriff can serve certain notices and take those types of steps. Which is actually part of the contract. Those initial steps that we do, one, the sheriff didn't want to do it and two, absolutely correct, it would have cost more money to budget in for something that they didn't want to do, frankly, and I can understand that.

Mary: Most of the people don't even realize that they are parking on town property. They have no idea where their property boundaries are. 90% of them say they didn't even know and they are very good about moving their trailers or whatever is in violation. For the most part it really hasn't been a problem. It is just making the public aware of safety and where we have to plow and that.

Allissa: Mary isn't going to have handcuffs and a gun.

Mary: ok, Maxine?

Maxine: I'm back. Okay, I have two small dogs and there is one large dog at my house. All three of the dogs have dog tags but I refuse to put them on my dogs because the dog tag design this year has all these little... it's a pig. So, you've got pig ears, pig tail, pig feet... they are going to get tangled in everything. They continue to wear last year's tags. I don't know if that is one of the enforcement things you are planning to...

Mary: no, I'm not going to be checking that.

Maxine: Thank you. While I am on that subject though, perhaps they could find something more stream lined and maybe come in two sizes. There are a lot of smaller dogs in town and there are a lot of larger dogs in town.

Mary: So, different size dogs tags?

Maxine: yes, different size dog tags.

Allissa: Noted, and not to say specifically you, but we get complaints every year. It doesn't matter what shape we pick, and I thought the pig was funny. So, I'm sorry Maxine.

Mary: Maxine, if your dog has to go to counseling let us know... Okay, is there anymore discussion?

Linda: Yes, I just want to summarize. You are the initial... you are enforcing the code but because you are the initial person that writes the ticket out. So, we all understand that. Then, in our sheriff's contract, there are certain duties they have to do and that is when you would send it to them when you have reached that point.

Mary: That's correct.

Ed: or to the Town Attorney.

Linda: So, you aren't putting yourself in any danger. Just getting yelled at.

Mary: I'm used to it... any more discussion?

Roy moves to appoint Mayor to Town Enforcement Officer, Linda second.

THE MOTION PASSED UNANIMOUSLY

XII. BILL/ CLAIM APPROVAL LIST TO BE SIGNED BY ALL COUNCIL MEMBERS

Shawn motioned, Pat second

THE MOTION PASSED UNANIMOUSLY

Leonard: May I speak just really quickly?

Mary: Sure!

Leonard: The County Planning Board has 3 openings and we would really like someone from this end of the County to fill one of those positions. At lease one, so, if anyone is interested here or on the TV, contact Dena at the County Planning Office. We would really appreciate that.

XIII. Adjourn:

Mayor Mary Hensleigh

Date

Town Clerk Treasurer

Date