TOWN OF FROMBERG REGULAR TOWN COUNCIL MEETING
MONDAY, MAY 3, 2021 AT 7:00 PM
FROMBERG TOWN HALL, 118 WEST RIVER STREET

Monday, May 3, 2021

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT:

CARBON COUNTY SHERRIFF:

APPROVE MINUTES:
- 2021-04-05 Regular Meeting Minutes

APPROVE CLAIMS:

APPROVE PAYROLL SUMMARY:

OLD BUSINESS:
- Update Table of Fees / Curb stop
- 2nd Reading Ordinance #525: To amend the regular meeting date

NEW BUSINESS:
- Contract with Williston Basin Inc
- Close Water Well Checking account and open Savings account for Water Bond Reserve money
- Purchase Black Mountain Software Cloud Hosting

ZONING:

SPECIAL EVENTS APPLICATION:
- Two Bear – Diane Dalin

CORRESPONDENCE:

TOWN ATTORNEY:

PUBLIC WORKS DIRECTOR:

TOWN CLERK:

MAYOR / COUNCIL:
- This is a time when council members or the mayor can bring a concern before the council that is not otherwise listed on the agenda. No action can be taken at this time. If action is necessary, the item is put on the next meeting agenda.

NEXT MEETING DATE: June 8th, 2021. (This will be the second Tuesday in June.)

ADJOURN:

Conduct at Public Meetings

The public is invited to speak on any item under discussion by the Council, after recognition by the presiding officer.

The speaker should stand, and for the record, give his/her name and address, and, if applicable, the person, firm or organization he/she represents. Comments should be limited to three (3) minutes unless approval by the presiding officer, and citizens requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.

Prepared statements are welcomed and should be given to the Clerk of the Council. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become part of the hearing record.

While the Town Council is in session, those in attendance must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue be granted by the presiding officer or a majority vote of the Council.

The Fromberg Town Council reserves the right to amend these rules of procedure as deemed necessary.

FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING HELD ON APRIL 5, 2021

The April 5, 2021 meeting of the Fromberg Town Council was held at 118 W River Street in Fromberg. The Pledge of Allegiance was recited, and the meeting was called to order by Mayor Tim Nottingham at 7:00 pm. Council members present were Dave Stapleton, Nate Caton and Frank "Bill" Gruel. Others present were Ilsa Dawson, Cyrill Hergenrider, Tammy Taylor, Marge Taylor, Elton Kirtley, Irwin Sankey, Sarah and Lloyd Mackenzie, Sherriff Officer Thompson, Public Works Director Jay Cater, Assistant Public Works Director Lacey Breding and Clerk Pro Tem Kirstin Sweet.

The next item on the agenda was public comment. Tammy Taylor commented on a town wide cleanup and the possibility for a cash prize incentive!! Councilman Caton is working on a cleanup day with the high school kids and Sheriff Officer Thompson said the Sheriff Department would be happy to patrol the highway during the cleanup. Marge Taylor commented on the Town's ordinances regarding vacant buildings. Discussion was had regarding Town ordinances. Elton Kirtley commented regarding reimbursement for meters that were paid for in error. Discussion was had regarding the water meter reimbursement for property owners who paid for their meter and should not have been required to pay for the meter.

The next agenda item was the Carbon County Sherriff's report. Sheriff Officer Thompson gave a report regarding patrol in Town for the month of March.

The next item on the agenda was to appoint a council member. There was one letter of interest from Ilsa Dawson. Councilman Stapleton made a motion to appoint Ilsa Dawson to fill the vacant council seat. The motion was seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton - aye and Councilman Gruel -aye.

Councilwoman Ilsa Dawson was sworn in by Clerk Kirstin Sweet.

The next item of business was to elect a council president. Councilman Gruel suggested Councilman Caton. Councilman Caton expressed concerns regarding his work schedule. None of the members were concerned with his availability. Councilman Gruel. Councilman Stapleton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

Next on the agenda was the approval of the minutes from the March 1, 2021 regular meeting. Councilman Stapleton made a motion to approve the minutes, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

The next item of business was the approval of claims for February. Councilman Stapleton motioned to approve claims including check #21859 to #21882. Also, electronic check # -99983 to -99982. The motion was seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

The next item of business was the approval of the payroll summary for March. Clerk Sweet informed the council the payroll summary was not available due to it being a quarterly month and the quarterly reports are not finished yet.

Old Business was the next item on the agenda. The first item was to update the table of fees and discuss the curbstops. Discussion was had regarding the costs associated with a new tap. Councilman Stapleton asked Public Works Director Carter to get the list of costs for tapping a water and a sewer line. As well as the garbage contract numbers. This will be on the next agenda, hopefully for action. Councilman Stapleton, Councilman Gruel. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

New Business was the next item on the agenda. The first item of new business was the first reading of Ordinance #525 to amend the regular meeting date. Mayor Nottingham read the ordinance. Councilman Stapleton made a motion to accept the first reading, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

Special Events Application was next on the agenda. Cyrill Hergenrider was present and explained her event and the items needed. Discussion was had regarding the event and any past issues. Councilman Stapleton motioned to approve and pay for porta potties. Councilman Gruel. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

Zoning was the next item on the agenda. Lloyd Mackenzie was present and explained his plans. Discussion was had regarding the application. Elton Kirtley made comment regarding the application and what he believes to be a non-conforming property. Mayor Nottingham explained the breezeway in on the property that belongs to the Mackenzie's, not on the easement. Comments were made by Marge Taylor regarding the sidewalk in the front of the house. Mayor Nottingham explained that we are only discussing the breezeway, not the sidewalk or any existing easements on the property. Councilman Stapleton, Councilman Gruel. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton – aye, Councilwoman Dawson – aye, and Councilman Gruel -aye.

Correspondence was the next item on the agenda. There was no correspondence.

Town Attorney Moen was not present.

Public Works Director Carter updated the council on the projects completed and ongoing form the last month. Discussion was had regarding the lift station and the issues recently discovered with it.

Clerk Sweet had nothing to report.

Mayor / Council updates were next on the agenda. Mayor Nottingham addressed the animal ordinance in Town and read the ordinance aloud. Councilman Gruel addressed the extended parking that is occurring near the tennis courts. Sherriff Officer Thompson informed the council and public to call dispatch and let them know. The officers are happy to help educate people. Mayor Nottingham also brought up involving the high school with the Town government. He also noticed that the agendas go missing at the senior center

The next meeting date will be May 3, 2021.

There being no further business Councilman Gruel motioned to adjourn. The motion was seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Stapleton - aye, Councilman Caton - aye and Councilman Gruel -aye. Meeting adjourned at 8:50 pm.

_____

Tim Nottingham, Mayor

Attest:

_____

Kirstin Sweet, Clerk Pro Tem

Total for Payroll Checks

	Employee	Employer	Amount
OVER HOURS (Overtime)	19.50		505.50
REG HOURS (Regular Time)	286.50		4,702.00
SICK HOURS (Sick Time)	4.00		56.00
VACA HOURS (Vacation Time Used)	6.00		92.00
GROSS PAY	5,355.50	0.00	
NET PAY	4,404.66	0.00	
FIT	308.14	0.00	
MEDICARE	77.66	77.66	
MMIA - AD&D	0.00	1.25	
MMIA - HI	0.00	348.00	
MMIA - LIFE INS	0.00	5.75	
SIT	233.00	0.00	
SOCIAL SECURITY	332.04	332.04	
UNEMPL. INSUR.	0.00	28.00	
WORKERS' COMP	0.00	265.08	
FIT/SIT BASE	5,355.50	0.00	
MEDICARE BASE	5,355.50	0.00	
SOC SEC BASE	5,355.50	0.00	
UN BASE	5,090.50	0.00	
WC BASE	5,187.00	0.00	
Total		1,057.78	
Total Payroll Expense (Gross Pay + Employer Contributions):		6,413.28	

Check Summary

Payroll Checks Prev. Out.	$6,605.20
Payroll Checks Issued	$5,114.66
Payroll Checks Redeemed	$0.00
Payroll Checks Outstanding	$11,719.86
Electronic Checks	$1,360.54

Deductions Accrued		Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	664.08		664.08		212501
Medicare	155.32		155.32		212502
Unempl. Insur.	28.00			28.00	212509
Workers' Comp	265.08			265.08	212508
FIT	308.14		308.14		212503
SIT	233.00		233.00		212504
MMIA - HI	348.00		696.00	-348.00	212507
MMIA - LIFE INS	5.75		11.50	-5.75	212512
MMIA - AD&D	1.25		2.50	-1.25	212512
Total Ded.	2008.62	0.00	2070.54	-61.92	

**** Carried Forward column only correct if report run for current period.

PAYROLL CHECKS:
21883 to 21891

ELECTRONIC CHECKS:
-89316 to -89310

TOWN OF FROMBERG 7/1/16

TABLE OF FEES

Water System

Residential Active	45.00
Commercial Active	45.00
Non Residential Active	50.00
Non-Active	29.00
School	45.00

Sewer System

FULL	$67.00
FULL X 2	$134.00
FULL X 3	$201.00
FULL X 4	$268.00
FULL X 5	$335.00
FULL X 6	$402.00
SCHOOLS	$93.00
Non-Active or Septic	$36.00
Exempt	$0.00

Garbage System

Base Rate 17.00 x each
½ Cubic yard of Container

CONX 1	$17.00
CONX 2	$34.00
CONX 3	$51.00
CONX 4	$68.00 — 2 yd
CONX 5	$85.00
CONX 6	$102.00 — 3 yd
CONX7	$119.00
CONX8	$136.00 — 4 yd
CONX 9	$153.00
CONX10	$170.00
CONX11	$187.00
CONX12	$204.00 — 6 yd

Tags for extra garbage $2.00 Each.

Water System - Per 1000 gallons		$2.50
Bulk Water		$3.00 per 200 Gallon
Water Service Reconnect Fee (turn-on)		$50.00 per connect
Water Service Disconnect Fee (turn-off)		$50.00 per connect
Household Tapping Fee- Water		$750.00 per Tap
Household Tapping Fee- Sewer		$750.00 per Tap
Business Tapping Fee- Water		$1000.00 per Tap
Business Tapping Fee- Sewer		$1000.00 per Tap
Tampering with Water/Sewer Property		$500.00 per incident
Damage Fee to Water/Sewer Mains		$750.00 per line
Equipment Service Fee		$150.00 per trip
Maintenance worker		$50.00 per hour
Dog Licenses		$10.00 (male or spayed female) $15.00 (female)
Kennel Licenses		$50.00/year
Business Licenses	Financial Institution	$50.00/year
	Utilities	$75.00/year
	Hotels/Motels	$20.00/year
	Trailer parks	$20.00/year
	Bars/Saloons	$125.00/year
Back Room Rental		$5.00
Zoning Variance requiring Public hearing		$200.00 per Zoning Applicant

Revised 07/01/16

Jay's estimate

Water Tap

- 6' meter pit – $655.20
- Adjustable Curb stand - $88.36
- Meter Pit Lid - $184.54
- Insulation Pad - $39.13
- Saddle Tap – 6" $99.07 8" $100.54
- ¾ Pipe 100' roll - $36.00
- Corp stop - $63.00
- Curb Stop Valve - $93.00
- Radio meter - $235.00

Total -$1494.77

ORDINANCE #525

AN AMENDMENT TO FROMBERG TOWN CODE § 2-5-11, THE PURPOSE OF WHICH IS TO CHANGE THE DATE OF THE REGULAR MEETING OF THE FROMBERG TOWN COUNCIL FROM THE FIRST MONDAY OF EACH MONTH TO THE SECOND TUESDAY OF EACH MONTH

WHEREAS the Town Council finds that the current meeting schedule conflicts with a number of other community meetings, and

WHEREAS the Town Council believes it is valuable to increase the ability of the public to attend regular Town Council meetings, and

WHEREAS the Town Clerk represents that a time later in the month provides more opportunity to have regular bookkeeping coincide with the regular Town Council meetings.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fromberg, Montana, that:

Fromberg Town Code § 2-5-11 is amended to read as follows (language struck through is to be removed and language underlined is to be added in official text):

2-1-11 REGULAR MEETING: The council shall hold regular meeting for the transaction of municipal business on the ~~first Monday of each month~~ second Tuesday of each month, and such other meetings to which the council, by order, may adjourn, or which may be called. Special meetings may be called by the Mayor or a written request of three members of the council, filed with the town clerk, on their requisition, giving at least three days notice thereof, in writing, to all members of the council and the mayor shall be present and waive notice of the time and place of holding any special meeting, and such waiver is noted in the journal of the council's proceedings, such meeting shall be valid without notice.

FIRST PASSED AND APPROVED on the 5th day of April 2021.

Attested to by:

Tim Nottingham, Mayor

Kirstin Sweet, Clerk Pro Tem

PASSED and APPROVED on second reading this _____ day of _____ 2021.

Attested to by:

Tim Nottingham, Mayor

Kirstin Sweet, Clerk Pro Tem

WBI ENERGY TRANSMISSION
An MDU Resources Group company

WBI ENERGY TRANSMISSION, INC.
1250 West Century Avenue
Mailing Address:
PO Box 5601
Bismarck, ND 58506-5601
(701) 530-1500
www.wbienergy.com

March 30, 2021

TCT West, Inc.
1601 S. Park Dr.
Cody, WY 82414

RE: Town of Fromberg

WBI Energy Transmission, Inc. ("WBI Energy") intends to enter into an easement agreement with the Town of Fromberg. Once the easement is secured, WBI Energy will remove and dispose of certain equipment previously abandoned by TCT West, Inc., which equipment is depicted in the attached photos.

Please acknowledge receipt of this letter and return to my attention via email at Thomas.Stortz@WBIEnergy.com. If you have any questions, please contact me at 406-359-7271 or via email.

Respectfully,

Thomas Stortz

Thomas Stortz
Land Agent

The undersigned hereby consents to the removal and disposal of the previously abandoned equipment as referenced herein.

Agreed to and accepted this _____ day of _____, 2021:

TCT West, Inc.

_____

By: _____

Its: _____

COPY

WBI ENERGY TRANSMISSION
An MDU Resources Group company

RECEIVED
APR 09 2021
FELT MARTIN PC

WBI ENERGY TRANSMISSION, INC.
2010 Montana Avenue
Glendive, MT 59330
(406) 359-7200
www.wbienergy.com

PH: 406-359-7271

March 30, 2021

Tim Notlingham
Acting Mayor
City of Fromberg
PO Box 236
Fromberg, MT 59029-0236

Tim Notlingham,

This letter is in follow-up to the previous telephone conversation and visit we had earlier this spring. WBI Energy Transmission Inc. (WBI Energy) is in the process of upgrading and moving its existing Town Border Station located near the City of Fromberg, MT (TBS).

The existing TBS is located one block south of West River Street along Billies Aly. WBI Energy proposes to move the TBS to the west end of West River Street adjacent to WBI Energy's existing valve setting.

That existing Valve Setting is there by easement from the City of Fromberg recorded May 29, 2019, Doc # 377078. The new TBS would be right next to that tract on the east side as shown on the attached Exhibit A.

The City of Fromberg is aware of the abandoned cable tv facilities left of the property by TCT West Inc. See the attached letter from TCT West Inc., stating their "abandonment of the cable plant" dated January 1, 2014.

I have included the following documents for the City of Fromberg to review.

1. TCT West Inc. letter stating that they have abandoned the cable plant in Fromberg, MT.
2. WBI Energy letter to TCT stating once easement is secured, the abandoned cable tv facilities will be removed and dispose of by WBI Energy.
3. WBI Energy Exclusive Easement with the City of Fromberg and Exhibit.
4. WBI Energy Land and Land Rights Receipt and Release of Damages.

Please review the enclosed documents with the City Attorney and Counsel Members. If you have any questions, need additional information, or have any comments, please contact me at 406-359-7271.

Thanks for your help in this process.

Yours truly,
WBI Energy Transmission, Inc.

Tom Stortz
Land Agent II

Encl: TCT West Letter
WBI Energy letter to TCT West
WBI Energy Transmission Inc. Exclusive Easement
WBI Energy Land and Land Rights Receipt and Release of Damages.

WBI ENERGY TRANSMISSION, INC.
LAND AND LAND RIGHTS RECEIPT AND RELEASE OF DAMAGES

Date:	*Line # or Other Project Description:*	*W.O. Reference:*
_____/_____/2021		1210054.1070.
GRANTOR:	City of Fromberg PO Box 236 Fromberg, Montana 59029-0236	**Document No:** **Tract Number:**

LEGAL DESCRIPTION:

A tract or strip of land lying within Tract 'I' of Certificate of Survey No. 2294 RE recorded in the Carbon County Clerk and Recorder's Office, lying in the Northwest Quarter (NW1/4) of Section Twenty (20) of Township Five (5) South, Range Twenty-Three (23) East of the Principal Meridian Montana, Carbon County, Montana

RELEASE OF DAMAGES:

Grantor hereby acknowledge full and complete settlement, payment, satisfaction and accord of all damages and claims of every kind, name and nature sustained by me and to my real and personal property, or property under my control, by reason of the construction, repair or removal of an gas pipeline over, under, through and across the above described property and do hereby completely release said WBI ENERGY TRANSMISSION, INC. from the payment of any and all damages sustained, whether such damages were occasioned by the construction, repair or removal of said gas pipeline, the entry by the officers, agents, servants or contractors of said Company, upon said premises or adjoining premises, or by any acts of negligence or omission of said Company or its contractors.

INTERESTS ACQUIRED:

	Unit	*Price/Unit*	*Total*	*Resource Code*
Exclusive Valve Setting and	1.0	12000.00	$12,000.00	*5910*
Metering Station with			$0.00	*5911*
Access			$0.00	*5911*
			Total	$12,000.00

ADVANCE DAMAGES:

	Rods	*Price/Rod*	*Total*	*Resource Code*
Advance Damages	10	100.00	$1,000.00	*5744*
Bore Damages	0	0	$0.00	*5744*
Access Road	0	0	$0.00	*5744*
			Total	$1,000.00

CHECK NUMBER:		***AMOUNT DUE:***	**$13,000.00**

REMARKS: ***One time payment to the City of Fromberg for a Tract of Land being 60.0 ft. by 100.0 ft. in the NW1/4NW1/4 Sec. 20, Twp. 5 S, Rge. 23 E. as shown on Attached Exhibit "A" to exclusive easement and including Damages to West River Street during construction of said facilities. WBI Energy will also disposed of abandon Cable TV facilities left on the property by TCT.***

GRANTOR SIGNATURE: ***WITNESS:***

_____ _____

, Mayor

_____

Property Unit Copy -White Grantor's Copy-Pink
Agent's Copy-Yellow Office Copy-Drk Yellow

Updated 1/2019

WBI ENERGY TRANSMISSION, INC.
EXCLUSIVE VALVE SETTING AND METERING STATION
AND ACCESS EASEMENT

This Exclusive Valve Setting and Metering Station Easement by Owner ("Easement"), made this _____day of_____, A.D. 2021, between WBI ENERGY TRANSMISSION, INC., 1250 West Century Avenue, Bismarck, North Dakota 58503, hereinafter called "GRANTEE," its successors and assigns and the following named persons, herein, whether singular or plural, called "GRANTOR," namely:

City of Fromberg
PO Box 236
Fromberg, Montana 59029-0236

WITNESSETH, that for valuable consideration received, GRANTOR does hereby grant, bargain, sell and convey, subject to all easements, reservations, restrictions, covenants, liens and other encumbrances of record, unto GRANTEE, its successors and assigns, an easement for and relating to a natural gas valve setting and metering station together with the right of ingress and egress and to, construct, operate, maintain, repair, remove and replace said natural gas valve setting and metering station and any associated pipes, wires, poles, appurtenances, fixtures or other necessary or incidental facilities under, over and across the following described real property located in the County of Carbon, State of Montana, namely :

SITE TRACT:

A tract of land lying in the Northwest (NW1/4) of Section Twenty (20), Township Five (5) South, Range Twenty-Three (23) East of the Principal Meridian Montana, Carbon County, Montana, more particularly described as follows:

Commencing at the Northwest Corner of said Section 20, thence North 89°32' East, 994.9 feet along the North Line of said Section 20; thence South 0°28' East, 30.2 feet to a point on the North Line of the City of Fromberg property described on Page 490 of Book 25 of Deeds, said point being the Point of Beginning; thence North 89°28' East, 60.0 feet along the North Line of said City of Fromberg Property; thence South 0°28' East, 100.0 feet to a point on the South Line of said City of Fromberg Property; thence South 89°27' West, 60.0 feet along the South Line of said City of Fromberg Property; thence North 0°28' West 100.0 feet to the Point of Beginning.

Said tract contains 0.14 acres more or less.

AS SHOWN ON ATTACHED EXHIBIT "A" MADE PART HEREOF.

GRANTOR, its successors and assigns, hereby grants to GRANTEE, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of constructing, maintaining, operating, replacing, repairing, reading meters or removing said metering facility and its related facilities and for the purpose of doing all necessary work in connection therewith.

This Easement may be executed in one or more counterparts each of which will be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, GRANTOR has executed this Easement as of the day and year first above written.

GRANTOR:
City of Fromberg

By:_____

Name: _____

Title:_____

GRANTEE
WBI Energy Transmission Inc.

By: _____

Name:_____

Title:_____

STATE OF MONTANA)

: SS
COUNTY OF CARBON)

On this _____ day of _____, 2021, before me personally appeared _____known to me to be the same person__ described in and who executed the above and foregoing instrument and acknowledged to me that she executed the same, (known to me to be the _____ that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

_____ _____
Notary Signature Printed Name

Notary Public for the State of_____
Residing in_____
My commission Expires:_____

STATE OF MONTANA)
: SS
COUNTY OF DAWSON)

On this _____ day of _____, 2021, before me personally appeared _____known to me to be the _ _____ of WBI Energy Transmission, Inc., and acknowledged to me that such corporation executed the same.

_____ _____
Notary Signature Printed Name

Notary Public for the State of_____
Residing in_____
My commission Expires:_____

Project_____ W.O. #1210054.1070.5911 LLRR#_____

Return to:
Land Department
WBI Energy Transmission
2010 Montana Ave
Glendive, MT 59330

tctwest.net

Basin Office
PO Box 310- 405 S 4th St.
Basin, WY 82410
307.568.3357
Fax: 307.568 2506

Billings Office
454 Moore Ln., Ste 4
Billings, MT 59101
406.248.4204
Fax: 406.245.4885

Cody Office (Corporate)
1601 S. Park Dr.
Cody, WY 82414
307.586.3800
Fax: 307.586.5450

Lovell Office
451 Shoshone Ave.
Lovell, WY 82431
307.548.2275
Fax: 307.548.7771

Powell Office
401 S. Bent St., #4
Powell, WY 82435
307.754.9160
Fax: 307.764.3748

May 2, 2017

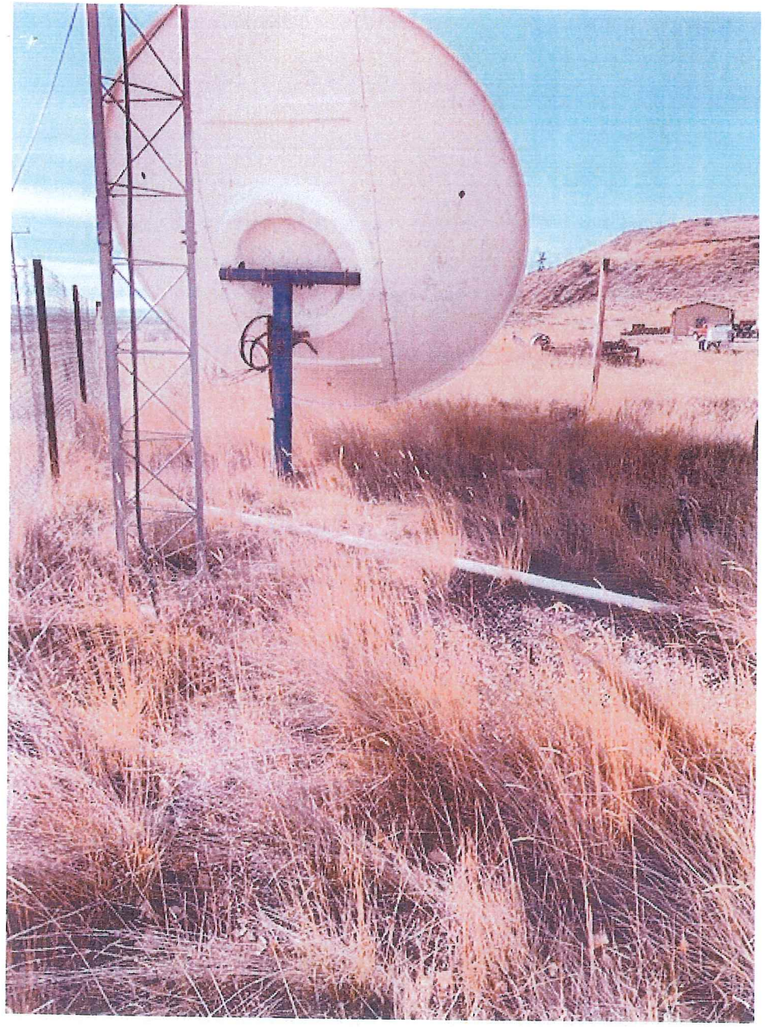
To Whom it may concern,

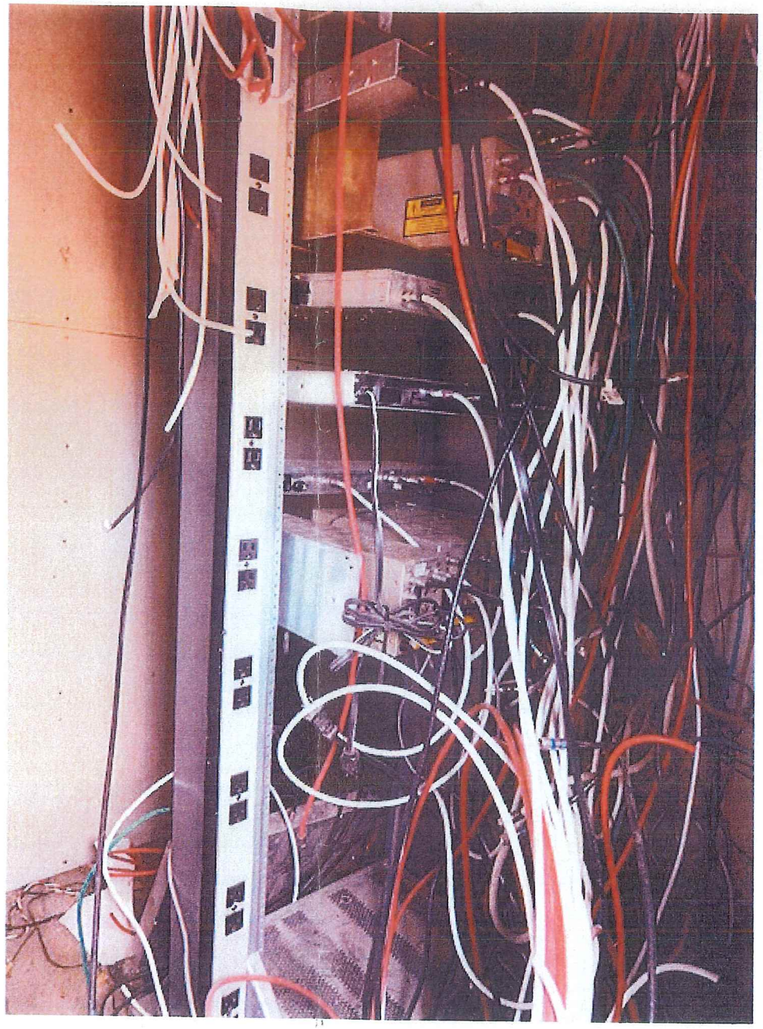
Effective January 1, 2014, TCT disconnected cable and Internet services inside the city limits of Fromberg. Please accept this letter as proof of abandonment of the cable plant.

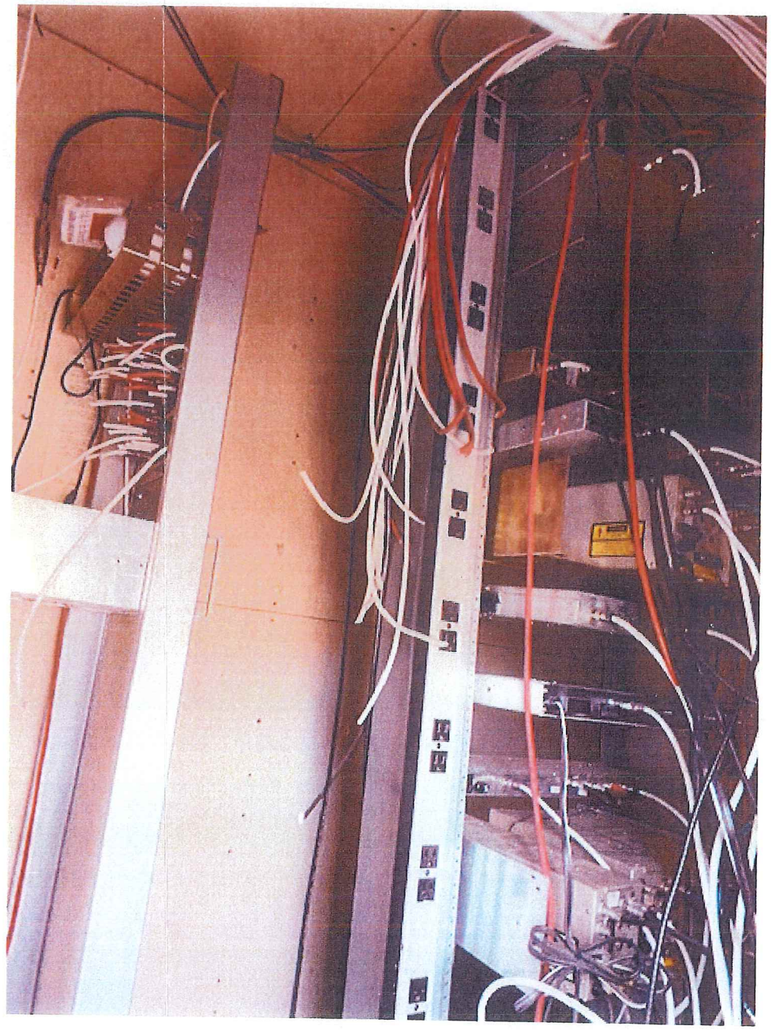
Sincerely,

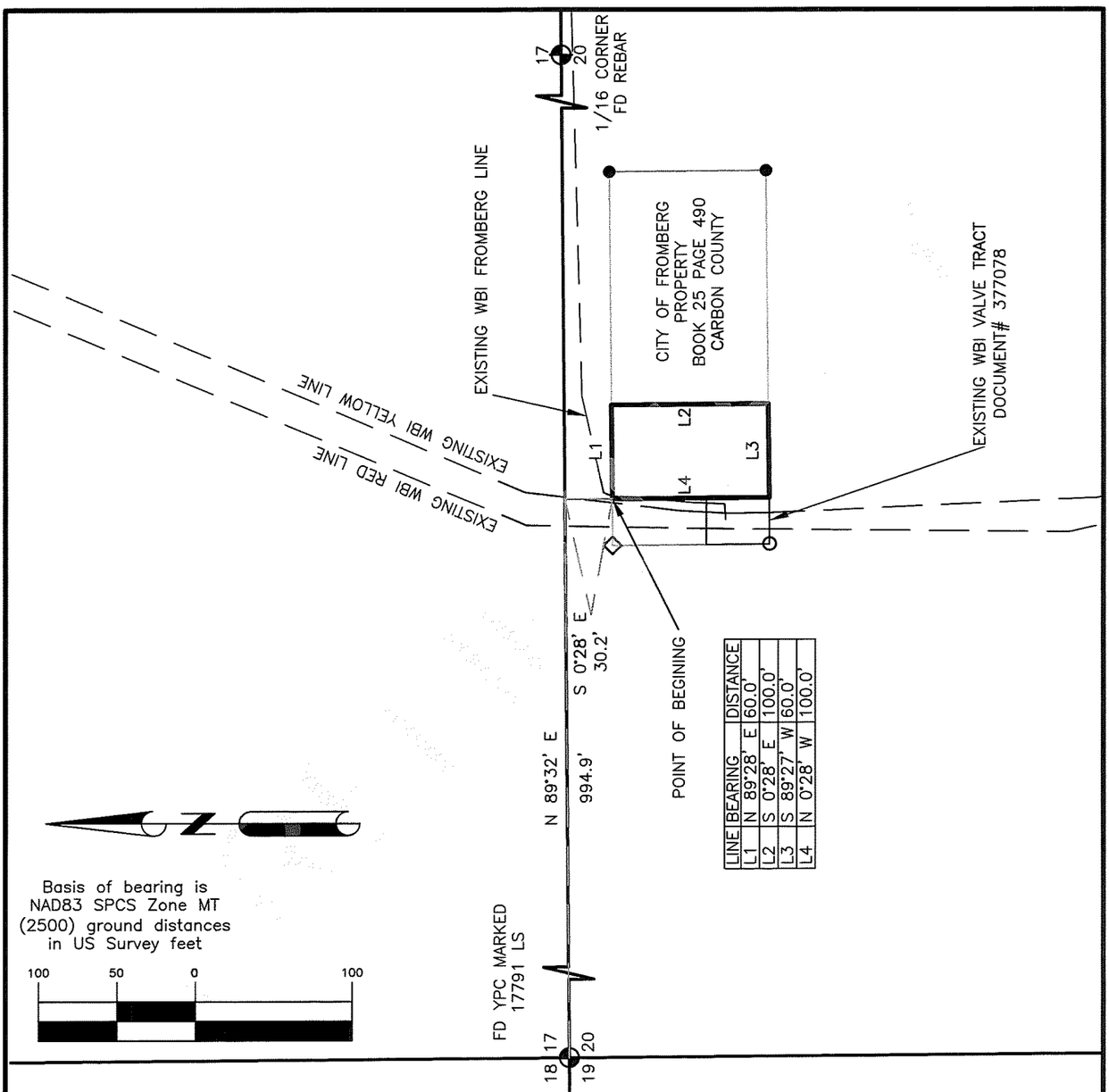
Brad Payne
COO

COPY









DESCRIPTION

A tract of land lying in the Northwest (NW1/4) of Section Twenty (20), Township Five (5) South, Range Twenty–Three (23) East of the Principal Meridian Montana, Carbon County, Montana, more particularly described as follows:

Commencing at the Northwest Corner of said Section 20, thence North 89°32' East, 994.9 feet along the North Line of said Section 20; thence South 0°28' East, 30.2 feet to a point on the North Line of the City of Fromberg property described on Page 490 of Book 25 of Deeds, said point being the Point of Beginning; thence North 89°28' East, 60.0 feet along the North Line of said City of Fromberg Property; thence South 0°28' East, 100.0 feet to a point on the South Line of said City of Fromberg Property; thence South 89°27' West, 60.0 feet along the South Line of said City of Fromberg Property; thence North 0°28' West 100.0 feet to the Point of Beginning.

Said tract contains 0.14 acres more or less.

CERTIFICATE OF SURVEYOR

I, Robert W. Stanhope, a Montana Professional Land Surveyor, do hereby certify, that I or persons under my direct supervision have performed the survey shown hereon and that said survey is true and complete as shown and that the monuments found and set are of the character and occupy the positions shown.

ROBERT W. STANHOPE STATE P.L.S. NO. 9757

LEGEND

- ● = FOUND YPC W/ REBAR
- ◇ = FOUND YPC MARKED "KLJ 17791PLS"
- O = COMPUTED POSITION
- ⊕ = FOUND AS NOTED

NO	DATE	BY	REVISION

WBI ENERGY
TRANSMISSION
A Subsidary of MDU Resources Group, Inc.

NEW FROMBERG BORDER STATION LOCATED IN THE NW1/4 OF SECTION 20 T. 5 S. – R. 23 E. CARBON COUNTY, MONTANA

DATE	DRAWN BY	SCALE	COMP. NO.	DRAWING NO.
3/15/21	RMG	1"=100'	NEWFROM	B–4–4368

Quote

03/02/2021

Town of Fromberg
Lacey Breding
PO Box 236
Fromberg, MT 59029
clerk@fromberg-mt.com

Black Mountain Software

145 Southlake Crest, Ste 1
Polson, MT 59860

Todd Schock
800.353.8829 Option: 3

Product Description	Purchase Price	Annual Fees	One-Time Conversion	Total
Cloud Hosting		700.00		700.00
Subtotals:	**$0.00**	**$700.00**		
Grand Total:				**$700.00**

Terms

1. Black Mountain Software (BMS) has made every effort to ensure the information contained within this quote is complete and accurate. However, we reserve the right to correct any error or omission related to price, product description or availability. Please remember that to completely understand this quote, you must consider, in addition to product and prices, the terms and conditions that follow either on this or separate pages.
2. Prices quoted herein do not reflect sale or use taxes imposed by any state or local government, or any unit or subdivision thereof; such taxes are the responsibility of the buyer. Buyer agrees to be responsible for the documentation relating to the payment of such taxes to the maximum extent legally permitted. Black Mountain Software will be responsible for the collection of such taxes and/or the documentation related thereto, only to the extent required by law.
3. Training is included with the installation of each software product. Unless specifically arranged, initial training will be conducted online. After initial training, free online training is always available for you and your staff as part of the annual service and support fee. Advanced scheduling is required. Except for initial training, hourly charges apply for training physically provided onsite (your offices) or in house (our offices).
4. All costs are based on prices in effect for 60 days from the date of this bid.
5. Annual service and support includes software updates and unlimited phone, email and internet support. The service is renewed annually and is non-refundable. Annual fees are subject to change.
6. If travel is required, actual expenses are billed as follows: When flying, charges include airfare, travel time at $35 per hour per person, meals at $42 per day, lodging at local rates, and rental car. When driving, charges include mileage at 56Ã‚Â¢ per mile, travel time at 45Ã‚Â¢ per mile per person, meals at $42 per day, and lodging at local rates. Alaska and North Dakota may have higher rates.
7. BMS Cloud Hosting is required for the software products quoted. The service is renewed annually and is non-refundable. Annual fees are subject to change. BMS Cloud Hosting service provides automatic database maintenance, software updates, nightly data backups, and the ability to access your BMS applications from anywhere with internet connection. Annual Software Maintenance Fees must be current on all products hosted on the BMS Cloud. If software maintenance is discontinued for a software application, it will be removed from the BMS Cloud. It can be relocated to your local workstation/server, if desired.
8. Normal billing procedures for new clients or stand alone applications for current clients require a 25% down payment, billed at commitment, and 75% final payment billed upon completion of installation and initial training of the core products, i.e., Accounting, Payroll or Utility Billing. Add on applications for current clients are billed for full purchase price only at commitment and maintenance begins upon completion of installation and/or training. All billing will commence in full for all products after one year from commitment unless other arrangements have been made.
9. All of our software products are multi-user, with an unlimited number of licenses (seats). In addition, 'Read Only' access is available to limit data changes for specified users, while still providing lookup and printing capabilities.

TOWN OF FROMBERG
SPECIAL EVENTS POLICY
Approved and Adopted by Town Council on 3 August 2015

Persons or entities **seeking to use Town of Fromberg property for a special event** in which participants are charging admission, event holders are closing a city street, alcohol is served or consumed, fireworks are set off, or the event will be held on public property, must obtain approval in advance from the Fromberg Town Council.

Application. An applicant shall submit a written application specifying the nature of the special event, the area planned for the special event, whether alcohol will be served, time period of special event, number of people anticipated to participate, whether a street and / or alley closure is necessary, if security is needed, whether trash removal is needed, and whether restrooms are required and provided. **The deadline for filing a completed application shall be at least forty-five (45) days in advance of the special event.** The Council meets on the first Monday of each month.

Notification to Abutting Businesses. If street closure is requested, the applicant shall provide with the application evidence of notification of each property owner or representative abutting and within on hundred feet (100') of the special event for their comment prior to the date of approval.

Clean-up Deposit. Upon approval of the application, the applicants may be required to pay a clean-up deposit towards cleanup of the special event area. This clean-up deposit shall be refunded upon verification by the Town that the area is trash-free and has been restored to the condition it was in prior to the use.

Insurance; Indemnification. If the event involves the sale or consumption of alcohol, a rodeo, or fireworks, the applicant shall submit proof of insurance for comprehensive general liability, automobile liability and designated premises liability in the amount of seven hundred fifty thousand dollars ($750,000.00) for each claim and one million dollars ($1,000,000.00) for each occurrence, and list the Town of Fromberg as an additional named insured. The Town Council may require insurance coverage in a higher or lower amount based upon the type of special event, the number of persons anticipated to attend the special event, or the anticipated number of persons participating in the special event.

Alcohol. No sale of alcoholic beverages is allowed unless proper licensing is prepared in advance of the special event. The applicant must demonstrate that all state and local alcohol sales and service laws and local ordinances permitting the sale and consumption of alcoholic beverages have been complied with and must provide copies of all applicable state and local liquor permits with the special event application.
If the event holder intends to sell or provide alcoholic beverages to attendees, the applicant must specify the location and size of the area wherein they propose to sell, serve and allow consumption of the alcoholic beverages. For consumption of alcoholic beverages off site of a

licensed establishment, the applicant must request a waiver of the Open Container Ordinance and specify the area to be waived.

Security. An applicant requesting a special events permit that includes the sale and service of alcoholic beverages is required to secure through the Fromberg Police Department additional law enforcement presence for the event, and to provide payment for that presence as specified by the Department a minimum of 3 weeks prior to the event.

TOWN OF FROMBERG
SPECIAL EVENTS POLICY
Approved and Adopted by Town Council on 3 August 2015

APPLICATION

Name / Purpose of Special Event: Annual Pig Roast

Area Proposed for Special Event: Two Bear Patio & Parking Area

Date and Duration of Special Event: Sat. June 26th - 12:00 pm - 2:00 a.m.

Number of People Anticipated to Attend: 75-125

Please check the requirements applicable to your special event:

[X] **Street / Alley Closure Requested** (If a street closure is requested, the applicant must provide evidence that the applicant has notified each property owner or its authorized representative abutting the proposed use area of the special event)

[ ] **Security Needed** (In the event that alcohol is being served, the event holders must arrange and pay for security. Contact the Fromberg Police Chief for details).

[ ] **Trash Removal**

[ ] **Number of Restrooms / Latrines needed** ____.

[X] **Alcoholic beverages will be sold during special event. Specify the location and size of the area where alcoholic beverages will be sold / consumed:** Patio, parking area + Front sidewalk

[X] **Waiver of Open Alcohol Prohibition Requested**

[ ] **Proof of Insurance Provided.** (In the event that alcohol, fireworks or rodeo are involved in the special evert, the event holders must provide proof of liability insurance as required in Fromberg's special events policy).

[ ] **Clean-up Deposit Paid in the Amount of** _____.

Deadline for filing. The application must be filed at least 45 days prior to the event and the application must be approved by the Fromberg Town Council at a regualar meeting prior to the event.

4-30-21

Date

Signature of Applicant

TOWN OF FROMBERG
SPECIAL EVENTS POLICY
Approved and Adopted by Town Council on 3 August 2015

FROMBERG TOWN COUNCIL ACTION OF APPLICATION

Applicant:

_____

_____

_____

At a meeting of the Fromberg Town Council held _____ the Council voted for the following action on your Special Events Application:

[ ] Special Event Application APPROVED without restrictions.

[ ] Special Event Application APPROVED with the following restrictions:

_____

_____

_____

[ ] Security approved for ___officers at $_____ per hour / per officer.

[ ] Special Event Application DENIED.

Dated: _____

_____

Fromberg Mayor