

RESOLUTION NO. 503 A

A RESOLUTION TO ADOPT THE CARBON COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2020.

WHEREAS, the Town of Fromberg recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, an adopted Multi-Jurisdictional Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre-disaster and post-disaster mitigation grant programs; and

WHEREAS, the Town of Fromberg resides within the Planning Area and fully participated in the mitigation planning process to prepare this Multi-Jurisdictional Mitigation Plan; and

WHEREAS, Montana Disaster & Emergency Services and the Federal Emergency Management Agency, Region VIII officials have reviewed the Carbon County Multi-Jurisdictional Hazard Mitigation Plan and approved it contingent upon this official adoption of the participating governing body.

NOW THEREFORE BE IT RESOLVED, that the Fromberg Town Council hereby adopts the Carbon County Multi-Jurisdictional Hazard Mitigation Plan as an official plan; and

BE IT FURTHER RESOLVED, the Carbon County Disaster and Emergency Services will submit this Adoption Resolution to Montana Disaster & Emergency Services and the Federal Emergency Management Agency, Region VIII officials to enable the Plan's final approval.

DULY passed and adopted at a regular meeting of the Fromberg Town Council this 4th day of January 2021. This Resolution shall become effective immediately upon passage.



Mayor

ATTEST:



Town Clerk / Treasurer

RESOLUTION NO. 505

A RESOLUTION TO INCREASE THE EMPLOYEE WAGES FOR FISCAL YEAR 2021-2022

WHEREAS, the Town Council of the Town of Fromberg, Montana, has decided that all permanent employees should have an increase in pay;

WHEREAS, the Town of Fromberg desires to authorize a wage increase of 2% of current pay rate;

WHEREAS, the Town of Fromberg desires to make this pay increase effective July 1, 2021.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Fromberg, Montana that all permanent employees will have the pay increase listed above added to their current wage starting July 1, 2021.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 8th day of June 2021. This Resolution shall become effective immediately upon passage.

ATTEST:



Kristin Sweet, Clerk Pro Tem



Tim Nottingham, Mayor

RESOLUTION NO. 506

A RESOLUTION TO INCREASE THE PUBLIC WORKS DIRECTOR, JOHN CARTER'S, WAGES

WHEREAS, the Town Council of the Town of Fromberg, Montana, has decided that John Carter, Public Works Director, should have a pay increase.

WHEREAS, John Carter as Public Works Director completed and passed both Wastewater and Water operator tests and is now a Certified Operator in both categories.

WHEREAS, the Town of Fromberg desires to authorize a wage increase of \$1.50 of his current pay rate;

WHEREAS, the Town of Fromberg desires to make this pay increase effective August 1, 2021.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Fromberg, Montana that above listed employees will have the pay increase listed above added to their current wage starting August 1, 2021.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 10th day of August 2021. This Resolution shall become effective immediately upon passage.

ATTEST:



Tim Nottingham, Mayor



Lacey Breeding, Interim Town Clerk / Treasurer

RESOLUTION NO. 507

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA
TO APPROVE AN AMENDMENT TO THE MUNICIPAL BUDGET FOR THE 2020-2021
FISCAL YEAR**

WHEREAS, the Town Council of the Town of Fromberg, Montana, has prepared a budget amendment for the fiscal year 2020-2021 and has given notice permitting all taxpayers to appear and be heard for or against any part of said budget amendment.

WHEREAS, the Town of Fromberg estimated the tax revenue to be received for the 18.4 voted mills lower than was actually received and subsequently paid out to the Fromberg Rural Fire Department.

WHEREAS, the Town of Fromberg will increase the budget for Fund #7200 as follows:

<u>Original Expenditure Appropriation</u>		<u>New Expenditure Appropriation</u>	
420460	\$6300.00	420460	\$8606.00
<u>Original Revenue Appropriation</u>		<u>New Revenue Appropriation</u>	
311010	\$6000.00	335050	\$6333.00
311020	\$ 31.00	311020	\$ 133.00

WHEREAS, the Town of Fromberg received more than anticipated for the Fire Relief apportionment and needs to adjust its budget accordingly.

WHEREAS, the Town of Fromberg will increase the budget for Fund #7120 as follows:

<u>Original Expenditure Appropriation</u>		<u>New Expenditure Appropriation</u>	
420000	\$510.00	420100	\$538.00
<u>Original Revenue Appropriation</u>		<u>New Revenue Appropriation</u>	
420000	\$510.00	335050	\$538.00

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Fromberg, Montana that the fiscal year 2020-2021 Municipal Budget Amendment is approved and adopted as set forth above.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 10th day of August 2021. This Resolution shall become effective immediately upon passage.

ATTEST:


Lacey Breding, Town Clerk



Tim Nottingham, Mayor

RESOLUTION NO. 508

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA TO SET THE MILL LEVY FOR THE 2021-2022 FISCAL YEAR BUDGET

WHEREAS, the market value and taxable valuation for the 2021-2022 fiscal year are as follows:

Total Market Value	\$ 23,388,402
Total Taxable Value	\$ 373,747
Taxable Value of Newly Taxable Property	\$ 33,452

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Fromberg, MT has set the tax levy for the 2021-2022 Fiscal Year Budget to be as follows:

General Fund	137.94 Mills
Fromberg Rural Fire Voted Mills	18.40 Mills

Total Mills Allowed

156.34 Mills

For a total Mill levy based on a taxable value of \$373.747 per Mill for a total tax collection of \$51,554.67 for the General Fund and \$6,876.95 for the Rural Fire Department.

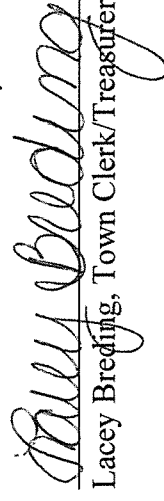
DULY passed and adopted by the Fromberg Town Council this ____ day of _____ 2021. This Resolution shall become effective as of July 1, 2021.

THE TOWN OF FROMBERG, MONTANA

ATTEST:



Tim Nottingham, Mayor



Lacey Breeding, Town Clerk/Treasurer

RESOLUTION NO. 509

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA
TO APPROVE AND ADOPT THE MUNICIPAL BUDGET FOR THE 2021-2022 FISCAL YEAR**

WHEREAS, the Town Council of the Town of Fromberg, Montana, has prepared a budget for the fiscal year 2021-2022 and has given notice permitting all taxpayers to appear and be heard for or against any part of said budget, all is provided under Title 7, Chapter 6, Part 40, Montana Code Annotated and Sections 7-6-4021 and 7-6-4024 thereof;

WHEREAS, "Attachment A" is a summary of the fiscal year 2021-2022 Municipal Budget and the predicted Revenue and Appropriations/Expenditures columns of "Attachment A" shall be the adopted budget, with the detailed budget for each fund to be used as a management guide.

WHEREAS, the Town of Fromberg desires to authorize the Town Council and Mayor the ability to reallocate expenditures between account and object lines within individual funds of the detailed fiscal year 2021-2022 budget as per Montana Code Annotated 7-6-4031.

WHEREAS, the Municipal Budget in "Attachment A" is based on modified accrual and the designated limit of authority shall be by Fund.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Fromberg, Montana that the fiscal year 2021-2022 Municipal Budget is approved and adopted as set forth in the Fiscal Year 2021-2022 Budget Summary attached hereto as "Attachment A" and by this reference made a part hereof.

DULY passed and adopted at the Special Meeting of the Fromberg Town Council this 7th day of September 2021. This Resolution shall become effective as of July 1, 2021.

THE TOWN OF FROMBERG, MONTANA

ATTEST:



Tim Nottingham, Mayor



Lacey Breeding, Town Clerk / Treasurer

RESOLUTION NO. 510

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, the project(s) to be funded will be split between two projects: 1) Re-paving the street Harley, the area between School Street and North Street. 2) The paving of Missouri Street, between River Street and School Street.

WHEREAS, the local match for the allocated funds has been budgeted from the General Fund #1000, Account #430200.

THEREFORE, NOW BE IT RESOLVED THAT:

1. The Town of Fromberg requests distribution of its share, \$12,292.95, of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.
2. That the Council hereby empowers and authorizes the mayor and/or the Clerk/Treasurer to execute such further documents as may be necessary to facilitate the distribution of said funds.

Adopted this 12th day of October 2021.

ATTEST:


Lacey Breeding, Town Clerk / Treasurer


Tim Nottingham, Mayor

RESOLUTION NO. 511

**A RESOLUTION CANCELLING THE NOVEMBER 2nd, 2021 GENERAL ELECTION
OF CERTAIN MUNICIPAL OFFICERS**

WHEREAS, HB 447 passed by the 2017 Legislature (Chapter 174, Laws 2017) authorizes a municipality to cancel a general election for the election of a municipal officer by resolution after notification by the election administrator if the number of candidates filing for election is equal or less than the number of persons to be filled.

WHEREAS, by letter dated September 14th, 2021, the Town of Fromberg received notice by the Carbon County Election Administrator that the following elected municipal officer positions are eligible for cancellation: Mayor and two Council Persons.

WHEREAS, pursuant to Section 13-1-403, as amended by HB 83 (Chapter 242, Laws 2017), provides that a declaration of intent to be a write-in candidate must be filed with the election administrator by 5 p.m. on the 65th day before the date of the election, or August 30th, 2021;

WHEREAS, as of August 30, 2021, the following municipal officer positions remain eligible for cancellation: Mayor and two Council Persons,

NOW, THEREFORE, BE IT RESOLVED THAT:

- I. The Town of Fromberg cancels the November 2, 2021 general election for the following municipal officer positions: Mayor and two Council Persons.
2. The following persons are hereby elected to the following municipal officer positions by acclamation:

Mayor: Tim Nottingham

Council: Nate Caton

Council: Ilisa Dawson

Adopted this 14TH day of December.


Lacey Breeding/Clerk

Attest:


Tim Nottingham/Mayor

Resolution #512

Resolution to Enact Zoning Regulations on the Sale and Production of Marijuana and Marijuana Businesses by Revising Zoning Ordinances

WHEREAS on November 3, 2020, a majority of the State of Montana, and Carbon County, voted in favor of Montana I-190, which, among other things, legalized the possession and use of marijuana for adults over the age of 21; and

WHEREAS the Montana Legislature passed House Bill 701 during the 2021 Legislative Session, which set forth a number of regulations on the cultivation, transport, sale, and possession of marijuana products; and

WHEREAS Carbon County has imposed stringent zoning regulations on marijuana businesses in this County; and

WHEREAS a survey conducted by the Town of Fromberg indicates that a strong majority of the citizens of the Town wish to see similar regulations implemented within the limits of the Town.

NOW THEREFORE, BE IT RESOLVED that the Town of Fromberg hereby issues the following changes to the zoning regulations within the limits of the Town.

Title 10, Chapter 6: Commercial-Industrial Use Regulations; "C" District

10-06-01 Uses.

In any commercial and industrial district building may be erected or altered and land used for all lawful purposes except:

- A. Storage yards for scrap, bulk or raw materials
- B. Railroad yards or roundhouses
- C. Livestock, corrals, or feedlots
- D. Any manufacture or treatment whatsoever except light manufacturing as are carried on within an entirely enclosed building which create no objectional noise, odor, smoke, fumes, vapor, dust or gas.

10-06-02 Definitions.

For the purposes of this section:

A. "Adult-use dispensary" has the meaning provided in Mont. Code Ann. § 16-12-102.

B. "Behavioral health facility" means a facility whose function is the treatment, rehabilitation, and prevention of the use of any chemical substance, including alcohol, that creates behavioral or health problems and endangers the health, interpersonal relationships, or economic function of an individual or the public health, welfare, or safety in accordance with the requirements of the Montana Department of Public Health and Human Services.

- C. "Child care facility" has the meaning of an out-of-home place in which day care is provided to thirteen (13) or more children on a regular or irregular basis and which is licensed by the Montana Department of Public Health and Human Services.
- D. "Community or cultural facility" is a facility typically engaged in nonprofit or quasi-public use for a public purpose, such as a community center, cultural center, museums senior center and the like.
- E. "Dispensary" means an adult-use dispensary or a medical marijuana dispensary.
- F. "Marijuana" has the meaning provided in Mont. Code Ann. § 16-12-102.
- G. "Marijuana product" has the meaning provided in Mont. Code Ann. § 16-12-102.
- H. "Religious building" means a building which is used primarily for religious worship and related religious activities, including but not limited to churches, convents, monasteries, shrines, temples, synagogues, and mosques.

~~10-06-02-~~ 10-06-03 Rear and Side Yards.

Except as otherwise provided in this chapter, there is no requirement for a building in "C" district to have a rear or side yard.

~~10-06-03-~~ 10-06-04 Height.

Except as otherwise provided in this chapter, no building shall exceed seventy (70) feet in height.

~~10-06-04-~~ 10-06-05 Setback line.

All buildings shall be built in line with existing structures.

10-06-07 Dispensaries.

Dispensaries shall be setback not less than 1,000 feet from the property line of a property containing a school, child care facility, church, synagogue, or other religious building, public parks that contain children's playgrounds or playfields, behavioral health facilities, libraries, community or cultural facilities, and from any other marijuana business.

Signs for dispensaries shall be limited to two (2), the height of which shall not exceed fifteen (15) feet above the mean centerline elevation of the roadway or be more than eighty (80) square feet in sign area, and shall not advertise the sale of specific marijuana or marijuana products, but only display the business name, business logo (that complies with Admin. R. Mont. 42.39.123(5)), operating days and hours, and contact information.


TIM NOTTINGHAM, MAYOR

ATTEST:


LACEY BREEDING, CLERK