

**TOWN OF FROMBERG
REGULAR TOWN COUNCIL MEETING
TUESDAY, FEBRUARY 14, 2023 AT 7:00 PM
TOWN HALL, 118 WEST RIVER STREET**

TUESDAY, FEBRUARY 14, 2023

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CARBON COUNTY SHERIFF

PUBLIC COMMENT

APPROVE MINUTES

- 2022-01 MEETING

APPROVE CLAIMS

- 2022-01

APPROVE PAYROLL SUMMARY

- 2022-01

REVIEW LEGAL COUNSEL SUBMITTED APPLICATIONS

NEW BUSINESS

- COUNCILMAN LISTER RESIGNATION
- GREAT WEST ENGINEERING, CHAD HANSEN WITH UPDATES ON OUR CURRENT PROJECTS WITH POSSIBLE VOTE REGARDING FUNDING OPTIONS

ATTORNEY

PUBLIC WORKS DIRECTOR

TOWN CLERK

MAYOR/COUNCIL

ADJOURN

FROMBERG TOWN COUNCIL MINUTES REGULAR COUNCIL MEETING

HELD ON JANUARY 10, 2023

The January 10, 2023 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, Bill Gruel, Nate Caton and Jim Lister. Other's present were Clerk Lacey Breeding, Public works director Jay Carter, Jerry Hall, Twyla Lister, Mike Ventling, Marge Taylor, Nikki Elliot and Elton Kirtley.

Sheriff was not present.

Next was public comment. Marge Taylor asked Mayor Nottingham for developments on the bank building and its water meter setup. Clerk Breeding gave Ms. Taylor a run down from the last two council meetings where the topic was discussed in depth.

Then, Mayor Nottingham gave a presentation of a plaque to Councilman Lister for all of his donated time helping the town.

Next, Councilman Caton made a motion to approve the minutes from the previous month's council meeting. Councilman Stapleton seconded the motions and votes were carried out as follows: Councilman Gruel, -aye, Councilman Caton, -aye, Councilman Stapleton, -aye and Councilman Lister, -aye.

Following that, Councilman Caton made a motion to approve the claims from the month of December 2022. Councilman Stapleton seconded the motion and votes were carried out as follows: Councilman Gruel, -aye, Councilman Caton, -aye, Councilman Stapleton, -aye and Councilman Lister, -aye.

Next, Councilman Caton made a motion to approve the payroll for the month of December 2022. Councilman Stapleton seconded the motion and votes were carried out as follows: Councilman Gruel, -aye, Councilman Caton, -aye, Councilman Stapleton, -aye and Councilman Lister, -aye.

The first item of business was the discussion of the town's legal counsel options. Discussion was had about advertising requesting applications to be put in the local newspaper. It was then decided to get an add in for the next paper and to close the application opportunity at 5:00 pm on February 6, 2023. Interviews would be held after the applications are received.

Next on the agenda was updates given by Clerk Breeding about the budget solutions and progress.

Following that Mayor Nottingham gave updates on the river clean-out status and that there is currently no plans being established to

get the river fixed before flooding in the spring. Mayor Nottingham made it clear that it is not the Town of Fromberg's decision. Nottingham then shared his ideas about measures to take to get prepared for the possible flooding in the spring. Discussion was had about the pros and cons of each idea.

No legal counsel was present.

Next Jay Carter with the public works department gave his updates for the previous month. Discussion was had about cost of needed repairs. Carter also informed of an opportunity for town to possibly make some extra income if he accepted the offer to run the town of Edgar's lagoons as well as ours. Discussion was had on possible contracts and ideas.

Next, Clerk Breeding answered questions about FEMA and where the town stood in that process. Clerk Breeding gave a run down on what presently is eligible for funding or reimbursement and what is not.

Last on the agenda was Mayor/Council comment. First Councilman Caton requested advice and help planning for the future water and sewer construction of the Anderson Trailer Park which he and his partner had purchased. Elton Kirtley asked Councilman Caton what the trailer court will look like and consist of in the future. Caton informed everyone of the plans that had so far been developed. Next Councilman Stapleton asked for a sewer line project update. Mayor Nottingham informed of a meeting he was to have later in that week with Great West Engineering about the topic. Discussion was had about the possible outcomes of an extended time line on the project.

The next regular meeting was set for February 10, 2023 and there being no further business, Councilman Stapleton made the motion to Adjourn the meeting, seconded by Councilman Gruel. The motion to Adjourn was carried out with votes as follows: Councilman Gruel- aye, Councilman Stapleton- aye and Councilman Lister, -aye.

The meeting was adjourned at 8:15 p.m.

Tim Nottingham, Mayor

Attest:

Lacey Breeding, Clerk

Total for Payroll Checks

	Employee	Employer	Amount
HOL HOURS (Holiday Pay)	35.00		731.62
J002 HOURS (HOL WORKED)	14.00		459.06
OVER HOURS (Overtime)	12.50		409.88
REG HOURS (Regular Time)	276.00		5,812.02
VACA HOURS (Vacation Time Used)	17.00		340.00
GROSS PAY	7,752.58	0.00	
NET PAY	6,265.12	0.00	
FIT	505.39	0.00	
MEDICARE	112.41	112.41	
MMIA - AD&D	0.00	14.00	
MMIA - DENTAL	0.00	116.00	
MMIA - HI	0.00	2,514.00	
MMIA - LIFE INS	0.00	14.00	
MMIA - VISION	0.00	26.48	
SIT	389.00	0.00	
SOCIAL SECURITY	480.66	480.66	
UNEMPL. INSUR.	0.00	50.39	
WORKERS' COMP	0.00	264.28	
FIT/SIT BASE	7,752.58	0.00	
MEDICARE BASE	7,752.58	0.00	
SOC SEC BASE	7,752.58	0.00	
UN BASE	7,752.58	0.00	
WC BASE	7,462.94	0.00	

Total 3,592.22
Total Payroll Expense (Gross Pay + Employer Contributions): 11,344.80

Check Summary

Payroll Checks Prev. Out.	\$186,005.48
Payroll Checks Issued	\$6,265.12
Payroll Checks Redeemed	\$0.00
Payroll Checks Outstanding	\$192,270.60
Electronic Checks	\$2,080.53

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	961.32	961.32		212501
Medicare	224.82	224.82		212502
Unempl. Insur.	50.39		50.39	212509
Workers' Comp	264.28		264.28	212508
FIT	505.39	505.39		212503
SIT	389.00	389.00		212504
MMIA - HI	2514.00		2514.00	212507
MMIA - DENTAL	116.00		116.00	212511
MMIA - LIFE INS	14.00		14.00	212512
MMIA - VISION	26.48		26.48	212513

02/09/23
14:04:19

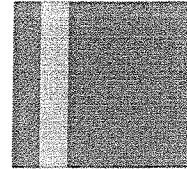
TOWN OF FROMBERG
Payroll Summary For Payrolls from 01/01/23 to 01/31/23

Page: 2 of 2
Report ID: P130

MMIA - AD&D	14.00		14.00	212512
Total Ded.	5079.68	0.00	2080.53	2999.15

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

Juliane E. Lore
709 Roundhouse Dr.
Laurel, Montana 59044
Telephone: (406) 591-7568



February 3, 2023

Town of Fromberg, Montana
Attn: Mayor , Town Clerk, and City Council
Re: Town Attorney Position

Greetings,

I am sending this letter of interest and proposal in response to the Town Attorney position being offered. Please find my current resume attached. I would propose a one-year contract at the rate of \$1350.00 per month, and the option to renew and renegotiate this rate at the end of the year should Council find my performance satisfactory.

I believe that I have a good understanding of some of the current issues Fromberg may be facing, and of municipal interactions with Carbon County. I hope my current representation of both Joliet and Bearcreek may bring also uniformity and information helpful to governance in all three communities.

Judge Schara also serves the Court in Joliet, and I have a strong working relationship with her already, and a great deal of respect. I am familiar with most of the Deputies who handle local infractions, understand the resources and considerations the Town must balance prosecuting criminal cases.

I understand there are some interesting municipal projects contemplated by Council, including a revision of the Town ordinances, where I believe I could provide effective guidance and efficient drafting. Routine attendance at Council meetings is contemplated as a portion of legal services offered.



Local zoning ordinances and strategies for enforcement are always issues to address as a municipality grows, and I believe Fromberg has a great deal of opportunity and growth ahead. I am very pro-business, and hope I may bring strong skills to the table assisting the Town as new businesses and residents reconcile historical transactions with modern usage and requirements.

It would be an honor to serve the Town in this capacity. I hope you may consider me a strong candidate for this exciting opportunity. Thanks for your review.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Lore', with a stylized flourish extending from the end.

Julfane E. Lore



Juliane Elisabeth Lore
709 Roundhouse Drive Laurel, Montana 59044
Phone: (406) 591-7568 Email: juliane@lorelaw.us

- **Admitted:** Montana State Bar Association, District of Montana, Ninth Circuit US Court of Appeals

Experience

- 2021 – Present Town of Bearcreek, Carbon County, Montana
Town Attorney
Guidance to City Council, ordinances, civil matters, zoning/land and annexation.
- 2020 – Present Town of Joliet, Carbon County, Montana
Town Attorney
Guidance to Council, prosecution, civil matters, municipal insurance, water rights.
- 2020 – Present City of Laurel, Yellowstone County, Montana
City Attorney, Prosecutor
Prosecution of misdemeanor criminal matters, City representation in District Court.
- 2010 – 2020 Lore Law Firm PLLC
Attorney
Billings, Montana
USC Chapter 7, 12 and 13 bankruptcy counsel. Farm/ranch civil litigation.
- 2009 - 2010 Patten, Peterman, Bekkedahl & Green
Associate
Billings, Montana
Complex personal and business bankruptcy filings and financial restructuring.

Education

- 2007 **Juris Doctorate – International Law Diplomat**
University of the Pacific - McGeorge School of Law - Sacramento, California
- 1994 **Bachelor of Science - Major in Botany**
Colorado State University - Fort Collins, Colorado

Volunteer

- 2021- Present: American Legion Auxiliary – Laurel, Montana #123 – Service member
- 2016 – 2017: Fergus County Council on Aging – Lewistown, Central Montana - Board Member
- 2014 – 2015: State of Montana / Richland County Council on Aging – Project, Eastern Montana
- 2013-2014: Petroleum Club – Billings, Montana – Board Member
- 2010 – 2011: Montana State Bar Association, Continuing Legal Education (CLE) Committee

clerk@fromberg-mt.com

From: Walter Clapp <wdclapp@honorcoinlaw.com>
Sent: Thursday, February 2, 2023 11:59 AM
To: clerk@fromberg-mt.com
Subject: Legal Services for Town
Attachments: 2023.02.01 - Walter Clapp Resume.pdf

To the Mayor, Council, and Citizens of the Town of Fromberg,

I write to express my interest in providing legal services to your Town. Attached is my resume. I could work on a 1099 contract basis immediately. I have an assistant that I can utilize to be more efficient.

I do not have extensive experience in Criminal Litigation, but I do have broad experience in Civil Litigation, Open Meeting Laws, Governance issues, Constitutional issues, and Water/Sewer issues.

I live in Red Lodge, but can travel to Fromberg a day or two a week as needed, without issue.

Please let me know if you would like to meet to discuss the potential relationship.

My Best,
Walter
Honor Coin Law, PLLC

I aim to respond to all emails by 6 p.m. Montana Time, Monday through Friday. This helps me focus on the tasks at hand rather than being distracted by constant email notifications. If you would like to schedule a meeting, please do so [here](#). If there is an emergency requiring my attention, please text (406) 272-3738 and email robyn@honorcoinlaw.com. Please remember that email is not the most confidential way to send information. Using [Clio's portal](#) on a secure network, the telephone, or U.S. Mail are all better ways to send highly sensitive information to me.

NOTICE: This e-mail may contain PRIVILEGED and CONFIDENTIAL information intended only for the use of the specific individual(s) to whom this e-mail is addressed. Review by any individual other than the intended recipient shall not constitute waiver of the attorney-client privilege, the attorney work-product doctrine, any evidentiary privilege, or any proprietary rights in the information. If you are not an intended recipient of this e-mail, please delete it and immediately notify the sender by telephone or reply e-mail. Thank you.

EXPERIENCE

Honor Coin Law, PLLC, Red Lodge, MT

Owner, February 2019-Present

Start-up law firm. RIPL Fellow. Revenue doubled each year to present. Litigation and Estate Planning.

Beartooth Billing Clinic Foundation, Red Lodge, MT

Board Member, Summer 2022-Present

Volunteer to assist Foundation govern endowment.

Red Lodge Fire Rescue, Red Lodge, MT

Volunteer EMT, 2018-April 2020; Volunteer Search and Rescue Member, 2019-Present

Respond to emergencies.

Community Adaptation, LLC, Red Lodge, MT

Founder and President, October 2012-Present

Start-up focused on electric grid, microgrids, and data in cities. Now in fourth pivot.

Axilon Law Group, PLLC, Billings, MT

Associate, March 2017-February 2019

Litigation focus. Drafted state supreme court brief, amicus brief, and led hearing/trial arguments.

Cadwalader, Wickersham & Taft, LLP, Washington, DC

Law Clerk, Summer 2015, September 2016-March 2017

Securities. Memo on FERC's proposed rule for cyber supply chain risk management Reliability Standard.

Senate Judiciary Committee, Washington, DC

Law Clerk, Subcommittee on the Constitution, September 2015-February 2016

Researched legal memo on drastically increasing the size of the House of Representatives. Provided legal research on patent law reform, Chevron deference, eminent domain, and mandatory minimum sentencing.

House Committee on Energy and Commerce, Washington, DC

Legal Fellow, Subcommittee on Oversight & Investigations, January-April 2015

Provided investigative research and questions for hearings on cybersecurity. Drafted investigative letter on the Strategic Petroleum Reserve. Speak with private industry.

American Public Power Association, Washington, DC

Legal Intern, June-August 2014

Research public power issues. Lobbying. Provided detailed analysis of recent federal circuit decisions for use in briefing public power members.

SHRH, LLC, Nye, MT

General Contractor, May 2010-November 2012

Peeled the logs myself. Managed subcontractors, employees, and materials acquisition for the construction of a 2,700 sq/ft log cabin in rural Montana; designed and installed the plumbing, heating, and electrical.

EDUCATION

Georgetown University Law Center, Washington, DC

Degree: Juris Doctor, *Cum Laude*, 2016

GPA: 3.67 (Dean's List 2015-2016)

Leadership: Simulated Under Secretary of Defense for Policy at GULC's 3rd Annual National Security Crisis

Rhodes College, Memphis, TN

Degree: B.A., Philosophy with Concentration in Chemistry, *Cum Laude*, 2010;

Leadership: Ralph C. Hon Fellow.

Interests: Harmony, Electricity, Governance, Self-Driving Cars, Snowsports

clerk@fromberg-mt.com

From: Juliane Lore <juliane@lorelaw.us>
Sent: Friday, February 3, 2023 9:26 PM
To: clerk@fromberg-mt.com
Cc: mayor@fromberg-mt.com
Subject: Letter, CV - Attorney Position
Attachments: Fromberg Letter of Intent.pdf; CV 1-30-23.pdf

Hi, Lacey and Mayor Nottingham. Please find attached my application to be considered as your new counsel, and thanks very much for the review. I hope I may be the right fit!

Have a good weekend.

Respectfully,

Juliane E. Lore, *Attorney*

Lore Law Firm, P.L.L.C.
112 S. 1st Ave., Ste. 5 #335
Laurel, MT 59044-3314

Telephone: (406) 206-0144

Web: www.lorelaw.us

CONFIDENTIALITY NOTICE:

The information contained in this message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of the message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any release, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the author immediately by replying

Dennison A. Butler

(406) 366-4826 * DennisonAButler@gmail.com * 246 Ave. C., Billings MT, 59101

January 10, 2023

Town of Fromberg
City Attorney Position
118 West River Street
PO Box 236
Fromberg, MT 59029

Dear Town of Fromberg:

Having graduated first in my class and worked as a full-time attorney for the past decade, including as a City Attorney for the past two (2) years, my experience, coursework, and desire make me an excellent candidate for this position.

After graduating as the valedictorian of my law-school class, I took a position in a private Lewistown firm that focused on Real Estate and property issues.

Thereafter, I was employed as a Special Assistant Attorney General for the State of Montana, working for the Department of Natural Resources and Conservation. In that capacity, I would advise the State of Montana concerning numerous legal issues that would arise, as well as represented the State in actions brought by and against the State. This included case preparation, depositions, and trials/administrative hearings. My duties also included drafting legal memos, reviewing State contracts, drafting Administrative Rules for the Agency, and advising on proposed legislation.

However, as our family grew we decided to move closer to extended family located just outside of Belfry, Montana. In this area, I have worked exclusively in Criminal Law as a defense attorney for four years. My duties included preparing cases for trial, preparing plea agreements, interviewing witnesses, and representing clients in Court proceedings.

Thereafter, I have worked for the past two (2) years as the City Attorney for a local City. In that capacity I have advised the City concerning numerous legal issues that would arise, as well as represented the City in actions brought by and against the City. I have also served as the prosecutor for the City, prosecuting multiple criminal cases.

As such, I have extensive experience with civil law, city, and state ordinances, and local governmental law, having worked as a Special Assistant Attorney General for the State of Montana and the City Attorney for a local governmental organization. I also have extensive experience with criminal law, prosecution, and trial experience, having worked as a defense attorney and prosecutor.

Therefore, based on my coursework, experience, and desire, I would appreciate being able to meet with you to discuss the position.

Thank you for your time,

/s/ Dennison A. Butler

Dennison A. Butler

Dennison A. Butler

(406) 366-4826 * DennisonAButler@gmail.com * 246 Ave. C., Billings, Montana 59101

Education

Juris Doctorate - Regent University School of Law, Virginia Beach, Virginia	2010-2013
GPA: 3.88 (<u>Class Rank 1 out of 148</u>)	
<u>Honors:</u>	Valedictorian, Academic Merit Award, Honors Student
<u>Activities:</u>	Law Review, Vice President of Business Law Society, Center for Global Justice
Bachelor of Science - Brigham Young University-Provo, Utah	2005-2008
<u>Degree:</u>	Business Management B.S.
<u>Activities:</u>	Fencing-society, Brazilian Jujitsu, Chess Club

Publications

-
- | | |
|--|-------------|
| • <i>Riparian Rights, Navigability, and the Equal Footing Doctrine in Montana,</i>
Montana Pub. Land & Resources L. Rev. | 2017 |
| • <i>Who Owns the Moon, Mars, and Other Celestial Bodies: Lunar Jurisprudence in Corpus
Juris Spatialis,</i> SMU Journal of Air Law and Commerce | 2017 |

Languages

Mandarin, Chinese-Advanced Reading and Speaking

Legal Experience

City Attorney for the City of Red Lodge	2021-Present
• Represented the City of Red Lodge in all matters	
State of Montana-Office of Public Defenders	2017-2021
• Represented the Citizens of Montana in criminal matters	
State of Montana-Department of Natural Resources and Conservation	2015-2017
• Attorney for the Trust Lands Management Division	
• Extensive Experience with Mineral Rights, Royalty Audits, and Real Property Issues	
Stogsdill & Birdwell, P.C., Lewistown, Montana	2013-2015
• Regional Hospital concerning Regulatory Compliance	
• Represented Various Local Banks and Business handling Civil Litigation	
Virginia Beach Commonwealth Attorney's Office, Virginia Beach, Virginia	Summer 2012
• Tried a variety of different cases and offenses, including bond and preliminary hearings	
Non-Profit Organization, Hong Kong, Hong Kong	Summer 2012
• Drafted and Reviewed Visas and Employment and Humanitarian Aid Agreements in China, Japan	
• Worked on Property Acquisition in Japan, Hong Kong, Vietnam, Korea, and Malaysia	
Liberty Tax, Office of General Counsel, Virginia Beach, Virginia	2011-2012
• Conducted Legal Research on a variety of topics	
Hopewell Commonwealth Attorney's Office, Hopewell, Virginia	Summer 2011
• Tried cases and assisted in case preparation and research	
Honorable Pamela Hutches, Virginia Beach, Virginia	Summer 2011
• Judicial Law Clerk-Conducted Research, Drafted Letters to Attorneys and Inmates	

Professional Experience

Ping Ding Shan College, Ping Ding Shan, China	2006-2007
• College Professor.	

January 30, 2023

To Fromberg Town Council,

This is my letter of resignation. I am forced to resign due to unforeseen health reasons.

My apologies,

James Lister

A handwritten signature in blue ink that reads "James Lister". The signature is written in a cursive style with a horizontal line at the end.