

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

TUESDAY, MARCH 14, 2023

PLEDGE OF ALLEGIANCE

CALL TO ORDER

CARBON COUNTY SHERIFF

PUBLIC COMMENT

APPROVE MINUTES

- 2023-02-14 MEETING
- 2023-03-02 MEETING

APPROVE CLAIMS

- 2023-02

APPROVE PAYROLL SUMMARY

- 2023-02

NEW BUSINESS

- CLERK BREDDING RESIGNATION LETTER
- SHARON FLEMETIS WITH STILLWATER CONSERVATION DISTRICT ABOUT FLOOD RESPONSE
- COUNCIL SEAT LETTER OF INTENT FROM LOREN MCKEEVER

OLD BUSINESS

- REVIEW LEGAL COUNSEL INTERVIEWS
- CHAD HANSON GIVING FINANCING ROUTES WITH POSSIBLE VOTING

ATTORNEY

PUBLIC WORKS DIRECTOR

TOWN CLERK

MAYOR/COUNCIL

ADJOURN

FROMBERG TOWN COUNCIL MINUTES REGULAR COUNCIL MEETING

HELD ON FEBRUARY 14, 2023

The February 14, 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 7:03 pm. Council members present were Councilman Bill Gruel, Councilman Nate Caton and Councilman Dave Stapleton. Others present were Clerk Lacey Breeding, Sheriff Josh McQuillan, Carbon County Commissioner Scott Blaine, Carbon County DES Cyrina Allen, Great West Engineering Chad Hansen, Jerry Hall, Niki Elliot, Marge Taylor and Elton Kirtley. Missing was Public Works Department Jay Carter.

The meeting opened with Sheriff McQuillan giving a report for the time period beginning January 15, 2023 to February 14, 2023. Sheriff McQuillan provided a break down of the hours spent patrolling the town and the hours spent on calls within the town.

Next was public comment. Jerry Hall started with a question regarding a rumor he heard that the town's public works director was resigning. Mayor Nottingham informed everyone on the details of a job offer the public works director had received and that a resignation letter had not yet been received. Discussion was had about the plan for finding a replacement if needed. Elton Kirtley then provided a letter written to the town council that he intended for them to have. Kirtley read the letter aloud and expressed his frustrations with his belief of lack of action on the town council's part regarding mitigation for the near-by river bed and missing banks. Cyrina Allen with DES addressed everyone to provide information on an upcoming workshop in March 2023. Allen also reiterated her role and responsibilities for emergency response in carbon county. She made aware that she is willing to help with whatever she can but that the town must take sole responsibility in actions to be taken in regards to mitigation within city limits. Commissioner Scott Blaine then addressed the council with question on the status of the paperwork required to access flood mitigation. Mayor Nottingham gave a rundown on the current status of permits. Mayor Nottingham also gave a clarification for everyone that the town is currently in the process of solutions and mitigation regarding flood hazards but that it is a lengthy process that involve long-term solutions. Nottingham then explained an ongoing project that had been started on Park Street involving 10 loads of gravel that had already been delivered and what plan would be in place if flood water was to approach in the spring. More Discussion was had about the costs of projects needing to be priority to protect the town. Commissioner Blaine advised of a funding option to take care of some of the projects. He advised that the town search out loan options for funding to be able to provide a 25% match to access the EWP funding available. Councilman Dave Stapleton issued

advice for anyone who had been affected by the flood in 2022, to be prepared to be affected by flooding in the upcoming 2023 spring season. Kirtley added advice that the town should promptly produce a written agreement between the town and property owner Sean Zaske. Zaske had allowed the use of his property as an outlet for the flood water in the previous year's flood which left multiple issues on the property after the water receded.

Next, Councilman Stapleton made a motion to approve the January 2023 meeting minutes. Councilman Caton provided a second and the motion was carried with votes as followed: Councilman Gruel, -aye, Councilman Caton, -aye and Councilman Stapleton, -aye.

Councilman Stapleton then made a motion to approve the January 2023 claims. Councilman Caton provided a second and the motion was carried with votes as followed: Councilman Gruel, -aye, Councilman Caton, -aye and Councilman Stapleton, -aye.

Councilman Stapleton next made a motion to approve the January 2023 payroll. Councilman Caton provided a second and the motion was carried with votes as followed: Councilman Gruel, -aye, Councilman Caton, -aye and Councilman Stapleton, -aye.

The first item of business was to review legal counsel applications. Three applications had been received. Discussion was had on how to go about the process of interviewing the applicants and who should be involved. It was decided on a special public meeting to be held the following Tuesday the 21<sup>st</sup> of February. Clerk Breeding was instructed to contact the applicants and try to arrange for their availability on that date.

Next Item of business was the presentation of Councilman Jim Lister's letter of resignation from his seat on the council. Mayor Nottingham then called for a motion to vote on the acceptance of the resignation. Councilman Stapleton made a motion to accept the resignation and Councilman Caton seconded the motion. The motion was carried out with votes as follows: Councilman Gruel, -aye, Councilman Caton, -aye and Councilman Stapleton, -aye.

Next item on the agenda was updates from Chad Hansen with Great West Engineering regarding our current projects in motion. Hansen gave a quick refresh on the urgent sewer main matter. He then provided details on what actions must be taken to resolve the problem. He gave the stipulations regarding which funding could be used for the sewer line and which funding options had to be used for the town's ARPA project. Hansen informed of House Bill 355 that will possibly go through in the near future and could be a funding option for the sewer line. Hansen would email figures to Clerk Breeding and the council would cast their votes in the next regular council meeting.

No attorney was present.

Mayor Nottingham then stepped in for public works director Jay Carter who was absent. Nottingham gave details on water line breaks that had occurred along with updates on the individuals serving community service that had been sent to help the public works through out the previous month. Discussion was then had on the towns current inventory of flood emergency supplies.

Next, Clerk Breeding gave updates on FEMA and payments that the town had received so far. Clerk Breeding then asked for opinions on the "Draft" Agenda for this meeting she had posted early on the town's website.

Last on the agenda was Mayor/Council comment. Discussion was had on the boundaries between the town and county's responsibilities and discussion was continued regarding the permits and paperwork required to get the river mitigation plans passed.

The next meeting was set to be the special meeting to occur on February 21, 2023 to start the attorney applicant interviewing. The next regular council meeting was set to be March 14, 2023 and there being no further business, Councilman Gruel made the motion to Adjourn the meeting, seconded by Councilman Caton. The motion to Adjourn was carried out with votes as follows: Councilman Gruel- aye and Councilman Stapleton- aye.

The meeting was adjourned at 8:38 pm

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Tim Nottingham, Mayor

Attest:

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Lacey Breeding/Clerk

FROMBERG TOWN COUNCIL MINUTES OF A SPECIAL MEETING

HELD ON THURSDAY, MARCH 02, 2023

The March 02,2023 special meeting of the Fromberg Town Council was held at the Fromberg Town Hall in Fromberg Montana. The Pledge of Allegiance was recited at 7:00 pm and Mayor Nottingham called the meeting to order. Council members present were Dave Stapleton and Bill Gruel. Others present were Fromberg town clerk Lacey Breeding, Jerry Hall and Elton Kirtley. Missing was Councilman Nate Caton

Mayor Nottingham welcomed the attendees and explained the reasons for this special meeting. Nottingham informed that Councilman Caton could not be physically present but that he had conducted his vote via text message with Mayor Nottingham.

Nottingham read allowed Resolution #517. He then continued by explaining a grant for \$30,000.00 that had recently presented itself. He informed that the grant if awarded would go towards raising the town's well water heads up higher from the ground to protect them from any future flooding. A brief discussion was had with the gallery about the full cost of the project with Nottingham giving a full run-down of the steps the project would entail. Then a motion was made to approve Resolution #517 by Councilman Gruel and followed by a second from Councilman Stapleton. Mayor Nottingham read Councilman Caton's phone vote and the motion was carried with votes as follows: Councilman Gruel, -aye. Councilman Caton (via phone), -aye and Councilman Stapleton, -aye.

There being no further business a motion to adjourn was made by Councilman Stapleton, followed by a second from Councilman Gruel.

The meeting adjourned at 7:05 pm.

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TIM NOTTINGHAM, MAYOR

ATTEST:

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LACEY BREEDING, CLERK

February 28, 2023

Dear Town Council,

I am writing this as my statement of resignation. I will help get someone hired and help that person get going and will always be willing to help them in the future. I just don't want the town to invest anymore in me when I don't want to do this forever. Now is the perfect time for someone new because its before all the schooling in the year. I want to give the new person every opportunity for success I can. So as of today I give my two weeks' notice.

I'm really sorry,

*Lacey Breeding*

Lacey Breeding

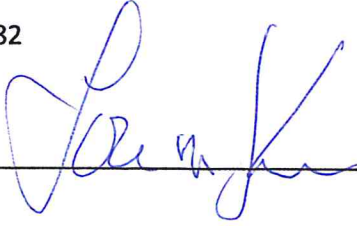
I, Loren Mckeever would respectfully like to submit my name for consideration to fill the recently open position of town councilman for the town of Fromberg, county of Carbon, state of Montana.

Sincerely,

Loren E Mckeever

406-939-1782

Signature

A handwritten signature in blue ink, appearing to read "Loren E Mckeever", is written over a horizontal line. The signature is stylized and cursive.

**clerk@fromberg-mt.com**

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**From:** Juliane Lore <juliane@lorelaw.us>  
**Sent:** Tuesday, March 7, 2023 1:06 PM  
**To:** clerk@fromberg-mt.com; mayor@fromberg-mt.com  
**Subject:** Withdrawal of application

Hello, Lacey and Tim – I'm afraid I've recently had some pretty serious health issues come up, and I am downsizing my practice until I'm out of the woods. I'm unable to meet the needs that I know Fromberg has at this time, though it's hard to write this! But I hope next year I'll be sound again, and with a clean bill of health – maybe next time the contract comes up I may submit a bid. I think Dennison Butler from Red Lodge wouldn't do a bad job at all – just that I would have been better. 😊

Thanks again for bringing that certificate, and positive attention, to the Laurel Mayor – the City sure needed a boost. Timing was perfect.

Respectfully,

Juliane E. Lore, *Attorney*

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

*Telephone:* (406) 206-0144

*Web:* [www.lorelaw.us](http://www.lorelaw.us)

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# TOWN OF FROMBERG

Heart of the Clarks Fork Valley

CARBON COUNTY

Fromberg, Montana 59029

March 14, 2023

Shawna Swanz  
DNRC – ARPA Team  
The American Rescue Plan Act (ARPA)  
1301 E. 6<sup>th</sup> Avenue  
Helena, MT 59601

Re: Letter of Funding Commitment ARPA Water & Wastewater Systems Improvements Project

Dear Ms. Swanz,

The purpose of this letter is to formally confirm that the Town of Fromberg is committing the following funds to the Water & Wastewater Systems Improvements Project:

- \$29,631.00 in ARPA Local Fiscal Recovery Funds
- \$96,370.00 in ARPA Minimum Allocation Funds
- \$570,248 in Local Funds

This is approved upon the condition that the Town will use the committed funds following the administration rules of the American Recovery Plan Act of 2021.

Please do not hesitate to contact me if there are any questions or concerns.

Sincerely,

Tim Nottingham, Mayor  
Town of Fromberg, Montana

Copy

**clerk@fromberg-mt.com**

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