

**FROMBERG TOWN COUNCIL PUBLIC HEARING AGENDA
PUBLIC HEARING NOVEMBER 18, 2024 AT 6:30 PM
FROMBERG TOWN HALL 118 W RIVER STREET**

Monday November 18, 2024

PLEDGE OF ALLEGIANCE:

PUBLIC HEARING ON VARIANCE APPLICATION:

- The council will hear all persons presenting recommendations or objections relative to the proposed Variance Application for Tanner Soumas, 24 Harley Avenue.

ADJOURN:

**APPLICATION FOR VARIANCE
TOWN OF FROMBERG, MONTANA**

Under Fromberg Interim Ordinance No. ____, the Fromberg town council may grant permits for the alteration or construction of nonconforming buildings, provided such building will not be detrimental to, or tend to alter, the character of the neighborhood in which the variance is requested.

Name of Zoning Permit Applicant: Tanner Soumas
Applicant's address and telephone number: 24 Harley Ave (406) 670-6421
Location of project: 24 Harley Ave
Description of Project: Please see attachment.
Description of requested Variance: Please see attachment.

Provide with application the following documentation:

- A legal and general description of the property lot upon which the building or accessory building is to be built.
- A site plan, project description, to-scale diagram with measurements of proposed building. A legal survey may be requested.
- A signature form with signatures of 100% of the legal owners of property within 300' of each your property lines.

If you cannot obtain the signatures of all of the property owners within 300' of your property lines, then still attach the form indicating you have not obtained 100% of the property owners' signatures. In the event 100% of the signatures are not obtained, a public hearing on your request for variance must be held.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your request for variance. If 100% of the adjacent property owners' signatures is not obtained, then the town council will schedule a public hearing on your request, after which the council will then decide whether or not to grant your request for variance.

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant): 
Printed Name: Tanner Soumas

ACTION OF THE FROMBERG TOWN COUNCIL

Request for Variance:

- ☐ Approved.
☐ Approved with conditions _____
☐ More information needed: _____
☐ Denied.
☐ PUBLIC HEARING scheduled for _____.

Dated this ____ day of _____, 201__.

Signed by _____
Fromberg Mayor

Paid in cash \$200.00 Zoning Variance requiring Public hearing

B. No mobile home, storm shed, or other legal attachments to the mobile home shall be located less than 6' from the side property line. Detached tool sheds shall be located not less than 5' from the side or rear property lines. The ends of the mobile homes shall be at least 10' apart when opposing rear walls are staggered, otherwise 15' apart. No portion of a mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than 15' away from any site or property line adjacent to a public right-of-way [10-5-06].

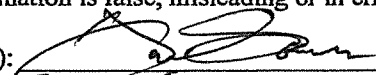
☒ **Commercial "C" District.**

- **Uses.** Any commercial and industrial 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; and (d) manufacture or treatment activities which create objectionable noise, odor, smoke, fumes, vapor, dust or gas [10-06-01].
- **Rear and Side Yards.** No rear or side yards required [10-06-02].
- **Height.** No building shall exceed 70' in height [10-06-03].
- **Set back lines.** All buildings shall be built in line with existing structures [10-06-04].

If your proposed building project does not meet the requirements in the building district set forth above, you must apply for a variance. A separate **variance application is available at the Fromberg Town Hall.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your zoning application.

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant): 
Printed Name: Tanner Soumas

ACTION OF THE FROMBERG TOWN COUNCIL

Zoning Permit Application:

- ☐ Approved.
☐ Approved with conditions _____
☐ More information needed: _____
☐ Denied.

Dated this ____ day of _____, 201__.

Signed by _____
Fromberg Mayor

Approval of this Zoning Application will expire one year after approval date.

Judy J. Newbold 11 N Montana Ave Fromberg.

Ber 5th 13 N MONTANA AVE, FROMBERG

Jul/Oct 103 Hay are Fromberg

Alva E. Dawson 111 W. River St. Fromberg

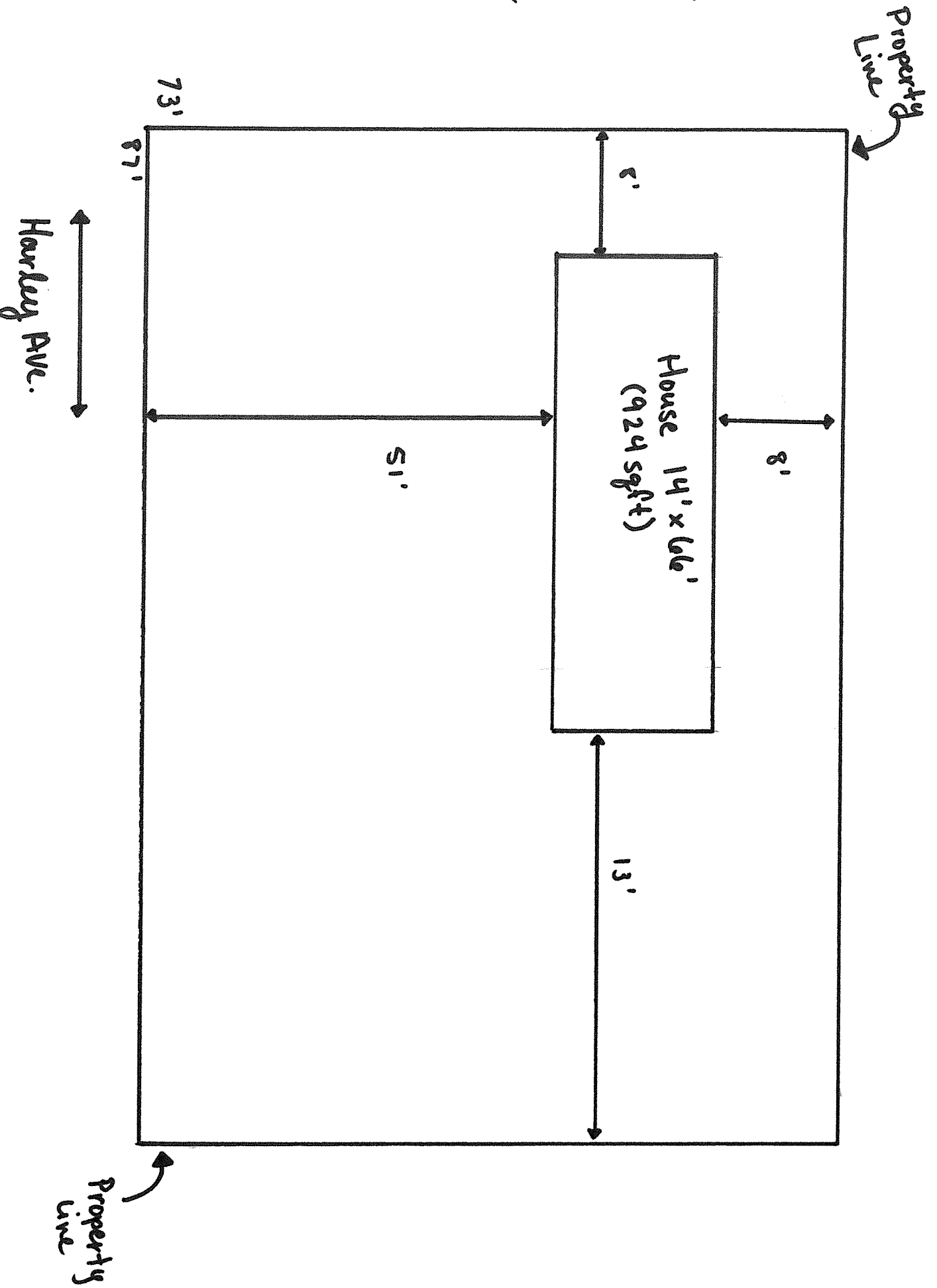
Rachel + Jesse Bryant 105. West River Street

I am requesting a variance to have a residential home on a commercially zoned lot. The residential home will be a mobile home manufactured in 1999. We propose to place the home on the lot according to the attached map. The map includes the proposed setbacks on each side of the home.

The existing home located on the property will be removed when the new home is placed and ready to move in. We intend to improve the property with a lawn and other landscaping in the near future. As well as erect a garage and a fence at some point. We will get the necessary permits at such time we are ready to start the fence and garage.

We request this variance be valid for as long as the property is owned by Tanner Soumas.

Lot size:
6351 sq ft



A L L E Y



ADVERTISING PROOF

PO Box 2000,
 Livingston, MT 59047
 Ph.

BILLING DATE:	ACCOUNT NO:
11/04/24	72032

PUBLIC NOTICE

THE TOWN OF FROMBERG
 WILL BE HOLDING A PUB-
 LIC MEETING.

NOTICE IS HEREBY GIVEN
 that the Town of Fromberg will
 be holding a public meeting on
 November 18, 2024 at 6:30
 P.M. The meeting will be held
 at the Town Hall located at 118
 W River Street. This meeting
 is regarding an Application
 for Variance for a property
 described as FROMBERG
 DUDLEY ADDN, S17, T05 S,
 R23 E, BLOCK 2, Lot 3 - 5, E
 70' OF LTS 3,4,5 BLK2. Also
 known as 24 Harley Ave. This
 meeting is regarding a dis-
 cussion and public comment
 on a variance application for
 a residential mobile home
 placed on property zoned as
 Commercial "C". The Variance
 Application will be available for
 review during normal business
 hours at the Town Office. The
 council will hear all persons
 presenting recommendations
 or objections relative to the
 proposed change. A decision
 will be made at the regular
 council meeting beginning at
 7:00 PM at the same date and
 location listed above. Anyone
 who would like more infor-
 mation, or those who want to
 submit comments should con-
 tact Michele Auch at (406)668-
 7383 or clerk@fromberg-mt.com.

(#578369 Published 11/07/24, 11/14/24)
 MNAXLP

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
578369	PUBLIC NOTICE THE TO	11/07/24	11/14/24	2	\$158.82

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: \$0.00
 Surcharge: \$0.00
 Credits: \$0.00

Gross: \$158.82
 Paid Amount: \$0.00

Amount Due: \$158.82

We Appreciate Your Business!

PUBLIC NOTICE

THE TOWN OF FROMBERG WILL BE HOLDING A PUBLIC MEETING.

NOTICE IS HEREBY GIVEN that the Town of Fromberg will be holding a public meeting on November 18, 2024 at 6:30 P.M. The meeting will be held at the Town Hall located at 118 W River Street. This meeting is regarding an Application for Variance for a property described as FROMBERG DUDLEY ADDN, S17, T05 S, R23 E, BLOCK 2, Lot 3 - 5, E 70' OF LTS 3,4,5 BLK2. Also known as 24 Harley Ave. This meeting is regarding a discussion and public comment on a variance application for a residential mobile home placed on property zoned as Commercial "C". The Variance Application will be available for review during normal business hours at the Town Office. The council will hear all persons presenting recommendations or objections relative to the proposed change. A decision will be made at the regular council meeting beginning at 7:00 PM at the same date and location listed above. Anyone who would like more information, or those who want to submit comments should contact Michele Auch at (406)668-7383 or clerk@fromberg-mt.com.

FROMBERG TOWN COUNCIL AGENDA
MEETING TIME IS MONDAY NOVEMBER 18, 2024 AT 7:00 PM
FROMBERG TOWN HALL, 118 W RIVER STREET
(Discussion And Possible Action on All Items.)

Monday November 18, 2024

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT ON ITEMS ON OR NOT ON THE AGENDA:

CORRESPONDENCE:

SHERIFF DEPARTMENT REPORT:

SPECIAL VOTE ON VARIANCE APPLICATION: Tanner Soumas

SPECIAL EVENTS APPLICATION:

ZONING APPLICATION: Mike Morrison

OLD BUSINESS:

- Approve quote for well meter and pipe replacement

NEW BUSINESS:

- Resolution No 539-Zoning Ordinance Committee
- Community Service Agreement/Volunteer Policy

CONSENT AGENDA:

- Approve Minutes
 - 2024-10-14 Regular Meeting
 - 2024-10-14 Special Meeting
- Approve Claims
- Approve Payroll Summary
- Approve Journal Vouchers

TOWN ATTORNEY: Dennison Butler

PUBLIC WORKS DIRECTOR: Marcus Schutterle

TOWN CLERK: Michele Auch

ADJOURN:

Received in mail
10/31/24

406-202-4073

**ZONING PERMIT APPLICATION
TOWN OF FROMBERG, MONTANA**

A zoning permit is required for all construction, reconstruction, addition, relocation of a structure, change of land use, or erection of fence within the Town of Fromberg.

Name of Zoning Permit Applicant: MIKE MATTHEW
Applicant's address and telephone number: 1400 ElmST 406 202 4073
Location of project: 201 SchoolST
Description of Building Project: HOUSE and Garage

Provide with application the following documentation:

- A legal and general description of the property lot upon which the building or accessory building is to be built.
- A map showing the dimensions, acreage and location of the property lot, include setbacks and building dimensions.
- A legal survey may be required if the setbacks are in question.

(check the box of the applicable building district)

☒ **Residential "A" District.**

- **Uses.** Single family dwellings; manufactured homes that are ten years old or newer and set up on a permanent foundation; schools, parks, recreation buildings, and country clubs; fire departments; churches or temples; and libraries [10-4-01].
- **Building Area.** No building with its accessory building shall be erected or altered, so as to occupy more than 45% of the area of a corner lot or more than 35% of the area of an interior lot [10-4-02].
- **Rear Yards.** (for new builds) Every building shall have a rear yard, depth of which shall not be less than 15' for lots less than 150' in depth and not less than 25' for lots 150' or greater in depth [10-4-03].
- **Side Yards.** (for new builds) Every lot shall have two side yards, each of which is not less than 6' in width. The sum of the widths of the two side yards shall in no case be less than 24% of the width of the lot [10-4-04].
- **Height.** No building shall exceed 35' in height [10-4-05].
- **Set Back Line.** No building shall be erected or altered so as to place its street wall nearer than 15' from the property line. No accessory building shall be erected nearer than 15' from the property line. Detached tool sheds shall be located not less than 6' from the side or rear property lines [Ord. 250]
- **Restriction on Manufactured Homes.** Manufactured homes may not be placed in "A" Residential unless it is newer than a ten year old multisectional model and is set up and skirted in one of the following ways: (1) placed on a permanent foundation; (2) individual pads with cinder blocks are used for supports; (3) coupled with uniform skirting, a dug-out style with cinder blocks for support, designed to lower the unit to ground level [10-4-07].

☐ **Residential "B" District.**

- **Permitted Uses.** Single-family mobile home dwellings manufactured on or prior to 15 years of age when located within mobile home parks or individual lots within a mobile home subdivision [1-05-03].
- **Lot dimensions.** A. For single-wide mobile home dwellings, minimum of 40' wide x 100' deep with a minimum site area of 4000 sq ft.; B. For double-wide mobile home dwellings, minimum of 50' wide x 100' deep with a minimum site area of 5000 sq ft [10-05-05].
- **Lot coverage.** A. The ground area occupied by the mobile home, attached storm shed, patio, storage building and off-street parking spaces shall not exceed 50% of the total area of the site (400 sq ft. added to actual area of the mobile home and the accessory buildings for the two required off-street parking spaces);

B. No mobile home, storm shed, or other legal attachments to the mobile home shall be located less than 6' from the side property line. Detached tool sheds shall be located not less than 5' from the side or rear property lines. The ends of the mobile homes shall be at least 10' apart when opposing rear walls are staggered, otherwise 15' apart. No portion of a mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than 15' away from any site or property line adjacent to a public right-of-way [10-5-06].

☐ **Commercial "C" District.**

- **Uses.** Any commercial and industrial 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; and (d) manufacture or treatment activities which create objectionable noise, odor, smoke, fumes, vapor, dust or gas [10-06-01].
- **Rear and Side Yards.** No rear or side yards required [10-06-02].
- **Height.** No building shall exceed 70' in height [10-06-03].
- **Set back lines.** All buildings shall be built in line with existing structures [10-06-04].

If your proposed building project does not meet the requirements in the building district set forth above, you must apply for a variance. A separate **variance application is available at the Fromberg Town Hall.

After completing this application, submit the application and accompanying documentation to the Town Clerk at the Fromberg Town Hall and pay the application fee. The clerk will forward the application to the Zoning Committee for their investigation and recommendation to the Town Council. At the next regularly scheduled council meeting (the council meets the first Monday of each month), the council will make their decision on your zoning application.

The undersigned agrees that the information provided in this application is true and correct. The applicant understands that if any of the information is false, misleading or in error, this may be grounds for denial of the zoning permit.

Signed (applicant):

Printed Name:

Mike Mottisen

ACTION OF THE FROMBERG TOWN COUNCIL

Zoning Permit Application:

☐ Approved.

☐ Approved with conditions _____

☐ More information needed: _____

☐ Denied.

Dated this ____ day of _____, 201__.

Signed by _____
Fromberg Mayor

Approval of this Zoning Application will expire one year after approval date.

$$1 - () - - 1$$

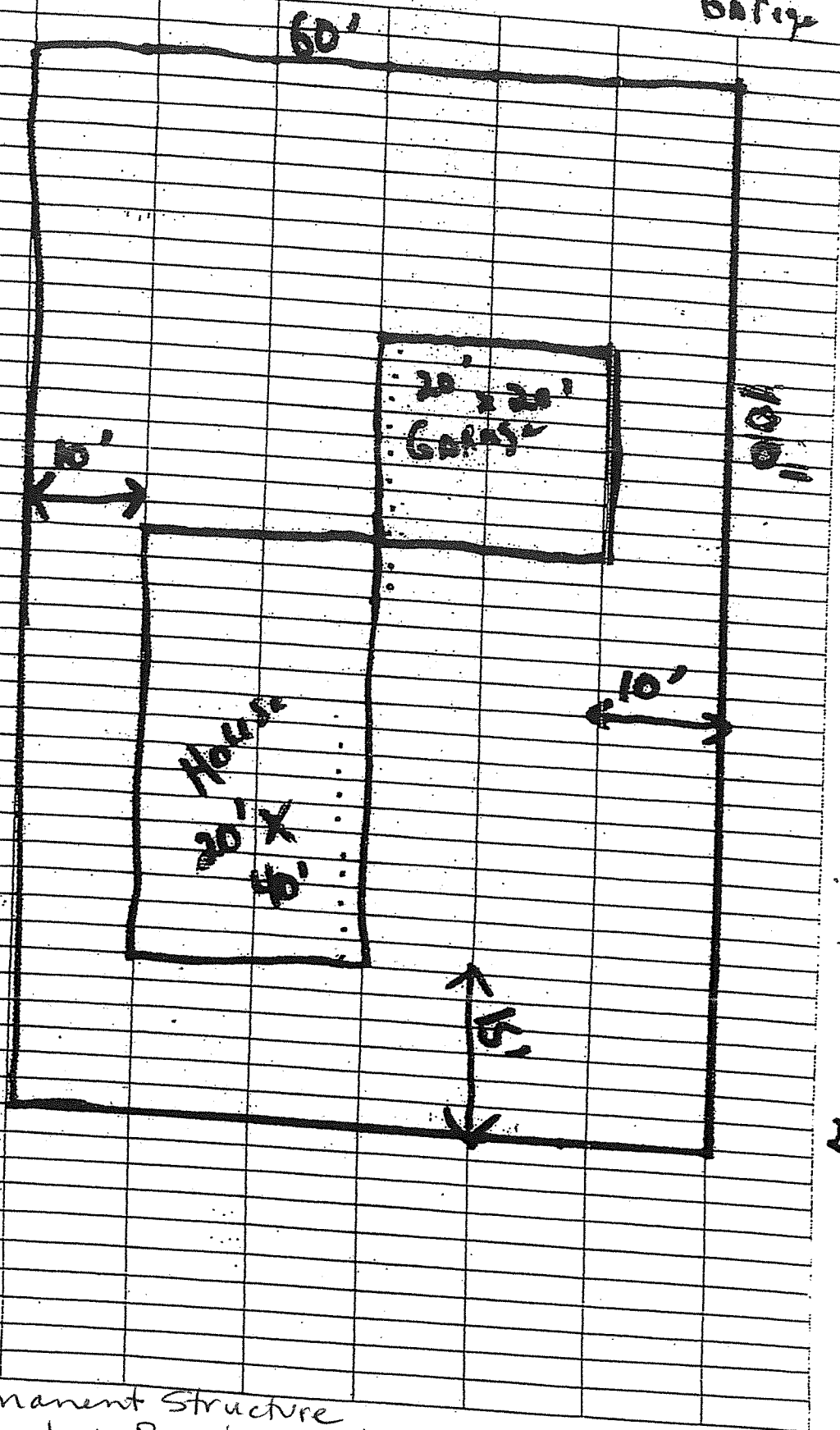

ALLEY

MOULTON AVE

~~SAMPLE~~

LOT 5-22 60' x 100'

House 20' x 20'
Garage 20' x 20'

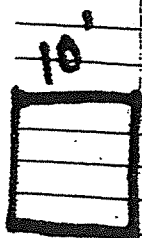


6000 sq ft
- 400 sq ft
- 800 sq ft

4800 sq ft

20% bldg

Scale



Permanent Structure
Front + Back 15'
Sides 10'

* from property line

ORDINANCE 250

AN ORDINANCE OF THE TOWN OF FROMBERG TO CHANGE SET BACKS TO INCLUDE DETACHED TOOL SHED, REDEFINE MANUFACTURED HOME, AND ENFORCE ZONING PERMITS.

WHEREAS: The Town of Fromberg has approved to revise the current zoning ordinances of January 2001:

WHEREAS: It is necessary that the Town of Fromberg include additional language to the set back line as stated in 10-04-06 so it reads as follows:

No building shall be erected or altered so as to place its street wall nearer than fifteen (15) feet from the property line. No accessory building shall be erected nearer than fifteen (15) feet from the property line. Detached tool sheds shall be located not less than six (6) feet from the side or rear property lines.

WHEREAS: It is necessary that the Town of Fromberg revise the definition of modular and manufactured homes (10-02-44) to conform with the current State of Montana Code Annotated (76-2-302): Zoning Districts so it reads as follows:

Means a single-family dwelling, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States department of housing and urban development at the time of its production. A manufactured home shall be classified as "Real Property" with the Montana Department of Revenue. A manufactured home does not include trailer or mobile home as defined in 10-02-60.

WHEREAS: It is necessary that the Town of Fromberg to include in Chapter 11: Enforcement an additional section for issuance of zoning permits. The additional Section 10-11-01A shall read as follow:

The police department, subject to such variations or interpretations as may be made by the city council, shall:

A. Issue zoning permits for all additions to existing buildings, new construction, or movement of buildings or structures after first determining that all applicable provisions of this title are complied with.

B. Conduct inspections as are necessary to ensure compliance with the provisions of this chapter.

C. Institute appropriate action or proceedings to prevent or correct unlawful construction, additions to existing structures, movement of buildings or structures, or unlawful occupancy of buildings, structures or land.



Bid Proposal for fromberg bulk water

CUSTOMER	TOWN OF FROMBERG 118 W RIVER FROMBERG, MT 59029	Job fromberg bulk water Fromberg, MT Bid Date: 10/11/2024 Bid #: 3780896
	Sales Representative Kerry Lund (M) 406-552-7787 (T) 406-728-7336 (F) 406-728-7630 Kerry.Lund@coreandmain.com	Core & Main 5240 Jackrabbit Lane Belgrade, MT 59714 (T) 4063885980
CONTACT		
NOTES		



Bid Proposal for fromberg bulk water

TOWN OF FROMBERG**Job Location:** Fromberg, MT**Bid Date:** 10/11/2024**Core & Main Bid #:** 3780896**Core & Main**

5240 Jackrabbit Lane

Belgrade, MT 59714

Phone: 4063885980**Fax:** 4063885975

Seq#	Qty	Description	Units	Price	Ext Price
10	1	4 FLGXFLG DI PIPE PR 2' PRIMED IMP	EA	952.88	952.88
20	1	FCA501-4.81 4 FLG CPLG ADPT 4.50-4.81 OD	EA	323.94	323.94
30	1	4 FLGXPE DI PIPE 4' IMP	EA	672.84	672.84
40	3	4 150# FLG BOLT&NUT KIT	EA	8.13	24.39
50	3	4X1/8 FLG FF RR GASKET	EA	4.33	12.99
				Sub Total	1,987.04
				Tax	0.00
				Total	1,987.04

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



Bid Proposal for FROMBERG METER

CUSTOMER	TOWN OF FROMBERG 118 W RIVER FROMBERG, MT 59029	Job FROMBERG METER Fromberg, MT Bid Date: 10/03/2024 Bid #: 3780869
CONTACT	Sales Representative Kerry Lund (M) 406-552-7787 (T) 406-728-7336 (F) 406-728-7630 Kerry.Lund@coreandmain.com	Core & Main 5240 Jackrabbit Lane Belgrade, MT 59714 (T) 4063885980
NOTES		



Bid Proposal for FROMBERG METER

TOWN OF FROMBERG
Job Location: Fromberg, MT
Bid Date: 10/03/2024
Core & Main Bid #: 3780869

Core & Main
5240 Jackrabbit Lane
Belgrade, MT 59714
Phone: 4063885980
Fax: 4063885975

Seq#	Qty	Description	Units	Price	Ext Price
10	1	MM 4 SS OCTAVE METER W/FLOAT FLG L/MODULE 0304-M1-D09	EA	2,849.86	2,849.86
20	1	965-010-54 MM OCTAVE ENCODER MODULE WITH 25' NICOR CABLE	EA	192.20	192.20
30	1	199-024-50 MM 3G XTR ENCODER INPUT WITH 2' NICOR CONNECTOR	EA	183.64	183.64
40	2	4 150# FLG BOLT&NUT KIT	EA	8.13	16.26
50	2	4X1/8 FLG FF RR GASKET	EA	4.33	8.66
				Sub Total	3,250.62
				Tax	0.00
				Total	3,250.62

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>

RESOLUTION NO. 539

A RESOLUTION OF THE TOWN OF FROMBERG TO ESTABLISH A ZONING ORDINANCE COMMITTEE

Whereas, the Town of Fromberg recognizes the importance of establishing clear and effective zoning regulations to promote orderly growth, protect property values, and safeguard the health, safety, and welfare of its residents; and

Whereas, the Town Council deems it necessary to create a Zoning Ordinance Committee to research, draft, and recommend zoning policies and procedures that reflect the needs and goals of the community;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fromberg, Montana, as follows:

SECTION 1. Establishment of the Zoning Ordinance Committee

The Town of Fromberg hereby establishes the Zoning Ordinance Committee (hereafter referred to as the “Committee”) to be responsible for the development and oversight of zoning ordinances and recommendations to the Town Council.

SECTION 2. Composition and Appointment

- **Membership:** The Committee shall consist of five members. Two Council members and three appointed by Town Council.
 - **Qualifications:** Members shall be residents of the Town of Fromberg and should have an interest or background in urban planning, land use, real estate, or related fields.
 - **Term of Service:** Members shall serve for one year, with the opportunity for reappointment upon completion of their term.
 - Initial Staggered Terms:
 1. The first appointed position shall serve an initial term of **one (1) year**.
 2. The second appointed position shall serve an initial term of **two (2) years**.
 3. The third appointed position shall service an initial term of **three (3) years**.
- **Appointment Process:** The Town Council shall select members through a nomination and approval process, with consideration given to individuals who demonstrate commitment to the objectives of the Committee.

- **Committee Leadership:** The Committee shall elect a Chairperson, Vice-Chairperson, and Secretary from among its members. The Chairperson shall preside over meetings and serve as the primary liaison to the Town Council

SECTION 3. Powers and Duties

The Zoning Ordinance Committee shall:

1. Conduct research, review existing zoning laws, and draft new ordinances or amendments to support the town's development goals.
2. Seek input from the community and other stakeholders to ensure transparency and public participation in the zoning ordinance process.
3. Present recommendations to the Town Council for final approval, including any proposed zoning maps, regulations, or amendments.

SECTION 4. Meetings and Reporting

1. **Regular Meetings:** The Committee shall meet at least once per month, or as needed, to fulfill its objectives.
2. **Reporting Requirements:** The Committee shall provide regular updates to the Town Council, including a summary of activities, findings, and recommendations.
3. **Public Access:** All Committee meetings shall be open to the public, with minutes recorded and made available per town policy.

SECTION 5. Effective Date

This Resolution shall be in full force and effect immediately upon its adoption.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 18th day of November 2024. The Resolution shall become effective as of December 1, 2024.

THE TOWN OF FROMBERG, MONTANA

Tim Nottingham, Mayor

ATTEST:

Michele Auch, Town Clerk / Treasurer

COMMUNITY SERVICE AGREEMENT
TOWN OF FROMBERG, MONTANA

This Agreement, made on the ____ day of _____, 20____, by and between The Town Of Fromberg, hereinafter referred to as "The Town", and _____, hereinafter referred to as "Volunteer".

Name of The Volunteer: _____. Date of Birth: _____
Starting Date of Community Service: _____ End Date: _____
Hours of Community Service: _____
Emergency Contact: _____

WITNESSETH:

Whereas, the Volunteer intends to donate time to the Town of Fromberg to satisfy Community Service requirements, and The Town intends to accept the donation of time and services.

NOW THEREFORE, in consideration of the mutual promises, the parties hereto agree as follows:

1. The Volunteer agrees to donate services to The Town. Said services shall include, but may not be limited to, the following:

2. It is mutually and expressly understood that volunteer services shall be donated, and that said volunteer is not entitled to nor expects any present or future salary, wages, or other benefits for these voluntary services.
3. Volunteer agrees to follow the supervision and direction of any personnel, employee, or volunteer, to whom volunteer has been assigned to perform services, and to participate in any training required by The Town in order to perform the voluntary services.
4. Volunteer further understands that if volunteer is responsible for injuries to third parties or damages to their property while acting outside the scope of assigned volunteer duties, that said volunteer may be held personally liable for any monetary damages a court may award to the injured party.
5. The Volunteer agrees that any and all negligence by The Volunteer or other liability attributed to The Volunteer is the sole responsible of The Volunteer, and that in no way do any of these provisions apply for the benefit of volunteer, his/her heirs, executors or administrators in any action arising out of gross negligence, willful misconduct, or any other conduct on the part of said volunteer, which cause or may give rise to criminal liability.

6. The town of Fromberg also accepts as volunteers those participating in Service Projects such as student community service activities, student intern projects, alternative sentencing or diversion programs, or other service organizations. In each of these cases, however, a special agreement must be in effect with the organization, school, or program from whom these volunteers originate and must identify responsibility for management and care of the volunteers.

7. All employees, volunteers, citizens, vendors and business associates should be treated with courtesy and respect at all times. Volunteers are expected to refrain from fighting, "horseplay" or other conduct that may be dangerous to others.

8. Town of Fromberg will promptly and thoroughly investigate all reports of threats of harassment/intimidation or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The Town of Fromberg will not retaliate against volunteers making good-faith reports of violence, threats or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, Town of Fromberg may suspend or terminate volunteers suspected of workplace violence or threats of violence pending investigation.

9. It is the policy of the Town of Fromberg that harassment, based on a protected class will not be tolerated. Everyone has a right to work in a professional atmosphere that promotes equal opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, volunteers are expected to act in a professional, cooperative and respectful manner to all contacts.

10. The Town of Fromberg encourages volunteers to bring their disputes to the attention of their supervisor or the Mayor's Office or designee before the situation escalates.

11. The Town of Fromberg, at its discretion, may investigate and take disciplinary action upon learning of a suspected violation of federal, state or local laws, Town of Fromberg rules and/or regulations, employee or volunteer conduct/behavior/performance standards. Town of Fromberg policies, or other conduct not in the best interests of the Town of Fromberg. Volunteers who do not adhere to the rules and procedures of the Town of Fromberg or who fail to satisfactorily perform their volunteer assignment are subject to dismissal.

12. In compliance with the Drug-Free Workplace Act of 1988, (41 USC 701-707), the Town of Fromberg is committed to providing an alcohol-free and drug-free workplace. The Town of Fromberg prohibits the unlawful manufacture, distribution, sale, possession or use of a controlled substance or alcohol in the workplace or while conducting business.

The Volunteer, _____, hereby agrees to the terms and conditions and understands this Community Service Agreement. The Volunteer understands that The Town reserves the right to terminate this Agreement at any time.

Dated this ____ day of _____, 20____.

The Volunteer

**FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING
HELD ON October 14, 2024**

The October 14, 2024 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 at 7:00 pm by Mayor Tim Nottingham. Other council members present were Nate Caton, Robert Haseman, Michael Ventling and Tammy Taylor. Others present were Dan Auch, Jerry Hall, Makayla Smith, Kim Soumas, Tanner Soumas, Sandy Bauwens, Marge Taylor, Nikki Elliot, Elton Kirtley, Will McCranie, Ron Euerle, Jeanne Ruot, Jennifer Hickock, Michele Auch, Clerk and Clerk Pro Tem, Kirstin Sweet.

The first item on the agenda was correspondence. Clerk Michele Auch read letters from Lori Simpson, Resident, and Kari Kuhr BB.

Public comment was next on the agenda. Elton Kirtley commented on several things he was concerned about on the Eastside of Town, and wanted to have long term planning for the town. Jerry Hall commented on construction companies' heavy equipment on the streets tearing up w/track cleats. Sandy Bauwens commented on Mine Spur Loop future re-paving of street, a Spring time-line was provided by the mayor. Jennifer Hickock, Fromberg School Principal commented on School kids volunteering for the River Project that included planting trees along the riverbank and hoped that in the future that adults would be kind, that students would be led by example and that have positive communication is provided, and she thanked the community for including the students. Jeanne Ruot commented on her fence needing to be replaced from River Project work, and she provided a letter with suggested solutions. Marge Taylor commented on tree in park that needs to be replaced from incorrect pruning. Will McCranie commented on approved fence he was building, no further approval needed for extending side fence. It was noted that no fence ordinances are in place.

The Mayor and Council were next on the agenda. The council discussed Public Works position when hiring was going to happen, it was suggested to re-advertise the position, it was suggested that council members should watch HR training videos, what were the DEQ fines about, have a hiring committee that all must be present, use same format, remain neutral. Have a written policy for hiring.

Sherriff department report was next on the agenda, there was no one to represent the Sherriff Department.

Special events applications were next on the agenda. There were no special events applications.

Zoning applications were next on the agenda. There were no Zoning applications.

Old business was next on the agenda. There was no old business.

New business was next on the agenda. The first item of new business was Approve Town Clerk/Treasurer Michele Auch. A motion to approve the Town Clerk/Treasurer was made by Councilwoman Taylor, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Caton - aye, Councilman Haseman - aye, Councilman Ventling - aye, and Councilwoman Taylor - aye.

Next was change the signatory authority on all bank accounts—Bank of Bridger and Valley Federal Credit Union. A motion to approve changing the signatory authority on all bank accounts was made by Councilwoman Taylor, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Caton - aye, Councilman Haseman - aye, Councilman Ventling - aye, and Councilwoman Taylor - aye.

Approve quote for well meter and pipe replacement was the next item. More quotes were requested, Dennison said to follow Bid-Policy up to \$5,000.00, then the town doesn't need to get more bids. A motion to move this to the next town meeting was made by Councilwoman Taylor, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Caton - aye, Councilman Haseman - aye, Councilman Ventling - aye, and Councilwoman Taylor - aye.

Next was Discussion—Change Zoning Ordinances—Tammy suggested that Dennison work with Kelli Lynch on legal structure of Zoning Ordinances and Council work on the policy decisions. It was discussed that a resolution be made to set-up a sub-committee of 3-5 people to make change of use on zoning ordinances. Example: Mobile Homes to be put on permanent foundations with straps. Will help with future VA buyers.

Next was Discussion--Change Zoning Map—It was discussed that a new zoning map is needed. The mayor will reach out to Tom Cooley and get on his schedule.

Next was Discussion regarding volunteers and/or volunteer policy. Have a form to fill out when volunteers are needed, provide steps to follow, if volunteer has a record of violence, they cannot work with children, have regular volunteers on MMIA insurance policy, volunteer projects around town will need pre-approval. Clerk will look into starting a policy for Volunteers and put on next meeting agenda.

Next was Discussion regarding Personnel Policy Section 7.725 Use of Town Equipment—Councilwomen Taylor has had several complaints around town about equipment use, there is a policy in place for use of Town Equipment, and taxpayers paid for town equipment. Mayor thought town equipment could be rented for \$50/per hour. Councilman Venting, said equipment was used for Marc's side concrete business and nothing had been paid for use of this equipment. Councilwomen Taylor had talked with Jim Bradely from MMIA about the Town's liability risks and highly recommend against renting it out. Marge Taylor and Jerry Hall also had issues with use of Town equipment, red gravel materials being used and fill dirt being used along concrete work. Councilwomen Taylor said that the Town's Skid Steer was sitting in front of Marc's house at 2am. Sheriff and Mayor were called regarding shop door being left open on a Saturday evening at 8-9 pm, door was shut. Councilman Venting, called for Marc's termination and stated thief of services. and to look at the evidence presented. Mayor will talk to Marc and commented that Marc wasn't present to defend himself, and termination is up to the council. Elton Kirtley called for the mayor's resignation. Mayor said he will not resign. Mayor said he will talk to Marc and maybe get attorney involved. Councilman Ventling again said to look at the evidence nothing paid for use of equipment.

The consent agenda was next on the agenda. Discussion was had regarding items on the consent agenda. A motion to approve the consent agenda was made by Councilwoman Taylor, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Caton—aye, Councilman Haseman - aye, Councilman Ventling - aye, and Councilwoman Taylor - aye.

Town Attorney Dennison Butler had nothing to report.

Public Works Director Schutterle was not present. Clerk Michele read Marc's notes that he provided. Paving was happening this week, Marc is working with DEQ to correct fines, He will finish asphalt by railroad tracks and E River Street probably with a Hot mix, he will finish cutting down tress on Main St, and then send out notices.

Clerk Michele had nothing to report.

Next scheduled meeting was on Monday 11th, but it fell on Veterans Day and Dennison wasn't available to be present for Special and Town meeting. It was decided to be moved to Monday 18th at 7pm, with a Special Meeting held at 6:30pm for Tanner Souma's Variance discussion and decision.

There being no further business, Councilman Caton motioned to adjourn. The motion was seconded by Councilwomen Taylor. The motion carried with the votes as follows: Councilman Caton—aye, Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye. The meeting was adjourned at 8:38 pm.

Tim Nottingham, Mayor

ATTEST:

Michele Auch, Town Clerk

**FROMBERG TOWN COUNCIL
MINUTES FOR A SPECIAL MEETING
HELD ON OCTOBER 14, 2024**

The October 14, 2024 special meeting was held at Fromberg Town Hall, 118 W River Street in Fromberg. The Pledge of Allegiance was recited, and the meeting was called to order at 5:59 pm by Mayor Tim Nottingham. Other council members present were Nate Caton, Robert Haseman, Michael Ventling and Tammy Taylor. Others present were Tanner Soumas, MaKayla Smith, Kim Soumas, Sandy Bauwens, Ernest King, Niki Elliott, Marge Taylor, Jennifer Hickok, Elton Kirtley, Jeanne Ruot, Dan Auch, Krish Bauwens, Jerry Hall, Kirstin Sweet, Town Clerk Pro Tem and Clerk Michele Auch.

The only item on the agenda was review and discussion of Zoning application for Tanner Souma's at 24 Harley Avenue, Fromberg MT. Mayor started the discussion with age limit, look at ordinance stating 10 years or newer for Mobile Home Trailers. Council will come together to give a variance. The Souma's presented pictures of improvements made-to-date, plans are to repaint and fix-up siding, re-skirt, and in the Spring remove current trailer, put-up a privacy fence, build a garage, and in the future plant grass, make a yard, and move out old trailer ASAP. Councilwomen Taylor, has concerns regarding commercial fire codes, and how close the neighbors' buildings are to theirs. Councilwomen Taylor shared passed history right and wrongs. Councilwomen Taylor talked with Kelly Lynch, the minute a non-conforming structure has changes to it, it must follow new codes and ordinances. Dennison stated that there are a lot of problems with trailer ordinances. The Souma's current mobile home/trailer is considered "Grandfathered In". Councilman Caton, stated for Commercial properties to follow current set-backs. Dennison stated that the best way forward at this point is to file a Variance before the Town and Council. We are in a Gray Area: follow variances that have been done in the past. Zoning and Map need to be made current. Dennison stated that a Variance should include: the use, because it's a residential onto commercial lot, include set-backs and age of Mobile Home Trailer. Get new variance application with signatures 300' around Souma's property in first with application fee and then a two week notice for public comment can be published in the paper. New meeting set for November 18, 2024 at 6:30pm at Town Hall.

There being no further business, meeting was adjourned at 6:51 pm.

ATTEST:

Tim Nottingham, Mayor

Michele Auch, Town Clerk/Treasurer