

FROMBERG TOWN COUNCIL AGENDA
MEETING TIME IS MONDAY DECEMBER 9, 2024 AT 7:00 PM
FROMBERG TOWN HALL, 118 W RIVER STREET
(Discussion And Possible Action on All Items.)

Monday December 9, 2024

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT ON ITEMS ON OR NOT ON THE AGENDA:

CORRESPONDENCE:

SHERIFF DEPARTMENT REPORT:

SPECIAL EVENTS APPLICATION:

ZONING APPLICATION:

BOARD APPOINTMENTS:

- Historic Preservation –
- Planning Board –

OLD BUSINESS: NONE

NEW BUSINESS: NONE

CONSENT AGENDA:

- Approve Minutes
 - 2024-10-14 Regular Meeting
 - 2024-11-18 Regular Meeting
 - 2024-11-18 Public Hearing
 - 2024-11-22 Public Hearing
- Approve Claims
- Approve Payroll Summary
- Approve Journal Vouchers

TOWN ATTORNEY: Dennison Butler

PUBLIC WORKS DIRECTOR: Marcus Schutterle

TOWN CLERK: Michele Auch

ADJOURN:

Conduct at Public Meetings

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

The speaker should stand at the podium, and for the record, give his/her name and address, and, if applicable, the person, firm or organization he/she represents. Comments should be limited to three (3) minutes unless approval by the presiding officer, and citizens requesting to speak shall limit him or herself to matters of fact regarding the issue of concern. Prepared statements are welcomed and should be given to the Clerk of the Council. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become part of the hearing record.

While the Town Council is in session, those in attendance must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer. Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue be granted by the presiding officer or a majority vote of the Council.

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

**FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING
HELD ON 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 Ventling, 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 Ventling, 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 REGULAR MEETING
HELD ON November 18, 2024**

The November 18, 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 6:58 pm by Mayor Tim Nottingham. Other council members present were Robert Haseman, Michael Ventling and Tammy Taylor. Others present were Dennison Butler, Attorney; Randy Cramer, Sheriff; Dan Auch, Jerry Hall, Makayla Smith, Kim Soumas, Tanner Soumas, Marge Taylor, Elton Kirtley, Ilsa Dawson, Ernest King, Suzy Campbell, Robert Goodson, Andy ___, Jesse and Rachael Boyd Marc and Nicole Schutterle and Michele Auch, Clerk.

Public comment on items on or not on the agenda. Jerry Hall wondered what led to the decision to take off Council/Mayor from the agenda. Mayor stated that it was his decision. Jerry Hall stated that we should be able to know about it. He also said that travel trailer is zoned to be in a trailer park. There is a propane tank of North Street, and was free gravel used for a personal job in three locations. Mayor called Jerry Hall and Marge Taylor out of order. Elton Kirtley also wanted to know about second trailer. Councilman Robert said to talk to the Attorney. Susie Campbell wanted to comment on 26 Harley Street. Mayor stated that we have talked about comments and discussion at 6:30pm meeting. Did they miss it. She wants to know what local and state maps zones are. State maps might have differences between residential and commercial for tax purposes. Local zoning ordinances can be different.

The next item on the agenda was correspondence. There was nothing to report.

Sherriff department report was next on the agenda. Sherriff Randy Cramer 58 hours of patrol October 18th through November 18th, 2024. 17 calls for service in Town limits. Mayor commented that he noticed more time running radar.

Special Vote on Variance Application was next on the agenda. Mayor said that it is up to the Council to accept or not. Do we have a vote? Discussion? Councilman Robert-aye., Councilman Ventling-abstain, Councilwomen Taylor-abstain. Mayor said a Quorum of three needed. A motion to table the decision was made by Councilman Robert, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Robert-Aye, Councilman Ventling-Aye, Councilwomen Taylor-Aye. Friday 22, 2024 at 3pm, was decided on for Special Meeting. Will be advertised two days around town before meeting.

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

Zoning application was next on the agenda. Mike Morrison application for a new house and garage was reviewed. A motion to approve Mike Morrison zoning application was made by Councilwoman Taylor, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye.

Old business was next on the agenda. Approve quote for well meter and pipe replacement was the next item. More quotes were presented. A motion to approve Bid from Northwest Pipe Fittings, Inc for \$ 4,360.45, dated 11/15/24 was made by Councilwoman Taylor, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye.

New business was next on the agenda. Resolution No 539-Zoning ordinance Committee. Mayor tasked Councilwomen Taylor to work on ordinance map. Councilwomen Taylor wants to amend Resolution to 3-5 members. Dennison had made changes to Resolution No 539, Councilwomen Taylor read the Resolution out loud. Councilman Roberts asks who forms committee, and does council approve committee? Mayor stated that Councilwomen Taylor will be chairman. Counselman Robert said it would be a conflict of interest. Dennison said a council representative can be on the committee but not a quorum of council members. The council will be updated, and council members can vote. Legally its allowed. In the by-laws you have the authority only to bring back recommendations. Make recommendation to bring about changes, and make everything concise. The mayor is very interested in the project. A motion to approve Resolution 539 was made by Councilman Ventling, seconded by Councilwomen Taylor. The motion carried with the votes as follows: Councilman Haseman – nay, Councilman Ventling – aye, and Councilwoman Taylor – aye. Next was discussion on Community Service Agreement. The mayor said that Clerk Michele found one that fits our needs as a small town. Mayor stated that if you vote for this every organization in town will need to fill this out. In an emergency we don't have all the restrictions in place. Volunteers working during an emergency at a homeowner's property, the property owners would be responsible. What capacity are they acting in, anyone can clean-up the streets but they are not acting on behalf of the city. If on behalf on the city a record will be needed. Councilwomen Taylor stated volunteers will be protected by MMIA, with guidelines in place. This is recommended by MMIA and records stay at Town Hall. A motion to approve the Community Service Agreement was made by Councilman Ventling, seconded by Councilwomen Taylor. The motion carried with the votes as follows: Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye

The consent agenda was next on the agenda. Discussion was had regarding items on the consent agenda. Mayor stated that the 10-14-2024 Regular Minutes have errors that he needs time to research. A motion to approve the 10-14-2024 Special Meeting minutes was made by Councilman Ventling, seconded by Councilwomen Taylor. The motion carried with the votes as follows: Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye. Claims, Payroll Summary, and Journal Vouchers were next for approval. Councilwoman Taylor asked about the purchase of a street sweeper. Mayor stated that it was to clean street, cleanup debris and was a really good deal. It is an enclosed sweeper. Tammy asked if the backpack blower was still in the shop. A motion to was made by Councilman Robert, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Haseman – aye, Councilman Ventling – aye, and Councilwoman Taylor – aye.

Town Attorney Dennison Butler had nothing to report. Councilwomen Taylor has some questions for the Attorney regarding, a hiring policy that Clerk Michele will be turned into MMIA for review. Dennison said he will work with Clerk Michele on the hiring policy. Councilwomen Taylor asked about a Complaint Policy, and Grievance Policy. Councilman Ventling asked Dennison about the status of the trailer removal on 2nd Avenue. Dennison replied that the trailer was supposed to be moved by November 1, 2024 and that the town could charge him a fine per day and that he would be filing in court. Councilwomen Taylor asked about a cease and deceased orders.

Public Works Director Schutterle reported that Northwest pipe will take 20 weeks to get the meters. He talked to Scott Miller about paving Mine Spur Loop if we can. We might have to hold him off until we get funding from HB355. We will have the other half by the train tracks this week, and will burn the debris pile this week. Councilman Ventling asked about his waste water license. He talked to Susan Bowers about taking his class in Billings the 1st week of December. Yes, we are going to be fined. I started on Sept 23, 2023. Councilman Ventling asked why are we delinquent on DMR submittals? Marc replied those are from before I started here. Councilman Ventling said there are violation from when after you started. Yes, before I knew they needed to be

in by the 28th. Councilman Ventling asked if you submitted a plan of action? No. I wasn't sure what plan of action she was referring to. Councilman Ventling asked about violation of chlorine. Marc asked if he wanted me to lie? Marc said the quill plugs up and we get a hit. Councilman Ventling asked about a Type II notice to the public. Now that I know about Type II notices, they will get sent out. Councilman Ventling said Public Works Director should know their job. Councilman Ventling would like to know about the gravel. Marc said receipts are in the clerk office. Mayor stated this is a done issue. Councilman Ventling replied its not a done issue. Mayor said you are out of order. Councilman Ventling responded that I am out of order. Mayor said would you like me to give you another one? Councilman Ventling replied give me another one. Mayor said the meeting was done. Deputy would you like to escort Mr. Ventling out. Marge Taylor out of order. Mayor said that we do not have a quorum and the meeting is adjourned at 7:57.

Tim Nottingham, Mayor

ATTEST:

Michele Auch, Town Clerk

**FROMBERG TOWN COUNCIL
MINUTES FOR PUBLIC HEARING
HELD ON NOVEMBER 18, 2024**

The November 18, 2024 a public hearing was held at Fromberg Town Hall, 118 W River Street in Fromberg, MT. The Pledge of Allegiance was recited, and the meeting was called to order at 6:27 pm by Mayor Tim Nottingham. Other council members present were Robert Haseman, Michael Ventling and Tammy Taylor. Others present were Tanner Soumas, MaKayla Smith, Kim Soumas, Ernest King, Marge Taylor, Elton Kirtley, Dan Auch, Jerry Hall, Robert Goodson, Ilsa Dawson, Andy V____. Suzy Campbell, Keilee Kountz Jess and Rebecca Boyd, Marc and Nicole Schutterle and Clerk Michele Auch.

The only item on the agenda was review and discussion of Variance application for Tanner Souma's at 24 Harley Avenue, Fromberg MT. The mayor welcomed everyone and stated that the meeting was for a Variance Application. Public comment for or against variance was first on the agenda. Ilsa Dawson lives close to the couple and sees their lot out her window, and approves of the improvements to date. Their mobile home looks nice, and you would never guess how old the trailer is. Considering what's in town, this is an improvement and she approves. Rebecca Boyd thoughts had changed and looks at it as growth for the town. Elton Kirtley was next to speak. They moved in without a zoning permit and an arrogant attitude. There is corruption in town and needs to have law and order in town. Moving trailers in is becoming an epidemic. They should quite frankly move the trailer out, submit their stuff, then move it back in. Marge Taylor said she has nothing against the people, things should be done properly, they didn't get the proper paperwork. They moved a camper in with a propane tank, do it right, and other propane tanks are up near the school. Makayla Smith said she never heard about propane tanks, they had one before, but had it removed. We were never informed we needed a zoning permit. The mayor never said anything about a zoning permit. We are trying to make it right, we want a bigger house, make it look better, and not do any harm to the town. Councilwomen Tammy, asked the attorney. She had a neighbor next to her that had a list with everyone's name 300' around for a variance permit. I had to sign it and mark yes or no. She is questioning only having five names listed, one being out of the 300'. Doesn't know if they were opposed or didn't get a notice, that is my real issue. Councilwomen Taylor asked Dennison about this, he said that you need adjacent landowners' signatures or their consent. He will look into the 300' right now. Kim Soumas commented that the residents wouldn't answer their doors as they went around for a couple of weeks. Councilwomen Taylor said they could have sent letters. Dennison looked at the ordinance and it looks like the 300' circumference with 100 percent approval the variance is granted without a hearing. Less than 100% of 300' approval than a Public Hearing will be held. Councilwomen Taylor said that Two Bear Taven is within 300'. Makayla Smith said how are we supposed to know what's 300'? Tanner wondered how do you read the map? Councilwomen Taylor could help them read the map. Jesse Boyd said that he believes in law and order. They went out of their way to meet the requirements, make a home and make the town look good. Had the town help them, if the town knows what needs to be done? Why is it a big deal? If you see something wrong, say something right away. The mayor said this is why we are having the meeting and you may have not gotten in touch with everyone within 300' feet and get the signatures needed. We will have the council vote on it at the 7:00 pm meeting. Ilsa Dawson had a question about Two Bear, do they need to talk with Diana, owner, or someone who works there? Diana is not well. Rebecca Boyd could call Diana right now. Mayor said again, that the council will decide at the 7pm meeting and will vote then on how to proceed. Dennison repeated that they need to make contact or attempt. If they do not obtain consent within 300' feet a public hearing will be held. It's important to make contact and get signatures. Keilee Kountz thinks this trailer is an improvement. First thing you see coming into town, and will look good in the future with landscaping. They will be permanent residents that will stay, follow what's given to them and will be good for the town and bring younger folks into town. Jerry Hall said that it is a 25 years old trailer and to follow the 10-year rule. Ilsa Dawson commented that the trailer might be 25 years old, but there are old buildings in town that are about to fall over, and 25 years old is ok if they look this good. There are lots of trashy building in town. Mayor Tim and Councilman Robert said it looks like a new trailer.

There being no further business, meeting was adjourned at 6:48 pm.

ATTEST:

Tim Nottingham, Mayor

Michele Auch, Town Clerk/Treasurer

**FROMBERG TOWN COUNCIL
MINUTES FOR PUBLIC HEARING
HELD ON NOVEMBER 22, 2024**

The November 22, 2024 a public hearing was held at Fromberg Town Hall, 118 W River Street in Fromberg, MT. The Pledge of Allegiance was recited, and the meeting was called to order at 2:57 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, Elton Kirtley, Dan Auch, Jerry Hall, Ilsa Dawson, Terry Feller, Keilee Kountz and Clerk Michele Auch.

The only item on the agenda was public comment presenting recommendations or objections relative to the Variance application for Tanner Soumas at 24 Harley Avenue, Fromberg MT. The mayor welcomed everyone and stated that the meeting was for a Variance Application. Clerk Michele Auch read aloud a letter from Ernest King. Public comment either for or against the variance was next on the agenda. Makayla Smith didn't see why we needed a permit. She stated that Ernest would love to sign yes, but would make others angry in town. Jerry Hall stated next that he does not believe Tanner would have hooked up his trailer unless he had higher approval. Ilsa Dawson was next and she was not sure what the variance was for. In the 20 years she has lived here there have always been trailers, and this is one of the nicer ones. Have you seen Ernest's property? She almost runs over his junk when she backs out. There is a lot that goes into building a town. Terry Feller stated why is it so important to have this meeting today? We are paying extra for this meeting. Mayor stated that they are trying to get it decided so they don't have to wait any longer. Elton Kirtley stated that the first time a camping trailer was moved in that it was illegal and too small. They questioned Ernest King's credibility, and this bullying needs to stop. Keilee Kountz had some comments. Residential and Commercial are very different around town. They were doing their best to follow the rules. Have you seen their improvements? The town needs younger people. They have lots of family in town, want to get involved in the community, and are not afraid to get involved. A stick-built home is not in their budget. Councilwoman Taylor stated that she was called in February about a lot for sale by two individuals in town. The potential buyer wanted to put a trailer on it and they were against it. There are three vacant lots in town, what's done for one than one for all. Mayor stated that each spot will have to be individually looked at in the future. Councilwoman Taylor stated again that in government you cannot do for one that can't do for all. Councilman Ventling said that he talked to the Attorney Dennison and point blank asked him. If this is a black and white decision then the Variance decision would be No. Looking at the laws now they state trailers need to be on a permanent foundation, and 1000 sq ft minimum in size. We have laws in place for a reason. Mike Ventling stated that Dennison said to use Variances very, very sparingly. You have to follow the rules. Ilsa Dawson stated that many years ago she was at the meeting that approved the old trailer that they live in. Councilman Caton shared that he was on the council when the decision was approved for the trailer. Case by case bases, these are the same people that the original approval was given. This mistake was already made and it's an upgrade. There has always been a dealbated trailer. This town is dead, if farmland becomes available it might be time to start a true commercial district. Makayla wants to start a food prepping business; she hasn't started it yet. Jerry Hall stated that to rebuild the Legion Hall and to install a commercial kitchen is very expensive. Makayla has HOPE! Mayor asked if anyone has anymore comments. Mayor called for a vote. The vote carried with the votes as follows: Councilman Caton—aye, Councilman Haseman – aye, Councilman Ventling – nay, and Councilwoman Taylor – nay. Mayor broke the tie-aye in favor of granting Variance. A motion to was made by Councilman Nate, seconded by Councilwoman Taylor.

There being no further business, meeting was adjourned at 3:18 pm.

ATTEST:

Tim Nottingham, Mayor

Michele Auch, Town Clerk/Treasurer