

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

Monday September 9, 2024

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

CORRESPONDENCE:

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:

MAYOR / COUNCIL:

- This is a time when the Mayor or the Council members can bring a concern before the council that is not otherwise listed on the agenda. No action can be taken at this time. If action is necessary, the item may be put on the next meeting agenda.

SHERIFF DEPARTMENT REPORT:

SPECIAL EVENTS APPLICATION:

ZONING APPLICATIONS:

- William McCranie

OLD BUSINESS:

- Personnel Policy Changes

NEW BUSINESS:

- Resolution #536 – Set the Mill Levy for 2024-2025 Budget
- Resolution #537 – Approve & Adopt the 2024-2025 Budget
- Resolution #538 – Approve HB 355 Project
- Approve Cold Mix Asphalt Bid
- Approve Quote for Carbon Street Paving

CONSENT AGENDA:

- Approve Minutes
 - 2024-08-12 6:30 pm Public Hearing
 - 2024-08-12 6:45 pm Public Hearing
 - 2024-08-12 Regular Meeting
 - 2024-09-05 Prelim Budget Hearing
- Approve Claims
- Approve Payroll Summary
- Approve Journal Vouchers

TOWN ATTORNEY: Dennison Butler

PUBLIC WORKS DIRECTOR: Marcus Schutterle

TOWN CLERK: Kirstin Sweet

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 August 12, 2024**

The August 12, 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 Sandy Bauwens, Vicki Elliot, Jerry Hall, Marge Taylor, Michele Auch, Dan Auch, Elton Kirkley, Dena Wilson, Don Wilson, Terry Feller, Carbon County Sherriff Officer Ben LeBrun, Attorney Dennison Butler, Public Works Director Marc Shutterle, Assistant Temporary Clerk, Melissa Scianna.

The first item on the agenda was correspondence. No correspondence.

Next on the agenda was public comment: Jerry Hall commented that people are still driving to the dump even though it's closed, perhaps we should remove the dump sign. Elton Kirkley asked why a double-wide was moved in without a permit. Mr. Kirkley also requested that we trim and remove dangerous trees. Mr. Kirkley also suggested that we not advertise on the website for free camping in the parks. Marge Taylor apologized for any negative behaviors on her part and requested that everyone at Council meetings behave with respect. Mrs. Taylor also requested that the Council not discuss Town business prior to the actual meeting.

The Mayor and Town Council were next on the agenda. Mayor Nottingham asked for a work meeting to draft Ordinances for No Camping in the Baseball Park and Use of Fireworks. He agreed that dangerous trees need to be taken care of. Perhaps we can borrow the County's bucket truck and/or ask Northwestern Energy to prune trees near power lines. Councilwoman Taylor requested that the Public Works Director's phone number be added to the Website. Councilman Ventling reported that the trailer parked on E River St has been turned in to the Town Attorney. He also asked about the dumping of concrete along the river property. Mayor Nottingham replied that he gave permission and that the DEQ approved. This property is not in the 100-year floodplain. The opportunity to fill this low area with construction fill from COP provides for future use for storage of vehicles and other things. Councilman Ventling asked about decisions such as this being made without Council approval. Attorney Butler replied that the Council provides decisions based on a broad view and acts with Ordinances and Resolutions. The Mayor carries those out. The Mayor can make decisions in a void of applicable Ordinance or Resolution. The Council can then make appropriate Ordinances or Resolutions for future decisions.

Next on the agenda was the Sheriff Department's report. Office Ben LeBrun presented the council with stats from the month of July.

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

Old Business was next on the agenda. Discussion regarding potential additions to the personnel policy was had. Councilwoman Taylor had a few sentences that she would like to add regarding maternity leave, file confidentiality, children and visitors and dogs in the office. MMIA had expressed their concern that these additions could limit the pool of potential job applicants. Councilman Caton suggested we follow MMIA recommendations. After discussion, Councilman Caton made a motion to table the Personnel Policy until the next meeting. That motion was seconded by Councilman Haseman. Motion passed with the votes as follows: Councilman Ventling – aye, Councilman Haseman – nay, Councilman Caton – aye and Councilwoman Taylor – aye. The Council then discussed HB 355 and asked for a Resolution at the next meeting.

New Business was next on the agenda. The first item of new business was a discussion regarding the Burn Pit. Mayor Nottingham explained that Richard Shanks owns property north of the Town Limits and expressed interest in taking fill or burn pit items. Mr. Shanks was not present at the meeting. Attorney Butler said that a signed agreement would be needed if Mr. Shanks decides to do this. The Council discussed the need for a sign

at the current Burn pit with the rules, saying it's currently closed, and that there is a \$250 fine for dumping there. We also need to add this to the Facebook page. Resolution #535 was next on the Agenda. There being no discussion, Councilwoman Taylor moved to approve, Councilman Ventling seconded. Motion passed with votes as follows: Councilman Ventling – aye, Councilman Haseman – nay, Councilman Caton – aye and Councilwoman Taylor – aye.

The consent agenda was next. A motion to approve the July 15 Minutes was made by Councilwoman Taylor, seconded by Councilman Caton. The motion carried with the votes as follows: Councilman Ventling – aye, Councilman Haseman – aye, Councilman Caton – aye and Councilwoman Taylor – aye. A motion was made by Councilwoman Taylor to approve the July 22 Minutes. Councilman Ventling seconded. The motion carried with the votes as follows: Councilman Ventling – aye, Councilman Haseman – aye, Councilman Caton – aye and Councilwoman Taylor – aye. Councilwoman Taylor moved to approve the claims check # 23192-23213 and 99884-99886. Councilman Cator seconded. The motion carried with the votes as follows: Councilman Ventling – aye, Councilman Haseman – aye, Councilman Caton – aye and Councilwoman Taylor – aye. Councilman Caton moved to approve the Payroll Summary. Councilman Ventling seconded. The motion carried with the votes as follows: Councilman Ventling – aye, Councilman Haseman – aye, Councilman Caton – aye and Councilwoman Taylor – aye.

Clerk Sweet asked that claim number 4743 be excluded from approval as it relates to the 24-25 fiscal year and these claims for the 23-24 fiscal year. A motion to approve all claims except 4743 was made by Councilwoman Taylor, seconded by Councilman Ventling. The motion carried with the votes as follows: Councilman Ventling – aye, Councilman Haseman – aye, Councilman Caton – aye and Councilwoman Taylor – aye.

Attorney Butler had nothing to report. Jerry Hall asked him about people living in trailers. Councilwoman Taylor will look for this Ordinance. Mr. Hall also asked about Perkins Alley and gave Attorney Butler some paperwork to review.

Public Works Director Schutterle reported on projects he is working on. The Council asked Mr. Shutterle to add No Trespass signs to the burnpit.

There was no report from the Clerk.

There being no further business, Councilman Caton motioned to adjourn. The motion was 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. The meeting was adjourned at 9:00pm.

ATTEST:

Tim Nottingham, Mayor

Kirstin Sweet, Town Clerk Pro Tem

RESOLUTION NO. 536

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA
TO SET THE MILL LEVY FOR THE 2024-2025 FISCAL YEAR BUDGET**

WHEREAS, the market value and taxable valuation for the 2024-2025 fiscal year are as follows:

Total Market Value	\$31,545,755
Total Taxable Value	\$477,403
Taxable Value of Newly Taxable Property	\$8,745

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Fromberg, MT has set the tax levy for the 2024-2025 Fiscal Year Budget to be as follows:

General Fund	130.78 Mills
Rural Fire Voted Mills	18.40 Mills

Maximum Mills Allowed	149.18 Mills
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For a total mill levy based on a taxable value of \$477.403 per mill for a total tax collection of \$62,434.76.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 9th day of September 2024. This Resolution shall become effective as of July 1, 2024.

THE TOWN OF FROMBERG, MONTANA

Tim Nottingham, Mayor

ATTEST:

Kirstin Sweet, Town Clerk / Treasurer

RESOLUTION NO. 537

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA TO APPROVE AND ADOPT THE MUNICIPAL BUDGET FOR THE 2024-2025 FISCAL YEAR

WHEREAS, the Town Council of the Town of Fromberg, Montana, has prepared a budget for the fiscal year 2024-2025 and has given notice permitting all taxpayers to appear and be heard for or against any part of said budget, all is provided under Title 7, Chapter 6, Part 40, Montana Code Annotated and Sections 7-6-4021 and 7-6-4024 thereof;

WHEREAS, Section 7-6-4030, MCA, provides that the governing body shall adopt the final budget by resolution. The resolution must:

- (a) Authorize appropriations to defray the expenses or liabilities for the fiscal year;
- (b) Establish legal spending limits at the level of detail in the resolution; and
- (c) Include any increase in property taxes, including an increase authorized under 15-10-420(1) and the amount by which property taxes will increase on homes valued at \$100,000, \$300,000 and \$600,000.

WHEREAS, the Town of Fromberg desires to authorize the Town Council and Mayor the ability to reallocate expenditures between account and object lines within individual funds of the detailed fiscal year 2024-2025 budget as per Montana Code Annotated 7-6-4031.

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of The Town of Fromberg that: The final budget after any amendments to the preliminary budget and after considering any public comment is adopted. This resolution authorizes:

- (a) Appropriations to defray the expenses or liabilities for the fiscal year.
- (b) It sets the legal spending limits at the Town fund level. Fund level details are stated in the formal budget document and established in the Town’s accounting system to be used as a management guide.
- (c) An increase(decrease) in property taxes due to (15-10-420 calculation), permissive and/or voted levies of \$34.78, \$104.33, and \$208.66 677999, respectively for a home valued at \$100,000, \$300,000 and \$600,000 is included in this fiscal year budget.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 9th day of September 2024. This Resolution shall become effective as of July 1, 2024.

THE TOWN OF FROMBERG, MONTANA

ATTEST:

Kirstin Sweet, Town Clerk / Treasurer

Tim Nottingham, Mayor

RESOLUTION NO. 537

A RESOLUTION RECOMMENDING A FUNDING PRIORITY LIST FOR STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT TO THE MONTANA DEPARTMENT OF COMMERCE

Whereas, H.B. 355 created “The State-Local Infrastructure Partnership Act of 2023” (Ch. 771, 2023) (“the Act”);

Whereas, the Act created a state-funded program to fund the maintenance or repair of existing infrastructure on a partnership basis, with the city or town supplying a cash match;

Whereas, Section 5(2) of the Act requires the legislative body of the city or town to hold a public hearing and, based on the information received at the hearing, prepare and submit a recommendation for funding in priority order to the Montana Department of Commerce;

Whereas, a public hearing before the Town of Fromberg Town Council was held on August 12, 2024 wherein the council considered the proposed projects for Act funding.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FROMBERG, MONTANA:

SECTION 1. The Town Council has identified the following infrastructure project(s) in priority order for Act funding:

Street Repairs and Paving of _____.

SECTION 2. The Town Clerk / Treasurer is hereby ordered to draft and submit an application.

SECTION 3. This Resolution shall be submitted to the Montana Department of Commerce.

DULY passed and adopted at the Regular Meeting of the Fromberg Town Council this 9th day of September 2024. This Resolution shall become effective as of July 1, 2024.

THE TOWN OF FROMBERG, MONTANA

Tim Nottingham, Mayor

ATTEST:

Kirstin Sweet, Town Clerk / Treasurer