

Town of Fromberg
Council Meeting

April 8, 2024

PLEASE SIGN IN

Please PRINT

1. William Hall
2. Elton Kutley
3. N. Ki Elliott
4. Margie Payer
5. Chad Hanson
6. Arwin Sanket
7. Cyril Hergenrider
8. Lorr Simpson
9. Amy Whilmer
10. Dan Arch
11. Scott Blair
12. Rachel Boyd

13. Jesse Boyd
14. Chris Gordon
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FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING HELD ON APRIL 8, 2024

The April 8, 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 William Hall, Elton Kirtley, Niki Elhoitt, Marge Taylor, Chad Hanson, Irwin Sankey, Cyrill Hergenrider, Lorri Simpson, Amy Wilm, Dan Auck, Rachel Boyd, Jesse Boyd, Chris Gordon, Carbon County Commissioner Scott Blain, Carbon County Sherriff Officer Jon Croft, Public Works Director Marcus Schutterle and Clerk Pro Tem Kirstin Sweet.

The first item on the agenda was approval of the minutes from the March 14, 2024 meeting. Councilman Ventling mentioned his name was spelled incorrectly in some places. Clerk Sweet will correct that and reprint the minutes. A motion to approve the minutes was made by Councilman Ventling, 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 on the agenda was correspondence. There was no correspondence.

Next on the agenda was public comment. Irwin Sankey commented on the Town patching streets that belong to the county. Sherriff Officer Croft assured Mr. Sankey that the road he described is within town limits.

Mayor and Town Council were next on the agenda. Councilwoman Taylor commented regarding the overtime received by the public works crew and how long the weekend work hours take versus how much time is allowed on their time sheet. Councilwoman Taylor also commented on the Fromberg town vehicle being seen in laurel and a private residence. Mayor Nottingham stated that he allowed a public works crew member to take it home while his vehicle was being repaired.

Next on the agenda was the Sheriff Department's report. Office Jon Croft presented the council with stats from the month of March.

Old business was next on the agenda. The first item of old business was the burn pile location and rules. Discussion was had regarding whether or not to have a burn pile, where it should be located, how to monitor the dumping and if size of debris should be limited in some way. There was also discussion regarding a fence or a game camera to help control the dumping. Councilwoman Taylor will come up with a policy and get it to Clerk Sweet for a future agenda. The second item was funds for the riverbank project. Discussion was had regarding the project and how the public should be informed. Councilwoman Taylor had previously written a letter, and some felt that the letter was too long. It was suggested that the letter be more concise with bullet points highlighting the pertinent info so that if one does not read it all, they can scan the important bullet points. Clerk Sweet and Attorney Butler will read the letter prior to it being sent out. The third item of old business was the possible overcharge on water rates for the last several years. Chad Hanson from Great West Engineering brought this to the attention of the council via email a few days prior to the meeting. The most recent rate resolution from 2016 does not state that 2000 gallons come with the base rate. That suggests that usage is charged from zero gallons. Attorney Butler stated that 3 years is generally the time frame in which bills could be corrected. Some public comment was offered regarding the budget and the town's finances. Clerk Sweet explained why some errors have occurred in the software system. Clerk Sweet will look into this further and hopefully get the rate codes correct prior to the next billing. The last item of old business was the 2023 – 2024 budget. Clerk Sweet had prepared a budget and explained some aspects of that budget to the council and public. After some discussion

Regarding various budget items, a motion to approve the budget was made by Councilwoman Taylor and 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.

New Business was next on the agenda. The first two items of new business were to approve the signatory authority for the Bank of Bridger accounts and the Valley Federal Credit Union accounts. A motion to have Tim Nottingham, Robert Haseman and Kirstin Sweet on the accounts at both banks was made by Councilman Caton. 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 next item was a request for proposals (RFP) for a garbage contract. The current contract is up on June 30, 2024. Discussion was had regarding the RFP and items that might need to be changed. A motion to approve the RFP with the allowance of Clerk Sweet to change the containers numbers as they are more accurately counted was made by Councilman Ventling and seconded by Councilwoman Taylor. The motion carried with the votes as follows: Councilman Caton – aye, Councilman Haseman – aye, Councilman Ventling – aye and Councilwoman Taylor – aye. The final item for new business was the intent to award bids/projects for the APRA funds. Chad Hanson from Great West Engineering presented the schedules and additive alternates to the council and the public. Discussion was had regarding various aspects of the projects, funding and rate increases for each project, the time frame for completion and prevailing wages. A motion to approve all 4 schedules and the additive alternate was made by Councilwoman Taylor and 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.

Attorney Butler had nothing additional to report.

Public Works Director Schutterle updated the council on several items he is working on and had some discussion regarding gas tax money.

Clerk Sweet stated she had spoken already regarding most of the items on her list.

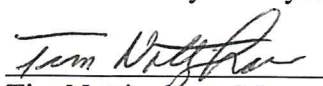
The next item of business was the approval of claims. Department heads answered questions regarding the claims. Councilman Caton made a motion to approve the claims including check #23041 to #23068 and electronic checks #-99904 to #-99903. The motion was seconded by Councilman Haseman. The motion carried with the votes as follows: Councilman Caton – aye, Councilman Haseman – aye, Councilman Ventling – aye and Councilwoman Taylor – aye.

Next on the agenda was the Payroll Summary. Councilman Haseman motioned to approve the payroll summary including check #23028 to #23040 and electronic checks #-89070 to #-89062. Councilman Caton seconded the motion. The motion carried with the votes as follows: Councilman Caton – aye, Councilman Haseman – aye, Councilman Ventling – aye and Councilwoman Taylor – aye.

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 9:15 pm.

TEST:

Kirstin Sweet, Town Clerk Pro Tem


Tim Nottingham, Mayor

**FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING
HELD ON MAY 13, 2024**

The May 13, 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 Chad Hanson, Nathan Bilyeu, Ryan Coffman, Brandon Sandback, Irwin Sankey, Elton Kirtley, Jerry Hall, Gloria Weiss, Carol Jones, Keith McElhaney, Nick _____, Dan _____, Marge Taylor, Cyrill Hergenrider, Lorrie Simpson, Carbon County Sherriff Officer Jon Croft, Town Attorney Dennison Butler and Clerk Pro Tem Kirstin Sweet.

The first item on the agenda was approval of the minutes from the April 8, 2024 meeting. A motion to approve the minutes 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.

Next on the agenda was correspondence. There was no correspondence.

Next on the agenda was public comment. Carol Jones thanked the council and the town for having a burn pit open.

The Mayor and Town Council were next on the agenda. Councilwoman Taylor informed the council that the Fromberg Improvement Committee received a grant for fencing around the baseball field. She would like to have an agreement with the Town that their improvements will be maintained once they are established. Councilman Ventling also asked about the gravel that had been delivered for the Town.

Next on the agenda was the Sheriff Department's report. Office Jon Croft presented the council with stats from the month of April.

Special Events Application was next on the agenda. The only application was from Carbon & Stillwater Coed Softball. Tammy Lynn and Cyrill Hergenrider asked the council to approve the application pending insurance being provided before the first event on June 8, 2024. A motion to approve the application 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.

Old business was next on the agenda. The first item of old business was the burn pile location and rules. Discussion was had regarding the proposed rules and location of a burn pile as well as how to manage the burn pit. A motion to approve the rules as amended during the discussion was made by Councilman Ventling. The motion was 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. The second item was the riverbank project. Councilman Ventling has discussed the project with the Stillwater Conservation and DNRC. Mayor Nottingham gave an update as well as he spoke with Stillwater Conservation and Commissioner Scott Blain. Discussion was had regarding updates regarding the project. Discussion was had about the money that was given by several people for the project, however some people want their money back.

New Business was next on the agenda. The first item of new business was to award a garbage contract. Discussion was had comparing the proposals from MacKenzie and Republic Services. Clerk Sweet reviewed the proposals for the council. A motion to award the contract to Republic Services 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. The next item was to

the votes as follows: Councilman Caton – aye, Councilman Haseman – aye, Councilman Ventling – aye and Councilwoman Taylor – aye.

Next on the agenda was the Payroll Summary. Councilman Caton motioned to approve the payroll summary including check #23069 to #23074 and electronic checks #-89061 to #-89054. Councilman Ventling seconded the motion. The motion carried with the votes as follows: Councilman Caton – aye, Councilman Haseman – aye, Councilman Ventling – aye and Councilwoman Taylor – aye.

There being no further business, Councilman Caton motioned to adjourn. The motion was seconded by Councilman Haseman. 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 9:31 pm.

ATTEST:

Kirstin Sweet



Tim Nottingham, Mayor

Kirstin Sweet, Town Clerk Pro Tem

Potential Burn Pit Rules:

1. Must retain a water bill to access the burn pit.
2. Branches need to be cut into 4 feet lengths and manageable. Nothing larger than 4 inches in diameter.
3. Leaf mulch, and grass clippings will be dumped separately.
4. Yard debris only.
4. Burn Pit entry only during operational hours. Otherwise, you will face TRESPASSING CHARGES!
5. Burn Pit Operational Hours based on volunteers available.
6. The burn pit will be accessible from May to September. Nov 1 each year.
7. Disregarding rules, harassing volunteers will automatically result in ban of the Burn Pit.
8. Staffed w/ Volunteers.- calendar in the office for signups
9. Penalty - Civil \$250/occurrence
10. Sign @ location w/ Rules and fines.

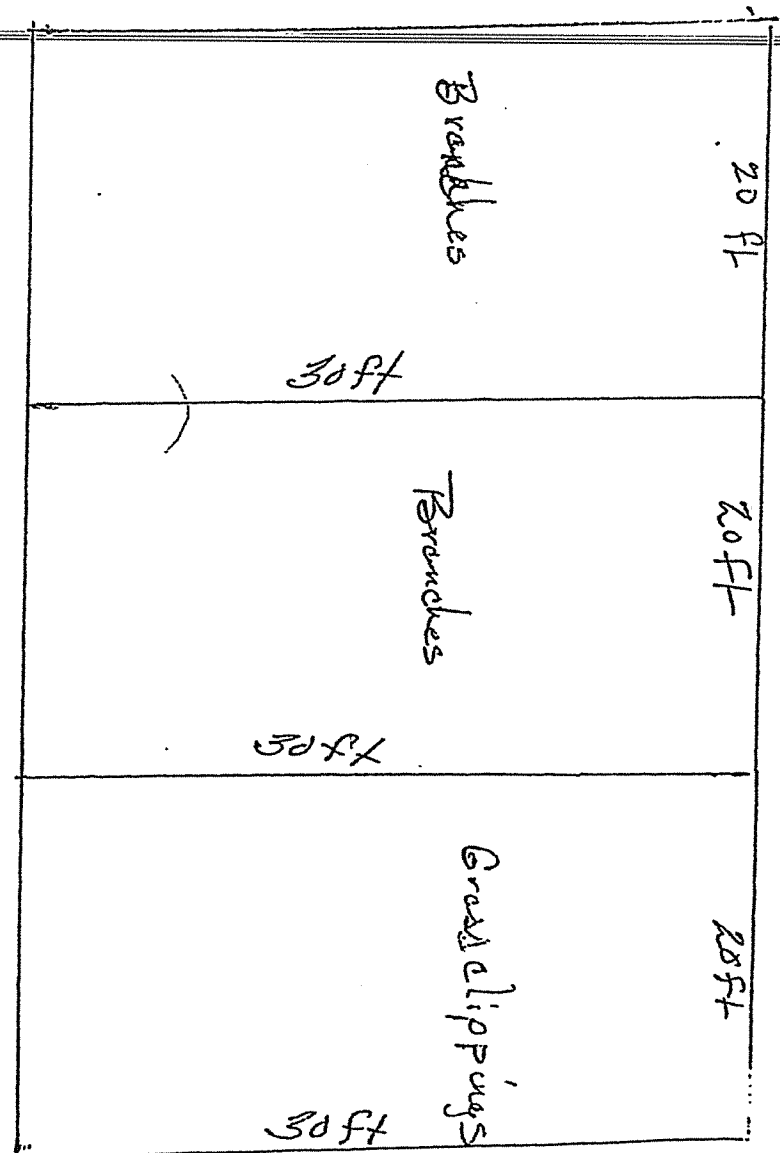
Water Bills

Burn pile is for yard debris only!
No dumping garbage!



pole
Game
Camera

Lots divided off with
concrete jersey barrier
blocks.



Gate

TOWN OF FROMBERG
TIME LINE
WATER/SEWER/GARBAGE RATE INCREASE
NEWSPAPER LEGAL PUBLICATION

PASS RESOLUTION OF INTENTION	May 13, 2024
PUBLICATION DATE – FIRST NOTICE*	May 23, 2024
PUBLICATION DATE – SECOND NOTICE*	May 30, 2024
PUBLICATION DATE – THIRD NOTICE*	June 6, 2024
MAIL NOTICES TO CUSTOMERS**	May 27, 2024
PUBLIC HEARING DATE	June 10, 2024
RESOLUTION TO INCREASE RATES	June 10, 2024
EFFECTIVE DATE	June 10, 2024
RATES TO BE IMPLEMENTED	~~June~~ utility bills July

***LEGAL NOTICE**

THE NOTICE SHALL BE PUBLISHED THREE (3) TIMES WITH AT LEAST SIX (6) DAYS SEPARATING EACH PUBLICATION. THE FIRST PUBLICATION SHALL BE NO MORE THAN 28 DAYS PRIOR TO THE HEARING AND THE LAST PUBLICATION MAY BE NO LESS THAN THREE (3) DAYS PRIOR TO THE HEARING.

****CUSTOMER NOTICE:**

The notice must also be mailed at least 7 days and not more than 30 days prior to the hearing to persons served by the utility. The notice must be mailed within the prescribed time period. This notice must contain an estimate of the amount of the customer's average bill will increase. The published notice must contain: date time and place of hearing, brief statement of proposed action and address and telephone of person who may be contacted for further information regarding the hearing.

Notices of all hearings shall be mailed first class, postage prepaid to the Montana Consumer Counsel.

Town of Fromberg Council Meeting

May 22, 2024

PLEASE SIGN IN

DNRC
Goodplan

1. Kelle Ventling	13.
2. Mickey Navidomskis	14.
3. Shylfa Wingard	15.
4. Traci Sears	16.
5. Linda Winn	17.
6.	18.
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10.	22.
11.	23.
12.	24.

**FROMBERG TOWN COUNCIL MINUTES FOR A REGULAR MEETING
HELD ON MAY 22, 2024**

The May 22, 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 Michael Ventling and Tammy Taylor. Others present were Linda Winn from DNRC, Traci Sears from DNRC, Shylea Wingard from DNRC, Micky from DNRC, Elton Kirtley, Kelly Ventling, and Marge Taylor.

Tracy Sears covered the Town of Fromberg's participation and responsibilities and the national floodplain insurance program, NFIP.

She explained that there are four parts in this program: 1. mapping 2. regulations, 3. insurance for federal and private, 4. mitigations.

The restrictions prevail within the blue area of the floodplain map. Fromberg currently has between 17 and 20 properties that exist within this range. Note that FEMA has shown 40% of homes and businesses damaged are on the outside of the blue areas.

The map is designed based on hydrology and flows. One of the biggest takeaways was Tracy pointing out that by not complying with the NFIP we would be at risk of losing all federal funding and grants. All federal funding we currently have could be called due. We were also advised by not following NFIP the town could be held financially responsible for property damage.

How to read the effective floodplain maps and let property owners know if located in a special floodplain hazard areas, SFHA. Flood maps show your community's risk of flooding. They are used for local floodplain regulations, flood insurance requirements, emergency planning, and can help a community plan for future changes by showing high-risk areas. Tracy gave us a lesson and how to locate a floodplain map digitally through the following site, FEMA Flood Maps, then click on National Flood Hazard Layer, interactive viewer, <https://msc.fema.gov/portal/home>. A 100-year floodplain is a high-risk flood zone. They are likewise called Special Flood Hazard Areas. It means there is a 1% chance of the area flooding every year. During a 30-year mortgage, that means a 1 in 4 chance of flooding. They also noted it during this time that there was no flood plain map in Fromberg Town Hall. Linda Winn will bring us one.

How to set up a system and process flood plain permits. Tracy specified that all permits for floodplain be filled out and approved before any zoning applications. DNRC could assist if there were questions, they were always there for guidance. The biggest hold up with permits is being turned in incomplete.

How to ensure the town is compliant with NFIP. Floodplain permits, issued by the community, are required for all projects occurring in the Blue SFHA Special Flood Hazard Area. Need to update our floodplain ordinances. DNRC will forward recommendations for the new floodplain ordinances. We talked about possibly sending out letters to those that live within the SFHA to inform them that any work done on their properties would require a permit. There is a large scope of work that is not permitted in these areas, so it is vital to have these individuals check before landscaping or any construction. Some jobs will call for engineering. They also informed us that no grandfathering acts within the floodplain. Shylea will send us a draft letter we can forward to the residence that lives in the SFHA. They discussed several properties in violation with NFIP The Town of Fromberg, Larry, Richardson, and Theresa Pirtz.

What is needed to correct current NFIP violations? Tracy expressed concern as they could put the town of Fromberg on probation if we do not deal our violations by October 1, 2024. They recommended we led by example and we the town handled our offenses. The town will have to apply for a permit so we can gravel around the bulk station, and they would only permit it provided we're doing to grade. We would also have to

apply for a permit for building fence. They will not tolerate our gravel piles to be dumped in that area. We discussed moving them down past the burn pit. The town will have to notify the other individuals that they do not comply. DNRC has suggested that they will advise on how to handle Larry Richardson.

There being no further business, the meeting was adjourned at _____ pm.

ATTEST:



Tim Nottingham, Mayor



Kirstin Sweet, Town Clerk Pro Tem

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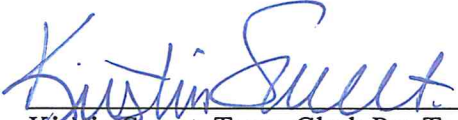
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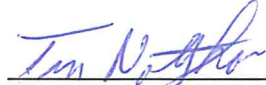
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apply for a permit for building fence. They will not tolerate our gravel piles to be dumped in that area. We discussed moving them down past the burn pit. The town will have to notify the other individuals that they do not comply. DNRC has suggested that they will advise on how to handle Larry Richardson.

There being no further business, the meeting was adjourned at _____ pm.

ATTEST:


Kirstin Sweet, Town Clerk Pro Tem


Tim Nottingham, Mayor

**FROMBERG TOWN COUNCIL
MINUTES FOR A PUBLIC HEARING
HELD ON June 10, 2024**

The June 10, 2024 Public Hearing on Proposed Rated Increases for water, sewer and garbage was held at 118 W River Street in Fromberg. The Pledge of Allegiance was recited, and the meeting was called to order at 6:00 pm by Mayor Tim Nottingham. Other council members present were Nate Caton, Robert Haseman, Michael Ventling and Tammy Taylor. Others present were Chad Hanson - GWE, Irwin Sankey, Jerry Hall, Gloria Weiss, Carol Jones Marge Taylor, Sandy Bauwens, Michele Auch, Keith McElhane, Ron Euerle, Elton Kirkley, Commissioner Scott Blain, Daniel McHugh - FWP, Carbon County Sherriff Officer Jon Croft, Town Attorney Dennison Butler and Temporary Assistant Clerk Melissa Scianna.

Mayor Tim Nottingham called the Hearing to order and opened the floor to public comment at 6:00pm

Jerry Hall commented that the water quality is poor.

Marge Taylor commented that the purpose of the water/sewer rate increase is in part to replace the old sewer line and to create a redundant water line. Mayor Nottingham stated that the redundant water line is essential for fire protection.

Sandy Bauwens asked about the summer free lawn watering. Mayor Nottingham explained that would require an ordinance and the Council will discuss it this winter. Councilwoman Taylor explained that lawn watering does place stress on the system and we have to consider the cost of that stress. Attorney Buttler stated that the Council actions must be in the form of an ordinance.

Don Wilson asked if tax money is used for any of this and stated that water resources are just going to get more expensive. Chad Hanson explained that enterprise funds must be run as a business, normally funded by user fees. The rate increase represents debt for the project plus the cost of facilities. The project cost is \$2.5 million.

Sandy Bauwens asked about the Mine Spur Loop timeframe and Chad Hanson replied with a mid-July start up with completion in the Fall.

Brenda Buckmiller spoke about the property surrounding her home on Mine Spur Loop and how she has maintained it for over 30 years. She is concerned because the Town claims to own the property and will be using part of it for the water project. Mayor Nottingham said that Casdastral says the Town owns it. This will be on the Agenda for the regular July Council Meeting.

Irwin Sankey asked about the cost of the loan. Chad Hanson replied that it's a 30-year loan at 2 ½% interest, represented by roughly half of the cost of the water user increase. SRF requires 110% payments and sets aside the extra. Some communities pay off early. Irwin also asked about taking care of the concrete drainage ditch on River St. Mayor Nottingham said the person that has the water rights is responsible and the Council will look in to it.

Mayor Nottingham closed the Public Hearing at 7:00pm.

ATTEST:

Kirstin Sweet

Tim Nottingham

Tim Nottingham, Mayor

Kirstin Sweet, Town Clerk Pro Tem