

WELCOME

To Roosevelt County Commissioners Public Meeting

We're glad you came, please sign in

Signature		Address
Peter A. Olson	CVFD	P.O. Box 729, Culbertson MT 59218
Lee L. Averill	CVFD	" " 458 " "
Shawn Sansover	CVFD	PO Box 775 CULBERTSON
Alan Aspenlieder	CVFD	Box 261 Culbertson, MT 59218
Mike Olson	CVFD	Box 546 Culbertson, MT 59218
Gregory	CVFD	Box 773 " "
Cam Fiede	CVFD	P.O. Box 621 Culbertson 59218
Mike	CVFD	P.O. Box 375 Culbertson MT 59218
Clay Peterson		Culbertson, MT
Terry Jaeger		Edinville, MT
David Bengoetra	CVFD	Box 353 Culbertson MT
Dallas Dehner	Culbertson City Council	Box 702 Culbertson MT
James Williams		Box 572 Culbertson MT
Benny Hendrickson		Box 746 Culbertson, MT
Wayne Hendrickson		Box 746, Culbertson, MT
DeAnne Wecker		Box 741, Culbertson, MT
Erin Sansover		Box 775 Culbertson, MT
Janet Wilson		Box 541 Culbertson MT
Julaine Reynes		Box 688 Culbertson MT
Kimberly A. Knick		PO Box 625 Culbertson MT
Raedelle Aspenlieder		Box 261 Culbertson MT
Kelly Bess		Box 496 Culbertson, MT
Mark Nelson		Box 749 Culbertson, MT
Sara Clabby		Box 742 Culbertson MT
Mike Christopherson		Y Road, MT, 59226
Miles Knudson		CULBERTSON MT.

Noah Gregory

Jeraco Wilcoxson

w Bruce Houle
Andis Oelkers

Culbertson, MT — Town Council
Box 774 Culbertson

January 3, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Dallas Dehner, Mark Nelson, W. Bruce Houle, Attorney Greg Hennessy, Robert Jasper and Raedelle Aspenlieder. Absent: Bernie W. Finnicum. Guests: Tod Fossetta - Olsen Excavating, Mark Mahlen, Daryl & Karen Synan, Andy Nelson, Keenan Engelke, Kelly Berk - Searchlight, Deputy Michael Cameron, Laurie Averill, and Dennis Irby - Olson Excavating.

Attorney Hennessy swore in re-elected Councilmen W. Bruce Houle, Ward 1 and Dallas Dehner, Ward 2.

Jeremy Fadness, Planner - WWC Engineering called in and was on speaker phone.

W. Bruce Houle made a motion to approve the agenda. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the regular meeting minutes November 7, 2011 and special meeting minutes November 30, 2011 and Treasurer Report November 30, 2011. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Tod Fossetta - Olson Bros. Excavating. Tod Fossetta suggested the town may want to think of a design/build project that creates income for the town. Tod showed a quick presentation of what it could be as a motel and RV spots with car ports and sheds. Tod said the town should try to generate income in the form of a bed tax. He suggested the town should take proposals from interested parties in Industrial Park. Mayor Oelkers said the town can't do anything until Resolution 376 expires.

Sheriff Dept. Deputy Michael Cameron reported the new Sheriff vehicle is in and hopefully will be in service by the end of January. The department has been making frequent visits to the bars. Deputy Michael Cameron was selected as deputy of the year. The town will get a four-wheel drive extended cab pick-up rack. The dog problem was discussed again. Keith Campbell is going to the academy in March.

Airport. W. Bruce Houle made a motion to meet with the County Commissioners on Tuesday, January 17, after their meeting at 7:00 p.m. concerning the fire department and the old County shop area. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED. The Town Council and County commissioners will be discussing future funding of the airport if the Town owns the airport and any other questions or concerns associated with the town owning the airport.

Theodore Roosevelt Expressway. No new news.

Planning Board. A quarterly meeting will be scheduled at a later date.

Walk Path. Four bids were received. AGC, Inc. was the low bid at \$257,211. CTEP will allow Town to negotiate with low bidder to pave as much of the project as possible. CTEP will not allow a gravel path. Town can do approximately 1/4 mile. Jeremy Fadness, WWC Engineering, was on the phone and said he tried to negotiate with low bidder and they said they could not do the reduced length. Jeremy asked how does the town want to proceed? Options: 1.) Write to MDT requesting the path be gravel until we can afford to pave. MDT suggested a formal letter of request to do a gravel path. A gravel path might get to the Saddle Club. Or, 2.) re-bid at 1/4 mile length. W. Bruce Houle made a motion to stop the project. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Growth Policy and Capital Improvements Plan. This project is complete. CDBG \$20,000 grant was received December 2011. Recommended review every 5 years.

BNSF Railway. No news.

January 3, 2012

5th Street East Extension. No news.

Community Pond Program. No News.

Centennial Drive SID. Paving project is complete. Chip seal to be done in the spring 2012.

Corridor Study. In the works.

Haugen RV/Mobile Home Park. Vern Haugen backed out. Mark Mahlen is interested in the same project for this area. Mark Mahlen will have to submit a development review application. The town encourages development and wants to get it right the first time.

Keenan Engelhe questioned if the town gave the sewer capacity with the Industrial Park? Is there a covenant running with Industrial Park? Mayor Oelkers said all permits go through the process when submitted.

Sketch Plan Permits. None ready yet.

Interim Development Review Ordinance. The town is operating under an Interim Development Review Ordinance, so it is good for 6 months. Town can extend the ordinance for 1 year, do an extension of the Ordinance, or make any and all changes to the Interim Development Review Ordinance and adopt the the ordinance.

There are many issues that relate to manufactured homes that need another look. Also the fee of \$100 on a small project costs more than the project itself in some cases. Council needs to identify the areas that need to be changed. Council needs clear direction of the problems and recommendations of how to fix them. Bruce suggested that the planning board be involved in this process. The planning board could then make a recommendation to the council.

There is a variance process in place at this time.

Water Rights. Attorney Hennessy said the Water Rights Adjudication was finished. There is a certain amount of acre feet. He will do some research on this.

Wastewater Collection and Treatment System. WWC Engineering memo to Rural Development concerning Culbertson Wastewater Project potential conflict of interest. Attorney Hennessy said it is perfectly fine to address this on the front end. There are fire walls in WWC.

GJV's. General journal voucher #575 and utility billing vouchers # 762 - #768 were approved and signed.

Thomsen Property. No news.

United Grain Corp. United Grain Corp. requested a sewer system connection. Town should request that they annex into town limits. WWC contacted United Grain on this issue. United Grain will be checking into the property tax difference of being in the town or remaining in the county.

MMIA Employee Benefits Program. The Health Insurance for employees is being worked on.

MT Dept. of Commerce. The Montana Dept. of Commerce is sending 4 team members to Culbertson, Thursday, January 12th at 6:00 p.m. This is a fact finding mission. The MTDOC wants to provide assistance to Bainville, Froid, and Culbertson communities due to the development activity we are experiencing - more specifically land use perspective. W. Bruce Houle made a motion that the town pay for the meal. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Odean Kilsdonk resigned effective 1-6-2012. Town is advertising the position.

MMIA and the Local Government Center are partnering to conduct the Regional Municipal Officials Training. The training will be held in Livingston on Wednesday, January 25, 2012. Contact Raedelle if you wish to attend.

Audit. The audit for Fiscal years Ending 6-30-2009 and 6-30-2010 is complete. The schedule of Findings is attached to these minutes.

Town received an Application for Transfer of Ownership Montana All-Alcohol Beverage License No. Stagecoach Casino Bar and Grill. If any agency determines deficiencies exist that should be considered in the issuance of this license, please advise in writing by January 20, 2012. Town has no problem.

Montana Bar. The Montana bar requested permission for a street dance July 12, 2012 9:00 p.m. - 1:30 a.m. Dallas Dehner made a motion to approve providing the special event permit with all the attachments is complete. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Centennial Drive. Laurie Averill requested a dead end street sign for Centennial Drive. There are problems with people turning around in Averill's yard. Mayor Oelkers said to look at the situation and talk to land owners, come up with options for the February, 2012 meeting.

Outdoor Recreation Federal Grant. Amber Frydenlund With WWC Engineering sent information about Outdoor Recreation Federal Grants available - Pool Project updates are a possibility. This is a possible 50% of the local projects total costs grant. Town will keep this in mind and research a little more.

Schuetze Trust Land. It is possible that the Schuetze Trust land could be developed. If it is, there would need to be a 2nd access to the property. The best location for an additional street is the south end of Lot 3. That is WWC Engineering's recommendation also. W. Bruce Houle made a motion to request WWC design a street on South end of Lot 3 and North end of Lot 2, unless it can be done on the North side of the low water crossing. Ask WWC to check both options. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

WWC Service Agreement #4 12-8-11. Due to the amount of development activity in the Town of Culbertson, WWC has been performing more planning services per your request than we had anticipated in our original service agreement for planning services. General planning assistance, Task 01, included compiling an Interim Development Review Ordinance and associated documents, and evaluations of impacts to the wastewater system, has resulted in expenditures of \$15,956 to date. With your permission, the overall budget for Task 01 will be raised to \$20,000 to allow for future, miscellaneous planning work. It is anticipated that as the Town personnel become comfortable with the new development review process that more of our time will be shifted to the development review and subdivision review tasks, Task 02 and 03. Council asked if this is on a calendar year or fiscal year? Mark Nelson made a motion to approve increasing Service Agreement #4 to \$20,000. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Eastern Plains RC&D. Eastern Plains RC&D Area, Inc. wants town's input on how to move forward or if they should dissolve. Council said they would support them if they keep going.

County Commissioners holding a special Meeting in Culbertson on January 17th at 7:00 pm in the Conference Room at the new County building concerning Fire Dept. request for old county road shop area next to the fairgrounds. Please show up and provide support to the Fire Dept. Council will meet with the County Commissioners after this meeting in regards to the airport.

MDT proposes an overlay project of Hwy Rte 62/MT 16 in Culbertson summer of 2013.

January 3, 2012 cont.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Postmaster	10.00
Robert Jasper	75.10
Dept. of Revenue	173.28
Internal Revenue Service	1085.35
Michele Gilbertson	33.02
Penny Hendrickson	250.35
PERS	558.80
Raedelle Aspenlieder	2450.54
City Line	1297.30
CNA Surety	80.00
Finnicum's	12.99
Gaffaney's	473.22
Hometown Market	14.97
Lagerquist Professional Cleaning	219.60
MT Aeronautics Div.	5866.15
Montana - Dakota Utilities Co.	443.16
Nemont	266.56
Postmaster	44.00
Roos. Co. Sheriff Dept.	1000.00
Roos. Co. - Election Admin.	400.25
Stamp Fullfillment Services	539.50
Visa	8.95
Theodore Roosevelt Expressway	1250.00
TOTAL	16553.09

Special Funds:

Rathert - Fox Ford, Inc.	25000.00
Dept. of Revenue	9.00
Internal Revenue Service	84.20
Ross Helmer	588.23
Beth Hekkel	303.72
Beth Hekkel	145.70
City Line	204.17
Colvin Sales & Service	2.37
Country Living	26.97
Finnicum's	\$161.25
Gaffaney's	50.05
John Deere Financial	32.94
Larsen Builders	44.48
Miller Oil Co.	320.77
Montana - Dakota Utilities	1419.28
Montana - Dakota Utilities	24.08
Montana Historical Society	35.00
Nemont	86.48
Oelkers Servicenter	196.50

Enterprise Funds:

Postmaster	107.01
Robert Jasper	3679.42
Dept. of Revenue	649.72
Dixie Berwick	93.28
Internal Revenue Service	3270.99
Michael Gossage	2629.57
Odean Kilsdonk	\$2,492.58
PERS	2052.06
Shirley Gallegos	1983.68
AT&T	44.72
Alex Bue	4.58
City Line	88.51
Finnicum's	14.98
Finnicum's	143.31
Energy Lab	349.00
Dept. of Public Health	21.00
Industrial Systems	407.23
John Deere Financial	159.02
Miller Oil Co.	582.24
Montana Dakota Utilities	2457.43
Nemont	101.34
Northwest Pipe Fittings	173.88
Oelkers Servicenter	1250.91
Sheridan Electric Coop	15.00
Titan Machinery	90.55
Utilities Underground	32.56
WWC Engineering	17558.20
Williston Landfill	2432.15
TOTAL	42884.92

Special Funds cont:

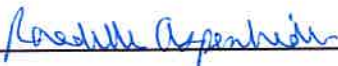
Sheridan Electric Coop	614.58
WWC Engineering	189.01
WWC Engineering	1530.87
TOTAL	31069.65

Other Funds:

Rathert Fox, Ford, Inc	7250.00
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Meeting Adjourned a 9:20 p.m.

Clerk



Mayor



TOWN OF CULBERTSON, MONTANA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
JUNE 30, 2010 AND 2009

FINDINGS - FINANCIAL STATEMENTS AUDIT

FINDING #1 - SEGREGATION OF DUTIES

Condition and Criteria:

Due to the small size of the entity, there is an absence of segregation of duties appropriate for a strong system of internal control.

Recommendation

The Town has implemented compensating controls to the extent practical, and we are not recommending further action by the Town Council. However, we believe the Council should be aware that the condition results in a greater risk of errors occurring and not being identified within a timely manner than would be the case if duties were appropriately segregated.

FINDING #2 - FINANCIAL REPORTING

Condition and Criteria:

Auditing standards that became effective December 15, 2006, require the auditor to determine whether the Town's internal control system allows for the reliable reporting of financial data in accordance with generally accepted accounting principles (GAAP). The Town does not currently have the expertise to prepare or evaluate the auditor prepared financial statements to ensure proper preparation in accordance with GAAP.

Recommendation

It may not be cost effective for the Town to retain and train personnel to evaluate or prepare GAAP financial statements. However, we recommend the Town consider correcting this deficiency in their internal controls over financial statement preparation by providing additional training in GASB 34 statement preparation to the clerk. Management should be aware of and continue to evaluate the impact of this deficiency.

FINDING #3 - MANAGEMENT'S DISCUSSION AND ANALYSIS

Condition and Criteria:

The Town has not presented the Management's Discussion and Analysis report, which is required supplementary information by GASB No. 34 and U.S. generally accepted accounting principles.

Recommendation

We recommend that the Town prepares the Management's Discussion and Analysis report for future fiscal years.

TOWN OF CULBERTSON, MONTANA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
JUNE 30, 2010 AND 2009

PRIOR YEAR AUDIT FINDINGS

<u>Finding</u>	<u>Status</u>
Segregation of Duties	No Implementation Required

FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAMS AUDIT

None

**TOWN OF CULBERTSON, MONTANA
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
JUNE 30, 2010 AND 2009**

The prior audit report contained no findings related to federal award programs.

Monday, January 23, 2012 7:00 p.m.

Corey L. Brown, Powell County Sheriff's Dept.
Dan Meeker, RLSO

Gordon Orlky City of Culbertson

Karen Lynn Culbertson

Darrell Lynn "

Kelly Beth " "

Whitney Hall, City of Culbertson

Butch Linnecor "

January 23, 2012

Monday January 23, 2012 7:00 p.m.

The Culbertson Town Council met in Special Session to discuss dogs and vehicle parking ordinances. The following were present: Gordon Oelkers, W. Bruce Houle, Bernie W. Finnicum, and Raedelle Aspenlieder. Absent: Dallas Dehner and Mark Nelson. Guests: Gorey Reum and Dan McKee from the Roosevelt County Sheriff Department, Daryl and Karen Synan, and Kelly Berk.

Mayor Oelkers explained that we have been talking about these two issues for the past two years – dogs and vehicles. The town has provided a list of vehicles two times to two deputies. Deputy Dan McKee said to send him a list to 416 ½ 2nd Ave. S., Wolf Point.

Roosevelt County Sheriff Dept. will bring a dog truck and 5-7 deputies to Culbertson and do a dog round up. Residents are encouraged to call 911 to report any dog issues. The 911 dispatch center should call Dan McKee or Corey Reum. The sheriff dispatch non-emergency phone number is 653-6240. The tribal dog catcher is Shantre Escarcega 650-1147. The deputy will call the dog catcher and he will show up with the cage. The Roosevelt county Sheriff's Department has dart guns to assist with animal control. The contact at the dog pound is Chris Will 653-1093.

One more point brought up concerning vehicles was that semi trucks should be out - of- town limits due to hazardous materials.

Solutions for the two problems: 1.) give Dan McKee a list of vehicles with owners and address that are in violation; 2.) Roosevelt County Sheriff Dept. will bring a dog truck with 5-7 deputies and do a dog round up; 3.) Clerk will put an ad in the Searchlight about the dog ordinance.

Meeting Adjourned at 7:25 p.m.


Clerk


Mayor


January 17, 2012 - Special Meeting. The Culbertson Town Council met in special Session with the Roosevelt County Commissioners at 7:50 p.m. at the Roosevelt County Building in Culbertson for the purpose of discussing Big sky field. The following were present: Gordon Oelkers, W. Bruce Houle, Dallas Dehner and Mark Nelson. Absent: Bernie W. Finnicum. Roosevelt County Commissioners present: Jim Shanks and Gary MacDonald. Guests: Rick Knick.

Mayor Oelkers would like Big Sky Field to be town owned. It would still be a Town/County Airport, however the Town would be in the lead. The town is closer to the situation. Big Sky Field expenses would still be shared 50% town and 50% county.

The Commissioners said the Wolf Point airport is considered a city airport and the expenses are shared 50% city and 50% county. The County doesn't have anything to do with the Poplar airport. The Poplar airport gets a pro rated share of the County airport budget. The County has 1.6 mills between all 3 airports.

The County Commissioners suggested the Town Council draft a formal request letter to the county for the airport to be town owned.

Meeting adjourned at * 8:00 p.m.


Clerk


Mayor

February 6, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Bernie W. Finnicum, W. Bruce Houle, Dallas Dehner, Mark Nelson, Shirley Gallegos. Absent: Raedelle Aspenlieder, Attorney Greg Hennessy, Bob Jasper. Guests: Rick Knick, Daryl & Karen Synan, Kelly Berk - Searchlight, Mark Colvin.

Jeremy Fadness, Planner - WWC Engineering called in before meeting started and spoke with Gordon Oelkers.

Dallas Dehner made a motion to approve the agenda. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dallas Dehner made a motion to approve the regular meeting minutes January 3, 2012 and special meeting minutes January 17, 2012 and Treasurer Report December 31, 2012. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport. Rick Knick gave the annual review for the Airport layout plan. Two projects to be done over the next couple years, are the Snow Removal Equipment Building and Snow Removal Equipment. Cost for each is \$38,000. After funding the cost to City/ County is \$4000. A Pilots Lounge and Restroom would cost \$80,000 additional, with no public funding available. An alternative would be to rough in the bathroom for future addition. We have \$150,000 a year for airport improvement from the FAA. It can be banked for four years. There will be enough for a seal job on the runway in 2014. There will be money for land acquisition in 2015. City expansion creates a problem of closeness of airport to housing. Building and height restrictions with proposed Schutze development. Additional property needs to be purchased to protect landing zone. A parallel taxi way and additional hanger area is needed. With the oil industry comes business jets. The runway is 38,000 feet now. Needs to expand to 44,000 possibly 59,000. Baker, MT expanded to 59,000 ft. Another option would be to move the airport farther out of town. It would take fifteen to twenty years to move. Before you ask land owners to purchase property this option needs to be considered. Land owners need to be asked this year.

February 6, 2012

Dallas Dehner motioned to rough in a bathroom to add in future. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport Old Business. Gordon Oelkers said the City needs to accept the responsibility of the Airport from the County. W. Bruce Houle motioned to accept the responsibility. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Theodore Roosevelt Expressway. No new news.

Planning Board. Will have a special meeting when Raedelle returns.

Walk Path. Walk Path is dead. Mayor Oelkers said, "many groups would like to do work projects and we are open to that".

BNSF Railway Co. No new news.

5th Street Extension. No new news.

Community Pond Program. No new news.

Centennial Drive. No new news.

Corridor Study. W. Bruce Houle. Received environmental document.

Dead End Street Sign. Will review and see what can be done.

Sketch Plan Permits. Old County Building renovation by Patrick Bidegaray is okay to continue for offices. Apartments would need new permits as per Development Review Ordinance. WWC Engineering will notify P. Bidegaray of his situation.

Greg Kamp - Old Library and Tim Stefan - Old Racquetball Building; WWC Engineering said work began before Ordinance was adopted and should be grandfathered in. There is no violation of apartments built in a commercial location.

JNS Building is still being reviewed by WWC Engineering. There are traffic and truck parking issues.

Doug McCormick, is on hold.

Jack Scotson, land owned and rented to a mobile owner, ordinances and offsets may have to be changed. Continue next month when Raedelle is back.

W. Bruce Houle motioned to accept Kamp and Stefan projects as grandfathered in. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Interim Development Review Ordinance. Revisions need to be discussed, then discussed with the Planning Board, then to WWC Engineering for print. All revisions will require 2 readings to change the original ordinance, possible in March and April. W. Bruce Houle motioned to extend for 1 year. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Demolition Permits. None.

General Journal Voucher's. Will wait for Raedelle's return.

Community Improvement Fund. None.

Wastewater Collection and Treatment System. Rural Development application has been submitted. WWC Engineering responded to Rural Development concerning conflict of interest having WWC Engineering represent the Town because Engineer, Scott Aspenlieder is the son of Town Clerk, Raedelle Aspenlieder. WWC Engineering was the best choice. The council was aware of the conflict and it was out in the open. It was nice to have Scott because he knew the town. Ameritech - Don Lomer's work had mixed results and was hard to understand. Rural Development wants a letter from each Councilman as to how and why we picked WWC Engineering.

Thomsen Property. Wait until next month.

Old County Building. The County give the Old County Building Land for a 100 year lease for \$1 to the Town and Fire Department. W. Bruce Houle said the Town and Fire Department has to be aware of hazardous wastes connected to this property. Will the County remove the wastes at their own expense? Paul Finnicum has property to donate if this does not work out.

United Grain Corp. Requested for sewer connection. They need to send letter requesting that they will annex into Town limits.

MMIA Employee Benefits Program. This has been in the process for two years. It is important the way we are growing to be competitive. Steve at Dry Prairie is at \$21 per hour plus insurance. They went with Blue Cross/ Blue Shield. Mayor Oelkers proposed previous insurance stipend to become part of the employee's wage, in addition to offer Health Insurance for both Employee and Spouse. It is the Bridger plan for \$1072.00 per month with prescription drug reimbursment. Effective when forms are turned into MMIA. Dallas Dehner motioned for previous insurance stipend to remain as wage and to offer insurance to all full time permanent employees and their spouse only. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Maintenance Worker Position. Two qualified applications were interviewed. Rodney Chappel from Medicine Lake. The concern is he is more than five miles from town. Mayor Oelkers would like to offer Dave Dean the job. He lives in town and is willing to take required tests. The Town will offer \$18.00 per hour plus insurance. After 90 days \$18.50. This is a \$1.10 - \$1.16 under Mike's wage. W Bruce Houle made a motion to hire Dave Dean. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Montana Bar. Requested permission for a Street Dance July 7, 2012, 9:00 pm - 1:00 am. The date was entered wrong last month. They will need proof of insurance.

Industrial Park Subdivision. No news.

Service Agreement #8 for Industrial Park. WWC Engineering needs to asked about flood plain and road access to Schuetze property.

Diamond Coulee RV Court. Adjust garbage rate. It is taking City workers quite a bit of time to pick up garbage. They are at a \$36.00 rate for the main park. Most commercial is \$74.00. Needs to be evaluated yearly.

The following bills were reviewed by the auditing committee and ordered paid:

<u>General Fund:</u>		<u>Enterprise Funds:</u>	
Hennessy Law Office	1836.68	Odean Kilsdonk	582.18
MMIA	269.83	Odean Kilsdonk	2,299.82
Unemp. Ins, Div.	23.80	MMIA	2124.47
Chamber of Commerce	200.00	Unemp. Ins. Div.	65.43
Visa	118.98	US Bank Trust	5,518.30
Michele Gilbertson	18.87	MT Rural Water Sys.	40.00
Penny Hendrickson	250.35	US Bank Trust	1,385.63
Raedelle Aspenlieder	2450.54	Visa	224.95

February 6, 2012

General Fund cont.

Byerly Computer Services	75.00
CHMS, P.C.	4000.00
The City Line	1211.39
CNA Surety	100.00
Culbertson Pharmacy	7.87
Dept. of Revenue	169.00
Finnicum's	8.98
Gaffaney's	511.68
Hometown Market	235.57
IIMC	135.00
Internal Revenue Service	1062.42
MDU	37.70
MDU	659.55
Nemont	267.41
Oelkers Servicenter	1.30
PEKS	544.89
QBS	175.18
Roosevelt Co. Sheriff Dept.	1000.00
TOTAL	<u>\$15,371.99</u>

Special Funds:

MMIA	19.74
Unemp. Ins. Div.	2.85
Visa	26.61
Ross Helmer	588.23
The City Line	206.82
Culbertson Pharmacy	3.99
Dept. of Revenue	9.00
Elk River Printing	500.00
Finnicum's	105.93
Gaffaney's	95.92
Hometown Market	26.19
Internal Revenue Service	84.20
John Deere Financial	216.50
Mc Cody Concrete Products	102.00
Mike Leinen	202.00
Miller Oil Co.	293.40
MDU	1414.37
MDU	43.55
Nemont	87.01
Oelkers Servicenter	36.00
Postmaster	135.00
Sheridan Elect. Coop.	74.85
Titan Machinery	13.72
WWC Engineering	2134.69
TOTAL	<u>\$6,422.57</u>

Enterprise Funds cont.

Dixie Berwick	2399.21
Dixie Berwick	47.41
Robert Jasper	3903.79
Shirley Gallegos	1949.20
Michael Gossage	2975.36
AT&T	45.08
Agri Industries Inc.	5097.55
Byerly Computer Services	1583.5
The City Line	83.71
Colvin Sales & Service	2.29
Dept. of Revenue	811.00
Dept. of Public Health	21.00
Energy Laboratories	155.25
Finnicum's	69.35
First Community Bank	600.00
Hawkins Inc.	2903.58
Hometown Market	8.36
Industrial Systems Inc.	508.61
Internal Revenue Service	4206.11
John Deere Financial	595.07
Kois Brothers Equipment	1518.76
Miller Oil Co.	708.16
Modern Machine Works	1000.00
Mt Rural Water Systems	110.00
MDU	2075.74
MDU	40.67
Nemont	91.36
Northwest Pipe Fittings	1258.70
Polar Refrigeration & Heat	76.00
Oelkers Servicenter	2704.81
Praxair Dist.	28.98
PERS	2718.45
Roos. Co. Road Dept.	4698.50
Scott Morton	7.41
Sheridan Electric Coop.	15.00
Utilities Underground Location	8.88
TOTAL	<u>\$57,267.63</u>

Meeting adjourned at 8:30 pm.



Utility Clerk



Mayor

March 12, 2012. The Culbertson Town Council met in regular session with the following present: W. Bruce Houle, Gordon Oelkers, Dallas Dehner, Mark Nelson, Robert Jasper, Greg Hennessy and Raedelle Aspenlieder. Absent: Bernie W. Finnicum. By Phone: Jeremy Fadness – Planner, WWC Engineering. Guests: Paula Dehner, Alan Aspenlieder, Russ Attree, Kelly Berk – Searchlight, Shane Schriener, Mark Colvin, Lary & Laurie Pearson, Kevin Gower and Butch Sansaver – MT DOT, Betty Gobbs, Dennis Irby – Olson Bros. Excavating, Wayne Hendrickson, Fr. Francis Schriker, Steven & Hailey (and their two children) henry, Julie Johnson, Dave Nickoloff, Mark Mahlen, Deputy Michael Cameron, Karen & Daryl Synan, Jim Helmer, Tom Beck, and Maury Johnston.

Mark Nelson made a motion to approve the agenda with the addition of street sweeper and service agreement #9 with WWC Engineering. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the regular meeting minutes February 6, 2012 and Treasurer Report January 31, 2012. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mayor Oelkers acknowledged the visitors.

Lions Club. Wayne Hendrickson, Jim Helmer and Tom Beck, all officers in the Lions Club, said they are looking to sell the Lions Club building. They would like to make the town hall their second home. Once the Lions Club sells their building they would possibly donate to the town hall or new Fire Hall/Community Center. The Lions would donate their tables, chairs, kitchen stuff and refrigerator to the town hall. W. Bruce Houle asked if they would pay \$50/month rent. Wayne Hendrickson said they do not meet during the summer.

W. Bruce Houle made a motion to accept the Lions Club offer to donate any funds to the Town, allow them to use the Senior Center on the 1st and 3rd Thursdays for \$600/yr. fee. Wayne Hendrickson said the Lions Club would discuss their donation at a later date once they sell their building. Motion aired *died* for lack of a second.

Mark Nelson made a motion to accept the Lions Club proposal of \$400/yr. Rent to use the Senior Center on the 1st and 3rd Thursdays. Dallas Dehner seconded the motion. All present Voted in favor of the motion. MOTION CARRIED. Wayne Hendrickson said once the Lions make a decision on a donation, they will come back to the town.

March 12, 2012

MT DOT. Kevin Gower and Butch Sansaver from the Montana Department of Transportation presented a formal request to annex approximately 20 acres of State land into the town limits. This would require an extension of 8" sewer main and 4" water main. MTDOT plans to put 4 mobile home lots, fence the area, for MDT employees only. The state needs to do something to get people here to fill their vacancies. The MDT has already done this Baker.

Planner Jeremy Fadness will have to look at the Subdivision Review. Town will send Jeremy the MDT request and maps. Kevin Gower wants to get this going as soon as possible. Mark Colvin wants to know why others are hooking up to town services prior to them.

Mayor Oelkers said this all needs to go through the Planner.

Industrial Park. Town has been notified of counsel for Maury Johnson.

Russ Attree wanted to ask some questions. Russ Attree summarized his time line of happenings at Industrial park since it was platted in 2007. Mr. Atree said if the town had DEQ approval, the motel could have hooked up and there could have been no stop work order. Mayor Oelkers said the town did not ask for DEQ approval. The Town is not the developer. Mr. Attree questioned if the town could get DEQ approval and allow Maury to build a motel. Maury would build a 120 unit Candlewood Suites extended stay, 3 story w/elevator, 24 hr. restaurant – Denny's, two apartment buildings w/garages, 15 % of apartments subsidized rates. They would like to go in a positive mode rather than a negative mode. They would like to move forward.

Mayor Oelkers said Resolution No. 376 dies. Attorney Hennessy said the Town can request for proposals with the right to reject any and all proposals. Mayor Oelkers would like to see best project best price.

Mark Colvin said if the sewer was approved for this project and this project is dead – could his project get sewer? Mark was understanding PTI can submit plans for a main extension.

Jeremy Fadness said the developer submits plans to the town for approval – at that point the Planner/Town Engineer would review and either recommend approval of denial, if approved the Town would issue a letter of approval. Then the developer would submit to DEQ for approval (with town letter of approval) and DEQ would issue a certification letter and then the plans would be filed.

Dallas Dehner made a motion to table until we find out more on the DEQ letters and executive session. Motion dies for lack of a second.

Maury Johnston said he talked to Matt Waite – DEQ in Billings and he again referred to a March 16, 2011 letter to Town from DEQ.

Leaving the meeting at this point: Wayne Hendrickson, Jim Helmer, Tom Beck, Maury Johnson, Russ Attree, Hailey, Steven and 2 children, Henry, and Fr. Francis Schriker.

Sheriff Dept. Deputy Michael Cameron said the Sheriff Dept. has been having problems with fire permits. The permits are available on the Sheriff Office website. Deputy Cameron also has copies of the fire permit. The town office also has permits.

Sonny Schriener entered the meeting at 8:15 p.m.

Airport. Mark Nelson made a motion to send a request letter to the Roosevelt County Commissioners for the airport to be Town owned. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Theodore Roosevelt Expressway. The Corridor study is in progress. Shane Mintz, MT DOT, requested a letter of support for a second set of lanes from Bainville to the state line. W. Bruce Houle made a motion to send a letter of support. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Planning Board, Growth Policy and Annexation Policy. The Planning Board and Town Council needs to hold a joint meeting to discuss changes to the Interim Development Review Ordinance. Jeremy Fadness, Planner, said we need to plan for the short term use as well as long term use. WWC needs direction as they work on the language for an Annexation Policy. Bruce would like someone from WWC to be here for the joint meeting, or at a minimum on the phone. Council set the date for a joint meeting. Planning Board/Town Council for Monday March 19, 2012 at 6:00 p.m.

Walk Path. Mark Nelson made a motion to send letters that the town is withdrawing from the Walk path project to 1. Fish Wildlife & Parks, (2. CTEP and (3. Roosevelt County Commissioners. W. Bruce Houle seconded the motion. The County has an additional \$95,000 in CTEP funds. All present voted in favor of the motion. MOTION CARRIED.

BNSF. The railroad crossing on 1st Ave. W. needs to be considered during the Corridor Study. The MT DOT should be included in any discussion on this subject and the possibility of looking at the overpass and highway 16 and

March 12, 2012

shouldn't the town be talking to property owner Betty Gobbs. Mayor Oelkers said the Corridor Study is a State project, the state would be the one talking to Betty, not the town. Betty Gobbs did not know about the Corridor study. This was advertised in the Searchlight. Clerk will give Betty Gobbs and Julie Johnston a Corridor Study letter and comment sheet.

5th Street Extension. No new news.

Community Pond Project. No new news.

Centennial Drive SID. The Centennial Drive Street sign is down. Mayor Oelkers signed a change order for Centennial Drive Road. Town will order a Centennial Drive street sign and possibly a dead end with arrow, or not a through street sign.

Sketch Plan Permits. W. Bruce Houle made a motion to approve the JNS permit. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED. David Nickoloff said the town needs to keep the trucks off residential streets. The trucks are using the east/west street by David Nickoloff's. Raedelle will send a letter to JNS telling them not to go on city streets and do not park on city streets. Also, notify the sheriff's Dept.

Interim Development review Ordinance. As part of the Development Review Ordinance, state Law requires the Town Council to designate a commission to go through for Public Comment on a permit. Raedelle will research to see if this has already been done.

Wastewater Collection and Treatment System. Attached to these minutes is an email dated 3-12-12 from Shawn Higley. WWC Engineering, explaining the funding and service agreement. W. Bruce Houle made a motion to move forward and approve Service agreement #9 with WWC Engineering for the Wastewater System Rehabilitation Projects. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to accept the Project Partnership Agreement (Army Corps of Engineer Funds). Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to send Rural Development a revised cost estimate asking for approximately \$4 million. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Thomsen Property. No new news.

United Grain Corp. Raedelle will call United Grain Corp. and request that they annex into town limits, then city services will be available.

Industrial Park Subdivision. It is possible that the Schuetze Trust Land could be developed, and if it is, there would need to be a 2nd access to the property. Clerk will check on the progress of the road. Jeremy Fadness said he has been talking to the Developer Mike Barrett.

Diamond Coulee RV Court. The court has one Master meter. Should each mobile home have individual meter? Each individual trailer house should be counted as a unit. No answer tonight. Equivalent Dwelling Units were brought up.

Parking. Parking issues were brought up at the Corridor Study Meeting. Diagonal parking on the south side of Al's Mini Storage is a safety concern. Town may want to discuss this with the school. Julie Johnston suggested yellow paint for no parking on the west end of curb and gutter by the football field. Bruce asked Julie to complete a Corridor Study comment sheet.

Development Review. The Development Review Task Review agreement with WWC is presently \$5000. Due to the amount of activity, WWC is proposing to increase the Task Agreement to \$10,000. W. Bruce Houle made a motion to increase the Development Review Task agreement from \$5,000 to \$10,000. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Street Sweeper. A new sweeper is approximately \$160,000. Council suggested Bob look around for a sweeper, possible lease options Etc.

The following bills were reviewed for the auditing committee and ordered paid:

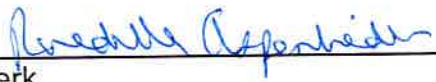
<u>General Fund:</u>		<u>Enterprise Fund:</u>	
Visa	5.95	Visa	3387.29
Dept. of Revenue	175.76	Excell Ind. Inc.	73.09
Internal Revenue Service	1093.58	Agri. Industries Inc.	7510.71
Penny Hendrickson	250.35	Williston Landfill	2822.93
PERS	568.53	Michael Gossage	87.00
Raedelle Aspenlieder	2450.54	Dept. of Revenue	441.24
Robert Jasper	129.9	Internal Revenue Service	2195.20
City Line	1175.99	Michael Gossage	2950.57
Hennessy Law Office	4909.45	PERS	1499.55
First Community Bank	27.5	Robert Jasper	3117.78
Gaffaney's	13.65	Shirley Gallegos	1901.92
Highway 2 Assoc.	100	AT&T	45.39
Hometown Market	26.96	Black Mountain Software	1354.00
Miller Oil	380.06	City Line	90.64
MDU	646.07	Curtiss Farm & Auto	141.50
Nemont	284.32	Dept. of Public Health	61.50
Roosevelt Co. Sheriff Dept.	1000	Derek Brown/Amanda Rucker	50.00
State Treasurer	76	Energy Laboratories Inc.	30.75
The Searchlight	330.46	Hawkins, Inc.	1734.57
	<u>\$13,645.07</u>	John Deere Financial	222.13
		Kiewit Infrastructure	21.98

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March 12, 2012

<u>Special Funds:</u>	
Visa	74.00
Dept. of Revenue	9.00
Internal Revenue Service	84.20
Ross Helmer	588.23
America Legion Auxillary	500.00
Beth Hekkel	473.37
Beth Hekkel	242.33
CRT Payment Center	65.32
City Line	217.59
Culbertson Chamber Comm.	400.00
Culbertson Pharmacy	4.97
Culbertson Public Library	500.00
Culbertson Saddle Club	1000.00
Culbertson Women's Club	2000.00
Gaffaney's	29.12
Hometown Market	32.55
John Deere Financial	24.42
Knife River	3776.25
Mc Cody Conrete	227.72
Miller Oil Co.	210.09
MDU	33.71
MDU	1416.54
National Geographic Society	34.00
Nemont	87.01
Sheridan Electric	50.28
Sidney Red-E-Mix	80.00
WWC Engineering	2729.26
	<hr/>
	14889.96

Miller Oil	1033.80
MDU	1209.30
MDU	1545.87
MMIA	2010.00
MSE Technology	9333.25
Nemont	87.85
Northwest Hydro-Tech	7000.00
Northwest Pipe Fittings	2053.73
Oelkers Servicenter	664.5
Praxair	15.75
Sheridan Electric	15.00
Utilities Underground Locate	10.36
Williston Landfill	2358.15
Wild West Diner	44.00
	<hr/>
	\$57,121.30

Meeting adjourned at 9:30 p.m.


Clerk


Mayor

Monday March 19, 2012 Special Meeting

The Culbertson Town Council met in special session for a joint meeting with the Planning Board. Minutes on next page.

Work Order for Wastewater System Improvements

From: **Shawn Higley** (shigley@wwcengineering.com)

Sent: Mon 3/12/12 4:39 PM

To: Raedelle Aspenlieder (culbertsonmt@hotmail.com)

Cc: Jeremy Fadness (jfadness@wwcengineering.com); Amber Frydenlund (afrydenlund@wwcengineering.com)

1 attachment

Service Agreement #9 Wastewater System Rehab.doc (30.5 KB)

Raedelle,

Attached is a work order for the design of the wastewater system improvements. As we discussed on the phone and I discussed with Gordon, I believe we have the funding taken care of. I have segregated this funding discussion out and tried to boil it down as simply as possible as follows:

- The primary funding will come from Rural Development (RD) as desired by the Town. We initially asked for about \$3 million from RD for the wastewater system improvements as outlined in the PER we developed a couple of years ago. As we all know, the wastewater system improvements are much more likely to cost \$4 million or more. The thing to keep in mind is that RD will only fund the approved amount (i.e., if you ask for \$3 million, you are only going to get \$3 million). The RD funding includes part loan, part grant. It will be important to try and maximize the use of RD in this funding package, but we do not want to ask for more money from RD than the project will cost, or RD will reduce our grant money and not the loan amount. Thus, this becomes somewhat of a balancing act.
- We have already gotten \$180,000 from WRDA funds (handled by the Corps of Engineers) and \$100,000 from the DNRC Renewable Resources Grant and Loan (RRGL) program. These funds will be used in the overall funding of the project.
- Based on the above, I would recommend that we try and ask RD for approximately \$4 million, perhaps a couple hundred thousand less, in order to maximize the low rates and the grant amount that we could receive from them. We have talked to the State of Montana State Revolving Fund (SRF) program, and they are willing to fund anything above the RD loan amount if the construction costs come in higher. This ensures that you will have money to complete the project, and that the majority of the costs are handled by the longer term and lower rate RD amounts.
- RD has assured me that as long as we get in a few items that were requested of Raedelle and a new cost estimate to them this week, they can get the underwriting completed this week and we will know if the funding package has been approved by about April 1st. They have assured me that they have the money and that this is a matter of completing the underwriting and waiting on the 30 day advertisement to be completed.
- The last point that I would like to make here is that we need to start the design process as soon as possible. RD has already dragged this out well beyond what we thought it would take, and we are about 4 months behind schedule. I don't think that it is possible to get everything constructed this year, but at least we can get the project kicked off if we start immediately.
- We have reached an agreement with the Corps of Engineers (see separate email) that they will pay 75% of design costs (grant is a 75% payment with a 25% match) including dollars that have already been spent on the PER. As you are aware, we completed the PER for \$40,000 that has already been paid. As long as we submit an invoice to the COE for this amount along with our design costs prior to the grant funding agreement being signed with RD, the COE will pay for 75% of the total amount, which will cover our design costs for the next couple of months with any out of pocket from the Town.
- As you will note, our costs for the design in the attached work order are higher than initially anticipated, mainly due to the facility being larger than originally planned and due to very stringent design and grant administration requirements from RD. Thus, going through the RD process is more expensive for our services, but will cost you less in the long run.

I need consent on two items: (1) ability to send RD a revised cost estimate asking for approximately \$4 million, and (2) approval and signature on the work order so that we can begin design on the project.

Hopefully this sheds some light on this process for you. If you have any questions, please give me a call and I would be happy to clarify any portion of this discussion. Thanks,

Shawn



WWC ENGINEERING
Shawn Higley, P.E.
Branch Manager
1275 Maple Street, Suite F
Helena, Montana 59601
Tel: 406-443-3962
Fax: 406-449-0056

March 19, 2012 Planning Board Meeting

Joint Meeting for Town Council and Planning Board. Town Council has a Quorum.

Present: Gordon Oelkers, Mark Nelson, W. Bruce Houle, Raedelle Aspenlieder, Lee Averill, Shirley Gallegos. Absent: Ross Buxbaum, Dale Morey, Dixie Berwick. Arriving Late: Dallas Dehner, 7:20. Guests: Jeremy McFadden- WWC Engineering, Dave Toel- Younglove Construction, Terry Reinert -Younglove Construction, Tim Stefan – Stefan Associates, Bob Nick.

Gordon Oelkers opened the meeting. Discussion will include Interim Development Review Ordinance changes. Some parts do not always fit the current needs of the Town.

The Planning Board will make the recommendation to the Council. The Council will have two readings before a motion to approve the changes.

Interim Development Review Ordinance

Chapter 1 -2 Standard.

Page 2-3 Annexation/Subdivision; Will need approval by Council. 1) Official Land use map change. 2) Development Review.

Chapter 3.

A. Principal use, which will allow a sketch plan.

Manufactured Home on individual lot.

Lodging house, One or two bedrooms for rent per dwelling.

Residence with rented rooms is not technically an Apartment. It is Communal Living.

B. Conditional Use, restrictions can be added.

Lodging House. Three or more rooms for rent.

How to police numbers in rooms. Legal counsel can enforce because of Public Health and safety issues.

Apartment Complex - in residential area. 3 or more household dwellings.

Apartment is defined as a full facility with a kitchen.

Home based business. Can restrict, parking, operation hours.

Day Care Center is defined 13 or more children.

C. Accessory uses.

Home based business.

Yards.

D-2 Revise. (75) 50 feet.

E-1c. Add. In existing neighborhoods the front face of the principal building shall be in line with the front face of the primary structures on adjacent lots.

E-2 a. Revise. 20 feet to 2 feet.

E-2 b. Strike- Adjacent to arterial streets as designed in the Culbertson growth policy 25 feet.

E-3a. Revise. 10 feet to 5.5 feet.

E4- Strike. All vehicle entrances into garages shall be no closer than 20 feet to a property line, unless explicitly authorized otherwise under this title.

G-2 Define- One additional off street parking space shall be provided for each room for rent within a (strike-structure) principal building. Two parking spaces for Single Family Unit.

G-3 One off –street, (strike-paved) parking space shall be provided for each 250 square feet of floor area for all other uses.

3.1

Commercial District – Room for Rent.

Conditional use for main floor.

Apartments are typically not on the main floor in a commercial business, it is reserved for business use.

A. Principal use for Apartments within a basement and second or subsequent floor.

Single resident occupancy, up to four rooms for rent per floor within a basement and second or subsequent floor.

B. Conditional uses.

Apartments on the main floor.

Food processing facilities

Retail, large scale

Single resident occupancy, five or more rooms for rent within the basement and second or subsequent floors

Single resident occupancy, on the main floor.

Physical Standards

B. Minimum floor area requirements for each dwelling in all districts shall be that area required by the Town's adopted Building Code.

Yards-Buildings

1a Revise Front yard setback 0 feet (7 feet except along arterials where minimum is 25 feet)

1b Revise Rear yard setback 2 feet (10 feet)

1c Revise Side yard setback 5.5 feet (5 feet)

Parking and loading areas

2a Revise Front yard setback 0 feet (25 feet)

2b Revise Rear yard setback 0 feet (10 feet)

2c Revise side yard setback 5.5 feet (5 feet)

4. Strike All vehicle entrances into garages shall be no closer than 20 feet to a property line, unless explicitly authorized otherwise under this title.

Building Height

F. Revise Maximum building height shall be 50 feet (30 feet)

Parking

G1 Revise. One off-street, (paved) parking space shall be provided for each 500 square feet (250) of floor area.

G2 Add Two off street parking spaces shall be provided for each apartment dwelling unit.

G3 Revise One off street parking space shall be provided for each room to rent within a building (structure).

Industrial District

Physical Standards

Yard-Buildings

E 1a Revise- Front yard setback – 15 feet_(except along arterials where minimum is 25 feet)

E1c Revise- Side yard setback 5.5 feet (3 feet)

E2a Revise- Front yard setback 0 feet (15 feet)

F1 Revise- Maximum Height 50 feet (45 feet)

Parking

G1 Revise. One off street, (paved) parking space shall be provided for each 1,000 square feet of floor area, plus

G2 Revise. One off- street (paved) parking space shall be provided per 2 employees on maximum working shift.

Mixed Use

Physical Standards

B. Minimum floor area requirements for each dwelling in all districts shall be that area required by the Town's adopted Building Code.

F1. Revise- Residential Uses: (and Commercial Uses)

F2. Revise- Commercial and Industrial Uses: Maximum building height shall be 50 feet (45).

Plan Review

Projects of smaller size and cost need to be reviewed locally, by passing WWC Engineering and waive Sketch Plan fee. Next Council meeting will change fee schedule.

General Land Use

Review

Development Standards

Fences, Walls and Hedges

A1. No more than 6 foot.

Parking

Shall require Commercial grading and drainage, no storm water system.

G. Surfacing. Revise- (be paved with concrete or asphaltic concrete, or approved pavers, to control dust and drainage.) at a minimum be surfaced with 6 inches of 1 ½ inch minus crushed gravel in accordance with the latest edition of the Montana Public Works Standard Specifications. Except for one-household development on individual lots.

H. Striping. Revise- (Except for one- to three household dwellings and individual townhouse units)_for proposed parking areas that are proposed to be paved with asphalt concrete or concrete,

Signs

Commercial and Industrial Zone

0 feet set back on property line. Not in "right away" MDT has requirements.

A1. Revise- Low profile and one pole-style freestanding sign (is) shall be permitted per zoned lot. The maximum area for a low profile pole-style freestanding sign shall be 32 square feet. The maximum area for a pole-style freestanding sign shall be 50 square feet. (A pole-style freestanding sign shall be set back a minimum of 15 feet with a maximum height of 13 feet.)

Permitted signs, only specific to business. 250 square feet total signage allowed. Mural's will be a Council decision.

Manufactured Homes

A. Changed from primary to principle use.

B. Allow manufactured home on rented lot. Property owner is responsible to make sure renter's trailer meets the requirements.

C. Specifications; Trailer House is to be on permanent foundation or pillars, anchored and skirted, with tires and hitch off.

12. Shall not be less than 700 square feet.

13. Delete

Man camp modular are to be only in special camps.

Change of Use Form

04. Water; Form to inquire and review why/what the property is being used.

05. Annexation Policy, is a goal of growth policy. An annexation policy would outline the process and review that annexation request has to meet.

Town Obligations

Title Search, Establish Fee. Minimum of 5 hours \$500 plus \$100 an hour after.
Subdivision

Final plat approval, more stringent.

Want to keep the water and mineral rights.

Bond – Development agreement handled in subdivision regulations and state codes.

Impact fee - Is a lengthy process, separate from this.

Industrial Park Subdivision

Plan to offer for bid at next Town Council meeting.

Planning Board Meeting scheduled for June. When was the last vote for directors. Is the Commission designed as Development Review Commission?

Tim Steffan suggests an assessment fee for each property in subdivisions. The developer meets the phase payment or land goes to a tax sale, so the city isn't left with big costs.

Have video conference for future meetings.

Meeting adjourned at 9:30 pm


Utility Clerk


Mayor

April 2, 2012. The Culbertson Town Council met in regular session with the following present: W. Bruce Houle, Mark Nelson, Gordon Oelkers, Dallas Dehner, Greg Hennessy, and Raedelle Aspenlieder. Bernie W. Finnicum entered the meeting at 7:40 p.m. Jeremy Fadness, Planner from WWC Engineering was on the speaker phone. Guests: Laurie Averill, Kelly Berk, Todd Fossetta – Olson Bros. Excavating, Shane Shriner, Daryl & Karen Synan, Deputy Michael Cameron, Mike McFarland – Olson Bros. Excavating, Julie Johnston and Mark Mahlen.

Mark Nelson made a motion to approve the agenda with the addition of advertising for Pool Staff. W. Bruce Houle seconded the motion. MOTION CARRIED.

There were no minutes available to approve.

Dallas Dehner made a motion to approve the February 29, 2012 Treasurer Report. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Christina Olson did not attend.

Sheriff Dept. Deputy Michael Cameron reported a theft in March from an unlocked running vehicle, vehicle vandalized, the construction west of town is in full swing, east of town there has been issues with cows on the highway and the dog catcher is coming once a month. People are to call 911 to report dog problems. Michael said the decals from the old sheriff vehicle can be removed in Sidney or with a particular rubber tool.

Bernie W. Finnicum entered the meeting 7:40 p.m.

Development Review Permit – Laurie Averill. Jeremy Fadness reviewed the Development Review Permit for Lee and Delaura Averill for a drive thru coffee business. Jeremy's report states:
The sketch plan for the proposed drive thru coffee business on an undeveloped lot was reviewed for conformance with Chapter 3 of the Ordinance, which sets minimum standards for development in the Residential District. The drive thru coffee business would be defined as a Drive-in Business per Chapter 14 Definitions. A Drive-in Business is defined as "Any business in which people are provided a service or a product, where a sale is made without the customer being required to leave the vehicle." Per Section 03.0.020 Authorized Uses a Drive-in Business is not allowed as a principal or conditional use within a Residential District.

720

April 2, 2012

We recommend denial of the permit to construct a new permanent drive thru coffee business on the existing undeveloped lot in the southwest corner of the intersection of 3rd Avenue west and Highway 2.

If the applicant wishes to pursue the project at this location, the applicant will need to apply for a land use map amendment and Growth Policy amendment to reclassify the property to be within the Commercial District. If the applicant applies for a land use map amendment and it is approved by the council, the applicant will be required to submit a new application for review under the requirements of that district.

The Town Council can either deny or table the permit. This is more of a fee issue at this time. If the council denies the permit, Averill's would have to re-apply once a land use map amendment and Growth Policy amendments are complete. This would be another \$100 fee. If the Council tables the permit until the land use map amendment and Growth Policy amendment are complete, then review the permit, no additional fee would be required.

W. Bruce Houle made a motion to table Lee and Delaura Averill development review permit. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Sketch Plan Permit. Jeremy Fadness has reviewed the permit for Maury Johnston 8ft x 20ft entry addition, concrete steps, concrete sidewalks around the existing house, and a concrete sidewalk adjacent to the curb across the existing driveway.

Mark Nelson made a motion to approve the Sketch Plan Permit for Maury Johnston as recommended by Planner Jeremy Fadness. W. Bruce Houle seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Sketch Plan Permit. Jeremy Fadness has reviewed the permit for Steven Rudh and David Rudh to remodel the basement of an existing single family residential structure to include additional rooms. The applicant has stated that they intend to rent out the house as a single family residence. Mark Nelson made a motion to approve the Sketch Plan Permit as a single family residence only as recommended by Planner Jeremy Fadness. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED. Council suggested there be education done for the public after the revisions to the Development Review Ordinance are done.

Olson Bros. Excavating - -Todd Fossetta – nothing for Council.
Shane Schriener – nothing for Council.
Mark Mahlen – nothing for Council.

April 2, 2012

721

Airport. Work in progress.

Theodore Roosevelt Expressway. No new news.

Planning Board. Clerk will advertise in the Searchlight April 19 and 26 2012 issues for : 1.) Land use Map amendment. 2.) revisions to the Town of Culbertson Growth Policy, change in Development review district, and 3.) Development Review Text Amendments. There will be a joint meeting of the town council and Planning Board on Monday April 23rd. Jeremy will get the charges out for internal review.

BNSF Railway Co. Crossing on 1st Ave. No new news.

5th Street East Extension. No new news.

Community Pond Program. No new news.

Centennial Drive SID. Chip seal to be done Spring 2012.

Corridor Study. No new news.

Centennial Drive. Street sign and dead end sign are being worked on.

GJV's. Utility billing vouchers #788 - #793 were approved and signed.

Wastewater Collection and Treatment System. On Wednesday, April 4, 2012 10:30 a.m. at Dry Prairie Rural Water Authority Building, Senator Max Baucus, USDA Rural Development Deputy Under Secretary Cheryl Cook, Montana Rural Development State Director Matt Jones and Montana Economic Development Administration Representative John Rogers will all be here to award rural Development funds to the Town of Culbertson for the Wastewater Collection and Treatment System. Also there will be conversation about next steps for energy-impacted communities and counties in Eastern Montana.

Annexation Policy. W. Bruce Houle made a motion to approve 1st reading of Ordinance no. 217 an Ordinance of the Town of Culbertson, Montana Pursuant to the Culbertson Growth policy; and Annexation Procedures, MCA 7-2-4201 ET SEQ.; and Setting Forth an Annexation Policy. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

There will be a fee for annexation and application.

April 2, 2012

MT DOT Annexation. W. Bruce Houle made a motion to approve Resolution NO. 335 A Resolution Of Intention To Annex A Parcel Of Land To Be Known As Montana Department of Transportation Rest Area; And the Full width of Adjacent U.S. Highway 2, All Located in Roosevelt County, Into The Town Of Culbertson, Montana And Established A Date, Time And Place For The Public Hearing. Mark Nelson seconded the motion. Public Hearing date is set for Monday, May 7, 2012 at 7:30p.m. at Town Hall. Mark Mahlen asked if this Resolution gives them permission to put 4 trailers on the property. The MDT has to go through the process of the Development Review permit. Annexation is the first step. All voted in favor of the motion. MOTION CARRIED.

Geib Development. The first step for the Geib property is to run a sewer main extension.

Jeremy has attached a Municipal Facilities Exclusion for the sewer main extension for the Geib Development next to the hospital and south of the industrial park. Since Culbertson has adopted a growth policy, the Town of Culbertson may wish to file municipal facilities exclusions on parcel of land that will be developed within the Town of Culbertson. These exclusions essentially certify that the Town of Culbertson has reviewed the lot for water, sewer and storm water. Since Culbertson has the development review ordinance in place the town is assured that the Geib development will need to apply for a conditional use permit to construct 4 4plex buildings on the property. The conditional use permit requires that we review for water, sewer, and storm water on the lot prior to development and the Council can put conditions on the permit. I believe it is appropriate in this case for a municipal facilities exclusion be used so that we can submit the sewer main extension plans to DEQ for review and approval.

W. Bruce Houle made a motion to approve the Municipal Facilities Exclusion checklist for Geib property for Sewer main extension. Dallas Dehner seconded the motion. Those voting in favor of the motion: W. Bruce Houle, Dallas Dehner and Bernie W. Finnicum. Abstaining: Mark Nelson. MOTION CARRIED.

Industrial Park – Street Dedication. The Street Dedication – Nugent Street – at Industrial Park has been reviewed by Pete Olson. WWC Engineering is working on the comments. This will be presented at the May 7th council meeting.

Laptop-Skype. Byerly Computers quoted a laptop computer that would fit the town council needs to Skype during meetings with planner. Approximate cost is \$770. W. Bruce Houle made a motion to purchase the laptop with necessary extras and a large screen. Bernie W. Finnicum seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Thomsen Property. W. Bruce Houle made a motion to live auction the Thomsen property on Thursday, May 3, 2012 at 10:00 a.m. at Town Hall, with Town reserving the right to reject any or all bids. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

United Grain Corp. No new news.

Industrial Park Subdivision. Who develops or improves the streets at Industrial Park - Industrial Park Drive, Industrial Park Street and Nugent Street? Whoever develops the property and wants to use the streets – they would do the street improvements. How many approach permits at Industrial Park? The MDT approach permits will be reviewed by the Planner, along with the subdivision application.

Industrial Park Lots 3&4. W. Bruce Houle made a motion that the Town of Culbertson offer Lots 3 and 4 (approximately 7.65 acres) in the Culbertson Industrial Park by bid for Best Motel Proposal/Bid. The top 3 written best motel proposal bidders shall be allowed to raise their bid orally in an auction at the time of the bid opening. Anyone all offers can be refused by the Town. Bids will be accepted from today 4-2-12 until 3:00 p.m. or 5-7-12. Notice of Best Motel proposal/Bid offer advertisements will be placed in area newspapers weekly which will also include adding The Shopper to the newspapers. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED. Todd Fossetta asked if 4 hours was enough time for the council to review the bids.

Diamond Coulee RV Court. Garbage vote. Working on this.

Street Sweeper. Council reviewed the information Bod had on street sweepers. This will be discussed again at budget time.

Pool. Bernie W. Finnicum made a motion to advertise for all pool personnel for the 2012 season with applications due May 7,2012. W. Bruce seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Mayor Oelkers asked Julie Johnston if she knew when the buildings would be moved. Julie said when the lawyers are done with litigation, then we will know. W. Bruce Houle made a motion that the Town Attorney Greg Hennessy send written notice to Maury Johnston to remove his 2 buildings and debris from the Town property, with the next 30 days. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Pace construction Inc. are cleaning the sewer mains on the east side of town as was budgeted for.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Visa	314.00
Mt Dept. of Revenue	176.96
IRS	1104.51
Lynn Beyer	28.30
Penny Hendrickson	250.35
PERS	571.09
Raedelle Aspenlieder	2450.54
Robert Jasper	140.20
1st Ave. Floral	152.00
Byerly Computer	60.00
Byerly Computer	60.00
City Line	585.80
Gaffaney's	167.47
Hometown Market	119.77
Hospital Guild	10.00
John Deere Financial	107.03
Montana Aeronautics	499.32
MDU	582.27
MDU	37.70
Nemont	280.29
Red Hot Fire Ext.	285.00
Roos. Co. Sheriff Dept.	1000.00
The Searchlight	364.75
Wills Office World	300.00
Total	<u>\$9,647.35</u>

Special Funds:

MT Dept. of Revenue	9.00
IRS	84.20
Ross Helmer	588.23
Beth Hekkel	274.50
Beth Hekkel	128.13
City Line	109.18
Country Gardens	19.97
Hometown Market	45.48
John Deere Financial	915.38
McCody Concrete Products	143.12
Miller Oil Co.	349.18
MDU	1423.96
Nemont	87.01
Newman Traffic Signs	62.66
Normont Equip Co.	88.52

Enterprise Funds:

Roosevelt Memorial Clinic	108.00
Roosevelt Memorial Clinic	108.00
Visa	492.95
David Dean	2377.25
MT Dept. fo Revenue	628.04
IRS	3107.82
Michael Gossage	2995.80
PERS	2068.54
Robert Jasper	3365.11
Shirley Gallegos	1963.44
AT&T	45.86
City Line	49.58
Industrial Systems, Inc	2401.32
Industrial Power Systems	12225.52
John Deere Financial	12.54
Kois Bros. Equip.	1133.84
Michael Gossage	6.37
Miller Oil Co.	1724.15
MMIA	4154.00
MDU	43.65
Nemont	87.28
Oelkers Sev.	382.50
Sheridan Elec.	15.00
USA Blue Book	226.84
Williston Landfill	2821.45
Energy Lab.	237.00
Hawkins Inc.	361.08
Industrial Systems Inc.	341.62
MDU	1314.06
Sheridan County Treas.	50.50
Shirley Gallegos	61.83
Total	<u>\$44,910.94</u>

Special Funds cont:

Oelkers Serv.	187.50
Self	17.97
Sheridan Elec.	93.36
USA Blue Book	551.28
WWC Engineering	3422.74
MDU	11.28
Total	<u>\$8,612.65</u>

Other Funds:

Fire Relief Assn.	687.00
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Meeting adjourned at 9:05 p.m.

Raedelle Aspenlieder
Clerk

[Signature]
Mayor

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April 10, 2012

Tuesday, April 10, 2012 7:00 p.m. Special Meeting.

The Culbertson Town Council met in Special Session for the purpose of the Loan Resolution and Grant Agreement with Rural Development for the Wastewater Collection and Treatment System. The following were present: W. Bruce Houle, Gordon Oelkers, Mark Nelson, Dallas Dehner and Raedelle Aspenlieder. Guest by telephone was Eleanor Kindness, Area Specialist with Rural Development. Absent: Bernie W. Finnicum.

W. Bruce Houle made a motion to approve the agenda. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Eleanor Kindness went over the April 4, 2012 Letter of Conditions proposed funding:
RD FY 2012 Loan: \$2,847,000.
RD FY 2012 Grant: \$1,009,000.
Leveraging: \$ 374,000.
Total Project Costs: \$4,230,000.

Meeting Adjourned at 8:15 p.m.


Clerk


Mayor


April 23, 2012 Special Meeting.

The Culbertson Town Council met in special session for a joint meeting with the Planning Board. Minutes on next page.

May 3, 2012 10:00 a.m. Land for Sale Auction.

The Culbertson Town Council offered at live auction lot 4, Block 11 Original Townsite (50' x 40') Thompson Property. The following were present: Gordon Oelkers, W. Bruce Houle, Mark Nelson, Bernie W. Finnicum, Raedelle Aspenlieder, and Bob Jasper. Absent: Dallas Dehner. Guests: Tim Stefan, Richard Holm, Miles Knudsen, Steve Baldwin, Keenan Engelke, Patrick Bidegaray, Tod Fossetta, Ron Arthur, Gene Marchwick, Jerry Holm, Paul Finnicum, George Jasper, Scott Aspenlieder.

High Bidder- Miles Knudsen at \$21,000.00.


Clerk


Mayor

May 7, 2012

726

Monday, May 7, 2012 3:00 p.m. Special Meeting, Bid Proposal Opening.

The following were present: Mark Nelson, W. Bruce Houle, Gordon Oelkers and Raedelle Aspenlieder. Absent: Bernie W. Finnicum and Dallas Dehner. Guests: Stephen and Cheryl Grobel, Pat Handy, Tod Fossetta, Corey Andrus and Mike McFarland.

The Town of Culbertson received 2 bids/proposals for Industrial park lot 3 & 4. Olson Bros. Excavating Inc. Outlined 4 options – a copy is attached to these minutes. Meadowlark Inn & Suites proposal is attached to these minutes.

Council will take the proposals under advisement.

Meeting adjourned at 3:20 p.m.


Clerk


Mayor

May 7, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Mark Nelson, W. Bruce Houle, Greg Hennessy, Dallas Dehner, Robert Jasper and Raedelle Aspenlieder. Absent: Bernie W. Finnicum. Guests: Stephen & Cheryl Grobel, Pat Handley, Mike Barrett, Wayne Hendrickson, Hailey Henry, Shawn Higley, and Scott Aspenlieder- WWC Engineering, Daryl & Karen Synan, Rick Knick, Alan Aspenlieder, Mike Machart, Dan Tudahl, Patrick Bidegaray, Ben Knotts, Valli Hauge, Laurie Averill, Betty Gobbs, Tod Fossetta, Corey Andrus, Mike McFarland, Mark Colvin, Shane Schriener, Kelly Berk – Searchlight, and Mark Mahlen.

W. Bruce Houle made a motion to approve the agenda with the following changes: switch 28 and 29 and Robert Jasper wants to talk about Badger Meters. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the minutes from Special Meeting January 23, 2012, Regular Meeting March 12, 2012, Special Meeting March 19, 2012, Regular Meeting April 2, 2012 and Special Meeting April, 10 2012 and Treasurer Report March 31, 2012. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

LAND FOR SALE

The Town of Culbertson, Montana will offer at live auction the Lot 4, Block 11 Original Townsite (50' x 140') at the Culbertson Town Hall Box 351, 210 Broadway Ave., Culbertson, MT 59218 (406-85271) at 10:00 am MST, May 3, 2012. The land is "as is" with a decayed building to be demolished and cleared.

Winning bidder shall deposit 10% of the amount of the bid in the form of a certified or cashier's check payable to Town of Culbertson before close of business that day, nonrefundable if buyer fails to close this sale. The balance of funds due from the successful bidder, shall be due and payable at closing which shall take place on or before 45 days from sale.

Conveyance shall be by Warranty Deed to the surface only, excepting and reserving all oil, gas, and other minerals. Title will be subject to all prior exceptions, reservations, easements and rights of way. Seller shall provide an up-to-date abstract of title to allow the buyer to have title examined prior to closing. Real estate taxes for the year 2012 shall be prorated to the date of closing.

Property shall be sold "as is" and the buyer shall be responsible to investigate any conditions that exist. No warranties as to the condition of the property will be given, either expressed or implied by the seller to the buyer.

Town specifically reserves the right to accept or reject any and all bids.

The Town of Culbertson Is an Equal Opportunity Provider and Employer.

May 7, 2012 cont.
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Mayor Oelkers said the Town received 2 responses from requesting highest and best bids for the sale of lots 3 & 4 of Industrial Park Subdivision. (7.65 acres+-) Which shall include a proposal to construct and operate a motel on those lots. Then the 3 qualified bidders would be invited to a live auction at 7:30 p.m.

Mark Nelson made a motion to open the topic for discussion. W. Bruce Houle seconded the motion. All Present voted in favor of the motion. MOTION CARRIED.

Olson Bros. Excavating Inc. proposal did not include the 10% Bid Bond as required by the Call for Bids and Requests for Proposals. This proposal listed 4 options.

Meadowlark Inn & Suites proposal was complete with a cashier's check for 10% of the bid \$7650.00 and a second cashier's check for the balance of the bid \$68,850.00. Total price offered for Lots 3 & 4 Industrial Park was \$76,500.00.

Mayor Oelkers said the town received last Friday, May 4, 2012 a LIS PENDENS filed by Maury and Julie Johnson on Lots 3 & 4 of the Culbertson Industrial Park Minor Subdivision.

Councilman Dallas Dehner entered the meeting at 7:40 p.m.

Mayor Oelkers read the cover letter from Meadowlark Inn & Suites – Stephen L. Grobel.

W. Bruce Houle made a motion to award the bid proposal for lots 3 & 4 Industrial Park Subdivision to Meadowlark Inn & Suites. Mark Nelson seconded the motion.

Mark Colvin asked why the property was limited to just a motel. If only 2 Bids were received why not advertise again and for a longer period of time to possibly get more money.

Patrick Bidegaray asked the amount Meadowlark Inn & Suites bid on the 265 acres. It amounted to \$10,000.00/acre or \$76,500.00

All present voted in favor of the motion. MOTION CARRIED.

w. Bruce Houle made a motion to put the checks in an interest bearing account with the interest to be paid to meadowlark Inn & Suites once clear title is available. Mark Nelson seconded the motion.

Stephan Grobel said they will proceed with their projects items that they can until marketable title can be provided.

All present voted in favor of the motion. MOTION CARRIED.

Wastewater Collection & Treatment System Design. Shawn Higley and Scott Aspenlieder with WWC Engineering were present to discuss current and planned flows for the Wastewater System Project.

The State Target Rate for Sewer for residents in Culbertson is approximately \$80/month. Long term and short term users need to be looked at. Current and Future flow numbers were discussed. The 160,000 gallons per day is using Department of Environmental Quality numbers. This covers what we currently have and what is planned, permitted or known. In order to provide as much cushion as the town can handle a flow of 197,586 gallons per day is an option. W. Bruce Houle made a motion to use the flow figure of 197,586 gallons per day. Mark Nelson seconded the motion. The existing flow for town is currently 96,741 gpd. The engineers estimated cost for the project at the 197,586 gpd is \$5,805,300.00 All voted in favor of the motion. MOTION CARRIED.

Airport. Rick Knick represented the Airport Board and talked to the Council about future improvements at the airport. The current runway requires 250 ft. from the center of the runway. In the year 2020 if the plan is to lengthen the runway to 4400 ft. the land required would be 400 ft. from the center of the runway on both sides. This would require the airport to purchase additional land from the Schuetze Foundation, 18.365 acres. Rick Knick met with the Schuetze Foundation this morning and the Foundation agreed the airport should be sold the land. Rick said the next class of aircraft will need the 4400 ft. runway. Federal Aviation Administration (FAA) projects are funded 90% FAA and 10% the sponsoring entity. Mayor Oelkers suggested the land on all 3 sides should be secured. The town cost for the Schuetze Foundation land is \$11,000.

Mike Barrett secured 30 acres from the Schuetze Foundation. Mike explained his subdivision project.

Amended Plat. Mark Nelson made a motion to approve Amended Plat of the west 70' of Lots 1 and 2; The East 99' of Lots 1 and 2; and Lot 3 block 5, John Nugents Addition to The Town of Culbertson. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Theodore Roosevelt Expressway. No new news.

BNSF Railway Co. No news.

May 7, 2012 cont.
729

5th Street East Extension. The MT DOT letter dated April 30, 2012 states the 7th Ave. E. approach is being placed in inactive status.

Centennial Drive Special Improvement District (SID). Chip seal to be done in the spring 2012.

Corridor Study. No news.

Centennial Drive. Requested a Dead End Street Sign. Bob is to order signs.

Industrial Park. Street dedication, Nugent Street Plat Approved. Jake at WWC is making Pete Olson's edit's and will send back to the Town.

Sketch Plan Permits. Mark Nelson made a motion to approve office review of Mike Jasper Sketch Plan Permit for Concrete. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dallas Dehner made a motion to approve Dave & Erin Solem Sketch Plan permit for a 26' x 40' addition per Planning Recommendations. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Council reviewed Planner Jeremy Fadness memo concerning Patrick Bidegaray Sketch Plan Permit. This is for a proposed 7 rooms extended stay lodging. The electrical loading of the building will not allow them to put a stove in each room. Bidegaray is proposing to put in 15 parking spaces. W. Bruce Houle made a motion to approve Patrick Bidegaray Sketch Plan Permit as an extended stay lodging providing it meets the parking requirements. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

JNS Sketch Plan Permit. Council does not want a 6' high fence on the front of JNS property along Highway 2. Council would like more details for this permit.

GJV's. General journal voucher #577 and utility billing vouchers #794 - #800 were approved and signed.

Wastewater Collection and Treatment System. W. Bruce Houle made a motion to approve the Project Partnership Agreement between the Department of the Army and the Town. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to approve the Department of Natural Resources and Conservation (DNRC) Grant Agreement. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Annexation Procedures. W Bruce. Houle made a motion to approve second and final reading of Ordinance No. 217 An Ordinance of The Town of Culbertson, Montana Pursuant to The Culbertson Growth Policy; and Annexation Procedures, MCA 7-2-4201 ET SE Q.; Time And Place For The Public Hearing. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Annex MT DOT. Mark Nelson made a motion to approve Resolution No. 385 A Resolution To Annex A Parcel Of Land To Be Known As Montana Department Of Transportation Rest Area; And The Full Width Of Adjacent U.S. Highway 2, all located In Roosevelt County, Into The Town Of Culbertson, Montana And Establish a Date, Time And Place for The Public Hearing. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Raedelle will send this Resolution and map to the County Clerk and Recorder to change the boundaries of the town.

Geib Development. The sewer main extension for the Geib Development has been approved by DEQ. Dave Geib is requesting a development agreement for future hook-ups and extensions of this portion of main so all parties pay their proportionate share in the cost to extend sewer and water mains. Dallas Dehner made a motion to have Dave Geib and Attorney Hennessy draft a development agreement for Council review in June. W. Bruce Houle seconded the motion. Those voting in favor of the motion: Dallas Dehner and W. Bruce Houle. Abstaining: Mark Nelson. Absent and not voting: Bernie W. Finnicum. MOTION CARRIED.

Thomsen Property. The Thomsen Property was sold on May 3, 2012 by auction to Miles Knudsen.

United Grain Corp. United Grain Corporation requested sewer system connection. Town sent a letter to United Grain requesting that they annex into Town limits, then service will be available.

Garbage Rates. The garbage rate for Diamond Coulee RV Court needs to be adjusted. All garbage rates need to be reviewed. Possibly Montana Rural Water could assist with this.

May 7, 2012

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Growth Policy Amendment. W. Bruce Houle made a motion to approve the recommendation from the Planning Board to approve Resolution No. 386 declaring their intention to adopt the Growth Policy Amendment, Change of Land Use Designation. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Land use Map Amendment. W. Bruce Houle made a motion to approve recommendation from the Planning Board to approve First Reading of Ordinance No. 218 An Ordinance Of The Town Of Culbertson, Montana Amending The Culbertson Land Use Map By An Amendment Of The Development Review Designation From "Residential District" To "Commercial District" On The Area Generally Located AT The Intersection Of 3rd Avenue West And Highway 2 And Is Legally Described As Lots 1,2,3, Block 8, Cushing First Addition To Culbertson, Montana. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Development Review Ordinance. Dallas Dehner made a motion to accept recommendation from the Planning Board and approve First Reading of Ordinance No. 219 An Ordinance Approving The Development Review Ordinance Text Amendments And Provisionally Adopting The Development Review Ordinance with Said Text Amendments. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Water Rights. The town received a letter from the Department of Natural Resources and Conservation concerning the impacts of increased oil field activity. The DNRC provided the "Guidance for Municipalities" and the water right abstracts. Council said the town may have to increase our water rights. Leave water rights on the agenda.

Town Clean Up Day. Town clean-up day is Friday, May 11th noon to dark. The Town Council will barbeque from 6:00 – 7:00 p.m.

Swimming Pool. Council reviewed swimming pool applications. Mark Nelson made a motion to hire tiffany Marchwick as pool manager for the 2012 season, and Ashley Sullivan as assistant manager. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Dallas Dehner made a motion to hire the following lifeguards on the condition that they each receive the proper certification: Paige Berwick, Renee Oelkers, Erica Nickoloff, Allie Crowder, Shelby Weeks and Shania Dahlberg. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED. W. Bruce Houle made a motion to approve Water Safety Instructors on the condition they each receive proper certification: Paige Berwick,

Renee Oelkers, Shelby Weeks, and Allie Crowder. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED. The pool could be open the last week of May.

Water Meters. Bob Said the whole town is switched to the Badger Meters and the Badger Meters are being discontinued. Council would like to discuss this during budget preparation.

Tod Fossetta had one last comment on the sewer- he does not think the 100 unit motel is in the 163,000 GPD number. Tod thinks the engineers estimates may be too low.

The following bills were reviewed by the auditing committee and ordered paid:

The following bill were reviewed by the auditing committee and ordered paid;

General Fund:

Hennessy Law Firm	2782.35
MMIA	263.89
Unemployment Ins. Contrib.	18.17
Mt. Dept of Revenue	172.08
IRS	1088.03
Lynn Beyer	83.00
Penny Hendrickson	250.35
Raedelle Aspenlieder	2450.31
Robert Jasper	61.71
Billings Gazette	764.76
Byerly Computer Services	1256.80
The City Line	450.67
CNA Surety	100.00
Finnicum's	151.88
Gaffaney's	88.53
Hometown Market	58.21
John Deere Financial	14.34
Larsen Builders	13.90
Miller Oil Co.	31.03
Mt Rural Water Systems	200.00
MDU	384.33
Nemont	317.95
Neubauers Tree Farm	300.00
Oelkers Servicenter	38.25
Penny Hendrickson	100.00
PERS	569.40

Enterprise Funds:

MMIA	1977.71
MDU	957.30
Praxair	15.15
Sheridan Electric Coop.	17423.91
Unemp Ins. Contributions	66.03
DEQ	140.00
Visa	123.52
David Dean	2285.24
Mt Dept of Revenue	582.92
IRS	2850.15
Michael Gossage	3117.94
Robert Jasper	3023.95
Shirley Gallegos	1952.34
AT&T	45.00
The City Line	60.75
Colvin Sales & Service	106.01
Concord Field Services	2000.00
Dept of Public Health	21.00
Energy Lab	177.25
Finnicum's	171.75
Hawkins Inc	362.08
John Deere Financial	138.27
Kois Bros Equipment	131.05
Miller Oil Co.	1417.60
MT DEQ	70.00
MMIA	3082.00

QBS Safeguard	299.35
Roos. Co. Sheriff Dept.	1000.00
State Treasurer	76.00
The Searchlight	273.66
W. Bruce Houle	59.94
Williston Hearld	993.60
TOTAL	<u>\$14,712.49</u>

Special Funds:

MMIA	19.74
Unemployment Ins Contrib.	2.85
Dixie Berwick	130.20
MT Dept of Revenue	9.00
IRS	84.20
Ross Helmer	588.23
The City Line	93.15
Colvin Sales & Service	311.40
Culbertson Pharmacy	21.80
Finnicum's	136.36
First Community Bank	20.00
Hometown Market	59.89
WWC Engineering	6243.53

MDU	2302.44
Nemont	86.86
Morthwest Pipe Fittings	32.97
Oelkers Servicenter	516.25
Praxair	15.75
PERS	1988.94
Sheridan Electric Coop.	849.00
Sheridan Electric Coop.	15.00
Williston Landfill	2998.65
WWC Engineering	9950.83
TOTAL	<u>\$61,055.61</u>

Special Funds cont:

John Deere Financial	29.64
McCody Concrete	341.70
Miller Oil Co.	256.94
MDU	17.28
MDU	2083.30
Nemont	86.84
Sheridan Electric Coop.	51.03
The Searchlight	21.00
Will's Office World	1028.00
TOTAL	<u>\$11,636.08</u>

Meeting Adjourned at 9:50 p.m.



 Clerk



 Mayor

June 4, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Mark Nelson, Bernie W. Finnicum, Greg Hennessy, Bob Jasper, and Raedelle Aspenlieder. Absent: Dallas Dehner. Jeremy Fadness, Planner – WWC Engineering, was on Skype. Guests: Rick Knick, Dennis Park, Gary Park, Daryl & Karen Synan, Julie Johnston, Mark Dagle, Laurie Averill, Shane Schriener, Kelly Berk – Searchlight, Mark Mahlen, Mark Colvin, and Paul S. Finnicum.

Mark Nelson made a motion to approve the agenda with the following correction: item #24 needs to be done before item #22. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve minutes from Special Meeting May 3, 2012, Special Meeting May 7, 2012, and Regular Meeting May 7, 2012, and Treasurer Report April 30, 2012. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport. Rick Knick reported that the FAA recommends that the City/ County airport adopt an "Airport Affected Area" policy. This protects the radius within 2000 ft. Rick will review a copy of the policy and note his suggestions, as well as, visit with individual council members about it. Clerk will add this to July meeting agenda.

The airport would need the Schuetze land in the year 2020. The land will need to be appraised. The closest appraiser for this project is in Miles City. This does qualify with the FAA. However, the FAA 90% comes in after the land purchase is made.

The Baker Airport is requesting to borrow Big Sky Field's entitlement of \$150,000 that is set aside. Mark Nelson made a motion to approve the Agreement for Transfer of Entitlements \$150,000 to Baker Airport. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dennis Park is interested in buying his Mom's house. Gary Park explained that there could potentially be 3 dwelling units in the existing house. Gary also said the property could be split and additional housing in the back of the lot. Dennis and Gary wanted to know if the Council would object to there being more units than implied for that area. Mayor Oelkers said we rely on Jeremy Fadness, Town Planner, WWC Engineering, to help the residents and Town Council through the process. Clerk said they need to be aware that a portion of the property is in the flood plain.

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Dennis and Gary said if they plan to do something to protect from the water, they will contact the neighbors Shawn Damm and Aaron Snyder. They will draft a plan and fill out a permit.

Guests: Synan's, Mark Colvin, Laurie Averill and Julie Johnston had nothing for the Town Council.

Paul S. Finnicum informed the Town Council that the school and hospital are working with Roosevelt County to form a housing authority. There is a need for affordable housing for school and hospital staffing. They met with Senator Max Baucus and Tony Preite. They are considering the land north of the football field. They are discussing Rural Development funding and possibly setting up a LLC housing authority.

Theodore Roosevelt Expressway. Bruce reported the latest email from Shane Mintz, Montana Dept. of Transportation, Glendive has acquired some land from Bainville to the State Line. The MDT has beefed up their application for the Tiger Grant.

BNSF – Crossing on 1st Ave. W. No news.

Centennial Drive SID. Chip seal to be done in spring 2012.

Corridor Study. Bruce encouraged everyone to go to the website to see the latest proposals.

Industrial Park. No news.

United Grain Corp. No news.

DNRC – Water Rights. No news.

Sketch Plan Permits. Mark Nelson made a motion to approve Doug & Tammie McCormick sketch plan permit. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Demolition Permit. Council approved a Demolition Permit for Gordon W. Miller.

GJV's. Utility billing vouchers #801 - #805 were approved and signed.

Wastewater Collection and Treatment System. Shawn Higley, WWC Engineering sent a Wastewater Project Progress Update 6-1-12. The Council may want to set-up a special meeting to discuss the sewer project.

Planner. Jeremy Fadness, Town's Planner from WWC Engineering reported that the surveyor for the Finnicum property is trying to do a boundary line relocation. Most of the property is in the city limits. The surveyor asked about a Municipal Facilities Exclusion to prevent the developer from going through DEQ approval. Jeremy recommends that the town council does not approve a Municipal Facilities Exclusion. The Town wants the option to have DEQ review a subdivision.

Geib Development. The sewer main extension for the Geib Development were approved by DEQ. Dave Geib requests an agreement with Town for future hook-ups and extensions of this portion of Main so all Parties pay their proportionate share in the cost to extend sewer and water mains. A Development agreement is in order. Clerk is to get a sample agreement from Shawn at WWC. W. Bruce Houle made a motion to accept engineered plans for the sewer main extension, approved by DEQ, for the Dave Geib Development. Bernie W. Finnicum seconded the motion. Those voting in favor of the motion: W. Bruce Houle and Bernie W. Finnicum. Abstaining: Mark Nelson. Absent and not voting: Dallas Dehner. MOTION CARRIED.

Garbage Rates need to be raised.

Change of Land Use Designation. W. Bruce Houle made a motion to approve Resolution No. 387 A Resolution Of The Town of Culbertson Adopting The Proposed Culbertson Growth Policy Amendment, Change Of Land Use Designation. Mark Nelson seconded the motion. All present voted in favor of the Motion. MOTION CARRIED.

Ordinance No. 218. Mark Nelson made a motion to approve Second Reading of Ordinance No. 218 An Ordinance Of The Town Of Culbertson, Montana Amending The Culbertson Land Use Map By An Amendment Of The Development Review Designation From "Residential District" To "Commercial District" On The Area Generally Located At The Intersection Of 3rd Avenue West and Highway 2 And Is Legally Described As Lots 1,2,3, Block 8, Cushing First Addition To Culbertson, Montana. W. Bruce Houle seconded the Motion. All present voted in favor of the Motion. MOTION CARRIED.

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Ordinance No. 219. W. Bruce Houle made a motion to approve Second Reading of Ordinance No. 219 An Ordinance Approving The Development Review Ordinance Text Amendments And provisionally Adopting The Development review Ordinance with said Text amendments. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Truck Traffic. Are you interested in allowing local truck traffic only on 1st street west to the Jasper land? Council did not feel they had enough information and property owners on 1st street west need to know prior to any action.

Request Water Service. Carl Donaldson, Northwest Drywall & Roofing requested town water service. They should call Dry Prairie Rural Water.

Town Housing. Is the town council interested in a Rural Development low interest loan for a Town owned 8 plex apartment. The school is working on this as Paul S. Finnicum reported earlier. The Town Council may want to be part of the LLC School, Hospital and Town.

MMIA – Personnel Policy Manual. W. Bruce Houle made a motion to adopt the MMIA recommended revisions for Breastfeeding Policy and Employee Sick Leave. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Workshop in Miles City Tuesday June 26th aimed at local governments and their consultants on how to use Tax increment Financing to help fund infrastructure. MEDA is providing the workshop. This is aimed at using the Bakken Boom to help build public infrastructure. Planner Jeremy Fadness will be attending this workshop.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Baker Rec Center	360.00
Culbertson Swimming Pool	50.00
Finnicum's	417.88
Hennessy Law Office	3068.90
The Shopper	627.00
Visa	22.50
Mt Dept. of Revenue	189.30
Internal Revenue Service	1170.79
Lynn Beyer	74.41
Michael Gossage	329.69
Penny Hendrickson	250.35
PERS	618.97
Raedelle Aspenlieder	2450.31
Black Mountain software	1478.00
The City Line	1161.57
Gaffaney's	152.59
Hawkins Inc.	75.52
Me too Pizza	72.60
Miller Oil Co.	107.99
MDU	275.55
Nemont	288.25
Oelkers Servicenter	30.20
Roosevelt Co. Sheriff Dept.	1000.00
The Searchlight	599.74
Thompson Pools	116.98
TOTAL	\$14,989.09

Enterprise Funds:

Finnicum's	144.37
Utilities Underground	42.92
Visa	602.67
David Dean	2853.56
MT Dept of Revenue	661.70
Internal Revenue Service	3242.23
Michael Gossage	2967.20
PERS	2189.68
Robert Jasper	3401.30
Shirley Gallegos	2114.19
AT&T	47.31
The City Line	29.65
Colvin Sales	90.07
Curtiss Farm & Auto	148.99
Hawkins Inc	2321.78
Industrial Systems	273.42
Miller Oil Co.	1650.18
MMIA	2680.00
MDU	40.26
Nemont	87.07
Oelkers Servicenter	185.00
Pace Construction	11312.00
Sheridan Electric	15.00
The Searchlight	126.00
Waste Co Supply	1600.00
Williston Landfill	3408.75
TOTAL	\$42,235.30

Special Funds:

Finnicum's	4.49
Mt Dept of Revenue	9.00
Internal Revenue Service	84.20
Ross Helmer	588.23
Beth Hekkel	336.66
Beth Hekkel	71.55
C. J. Cannaliato	342.91
The City Line	23.05
McCody Concrete	172.02
Miller Oil Co.	186.24
MDU	1514.40
Nemont	86.84
Oelkers Servicenter	343.00

Special Funds cont:

Sheridan Electric	63.87
W. Bruce Houle	47.73
Will's Office World	23.98
WWC Engineering	5578.33
TOTAL	9476.50

Other Funds:

US Bank CM- 9705	8831.25
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Meeting Adjourned at 9:10 p.m.


Clerk


Mayor

July 2, 2012. The Culbertson Town Council met in regular session with the following present: W. Bruce Houle, Bernie W. Finnicum, Gordon Oelkers, Mark Nelson, Greg Hennessy, and Raedelle Aspenlieder. Absent: Dallas Dehner. Jeremy Fadness, Scott Aspenlieder, and Shawn Higley – WWC Engineering, were on Skype. Guests: Cameron, Jay, Kayleen Lambert and their 4 girls, Tim Stefan, Kelly Berk – Searchlight, Rob & Sharon Oelkers, Daryl & Karen Synan, Rick Knick, Nancy Hansen, Valli Hauge, Tammie McCormick, Laurie Averill, Mark Mahlen, Shane Schriener, Charles Swanson, and Gary Haver from PTI Group and Brent Habirewich from CH2M water and wastewater. Tod Fossetta entered meeting at 7:55 p.m.

Mark Nelson made a motion to approve the agenda moving item #22 to follow #7. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Bruce Houle made a motion to approve regular meeting minutes from June 4, 2012 and Treasurer Report May 31, 2012. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Cameron Lambert is a Boy Scout from Troop 190 Sidney, MT. He is working on his Eagle Scout. Cameron talked to PE teacher Christiana Olson to come up with a project. He would like to build Recreational Passway for Parks. Culbertson does not have a fitness club. This would provide fitness opportunities for the community. Cameron would need help from the community and fellow Boy Scouts. Installation would be in the Pool Park and Buregger- Centennial Park. The price quote for the World Trail Fitness System from Gopher is \$16,958.94 plus \$16.50 for concrete. Cameron is asking the Town to fund 100% of the cost for all materials. Mayor Oelkers said the Budget is coming up this month. There may be grants the Town can sponsor. Raedelle will let Cameron know when we have a budget meeting. Clerk will have Shirley look into possible grant sources.

Amended Plats. W. Bruce Houle made a motion to approve and sign amended plat for Lee & Laurie Averill. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to approve and sign amended plat for Finnicum/Red-E- Mix. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Town Council had questions on Walt & Sara Stevens plot and Gustafson plot.

Airport. Craig Canfield with Kadrmas, Lee & Jackson has been our airport engineer for the past 5 years. The FAA requires us to go out for Request

For Qualification for engineering services for the airport every 5 years. Airport projects in the next 3-5 years are land acquisition, snow equipment and shed. W. Bruce Houle made a motion to advertise for Request For Qualifications for airport engineering services. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The last airport board meeting was April 2010. Rick Knick said we need an active airport board. The board has been Rick Knick, Audrey Stromberg, Neil Turnbull, Gordon Oelkers, Jim Shanks and Bob Petersen. The Town Council will need to approve airport board members. The airport board will make recommendations to the Town Council. Rick will bring a list of names for approval at the next meeting.

Rick said there is a long list of things to be done for the airport. It is quite a process to go through prior to the FAA participating in land acquisition. The Corridor Study and the effect on the airport location need to be monitored.

PTI. Charles Swanson, Gary Hansen and Brent Halare with discussed the PTI Man Camp. PTI hired KLJ out of Helena for their engineering services. Planner Jeremy Fadness said the Development Review Ordinance would not allow the man camp. The man camp can be reviewed under the subdivision Review. The man Camp is licensed facility through the State of Montana. Subdivision Review will allow the Town to review the property. It will take about 3 months to get through the Subdivision review process.

PTI is talking 242 beds. The town council thought the man camp was proposed for 100 men. Mayor Oelkers said this is the first he has heard of 242 beds. They would have parking for about 1/2 the capacity. PTI said they don't need town sewer service, they would bring in a Modular MBR Wastewater Treatment. A wastewater treatment system for 300 man capacity is approximately \$500,000. They would have to haul the treated wastewater away. A Modular MBR Wastewater Treatment System for 1000 people is \$1,000,000/1000 people and life expectancy of the system is 20 years.

Wastewater Collection and Treatment System. Shawn Higley, WWC Engineering said Rural Development requires a particular agreement between the Town and WWC Engineering. The agreement is standard. Shawn recommends the Town Attorney Greg Hennessy review the agreement. Each Council member had a set of Preliminary Drawings for the Wastewater Collection and Treatment System. WWC is working with Ray Johnson on the irrigation site. As soon as Ray gets his cutting off, WWC will be here to do some soil testing. This will be done by the end of July. We will leave Ray's field ditches and drains in place. No run-off from pivot. Depending the Soil Chemistry, need 65-70 acres to get rid of summer water. More than 70 acres is

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a benefit. The Town would own pivot and maintain equipment. There will need to be a sit down meeting with Ray Johnson, Town and WWC.

Clerk will have Robert Jasper look at Plan Sheet S-A. The pumps above ground in lift station building. System is on a skid. It is important to look at LS-3 for main line inside of fence, do not want it under the rail spur line. Robert Jasper needs to look the plans over.

August would like DEQ and Rural Development approval of plan. In Sept. & Oct. be out for bids withy work in Spring and Summer 2013. Fully operational in Fall 2013.

WWC is tracking proposed development in Culbertson. Tim Stefan asked if DEQ requires a long term lease for the life of the system.

Vendors. Shannon Oelkers said vendors are setting up in town. The town does not require a permit from the vendor. Vendors must have permission from the property owner to set-up. Shannon would like it to be addressed. Town could check with other towns to control vendors. Call Watford City of Williston to see what they do. Are there fees? Who polices this.

Airport. Town received Letter Amendment No. 1 from Helena airports District Office for an increase of \$975.00.

Theodore Roosevelt Expressway. No news.

BNSF Railway. No news.

Centennial Drive ^{SIP} ~~525~~ #12. Chip seal to be done late July or early August.

Corridor Study. Clerk will let the council know when the next Corridor Study Meeting is scheduled.

Industrial Park-Street Dedication. Waiting on airport land acquisition and 30 acre development.

United Grain Corp. They are not asking for sewer at this point. Gordon will be calling Tony Flagg.

DNRC – Water Rights. No news.

Centennial Drive. Rob & Shannon Oelkers and Laurie Averill expressed the need for Dead End Sign for Centennial Drive. Could even paint it on the valley gutter.

Sketch Plan Permits. Gordon Miller Sketch Plan Permit. Planner recommendation, to approve the permit to construct a new 28 ft. x 30 ft. addition. W. Bruce Houle made a motion to approve the permit. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Jack Scotson Sketch Plan Permit. Planner recommends approval of the permit to construct a new manufactured home site for rent or lease on an individual lot as shown on the submitted sketch plan. The council should also specify that the permit shall be for the construction of the manufactured home site only; the placement of a manufactured home on the lot will need to be approved separately under a new application. W. Bruce Houle made a motion to approve Jack Scotson Sketch Plan Permit to construct a new manufactured home site for rent or lease only. Placement of a manufactured home on the lot will require a new Sketch Plan Permit. Mark Nelson seconded the motion. Those voting in favor of the motion: W. Bruce Houle and Mark Nelson. Abstaining: Bernie W. Finnicum. Absent and not voting: Dallas Dehner. MOTION CARRIED.

DJay and Valli Hauge Sketch Plan Permit. Planner recommends approval of the permit to place a new manufactured home on a full basement foundation, attached garage, deck, paving, new fence and a shed as shown on the submitted sketch plan with the following clarification:

- 1) The front of the attached garage shall be located 15-ft. from the front property line off of 1st Avenue West.
- 2) The manufactured home, attached garage and shed shall be located 5.5-ft. from the lot lines.
- 3) The shed shall be located 25-ft. from the rear property line off of Broadway Avenue.
- 4) The proposed new fence shall not exceed 6-ft. in height per the requirements of Chapter 7.

W. Bruce Houle made a motion to approve DJay and Valli Hauge's permit as recommended by Planner. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Valli Hauge said they may go with a contractor and have the home stick built instead of a manufactured home. As long as the site and placement is the same, a new permit is not required.

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Lee and Laurie Averill Sketch Plan permit-Drive thru Coffee Business. Planner recommends approval of the permit for the permanent drive thru coffee business and the installation of a new 6- foot fence on the south side of the property line as shown on the submitted sketch plan with the following clarifications:

1) Based on the size of the building proposed for the drive thru coffee business, one (1) off street parking space is required and must meet the standards set forth in Chapter 7 of the Ordinance.

2) If signage is proposed, the signage must conform to all requirements of Ordinance Section 07.080 and a permit must be applied for and approved prior to the installation of any type of sign.

3) An approach Permit maybe required from the Montana Department of Transportation for the proposed access driveway off of Highway 2.

Mark Nelson made a motion to approve Lee and Laurie Averill sketch plan permit as recommended by Planner. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Tim Stefan Sketch Plan Permit. Planner recommends approval of the permit for the new building containing office space, a garage, two apartments on the second floor, and the parking lot in the rear of the lot as shown on the submitted sketch plan with the following clarifications:

1) The proposed parking spaces must meet the standards set forth in Chapter 7 of the Ordinance.

2) If signage is proposed, the signage must conform to all requirements of Ordinance Section 07.080 and a permit must be applied for and approved prior to the installation of any type of sign.

W. Bruce Houle made a motion to approve Tim Stefan sketch plan permit as recommended by Planner. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Robert and Lois Olson permit not ready yet.

Montana Dept. of Transportation going through minor subdivision process. They are proceeding with improvements while they are going through the process.

GJV's. General Journal voucher #578 and utility billing vouchers # 806 - #811 were approved and signed.

WWC Service Agreement #4. W. Bruce Houle made a motion to approve WWC Service Agreement #4 – general planning assistance Task 01, and Development Review, Task #02. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Annexation Application Form and Fee. Council reviewed the Annexation Application Form and Fee. This is the same process for 1 acre or 30 acres. Tim Stefan asked if there are legal fees the town will incur in the process. W. Bruce Houle made a motion to Annexation Application Form and \$500.00 Application Fee. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Development Agreement. A Development Agreement is based on numbers the developer provides. It is up to the developer to come to the town for such an agreement. Council will wait to see what Dave Geib and town Attorney Greg Hennessy say.

Water. Shawn Higley with WWC Engineering talked to the council about developing a water model. This would include water main capacity, fire flow capacity, maximum peak demand etc. Dry Prairie Rural water has a lot of information. Shawn will contact DPRW.

Nemont. Nemont provided a Right of Way for As Staked Construction Prints. Council noted receipt of the Prints.

Budget Meetings. The first budget meeting is tentatively set for Monday, July 23, 2012 at 7:00 pm in Town hall. Clerk will send reminder.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Hennessy Law Office	6115.00
Hometown Market	624.76
John Deere Financial	153.22
MDU	81.49
Roosevelt County Abstract LLC	194.00
Bernie W. Finnicum	559.10
Dallas Dehner	559.10
Gordon Oelkers	1171.37
Lynn Beyer	143.91
Mark Nelson	559.10
Michael Gossage	274.73
Penny Hendrickson	250.35
Raedelle Aspenlider	2450.31
Robert Jasper	79.59
W. Bruce Houle	559.10
Finnicum's	288.90
Gaffaney's	51.72
Hawkins Inc.	1429.25
Horizon Resources	237.31
John Deere Financial	74.38
Larsen Builders	15.94
MMCTFOA	50.00
MT League of Cities & Towns	214.20
MDU	501.63
Nemont	379.07
Oelkers Servicenter	99.65
Parker, Heitz & Cosgrove,	1692.50
QBS Safeguard Business	299.45
Roosevelt Co. Sheriff Dept	1000.00
The Searchlight	143.06
Alene Crowder	79.64
Ashley Sullivan	815.36
City Line	2148.17
Culbertson Pharmacy	8.28
Erica Nickoloff	425.01
Janae Reynen	57.73
Paige Berwick	927.04
Renee Oelkers	805.98
Shania Dahlberg	629.59
Shelby Weeks	799.78
Tiffany Marchwick	986.50
Dept. of Revenue	394.50
Hennessy Law Office	1812.50
IRS	2998.85
MMIA	669.60
MDU	16.74
PERS	634.88
Unemployment Div.	34.83
TOTAL	34497.17

Enterprise Funds:

John Deere Financial	250.42
MDU	1824.05
MDU	1045.43
Praxair Dist.	15.45
Utilities Underground Locator	28.12
David Dean	2519.85
Michael Gossage	2777.84
Robert Jasper	3900.20
Shirley Gallegos	1952.34
Agri Industries	1007.10
AT&T	47.00
Dept. of Health & Human Serv.	21.00
Energy Lab	67.00
Finnicum's	115.17
Hawkins Inc.	2674.81
Industrial Systems	1631.03
Interstate Power Systems	84.40
John Deere Financial	299.23
Kohler Communications	142.75
Larsen Builders	12.50
MTDEQ	621.30
MMIA	3260.00
MDU	46.98
Nemont	86.86
ND Dept of Health	25.00
Northwest Pipe Fittings	305.36
Oelkers Servicenter	955.93
Sheridan Electric Coop	15.00
Williston Landfill	3769.95
City Line	16.13
The Searchlight	406.88
Dept of Revenue	644.50
IRS	3168.34
MMIA	2098.02
MDU	2464.32
PERS	2142.71
Unemployment Ins Div.	65.90
TOTAL	40508.87

Special Funds

Hometown Market	16.34
John Deere Financial	24.53
MDU	18.99
Ross Helmer	588.30
Beth Hekkel	231.81
C.J. Cannaliato	494.47
Colvin Sales & Service	110.25
Horizon Resources	237.31
John Deere Financial	177.82

Special Funds cont.

MDU	1520.01
Nemont	86.84
Oelkers Servicenter	73.30
Real Simple	20.00
Roosevelt Co. Treasurer	20.00
Sheridan Electric Coop	72.06
Sidney Red-E-Mix	100.00
Traveler	17.95
WWC Engineering	3554.35
City Line	9.85
Dept of Revenue	9.00
IRS	84.20
MMIA	19.74
Unemployment Div.	2.85
TOTAL	<u>7489.97</u>

Other Funds:

US Bank- CM9690	250.00
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Meeting Adjourned at 10:00 p.m.



Clerk



Mayor

July 30, 2012
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Monday, July 30, 2012 7:00 p.m. Town Hall. The Culbertson Town Council met in special session to review the preliminary budget and consider sketch plan permits from Troy Green/Bret Benson and Robert & Lois Olson. The following were present: Gordon Oelkers, W. Bruce Houle, Robert Jasper and Raedelle Aspenlieder. Mark Nelson entered the meeting at 8:00 p.m. Absent: Bernie W. Finnicum and Dallas Dehner. Guests: Jay & Cameron Lambert.

There was not a ^{forum} forum so no action was taken. This is a work meeting for the budget.

Mayor Oelkers told Cameron Lambert there are few grants that the Town can check into and possibly apply for to help his project, World Trail Fitness System. Lambert's left the meeting at 7:10 p.m.

Sketch Plan Permits were reviewed, but no ^{forum} forum present. They will be on the regular meeting agenda 8-6-12.

Preliminary Budget Items Discussed:

1. County Airport snow plow truck- can the town purchase it so we can use it in other town operations?
2. Used garbage truck from City of Billings- Call InterCap to fund \$40,000 garbage truck.
3. Street Sweeper- new is \$150,000 see if we can finance with InterCap and what annual payment is if there is \$70,000 down. Street Sweeper will have to be advertised for bids.
4. Radio Remote Reads for water meters.
5. Cost of Health Insurance.
6. Pool Season 2013 rates need to go up.

Clerk will schedule another budget meeting.

Meeting adjourned at 9:10 p.m.


Clerk


Mayor

August 6, 2012. The Culbertson Town Council met in regular session with the following present: W. Bruce Houle, Bernie W. Finnicum, Gordon Oelkers, Mark Nelson, Greg Hennessy and Raedelle Aspenlieder. Jeremy Fadness, Planner-WWC Engineering on Skype. Absent: Dallas Dehner. Guests: Scott Aspenlieder- WWC Engineering, Austin Knudsen, Jordon Knudsen, Thomas Petrovich, Jake Shaffer, Robert Nick, Rick Knick, Mark Colvin, Daryl & Karen Synan, Shawnee Barge, Kelly Berk-Searchlight, Todd Fossetta, Chuck Swanson and Lee Djmal- PTI Group, Shane Schriener, and Mark Mahlen (entered at 7:50 p.m.).

W. Bruce Houle made a motion to approve the agenda with the addition of a television report by Robert Nick. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the regular meeting minutes from July 2, 2012 and Treasurer Report June 30, 2012. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport. Rick Knick represented the airport board. Rick had six names for the airport board: Rick Knick, Gordon Oelkers, Audrey Stromberg, Jim Shanks, Neil Turnbull, and Robert Petersen. Mark Nelson, made a motion to approve the Big Sky Field Airport Board Members as recommended. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mayor Oelkers reported that member of the airport board met earlier today to discuss possible land acquisition from the Schuetze Foundation. Request for Qualification for engineering services for the airport will be advertised. This is required every 5 years by the FAA.

Rick explained a road easement may need to be done for access to the 30 acre development purchased from the Schuetze Foundation.

PTI Man Camp. PTI submitted a Development Review application for a 250 bed man camp. Chuck Swanson said PTI would like to visit with the Council about incentives and assistance to town infrastructure. They have facilities in Stanley, Keene and Watford City. Mr. Swanson will be back in Culbertson next week.

Culbertson RV Park. Thomas Petrovich asked the town council to allow the proposed Culbertson RV Park to temporarily dispose of sewage into the town's wastewater treatment system. The proposed park is off Road 1022, or north of Duane Rasmussen's house. The first phase is for 14 RV spaces, the potential is 50-60 spaces. They are leasing 10 acres.

Council will not allow them to dispose of sewage into the town's wastewater treatment system. They need to deal with the county.

August 6, 2012 cont.

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Sketch Plan Permit. Shawnee Barge was present for her sketch plan permit. Planner recommends approval of the permit to place a new manufactured home on a permanent foundation and attached enclosed porch as shown on the submitted sketch plan and described in the application materials with the following clarification:

1. The required Permanent foundation shall meet the requirements of the Permanent Foundation Guide for Manufactured Homes published by Housing and Urban Development as required by Section 08.060.C.5. Mark Nelson made a motion to approve Scott & Shawnee Barge's permit as recommended by Planner. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Television Information. Robert Nick said the translater was installed on June 5, 2012 and has been working fine since. Robert said with the correct antenna and proper placement - on free airwaves you will receive 2 Billings stations, 4 Public Broadcasting Stations, # CBS and 1 NBC. Mayor Oelkers thanked him for his assistance with the television technology.

Airport. Clerk finally sent a letter to the County requesting Big Sky Field be Town owned. Clerk will send a letter to the County Commissioners asking them to consider selling the Airport Snow Plow Truck to the town.

Theodore Roosevelt Expressway. No news.

BNSF Crossing. No news.

Centennial Drive SID #12. Chip seal to be done in early August.

Corridor Study. There will be an informational meeting on Thursday, August 16, 2012 at 6:00 p.m. in Town Hall to discuss the Corridor Study. The community is encouraged to attend and participate in the meeting.

Industrial Park – Street Dedication. Working on this.

United Grain Corp. Clerk will check to see if there is a letter saying they can use city streets.

Dept. of Natural Resources and Conservation-Water Rights. Scott Aspenlieder, WWC Engineering said they are working with the DNRC-Glasgow office as the sewer pivot system may be a beneficial use and a modification to Water Rights WWC and DNRC may have a solution in the next 2 weeks.

Sketch Plan Permits. The Extended Stay, 41 unit and 30 unit storage, public notice and 15 day public comment period is advertised at this time.

Bret Benson Sketch Plan Permit. Planner recommends approval of the permit to construct a new 20ft x 14ft garage and a 6ft fence as shown on the submitted sketch plan. Mark Nelson made a motion to approve Bret Benson's permit as recommended by Planner. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Robert & Lois Olson Sketch Plan Permit. Planner recommends approval of the permit to construct a two-family home, duplex, with attached garage, concrete sidewalks and a concrete driveway as shown on the submitted sketch plan. Bernie W. Finnicum made a motion to approve Robert and Lois Olson's permit as recommended by Planner. Mark Nelson seconded the motion. Those voting in favor of the motion: Bernie Finnicum and Mark Nelson. Opposed: W. Bruce Houle. Absent and not voting Dallas Dehner. MOTION CARRIED.

Mat and Dixie Berwick Sketch Plan permit. Planner recommends approval of the permit to pave the driveway to the garage and house as shown on the submitted sketch plan. W. Bruce Houle made a motion to approve Mat and Dixie Berwick's permit as recommended by Planner. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Montana Dept. of Transportation will be doing a subdivision application.

Roosevelt Memorial Hospital Property- Proposed Utility Easement. Jeremy has corresponded with Audrey Stromberg at the hospital about a proposed easement for water and sewer main line extensions from the Dave Geib property east and north. This would serve Industrial Park and the 30 acre subdivision north of the airport. There are restrictions on the north hospital property due to the airport runway. Jeremy will touch base with the hospital.

GJV's. General journal vouchers #579 - #584 and utility billing vouchers #812 - #817 were approved and signed.

Wastewater Collection and Treatment System. Scott Aspenlieder, WWC Engineering, said he is in discussion with Wayne Grimsrud and Ray Johnson for staging and pivot placement. The design is nearly complete. They are doing a cost saving review. Tentatively, at the September meeting, WWC would like to get final approval from the council to go to the State Dept. of Environmental Quality for approval. Council was presented with a new set of plans. This shows a linear pivot and looking at 70 acres to pivot. This set of plans gives more

August 6, 2012 cont.
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information on the lift station. When the project goes to bid, it will be a 45 day bid, due to the size of this project.

Town Council would like information on impact or availability fees, hook-up fees and equivalent demand units (EDU'S). Town needs to contact Dan Semmens at Dorsey & Whitney, they can help with the EDU system and availability fees. Clerk will see if WWC will participate with Town and Dorsey & Whitney on this.

Geib Development. Dave Geib Development sewer main extension has been approved by DEQ. The water main extension is being reviewed by DEQ.

City Pumper Fire Truck. W. Bruce Houle made a motion to purchase a used pumper fire truck from the Bellevue, Washington Fire Dept. This is a 1994 H & W Spartan Gladiator Chassis Fire Pumper with a 500 gallon tank. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The fire department meeting is Tuesday, August 14th at 7:00 p.m. the fire department would like to have a picture taken with the Town Council so this can be in the Searchlight.

Stagecoach. The Stagecoach plans to hold a parking lot Band & Dance on Saturday August 18th at 8:00 p.m. to midnight. Council has no problem with this.

Mark Mahlen Man Camp. Mark Mahlen requested water and sewer for 3 more skid units at his man camp. Clerk gave him the annexation paperwork on 7-30-12. Mark Mahlen said he is going to annex into town limits. Mayor Oelkers suggested Mark annex before adding 3 more skid units. Mark said he needs the services for the 3 skid units sooner. This is capacity for 30 more men. Mark Colvin complained that the town wants to service property that is not annexed in, when the town has denied service to property that is in the limits. Scott Aspenlieder, WWC told Mark Colvin that, what was his property has never been denied services by the town.

Culbertson Housing Authority. The Culbertson Housing Authority sent a Memorandum of Understanding for Council review and approval. The Understanding is entered into by the Culbertson Public School, Culbertson Roosevelt Memorial Medical Center, town of Culbertson and Roosevelt County. This is just to get the process started. W. Bruce Houle asked why we should be in competition with private. Currently, housing is scarce and very high. W. Bruce Houle made a motion to sign the Memorandum of Understanding. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

American Red Cross	300.00
Visa	45.00
State Treasurer	635.00
Lynn Beyer	88.19
Penny Hendrickson	293.08
Alene Crowder	25.32
Ashley Sullivan	729.75
Bailey Nickoloff	44.28
Erica Nickoloff	804.91
Janae Reynen	40.07
Michael Gossage	115.03
Paige Berwick	961.31
Raedelle Aspenlider	2450.31
Renee Oelkers	472.12
Robert Jasper	125.46
Shania Dahlberg	689.64
Shelby Weeks	826.93
Tiffany Marchwick	1268.45
City of Bellevue	44000.00
Alan Aspenlieder	500.00
The City Line	799.50
CNA Surety	100.00
Dept. of Revenue	379.24
Finnicum's	202.14
Gaffaney's	447.66
Hawkin's Inc.	945.50
Hometown Market	95.53
Internal Revenue Service	2614.58
John Deere Financial	28.68
Larry Crowder	200.00
Larsen Builders	13.90
Mike Olson	200.00
Miller Oil Co.	532.41
Montana Aeronautics Div.	319.85
MDU	626.60
Nemont	341.65
Oelkers Servicenter	113.00
Parker, Heitz & Cosgrove	1970.00
PERS	611.10
Reliable Tent & Awning	85.85
Robert Jasper	400.00
Roosevelt Co. Sheriff Dept.	1000.00

Enterprise Funds:

Visa	241.19
Visa	135.99
David Dean	3331.26
Michael Gossage	2760.74
Robert Jasper	4056.39
Shirley Gallegos	2025.27
Sheridan Electric Coop.	1215.70
AT&T	46.80
ATC Hydrovac	600.00
The City Line	15.34
Colvins Sales & Service	11.36
Dept. of Revenue	727.76
Dept. of Public Health	21.00
Energy Laboratories	414.00
Finnicum's	160.50
Hawkins Inc.	2508.45
Industrial Systems	508.89
Internal Revenue Service	3575.66
Interstate Power Systems	135.79
John Deere Financial	5.35
Kohler Communications	25.00
Larry Pearson	385.00
Material Testing Serv.	4527.00
Miller Oil Co.	2868.11
MMIA	3260.00
MDU	3310.32
Nemont	88.01
Northwest Pipe	433.24
Oelkers Servicenter	1678.33
Praxair	31.20
PERS	2367.74
Sheridan Electric	15.00
Tory Amundson	36.42
US Bank Trust Spa CM 9695	5435.58
Utilities Underground	23.68
Williston Landfill	3364.95
TOTAL	<u>50347.02</u>

General Fund cont:

Roosevelt County	1265.00
Savage Law Firm	1407.00
Sidney Red-E-Mix	30.00
Watco Pools	180.62
Colvin Sales & Service	9.69
TOTAL	<u>\$69,334.35</u>

Special Funds:

Ross Helmer	636.53
US Bank Trust Spa CM 9695	4452.94
Beth Hekkel	276.65
The City Line	9.85
Culbertson Pharmacy	30.28
Dacotah Paper Co.	139.24
Dept of Revenue	9.00
Dixie Berwick	70.75
Finnicum's	146.48
Hometown Market	18.62
Horizon Resources	171.04
Internal Revenue Service	90.99
John Deere Financial	176.61
Miller Oil Co.	398.01
MDU	1499.13
MDU	15.66
Nemont	87.99
Newman Traffic Signs	84.81
Sheridan Electric	91.68
The Searchlight	21.00
WWC Engineering	<u>5569.01</u>
TOTAL	<u>13996.27</u>

Meeting Adjourned at 9:15 p.m.



Clerk



Mayor

August 20, 2012

754

August 20, 2012 @ 7p.m. Special Meeting – Final Budget Preparation FY 2012-2013. The Culbertson Town Council met in special session to make final budget preparations for FY 2012-2013. The following were present: W. Bruce Houle, Gordon Oelkers, Bernie W. Finnicum, Mark Nelson and Raedelle Aspenlieder. Absent: Dallas Dehner.

Mark Nelson made a motion to approve the agenda. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Council asked clerk to put EDU's (equivalent dwelling units) on the September 4, 2012 council meeting agenda. Clerk will find out what the Public Notice Requirements are to raise water and sewer rates.


Mark Nelson made a motion to raise the 5 full-time employee wages 3% effective 7-1-12. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Raedelle will try to verify the amount of new tax revenue if United Grain Corporation were to annex into town.

The Development Review Fee Schedule needs to be adjusted. This will require an ordinance.

Raedelle will ask Planner Jeremy Fadness when does a residential become a commercial unit? There are several residential homes that are now housing 6-10 men sleeping rooms.

Meeting adjourned at 8:30 p.m.


Clerk


Mayor

August 27, 2012 @ 6:00 p.m. Special Meeting - Work Session - Rate Fee Schedules. The Culbertson Town Council met in special session with the following present: Gordon Oelkers, Bernie W. Finnicum, W. Bruce Houle and Raedelle Aspenlieder. Absent: Dallas Dehner and Mark Nelson.

Bernie W. Finnicum made a motion to approve the agenda. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

August 27, 2012 cont.
755

Council discussed 2013 Swimming Pool Fees. The recommendation was:

- \$3.00 /person/session
- \$60.00/individual season pass
- \$100.00/family session pass
- \$35.00/person swim lesson

This will require a Resolution for the next regular Town Council Meeting.

Development Review Ordinance Fee Schedule should pay the cost for the Planner services. This can be amended through an Ordinance.

Garbage Rate Structure needs to be changed. Council wants to weigh commercial garbage for 3 weeks so we can see what percentage is commercial and what percentage is residential. Then council will meet and they will want Bob, Dave and Mike present.

Water and sewer EDU (equivalent dwelling unit) or similar calculation method. John Weikel with Montana Rural Water supplied the information for the EDU method. The EDU method is accepted by the funding agencies as it meets Montana Law regarding fair and equitable. An Ordinance is required to set the EDU method of calculations.

The street lighting assessment needs to be increased by 28% as Montana-Dakota Utilities Co. had a rate increase Feb. 2011. This requires a Resolution.

Council discussed the need and possibility of a Town Wide Street Maintenance District. Council will ask Attorney Hennessy to check into this.

Council discussed how to support and/or assist the fire department to form a Fire District. Council will ask Attorney Hennessy to check into this.

Meeting Adjourned at 7:00 p.m.


Clerk


Mayor


Tuesday, September 4, 2012 @ 7:00 p.m. Final Budget Hearing and Adoption.

The Culbertson Town Council met for a special meeting for the Final Budget Hearing. The following were present: Mark Nelson, Gordon Oelkers, W. Bruce Houle, Bernie W. Finnicum and Raedelle Aspenlieder. Absent: Dallas Dehner. Guests: Chuck Swanson – PTI and Steve Jasco.

There were no questions or objections to the budget.

W. Bruce Houle made a motion to accept the budget for fiscal year ending 6-30-2013. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Meeting adjourned at 7:15 p.m.


Clerk


Mayor

September 4, 2012. The Culbertson Town Council met in regular session with the following present: Mark Nelson, Gordon Oelkers, W. Bruce Houle, Bernie W. Finnicum, Greg Hennessy, Robert Jasper, and Raedelle Aspenlieder. Absent: Dallas Dehner. Jeremy Fadness, and Scott Aspenlieder, WWC Engineering were on Skype. Guests: Chuck Swanson – PTI, Steve Jasco, Kelly Berk – The Searchlight, Angie Purvis, Mark Mahlen, Brianna Vine – Great Northern Development Corp.

Mark Nelson made a motion to approve the agenda with the addition of guest Brianna Vine with Great Northern Development Corp, minutes from Special Meeting – Budget July 30, 2012, Resolution of Intent to Annex Property – Mark Mahlen, and General Journal Voucher #601. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve Special Meeting Minutes from July 30, 2012, regular meeting minutes from August 6, 2012 and Treasurer Report from July 31, 2012. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Planning Grant. Brianna Vine with Great Northern Development Corp. asked if the town would sponsor a Planning Grant for Roosevelt Memorial Hospital. The Hospital would like to move the clinic and lab upstairs to the west wing. Great Northern Development Corp would administer the grant. The grant application is due 9-14-12. Feb. 2013 is the next round for a housing authority planning grant. GNDC will take the lead in a housing authority.

Mark Nelson made a motion to sponsor the Planning Grant for Roosevelt Memorial Hospital. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport. Attorney Hennessy contacted the County Attorney Office for a pattern file for transfer of the airport. Greg also needs information from Airport Board Chairman Rick Knick.

Blank_Water_Rate.xlsx

From: **John Weikel** (johnweikel@optimum.net)

Sent: Mon 8/27/12 4:55 PM

To: culbertsonmt@hotmail.com

1 attachment

Blank_Water_Rate.xlsx (18.2 KB)

Raedelle

I attached a blank sheet that shows the multiplier for different meter sizes. As I stated, this method is accepted by the funding agencies as it meets Montana Law regarding fair and equitable.

Thanks

John W

Name:

Date:

Type:

INVENTORY OF CONNECTIONS BY LINE OR METER SIZE			
	City		
SIZE	NO. OF CONNECTIONS	MULTIPLIER	EDU'S
0.75 INCH		1.00	
1.00 INCH		1.79	
1.25 INCH		2.78	
1.50 INCH		4.00	
2.00 INCH		7.14	
3.00 INCH		16.00	
4.00 INCH		28.57	
TOTAL			

	BASE RATE COST		
	Year	Month	per EDU
EXISTING DEBT		\$ -	
NEW DEBT		\$ -	
RESERVE (LOAN)		\$ -	
Additional O&M		\$ -	
Other O&M	\$ -	\$ -	
		\$ -	
TOTAL COST	\$ -	\$ -	

TOTAL BASE COST	\$ -	
EDU'S		
COST PER EDU		

BASE RATE COST PER EDU'S			
SIZE	EDU-COST	MULTIPLIER	TOTAL COST
0.75 INCH		1.00	
1.00 INCH		1.79	
1.50 INCH		4.00	
2.00 INCH		7.14	
3.00 INCH		16.00	
4.00 INCH		28.57	

Target Rate: _____
 Base Rate _____
 Difference _____

Combined: _____

Yearly Revenue _____ /1000 gal
 Actual O&M Costs _____
 Adjusted O&M Costs \$ -

September 4, 2012 cont.
757

The County is using the airport truck now, but will get it back to Culbertson. If the County picks up a truck from surplus, they will give title to Culbertson.

Theodore Roosevelt Expressway. No news.

BNSF Railway Co. Crossing on 1st Ave. W. No news.

Centennial Drive SID. Paving project is complete. Chip seal is done. However, Knife River did not chip seal 20' south of waterway.

Corridor Study. The informational meeting was held on Thursday, August 16, 2012. There was about 40 in attendance.

Industrial Park Street Dedication. Mike Barrett needs a second entrance to the 30 acre subdivision. If lot one cannot be used due to future airport expansion, Mike wanted to know if 60' is available from Rob Oelkers. Mayor Oelkers said it is up to Mike Barrett to talk to Rob Oelkers.

United Grain Corp. Town sent letter to United Grain Corp. requesting that they annex into town limits. County assessor provided a taxation breakdown county versus town.

Dept. of Natural Resources and Conservation – Water Rights. No new news.

Culbertson Housing Authority. It will be February 2013 before a planning Grant application can be submitted. The Culbertson Housing Authority would be Town, Hospital and School.

Sketch Plan Permits. Planner Jeremy Fadness went through his staff report on the Shriner Extended Stay Permit. Mark Nelson made a motion to approve the Shriner Extended Stay Permit with the revised conditions of approval as stated in the staff report of WWC. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Montana Dept. of Transportation is still working on subdivision application.

PTI Man Camp has nothing official yet on the location. Chuck Swanson with PTI said they are going for a purchase land option. PTI will start a new engineering process on the Mahlen property, which they will purchase. PTI will meet with the

Montana Dept. of Transportation for access. Attorney Hennessy told Chuck Swanson to update their permit and get it to the Planner.

W. Bruce Houle made a motion to approve the Resolution of Intent To Proceed With Application For Subdivision Review Of A PTI 250 Bed Man Camp Proposal To Succeed To An Existing Mahlen Men Camp and accepting the offer from PTI for fixed revenue guarantee. This is subject to PTI fully complying with all the Development Review Permit Requirements. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Shane Shriner asked if there are any fast track steps. Jeremy Fadness said no, there are timelines built in the Development Review permit process.

Kevin Miller Sketch Plan Permit for a storage shed. Planner recommended approval of the permit to construct a new storage shed as shown on the submitted sketch plan. Mark Nelson made a motion to approve the Kevin Miller Sketch Plan Permit. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Town Wide Street Maintenance District. Attorney Hennessy did some research on a Town Wide Street Maintenance District. Town needs to see if we can get a Planning Grant for this.

Aaron Snyder Sketch Plan Permit for an 8' x 40' storage shed and a fence. Planner recommends approval of the permit to construct a new storage shed and a wooden fence as shown on the submitted revised sketch plan with the following conditions. 1.) The proposed fence shall be no higher than 6 ft. in height at any point along the east property line of Lot 3, Block 14 of the Bruegger Addition in the location shown on the revised sketch plan. W. Bruce Houle made a motion to approve Aaron Snyder's permit as recommended by the Planner. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Todd and Angie Purvis Sketch Plan permit for a garage. Planner recommends approval of the permit to construct a new garage as shown on the submitted sketch plan. W. Bruce Houle made a motion to approve Todd and Angie Purvis sketch plan permit as recommended by the Planner. Bernie W. Finnicum seconded the motion. MOTION CARRIED.

Danny Anderson Sketch Plan Permit for a carport and new garage. Planner recommends approval of the permit to construct a new garage and attached carport as shown on the revised sketch plan. W. Bruce Houle made a motion to approve Danny Anderson's sketch plan permit as recommended by the Planner.

Findings

Conditional Use Permit Review: A Site Plan Development Permit application for an extended stay facility and accessory storage units was submitted to the City on June 1, 2012. The application was reviewed for completeness and a deficiency letter was sent out on June 6, 2012. We received additional information on the application on July 6, 2012 and as requested by staff additional information was submitted on July 17, 2012 and staff confirmed the application was complete on July 17, 2012. Staff reviewed the application to ensure that there was sufficient information to review the application and on August 6, 2012 the application was deemed sufficient for public review. On August 9, 2012 the proposal was advertised for public comment for 15 days. No public comment was received during the 15 day public comment period. After reviewing the application and the required criteria for a site plan review for a development permit for an extended stay facility and accessory storage units, staff has concluded that the request for the above referenced development permit does meet with the all of criteria for a site plan review for granting the development permit. Staff's analyses of the required criteria as they relate to the requested site plan review for a development permit are presented above.

Recommended Conditions of Approval

- 1) The extended stay facility shall not connect to or contribute wastewater flows to the Town of Culbertson wastewater system until the planned wastewater improvements project is complete or at such time the Town of Culbertson determines that the wastewater project is sufficiently along in the construction process to permit the increase in wastewater flows. The applicant shall make a written request to connect to the wastewater system prior to connection and the applicant shall get approval in writing from the Town of Culbertson prior to connecting to the wastewater system. Sewer service connections and/or sewer mains shall be designed in accordance with the Montana Public Works Standard Specifications current edition and Montana Department of Environmental Quality requirements. Sewer service and/or sewer main designs shall be submitted to the Town of Culbertson, and if necessary the Montana Department of Environmental Quality, for review and approval prior to installation. Sewer services and/or sewer mains shall be installed and operational prior to requesting final site plan approval.
- 2) The applicant shall comply with all of MDT's requirements on the existing approach onto Highway 2. The applicant shall provide the Town of Culbertson with a letter from MDT indicating that the applicant has complied with all of MDT's requirements prior to requesting final site plan approval.
- 3) If the applicant proposes to install any signs the applicant shall provide a separate sketch plan and application for review and approval by the Town of Culbertson to ensure compliance with the sign requirements on Chapter 7 of the Ordinance.
- 4) The stormwater drainage improvements including site grading shall be constructed in accordance with the submitted grading and drainage plan. The stormwater drainage improvements and site grading shall be certified by a professional engineer in the State of Montana as being installed in accordance with the submitted plan prior to requesting final site plan approval.
- 5) Sewer and water services shall be constructed in accordance with the submitted plans and the Montana Public Works Standard Specifications current edition. Sewer and water services installations shall be certified by a professional engineer in the State of Montana

as being installed in accordance with the submitted plans and the Montana Public Works Standard Specification current edition prior to requesting final site plan approval.

- 6) The applicant shall submit copies of all permits for the project including but not limited to plumbing, electrical, building, and Montana Department of Environmental Quality storm water pollution prevention plans and notice of intent prior to beginning work.
- 7) Once project construction is complete and all the utility and site improvements have been completed, the applicant shall request a final site plan approval in accordance with the Ordinance before the proposed building can be occupied.

Public Comment

No public comment was received.

Board Actions

The Council may take the following actions regarding this application.

- 1) Approve the requested development permit after making a finding of facts that the requested development permit meets the required criteria for approval. Such findings need to be in writing.
- 2) Conditionally approve the requested development permit after making a finding of facts that the requested development permit meets the required criteria for approval. Such findings need to be in writing.
- 3) Deny the requested development permit after making a finding of facts that the requested development permit does not meet the required criteria for approval. Such findings need to be in writing.

On September 4, 2012 at a regularly scheduled meeting of the Town Council of the Town of Culbertson, the Council voted to conditionally approve the site plan application for the extended stay facility and accessory storage units as shown in the above findings of fact and recommended conditions of approval as amended per Council discussion. The motion to accept the findings of fact and recommended conditions of approval with the requested amendments passed with a unanimous vote of the Town Council.

Attachments: Submitted application materials and site plan.

The applicant is advised that unmet code provisions, or code provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver or other relaxation of the lawful requirements of the Town of Culbertson Development Review Ordinance or state law.

THE TOWN COUNCIL SHALL MAKE THE FINAL DECISION ON THIS APPLICATION FOR A DEVELOPMENT PERMIT. ANY AGGRIEVED PERSON AS SET FORTH IN SECTION 12.H OF THE TOWN OF CULBERTSON DEVELOPMENT REVIEW ORDINANCE MAY APPEAL THE DECISION OF THE TOWN COUNCIL.

September 4, 2012 cont.
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Mark Nelson seconded the motion. All present voted in favor of the motion.
MOTION CARRIED.

Mark Mahlen Annexation. W. Bruce Houle made a motion to approve a Resolution of Intent To Annex A Parcel of Land Known As The Mahlen Property, Into The Town of Culbertson, Montana. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Clerk will advertise the Intent to Annex with a Public Hearing for 10-1-12.

W. Bruce Houle made a motion to approve the request for three additional utility connections within Mark Mahlen's existing man camp operation. Clerk will send the letter to Mark Mahlen. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Roosevelt Memorial Hospital Property. Scott Aspenlieder, WWC talked to hospital administrator Audrey Stromberg about a proposed utility easement to Industrial Park and Mike Barrett's 30 acre subdivision. Scott will meet with the hospital board.

GJV's. General Journal Vouchers #585 - #601 and utility billing vouchers #819 - #826 were approved and signed.

Wastewater Collection and Treatment System. Scott Aspenlieder met with Ray Johnson about the pivot system. Ray wants to talk to the NRCS. By adding aeration to cells 1 and 2 the cells can be smaller. There will be more mechanical equipment. Brings the capital costs down by \$800,000. The pivot system is basically the only thing left. Once the pivot system is designed, DEQ and Rural Development will take approximately 45 days to review and approve. Would like to start construction in March.

Geib Development. DEQ approved the water main extension for the Geib Development this afternoon. Geib needs to finish water and sewer installation and get costs before a Development Agreement can be completed.

Landfill. Landfill inspection report dated 8-14-2012, no violations were noted.

Street Lighting. Mark Nelson made a motion to approve Resolution Number 391 A Resolution Specifying Street Lighting District Assessment Increase Effective Fiscal Year 2012-2013. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mill Levies. W. Bruce Houle made a motion to approve Resolution Number 388 setting an All-Purpose levy of 151.75 mills and Library 31.18 mills, a total of 182.93 mills for fiscal year ending June 30, 2013. A levy of 37.62 mills for the

General Obligation Debt. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Swimming Pool Fees. Mark Nelson made a motion to approve Resolution Number 392 Establishing Swimming Pool Fees Effective May 2013, \$3.00/person/session, \$60.00/individual/season pass, \$100.00/family season pass and \$35.00/student/swimming lesson session. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Capital Improvement Program. W. Bruce Houle made a motion to Resolution Number 390, A Resolution To Earmark The Use Of Capital Improvement Program Funds. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Personnel Wages. Mark Nelson made a motion to approve Resolution Number 389 Establishing Personnel Wages Effective July 31, 2012. W Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Garbage. Staff is conducting a study on the garbage generated so rates for Commercial and Residential can be properly adjusted. First reading of the Ordinance is planned for October 1, 2012 Council meeting.

Development Review Ordinance. W. Bruce Houle made a motion to approve First Reading of An Ordinance Amending the Development Review Ordinance Fee Schedule. Bernie W. Finnicum seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Water and Sewer Rates. W. Bruce Houle made a motion to approve First Reading of An Ordinance Amending the Structure of Water and Sewer Rates. Rates will be based On EDU's (Equivalent Dwelling Unit). The Method Accepted by the funding agencies and meets Montana Law regarding fair and equitable. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Garbage Truck. Kois Brothers Equip. in Billings has a decent trade-in from the City of Billings. This truck capacity is 9 yards larger than our trucks, cost \$42,000. Council approved purchase. Town will finance through Intercap.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Ashley Sullivan	38.81
Erica Nickoloff	61.68
Janae Reynen	230.28
Paige Berwick	1507.50
Renee Oelkers	424.33
Shelby Weeks	599.73
Tiffany Marchwick	209.00
State Treasurer	228.00
Visa	112.21
MMIA	2483.00
MMIA	5034.43
Lynn Beyer	90.88
Michael Gossage	70.70
Penny Hendrickson	293.07
Raedelle Aspenlieder	2594.73
Alene Crowder	6.08
Ashley Sullivan	467.69
Mt. Dept. of Revenue	248.36
Dylan Bear	158.54
Erica Nicoloff	458.43
Internal Revenue Service	2252.24
Paige Berwick	529.07
PERS	610.23
Renee Oelkers	379.29
Shania Dahlberg	321.12
Shelby Weeks	523.80
Tiffany Marchwick	682.20
Finnicum's	137.13
Gaffaney's	28.90
Hawkins Inc.	450.47
Hennessy Law Office	2745.50
Hometown Market	148.31
John Deere Financial	1.54
MDU	563.84
Nemont	339.68
Oelkers Servicenter	26.20
The Billings Times	142.00
The Searchlight	21.00
The City Line	543.71
Culbertson Pharmacy	1.59
Miller Oil Co.	86.92
TOTAL	<u>25852.19</u>


Enterprise Fund:

David Dean	122.00
Dept. of Public Health	21.00
Visa	128.32
MMIA	3132.00
MMIA	4163.59
David Dean	2851.67
Michael Gossage	129.55
Michael Gossage	3464.93
Robert Jasper	4166.09
Shirley Gallegos	2192.36
Mt Dept of Revenue	761.64
Internal Revenue Service	3759.95
PERS	2462.13
AT&T	44.80
Agri Industries	9.90
Energy Lab	4210.00
Finnicum's	83.90
Gaffaney's	20.44
Hawkins Inc.	3563.83
JZ Parts & Service	34.99
John Deere Financial	48.27
Kohler Communications	437.50
Kois Equip. Co.	704.41
MMIA	3260.00
MDU	47.92
MDU	1242.00
Nemont	88.87
Northwest Pipe Fittings	873.78
Oelkers Servicenter	2182.72
Sheridan Electric Coop.	210.00
Sheridan Electric Coop.	15.00
Williston Landfill	3094.90
The City Line	14.00
Miller Oil Co.	1769.81
MDU	<u>2642.61</u>
TOTAL	<u>51954.88</u>


Special Funds:

MMIA	602.00
MMIA	2619.56
Ross Helmer	637.12
MT Dept of Revenue	9.00
Internal Revenue Service	91.08
Interstate Power Systems	8858.28
MDU	18.49
MDU	1506.01
Nemont	87.68
Normont Equip. Co.	313.00
Parker, Heitz & Cosgrove	1282.5
Sheridan Electric Coop.	122.73
WWC Engineering	2715.61
The City Line	9.85
Culbertson Pharmacy	36.60
Miller Oil Co.	82.41
	<hr/>
TOTAL	18,991.92

Meeting adjourned at 10:00 p.m.



Clerk



Mayor



UNITED GRAIN CORPORATION

900 Washington Street
Suite 700
Vancouver, WA 98660
(360) 816-1901

September 18, 2012

VIA EMAIL TO JFADNESS@WCCENGINEERING.COM

Jeremy Fadness
Senior Engineer
WWC Engineering
1275 Maple Street, Suite F
Helena, MT 59601

RE: Annexation of United Grain Property into the Town of Culbertson

Dear Jeremy:

This will follow up on our recent meeting regarding the desire of the Town of Culbertson ("Town") to annex the property owned by United Grain Corporation of Oregon ("UGC"), located in Sections 31 and 32, Township 28N, Range 56E, M.P.M., described on attached Exhibit A (the "UGC Property"). Based on our meeting, I believe we have agreed for the Town to annex the property owned by UGC into the Town, subject to execution of an Annexation Agreement acceptable to the parties consistent with this letter, which Annexation Agreement would be incorporated into the ordinance annexing the property. UGC contemplates, after annexation, to sell a portion of the UGC Property to Fairmount Minerals or an affiliate thereof ("Fairmount").

The annexation agreement would confirm the following provisions, which could not be subsequently amended without the consent of the owners of the UGC Property.

1. Usage of city streets. UGC and subsequent owners of the UGC Property and its customers and suppliers would be entitled to use, for access to and from the UGC property, from county and state highways, the streets identified on the map attached hereto as Exhibit B, without restriction or imposition of burdensome requirements. This usage shall include heavy trucks which are generally allowed on Montana state highways. In this connection, the Town will:

(a) impose a no parking zone on Railroad Street (Hill Street) from its intersection with Broadway to its intersection with 1st Avenue West on both sides of the road; and

(b) designate Broadway ^{Street} from its intersection with 1st Street West to its intersection with Railroad Street (Hill Street) as a parallel parking zone (rather than the current diagonal parking zone).

The Town will not require a traffic study in connection with the partition, subdivision or boundary line adjustment of the UGC Property in connection with the proposed sale of the eastern portion of the UGC Property to Fairmount.

2. No Property Specific Ordinances. The Town will not impose on the UGC Property ordinances, restrictions, regulations, or revenue generation devices that are unique to the UGC Property and not imposed on all other properties located within the Town. This includes, without limitation, ordinances which may limit the days and hours of usage of city streets by trucks and other vehicles, or which limits days and hours of operation of the facilities on the UGC Property.

3. Industrial Zoning. The UGC Property upon annexation will be zoned as industrial under the Town of Culbertson Development Review, and such zoning will not be changed without the consent of the owners of the UGC Property. We understand that UGC's grain elevator is exempt under the Development Review ordinance from the height restrictions for the industrial zone.

4. Improvements of Streets. Town will reasonably consider requests by UGC or the subsequent owners of the UGC Property to make improvements to Railroad Street between Broadway Avenue and 1st Avenue West leading to the UGC Property. If such approval is granted, the owners of the UGC Property making the improvement will be entitled to a rebate of 20% of Town taxes collected with regard to the UGC Property until such owner has recouped the amount expended on such improvements.

5. Sewer. The owners of the UGC Property may, at their election, connect the UGC Property to Town sewer, provided that the connecting owner of the UGC Property pays the actual costs of such sewer extension, and thereafter pays regular sewer charges on the same basis generally charged to other users of the Town's sewer system, and the connection is approved by the County Sanitarian and DEQ.

6. Site Plan. Town approval of the Site Plan for the eastern portion of the UGC Property, to be operated by Fairmount, which is attached hereto as Exhibit C.

7. Pending Construction. The development by UGC of the grain facility and loop track, which is underway with building permits issued, will not be subjected to development review or approval by the Town of Culbertson

8. Offsite Improvements. Except for improvements of the turning curbs on Town streets as previously agreed, the owners of the UGC Property will not be required to make additional offsite improvements in connection with the annexation.

UGC's agreement to be annexed is subject to execution of annexation agreement by Town and UGC of an Annexation Agreement consistent with these points, and incorporation of such Annexation Agreement into the ordinance annexing the Property.

Please advise me if you believe I have incorrectly stated the points that were agreed upon in our recent meeting. If you concur the foregoing sets forth the terms on which the UGC Property would be annexed, please sign a copy of this letter and return it to me.

Very truly yours,

Anthony J. Flagg

United Grain Corporation of Oregon
By Anthony J. Flagg

cc: culbertsonmt@hotmail.com
gordon@nemont.net
wbhoule@hotmail.com

The foregoing is agreed to.
TOWN OF CULBERTSON

By: *Salon Allu*


Thursday, September 20, 2012 5:00 p.m. Special Meeting. The purpose of the meeting was to discuss an annexation agreement with United Grain Corporation. The following were present: Mark Nelson, Gordon Oelkers, W. Bruce Houle and Raedelle Aspenlieder. Absent: Dallas Dehner and Bernie W. Finnicum.

W. Bruce Houle made a motion to approve the agenda. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Council went over each item in the letter from United Grain Corporation of Oregon by Anthony J. Flagg to Jeremy Fadness, WWC Engineering – Town Planner, dated September 18, 2012. A copy is attached to these minutes.

W. Bruce Houle made a motion to accept the annexation agreement with United Grain Corporation. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Meeting adjourned at 5:25 p.m.



Clerk



Mayor

October 1, 2012. The Culbertson Town Council met in regular session with the following present: W. Bruce Houle, Dallas Dehner, Gordon Oelkers, Mark Nelson, Greg Hennessy and Raedelle Aspenlieder. Absent: Bernie W. Finnicum. Jeremy Fadness, WWC Engineering was on Skype. Guests: Scott Aspenlieder-WWC Engineering, Shane Schriener and Daryl & Karen Synan.

W. Bruce Houle made a motion to approve the agenda with the addition of gravel and grade alleys and 2nd Ave E. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve minutes from Special Meetings August 20, 2012, August 27, 2012, September 4, 2012, Regular Meeting September 4, 2012 and Special Meeting September 20, 2012 and Treasurer Report August 31, 2012. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mayor Oelkers addressed the visitors and none of the guests had anything for the council.

Airport. Attorney Hennessy will contact the County Attorney to check on the status of the airport being transferred from County to Town. Mayor Oelkers

October 1 2012 cont.
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reported on the 9-9-12 Airport Board Meeting. Craig Canfield with Kadrmas, Lee & Jackson was the only RFQ received. W. Bruce Houle asked if the airport board would consider an interim agreement for a road access to the 30 acre subdivision until the airport does acquire the land necessary for expansion of the runway. The FAA will not allow the access.

Theodore Roosevelt Expressway. W. Bruce Houle talked with Shane Mintz, MT Dot. Shane tried to implement Tiger Grant Funds for 4 lanes from the State Line to Bainville. This did not happen. Shane will get information for the Tiger Grant so the Town can apply for funding next time. Bruce and Shane will meet in Medora November 14, 2012. Ports to Plains is in Alberta today.

BNSF. No News.

Corridor Study. The Corridor Study Report will be out in October. Bruce sent an Email to the Dept. of Transportation in Helena and Shane Mintz in Glendive asking how are we going to handle the traffic when they tear up Broadway. The Town can request a traffic control plan. The Town can also be pro-active in the traffic plan. Town should request this meeting with the MT DOT.

Industrial Park Street Dedication. No news.

Dept. of Natural Resources and Conservation-Water Rights. No News.

Culbertson Housing Authority. No news.

Sketch Plan Permits. Kelly Scar Sketch Plan Permit- Planner recommends approval of the permit to place a new manufactured home on a permanent foundation and attached addition as shown on the submitted sketch plan and described in the application materials with the following clarification: 1.) The required finished floor shall be a minimum of 18" above the exterior finished grade of the lot as required by section 08.060.C.8.

W. Bruce Houle made a motion to approve Kelly Scar's sketch plan permit as recommended by the Planner. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Val-Am Stop & Go Sketch Plan Permit- Planner recommends approval of the permit to construct a new 26' x 10' addition as shown on the submitted sketch plan. W. Bruce Houle made a motion to approve Val-Am Stop & Go sketch plan permit as recommended by the Planner. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

KC Transport submitted a Sketch Plan Permit. Planner thinks review needs to go one step further.

Nothing from MT DOT.

United Grain Corp. Annexation. The Town has an annexation agreement with United Grain Corp. United Grain Corp. needs to submit a petition to annex.

PTI Group. Mark Nelson made a motion to approve Resolution No. 393. A Resolution Intent To Annex A Parcel Of Land Known As The Olson Property, Into The Town Of Culbertson, Montana. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The second part is a Zoning Designation. This should be a Mixed Use Designation. Under mixed use the town council has authority to approve or deny the application.

Mark Nelson made a motion to approve first reading of Ordinance No. 222. AN ORDINANCE OF THE TOWN COUNCIL OF CULBERTSON, MONTANA, AMENDING THE CULBERTSON LAND USE MAP BY DESIGNATING A DEVELOPMENT REVIEW DISTRICT ON ANNEXED AND PREVIOUSLY UNDESIGNATED ALANDS ON THE AREA GENERALLY LOCATED NORTH OF HIGHWAY 16 AND SOUTH OF HIGHWAY 2 LEGALLY DESCRIBED AS NORTH OF HIGHWAY 16 AND SOUTH OF HIGHWAY 2 LEGALLY DESCRIBED AS LOT 2 OF C.O.S. _____, CONTAINING 10.96 ACRES, WITHIN THE TOWN OF CULBERTSON, MONTANA.

W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Mahlen Annexation. W. Bruce Houle made a motion to approve Resolution No. 394. A Resolution To Annex a Parcel Of Land Known As The Mahlen property, Into The Town Of Culbertson, Montana. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Planner said right now town has 3000 gpd. excess capacity.

Garbage Truck. W. Bruce Houle made a motion to approve Resolution No. 395. A Resolution Authorizing The Outstanding Debt For An Intercap Loan In The Amount Of \$42,000 For Used Refuse Truck. Mark Nelson seconded the motion. MOTION CARRIED.

Proposed Utility Easement-Hospital Property. Scott Aspenlieder, WWC Engineering will be meeting with the Hospital Board this month.

October 1, 2012 cont.
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Demolition Permit. W. Bruce Houle made a motion to approve a Demolition Permit from Austin Knudsen and Jordan Knudsen. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Council questioned the date, it was not on the permit.

GJV's. General Journal Voucher #602 and utility billing vouchers #827-#832 were approved and signed.

Wastewater Collection and Treatment System. W. Bruce Houle made a motion to approve DNRC Grant Amendment #1 RRG-12-1519. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED. Scott Aspenlieder, WWC Engineering delivered a Plan Set, less the pivot/land issue. Still working on the pivot/land issue.

Mark Nelson made a motion to have Attorney Hennessy write an agreement for the pivot on the particular land for the wastewater project. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Scott will get the necessary information to Attorney Hennessy.

Town Wide Street Maintenance Dist. Attorney Hennessy provided some information about a Town Wide Street Maintenance District. The town should first do a Capital Improvement Plan for streets.

Geib Development. Town received a letter from DEQ approving the Water Main Extension on 2nd Ave. E. The Street will have to be restored. The as builts for the sewer main extension, indicate the grade should have been .4 and the contractor hit .3. This goes back to DEQ for approval of the as built sewer main extension. Council thought if it passes DEQ, they would accept it.

Garbage. Town staff is conducting a study on the garbage generated so rates for commercial and residential can be properly adjusted. Clerk will set a date and time for a meeting with all employees and council.

Development Review Ordinance. W. Bruce Houle made a motion to approve Second and Final Reading of Ordinance No. 220 An Ordinance, First Amendment To Original Ordinance No. 219, Amending The Development Review Fee Schedules. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Structure Of Water And Sewer Rates. W. Bruce Houle made a motion to approve Second and Final Reading Of Ordinance No. 221, An Ordinance Amending The Water and Sewer Rate Structure For The Town Of Culbertson.

Dallas Dehner seconded the motion. All present voted in favor of the motion.
MOTION CARRIED.

W. Bruce Houle made a motion to implement the EDU Method for water billing and sewer rate change, due to the project, at the same time. The timing will depend on the Wastewater System Project. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Beer License. Town received notice of Application for Transfer of Ownership Montana Retail On-Premises Consumption Beer License, Me Too Pizza, from the Montana Dept. of Revenue. No questions or concerns from council.

Fill Dirt. Is the town interested in filling the curve at the swimming pool lower park? There is extra fill dirt available. Mark said the curve jogs in about 6 feet. W. Bruce Houle made a motion to allow fill dirt on the curve as long as they shape and form as they haul it in. Dallas Dehner seconded the motion. Those voting in favor of the motion: W. Bruce Houle and Dallas Dehner. Absent and voting: Bernie Finnicum. Abstaining: Mark Nelson. MOTION CARRIED.

DNRC. The Department of Natural Resources and Conservation will be here for a Community Assistance visit on Wednesday, Oct. 24, 2012 at 8:30 a.m. Mayor Oelkers will assist them.

Alleys. Council discussed the need to blade and gravel alleys. Most of the alleys are too high and do not need more gravel, but need to be bladed.

Garbage. Council discussed hauling the garbage to the Richland Co. Landfill. Richland Co. charges \$55/ton and Williston is \$40/ton. When you consider the time and distance difference, it is a wash. Council approve hauling to Sidney.

The following bills were reviewed by the auditing committee and ordered paid:

General Fund:

Hennessy Law Office	3550.75
Hometown Market	47.35
Montana-Dakota Utilites	51.04
State Treasurer	50.00
Lynn Beyer	63.85
Penny Hendrickson	293.07
Raedelle Aspenlieder	2526.30
The City Line	55.64
CNA Surety	100.00
Finnicum's	86.46
Gaffaney's	8.28
IRS	1108.54
Me Too Pizza Inc.	17.00
Miller Oil Co.	12.33
MT Dept. of Revenue	171.00
Montana Dakota Utilities	18.09
Nemont	280.31
Oelkers Servicenter	190.80
PERS	577.21
Roos. Co. Sheriff Dept.	1000.00
The Searchlight	122.00
Hennessy Law Office	5454.75
Montana Dakota Utilities	313.73
TOTAL	16098.50

Special Funds:

Beth Hekkel	287.06
Beth Hekkel	349.29
Montana Dakota Utilites	106.88
Redbook	21.97
Ross Helmer	637.12
The City Line	9.85
Finnicum's	61.46
IRS	91.08
Knife River	6412.50
MT Dept. of Revenue	9.00
Nemont	87.68
Parker, Heitz & Cosgrove	3959.50
Sheridan Electric Coop.	112.20
Sidney Red-E-Mix	100.00

Enterprise Funds:

Larsen Builders	159.40
Kois Brothers Equip.	42000.00
David Dean	3284.79
Michael Gossage	2453.38
Robert Jasper	4004.06
Shirley Gallegos	1915.06
AT&T	44.80
Agri Industries	486.82
The City Line	11.98
CNA Surety	100.00
Curtiss Farm & Auto	37.50
Energy Lab	335.00
Finnicum's	538.38
Hawkins Inc.	2181.51
Industrial Systems	3065.82
IRS	3467.83
Miller Oil Co.	1734.48
MT Dept. of Revenue	696.00
MMIA	3260.00
Nemont	88.17
Oelkers Servicenter	1347.98
Praxair Dist. Inc.	15.75
PERS	2274.03
Sheridan Electric	15.00
Utilites Underground	44.40
Williston Landfill	3014.05
John Deere Financial	51.61
Montana Dakota Utilities	36.47
TOTAL	76664.27

Special Funds Cont.

WWC Engineering	3061.12
John Deere Financial	134.27
Montana Dakota Utilites	1643.57
TOTAL	17084.55

Meeting Adjourned at 8:45 p.m.


 Clerk


 Mayor

Monday October 15, 2012

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Monday October 15, 2012 Special Meeting 6:00 p.m. The Culbertson Town Council met in special session to discuss garbage notes. The following were present: W. Bruce Houle, Shirley Gallegos, Mark Nelson, Robert Jasper, Dave Dean, Gordon Oelkers, Bernie W. Finnicum, Dallas Dehner, and Raedelle Aspenlieder.

Town employees weighed the commercial dumpsters for 3 weeks. Commercial garbage accounted for 50.33% of the garbage hauled. Council discussed the garbage operating expenditures and revenues. Council reviewed each commercial account, the number of dumpsters and pick-ups per week for each commercial account.

Clerk will update the commercial accounts rate schedule, which will show the projected revenue.

Clerk will get the charge for the Garbage Ordinance ready for first reading Nov. 5, 2012. After first reading of the ordinance, a letter will be sent to each commercial account.

Meeting Adjourned at 7:15 p.m.


Clerk


Mayor

November 5, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Dallas Dehner, W. Bruce Houle, Bernie W. Finnicum, Mark Nelson, Robert Jasper, and Raedelle Aspenlieder. Jeremy Fadness, WWC Engineering was on Skype. Absent: Attorney Greg Hennessy. Guests: Searchlight- Samantha Stanich, Robert Petersen, Daryl & Karen Synan, Mark Mahlen, Debra Dennis, Chuck Swanson-PTI, Audrey Stromberg, Laurie Averill and Shane Shriner.

W. Bruce Houle made a motion to approve the agenda with the addition of a Certified Operator-Contract Employee, and a correction to #26, should say diagonal parking not parallel. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to approve minutes from regular meeting October 1, 2012 and Special Meeting October 15, 2012 and Treasurer Report September 30, 2012. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

November 5, 2012 cont.

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Man Camp. Chuck Swanson, PTI wanted to know where we are in the process of annexation. Is there an approach permit for 7th Ave. E.? Chuck requested a letter from the town that says we will service PTI with water, garbage and sewer. W. Bruce Houle made a motion to write PTI a letter stating the town will service water and garbage now and sewer when it is available. Planner Jeremy Fadness will write the letter. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Airport. Robert Petersen, Airport Board Member, discussed the Scope of Services for Culbertson - Big Sky Field Airport Affected Area by Craig Canfield with Kadrmas, Lee & Jackson. The project cost is \$7000. Dallas Dehner made a motion to approve the Scope of Services for Culbertson – Big Sky Field Airport Affected Area from Craig Canfield, Kadrmas, Lee & Jackson. Bernie W. Finnicum seconded the motion. Bernie W. Finnicum seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Robert Petersen said United Grain is in compliance with airport regulations.

Craig Canfield was consulted.

The airport being transferred from the County to the town is being worked on.

TRE. W. Bruce Houle plans to attend the Theodore Roosevelt Expressway meeting scheduled for Nov. 14, 2012 in Medora. North Dakota and South Dakota are involved and Shane Mintz with the Montana Dept. of Transportation in Glendive will attend also.

BNSF Railway Co. No New News.

Corridor Study. Council instructed clerk to write to Shane Mintz, MT DOT, Glendive and request a meeting in Culbertson on the Corridor Study and the upcoming reconstruction of Highway 16 through Town (Broadway Ave.)

Dept. of Natural Resources and Conservation – Water Rights. No new information.

Culbertson Housing Authority. No new news.

Town Wide Street Maintenance Dist. No new information.

Sketch Plan Permits. Jeremy has not been able to get ahold of the MT DOT on their permit.

KC Transport Sketch Plan Permit. Planner recommends approval of the new 22 ft. x 16 ft. scale house and the existing developed industrial site in accordance with the sketch plan. Please note that this recommendation of approval applies to zoning only; the Applicant is responsible for any other approvals or permits that may be applicable. Mark Nelson made a motion to approve KC Transport Sketch Plan Permit for the building only. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Robert Petersen Sketch Plan Permit. This permit was reviewed by the office staff. W. Bruce Houle made a motion to approve Robert Peterson sketch plan permit for an enclosed entry. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

United Grain Corp. Annexation. United Grain Corp. hired an attorney out of Missoula, who called Jeremy last week. Town may have something in December. Fairmount Minerals is planning to construct 6 silos.

Annexation Resolution No. 396. W. Bruce Houle made a motion to approve Resolution No. 396. A Resolution To Annex A Parcel Of Land Known As The Olson property, Into The Town Of Culbertson, Montana, As Follows:

Section 1. The Town of Culbertson hereby annexes the parcels known as the Olson property; located in Roosevelt County, Montana, generally located south of U.S. Highway 2, and adjacent to the existing city limits of the Town of Culbertson, have requested that the Town of Culbertson annex the property, as legally described in Exhibit "A" as the remainder tract of C.O.S. No. 311451 and as shown in Exhibit "B" attached hereto and by this reference made a part hereof. This annexation will be effective upon completion of the following conditions:

Section 2. The boundaries of the Town of Culbertson are hereby extended to include the above described property.

Section 3. The Town Clerk shall certify, under seal of the Town of Culbertson, the Resolution which shall be filed with the Clerk and Recorder of Roosevelt County, and thereafter said annexed property shall be a part of the Town of Culbertson and the Town of Culbertson shall have the power to pass all necessary ordinances pertaining thereto.

Section 4. The property shall be zoned as shown and described under Ordinance 396 and on the official land use map for the Town of Culbertson. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

November 5, 2012 cont.

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Culbertson Land Use Map. W. Bruce Houle made a motion to approve Second and Final Reading of Ordinance No. 222. An Ordinance Of The Town Council Of Culbertson, Montana, Amending The Culbertson Land Use Map By Designating A Development Review District On Annexed And Previously Undesignated Lands On The Area Generally Located North Of Highway 16 And South Of Highway 2 Legally Described As North Of Highway 16 And South Of Highway 2 Legally Described As Lot 2 Of C.O.S. _____, Containing 10.96 Acres, Within The Town Culbertson Montana.

Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

PTI will have to submit a Site Plan Application. PTI agreed to pay the Town \$100,000/yr. For 5 years, then based on beds after that.

Mark Mahlen Annexation. W. Bruce Houle made a motion to approve Resolution No. 397 A Resolution To Annex A Parcel of Land Known As The Mahlen Property, Into The Town Of Culbertson, Montana, As Follows:

Section 1. The Town of Culbertson hereby annexes the parcels known as the Mahlen property; located in Roosevelt County, Montana, generally located south of U.S. Highway 2, and adjacent to the existing city limits of the Town of Culbertson, have requested that the Town of Culbertson annex the property, as described on Exhibit "A" and as shown on Exhibit "B" attached hereto and by this reference made a part hereof. This annexation will be effective upon completion of the following conditions:

Section 2. The boundaries of the Town of Culbertson are hereby extended to include the above described property.

Section 3. The Town Clerk shall certify, under seal of the Town of Culbertson, the Resolution which shall be filed with the Clerk and Recorder of Roosevelt County, and thereafter said annexed property shall be a part of the Town of Culbertson and the Town of Culbertson shall have the power to pass all necessary ordinances pertaining thereto.

Section 4. The property shall be zoned as shown on the official land use map for the Town of Culbertson.

Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Town needs the Certificate of Survey to file the annexation boundary change.

Roosevelt Memorial Hospital Property – Proposed Utility Easement. Roosevelt Memorial Hospital is willing to go for the utility easement to be on the east side of the hospital. Gordon said the developer has to get it done.

Development Review Budget. W. Bruce Houle made a motion to increase Service Agreement #4 with WWC Engineering for Development Review Budget from \$15,000 to \$20,000. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Demolition Permit. Council noted the Demolition Permit And Indemnity Agreement for First Community Bank.

GJV's. General journal voucher #603 and utility billing vouchers #833 - #837 were approved and signed.

Wastewater Collection & Treatment System. WWC is modifying the irrigation portion of the project.

Geib Development. No new news.

Garbage Rates. Dallas Dehner made a motion to approve First Reading of Ordinance No. 223 An Ordinance Amending Garbage Rates. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED.

DNRC. The Dept. of National Resources and Conservation were here for a Community Assistance Visit on 10-24-12. Mayor Oelkers met with them. Gordon let them know the Town of Culbertson floodplain map needs to be updated. DNRC said the levee would need to be certified. What is the cost and scope of work to certify the levee?

Diagonal Parking & No Parking. W. Bruce Houle made a motion to have Attorney Hennessy draw up the Ordinances to prohibit diagonal parking on Broadway Ave. and "No Parking" on Railroad Street between Broadway Ave. and First Ave. W. Mark Nelson seconded the motion. All voted in favor of the motion. MOTION CARRIED. This change is due to United Grain, future truck traffic.

Pumphouse. Bernie W. Finnicum made a motion to purchase a new Coin Operated Meter for the Pumphouse, approximate cost \$325.00. Mark Nelson seconded the motion. All voted in favor of the motion.

Barrett Subdivision. Town received a letter from Morrison Maierle, Inc. on Barrett 30 acre subdivision. Soliciting comments regarding provision of town sewer and water services to the proposed residential subdivision. Jeremy said this is basically an agency letter. Jeremy will respond.

November 5, 2012 cont.
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Culbertson Area Community Foundation. The Culbertson Area Community Foundation has become a permanent fund at the Montana Community Foundation. Congratulations!

Library. The Library Staff asked if the town would like to purchase new shelves. The Library has a donation they can use, but would like to keep their dollars if they can. Council is requesting costs and options from the Library Staff.

Sick Leave. Council received a request to Contribute Sick Leave to the bank. W. Bruce Houle made a motion to approve the request to Contribute Sick Leave to the bank from Dave Dean. Bernie W. Finnicum seconded the motion. All voted in favor of the motion. MOTION CARRIED.

Certified Operator. Clerk asked Doug Portra if he could assist Culbertson with water sample compliance in Mike's absence. Doug is \$50/hr. plus mileage on a contract basis. W. Bruce Houle made a motion to use Doug Portra pending wage negotiation. Dallas Dehner seconded the motion. All voted in favor of the motion. MOTION CARRIED. If Doug is a licensed contractor we would need copies. If he is not a licensed contractor, then the Town would need to work out an hourly rate to compensate him.

The following bills were reviewed by the auditing committee and ordered paid:

<u>General Fund:</u>		<u>Enterprise Funds:</u>	
MMIA	1041.23	MMIA	2565.46
Unemployment Ins. Div.	67.66	MDU	3984.29
Visa	64.51	Unemployment Ins. Div.	123.34
Visa	789.38	Utilities Underground Loc.	24.64
Mt Dept. of Revenue	171.00	Visa	128.96
IRS	1110.17	Visa	290.97
Lynn Beyer	74.67	Michael Gossage	2797.39
Penny Hendrickson	293.07	Robert Jasper	4118.70
PERS	578.93	David Dean	3565.53
Raedelle Aspenlider	2526.30	MT Dept. of Revenue	757.00
AT&T	45.02	IRS	3616.56
Agri Industries	220.45	PERS	2450.96
The City Line	281.41	Shirley Gallegos	2175.37
Gaffaney's	514.68	The City Line	48.02
Hometown Market	9.79	Debra Dennis	28.18
MDU	280.52	MT DEQ	802.00
Nemont	281.94	Energy Laboratories	55.00
Penny Hendrickson	100.00	Hach Company	309.83
Roosevelt Co. Sheriff Dept.	1000.00	Hawkins Inc.	779.14
Roosevelt Co. Treasurer	14.29	Industrial Systems	657.69
Sheridan Electric Coop.	46.28	JZ Parts & Service	41.95

General Fund cont:

The Searchlight	81.00
Finnicum's	109.88
Hometown Market	26.90
Dept. of Labor & Industry	62.00
Hennessy Law Office	3782.25
TOTAL	<u>\$13,573.33</u>

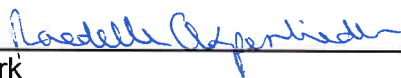
Special Funds:

MMIA	22.54
Unemployment Ins. Div.	5.13
MT Dept. of Revenue	9.00
IRS	91.08
Ross Helmer	637.12
Beth Hekkel	204.01
The City Line	58.19
Culbertson Pharmacy	14.30
Hometown Market	15.27
Larcan USA Inc.	16120.00
Mark Leinen	97.50
Miller Oil	111.71
MDU	1570.96
Nemont	87.90
Parker, Heitz, Cosgrove	982.70
Savage Law Firm	10465.40
Sheridan Elec. Coop.	87.72
The Hearst Corp.	32.97
The Searchlight	160.13
WWC Engineering	1230.53
MT Historical Society	35.00
Beth Hekkel	649.06
The Searchlight	60.00
Hometown Market	51.71
TOTAL	<u>\$32,799.93</u>

Enterprise Funds cont.

John Deere Financial	306.03
Kois Equip. Co.	130.02
Larsen Builders	98.23
Miller Oil Co.	2463.36
Modern Machine	150.00
MMIA	3260.00
MDU	2753.43
Nemont	96.03
Normont Equip. Co.	174.72
Northwest Pipe Fittings	5039.10
Oelkers Servicenter	312.00
Praxair Dist.	15.75
Sheridan Elec. Coop.	15.00
Finnicum's	112.50
USA Blue Book	784.50
Praxair Dist.	15.45
Hometown Market	8.59
Richland County	3094.30
Williston Landfill	730.50
WWC Engineering	151824.51
TOTAL	<u>\$200,705.00</u>

Meeting Adjourned at 9:10 p.m.


Clerk


Mayor

December 3, 2012

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December 3, 2012. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W Bruce Houle, Dallas Dehner, Mark Nelson, Greg Hennessy and Raedelle Aspenlieder. Jeremy Fadness, WWC Engineering was on Skype. Robert Jasper entered the meeting at 8:35 p.m. Absent: Bernie W. Finnicum. Guests: Mike Barrett, Deputy Tim Lingle, Pete Olson, Jim Carlisle, Blair Collins, Kendall Craig, Samantha Stanich- The Searchlight, Kris Driekosen, Bob Linthicum, Mark Mahlen, Todd Fossetta, Steve Olson, Daryl & Karen Synan, Chuck Swanson and Mario Martinez- PTI, Mark Colvin, Diane Hampton, Angie Purvis, Christy Knudsen and Deputy _____

W Bruce Houle made a motion to approve the agenda. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to approve minutes from regular meeting November 5, 2012. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

PTI. Chuck Swanson received the "will serve" letter from the town. Chuck asked if there is a 7th Ave. East Encroachment Permit from the Montana Dept. of Transportation. PTI will probably need a new encroachment permit. Fifth Street runs east and west. Chuck questioned the process for a Special Improvement District. Attorney Hennessy said the Montana Code Annotated spells out the process. Fifth Street is not a dedicated street beyond Steve Moore's residence. Chuck will look at their traffic plan. The South egress is not a thru street, even 5th Street dead ends. There was discussion about the streets being curbed, guttered and paved. PTI needs to do the site plan check list and fee.

Wheatland Hills Subdivision. Mike Barrett said they think the Subdivision Review Fee for a subdivision this size is excessive, considering the number of identical lots that will not require additional review efforts and request consideration of a fee reduction. WWC keeps track of the time spent on each permit. The Town intends to collect 100% of the cost of review fees from the developer or property owner. Planner Jeremy Fadness suggested that since the review fee schedule is already in place that they may want to re-visit the cost per lot and possibly reduce the cost per lot, or make a policy that the developer can pay ½ of the review fees at the beginning and the balance of the actual cost later.

W. Bruce Houle made a motion to accept \$8000 up front then the balance of the actual cost of review when that cost is known. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

JNS. Blair Collins and Kendall Craig presented a concept for JNS for the property they purchased from Daryl & Karen Synan. The problem they are

having is there is not enough space to do what they want and have space for the required parking spots. JNS will contact the Montana Dept. of Transportation to see if they can use highway right-of-way.

Airport. There will be an airport board meeting on Dec. 18th. Time and place to be announced.

Theodore Roosevelt Expressway. No new news.

BNSF. No new news.

Corridor Study. Shane Mintz called Mayor Oelkers and will set-up a meeting in January.

DNRC – Water Rights. No new news.

Culbertson Housing Authority. No new news.

Town Wide Street Maintenance District. No new news.

Roosevelt Memorial Hospital Property – Proposed Utility Easement. No new news.

Sketch Plan Permits. The Montana Dept. of Transportation is working with Jeremy to complete the application for subdivision for rent or lease. The KC Transport application was complete in November.

United Grain Corp. United Grain Corp. is working on annexation.

PTI Group and Development Review Permit. Town still needs the Certificate of Survey to file the annexation.

Mark Mahlen Annexation. Town still needs the Certificate of Survey to file the annexation. Mark Mahlen said he would get this to the town office.

Sewer Main Extension – Shane Schriener Extended Stay. Planner, Jeremy Fadness received the revised Sewer Main Extension for the proposed extended stay facility in accordance with the conditions of approval for the site plan permit. Jeremy has reviewed the sewer plans and had the following comments:

- 1) The sewer main extension will need to be reviewed and approved by the Montana Department of Environmental Quality before construction can begin. Per the laws of the State of Montana no public sewer main can be extended without approval from the Department of Environmental Quality. Please provide DEQ approval of the proposed sewer main extension.

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- 2) You will be required to provide a 20 foot utility easement over the proposed sewer main so that the Town of Culbertson will have access for maintenance and repair of the sewer main. Please work with the Town of Culbertson and the Town Attorney to complete this process.

GJV's. General journal vouchers #604 - #606 and utility billing vouchers #838 - #846 were approved and signed.

Wastewater Collection and Treatment System. WWC has submitted the proposed wastewater system improvements to the Montana Dept. of Environmental Quality and Rural Development for review. Dorsey & Whitney LLP will serve as Bond Council to the Town of Culbertson in connection with the issuance of the Town's Sewer System Revenue Bonds. Mark Nelson made a motion to accept and acknowledge the letter from Dorsey & Whitney LLC dated Nov. 29, 2012. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Geib Development. No new news.

Garbage Rates. Mayor Oelkers explained the process the town council went through for the garbage rate increase. Pete Olson represented the American Legion. He explained they are a non – profit organization, and suggested they pay the residential rate, not the minimum business rate. The Museum is also a non – profit organization. Diane Hampton, Kings Inn expressed her concern for the rate hike. Angie Purvis complained that she needs another dumpster. Robert Linthicum at the Montana Bar also wants another dumpster. Other comments received on the garbage rate increase were from Kevin Gower, Montana Dept. of Transportation – maintenance shop and scale/rest area and Murl Williams has an airport hangar. W. Bruce Houle made a motion to set the Legion Hall and Museum, (both are non – profit organizations) at ½ a unit of minimum commercial rate of \$30./month. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve Second and Final Reading of Ordinance No. 223 An Ordinance Amending Garbage Rates. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED. The garbage rates will increase 30 days from 2nd and final reading.

DNRC- Community Assistance Visit. The Dept. of Natural Resources and Conservation was here for a Community Assistance Visit on October 24, 2012. They indicated FEMA would not re-map the floodplain for Culbertson unless the

diversion/levee was Certified. The Town received information to certify the levee from Shawn Higley, WWC engineering. The process is very extensive to certify the levee. Then a letter of intent goes to FEMA prior to FEMA re-mapping the floodplain. Shawn Higley will contact Disaster and Emergency to see if grant funds are available for this. Shawn also wants to set-up a conference call to discuss this process in more detail with the town council.

Prohibit Diagonal Parking on Broadway Ave. Mayor Oelkers explained the truck traffic the town can expect from United Grain Corp., Fairmount Minerals and KC Transport. Those 3 businesses will use the protected railroad crossing on 1st Ave. West. The trucks will use the south block of Broadway Ave. and Railroad Street between Broadway Ave. and 1st Ave. West.

Robert Linthicum, Montana Bar wanted to know if there could be diagonal parking on the North side of the bar on 1st Street West. Mayor Oelkers said the town council would look at it. John Deere uses that street also. Christy Knudsen said the agreement with United Grain should have been publicized. Mayor Oelkers responded that all meetings are public meetings. Pete Olson questioned the "no parking" on Railroad Street between Broadway Ave. and 1st Ave. West. The businesses in that area will be affected. Mark Colvin doesn't think the town should prohibit parking on town blocks.

Mark Nelson made a motion to approve First Reading of Ordinance No. 224 An Ordinance Amending Town Code 10.16.030 Angle Parking and 10.16.080 No Parking Areas. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Reconstruct Hwy. 16 through Town (Broadway Ave.) Town requested a meeting with the MTDOT. There will be a meeting in January.

Drug & Alcohol Testing. Since town employees hold Commercial Driver's License should the town belong to a pool for Random Drug & Alcohol Testing? Council asked the clerk to check with the League of Cities and Towns to see if we are required to test.

EDU's. W. Bruce Houle made a motion to amend the recent Ordinance dealing with equivalent dwelling units that 1" and below is equal to 1 EDU. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The original ordinance had 1" equal to 1.79 EDU. However, Dry prairie Rural Water considers 1" and below EDU.

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Sanitary Survey. Gerard Gernand with the Montana Department of Environmental Quality conducted a Sanitary Survey inspection on October 16, 2012. No significant deficiencies were determined during this survey.

Council briefly discussed the possible need for a "No Overnight Parking" ordinance for the south block of Broadway Ave. Clerk will get more information for the January meeting. Also discuss this with Planner, Jeremy Fadness.

Sheriff Report. Deputy Tim Lingle reported the county is moving a trailer to Culbertson to house another deputy. There will also be a deputy living in Bainville.

The following bills were reviewed by the auditing committee and ordered paid:

<u>General Fund:</u>		<u>Enterprise Funds:</u>	
Robert Jasper	33.00	Robert Jasper	33.00
Visa	12.30	Utilities Underground Locator	49.56
Bernie W. Finnicum	559.10	Visa	396.21
Dallas Dehner	559.10	David Dean	2727.02
Gordon Oelkers	1171.37	Michael Gossage	2679.71
Lynn Beyer	80.07	Robert Jasper	3557.41
Mark Nelson	559.10	Shirley Gallegos	2083.26
Penny Hendrickson	293.07	AT&T	45.02
Raedelle Aspenlieder	2526.30	The City Line	88.13
Robert Jasper	187.23	MT. Dept of Revenue	641.30
W Bruce Houle	559.10	Energy Laboratories	75.00
The City Line	646.76	Hach Company	148.18
CNA	80.00	Hawkins Inc	3040.98
MT Dept of Revenue	217.70	IRS	3115.61
Fiscal-Health Programs	275.00	John Deere Financial	36.53
Gaffaney's	90.30	Miller Oil Co.	1396.98
IRS	1648.73	MMIA	3260.00
J.P. Cooke	58.30	MDU	87.95
Miller Oil Co.	34.00	Nemont	92.13
MDU	414.26	Oelkers Servicenter	1755.40
Nemont	266.07	PERS	2126.49
Northwest Pipe Fittings	1293.76	Rau Designs	140.00
PERS	614.50	Sheridan Electric Coop.	15.00
Roosevelt Co. Sheriff Dept.	1000.00	Culbertson Pharmacy	7.18
Me Too Pizza	52.25	Industrial Systems	535.73
TOTAL	13231.37	MDU	2582.05
		WWC Engineering	58201.31
		TOTAL	88917.14

Special Funds:

Ross Helmer	637.12
The City Line	133.29
MT Dept of Revenue	9.00
Display Sales	420.00
Gaffaney's	32.40
IRS	91.08
John Deere Financial	79.14
MDU	1588.37
Nemont	87.90
Sheridan Electric Coop.	78.72
WWC Engineering	2200.56
Culbertson Pharmacy	7.98
TOTAL	<u>5365.56</u>

Other Funds:

US Bank CM-9705	<u>3756.25</u>
TOTAL	<u>3756.25</u>

Meeting Adjourned at 9:30 p.m.



Clerk



Mayor