

January 6, 2014

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January 6, 2014. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Dallas Dehner, Abe Rumsey, Tamara Fossetta and Shirley Gallegos. Absent: Mark Nelson and Bob Jasper. Guests: Curt Holum – Deputy Sheriff, Tim Lingle – Deputy Sheriff, Mark Mahlen, Shane Schriener and Greg Hennessy – Attorney.

The meeting opened at 7:30 p.m. Attorney Hennessy swore in Re-Elected Mayor Gordon Oelkers and newly Elected Councilman – Abe Rumsey, Ward 1. Re-Elected Councilman Mark Nelson, Ward 2 was absent and was sworn in previously by Judge Penny Hendrickson.

Dallas Dehner made a motion to approve the agenda with three additions. No. 6 the Theodore Roosevelt Expressway Annual Dues. No.10, United Grain/BNSF Culbertson Crossing and No. 20, Great American Lodge Fifteen Day Review. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the December 2, 2013 Regular Meeting Minutes and the November 31, 2013 Treasurer Report. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Roosevelt Count Deputy Sheriff – Curt Holum was welcomed. Deputy Tim Lingle reported that East End citations have risen from 104 in 2008 to 1000 in 2013. The new Jail is planned for the same location as the current one in Wolf Point. It will double the existing with 35 - 40 beds. The County Commissioners are considering selling the trailers they purchased for living quarters for sheriff deputies. There are currently four officers on the East End. Two assigned to Culbertson, officers Joe and Curt. Avis is assigned to Froid. Tim Lingle is split between all.

Airport – Request to County Commissioners to Own Big Sky Field. No News.

Theodore Roosevelt Expressway. No news.

Theodore Roosevelt Expressway Annual Dues. W. Bruce Houle made a motion to continue support for the Theodore Roosevelt Expressway by paying the annual dues of \$1250.00. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Culbertson Housing Authority. No news.

Town Wide Maintenance District. No news.

Wheatland Hills Approach Permit. The Montana Department of Transportation has approved Wheatland Hills approach permit at Highway 16 N. and Industrial Park. This was funded by Wheatland Hills and is good for six months.

United Grain/BNSF - Culbertson Crossing. United Grain will meet with BNSF to discuss widening and leveling the existing crossing at First Street. In addition the safety arms will be set wider and activated to come down sooner. United Grain will be paying the entire amount of the improvements.

Possible Amtrak Stop In Culbertson. Amtrak has completed a feasibility analysis and has determined that Culbertson and the surrounding area would benefit from and sustain an Amtrak Passenger stop in Culbertson with an estimated 7000 passengers a year. The Town of Culbertson will be responsible to completely fund the project. Grants will be available from Federal, State and County partnerships. Senator Tester's office has committed to assistance in finding funding for the project. A Conceptual Site Plan and a Rendered Site Plan need to be completed as the next step in the funding process. Jackola Engineering and Architecture has submitted a proposal to prepare the Conceptual Site Plan for \$2,500 and the Rendered Site Plan for \$1,500. WWC Engineering proposed donating their time and assisting Cullen Architects who propose a Site Plan and Renderings for \$3,500. Jackola Engineering was referred by the Amtrak and has experience. W. Bruce Houle made a motion to accept Jackola Engineering and Architectures proposal to complete a conceptual site plan for \$2,500 and a rendered site plan for \$1,500 for the proposed Amtrak Passenger stop in Culbertson. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Wheatland Hills 30 Acre Subdivision. Wheatland Hills Subdivision has a past due balance for their developmental review fees. The Town of Culbertson has paid WWC Engineering for their time, in doing so has surpassed their current budget. We will continue to carry the bill with the assumption that we will collect before they can utilize utility services.

Stagecoach Bar and Grill – 24 Hour Gambling Request. The Stagecoach liquor license allows for them to sell alcohol between 12 noon to 2:00 a.m. They are closed from 2:00 a.m. to 8:00 a.m. They are proposing to stay open between 2:00 a.m. and 8:00 a.m. for the purpose of allowing gambling only.

Greg Hennessey – Attorney, spoke with Dick Childress – State of Montana After Hour Investigator. A city can have an Ordinance allowing a business to lawfully be opened for 24 hour gambling as long as no alcohol is served from 2:00 a.m. – 8:00 a.m. This has to coincide to a similar ordinance through the county. Roosevelt County does not have an Ordinance to allow for this according to Donna Reum – Legal Assistant to Roosevelt County Attorney. This will be tabled according to Mayor Oelkers until the Stagecoach owner has further researched this matter.

Resolution of Sole Source Procurement for Radio Read System. Resolution No. 408 - A Resolution That The Town Of Culbertson Adopts The Sole Source Procurement Standards Of 18 - 4 - 306 MCA In Order To Purchase Radio Meter Readings Equipment. Only one source is acceptable or suitable for the supply or service item. The selected equipment and services are specifically compatible with the current supplies, meters, and accounting systems the town currently utilizes. W. Bruce Houle made a motion to accept Resolution No. 408 for the propose of purchasing the Itron Radio Read Equipment from Industrial Systems. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Town of Culbertson Policy Manual – Revisions, Review and Adoption. The Policy Manual for the Town of Culbertson has been revised according to the updates MMIA has set forth and in order to receive MMIA's Employment Practices Coverage, in addition to existing liability coverage. Dallas Dehner made a motion to accept the revisions to the Town of Culbertson Policy Manual pending Attorney Hennessey's approval. W. Bruce Houle seconded the motion. MOTION CARRIED.

Roosevelt County Commissioners Airport share of Cost. Accounts Receivable - New Share of Cost Agreement. Roosevelt County Commissioners request a meeting with Town of Culbertson Mayor and Council to discuss a new share of cost agreement for Big Sky Field Airport. Clerk will call and set up a meeting for early next week.

Roosevelt County Commissioners/County Sheriff Agreement for General Law Enforcement Services. The existing agreement between Roosevelt County and the Town of Culbertson to provide law enforcement services is to be terminated upon it conclusion June 30, 2014. It is the intent of the Board of Commissioners and the

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Sheriff of Roosevelt County to enter into negotiations for a new service agreement with the Town of Culbertson. The clerk will set this meeting for the same day as the Airport meeting.

Sketch Plan Permits. None.

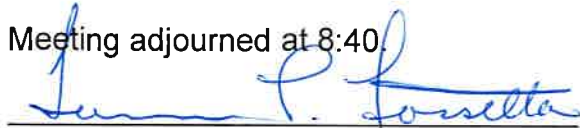
Demolition Permits. None.

GJV's. General Journal Vouchers No. 655 to No. 657 and Utility Journal Vouchers No. 930 to No. 934. Were approved and signed.

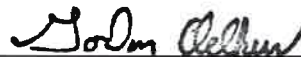
Great American Lodge – 15 Day Review. WWC Engineering has given North Dakota Development a sufficiency review letter for the site plan review for the Great American Lodge in Culbertson. Their application will be ready to be heard in front of the Town Council on February 3, 2014. North Dakota Development has agreed to pay an impact fee to the Town of Culbertson of \$100,000 per year for five years, bonded. There will be some adjacent street improvements.

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

Meeting adjourned at 8:40.



Clerk



Mayor

The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Mark Nelson, Abe Rumsey, W. Bruce Houle, Dallas Dehner, Tamara Fossetta, Shirley Gallegos and Bob Jasper. Absent: none. Guests: Jeremy Fadness – WWC Engineering, Mike Barrett, on Skype, Dan Sietsema, Pete Olson, Rick Knick – Dry Prairie Rural Water, Joni Sherman – Dry Prairie Rural Water, Shadd Cullinan, Joey Reynen, Todd Fossetta, Mark Mahlen, Alan & Raedelle Aspenlieder, Greg Hennessey – Attorney, Jordon & Austin Knudsen, Scotty Fain, Robert Nick, Shane Schriener, Tyler Moss - Sionix Corporation Attorney, on speaker phone, Jeff Hogsed - North Dakota Development, Jim Ride – Creative Modular Concepts, Great American Lodge representatives - Justin Shelfer, Calvin Leuta, Dana Livings and Greg Eadus.

Mark Nelson made a motion to approve the agenda with the addition of No. 33, Women's Resource Center. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson made a motion to approve the January 6, 2014 Regular Meeting minutes. There was not a Treasurer Report. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Jordon and Austin Knudsen would like to develop the lot they purchased at 9 Broadway. It is a commercial lot. They will talk with Planner – Jeremy Fadness to find out what is needed to proceed.

United Grain would like to subdivide their land on the north side of the BNSF tracks into three parcels. This property is within the city limits. Raedelle Aspenlieder said there is a modular home ready to be placed on the northwest end by manager Travis Northington. They are requesting to receive water directly from Dry Prairie Rural Water. The hook up is close by. The Town encouraged United Grain to submit a sketch plan to proceed with the Development Review Process necessary for the modular home. The minor subdivision to divide into three lots can be done at a future date. Each lot would be restricted to single family use. They will need to submit a letter requesting to hook to Dry Prairie Rural Water instead of Town of Culbertson water service.

Great American Lodge Site Plan Development Permit application for an extended stay facility/motel was reviewed and deemed complete by Jeremy Fadness – Planner, WWC

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Engineering. This is a 300 unit extended stay facility and motel in a Mixed Use District. The extended stay facility/ motel will only develop a portion of the existing tract, the Mixed Use District will allow the developer greater flexibility in the development of the remaining portions if they desire in the future. The application was deemed sufficient for public view. The proposal was advertised for 15 day public comment. No public comment was received. Jeremy Fadness reviewed the Staff Report. The following conditions of approval need to be met – provide lighting on 7th street, the lighting on extended stay property is not to shine into adjacent residences, paving of 5th Street to 7th Avenue, adjacent landowners curb improvements for future driveways. In addition, an agreement between Great Northern Development and the Town of Culbertson for an impact fee of \$100,000 per year for five years with bond for full amount to be paid to the Town of Culbertson, needs to added as a separate agreement.

W. Bruce Houle made a motion to approve the Great American Lodge Preliminary Plat and Final Staff Report with one year to complete construction. Providing all conditions of approval are met. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dana Livings – Great Northern Development said the facility will be open to the public with a full service Restaurant. In addition there will be a laundry facility, weight room and meeting room. There will be 24 hour staff and security.

Tyler Moss, Attorney for Sionix Corporation – His client would like the assurance of water availability from the Town of Culbertson. They are looking for 3 to 5 million gallons per month for a 5 year commitment. They intend to purchase the Safflower Plant property east of Culbertson and produce frack water for the oil field. The property would be annexed into the Town within six months of the water agreement and once final permit is approved.

The Town has municipal and industrial use water rights that could be designated for Sionix. Dry Prairie plans to disconnect from Culbertson April 2014 freeing up 700,000 gallons per day.

The Town will meet with Dry Prairie on Thursday February 6th @ 6 p.m., to discuss when the town will be required to hook to Dry Prairie. Will the town continue to operate their water plant to sell water to Sionix or through their hook up to Dry Prairie. Could Dry Prairie sustain this. What will the EDU charge for Sionix be?

Dan Sietsema highlighted the need for an updated Roosevelt County Emergency Operation Plan. This includes all incorporated communities in Roosevelt County. The plan identifies the different town agencies and what they are responsible for in the event of an emergency/disaster. The Mayor, Council, Staff and other town affiliated agencies are asked to review and comment on the draft by the end of February. Final review is March 10, 2014 at 4 p.m. in Wolf Point.

Airport – Request to County Commissioners to Own Big Sky Field. The County cannot give land to the Town of Culbertson. They can trade land of similar value with a municipality. The County will continue to own the land at the Airport. The Town of Culbertson will operate and manage the airport. There will continue to be a 50/50 split County/Town for costs and revenues. Rick Knick and County Attorney Jordon Knudsen are working on the final draft of the new County/Town of Culbertson Big Sky Field Airport Agreement. The new agreement will further define the relationship.

Rick Knick said the upcoming projects for the Big Sky Field Airport will be a pavement maintenance project for summer 2014. In 2015 the EA for land acquisition has been granted.

The Town thanked Rick Knick for all the work and dedication he has given on the Airport Board.

Theodore Roosevelt Expressway. No news.

Culbertson Housing Authority. No news.

Town Wide Street Maintenance District. No news.

Possible Amtrak Stop in Culbertson. A firm has been hired to complete a conceptual layout design for an Amtrak Station.

Wheatland Hills 30 Acre Subdivision – Preliminary Plat Telephone Change Request. Mike Barrett Wheatland Hills Developer is asking Council to amend No. 22D on the Conditions of Approval, underground utilities to not include telephone. The cost that Nemont Telephone is asking to bring telephone service to each lot would be an economic hardship for the developer, adding \$4000 to each lot. There will be a proper utility easement to accommodate telephone service in the future. Verizon Wireless offers a Home Phone Connect device that will provide long – lasting landline service to all 142 lots. The basic package will provide for 911 coverage

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and can be expandable to customer desire. Jeremy Fadness – WWC Engineering said this satisfies requirements for service and will need to be documented on the Final Plat. Developer will provide a Verizon box to each lot. W. Bruce Houle made a motion to approve Wheatland Hills developer request to amend preliminary plat conditions of approval No. 22D underground utilities, allowing the developer to provide landline telephone service through Verizon Wireless rather than to install underground telephone service through Nemont Telephone. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Attorney Greg Hennessey will look at the improvements agreement and the bond for remaining work for Final Plat.

Mike Barrett will submit Final Plat with fees for the March 2014 council meeting.

Town of Culbertson Policy Manual – Revisions, Review and Adoption. Waiting.

Roosevelt County/Town of Culbertson New Airport Agreement. Addressed earlier.

Roosevelt County Commissioners/County Sheriff Agreement for General Law Enforcement Services. Sheriff Freedom Crawford recapped the increase in crime and the deputies work load on the east end at a general meeting to discuss a new agreement with the Town of Culbertson on January 14, 2014. There are four deputies assigned to the East end. Deputies Joe Moore and Curt Holum are in Culbertson. New agreement is being drafted. Previously Culbertson has provided a new Sheriff's vehicle every four years. In addition there is discussion to increase Culbertson's yearly fee and provide a lot in town for a sheriff's deputy to place a modular home.

Sketch Plans. No.

Mark Nelson suggested the Development Review Sketch Plans include a review of all utilities. Jeremy Fadness – WWC Engineering said the requirements are in the sketch plan ordinance.

Demolition Permits. No.

GJV's. General Journal Vouchers No. 664, Payroll Vouchers No. 140100 and Utility Billing Vouchers No. 938 – 945. Were approved and signed.

United Grain – BNSF Crossing. The intent is to move trucks across the tracks faster. The cost of the project was higher than anticipated. They are trying to get the cost down.

Wastewater Project Phase II. The documents for pipeline and access easement on Ray Johnston's property should be complete by the end of February 2014. The discharge permit from DEQ will determine the engineers design. The permit should be ready by February 28, 2014.

Phase I punch list for spring 2014 is available for review.

Bob Jasper gave an update on the new lift station. It is working well. During the recent power outage, the generator started and everything continued to run.

Resolution for an Election on the Question of Conducting a Local Government Review and Establishing a Study Commission to do so. Every ten years The State of Montana requires that local government place on the ballot the question of a local government review. W. Bruce Houle made a motion for a resolution to place this question on the June 3, 2014 ballot. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dry Prairie Rural Water Intention to Discontinue Receipt of Water. Dry Prairie Rural Water represented by Rick Knick and Joni Sherman, Dry Prairie has sent a letter of intent to disconnect from Culbertson water supply April 2014.

Arbor Day Grant. The Town of Culbertson received a \$300 Arbor Day Grant for 2014. Usually trees are bought for the cemetery. The Roy Schutzuze Foundation is donating trees. Could the \$300 be used for a drip system instead of trees. Shirley will check the guidelines.

Highway 2 Association – 2014 Membership Dues. W. Bruce Houle made a motion to pay \$100 for the 2014 membership dues for the Highway 2 Association. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Bulldog Cable Franchise Fee – Accounts Receivable. Bulldog Cable is no longer operating. The company currently has past due franchise fees. Greg Hennessey suggested putting a lien on property the company owns prior to its sale. W. Bruce Houle made a motion to lien the Bulldog Cable property. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

I, Mark T. Nelson, do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of Town Councilman, Ward 2, with fidelity, so help me God.

Mark T. Nelson

DATED this 3rd day of January, 2014.

ATTEST:

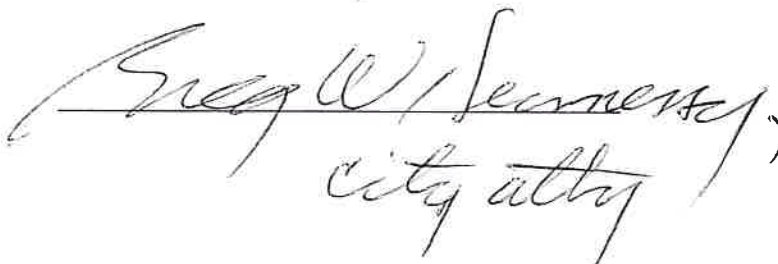
Renny Henderson,
Justice of the Peace

I, Gordon Oelkers, do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of Town Mayor, with fidelity, so help me God.

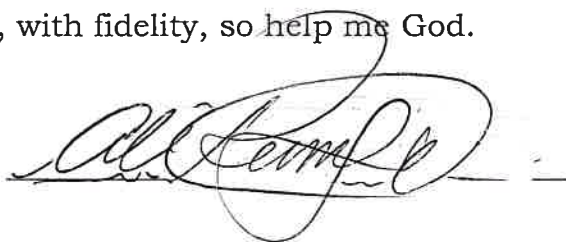


DATED this 6th day of January, 2014.

ATTEST:

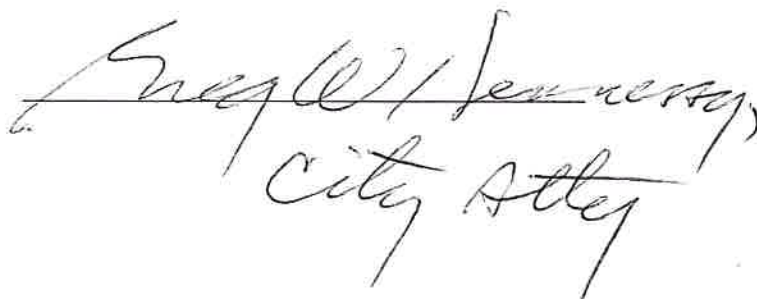

_____)
city atty

I, Abe R. Rumsey, do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of Councilman, Ward 1, with fidelity, so help me God.



DATED this 6 day of January ~~December~~, 2014.

ATTEST:


City Atty

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Resolution to Earmark the Use of Oil Severance Funds. The resolution allows the Town to retain the Oil Severance Fund according to Generally Acceptable Accounting Principles. Otherwise, the funds will need to roll to the general fund at the end of the fiscal year and reduce a possibility of a levy if needed in the future. W. Bruce Houle made the motion to accept the resolution to retain the oil severance fund. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

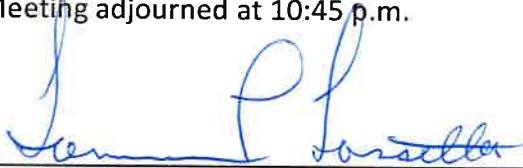
Radio Read System. Shirley Gallegos reported that the Radio Read System was ordered within the January 31, 2014 deadline for the price guarantee.

Garbage Rate Review. David Dean did a precursory study to the fairness of garbage rates for Napa Auto parts and Hi Line Inn & Suites Hotel. Discussions set the rate at one hundred eighty dollars for both. W. Bruce Houle made a motion to implement the rate. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Women's Resource Center. W. Bruce Houle made a motion to support the Women's Resource Center and to sign the Memorandum of Understanding. There will be no financial obligation on behalf of the Town. Dallas Dehner 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.

Meeting adjourned at 10:45 p.m.



Clerk



Mayor

March 3, 2014. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, Mark Nelson, W. Bruce Houle, Abe Rumsey, Tamara Fossetta and Shirley Gallegos. Absent: Dallas Dehner and Bob Jasper. Guests: Richard Hood – Nemont Telephone, Tom Nelson, Robert Nick, Suzette Houle, Roxanne Nickoloff, Mark Colvin, Don Oelkers, Bernie Raaum, Lois Raaum, Jill Herness, Greg Hennessey – Attorney, Shane Schriener, Sonny Schriener, Jeremy Fadness - WWC Engineering, Mike Barrett – Wheatland Hills on Skype and Sheriff Deputy - Joe Moore, entered the meeting at 8:00 p.m.

Mark Nelson made a motion to approve the agenda with the addition of No. 17 dust suppression for the museum, moved to visitors. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the February 3, 2014 Regular Meeting minutes and the Treasurer Reports for December 31, 2013 and January 31, 2014. Abe Rumsey seconded the motion. All present voted to approve the motion. MOTION CARRIED.

Richard Hood – Nemont Television, presented Nemont’s new television service that will be available to Culbertson residents in May or June 2014. Similar to Dish Network or Direct T.V. It will use the existing telephone plant. Nemont is willing and has the ability to broadcast Local Channel 15 – Culbertson’s Community Calendar. It would be the town’s responsibility to have the necessary equipment to send the information to Scoby for broadcast.

Would Channel 34 Culbertson’s free airwave be able to integrate into the system?

The Town Council will need to pass an Ordinance or Resolution allowing Nemont the rights to transmit in the Town of Culbertson. The Town may charge a franchise fee of 1%. Council will further review this for the April 7, 2014 council meeting.

Members of the Culbertson Museum expressed concern of the dust level to the museum by future traffic from the Wheatland Hills Development and the Don Oelkers Minor Subdivision. The road that passes through their property though considered as a County Road, is not a legal County Road. The museum will need to give a simple easement to these developments for road use and the county for possible future county road. Mayor Oelkers stated that the Town of Culbertson supports the Museum and will offer dust suppression as long as needed. He will attend the museum board meeting on March 10, 2014 for further discussion. W. Bruce Houle made a motion to offer dust suppression to the Museum for as long as needed. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Airport – Request to County Commissioners to Own Big Sky Field. Done.

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Theodore Roosevelt Expressway – Letter of Support -W. Bruce Houle. Bruce updated Theodore Roosevelt Expressway ongoing task to 4 lane Highway 2 from Culbertson to Williston and from Williston to Texas. They are asking for letters of support from municipalities and businesses in the area.

Culbertson Housing Authority. No.

Town Wide Maintenance District. No news.

Sketch Plan Permits. George Nickoloff, Conditional Use Permit, to turn existing Commercial Building Storage on the main floor into two residential apartments. No Conditions are Proposed for this Conditional use Permit Application. There was no public comment. Planner – Jeremy Fadness recommends approval. W. Bruce Houle made a motion to approve the planner's recommendation and approve the George Nickoloff Conditional Use Permit to turn existing commercial building storage on the main floor into two residential apartments. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dry Prairie Rural Water will discontinue receipt of water on April 15, 2014. Received notice.

Town of Culbertson's Connection to Dry Prairie Rural Water System. The Town of Culbertson has an obligation to hook up to the Dry Prairie Rural Water System. Dry Prairie has supplied a letter to inform the Town that their water capacity is adequate to meet the present and anticipated future requirements of the Town of Culbertson. The Town asked for 633,000 gal/peak day with a 30% cushion. This includes all existing expansion including the water request by Sionix Corporation. With this, the Town will proceed with an agreement with Sionix Corporation. The Town needs to have time to properly dispose of their water plant. Once the water plant is turned off it will no longer be operable. W. Bruce Houle is looking for potential buyers or lessee options. The Council will have clerk draft a letter to Dry Prairie requesting up to one year to permanently connect to the regional water system, giving the Town time to recoup their holdings.

Strategies for Current Water Treatment Plant Owned and Operated by Town. Addressed prior.

Wheatland Hills 30 – Acre Subdivision – Final Plat of Phase A Application. The applicant has demonstrated that they have completed the conditions of approval for the Final Plat of Phase A of the Wheatland Hills Major Subdivision. For those items that are not installed, the applicant has provided a financial guarantee for the completion of those items that are required to be

installed prior to final plat. The Council shall make a determination of the following in order to approve the final plat of the Phase A of the Wheatland Hills Major Subdivision.

1. Council must determine whether the propane service plan submitted with the application is acceptable. W. Bruce Houle made a motion to approve the Wheatland Hills propane service plan as submitted. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.
2. The Council must determine if the inclusion of the cash-in-lieu for parkland dedication in the financial guarantee and improvements agreement is acceptable in the interim until Open Space lot 1 is dedicated to the Town in a subsequent phase and developed in accordance with the approved park plan. W. Bruce Houle made the motion to approve the cash-in-lieu of parkland dedication in the financial guarantee and improvements agreement until open Space Lot 1 is dedicated to the Town in a subsequent phase and developed. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.
3. The Council must approve the financial guarantee amount and approve entering into the improvements agreement with the developer for the completion of uninstalled items. W. Bruce Houle made a motion to approve the financial guarantee amount and entering into the improvements agreement with the developer for the completion of uninstalled items. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.
4. The Council must approve the final plat and in doing so request that the applicant prepares final mylar copies for signature by the Town Council. The final plat must incorporate any changes required by the Town's examining land surveyor prior to signature by the Council. Signing of the final plat by the Council should be contingent upon the completion of all easements for County Road 1021 by an adjacent developer and/or the County. Without these easements the subdivision does not have legal and physical access for the secondary access/emergency access road. W. Bruce Houle made a motion to approve the final plat with the contingency that it will not be signed until all easements for the County Road 2021 (which is not a legal County Road) are obtained. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.
5. The Council must approve the proposed covenants and homeowners association documents. Mark Nelson made a motion to approve the proposed covenants and homeowners association documents. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

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6. The Council should direct staff to advertise for a public hearing to adopt a Resolution to Annex the property that includes Phase A of the Wheatland Hills Major Subdivision. The public notice shall be for a minimum of 20 days prior to the public hearing and shall allow for public comment. Based on this the Council could direct staff to advertise on March 6 in the local paper and could schedule a special meeting to adopt the Resolution to Annex on March 25, 2014 or schedule the public hearing for the next regular meeting of the Town Council on April 7, 2014. The Resolution to Annex must be filed with the Clerk and Recorder prior to filing the Final Plat. W. Bruce Houle made a motion to approve advertising for a public hearing to adopt a Resolution to Annex the property that includes Phase A of the voted in favor of the motion. MOTION CARRIED.
7. The Council should direct staff to begin the Development Review Process to review the Conditional Use Permit application, Amend the Land Use Map, and Amend the Growth Policy to include Phase A of the Wheatland Hills PUD. W. Bruce Houle made a motion to approve the staff to begin the Development Review Process to review the Conditional Use Permit Application, Amend the Land Use Map, and Amend the Growth Policy to include Phase A of the Wheatland Hills PUD. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Emergency Access – Easement Where County Road Accesses Highway 2 East of Museum.
Addressed earlier.

Great American Lodge – Staff Report for Site Plan Application. No Action. Attorney Greg Hennessey is working on impact fee draft.

Great Northern Development Corporation – Dues for 2013 / 2014 fiscal Year. Great Northern Development Corporation dues for 2013/2014 fiscal year are due to be paid. Mark Nelson made a motion to pay the 2013/2014 dues for Great Northern Development Corporation. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dust Suppression alternatives – Prerequisite to Acquire Easement for Public Use East of Museum. Addressed earlier in meeting.

Broadway Water Main Replacement. Bid contract has been awarded. Weather decides when work will begin. Jeremy is continuing to work on the SRF process. DEQ requirements have been met. The Town is working with Montana Rural Water to set new rates.

Town of Culbertson Policy Manual – Revisions Review and Adoption. Holding.

Roosevelt County/Town of Culbertson New Airport Agreement. No news.

Roosevelt County Commissioners/County Sheriff Agreement for General Law Enforcement Services – Update. No news.

GJV's. General Journal Voucher No.708, Payroll Journal Voucher No. 140200 and Utility Billing voucher 946 -952 were approved and signed.

Possible Amtrak Stop in Culbertson, Conceptual Layout Design for Amtrak Station. Jackola Engineering should have the site plans completed by April 7, 2014 council meeting.

United Grain – BNSF Crossing. Waiting on expense issues.

Wastewater Phase II – Update. DEQ permit package is complete with standard limits, allowing for discharge to the river. One item in question is the metals number. Three different lagoon systems are being considered to alleviate this issue; Facilitative Lagoon, Aerated Lagoon or Mechanically treated Lagoon. Monthly testing will be required for a period of time. Ray Johnson has signed a Right of Way Agreement for discharge to the river. WWC Engineering will have the bid package for DEQ review by May. Project could possibly run into 2015.

Resolution for an Election on the Question of Conducting a Local Government Review and Establishing a Study Commission To Do So – Review Draft. Resolution No. 410 is a Resolution for an Election on the Question of conducting a Local Government Review and Establishing a Study Commission To Do So. W. Bruce Houle made a motion to accept Resolution No. 410 to place a question of conducting a local government review on the election ballot. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Arbor Day Grant Utilization – See e-mail from Jamie Kirby. Jamie Kirby – DNRC said the majority of the Arbor Day grant moneys should purchase trees. The remaining balance may be used for a drip system. Council will let Bob Jasper decide.

Bulldog Cable Franchise Fee – Accounts Receivable – Property Lien - \$18,000 Purchase Price. Bulldog Cable owner Joe Sheehan sent a letter to the Town of Culbertson offering to sell their property to the town. Council is not interested in purchasing. The Town has proceeded in placing a lien on the property for delinquent franchise fees.

March 3, 2014 cont.

861

Radio Read system – Installation Time Line. Waiting for warmer weather to start the installation. Need to clarify the service agreements.

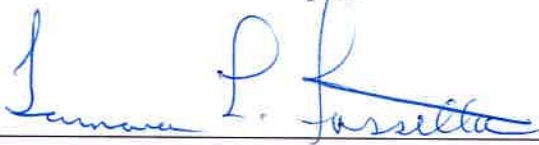
Culbertson Public Utility Easement for Airport – Recorded with Roosevelt County on 02/12/2014. Done and Filed.

Dump – Site Proposal Southwest of Highway 16 and McCabe Highway. Proposed dump site for oilfield toxic waste material/soil. This is not a city issue but will affect the community. There are 15-17 residential households in the area. Council would like to ask DEQ to conduct a public meeting to answer questions. W. Bruce Houle made a motion to send DEQ a formal letter requesting a public hearing before the case is finished. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Sheriff Officer Joe Moore gave an update that the traffic stops and drug traffic in the area are increasing. Someone attempted to rob the Stagecoach. The Sheriff's Department brought on two dogs for search and rescue and tracking.

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

Meeting adjourned at 9:15 p.m.



Clerk



Mayor

April 7, 2014 the Culbertson Town Council met in regular session at 7:30 p.m. with the following present: Gordon Oelkers, Dallas Dehner, Mark Nelson, Abe Rumsey, W. Bruce Houle, Tamara Fossetta, Shirley Gallegos and Bob Jasper. Absent: None. Guests: Greg Hennessy – Attorney, Brian and Pilar Kunz, Bob Nick, Richard Hood – Nemont Communications, Mark Mahlen, Todd Fossetta, Sonny Schriener, John Plestina – Searchlight and Jeremy Fadness – WWC Engineering.

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.

W. Bruce Houle made a motion to approve the March 3, 2014 Regular Meeting minutes and the Treasurer Reports for February 2014, October 2013 and the addition of March 2014. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Brian Kunz is assisting Deputy Sheriff Jason Frederick with his campaign for Roosevelt County Sheriff.

Sonny Schriener with Hiline Inn and Suites would like to place directional signs within Culbertson city limits advertising his facility. He was invited to submit a sketch plan permit and to check into the State of Montana outdoor advertising guidelines.

Nemont Communications Inc. Resolution No. 411. A Resolution Granting Nemont Communications a Non-Exclusive License to Provide Television Service To The Citizens Of Culbertson, Montana. Attorney Greg Hennessey said the resolution is acceptable. The Town of Culbertson will not charge a franchise fee. Nemont will utilize the existing telephone plant to provide this service. W. Bruce Houle made a motion to approve resolution No.411 a resolution granting Nemont Communications a license to provide television service to the citizens of Culbertson. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Great American Lodge Request to Modify Site Plan to Remove Modular Unit Connections. North Dakota Development dba Great American Lodge has withdrawn their request and will continue with original submitted plan.

Theodore Roosevelt Expressway. No news.

Culbertson Housing Authority. No news.

Town Wide Street Maintenance District. No news.

April 7, 2014 cont.
863

American Legion – Flag Posting Dues. The American Legion is requesting flag posting dues from the Town of Culbertson. Mark Nelson made a motion to pay the American Legion \$75 for flag posting dues. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

February 3, 2014 Minutes, North Dakota Development/Great American Lodge Correction. The February 3, 2014 minutes had an error in the name reference of North Dakota Development LLC, dba Great American Lodge on page No. 851. The approved minutes read – In addition, an agreement between Great Northern Development and the Town of Culbertson for an impact fee of \$100,000 per year for five years with bond for full amount to be paid to the Town of Culbertson needs to be added as a separate agreement. This stands to be corrected to read North Dakota Development LLC, dba Great American Lodge.

Dry Prairie Rural Water – Water Delivery Date Delay. The anticipated – April 15, 2014 – of water delivery from the regional system to Dry Prairie is presently delayed by at least a month due in part to the implementation of enhanced disinfection from the regional plant. The Town of Culbertson is continuing to seek interested parties in a lease or purchase of the water treatment plant. Scott Aspenlieder has a company interested in a possible lease.

Possible Amtrak Stop in Culbertson. Conceptual Layout Design for Amtrak Station. Waiting.

Wheatland Hills 30 Acre Subdivision. The subdivision improvements agreement, guaranty and the subdivision improvements performance bond were signed March 2014. W. Bruce Houle made a motion to wait to sign the Wheatland Hills mylar's, after the road easement has been - finalized. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

A Resolution to Annex. Resolution 412, A Resolution to Annex A Parcel Of Land Known As The Wheatland Hills PUD Subdivision, Into The Town Of Culbertson, Montana. Dallas Dehner made a motion to approve Resolution 412, a resolution to annex Wheatland Hills PUD Subdivision, into the Town of Culbertson. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The First Reading of Ordinance No. 230. 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 The Big Sky Field Airport And East Of Highway 16, And East Of And Adjacent To The Existing City Limits Of The Town Of Culbertson Legally Described As Tract 1 In N1/2NE1/4 Section 29, Township 28 North, Range 56 East, P.M.M. As Described In That Certificate Of Survey Filed On December 21, 2012 Under Document No. 397193, File No. 6539 And Plat Case No. 379B,

Records Of Roosevelt County, Montana, Within The Town Of Culbertson Montana. Mark Nelson made a motion to approve the first reading of Ordinance No. 230 an ordinance amending the Culbertson land use map. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dallas Dehner made a motion that the Wheatland Hills Planned Unit Development (PUD) proposed development standards and land use map be approved as a Conditional Use in the Mixed Use District in the area described as Tract 1 of C.O.S. 397193 in accordance with the Culbertson Development review ordinance, based on the findings of fact in the staff report. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Town of Culbertson Policy Manual – Revisions Review and Adoption. In progress.

Lifeguard Applications. Mark Nelson recommended that Tiffany Marchwich returning Pool Manager be rehired for the 2014 season, as well as Lifeguards, Tori Kirkaldie and Macy Kirkaldie Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Town Clean Up/Arbor Day Celebration – May 16-17. The Town of Culbertson is under construction with the Broadway water main replacement. Council consensus is to postpone the Town Clean Up/Arbor Day Celebration until next year.

Sketch Plan Permits. Rosenia Kirby proposes a home based business, greenhouse to be accessory to an existing single family home. The applicant proposes to erect a temporary 10-ft by 10-ft tent, greenhouse, to house plants for sale to the public. Months of operation are from April 15 to August 30. Planner Jeremy Fadness recommend approval of the sketch plan permit for a home based business to sell plants, greenhouse, as shown on the submitted sketch plan. W. Bruce Houle made a motion to approve the planners recommendation for a seasonal home based business, greenhouse to follow the necessary conditions to allow a home based business. Proposed to operate from April 15 to August 30. The Council determined the garbage rate to be changed to a commercial rate of \$60 per month during operating months.

Bucky Heckmun, sketch plan permit for a privacy fence at 21 First Street West. Council reviewed. Mark Nelson made a motion to approve the Bucky Heckmun privacy fence. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to Council approve a Garden Shed for Scottie VanDiest. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Ben Knotts/Makers Construction proposed a shop addition on an existing shop within the commercial district at 603 6th Street East. The proposed addition is to accommodate the existing commercial use and no other features are proposed to be changed. Planner Jeremy Fadness recommends approval as shown on the submitted sketch plan. W. Bruce Houle made a motion to approve the shop addition as recommended by planner. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

April 7, 2014
865

Planner Jeremy Fadness recommended approval of a new Manufactured Home on a permanent foundation meeting the requirements of the Housing and urban development guide. for Makers Construction/Ben Knotts A new sewer and water service will be installed. Mark Nelson made a motion to approve the sketch plan permit of a manufactured home on a permanent foundation for Makers Construction. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Michael Williams sketch plan permit to construct a garage addition to existing single family home. Planner recommends approval of the permit as shown on the submitted sketch plan and described in the application materials. Mark Nelson made a motion to approve the garage addition to existing single family home as recommended by planner. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Demolition Permits. None.

GJV's. General Journal Voucher No. 709 – 713, Payroll JV's – 140300 and Utility Billing Vouchers No. 953 – 964 were approved and signed.

Wastewater Phase II – Project Update. Public comment ends April 17 for DEQ's intent to issue a new Montana Pollutant Discharge elimination system wastewater discharge permit for the Town of Culbertson's Wastewater Treatment Facility. The discharge limits and permit will be finalized after this time. Work is being done on an additional grant package and possible loan forgiveness for the wastewater project. It could be August before the project can go to bid. It is being considered to wait until spring 2015 for better prices. Edstrom construction should begin the Phase I punch list in a couple weeks.

Radio Read System Installation to Start. Radio Read installation will begin April 21 – May 4. Residents will be notified the week before. Mike Gossage will accompany the plumber installers.

Broadway Water Main Replacement – SRF Forgiveness Loan. The Department of Natural Resources and Conservation has authorized a debt forgiveness for up to half of the Town of Culbertson's State Revolving Fund Loan for the Broadway Water Main Project. The project will start the week of April 14, 2014. Sandry Construction was awarded the bid for the water main/storm drain replacement. WWC will require the old main to be removed.

DEQ – Culbertson Oilfield Waste Disposal Site Inquiry. Update. The Department of Environmental Quality responded to Town of Culbertson request letter for a public meeting concerning the proposed oilfield waste disposal facility. When the review process is completed during the 30 – day comment period DEQ will contact the Town and arrange a public meeting.

April 7, 2014 cont.

866

The Town of Culbertson purchased a used pickup from Paul Finnicum with 141,000 miles for \$10,000 for Bob Jasper. Mike Gossage will drive Bob's old pickup. The Town will determine the amount they want to sell Mike's pickup for by May 5, 2014 council meeting.

The water plant lap top will not hook to the controls. The problem seems to be with the scada control system not the laptop. The guys are not able to check the Water Plant from home.

The new dump truck is working well.

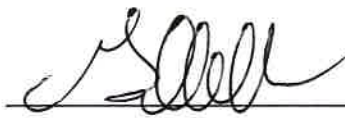
The Highway 16 reconstruction will start milling from 4th Street south at the end of the week.

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

Meeting adjourned at 8:50.



Clerk



Mayor

April 22, 2014
867

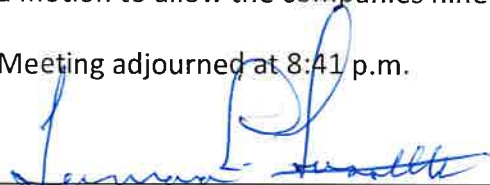
April 22, 2014 Special Meeting 7 p.m. The Culbertson Town Council met in special session for the purpose of discussion and recommendations for a necessary water rate increase. Following the discussion, a brief presentation by Oilstone Logistics in regards to possible lease options of the Town's Municipal Water Plant. The following were present: Gordon Oelkers, Mark Nelson, Abe Rumsey, W. Bruce Houle, Tamara Fossetta, Absent: Dallas Dehner. Guests: John Weikel – Montana Rural Water Systems, Inc., Travis Wray, James, Mitchell, Brian Evans – Oilstone Logistics, Tyler Moss – Representing Sionix (via phone), Gene Marchwick and Ken Forbregd.

John Weikel from Montana Rural Water Systems discussed alternatives that would provide debt service coverage for an \$186,000 SRF loan. 125% is required by Department of Natural Resources and Conservation (DNRC) for State Revolving Funding (SRF) on the Broadway Water Main replacement project. John felt that the Town could realistically have a base rate less than the target rate of \$55.42.

The predominant costs to distribute water to date have been the operations and maintenance (O & M). The Town will be connecting to Dry Prairie Rural Water within the next 6 to 9 months. There is likely to be a 70% decrease in the O & M costs when this occurs. Further, the Town will have a 34% reduction of revenue when Dry Prairie Rural Water disconnects from the Town sometime in late May or June of 2014. Any rate increase forthcoming will include Dry Prairie Rural Water charges of \$14.25 base plus \$1.50 per 1000 gallons. The Town will still continue to sample and monitor its Municipal water plant until leased or sold. John Weikel felt he now has clearer direction from Council to proceed in assisting the Town with setting a reasonable amount for the water fees. No motions were set forth.

The Council acknowledged Travis Ray of Oilstone Logistics. As a guest, he wanted to apprise the Town of Oilstone Logistics' interest in leasing the Town's Water Plan. Tyler Moss, representing Sionix, joined via speakerphone. Mayor Oelkers informed both companies that there will not be an exclusive due diligence period for either company. Any further discussion is to be presented at the regular Council Meeting on May 5, 2014. At that time, the Council will discuss a motion to allow the companies ninety days to prepare a proposal if interested.

Meeting adjourned at 8:41 p.m.



Clerk



Mayor

May 5, 2014

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May 5, 2014, The Culbertson Town Council met in regular session at 7:30 p.m. Present: Mark Nelson, Dallas Dehner, Abe Rumsey, Gordon Oelkers, W. Bruce Houle and Shirley Gallegos. Absent: Tamara Fossetta and Bob Jasper. Guests: Mike Machart, John Weikel – Montana Rural Water, Avis Ball – Sheriff Deputy, Tom Ruffetto, Kristine Mahlen, Jed Kirkland – Dry Red Water Rural Water, Rex Crick and Henry Sullivan – Sionix Corporation, Robert Nick, Rick Knick, Kerry Rasmussen, Shane Schriener, Keith & Linda Kuchenbecker, Travis Wray and Steve Schneider – Oilstone Logistics, Ron Davis – WWC Engineering and Sean Higley – WWC Engineering on Skype. Sheriff Deputy – Avis Ball.

Mark Nelson made a motion to approve the agenda with the addition of visitors, Mike Machart Culbertson Volunteer Fire Department – Proposal for a Fire Hall/Community Center Building and Dry Red Rural Water, Culbertson Water Plant. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve April 7, 2014 Regular Meeting Minutes. There was not a Treasures Report. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mike Machart with the Culbertson Fire Department presented a proposal for a new Fire Hall/Community Center. They are asking the Town of Culbertson for help with the engineering fees for a preliminary plan and images. The Council will wait until after July and the new budget. Suggestion was to obtain a couple more bids.

Highway 2 Association – Bob Silvertsen. Table.

Ken Forbregd – Children’s fishing pond. Table.

Dry-RedWater Regional Water Authority, Engineer Jed Kirkland stated that Dry-Redwater Regional Water Authority would like to enter into an agreement with Culbertson to purchase water at a bulk rate. They would like to supply water from Culbertson to Fairview and an estimated 118 rural service connections. Their projected usage would be 350 - 500 gallons per minute, building over 10 years. They are still 1 ½ to 2 years out.

Sionix Corporation – Culbertson Water Plant Presentation – Henry Sullivan and Rex Crick. The Sionix Corporation plans to reopen the Safflower Plant east of town as a Brine Reclamation plant. In addition to the agreement for a water allotment from the Town of Culbertson and Dry Prairie Rural Water Authority, they express a strong interest in leasing and operating the Town of Culbertson Water Treating Facility. They are requesting a 90 day due diligence period to

May 5, 2014 cont.

869

investigate and evaluate the facility. Their process will reclaim drilling brine from the oilfield to a quality level where it can be reused in drilling and fracking. The water is treated with a multistep, 2 stage process. There are no hazardous chemicals or toxic waste. Plentywood landfill will take the dry powder left from the process. They plan to employ 20 employees. Travis Wray and Steve Schneider from Oilstone Logistics would like a 90 day process of due diligence for the Culbertson Water Facility. They are willing to work with Sionix and Dry-Redwater.

Contact DNRC in Glasgow to establish if and how Culbertson can retain their water rights and lease to these companies.

W. Bruce Houle made a motion to approve 90 Day Due Diligence for the purpose of investigating and evaluating the possible purchase of water, lease, or purchase of the Culbertson Water Treatment Plant, for Dry Red-Water, Sionix and Oilstone Logistics. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

John Weikel with Montana Rural Water gave a presentation for Culbertson's water rate increase. The gallons should be eliminated with the base rate. Less than half of the customers use the allotted gallons. The size of the line determines how much resource is used to pressure. The EDU line size and meter size equals flow and pressure. This is a fair and equitable way for everyone to pay for what they use.

The Department of Commerce takes rate statistics from the census. There has been a significant increase in water rates state wide since the 2000 census. EPA regulatory requirements, State water sampling and infrastructure failure is a basis for these increases. John recommends the Bulk Water base rate for the Town of Culbertson increase from \$.60 a barrel to \$.72 a barrel or per 1000 gallons from \$14.09 to \$17.05.

He recommends the Town of Culbertson base water rate to increase to \$21.67 per EDU and \$2.14 per gallons of water usage in addition to the base rate. The 3000 gallons with the base rate will be eliminated

Sheriff Deputy Avis Ball representing Sheriff Freedom Crawford asked if the new contract with the town was in place. Mayor Oelkers explained that the town was waiting to receive a new contract from the Roosevelt County Sheriff's Department. The future Great American Lodge is offering a free room for a deputy.

Kennan Engelke expressed concern over the proposed oilfield waste disposal site north of town. He felt the Town and Mayor should make a stand against it. Mayor Oelkers explained that the town has written a letter to DEQ requesting a public meeting.

Theodore Roosevelt Expressway. No news.

May 5, 2014 cont.
870

Culbertson Housing Authority. No news.

Town Wide Maintenance District. No news.

Possible Amtrak Stop in Culbertson. Conceptual Layout Design for Amtrak Station. The conceptual drawing and cost estimate are complete. Amtrak does not pay for the project. It is up to the Town of Culbertson to procure the funding for the project. The town is looking to Federal, State and County funding. The town will pay to heat and maintain the platform and station.

Resolution 413 of Intent to Modify the Basis on Which Water Rates are Charged. Resolution No. 413 A Resolution Of Intention Of The Town Of Culbertson, Montana To Modify The Basis On Which Water Rates Are Charged Thereby Increasing Rates For Users of The Municipal Water System. W Bruce Houle made a motion to approve resolution No. 413, a resolution of intent to modify the basis on which water rates are charged thereby increasing rates for users of the municipal water system. Mark Nelson seconded the motion. All present voted to in favor of the motion. MOTION CARRIED.

First Reading of Ordinance 231 Amending Existing Water Ordinance to Increase the rates for Municipal Water System. Ordinance No. 231 An Ordinance Relating To The Town Of Culbertson, Montana, Amending The Existing Water Ordinance To Increase The Rates And Charges For The Municipal Water System. W. Bruce Houle made a motion to approve the first reading of ordinance No. 231 an ordinance amending the existing water ordinance to increase the rates and charges for the municipal water system. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Final Reading of Ordinance 230 – Land use Map Amendment. The Second and Final Reading of Ordinance No. 230, An Ordinance Of The Town Council of Culbertson, Montana, Amending The Culbertson Land Use Map By Designated Lands On The Area Generally Located North Of The Big Sky Field Airport And East Of Highway 16 And East Of And Adjacent To The Existing City Limits Of The Town Of Culbertson Legally Described As Tract 1 In N1/2NE1/4Section 29, Township 28 North, Range 56 East, P.M.M. As Described In That Certificate Of Survey Filed On December 21, 2012 Under Document No. 397193, File No. 6539 And Plat Case No. 379B, Records Of Roosevelt County, Montana, Within The Town Of Culbertson, Montana. W. Bruce Houle made a motion to approve the second and final reading of ordinance No. 230 an ordinance amending the land use map by designating land legally described under document no. 397193, file no. 6539 and plat case no. 379b, within the Town of Culbertson, Montana. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Wheatland Hills is officially annexed into the Town of Culbertson.

May 5, 2014 cont.

871

When the recorded road easements from Roosevelt County are received the mylars will be signed and submitted to the County.

Wheatland Hills 30 Acre Subdivision. The RV lots will accommodate two RV's per lot. Developer will need to supply a meter pit for each of those lots. The Town of Culbertson supplies the water meter. Wheatland Hills Developer Keith Kuchenbecker is requesting individual garbage rollouts for each lot. The curb and gutter should begin next week. Permits will be submitted for 6 to 8 modular model homes. They were wondering if the permit process could be expedited.

Dallas Dehner made a motion to approve the Address Scheme for the Wheatland Hills Subdivision as submitted to the Council, with the stipulation that the RV lot addresses have an A-B designation.

Great American Lodge – Agreement for Bond. Greg Hennessey Update. Greg will finish the final document with Jeremy Fadness – WWC Engineering tomorrow.

Lifeguard Applications. Mark Nelson approved lifeguard applicants for the 2014 season at Culbertson Pool; Logan Nickoloff, Madalyn Raab, Renee Oelkers, Erica Nickoloff and Chelsey Ligon. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson recommended rehiring returning WSI - Renee Oelkers and Erica Nicoloff. Renee Oelkers will be WSI in charge. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Dallas Dehner approved Chelsey Ligon as Assistant Manager. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Montana Narcotics officer Association – Donation. No action.

Sketch Plan Permits. Jeff Nickoloff – deck. Council reviewed and recommended. W. Bruce Houle made a motion to approve Jeff Nickoloff deck. Dallas Dehner seconded the motion. Mark Nelson, Dallas Dehner and W. Bruce Houle voted in favor of the motion. Abe Rumsey abstained. MOTION CARRIED.

Daniel Berwick – Modular Home. Planner Jeremy Fadness – WWC Engineering recommended approval of the permit to place a new manufactured home on a permanent foundation as shown on the submitted sketch plan and meeting the requirements for the Housing and Urban Development guide. The finished floor shall be a minimum of 18" above the exterior finished grade of the lot. W. Bruce Houle made a motion to approve Daniel Berwick modular home as approved by planner. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Brian Fordyce - permit review not complete.

Mike Williams - garage. Applicant proposes to construct a separated garage as an accessory use behind existing single family home. Recommended for approval by Planner. Mark Nelson made a motion to approve Mike Williams, garage as recommended by Planner. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Clay Peterson - patio cover. Council reviewed and recommended. Mark Nelson made a motion to approve Clay Peterson, patio cover as recommended by Council. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Chris Peterson – fence and signage. Council reviewed and recommended as submitted for a fence around perimeter of yard with sign on fence at front yard advertising a daycare. Mark Nelson made a motion to approve Chris Peterson fence and signage as submitted. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Ted Williams – deck. Council reviewed and recommended. Dallas Dehner made a motion to approve Ted Williams, deck as recommended by Council. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Demolition Permits. None.

GJV's. General Journal Vouchers No. 717 – 718, Payroll Journal Voucher No. 140400 and Utility Billing Vouchers No. 965 – 969. Were approved and signed.

Wastewater Phase II – Project Update. Shawn Higley – WWC Engineering reported that the Montana Department of Environmental Quality removed the iron limit based on WWC's comments on the permit which will save the Town a considerable sum of money. There will be no maximum daily discharge limit. The Federal Aid Subsequent Application is being submitted to Rural Development to review in mid - May for grants not used by other states. Phase II construction could start in September or wait until next spring without penalty. The DEQ Administrative Order needs to be met by the end of 2016 but an extension can be filed since we will be in construction progress.

Phase I punch list work will begin this week. Drainage at the lift station is an issue.

Radio Read System Installation – Update. The change out on the west side is almost complete. There have been considerable meter upgrades that were not expected. Overall project is going well.

Broadway Water Main Replacement – Update. Don Davis – WWC Engineering stated there are 35 days left on a 60 day contract. The old water main is being kept active during construction. Discussion on whether old line will remain after construction. Two additional valves have been installed to help with isolating areas. They are finding more services than in the contract. Connection of curb stops was not in the final bid contract. There was an interference with Nemont's fiber optic line and a gas line, both have been resolved. There have been 13 to 14 breeches in two blocks. A pressure test and chlorination still to be completed.

May 5, 2014 cont.

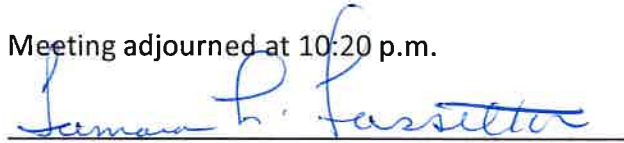
873

Don Davis gave a great recommendation to the council for the hours of work and help that Bob Jasper is putting in on the project.

The sidewalks seem to be marked for replacement break away from the buildings. Gordon Oelkers will check into this with MDT.

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

Meeting adjourned at 10:20 p.m.



Clerk



Mayor

June 2, 2014

874

June 2, 2014, The Culbertson Town Council met in regular session at 7:30 p.m. Present: Mark Nelson, Abe Rumsey, Gordon Oelkers, W. Bruce Houle, Greg Hennessey and Tamara Fossetta. Absent: Dallas Dehner. Guests: Pete Olson, Max Jamison – Iseman Homes, George Johanson, Robert Neil, Jeremy Fadness - WWC Engineering on Skype.

Mark Nelson made a motion to approve the agenda with the addition of a Sketch Plan Permit for Mark and Alex Won Wald and an update on the Water Plant prospects. Abe Rumsey added an agenda item to request a stop sign be placed on 1st Avenue West and 1st Street. Mayor Oelkers also added a request for a stop sign on Railroad Avenue and 1st Street for truck control. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve the May 5th, 2014 Regular Meeting Minutes and the April 2014 Treasures Report. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Pete Olson presented a map of a potential new City Boundary Proposal. Mr. Olson stated that this might assist in future development in that annexations and boundaries will not be required to change so frequently as the process is time consuming and costly. Pete Olson assisted the Town Clerk in revising the boundaries to include the newest annexations for the Montana Department of Transportation State Fuel Tax Allocation calculation. The State is also requiring a written description of the current boundaries that encompass the new annexations outlined on the map submittal. Based on this requirement, Pete thought realigning boundaries in a more straightforward approach would be less confusing and easier to generate a written explanation. Mayor Oelkers voiced concerns on issues of forcing property owners to annex into the Town. The Christoffersen and Timm properties were noted as an example of the property owners' specific request to remain in the County. Jeremy Fadness referred to the current Growth Policy. It may not be possible to modify "at will" the boundaries without complying with processes of legal annexation. Tamara will forward the Montana Department of Transportation map along with a copy of Pete's proposed map for Jeremy's further review and comment at a later date.

Mayor Oelkers stated he had a conversation with Dry-Red Regional Water Authority. They would likely request a change of use to include commercial and industrial. Greg Hennessey concurred that this change of use is permitted. Their projected usage would be 400 gallons per minute. We currently have one-half million gallons of water available to treat per day for use within 365 days. This is the maximum usage. The Town now has 500 gallons per day to sell.

Oilstone Logistics may also want to run the plant and sell to Dry-Red Water. They would provide a bond to the Town. Oilstone would maintain plant according to the arranged agreement with the Town.

There is no further news on the Sionix Corporation.

George Johanson inquired into his water meter size. Tamara verified he is to be charged for a 1-inch meter.

Theodore Roosevelt Expressway. No news.

Culbertson Housing Authority. No news.

Town Wide Maintenance District. No news.

Possible Amtrak Stop in Culbertson. Conceptual Layout Design for Amtrak Station. No news.

Final Reading of Ordinance 231 Amending Existing Water Ordinance to Increase the rates for Municipal Water System. Mark Nelson made a motion to approve the final reading of Ordinance No. 231, an ordinance amending the existing water ordinance to increase the rates and charges for the municipal water system. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Resolution 415 to Modify the Basis on Which Water Rates are Charged. A Resolution To Modify The Basis On Which Water Rates Will Be Charged, Thereby Increasing Rates For Users Of The Municipal Water System Effective July 14, 2014. W. Bruce Houle made the motion to approve. Abe Rumsey seconded the motion. All present voted to in favor of the motion. MOTION CARRIED.

Resolution 414. Entitled Resolution Relating to \$772,000 Water System Revenue Bonds (DNRC Drinking Water State Revolving Loan Program), Consisting of \$186,000 Subordinate Lien Taxable Series 2014A Bond and \$186,000 Series 2014B Bond; Authorizing the Issuance and Fixing the Terms and Conditions Thereof ("the Resolution"). Abe Rumsey made the motion to approve. Mark Nelson seconded the motion. All present voted in favor of the motion.

Wheatland Hills 30-Acre Subdivision – Request to Amend Section 08.060 for Manufactured Home Foundations. Initially some mobile home lots will accommodate manufactured homes for rent. These on are on a steel foundation and will not be permanent. Once these lots (with homes) are sold, the homes will need permanent foundations to comply with the current

June 2, 2014 cont.

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requirements of the Development Review Ordinance. The new lot or homeowners must apply for permits for permanent foundations. Councilman Houle has concerns regarding loss of tax revenue and enforcement of the original Development Review Ordinance. He will abstain from

voting until there is revised language that outlines the requirement for permanent foundation upon sale. Jeremy will add a third condition that any lots sold will adhere to the original requirements of the Development Review Ordinance. Greg Hennessey concurred that the language will mandate deeds of sale must be reported to the Town prior to submission to the County for title. Founded on this condition, W. Bruce Houle made a motion to allow amendment of the Conditional Use Permit. This motion is based on the condition that during the next Council Meeting on July 7, 2014, there will be added language that focuses on issue of enforcement. Mark Nelson seconded the motion. MOTION CARRIED.

Great American Lodge – Agreement for Bond. Greg Hennessey Update. Jeremy will rework the language of the Development Guaranty Agreement to clarify that the purpose is not for an impact fee, but rather a voluntary payment. The Town will be able to utilize the money as it deems necessary and not necessarily coupled to the Sewer Fund. Jeremy will forward his revisions to Greg Hennessey for his approval and forward to North Dakota Development (d.b.a. Great American Lodge) for their agreement.

Lifeguard Applications. Mark Nelson motioned to approve two more lifeguard applicants for the Culbertson Pool; Charlee LeMay and Alexi Bidegaray. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

United Grain Minor Subdivision. A 3-lot minor subdivision for the UGC West Minor Subdivision has been deemed "element" complete. The 15 days of sufficient information has begun as of May 21, 2014. The mandatory thirty-five (35) working day review by WWC starts after all sufficiency information is reviewed and the submittal is determined to be sufficient.

W. Bruce Houle inquired to the disposition of the Maury Johnston case. Greg has seen the Judge's signature on the document noted "with prejudice". The document is now in the office of the County Recorder and the Lis Pendens needs to be stamped and recorded before final discharge.

Sketch Plan Permits.

Culbertson Development – Nine (9) Modular-Home Permits: 1) 312 Arrowleaf Street – Manufactured Home, fence and decks conform to requirements. 2) 316 Arrowleaf Street – Home and deck conform. 10-ft x 12-ft storage shed need dimensions and application submitted. 3) 318 Arrowleaf Street – Home and deck conforms. 4) 320 Arrowleaf Street - Home and deck conforms. 5) 322 Arrowleaf Street - Home and deck conforms. 6) 324 Arrowleaf Street - Home and decks conforms. 7) 326 Arrowleaf Street - Home and deck

conforms. 8) 410 Arrowleaf Street - Home and deck conforms. 9) 1010 Elderberry Street - Home and decks conforms. W. Bruce Houle made a motion to approve. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Wheatland Hills – Cedar Street (18) RV Lots. W. Bruce Houle made a motion to approve based upon the condition that Developer will need to supply a meter pit for each of those lots housing two (2) Recreation Vehicles. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

John Fordyce – Manufactured Home on a permanent foundation. Jeremy requested the front of the home shall be in line with the front of the residential structure to the north. Based on this condition, Mark Nelson made a motion to approve. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

George Johanson – Garage Addition. Mr. Johanson asked if it would be possible to modify the building from 26-ft x 60-ft to a 30-ft x 60-ft. Council reviewed and concurred without submittal of a new permit review. Mark Nelson made a motion to approve. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Patrick and Lanette Bidegaray – Garage Addition. The sketch plan to construct a 20-ft x 30-ft addition to the existing detached garage conforms. A new water service will be connected to the sewer main to service garage addition. The property owner will now receive two water and sewer services. W. Bruce Houle made a motion to approve. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Lori Monson – Fence, ADA Ramp, Sidewalk, 14-ft x 32-ft garage addition, relocation of existing 121-ft x 8-ft shed. The permit is approved on the condition that a letter is to be provided to the Town by property owner south of the Monson home stating the property owner agrees to the property line encroachment. Further, the Town should ensure that the curb ramp meets all ADA requirements. A design for the ADA ramp should be submitted showing slopes and dimensions for ADA compliance. With respect to these conditions, Mark Nelson made a motion to approve the elements of the building permit. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Lary Pearson – Privacy Fence. Council reviewed and recommended as submitted. Mark Nelson made a motion to approve. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Mark Nelson – 20-ft x 24-ft Composite Deck. Council reviewed and recommended as submitted. W. Bruce Houle made a motion to approve. Abe Rumsey seconded the motion. All present voted in favor of the motion. Mark Nelson abstained. MOTION CARRIED.

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Demolition Permits. None.

GJV's. General Journal Vouchers - None, Payroll Journal Voucher No. 140500 and Utility Billing Vouchers No. 970 – 976. Approved and signed.

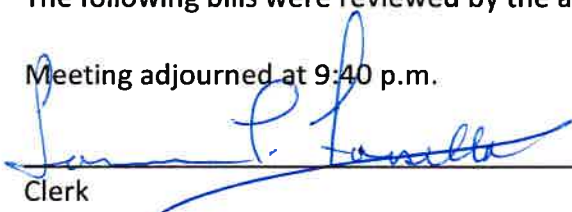
Wastewater Phase II – Project Update. Jeremy Fadness – WWC Engineering reported that the Montana Department of Environmental Quality should accept the Preliminary Engineering Review update based on a conference call of May 28, 2014. Final Design is quickly approaching; possibly as soon as July. Phase I punch list work has begun. The parking lot and corner near the Val Am need pavement redone. Rod Iverson's property on 5th Street must have the divots repaired.

Radio Read System Installation – Update. The change out is almost complete. There have been considerable meter upgrades that were not expected. Overall project is going well and near completion. May 2014 utility bills were processed successfully with the computerized handheld reader and software.

Broadway Water Main Replacement – Update. A pressure test and chlorination is to be completed by Friday June 6, 2014. Service installation also to be complete.

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

Meeting adjourned at 9:40 p.m.


Clerk


Mayor

July 7, 2014

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July 7, 2014, The Culbertson Town Council met in regular session at 7:30 p.m. Present: Gordon Oelkers, Dallas Dehner, Mark Nelson via speaker phone, Greg Hennessey and Tamara Fossetta. Absent: Abe Rumsey, W. Bruce Houle. Guests: Cassandra Bergum – ThInc Shop, Shane Shriner, and Ricky Smith, Jeremy Fadness - WWC Engineering on Skype.

Dallas Dehner made a motion to approve the agenda with the following additions for discussion: Local Government Review voter results; Montana Department of Transportation reconstruction project for U.S. Highway 2 beginning at the Diamond Coulee RV Park extending east approximately 1.3 miles ending west of the Clover Creek Bridge at reference post 645.5; Damage of the Town's sidewalk when Sandry Construction drove over Town's sidewalk to use the Knudsen lot to set heavy concrete storm water pipe on the property; Montana Department of Transportation Speed Study; 3rd Street East issue with Roosevelt Medical Center and Wheatland Hills. Mark Nelson Seconded the motion via speaker phone. All present voted in favor of the motion. MOTION CARRIED.

Minutes from Regular Meeting on June 2, 2014 will be approved at the August 4, 2014 regular meeting due to lack of full quorum for visual validation.

Treasurer's Report for May 2014 2014 to be approved at the August 4, 2014 regular meeting due to lack of full quorum for visual validation.

Theodore Roosevelt Expressway. No news.

Culbertson Housing Authority. No news.

Town Wide Maintenance District. No news.

Possible Amtrak Stop in Culbertson. Conceptual Layout Design for Amtrak Station. No news.

Town of Culbertson Policy Manual. Tamara has modifications to add before full presentation and adoption.

City Boundary Proposal – Growth Policy. No update.

Tamara prepared a packet of information regarding the Local Government Review Study. To date, the results of the Primary Election are 74 votes for the study and 73 against the study. Gordon and Greg requested that Tamara call Cheryl Hansen at Roosevelt County to further clarify that all votes have been tallied and are official. The three (3) person committee must be

selected and names submitted to the State by August 11, 2014 if the Town must proceed with the Local Government Review Study.

Gordon requested that Jeremy or a WWC representative contact Montana Department of Transportation in Glendive Montana to gather details required to proceed with the Highway 2 reconstruction project. The proposed work includes a wider concrete surfacing, curb and gutter, sidewalk, storm drain, signing, and pavement markings. This project begins at reference post 644.3 to reference post 645.5, approximately 1.3 miles.

Gordon also asked Jeremy to have someone at WWC contact the Montana Department of Transportation (herein, MDT) and have the sidewalk repaired by the old Thompson TV Building, now owned by Jordan Knudsen. MDT is aware of the situation via an email to Walt on 6/24/14. Gordon made telephone contact with Keith Kuchenbecker of Wheatland Hills.

There is a meeting scheduled tomorrow (July 8, 2014) at 10 a.m. with Bob Jasper, Ken Forbregd, and Mr. Kuchenbecker to reach a permanent remedy for the road repair of 3rd Street East adjacent to Roosevelt Medical Center.

Gordon requested that Tamara write a letter to MDT to accept and direct them to proceed with implementing the recommendations outlined in the Conclusions and Recommendations of their Study. Speed limit zones will be adjusted based on those recommendations in various areas of Culbertson. This document attached due to the length and explicitly of the manuscript.

CHMS Single Audit for Fiscal Year 2013. Dallas Dehner made a motion to accept the proposed contracted price of \$13,900 (thirteen thousand nine hundred dollars) to begin Audit. Mark Nelson seconded the motion via speakerphone. MOTION CARRIED.

Construct a partition wall to separate workspace in the Town Hall office. Calvin Dean is the licensed and bonded contractor that will commence work when directed if approved. Dallas Dehner motioned for approval. Mark Nelson seconded via speakerphone. MOTION CARRIED.

Voluntary Term Life and AD&D Insurance. Tamara requested that the Council approve to allow employees who wish to purchase life insurance "independently" through MMIA. Permission granted to move forward for those employees who elect to purchase life insurance during open registration in April of 2015.

Wheatland Hills Road Width: Jeremy is certain that the Council and WWC accepted the design with narrowing of Arrow Leaf road from 37 feet to 24 feet in the development. Gordon requested that a caveat be added to the permit that the Developers must add signs to prohibit vehicle parking on the street and off street parking on the lots be provided.

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Great American Lodge Agreement for Bond: The last draft that Greg approved was sent to North Dakota Developments for their approval. Neither Greg nor Jeremy have had any response. Jeremy will send a letter requesting a response.

United Grain Minor Subdivision: Public meeting for comments is August 4, 2014 at 7:30 p.m. To date there have been no comments or issues presented. During the next Regular Council meeting, Council will be able to approve, deny, or present a conditional approval providing there are not objections.

Interlocal Law Enforcement Agreement: Will need to be revisited next Council Meeting on August 4 for a full quorum discussion if and/or approved. Town Attorney, Greg Hennessey did not have issues with the draft submitted by Jordan Knudsen, the Roosevelt County Attorney.

Resolution 416 Authorizing the Transfer of Funds. \$20,000 was necessary to transfer to the Building Code Enforcement Fund from the Oil Severance Fund to cover the shortfall in expenses for Permit Reviews and professional fees performed by WWC. Dallas Dehner made the motion to approve. Mark Nelson seconded the motion via speakerphone. MOTION CARRIED.

Resolution 417 Establishing Personnel Wages: This was premature and cannot be accepted until after Council accepts final budget with those amounts if any are included.

Release of Lis Pendens for Industrial Park: This matter is completed and filed with Roosevelt County on May 5, 2014. Mr. Grobel will need to conduct and obtain a clear title search to acquire the warranty deed to the property. At this time is unclear as to Mr. Grobel's intended use for the property. Copy attached.

Tamara to send out emails to all Council Member to schedule dates for budget preparation meetings.

Sketch Plan Permits.

Wheatland Hills/Culbertson Development – Subdivision Freestanding Signs. The two (2) proposed signs are for subdivision identification and advertising for the Wheatland Hills Subdivision lots for sale. WWC recommends approval. Dallas Dehner made a motion to approve. Mark Nelson seconded the motion via speak phone. MOTION CARRIED.

Iseman Homes – Manufactured home on permanent concrete crawl space foundation with 10-ft x 10-ft deck located at 1026 Juniper Street. WWC recommends approval of the permit with the requirement that a finished floor shall be a minimum of 18" above the exterior finished

grade of the lot. Dallas Dehner made a motion to approve. Mark Nelson seconded the motion via speaker phone. MOTION CARRIED.

Thinc Shop Commercial Sign – a 50 square foot freestanding pole-style commercial sign and a 64 square foot wall sign is approved based on the : 1) The sign shall be located a minimum of 5.5 feet from the front and side lot lines. 2) The signs shall be set with a minimum of 8 feet of clearance from the bottom of the sign. 3) The sign shall not exceed 64 square feet in area based on 1.5 times the length of the building frontage minus the area of proposed freestanding signs. Dallas Dehner made a motion to approve. Mark Nelson seconded the motion via speaker phone. MOTION CARRIED.

Wes and Cheryl Kirkaldie – Manufactured Home and fence within a Residential District. WWC approves the permit based on the following 5 conditions: 1) Finished floor shall be a minimum of 18" above the exterior finished grade of the lot. 2) Foundation shall meet the requirements of the Housing and Urban Development Guide for Permanent Foundations for Manufactured Homes. 3) Skirting shall compliment the home style and residences surrounding the area. 4) Front of the home shall be setback minimum of 28 feet from the back of the curb on 2nd Avenue West to create 15-foot setback from the front property line. 5) The 6-foot fence shall be in line with front edge of the house and outside of the 15-foot front yard setback and not exceed 4 feet high. Dallas Dehner made a motion to approve. Mark Nelson seconded the motion via speaker phone. MOTION CARRIED.

Demolition Permits. None.

General Journal Vouchers 723, 726, 727 – Payroll JV 140600 and UBV's 977 to 983. Must be approved at next Regular Council Meeting on August 4, 2014 due to lack of quorum.

Wastewater Phase I and II – Project Update. Jeremy Fadness – WWC Engineering reported that the US Department of Fish and Wildlife Service are accepting the biological assessment performed by KC Harvey Environmental LLC. Prior to that approval RD Grant money was pulled but is now reinstated.

Advertisement for Public Comment is to be published in the local paper, The Searchlight prior to the August 4, 2014 Regular Council Meeting. The design has some delay but with the approval of the Fish and Wildlife Department, work can easily begin in April or May.

Gordon requested that Jeremy talk to Robbie and Don from WWC to ensure that the contractor responsible for parking lot at Val Am be repaired before final approval. The parking lot needs clean rock, holes repaired, and leveled for their customer parking.

Radio Read System Installation – Update. No issues at this time.

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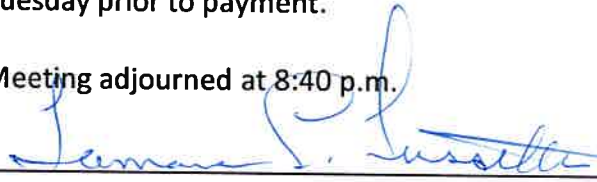
Broadway Water Main Replacement – Update. A final inspection will occur on July 16, 2014. As-Built's are ordered and needed for completion. The main has been pressure tested and results are good.

Highway 16 Broadway Reconstruction Update. No discussion.

Water Plant Lease Option. No discussion.

The following bills were reviewed by Mayor Oelkers and Councilman Houle will review on Tuesday prior to payment.

Meeting adjourned at 8:40 p.m.



Clerk



Mayor

August 4, 2014
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August 4, 2014. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Abe Rumsey, Mark Nelson, Dallas Dehner and Shirley Gallegos. Absent: Tamara Fossetta and Bob Jasper. Guests: Attorney - Greg Hennessey, Jeremy Fadness - WWC Engineering on Skype, Joni Sherman - Dry Prairie Rural Water, Allen Aspenlieder, Robert Nick, Sheila Doll - CHMS, Ben Allen - CHMS, Travis Wray - Oilstone Logistics, Scott Aspenlieder - Oilstone Logistics, Raedelle Aspenlieder – United Grain, Jordon Mayer - Interstate Engineering, Henry Sullivan - Sionix, Rex Crick - Sionix, Jed Kirkland - Interstate Engineering, Mandi Nay – Dry Red Water and Tom Ruffatto - Dry Red Water.

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.

Dallas Dehner made a motion to approve Regular Meeting Minutes June 2, 2014 and July 7, 2014 and Treasurer Report May 2014 and June 2014. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Joni Sherman with Dry Prairie Rural Water gave an update when their delivery of water from the Regional System is expected. Two things are causing delay. The treatment plant's conversion from chlorination to chloramines disinfectant is time consuming. The negotiations for rates and future rate calculation with BIA in Washington DC are still being determined. They are hoping for delivery the end of September, but 2-3 months at most.

Mayor Oelkers reiterated that the Town reserves the right not to hook up right away. The Town wants to feel secure with Dry Prairie's water service and quality for its residents. In addition securing a lease or purchase for our existing water plant is vital to protect the Town's investment. The Town is reserving 300,000 gallons a day as a backup in the case Dry Prairie is not able to deliver water at some point.

The 90 day process of due diligence for the Culbertson Water Facility with Sionix, Oilfield Logistics and Dry Red Water Authority is up.

Oilfield Logistics representative Scott Aspenlieder asks for a 30 day extension of the 90 day due diligence. They are currently in negotiation with Dry Red Water for a rate structure and tentative agreement. Oilfield will guarantee them the first four to five hundred thousand gallons a day out of the plant.

Henry Sullivan with Sionix has a proposal ready for the Town of Culbertson. They have a lease agreement on the Montola Plant and plan to purchase when all titles are clear. They will annex into the Town of Culbertson at closing. Operation of their treatment plant will start shortly with the existing water wells on the property. They have an acceptable agreement on the table with Dry Red Water. They are committed to lay 9,000 foot of pipe from the Culbertson water plant to their facility.

Dry Red Water Engineer Jed Kirkland stated that they are still interested in operating the plant themselves. It will be 18 to 24 months before they are ready. Pipeline would need to be run to Fairview. They have a proposal from Sionix and are comfortable with it, noting that Sionix would be able to operate the plant more efficiently and cost effectively than Dry Red Water.

W. Bruce Houle made a motion to accept Oilstone Logistics request for a 30 day extension on the 90 day due diligence. There was no second. Third and final. Motion died.

W. Bruce Houle stated that it is hard to accept a proposal when the Council has not had time to look at it ahead of time.

Sionix proposal is off the table if not accepted tonight. This will cause them delays in securing money's for the pipeline. They are willing to give Dry Red Water a guarantee of twenty years and the Town its reserve. Sionix met the 90 day due diligence.

Dry Red Water is not able to make a proposal at this time.

Oilstone Logistics is not ready to make a proposal.

Mark Nelson made a motion for a 30 day extension of the 90 day due diligence for Oilstone Logistics, Sionix and Dry Red Water. All Proposals will be turned into the city office by 3:00 on the first Monday of September. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

The first Monday of September falls on the Labor Day holiday.

A friendly motion by Mark Nelson amending the proposal acceptance date because of the Labor Day Holiday to August 29, 2014 by 3:00 pm at the Town office. W. Bruce Houle seconded the motion. All present voted in favor of the friendly motion. MOTION CARRIED.

The proposal by Sionix is off the table. Not to be further discussed, until such a time that they resubmit.

To clarify, the Proposal is nothing more than a Letter of Intent to lease to them. It will be followed by a Final Contract.

CHMS Auditor Ben Allen gave a preliminary report which is subject to change of their findings for FY2011/2012. Three of four findings are a continuance of ones in place from previous years.

CHMS is approved for hire to conduct FY 2013 audit. A contract will be sent when current audit is final.

Theodore Roosevelt Expressway. No news.

Culbertson Housing Authority. No news.

Town Wide Street Maintenance District. No news.

August 4, 2014 cont.

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Possible Amtrak Stop in Culbertson. Senator John Walsh's Regional Director, Cathy Kirkpatrick met with Mayor Oelkers July 30, 2014 to discuss the Town's needs and funding for proposed Amtrak station. The Mayor gave her a tour of the town and proposed site. They are looking for funding.

Town of Culbertson Policy Manual – Revisions Review and Adoption. No news.

Budget Discussion. Tamara has been off work with health issues. Raedelle Aspenlieder worked on the budget. Will finish for September Council.

City Boundary Proposal – Growth Policy Update. No news.

Wheatland Hills Subdivision – Requesting Walk Through. Jeremy Fadness, WWC Engineering will have Don Davis walk through with Culbertson Developments Engineer and Contractor on August 20, 2014, for Phase I Infrastructure. Includes streets, sewer, water and lighting with an engineer certification on the as built. Jeremy will have Bob Jasper complete measure downs prior to walk through. Jeremy will have recommendations for September Council. Anything that is not completed will be covered by the completion bond. There will be a one year warranty to fix any problems.

The road sizes are an issue. Arrowleaf narrows down to 24 foot at east end of the development. If there is future development to the east this will pose a traffic problem. Council agrees that no parking on the 24 foot wide street be allowed. Possible solution, future developer will pay costs to widen the street. Wheatland Drive needs to stay wide the entire way through subdivision as shown on drawings for Emergency access. Jeremy will work on this.

Local Government Review Study – Committee Selection by August 11, 2014. Looking for committee members. Will send Abe Rumsey information and rules for his wife.

Great American Lodge – Agreement for bond. Greg Hennessey Update. The contract is on Jeff Hogsted's desk. The Council wants to sign by next meeting.

United Grain – Minor Subdivision. United Grain minor Subdivision Staff Report by Planner Jeremy Fadness WWC- Engineering. The applicant proposes to develop the United Grain Corporation West Minor Subdivision into three lots from an existing 47.82 acre parcel of land. Lot 3 is proposed to remain within the Industrial District and Lots 1 and 2 are proposed to be amended to be within the Residential District. A 30 foot right-of-way dedicated to the Town of Culbertson is proposed for 1st Street West along the North boundary of the subdivision. Lots 1 and 2 are proposed to be served by individual wastewater systems and water will be provided by Dry Prairie Rural Water. There is an existing work camp in the northeast corner of Lot 3 that was permitted by MDEQ and Roosevelt County prior to annexation into the Town of Culbertson. No new water or wastewater mains are proposed. The remaining portion of Lot 3 is currently undeveloped and no new facilities are proposed. Planner Jeremy Fadness – WWC Engineering recommends approval the United Grain Corporation West Minor

Subdivision with eight conditions. (see attached). The south side of the County Road will become a City Street. County should continue to maintain, unless additional developments are added. The man camp on lot 3 is permitted by DEQ for 14 RV's. The wastewater system is in the process of being worked on, should be taken care of in a week or two.

W. Bruce Houle made a motion to accept WWC Engineering recommendation of approval for the United Grain Corporation West Minor Subdivision, with eight conditions. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Inter-Local Law Enforcement Agreement. The Town of Culbertson has budgeted \$1833.34 monthly for the new Inter-Local Law Enforcement Agreement. Dallas Dehner made a motion to accept the new Inter-Local Law Enforcement Agreement with the Roosevelt County Sherriff's Department. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Roosevelt County Conservation District – Mark Nelson Appointment. Roosevelt County Conservation District would like to appoint Mark Nelson for another term urban supervisor. W. Bruce Houle made a motion to accept Mark Nelson's appointment to the Roosevelt County Conservation District. Dallas Dehner seconded the motion. W. Bruce Houle, Dallas Dehner and Abe Rumsey all voted in favor of the motion. Mark Nelson abstained. MOTION CARRIED.

Resolution No. 417 – Establishing Personnel Wages. Resolution No. 417, A Resolution Of The Town Of Culbertson Establishing Personnel Wages, Compensation And Health Insurance For Fiscal Year 2014-2015, Revoking Resolutions In Conflict Herewith, And Establishing An Effective Date For Salaries And Compensation. W. Bruce Houle made a motion to accept Resolution No. 417 a resolution of the Town of Culbertson establishing personnel wages for fiscal year 2014 – 2015. Abe Rumsey seconded the motion. All present voted to in favor of the motion. MOTION CARRIED.

Industrial Park – Warranty Deed. The warranty deed for Industrial Park lots 3 & 4 and Grobel Properties, LLC has been signed. The moneys being held in an interest bearing account can be transferred to the general fund.

Rural Development Loan/Grant Letter of Intent. Rural Development will administer the Loan and Grant for Wastewater Project Phase II. The Phase II loan is \$674,000, with an additional grant of \$1,100,000. A Letter of Intent to Meet Conditions and Request for Obligation of Funds is requested by Rural Development to finish the application process, if Council agrees to their offer. Mark Nelson made a motion to accept Rural Developments loan and grant offer for Wastewater Project Phase II. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Resolution No. – Setting Mills. Tabled not ready.

Sketch Plan Permits. None.

Demolition Permits. None.

August 4, 2014 cont.
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General Journal Vouchers. GJV's No. 723, 726, 727, Payroll JV's – No. 140600, 140700, and UBV's 977-983, 984-986 and 990-996. Approved and signed.

Wastewater Phase I & II – Project Update. Phase I walk through is complete. Phase II is in a thirty day comment period. Design will move forward when complete. Will go to bid this winter for spring construction.

Broadway Water Main Replacement – Update. There are no issues. Waiting for as builts from MDT to be finished.

Highway 16/Broadway Reconstruction- Update. Questions - When will the curbs be painted and will the highway be chip and sealed?

Water Plant/Lease option –Update. Discussed earlier.

Pool – Season Pass for Kristin Peterson Day Care. Council approved \$100.00 for the remainder of the season. Next year the Council will revisit rate for a commercial day care. W. Bruce Houle made a motion to charge Peterson Day Care \$100.00 for the remainder of the swim year, and to revisit a commercial rate in the spring. Abe Rumsey seconded the motion. Motion Carried.

Jeremy Fadness – WWC Engineering, Update – MDOT Highway 2 Reconstruction. Jeremy will call Shane Mintz, MDT on behalf of Culbertson in response to their request for comment on the proposed reconstruction of US Highway 2 through the Town of Culbertson. The Town would like the following design elements added to the project. Sidewalks on both sides of the road from the Western Town Boundary to the MDT Rest Area/Weigh Station on the East of Town. Underground Storm drain system to address storm water from U.S. Highway 2. Section of existing water main owned and maintained by Culbertson, to be replaced. Street lighting similar to the recent Broadway project.

Sidewalk Repair – Old Thompson TV Building. Done.

MDT Speed Study. Accepted.

Greg Everson Lot Retracement. Realigned lots, from one to two.

Old Christmas Decorations – Use on Football Field Fence. The Lions Club should be contacted, they headed this up in the past. New advertising for organizations wanting to decorate needs to be done.

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

Meeting adjourned at 9:40 p.m.



Clerk



Mayor

harmless and indemnify the Town of Culbertson from all claims, demands, obligations, suits, causes of action, damages, and liability, including the Town's costs and attorney's fees, arising in any manner whatsoever out of, or relating to, the existence, use, operation, repair, and/or maintenance of the following:

- i. Earthquake fault zone and any seismic activity;
 - f. Each lot shall be maintained in a clean, attractive, and weed-free manner; Noxious weeds must be pulled, sprayed or cut prior to seed maturity; (*Sections 76-3-102(5 and 6), 501(1), and 608(3)(a), MCA; Section VI-T, Town of Culbertson Subdivision Regulations*)
 - g. A prohibition of the raising, confinement, and/or keeping of livestock on all lots.
 - h. A waiver of right to protest joining a maintenance district for the purpose of road maintenance, mosquito control, or equitably funding parks and maintenance of parks. (*Section 76-3-102(4), 501, 504(7), and 621, MCA*)
 - i. Notification that Lot 3 may be used for industrial purposes.
8. Prior to filing the final plat, the Applicant shall:
- a. Provide proof that all taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies. (*Section 76-3-611(1)(b), MCA*)
 - b. Provide documentation (abstract of title or platting certificate) showing that the Applicant is the lawful owner of the property with the apparent authority to subdivide the same, showing the names of lien holders or claimants of record and the written consent to the subdivision by the owners of the land, if other than the Applicant, and any lien holders of claimants of record against the land. (*Section 76-3-612, MCA*)

The Applicant is financially responsible for actual outside engineering, consulting, professional and/or contracted service fees, etc. at the sole discretion of the Town of Culbertson for additional review and/or final plat approval of the proposed subdivision. This preliminary approval shall be in force for not more than three (3) calendar years. (*Section 76-3-610, MCA*)

Preliminary plat approval of the UGC West Minor Subdivision shall be in force for three (3) calendar years. At the end of this period the governing body may, at the written request of the subdivider, extend its approval for no more than one (1) calendar year. However, the governing body may extend its approval for a period of more than one (1) calendar year if that approval period is included as a specific condition of a written subdivision improvements agreement.

Certificate of Subdivision Approval that identifies the existing wastewater system is in compliance or approves a new replacement system. If a new system or repairs are required for the existing wastewater system on proposed Lot 3, certification from the Roosevelt County Sanitarian that the new system or repairs to the system have been installed and meet all the requirements of MDEQ and the ARM. (Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 76-3-501(6) & (7), 76-3-501(g)(ii) & (iii), MCA; Sections VI-I., VI-J., and VI-K., Town of Culbertson Subdivision Regulations)

3. All specifications and requirements of the approved weed plan shall be met prior to approval of the final plat (*Sections 76-3-102(5 and 6), 501(1), and 608(3)(a), MCA; Section VI-T., Town of Culbertson Subdivision Regulations*)
4. The 30-ft wide right-of-way for 1st Street West shown along the north boundary of the subdivision shall be dedicated to the Town of Culbertson and dedication language shall be shown on the plat prior to final plat approval. (*Section VI-H (viii)., Town of Culbertson Subdivision Regulations*)
5. The Applicant will be required to submit the final plat drawings in electronic format to the Town of Culbertson in PDF format.
6. The final plat shall be prepared in accordance with the applicable State survey requirements, Montana Subdivision and Platting Act survey requirements and the Culbertson Subdivision Regulations. (*Section 76-3-102, 402, 501, 504, and 608(3), MCA; Section 8.94.3003, ARM; Town of Culbertson Subdivision Regulations*)
7. The Book and Page reference to the restrictive covenants (filed with the County Clerk and Recorder) shall be indicated on the face of the final plat. In addition, restrictive covenants, revocable or alterable only with the consent of the Town of Culbertson Council, shall be placed upon the property and shall provide for the following (*Section 76-3-608(3)(a), MCA; Town of Culbertson Subdivision Regulations*)
 - a. Notification of the potential health risk from radon concentrations and that such risk can be evaluated through soil tests and mitigated through radon abatement techniques incorporated into structures; (*Section 76-3-608(3)(a), MCA*)
 - b. Any additional, replacement, or relocated utility lines shall be installed underground, in accordance with the Town of Culbertson's Subdivision Regulations, unless otherwise determined by the utility provided; (*Section 76-3-608(3)(a), MCA; Section VI-M, Town of Culbertson Subdivision Regulations*)
 - c. Any exterior lighting shall be directed downward to minimize visibility beyond the property lines; (*Section 76-3-608(3)(a), MCA*)
 - d. A waiver of the right to protest to join a special improvement district; (*Section 76-3-608(3)(a), MCA*)
 - e. A restrictive covenant, binding the landowner, any heirs, successors and assigns, and all future owners of property within the subdivision, agreeing therein to hold the Town of Culbertson

SUMMARY

As outlined above the proposed UGC West Minor Subdivision will not have an adverse impact on local services, existing water or wastewater systems, agriculture, wildlife or wildlife habitat, or public health and safety. The subdivision proposes to develop an existing industrial parcel into two residential parcels and one industrial parcel. Impacts on local services will not be significantly increased by the creation of the three additional lots on the existing parcel. Development of the industrial lot into future uses will increase the impacts on local services, water, wastewater, storm water, and roads. The Town of Culbertson has a Development Review Ordinance in place that implements minimum standards for development within the Industrial District. Further development of the lots into additional uses would require that the Applicant submit a development review application for review. The submittal may require a traffic impact analysis, grading and drainage plan, evaluation of site access, evaluation of impacts on the water and wastewater systems, evaluation of impacts on local services and potential impacts on public health and safety. The Council would review any future development on these lots and determine what, if any, impacts to these systems there are and require the Applicant to mitigate the impacts as part of the plan approval. Therefore, the creation of the three lots from the existing parcel does not increase the amount of potential impact within the subdivision boundary because the Development Review Ordinance regulates all development of lots with the Town of Culbertson. Under the Development Review Ordinance all future development on the proposed lots will be reviewed by the Town Council.

The review is performed pursuant to the Montana Subdivision and Platting Act, Section 76-3-101 through 76-3-614, Montana Codes Annotated and the Town of Culbertson Subdivision Regulations. The proposed preliminary plat, UGC West Minor Subdivision, as submitted by the Applicant, together with the required supplementary plans and information satisfies the requirements of these regulations and complies with the Town of Culbertson Growth Policy.

RECOMMENDATIONS

UGC West Minor Subdivision is recommended for approval with the following conditions:

1. The Certificate of Subdivision Approval from the Montana Department of Environmental Quality for the UGC West Minor Subdivision, EQ #14-1914 shall be filed with the Roosevelt County Clerk and Recorder with the final plat. (Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 76-3-501(6) & (7), 76-3-501(g)(ii) & (iii), MCA; Sections VI-I., VI-J., and VI-K., Town of Culbertson Subdivision Regulations)
2. As identified in the Certificate of Subdivision Approval issued by MDEQ for the UGC West Minor Subdivision, EQ #14-1941, the applicant shall provide proof of compliance from the Roosevelt County Sanitarian and/or MDEQ that the existing wastewater treatment system for the work camp located on proposed Lot 3 is in compliance with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6, ARM, or an amended

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September 8, 2014. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Abe Rumsey, Mark Nelson, Dallas Dehner and Tamara Fossetta. Absent: Bob Jasper. Guests: Attorney - Greg Hennessey, Jeremy Fadness - WWC Engineering on Skype, Cameron Lambert and Kayleen Lambert - Representing Local Eagle Scouts, Troop 190, Nels Nicholson – Great American Lodge, Robert and Donna Nick – Channel 38, Shane Shriner – Highline Inn and Suites.

Dallas Dehner 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 Regular Meeting Minutes of August 4, 2014 with the exception that Paragraph 6 and 7 should read Oilstone Logistics, not Oilfield Logistics. Included in the motion was the July 2014 Treasurer Report. W. Bruce Houle seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Greg Hennessey delivered the Rural Development Site Title Opinion to Mayor Oelkers. Tamara is to send the original “blue” copy to Eleanor Kindness at the Rural Development - Billings Area Office and copy to Drew Pearson at WWC.

Cameron Lambert proposed an Eagle Scout Project that would repair the broken and straighten headstones at the Hillside Cemetery. Volunteers and equipment will be essential to assist with labor from citizens and Town employees. He requested that the Town donate gravel, Quikrete, forming pins, gloves, safety glasses, shovels, and the use of the Town’s front end loader and possibly Bob Jasper as the loader operator. W. Bruce Houle asked if all the headstones in need of repair should be identified to ensure proper placements and contact those living love ones. Mayor Oelkers and Greg Hennessey informed Cameron those records and plat maps are located at Town Hall and should use those for verification. This project would fall under cemetery maintenance and family members will appreciate the enhancements. Mark Nelson made to approve the proposal of the Eagle Scout Troop 109 project. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Nels Nicholson representing Great American Lodge wanted to introduce himself to the Town Council. He is the new Superintendent for Great American Lodge. This is his ninth week on the project and is not able to offer much information. He noted that he project is having issues with the curbs along 7th Avenue and 5th Street. Mr. Nicholson felt he would be able to present a more prepared update at the next Council Meeting. Mayor Oelkers is adamant that the curb and water flow issue be resolved before the Town signs off on the project. Jeremy stated that KJL has conducted no inspections and has heard they were no longer assisting on the project.

Council was curious to know when the restaurant and other amenities will begin construction on the west side of the project. This of course cannot happen until curb and water flow issues are resolved. Mr. Nicholson did not know either. The Council asked Jeremy if he had any communication with Dan Hogan regarding the Development Guaranty Agreement. Jeremy has heard nothing either verbally or written

Robert Knick presented an update on channel 38. Mr. Knick thinks that Poplar has a full power station, but station rights will be auctioned to obtain license. It might be a split with Poplar and or Glendive on Antelope Hill. Maintenance may cost \$4,000 to 5,000 a year. There are still only a few homes in the area that are able to get reception.

Theodore Roosevelt Expressway. W. Bruce Houle received an email from Mason Short of KLJ. KLJ has been awarded the prime design project for the next phase of the project from Watford to Belfield. Other team of engineering firms assisting will be Apex, Brosz, and Houston. Projected cost will be \$500 million to \$1 billion once completed.

Culbertson Housing Authority. No news.

Town Wide Street Maintenance District. No news.

Possible Amtrak Stop in Culbertson. Mayor Oelkers and other Council Members met with the State of Montana Lt. Governor Angela McLean. The Amtrak Station will have to have Federal Funding. Montana State Revolving Funds with loan forgiveness could be an option.

Town of Culbertson Policy Manual – Revisions Review and Adoption. Tamara to send copies we currently have to all Council Members even though the corrections in format are not complete. John Cummings' from MMIA suggested updates and corrections and were added months ago. Greg Hennessey has a high regard for John Cummings competency and agrees we could adopt. Council will have until next council meeting on October 6 to review if corrections or comments. A motion could be made to adopt as is.

Final Budget Adoption. Resolutions No. 419. There are some questions with the revenues and expenditures regarding the Wastewater Phase II totals that Tamara will research to ensure proper accounting. W. Bruce Houle made a motion to adopt and approve the budget for Fiscal Year 2014-2015. Dallas seconded the motion. All present voted in favor. MOTION CARRIED

Setting Mills - Resolution 418 – Approving and setting the mills for fiscal year 2014-2015. Mark Nelson made the motion to approve and adopt the Resolution setting the mills as written. Abe Rumsey seconded the motion. All present voted in favor. MOTION CARRIED.

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City Boundary Proposal – Growth Policy Update. No news.

Wheatland Hills Subdivision – Final Walk Through and Punch List Completion. Jeremy Fadness, WWC Engineering has not seen final. Mayor Oelkers told the Council that Keith Kukenbacher thought final walk through and subsequent sign off by WWC is reasonable to complete by fall of 2014.

Local Government Review Study – The Town had no volunteers come forward. After the November 4, 2014 General Election, the Mayor must by Statute appoint committee members.

Great American Lodge – Agreement for bond. Greg Hennessey has completed the Bond proposal. Jeremy and Greg Hennessey remarked there has been no response from those pertinent personnel that can legitimately sign this type of an agreement. Jeremy sent an email to Jim Rasche and Danny Hogan on Friday August 22, 2014.

United Grain – Minor Subdivision. United Grain Minor Subdivision Staff Report by Planner Jeremy Fadness representing WWC Engineering. Land Use and Final Plat should be ready and available for viewing by October's meeting. As a side note, Mayor Oelkers mentioned a possible children's fishing hole might perhaps be in the process.

CHMS, P.C Final Bound Audit Report. The Fiscal Year 2011 – 2102 Final copy was given to Mayor and Council Members. No motion necessary. There are copies in Clerk's Office to view as well.

City Boundary Proposal – Growth Policy Update. This issue still needs to be addressed.

Traffic Concerns – 1st Avenue West and 3rd Avenue East. Town needs to continue to add NO TRUCK traffic in this area. The issue of creating an Ordinance to allow Sheriff to issue citations for trucks using these roads was discussed. It would be difficult to pass such a motion when trucks are allowed to park at owner's property in this location. Also businesses utilize these roads for business operations. Truck parking is allowed by Town ordinance Section 10-16-50 to allow parking only and load and unload merchandise. The Town can only anticipate that trucks will follow No Truck Traffic regulations but cannot cite with traffic fines.

Mayor Oelkers requested that Bob Jasper add Stop Sign at the gravel yard at 1st Avenue West and 3rd Avenue East for northbound traffic. Also, add a Stop Sign at the corner of 1st Street and 1st Avenue.

Sketch Plan Permits.

Gido Construction – Shed located at 1st Avenue East and Broadway. Mark Nelson made a motion to accept. W. Bruce Houle seconded the motion. All present voted in favor. MOTION PASSED.

Monson Sketch Plan Set Backs. Garage addition drawn with setback of 14ft from slab to top of curb. Monson's will need to apply for a variance to shorten setback to 11.5ft. Jeremy will call Mike Monson tomorrow (9/9/14) and explain the issue and reasoning for variance application

Demolition Permits. Demolition of the Clayton/Everson Chapel Building requested by Greg Everson. W. Bruce Houle made a motion to accept Jeremy's approval. Abe Rumsey seconded the motion. All present voted in favor. MOTION PASSED.

General Journal Vouchers. GJV's No. 732 – 734, Payroll JV's – No. 140800, JV No. 733 which transfers \$76,789.44 to Oil Severance Account 2890. This will close the Industrial Park Account at First Community Bank. Mr. Grobel has clear title and Warranty Deed is clear. Approved and signed.

Wastewater II Project. Site Title is complete and given to Council by Greg Hennessy at the meeting. Per Jeremy, Rural Development is requesting an Emergency Response Plan for the new lagoon. There was a plan completed sometime in 1999 or 2000, but office is unable to locate. Mid- West Assistance Program will be completing this Response Plan quickly as possible Eleanor Kindness. This should not delay funding.

The No Comment period for the Finding of No Significant Impact (FONSI) is passed the 30 days. The Request for Proposal will be sent to be approved. The RFP will need to be published in the Builders Exchange and the Billings Gazette. The tentative plan is to advertise for bid this winter and begin construction in spring of 2015.

Highway 16/Broadway Reconstruction- Update. Per Jeremy, the As-Builts are almost complete and then will submit to Department of Environmental Quality. For both Phase I and II.

Water Plant/Lease option –Update. As discussed last month, Sionix has pulled their proposal. Mayor Oelkers informed Council that Mandy from Dry Red Water might be interest in a partnership with the town. They will send a letter of interest for Council to consider. Mark Nelson sensed that the Town's hook up to Dry Prairie Rural Water could happen Spring of 2015.

Jeremy Fadness – WWC Engineering, Update – MDOT Highway 2 Reconstruction. Jeremy sent email to Shane Mintz, MDT on behalf of Culbertson in response to their request for comment on the proposed reconstruction of US Highway 2 through the Town of Culbertson. Mr. Mintz

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thanked Jeremy and the Town for the comments. Once Montana Department of Transportation finalizes all the plans, we will meet, discuss, and tour our suggestions.

Old Christmas Decorations – Use on Football Field Fence. No Update

2003 Dodge Ram 1500 – Bid. The Town will place an advertisement in the local newspaper for a closed bid auction on the 2003 Dodge Ram 1500 Pickup. There will be no minimum bid listed. Mark made a motion to approve. W. Bruce Houle seconded the motion. All present voted in favor. MOTION PASSED.

Airport Fuel Vendor – CityService Valcon. Mayor Oelkers spoke with the company as they also serve the Poplar Airport. They are located in Great Falls Montana and deliver approximately twice per month if necessary. The vendor requests a copy of the approved motion prior to setting up an account. Dallas made the motion to approve this vendor as our aviation fuel provider. W. Bruce Houle seconded the motion. All present voted in favor. MOTION PASSED.

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

Meeting adjourned at 8:50 p.m.


Clerk


Mayor

October 6, 2014
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October 6, 2014. The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Abe Rumsey, Dallas Dehner and Tamara Fossetta. Absent: Mark Nelson, Greg Hennessey, and Bob Jasper. Guests: Jeremy Fadness - WWC Engineering on Skype, Greg Boe, Nels Nicholson, Donna Brent, Barney Peterson all representing North Dakota Development, Tod Fossetta, Mark Mahlen of Mahlen Property Rentals, Jerry Marchwick and Joe Moore.

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

W. Bruce Houle made a motion to approve Regular Meeting Minutes of September 8, 2014. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

August 2014 Treasure Report. Not reconciled as of October 6, 2014.

Great American Lodge. Barney Peterson of Ames Engineering & Development Services, LLC is the Consultant for the grading and drainage issues on 7th Avenue and 5th Street. These locations affect Steve Moore's property to the east, Zane Grimsrud's to the south and Mark Mahlen's rental property. Nels Nicholson representing Great American Lodge wanted to introduce himself to the Town Council. He is the new Superintendent for Great American Lodge. This is his ninth week on the project and is not able to offer much information. He noted that the project is having issues with the curbs along 7th Avenue and 5th Street with drainage to the south, possibly causing water backup/flooding issues for the Mahlen, Finnicum, and Grimsrud properties. Mark Mahlen and Tod Fossetta spoke to these issues, as the water problem has already been a major concern. Mr. Nicholson felt he would be able to present a more prepared update at the next Council Meeting. Jeremy Fadness of WWC informed the Council and the Barney Peterson representing North Dakota Development Engineers will need to:

- 1.1 Redesign the plans that would install fill material capped with 4" of gravel from 1928' contour line on the Mahlen property west of 7th Avenue and North of 5th Street to bring grade up to 1938' elevation as far as new spill curbing will allow.
- 1.2 Grade out fill material that was place on Mahlen property (both sides of 7th Avenue and also the north side of 5th Street from 7th Avenue East to his east property boundary. Slope is to be 10H:1V from top back edge of curb to existing grade.
- 1.3 All replacement curb to be rollover curb as per plan (153± lineal feet north to south on each side of 7th Avenue and 194± lineal feet from 7th Avenue to the west at the north side of 5th Street.
- 1.4 Paul Finnicum's property will need to add 70 yards of fill material North of the existing curb to feather out material into the Finnicum property North 5th Street.
- 1.5 Zane Grimsrud's property will need to have trees installed along the East West Boundary line between the Grimsrud property and North Dakota Developments. There will be no fence, just trees.

Jeremy Fadness of WWC stipulated that a certified plat map from Ames Engineering & Development Services noting and complying with these changes outlined above must be approved and signed by Mark Mahlen, Paul Finnicum, and Zane Grimsrud. Mayor Oelkers and Council is adamant that the curb and water flow issue be resolved before the Town signs off on the project. Jeremy stated that KLJ has conducted no inspections and has heard they were no longer assisting on the project. Council was

curious to know when the restaurant and other amenities will begin construction on the west side of the project. This cannot happen until curb and water flow issues are resolved. Mr. Nicholson did not know the time line for construction of the restaurant either.

The Council asked Jeremy if he had any communication with Dan Hogan regarding the Development Guaranty Agreement. Jeremy has heard nothing either verbally or written. After discussion with all those noted, Mr. Peterson felt this and the curb issues could be resolved by November 3rd regular Council Meeting.

Open Bids for 2003 Dodge Ram 1500. There were three (3) bids submitted for the 3002 Dodge Ram 1500. Mike Manson bid \$50.00; Jerry Marchwick submitted \$611.00, and Dewey Johnson bid \$1,500. W. Bruce Houle made the motion to accept Dewey Johnson's bid of \$1,500. Abe Rumsey seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

Theodore Roosevelt Expressway. No Update

Culbertson Housing Authority. No Update

Town Wide Street Maintenance District. No Update

Amtrak Stop in Culbertson. Mayor Oelkers reports the Town will still need to secure funding, probably at the Federal level.

Town of Culbertson Personnel Policy. There is an issue with 19.5 of the Culbertson Personnel Manual regarding a Town employee who is required to work a legal holiday. The Personnel Policy should articulate that an employee who is scheduled to work a legal holiday will receive time and one-half their regular hourly pay for those hours physically worked in addition to the holiday regular pay. Tamara opened dialogue surrounding the issues with misuses of the current Compensation Time currently in the Personnel Manual. The Council discussed the eradication of Compensation time completely. W. Bruce Houle made a motion to clarify the Holiday pay issue as stated above and eliminate the ability of employees to compensate overtime. Abe Rumsey seconded the motion. MOTION CARRIED.

Water Plant/Lease option –Update. Dry Red Rural Water Authority is still interested in possibly leasing the Town's water plant in the future. No other interest from other companies has been expressed. Sionix withdrew their offer.

Great American Lodge – Agreement for Bond. Greg Hennessey was not present. Mayor Oelkers stated that he had spoken to Attorney Hennessey earlier and that Greg had received a copy of the agreement from the stakeholders of North Dakota Developments with revised language. To be discussed at November 6th Council meeting.

United Grain – Minor Subdivision Final Plat. The applicant has demonstrated that they have completed the conditions of approval for the Final Plat of UGC West Minor Subdivision. Therefore, the Council shall make a determination of the following in order to approve the final plat of the UGC West Minor Subdivision. Per Jeremy Fadness's comments, the Council should, upon completion of the public hearing and consideration of public comment, approve the Land Use Map Amendment to amend the designation of Lots 1 and 2 from "Industrial District" to "Residential District."

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1) The Council must approve the final plat and in doing so request that the applicant prepares final Mylar copies for signature by the Mayor. The final plat must incorporate any changes required by the Town's examining land surveyor prior to signature by the Council. Mayor Oelkers must sign the final plat.

2) The Council must approve the proposed covenants.

Based upon the completion of the condition of approval listed above, W. Bruce Houle made a motion to accept the Plat. Dallas Dehner seconded the motion. All present voted in favor. MOTION CARRIED.

Ordinance No. 232 – Amending the Culbertson Land Use Map. The first reading was approved. Dallas Dehner made a motion to accept the First reading of Ordinance No. 232. W. Bruce Houle seconded the motion. All present voted in favor. MOTION CARRIED.

Second reading to be read and finalized at November 3, Regular Council Meeting.

Public Parking Easement on City Property: Councilman Mark Nelson is requesting consideration for the Town to grant a public parking easement on Town property (described as Lot 29, Block 1 of Cushing's Second Addition). The request is for public vehicle parking along the North 20 feet of said property. An easement would ensure that the public be allowed to park on this Town owned property. Council would like this forwarded to Attorney Greg Hennessey for opinion and discuss at the November 3 Regular Council Meeting. Mayor Oelkers and some Council members feel this may be a non-issue as public parking is occurring now with no issues. Town will send to Greg Hennessey for his review and comment.

Monson Zoning Permit: Jeremy Fadness called and spoke with Mike Monson. As Mayor Oelkers instructed, he must get the variance approved or demolish what structure the Monson's have started thus far. Further update next month.

City Boundary Proposal – Growth Policy Update. Pete Olson is currently working on the final Exterior Boundary Description to be recorded with Roosevelt County Clerk and Recorder. Pete Olson noted it should be completed by November 3 Council Meeting. This new boundary description will accompany a Resolution.

Local Government Review Study – To date, the Town has had no volunteers come forward to participate. After the November 4, 2014 General Election, the Mayor must by Statute appoint committee members.

Sketch Plan Permits:

1. Makers Construction: Tootoosis – Handicap Ramp: Dallas made a motion to accept. W. Bruce Houle seconded the motion. All present voted in favor. MOTION PASSED.
2. Craig Wylie: Garden/Storage Shed. Dallas Dehner made a motion to approve. W. Bruce Houle seconded the motion. All present voted in favor. MOTION PASSED.

Demolition Permits: None

General Journal Vouchers. GJV's: None, Payroll JV's – No. 140900, UBV No. 1004 – 1008. APPROVED

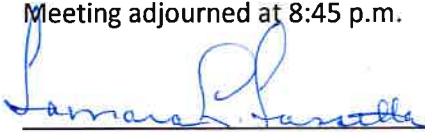
Wastewater Phase II Update: The Town has secured 2.9 million RD Loans to date. Request for Proposals (RFP) on the Aeration system will be published in the Billings Gazette, Builders Exchange and The Searchlight for three (3) consecutive weeks. The deadline for RFP's is October 17, 2014. The bids returned by contractors are then ranked by WWC Engineers and then forwarded to Rural Development for approval. The goal is to award the bid to an approved contractor in February of 2015.

Highway 16/Broadway Reconstruction- Update. Per Jeremy, the As-Builts are almost complete and then will submit to Department of Environmental Quality for authorization

Old Christmas Decorations – Use on Football Field Fence. No Issue to date.

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

Meeting adjourned at 8:45 p.m.



Clerk



Mayor

November 3, 2014
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November 3, 2014: The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Abe Rumsey, Dallas Dehner, Tamara Fossetta and Bob Jasper. Guests: Jeremy Fadness and Drew Pearson - WWC Engineering on Skype, Greg Boe, Nels Nicholson, both men representing North Dakota Development, Steve Rudh, Mark Mahlen of Mahlen Properties.

W. Bruce Houle made a motion to approve the agenda with the additional request that there be four issues to add regarding airport safety, possible water rights, and gravel placement. Dallas Dehner seconded the motion with additions to agenda added. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve Regular Meeting Minutes of October 6, 2014. Dallas Dehner seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

August 2014 Treasure Report: Dallas Dehner made a motion to approve the August 2014 Treasurer's Report. Abe Rumsey Seconded. All present voted in favor. MOTION CARRIED.

Nels Nicholson: Visitor representing Great American Lodge. Nels had questions regarding the raising of the Hydrant and valve on 5th Street and 7th Avenue. Council informed him that this is the responsibility of their contractors. Nels inquired as to whom would install street signs on 7th and 5th Street adjoining Highway 2. The Town will provide stop signs on those streets. However, all signs within their development are at the expense of Great American Lodge. Handicap access is the responsibility of Great American Lodge. Mayor Oelkers mentioned the Town "might" be able to provide a Dead End sign on 7th Avenue. Bob Jasper asked Jeremy about the backflow preventer on the 4" line on the Great American Lodge Property. Jeremy had spoken with plumber and everything is established, but engineering will continue reviewing.

Mark Mahlen: Mark was attending to observe. No issues to discuss.

Steve Rudh: Introduced himself as the new owner of the Steve Anders property. He has renovated and added a shop with eight rooms for rent. Steve is hoping to sell.

Local Government Review Study: Tamara provided an updated information packet from Ashley Kent, Program Coordinator from the Local Government Center at Montana State University. This packet speaks to deadlines of possible hotel reservations and registration for Study Commissioner Training that closes on November 26th, 2014. Mayor Oelkers is hopeful the Town will have some write-in votes on the November 4 General Election ballots. If not, Council will have to appoint three volunteers from the community.

Theodore Roosevelt Expressway: W. Bruce Houle mentioned there was a meeting in Watford City on November 17, 2014 regarding the TRE. Information on the road expansion from Williston North Dakota south bound and other issues are available on the website - www.NDDOT.com

Culbertson Housing Authority: No Update

Town Wide Street Maintenance District: No Update

Amtrak Stop in Culbertson: No Update

MDOT Highway 2 reconstruction: No Update

Resolution Number 420 - Personnel and Policy Manual: The Town still has issues with drug and alcohol testing for employees. Gordon, Shirley, and Tamara need to view two more DVD's provided by WPCI in order to enforce any Dot, Federal or Policy guidelines. There are DVD's that Bob, Dave, and Mike also need to view also provided by WPCI. Once we have completed this process, the manual will be sent to the Town attorney Greg Hennessey and then John Cummings at MMIA for final approval prior for final implementation.

Crosswalks on Town Street near Culbertson School: Mike Olson and Larry Crowder have requested the Town to add 6 Cross Walks and compliant Signs. Two crosswalks will be place at the intersection of 4th St and 2nd Avenue. Two crosswalks to be placed on 4th Street and 1st Avenue. Two crosswalks painted on 5th Street and 1st Avenue.

Great American Lodge – Agreement for Bond: Greg Hennessey and Jeremy Fadness spoke this afternoon (November 3, 2014). Per Greg, the attorney representing Great American Lodge “guttled” the last draft that was sent to their lawyers. Jeff Hogsed, acting as Great American Lodge’s representative assured the Town that the Agreement for Bond would be honored as part of the initial permit approval process. The effective date of Development Guaranty Agreement was in May of 2014. Attorney Hennessey stated the bonding provision is now gone but currently the default language can be used. The Town has that language as part of the approval original site plan. Mayor Oelkers and our Engineers will not approve the final plat and Town utilities will not be connected until this Bond Agreement is honored.

Water Plant/Lease option – Update: Dry Red Rural Water Authority is still interested in possibly leasing the Town’s water plant in the future to provide water to Fairview.

Ordinance Number 232 – Amending the Culbertson Land Use Map, Second Reading: This is the second reading designated for the Town of Culbertson Residential District. W. Bruce Houle made a motion to accept. Dallas Dehner seconded the motion. MOTION PASSED.

Public Parking Easement on City Property: Councilman Mark Nelson request last month the need for the Town to grant a public parking easement on Town property (described as Lot 29, Block 1 of Cushing’s Second Addition). 4th Avenue West is designated Public use already. No further action necessary per Greg Hennessey.

Monson Zoning Permit: Per Jeremy, Mayor Oelkers and the Town Council will need to issue a violation letter. Mr. Monson needs to pay the \$400.00 variance fee or formal action will take place next month. This may include demolition of what has been built prior to obtaining the variance fee.

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Ordinance number 233 – Amending Town Code Use of Fireworks to Conform to State Law: The current code in the Town's Ordinance has lapsed and needs to be updated to conform to current law. W. Bruce Houle made a motion to accept. Abe Rumsey seconded the motion. MOTION PASSED.

Sketch Plan Permits:

- Wes Kirkaldie had submitted a sketch plan for a four-plex. Jeremy spoke with Mr. Kirkaldie prior to the meeting explaining that a Preliminary Site Plan must be submitted due to the complexity of the building(s). Such issues as multifamily housing are different than adding a fence and less complex issues. The Preliminary Site Plan fee is \$800.00 compared to the \$100.00 sketch plan fee. Mr. Kirkaldie paid the sketch plan fee of \$100.00.

Demolition Permits: None

Tim Stefan – Sketch Plan Extension Request: Requesting an extension for 12 months to complete the addition for the two bedroom apartments in the building containing office space, and a garage. Mark Nelson made a motion to approve. Dallas Dehner seconded the motion. MOTION PASSED.

General Journal Vouchers: GJV's: None, Payroll JV's – No. 141000, UBV – None - APPROVED

Wastewater Phase II Update: Shawn Higley provided an update. The scoring and evaluation process for the lagoon aeration equipment was based on a scoring matrix developed by WWC. The categories that were scored were implementation cost and O&M cost, system design and operational complexity, experience, warranty and performance, technical service and support, and proposal and adherence to RFP guidelines. Based on this scoring matrix and the evaluation performed by WWC Engineering, Air Diffusion Systems was the selected aeration supplier. The scoring results were sent to Karen Sanchez with Rural Development and she issued her concurrence with them. The process is moving forward and still planning to begin construction in the spring of 2015.

New Alcoholic Beverage License – Me too Pizza: No action on behalf of the Town. This is Department of Revenue Issue.

Highway 2 Association – Councilman W. Bruce Houle Update: Bruce attended a meeting on October 10 in Glasgow. Montana Department Director Mike Tooley reports that state funding is skeptical regarding funds for the four-lane highway between Montana and North Dakota. The MDT'S Bainville-East project four lane could begin construction in 2017.

Airport Safety Issue & Railroad Access on the North Side: Councilman Houle sent an email requesting that the Town and County address safety issues at the airport. There is no protective fencing between the buildings and exposed a propane service line on building without any protection against a vehicle type accident. There is large apron on the north side of the railroad crossing that needs some gravel to make travel by large trucks safer. W. Bruce Houle made a motion to begin correcting these issues. Dallas Dehner seconded the motion. MOTION PASSED.

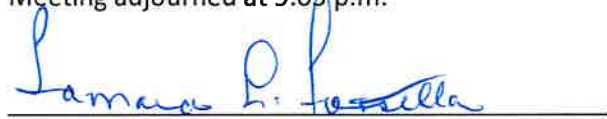
November 3, 2014

901

Water Rights Issue with Dry-Redwater Regional Water Authority: Councilman Houle was curious if the Town might write a letter to the party that is working with Steve Baldwin to secure access to the Missouri River for water. Per Mayor Oelkers, our water plant pipes will not carry enough to meet their demands so no letter necessary.

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

Meeting adjourned at 9.05 p.m.

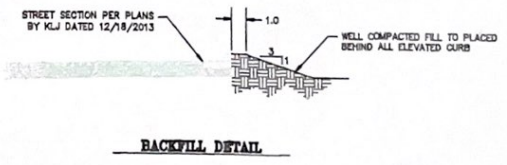


Clerk



Mayor

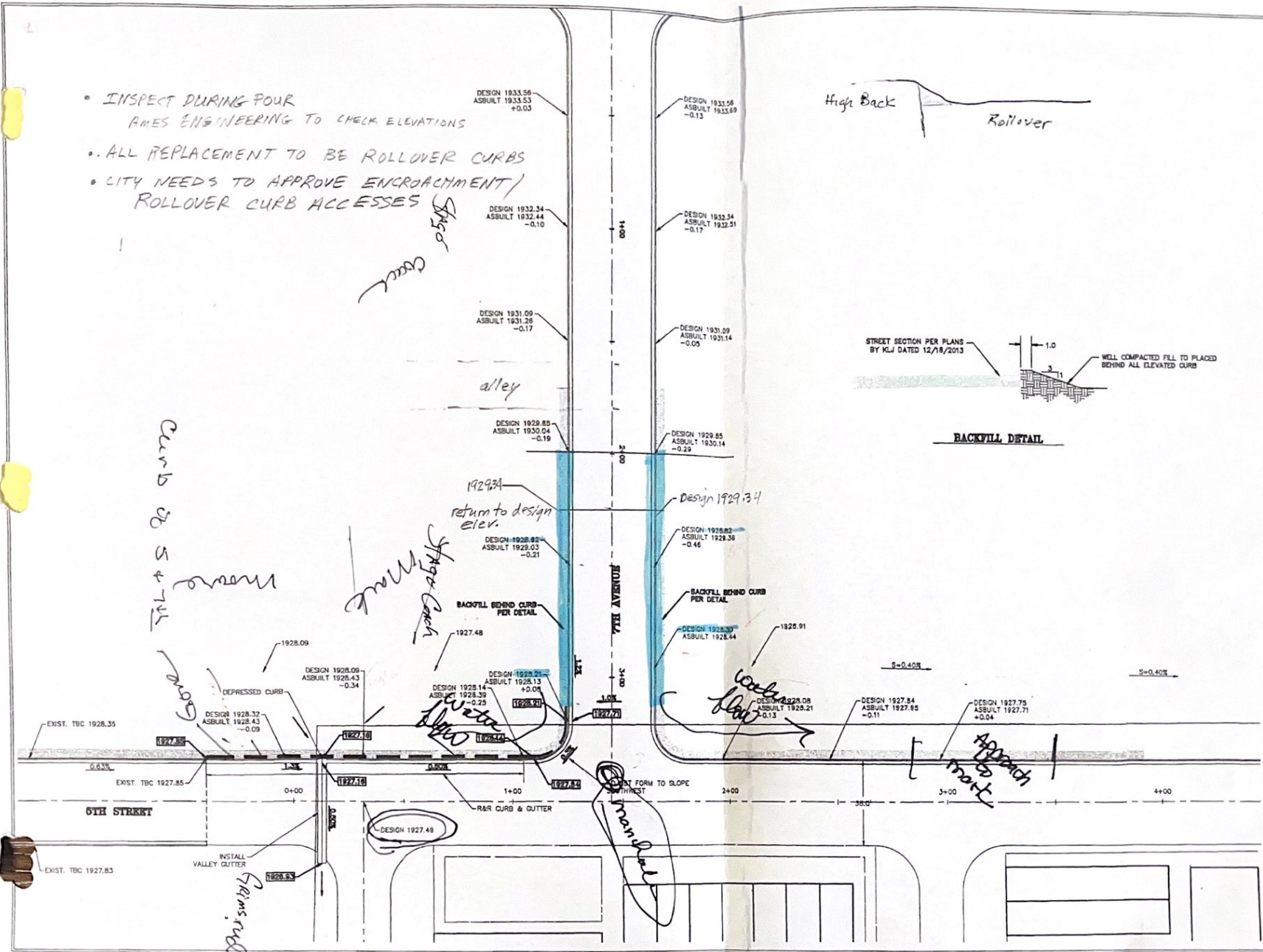
- INSPECT DURING FOUR AMES ENGINEERING TO CHECK ELEVATIONS
- ALL REPLACEMENT TO BE ROLLOVER CURBS
- CITY NEEDS TO APPROVE ENCROACHMENT / ROLLOVER CURB ACCESSSES



AMES
Engineering & Development Services, LLC
1400 West 10th Street, Suite 101, Billings, MT 59102
406.251.1000

GRADING AND DRAINAGE ISSUE
**GREAT AMERICAN LODGE
CULBERTSON
MONTANA**

DATE: JUNE 17, 2014
 DRAWN BY: AS HYDRO
 CHECKED BY: 14-07-018
 APPROVED BY: S. KERRY
 SHEET: 1 / 1



Culbertson, Mt. 59218
406-787-5271

To: culbertsonmt@hotmail.com
Date: Wed, 1 Oct 2014 11:37:25 -0600
Subject: Emailing: TC LUMA Ordinance, CULBERTSON LAND USE MAP JF 040414
CC: integrated@nemontel.net
From: jfadness@wwcengineering.com

Shirley and Tamara,

Attached is the Land Use Map Amendment ordinance and the revised land use map for Mondays public hearing on the Land Use Map amendment for UGC. Let me know if you have any questions.

Respectfully,
Jeremy Fadness

Your message is ready to be sent with the following file or link attachments:
TC LUMA Ordinance
CULBERTSON LAND USE MAP JF 040414

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

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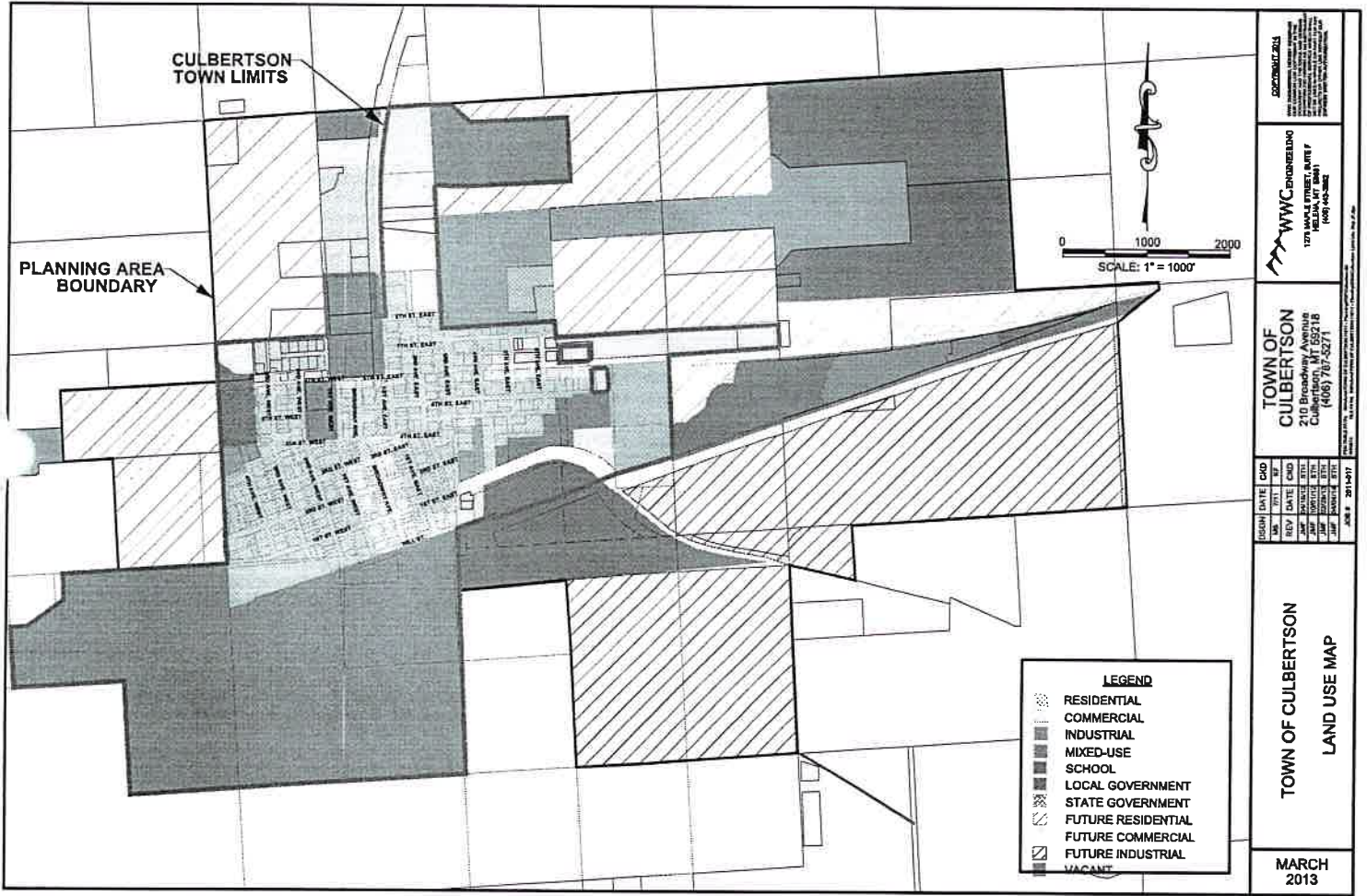


Jeremy Fadness, P.E. | Project Manager / Senior Planner

1275 Maple Street, Suite F | Helena, MT 59601

Tel 406-443-3962 | Fax 406-449-0056

www.wwcengineering.com



CULBERTSON
TOWN LIMITS

PLANNING AREA
BOUNDARY

0 1000 2000
SCALE: 1" = 1000'

LEGEND

- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- MIXED-USE
- SCHOOL
- LOCAL GOVERNMENT
- STATE GOVERNMENT
- FUTURE RESIDENTIAL
- FUTURE COMMERCIAL
- FUTURE INDUSTRIAL
- VACANT

SECTIONAL 2013

WMC ENGINEERING
1274 MAUL STREET, SUITE 7
MELBA, MT 59841
(406) 442-3822

TOWN OF CULBERTSON
210 Broadway Avenue
Culbertson, MT 59218
(406) 787-5271

ISSUE	DATE	CD
NOV	2011	1P
REV	DATE	CHD
JAN	2012	2P
JUN	2012	3P
JUN	2012	4P
JUN	2012	5P
JUN	2012	6P

JUNE 8 2013/07

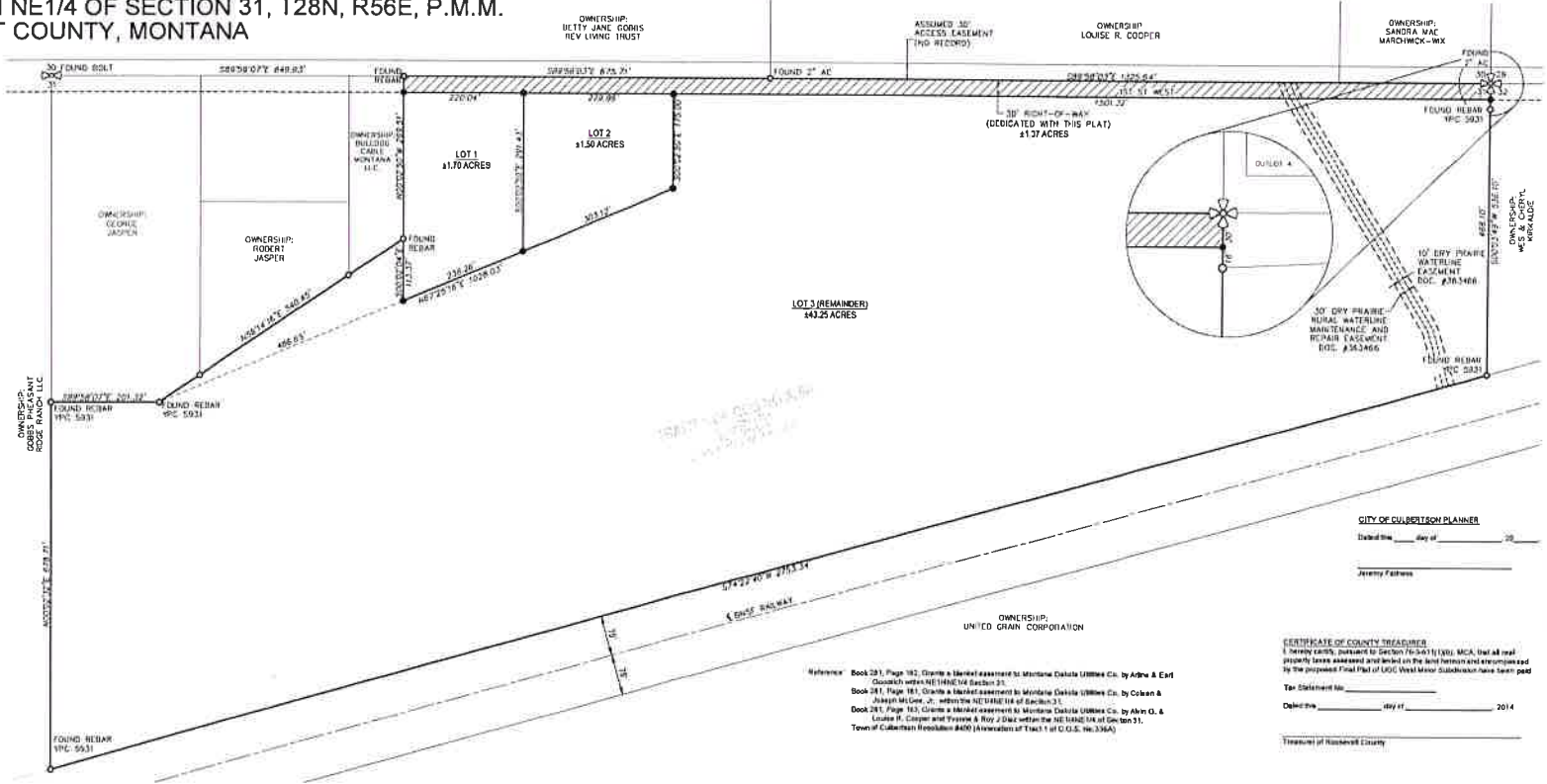
TOWN OF CULBERTSON
LAND USE MAP

MARCH 2013

FINAL PLAT OF UGC WEST MINOR SUBDIVISION

LOCATED IN NE1/4 OF SECTION 31, T28N, R56E, P.M.M.
ROOSEVELT COUNTY, MONTANA

BASIS OF BEARING
A line from the northwest corner of Tract 1 of COB No. 336A, a found rebar to the northeast corner of Tract 1 of COB No. 336A, is found 2° AC with a bearing of S89°45'00"E.



Project No.	Date	By	Description

FINAL PLAT OF
UGC WEST MINOR SUBDIVISION
SEC. 31, T28N, R56E, P.M.M.
ROOSEVELT COUNTY, MONTANA
 Drawn By: JLD/K
 Checked By: JLD/K
 Project No.: 81409-027
 Date: 6-15-2014

CITY OF CULBERTSON PLANNER
 Dated this _____ day of _____, 2014.
 Jeremy Fathall

CERTIFICATE OF COUNTY TREASURER
 I, Cheryl D. Karaman, Treasurer for the County of Roosevelt, Montana, do hereby certify that all property taxes assessed and levied on the land herein and encompassed by the proposed Final Plat of UGC West Minor Subdivision have been paid.
 Tax Statement for _____, 2014.
 Dated this _____ day of _____, 2014.
 Treasurer of Roosevelt County

SURVEYOR'S CERTIFICATE
 I, David D. Roseman, a Professional Land Surveyor, licensed in the State of Montana, do hereby certify that the survey shown on the attached Final Plat UGC West Minor Subdivision was performed by me or under my direct supervision. The field survey was performed in February 2014 and the measurements found and set out on the plat are as follows:
 Dated this _____ day of _____, 2014.
 David D. Roseman, Montana Professional Land Surveyor, License No. 024815
 Interstate Engineering, Inc.
 P.O. Box 846, Sidney, Montana 59270

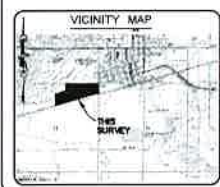
OLD DESCRIPTION
 Tract 1 of Certificate of Survey 236A within the NE1/4 of Section 31, T28N, R56E, P.M.M., Roosevelt County, Montana, that as Document #266420 on September 10th, 2010 in the Roosevelt County Courthouse.

NEW DESCRIPTION
 Lot 1, 2 and 3 of the Final Plat of UGC West Minor Subdivision within the NE1/4 of Section 31, T28N, R56E, P.M.M., Roosevelt County, Montana.

DEDICATED RIGHT-OF-WAY DESCRIPTION
 North 30.00 feet of Tract 1 of COB No. 336A, Document #344515.
 Said Right-of-Way easement contains 1.27 acres, more or less, and is subject to any previous encumbrances, easements, agreements, and surveys.

CERTIFICATE OF DEDICATION
 I, the undersigned property owner, do hereby certify that I have caused to be surveyed, subdivided and platted into lots, blocks, streets and ways, as shown by the plat hereto annexed, the following described land in Roosevelt County, Montana, Tract 1 of Certificate of Survey number 236A lying north of the RRSP Railway, to-wit: Right of way.
 Said tract contains 47.25 acres, more or less, and is subject to all easements and/or rights of way of record, apparent on the ground or recorded per this survey.
 The above described tract of land is to be known and designated as the Final Plat of UGC West Minor Subdivision, and the blocks included in all streets, avenues, alleys, and parts of public squares shown on said plat are hereby granted and intended to be the use of the public trust.

I, the undersigned property owner, do hereby certify that the federal, state, and local laws, public regulations, and/or conditions of subdivision approval, that may bear the use of the property, including the location, size, and use are shown or otherwise stated.
 The use of Lot 1 and 2 is single family residential.
 I, the undersigned property owner, do hereby certify that I will ensure easements of property will be provided with a copy of all parts of the plat and all documents that are recorded and filed in conjunction with the plat and that history of property are through encumbrances to contact the local planning department and become informed of any limitations on the use of the property prior to closing.
 For covenants, conditions and/or restrictions involved on the platted property please reference the additional documents recorded with this plat on _____ in Book _____ Page _____ of the Roosevelt County, Montana Clerk and Recorder Office.

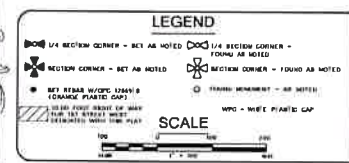


CERTIFICATE OF FINAL PLAT APPROVAL - TOWN OF CULBERTSON
 The Council of the Town of Culbertson, Montana, does hereby certify that I have examined this subdivision and find that the same is in accordance with the laws, regulations, and conditions of the declaration to public use of any and all blocks shown on the plat as being dedicated to such use.
 This _____ day of _____, 2014.

 Town Clerk

United Grain Corporation of Oregon
 Terry Flagg
 State of Montana) SS.
 County of Roosevelt)
 On this _____ day of _____, 2014, before me, the undersigned a Notary Public for the State of Montana, personally appeared Terry Flagg, known to me to be the person that executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this day and year in the certificate that underwrites.

 Notary Public



SEC.	T.	R.
31	28N	56E

ROOSEVELT COUNTY CLERK AND RECORDER
 Book of Minutes 1 88
 County of Records
 Filed for record this _____ day of _____, 2014, at _____, Montana.

 County Clerk and Recorder

Interstate Engineering, Inc.
 425 East Main Street
 Sidney, Montana 59270
 Phone: (406) 433-5511
 Fax: (406) 433-5516
 www.interstateeng.com
 Other offices in Billings, Helena, Great Falls, and Kalispell, Montana.

PROFESSIONAL ENGINEER
 David D. Roseman
 License No. 024815

TERRY FLAGG
 Notary Public

© 2014, INTERSTATE ENGINEERING, INC.
 SHEET NO. 1

E X E C U T I V E S U M M A R Y

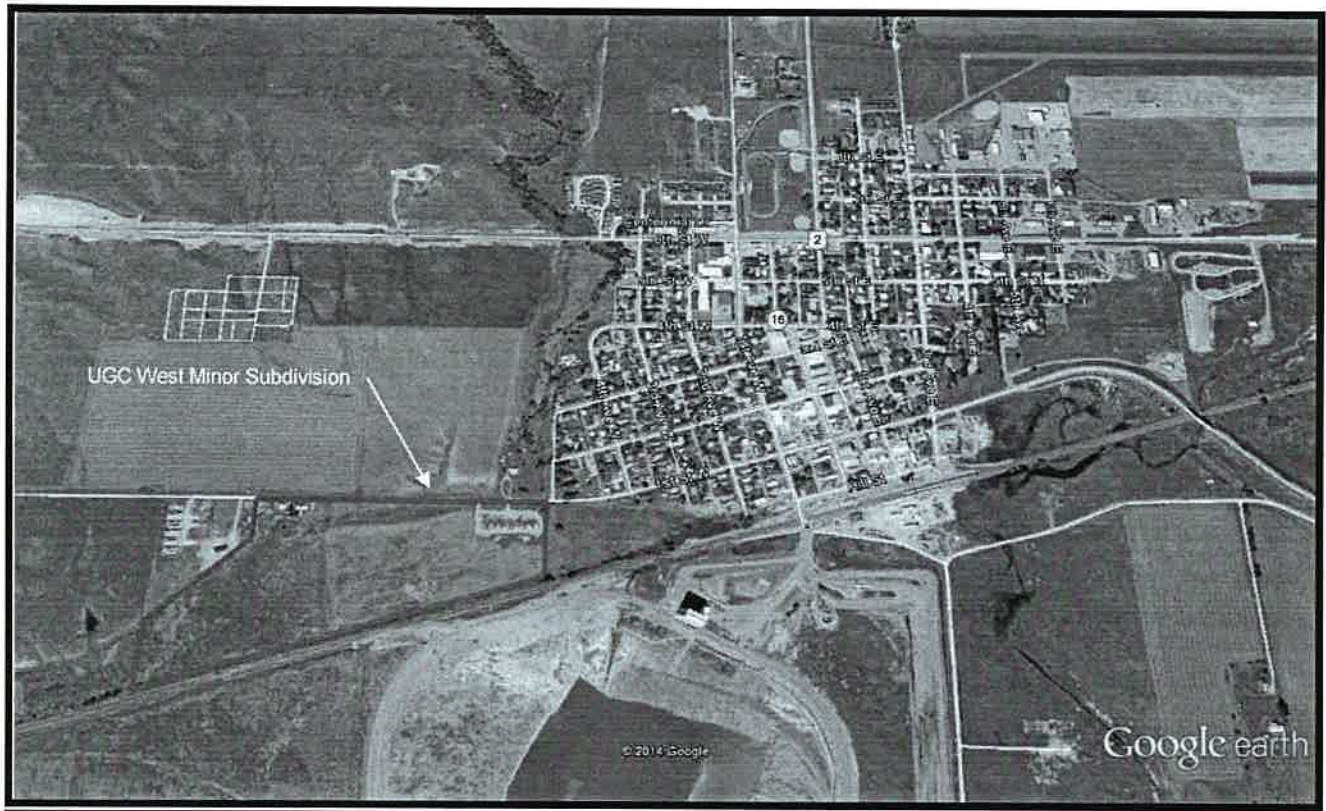
REVIEWER: Jeremy Fadness, WWC Engineering

AGENDA ITEMS: 1) UGC West Minor Subdivision Final Plat
2) Lots 1 and 2 UGC West Minor Land Use Map Amendment

APPLICANT /OWNER: United Grain Corp.
Tony Flagg
900 Washington Street #700
Vancouver, WA 98660

REPRESENTATIVE: Jordan Mayer
Interstate Engineering
P.O. Box 648
Sidney, MT 59270

LOCATION OF REQUEST: Located on the west side of Culbertson, south of 1st Street West, and North of the BNSF Railway. The subdivision is located within the Town of Culbertson limits.



LEGAL:

The Preliminary Plat for the UGC West Minor Subdivision was approved with conditions on August 4, 2014. The preliminary plat was properly noticed and public noticing and hearings were conducted in accordance with the Montana Subdivision and Platting Act and the Town of Culbertson Subdivision Regulations.

ZONING:

The subject property is currently included within the Industrial District as shown on the Culbertson Land Use map. The applicant has requested that the Lots 1 and 2 of the proposed subdivision be included within the Residential District instead of the Industrial District. The applicant is proposing single family homes on proposed Lots 1 and 2.

GROWTH: The Culbertson Growth Policy designates this area as Industrial.
Policy

Surrounding Land Uses	Surrounding Zoning
North: Agricultural	N/A – Outside the Town
South: Industrial	Industrial District
East: Residential	Residential District
West: Agricultural, Residential	N/A – Outside the Town

RECOMMENDATIONS

UGC West Minor Subdivision Final Plat

THAT the Final Plat for UGC West Minor Subdivision be **Approved**. The final plat will need to be reviewed by the Town surveyor prior to completing the mylars. Once the Town surveyor has reviewed the survey, the applicant will submit the mylars to City Hall for signature.

Lots 1 and 2 of UGC West Minor Subdivision Land Use Map Amendment

That the Town Council approve the application to amend the land use designation for Lots 1 and 2 of the UGC West Minor Subdivision from the "Industrial District" to "Residential District".

STAFF CONCLUSIONS

*approval -
surveyor amend mylars
& get back to city*

I. INTRODUCTION

The Applicant proposes to develop the UGC West Minor Subdivision into three (3) lots from an existing 47.82 acre parcel of land. The existing tract is located in the Industrial District as shown on the adopted land use map for the Town of Culbertson. Lot 3 is proposed to remain within the Industrial District and Lots 1 and 2 are proposed to be amended to be within the Residential District. The Applicant has not proposed any phasing for the project. The minimum size lot reviewed is 1.50 acres and the maximum size lot is 43.25 acres. There are no new roads or common areas proposed for the subdivision. A 30 feet right-of-way dedicated to the

Town of Culbertson is proposed for 1st Street West along the north boundary of the subdivision. No Parkland dedication is required for first minor subdivisions and no parkland is proposed. Access to the proposed subdivision will be off of 1st Street West. Lots 1 and 2 are proposed to be served by individual wastewater systems and water will be provided by Dry Prairie Rural Water. The applicant has provided a Certificate of Subdivision Approval from the Montana Department of Environmental Quality (MDEQ) for Lots 1 and 2. There is an existing work camp in the northeast corner of Lot 3 that was permitted by MDEQ and Roosevelt County prior to annexation into the Town of Culbertson. No new water or wastewater facilities are proposed on Lot 3. The proposed subdivision is currently within the Town of Culbertson; therefore annexation will not be required. The required preliminary review fee of \$1,800.00 has been paid. Any remaining balance for review of the subdivision by the Town of Culbertson will be paid prior to final plat approval.

II. FINAL PLAT REVIEW

Preliminary Plat Conditions of Approval for Final Plat:

22. The Certificate of Subdivision Approval from the Montana Department of Environmental Quality for the UGC West Minor Subdivision, EQ #14-1914 shall be filed with the Roosevelt County Clerk and Recorder with the final plat. (Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 76-3-501(6) & (7), 76-3-501(g)(ii) & (iii), MCA; Sections VI-I., VI-J., and VI-K., Town of Culbertson Subdivision Regulations)

The applicant has provided a Certificate of Subdivision Approval from DEQ for the proposed subdivision that will be filed with the final plat. This condition is satisfied.

23. As identified in the Certificate of Subdivision Approval issued by MDEQ for the UGC West Minor Subdivision, EQ #14-1941, the applicant shall provide proof of compliance from the Roosevelt County Sanitarian and/or MDEQ that the existing wastewater treatment system for the work camp located on proposed Lot 3 is in compliance with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6, ARM, or an amended Certificate of Subdivision Approval that identifies the existing wastewater system is in compliance or approves a new replacement system. If a new system or repairs are required for the existing wastewater system on proposed Lot 3, certification from the Roosevelt County Sanitarian that the new system or repairs to the system have been installed and meet all the requirements of MDEQ and the ARM. (Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 76-3-501(6) & (7), 76-3-501(g)(ii) & (iii), MCA; Sections VI-I., VI-J., and VI-K., Town of Culbertson Subdivision Regulations)

The applicant has provided a signed permit for the man camp in the northeast corner of Lot 3. This indicates that the system is approved for use for the man camp by the local sanitarian and DEQ. This condition is satisfied.

24. All specifications and requirements of the approved weed plan shall be met prior to approval of the final plat (Sections 76-3-102(5 and 6), 501(1), and 608(3)(a), MCA; Section VI-T., Town of Culbertson Subdivision Regulations)

25. The 30-ft wide right-of-way for 1st Street West shown along the north boundary of the subdivision shall be dedicated to the Town of Culbertson and dedication language shall be shown on the plat prior to final plat approval. (*Section VI-H (viii).*, *Town of Culbertson Subdivision Regulations*)

The applicant has provided information that they have complied and will comply with the approved weed plan. This condition is satisfied.

26. The Applicant will be required to submit the final plat drawings in electronic format to the Town of Culbertson in PDF format.

The applicant has provided all documents in electronic format. This condition is satisfied

27. The final plat shall be prepared in accordance with the applicable State survey requirements, Montana Subdivision and Platting Act survey requirements and the Culbertson Subdivision Regulations. (*Section 76-3-102, 402, 501, 504, and 608(3), MCA; Section 8.94.3003, ARM; Town of Culbertson Subdivision Regulations*)

A final plat prepared by a surveyor in Montana has been submitted with the application. The survey will be reviewed by the Town of Culbertson surveyor upon approval of the final plat by the Council. Once the survey is reviewed and the applicant has made any required changes, mylars will be delivered to City Hall for signature by the mayor. The applicant will then file the survey with Roosevelt County. This condition is satisfied

28. The Book and Page reference to the restrictive covenants (filed with the County Clerk and Recorder) shall be indicated on the face of the final plat. In addition, restrictive covenants, revocable or alterable only with the consent of the Town of Culbertson Council, shall be placed upon the property and shall provide for the following (*Section 76-3-608(3)(a), MCA; Town of Culbertson Subdivision Regulations*)

- a. Notification of the potential health risk from radon concentrations and that such risk can be evaluated through soil tests and mitigated through radon abatement techniques incorporated into structures; (*Section 76-3-608(3)(a), MCA*)
- b. Any additional, replacement, or relocated utility lines shall be installed underground, in accordance with the Town of Culbertson's Subdivision Regulations, unless otherwise determined by the utility provided; (*Section 76-3-608(3)(a), MCA; Section VI-M, Town of Culbertson Subdivision Regulations*)
- c. Any exterior lighting shall be directed downward to minimize visibility beyond the property lines; (*Section 76-3-608(3)(a), MCA*)
- d. A waiver of the right to protest to join a special improvement district; (*Section 76-3-608(3)(a), MCA*)
- e. A restrictive covenant, binding the landowner, any heirs, successors and assigns, and all future owners of property within the subdivision, agreeing therein to hold the Town of Culbertson harmless and indemnify the Town of Culbertson from all claims, demands, obligations, suits, causes of action, damages, and liability, including the Town's costs and attorney's fees, arising in any manner whatsoever

out of, or relating to, the existence, use, operation, repair, and/or maintenance of the following:

- i. Earthquake fault zone and any seismic activity;
- f. Each lot shall be maintained in a clean, attractive, and weed-free manner; Noxious weeds must be pulled, sprayed or cut prior to seed maturity; (*Sections 76-3-102(5 and 6), 501(1), and 608(3)(a), MCA; Section VI-T, Town of Culbertson Subdivision Regulations*)
- g. A prohibition of the raising, confinement, and/or keeping of livestock on all lots.
- h. A waiver of right to protest joining a maintenance district for the purpose of road maintenance, mosquito control, or equitably funding parks and maintenance of parks. (Section 76-3-102(4), 501, 504(7), and 621, MCA)
- i. Notification that Lot 3 may be used for industrial purposes.

The required covenants have been submitted with the application and will be filed with the survey. This condition is satisfied.

29. Prior to filing the final plat, the Applicant shall:

- a. Provide proof that all taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies. (*Section 76-3-611(1)(b), MCA*)
- b. Provide documentation (abstract of title or platting certificate) showing that the Applicant is the lawful owner of the property with the apparent authority to subdivide the same, showing the names of lien holders or claimants of record and the written consent to the subdivision by the owners of the land, if other than the Applicant, and any lien holders of claimants of record against the land. (*Section 76-3-612, MCA*)

The applicant has provided tax information that shows the taxes are current on the subject property. An abstract of title was also submitted with the application that indicates the applicant is the owner of the property. This condition is satisfied.

The applicant is current on all payments of invoices to the Town of Culbertson for outside engineering review fees.

III. CONCLUSION

The applicant has demonstrated that they have completed the conditions of approval for the Final Plat of UGC West Minor Subdivision. Therefore, the Council shall make a determination of the following in order to approve the final plat of the UGC West Minor Subdivision:

- 1) The Council must approve the final plat and in doing so request that the applicant prepares final mylar copies for signature by the Mayor. The final plat must incorporate any changes required by the Town's examining land surveyor prior to signature by the Council. Signing of the final plat by the Mayor.
- 2) The Council must approve the proposed covenants.
- 3) The Council should, upon completion of the public hearing and consideration of public comment, approve the Land Use Map Amendment to amend the designation of Lots 1 and 2 from "Industrial District" to "Residential District".

December 1, 2014
902

December 1, 2014: The Culbertson Town Council met in regular session with the following present: Gordon Oelkers, W. Bruce Houle, Dallas Dehner, Mark Nelson, and Tamara Fossetta. Absent: Abe Rumsey and Bob Jasper. Guests: Jeremy Fadness - WWC Engineering on Skype, Nels Nicholson representing North Dakota Development, Bob Sivertsen – Highway 2 Association.

W. Bruce Houle made a motion to approve the agenda. Mark Nelson seconded the motion. Mayor Oelkers asked to discuss the issue of an additional permit for the new owners of the Geib property and add in item number 17. All present voted in favor of the motion. MOTION CARRIED.

W. Bruce Houle made a motion to approve Regular Meeting Minutes of November 3, 2014. Mark Nelson seconded the motion. All present voted in favor of the motion. MOTION CARRIED.

September and October 2014 Treasure Report: Mark Nelson made a motion to approve both September and October 2014 Treasurer's Report. W. Bruce Houle Seconded. All present voted in favor. MOTION CARRIED.

Nels Nicholson: Nels attending to listen. No update on Bond Issue with Great American Lodge. Further discussion during item 14 of agenda.

Bob Sivertsen – Highway 2 Association: Bob presented a map of the areas of Alberta, Saskatchewan, Regina, and Northern Montana. He quotes that this area is a gateway for transportation and needs to become more competitive to boost our economy in these areas. He stressed the importance of meeting with Montana Legislators and those other counties and states that will benefit from the Highway 2 infrastructure. In 2015, the Association would like to host a dinner for all 150 Legislators so that communities can have a voice. HB 218 needs to be put back on the floor and increase to 100 Million to have an impact on the areas affected by the Bakken and exported product from Canada. Bob reiterated that the oil and gas companies have paid over 232 million dollars in taxes, leases and revenues. This area is not receiving this money to invest further in energy, agriculture, and increased tourism on Highway 2. Bob gave a statistic that housing in Roosevelt County was up 433 percent and 425 percent in Sheridan County. We collaboratively need to work with John Brennan, Austin Knudsen and the Governor's people to stress the importance of supporting this area. Map attached.

Local Government Review Study: Tamara provided an update. Still awaiting update from Roosevelt County, if Pete Olson or Keenan Engelke have returned a "Declaration of Acceptance", Council will appoint three people to the positions.

Theodore Roosevelt Expressway: W. Bruce Houle stated that as of now there is no funding for Highway 2 to continue to South Dakota. In October of 2015, Ports to Plains will host a special session in Williston for Mayors, Legislators, and constituents for Texas to Saskatchewan.

Culbertson Housing Authority: No Update.

Town Wide Street Maintenance District: No Update.

Amtrak Stop in Culbertson: No Update.

MDOT Highway 2 reconstruction: No Update.

Water Plant/Lease option – Update: No Update.

Airport Safety Issue & Railroad Access on the North Side: No Update or Progress.

Personnel and Policy Manual: No Update.

Great American Lodge – Agreement for Bond: The Town received an email from two of the partners forwarded by Greg Hennessey dated November 23, 2014. Since they are not currently United States citizens, they state that it is hard for them to secure a bond. See attached email.

Ordinance number 233 – Second Reading Amending Town Code Use of Fireworks to Conform to MCA: Mark Nelson made a motion to accept. Dallas Dehner seconded the motion. MOTION PASSED.

Resolution Number 421 – Second Reading to Restate the City Limits of the Town of Culbertson: W. Bruce Houle made a motion to accept. Dallas Dehner seconded the motion. MOTION PASSED.

Monson Zoning Permit: Per Mayor Oelkers, he has been unable to speak with Mike Munson and would like to have a conversation prior to issuing a violation letter.

Dave Geib Property: New owners will not need to obtain a new site plan review as the plan approval will transfer with the sale of the property.

Sketch Plan Permits:

Kirkaldie – 4-Plex Site Plan and CUP Application: Per Jeremy's recommendations and the following conditions, WWC recommends the approval of the application:

In order to ensure conformance with Ordinance requirements, and to protect public health, safety, and welfare, Staff recommends the following conditions be stated in the preliminary site plan approval, to be met for Final Site Plan approval:

- Condition 1: 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.
- Condition 2: Sewer and water services shall be constructed in accordance with the submitted plans and the Montana Public Works Standard Specifications current edition.
- Condition 3: The proposed 6-ft privacy fence along the side lot lines shall not begin until 15-ft from the front lot line. A 6-ft fence is not permitted within the required front yard setback.
- Condition 4: The proposed parking area and driveway accesses must be surfaced with a minimum of 6" of 1 ½" minus gravel in accordance with the Ordinance. Gravel surfacing material shall be provided and placed in accordance with the Montana Public Works Standard Specifications most current edition.
- Condition 5: 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.

December 1, 2014

904

- Condition 6: The applicant shall provide a weed plan approved by the Roosevelt County Weed District prior to Final Site Plan approval and shall comply with the approved weed plan.
- Condition 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.

Conditional Use Permit Recommendations:

In order to ensure conformance with Ordinance requirements, and to protect public health, safety, and welfare, Staff recommends that the following conditions be stated in the CUP approval:

- Condition 1: That the CUP is not in effect until the Final Site Plan has been approved per Ordinance Section 05.060.
- Condition 2: That within 1 years of the effective date of the CUP, the owner complete installation of the improvements requested. The Final Site Plan shall include a note stating the owner's requirement to complete the improvements within the established time frame. Mark Nelson made a motion to accept per recommendations based upon the above-mentioned criteria. Bruce Houle seconded. All present voted in favor of the motion. MOTION CARRIED.

Final Site Plan – Shriner Extended Stay Facility and Storage Units: There may be a future a four-plex behind the hotel. Jeremy stated that all As-Builts and Certifications are submitted. The issue of the future a four-plex is not of issue at this time. The site plan has met the conditions of approval and in compliance. Dallas Dehner made a motion to accept. W. Bruce Houle seconded. All present voted in favor of the motion. MOTION CARRIED.

John Helmer - Garage: The sketch plan to construct a new 30-ft by 30-ft garage was reviewed for conformance with Chapters 3 and 6 of the Ordinance. There are no modifications proposed for an existing shed. Recommend approval of the permit as shown on the submitted sketch plan. W. Bruce Houle made a motion to accept the proposal. Mark Nelson seconded. All present voted in favor of the motion. MOTION CARRIED.

Demolition Permits: None

General Journal Vouchers: GJV's: 739 – 740, 743 -746, Payroll JV's 14100, UBV's 1009 - APPROVED

Wastewater Phase II Update: Jeremy reported the design will be complete and submitted by the end of the week. So far, he sees no issues. Still plan to start bidding process in January or February of 2015 and completion of the project by fall of 2015. Mayor Oelkers is hopeful that the Town will be able to qualify for more grant money after the completion of April's Legislative session.

Highway 16/Broadway Reconstruction – Update: None.

Mayor Oelkers requested the office check on any plan permits for the Montana Bar that have been issued. There appears to be some additions being constructed.

In reference to the Eastern Montana Infrastructure letter sent to various eastern Montana Counties, Towns, and Cities by Martin DeWitt of Great Northern Development. They have attached a letter for those communities to sign and present to the Montana Legislators and Administration. Mayor Oelkers asked the Council if they would allow WWC to speak with them and try to ascertain hard numbers. The Town would like to request another 45 million. Bruce made a motion to allow WWC to speak on our behalf. Dallas Dehner seconded. All present voted in favor. MOTION PASSED.

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

Meeting adjourned at 8:30 p.m.



Clerk



Mayor