

The regular meeting of the Town Council was held December 13, 2021 in the Council Chambers at 7:30 pm. A review of claims took place at 7:00 pm.

Mayor Roni Phillips

Councilors: Kelly Dillon, David Hubler, Shirley Iwata, Bonnie Fuller, Thomas McCloskey

Clerk Brenda Schneider

Rodney Goins, Public Works Superintendent

Wayne Cashman, Undersheriff

Andy Short, County Planner

Nadine Wadsworth, DNRC

Tiffany Lyden, DNRC

Shylea Wingard, DNRC

Tamara Starkel, Jessica Williams, Lee Kulawinski, Senior Citizens Center

Mary Murphy Kellis, President Senior Citizens Center Board

Citizens: Luke Ferguson, Lisa Hubler, Sherry Goins

Absent Councilor Richard Lewis

There being a quorum present Roni Phillips, Mayor, called the meeting to order. Roni Phillips Mayor, asked for additions/corrections to the minutes of the November 8, 2021 regular meeting. Kelly Dillon made a motion to approve the minutes of the November 8, 2021 regular meeting; Bonnie Fuller seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

CORRESPONDENCE

The Town received an email from Senator Jon Tester stating that to support Mineral County Healthcare providers during the COVID-19 pandemic grants through American Rescue Plan Act (ARPA) have been awarded. Mineral County Healthcare providers will receive \$216,350.

The Clerk reported that the Town of Superior has been awarded a Community Development Block Grant CARES (CDBG-CV) grant in the amount of \$259,310. This grant is for improvements to the District XI Human Resource Council building here in Superior. The Town is the conduit for the funds. The Human Resource Council and the town are starting the paperwork to startup the project.

PUBLIC COMMENT

Mary Murphy Kellis, President Senior Citizens Center Board and Tamara Starkel, Jessica Williams, Lee Kulawinski, representatives of the Senior Citizens Center spoke the needs of the Senior Citizen Center. The Senior Citizen Center currently rents space from the Baptist Church, but the lease will not be renewed. The Center will have a year to relocate. The current location is undersized for the needs, services and programs of the Senior Citizen Center. The Kitchen is outdated, storage space is limited and they need more space, and need more seating for meals. They are currently serving over 60 meals each time and do not have the capacity for that many. They deliver meals, The Center also has durable medical equipment stored that they lend to community members that need the equipment. The representatives stated that the Senior Citizen Center is searching for land to build a facility that can be used for the Senior Center and other services. The representatives have met with the County Commissioners about some County land east of the hospital, but no decision has been made by the County. They will also need help with funding to build the facility. Also, the Food Bank has lost their lease and needs to relocate within a year. The Town does not have any land available. Discussed possible locations. Discussed

collaboration between groups. The Town is willing to help with grants, etc.

COUNCIL REPORTS

Roni Phillips read the November Animal report. Staff were notified by the sheriff's office of an ongoing case for one of our citations issued this summer. Staff prepared all the required documentation and turned over copies to the court for further prosecution. A local resident reported to staff of an ongoing issues with her neighbor's dog running loose and coming after her. Staff spoke to the dog owner and advised him to keep his dog restrained at all times. The same resident made a call to the Sheriff's office who responded and also spoke to the dog owner. The property owner was also informed of the situation.

Bonnie Fuller read the November Sewer report. All routine sampling and testing are completed. Staff conducted 8 locate requests for the month. Staff continues to work with engineer Chris Hayes on several different areas of the sewer project. The new sewer camera has been delivered. It was immediately put into use to discover a large tree root issue on Mullan Road west. Staff used the flush trailer and root cutter in an attempt to clear the roots from the line. Some of the roots were removed and staff will monitor the situation and make plans for a permanent resolution. The manhole on Fifth Ave by the elementary has been raised and paved around. Staff inspected the manhole and cleared some debris from the bottom. It will be flushed in the spring. Staff repaired a blockage from the final lift station pump #2. A large article of clothing had entangled the impellor and blew the breaker on the pump. The pump was lifted, the blockage removed, and the pump was placed back in service. The dialer for the new lift station telemetry has been hooked up and is functioning at its full capacity. It has already notified staff of several issues with the lift stations via telephone call.

Shirley Iwata read the November Court report. 3 appearances, 9 initial appearances, 11 omnibus hearings, 4 status hearings, 1 change of plea. Criminal trespass, driving suspended/revoked, and speeding. Wayne Cashman, Undersheriff, reported that the department has been busy with wrecks and other incidents.

Kelly Dillon read the November Streets report. All snow removal equipment has been placed in service and is functioning well. Staff finally received a delivery of cold patch material. Numerous potholes and road defects have been repaired around town. The old faded stop signs along river street have been replaced with shiny new ones.

Thomas McCloskey read the November Parks report. The new parking curbs have been installed at the skatepark. The porta potty has been delivered and the restrooms have been winterized for the season. The Clerk reported that several final reports for grants for the skatepark were completed and submitted. The final reports and the request for the LWCF funds were completed and submitted to the state. The total cost of the skatepark project was \$305,731. The Town funds of \$73685 (24%) and Grants and donations of \$232,046 (76%).

Roni Phillips read the November Fire Department report. November 6th called to 26 Dry Creek Road for a false alarm. Turned out to be St Regis call in De Borgia. Four Firefighters responding in Rescue One.

November 8th responded to 136 Horning Drive for a lift assist with Superior Ambulance. Three two firefighters responding.

November 11th responded MM 41 motor vehicle accident providing traffic control. Four Firefighters responding.

November 15th responded to 304 Spruce Street for a carbon monoxide alarm. Assisted with replacing the batteries and resetting the alarm. Three firefighters responding.

November 15th responded to 250 country road for a downed power line. Extinguished the fire caused by the power line on vehicle with a chemical extinguisher. Very innovative solution by the crew. Two firefighters responding in the rescue truck.

November 15th responded to a vehicle over the bank at MM 5 Mullan Rd east. Upon arrival vehicle had hit a fallen tree and was perched on the bank. Swift work by Deputies roped the vehicle to their patrol car while awaiting a tow. We provided traffic control. Eight Firefighters responded.

November 16th responded to a tree over the road at MM 11 Mullan Rd East. Upon arrival found the road completely blocked and proceeded to saw up the tree. MDT assisted with the plow truck and removing the large tree trunks. Four Firefighters responding and two units.

November 16th responded to single vehicle rollover at mm 58. Provided traffic control. Seven Firefighters responding.

November 18th responded to a single vehicle accident at MM 47 for a car versus the guard rail. Four firefighters responding.

We Held Three Training meetings in November: Station Maintenance, Forceable Entry, and EMS and Pump training.

We now have 17 active members.

QRU is in place and licensed. The hospital has agreed to be the medical director for our QRU. Another member passed the EMT training and there will be two more EMT's joining the department.

The Tarkio annexation is moving forward. The annexation will be presented to the County Commissioners.

David Hubler read the November water report. All routine sampling and testing completed. Meter reading completed without incident. Several new RF readers were installed in the past weeks. There are currently approx. 150 RF readers in service. Staff will continue with the RF conversion project as time allows. Staff had attempted to purchase repair parts for the clay valve in well #2. It was malfunctioning and allowing air into the water system. After much searching it was discovered that the parts are no longer available for the valve that was installed in 1966. A new clay valve was ordered and delivery is expected shortly. The new pump, motor, and check valve have been installed in well #1. Well #1 is back in service.

COUNCIL CONCERNS

UNFINISHED BUSINESS

COMMUNITY NEEDS SURVEY

The Clerk reported that the Community needs survey has been mailed to 403 addresses. 108 surveys have been returned to date. Information regarding the survey has been posted on the Town website and in the quarterly newsletter.

TREE FOR EMILY

Council discussed planting a tree in Eva Horning Park in memory of Emily Ornelas. The tree will be planted at the the corner of 5th Ave E and Pike Drive. The Town is waiting on information from Ibey Nursery. More information at the January meeting.

NEW BUSINESS

NADINE WADSWORTH--DNRC FLOODPLAIN MAPPING UPDATE

Nadine Wadsworth, DNRC, gave the Council an update of the Floodplain mapping project for the Town of Superior. The floodplain mapping project is only for the Clark Fork River. There will

not be any changes for the Flat Creek drainage, as it was recently mapped. The preliminary maps are complete. There will be some changes in the Town of Superior. The next step in the process is the period for formal comments and appeal. DNRC anticipates that the floodplain maps will go into effect 1 ½ years. The Council will have to formally adopt the maps. The Council will have to update the floodplain ordinance.

REQUEST TO ADVERTISE FOR BID FOR BACKHOE PURCHASE

Rodney Goins, Public Works Supervisor, requested Council approval to advertise for Bid for a new backhoe purchase. The Council approved purchasing a backhoe in April 2021. Since the cost will be more than \$80,000 the Town is required by state law to advertise for bids. The expense will be paid for out the of Water Replacement and Depreciation funds. Council discussed the request. Kelly Dillon a MOTION to advertise for Bid for a new backhoe; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

COUNCILOR WARD 2---APPOINT

Council discussed appointing a Councilor for the vacant Ward 2 Council position. Wanda James, long-time resident, is interested in being a Councilor. Also, Drew Hanson is also interested in being a Councilor. Currently, Mr. Hanson is living in Ward 2, but is building a home in Ward 3. He will be moving into the house in 2022. Richard Lewis has stated that he would be willing to continue to serve on the Council. This is for the unexpired position. Whoever is appointed to the position will serve for two years. In 2023 the person appointed will have to file for election for the last two years of the 4-year term. Kelly Dillon made a MOTION to appoint Wanda James to the unexpired Ward 2 Councilor position; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

COUNCILOR WARD 3--- APPOINT

Council discussed appointing a Councilor for the vacant Ward 3 Council position. Tom McCloskey has stated that he would be willing to be appointed for the two-year term. This is for the unexpired position. Whoever is appointed to the position will serve for two years. In 2023 the person appointed will have to file for election for the last two years of the 4-year term. Kelly Dillon made a MOTION to appoint Thomas McCloskey to the unexpired Ward 3 Councilor position; Shirley Iwata seconded. MOTION passed 4 ayes, 0 nays, 1 abstain, 1 absent. Roll Call: Thomas McCloskey-abstain, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

FIRE DEPARTMENT IMPACT OF DEVELOPMENT

Steve Temple, Fire Chief requested that this discussion be tabled to allow more time to prepare for the discussion. Council tabled.

CDBG GRANT APPLICATION FOR SEWER PROJECT-APPROVE TO SUBMIT

Council discussed the Town applying for a CDBG grant for the Sewer project. The Engineer would like Council approval to submit the application. There are no disadvantages to applying for a CDBG grant since this is a separate program from the others. The CDBG grant requires a 25% match which Superior has already put towards the project and can be awarded up to \$600,000. Superior has a high (Low & Moderate Income Percent) LMI

(83.3%) making it ideal for CDBG funding. We will need to have two public hearings, one in February 2022 and one in April 2022. We will need to have 3 resolutions for the Council to adopt the PER, to submit applications, and for submission of the environmental document at the April 2022 hearing. Thomas McCloskey made a MOTION to approve submitting a CDBG grant application for the sewer project; Bonnie Fuller seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

The Town will also be applying for an MCEP grant and a RRGL grant for the sewer project.

DEQ CLEAN TRUCK, BUS & AIRPORT EQUIPMENT GRANT APPLICATION—STREET SWEEPER

The Clerk reported that she is working on the DEQ Clean Truck, Bus & Airport equipment grant application for a new street sweeper. The goal of the Project is to permanently reduce diesel emissions, reduce diesel fuel use, and reduce NOx emissions. The Grant funds are from EPA's Diesel Emissions Reduction Act and the State of Montana's share of the Volkswagen Environmental Mitigation Trust Agreement. The current street sweeper is a 1995 diesel. I have been working with the Grant Program specialist. He stated that he thinks the town's grant application will score quite high. Rodney Goins is working on getting information and costs for the electric street sweeper and charging station, and shipping costs (all of which are eligible for the grant). The grant is an 85% grant 15% local match. The matching funds will be out of Street Capital Improvement funds and the Town Capital Improvement funds. The grant information does encourage a higher match, if possible, which can help with the ranking. We have been gathering the information needed to submit with the application. The Town will have to submit a letter of commitment of the matching funds. The town will have to submit a letter of commitment that the street sweeper will be used in Montana for at least half of its operating time/mileage and for at least 5 years. We will be able to state 100% in Montana for the life of the equipment. Also, there is only one supplier for an all-electric street sweeper. This would be considered a "Sole Source purchase". We have a procedure in place in our procurement procedures and the state is okay with a "Sole Source purchase" as long as we include a written explanation of the reason why. The grant application is due January 14, 2022. Council discussed the grant application. If the cost of the match is more than the Town can bear the application will not be submitted. Bonnie Fuller made a MOTION to approve submitting the grant application and committing capital improvement funds as a local match for the DEQ Clean Truck, Bus & Airport equipment grant application for a new street sweeper; Shirley Iwata seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

LEGAL

CLERKS BUSINESS

Prepared minutes.

Updated Utility customer accounts as needed.

Prepared and mailed utility bills.

Posted daily receipts and made daily deposits.

Prepared and mailed past due and remaining balance utility letters.

Transmitted and posted the ACH utility payments.

Prepared and mailed final customer bills.

Prepared monthly financial statement and bank reconciliation.
Prepared Agenda and Notes from the Clerk.
Uploaded Agenda to website. Posted Agenda.
Prepared and delivered council packets.
Prepared claims and checks.
Prepared payroll and monthly reports.
Prepared monthly Tax vouchers and receipts.
Uploaded checks to the Wells Fargo positive pay as part of the fraud protections.
Updated software.
Updated Website
Grant searches.
Updated Agenda Subject Index
Uploaded Minutes to website.
Completed cash reconciliation for SVFRA.
Prepared statements for Water and Sewer Plant investment fees.
Prepared statements for Bulk Water Sales.
Set up tax voucher tables for 2021-2022.
Prepared final version of the needs survey.
Prepare final version of cover letter for the needs survey.
Prepared copies of needs surveys, labels, and envelopes to mail. Mailed the surveys.
Submitted paperwork for the DNRC planning grant.
Prepare and organizes Sewer project files.
Prepare and mail quarterly newsletters. Upload quarterly newsletter to website.
Prepare for annual audit for FY 2020-2021. Scanned and emailed documents to the auditor.
Mailed signed DNRC grant agreement to state.
Prepared, completed and submitted the LWCF grant agreement draw for Skatepark project.
Prepared cover letter for LWCF reimbursement request.
Prepared the final report for the LWCF grant for the skatepark.
Prepared SVFRA 2021 annual report to prepare 1099R's/
Prepare and submit the final report for the Skatepark Project (Tony Hawk) grant.
Prepared paperwork for Semi-annual Water and Sewer loans.
Prepared journal vouchers for transfers for semi-annual Water and Sewer loans.
Prepared journal vouchers for water and sewer loan payments.
Work on grant paperwork for Street Sweeper.

CONSENT AGENDA

Kelly Dillon made a MOTION to approve the Consent Agenda as presented, Town Claims 36291-36360, November financial reports, November Pledged Securities, November Journal and UB Vouchers, and November Budget reports; Shirley Iwata seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

ADJOURNMENT

There being no further business before the Council Bonnie Fuller made a MOTION to adjourn until the next regular meeting January 10, 2022; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Bonnie Fuller-aye, Richard Lewis-absent, David Hubler-aye.

Roni Phillips, Mayor

Attest:

Brenda Schneider, Town Clerk