

The regular meeting of the Town Council was held March 14, 2022 in the Council Chambers at 7:45 pm. A review of claims took place at 6:30 pm.

Mayor Roni Phillips

Councilors: Kelly Dillon, David Hubler, Bonnie Fuller, Thomas McCloskey, Wanda James

Clerk Brenda Schneider

Rodney Goins, Public Works Superintendent

Andrew Cadman, Public Works Assistant

Steve Temple, Fire Chief

Andy Short, County Planner

Undersheriff Wayne Cashman

Deputies Ryan Funke, Eric Lindauer

Steve Temple, Fire Chief

Andy Short, County Planner

Citizens: Sherry Goins, Luke Ferguson, Peggy Temple, Lori Dove

Absent Councilor Shirley Iwata

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 February 14, 2022 regular meeting and the February 14, 2022 Public Hearing minutes. Kelly Dillon made a motion to approve the minutes of the February 14, 2022 regular meeting and the minutes of the February 14, 2022 Public Hearing; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

CORRESPONDENCE None

PUBLIC COMMENT None

#### COUNCIL REPORTS

Wanda James read the February Animal report. Nothing to report.

Bonnie Fuller read the February Sewer report. All routine sampling and testing are completed. Staff conducted 1 locate requests for the month. Staff were called to St Regis for a sewer main blockage. Staff utilized the flush trailer and camera to open the line. Staff attempted to run the root cutter through the blockage but were unsuccessful in removing the roots. The blade on the root cutter broke and needed to be replaced. Staff will return and complete the project when the weather allows.

Roni Phillips read the February Court report. 4 initial appearances, 12 omnibus hearings, 6 status hearing, 1 scheduling conferences. 1 Petition to Revoke, 1 Order to Show Cause. Sargent Ryan Funke introduced Deputy Eric Lindauer. Reported that there was a recent armed robbery in St Regis and the suspect has been arrested.

Kelly Dillon read the February Streets report. Winter road maintenance continues during inclement weather. Staff is making initial plans for paving this summer. Several deteriorated streets are on the list for repaving. The list will be finalized and estimates obtained in the near future. The Clerk reported that the new Christmas banners and hardware have been received.

Thomas McCloskey read the February Parks report. Staff has begun preparations to renovate the building at Eva Horning Park. Supplies have been ordered and the project will continue as the

weather allows. We are hoping to have the outside of the building done for the skate park grand opening, that depends on the weather. The new sign for the skatepark is nearly complete. We expect delivery of it in the next week or so. It will be installed at the skate park asap. The Clerk reported on the progress of the Skatepark grand opening. Coca Cola and Pepsi Cola will be donating drinks for the opening. Andy Cadman reported that he gave a list of items to Chris Darlow for the opening. The porta potties and wash station have been ordered. The Clerk reported that MMIA has approved worker's compensation insurance for the Town volunteers during the grand opening.

Roni Phillips read the March Fire Department report. February 3<sup>rd</sup> responded to a two-vehicle crash at MM 47 east bound for traffic control. QUR and Command responding with five firefighters.

February 7<sup>th</sup> responded to call for vehicle fire at MM57 rest area. Appeared to be an overheated vehicle after a three-unit search. Seven Firefighters responding.

February 17<sup>th</sup> responded to a mutual aid request from St Regis for a wreck involving three semi vehicles on the east bound lane rollover at MM 51. Provided traffic control with three of our units. Five firefighters responding.

February 21<sup>st</sup> responded to a single vehicle rollover at MM 50. Provided traffic control with two of our units. Six firefighters responding.

February 1<sup>st</sup> discussed the pending ISO visit and work needed.

February 8<sup>th</sup> trained on Ladders with Scott and rebid hose.

February 22ed trained on Battery issues with FSTS Rick Paulson.

We have 20 active members.

Steve Temple reported that the Department will be reviewed in April for the ISO rating. They will also be looking at the Tarkio annexation for an ISO rating and how it will affect the area.

David Hubler read the February water report. All routine sampling and testing completed. Meter reading completed without incident. Approx. 18 new RF readers were installed in the past weeks. There are currently approx. 220 RF readers in service. Staff will continue with the RF conversion project as time allows. The new clay valve has been installed in well #2. It was set and adjusted and well #2 is now back up and running!! All 3 Town wells are now functioning normally.

#### COUNCIL CONCERNS

Thomas McCloskey stated he would be willing to sit on the Mineral County Resource Advisory Committee to represent the Town of Superior.

Thomas McCloskey requested that the Council discuss a temporary dog park located at the west end of Timberman Park in the tree shelter at the next meeting. This will be on the April agenda. Information will be gathered for costs, etc.

#### UNFINISHED BUSINESS

##### FLOWER BASKETS

The Clerk reported on the information received from Benson's Farm regarding flower pots, hangers and costs. The Clerk reported that no one has contacted the town to date to volunteer. Council tabled the flower baskets until 2023.

#### NEW BUSINESS

##### CAR SHOW REQUEST—MIKE CURTAIN

The Clerk reported that Mike Curtain from the Old School Rockers Car Club is requesting

Council approval to request closing 2nd Ave E from River St to Cedar St and a ½ of 3rd Ave E from River St to Cedar St the day of the car show. The car show is scheduled for June 4 2022. Thomas McCloskey made a MOTION to approve the Old School Rockers Car Club request to close 2nd Ave E from River St to Cedar St and a ½ of 3rd Ave E from River St to Cedar St the day of the car show; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### DEVELOPMENT STANDARDS REVIEW- ANDY SHORT, PLANNER

Andy Short, County Planner, reviewed the current development standards of the Town as part of beginning the process of reviewing the standards for possible changes, updates, etc. Council discussed the standards. Fire Protection standards were discussed. The Town does not have building permits so control for development for the town happens in the mapping stage for the development. Variances were discussed and should only be granted in unusual or unique cases not just to get out of following the rules. Steve Temple stated that for fire protection it is important to have cul-de-sacs for access, not T intersections. Discussed house numbering. The Town has an ordinance regarding house numbering. Discussed Phased developments. Discussed RV spaces, 2 or more RV spaces is considered a major subdivision. The Town will review the development standards and give Andy Short a list of things to amend or add in the update of the standards.

#### CONSERVATION DISTRICT-APPOINT TOWN REPRESENTATIVE

The Clerk reported that Charlee Thompson, resigned as the secretary of the Conservation District as she is now working in Missoula. The Conservation District Board hired Stephanie Todd to replace Charlee. Stephanie was appointed to the Board by the Town Council as the Town's representative. Charlee Thompson would like to be appointed to the Conservation District Board as the Town's representative. Kelly Dillon made a MOTION to appoint Charlee Thompson to the Conservation District Board as the Town representative; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### PARK LABORER POSITION

Council discussed the Park Laborer position. Currently the Town budgets for 20 weeks (May-Sept) 25 hours per week \$5189. The limit on the hours is 30 hours per week, at that point health insurance must be offered. If the Council chose to increase the hours to 28 hours per week the 20 weeks cost would be \$5815. If two more months (8 weeks) April and October were added to the position at 25 hours per week for 20 weeks would be \$7300. 28 weeks at 28 hours per week would be \$8135.90. If the Council chose to have 2 park laborer positions for 25 hours per week for 20 weeks the cost would be \$10,378. The positions could have two different start dates for example-- April through August for one and June through October for the second.

Wanda James made a MOTION to approve increasing the Park Laborer hours to 28 hours per week and add 8 weeks starting April 1 and start advertising for the position now; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye. No action on a second park laborer position.

#### MT DES REGIONAL MULTI-HAZARD MITIGATION PLANS

Council discussed Opting in or out of the State of Montana Regional Multi-Hazard Planning process. The State of Montana is getting ready to begin the Regional Multi-

Hazard Mitigation Planning (MHMP) process where three (3) regional multi-hazard mitigation plans will be developed. These regional multi-hazard mitigation plans will include all the components and elements in the local hazard mitigation plans but will also build upon areas where there is room for improvement. If the Town decides to not participate the Town will no longer be covered under the County's plan and will not be eligible for Hazard Mitigation funding. Lori Dove, Mineral County Disaster & Emergency Coordinator talked about the current Emergency Mitigation Plan that the Town participates in with Mineral County. Lori Dove recommended that the Town opt into the program and requested that she be appointed as the Town of Superior's point of contact. Kelly Dillon made a MOTION to approve the Town opting in to the State of Montana Regional Multi-Hazard Planning process and appoint Lori Dove, Mineral County Disaster & Emergency Coordinator as the Town of Superior's point of contact; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### RESOLUTION NO. 513—AMEND BUDGET—BaRSSA Funds

Mayor Phillips read Resolution No. 513 amending the FY 21-22 budget to appropriate the additional BaRSSA funds received by the Town. The Town received \$28267.24 this year. The Town's match is 5% per law in the amount of \$1414, out of the general fund. We budgeted for \$25,000 and a \$1293 match for FY 21-22. Council discussed the resolution. Thomas McCloskey made a MOTION to adopt Resolution No. 513 amending the FY 21-22 budget to appropriate the additional BaRSSA funds received; Bonnie Fuller seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### RESOLUTION NO. 514 –CDBG-DESIGNATE ENVIRONMENTAL CERTIFYING OFFICER

Mayor Phillips read Resolution No. 514 designating the CDBG Environmental Certifying Officer for the Town. This is a requirement of CDBG as part of the start-up for the CDBG-CV grant. Council discussed the resolution. Wanda James made a MOTION to adopt Resolution No. 514 designating Roni Phillips, Mayor as the CDBG Environmental Certifying Officer for the Town; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### RESOLUTION NO. 515—AMEND BUDGET-WELL 2 REPAIRS

Mayor Phillips read Resolution No. 515 amending the FY21-22 budget to transfer funds from the Water Replacement/Depreciation Funds to the Operating funds for the repair and replacement of the cla-valve in Well 2. Council discussed the resolution. David Hubler made a MOTION to adopt Resolution No. 515 amending the FY21-22 budget and to transfer funds from the Water Replacement/Depreciation Funds to the Operating funds for the repair and replacement of the cla-valve in Well 2; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### WATER SYSTEM-TELEMETRY SYSTEM REQUEST

Rodney Goins, Public Works Superintendent requested Council approval for the upgrade of the current Water telemetry system. The outdated equipment has not worked properly for quite a while. Council discussed the problems with the current system. The new equipment will include pump

controls, water tank sensor and control panels, as well as operator interface terminals at all three well locations. It would upgrade the emergency alarm system allowing staff to receive phone call notifications of system malfunctions that need immediate attention. The project cost would be \$67,450. The funds for the project would be out of the Water Replacement and Depreciation funds. Council reviewed and discussed the request. Council discussed and reviewed the proposal and information from M.E.T. The proposed water telemetry system would be compatible with the sewer telemetry system. David Hubler made a MOTION to the approve the request to upgrade the water telemetry system and to accept the proposal from M.E.T. in the amount of \$67,450 using water replacement and depreciation funds for the project; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### MT DEQ CLEAN TRUCK GRANT AGREEMENT—MAYOR EXECUTE AGREEMENT

The Clerk reported that the grant agreement for the MT DEQ Clean Truck Grant for the purchase of the new street sweeper will be coming soon. The grant is for \$500,000, the funds are from the Volkswagen Mitigation Trust fund. The Town share will be \$123,258. Council discussed the grant. Kelly Dillon made a MOTION to approve the Mayor to execute the MT DEQ Clean Truck grant agreement when it is received; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### CDBG-CV GRANT AGREEMENTS---MAYOR EXECUTE AGREEMENTS

The Clerk reported that the grant agreement for the CDBG-CV grant for the HRC project will be received from the State soon. The subrecipient agreement between the Town and HRC will be ready soon. The Town is the grant recipient and HRC is the subrecipient. Council discussed the grant. Kelly Dillon made a MOTION to approve Mayor to execute the CDBG-CV grant agreement and the Sub-recipient agreement for the HRC project when the agreements are received; Thomas McCloskey seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### LEGAL

##### UPDATED TOWN ATTORNEY-CLIENT AGREEMENT

Council discussed the updated Town Attorney-Client agreement. The Town has worked with Tom Orr for nearly 20 years and have a very good working relationship. He has done a good job for the town. He is requesting an increase for attorney fees from \$170 per hour to \$200 per hour. He has not requested an increase since 2013. The fees for the paralegal and legal assistant will remain the same. Wanda James made a MOTION to approve the updated Town Attorney-Client Agreement and approve Mayor signing the agreement; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

#### 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.  
Prepare Public Hearing Notice for Sewer Preliminary Engineering Report.  
Uploaded Public hearing notice to website and emailed to newspaper for publishing.  
Emailed DEQ acceptance of award and required documents for the Street Sweeper grant.  
Prepare and post budget for the CDBG-CV grant.  
Prepare CDBG-CV grant -Environmental Certifying Officer letter and Resolution No. 514  
Prepare semi-annual stipend report and claims for volunteer firemen.  
Prepared lease inventory form for annual review.  
Completed lease inventory review for FY 21-22.  
Completed meter change out in UB accounts.  
Entered RF meter information in UB accounts.  
Prepared and mailed final UB bills.  
Prepared and submitted FY22-23 MMIA Employee benefits forms.  
Attended U of W Clerks training online.  
Completed the tests for the Clerks training.  
Ordered Christmas Banners.  
Completed and mailed the paperwork for the annual Consumer Confidence Report to the State.  
Prepared Resolution No. 514 Amend Budget for additional BaRSAA funds (new gas tax).  
Prepared and submitted the request for distribution of the BaRSAA funds to the state.  
Received, receipted and post the BaRSAA funds.  
Prepared Resolution No. 515 Amend Budget for the replacement of the Cla-valve in Well 2.  
Prepared quarterly newsletter. Mailed newsletters. Uploaded newsletter to website.  
Work with HRC on CDBG-CV grant Management plan. Submitted the plan to the state.  
Prepared and mailed donation requests for skatepark grand opening.  
Prepared Park laborer information for Council.  
Prepared and submitted Cyber Security Insurance application for MMIA

#### CONSENT AGENDA

Kelly Dillon made a MOTION to approve the Consent Agenda as presented, Town Claims 36480-36544, February financial reports and Cash Reconciliation, February Pledged Securities, February Journal and UB Vouchers, and February Budget reports; Bonnie Fuller seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

ADJOURNMENT

There being no further business before the Council Bonnie Fuller made a MOTION to adjourn until the next regular meeting April 11, 2022; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 1 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-absent, Bonnie Fuller-aye, Wanda James-aye, David Hubler-aye.

Roni Phillips, Mayor

Attest:  
Brenda Schneider, Town Clerk