

The regular meeting of the Town Council was held January 8, 2024 in the Council Chambers at 6:30 pm. A review of claims took place at 6:00 pm.

Mayor Roni Phillips

Councilors: Stephanie Quick, Bessie Spangler, Shirley Iwata, Wanda James, Kelly Dillon

Clerk Brenda Schneider

Rodney Goins, Public Works Superintendent

Scott Dodd, Fire Chief

Amy Parks, Mineral County DES Emergency Manager

Stephanie Todd, Mineral County Soil Conservation District

Citizens: Sherry Goins, Josh Pecora, Vicki Olson, Joe Spangler

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 December 11, 2023 regular meeting. Shirley Iwata made a motion to approve the minutes as written of the December 11, 2023 regular meeting; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

CORRESPONDENCE None

PUBLIC COMMENT None

COUNCIL REPORTS

Wanda James read the December Animal report. Nothing to Report.

Stephanie Quick read the December Water report. All routine sampling and testing completed. Staff installed a new meter on Osprey Drive for a newly constructed home. Staff repaired several meter readers that were experiencing technical difficulty. Staff were requested by the property owner at 103 River Street to shut off the water to the property. Upon meeting with the owner, staff found there was no curb stop to this property. Staff found the shut off in the crawl space under the rear section of the building. The owner stated he was going to have the power shut off to the property. He was advised that he is required to insulate and freeze proof his water line that is exposed in the crawl space. He was advised that should the line freeze and/or rupture requiring Town staff action and repairs, that he would be responsible for any and all effected by the interruption in service. The injection pump stingers were serviced at all the town well sites.

Shirley Iwata read the December Court report. 1 initial appearance, 5 omnibus hearings, 3 Status hearings, 1 Jury Confirmation hearing, 1 Jury instruction hearing and 1 jury trial. No insurance and fail to maintain lamps and equipment in proper working order. Wayne Cashman, Undersheriff, reported that the Sherriff's Office has been busy and steady.

Kelly Dillon read the December Streets report. The town snow removal equipment has been readied for winter time service. Staff has begun preparing the black top maintenance priority list for upcoming paving projects. The heater project at the shop has been completed. Staff assisted the crew from Mineral energy with the installation of the heater units, vent pipes, propane tank, propane lines, ceiling fans, and thermostat controls. Staff moved equipment around to allow the staff the space needed for the installation. The systems are working great and are a fantastic improvement to our facility. The town equipment is now stored in a controlled environment which should ensure it will be in top working condition at all times. We have been working with Brenda, and will be applying for grant funding to remove hazardous trees on Town property.

Staff has applied for a 124 permit as some of these trees are on the river bank. Staff have met with our Leroy (the tree guy) who is preparing an estimate for the work. We have also met with representatives from DNRC who toured the town to view the hazards. We are currently considering all possible options to meet the requirements of all involved for the best possible results with the least impact. We are due to meet soon with the local fisheries biologist to evaluate the potential impact on the river ecosystem if any. The grant application is being prepared and will be filed soon.

Roni Phillips read the December Parks report. The tree pruning project in the parks is completed for now. The parks look great!

Roni Phillips read the December Fire Department report. 13 Emergency Calls in October (6 EMS, 1 FIRE, 5 Traffic/MVC, 1 Rescue) and 2 Fire Trainings and 2 Medical. 4 calls in Town limits, 9 calls in Rural District.

- 12/1 2 EMS calls
- 12/3 Motor Vehicle crash
- 12/4 EMS lift assist
- 12/8 EMS lift assist
- 12/10 Motor Vehicle crash
- 12/10 EMS lift assist
- 12/11 EMS lift call
- 12/14 Motor Vehicle crash
- 12/16 Fire—Mutal Aid Trash/Slash Burn
- 12/23 EMS Call
- 12/27 EMS Call

Two fire trainings and two EMS/QRU trainings.

25 firefighters and 2 junior firefighters.

Scott Dodd, Fire Chief, reported that the Fire Department was awarded a CORR/SIPP Injury Prevention grant for the fire hall in the amount of \$4966.00. The funds are to be used to purchase equipment for IV related activities. He stated that the hospital has requested the EMS responders be trained and be able to start IV's

Mats were purchased for the firefighter exercise area to help keep the wood floor from being damaged by dropped equipment.

Updated traffic signs that are battery powered were purchase to help improve safety of calls on the interstate. The signs flash "Stop" or "Slow".

Bessie Spangler read the December sewer report. All routine sampling and testing are completed. Staff conducted approx. 2 locate requests for the month. Staff were called for a mutual aid assist in St Regis. The flush trailer was found temporarily inoperable due to the cold weather. Staff were able to remedy the issue and respond to St Regis. Staff flushed approx. 1000 feet of main line and removed a blockage. A bill has been sent to the St Regis sewer board for services rendered. Staff serviced the blower motors at the lagoon. New UV bulbs and tubes have been purchased. They will be replaced due to manufacturers specifications for effective lifespan.

COUNCIL CONCERNS None

UNFINISHED BUSINESS

SEWER SYSTEM IMPROVEMENTS PROJECT UPDATE

The Clerk reported that the engineer is waiting for comments on the design and plans from MTDEQ. The plan is to still bid the project in February. The town has received a letter from DNRC/SRF loan program that the town is approved for a loan of \$2,030,000 for the project. This would be a 20-year loan at an interest rate of 2.5% per annum. If the state forgives a portion of the loan, we will not know that amount until the loan is finalized. Last year the loan forgiveness amount was \$750,000.

SOIL CONSERVATION DISTRICT--- APPOINT TOWN REPRESENTATIVE

Stephanie Todd, Soil Conservation District, explained how the board was set up. There are 7 supervisors on the board. 2 supervisors are appointed by the two incorporated towns in the County. The position for the representative for the Town of Superior is vacant. The Soil Conservation District is recommending that the Town appoint Joe Spangler as the Town's representative. Kelly Dillon made a MOTION to appoint Joe Spangler as the Town's representative to the Soil Conservation District Board; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

SIDEWALK ORDINANCE—DISCUSSION

We are still researching the language the interaction between sidewalks and street and driveways and drainage etc. Tabled.

NEW BUSINESS

SOIL CONSERVATION DISTRICT---DUMPING ON RIVERBANKS

Joe Spangler, Soil Conservation District talked dumping on riverbanks that are in the Town right of way. Joe Spangler stated that there are two types of permits. A private party that wants to do anything on riverbanks must apply for a 310 permit. The soil conservation board supervises and manages the 310 permits. A Government Entity that wants to do anything on the riverbanks must apply for a 124 permit with the Fish Wildlife and Parks. The Town is working with the Fish Wildlife and Parks on the 124 permit to remove hazardous trees on the town right-of-way along Riverside Ave E. Joe Spangler stated that grass clippings dumped on the riverbank compact and do not allow anything to grow and can create enough heat to spontaneously combust causing a fire hazard. Joe Spangler stated that the Soil Conservation Board would prefer that nothing was dumped on the riverbanks. Vicki Olson stated that she has dumped limbs and leaves, but no grass clippings, on the riverbank for over 60 years. She stated that the area where she dumps has been built up and lots of bushes, etc. are growing. Council discussed the current ordinance regarding dumping. The ordinance only states that you cannot dump any rock, gravel, dirt, earth, soil, garbage, or rubbish on town property. The other ordinance that could apply is littering. The Council will review the existing ordinances for possible needed amendments.

UPDATED COUNTY EMERGENCY OPERATIONS PLAN—AMY PARKS DES EMERGENCY MANAGER

Amy Parks, Mineral County DES Emergency Manager, reported on the updated County Emergency Operations Plan. The Town is part of the Emergency Operations Plan. The Emergency Operations Plan is for responding to large scale incidents. She stated that there were not a lot of changes, mostly the format. Diseases are not included in the essential threats to Mineral County. Mayor Phillips signed the EOP for the Town.

PUBLIC HEARING --- HB355 PROJECT PRIORITY LIST

Mayor Phillips closed the regular meeting at 6:57 pm and opened the Public Hearing at 6:58 pm. Mayor Phillips stated that the purpose of this Public Hearing is to receive public comment on the proposed project priority list for the HB355 State-Local Infrastructure Partnership Act funding for projects within the Town of Superior.

The legislature enacted HB 355 State-Local Infrastructure Act provides funding for infrastructure for cities and towns. The Town completed the proposed prioritized list of projects by December 31, 2023. The Town is eligible to receive \$85,702 and can apply for the funding in March. Requirements for the new law were discussed. Per the new law Priority is given to projects that maintain or repair publicly owned drinking water systems, publicly owned wastewater treatment systems, and municipal fire suppression systems that are independent of a water system. The funds can also be used for maintenance or repair of **existing** streets, roads, street lights, and public grounds and buildings. No new construction. There is a required 25% match. The matching funds must be generated from local revenues and be equal to no less than 25 of the **total** project cost. According to the State we cannot use the ARPA grants or other grants as a match. They will allow us to use the Fuel tax money as a match for street paving. The town has funds available in the water and depreciation fund and the fuel tax funds that can be used as the matching funds.

The Clerk read the proposed project priority list aloud. The proposed project priority list was reviewed and discussed. The Clerk reported that prior to the meeting the town received an email from Thomas McCloskey recommending moving number 3 Mullan Road Sewer line slip joint repair to number 2 on the list. Moving the Mullan Road Sewer line slip joint repair from #3 to #2 was discussed. Rodney Goins stated that the change should be made. Kelly Dillon agreed that #3 should be moved to #2 on the list.

1. Backup Power for Water Well #3
2. Water Well #1 building improvements
3. Mullan Road Sewer Line slip joint repair
4. Sewer generator building improvements
5. Water System--Replace multiple water valves around town
6. Street Paving—various locations around town
7. Re-Pave Eva Horning Parking Lot (near picnic area, skatepark)
8. Water System Upgrades—Phase 3 (Would need a new PER)
9. Sewer Lift Station upgrades
10. Sewer Improvements Project—Lagoons upgrade, etc.
11. Sewer Improvements—Headworks Project (if phased)

Mayor Phillips asked if there were any further comments or discussion. There were no further public comments.

Mayor Phillips closed the public hearing at 7:02 pm and reopened the regular meeting at 7:03 pm.

Shirley Iwata made a MOTION to move No. 3 Mullan Road Sewer Line slip joint repair to No. 2 on the proposed project priority list and move No. 2 Water Well #1 building improvements to No. 3 on the proposed project priority list; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

Shirley Iwata made a MOTION to approve the final priority project as follows----

1. Backup Power for Water Well #3
2. Mullan Road Sewer Line slip joint repair

3. Water Well #1 building improvements
4. Sewer generator building improvements
5. Water System--Replace multiple water valves around town
6. Street Paving—various locations around town
7. Re-Pave Eva Horning Parking Lot (near picnic area, skatepark)
8. Water System Upgrades—Phase 3 (Would need a new PER)
9. Sewer Lift Station upgrades
10. Sewer Improvements Project—Lagoons upgrade, etc.
11. Sewer Improvements—Headworks Project (if phased)

Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ORDINANCE NO. 225 –REPEAL OLD FLOODPLAIN REGULATIONS—1ST READING

Mayor Phillips read Ordinance No. 225 repealing old Floodplain regulations. Kelly Dillon made a MOTION to adopt Ordinance No.225 repealing Ordinance 216 old floodplain regulations, first reading; Shirley Iwata seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ORDINANCE NO. 226 -- FLOODPLAIN REGULATIONS—1ST READING

Mayor Phillips read Ordinance No. 226 establishing floodplain and floodway management within the town. Wanda James made a MOTION to adopt Ordinance No.226 establishing floodplain and floodway management within the town, first reading; Bessie Spangler seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ELECT COUNCIL PRESIDENT(S)

The Council is required by Charter to elect a Council President every January. Currently Kelly Dillon is 1st Council President and Wanda James is 2nd Council President. Shirley Iwata made a MOTION to elect Kelly Dillon as 1st Council President and Wanda James as 2nd Council President; Stephanie Quick seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

COUNCILOR WARD 3---VACANCY

Mayor Phillips announced that the Ward 3 council position that was held by Thomas McCloskey is vacant. The Clerk reported that Councilor Thomas McCloskey did not file for election for his position in Ward 3. His Council seat is vacant. The appointment would be through the next Town election in 2025. The appointment would end December 31, 2025. Council discussed the position and instructed the Clerk to put the appointment on the February agenda. Wayne Cashman submitted a letter of interest in the vacant council position.

BOND COUNSEL LETTER OF ENGAGEMENT---SEWER PROJECT

Council discussed the letter of engagement from Dorsey and Whitney for Bond Counsel for the Sewer Project. The Town has worked with them in the past on the previous water revenue bonds, sewer revenue bonds and the fire hall general obligation bonds. We have also worked with them when we have raised rates in the past. Dan Semmens and his staff are great to work with. They have our information and are located in Missoula. The Bond Counsel fees for a loan of the \$2,030,000 would be \$15,000 to \$20,000. The fees are paid from the proceeds of the bond.

Stephanie Quick made a MOTION to approve the Mayor signing the letter of engagement for bond counsel with Dorsey and Whitney; Shirley Iwata seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

LOCAL GOVERNMENT REVIEW

The Clerk talked about the upcoming Local Government Review process. Montana Constitution requires that every 10 years the citizens of every municipal and county government get the opportunity to review the structures of their local government. This is a review of the current form of government (We are a Charter form of Government) and alternative forms of governments in state law. The Council will need to call for an election by resolution giving the citizens the option of “For or Against” the review. This is a 3-year process and the resolution will include a budget amount. The resolution will be on the February Agenda.

LEGAL None

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 UB customer bills.
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 reports and ACH.
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 Cash reconciliation and financial reports.
Work with HRC and CDBG on HRC building project and grant.
Work with Engineer on sewer project.
Set up new water and sewer accounts.
Completed meter change outs at received from Public Works
Prepared and mailed monthly statement for 50/50 sidewalk fee.
Prepared and submitted quarterly payroll reports.
Set up 2024 Agenda Subject Index.
Prepare HB355 project priority list Public Hearing notice
Publish HB 355 Public hearing.
Prepare Ordinance 225 Repeal old floodplain regulations.
Prepare Ordinance 226 New floodplain regulations
Conference Call—all funding agencies, bond counsel, engineers for sewer project.

Email requested documents to bond counsel and state.
Work on research for the sidewalk ordinance.
Attend county commission meeting-Pool in Park ARPA funds request.
Prepare information about Local Government Review for Mayor and Council
Prepare budget for Local Government Review to go in Resolution for election.
Prepare Resolution for Local Government Review for election—February Agenda
Webinar-Urban forestry tree grant
Contact and schedule meeting with DNRC Forester---Tree grant
Set up file for new 2024 Floodplain Maps.
Work with Human Resource Council on Edna Court project.
Prepare annual payroll report.
Work on Urban Forestry grant application.
Submit CDBG-CV grant draw request for HRC project.
Set up new files as needed.
Prepared and mailed SVFRA 2023 1099R's
Prepared and mailed SVFRA annual 2023 945 report.
Work with HRC on the Edna Court Cottages project.
Receipt and post ARPA grant funds draw #3 for Sewer Project.
Schedule February Agenda items.
Prepared and mailed quarterly invoice to Rural Fire District for their ½ of expenses.
Prepared and mailed 2023 W2's
Submitted 2023 W2s online to Federal and State.

CONSENT AGENDA

Shirley Iwata made a MOTION to approve the Consent Agenda as presented in the amount of Town Claims 37765-37814 in the amount of \$50,046.95 on January 8, 2024, December financial Report, December Cash Reconciliation, December Pledge Securities, December Journal & UB Vouchers, and December Budget Reports; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ADJOURNMENT

There being no further business before the Council Shirley Iwata made a MOTION to adjourn until the next regular meeting February 12, 2024; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

Roni Phillips, Mayor

Attest:

Brenda Schneider, Town Clerk