

The Claims Committee met at Terry Town Hall at 5:30 p.m. with Brad Eaton and Tim Richards reviewing claims. **The following claims were submitted for payment:**

**Payroll Register**

13281	Cindy Bond	April 2016 Payroll	138.52
89636	Rolane Christofferson	April 2016 Payroll	373.02
89635	Brad Davis	April 2016 Payroll	2723.31
13282	Brad Eaton	April 2016 Payroll	138.52
89634	Holly Eaton	April 2016 Payroll	160.26
89633	Robert Harrell	April 2016 Payroll	1150.19
89632	Caryn Rein	April 2016 Payroll	83.87
13283	Tim Richards	April 2016 Payroll	124.67
89631	James Schilling	April 2016 Payroll	2571.53
89630	Lynn Schilling	April 2016 Payroll	2033.90
13284	MMIA- Insurance	April 2016 Payroll- Insurance	1821.00
13285	Dept. of Revenue	April 2016 Payroll- State Tax	397.00
89629	AFLAC	April 2016 Payroll	258.41
89628	EFTPS	April 2016 Payroll- Tax Deposit	2342.50
89627	PERS	April 2016 Payroll	1946.54

**Claims**

3208	Cardmember Service	April 2016 Statement	1241.34
3209	City of Glendive	April Invoices- Landfill Services	2675.00
3210	Energy Lab	Lagoon Samples and Shipping	434.00
3211	Farmer's Union	April 2016 Statement- Fuel	192.36
3212	Lakeside Industries, Inc.	Asphalt Patch/Shipping	911.08
3213	Lucas & Tonn, P.C.	Legal Services- April	630.00
3214	Mid-Rivers	April 2016 Statement	207.94
3215	Miles City Motor Supply	Parts- Garbage Truck/Sweeper	95.48
3216	MDU	April 2016 Utilities	2644.65
3217	Morrison-Maierle	Managed Online Back-up	20.00
3218	MT DEQ	Wastewater License Renewal Fee	40.00
3219	MTD Petroleum	April 2016 Statement- Fuel	504.25
3220	Netzer Hardware	April 2016 Statement	399.15
3221	Prairie County	Court Fines	65.00
3222	Shawn Quinlan	Reimbursement of Mileage	42.55
3223	Recreation Supply Co.	Pool Paint/Cleaning Solution	451.58
3224	Lynn Schilling	Reimbursement of Travel Expenses	215.64
3225	Stahly Engineering	Wastewater Treatment Project- Design	16788.45
3226	Terry Super Valu	SOP Fundraiser- Dinner Supplies	85.78
3227	Terry Tribune	Advertising	51.75
3228	Tongue River Electric	Power @ Landfill	41.88
3229	Town of Terry	Sewer	123.00
JV970920	USDA	Monthly Loan Repayment	<u>8848.00</u>
<b>Total</b>			<b>\$53,675.10</b>

**Receipts for the month of April, 2016:**

11437	City Judge Kathy Henry	Court Fines	65.00
11438	Bradley Davis	Equipment Rent- Gravel	25.00
11439	Dog Licenses	G. Pfiefler	10.00
		D. Johnson	10.00
11440	Prairie County	Fallon Garbage Service	2615.07
11441	Mid-Rivers Communications	Donation to TVFD	350.00
11446	Mid-Rivers Communications	Franchise Tax	1998.35
11447	Prairie County Treasurer	Taxes & Assessments	3585.95
11448	State of Montana	Fuel Allocation	2467.49
11449	Nate/Ashley Bliss	Dumpster Fee	13.00
11450	Mickey Roberts	Dumpster Fee	200.00
11451	Norma Grist	Dog Licenses	10.00
11452	MPI Farms	Sale of Bulk Water	3535.00
11453	Transient Merchant Licenses	Smart Home Pros	25.00
		Vivint, Inc.	25.00
11455	Save Our Pool	Donation Jars	306.16

11456 State of Montana	Permit License Fees	50.00
11457 Stockman Bank	Interest	217.87
11458 State of Montana	DNRC RRGL Grant	17232.67
UB574 Journal Voucher	Sewer Receipts	<u>13998.71</u>
	<b>Total</b>	<b>\$ 46,740.27</b>

The Terry Town Council met in regular session at Terry Town Hall at 6:00 p.m. with Mayor Rolane Christofferson presiding. Council members present were Cindy Bond, Tim Richards, Brad Eaton and Caryn Rein. Also present were Clerk Lynn Schilling, Public Works Director James Schilling, Deputy Clerk Holly Eaton, Town Attorney Shawn Quinlan, Duncan Hedges and Tim Therrien (Prairie County Sheriff's Office), Brad Davis (TVFD), Katie Emery, Will Johnson, Kristy Shannon, Robert Brubaker, Margie Brubaker, Pep Waples, Marshal Pirtz, Megan Pirtz, Renee Pirtz, and Frank Kountz.

Mayor Rolane Christofferson called the meeting to order at 6:06 p.m. and led the Pledge of Allegiance.

Public Comment- None.

Minutes from the April 14<sup>th</sup>, 2016 meeting were approved. (Bond/Eaton)

Claims approved per Claims Committee. (Rein/Bond)

Cash/Bank Reconciliation approved. (Bond/Richards)

**After review of the Stockman Bank Investment Fund account \$786,212.77 will be the amount in the Stockman Bank Investment Fund for the month of May.**

**(Eaton/Bond) Interest is deposited in the amount the end of each month.**

Balance as of 3/31/16--\$775,353.53 Interest paid 4/29/16--\$217.87 Balance as of 4/29/16--\$786,212.77  
Credits-\$47,646.24 Debits-\$36,787.00.

### **Unfinished Business**

The update to the Council on the Wastewater Treatment Improvement project has been moved to a special meeting on May 25<sup>th</sup> due to scheduling conflicts with Ryan Rittal (Stahly Engineering).

Prairie County Undersheriff Tim Therrien was present to report on Public Safety. He stated that there has been a spree of incidents of vandalism and theft; however, a couple of individuals are in the process of being charged for those crimes. The office issued two (2) DUI's recently. The new deputy, Kiefer Lewis, has completed the Academy successfully, top of his class. They continue to patrol the schools and downtown areas at night, also completing door checks. They will be utilizing reserve officers for some extra patrols over Memorial Day weekend.

Terry Volunteer Fire Department (TVFD) Chief Brad Davis was present to report to the Council. He provided a written copy of his report to Council members, summarizing the activities of the fire department the previous month. Members of the department responded to one (1) motor vehicle accident. Fire Chief Brad Davis stated that he will be focusing on increasing the amount of training offered as well as the level of participation by the members of the department. He will also be working to recruit new members to the department. He is currently working to complete the contract requirements of a DNRC grant that was received by the department and will be exploring ways to meet the requirements for the department to enroll into the Volunteer Firefighter's Compensation Act.

In regards to Town/Fire Hall, Clerk Lynn Schilling and PWD James Schilling reported that the fire extinguishers in Town Hall and the Town Shop have been inspected this month.

Public Works Report:

- PWD James Schilling stated that the Peterbilt garbage truck needs new steering tires. Council agreed that he should proceed with replacing the tires.
- PWD James Schilling reported that the equipment is functioning OK. The Town Council discussed looking at some equipment at upcoming auctions in the area.
- PWD James Schilling reported that they have ordered in more patch and will resume patching as soon as possible.
- PWD James Schilling reported that they are working to remove as much of the old paint as possible, and then they will be trying a different two-part paint on a small section of the pool, and pending that test, will try the different paint. He reported that they have obtained an estimate to replace an old section of concrete on the west deck of the pool. Waples Construction will remove the old concrete and replace for \$10,000 and would be able to begin the job immediately, pending Council approval. Upon looking at the budget, Council Member Caryn Rein motioned to approve the Town spending \$5,000 in conjunction with \$5,000 from Save Our Pool, pending the Save Our Pool Committee's approval, to accept the bid and proceed with the replacement of the concrete by Waples Construction. Council passed the motion. (Rein/Eaton)
- In regards to the sewer, Town Attorney Shawn Quinlan and Mayor Rolane Christofferson have received and reviewed the Army Corps of Engineers Program 295 grant documents. Council passed a motion approving Mayor Rolane Christofferson signing the documents on the Town's behalf. (Rein/Richards)

Clerk Lynn Schilling provided the new copies of the updated Municipal Codebooks. Councilmembers will review the codebooks and Town Attorney Shawn Quinlan will look into the process for adopting the updated Municipal Code.

Town Attorney Shawn Quinlan provided a draft ordinance updating the policy surrounding solid waste services. Council approved the draft and will proceed with a First Reading of the ordinance at the following regular meeting.

Mayor Rolane Christofferson asked members of the public present if anyone would like to comment in regards to the Street Maintenance District. Several members present expressed a desire to do so.

Marshal Pirtz initially read a letter provided by Bob Van Der Valk questioning the legality of the procedures used to create the district thus far. A copy of the letter was not provided to Council. Town Attorney Shawn Quinlan stated that Mr. Van Der Valk should contact him directly with his questions. Marshal Pirtz went on to state that he would prefer the district be assessed by residence. He further expressed concern about an "open-ended check book" as well as the Council's ability to raise rates in the future without public support. He stated he would like to vote when taxes are added. He also asked about property exemptions from the district. Mayor Rolane Christofferson explained that the only property that is exempt is property that is not by an established road or alley, such as on the north edge of town. Marshal Pirtz also questioned the continuous use of patch and whether that is the best use of the Town's funds/taxpayers' dollars.

Renee Pirtz stated that the maintenance district should be put to a vote. She also stated that she would like more communication from the Town Council. She feels like the street maintenance district was "snuck in" and the Council's communication on what they were doing was not effective. An informal dialogue took place on the forms of communication that is used by the Town, and each individual's responsibility to be informed.

Pep Waples stated that he appreciates what the Council is trying to do. He went on to state that he observed several individuals at the table "giving attitude" to those in attendance. He stated that the Montana Code Annotated dictates a minimum in the Council communicating their actions but that does not mean that Council cannot go above and beyond the requirement to educate their neighbors. He also expressed concern of the

Council having an “open-ended checkbook” with the establishment of the street maintenance district. He further stated that it may be more feasible to take the streets back to gravel then continue to waste money on patch. He suggested the Council enforce the nuisance ordinance as it was intended and use any revenue garnered from such to assist in funding the streets “in lieu of further burdening those of us who live here and take care of our property”. He stated the Town should turn streets that are “tired” back into gravel, re-establish roads and alleys back to widths, and get rid of abandoned structures on right-of-ways. He suggested the Town pursue a mill levy to take streets back to gravel. Then the Town could develop a plan for re-paving and prep the streets appropriately. He also suggested the Town utilize resources—he called and spoke with someone at Prince to discuss options with our streets.

An informal discussion took place in regards to the Council’s choice of pursuing a Street Maintenance district rather than a mill levy. Council expressed their desire to have ongoing funds to offset maintenance costs and allow them to set funds aside for capital improvements and replacement of equipment. Council felt the maintenance district was a better fit for what they hoped to accomplish. Members of the public present continued to express concerns in regards to an “open check-book” and felt the Council was dodging a vote of the people. Mayor Rolane Christofferson stated that most communities fund their street maintenance by utilizing street maintenance districts, whereas mill levies are more commonly used for specific projects.

Marshal Pirtz stated that “we will do a better job of informing ourselves” but asked that the Council help the community be informed.

Pep Waples asked if a “cap” could be placed on the street maintenance district. Town Attorney Shawn Quinlan stated that the Council will need to provide public notice annually on the proposed Street Maintenance District assessments, allowing for public comment. Pep Waples further stated his concern in regards to throwing money away on patching potholes. He encouraged any Councilmember or Public Works employee to call him with any questions and that he is willing to help.

Town Attorney Shawn Quinlan is continuing to research Town Hall/Park Usage policies and will bring forward a draft once completed.

Clerk Lynn Schilling and Deputy Clerk Holly Eaton discussed some of the challenges recently experienced with a couple of rental properties in town. Town Attorney Shawn Quinlan will explore if a policy is needed to guide whether or not the Town allows tenants to be placed on a sewer account.

Two (2) building permits were reviewed, submitted by Theresa Mendenhall and Ron Vilhauer. Town Council had no identified concerns.

### **New Business**

Pastor Katie Emery and Kristy Shannon presented the Council with information in regards to a color run the Presbyterian Youth group is organizing. Mayor Rolane Christofferson thanked them for the information, and Council had no stated concerns.

Clerk Lynn Schilling provided a handout with a listing of current fees. Council will re-assess the fee schedule after they have begun the budget process.

The Town Council set a working budget meeting date to coincide with the update on the Wastewater Treatment project—that meeting will occur on May 25<sup>th</sup> at 6 p.m.

Clerk Lynn Schilling provided some information on the State Procurement Program. If the Town were to join, it would allow access to vendors and pricing contracted to the state. Town Attorney Shawn Quinlan will review the agreement prior to the next regular meeting.

Clerk Lynn Schilling reported delinquent sewer accounts for May: four (4) friendly letters, four (4) letter #2's and no (0) letter #3's were sent.

All other correspondence was reviewed.

Public Comment: None.

There being no further business, the meeting adjourned at 9:32 pm. (Rein/Richards)

ATTEST:

\_\_\_\_\_  
Lynn Schilling, Clerk

\_\_\_\_\_  
Rolane Christofferson, Mayor