

**BRIDGER TOWN COUNCIL AGENDA**  
**MEETING TIME IS TUESDAY OCTOBER 10, 2023 AT 7:00 PM,**  
**BRIDGER TOWN HALL, 108 S D STREET**

Tuesday October 10, 2023

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT:

APPROVAL OF MINUTES FROM PREVIOUS MEETING:

- 08-29-2023 Budget Hearing
- 09-05-2023 Regular Meeting
- 09-19-2023 Special Meeting

APPROVE CLAIMS:

APPROVE PAYROLL SUMMARY:

COMMITTEE REPORTS:

- Area Parks & Recreation District Report
- Planning Board
- Historic Preservation Commission Board
- Carbon County Conservation District
- Beartooth RC & D

SPECIAL EVENTS APPLICATION:

- Benefit for Diane Dalin
- Candy Cane Festival

CARBON COUNTY DES COORDINATOR:

- Re-Approve Application for the Sand Creek Canal Project

RESOLUTION #269: To Allow Easement Negotiation by Attorney, Mayor and Clerk

RESOLUTION #270: Water Rate Increases

RESOLUTION #271: Sewer Rate Increases

RESOLUTION #272: Garbage Rate Increases

2<sup>nd</sup> READING FOR ORDINANCE #2023-01: Utilities in the Right of Way

DISCUSS INVESTMENT OF TOWN MONEY:

DISCUSSION REGARDING A NEW TOWN HALL:

TOWN ATTORNEY: Ray Kuntz

TOWN JUDGE: Bert Kraft

LIBRARY DIRECTOR: Krystal Zentner

PUBLIC WORKS DIRECTOR: Randy Novakovich

POLICE REPORT: Mike Buechler

TOWN CLERK: Kirstin Sweet

MAYOR / TOWN COUNCIL:

- This is a time when the Mayor or the Council members can bring a concern before the council that is not otherwise listed on the agenda. No action can be taken at this time. If action is necessary, the item will be put on the next meeting agenda.

### **Conduct at Public Meetings**

The public is invited to speak on any item under discussion by the Council, after recognition by the presiding officer.

The speaker should stand, and for the record, give his/her name and address, and, if applicable, the person, firm or organization he/she represents. Comments should be limited to three (3) minutes unless approval by the presiding officer, and citizens requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.

Prepared statements are welcomed and should be given to the Clerk of the Council. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become part of the hearing record.

While the City Council is in session, those in attendance must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue be granted by the presiding officer or a majority vote of the Council.

The Bridger Town Council reserves the right to amend these rules of procedure as deemed necessary.

**BRIDGER TOWN COUNCIL MINUTES FOR A BUDGET HEARING  
HELD ON AUGUST 29, 2023**

The August 29, 2023 budget hearing of the Bridger Town Council was held at 108 South D Street in Bridger. The Pledge of Allegiance was recited, and the meeting was brought to order by Mayor Shultz at 7:00 pm. Council members present were Dustin Taylor, Shala Cullum, Mark DeRudder and Doug Asbury. Others present were: Scott Griswold, John Jordan, Cole Mettes, Sergeant Codi Peters, Steven Fendler, Dillon Thomas, Dustin Thomas, Library Director Krystal Zentner and Clerk Kirstin Sweet.

Clerk Sweet explained any significant changes made to the budget compared to previous years. Discussion was had regarding those changes.

There was no public comment from the gallery.

There being no further business Councilman DeRudder motioned to adjourn. The motion was seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye and Councilman DeRudder – aye. The meeting adjourned at 7:39 pm.

\_\_\_\_\_  
Clifford Shultz, Mayor

ATTEST:

\_\_\_\_\_  
Kirstin Sweet, Town Clerk

**BRIDGER TOWN COUNCIL MINUTES FOR A REGULAR MEETING  
HELD ON SEPTEMBER 5, 2023**

The September 5, 2023 meeting of the Bridger Town Council was held at 108 South D Street in Bridger. The Pledge of Allegiance was recited, and the meeting was called to order at 7:00 pm by Mayor Shultz. Other council members present were Dustin Taylor, Shala Cullum, Mark DeRudder and Doug Asbury. Others present were Dale Bemis, Eva Havens, Brenda Wham, Dylan Sedlacek, DES Coordinator Cyrina Allen, Judge Bert Kraft, Library Director Krystal Zentner, Public Works Director Randy Novakovich and Chief Mike Buechler.

The first item on the agenda was public comment. No public comment.

Next on the agenda was the approval of the minutes from the August 8, 2023 regular meeting. A motion to approve the minutes was made by Councilman DeRudder, seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

The next item of business was the approval of claims. The department heads answered questions regarding the claims. Councilwoman Cullum made a motion to approve the claims including check #34402 to #34437. Also, electronic checks #-98120 to #-98114. The motion was seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Next on the agenda was the Payroll Summary. Councilwoman Cullum motioned to approve the payroll summary including check #34319 to #34328 and #34379 to #34400. Also, electronic checks #-85570 to #-85514. Councilman DeRudder seconded the motion. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Next was Carbon County DES Coordinator Cyrina Allen. She presented a completed application regarding the Sand Creek Canal Project. A motion to approve the application was made by Councilman DeRudder, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Next on the agenda was Special Applications. The only application was from Guns vs Hose. It is for a softball game to be held at the Bridger Baseball Field. Mayor Shultz reviewed the application. A motion to approve the application was made by Councilman Taylor, seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Next on the agenda was approval of a shed to be placed on Town property to hold the Scouting for Veterans items that are displayed along the highway. Eva Havens spoke to the council about where the shed would be placed. Public Works Director Novakovich stated that he can find a place in Jim Bridger Park that will work for the shed. A motion to approve the shed being placed on Town property was made by Councilwoman Cullum, seconded by Councilman DeRudder. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Next was the public hearing for the fiscal year budget for 2023 -2024. Mayor Shultz asked for public comment on the budget. No comment was offered.

Resolution #263 to set the Tax Mill Levy for Fiscal Year 2023-2024. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilman DeRudder, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Resolution #264 to set the budget for fiscal year 2023-2024. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilwoman Cullum, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

The next agenda item was to approve a timeline for a utility rate increase. A motion to approve the timeline as presented was made by Councilwoman Cullum, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.



Resolution #265 for a water rate increase. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilman Asbury, seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Resolution #266 for a sewer rate increase. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilman Taylor, seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

Resolution #267 for a garbage rate increase. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilman DeRudder, seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

The first reading for Ordinance 2023-01 was next on the agenda. Mayor Shultz reviewed the ordinance. A motion to approve the ordinance was made by Councilwoman Cullum, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

The Library credit card limit was next on the agenda. Library Director Zentner asked to have an increased limit so that ordering from Amazon will be easier and she will not hit her limit so often. Clerk Sweet suggested a \$4,000 limit. A motion to approve the limit increase was made by Councilman DeRudder, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

The next item on the agenda was a discussion regarding a potential grant application for the newly annexed property's utility services. Clerk Sweet reported that she had a meeting with Great West Engineering. They said that there are not any grants available for extending utility services. The only suggestion that Great West Engineering offered was to create a Special Interest District to allow the upfront costs to be put on the taxes and paid annually with the property taxes.

The next item was a discussion regarding the need for a new town hall building. Clerk Sweet also spoke to Great West Engineering regarding potential grants for a new town hall. The grant writer suggested that the Town speak to the Senior Center about combining into one building. If that occurred, there would be grant money to help with the costs of the new combined building.

Attorney Kuntz gave the council an update on items he is working on.

Judge Kraft presented the stats for the month of July.

Library Director Zentner had nothing to report.

Public Works Director Novakovich updated the council on projects the public works crew is working on.

Chief Buechler presented his stats for the month of August.

Clerk Sweet had nothing to report.

Mayor and Town Council: Free Food Delivery will be September 28, 2023 in Bridger.

There being no further business, Councilman Taylor motioned to adjourn. The motion was seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye. The meeting adjourned at 8:05 pm.

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Clifford Shultz, Mayor

ATTEST:

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**BRIDGER TOWN COUNCIL MINUTES FOR A SPECIAL MEETING  
HELD ON SEPTEMBER 19, 2023**

The September 19, 2023 special meeting of the Bridger Town Council was held at 108 South D Street in Bridger. The Pledge of Allegiance was recited, and the meeting was brought to order by Mayor Shultz at 7:00 pm. Council members present were Dustin Taylor, Shala Cullum, Mark DeRudder and Doug Asbury. Others present were: Clerk Kirstin Sweet.

The only agenda item was Resolution #268 to cancel the 2023 general election. Mayor Shultz reviewed the resolution. A motion to approve the resolution was made by Councilman Asbury, seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder – aye and Councilman Asbury – aye.

There being no further business Councilman DeRudder motioned to adjourn. The motion was seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye and Councilman Asbury – aye. Meeting adjourned at 7:03pm.

\_\_\_\_\_  
Clifford Shultz, Mayor

ATTEST:

\_\_\_\_\_  
Kirstin Sweet, Town Clerk

Total for Payroll Checks

	Employee	Employer	Amount
COMA HOURS (Comp Time Accumulated)	39.00		
COMP HOURS (Comp Time Used)	40.75		814.02
HOL HOURS (Holiday Pay)	73.82		1,411.00
REG HOURS (Regular Time)	1,230.75		25,661.79
SICK HOURS (Sick Time)	37.00		718.94
VACA HOURS (Vacation Time Used)	222.66		4,392.14
VOLN HOURS (Volunteer Fireman)	48.00		7,200.00
GROSS PAY	32,997.89	0.00	
NET PAY	25,425.71	0.00	
NET PAY (CHECKS)	3,168.49		
NET PAY (DIRECT DEPOSIT)	22,257.22		
DENTAL	0.00	389.00	
FIT	1,110.96	0.00	
GROUP HEALTH	445.00	8,912.00	
LIFE INSURANCE	0.00	19.60	
MEDICARE	478.49	478.49	
P.E.R.S.	2,380.86	2,733.46	
SIT	1,111.00	0.00	
SOCIAL SECURITY	2,045.87	2,045.87	
UNEMPL. INSUR.	0.00	108.71	
VISION HEALTH	0.00	81.50	
WORKERS' COMP	0.00	1,262.77	
ALTANA FED CRED	1,986.28	0.00	
BANK OF BRIDGER	8,454.82	0.00	
FIRST INTERSTAT	265.83	0.00	
STOCKMAN BANK	2,083.39	0.00	
US BANK-MT	2,051.00	0.00	
WELLS FARGO BAN	4,433.18	0.00	
WESTERN SECURIT	2,982.72	0.00	
FIT/SIT BASE	30,617.03	0.00	
MEDICARE BASE	32,997.89	0.00	
PERS BASE	30,137.28	0.00	
SOC SEC BASE	32,997.89	0.00	
UN BASE	31,072.89	0.00	
WC BASE	40,197.89	0.00	

Total 16,031.40  
 Total Payroll Expense (Gross Pay + Employer Contributions): 49,029.29  
 \*\*\* PAYROLL REGISTER + VOLUNTEER PAYROLL REGISTER = PAYROLL SUMMARY \*\*\*  
 Total Discounts: 0.10  
 Total Payroll Expense (Less Discounts): 49,029.19

Check Summary

Payroll Checks Prev. Out.	\$4,018.38
Payroll Checks Issued	\$17,119.38
Payroll Checks Redeemed	\$6,504.25
Payroll Checks Outstanding	\$14,633.51

Electronic Checks \$35,121.51

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account	
Social Security	4091.74	4091.74		212000	
Medicare	956.98	956.98		212001	
P.E.R.S.	5114.32	5114.32		212203	
Unempl. Insur.	108.71	370.46	479.29	-0.12	212202
Workers' Comp	1262.77	2841.12	4103.79	0.10	212201
FIT	1110.96	1110.96		212002	
SIT	1111.00	1111.00		212200	
DENTAL	389.00	389.00		212502	
LIFE INSURANCE	19.60	19.60		212502	
VISION HEALTH	81.50	81.50		212502	
GROUP HEALTH	9357.00	9357.00		212502	
<b>Total Ded.</b>	<b>23603.58</b>	<b>3211.58</b>	<b>26815.18</b>	<b>-0.02</b>	

\*\*\*\* Carried Forward column only correct if report run for current period.

Checks: 34438 to 34444

Electronic Checks: -85513 to -85476

**TOWN OF BRIDGER  
SPECIAL EVENTS APPLICATION**

Name/ Purpose of Special Event: Cortney Kallevig/Benefit for Diane Dalin  
Area Proposed for Special Event: Bridger Civic Center / Entire building  
Date and Time of Special Event: November 11th, 2023  
Number of People Anticipated to Attend: 500

Please check the requirements applicable to your special event:

**Street/Alley Closure Requested.** (If a street closure is requested, the applicant must provide evidence that the applicant has notified each property owner or its authorized representative abutting the proposed use area of the special event)

**Security Needed.** (In the event that alcohol is present, the event holders must arrange and pay for security. Contact the Bridger Police Chief for details).

**Alcohol will be sold during special event. Please specify the location and size of the area where alcohol will be sold/consumed with a map per #6 on page 1.**

**Waiver of Open Alcohol Prohibition Requested.**

**Proof of Insurance Provided.** (In the event that alcohol, fireworks or rodeo are involved in the special event, the event holders must provide proof of liability insurance as required in Bridger's special events policy). **Proof of Liability Insurance must be presented to the Bridger Town Clerk at least two weeks prior to the scheduled event. Failure to present proof of liability insurance is grounds for revocation of the special events permit.**

**Refundable Clean-up Deposit Paid in the Amount of** \$150.

**Indemnification and Waiver of Subrogation.** Applicant hereby agrees to indemnify and defend the Town of Bridger against all claims arising from, or related to, the Special event. Applicant hereby agrees that applicant's insurance is primary and waives all rights of subrogation against the Town of Bridger.

**Deadline for Filing.** The deadline for filing a completed application shall allow for at least two council meetings to take place prior to the scheduled special event. The council meets on the first Tuesday of each month.

9-25-23  
Date

  
Signature of Applicant

Address: 15 Laptop Loop  
Roberts, MT 59070

Phone #: 406-425-0282

**TOWN OF BRIDGER  
SPECIAL EVENTS APPLICATION**

Name/ Purpose of Special Event: Bridger Candy Cane Festival

Area Proposed for Special Event: Main st from Carbon to West Park

Date and Time of Special Event: December 16th 10am - 11pm

Number of People Anticipated to Attend: 400

Please check the requirements applicable to your special event:

**Street/Alley Closure Requested.** (If a street closure is requested, the applicant must provide evidence that the applicant has notified each property owner or its authorized representative abutting the proposed use area of the special event)

**Security Needed.** (In the event that alcohol is present, the event holders must arrange and pay for security. Contact the Bridger Police Chief for details).

**Alcohol will be sold during special event. Please specify the location and size of the area where alcohol will be sold/consumed with a map per #6 on page 1.**

**Waiver of Open Alcohol Prohibition Requested.**

**Proof of Insurance Provided.** (In the event that alcohol, fireworks or rodeo are involved in the special event, the event holders must provide proof of liability insurance as required in Bridger's special events policy). **Proof of Liability Insurance must be presented to the Bridger Town Clerk at least two weeks prior to the scheduled event. Failure to present proof of liability insurance is grounds for revocation of the special events permit.**

**Refundable Clean-up Deposit Paid in the Amount of \_\_\_\_\_.**

**Indemnification and Waiver of Subrogation.** Applicant hereby agrees to indemnify and defend the Town of Bridger against all claims arising from, or related to, the Special event. Applicant hereby agrees that applicant's insurance is primary and waives all rights of subrogation against the Town of Bridger.

**Deadline for Filing.** The deadline for filing a completed application shall allow for at least two council meetings to take place prior to the scheduled special event. The council meets on the first Tuesday of each month.

9-27-2023

Date

*[Signature]*  
Signature of Applicant

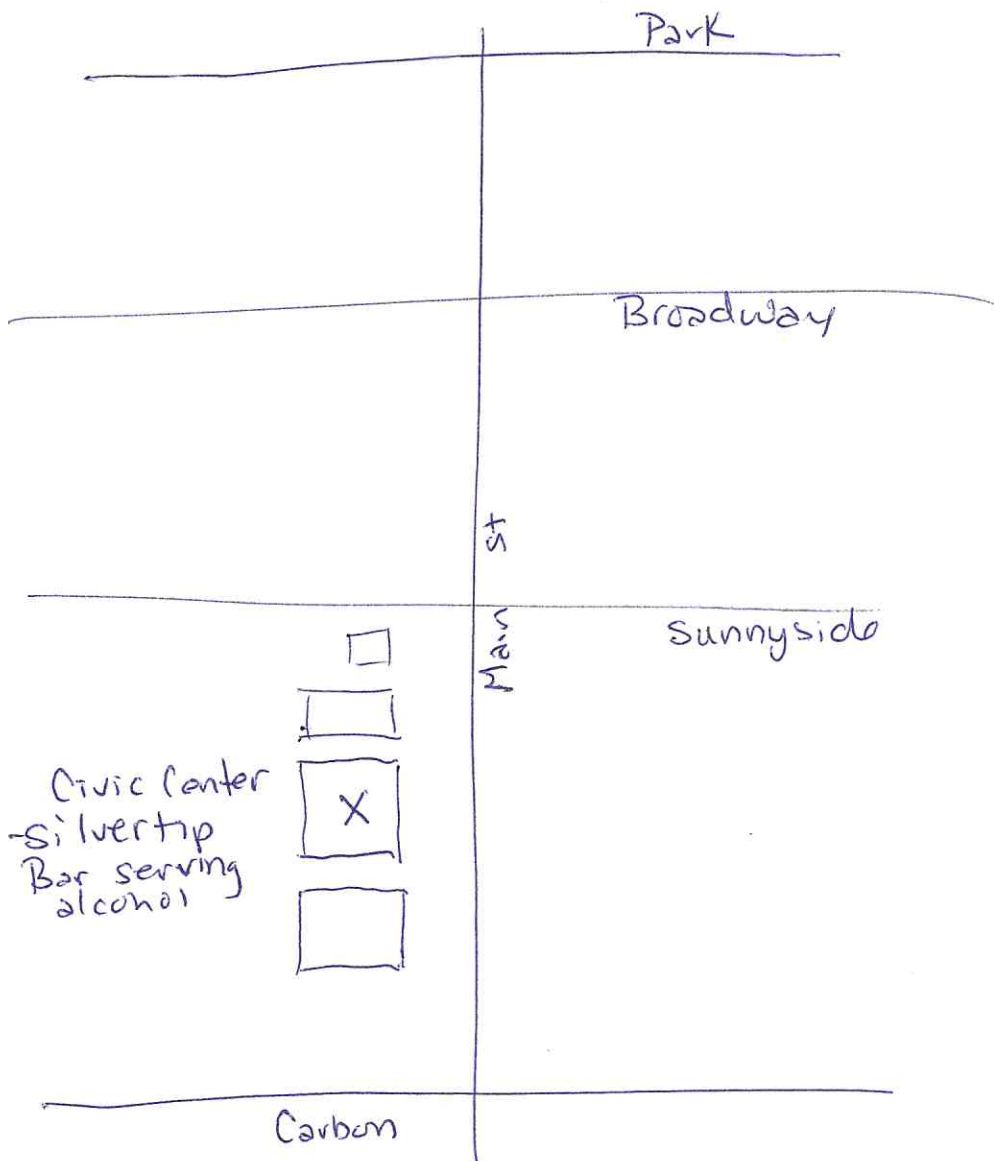
Address: 214 S. Main St

Bridger MT 59014

Phone #: 406 850 1934

# Map of Waiver of Alcohol Area

Waiver of open Alcohol requested on Main street Between Carbon and West Park, Not including Alleys







PROPOSAL FOR:

*The Candy Cane Festival*

SATURDAY

DECEMBER 16TH

THE CANDY CANE FESTIVAL ON BEHALF OF THE BEARTOOTH FUND, INC. WOULD LIKE TO FORMALLY REQUEST THE APPROVAL OF A WAIVER OF OPEN ALCOHOL PROHIBITION. AS A PROVISION OF THE REQUEST, WE PROPOSE THE USAGE OF "EVENT CUPS". THE EVENT CUPS WILL PROVIDE AN ADVERTISING OPPORTUNITY FOR SPONSORS AND A KEEPSAKE FOR PATRONS. IN ADDITION, THE USE OF NON BREAKABLE MATERIAL WILL ELIMINATE THE THE POSSIBILITY OF GLASS ON MAIN STREET FROM BROKEN BOTTLES, ETC.

THIS ALLOWANCE WILL ALSO LESSEN THE POTENTIAL FREEZING HAZARD FOR PEOPLE WALKING UP AND DOWN MAIN STREET BY ALLOWING THEM TO CARRY A HOT DRINK!

*Thank you  
for your  
consideration*






# *The Candy Cane Festival*

16 DECEMBER, 2023 |

**ON BEHALF OF THE CANDY CANE FESTIVAL, WE WOULD FORMALLY LIKE TO REQUEST APPROVAL FOR THE USE OF INFLATABLES AT THE KIDS CARNIVAL**

**We have secured an inflatable obstacle course and a basketball carnival game to rent for the event. All precautions will be taken including adult supervision, adequate space, event insurance and rental insurance naming the Town of Bridger as a payee. With limited space and given the outdoor temperatures, there are not a lot of option for entertainment for the kids. We feel that this obstacle course will provide safe entertaining fun for kids of all ages. And yet again, the Candy Cane Festival will be providing all of these events free of charge for a period to all attending kids.**



*Thank  
You*







Call Now 406-655-4419



**75ft Obstacle**  
 Dimension: 75' length x 10' width x 16' height  
 Ages: 4 - Adult



**16ft Tall Slide**  
 Dimension: 35' length x 10' width x 16' height  
 Ages: 4 - Adult



**40ft Obstacle**  
 Dimension: 40' length x 10' width x 13' height  
 Ages: 4 - Adult



**35ft Obstacle**  
 Dimension: 35' length x 10' width x 9' height  
 Ages: 4 - Adult



**Gladiator Jousting**  
 Dimension: 22' length x 17' width x 4' height  
 Ages: 12 - Adult



**Basketball Challenge**  
 Dimension: 10' length x 13' width x 12' height  
 Ages: 4 - Adult



Imprinted The Commuter 16 oz. Auto Mug  
 SKU: 286-AM16

Need It Faster? Call us at 1-866-858-1880  
 Need More? est. 115 for special pricing beyond the quantities shown.

Quantity	5 Day	No Imprint (5 Day)
2500	1000	2500
Normal Production Price	\$3.66	\$3.66
5 Day Discount Price	\$3.16	\$2.72

Color: \* Lid Colors: \* Imprint Color 1: \* Imprint Color 2: \*  
 Please select Please select none none  
 500 x \$3.08 ea.  
 Quantity: \* 500 Subtotal: \$1,540.00  
 5 Day min qty: 200 Setup Charge: \$50.00  
**Total: \$1,590.00**

**Add To Cart / Upload Artwork**

With 16-ounce capacity, you'll be wired for the workday! When you're commuting to work or to school, you need a trusty, go-to mug. Why not one named just for you - "The Commuter"? Features a thumb-slide lid to prevent spillage and 4-finger comfort handle. Add these to your sales for your cafe, university store, corner market, and more! Eco-colors are molded from recycled materials. BPA-free and FDA compliant. Features classic handle and thumb slide lid. A one-color, one-location imprint is included in the price. Multicolor imprinting is available for an added cost. Please call for further information.

- Colors: Dark green, Metallic black, Metallic navy blue, Metallic silver, Translucent red, White, Yellow
- Size: 7 1/2" H x 3 3/4" Dia
- Imprint Area: 2 1/2" W x 3" H
- Per Imprint Color Set Up Fee: \$50.00
- Additional Per Color Fee: \$0.40 (Product price includes first imprint color)

Need a sample? Click here to request one.



**16 oz Custom Blue Monday Travel Tumbler**

SKU: 340-MG708



Quantity	1 Day Production	5 Day Production	No Imprint (2 Day)
50	\$6.49	\$6.44	\$6.47
100	\$5.21	\$5.19	\$5.24
250		\$3.14	
500			\$3.05
1000			\$3.05

**Normal Production Price**  
**5 Day Discount Price**

Need It Faster? Call us at 1-866-658-1880  
 Need More? est. 115 for special pricing beyond the quantities shown.

**Color:** \* Imprint Color 1: \*  
 Please select none

Quantity: \* 50  
 5 Day min qty: 50  
 Subtotal: \$162.00  
 Setup Charge: \$50.00  
**Total: \$212.00**

**Add To Cart / Upload Artwork**

Custom Blue Monday travel tumblers will surely help to fill those Monday blues. The interior is double wall insulated to keep your beverage at your desired temperature. Features a non-skid bottom and a leak-resistant thumb side plastic lid. Plus, this promotional travel tumbler fits most automobile cup holders. Made with a stainless steel exterior and BPA-free polypropylene plastic interior. Not microwave or dishwasher safe.

A one-color imprint on one side is included in the price. Full color and second side imprints are available for an added cost. Please call for additional details.

- Colors: Black, Burgundy, Lime green, Orange, Process blue, Purple, Red, Reflex blue
- Size: 3 1/4" D x 7 1/16" H
- Imprint Area: 2" W x 1 1/2" H
- Per Imprint Color Set Up Fee: \$50.00

## Option 3 New Irrigation Lateral

<u>Labor</u>	<u>Rate</u>	<u>Quantity</u>	<u>Total</u>
Superintendent	\$82.00	8	\$656
Operator	\$65.00	24	\$1,560
Laborer	\$55.00	24	\$1,320
			<b>\$3,536</b>
<b>Equipment</b>			
Excavator	\$125	24	\$3,000
Mobilize Excavator			\$3,000-5,000
			<b>\$6,000-11,000</b>
<b>Materials</b>			
24" ADS Pipe	\$42/ft	750 ft	\$31,500
Headgate			\$1,800.00
Additional Connections/Valves			\$3,000.00
			<b>\$33,300</b>
Survey/Engineering/Staking			\$5,000
Culvert Cleanout and Repair			\$4,000
Seeding/Reclamation			\$2,000
			<b>\$58,836</b>

Assumptions  
 1. Assumes 3 workers to install and bury pipe for first 750 feet

Place County Letterhead Here

October 10, 2023

Sara Hartley, State Mitigation Officer  
Montana Disaster and Emergency Services (DES)  
P.O. Box 4789  
Fort Harrison, MT 59636-4789

RE: Town of Bridger - Hazard Mitigation Grant Program (HMGP) Funding Commitment  
Letter

Ms. Hartley:

This letter is to confirm that the Town of Bridger, in accepting the HMGP grant, is fully aware that project funding will be conducted as follows:

- |                                    |           |
|------------------------------------|-----------|
| • HMGP Federal Share Funding (75%) | \$ 44,127 |
| • Town of Bridger Match (25%)      | \$ 14,709 |
| • Total Project Cost               | \$ 58,836 |

It is understood the total project cost projection is based upon Federal funding estimates and may be still be subject to change. It is also understood that the Town of Bridger is prepared to satisfy their joint match by either cash or well-documented, fully eligible “in kind” contributions. The value of these local contributions may exceed the minimum (25%) match amount requirement but may not be less than 25% of total costs at any time during the grant performance period. We understand that we may be reimbursed only up to 75% of total costs incurred.

The Town of Bridger will collect, retain and provide, as requested, detailed documentation to verify cash, “in kind” and/or other applicable match expenditures associated with this project.

Sincerely,

Name: Clifford Shultz  
Title: Mayor, Town of Bridger

## Cyrina Allen

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**From:** Conver, Jake <Jake.Conver@tetrattech.com>  
**Sent:** Wednesday, September 13, 2023 3:37 PM  
**To:** Cyrina Allen  
**Subject:** RE: Sand Creek Canal

Hi Cyrina,

Below is a more detailed and up to date narrative on this option, please let me know if this wasn't what you were looking for.

A new drainage lateral could be constructed for floodwater relief at a location on the south end of town, south of Jim Bridger Road. There is currently a head gate located just before Fairlane Road that controls an open ditch that connects to an existing 24-inch culvert that goes under the Highway 310, as well as another lateral ditch that supplies irrigation water just north of the Jim Bridger Road. The pipe daylights into the highway drainage ditch east of Highway 310. A buried pipe could be connected to the end of the existing pipe and placed directly east 750 feet along Jim Bridger Road and flow into the existing drainage ditch and irrigation structure south of Jim Bridger Road near the intersection with Sugar Avenue. Additionally, the Extended the pipe would eliminate the possibility of flooding residential properties along the 750 feet stretch of the road The outlet would drain into the existing road drainage ditch and would run east along Jim Bridger Road and then flow north into an existing irrigation drain ditch that flows north to the Clarks Fork River. Below are a list of steps that would be required to install the new lateral option.

1. Install a new 24-inch head gate on Sand Creek Canal just prior to Fairlane Road,
2. Install approximately 60 feet of 24-inch pipe to connect the new headgate to the existing pipe near the highway right-of-way,
3. Relocate the existing headgate immediately north of the new 24-inch head gate. Dig a new lateral ditch adjacent to the new 60 feet of 24-inch pipe to connect to the existing lateral that ditch that supplies irrigation water just north of the Jim Bridger Road
4. Clean and repair the existing 24-inch pipe underneath Highway 310. The pipe is exposed and damaged just west of the highway and shows signs of heavy sediment buildup in the pipe. The damaged section will need to be replaced or spliced. Cleaning will require hydro jetting.
5. Install approximately 750 of buried 24-inch pipe just south of Jim Bridger Road in the right-of-way. The pipe would terminate in the ditch with a valve at the end to control flow. Additionally, a 12-inch tee with a control valve would connect to the adjacent irrigation structure approximately 10 feet to the south.

Engineering would be 3-5k, depending on the plan set and details you wanted, but I assume you want details on the concrete headgate. I have a call into Big Sky Irrigation for and updated pricing on 24" pipe.

Thanks,

**Jake Conver, PE** | Senior Engineer/Project Manager  
Mobile +1 (406) 671-7995  
[jake.conver@tetrattech.com](mailto:jake.conver@tetrattech.com)

**Tetra Tech, Inc** | *Leading with Science*® | ECA  
7100 Commercial Ave., Suite 4, Billings, MT, 59101 | [tetrattech.com](http://tetrattech.com)

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## Cyrina Allen

---

**From:** Conver, Jake <Jake.Conver@tetrattech.com>  
**Sent:** Wednesday, September 27, 2023 12:51 PM  
**To:** Cyrina Allen  
**Subject:** RE: Sand Creek Canal

Cyrina,

I would add in the following costs:

- Survey/Engineering/Staking \$5k
- Culvert Cleanout and Repair \$4k
- Additional Connections/Valves \$3k ( this is to connect to the irrigation box)
- Seeding/Reclamation \$2k (optional)

Thanks,

Jake

---

**From:** Cyrina Allen <cyrinaa@co.carbon.mt.us>  
**Sent:** Wednesday, September 27, 2023 12:45 PM  
**To:** Conver, Jake <Jake.Conver@tetrattech.com>  
**Subject:** RE: Sand Creek Canal

**⚠ CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hey Jake,

The pipe is actually cheaper than what was proposed originally, so that is helpful. With the decrease in the pipe costs, adding in the \$1800 head gate cost doesn't really increase the amount needed for the project that I am seeing. But, we do need to add in your costs yet, correct? This is what I have, please tell me what I am missing:

### Option 3 New Irrigation Lateral

<b>Labor</b>	<b>Rate</b>	<b>Quantity</b>	<b>Total</b>
Superintendent	\$82.00	8	\$656
Operator	\$65.00	24	\$1,560
Laborer	\$55.00	24	\$1,320
			<b>\$3,536</b>
<b>Equipment</b>			
Excavator	\$125	24	\$3,000
Mobilize Excavator			\$3,000-5,000
			<b>\$6,000-11,000</b>
<b>Materials</b>			
24" ADS Pipe	\$42/ft	750 ft	\$31,500
Head gate			\$1,800.00



\$33,300

Estimated engineering costs????

???

Total  
Project  
Estimate

Thank you,

**Cyrina Allen**

Carbon County Emergency Manager/Carbon County Public Health Officer  
Carbon County Disaster and Emergency Services  
10 Oakes Ave S, Ste. E/Box 887  
Red Lodge, MT 59068  
406-446-1038 (Office)  
406-426-8746 (Mobile)  
406-446-2640 (Fax)  
[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)  
<https://carbonalert.org/>

*Note: My regular office hours are Tuesday-Friday 7am-5pm. With the nature of my position and the duties assigned, these hours can vary and I may be out in the field often. Please do not hesitate to email me and I will reply as soon as I can. If you need immediate assistance, please call and/or text my cell at 406-426-8746. Thank you.*

---

**From:** Conver, Jake <[Jake.Conver@tetrattech.com](mailto:Jake.Conver@tetrattech.com)>  
**Sent:** Tuesday, September 19, 2023 1:15 PM  
**To:** Cyrina Allen <[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)>  
**Subject:** RE: Sand Creek Canal

24" ADS N-12 is \$42 a foot. This will handle any pressure the gravity ditch would have. Northwest pipe said they could get it delivered 2-3 weeks from time of order.

---

**From:** Cyrina Allen <[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)>  
**Sent:** Tuesday, September 19, 2023 10:16 AM  
**To:** Conver, Jake <[Jake.Conver@tetrattech.com](mailto:Jake.Conver@tetrattech.com)>  
**Subject:** RE: Sand Creek Canal

**⚠ CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Awesome, thank you Jake!

Thank you,

**Cyrina Allen**

Carbon County Emergency Manager/Carbon County Public Health Officer

Carbon County Disaster and Emergency Services  
10 Oakes Ave S, Ste. E/Box 887  
Red Lodge, MT 59068  
406-446-1038 (Office)  
406-426-8746 (Mobile)  
406-446-2640 (Fax)  
[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)  
<https://carbonalert.org/>

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---

**From:** Conver, Jake <[Jake.Conver@tetrattech.com](mailto:Jake.Conver@tetrattech.com)>  
**Sent:** Monday, September 18, 2023 8:20 AM  
**To:** Cyrina Allen <[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)>  
**Subject:** RE: Sand Creek Canal

Cyrina,

I got a voicemail from Big Sky Irrigation that 24" pressure pipe is \$62 a foot, and the head gate would be about \$1800. I think we should be able to use ADS pipe, and it should be much less. I will check on that and run a few calcs. ADS is low pressure pipe.

Thanks,

Jake

---

**From:** Cyrina Allen <[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)>  
**Sent:** Wednesday, September 6, 2023 3:56 PM  
**To:** Conver, Jake <[Jake.Conver@tetrattech.com](mailto:Jake.Conver@tetrattech.com)>  
**Subject:** Sand Creek Canal

**⚠ CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hey Jake,

Any chance you would be able to do a site visit of Sand Creek Canal one more time? There are a few ditch connection questions that came up at the council meeting last night by the local property owner. I could get him, public works, the ditchrider, fiber utility, and the Carbon County Road Foreman there to discuss it all one more time....hopefully 😊

Thank you,

**Cyrina Allen**

Carbon County Emergency Manager/Carbon County Public Health Officer  
Carbon County Disaster and Emergency Services  
10 Oakes Ave S, Ste. E/Box 887  
Red Lodge, MT 59068  
406-446-1038 (Office)  
406-426-8746 (Mobile)  
406-446-2640 (Fax)  
[cyrinaa@co.carbon.mt.us](mailto:cyrinaa@co.carbon.mt.us)  
<https://carbonalert.org/>

*Note: My regular office hours are Tuesday-Friday 7am-5pm. With the nature of my position and the duties assigned, these hours can vary and I may be out in the field often. Please do not hesitate to email me and I will reply as soon as I can. If you need immediate assistance, please call and/or text my cell at 406-426-8746. Thank you.*

## Cyrina Allen

---

**From:** Murdo, Damon <dmurdo@mt.gov>  
**Sent:** Wednesday, October 4, 2023 1:21 PM  
**To:** Cyrina Allen  
**Subject:** RE: SHPO for Sand Creek Canal grant  
**Attachments:** Reports.pdf; Sites.pdf; 2023100403.pdf

October 4, 2023

Cyrina Allen  
Carbon County-DES  
PO Box 887  
10 Oakes Ave S  
Red Lodge MT 59068



RE: TOWN OF BRIDGER SAND CREEK CANAL FLOOD EVALUATION, CARBON COUNTY DES. SHPO Project #: 2023100403

Dear Cyrina:

I have conducted a cultural resource file search for the above-cited project located in Section 28, T6S R23E. According to our records there have been a few previously recorded sites within the designated search locales. Site 24CB1150 is the historic Sand Creek Canal. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. I've attached a list of these sites and reports. If you would like any further information regarding these sites or reports, you may contact me at the number listed below.

It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. Any alteration to site 24CB1150, the Sand Creek Canal, may be considered an impact to a known historic resource. If any structures are within the Area of Potential Effect, and are over fifty years old, we would recommend that they be recorded, and a determination of their eligibility be made prior to any disturbance taking place.

As long as there will be no disturbance or alteration to structures over fifty years of age, we feel that there is a low likelihood cultural properties will be impacted. The installation of the pipeline within the existing disturbed right of way should have no impact to cultural resources. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should structures need to be altered or if cultural materials are inadvertently discovered during this project, we would ask that our office be contacted, and the site investigated.

If you have any further questions or comments, you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov). I have attached an invoice for the file search. Thank you for consulting with us.

Sincerely,

Damon Murdo  
Cultural Records Manager  
State Historic Preservation Office

File: LOCAL/OTHER/2023



# STATE HISTORIC PRESERVATION OFFICE Montana Cultural Resource Database

## CRABS Township, Range, Section Results

Report Date: 10/4/2023

Township: 6 S Range: 23 E Section: 28

### ROSSILLON MITZI

2/1/1989 CULTURAL RESOURCES INVENTORY OF THE BELFRY - NORTH HIGHWAY IMPROVEMENT PROJECT

CRABS Document Number: CB 4 1593 Agency Document Number: F72-1(1)10

Township: 6 S Range: 23 E Section: 28

### FANDRICH BLAIN W. AND JAMES STRAIT

12/1/2001 BRIDGER SOUTH: A CULTURAL RESOURCES INVENTORY ALONG 13.1 MILES OF US HIGHWAY 310 IN CARBON COUNTY MONTANA

CRABS Document Number: CB 4 24431 Agency Document Number: NH4-1(16)13F

Township: 6 S Range: 23 E Section: 28

### FANDRICH BLAIN

6/1/2012 ELK BASIN RED LINE: A CLASS III CULTURAL RESOURCE INVENTORY FOR AN EXISTING OIL PIPELINE REPLACEMENT IN CARBON COUNTY, MONTANA

CRABS Document Number: CB 6 33652 Agency Document Number:



# STATE HISTORIC PRESERVATION OFFICE Cultural Resource Information Systems

## CRIS Township, Range, Section Report

Report Date:10/4/2023

Site #	Twp	Rng	Sec	Qs	Site Type 1	Site Type 2	Time Period	Owner	NR Status
24CB1088	6S	23E	28	SW	Historic Railroad		Historic More Than One Decade	Private	Ineligible
24CB1150	6S	23E	28	Comb	Historic Irrigation System		Historic More Than One Decade	Private	Unresolved
24CB1151	6S	23E	28	SW	Historic Residence		Historic More Than One Decade	Private	Undetermined*
24CB1644	6S	23E	28	SW	Historic Irrigation System		Historic Period	No Data	Unresolved
24CB1681	6S	23E	28	Comb	Historic Homestead/Farmstead		Historic Period	Private	Undetermined*
24CB1682	6S	23E	28	SW	Historic Homestead/Farmstead		Historic More Than One Decade	Private	Ineligible



**MONTANA**  
HISTORICAL SOCIETY

State Historic  
Preservation Office

## FILE SEARCH REQUEST INVOICE

DATE: 4-Oct-23

SHPO Invoice #: 2023100403

**Bill To:** Carbon County-DES  
**Contact Name:** Cyrina Allen  
**Organization:** PO Box 887  
**Address:** 10 Oakes Ave S  
**City/State/Zip:** Red Lodge MT 59068

### File Search Fee Structure

\$35 / Section Searched

**For questions contact:**

**Damon Murdo**

[dmurdo@mt.gov](mailto:dmurdo@mt.gov)

406-444-7767

**Total Cost:**

**\$35.00**

Project Name: DRUMMOND WASTEWATER TREATMENT  
FACILITY UPGRADE PROJECT

**Total sections searched for SHPO Project #: 2023100403**

**1**

**Please make all checks payable to:**

Montana Historical Society  
PO Box 201201  
Helena, MT 59620

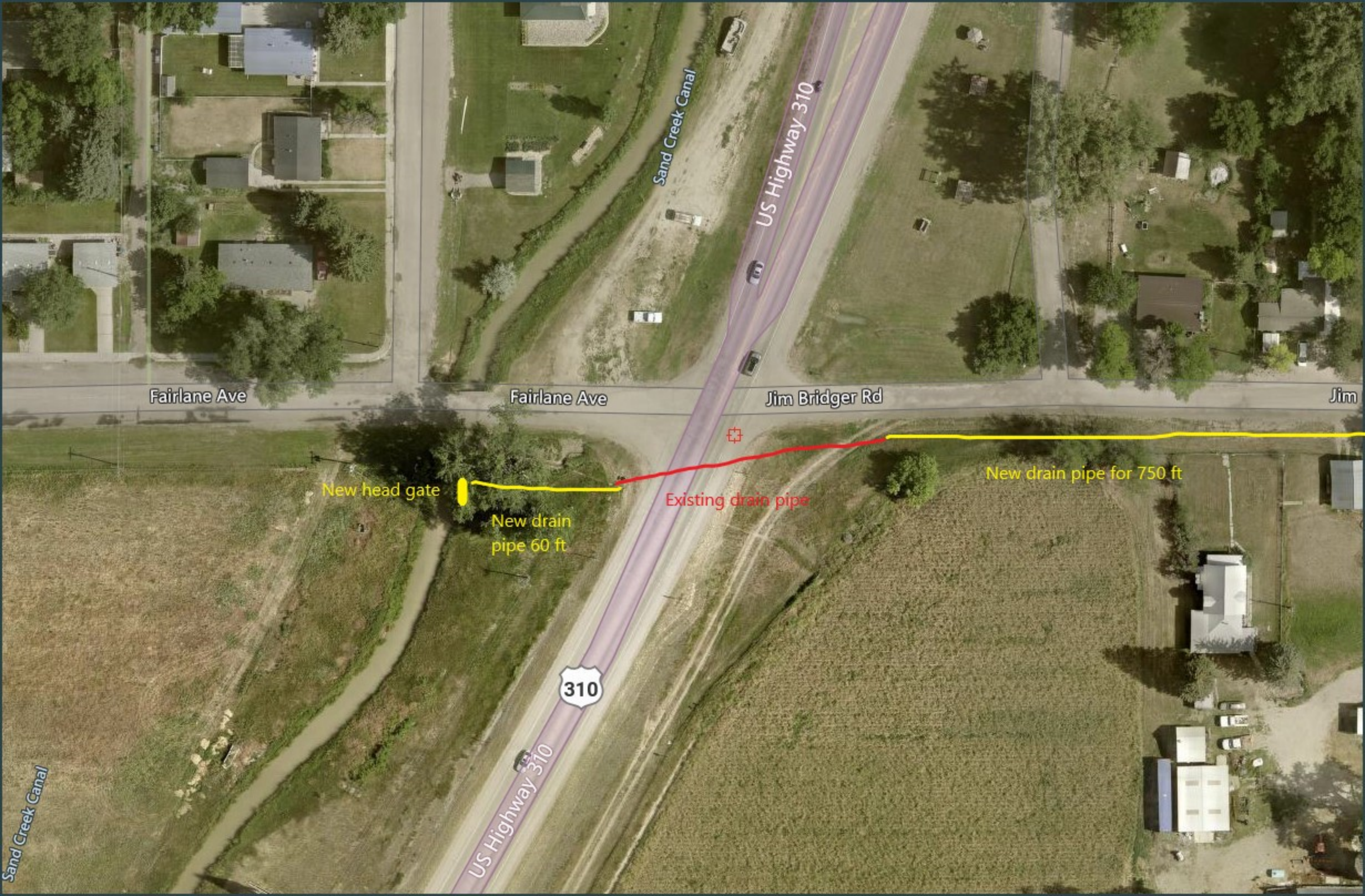
**\*\* PAY ONLINE HERE \*\***

<https://svc.mt.gov/doa/opp/HISSHPO/cart>

**Due upon receipt. Please pay within 30 days.**

MTHS Accounting	604	604.1
Use Only	29.75	5.25





Fairlane Ave

Fairlane Ave

Jim Bridger Rd

Jim

Sand Creek Canal

US Highway 310

US Highway 310

310

New head gate

New drain pipe 60 ft

Existing drain pipe

New drain pipe for 750 ft

Sand Creek Canal





Lateral drain will follow Jim Bridger Road approximately 750 to the east, spilling out into the county right of way ditch and away from homes and critical infrastructure.



**RESOLUTION NO. 269**

**A RESOLUTION TO ALLOW THE MAYOR, TOWN ATTORNEY AND TOWN CLERK TO NEGOTIATE EASEMENTS ON BEHALF OF THE TOWN OF BRIDGER**

**WHEREAS**, the need for utility easements to a property located at 310 S Sugar Street has been identified;

**WHEREAS**, these utilities need to be run across property that is not a platted right of way for the Town. Copies of the relevant land records are attached to this resolution as exhibit 1, 2, 3 & 4;

**WHEREAS**, negotiations with the utility companies will need to be made in a timely manner and may not be easily scheduled in conjunction with Town Council meetings.

**NOW THEREFORE BE IT RESOLVED**, the Bridger Town Council by 2/3 vote hereby authorizes the Mayor, the Town Attorney and the Town Clerk to negotiate all utility easements pertaining to the property located at 310 S Sugar Street within the Town of Bridger.

**DULY** passed and adopted at a regular meeting of the Bridger Town Council this 10<sup>th</sup> day of October 2023. This Resolution shall become effective immediately upon passage.

\_\_\_\_\_  
Clifford Shultz, Mayor

**ATTEST:**

\_\_\_\_\_  
Kirstin Sweet, Town Clerk / Treasurer

1528-2<sup>ND</sup> AM

# PLAT NO. 1528 2nd Amended

**SURVEY TO SUBDIVIDE TRACT 7 OF BLOCK 1 OF CERTIFICATE OF SURVEY NO. 1528 AMENDED LYING IN THE TOWN OF BRIDGER AND LOCATED IN THE SE1/4 OF SECTION 21, T.6S., R.23E., P.M.M., CARBON COUNTY, MONTANA**

SURVEYED BY: RED LODGE SURVEYING --- DURING: AUGUST OF 1993  
LANDOWNER: BRIDGER DEVELOPMENT CORPORATION

**LEGAL DESCRIPTION:**

**PERIMETER BOUNDARY DESCRIPTION:**

Lot 7 of Block 1 of Certificate of Survey No. 1528 Amended, lying in the Town of Bridger and located in the SE1/4 of Section 21, T.6S., R.23E., P.M.M., Carbon County, Montana. Containing 6.09 acres, being subject to easements and rights-of-way as shown or of record..

**LANDOWNERS' CERTIFICATION:**

I, the undersigned landowners representative, do hereby certify that the Bridger Development Corporation has caused to be surveyed, subdivided and platted into lots the property as shown and described on the plat hereto annexed and that this subdivision complies with all conditions of the Montana Subdivision and Platting Act. I further certify that lots 7-A, 7-D, 7-G, 7-H and 7-I are exempt from review by the Department of Health and Environmental Sciences pursuant to ARM 16.16.605(2)(e) which exempts "Parcels where sanitation facilities will not be used, in which no structure requiring water or sewage disposal will be erected. Any change in land use subjects the division to the provisions of Title 76, chapter 4, part 1, MCA, and this chapter."

*Bruce E. Bunten*  
Bruce E. Bunten - President  
Bridger Development Corporation

**NOTARY:**

Subscribed and sworn to before me this 1<sup>st</sup> day of November 1994.

*Neena Gray*  
My Commission Expires Oct. 5, 1997  
Notary Public for the State of Montana

**CLERK AND RECORDER:**

Filed on the 2<sup>nd</sup> day of November 1994 at 1:30 o'clock P. M.

*Roger S. Newman*  
Roger Newman  
Carbon County Clerk and Recorder  
*fee 10.00*

**SURVEYOR'S CERTIFICATION:**

I hereby certify that the attached Plat is a true representation of a survey performed by me during August of 1993.

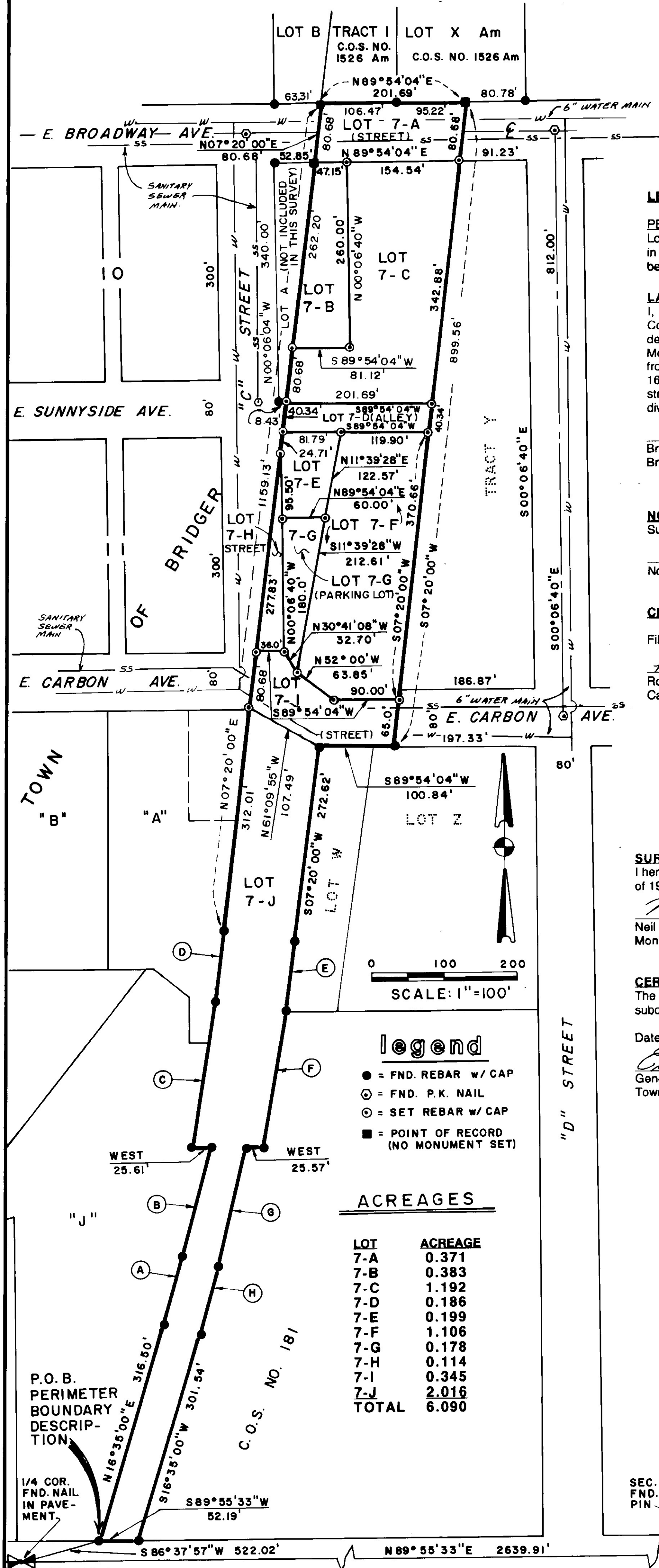
*Neil A. Bratton Jr.*  
Neil A. Bratton Jr., PLS  
Montana Reg. Number 9519LS

**CERTIFICATE OF PLAT APPROVAL:**

The Town Council of Bridger, Carbon County, Montana does hereby certify that it has examined this subdivision plat and having found the same to conform to law, approves it for recording.

Dated this 1<sup>st</sup> day of November, 1994.

*Eugene C. Sticka*  
Eugene C. Sticka - Mayor  
Town of Bridger



### Legend

- = FND. REBAR w/ CAP
- ⊙ = FND. P.K. NAIL
- ⊖ = SET REBAR w/ CAP
- = POINT OF RECORD (NO MONUMENT SET)

### ACREAGES

LOT	ACREAGE
7-A	0.371
7-B	0.383
7-C	1.192
7-D	0.186
7-E	0.199
7-F	1.106
7-G	0.178
7-H	0.114
7-I	0.345
7-J	2.016
<b>TOTAL</b>	<b>6.090</b>

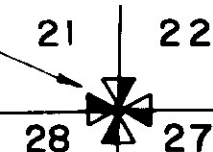
CURVE	RADIUS	CENTRAL ANGLE	LENGTH	CHORD BEARING
A	5647.28	01°00'00"	98.56	N.16°05'00"E.
B	2839.79	03°08'23"	155.61	N.14°00'49"E.
C	2814.79	04°13'21"	207.45	N.10°26'41"E.
D	5622.28	01°00'00"	98.13	N.07°50'00"E.
E	5722.28	01°00'00"	99.87	S.07°50'00"W
F	2914.79	03°47'07"	192.56	S.10°13'33"W.
G	2889.79	03°21'30"	169.38	S.13°54'15"W.
H	5697.28	01°00'00"	99.44	S.16°05'00"W.

P.O. B. PERIMETER BOUNDARY DESCRIPTION

1/4 COR. FND. NAIL IN PAVEMENT

SEC. COR. FND. IRON PIN

1528-2<sup>ND</sup> AM





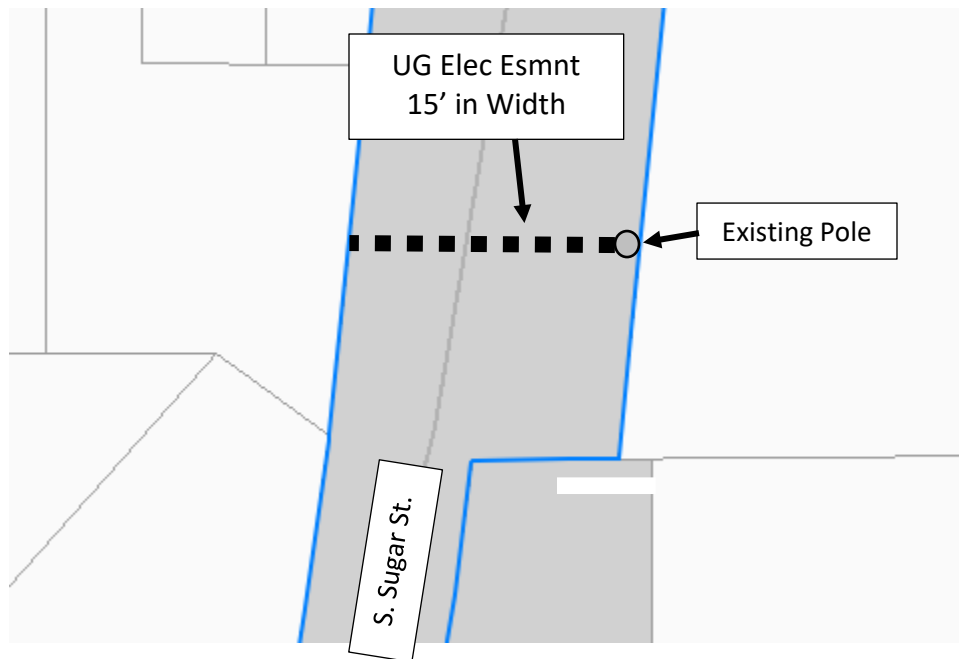


~Lot lines (some approximated) are shown in yellow  
~Northwestern Energy proposed easement shown in red  
\*\*Easement would split property in half and would be 15' wide. Buildings could not be placed over the easement.

## Exhibit "A"

The following is made a part of that certain Underground Electric Distribution Easement dated \_\_\_\_\_ by and between THE TOWN OF BRIDGER, a Montana municipal corporation, of 108 S. D Street, Bridger, MT 59014, hereinafter known as "Grantor" and Northwestern Corporation, a Delaware corporation, D/B/A NorthWestern Energy, hereinafter known as "Grantee".

*All distances, areas and measurements shown below are approximate and not to scale.*

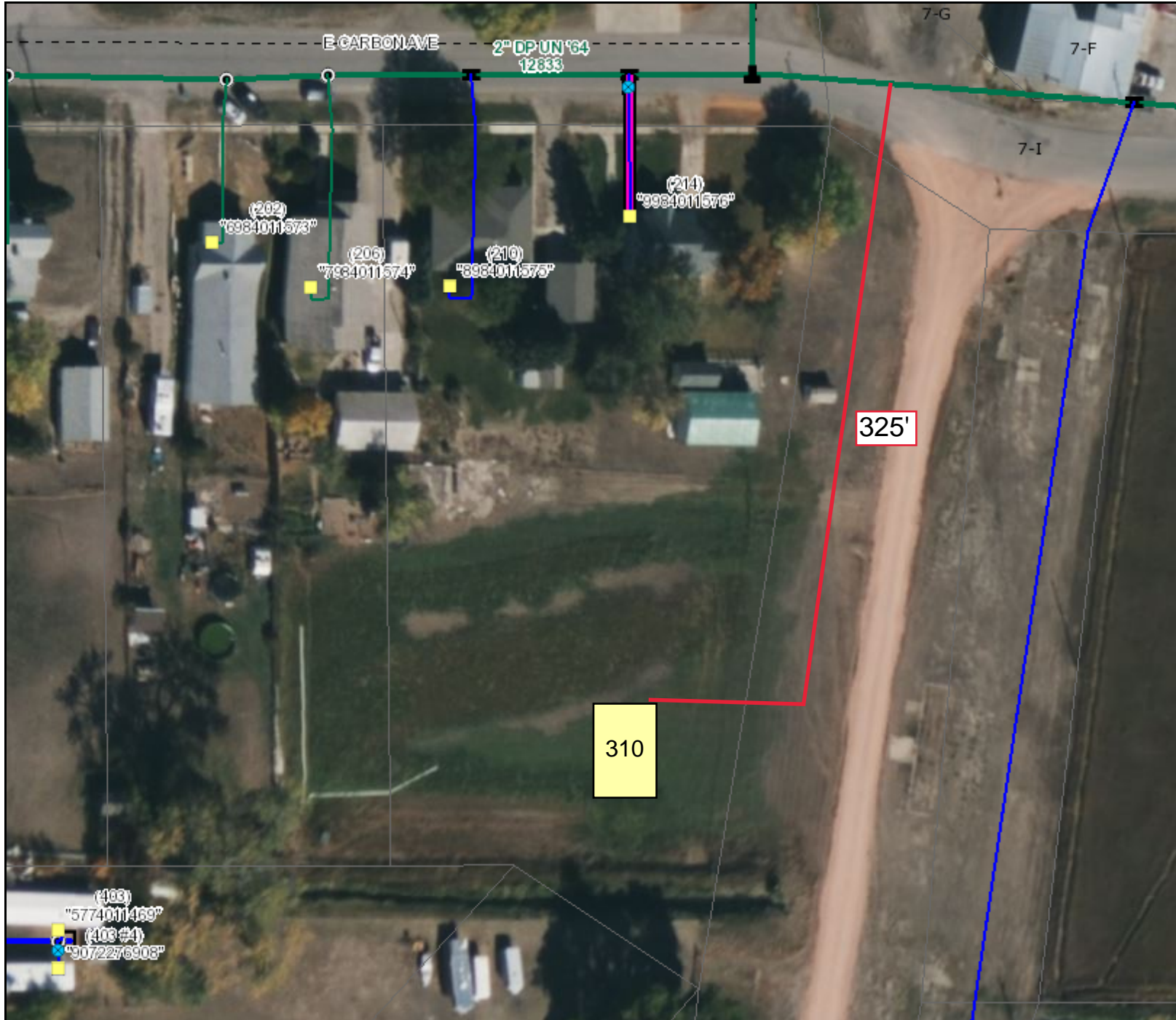


### Township 5 South, Range 23 East, M.P.M., Carbon County, MT

Section 21: That portion of the SE4 of said section, described as Lot 7-J and Lot W of the Routh Addition to the Town of Bridger, Certificate of Survey No 1528, 2<sup>nd</sup> Amended, on file in the office of the Clerk & Recorder of Carbon County, Montana.

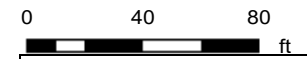


Map Title



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 © Montana-Dakota Utilities BING Aerial Imagery

Notes



8/28/2023 12:27:38 PM

## **RESOLUTION NO. 270**

### **RESOLUTION OF THE TOWN OF BRIDGER TO INCREASE RATES FOR THE USERS OF THE TOWN'S WATER SERVICES AND IMPLEMENT A FOUR (4) YEAR PLAN OF INCREASES.**

**WHEREAS**, under section 69-7-101, Montana Code Annotated, the City has the power and authority to regulate, establish, and change, as it considers proper rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal systems. Rates, charges, and classifications must be reasonable and just; and

**WHEREAS**, it will be necessary for the City to collect sufficient revenues to repay outstanding bonds payable from the revenues of its *water system* (the "system"), pay costs associated with the operation and maintenance of the system and establish appropriate reserves; and

**WHEREAS**, pursuant to Section 69-7-111, Montana Code Annotated, the Council shall order a public hearing prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing or increasing rates, fees, or charges for services or facilities.

**NOW BE IT RESOLVED**, the first increase to services will occur on the November 2023 utility services. The subsequent increases implemented with the four (4) year plan will each occur on the July services of each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Bridger sets Water rates as follows:

Section 1. Intent to Increase Water User Charges. It is the intent of the Town to implement rate increases for users of the system, as set forth herein.

1.01 Current Rates.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$34.53 per month with the following exceptions:
  - Separate Apartment Buildings: \$34.53 per building per month
  - Multi-Level Apartment Buildings: \$34.53 per floor per month
  - Out of Town Resident Water: (\$34.53 plus 12%) \$38.67 per month
  - No-Premises Water: \$34.53 per month.
  - Infrastructure Fee: \$10.40 per month

1.02 Proposed Rate Increase.

*For the November 2023 increase, Water rates will NOT be increased.*

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$34.53 per month with the following exceptions:
  - Separate Apartment Buildings: \$34.53 per building per month
  - Multi-Level Apartment Buildings: \$34.53 per floor per month
  - Out of Town Resident Water: (\$34.53 plus 12%) \$38.67 per month
  - No-Premises Water: \$34.53 per month.
  - Infrastructure Fee: \$10.40 per month

Section 2. Four (4) Year Plan for Yearly Rate Increases for fiscal years 2025-2028 Taking effect for July services each year, the rate increases will be as follows:

2.01 2024-2025 Water Rate Increase of 1%

Current Rates.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$34.53 per month with the following exceptions:
  - Separate Apartment Buildings: \$34.53 per building per month
  - Multi-Level Apartment Buildings: \$34.53 per floor per month
  - Out of Town Resident Water: (\$34.53 plus 12%) \$38.67 per month
  - No-Premises Water: \$34.53 per month.
  - Infrastructure Fee: \$10.40 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$34.88 per month with the following exceptions:
  - Separate Apartment Buildings: \$34.88 per building per month
  - Multi-Level Apartment Buildings: \$34.88 per floor per month
  - Out of Town Resident Water: (\$34.88 plus 12%) \$39.07 per month
  - No-Premises Water: \$34.88 per month.
  - Infrastructure Fee: \$10.50 per month

2.02 2025-2026 Water Rate Increase of 1%

Current Rates.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$34.88 per month with the following exceptions:
  - Separate Apartment Buildings: \$34.88 per building per month
  - Multi-Level Apartment Buildings: \$34.88 per floor per month
  - Out of Town Resident Water: (\$34.88 plus 12%) \$39.07 per month
  - No-Premises Water: \$34.88 per month.
  - Infrastructure Fee: \$10.50 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$35.23 per month with the following exceptions:
  - Separate Apartment Buildings: \$35.23 per building per month
  - Multi-Level Apartment Buildings: \$35.23 per floor per month
  - Out of Town Resident Water: (\$35.23 plus 12%) \$39.46 per month
  - No-Premises Water: \$35.23 per month.
  - Infrastructure Fee: \$10.60 per month



2.03 2026-2027 Water Rate Increase of 1%

Current Rates.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$35.23 per month with the following exceptions:
  - Separate Apartment Buildings: \$35.23 per building per month
  - Multi-Level Apartment Buildings: \$35.23 per floor per month
  - Out of Town Resident Water: (\$35.23 plus 12%) \$39.46 per month
  - No-Premises Water: \$35.23 per month.
  - Infrastructure Fee: \$10.60 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$35.58 per month with the following exceptions:
  - Separate Apartment Buildings: \$35.58 per building per month
  - Multi-Level Apartment Buildings: \$35.58 per floor per month
  - Out of Town Resident Water: (\$35.58 plus 12%) \$39.85 per month
  - No-Premises Water: \$35.58 per month.
  - Infrastructure Fee: \$10.72 per month

2.04 2027-2028 Water Rate Increase of 1%

Current Rates.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$35.58 per month with the following exceptions:
  - Separate Apartment Buildings: \$35.58 per building per month
  - Multi-Level Apartment Buildings: \$35.58 per floor per month
  - Out of Town Resident Water: (\$35.58 plus 12%) \$39.85 per month
  - No-Premises Water: \$35.58 per month.
  - Infrastructure Fee: \$10.72 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Water Hook-up Fee: \$500.00
- Flat rate of \$35.94 per month with the following exceptions:
  - Separate Apartment Buildings: \$35.94 per building per month
  - Multi-Level Apartment Buildings: \$35.94 per floor per month
  - Out of Town Resident Water: (\$35.94 plus 12%) \$40.25 per month
  - No-Premises Water: \$35.94 per month.
  - Infrastructure Fee: \$10.84 per month

Section 3. Determination of Annual Budget for System. Each year the Council of the Town shall determine the amount of money needed to pay the costs of the system including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the system; (b) administration of the system; (c) the payment of principal and interest on any bonded or other indebtedness of the system; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and

replacement of facilities, as may be determined necessary from time to time by the Council or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the system. Based on the annual needs of the system, the Council will establish water charges for the use and availability of the system.

Section 4. Further Rate Increases. Subsequent adjustments to the base rate charge or Usage Charge will be made by resolution of the Town Council duly adopted after a public hearing with notice thereof given as provided by law.

Section 5. Public Hearing. A public hearing on the rate increase will be held on Tuesday, October 3, 2023, commencing at 7:00 p.m. at the Chambers of the Town Council, Town Hall, 108 S D St., Bridger, Montana.

Section 6. Notice. The Town Clerk/Treasurer is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the *Carbon County News*, a newspaper of general circulation in the Town, on September 14, September 21 and September 28, 2023, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to all persons served by the utility at least seven days and not more than 30 days prior to the public hearing. The mailed notice must contain an estimate of the amount the customer's average bill will increase under the proposed ordinance or resolution. The Town Clerk-Treasurer is also authorized and directed to mail by first class, postage prepaid, notice of all hearings to the Montana consumer counsel.

**DULY** passed and adopted at the Regular Meeting of the Bridger Town council this 10<sup>th</sup> day of October 2023. This Resolution shall become effective immediately upon passage.

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Clifford Shultz, Mayor

**ATTEST:**

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Kirstin Sweet, Town Clerk / Treasurer

**RESOLUTION NO. 271**

**RESOLUTION OF THE TOWN OF BRIDGER TO INCREASE RATES FOR THE USERS OF THE TOWN’S SEWER SERVICES AND IMPLEMENT A FOUR (4) YEAR PLAN OF INCREASES.**

**WHEREAS**, under section 69-7-101, Montana Code Annotated, the City has the power and authority to regulate, establish, and change, as it considers proper rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal systems. Rates, charges, and classifications must be reasonable and just; and

**WHEREAS**, it will be necessary for the City to collect sufficient revenues to repay outstanding bonds payable from the revenues of its *sewer system* (the “system”), pay costs associated with the operation and maintenance of the system and establish appropriate reserves; and

**WHEREAS**, pursuant to Section 69-7-111, Montana Code Annotated, the Council shall order a public hearing prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing or increasing rates, fees, or charges for services or facilities.

**WHEREAS**, the Town’s sewer rates have previously been undefined, and the Town Council wishes to make the rates clear and relatable to each user of the system.

**NOW BE IT RESOLVED**, the first increase to services will occur on the November 2023 utility services. The subsequent increases implemented with the four (4) year plan will each occur on the July services of each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Bridger sets Sewer rates as follows:

Section 1. Intent to Increase Sewer User Charges. It is the intent of the Town to implement rate increases for users of the system, as set forth herein.

1.01 Current Rates.

Residential and Business collections are as follows:

- Sewer Hook-up Fee: \$400.00
- Flat Rates:
  - \$17.48
  - \$25.75
  - \$25.97
  - \$28.37
  - \$32.30
  - \$32.66
  - \$34.42
  - \$37.03
  - \$37.08
  - \$37.90
  - \$45.09

- \$45.12
- \$45.85
- \$50.43
- \$50.57
- \$63.71
- \$78.84
- \$114.86
- Infrastructure Fee: \$10.40

1.02 Proposed Rate Changes.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$27.82 per month
  - Separate Apartment Buildings: \$27.82 per building per month
  - Multi-Level Apartment Buildings: \$27.82 per floor per month
- Residential Lift Station: \$48.70 per month
- Out of Town Residential Rate: \$37.18 per month
- Commercial Rate: \$48.60 per month
- Out of Town Commercial Rate: \$54.43 per month
- Infrastructure Fee: \$11.25 per month

Section 2. Four (4) Year Plan for Yearly Rate Increases for fiscal years 2025-2028 Taking effect for July services each year, the rate increases will be as follows:

2.01 2024-2025 Sewer Rate Increase of 4%

Current Rates.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$27.82 per month
  - Separate Apartment Buildings: \$27.82 per building per month
  - Multi-Level Apartment Buildings: \$27.82 per floor per month
- Residential Lift Station: \$48.70 per month
- Out of Town Residential Rate: \$37.18 per month
- Commercial Rate: \$48.60 per month
- Out of Town Commercial Rate: \$54.43 per month
- Infrastructure Fee: \$11.25 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$28.94 per month
  - Separate Apartment Buildings: \$28.94 per building per month
  - Multi-Level Apartment Buildings: \$28.94 per floor per month



- Residential Lift Station: \$50.65 per month
- Out of Town Residential Rate: \$38.67 per month
- Commercial Rate: \$50.54 per month
- Out of Town Commercial Rate: \$56.61 per month
- Infrastructure Fee: \$11.70 per month

2.02 2025-2026 Sewer Rate Increase of 5%

Current Rates.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$28.94 per month
  - Separate Apartment Buildings: \$28.94 per building per month
  - Multi-Level Apartment Buildings: \$28.94 per floor per month
- Residential Lift Station: \$50.65 per month
- Out of Town Residential Rate: \$38.67 per month
- Commercial Rate: \$50.54 per month
- Out of Town Commercial Rate: \$56.61 per month
- Infrastructure Fee: \$11.70 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$30.39 per month
  - Separate Apartment Buildings: \$30.39 per building per month
  - Multi-Level Apartment Buildings: \$30.39 per floor per month
- Residential Lift Station: \$53.18 per month
- Out of Town Residential Rate: \$40.60 per month
- Commercial Rate: \$53.07 per month
- Out of Town Commercial Rate: \$59.44 per month
- Infrastructure Fee: \$12.30 per month

2.03 2026-2027 Sewer Rate Increase of 5%

Current Rates.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$30.39 per month
  - Separate Apartment Buildings: \$30.39 per building per month
  - Multi-Level Apartment Buildings: \$30.39 per floor per month
- Residential Lift Station: \$53.18 per month
- Out of Town Residential Rate: \$40.60 per month
- Commercial Rate: \$53.07 per month
- Out of Town Commercial Rate: \$59.44 per month
- Infrastructure Fee: \$12.30 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$31.91 per month
  - Separate Apartment Buildings: \$31.91 per building per month
  - Multi-Level Apartment Buildings: \$31.91 per floor per month
- Residential Lift Station: \$55.84 per month
- Out of Town Residential Rate: \$42.63 per month
- Commercial Rate: \$55.72 per month
- Out of Town Commercial Rate: \$62.41 per month
- Infrastructure Fee: \$12.92 per month

2.04 2027-2028 Sewer Rate Increase of 5%

Current Rates.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$31.91 per month
  - Separate Apartment Buildings: \$31.91 per building per month
  - Multi-Level Apartment Buildings: \$31.91 per floor per month
- Residential Lift Station: \$55.84 per month
- Out of Town Residential Rate: \$42.63 per month
- Commercial Rate: \$55.72 per month
- Out of Town Commercial Rate: \$62.41 per month
- Infrastructure Fee: \$12.92 per month

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- Sewer Hook-up Fee: \$500.00
- Residential Rate: \$33.51 per month
  - Separate Apartment Buildings: \$33.51 per building per month
  - Multi-Level Apartment Buildings: \$33.51 per floor per month
- Residential Lift Station: \$58.63 per month
- Out of Town Residential Rate: \$44.76 per month
- Commercial Rate: \$58.51 per month
- Out of Town Commercial Rate: \$65.53 per month
- Infrastructure Fee: \$13.58 per month

Section 3. Determination of Annual Budget for System. Each year the Council of the Town shall determine the amount of money needed to pay the costs of the system including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the system; (b) administration of the system; (c) the payment of principal and interest on any bonded or other indebtedness of the system; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Council or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the system. Based on the annual needs of the system, the Council will establish sewer charges for the use and availability of the system.

Section 4. Further Rate Increases. Subsequent adjustments to the base rate charge or Usage Charge will be made by resolution of the Town Council duly adopted after a public hearing with notice thereof given as provided by law.

Section 5. Public Hearing. A public hearing on the rate increase will be held on Tuesday, October 3, 2023, commencing at 7:00 p.m. at the Chambers of the Town Council, Town Hall, 108 S D St., Bridger, Montana.

Section 6. Notice. The Town Clerk/Treasurer is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the *Carbon County News*, a newspaper of general circulation in the Town, on September 14, September 21 and September 28, 2023, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to all persons served by the utility at least seven days and not more than 30 days prior to the public hearing. The mailed notice must contain an estimate of the amount the customer's average bill will increase under the proposed ordinance or resolution. The Town Clerk-Treasurer is also authorized and directed to mail by first class, postage prepaid, notice of all hearings to the Montana consumer counsel.

**DULY** passed and adopted at the Regular Meeting of the Bridger Town council this 10<sup>th</sup> day of October 2023. This Resolution shall become effective immediately upon passage.

\_\_\_\_\_  
Clifford Shultz, Mayor

**ATTEST:**

\_\_\_\_\_  
Kirstin Sweet, Town Clerk / Treasurer

**RESOLUTION NO. 272**

**RESOLUTION OF INTENTION OF THE TOWN OF BRIDGER TO INCREASE RATES FOR THE USERS OF THE TOWN’S GARBAGE SERVICES AND IMPLEMENT A FOUR (4) YEAR PLAN OF INCREASES.**

**WHEREAS**, under section 69-7-101, Montana Code Annotated, the City has the power and authority to regulate, establish, and change, as it considers proper rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal systems. Rates, charges, and classifications must be reasonable and just; and

**WHEREAS**, it will be necessary for the City to collect sufficient revenues to repay outstanding bonds payable from the revenues of its *garbage system* (the “system”), pay costs associated with the operation and maintenance of the system and establish appropriate reserves; and

**WHEREAS**, pursuant to Section 69-7-111, Montana Code Annotated, the Council shall order a public hearing prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing or increasing rates, fees, or charges for services or facilities.

**NOW BE IT RESOLVED**, the first increase to services will occur on the November utility services. The subsequent increases implemented with the four (4) year plan will each occur on the July services of each year.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Bridger sets Garbage rates as follows:

Section 1. Intent to Increase Garbage User Charges. It is the intent of the Town to implement rate increases for users of the system, as set forth herein.

1.01 Current Rates.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$18.04
- 2-yard dumpster: \$51.30
- 3-yard dumpster: \$77.02
- 4-yard dumpster: \$102.68
- 6-yard dumpster: \$154.03
- 8-yard dumpster: \$205.35

1.02 Proposed Rate Increase.

*For the November 2023 increase, Garbage rates will NOT be increased.*

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$18.04
- 2-yard dumpster: \$51.30
- 3-yard dumpster: \$77.02
- 4-yard dumpster: \$102.68
- 6-yard dumpster: \$154.03
- 8-yard dumpster: \$205.35



Section 2. Four (4) Year Plan for Yearly Rate Increases for fiscal years 2025-2028 Taking effect for July services each year, the rate increases will be as follows:

2.01 2024-2025 Garbage Rate Increase of 5%.

Current Rates.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$18.04
- 2-yard dumpster: \$51.30
- 3-yard dumpster: \$77.02
- 4-yard dumpster: \$102.68
- 6-yard dumpster: \$154.03
- 8-yard dumpster: \$205.35

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$18.94
- 2-yard dumpster: \$53.87
- 3-yard dumpster: \$80.87
- 4-yard dumpster: \$107.81
- 6-yard dumpster: \$161.73
- 8-yard dumpster: \$215.62

2.02 2025-2026 Garbage Rate Increase of 2% for carts and 5% for dumpsters

Current Rates.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$18.94
- 2-yard dumpster: \$53.87
- 3-yard dumpster: \$80.87
- 4-yard dumpster: \$107.81
- 6-yard dumpster: \$161.73
- 8-yard dumpster: \$215.62

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$19.32
- 2-yard dumpster: \$56.56
- 3-yard dumpster: \$84.91
- 4-yard dumpster: \$113.20
- 6-yard dumpster: \$169.82
- 8-yard dumpster: \$226.40

2.03 2026-2027 Garbage Rate Increase of 2% for carts and 5% for dumpsters

Current Rates.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$19.32
- 2-yard dumpster: \$56.56
- 3-yard dumpster: \$84.91
- 4-yard dumpster: \$113.20
- 6-yard dumpster: \$169.82
- 8-yard dumpster: \$226.40

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$19.71
- 2-yard dumpster: \$59.39
- 3-yard dumpster: \$89.16
- 4-yard dumpster: \$118.86
- 6-yard dumpster: \$178.31
- 8-yard dumpster: \$237.72

2.04 2027-2028 Garbage Rate Increase of 2% for carts and 5% for dumpsters

Current Rates.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$19.71
- 2-yard dumpster: \$59.39
- 3-yard dumpster: \$89.16
- 4-yard dumpster: \$118.86
- 6-yard dumpster: \$178.31
- 8-yard dumpster: \$237.72

Proposed Rate Increase.

Residential and Business Collection Charges are as follows:

- 96-gallon cart: \$20.10
- 2-yard dumpster: \$62.36
- 3-yard dumpster: \$93.62
- 4-yard dumpster: \$124.80
- 6-yard dumpster: \$187.23
- 8-yard dumpster: \$249.61

Section 3. Determination of Annual Budget for System. Each year the Council of the Town shall determine the amount of money needed to pay the costs of the system including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the system; (b) administration of the system; (c) the payment of principal and interest on any bonded or other indebtedness of the system; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Council or as covenanted in

the ordinance or resolution authorizing any outstanding bonds of the system. Based on the annual needs of the system, the Council will establish garbage charges for the use and availability of the system.

Section 4. Further Rate Increases. Subsequent adjustments to the base rate charge or Usage Charge will be made by resolution of the Town Council duly adopted after a public hearing with notice thereof given as provided by law.

Section 5. Public Hearing. A public hearing on the rate increase will be held on Tuesday, October 3, 2023, commencing at 7:00 p.m. at the Chambers of the Town Council, Town Hall, 108 S D St., Bridger, Montana.

Section 6. Notice. The Town Clerk/Treasurer is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the *Carbon County News*, a newspaper of general circulation in the Town, on September 14, September 21 and September 28, 2023, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to all persons served by the utility at least seven days and not more than 30 days prior to the public hearing. The mailed notice must contain an estimate of the amount the customer's average bill will increase under the proposed ordinance or resolution. The Town Clerk-Treasurer is also authorized and directed to mail by first class, postage prepaid, notice of all hearings to the Montana consumer counsel.

**DULY** passed and adopted at the Regular Meeting of the Bridger Town council this 10<sup>th</sup> day of October 2023. This Resolution shall become effective immediately upon passage.

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Clifford Shultz, Mayor

**ATTEST:**

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Kirstin Sweet, Town Clerk / Treasurer

**ORDINANCE NO. 2023-01**

**AN ORDINANCE AMENDING BRIDGER CODE TO ADD CHAPTER 8-200 and subsequent, "FRANCHISE ORDINANCE FOR TELECOMMUNICATION SYSTEMS"**

**WHEREAS**, the Town of Bridger desires to adopt systematic rules and regulations for the use of public right-of-way within the Town for the provision of telecommunications services to the community, and

**WHEREAS**, the Town has determined that the provision of high speed telecommunications services can contribute significantly to the communication needs and desires of the residents and citizens of the Town, and

**WHEREAS**, the provision of high speed telecommunications services may provide enhanced economic development and enhanced provision of public services,

**NOW THEREFORE BE IT RESOLVED** by the Bridger Town Council, that Bridger Code Chapter 8-200 and subsequent "FRANCHISE ORDINANCE FOR TELECOMMUNICATION SYSTEMS" is hereby enacted as attached in Exhibit 1 hereto, which is incorporated herein as if set forth and restated in full.

This ordinance shall be in full force and effect 30 days from and after passage and approval.

**FIRST passed and approved** by the Council of the Town of Bridger, Montana this 5 day of September 2023.

Attested to by:

  
\_\_\_\_\_  
Clifford Shultz, Mayor

  
\_\_\_\_\_  
Kirstin Sweet, Town Clerk / Treasurer

**PASSED AND APPROVED** on **second reading** this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Attested to by:

\_\_\_\_\_  
Clifford Shultz, Mayor

\_\_\_\_\_  
Kirstin Sweet, Town Clerk / Treasurer



## SECTION 8-200 FRANCHISE ORDINANCE FOR TELECOMMUNICATION SYSTEMS

### Sections:

#### 8-201 General authority.

It is unlawful to engage in or commence construction, operation or maintenance of a telecommunications system without a town council approved franchise agreement negotiated and approved pursuant to this chapter. The council may, by resolution, approve a nonexclusive franchise agreement to construct, operate and maintain a telecommunications system within all or any portion of the town to any person, whether operating under an existing franchise or not. Any franchise agreement for the construction, maintenance and operation of a telecommunication system using the public streets, utility easements, other public rights-of-way or places shall conform to the provision of this chapter.

#### 8-202 Definitions.

For the purposes of this chapter, the following terms shall have the meaning provided herein as follows:

"Telecommunications system" means infrastructure composed, without limitations, antennae, cables, wires, optical fibers, lines, towers, wave guides, laser beams, microwave systems, satellite dishes, or any other conductors, converters, equipment or facilities designed, constructed or wired for the purpose of producing, receiving, amplifying or distributing, by coaxial or fiber cable, audio and/or visual radio, television, data, electronics or electrical signals to and from persons, subscribers and to current and future locations within the town of Bridger.

"Town" means the town of Bridger, a municipal corporation in the state of Montana.

"Town council" means the governing body of the town of Bridger.

"Federal Act" means the Communications Act of 1934 (47 U.S.C. 151 et seq.) as amended by the Communications Policy Act of 1984, the Television Consumer Competition Act of 1992 and the Telecommunications Act of 1996.

"Franchise agreement" means the nonexclusive authorization approved by the town council for the privilege to construct, operate and maintain a telecommunication infrastructure, distribution and or operating system in the town of Bridger.

"Grantee" means a company, corporation, partnership or other entity who has obtained a town council approved franchise agreement.

"Gross revenues" means the grantee's gross revenues from all sources as defined in 47 U.S.C. Section 542 or as otherwise defined in an approved franchise agreement.

"Property of grantee" means all property owned, installed or used by the grantee in the operation and maintenance of a telecommunication operating system in the town under the authority of a franchise agreement approved by the town council.

"Street" means the surface of and the space above and below any alley, court, drive, freeway, highway, lane, parkway, path, public utility easement, public street, right-of-way, road, or sidewalk currently existing, constructed, obtained or granted in the future.

"Subscriber" means any person, business or other entity receiving for any purpose data transmitted by or through the grantee within the town of Bridger.

#### **8-203 Grant or approval of franchise agreement.**

The town may by resolution of the town council grant a right and privilege to construct, erect, operate and maintain in, upon, along, across, above, over, and under the streets, rights-of-way and public places as now laid out or dedicated, and all extensions thereof, and additions thereto, in the town of Bridger, wires, fiber, cable, underground conduits, manholes, and other telecommunication services conductors and fixtures and to attach the same to the utility poles of the town as necessary for the maintenance and operation in the town of a telecommunications system for the interception, sale and distribution of television and radio signals. The franchise agreement shall contain all terms deemed advisable by the City Attorney, Town Clerk and Mayor, including but not limited to, length or duration, termination, insurance, bonding, etc.

#### **8-204 Nonexclusive grant.**

The approval of a franchise agreement, in the same or other streets, rights-of-way and public places as permitted under the Federal Act and regulations thereunder, or any of the provisions contained herein, shall not be construed to prevent the town from granting an identical or similar franchise to any person, business, partnership, corporation or other entity other than the franchisee, including the rights, privileges or authority, similar to or different from, the rights, privileges or authority set forth herein or as set forth in a franchise agreement approved under this chapter.

#### **8-205 Uses permitted by grantee.**

The town may authorize a grantee through an approved franchise agreement to engage in the business of operating and providing a telecommunications system in the town, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain in, on, over, under, upon, across and along any public right-of-way and to attach the same to the utility poles of the town, such wires, fiber, cable and conductors, ducts, conduit, vaults, manholes, amplifiers, appliances, attachments and other property as may be necessary and appurtenant to the telecommunications system. The grantee may use, operate and provide similar facilities or properties rented or leased from other persons, firms, corporations or other entities, including but not limited to any public utility or other grantee franchised or permitted to do business in the town. The authority in this section granted shall be subject to the advice, direction and consent of the mayor.

#### **8-204 Franchise fee imposed.**

A franchise fee of not less than one percent (1%) of the Grantee's gross revenues is hereby imposed upon the conduct of the grantee's telecommunications system within the town, and shall be specifically set forth each individual franchise agreement. The town reserves the right to increase the franchise fee within the limitations prescribed by the Federal Act and the FCC regulations issued under the Federal Act. Any change in the franchise fee rate or the revenue on

which such fee is based shall be accomplished by amendment to this chapter and/or through a modification of existing franchise agreements. The town shall have the right to inspect all the grantee's records regarding the gross receipts from which its franchise fee is computed and the right to audit and recalculate any and all amounts paid under this chapter. Acceptance of a payment by the town from the grantee shall not be construed as a release of or as an accord and satisfaction of any claim the town may have for further and/or additional sums payable under this chapter for the performance of any obligations hereunder. Should such audit and recalculation result in a refund due grantee, the refund shall not be paid directly to grantee, but instead shall be applied as a credit against future franchise fees due the town from grantee.

#### **8-206 Conditions of right-of-way and street occupancy.**

Whenever a street, sidewalk, alley, public way, right-of-way or paved area is disturbed by the grantee in its endeavor to construct, reconstruct or maintain infrastructure related to the telecommunications system within the town, the grantee shall, at its own expense and in a manner approved by the town, replace and restore such street, sidewalk, alley, public way, right-of-way or paved area in as good of condition as before the work involving such maintenance, construction or reconstruction took place. The town shall have, and hereby reserves, the right to require bond, require minimum construction standards, inspect and approve all areas in which such work is being conducted or areas in which such work has been completed, pursuant to this section and as further provided in an approved franchise agreement.

#### **8-207 Federal regulation.**

Grantee shall comply with all applicable federal laws, rules and regulations in effect as of the date of this chapter. Any modifications resulting from amendment of the Federal Act or the regulations thereunder shall be incorporated into this chapter and franchise agreement, if necessary, as of the date such modification or amendment becomes obligatory under FCC regulations, or in the event no obligatory date is established, within one year of adoption or at the time of franchise renewal, whichever occurs first. Notwithstanding any limitations herein, the town may exercise any further authority granted the town by any change in the federal statutes and/or regulations by amendment of this chapter.

#### **8-208 Town To Be Furnished Indemnity Against Injuries, Damage And Nuisances.**

Grantee shall at all times indemnify and hold harmless the town, its officers, employees, and servants for each and all such nuisances, damage, injury (including death) loss, cost or expense (including reasonable attorney fees), caused or occasioned or contributed to by any act or failure to act, of the company, its officers, agents, servants and employees, in the construction, installation, repairing, maintaining, or operation of its business including making cuts, disturbances and excavations on the public properties, except such indemnity shall not apply to any such loss, cost or expense caused by the negligence of the town; and the company shall secure liability insurance as specified in the franchise agreement.

#### **8-209 Obligation Of Grantee To Furnish Fiber Optic Services.**

(A) Grantee shall deliver to and distribute for the use of the inhabitants, offices, businesses, commercial enterprises, churches, charities and professional establishments and governmental entities within the town fiber optic services which provide for high-speed internet in sufficient quantity to supply the demand of customers within the town who may be served under the provisions of Grantee's franchise agreement.

**8-210 Town To Be Furnished Access To Maps On Request.**

Grantee shall from time to time, at the request of the town, allow town officials and/or employees to copy, review or inspect maps of its transmission and distribution system within the town. The company shall maintain up to date, accurate copies of said maps at all times.



End of Period Disbursement Detail  
Bank Account: Bank of Bridger - 110582  
From 09/26/2023 to 09/26/2023  
Total Only

Check Number: None

Date	Description	Case Number	Payer	Citation No.	Amount
<b>Account 200-177 - Criminal Conviction Surcharge 7467 MCA 3-1-318</b>					
<b>Account 200-177 Total:</b>					\$27.83
<b>Account 200-210 - Fines / Forfeitures - 1000 &amp; 7451 (50/50 Split)</b>					
<b>Account 200-210 Total:</b>					\$1,251.50
Bank Reconciliation Journal Entry: Move July Interest to Fines & Forfeitures					
Bank Reconciliation Journal Entry: Move Aug interest to Fines & Forfeitures					
<b>Account 200-250 - Misdemeanor Surcharge</b>					
<b>Account 200-250 Total:</b>					\$45.00
<b>Account 200-340 - Technology Surcharge - 7458</b>					
<b>Account 200-340 Total:</b>					\$30.00
<b>Check Total:</b>					\$ 1,354.33
<b>Report Total:</b>					\$1,354.33

# Bridger City Court

## 2023 Summary Report

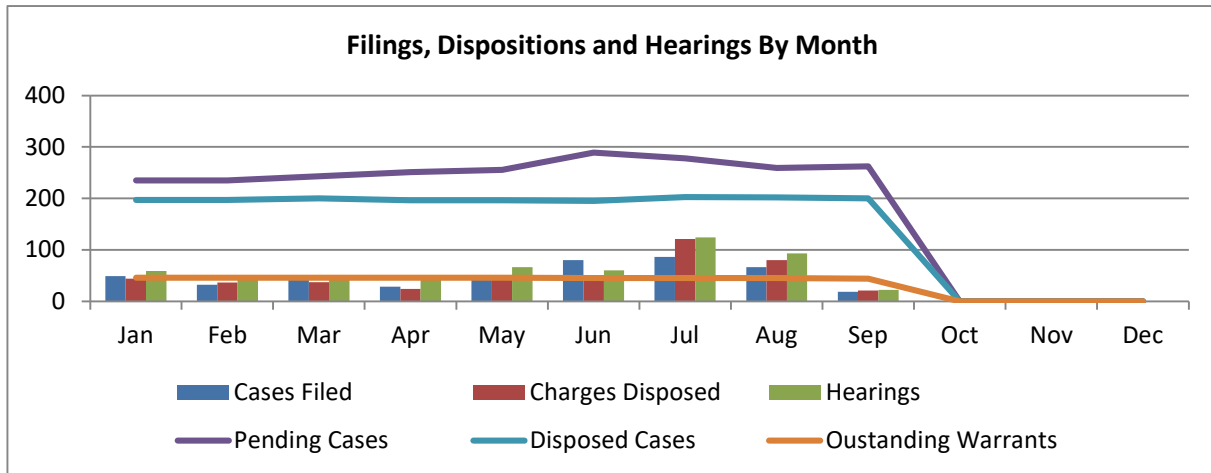
October 3, 2023

by Bert Kraft, Bridger City Judge

Activity

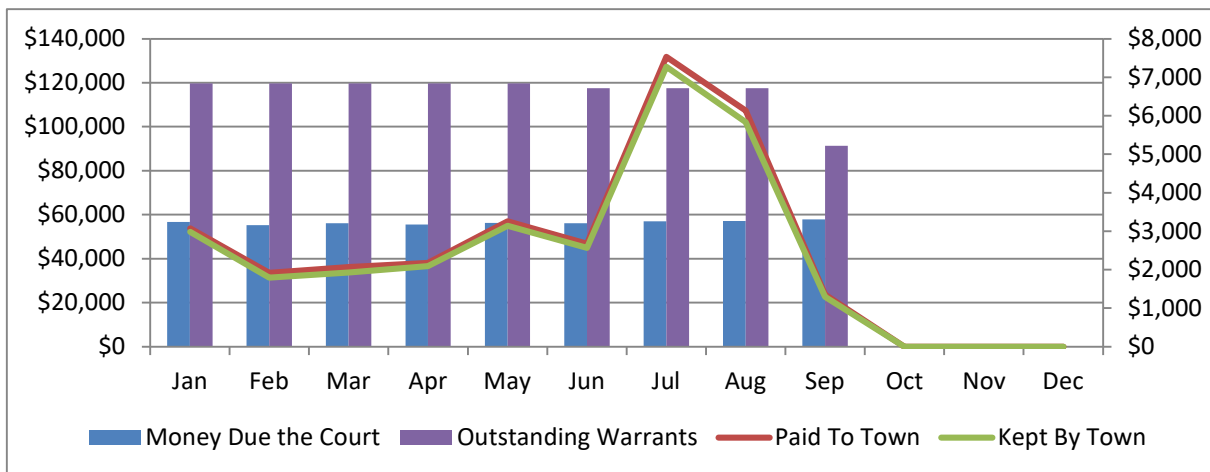
CW2: 908

H: 558



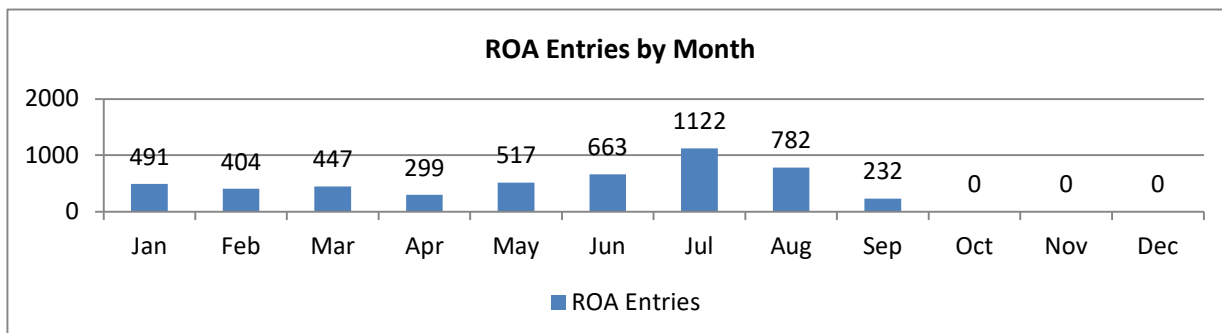
Financials

PAID: \$30,185.92



Docket

TOT: 4,957



# Bridger City Court

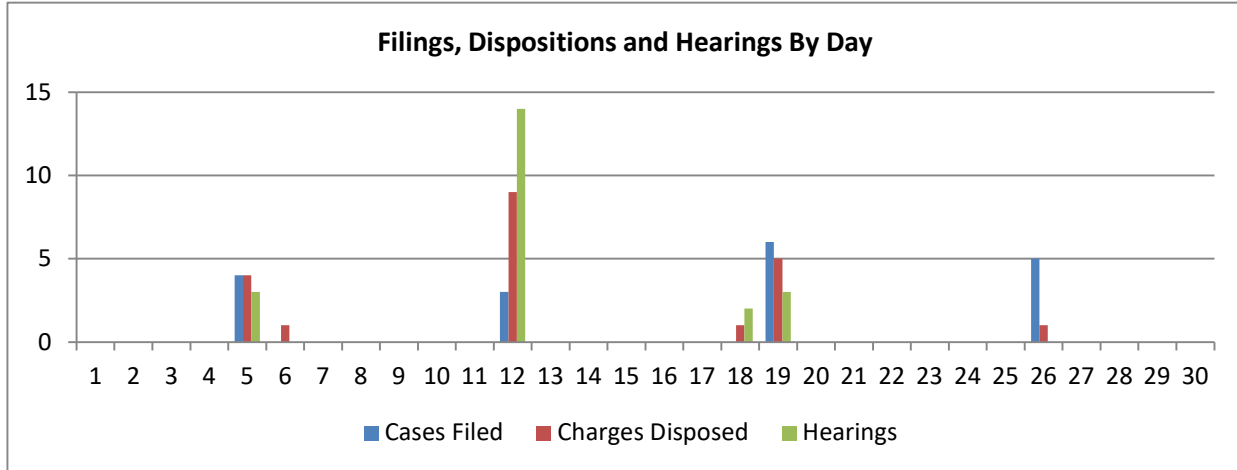
## September 2023 Summary Report

October 3, 2023

by Bert Kraft, Bridger City Judge

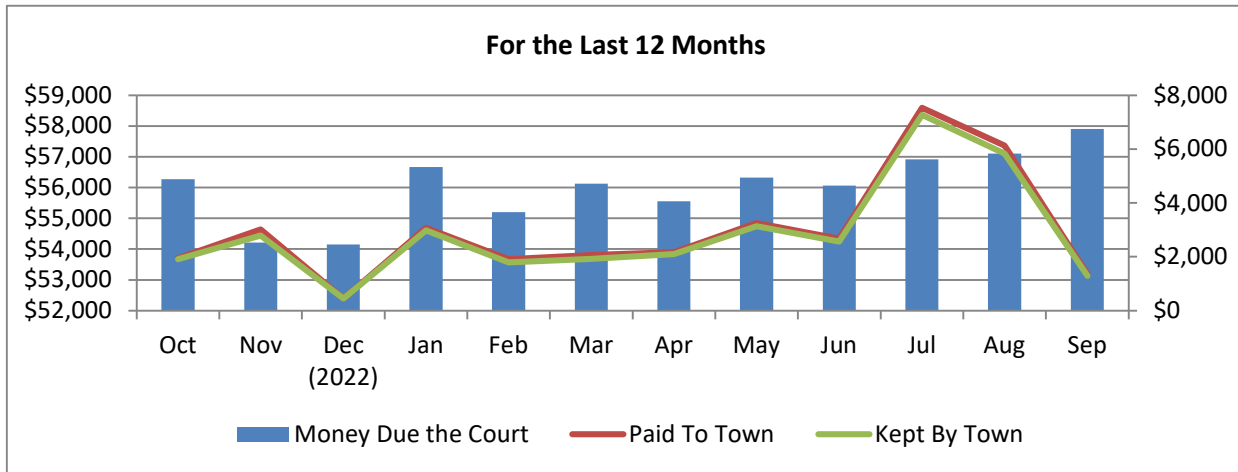
CW2: 39	H: 22	
P: 262	D: 200	W: 44

### Activity



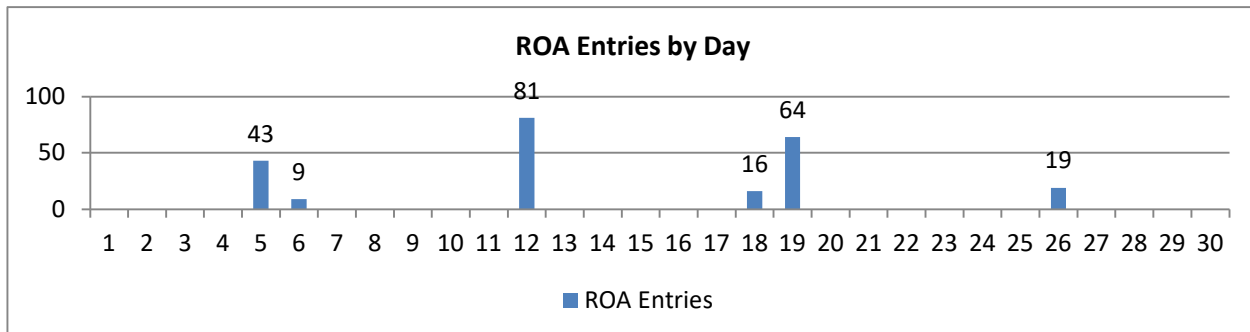
### Financials

PAID: \$1,354.33    DUE: \$57,901.89    W: \$91,294.00



### Docket

TOT: 232



# Journal

Entry	Hours	83
9/5/2023 Open Court	8	
9/6/2023 Compliance Court	9	
9/11/2023 Office	7	
9/12/2023 Open Court	7	
9/18/2023 Office	7	
9/19/2023 Open Court	5	
9/20/2023 Compliance Court	7	
9/25/2023 COLJ Conference	3	
9/26/2023 COLJ Conference	9	
9/27/2023 COLJ Conference	9	
9/28/2023 COLJ Conference	8	
9/29/2023 Office	4	



## BRIDGER POLICE STATS FOR MONTH ENDING 09-30-23

### TRAFFIC

Speeding 20

REG 3/SUSPENDED 2

BAD PASS 1

WARNINGS 35

AGANCY ASSIST (INCLUDING AMBULANCE) 16

WELFARE CHECK 10

CITIZEN ASSIST 20

SUICIDE ATTEMPT/MENTAL HEALTH TRANSPORT 1

BAR WALK THRU 45

THEFT 1

DISORDLEY 1/ASSAULT 1

DISTURBANCE 4

ATL/MISSING PERSON 2

SEXUAL ASSUALT 1

QUESTIONS????

