

BRIDGER TOWN COUNCIL AGENDA
MEETING TIME IS WEDNESDAY JULY 5, 2023 AT 7:00 PM,
BRIDGER TOWN HALL, 108 S D STREET

Wednesday, July 5, 2023

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

PUBLIC COMMENT:

APPROVAL OF MINUTES FROM PREVIOUS MEETING:

- 06-06-2023 Regular Meeting and two Public Hearings

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:

- Amber Lambright Wedding Reception

LEASE AGREEMENT:

- Rodeo Grounds
- Tri County Telephone (TCT)

CARBON COUNTY PLANNING BOARD APPOINTMENT:

- Angela Kallevig

DISCUSSION REGARDING A POTENTIAL GRANT APPLICATION FOR NEWLY ANNEXED PROPERTY UTILITY SERVICES:

RESOLUTION #261: To Authorize a Variance Pursuant to Section 76-3-207 (5)

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 PUBLIC HEARING
HELD ON JUNE 6, 2023**

The June 6, 2023 public 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 6:30 pm. Council members present were Dustin Taylor, Shala Cullum, Mark DeRudder and Doug Asbury. Others present were Ryan Carson, Brooklynn Berg, Sargent Codi Peters, Reserve Officer Kevin Olson, Library Director Krystal Zentner, Public Works Director Randy Novakovich, Judge Bert Kraft, Police Chief Buechler and Clerk Kirstin Sweet.

Mayor Shultz asked for public comment regarding the change of use for property described as S21, T06 S, R23 E, Family Dollar Store Subd Lt 3 Blk 1 Plat 2344 & Tr 2 COS 1528 AM. These lots are owned by 26 Group LLC. Favorable comment was offered by several people regarding the truck stop planned on this property.

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, Councilman DeRudder and Councilman Asbury – aye. Meeting adjourned at 6:36 pm.

Clifford Shultz, Mayor

ATTEST:

Kirstin Sweet, Town Clerk

**BRIDGER TOWN COUNCIL MINUTES FOR A PUBLIC HEARING
HELD ON JUNE 6, 2023**

The June 6, 2023 public 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 6:45 pm. Council members present were Dustin Taylor, Shala Cullum, Mark DeRudder and Doug Asbury. Others present were Ryan Carson, Brooklynn Berg, Dennis and Sheila Oakes, Kellie and Wade Hoskin, Denise Rivette, Sargent Codi Peters, Reserve Officer Kevin Olson, Library Director Krystal Zentner, Public Works Director Randy Novakovich, Judge Bert Kraft, Police Chief Mike Buechler and Clerk Kirstin Sweet.

Mayor Shultz asked for public comment regarding the variance at 309 S 4th Street. Favorable comments were offered by several neighbors surrounding this property. A letter from a neighbor unable to attend also provided favorable feedback.

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 and Councilman Asbury – aye. Meeting adjourned at 6:49 pm.

Clifford Shultz, Mayor

ATTEST:

Kirstin Sweet, Town Clerk

**BRIDGER TOWN COUNCIL MINUTES FOR A REGULAR MEETING
HELD ON JUNE 6, 2023**

The June 6, 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 Wade and Kellie Hoskin, Brooklynn Berg, Ryan Cason, Dennis and Sheila Oakes, Steven Fendler, Angela Kallevig, Reserve Officer Kevin Olson, Sargent Codi Peters, Judge Bert Kraft, Library Director Krystal Zentner, Public Works Director Randy Novakovich, Chief Mike Buechler, and Clerk Kirstin Sweet.

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

Next on the agenda was the approval of the minutes from the May 2, 2023 regular meeting. A motion to approve the meeting minutes 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 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 #34209 to #34249. Also, electronic checks #-98139 to #-98133. The motion was seconded by Councilman DeRudder. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Next on the agenda was the Payroll Summary. Councilwoman Cullum motioned to approve the payroll summary including check #34204 to #34207. Also, electronic checks #-85686 to #-85654. Councilman Asbury seconded the motion. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Next on the agenda was two items that DES Coordinator Cyrina Allen had wished to discuss with the council. She was unable to attend the meeting and since no action was needed the meeting moved on to the next item.

The next item on the agenda was Special Events Applications. The first was for a Schwend Family Reunion. Mayor Shultz reviewed the application. Discussion was had regarding insurance. Attorney Kuntz confirmed that if they have any alcohol on public property, they need to meet the insurance requirements set forth in the special events application. A motion to approve the application with the noted insurance requirements was made by Councilman DeRudder and seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye. The second application was from the Bridger Youth Rodeo for their annual rodeo. Mayor Shultz reviewed the application. A motion to approve the application was made by Councilwoman Cullum and seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye. The third application was from the Bridger Volunteer Fire Softball Game. Mayor Shultz reviewed the application. Discussion was had regarding the alcohol. Steven Fendler, the Bridger Fire Chief commented that they had decided to hire the Dry Creek Saloon to handle the alcohol. A motion to approve the application with noted changes regarding the Dry Creek was made by Councilman Taylor and seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye. The fourth application was from the Bridger Saddle Club for their summer events. Mayor Shultz reviewed the application. A motion to approve the application was made by Councilman Taylor and seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

The next item on the agenda was board appointments. the first was for the Bridger Library Board. A motion to reappoint Lynn White 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 and Councilman Asbury – aye. The second appointment was for the Ambulance Board. Councilman Asbury agreed to be appointed for that. A motion to appoint Councilman Asbury 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 and Councilman Asbury – aye. The third appointment was for the Carbon County Planning Board. We do not have an appointee yet so that will be on a future agenda.

The next item was the Application for Variance from Ryan Carson at 309 S 4th St. Discussion was had regarding the comments at the public hearing from earlier in the evening. All comments were positive. A motion to approve the application was made by Councilman Asbury, seconded by Councilman DeRudder. The motion

carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Next on the agenda was Resolution # 256A to set zoning for the annexation of property described as S21, T06 S, R23 E, Family Dollar Store Subd Lt 3 Blk 1 Plat 2344 & Tr 2 COS 1528 AM. Mayor Shultz reviewed the resolution. A motion to approve was made by Councilman Taylor and seconded by Councilwoman Cullum. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Resolution #257 to reestablish a base wage scale was next on the agenda. Mayor Shultz reviewed the resolution. Discussion was had regarding the wages that had been previously set and ones that needed to be updated. All wages were filled in and a motion to approve the resolution was made by Councilwoman Cullum and seconded by Councilman Taylor. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Resolution #258 to reestablish the library base wage scale was next. Mayor Shultz reviewed the resolution. Discussion was had regarding the wages that had been previously set and ones that needed to be updated. All wages were filled in and a motion to approve the resolution was made by Councilman DeRudder and seconded by Councilman Asbury. The motion carried with the votes as follows: Councilman Taylor – aye, Councilwoman Cullum – aye, Councilman DeRudder and Councilman Asbury – aye.

Resolution # 259 to set a pay increase for capped employees was next. Mayor Shultz reviewed the resolution. Discussion was had regarding past wage increases as well as the current COLA for our area. A wage increase of 4% was agreed upon and that was filled in on 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 and Councilman Asbury – aye.

Resolution #260 to call for an election was next. 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 and Councilman Asbury – aye.

Attorney Kuntz reported that the TCT lease is still pending as well as other projects he has worked on this month.

Judge Kraft presented the stats for the month of May.

Library Director Zentner reported that the Library will be having a book sale on June 12-15.

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 May.

Clerk Sweet had nothing to report.

Mayor and Town Council: Free Food Delivery will be July 6, 2023 in Bridger.

There being no further business, Councilman Taylor motioned to adjourn. The motion was seconded by Councilman DeRudder. The motion carried with the votes as follows: Councilman Taylor – aye, Councilman DeRudder – aye and Councilman Asbury – aye. The meeting adjourned at 7:51 pm.

Clifford Shultz, Mayor

ATTEST:

Kirstin Sweet, Town Clerk

Total for Payroll Checks

	Employee	Employer	Amount
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COMA HOURS (Comp Time Accumulated)	33.00		
COMP HOURS (Comp Time Used)	37.50		610.31
HOL HOURS (Holiday Pay)	73.91		1,377.25
REG HOURS (Regular Time)	1,651.75		31,268.94
SICK HOURS (Sick Time)	24.75		755.95
TRMS HOURS (Termination Sick Pay)	0.12		2.02
TRMV HOURS (Termination Vacation Pay)	7.06		119.10
VACA HOURS (Vacation Time Used)	100.00		1,784.04
VOLN HOURS (Volunteer Fireman)	48.00		7,200.00
GROSS PAY	35,917.61	0.00	
NET PAY	28,076.58	0.00	
NET PAY (CHECKS)	4,827.82		
NET PAY (DIRECT DEPOSIT)	23,248.76		
DENTAL	0.00	355.00	
FIT	1,155.83	0.00	
GROUP HEALTH	445.00	8,912.00	
LIFE INSURANCE	0.00	19.60	
MEDICARE	520.84	520.84	
P.E.R.S.	2,336.17	2,652.60	
SIT	1,156.27	0.00	
SOCIAL SECURITY	2,226.92	2,226.92	
UNEMPL. INSUR.	0.00	154.67	
VISION HEALTH	0.00	73.40	
WORKERS' COMP	0.00	1,480.57	
ALTANA FED CRED	1,986.28	0.00	
BANK OF BRIDGER	9,032.05	0.00	
FIRST INTERSTAT	262.17	0.00	
STOCKMAN BANK	1,978.26	0.00	
US BANK-MT	2,051.00	0.00	
WELLS FARGO BAN	4,243.34	0.00	
WELLS FARGO CO	702.17	0.00	
WESTERN SECURIT	2,993.49	0.00	
FIT/SIT BASE	33,581.44	0.00	
MEDICARE BASE	35,917.61	0.00	
PERS BASE	29,571.80	0.00	
SOC SEC BASE	35,917.61	0.00	
UN BASE	34,367.61	0.00	
WC BASE	43,117.61	0.00	
Total		16,395.60	
Total Payroll Expense (Gross Pay + Employer Contributions):		52,313.21	
*** PAYROLL REGISTER + VOLUNTEER PAYROLL REGISTER = PAYROLL SUMMARY ***			
Total Discounts:	0.10		
Total Payroll Expense (Less Discounts):		52,313.11	

Check Summary

Payroll Checks Prev. Out. \$0.00

Payroll Checks Issued \$18,156.60
Payroll Checks Redeemed \$0.00
Payroll Checks Outstanding \$18,156.60
Electronic Checks \$36,469.43

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account	
Social Security	4453.84	4453.84		212000	
Medicare	1041.68	1041.68		212001	
P.E.R.S.	4988.77	4988.77		212203	
Unempl. Insur.	154.67	269.67	424.28	0.06	212202
Workers' Comp	1480.57	2001.21	3481.68	0.10	212201
FIT	1155.83	1155.83		212002	
SIT	1156.27	1156.27		212200	
DENTAL	355.00	389.00	-34.00	212502	
LIFE INSURANCE	19.60	19.60		212502	
VISION HEALTH	73.40	81.50	-8.10	212502	
GROUP HEALTH	9357.00	9357.00		212502	
Total Ded.	24236.63	2270.88	26549.45	-41.94	

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

Checks: 34208 and 34251 to 34268

Electronic Checks: -85653 to -85612

**TOWN OF BRIDGER
SPECIAL EVENTS APPLICATION**

Name/ Purpose of Special Event: Amber Lambright / wedding Reception

Area Proposed for Special Event: Civic Center

Date and Time of Special Event: ~~10/7/2023~~ 1pm - close 09-23-2023 *KL*

Number of People Anticipated to Attend: 60-70 (will have final count in August)

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 being served, the event holders must arrange and pay for security. Contact the Bridger Police Chief for details).

Trash Removal.

Number of Restrooms/Latrines needed 2.

Alcohol will be sold during special event. Specify the location and size of the area where alcohol will be sold/consumed: Kitchen in main Hall
Dry Creek will cater/Bar

Waiver of Open Alcohol Prohibition Requested.

(Dry Creek) 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 will pay in July

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.

12/7/22
Date

Amber Lambright
Signature of Applicant

Address: 1540 Sons Way #4
Billings MT 59106

Phone #: 910-262-1972

LEASE AGREEMENT FOR THE BRIDGER RODEO GROUNDS

THIS LEASE AGREEMENT is made and entered into this 1st day of July 2023, by and between the TOWN OF BRIDGER, 108 S. D Street, Bridger, Montana 59014, herein referred to as “LESSOR,” and Nick Althoff and Kaleb Buessing, hereinafter “LESSEES.”

IN CONSIDERATION of the payment of rentals and covenants hereinafter set forth to be kept and performed by Lessee, Lessor does hereby rent and demise to Lessee the premises herein described upon the terms and conditions set forth in this Lease Agreement.

1. **DESCRIPTION OF LEASED PREMISES.** The premises leased, hereinafter called “leased premises,” is defined as the real property on the Southwest side of the Town of Bridger commonly identified as the Bridger Rodeo grounds, including access road and bleacher area.

2. **PRIMARY TERM.** The Lease term is granted for a period of **one (1) year from July 1, 2023 to June 30, 2024.** The Town of Bridger reserves the right to terminate the lease in the event that the Town sells the rental premises or has another use for the rental property. The Town shall provide Lessee with 30 days-notice in the event to early termination.

Lessee must give Lessor at least 30 days advance written notice, prior to the expiration of the Lease, of their intent to renew. The parties must then agree upon the new rental prior to the expiration date.

3. **RENTAL.** Lessee agrees to pay Lessor for use of the leased premises a rental fee, commencing on the date of occupancy, in the amount of **\$150.00 per month**. All rental payments shall be made payable to Lessor and mailed United States Mail to 108 South D. Street, Bridger, Montana 59014.

4. **UTILITIES.** Lessees shall pay all charges for electricity above \$60.00 per month throughout the term of the Lease. The Town Clerk will notify Lessees of any utility bill that needs to be paid by Lessees.

5. **TAXES AND INSURANCE.** Lessor shall be responsible for real property taxes & structural property insurance. Lessee shall be responsible for personal property taxes and personal property/business liability insurance.

Lessees agree that it is a condition of this Lease that their homeowner's personal liability insurance policy extend general liability insurance protection in the amount of \$1,000,000.00 to the leased premises insuring both Lessor and Lessees from any loss arising out of any act, transaction or occurrence throughout the term of the Lease at Lessee's expense. Such policy must be a primary coverage policy and must be approved, in advance, in writing, by the Town of Bridger's liability insurance provider and name the Town as an additional insured.

6. **USE OF PREMISES.** Lessees agree that the "leased premises" shall be used for horse and cow pasturing. Lessees shall not permit or suffer any waste to be committed upon the "leased premises." Lessees agree to share in the responsibility of removing weeds by grazing. Lessees shall clean up and remove all animal waste during the term of the Lease and prior to its expiration.

7. **USE OF PREMISES FOR SPECIAL EVENTS.** From time to time, special events are approved by the Town Council to be held at the Bridger Rodeo Grounds. When such events are approved, Lessees shall make every effort up to and including removing animals from the premises, to accommodate the event. Such events are typically approved with ample notice so as to allow time for Lessees to make such arrangements.
8. **MAINTENANCE, REPAIR AND REPLACEMENT.** With prior approval from Lessor, Lessees may share in the responsibilities of maintaining, repairing and replacing all of the structural elements of the premises. Such sharing of responsibilities can be used as credit toward rental fees. When such improvements are completed by Lessee, documentation including but not limited to receipts for items purchased, documented hours of personal labor and equipment must be submitted to the Town Clerk. The Town Clerk will maintain records of such documentation and the corresponding credits given for rental fees.
9. **PUBLIC LIABILITY.** Lessees covenant and agree to indemnify and save Lessor harmless from any claim or demand of any kind or character whatsoever arising out of any act, transaction or occurrence upon the "leased premises" during the full term of this Lease.
10. **SUBLETTING AND ASSIGNMENT.** Lessees agree not to assign this Lease or any interest therein or to suffer or permit any subtenant to occupy and use the "leased premises" or any portion thereof without first obtaining the written consent of Lessor.
11. **QUIET ENJOYMENT.** Lessor covenants and agrees that if Lessees shall pay the

rental herein provided and performs all of the terms and conditions of this Lease that Lessees shall quietly and peaceably enjoy the “leased premises” during the term of this Lease.

12. MAINTENANCE-TERMINATION. Lessees agree to perform all reasonable and necessary maintenance on all portions of the leased premises in which damage is caused by the Lessees or their animal occupants. At the expiration of the term of this Lease, Lessees agree to quietly and peaceably surrender the possession of the “leased premises” to Lessor in as good a condition as it was received at commencement of the term, reasonable wear and tear alone excepted.

13. DEFAULT-ATTORNEY FEES AND COSTS. If Lessees fail to pay the rentals required herein or perform any other term or condition of this Lease, and any such default or defaults remain uncured for a period of five (5) days after service of a written notice by Lessor, then the Lessor shall have full power and authority to cancel this Lease and immediately re-enter and move all persons and property therefrom. Lessees shall remain liable for any deficiency in the rentals. Lessor may elect to pursue any other legal or equitable remedy. In the event that any civil action is filed in any court to construe or enforce the provisions of this Lease, the prevailing party shall be entitled to recovery of reasonable attorney’s fees, actually incurred, in addition to any other costs allowed by law.

14. NOTICES. Any notice required or permitted pursuant to this Lease shall be in writing and be deemed to be served at the time of personal delivery or the time of deposit in the United States mail, postage prepaid, certified or registered and addressed to the

respective parties as follows:

TO LESSOR:	Town of Bridger 108 S. D Street Bridger, Montana 59014	
TO LESSEES:	Nick Althoff 2264 US Hwy 310 Bridger, MT 59014	Kaleb Buessing 2173 US Hwy 310 Bridger, MT 59014

15. WAIVER. No waiver of the performance of the terms of this agreement shall be construed to be a waiver of any other performance or acquiescence in or consent to any further or continuing breach of the same term, condition or covenant.

16. TIME OF ESSENCE. Time is expressly declared to be of the essence as to payment of the rental and performance of each and every other term and condition required herein.

17. BINDING EFFECT. The terms and conditions of this Lease shall be binding upon and inured to the benefit of the respective parties, their personal representatives, successors, heirs and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Lease on the day and year first above written.

Town of Bridger Mayor, Lessor

Nick Althoff, Lessee

Kaleb Buessing, Lessee

RESOLUTION NO. 261

A RESOLUTION TO AUTHORIZE A VARIANCE PURSUANT TO SECTION 76-3-207 (5)

WHEREAS, § 76-3-207 (5), MCA, allows the Town of Bridger to authorize a variance from the 2-year restriction on subsequent transfer of land subdivided pursuant to subsection 1(b) to address a hardship situation.

WHEREAS, the Town of Bridger has received a request for a hardship variance from Melissa Scianna for property located within the Town of Bridger limits.

WHEREAS, Melissa Scianna had nearly completed the process for a family transfer when SB 158 was enacted with immediate effect.

WHEREAS, the Town of Bridger finds that imposition of the two year restriction on subsequent transfer without grandfathering in pending applications would constitute a hardship in this case because it would prevent transfer to Melissa Scianna's sister-in-law so she and her family can build a home next to Scianna's, and that therefore a variance is appropriate on these specific facts.

NOW THEREFORE BE IT RESOLVED, the Town of Bridger hereby grants a hardship variance pursuant to the provisions of § 76-3-207 (5), MCA, allow the family transfer that will soon be completed by Melissa Scianna to be exempt from § 76-3-207 (1)(b), MCA, and thus the property will be allowed to be subsequently sold immediately rather than waiting for 2 years.

DULY passed and adopted at a regular meeting of the Bridger Town Council this 5th day of July 2023. This Resolution shall become effective immediately upon passage.

Clifford Shultz, Mayor

ATTEST:

Kirstin Sweet, Town Clerk / Treasurer

request for hardship variance Family Transfer

To Kirstin Sweet <clerk@bridger-mt.com>

Bridger City Council,

I am respectfully requesting a hardship variance from the 2 year restriction on transfer of land in a family transfer (76-3-207 (5)).

Just over 2 years ago, I began the process of transferring a plot of my land to my sister-in-law so she and her family could build a home next to ours. I wanted to give my family an opportunity to have a home here in this wonderful town that I have lived in for over 35 years - and, with a full acre behind our home, I felt like this was something we could achieve.

Our addresss is 206 E Carbon Ave. We do have a full acre in the back which is now relatively unused and in a grass/clover pasture mix.

As we began the process, we were guided to pursue the Family Transfer (instead of a traditional subdivision) by Red Lodge Surveying in order to save money and time. Since money is in short supply and time is also of the essence due to the rising price of materials and lack of contractor availability, we chose to follow this advice.

Several factors, which we had no control of, slowed us down through the process (including Covid and the resulting lack of available surveyors and State recording staff) and we finally were thrilled to receive approval from the State on June 26, 2023 - over 2 years from when we began the project.

The City of Bridger staff has been extremely supportive and helpful through this long process and we have so much gratitude. We have completed engineering for the new home which has been approved by the City Engineer, have consulted extensively with Randy and crew and have been diligent about getting all the proper plans in place.

My sister in law and her family have their financing lined up, their builder ready to go, everything is in place, and we were overjoyed with the thought of getting this project started.

Through this process, we have spent thousands of dollars on survey, fees and other various expenses including personal banking preparations, and to be honest, we have reached the end of our already limited financial resources.

Now, at the final hour, we were informed by Red Lodge Surveying that the Montana legislature passed SB 158 this Spring which took immediate effect. This bill puts a 2 year waiting period on a land transfer completed after making a Family Transfer -which places a 2 year hold on the project from the date of the transfer.

We already have over two years invested in this project. Being forced to wait an additional 2 years to complete our project, due to a very recently passed law, will create a financial hardship for both our families that will prevent this project from ever being completed.

With the thousands of dollars and countless hours we have put into this project, this would be devastating for our family.

I understand that the Town has the authority to waive the 2 year waiting period. I respectfully ask the Council to consider granting this variance to us.

My goal here has been to help my family with homeownership in these very hard times, to have family close to us, to create shared garden space together and to share this community that has been so generous and good to us with the people I love. The process has been much more difficult than I ever dreamed, but we are so close to completion. I am grateful for all the help we have received so far and appreciated the Council's wisdom and compassion in reviewing our very pressing situation. Thank you so much for your consideration.

Respectfully,

Melissa Scianna

End of Period Disbursement Detail
 Bank Account: Bank of Bridger - 110582
 From 06/27/2023 to 06/27/2023
 Total Only

Check Number: None

Date	Description	Case Number	Payer	Citation No.	Amount
Account 200-177 - Criminal Conviction Surcharge 7467 MCA 3-1-318					
Account 200-177 Total:					\$30.00
Account 200-210 - Fines / Forfeitures - 1000 & 7451 (50/50 Split)					
Account 200-210 Total:					\$2,520.94
Bank Reconciliation Journal Entry: Move April Interest to Fines & Forfeitures					
Bank Reconciliation Journal Entry: Move May Interest to Fines & Forfeitures					
Account 200-250 - Misdemeanor Surcharge					
Account 200-250 Total:					\$45.00
Account 200-340 - Technology Surcharge - 7458					
Account 200-340 Total:					\$30.00
Account 200-380 - Victim Witness Admin Fee					
Account 200-380 Total:					\$1.00
Account 200-390 - Victim Witness Surcharge - 7699					
Account 200-390 Total:					\$49.00
Check Total:					\$ 2,675.94
Report Total:					\$2,675.94