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### **May 14, 2019 Regular Council Meeting**

Council Members in attendance were Joe Willauer, Scott Holbrook, Nolan Frandsen, and Matt Greemore. JB Klyap was absent. Also in attendance were Clerk/Treasurer Kristi Millhouse and Maintenance Supervisor Sam Novich. Mayor Hyndman was also absent. Council President Matt Greemore presided over the meeting.

**Guests:** Bill and Paula Kinoshita (The Old Hotel), Joe Wiltzen, Jeff Walker, Hoyt Walker, Pat Bradley (Madison County Planning Board), Lori Harshbarger (Town Attorney), Don Hyatt, and Mary and Ray Smail.

Council President Matt Greemore called the meeting to order at 7:05 pm.

**Public Comment:** Scott Holbrook spoke on behalf of the Fire Department. The Fire Department has been exploring options for acquiring another piece of ground to build a new Fire house as they need more space. They are also considering the option of expanding on to the current building. Hoyt Walker commented that it is best to keep the building in Town. They need to add on some additional bays for the trucks as they are parked in several different locations. The Fire Department would have to move over into the park area approximately 20 ft. Adding on to the current building would be the easiest option. The Fire Department will draw up some preliminary plans and provide to the Town at the next Council meeting.

Jeff Walker –Wanted to answer any questions the Council had regarding their survey. No questions from the Council.

Bill Kinoshita asked about whether we got anything else back on the resort tax. Joe commented, not at this time because the letter for qualification has not been sent to the State.

**Great West Engineering:** Kristi provided the Council with Task Order #5 which would allow Great West Engineering to complete the discharge permit. Cost would be approximately \$3500. Joe made a motion to approve task order #5. Nolan seconded the motion. Motion passed with unanimous vote.

Floodplain administrator – Kristi commented that Great West Engineering has an individual on staff that is a certified flood administrator. Cost would be approximately \$2,000 to put Great West on retainer for our floodplain administration. Currently everything states that Sam is the floodplain administrator and he doesn't feel comfortable with it. It would require training and attending the FEMA conferences. Does the Town want Great West Engineering to service the Town for floodplain administration? Discussion occurred amongst the Council. Kristi will get more information.

Sidewalk Project – Discussion occurred regarding the increase for the sidewalk project. The increase was due to the additional changes that were made for the entry way at the school and adjusting the parking on 6<sup>th</sup> Ave. The Council wants to make sure that these increases do not keep incurring. Joe made a motion to pay the increase on the sidewalk project. Council would like to have MDT available for discussion on any additional increases. Scott seconded the motion. Motion passed with a unanimous vote.

**Resolution 2019-04:** Nolan made a motion to approve Resolution 2019-04. Motion was second by Joe. Motion passed with a unanimous vote.

**Resolution 2019-05:** Joe made a motion to approve resolution 2019-05. Scott seconded the motion. No comments. Motion passed with a unanimous vote.

**AT&T Cell Phone Tower Contract:** Discussion occurred regarding the contract and whether we should or shouldn't put a tower in. Several individuals are not in favor of the tower and some are worried about the health risks. Discussion occurred regarding a special meeting. Town Attorney discussed the changes that she would like to see if the Town moves forward with this contract. She will hold on to the changes that were discussed until after the special meeting and Council has decided to move forward.

**Sheriff's Report:** Kristi reported on behalf of the Madison County Sheriff as he was unable to attend. The Sheriff's Department responded to (3) civil service calls, (1) theft burglary, (1) threat/harassment, (2) unfounded 911 calls, (2) Vandalism/Criminal Mischief.

**Roger Hutchinson:** No one present. Originally, his building permit was on the agenda; however, Sam reported Roger is not ready to proceed, so no action was taken.

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**Don and Marsha Greemore** (313 S Main St): Don and Marsha Greemore submitted an application for putting a storage shed on their property at 313 S Main St. Discussion occurred regarding the storage shed at 313 S Main St. Joe Wiltzen commented that he owns the property next to Greemore's and complained that the shed was installed before approval was granted by the Council. Joe Wiltzen doesn't think the Council should approve it tonight. Discussion occurred. Town Attorney commented that going forward the law should be amended for storage sheds and the Council needs to change the way they are handling things.

Scott moved to approve the building compliance for Don and Marsha Greemore. Nolan seconded the motion. Motion passed with a unanimous vote. Matt abstained from the vote. Sam needs to go check the set-backs and the Town needs to send a letter to Greemore's stating that in the future, applications must be approved by Council at a meeting, prior to installation.

**Madison County Planning Board**: Pat Bradley reported that the Planning Board did not meet in March. Charity Fetcher resigned from her position on March 16<sup>th</sup>. Alex Hogel stepped into the position on May 1<sup>st</sup>. He is anxious to be here and has found house in VC. Joe asked if the new administrator would come to our July meeting. Pat stated she would work on that and get him here.

**Library Board**: No one was present from the Library Board. Council reviewed the Director's report. Discussion occurred regarding upcoming vacancies of the Library Board. Kerstin Clark's term is up and she cannot go back on as she has completed two terms. Steve Millhouse and Didi Murray are also both up for renewal. The Library will need to post the positions and provide the Town with the applications so they can approve the new board members. Kristi asked about the utilities for the library with the completion of the Shop. Sam is hoping for the shop will be completed by this winter. The Council stated that the Town will not be paying their utilities any longer once the Town moves out of the building. The Library will need to put the utilities on their budget.

**Attorney's Report**: Water/Sewer Account No. 026-00 needs to be discussed. The Council needs to have a special meeting for this account. The meeting may need to be a closed session but Town Attorney will check on the legalities of this.

**Maintenance Report**: Sam provided his report. No major accidents to report. The John Deere Grader is going to cost an additional \$500 to repair, making the total \$5,000. Sam would like to know if the Council is ok with this increase as it will wipe out the budget for Highway and Streets. The backhoe is also being worked on as well as the dump truck. Matt moved to approve the motor for the JD Grader. Nolan seconded the motion. Motion passed with a unanimous vote.

Street Conditions – Sam commented on the roads and the frost boils are drying up. It doesn't help to grade them right now because they are still soft underneath. Need a little more time before he starts grading the roads.

They also need to do an asphalt patch on Main Street, which will be the first project that is done once the equipment is also up and running again.

Sewer was plugged up on Monday and they were able to get it unplugged. They are ready to get the pivot up and running but the computer is not communicating with the pivot.

Shop building – Bid solicitation for subcontractors for the shop building was advertised for two weeks in the Madisionian. Sam only received interest from 2 contractors. Discussion occurred regarding the construction of the budget; accepting bids and retaining subcontractors with a contract. Nolan moved to have a contract drawn up for Keith Perry and have Tom sign it as long Keith's bid is within the budget. Motion was seconded by Joe. Motion passed with a unanimous vote.

**Mayor's Report**: Mayor Hyndman was not present so no report was given.

**Clerks Report**: Fence Ordinance – Town Attorney has a couple of changes. Under the location it needs to read the constructing private property owner has the burden of determining the property line. She recommended capitalizing the word ordinance throughout. Under paragraph 4 material needs to be changed to materials. Council agreed that the fence ordinance is complete and ready for the first reading at the next Council meeting.

Business License Ordinance – no one had a chance to look at it. Bill asked what the changes were to the ordinance. The Town is looking at adding information for marijuana for medicinal purposes as it has not been addressed in the ordinance. Council will look at the ordinance and get back to Kristi next month.

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Workers compensation rates for Fire Department - Kristi explained to the Council that rates for the Fire Department are going up because of the House Bill that was passed requiring Town's to pay for presumption coverage. Nolan will talk to Lloyd Carlson, the Fire Chief, further to help figure out what the Town should do about the coverage and if we want to proceed with getting the actual rate for the coverage.

**Approval of Consented Minutes:** Nolan moved to approve the April 9, 2019 minutes. Motion was seconded by Matt. Motion passed with a unanimous vote.

**Approval of Claims:** Matt moved to approve electronic payroll checks 89485 to 89516 and checks 5710 to 5713. Motion was seconded by Nolan. Motion passed with a unanimous vote.

Warrant Claims – Joe made moved to approve claim checks 20631 to 20661 and electronic checks 89844 to 89845. Motion was seconded by Matt. Motion passed with a unanimous vote.

**Council Review:** Kristi asked if anything was discovered regarding the lagoon and the dumping issue. Billings does because it is a treatment plant. Town Attorney still does not recommend dumping. Council is not ready to discuss any further at this time.

Meeting adjourned at 9:37 pm.

ATTEST:

Signatures on File in official Minute books

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Thomas O. Hyndman, Mayor

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Kristi Millhouse, Clerk/Treasurer