

TOWN OF DRUMMOND
REGULAR TOWN COUNCIL MEETING

07/16/2024

CALL TO ORDER: Mayor Gail Leeper called the July Town Council Meeting to order at 7:00pm. Present were Mayor Leeper & Council Members McLure, Clute, and Stuart; Town Attorney McGill; Town Clerk-Treasurer Wight and Public Works Director Harrington.

PLEDGE OF ALLEGIANCE: Mayor Leeper led the Pledge of Allegiance at the Public Meeting.

PUBLIC IN ATTENDANCE: Brad Koon, representing Triple Tree Engineering; Dalton Oyler, representing Xylem; Drummond Citizens: Glen and Deborah Kolbeck, Chris and K.C Norton; Jackie Bolster, Granite County DES Coordinator; Calvin Wight; and Deputy Robinson.

AMEND AGENDA:

AMEND - Action Items: table Amendment Resolutions 2023-11; 2024-8; 2024-9; 2024-10; 2024-11; and 2024-12 until August Town Council Meeting.

Mayor Leeper asked for a motion to amend the July 16, 2024 Town Council Meeting Agenda, tabling Amendment Resolutions 2023-11; 2024-8; 2024-9; 2024-10; 2024-11; and 2024-12 until the August Town Council Meeting. Council Member Clute made a motion to table Amendment Resolutions 2023-11; 2024-8; 2024-9; 2024-10; 2024-11; and 2024-12 until the August Town Council Meeting. Council Member McLure seconded the motion. All yeas, none opposed. Mayor Leeper concurred.

GUEST COMMENT:

- **Jackie Bolster, Granite County DES (Disaster Emergency Services) Coordinator** – Jackie notified the Council of Fire Restrictions placed by Granite County Commissioners July 16, 2024 in open meeting. Granite County has been placed in **STAGE 1 FIRE RESTRICTIONS**.

Jackie provided cards listing the Fire Restrictions, informing the QR Code on the postcard is linked to the state website and can be scanned with cellphones; which will show the statewide fire information.

She continued by informing the Council and citizens, Granite County's Resolution pertaining to the Fire Restrictions has been sent to D.N.R.C.; which will then place Granite Counties information on the State website.

There have been eight fire related calls since July 4th, which prompted the Commissioners' moving into STAGE 1 FIRE RESTRICTIONS. Fire Restrictions will be reevaluated weekly during the Commissioners' Meeting; adjustments will be made to the Fire Restrictions based on the current fire conditions.

- **Chris Norton** – Chris provided comment regarding **fireworks**; stating, the firework bombardment is not only Dangerous to fields, causing fires; but also, is hazardous to citizens within the community, such as: Veterans that have PTSD. Individuals such as his wife, that has seizures, the strobe light effect from fireworks causes his wife to have seizures. The loud booming sound of fireworks affects her service dog making him incapable of performing his duties as a service animal; causing him to get scared and

hide, due to the loud noise.

With that, Chris continued, he would propose the Town of Drummond look at a Fireworks Ordinance within the Township of Drummond.

Chris proposed variances, that could be taken into consideration, for a Firework Ordinance.

- 1) A Ban on Fireworks, in any form.
- 2) A Ban on Arial Fireworks; allowing for Safe and Sane Ground Fireworks, allowed only on the Fourth of July.

- **Glen Kolbeck** – Glen provided comment regarding **fireworks**; adding to Chris' comments, he has a lot of livestock; residing within the Township, on the edge of Town. Glen continued, every year there are fireworks; he ends up having to doctor his livestock that end up in fences, getting injured or dying. In the past, he has lost horses from bleeding out, after getting caught in a fence.

Glen proposed:

- 1) Fireworks to at least be limited to the Fourth of July, until midnight.

He expanded, his displeasure in being awake at 2AM due to fireworks; that have been running on for three days, by that point.

Glen, also shared with the Council; he is one of those Veterans that suffers from PTSD, being treated for over twenty years. The sound of the popping gets him amped up.

- **Deborah Kolbeck** – Deborah provided comment regarding **fireworks**; Deb introduced herself as Glen's wife; stating, she has taken Glen to the Emergency Room on the Fourth of July in past years, due to the fireworks.

She continued; she has to take her dog along with her, as the fireworks causes her dog to hide, shake and have seizures.

Glen interjected; their four Border Collies are also affected by the fireworks.

Deb stated, this year the fireworks started the end of June, went through the Fourth of July, and continued through Rodeo Weekend. The Bars kept the rodeo weekend music under control, but this year the fireworks were overkill.

- **K.C. Norton** – K.C. provided comment regarding **fireworks**; stating she and Deb drove three hundred miles, with their dogs to avoid the fireworks. Upon returning home at midnight, they were still setting the "big ones" and "loud ones" off.

K.C. continued; by sharing with the Council, she had a seizure this Fourth of July because of the fireworks and had been seizure free for seven years.

- **Jackie Bolster** – Jackie provided comment regarding **fireworks**; Jackie stated, she had a fire in her yard this year because of fireworks, and they weren't even setting them off; continuing, she is still picking up fireworks out of her yard.

The fireworks were hitting their house; they found a burn mark, and a firework was in the middle of it

She added, the fireworks are becoming a hazard; especially as dry as it is, being placed

in STAGE 1 Fire Restrictions. It's only a matter of time, these fireworks are going to start causing a bigger issue.

Jackie mentioned, there were five separate locations setting off fireworks around their residence until 2:00AM.

Mayor Leeper provided the guests attending the Town Council Meeting an educational moment; that during Guest Comment, the Town Council listens to the comments, taking notes until the all the guests have had the opportunity to comment.

Mayor Leeper made note to the guests; that "fireworks" is an agenda item, later on the agenda, where it will be discussed amongst the Council.

She then asked, if there were any other public comment.

RESIGNATION:

Roads: Council Member Ray Powell submitted a letter of resignation dated, June 18, 2024; submitted after the June Town Council Meeting.

Mayor Leeper asked for a motion for the Council to approve Ray Powell's letter of resignation dated, June 18, 2024. Council Member McLure made a motion to approve Ray Powell's letter of resignation dated, June 18, 2024. Council Member Stuart seconded the motion. All yeas, none opposed. Mayor Leeper concurred.

LETTER OF INTEREST:

Roads: Council Member Letter of Interest Mike O'Dell submitted a letter of interest to fill the vacant Council Seat.

Mayor Leeper read the letter of interest in its entirety.

Mayor Leeper went on to explain, the seat would be appointed, until the end Ray Powell's Council Term; which ends December 31, 2025. Then the appointed Council Member would run for the next term in office.

Mayor Leeper continued, by explaining the reasoning of appointing a Council Member so quickly; decisions the Council has to make for the current Wastewater Treatment Facility Upgrade Project and the importance of those decisions. Mayor Leeper expanded, that leads to an emergency in filling the vacant council seat.

With that, Mayor Leeper asked for a motion to accept the appointment of Mike O'Dell to Council Member. Council Member McLure made a motion to appoint Mike O'Dell to Council Member. Council Member Clute seconded the motion. Mayor Leeper asked if there was any other discussion, prior to council vote. Council proceeded to vote; all yeas, none opposed. Mayor Leeper concurred.

LAW ENFORCEMENT: Law Enforcement Report was provided to Drummond, for the July Town Council meeting.

Mayor Leeper introduced Deputy Robinson to the Council and Guests, as the Deputy that graciously pulled her over for speeding, in Philipsburg; to which she admitted, she was speeding.

Officer Robinson added, it made his night.

There were chuckles in the room; as Mayor Leeper stated, she took that opportunity to invite Deputy Robinson to a Drummond Town Council Meeting to introduce himself to the Council and Community.

Mayor Leeper added, so he is graciously attending Drummond's Town Council Meeting.

Deputy Robinson stated, he had opportunity in his schedule this evening so he decided to attend tonight's Town Council Meeting.

Mayor Leeper and Deputy Robinson conversed, as to the number of deputies now employed by Granite County Sheriff's Office; including Sheriff and Under-Sheriff there are a total of six deputies.

Mayor Leeper showed her appreciation to Deputy Robinson for coming to Drummond's Town Council Meeting; then proceeded to introduce him to the Town Council and Support Staff.

MINUTES: Mayor Leeper asked for a motion to approve the June Regular Town Council Meeting minutes. Council Member Stuart made a motion to approve the June Regular Town Council Meeting minutes. Council Member Clute seconded the motion. All yeas, none opposed. Mayor Leeper concurred.

CLAIMS: Mayor Leeper asked for a motion to approve the claims. Council Member McLure made a motion to approve the claims. Council Member Stuart seconded the motion. All yeas, none opposed. Mayor Leeper concurred.

INVESTMENTS: Investment sheet provided to the Town Council.

Mayor Leeper showed appreciation to Clerk/Treasurer Wight for reading the fine print on the Certificate of Deposit set to mature, which the council had approved to roll over.

If the CD had just been rolled over the Town would have received 0.4500% APY. Clerk/Treasurer Wight read the fine print showing the decreased interest amount if the cd was rolled over; she contacted the bank, learning you actually have to close out the existing CD and open a new CD to continue receiving the 5.14% APY/5.05 Interest for the 4-month CD.

The Certificate of Deposit is held in the amount of \$75,672.13, equaling interest in the amount of \$1,271.57 for the last four months. Mayor Leeper added, you can see the difference in those numbers that was to her, so kudos to Clerk/Treasurer Wight.

FINANCIALS: Financial sheet provided to the Town Council.

Fiscal Year 2023 Financial Review, with Auditors Denning, Downey and Associates out of the Bitterroot have concluded their Financial Review. They will be sending a report including their findings, once it is prepared.

Mayor Leeper and Clerk/Treasurer Wight were both in attendance on the phone conference exit interview for Fiscal Year 2023 Financial Review.

Mayor Leeper expanded; she has been with Local Government now for 30 plus years and never once has she seen an auditor take a finding away, but Clerk/Treasurer Wight found the information to have a finding taken away.

The Council will be provided the audit results and findings once they are available; the findings have already been answered and addressed. This information will be made available to the public as well, once it is available.

ACTION ITEMS:

Action Items: tabled Amendment Resolutions 2023-11; 2024-8; 2024-9; 2024-10; 2024-11; and 2024-12 until the August Town Council Meeting. Attorney McGill found how they could be done differently; they will be revised and presented at the August Town Council Meeting.

MAYOR'S REPORT:

- **Purchasing Cooperative Agreement: Town of Drummond and Valley Fire District** – The City of Colstrip had an agreement with their Fire District in order to purchase items from D.N.R.C.

Town of Drummond is currently looking for a box for storage; we are looking into how their Cooperative Agreement was beneficial in making needed purchases for their Town.

- **Solid Waste** – Commissioners signed another five-year contract with Republic.
- **Solid Waste** – Mayor Leeper is currently working on sewer charges for the upcoming Budget. Mayor Leeper and Council Member Clute will be working on the Sewer numbers together.

Mayor Leeper continued, Department of Revenue has some errors within Montana Cadastral; those areas indicating an error in Cadastral, are also noted in MAPS.

ATTORNEY:

- **Council Member Resignation** Addressed after Guest Comments.

PARKS:

- **Dry Weather** – Council Member Stuart addressed the park is very dry.

Mayor Leeper added; she and Jackie Bolster previously discussed, they can strengthen a law, but cannot weaken it, with regards to the STAGE 1 FIRE RESTRICTIONS.

Mayor Leeper and Attorney McGill conversed, regarding STAGE 1 Fire Restrictions, if Drummond could add No Fires to the existing Restrictions.

Attorney McGill will follow up, if a Resolution will be needed; prepare the Resolution, if required; then the Town Council will hold a special meeting to approve the Resolution.

- **Pavilion Electrical** – Cowboy Church was held during Rodeo; Pastor Ryan said, they brought a generator as back-up for electrical.

Last year a hornet's nest presented a problem.

Public Works Harrington, looked over the electrical prior to the Rodeo; which presented no obvious concerns.

The electrical did cut in and out; the Town will have Larry Palmer look at the Pavilion Electrical to verify if it is working correctly; or possibly there is not enough amperage.

- **Boat Ramp** – Fish, Wildlife, and Parks cleaned out boat ramp today, there was a lot of sand which was removed and placed next to the bank.

- **Water** – Mayor Leeper received a call from a resident up Bear Gulch regarding getting water. He mentioned a neighbor stated he could get water out there; she thanked him for calling, but added please don't.

Cameras will need to be checked, then turn over to law enforcement, the Town will possibly have to put a lock on the water at the park. The Town is not in the water selling business.

ROADS:

- **Blackfoot Communications** – Mayor Leeper needs to speak with Drummond's contact Jason; she hasn't been given an update in a while. Mayor Leeper will reach out to him tomorrow.

Blackfoot had reached out to Drummond for water to be used on their fiber optic project outside of Drummond. They were cut off from use of water, due to the need of the water being utilized for fire suppression.

- **Water Tank** – 350-gallon water tank purchased to be utilized in roads to wash the truck off after sanding; wash the roads to uncover manholes. Public Works has it set up really well.

FLOODPLAINS:

- **Dry Weather** – Council Member McLure addressed concern to the dry weather.
- **Dike** – Mayor Leeper mentioned, as she was watching the Rodeo; she wondered if goats or sheep could be utilized for weed control at the dike eating the weeds, instead of spraying. They would need to be confined to small areas with electric fences.

Mayor Leeper asked Mr. and Mrs. Kolbeck; if they had goats, and their thoughts to if goats could be utilized for weed control.

Deb Kolbeck responded, they have solar powered electric fences; once set up, the goats don't go across it.

Council Member McLure interjected as to if the Kolbeck's would be interested in something like that. Adding, The Core set up the dike properly for the use of horses at the dike.

Mayor Leeper and Attorney McGill conversed; as to the posting requirements, and writing an agreement in preparation for next spring. Since, this year it was already sprayed.

This may be an option for the lagoon as well; once, the sewer project is complete.

SEWER:

- **Wastewater Treatment Facility Upgrade** – Brad Koon, representing Triple Tree Engineering provided an update.

Brad provided updated Wastewater Treatment Facility Project plans. Plans, designs and

specifications were submitted to DEQ (Department of Environmental Quality) and SRF (State Revolving Fund); SRF is one of the funding agencies.

DEQ will review the material submitted; once DEQ provides their approval the project can go out to BID.

Engineer Koon provided an overview of the Project. Currently the Town's Lagoon is a one cell lagoon.

The project will remove the sludge that has been build up over the years; berms will be constructed in the middle, taking the one-cell lagoon to a three-cell lagoon; each cell will be lined with an impermeable liner; the multi-cell process will treat the sewage prior to going through the UV treatment plant before being discharged.

A flow meter will also be at the lift station, along with an upgrade to the basket.

Engineer Koon added the water tank will be a benefit in spraying down the UV for maintenance.

Engineer Koon provided liner samples; explaining the purpose and placement of each liner. The critical purpose of the liner to ensure it will not float.

Engineer Koon proceeded to review the funding of the project:

Project Estimate 6.1 million +/-, which was different than the initial estimate in the preliminary engineer report. Once it was determined the initial estimate add increased; they reached out for additional funding sources then those already secured; RD and CBDG.

RD funding application is about complete and to be submitted the end of this week; the CBDG application is due in October.

Engineer Koon presented there are three funding scenarios; with the sewer monthly price increase per scenario ranging from \$20 to \$25 per month, to cover the project. There is a really large grant component to the project: \$2 million ARPA Competitive Grant; \$300,000 ARPA Minimum Allocation Grant; \$500,000 MCEP Grant; \$125,000 RRGL Grant; \$750,000 Forgiveness; likely to receive \$800,000 to \$900,000 RD Grant; and hoping for \$750,000 CBDG Grant.

Engineer recommended; putting the BID package together, putting the UV Treatment as an alternate. That will allow the opportunity to utilize additional grant funding if needed to complete the UV portion of the project; however, UV will be already plumbed into the project.

Schedule:

Triple Tree is expecting DEQ approval in July or August. The receipt of RD Funding Grant Package is expected in October. Advertise for BIDS in November; likely the first of the year will know if awarded CBDG Funding, then will know if want to award the UV alternate; Construction beginning 2025 and ending October 2025, with project close out December of 2025.

Sludge Placement:

Needed acreage is 30 acres with the Lund property; problem is at the time, the thought was DEQ/EPA would be somewhat flexible with the slopes of the ground, but they are being really rigid to the slopes and placement.

Engineer Koon went out and conducted additional surveying; and doesn't believe they can get 30 acres out of the original site chosen. Engineer Koon is in discussion with their property down below, which is East of the Lagoon; the Lund's are thinking it over.

Mayor Leeper added; again, our concern is still hauling over the railroad tracks. The property next to the lagoon would be ideal.

- **Drummond Water PER** - Brad Koon, representing Triple Tree Engineering provided an update.

2023 the Town was awarded RRGL Grant for \$15,000; the Town has now been awarded grant funding from MCEP for \$30,000. The Drummond Water PER (Preliminary Engineer Report) will be completed at no cost to the Town.

The Water PER focus will be to look at the Town's fire suppression system, to get it in good shape; but also look at a water system as a whole to have on the shelf in case grant funding opportunities come along in the future.

Mayor Leeper mentioned, she did speak with Dick Applegate; discussing the size of the pipe coming up to the hydrants, he said they are 4 inch, on the east side of A Street coming up, when they were re-installed in the 70's.

Clerk/Treasurer Wight will research and notify Engineer Koon the deadline for SLIPA/HB355 funding to be utilized.

- **Sewer Rates:** Valley Fire District – Mayor Leeper and Council Member Clute will review sewer charges for Valley View District; other non-profit organizations in Drummond are only charged a half unit.

CITY COURT: None

NEW BUSINESS:

- **Fire Works** – Mayor Leeper expressed her concern to the Council, regarding fireworks, stating fireworks are much more powerful than they were in the past.

When people are setting off fireworks on our streets and sidewalks that becomes a liability to the Town and our taxpayers, which is of great concern.

Mayor Leeper continued, she has received more calls this year and has witnessed more poor decision making than ever before.

While here at Town Hall we witnessed one set off, that we thought was gunfire; as well as everyone in the area. The fire at a citizen's home concerns her; the manager at the apartments stated, they were shooting off fireworks directly at the apartments which burned a part of the

exterior wall; there was a little girl that was taken to the emergency room due to fireworks; poor decisions of people shooting those big mortars down Main Street. All starting as soon as fireworks were legal to be sold in Montana; which this year was around June 28th, and didn't stop.

We are currently checking into the liability aspect with the Town's insurance.

She has heard people mention getting a special permit for that day; Mayor Leeper shared, she is not going to have an opinion about that.

There are a lot of municipalities that have now made it illegal to blow off fireworks at all, in city limits. In Drummond that would include the park, since the park is in city limits.

We need to continue to work on this throughout the year.

Law Enforcement was called several times.

Mayor Leeper also has been conversing with the Fire Chief every day.

Mayor Leeper added, she doesn't want to take away anybody's ability to celebrate our independence; but it has not been done so responsibly.

Hall has a very good firework show; presented by a master blaster, who is trained and licensed to do so.

Mayor Leeper went out to the park after the Fourth, people who had tried to be responsible by doing fireworks on the softball field, left all their garbage at the park.

Mayor Leeper spoke with the Sheriff and the Under-Sheriff about fireworks; Philipsburg is also discussing the issue of fireworks and doing things differently in the future.

Again, Mayor Leeper added, she doesn't want to take away anybody's ability to celebrate our independence, but our responsibility is to the Town; the little girl who was taken to the emergency room due to a firework accident could have been filed through the Town. The little girl is okay.

Mayor Leeper asked the Council for their thoughts pertaining to fireworks. The decision will not be made tonight, but we have to prepare for the next celebration, January 1st. New Year's is a bit different as it doesn't pose the same conditions, since it is not dry out.

Discussion was made between the Mayor and Council; questions as to current regulations and ordinances.

Currently Law Enforcement utilized Drummond's upkeep ordinance to deal with firework related calls this year; there were several citizens who requested copies of the upkeep ordinance, this year.

The Clerk has put this out to that Town's Insurance, for their thoughts.

Council conferred with the Town Attorney as to her thoughts; Attorney McGill stated restrictions to fireworks would be enforced through a Town Ordinance, and would be an enforcement issue.

Attorney McGill added, this is an issue that should be discussed at a Town Hall Meeting, and invite the public, hearing from more citizens than what we have here tonight. If nothing else, possibly appoint a citizens committee to look into it. There needs to be citizen involvement.

We can't just have people attend these meetings and expect to Council to pass something; when

there is 1) enforcement issues, 2) there is nothing on the books; Attorney McGill expanded, she understands they want something done, she doesn't like them either; but they have to have a plan, you have to start at the beginning. Citizen involvement is so important on this, because it involves all the citizens; you have this faction that wants to blow them off for two weeks, then there are folks with health issues.

Attorney McGill added, we need to have a Town Hall Meeting, a Citizens Committee formed, we have to start somewhere.

A Town Hall Meeting; having a representative from Law Enforcement, the Town Council would be present, no decisions would be made. The mayor could moderate it; or she could have someone moderate it.

Mayor Leeper interjected, we need to be able to educate everyone about Law Enforcement; and the Town's Law Enforcement Agreement, the number of hours the Town has contracted.

The Town needs to begin the process now, since nothing in government is done quickly. There is a lot to writing an ordinance; because it is a law, requiring enforcement.

Council Member McLure added people need to attend the meeting.

The Town Hall Meeting will allow for dialogue between to Town Council and citizens.

Clarification was made between the mayor and the guests present; as to questions pertaining to the Law Enforcement Agreement with the Town of Drummond.

Mayor Leeper asked the Council, if they were in agreement in scheduling a Town Hall Meeting.

A Town Hall Meeting will be planned for August or September; we will look into utilizing Community Hall to hold the meeting.

Getting everybody's input is a great idea; Mayor Leeper thanked Attorney McGill, for her suggestion in having a Town Hall Meeting.

- **Big Sky Passenger Rail Authority: 2024-2025 Contribution** – last year the Town of Drummond contributed \$100.

Mayor Leeper presented to the Town Council, that the Town should contribute the same this year; adding, it should be done so by motion.

Council Member Stuart made a motion to contribute \$100 (one hundred dollars) to Big Sky Passenger Rail Authority: 2024-2025 Contribution. Council Member McLure seconded the motion. All yeas, none opposed. Mayor Leeper concurred.

UNFINISHED BUSINESS:

- **Xylem** – Dalton Oyler, representing Xylem came to answer questions regarding the Xylem Preventative Maintenance Agreement/Terms and Conditions. The contract is basically initiated for scheduling purposes and to hold client pricing for the length of the said agreement.

Mayor Leeper, shared with Dalton the lack of customer service provided by Xylem; stating the customer service with Xylem has been horrific.

The Town was in need of a gasket for the pumps, which were built by Xylem; Xylem was unable to get them. Having to call and call to get service, with no response is not acceptable.

Mayor Leeper continued, the Town is not actually due for service until November, mentioning

this was possibly a slower time for Xylem allowing their company time for service calls.

Our concern is when Council Member Clute or Public Works Director Harrington call Xylem and there is no response.

Council Member Clute added, that is the reason our pumps were serviced by Xylem in November. Council Member Clute previously requested a service contract; and no one would get back to him. He expanded; he doesn't want his Public Works out in 40 below servicing pumps.

Dalton explained, there has been a large employee turnover; for the last two years they didn't have a service technician. He went on to explain the hardships experienced by Xylem over the past several years.

Dalton agrees, servicing pumps in the winter is not ideal for anyone. They will be doing service calls in the summer time in the future.

Council Member Clute added; his concern is if there is an emergency he wants to know if he calls, someone will answer. Dalton assured the Council Member Clute; he can be reached on his cell phone and will be available.

Mayor Leeper thanked Dalton for coming and discussing with the Council, the previous conditions surrounding Xylem and how we can move forward with Xylem.

Council Member Clute added; once they are here, they do a good job.

Mayor Leeper stated, we want to do what is best for the tax payors.

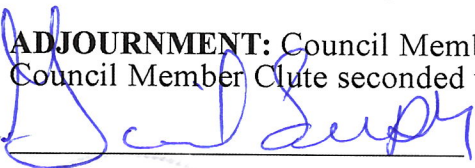
Mayor Leeper conferred with Council and Attorney McGill, regarding how to move forward.

Clerk/Treasurer Wight will gather the information and put a packet together for the Council.

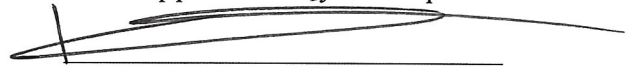
Dalton expanded, the maintenance agreement terms can what the Town prefers, whether it be 3,4, or 5-year. Once the maintenance agreement is in place the Town would be on the calendar for maintenance, with Xylem reaching out on an annual basis for scheduling; and providing reports for recommendations for servicing needs.

Next Town Council Meeting: Scheduled Tuesday, August 20, 2024.

ADJOURNMENT: Council Member Stuart made a motion to adjourn the meeting at 8:13pm. Council Member Clute seconded the motion. All yeas. ~~None opposed.~~ Mayor Leeper concurred.



Gail Leeper, Mayor



Robin Wight, Town Clerk/Treasurer/Paralegal