

RESOLUTION NO. 419

RESOLUTION OF THE TOWN OF FROMBERG APPROVING TRANSFER OF FRANCHISE AND LEASE AGREEMENT

WHEREAS, the Town of Fromberg, previously passed and adopted Resolution No 406 on April 6, 2009, which Resolution granted a Franchise and Lease Agreement to Cable Montana, L.L.C., its successors and assigns, the right to erect, own, operate and maintain a cable television system in Fromberg, Montana; and

WHEREAS, Cable Montana, L.L.C. and TCT West, Inc have entered into an Asset Exchange Agreement dated August 19, 2011, whereby TCT West, Inc is acquiring all or substantially all of Cable Montana, L.L.C.'s assets used in the operation of its cable system in the Town; and

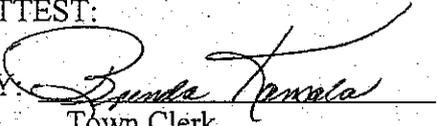
WHEREAS, PURSUANT TO THE Agreement, on the closing date of October 1, 2011, Cable Montana, L.L.C. will transfer and assign the Franchise and Lease Agreement to TCT West, Inc, and TCT West, Inc will assume all obligations arising from the Franchise and Lease Agreement, after the closing date; and

WHEREAS, Cable Montana, L.L.C. has requested in writing that the Town consent to the transfer of the Franchise and Lease Agreement to TCT West, Inc,

NOW, THEREFORE, be it resolved by the Town of Fromberg that subject to TCT West, Inc and Cable Montana, L.L.C. closing the underlying exchange of assets of Cable Montana, L.L.C.'s cable system in the Town, the Town hereby consents to the assignment and transfer of the Franchise and Lease Agreement from Cable Montana, L.L.C. to TCT West, Inc subject to TCT West, Inc performing all duties and obligations previously required of Cable Montana, L.L.C. and TCT West, Inc will obtain annually a Town business license. Nothing in this Resolution constitutes any waiver of any rights by the Town to approve any subsequent transfer, assignment or sale of the Franchise and Lease Agreement.

Passed and approved this 12 day of Sept, 2011.

ATTEST:

BY: 
Town Clerk

BY: 
Mayor of Fromberg
Town of Fromberg

(SEAL)

Resolution No. 420

Be it resolved: that by a town meeting of the Town of Fromberg held on the 12th day of September, 2011, the tax levy for the Town of Fromberg for the fiscal year 2011/2012 was made by resolution of the Town Council and approved by the Mayor as follows:

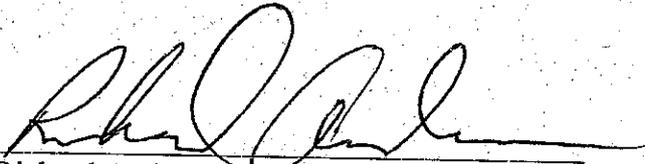
General (all purpose):	113.6144 mills	78%
Health Insurance:	18.9357 mills	13%
Liability Insurance:	13.1094 mills	9%

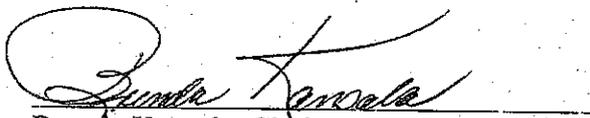
Making a total of 145.6595 mills..

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 164.0595 mills.

Said Town of Fromberg has caused its corporate name to be subscribed hereto and its corporate seal affixed by its Mayor and Clerk this 12th day of September, 2011.


Richard Anderson, Mayor


Brenda Kansala, Clerk

(SEAL)

RESOLUTION: 421

A RESOLUTION OF INTENTION TO INCREASE THE RATES AND CHARGES FOR WATER SERVICES, ELIMINATE BASE GALLONS ALLOWED, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, water revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the water system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2009), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to change Water System Charges. It is the intent of the Town to implement these changes to the rates and charges of the water system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Base Rate Charge.

User Categories	Base Rate Charge
Resident Active	36.00
Commercial Active	36.00
Non Resident Active	41.20
Non-Active	20.00

Section 3. Monthly Usage Charge. Active users will be assessed \$2.35 per thousand gallons used based on their meter readings taken each month.

Section 4. Bulk Water.

Bulk Water Users \$2.00/200 gallons (token value)

Section 5. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 6. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

PASSED AND APPROVED the 3 day of OCTOBER, 2011, by the Town Council of the Town of Fromberg.

Diana P. Labi
Councilperson

X
Yes No Absent

Shirley Kauter
Councilperson

X
Yes No Absent

James A. Perkins
Councilperson

X
Yes No Absent

Councilperson

Yes No Absent

Approved:

Ronald Anderson
Mayor

ATTEST:

Diana Kauter
Clerk

RESOLUTION: 422

A RESOLUTION OF INTENTION TO, INCREASE THE RATES AND CHARGES FOR THE SERVICES PROVIDED BY THE SEWER SYSTEM, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, sewer revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the sewer system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2009), the Town of Fromberg, a municipality, has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to it inhabitants and other persons served by municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of the Town of Fromberg, Montana,

Section 1. Intent to change Sewer System Charges. It is the intent of the Town to implement these changes to the rates and charges of the sewer system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Rate Changes. It is the intent to change the current rates to the following new rates;

Current Rates:

New Rates:

FULL \$11.70

FULL \$31.00

All other current rate categories are to be billed using the Full Rate multiplied times the category factor; Examples - Fullx1.5, Fullx2, Fullx3, Fullx6, etc.

Section 3. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 4. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

PASSED AND APPROVED the 3 day of October, 2011, by the Town Council of the Town of Fromberg.

[Signature]
Councilperson

X
Yes

No

Absent

[Signature]

X

Councilperson

Yes

No

Absent

James A Perkins
Councilperson

X
Yes

No

Absent

Councilperson

Yes

No

Absent

Approved:

Richard Anderson
Mayor

ATTEST:

Summa Kuvola
Clerk

RESOLUTION: 423

A RESOLUTION OF INTENTION TO, INCREASE THE RATES AND CHARGES FOR THE SERVICES PROVIDED BY THE GARBAGE SYSTEM, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, garbage service revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of garbage services, and,

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2009), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to change Garbage System Charges. It is the intent of the Town to implement these changes to the rates and charges of the garbage system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Rate Changes. It is the intent to set new rates that reflect a base charge of 17.00 for each ½ cubic yard container size. Customers will be charged by multiplying the base rate times the number of ½ cubic yard units their container or containers have. The rate name will be defined as follows: "CON" meaning container and equals the base rate, "X" meaning times or multiply, "numeric value" meaning the number of ½ cubic yard units the customer's container or containers have.

Examples:

CONX1 = base rate times one

CONX2 = base rate times two

CONX12 = base rate times twelve

Etc, Etc

If applicable fractional rates can be applied, if vendor makes new containers that are of a different, size ¾ cubic yard or 1¼ cubic yard for example, CONX1.5 or CONX2.5 respectfully.

Section 3. Garbage tags will be available at Town Hall, for a cost of \$2.00 each and are required to be placed on extra cans or items not fitting into regular dumpsters. Certain items are restricted from regular pick up. Customers must contact the garbage collection service provider for a list of these items and instructions for disposal of the same.

Section 4. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 5. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

PASSED AND APPROVED the 3rd day of OCTOBER, 2011, by the Town Council of the Town of Fromberg.

Don Helt
Councilperson

X
Yes

No

Absent

Shirley Knuts
Councilperson

X
Yes

No

Absent

James A. Perkins
Councilperson

X
Yes

No

Absent

Councilperson

Yes

No

Absent

Approved:

Richard Anderson
Mayor

ATTEST:

Shirley Knuts
Clerk

RESOLUTION: 424
A RESOLUTION OF INTENTION TO ESTABLISH A RESERVE ACCOUNT FOR THE
WATER SYSTEM, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, water rates have recently been increased to help provide enough revenue to establish a reserve account for future benefit of the water system, and

WHEREAS, revenues expected should exceed yearly operating cost as projected in the 2011-2012 budget;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to establish a reserve account. It is the intent of the Town to establish a reserve account for the water system and place monthly into that account the following amount.

\$1166.00

PASSED AND APPROVED the 7 day of November, 2011, by the Town Council of the Town of Fromberg.

<u><i>Dina Pab</i></u> Councilperson	<u>X</u> Yes	<u> </u> No	<u> </u> Absent
<u><i>Shirley Knutson</i></u> Councilperson	<u>X</u> Yes	<u> </u> No	<u> </u> Absent
<u><i>James A Beckus</i></u> Councilperson	<u>X</u> Yes	<u> </u> No	<u> </u> Absent
<u><i>Sharon Barnes</i></u> Councilperson	<u>X</u> Yes	<u> </u> No	<u> </u> Absent

Approved:

Richard Anderson
Mayor

ATTEST:

Brenda Kamala
Clerk

RESOLUTION: 425

A RESOLUTION OF INTENTION TO ESTABLISH A RESERVE ACCOUNT FOR THE SEWER SYSTEM, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, sewer rates have recently been increased to help provide enough revenue to establish a reserve account for future benefit of the sewer system, and

WHEREAS, revenues expected should exceed yearly operating cost as projected in the 2011-2012 budget;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to establish a reserve account. It is the intent of the Town to establish a reserve account for the sewer system and place monthly into that account the following amount.

\$800.00

PASSED AND APPROVED the 7 day of NOV, 2011, by the Town Council of the Town of Fromberg.

[Signature]
Councilperson

X
Yes No Absent

Approved:
[Signature]
Mayor

ATTEST:
[Signature]
Clerk

Resolution #426

A resolution of the Town Council of the Town of Fromberg authorizing Mayor Ed Warner-Combs and second Town Council Member JAMES A. Perkins to be signors on account #xxx077 at Valley Federal Credit Union in Billings, Montana.

Be it resolved that the title of the account reflect the specific purpose of the funds: The funds in this account are for the Water Bond Reserve Fund # 5211.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:

Diane Dalin
Diane Dalin, Councilperson, Town of Fromberg AYE NAY Absent

David Flint
David Flint, Councilperson, Town of Fromberg AYE NAY Absent

James A. Perkins
James A. Perkins, Councilperson, Town of Fromberg AYE NAY Absent

Sharon Barnes
Sharon Barnes, Councilperson, Town of Fromberg AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg, Montana on the 6th day of August, 2012.

By: Ed Warner-Combs
Ed Warner-Combs, Mayor

Attest: Brenda Kansala
Brenda Kansala, Town Clerk

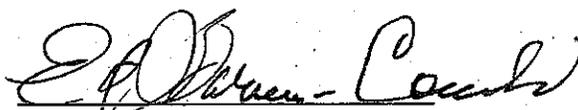
Resolution #427

Be it resolved: that by a town meeting of the Town of Fromberg held on the 5th day of September, 2012, the tax levy for the Town of Fromberg for the fiscal year 2012/2013 was made by resolution of the Town Council and approved by the Mayor as follows:

General (all purpose)	149.33 mills
Fromberg Rural Fire Dept.	18.40 mills

Making a total of 167.73 mills.

Said Town of Fromberg has caused its corporate name to be subscribed hereto and its corporate seal affixed by its Mayor and Clerk this 5th day of September, 2012.


Ed Warner Combs, Mayor


Brenda Kansala, Clerk

(SEAL)

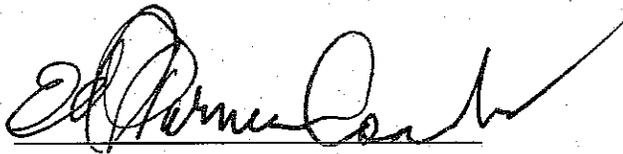
Resolution #429

428

A Resolution To Change Council Meetings.

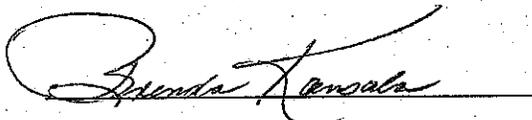
Be it ordained by the Town Council of the Town of Fromberg that the meetings for the conduct of Town Business on a regular basis on the first Monday of each month shall be changed from 7:30 PM of each month and shall begin at the hour of 7 PM

Dated this 14th day of JANUARY, 2013



Mayor, Ed Warner- Combs

Attest:



Town Clerk, Brenda Kansala

Resolution # 429

Resolution Adopting the Carbon County Pre-Disaster Mitigation Plan

Whereas, the Town of Fromberg, Montana, recognizes the threat that natural hazards pose to people and property within our county; and

Whereas, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

Whereas, the U.S. Congress passed the Disaster Mitigation Act of 2000 ("Disaster Mitigation Act") emphasizing the need for pre-disaster mitigation of potential hazards;

Whereas, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

Whereas, an adopted Pre-Disaster Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the Town of Fromberg, Montana, fully participated in the FEMA-prescribed mitigation planning process to prepare this Pre-Disaster Mitigation Plan; and

Whereas, the Montana Office of Disaster and Emergency Services and the Federal Emergency Management Agency Region VIII officials have reviewed the Carbon County Pre-Disaster Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body;

Whereas, the Town of Fromberg, Montana, desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Carbon County Pre-Disaster Mitigation Plan; and

Whereas, adoption by the governing body for the Town of Fromberg, Montana, demonstrates the jurisdiction's commitment to fulfilling the mitigation goals and objectives outlined in this Pre-Disaster Mitigation Plan;

Whereas, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan;

Now, therefore, be it resolved, that the Town Council of Fromberg, Montana adopts the Carbon County Pre-Disaster Mitigation Plan.

Passed 3-4-13



Certifying Official

Resolution # 430

Authorize Submission of TSEP Application

WHEREAS, the Town of Fromberg is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to complete a wastewater Preliminary Engineering Report;

WHEREAS, the Town of Fromberg has the legal jurisdiction and authority to construct, finance, operate, and maintain the Town wastewater collection and treatment system;

WHEREAS, the Town of Fromberg agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual;

WHEREAS, the Town of Fromberg commits to provide the amount of matching funds as proposed in the TSEP applications; and

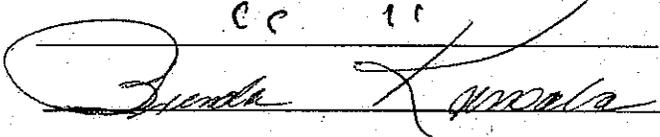
That Ed Warner-Combs, Mayor is authorized to submit this application to the Montana Department of Commerce on behalf of the Town of Fromberg, to act on its behalf and to provide such additional information as may be required.

Signed: 

Name: Ed Warner-Combs

Title: Mayor 5-6-13

Date: 05 11

Attested: 

9/9/13

Resolution #431

Be it resolved: That a town meeting of the Town of Fromberg held on the 9th day of September 2013, the tax levy for the Town of Fromberg for the fiscal year 2013/2014 was made by resolution of the Town Council and approved by the Mayor as follows:

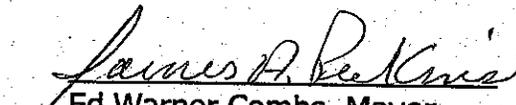
General (all purpose) 151.42 mills

Making a total of 151.42 mills.

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 169.82 mills.

Said Town of Fromberg has caused its corporate name to be subscribed there to and its corporate seal affixed by it's Mayor and Clerk this 9th day of September, 2013.


Ed Warner Combs, Mayor


Brenda Kansala, Clerk

RESOLUTION NO. 432

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA ESTABLISHING A SERVICE PLAN FOR FUTURE ANNEXATIONS AS REQUIRED UNDER MCA TITLE 7, CHAPTER 2, PART 46 "ANNEXATION BY PETITION AND "PROVISION OF SERVICES."

A. Introduction

Whereas, the Town of Fromberg hereby recognizes that Montana law has established municipal governments for the purpose of providing local government municipal services essential for sound urban development of communities as well as for the protection of health, safety and welfare in areas either already being intensively used or undergoing development for residential, commercial, industrial, institutional and governmental purposes.

"Historically, the purpose of Montana's annexation statutes has been simply to provide expanding communities with:

1. A united and effective single form of government;
2. Orderly growth through uniform regulations such as building codes, planning, and zoning standards; and
3. An equal sharing of community resources and financial responsibility for those resources by people living in an area united by social, political, and economic interests."

Montana's Annexation Law: an Evaluation, November 1980, Montana Legislative Council.

B. Long Range Plan

As required by MCA 7-2-4732, this plan anticipates development for a period of at least five years into the future. The 2010 Census lists the Town of Fromberg's population at 438. It is projected that the Town could reach a population of 442 by 2018 (*US Census*). Studies such as those noted below if available should be consulted when reviewing proposed annexations.

1. Sewer – The Town's sewage treatment facility can serve a population of 535. An upgrade to the facility would service a population of 535. (Provide general description of sewer capacity and future upgrades, if currently planned, and describe any long range plans and future upgrades).
2. Water – The Town's water capacity can serve a population of 535. An upgrade to the system would service a population of 535. (Provide general description of water capacity, if currently planned, and describe any long range plans and future upgrades).
3. Roads – Future road extensions shall be designed to accommodate projected demand. Where possible, logical extensions of the Town's street network will be required. (Provide general description of road extensions, if currently planned, and describe any long range plans and future upgrades).
4. Service Providers – Describe the ability of local service providers to manage additional capacity (fire, police, emergency services, school district) (Provide general description and describe any long range plans and future upgrades).

C. Areas Considered for Annexation

Currently there are numerous areas adjacent to and lying on the perimeter of the Town of Fromberg that are natural extensions of the Town, but which are not presently located within the corporate boundaries of the Town. Some of these areas are already extensively developed and are deriving benefits from the Town of Fromberg without paying their just and equal share for these municipal services. Other areas are not extensively developed, but given the current growth trends in the Fromberg area will be attractive for development in the future. It is the policy of the Town of Fromberg that properties outside of the Town shall not be connected to the Town's water and sewer system without annexation. The Town of Fromberg will attempt to timely consider any property owner's petition requesting annexation of land that is contiguous with the Town and eligible for annexation in accordance with State statutes. Furthermore, the Town of Fromberg plans to consider annexation of new subdivision developments in a timely manner whenever a developer submits a development proposal to the Town for annexation.

(Note: The following should describe areas where annexation may occur in the next five years. For each, provide a general description of the area and desirability for annexation. Consider physical constraints such as topography and man-made constraints such as railroads or industrial facilities, etc).

1. North – Within the next five (5) years, the Town anticipates S20 S17, T055, R23E
N. to TOMAHAWK ^{FUTURE}
2. South – Within the next five (5) years, the Town anticipates NA
3. East – Within the next five (5) years, the Town anticipates NA
4. West – Within the next five (5) years, the Town anticipates WEST to WATER RES.
S20, T055, R23E.

D. Petition(s) for Annexation (Made into a list)

If a property owner petitions the Town to have property annexed into the Town pursuant to MCA Title 7, Chapter 2, Part 46, the property owner shall submit a petition for annexation in a form with a specific legal description of the area to be annexed and the signatures of more than 50% of the resident electors owning real property or the owners of real property representing 50% or more of the total area to be annexed. Concurrent with a petition for annexation, the petitioner shall also propose one or more zoning designations for the property to be annexed and a site plan or preliminary plat indicating the sizes of lots, proposed land uses and density of development anticipated for the property. The petitioner shall also pay an annexation fee established by the Town Council, which may be waived in the Council's discretion.

E. Municipal Services to Annexed Land

1. It is the plan of the Town of Fromberg that municipal services will be available to property that is annexed within a reasonable time (generally not to exceed five years) on substantially the same basis and in the same manner as such services are available to the rest of the municipality. If it is likely that the area proposed to be annexed will not have municipal services available within a reasonable time, the area should not be annexed.
2. All property owners located in a newly annexed area will be required to comply with all Town, State, and Federal laws, statutes, regulations, ordinances, and resolutions,

including but not limited to, zoning, building codes, fire prevention ordinance and fire codes, fireworks ordinances, dog license ordinance, business license ordinance, and all other laws, statutes, regulations, ordinances, and resolutions.

F. General Policies for Providing Services to Annexed Property

1. The Town plans to generally provide municipal services of police, fire, street maintenance, parks and recreation and all general administrative services of the Town of Fromberg to annexed property immediately upon annexation. The financial cost of extending such services shall generally be shared by the entire municipality through municipal revenues allocated and expended pursuant to the Town's annual budget adopted each fiscal year. No new citywide bond issue is planned for the sole purpose of financing provision of municipal services to annexed areas. *(Optional note: Parcels annexed into the Town will be required to enter into the citywide Street Maintenance District and may be required to enter into an existing or future street lighting district, or other such district established).*
2. The developer(s) or property owner(s) of annexed property will be required to construct all infrastructure improvements, including but not limited to: water lines, sewer lines, fire hydrants, reservoirs, pump stations, lift stations, culverts, drainage systems, roadways, sidewalks, street lighting, traffic control devices, street name signs, and such other improvements as may be required by the Town, at the developer's or property owner's expense. The infrastructure improvements will be constructed in accordance with the Town of Fromberg's Subdivision Regulations, Town of Fromberg Specifications, and the most recent edition of the Montana Public Works Standard Specifications. The infrastructure improvements shall be in compliance with applicable codes and standards and be of adequate size and design to accommodate the needs of the proposed development. All proposed infrastructure shall be reviewed and approved by the Town Public Works Director, and as-built drawings as required by the Town Public Works Director shall be submitted to the Town prior to final acceptance of the infrastructure.
3. The developer(s) and property owner(s) shall be responsible for providing fire protection appurtenances and required water flow pressures and volume, at the developer's or property owner's expense, as required by the applicable Fire Code enforced by the Town and reviewed and approved by the Town Fire Chief, based on the use of land and the type of construction employed.
4. Sewer systems shall be designed in such a manner as to avoid the requirement for lift stations if feasible.
5. Properties proposed for development in areas which do not have immediate access to Town water and/or sewer, but where services are in close proximity may be required to install dry sewer lines in anticipation of the extension of Town water and sewer into the area within a reasonable time, generally not to exceed five years. Once adequate water and sewer facilities are within 200 feet of the site, or if a new subdivision lot is within 500 feet of Town water and sewer, connection may be required at the property owner's or developer's expense.
6. As new Town streets are constructed, and as existing streets are improved, storm drainage infrastructure shall be installed or improved to Town, State Department of Environmental Quality (DEQ), and Environmental Protection Agency (EPA) standards. It is the

responsibility of the developer(s) or property owner(s) to convey storm water from their property to an appropriate point of disposal as approved by the Town Engineer. If there is no storm sewer conveyance system available to the site, storm water generated as a result of the development shall be retained on site in accordance with applicable DEQ and EPA regulations. Generally, the quantity and rate of runoff from a developed parcel cannot exceed that which would occur had the property remained undeveloped.

7. The developer(s) or property owner(s) shall provide all necessary right-of-way and/or easements, or additional right-of-way or easements if less than adequate right-of-way or easements exist in property proposed for annexation.
8. In areas served by the Town water system, the Town may require the developer(s) or property owner(s) to properly abandon existing wells in accordance with DEQ regulations by qualified personnel. Furthermore, the Town may require existing water rights to be transferred to the Town.

G. Policies for Providing Services in Existing Developed Areas

1. As a general policy, property that is proposed for annexation that has existing infrastructure shall be required to upgrade the infrastructure to Town standards as a condition of annexation.
2. Prior to annexation, the Town may require the developer(s) or property owner(s) to provide the Town with a report describing the following:
 - a. The approximate year or period in which the existing area was developed.
 - b. The location, size and condition of the existing infrastructure, including but not limited to, water and sewer lines, fire hydrants, streets, and storm drainage.
 - c. The size and location and legal purpose of all existing rights-of-way and easements.
 - d. The report shall also include the estimated costs associated with correcting the deficiencies and bringing the utility or improvement to Town standards. The Town may require such a report to be prepared by a professional engineer at the cost of the developer(s) or property owner(s).
3. In certain instances it may be appropriate to require areas within the Town limits, including recently annexed areas, to connect to Town services which are available over a stated period of time generally not to exceed five years. This would provide the opportunity to phase out individual and private systems utilizing on-site facilities or other antiquated systems, which operate at a marginal level and which may not be compatible with Town standards.

H. Off-Site Infrastructure Requirements

1. In the event that annexation creates impacts requiring off-site infrastructure improvements, the developer(s) or property owner(s) of the property proposed for annexation will be responsible for bearing the costs of such improvements, unless otherwise determined by the Town Council.
2. The Town may require reimbursement from developer(s) or property owner(s) to extend all roadways and utilities from the existing Town facilities to the site of development in accordance with all Town standards and specifications, including the

provision for appropriate easements. It shall further be the responsibility of the developer(s) or property owner(s) to construct all streets and utilities to the furthest boundary of the property to be developed or annexed when it is deemed appropriate by the Town Council or Town Engineer in order to facilitate future development.

I. Special Improvement Districts

The Town Council, in its discretion, may approve the formation of a Special Improvement District to pay for the installation, construction, and upgrading of infrastructure improvements. The boundaries of the Special Improvement District shall be the area benefiting from the improvements in accordance with the laws of the State of Montana.

J. Payback Agreement

If the developer(s) or property owner(s) of property annexed pays the entire cost of infrastructure improvements, and such improvements will benefit other property that may be developed or annexed in the future, the Town Council may, in its discretion, authorize a Payback Agreement. The Payback Agreement may provide that developer(s) or property owner(s) that connect to the infrastructure improvements in the future shall reimburse the developer(s) or property owner(s) that initially paid for the improvement a portion of the cost of the improvement. The Payback Agreement shall include a method of calculating the amount of reimbursement. The method of reimbursement may be based upon lot size, front footage, or other means that the Town Council deems reasonable. The payback period shall not exceed 10 years from the date of completion of construction or installation of the improvement. The Payback Agreement shall set forth the specific area that may benefit from the improvement and that will be subject to the Payback Agreement. The cost that may be reimbursed under a Payback Agreement may include engineering, design and inspection fees. Any and all terms and conditions of the Payback Agreement are subject to approval by the Town Council.

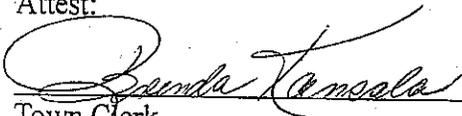
BE IT RESOLVED, the Town of Fromberg hereby establishes the above service plan for future annexations as required by MCA Title 7, Chapter 2, Part 46 "Annexation by Petition" and Part 47 "Annexation with Provision for Services" on 1/6/2014 at a regularly scheduled meeting of the Fromberg Town Council.

PASSED by the Town Council of Fromberg, Montana on 1/6/14.



Acting Mayor, Town of Fromberg

Attest:



Town Clerk

RESOLUTION NO. 433

RESOLUTION SETTING FORTH THE INTENT OF THE TOWN
TO ANNEX PROPERTY

Whereas, the Town Council of the Town of Fromberg, Montana, has found that it is in the best interest of the Town to annex the property recently purchased by Susan and Paul Melker formerly known as "Stake Your Claim" Restaurant and Casino; and

Whereas, a petition has been filed with the Town of Fromberg containing the signatures of more than 50% of the resident electors owning real property in the property to be annexed; and

Whereas, local governments are permitted to annex property contiguous to the current limits of the Town by the provisions of Part 43 of Title 7, Chapter 2, MCA.

NOW THEREFORE, BE IT RESOLVED:

That the following shall be adopted:

1. That it is in the best interests of the Town of Fromberg, and the owners of the property that the parcel of real property described below, and which is contiguous to the current limits of the Town, be included within the boundaries of the Town of Fromberg.
2. That the legal description of the property is:

Township 5 South, Range 23 East, of the Principal Montana Meridian, in Carbon County, Montana. Section 17: That part of the SE1/4 more particularly described as follows: Beginning at a point Eight Hundred Twenty-eight feet (828') West and Eleven Hundred (1100') North of the Southeast Corner of said Section Seventeen (17), which point is on the West line of the county road and Three Hundred feet (300') due North of the North line of North Street in the Dudley First Addition to the Town of Fromberg, said point being the Southeast Corner of the herein described tract; and running thence due West, parallel to the South line of said Section a distance of Two Hundred Nine feet (209'); Then North at right angles to First course Three Hundred Twenty-five and seven-tenths feet (325.7') to the Northwest corner of said tract; thence East Three Hundred Twenty-five and nine-tenths feet (325.9') to an intersection with the said West line of the County road; thence South 19° 48' West on the line of the county road Three Hundred Forty-four and four tenths (344.4) feet to the point of beginning.

EXCEPT that part conveyed to the State of Montana for the benefit and use of its State Highway Commission by Bargain and Sale Deed recorded August 3, 1953, in Book 71 of Deeds, Page 143, under Document #120994, records of Carbon County, Montana, more particularly described as follows:

"344+64.8 to 348+09.2 on Left

A tract of land in SE1/4SE1/4 and NE1/4SE1/4 (west of County Road) Seciton 17, Township 5 South, Range 23 East, M.P.M., Carbon County, Montana, more particularly described as follows:

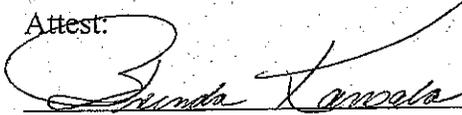
Beginning at a point 1110 feet north and 828 feet west, more or less, from the southeast corner of said Section 17, which said point is on the westerly right of way line of the present County Road and is 300 feet due north from the north line of North Street in the Dudley First Addition to Fromberg, Montana; thence from the said point of beginning west 71.1 feet to a point; thence North 19° 31' 30" East, 344.4 feet to a point; thence east 71.1 feet to a point on the westerly right of way line of present County Road; thence South 19° 31' 30" West, 344.4 feet, more or less, to the point of beginning.

3. That the services to be included in the annexation are water, sewer, and garbage.
4. That all expenses of construction and maintenance of the sewer lift station serving the property shall be the responsibility of the property owner.
5. That it is the intent of the Town Council that the boundaries of the municipality are to be extended to include the area described in the petition for annexation set forth above.
6. This resolution is incorporated in the minutes of the Fromberg Town Council and will be filed with the clerk of Carbon County.

Introduced at a regular meeting of the Fromberg Town Council on 1/6, 2014.



Acting Mayor, Town of Fromberg

Attest:


Town Clerk

Approved as to form:

Town Attorney

PETITION TO ANNEX TO THE TOWN OF FROMBERG, MONTANA

I/We the undersigned property owner(s) of interest in the following described property, pursuant to § 7-2-4601, MCA, do hereby respectfully petition that the Town Council of the Town of Fromberg, Montana, to annex the following described real property situated in Carbon County, Montana, legally described as follows:

Township 5 South, Range 23 East, of the Principal Montana Meridian, in Carbon County, Montana. Section 17: That part of the SE1/4 more particularly described as follows: Beginning at a point Eight Hundred Twenty-eight feet (828') West and Eleven Hundred (1100') North of the Southeast Corner of said Section Seventeen (17), which point is on the West line of the county road and Three Hundred feet (300') due North of the North line of North Street in the Dudley First Addition to the Town of Fromberg, said point being the Southeast Corner of the herein described tract; and running thence due West, parallel to the South line of said Section a distance of Two Hundred Nine feet (209'); Then North at right angles to First course Three Hundred Twenty-five and seven-tenths feet (325.7') to the Northwest corner of said tract; thence East Three Hundred Twenty-five and nine-tenths feet (325.9') to an intersection with the said West line of the County road; thence South 19° 48' West on the line of the county road Three Hundred Forty-four and four tenths (344.4) feet to the point of beginning.

EXCEPT that part conveyed to the State of Montana for the benefit and use of its State Highway Commission by Bargain and Sale Deed recorded August 3, 1953, in Book 71 of Deeds, Page 143, under Document #120994, records of Carbon County, Montana, more particularly described as follows:

"344+64.8 to 348+09.2 on Left

A tract of land in SE1/4SE1/4 and NE1/4SE1/4 (west of County Road) Section 17, Township 5 South, Range 23 East, M.P.M., Carbon County, Montana, more particularly described as follows:

Beginning at a point 1110 feet north and 828 feet west, more or less, from the southeast corner of said Section 17, which said point is on the westerly right of way line of the present County Road and is 300 feet due north from the north line of North Street in the Dudley First Addition to Fromberg, Montana; thence from the said point of beginning west 71.1 feet to a point; thence North 19° 31' 30" East, 344.4 feet to a point; thence east 71.1 feet to a point on the westerly right of way line of present County Road; thence South 19° 31' 30" West, 344.4 feet, more or less, to the point of beginning.

The petitioner(s) requesting annexation of the property described herein into the Town of Fromberg, Montana, hereby mutually agree to the provisions of municipal services to the property requested to be annexed in accordance with the Services Plan adopted by the Town Council in Resolution No. 432, on 1/6/14, and any subsequent amendments, modifications, or updates thereto adopted by the Town Council.

The petitioners waive the right to protest inclusion in Special Improvement Districts created to finance the construction, installation or maintenance of water lines and facilities, sewer lines and facilities, fire hydrants, reservoirs, pump stations, culverts, drainage systems, roadways, streets, sidewalks, street lighting, traffic control devices, street name signs, and parks.

In witness whereof, we have signed this Petition to Annex to the Town of Fromberg, Montana, the day and year as indicated.

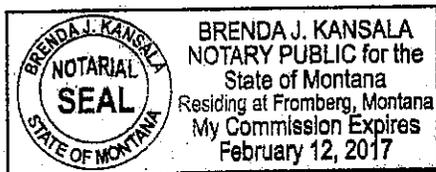
Susan Melker
Susan Melker

Paul Melker
Paul Melker

State of Montana
County of Carbon

On this 31ST day of DECEMBER, 2013, before me, the undersigned a Notary Public for the State of Montana, personally appeared SUSAN MELKER AND PAUL MELKER known to me to be the person(s) who signed the foregoing document and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.



Brenda J. Kansala
Notary Public for the State of Montana
Residing at: FROMBERG
My commission expires: FEBRUARY 12, 2017

Resolution #434

A resolution of the Town Council of the Town of Fromberg authorizing Mayor Richard Anderson and any current Town Council Member be the signatories on account # xxx213 at Bank of Bridger, Bridger, Montana.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:

Sharon Barnes
Sharon Barnes Councilperson, Town of Fromberg AYE NAY Absent

David Flint
David Flint, Councilperson, Town of Fromberg AYE NAY Absent

Timothy Nottingham
Timothy Nottingham, Councilperson, Town of Fromberg AYE NAY Absent

, Councilperson, Town of Fromberg AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg, Montana on the 6th day of January, 2014.

By: Richard Anderson
Richard Anderson, Mayor

Attest: Brenda Kansala
Brenda Kansala, Town Clerk

Resolution # 435

A resolution of the Town Council of the Town of Fromberg authorizing Mayor Richard Anderson and any current Town Council Member be the signatories on account #xxx077 at Valley Federal Credit Union in Billings, Montana.

Be it resolved that the title of the account reflect the specific purpose of the funds: The funds in this account are for the Water Bond Reserve Fund # 5211.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:

Sharon Barnes
Sharon Barnes Councilperson, Town of Fromberg AYE NAY Absent

David Flint
David Flint, Councilperson, Town of Fromberg AYE NAY Absent

Timothy Nottingham
Timothy Nottingham, Councilperson, Town of Fromberg AYE NAY Absent

James A Perkins
JAMES PERKINS, Councilperson, Town of Fromberg AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg, Montana on the 3 day of February, 2014.

By: Richard Anderson
Richard Anderson, Mayor

Attest: Brenda Kansala
Brenda Kansala, Town Clerk

RESOLUTION NUMBER 436

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO.

WHEREAS, Section 9, Article XI of the Constitution of the State of Montana requires that each unit of local government shall conduct an election once every ten years to determine whether the local government will undertake a local government review procedure; and

WHEREAS, 7-3-173(2) M.C.A. requires that the governing body shall call for an election, to be held on the primary election date, on the question of conducting a local government review and establishing a study commission; and

WHEREAS, the Town Council is the governing body of the Town of Fromberg;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Council of Fromberg hereby calls for an election on the question of conducting a local government review and electing and funding a study commission to be held at the primary election on June 3, 2014.
2. If the voters decide in favor of conducting a local government review, a study commission comprised of three members shall be elected at the general election of November 4, 2014.
3. Pursuant to 7-3-175, M.C.A. the question of conducting a local government review shall be submitted to the electors in substantially the following form:

Vote for one:

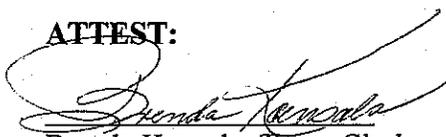
FOR the review of the government of the Town of Fromberg and the establishment and funding, not to exceed \$5,000.00, which is approximately 17 mills, a local government study commission consisting of 3 members to examine the government of the Town of Fromberg and submit recommendations on the government. Passage of this ballot issue will increase the taxes on a home with a market value of \$100,000 by approximately \$42.00 and on a home with a market value of \$200,000 by approximately \$84.00 in 2015.

AGAINST the review of the government of the Town of Fromberg and the establishment and funding, not to exceed \$5,000.00, which is approximately 17 mills, a local government study commission consisting of 3 members to examine the government of the Town of Fromberg and submit recommendations on the government. Passage of this ballot issue will increase the taxes on a home with a market value of \$100,000 by approximately \$42.00 and on a home with a market value of \$200,000 by approximately \$84.00 in 2015.

Passed and adopted by the Town Council of the Town of Fromberg, Montana meeting at regular session held on the 3rd day of February, 2014.


Richard Anderson, Mayor

ATTEST:


Brenda Kansala, Town Clerk

Resolution #437

A resolution of the Town Council of the Town of Fromberg authorizing signatories for any and all accounts at the Bank of Bridger, Bridger, Montana, and requiring two signatures for authorization of any and all transactions, with one signature being the current Mayor and the other being any current Town Council member, and voiding any and all prior authorizations of signatories for any and all accounts at the Bank of Bridger, Bridger, Montana.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:

Sharon Barnes

Sharon Barnes Councilperson, Town of Fromberg

AYE NAY Absent

David Flint

David Flint, Councilperson, Town of Fromberg

AYE NAY Absent

Timothy Nottingham
Timothy Nottingham, Councilperson, Town of Fromberg

AYE NAY Absent

James A. Perkins

James A. Perkins, Councilperson, Town of Fromberg

AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg, Montana on the 7th day of April, 2014.

By: Richard Anderson
Richard Anderson, Mayor

Attest: Brenda Karsala
TOWN CLERK

RESOLUTION # 438

**RESOLUTION APPROVING AND ADOPTING THE
MONTANA MUNICIPAL INTERLOCAL AUTHORITY
REVISED AND RESTATED WORKERS' COMPENSATION
PROGRAM AGREEMENT
Dated July 1, 2014**

WHEREAS, the City/Town of FROMBERG (Member Entity) is duly organized under the laws of the State of Montana; and

WHEREAS, Article XI, Section 7 of the Montana Constitution provides that a political subdivision may a) cooperate in the exercise of any function, power, or responsibility with, b) share the services of any officer or facilities with, and c) transfer or delegate any function, power responsibility, or duty of any officer to one or more other local government units, the state or the United States; and

WHEREAS, Mont. Code Ann. Title 7, Chapter 11, Part 1, (the Interlocal Cooperation Act) authorizes political subdivisions to create interlocal agreements to jointly perform any undertaking that each such political subdivision unit is authorized by law to perform; and

WHEREAS, Mont. Code Ann. § 2-9-211, authorizes political subdivisions of the State to procure insurance separately or jointly with other subdivisions, and to use a deductible or self-insurance plan, wholly or in part; and

WHEREAS, Mont. Code Ann. § 39-71-403, authorizes public corporations, which term includes cities and towns, to self-insure, either separately or jointly with other public corporations for workers' compensation coverage;

WHEREAS, the Montana Municipal Interlocal Authority (Authority) is an Interlocal entity established pursuant to an Interlocal Cooperation Agreement in accordance with the provisions of the Interlocal Cooperation Act for the purpose of providing pooled risk coverage programs for the Member Entity and other political subdivisions executing the Interlocal Agreement; and

WHEREAS, the Authority is authorized to exercise necessary powers to implement the purposes of the Authority as established by the Interlocal Agreement;

WHEREAS, by executing this REVISED AND RESTATED WORKERS' COMPENSATION PROGRAM AGREEMENT, the Member Entity signatory hereto has heretofore determined and does hereby confirm that the Assessments and other charges required by the Workers' Compensation Program have been and are just and reasonable and advantageous to the public benefit of the citizens of such Member Entity; and,

NOW THEREFORE, BE IT RESOLVED THAT the City/Town of FROMBERG hereby approves and adopts this REVISED AND RESTATED WORKERS' COMPENSATION PROGRAM AGREEMENT with a delayed effective date of July 1, 2014.

Adopted this 7 day of APRIL 2014.

By [Signature]

Its MAYOR

ATTEST:

[Signature]
City Clerk

Resolution # 439

RESOLUTION TO ADOPT THE WASTEWATER SYSTEM PRELIMINARY ENGINEERING REPORT FOR THE TOWN OF FROMBERG, MONTANA, AS PREPARED AND PRESENTED BY GREAT WEST ENGINEERING, INC.

WHEREAS, the Town has experienced problems with its wastewater system;

WHEREAS, the Town hired Great West Engineering, Inc (the Engineer) to complete a comprehensive preliminary engineering report (PER);

WHEREAS, the Engineer has completed the PER and presented the findings at a local public hearing, which was open to public comment;

WHEREAS, the PER includes a funding plan and schedule for the highest priority improvements;

WHEREAS, the public and Council have noted approval of the plan and preferred alternate, and are aware of and accept the presented cost per user anticipated to be required to fund the improvements.

NOW, THEREFORE, BE IT RESOLVED by the Town Council as follows:

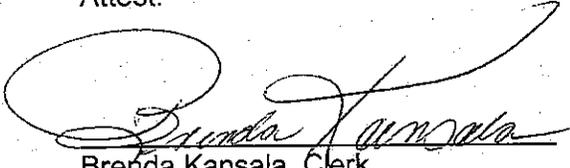
That the Town of Fromberg does hereby adopt the 2014 Preliminary Engineering Report for the Wastewater System as prepared by Great West Engineering, Inc; and

That the PER shall serve as a basis for the wastewater system improvements planning.

Passed and approved this 28th day of April 2014.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

RESOLUTION # 440

A RESOLUTION ACCEPTING THE FINDINGS OF THE ENVIRONMENTAL ASSESSMENT AND DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NECESSARY FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, the Town of Fromberg, Montana ("Town") has completed an assessment to identify potential environmental impacts of the Wastewater System Improvements Project;

WHEREAS, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

WHEREAS, no substantive public comment was received;

WHEREAS, the Town has determined that the Wastewater System Improvements project will not significantly affect the quality of the human environment and accordingly, the Town has determined an Environmental Impact Statement is not necessary;

NOW, THEREFORE, BE IT RESOLVED by the Town Council as follows:

That the Town of Fromberg, Montana adopts the final Environmental Assessment for the Wastewater System Improvements Project.

Passed and approved this 28th day of April, 2014.



Richard Anderson, Mayor

Attest:



Brenda Kansala, Clerk

Resolution # 441

RESOLUTION TO ADOPT THE FUNDING STRATEGY FOR WASTEWATER SYSTEM IMPROVEMENTS FOR THE TOWN OF FROMBERG, MONTANA, AS PRESENTED BY GREAT WEST ENGINEERING, INC.

WHEREAS, the Town has experienced problems with its wastewater system;

WHEREAS, the Town accepted the recommended alternative(s) in the 2014 Preliminary Engineering Report for the Wastewater System (PER) prepared by Great West Engineering, Inc (Engineer) to address the needs of the City's wastewater system;

WHEREAS, the Town is applying to several state and federal agencies for financial assistance to finance the proposed water system improvements;

WHEREAS, the cost estimate for said project as prepared by the Engineer is \$3,319,000;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that pursuit of funding for the said project shall be as follows:

- \$750,000 in grant funds from Treasure State Endowment Program (TSEP); and
- \$125,000 in grant funds from Department of Natural Resources Renewable Resource Grant and Loan program (DNRC_RRGL); and
- \$450,000 in grant funds from Community Development Block Grant (CDBG);
- \$995,000 Grant (50%), \$995,000 Loan (50%) Rural Development grant/loan package; and
- With Up to \$4,000 in cash reserves as local contribution from the Town of Fromberg,

Passed and approved this 28th day of April 2014.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

Resolution # 448

**RESOLUTION TO AUTHORIZE SUBMISSION OF GRANT APPLICATIONS
FOR THE TOWN OF FROMBERG, MONTANA.**

WHEREAS, the Town is applying to the Montana Department of Commerce (MDOC) for financial assistance from the Treasure State Endowment Program (TSEP) to improve the Town's wastewater system;

WHEREAS, the Town is applying to the Department of Natural Resources (DNRC) for financial assistance from the Department of Natural Resources Renewable Resource Grant and Loan program (DNRC-RRGL) to improve the Town's wastewater system;

WHEREAS, the Town is applying to the Montana Department of Commerce (MDOC) for financial assistance from the Community Development Block Grant (CDBG) to improve the Town's wastewater system;

WHEREAS, the Town is applying to the US Department of Agriculture for financial assistance from the USDA Rural Development (RD) to improve the Town's wastewater system;

WHEREAS, the Town has the legal jurisdiction and authority to construct, finance, operate, and maintain the wastewater collection and treatment facilities;

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

That the Town of Fromberg does hereby commit to provide the amount of matching funds as proposed in the TSEP, DNRC, CDBG, and RD applications; and

That Richard Anderson, Mayor is authorized to submit these applications on behalf of the Town of Fromberg, to act on its behalf, and to provide such additional information as may be necessary.

Passed and approved this 28th day of April 2014.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

RESOLUTION NO. 443

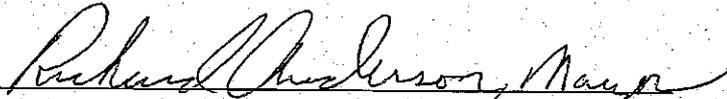
**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FROMBERG,
MONTANA RESOLVING TO REVOKE THE COVENANT ENTITLED
"AGRICULTURAL EXEMPTION" IN CERTIFICATE OF SURVEY NO. 1258,
DESCRIBING PROPERTY LOCATED IN SE ¼, SECTION 17, T.5S, R.23E.,
P.M.M. CARBON COUNTY, MONTANA.**

WHEREAS, the owner Paul and Susan Melker of the property described as SE1/4, Section 17, T.5S, R.23E., P.M.M. filed with the Carbon County Clerk's Office under Certificate of Survey No. 1258, and the Fromberg Town Council have mutually consented to revoke the Covenant entitled "Agricultural Exemption," which requires the described property to be used for agricultural use only.

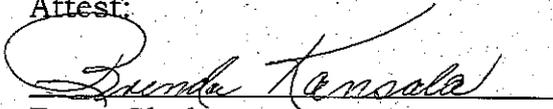
NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to Section 76-3-207(1)(c), MCA, the covenant requiring the property described above be used for agricultural use only is hereby revoked.

DULY AND REGULARLY Passed and adopted at a regular meeting of the Fromberg Town Council this 2nd day of June, 2014.

THE TOWN OF FROMBERG, MONTANA


Richard Anderson, Mayor, Town of Fromberg

Attest:


Town Clerk

Resolution # 444

Be it resolved: That at a town meeting of the Town of Fromberg held on the 8th day of September 2014, the tax levy for the Town of Fromberg for the fiscal year 2014/2015 was made by resolution of the Town Council and approved by the Mayor as follows:

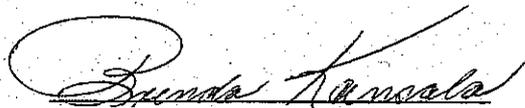
General (all purpose) 156.57 mills

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 174.97 mills.

Said Town of Fromberg has caused its corporate name to be subscribed there to and its corporate seal affixed by its' Mayor and Clerk this 8th day of September, 2014.

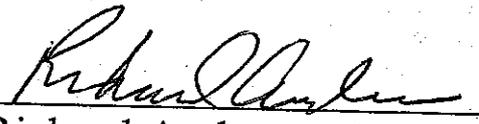

Richard Anderson, Mayor


Brenda Kansala, Clerk

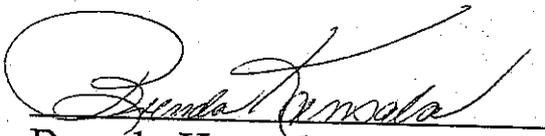
Resolution #445

A resolution of the Town Council of the Town of Fromberg authorizing Jackie L. Schara as signatory at the Bank of Bridger on the Fromberg City Court checking account.

Passed and approved this 3rd day of November 2014.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

871235

Property & Supply Bureau
Surplus Property Programs
PO Box 200137
Helena, MT 59620-0137
(406) 495-6000

RESOLUTION 418

BE IT RESOLVED THAT: Town of Fromberg
(Print Legal Name of Applicant Organization)

STREET ADDRESS: 118 West River Street City: Fromberg MT 59029

MAILING ADDRESS: PO Box 236 City: Fromberg MT 59029

PHONE NUMBER: 406-668-7383 FAX NUMBER: 406-668-9062

E-MAIL ADDRESS: clerk@fromberg-mt.gov

by its Governing Board (or) by the Chief Administration Officer, if not governed by a board, shall obligate the Applicant and its funds to the extent necessary to comply with the TERMS and CONDITIONS listed on the reverse side of this form. The employee(s) whose name(s) and signature(s) appears on this document is (are) authorized to acquire federal surplus property from the State of Montana, Property & Supply Bureau for the above Applicant.

BE IT FURTHER RESOLVED THAT this certified copy of the Resolution shall be submitted to the State of Montana, Property & Supply Bureau and the same remain in effect until written notice is given to the Property & Supply Bureau to change or rescind said Resolution.

CERTIFICATION: I, Richard Anderson hereby certify that I am the
(Chairman of the Board (or) Administrative Officer)

Mayor of the Town of Fromberg
(Title) (Full Legal Name of Governing Board)

of the above applicant that the foregoing is

- (1) a true and correct copy of the Resolution adopted by the vote of the majority of said board present at a duly-convened
- (2) meeting of the said board on the 7th day of February, 2011 at which a quorum was present.

OR

(2) an executive action taken by me on the _____ day of _____, 2011

SIGNATURE: *Richard Anderson*
(Chairman of the Board (or) Administrative Officer)

AUTHORIZED AGENTS AND THEIR SIGNATURES (required)

TYPE OR PRINT NAME:	SIGNATURE	DEPARTMENT:	Bulletin Mailing
1. <u>Richard Anderson</u>	<u><i>Richard Anderson</i></u>	<u>MAYOR</u>	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
2. <u>James A Perkins</u>	<u><i>James A Perkins</i></u>	<u>COUNCIL</u>	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
3. <u>RALPH DAWSON</u>	<u><i>Ralph Dawson</i></u>	<u>CHIEF OF POLICE</u>	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
4. <u>Ray Chapman</u>	<u><i>Ray Chapman</i></u>	<u>DPW</u>	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
5. _____	_____	_____	<input type="checkbox"/> yes <input type="checkbox"/> no
6. _____	_____	_____	<input type="checkbox"/> yes <input type="checkbox"/> no

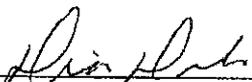
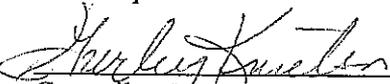
RESOLUTION: 4/7
 A RESOLUTION TO TRANSFER FUNDS FROM TOWN OF FROMBERG WATER
 ACCOUNT (BANK OF BRIDGER) TO THE WATER BOND RESERVE ACCOUNT
 (VALLEY FEDERAL CREDIT UNION)

WHEREAS, the Town of Fromberg has a water bond reserve account at the Valley Federal Credit Union, Billings, Montana in the amount of \$40,508.00, and

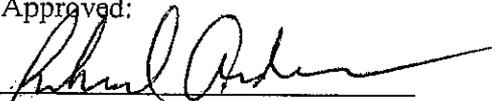
WHEREAS, the original loan agreement for the water system improvements loan calls for a reserve of \$42,552.00,

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana, to transfer from the Bank of Bridger, Bridger, Montana, Water Account, the amount of \$2044.00, to be deposited in the Water Bond Reserve Account at Valley Federal Credit Union, Billings, Montana, to bring the balance of the Water Reserve Account to \$42,552.

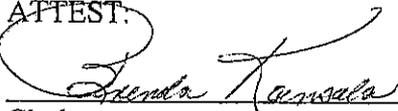
PASSED AND APPROVED the 6th day of December, 2010, by the Town Council of the Town of Fromberg.

<u></u> Councilperson	<u> + </u> Yes	<u> </u> No	<u> </u> Absent
<u></u> Councilperson	<u> x </u> Yes	<u> </u> No	<u> </u> Absent
<u></u> Councilperson	<u> x </u> Yes	<u> </u> No	<u> </u> Absent
<u></u> Councilperson	<u> x </u> Yes	<u> </u> No	<u> </u> Absent

Approved:


Mayor

ATTEST:


Clerk

Resolution No. 416

Be it resolved: that by a town meeting of the Town of Fromberg held on the 13th day of September, 2010, the tax levy for the Town of Fromberg for the fiscal year 2010/2011 was made by resolution of the Town Council and approved by the Mayor as follows:

General (all purpose):	101.343 mills	70%
Liability Insurance:	21.652 mills	15%
Health Insurance:	21.652 mills	15%

Making a total of 144.647 mills..

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 163.047 mills.

Said Town of Fromberg has caused its corporate name to be subscribed hereto and its corporate seal affixed by its Mayor and Clerk this 13th day of September, 2010.


Richard Anderson, Mayor


Brenda Kansala, Clerk

(SEAL)

RESOLUTION: 415
A RESOLUTION OF INTENTION TO SELL TOWN PROPERTY

WHEREAS, the town of Fromberg, Montana has property for disposal, and

WHEREAS, under Section 7-8-4201 Montana Code Annotated, **Disposal or lease of municipal property.** (1) Subject to the provisions of subsection (2), the city or town council may sell, dispose of, donate, or lease any property belonging to the city or town.

(2) (a) Except for property described in subsection (3), the lease, donation, or transfer must be made by an ordinance or resolution passed by a two-thirds vote of all the members of the council.

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana, that the Town will proceed to sale the following property legally described as:

S20, T05 S, R23 E, SW4NW4, 40 ACRES

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this _

19 Day of July, 2010.

[Signature]
Councilperson

X
Yes No Absent

Approved:

[Signature]
Mayor

ATTEST:

[Signature]
Clerk

**RESOLUTION
TO AUTHORIZE SUBMISSION OF A DNRC
APPLICATION**

WHEREAS, the Town of Fromberg is applying to the Department of Natural Resources and Conservation (DNRC) to construct improvements to their municipal water system in the Town of Fromberg;

WHEREAS, the Town of Fromberg has the legal jurisdiction and authority to construct, finance, operate, and maintain the Town of Fromberg municipal water system;

That the Town of Fromberg agrees to comply with the requirements described in the DNRC Application Guidelines; and

That the Town of Fromberg commits to provide the matching funds as proposed in the DNRC application; and

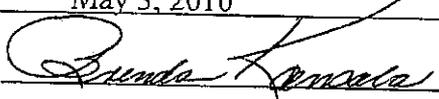
That Richard Anderson, Mayor, is authorized to submit an application to the DNRC Program, on behalf of the Town of Fromberg, to act on its behalf and to provide such additional information as may be required.

Signed: 

Name: Richard Anderson

Title: Mayor, Town of Fromberg

Date: May 3, 2010

Attested: 

Resolution # 414

RESOLUTION TO ADOPT THE FUNDING STRATEGY FOR WATER SYSTEM IMPROVEMENTS FOR THE TOWN OF FROMBERG, MONTANA, AS PRESENTED BY GREAT WEST ENGINEERING, INC.

WHEREAS, the Town has experienced problems with its water system;

WHEREAS, the Town accepted the recommended alternative(s) in the 2010 Preliminary Engineering Report for the Water System (PER) prepared by Great West Engineering, Inc (Engineer) to address the needs of the Town's water system;

WHEREAS, the Town is applying to federal agencies for financial assistance to finance the proposed water system improvements;

WHEREAS, the cost estimate for said project as prepared by the Engineer is \$232,000 for Phase 1;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that pursuit of funding for the said project shall be as follows:

- \$100,000 in grant funds from Department of Natural Resources Renewable Resource Grant and Loan program (DNRC_RRGL); and
- up to \$132,000 in loan funds from State Revolving Fund (SRF)

Passed and approved this 3rd day of May, 2010.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

Resolution # 413

RESOLUTION TO ADOPT THE WATER SYSTEM PRELIMINARY ENGINEERING REPORT FOR THE TOWN OF FROMBERG, MONTANA, AS PREPARED AND PRESENTED BY GREAT WEST ENGINEERING, INC.

WHEREAS, the Town has experienced problems with its water system;

WHEREAS, the Town hired Great West Engineering, Inc (the Engineer) in 2009 to complete a comprehensive preliminary engineering report (PER);

WHEREAS, the Engineer has completed the PER and presented the findings at a local public hearing, which was open to public comment;

WHEREAS, the PER includes a funding plan and schedule for the highest priority improvements;

WHEREAS, the public and Council have noted approval of the plan and preferred alternate, and are aware of and accept the presented cost per user anticipated to be required to fund the improvements.

NOW, THEREFORE, BE IT RESOLVED by the Town Council as follows:

That the Town of Fromberg does hereby adopt the 2010 Preliminary Engineering Report for the Water System as prepared by Great West Engineering, Inc; and

That the PER shall serve as a basis for the water system improvements planning.

Passed and approved this 3rd day of May, 2010.


Richard Anderson, Mayor

Attest:


Brenda Kansala, Clerk

RESOLUTION: 462

A RESOLUTION OF INTENTION TO, INCREASE THE RATES AND CHARGES FOR THE SERVICES PROVIDED BY THE GARBAGE SYSTEM, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, garbage service revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of garbage services, and,

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2007), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to change Garbage System Charges. It is the intent of the Town to implement these changes to the rates and charges of the garbage system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Rate Changes. It is the intent to set new rates that reflect a base charge of 14.50 for each $\frac{1}{2}$ cubic yard container size. Customers will be charged by multiplying the base rate times the number of $\frac{1}{2}$ cubic yard units their container or containers have. The rate name will be defined as follows: "CON" meaning container and equals the base rate, "X" meaning times or multiply, "numeric value" meaning the number of $\frac{1}{2}$ cubic yard units the customer's container or containers have.

Examples:

CONX1 = base rate times one

CONX2 = base rate times two

CONX12 = base rate times twelve

Etc, Etc

If applicable fractional rates can be applied, if vendor makes new containers that are of a different, size $\frac{3}{4}$ cubic yard or $1\frac{1}{4}$ cubic yard for example, CONX1.5 or CONX2.5 respectfully.

Section 3. Garbage tags will be available at Town Hall, for a cost of \$2.00 each and are required to be placed on extra cans or items not fitting into regular dumpsters. Certain items are restricted from regular pick up. Customers must contact the garbage collection service provider for a list of these items and instructions for disposal of the same.

Section 4. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 5. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

Resolution No. 411

Be it resolved: that by a town meeting of the Town of Fromberg held on the 14th day of September, 2009, the tax levy for the Town of Fromberg for the fiscal year 2009/2010 was made by resolution of the Town Council and approved by the Mayor as follows:

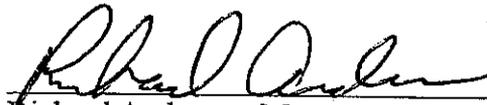
General (all purpose):	96.861 mills	68%
Liability Insurance:	14.862 mills	11%
Health Insurance:	29.996 mills	21%

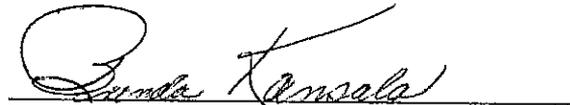
Making a total of 141.719 mills..

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 160.119 mills.

Said Town of Fromberg has caused its corporate name to be subscribed hereto and its corporate seal affixed by its Mayor and Clerk this 14th day of September, 2009.


Richard Anderson, Mayor


Brenda Kansala, Clerk

Resolution # 410

Resolution of the Town of Fromberg to commit to provide the amount of matching funds as proposed in the TSEP application

WHEREAS, the Town of Fromberg is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to correct a significant deficiency that exists with the condition of the backup source infiltration well and the pumping, piping associated with the backup source.;

WHEREAS, the Town of Fromberg has the legal jurisdiction and authority to construct, finance, operate, and maintain (the proposed public facility);

That the Town of Fromberg agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual;

That the Town of Fromberg commits to provide the amount of matching funds as proposed in the TSEP application; and

That Richard Anderson, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the Town of Fromberg, to act on its behalf and to provide such additional information as may be required.

Signed:



Name:

Richard Anderson

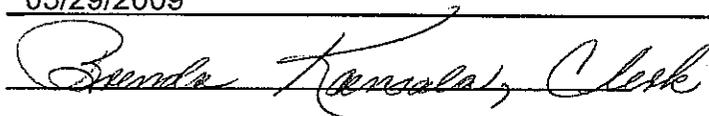
Title:

Mayor

Date:

05/29/2009

Attested:



RESOLUTION: 409
TO DEFINE PERSONS RESPONSIBLE FOR THE PAYMENT OF THE COSTS OF THE
EXISTENCE (FIXED) AND THE COSTS OF THE OPERATION (VARIABLE) OF THE
WATER SYSTEM OF THE TOWN OF FROMBERG, MONTANA

WHEREAS, the water system was designed and installed to provide the ability of any real property in the Town of Fromberg to have access to ample, safe, clean, drinking water, and water for fire suppression, and this project was funded by a loan, and other costs exist for the necessary and continuing maintenance of the water system, and that these costs combined comprise the fixed costs of the water system; and

WHEREAS, all owners of real properties that directly or indirectly benefit from the existence of the water system are responsible for the fixed costs, even those that do not use water; and

WHEREAS, additional costs exist to operate the system and deliver water to active customers, and that these costs combined comprise the variable costs of the water system, the owners of these real properties are responsible for the fixed costs and the variable costs; and

WHEREAS, such rates, charges, and classifications must be reasonable and just; and

WHEREAS, such rates and charges shall be sufficient in each year to provide income and revenues adequate for the payment of the reasonable expense of operation and maintenance and for the payment of the sums required to be paid into the sinking fund and for the accumulation of such reserves and the making of such expenditures for depreciation and replacement of said system as shall be determined necessary from time to time by the governing body or as shall have been covenanted in the ordinances and resolutions authorizing outstanding bonds.

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to Charge all Real Property Owners. It is the intent of the Town to charge all real property owners a base rate charge as defined below;

All real properties listed in the tax rolls of the Town of Fromberg that do not have active water will be categorized as Non-Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All real properties listed in the tax rolls of the Town of Fromberg that do have active water will be categorized as Residential Active or Commercial Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All real properties not listed in the tax rolls of the Town of Fromberg but that have active water will be categorized as Non-Residential Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All owners of multiple real properties whether active, non-active or both, will be assessed for each separate property as listed in the tax rolls of the Town of Fromberg.

All owners of real property with multiple active hookups will be assessed for each active hookup.

RESOLUTION: 408

A RESOLUTION OF INTENTION TO, INCREASE THE RATES AND CHARGES FOR THE SERVICES PROVIDED BY THE SEWER SYSTEM, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, sewer revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the sewer system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2007), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of the Town of Fromberg, Montana,

Section 1. Intent to change Sewer System Charges. It is the intent of the Town to implement these changes to the rates and charges of the sewer system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Rate Changes. It is the intent to change the current rates to the following new rates;

Current Rates:		New Rates:	
ABSENT	\$13.47	ABSENT	\$15.76
FULL	\$10.00	FULL	\$11.70
FULLX1.5	\$14.11	FULLX1.5	\$16.51
FULLX2	\$18.23	FULLX2	\$21.33
FULLX6	\$51.19	FULLX6	\$59.89
HALF	\$5.87	HALF	\$6.87
HARDSHIP	\$8.25	HARDSHIP	\$9.65
NONE	\$0.00	NONE	\$0.00
SCHOOLS	\$30.00	SCHOOLS	\$35.10

Section 3. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 4. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

First reading:

PASSED AND APPROVED the 2 day of MARCH, 2009, by the Town Council of the Town of Fromberg.

First reading with revisions:

PASSED AND APPROVED the 6 day of APRIL, 2009, by the Town Council of the Town of Fromberg.

Final reading:

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this 20 Day of APRIL, 2009.

<u>Dean Halv</u> Councilperson	<u>✓</u> yes	<u>no</u>	<u>absent</u>
<u>Shirley Knutson</u>	<u>✓</u> yes	<u>no</u>	
<u>James A. Perkins</u>	<u>yes</u>	<u>X</u> NO	<u>ABSENT</u>
<u>William A. Lotif</u>	<u>yes</u>	<u>X</u> NO	<u>ABSENT</u>

Richard Anderson - Tie vote ✓
Mayor YES

ATTEST:

Brenda Kamala
TOWN CLERK

RESOLUTION: 407

A RESOLUTION OF INTENTION TO INCREASE THE RATES AND CHARGES FOR WATER SERVICES, LOWER THE RATE PER 1000 GALLONS OVER BASE GALLONS ALLOWED, CHANGE RATE CATAGORIES, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, water revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the water system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2007), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to change Water System Charges. It is the intent of the Town to implement these changes to the rates and charges of the water system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Base Rate Charge.

User Categories	Base Rate Charge
Residential Active	32.00
Commercial Active	32.00
Non Residential Active	38.65
Non-Active	16.00

Section 3. Base Usage Allowed. At the base rate, active categories shall be entitled up to 4000 gallons of water per month for the months of January, February, March, April, September, October, November and December and 10,000 gallons per month for the months of May, June, July and August. Any water usage over 4,000 gallons during the months of January, February, March, April, September, October, November and December or 10,000 gallons during the months of May, June, July and August will be charged at \$2.35 per thousand gallons.

Section 4. Bulk Water.

Bulk Water Users \$2.00/200 gallons (token value)

Section 5. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 6. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

First reading:

PASSED AND APPROVED the 2 day of MARCH, 2009, by the Town Council of the Town of Fromberg.

First reading with revisions:

PASSED AND APPROVED the 6 day of APRIL, 2009, by the Town Council of the Town of Fromberg.

Final reading:

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this 20 Day of APRIL, 2009.

<u>Don Dale</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
<u>Shirley Kautson</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
<u>James D. Perkins</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
<u>William J. Coty</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent

Approved:

Richard Anderson
Mayor

ATTEST:

Summa Kowala
Clerk

Approved as to Form and Content:

City Attorney

RESOLUTION NO. 406

AN RESOLUTION RENEWING THE CABLE TELEVISION FRANCHISE WITH CABLE MONTANA, L.L.C. AND APPROVING THE CHANGE OF EXPIRATION DATE.

WHEREAS, Cable Montana, L.L.C. operates a cable television system within the Town of Fromberg, under a franchise granted by Resolution #375 passed by the Fromberg Town Council on April 5, 2004;

WHEREAS, said franchise was granted with an effective date of March 1, 2004; and

WHEREAS, Cable Montana, L.L.C. has requested that the Town of Fromberg renew the franchise to Cable Montana, L.L.C. to operate the cable television system within the Town of Fromberg for a period of fifteen (15) years.

WHEREAS, Cable Montana, L.L.C. has requested that the Town of Fromberg extend the lease for a period to coincide with the renewal of this Resolution. With upgrades and construction, Cable Montana, L.L.C. has a right to terminate the lease agreement upon 30 days written notification to the Town of Fromberg if the sight is no longer needed due to the upgrade and expansion of the system.

NOW, THEREFORE, BE IT RESOLVED by the Fromberg Town Council of the Town of Fromberg, Montana; that:

SECTION 1: The request of Cable Montana, L.L.C. to renew the cable television franchise granted by Resolution #375 dated April 5, 2004, as assigned and amended, and to change the expiration date thereof to July 1, 2023, be hereby granted.

SECTION 2: That the lease agreement between the Town of Fromberg and Cable Montana, L.L.C. is hereby extended and will expire on July 1, 2023; that Cable Montana, L.L.C. will be granted the right with 30 days advance written notification to the Town of Fromberg to terminate this lease due to expansions or upgrades to the system.

SECTION 3: As documentation for this franchise, Cable Montana, L.L.C. will obtain annually a Town business license. The address for business correspondence shall be:

CABLE MONTANA, L.L.C.
ATTN: Christian M. Hilliard
2123 Central Avenue, Suite 200
Kearney, NE 68847
308-236-1512

READ, ADOPTED, PASSED AND APPROVED by the Fromberg Town Council of the Town of Fromberg on this the 6 day of April, 2009.

APPROVED:



Mayor of Fromberg
Town of Fromberg

ATTEST:



Town Clerk

RESOLUTION: 405

A RESOLUTION TO ESTABLISH A SALARY SCALE FOR SETTING
SALARIES AND/OR WAGES FOR TOWN EMPLOYEES
BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, under Section 7-4-4201, Montana Code Annotated, (2007) The Town Council shall determine by ordinance or resolution the salaries and compensation of elected and appointed city officers and all city employees, and

WHEREAS, from time to time applicants for employment may be considered that have various degrees of experience, training, education and other qualifications which would require a more flexible ability to establish salaries and/or wages.

WHEREAS, in order to attract the best applicants for city jobs, the Town Council must have the flexibility to offer differing salaries based upon experience.

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Salary Scale. that the town shall adopt the attached salary scale labeled "Attachment A" for the purpose of establishing salaries and/or wages for its employees,

(see Attachment A)

Section 2. The Town Council shall have the power to start any new employee at a salary to be determined based upon their previous experience and fitness for the job, not to exceed 80% of the maximum salary allowed for their position.

Section 3. The Town Council shall have the sole discretion to increase salaries according to an employee's job performance determined at annual employee evaluations.

Section 4. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this _

2 day of MARCH, 2009.

Don Clark
Councilperson

✓ Yes No Absent

James A. Perkins
Councilperson

✓ Yes No Absent

William J. Catif
Councilperson

✓ Yes No Absent

Councilperson

Yes

No

Absent

Approved:

Mayor

ATTEST:

Clerk

Approved as to Form and Content:

City Attorney

RESOLUTION #404

A resolution of the Town Council of the Town of Fromberg authorizing Mayor Richard Anderson to execute a transaction at Valley Federal Credit Union in Billings, Montana.

Whereas, it is necessary for the Town of Fromberg to transfer funds from its account held at Valley Federal Credit Union for the purpose of payment of invoice # 70691 from Solar Bee, Inc. for 2 Solar Circulation machines for the sewer lagoon.

Now therefore, be it resolved that the Mayor is to transfer the amount of \$46,212.00 from the Town of Fromberg savings account at Valley Federal Credit Union to the Town of Fromberg checking account at the Bank of Bridger, Bridger, Montana.

Duly passed and adopted by the Town Council of the Town of Fromberg on the 21 day of October, 2008.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:

Diane Dalin
Diane Dalin, Councilperson, Town of Fromberg

AYE NAY Absent

William S. Coty
William S. Coty, Councilperson, Town of Fromberg

AYE NAY Absent

Shirley Knutson
Shirley Knutson, Councilperson, Town of Fromberg

AYE NAY Absent

James A. Perkins
James A. Perkins, Councilperson, Town of Fromberg

AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg on the 21 day of October, 2008.

By: Richard Anderson
Richard Anderson, Mayor

Attest: Brenda Kansala
Brenda Kansala, Clerk

Resolution No. 403

Be it resolved: that by a town meeting of the Town of Fromberg held on the 8th day of September, 2008, the tax levy for the Town of Fromberg for the fiscal year 2008/2009 was made by resolution of the Town Council and approved by the Mayor as follows:

General (all purpose):	96.655 mills	70%
Comp. Insurance:	7.619 mills	6%
Health Insurance:	32.600 mills	24%

Making a total of 136.87 mills..

Fromberg Rural Fire Dept. 18.400 mills

Making a total of 155.27 mills.

Said Town of Fromberg has caused its corporate name to be subscribed hereto and its corporate seal affixed by its Mayor and Clerk this 8th day of September, 2008.


Richard Anderson, Mayor


Brenda Kansala, Clerk

RESOLUTION #404

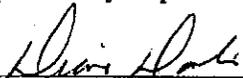
A resolution of the Town Council of the Town of Fromberg authorizing Mayor Richard Anderson to execute a transaction at Valley Federal Credit Union in Billings, Montana.

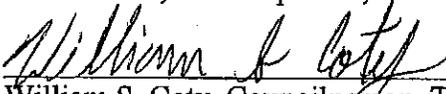
Whereas, it is necessary for the Town of Fromberg to transfer funds from its account held at Valley Federal Credit Union for the purpose of payment of invoice # 70691 from Solar Bee, Inc. for 2 Solar Circulation machines for the sewer lagoon.

Now therefore, be it resolved that the Mayor is to transfer the amount of \$46,212.00 from the Town of Fromberg savings account at Valley Federal Credit Union to the Town of Fromberg checking account at the Bank of Bridger, Bridger, Montana.

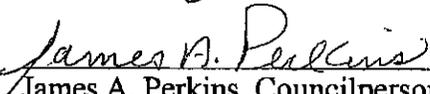
Duly passed and adopted by the Town Council of the Town of Fromberg on the 21 day of October, 2008.

Approved by a quorum of the Town Council of the Town of Fromberg as circled below:


Diane Dalin, Councilperson, Town of Fromberg AYE NAY Absent

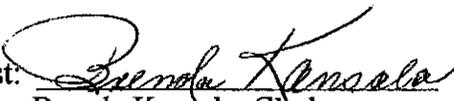

William S. Coty, Councilperson, Town of Fromberg AYE NAY Absent


Shirley Knutson, Councilperson, Town of Fromberg AYE NAY Absent


James A. Perkins, Councilperson, Town of Fromberg AYE NAY Absent

Duly passed and adopted by the Town Council of the Town of Fromberg on the 21 day of October, 2008.

By: 
Richard Anderson, Mayor

Attest: 
Brenda Kansala, Clerk

RESOLUTION: 405

A RESOLUTION TO ESTABLISH A SALARY SCALE FOR SETTING SALARIES AND/OR WAGES FOR TOWN EMPLOYEES BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, under Section 7-4-4201, Montana Code Annotated, (2007) The Town Council shall determine by ordinance or resolution the salaries and compensation of elected and appointed city officers and all city employees, and

WHEREAS, from time to time applicants for employment may be considered that have various degrees of experience, training, education and other qualifications which would require a more flexible ability to establish salaries and/or wages.

WHEREAS, in order to attract the best applicants for city jobs, the Town Council must have the flexibility to offer differing salaries based upon experience.

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Salary Scale, that the town shall adopt the attached salary scale labeled "Attachment A" for the purpose of establishing salaries and/or wages for its employees,

(see Attachment A)

Section 2. The Town Council shall have the power to start any new employee at a salary to be determined based upon their previous experience and fitness for the job, not to exceed 80% of the maximum salary allowed for their position.

Section 3. The Town Council shall have the sole discretion to increase salaries according to an employee's job performance determined at annual employee evaluations.

Section 4. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this _

2 day of MARCH, 2009.

[Signature]
Councilperson

Yes

No

Absent

[Signature]
Councilperson

Yes

No

Absent

[Signature]
Councilperson

Yes

No

Absent

Councilperson

Yes

No

Absent

Approved:

Richard Asker
Mayor

ATTEST:

Brenda Kempsa
Clerk

Approved as to Form and Content:

City Attorney

ATTACHMENT A - Salary Scales

	Hours/Year	Annual Figures			Hourly Figures		
		Entry	Mid	Max	Entry	Mid	Max
Public Works Director 40	2080	\$26,000.00	\$29,900.00	\$37,700.00	\$12.50	\$14.38	\$18.13
Public Works Employee 40	2080	\$19,000.00	\$21,850.00	\$27,550.00	\$9.13	\$10.50	\$13.25
Chief of Police 40	2080	\$26,000.00	\$29,900.00	\$37,700.00	\$12.50	\$14.38	\$18.13
Chief of Police PT 24	1248	\$15,600.00	\$17,940.00	\$22,620.00	\$12.50	\$14.38	\$18.13
Police Officer 40	2080	\$20,000.00	\$23,000.00	\$29,000.00	\$9.62	\$11.06	\$13.94
Police Officer PT 24	1248	\$12,000.00	\$13,800.00	\$17,400.00	\$9.62	\$11.06	\$13.94
Clerk/Treasurer 40	2080	\$18,700.00	\$21,505.00	\$27,115.00	\$8.99	\$10.34	\$13.04
Clerk/Treasurer PT 24	1248	\$11,200.00	\$12,880.00	\$16,240.00	\$8.97	\$10.32	\$13.01
Part Time 30	1560	\$14,200.00	\$16,330.00	\$20,590.00	\$9.10	\$10.47	\$13.20
Seasonal 30	480	\$3,840.00	\$4,416.00	\$5,568.00	\$8.00	\$9.20	\$11.60

RESOLUTION NO. 406

AN RESOLUTION RENEWING THE CABLE TELEVISION FRANCHISE WITH CABLE MONTANA, L.L.C. AND APPROVING THE CHANGE OF EXPIRATION DATE.

WHEREAS, Cable Montana, L.L.C. operates a cable television system within the Town of Fromberg, under a franchise granted by Resolution #375 passed by the Fromberg Town Council on April 5, 2004;

WHEREAS, said franchise was granted with an effective date of March 1, 2004; and

WHEREAS, Cable Montana, L.L.C. has requested that the Town of Fromberg renew the franchise to Cable Montana, L.L.C. to operate the cable television system within the Town of Fromberg for a period of fifteen (15) years.

WHEREAS, Cable Montana, L.L.C. has requested that the Town of Fromberg extend the lease for a period to coincide with the renewal of this Resolution. With upgrades and construction, Cable Montana, L.L.C. has a right to terminate the lease agreement upon 30 days written notification to the Town of Fromberg if the sight is no longer needed due to the upgrade and expansion of the system.

NOW, THEREFORE, BE IT RESOLVED by the Fromberg Town Council of the Town of Fromberg, Montana; that:

SECTION 1: The request of Cable Montana, L.L.C. to renew the cable television franchise granted by Resolution #375 dated April 5, 2004, as assigned and amended, and to change the expiration date thereof to July 1, 2023, be hereby granted.

SECTION 2: That the lease agreement between the Town of Fromberg and Cable Montana, L.L.C. is hereby extended and will expire on July 1, 2023; that Cable Montana, L.L.C. will be granted the right with 30 days advance written notification to the Town of Fromberg to terminate this lease due to expansions or upgrades to the system.

SECTION 3: As documentation for this franchise, Cable Montana, L.L.C. will obtain annually a Town business license. The address for business correspondence shall be:

CABLE MONTANA, L.L.C.
ATTN: Christian M. Hilliard
2123 Central Avenue, Suite 200
Kearney, NE 68847
308-236-1512

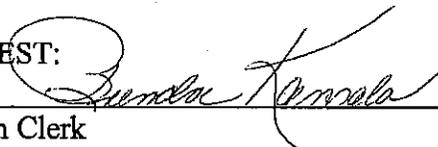
READ, ADOPTED, PASSED AND APPROVED by the Fromberg Town Council of the Town of Fromberg on this the 6 day of April, 2009.

APPROVED:



Mayor of Fromberg
Town of Fromberg

ATTEST:



Town Clerk

RESOLUTION: 407

A RESOLUTION OF INTENTION TO INCREASE THE RATES AND CHARGES FOR WATER SERVICES, LOWER THE RATE PER 1000 GALLONS OVER BASE GALLONS ALLOWED, CHANGE RATE CATEGORIES, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, water revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the water system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2007), the Town of Fromberg, a municipality, 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 municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to change Water System Charges. It is the intent of the Town to implement these changes to the rates and charges of the water system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Base Rate Charge.

User Categories	Base Rate Charge
Residential Active	32.00
Commercial Active	32.00
Non Residential Active	38.65
Non-Active	16.00

Section 3. Base Usage Allowed. At the base rate, active categories shall be entitled up to 4000 gallons of water per month for the months of January, February, March, April, September, October, November and December and 10,000 gallons per month for the months of May, June, July and August. Any water usage over 4,000 gallons during the months of January, February, March, April, September, October, November and December or 10,000 gallons during the months of May, June, July and August will be charged at \$2.35 per thousand gallons.

Section 4. Bulk Water.

Bulk Water Users \$2.00/200 gallons (token value)

Section 5. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 6. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

First reading:

PASSED AND APPROVED the 2 day of MARCH, 2009, by the Town Council of the Town of Fromberg.

First reading with revisions:

PASSED AND APPROVED the 6 day of APRIL, 2009, by the Town Council of the Town of Fromberg.

Final reading:

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this 20 Day of APRIL, 2009.

Don Dale
Councilperson

✓
Yes No Absent

Shirley Kautson
Councilperson

✓
Yes No Absent

James P. Perkins
Councilperson

✓
Yes No Absent

William S. Coffey
Councilperson

✓
Yes No Absent

Approved:

Ronald Anderson
Mayor

ATTEST:

Lucinda Kersala
Clerk

Approved as to Form and Content:

City Attorney

RESOLUTION: 408

A RESOLUTION OF INTENTION TO, INCREASE THE RATES AND CHARGES FOR THE SERVICES PROVIDED BY THE SEWER SYSTEM, UPDATE THE RATES AND FEES IN THE TABLE OF FEES, BY THE TOWN OF FROMBERG, MONTANA

WHEREAS, sewer revenues received by the Town of Fromberg are not sufficient to meet the increased costs for operation and maintenance of the sewer system, and,

WHEREAS, revenues are not sufficient to plan for, and set aside funds for, future required renovations, repairs and updates to the system, and

WHEREAS, under Section 69-7-101, Montana Code Annotated, (2007), the Town of Fromberg, a municipality, has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to it inhabitants and other persons served by municipal utility systems, and,

WHEREAS, such rates, charges, and classifications must be reasonable and just;

NOW THEREFORE, BE IT RESOLVED by the Town of the Town of Fromberg, Montana,

Section 1. Intent to change Sewer System Charges. It is the intent of the Town to implement these changes to the rates and charges of the sewer system services to begin the first billing cycle after 30 days from the final passage of this resolution.

Section 2. Rate Changes. It is the intent to change the current rates to the following new rates;

Current Rates:		New Rates:	
ABSENT	\$13.47	ABSENT	\$15.76
FULL	\$10.00	FULL	\$11.70
FULLX1.5	\$14.11	FULLX1.5	\$16.51
FULLX2	\$18.23	FULLX2	\$21.33
FULLX6	\$51.19	FULLX6	\$59.89
HALF	\$5.87	HALF	\$6.87
HARDSHIP	\$8.25	HARDSHIP	\$9.65
NONE	\$0.00	NONE	\$0.00
SCHOOLS	\$30.00	SCHOOLS	\$35.10

Section 3. Table of Fees. It is the intent of the Town to update the Table of Fees with the rates and fees from this resolution when approved.

Section 4. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

First reading:

PASSED AND APPROVED the 2 day of MARCH, 2009, by the Town Council of the Town of Fromberg.

First reading with revisions:

PASSED AND APPROVED the 6 day of APRIL, 2009, by the Town Council of the Town of Fromberg.

Final reading:

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this 20 Day of APRIL, 2009.

<u>Don Halv</u> Councilperson	<u>✓</u> yes	<u>no</u>	<u>Absent</u>
<u>Shirley Knutson</u>	<u>✓</u> yes	<u>no</u>	
<u>James A. Perlewis</u>	<u>yes</u>	<u>X</u> NO	<u>ABSENT</u>
<u>William A. Lotif</u>	<u>yes</u>	<u>X</u> NO	<u>ABSENT</u>

Richard Anderson - Tie vote ✓
Mayor yes

ATTEST:
Brenda Kamala
TOWN CLERK

RESOLUTION: 409
TO DEFINE PERSONS RESPONSIBLE FOR THE PAYMENT OF THE COSTS OF THE
EXISTENCE (FIXED) AND THE COSTS OF THE OPERATION (VARIABLE) OF THE
WATER SYSTEM OF THE TOWN OF FROMBERG, MONTANA

WHEREAS, the water system was designed and installed to provide the ability of any real property in the Town of Fromberg to have access to ample, safe, clean, drinking water, and water for fire suppression, and this project was funded by a loan, and other costs exist for the necessary and continuing maintenance of the water system, and that these costs combined comprise the fixed costs of the water system; and

WHEREAS, all owners of real properties that directly or indirectly benefit from the existence of the water system are responsible for the fixed costs, even those that do not use water; and

WHEREAS, additional costs exist to operate the system and deliver water to active customers, and that these costs combined comprise the variable costs of the water system, the owners of these real properties are responsible for the fixed costs and the variable costs; and

WHEREAS, such rates, charges, and classifications must be reasonable and just; and

WHEREAS, such rates and charges shall be sufficient in each year to provide income and revenues adequate for the payment of the reasonable expense of operation and maintenance and for the payment of the sums required to be paid into the sinking fund and for the accumulation of such reserves and the making of such expenditures for depreciation and replacement of said system as shall be determined necessary from time to time by the governing body or as shall have been covenanted in the ordinances and resolutions authorizing outstanding bonds.

NOW THEREFORE, BE IT RESOLVED by the Town of Fromberg, Montana,

Section 1. Intent to Charge all Real Property Owners. It is the intent of the Town to charge all real property owners a base rate charge as defined below;

All real properties listed in the tax rolls of the Town of Fromberg that do not have active water will be categorized as Non-Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All real properties listed in the tax rolls of the Town of Fromberg that do have active water will be categorized as Residential Active or Commercial Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All real properties not listed in the tax rolls of the Town of Fromberg but that have active water will be categorized as Non-Residential Active and be charged the monthly rate as defined in the Table of Fees of the Town of Fromberg,

All owners of multiple real properties whether active, non-active or both, will be assessed for each separate property as listed in the tax rolls of the Town of Fromberg.

All owners of real property with multiple active hookups will be assessed for each active hookup.

Section 2. The adoption of this resolution shall cause to be invalid and rescinded any and all previous resolutions that are contrary to its provisions.

First reading:

PASSED AND APPROVED the 2 day of MARCH, 2009, by the Town Council of the Town of Fromberg.

First reading with revisions:

PASSED AND APPROVED the 6 day of APRIL, 2009, by the Town Council of the Town of Fromberg.

Final reading and approval:

PASSED and APPROVED by the Fromberg Town Council and approved by the Mayor on this 20 day of APRIL, 2009.

<u>[Signature]</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
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<u>[Signature]</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
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<u>[Signature]</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
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<u>[Signature]</u> Councilperson	<u>✓</u> Yes	<u> </u> No	<u> </u> Absent
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Approved:
[Signature]
Mayor

Approved as to Form and Content:

City Attorney

ATTEST:
[Signature]
Clerk