

**TOWN OF WHITEHALL**  
**P. O. BOX 529**  
**WHITEHALL, MT 59759**  
**FEBRUARY 10TH, 2020**

The Whitehall Town Council held their regular meeting in the Council Chambers at 207 East Legion Street, Monday, February 10th, 2020.

**PRESENT:** Council Members: Roy McBride, Logan Reiff, Katy James, Shawn Hoagland, Pat Peterson, Mayor Mary Hensleigh and Town Clerk/Treasurer Summer Fellows.

**VISITORS:** Dale Morse, Bridget Morse, Joe Granvold, Lori Young, Maxine Samuelson, Bill Lanes, Alison Richardson, Allissa Christensen, Raylyn Anderson, Dominic Anderson, Chris Nelson, Martina Iwen, Rose Rios, Ben and Johanna Paulston, Maureen Moulchin and David Nelson.

Mayor Mary Hensleigh called the Council Meeting to order at 7:00 P.M.

Roll Call was taken. All Council Members were present.

The Pledge of Allegiance was recited.

**IV. AGENDA APPROVAL:**

Roy made motion to approve the Agenda with Logan seconding.

**THE MOTION PASSED UNANIMOUSLY.**

**V. APPROVAL OF MINUTES:**

Roy motioned to approve the January 2020 minutes with Shawn seconding.

**THE MOTION PASSED UNANIMOUSLY.**

**VI. REPORTS:**

Mayor's Report:

Mayor: Thank you all for coming. I just want to remind everybody that we are closed on Monday for President's Day so garbage pick up will be on Tuesday. We are done with our little remodel project and the Clerk's new office is right over here. As you walk in the front door you have this nice new window and the Clerks will wait on you there and it's working out really well. Other than that, that's about all I have. It's been a fast month and I can't believe we are already here.

Officer's Reports:

Attorney Report:

Ed Guza: I don't have anything to report Mary.

Clerk / Treasurer's Report:

Summer Fellows: We just wrapped up the audit that we were delinquent on and we are working on the next audit. Todd and I are working on the AFR right now and I believe it should be done by the end of this week. I'll be gone next week and then Debbie will come in and get that audited then the next one we are late on not delinquent; we will hopefully get that done by June. The office situation is working out great. I'm a little lonely but it's great and much better.

Public Work's Report:

Kory: We plowed and sanded four times last month. We removed the speed bump at the school. The street under the bump was giving way so we just removed it. When we resurfaced the alleys on the south side, we covered the man holes so we went over and exposed those and got that all cleaned up. At the end of Main Street where the dead end is and the school playground, they are having an issue with people driving through that fence. We are going to have to put something up there. I got a price for guard rail and came up with a deal with the school; they will purchase the guard rail and Public Works will put it in. So, the dime will be on the school and we will have some labor into it. So, as soon as the frost comes off the ground, we will do that. We removed a few trees on Lucille Street. Over on the south side they were growing into the street. We changed the pump out on the Division Street well house and we've had it up and going but, the soft start that starts that pump is bad. We have to replace that soft start and there is a P.O. (Purchase Order) to be signed. We did water sample on February 4<sup>th</sup> and we did have a water break on Division Street that we ended up digging up and we fixed it. It was an insta-tight off the saddle of the main but it wasn't too bad to fix. We installed one new meter, which is a good thing on a vacant lot on the south side. Lagoon levels are 4.5 feet, 6.5 feet and 2 feet so we still have a ton of room. We are actually short on water from the summer. Over on Yellowstone Street and Cindi Lane there was a locate that I actually missed a sewer main and there was a fence post put through the sewer main so we fixed that last month. We straightened seven headstones and there about 20 left to go. I have a P.O. for black dirt to fill in some sunken graves. The fence in the entry way was done and that was done with money given to us from the Country Store. The other project we are working on at the Cemetery is the section markers. We are just doing new 4x4 markers and a concrete base. That's an ongoing project and will take a while. We had the alternator on the garbage truck changed. The rear door seal is just a gasket that slides into a channel. That channel needs to be replaced. The packer slide needs to be redone and we need the cameras up and going. So those are three repairs on the truck that need to be taken care of. Other than that, we helped with this office. We did the trim and moved everything. We had 16 work orders, 8 locate tickets and was called out once to plow snow.

Fire Chief's Report:

Joe Granvold recognized Jeremy Ward for his years of service as Fire Chief and thanked him and also discussed the needs of the Fire Department. See recording. 7:30-22:44

Sherriff's report:

No report.

Committee / Board Reports:Planning Board:

Lori Young: We held our meeting on February 3<sup>rd</sup>. We discussed Rose Rios' fence and her original drawing she gave us was not in compliance to our setbacks. To not hold her up, we did ask her if she would consider leaving the front of that at 4 feet to meet our Ordinances and set backs and she did agree to that. So, that passed based on that it would need to be 4 feet for the first 25 feet. She did come in with a drawing to Angela and I do have it on my phone here if anyone wants to see it but it does meet the qualifications that we required at the meeting. So, I ask that you approve that for her. We did also discuss and approve for Chairman and Vice Chairman of the Board and they did vote for me to be the Chairman again and John Kries to be the Vice Chairman. Basically, that is it and we are trying to keep on top of where the boundaries and the mapping is.

Recreational Complex Board: No report.

Pool Board: No Meeting.

Trees, Parks and Cemetery: No Meeting.

Water/Sewer/Garbage: No Meeting.

Streets/Alley/Sidewalks: No Meeting.

T.I.F.F.:

Bridget Morse: We did not approve our minutes because we need some adjustments. Mary brought up that there were a few words that were not quite right in our bylaws. We tabled the Museum bid because we are still looking at what we should and shouldn't do with the money. So, Alison brought up that she had talked to Janet Cornish who helped set up the T.I.F.F. District and she's arranging a training so that should be coming up this month. Part of that is we said we would spend out of our professional fund \$1,500 to fund Janet Cornish's two-hour seminar/training. I'm not sure yet when that will be but I will need a P.O. for that.

CTAC:

Alison Richardson: We haven't met since the last time because this meeting is early. Our next CTAC meeting will be held this upcoming Thursday morning at 8am at the Borden's Conference Room. I don't know if I've told everyone what CTAC stands for but it's Community Transition Advisory Committee. This Community group was started several years ago in the anticipation that the Mine would eventually close and there would be a significant financial impact to both the County and the Whitehall area. Last year we began that transition with Mine closing operations. Since then what has happened is, they are trying

to pick up a concentrator project which may or may not happen but if that happens, it could extend the life of the Mine 10-20 years depending on what that work is going to look like. So, at this next meeting on Thursday, we will be hearing from the Mine manager Chuck who will hopefully tell the community good news that his visit last week up to Canada, up to the main Barrick people with the go ahead for the concentrator. I encourage anyone that wants to attend to please come to the meeting on Thursday and to also mark your calendar for March 12<sup>th</sup>. That will be our next meeting and that is when our sustainability folks will be coming in from the top tier of the Mine, coming specifically to talk to the community about what this transition will look like, and some sustainability options in terms of kind of the “do outs” and the legacy issues and to leave with the Town. Not only do we want community members there, we would also like some Town representation to help shape what that conversation will look like.

#### **VII. Public Comment:**

Joe Granvold: I live up by Skyline Drive and I don't know how many times we've almost had accidents. Somebody coming down the road and they are way on the inside lane versus the outside lane because that is not marked. I truly think we need to get some lines on that road or something to keep people on their own side of the road.

#### **VIII. Consent Agenda:**

##### Planning Board

209 N. Main / fence permit / Rose Rios

##### **Business License**

Energy Wellness LLC

Alliance Sign Company

Dorothy's Treasures

##### **Rec Complex**

BY 4-H Club Rodeo / May 2, 2020

Katy made a motion to approve the Consent Agenda with Shawn seconding.

THE MOTION PASSED UNANIMOUSLY.

#### **IX. PRESENTATIONS**

No presentations.

#### **X. Unfinished Business:**

A. Discuss and vote on rough draft of Nuisance Ordinance and Business License.

Katy made a motion to discuss with Shawn seconding.

Katy: Last month I made some revisions and changes and everyone should of received a copy to review it so that we could possible have some public hearings on it.

Summer: You all should have received it and go over it and see anything that needs to be changed. Does anyone see any problems that need to be changed?

Shawn: No.

Logan: No.

Shawn made a motion to approve the rough draft with Logan seconding.

THE MOTION PASSED UNANIMOUSLY.

B. Discuss and vote on Resolution 2020-3 allowing Peace of Mind Dispensary within Town Proper.

Roy made a motion to discuss with Shawn seconding.

Roy: I appreciate everyone coming in and sharing their comments. I think we had possibly two different subject matters that people were discussing. They were not discussing the legal entity; they were discussing the moral and ethical side of everything. To me, this is my own personal view but, this is a business, its state approved, state regulated and very well controlled. As far as I understand from everything, I've read on it the issuance of the green card gets a little wonky I think but that's not these people's problem. They are people providing a service to people we have heard need it or want it. All of us have different views. I look at it as a business. They are not going to sell it to your kids or my kids so, I think it's a business deal. It's strictly business. Another thought was at some point in time, this is going to be legal. And I think we have to opportunity to set our destiny as a community how we want to handle that and who we want dispensing it. I am comfortable with community members. If it were outsiders, I would be very reluctant to even bring this up or put the motion out there. I think you need to look at it through my eyes, it's business and that's where I am at on the deal.

Pat: I'm relatively new to Whitehall. I've been here 4 1/2 years so I don't know a lot of people. So, what I decided to do was to go through the phone book and cold call people in my Ward. And I did that. I called many people in the Ward to see what their opinion was. I kept my opinion out of it and just asked them what they thought about it. The most positive thing I received was "I don't care". Negative, I had so many people who were extremely against it. Those people far outnumbered those people who didn't care. Also, I have a question, some of the discussion we heard earlier were saying that we were denying the right to their medications and that's not what we would be doing if we say not here in Whitehall because the people can still get their medicines and what they need in Butte, Boulder and Twin Bridges. So, I want to make sure that is clear that if we do say no, it's not to deny people what they need, it would just be saying not here, not now.

Shawn: I'd just like to add that basically everything Roy said is spot on and what Pat just said, is the other side. I've talked with Chris and Martina, a good, calm, rational discussion and they appear to have their ducks in a row. But it's a polarizing issue and there are people that are very emotional about it. It's not even about whether the cannabis works or not and I think that is established for some people. It's just a tough deal because it's a business. I'm a business person I see that side of it very well but there are families, mothers, people that see that as it is a choice for the community. Yes, it's revenue but the overwhelming amount of people that took the time to call me or email, it was about whether we want that for the Town or not. There was a no, a not now type of mentality that was strong. That's not news to you guys.

Logan: Today was the first time I've had someone publicly come up to me and tell me, and by publicly, I mean come up to the podium and say they want it. That's the first time I saw some positivity and I saw your list but I didn't get any calls but I continue to get many calls for the negative.

Roy: I didn't get any calls either way.

Pat: I had a few people call me very adamant but I'm not hearing from a lot of people in the Ward so that's why I did the cold calls. I didn't know these people. I didn't know how young they were or how old they were or where they stood politically. I only knew their address from the book and I asked them what they thought and a large majority thought; not here not now.

Katy: I had a few people approach me and they were a definite "no" and they didn't want it in the community. Response was that we are not that far away from Butte, Bozeman, Three Forks. Etc. I did have one person tell me that we need to make our Ordinance stronger in verbiage. We also need a guarantee that the Dispensary is going to have the security that's necessary. We have heard somebody say that they get broken into a lot in communities and where it's located, that's going to be easy. We get a lot of cars broken into. If someone is going to break into something, they are going to break into it no matter what time of day it is. But the thing is, what guarantee do we have that we are not going to have that kind of stuff going on and is it going to increase it? Also, the other concern that this person had was what are the chances of a child getting ahold of that if it's forgotten to be put away?

Conversation continues. See recording. 41:45-54:35

Roy motioned to approve Resolution 2020-3 with Shawn, Logan, Pat and Katy opposing.

MOTION FAILED.

#### **XI. New Business:**

A. Discuss solid waste (garbage) whether to get a new truck or contract it out.

Kory: Last Tuesday, Mary, myself, Summer and Roy met with a company to just discuss the possibilities of an outside source doing our trash pickup. We have a few options; I'm not saying one way or the other is the best way to go. Our truck is in pretty rough shape and we are getting into a situation that we are going to have to buy a newer, better truck. The question is, is it better to buy a new truck and still do the trash pickup or to sub it out. The company we met with the other day, I thought was a little expensive and I think the Town could find it cheaper even with buying a new truck. The other thing we have to keep in mind is we are going to need a little more labor force as soon as the water treatment plant comes into effect. So, by outsourcing; it would curb another employee. What do you think Roy? You sat in on that conversation.

Roy: He shot a round number out there but in my mind, we are going to have to spend \$350,000-\$400,00 bare minimum. I don't know what the payment schedule would be on that, I'm guessing 7-10 years.

Kory: I think he said 10.

Roy: So, you are looking at \$3,000 plus a year for a new garbage truck. We've got \$100,000 in the kiddie so you'd have to finance \$300,000-\$350,000. So, now you've got \$40,000 you're pulling out of there, you've got to hire another employee for \$20,000 and now you've got \$60,000 out of there.

Maintenance, upkeep and I think you're looking at \$3,000-\$4,000 just to keep it up. So, you're pushing \$70,000 or better. I don't know, it's right on the line to be very honest with you from what we've got and we haven't put it out for bid or RFP (Request For Proposal).

Summer: As soon as the Council directs me to do that, I will. There's probably only three people we can put the RFP out to. But I caution, just having a general RFP without some teeth to a contract and the quality of work that we are going to get if we do farm it out. I have no say except for the financial part of it but it could go bad or good either way.

Kory: Honestly, the other draw back to a new truck is just because it's a new truck doesn't mean it's not going to break down. From what I've researched as far as repair bills, they are not as high. They are often but not as high. So, you are not going to get rid of the repair and maintenance part of having a new truck.

Shawn: We had talked about getting some real hard numbers on this.

Summer: We have gotten some hard numbers on this. We range anywhere from \$70,000-\$120,000 on farming it out. Once again though, I caution.

Mayor: You get what you pay for.

Summer: Yes, you get what you pay for but more importantly the people of this Town pay for this service and they expect a certain amount of care and they get that now. If Bill's garbage can didn't get picked up, we can call our garbage guy and get it taken care of. With us farming it out we don't have that, depending on how we farm it out.

Pat: And how you write the contract.

Summer: Right and like I said the people of this Town expect a certain kind of service.

Mayor: Kory and I were talking today and if we did decide to go with a new truck, we wouldn't need a fourth full time person. We would only need a part time person to do garbage. So, that's an option.

Summer: That might be hard to do but I don't know.

Katy: What kind of a feasibility study have we done in four years' time? How much has the garbage truck cost us, how much have the repairs cost us, hours?

Shawn: A hard number documented.

Katy: Yes, exactly. We are hearing a lot.

SUMMER: Well, I just gave you guys a budget as an example, did you look at your budget?

Shawn: I've just heard that we are looking at \$400,000-\$450,00.

Summer: Right.

Mayor: This is just a discussion. Tell us exactly what you want for next months meeting. So, Katy what would you like?

Katy: I want to know what we pay each month and a number base of what we have coming in each month for garbage. I'd like to see in four years' time what we've had to spend on repairs for the truck and how many employees it takes to operate it.

Summer: We have approximately \$15,000 that comes in every month for the garbage truck.

Katy: If you could give us that in writing, we can compare it.

Mayor: Ok, what would you like Shawn?

Shawn: Same and what is a good, better, best garbage truck. Is there a garbage truck out there that takes less employee to run? Is there a good, better, best?

Kory: There is. If we replaced the truck, the same truck here would cost \$300,000. If you go to different styles that are a little better, I think you are looking at \$350,000. Summer?

Summer: I would say around \$400,00, just depending.

Shawn: How long have we had our truck?

Kory: I think it is a 2006.

Shawn: And we would purchase a brand-new truck?

Kory: Correct. In all fairness, this truck I believe should have been replaced three years ago. You'll get to see that when we work those hard numbers for you. What we've put into that truck over the last four years is astronomical. We're talking over \$100,000.

Discussion continues. See recording. 1:04-1:07:40.

B. Discuss Mill Levy increase on General Fund, Recreational mill levy or Court and Law Enforcement Mill Levy.

Roy: We struggle every year to run this community to be very honest. You heard the Fire Chief, they need \$300,000 for a new truck, new radios and everything else. That's \$500,000 that's not just going to come from anywhere. He has a budget of what? \$8,000-9,000 a year?

Summer: They were given around \$15,000 this year.

Roy: That's going to be like our garbage truck soon and they don't contract out fire services. So, we need to figure out how to run this community and do it so we're not always cutting somebody off. We are not robbing Peter to pay Paul.

Mayor: So, our basic budget is \$440,000. Out of there we have four things we are required by law to have. We have the Sherriff's contract for \$112,000, Judge for \$40,000, attorney for \$40,000 and fire for \$20,000 for a total of \$212,000. You subtract that from \$440,000 and that's what we paid all the wages and run the Town on. There hasn't been a Mill levy increase since the 1970's. Each year it just get's more and more difficult.

Roy: We have a swimming pool that eats our lunch every year but that's the nature of that beast in any community. It was what, \$30,000 or \$40,000 short this year?

Summer: It was about \$28,000 short from what they bring in. The problem is we can't keep doing what we are doing. Something is going to have to be cut. The Mayor just named four things that we are not going to cut, we are going to keep because we have to.

Roy: And they are all going to get more expensive. I guarantee the Sherriff is going to charge us more and the attorney has already gotten his raise for the next two years. We got to figure out what to do and the only way to do it is to increase the Mill Levy. You think this Dispensary was an issue, now you are talking about money that is coming out of people's pockets. It's going to be half a million bare minimum and I don't know how many Mills it takes to do that.

Summer: This is going to be my first time through the process. I'll work with Bonnie Ramey about getting that process started as soon as the Council gives me the go ahead. We'll have to have it at least on the November ballot to be voted on by the people. The thing about it is its what we want to sell to the people.

Shawn: It's the same thing since the 70's, less population more cost. It's just a fact.

Summer: The problem is though if we don't do something this year and it doesn't get passed, then we are looking at not having a pool. I love the pool I think it's a great thing. We maybe could go out and sell, like Mary said memberships but what happens the year after and the year after that?

Logan: Something's got to give.

Summer: Right, something has got to give and it's now what do the people want to give. What does the community want? Do they want to see a Mill Levy increase on the Court and Law Enforcement, recreational or General budget? I need you guys to let me know what you want me to start putting together.

Mary: So, next month on the Agenda we can bring this back because we need to make a decision and get it on the ballot.

Discussion continues. See recording. 1:14:00- 1:18:00

THE MOTION PASSED UNANIMOUSLY.

## **XII. BILL/ CLAIM APPROVAL LIST TO BE SIGNED BY ALL COUNCIL MEMBERS**

Pat made a motion to approve the bill claim approval list with Logan seconding.

THE MOTION PASSED UNANIMOUSLY.

## **XIII. Adjourn:**

Shawn made a motion to adjourn the meeting at 8:18pm.

THE MOTION PASSED UNANIMOUSLY.

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Mayor Mary Hensleigh

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Date

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Town Clerk Treasurer

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Date