

Flood Control Committee

May 6, 2015

The **Flood Control Committee** met Wednesday, May 6, 2015, at 6:00 p.m. in the City Hall Conference Room. Present were Chairperson John Hollowell, Committee Members Dwayne Andrews, Ken Gardner and Sheena Martin. Also present was Floodplain Administrator Sam Malenovsky and Recorder HR/Payroll Officer Billie Burkhalter.

1. Update on Flood Control Project:

Floodplain Administrator Malenovsky stated that the Flood Steering Committee has met multiple times. The Committee has also conducted meetings in Billings with the Army Corp of Engineers, DNRC, and FEMA representatives. Meeting with these agencies is vital to Miles City's success in moving forward with the floodplain project. The purpose of these meetings are to open communication with agencies and inform them of the project and the Committees intentions. The Flood Steering Committee will continue to meet with other agencies. She further explained the Steering Committee has developed Sub-Committees that will focus on funding, Government relations, permits and Engineering. Everyone on the Steering Committee has been assigned to a sub-committee and there will be a point of contact for the Committee.

Administrator Malenovsky explained that grants are being applied for to help with the funding of the contracts.

Committee Member Andrews questioned if the City was going to receive the 40 million dollars from DNRC as the Mayor has alluded to. Administrator Malenovsky explained the Steering Committee has been advised of this and have researched it and at this point they have not been informed of any decisions regarding this kind of funding.

2. Recommendation to Council on Joint Resolution

*** Committee Member Andrews moved to recommend to City Council to approve the Joint Resolution. The motion was seconded by Committee Member Martin.*

Chairperson Hollowell questioned if anything that was decided concerning this project would have to be approved by City Council and the County Commissioners. Administrator Malenovsky explained that this resolution is to show unity between the City and County, to show that both entities are dedicated to fixing the flood issues in Miles City. This resolution does not mean that all the contracts have to be signed by the City and County or that both entities have to fiscally come together. Its intent is to show that both entities recognize a need for the levee system.

Chairperson Hollowell questioned the language in paragraph 5, where it states : “The governing bodies do hereby authorize the joint resolution between the City of Miles City, Montana and Custer County, Montana, and the Mayor of the City of Miles City along with the Chairman of the Custer County Board of Commissioners are hereby empowered and authorized to execute said agreement for joint action on behalf of the City of Miles City and Custer County and bind the City of Miles City and Custer County thereto”. He stated that he felt it limited power to only the Mayor and Chairman of Custer County to make decisions regarding the levee system without the City Council or other Commissioners approval. Committee Member Andrews agreed. There were also questions concerning what power the resolution gave to the Steering Flood Committee. Administer Malenovsky stated she will contact Attorney Dan Rice for clarification and have that information back to the Committee Members prior to the next City Council meeting.

*** On roll call vote, motion then passed unanimously.*

3. KLJ Contracts

- **Government Relations**
- **Project Management**

Administrator Malenovsky explained the Government Relations contract has been signed by the Custer County Commissioners. She stated this GR Contract is to have the Government Relations group work on funding the matrix, along with looking for and writing grants. This contract also provides for the assistance of KLJ’s Marketing Team. She explained the Flood Steering Committee discussed that having KLJ on retainer would be financially prudent as they are certain that they are going to use them for over 35 hours a month. Currently KLJ has been working a lot of hour’s pro-bono.

Committee Member Andrews questioned if KLJ was going to assist with completing applications as he did not see that stated in the contract. Administrator Malenovsky stated that KLJ would be providing their services for this. She will contact KLJ and make sure this is added in the contract.

Committee Member Andrews questioned Administrator Malenovsky if she believed from her experience that the Government Relations group would be used extensively and effectively. Administrator Malenovsky explained that KLJ has never stopped working on this project since the assessment and has provided countless hours of pro-bono work. She further stated that KLJ’s Government Relations group is extremely knowledgeable in all areas of funding and grants and is an invaluable asset to this project.

Administrator Malenovsky explained the Project Management Services contract is for representatives from KLJ to keep relations open with the agencies that are being worked with. What is currently being projected is \$21,000 which is for the scope of work that is ongoing and extensive. This amount will not be used immediately and could be moved to another contract

when the scope of work is completed. She explained that the costs would never go over \$1500 a month without the City first being notified and what is not used will be carried into the next fiscal year.

Chairperson Hollowell questioned if City Attorney Rice has reviewed these contracts. Administrator Malenovsky explained that he had and did not have any issues with the contracts.

Chairperson Hollowell explained to the Committee that at the last Finance meeting there was concern about potential overages with the cost of travel and hotel expenses. He stated he spoke with the Floodplain Administrator and it was clarified that the Flood Steering Committee as well as KLJ were taking steps to keep those kinds of expenses to a minimum. Administrator Malenovsky stated that KLJ representatives would be attending meetings through the County's skype or via teleconference to reduce expenses. She explained that KLJ representatives would physically travel to update the City Council or travel to meetings that would require their presence. Committee Member Andrews stated that face to face meetings were very important when dealing with complicated issues, such as funding. Administrator Malenovsky agreed.

Administrator Malenovsky stated both of the contracts have been approved by the Finance Committee. The Flood Steering Committee along with KLJ has discussed how payment for these contracts could be best administered. Due to having two municipalities paying for the contracts, \$17,500 from the City and \$17,500 from the County, the Steering Committee thought it would be better handled if the County made payment in full and then invoiced the City for their portion of the costs. She has spoken with City Attorney Dan Rice and he had no objection to this process. Custer County Chairman Jason Strouf will be available at the next City Council meeting for any questions the Committee or Council might have. The Committee did not have any objections to this.

*** Committee Member Hollowell moved to recommend to Council to approve the contracts with KLJ. The motion was seconded by Committee Member Andrews and on roll call vote, motion carried unanimously.*

4. Request of Citizens/Public Comment:

-None.

5. Committee Members Comments:

-None.

6. Adjournment

*** Committee Member Andrews moved to adjourn the meeting, seconded by Committee Member Gardner and passed unanimously, 4-0.*

There being no further business, the Committee adjourned at 6:40 p.m.

Respectfully Submitted,

Flood Control Committee Chairperson

No longer employed
Billie J. Burkhalter *9/8/15*
Recorder


John Hollowell, Chairperson