



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*July 25, 2017
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES

- | | |
|---------------------------------|-----------|
| A. Regular City Council Meeting | 7/11/2017 |
| B. Finance Committee Meeting | 7/06/2017 |
| C. Public Service Meeting | 7/10/2017 |
| D. Public Safety Meeting | 7/11/2017 |
| E. Public Safety Meeting | 7/13/2017 |
| F. Flood Control Meeting | 7/19/2017 |
| G. Finance Committee Meeting | 7/20/2017 |

2. SCHEDULE MEETINGS

3. REQUEST OF CITIZENS & PUBLIC COMMENT

4. APPOINTMENTS

Appointment of City representative for Custer County/Miles City Board of Health Board

5. PROCLAMATIONS

6. STAFF REPORTS

7. CITY COUNCIL COMMENTS

8. MAYOR COMMENTS

9. COMMITTEE RECOMMENDATIONS

Public Safety Committee- Relinquishment of Dispatch Between City and County

10. BID OPENINGS

11. BID AWARDS

12. PUBLIC HEARINGS

13. UNFINISHED BUSINESS

14. NEW BUSINESS

- A. Discussion and Final Approval for MCI² to Move Forward on Splash Pad in Wibaux Park
- B. Approval to exempt three (3) County properties from SID Levies: RSP0079- Milwaukee Park Lot 10 for an amount of \$114, RSP0080- Milwaukee Park Lots 1 through 6 for an amount of \$600 and RSP0040- T08, R47E, S33 Lots 11 through 20 for an amount of \$3,163.23

- C. **RESOLUTION NO. 4079- A Resolution to Approve an Agreement With Blue Rock Distributing For Advertising and Signage in Connors Stadium in Denton Sports Complex**
- D. **RESOLUTION NO. 4080- A Resolution to Approve an Agreement With Milestown Community Improvements, Inc For Advertising and Signage in Connors Stadium in Denton Sports Complex**
- E. **RESOLUTION NO. 4081- A Resolution Adopting a Revised Purchasing Policy for the City of Miles City, Montana**
- F. **RESOLUTION NO. 4082- (First Reading) A Resolution Approving the Work Plan and Budget for Fiscal Year 2017-2018 for Business Improvement District No.101, and providing for Hearing Thereon**
- G. **RESOLUTION NO. 4083- A Resolution Authorizing the City of Miles City to Enter Into an Agreement Entitled “Amendment #1 to the Statement of Work...” Between the City of Miles City and the Montana State Library**
- H. **RESOLUTION NO. 4084- A Resolution Authorizing the Mayor to Submit an Application to Treasure State Endowment Program For a Planning Grant to Prepare a Capital Improvements Plan for the Miles City Water and Wastewater Treatment and Distribution Facilities and Agreeing to Conform to the Requirement of Said Application**
- I. **RESOLUTION NO. 4085- A Resolution Approving Task Orders to Kadrmas, Lee & Jackson, Inc., For Services Related to the Custer County Miles City Flood Protection Project**
- J. **RESOLUTION NO. 4086- A Resolution Establishing Revised Floodplain Permit Fees For Miles City, Montana**
- K. **ORDINANCE NO. 1315- (First Reading) An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City, Correcting Internal Citations Within the Flood Code Passed by Ordinance 1264 and 1271**
- L. **APPROVAL ON RECORD RETENTION FOR DISPOSAL**
- M. **APPROVAL OF JUNE CLAIMS**

15. ADJOURNMENT

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings

REGULAR COUNCIL MEETING July 11, 2017
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, July 11, 2017, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Chairperson Galbraith called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, and Kathy Wilcox.

Also present were Public Works Director Scott Gray, Police Chief Doug Colombik, Fire Chief Gary Warren and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Chairperson Galbraith led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 6/27/2017

** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of June 27, 2017, subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

Flood Control Minutes: 6/22/2017

** *Councilperson Erlenbusch moved to approve the minutes of the Flood Control Committee Meeting of June 22, 2017, subject to any changes, and seconded by Councilperson Huber. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

The following meetings will be held in the City Hall Conference Room:

- Flood Control: Wednesday, July 19th @ 5:15 p.m.
- Public Safety: Thursday, July 13th @ 5:30 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Jeanne Vetch, 214 North 11th Street, said there is a house on Orr Street that had been torn down and has sat over two years as rubble. It is a fire hazard, rats probably live in it, a serious health and safety problem.

Chief Colombik said Code Enforcement Officer Winkley and Building Inspector Hirsch have been working on the problem. He recommended talking to City Attorney Dan Rice for more information.

Angie Brodston, 215 North 11th Street, called the State Tax Department and the resident was assigned to Jewel Chandler.

Councilperson Gardner said the problem is, if the house had asbestos, it would be impossible to guess the cost of disposal and burning the building is not an option.

Councilperson Huber thought that at the last Council meeting it was said that the problem would be taken care of in two weeks. He hopes a solution is found before school begins this fall.

Director Kelm reported that Inspector Hirsch and Enforcer Winkley had been in contact with Mr. Vosler, so communication is happening.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Chief Warren: As of Noon today the County is under stage one fire restriction.

Chief Colombik: All first responders did a great job last night. He thanked everyone involved and thought the City have very dedicated employees. Also the storm was the worst storm he had seen in twenty six years.

Director Kelm: The fire, police, public works, public utilities crews were all out working very hard.

CITY COUNCIL COMMENTS

Dwayne Andrews: Reported that the bat houses were installed at Spotted Eagle, Bender Park and Water Works. At Bender Park there is property by the soccer field with a road that heads to the river. The road heads north and then just to the East, there is property that has been over grazed to bare ground. If GPS is correct, access to

the house goes across city property. He asked if someone could look into the land to see if it is City property.

Susanne Galbraith: Muriel Rost called her and was taken back on the fireworks being shot off at all times in the night. She had to take her dogs to twelve mile to settle them down. Councilperson Galbraith thought the fireworks were out of control at Riverside Park. The City buys insurance for the day activities, but not the fireworks and is scared the City may get into a big lawsuit if it does not get it under control

John Uden: Several years ago the city had to shut down fireworks for being too dry. He was disappointed in himself and the Council for not shutting down the sales of fireworks and shooting them off in the city. It was very fortunate that there were no fires.

Brant Kassner: It was a war zone at Denton Field and ending up leaving early.

MAYOR COMMENTS

Chairperson Galbraith read the thank you letter from the 4th of July Committee.

STANDING COMMITTEE RECOMMENDATIONS

Finance Committee: Send an amount of \$16,283.30 to collections for the Ambulance fund

****** *Councilperson Andrews moved to approve sending \$16,283.30 to collections for the Ambulance fund, seconded by Councilperson Wilcox and, on roll call vote, passed unanimously 8-0.*

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. RESOLUTION NO. 4073- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Expenditures

Chairperson Galbraith called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- B. ORDINANCE NO. 1312- An Ordinance Revising Section 2-51 of the Code of Ordinances of the City of Miles City, Montana, So as Revise Provisions Regarding the Salaries of City Council Members

Chairperson Galbraith called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- C. ORDINANCE NO. 1313- An Ordinance Revising Section 16-48 of the Code of Ordinances of the City of Miles City, Montana, so as Revise Provisions Regarding the Use of Fireworks Within the City Limits

Chairperson Galbraith called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

UNFINISHED BUSINESS

- A. **RESOLUTION NO. 4073-** (*Second Reading*) **A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Expenditures**

** *Councilperson Wilcox moved to approve the Resolution, read by title only, seconded by Councilperson Kassner and on roll call vote, **passed** unanimously 8-0. **Resolution No. 4073 passed***

- B. **ORDINANCE NO. 1312-** (*Second Reading*) An Ordinance Revising Section 2-51 of the Code of Ordinances of the City of Miles City, Montana, So as Revise Provisions Regarding the Salaries of City Council Members

** *Councilperson Wilcox moved to adopt the Ordinance, read by title only, seconded by Councilperson Kassner and, on roll call vote, **passed** unanimously, 8-0. **Ordinance No. 1312 was adopted.***

- C. **ORDINANCE NO. 1313-** (*Second Reading*) An Ordinance Revising Section 16-48 of the Code of Ordinances of the City of Miles City, Montana, so as Revise Provisions Regarding the Use of Fireworks Within the City Limits

** *Councilperson Huber moved to adopt the Ordinance, read by title only, seconded by Councilperson Uden.*

** *Councilperson Uden moved to amend the Ordinance by eliminating July 2nd for a day of discharge, seconded by Councilperson Huber.*

** *After a long discussion, on roll call vote, the amended motion passed unanimously, 8-0.*

** *On roll call vote, the original motion passed 8-0*
Ordinance No. 1313 was adopted.

NEW BUSINESS

A. **RESOLUTION NO. 4076-** A Resolution Authorizing the City of Miles City to Enter Into a Grade Crossing Signals Tri-Party Agreement With the Montana Department of Transportation and BNSF Railway Company

** *Councilperson Gardner moved to approve the Resolution, read by title only, seconded by Councilperson Erlenbusch and, on roll call vote, passed unanimously, 8-0. Resolution No. 4076*

B. **RESOLUTION NO. 4077-** A Resolution Authorizing the City of Miles City to Enter Into a State Maintained Route Construction Agreement With the Montana Department of Transportation

** *Councilperson Erlenbusch moved to approve the Resolution, read by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4077 passed*

A. **RESOLUTION NO. 4078-** A Resolution Granting a Revocable License to Custer County District High School For an Encroachment Upon City of Miles City Right of Way For Fort Street, For the Benefit of Block 19 and The South Half of Blocks 13 and 14 of the Miles Addition to the City of Miles City

** *Councilperson Uden moved to approve the Resolution, read by title only, and seconded by Councilperson Gardner.*

Councilperson Andrews thought something should be added to item 2 to specify the grounds are maintained where the benches are installed.

**** After a short conversation Councilperson Uden amended his motion to include in item 2 “including the ground the benches are on”, seconded by Councilperson Gardner. On roll call vote, the motion and amended motion passed by unanimous consent, 8-0. Resolution No. 4078 passed on first reading.**

ADJOURNMENT

**** Councilperson Wilcox moved to adjourn the meeting, seconded by Councilperson Kassner and *passed* unanimously.**

The meeting was adjourned at 7:45 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce, City Clerk

Finance Committee Meeting

July 6, 2017

The Finance Committee met Thursday, July 6, 2017 at 5:15 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Kathy Wilcox and Dwayne Andrews.

Also present were: Public Utility Director Allen Kelm, Public Works Director Scott Gray and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens-

None

2. Review and Recommendation on KLJ Contracts for Engineering Services for Clear Well Baffle Project

Director Kelm explained the contracts are for baffles that are being ordered by Department of Environmental Quality. The baffles will increase the time the water has contact with chlorine. The system would be installed by certified divers and elongate the time the water is circulated in the chlorine. He explained the difference in the two contracts. The contract for \$22,227 is the contract that does not have to go out for bid. The \$44,300 contract is the same contract that does go out for bid. The cost almost doubles because the City has to put the bid together, publish the ads in the paper, certificates are needed, bid openings at a Council meeting then back to Finance Committee for recommendation of approval and then back to Council for approval. He suggested the City increases the dollar amount in the purchasing policy for item that goes out to bid to \$80,000. This is what is in the state statute and would save time and money. After a short discussion, Chairperson Galbraith tabled the discussion until item three has been discussed.

*** Committee Member Andrews moved to recommend to Council to approve the first contract for an amount of \$22,227, seconded by Committee Member Wilcox. The motion passed 4-0*

3. Discussion and Recommendation to Raise the Bid Amount from \$50,000 to \$80,000 in the Purchasing Policy

Director Kelm recommended increasing the bid amount to \$80,000. Montana Code Annotated is \$80,000. Comparing the two contracts from KLJ shows a difference of \$22,000. If the contract goes out for bid the City would have to choose the lowest bid, which may not be the most experienced company to complete the project. If the City receives quotes on the project the City can go back and negotiate the prices that were received. If the Finance Committee and Council wants control of the spending then write something in the purchasing

policy that says anything over \$50,000 has to have finance committee approval prior to the purchase, even if it is already in the budget.

*** Committee Member Wilcox moved to recommend to Council to approve the bid increase from \$50,000 to \$80,000 and add another item \$50,000 to \$79,000 stating the same as C but change number four under policy process to state if the purchase is in the budget it will still need to go to finance for approval. If the purchase was not in the budget it must be approved by finance and full Council, seconded by Committee Member Andrews. The motion passed 4-0*

4. Review and Recommendation on Resolution No. 4076: A Resolution Authorizing the City of Miles City to Enter Into a Grade Crossing Signals Tri-Party Agreement With The Montana Department of Transportation and BNSF Railway Company

*** Committee Member Huber moved to recommend to Council to approve the Resolution, seconded by Committee Member Andrews.*

Director Gray explained that the signal would be at the Spotted Eagle crossing. The agreement is between the City, BNSF and MDT. The cost of the project is split between BNSF and MDT.

*** The motion passed 4-0*

5. Review and Recommendation on Resolution No. 4077: A Resolution Authorizing the City of Miles City to Enter Into a State Maintained Route Construction Agreement With the Montana Department of Transportation

*** Committee Member Andrews moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox.*

Director Gray explained that the agreement is for the Broadus Interchange. The project will take two years to complete, and once complete the City will maintain the right of way and the wagon wheel shape areas inside the roundabout.

*** The motion passed 4-0*

6. Review and Recommendation to send \$16,283.30 to Collection for the Ambulance Fund

*** Committee Member Wilcox moved to recommend to Council to approve sending \$16,283.30 to collection for the Ambulance fund, seconded by Committee Member Huber. The motion passed 4-0*

Adjournment

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

The meeting was adjourned at 5:51 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

PUBLIC SERVICE COMMITTEE MEETING
July 10, 2017

The Public Service Committee met Monday, July 10, 2017 at 6:00 pm in the City Hall Conference Room. 17 S. 8th Street, Miles City, Montana. Present were Committee Chair Dwayne Andrews and Committee Members Ken Gardner, Brant Kassner, Kathy Wilcox and Committee Recorder, Payroll and Claims Clerk, Ally Capps.

1. **Request of Citizens/Public Comment**
- None -

2. **Committee Member Comments**
-None-

3. **Unfinished Business**
- None -

4. **New Business**

A. Recommend to Council for approval Resolution No. 4078. Resolution granting a revocable licence to Custer County District High School for an encroachment upon City of Miles City right of way of block for Fort Street and the south half of blocks 13 and 14 of the Miles Addition to the City of Miles City. Adding two benches to the right of way, in front of the school.

*** Committee Member Wilcox moved to make the recommendation to Council for the approval of Resolution No. 4078, seconded by Committee Member Gardner.*

Committee Member Wilcox asked if this would any way impede the entry or egress of the school. Committee Chair Andrews asked if the benches were going to be placed on a cement slab or were they just going to be placed on the grass and who would be responsible to keep the area maintained. Committee Chair Andrews would like to add the wording to the license for the CCDHS, "That the grounds the benches will be put on is maintained by the licensee."

***Committee Chair Andrews made a motion recommending adding the wording to the revocable license to CCDHS, Resolution No. 4078, to add the condition number six stating; "That the licensee will be responsible to maintain the grounds adjacent to and underneath the*

benches.” Seconded by Committee Member Wilcox. With a roll call vote 3-0, the motion passed.

- B. Recommend to Council approval of Resolution No. 4077. Whereas, the Montana Department of Transportation will be constructing certain improvements to the interchange at Haynes Avenue, and desires to enter into an agreement with the City governing certain City and State obligations pertaining to the construction and maintenance of the highway; sidewalks along the route; signage and speed limits; parking; lighting; and other matters related to the route being constructed, improved and maintained.**

***Committee Member Wilcox recommended as read the approval of Resolution No. 4077, seconded by Committee Member Gardner. With a roll call vote 3-0, the motion passed.*

- C. Recommend to Council approval of Resolution No. 4076. Whereas, the Montana Department of Transportation and the BNSF Railway Company will be funding the installation of crossing signal equipment at the Spotted Eagle Road railroad crossing, and desire to enter into an Agreement with the City pertaining to the same, and in doing so for the City to agree to undertake certain responsibilities pertaining to the project, including the installation and maintenance of advanced railroad crossing signs and pavement markings and other obligations.**

***Committee Member Wilcox recommended as read the approval of Resolution No. 4076, seconded by Committee Member Gardner. With a roll call vote 3-0, the motion passed.*

5. Adjournment

***Committee Member Gardner moved to adjourn, seconded by Committee Chair Andrews, motion passed unanimously.*

Public comment on any public matter that is not on the agenda of this meeting can be presented under “Request of Citizens” provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings.

Public Safety Committee Meeting July 11, 2017

The Public Safety Committee met Tuesday, July 11, 2017 at 6:45 pm in the City Hall Conference Room. Present were Committee Members John Uden, Jeff Erlenbusch, Brant Kassner and Ken Gardner. Also present was Committee Recorder Lorrie Pearce.

Chairperson Gardner called the meeting to order.

1. Request of Citizens
None
2. Review and Recommend action on ORDINANCE NO. 1313 AN ORDINANCE REVISING SECTION 16-48 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, SO AS REVISE PROVISIONS REGARDING THE USE OF FIREWORKS WITHIN THE CITY LIMITS.
***Committee Member Erlenbusch moved to recommend the Resolution, read by title only, seconded by Committee Member Kassner and on roll call vote, **passed** unanimously 8-0.*
3. Adjournment
***Committee Member Erlenbush moved to adjourn the meeting, seconded by Committee Member Uden and **passed** unanimously, 4-0.*

The meeting was adjourned at 6:50 p.m.

Respectfully Submitted:

Ken Gardner, Chairperson

Lorrie Pearce, Recorder

Public Safety Committee Meeting July 13, 2017

The Public Safety Committee met Thursday, July 13, 2017 at 5:30 pm in the City Hall Conference Room. Present were Committee Members Jeff Erlenbusch, Brant Kassner and Ken Gardner. Also present were Police Chief Doug Colombik, Fire Chief Gary Warren, EMS Training Officer Sarah Lewin, Citizen Michelle Simpson, Battalion Chief Branden Stevens, Mayor John Hollowell, Fire Captain Mike Miller and Committee Recorder Linda Wilkins. Excused was Committee Member John Uden.

Chairperson Gardner called the meeting to order.

1. Request of Citizens
None

2. Request of Committee Members
None

3. Discuss & Recommend EMS / Ambulance Mutual Aid Agreement

***Committee Member Erlenbusch moved to discuss the EMS / Ambulance Mutual Aid Agreement, seconded by Committee Member Kassner.*

Chief Warren commented that this agreement is new. There are currently agreements for fire services, but not for ambulance. Officer Lewin stated that the Miles City ambulance will intercept with other ambulances and the City can bill for the distance, but cannot bill for services if an EMT or Paramedic have to board the other provider ambulance to provide patient care. Committee Member Gardner stated that the agreement should be amended to allow the billing for patient care on another provider ambulance.

***Committee Member Erlenbusch moved to amend the motion to change wording on EMS / Ambulance Mutual Aid agreement add the reimbursement to provide patient care and forward it on to City Council with the updated reimbursement section to reflect billing to provide patient care, seconded by Committee Member Kassner. On roll call vote the amended motion **passed** unanimously 3-0*

4. Review & Recommend action on Public Nuisance

***Committee Member Kassner moved to discuss action on public nuisance, seconded by Committee Member Kassner.*

Committee Member Gardner reviewed Glendive's public nuisance ordinance with City Attorney Rice which has the following guidelines: Code Enforcement Officer will issue a citation giving 1 – 10 days for the property owner to clean up the problem, to abate it; if it is not abated then they go before a nuisance hearing before moving to city council, they then have 10 – 30 days for abatement; after this time the city or a hired contractor could clean it up and then a lien would be filed against the property. Attorney Rice is working on the nuts and bolts of this and he is also working on vehicle and trailer clean up. He

spoke with Bruce and Doug Ingraham regarding asbestos, if there is higher than 1% asbestos content in the cleanup there will be hoops that have to be jumped through. Average cost for cleanup on a 1000 square foot house runs about \$2,500 to \$3,000 with up to an additional \$1,000 if there is asbestos removal. Costs would have to come out of the general fund, build a kitty and the general fund would be reimbursed when the cleanup cost are recovered through the lien. He would like to focus on ideas that keep the city clean and community members' safe. Mayor Hollowell commented that it would be good to go through the current ordinance as it defines what a nuisance is. He also thought it would be good to create a class system, and use the court system when valuable property is involved. Committee Member Erlenbusch commented if the City Attorney is on board and has a guide to go with for the weeds and regular nuisance he thought this is good, but there is a difference when doing lead or asbestos abatement. He also commented he had received a call from a constituent on cleanup of the house that had just burned. He realizes that it needs to be released by law enforcement and the fire marshal; he thought it would be good to get a good chain of command going to keep up on this and a timeframe for cleanup. As far as vehicles on the street, he thought the current parking ordinance must be good since it had not been revised in over 15 years it just needs to be enforced. Committee Member Kassner thought maybe upping the fines would help, then people would not be so likely to move the vehicle and then just move it back. Committee Member Erlenbusch said when they moved the vehicle back they would be fined again. Committee Member Kassner commented one of his ward members commented the fines were cheap rent, maybe look at a more graduated system start at \$25 and then move up to maybe \$100 for the next offense. Committee Member Gardner tabled for further discussion.

5. Discuss & Recommend relinquishment of dispatch between City and County
***Committee Member Kassner moved to discuss relinquishment of dispatch between City and County, seconded by Committee Member Gardner.*

Committee Member Gardner recommended to pass on to full city council with a recommended fail. Committee Member Erlenbusch thought there should be more people involved in this decision and needed to have ground work laid before moving on to full council with a recommendation. Committee Member Kassner commented that this was a county commissioner's request and there is no representation present at this meeting. Committee Member Gardner would like to know why this would be more efficient to move dispatch from city to county and how it would impact current employees. Committee Member Erlenbusch thought it would be good to review our finances as far as wages, when looking at the bottom line it's hard to make a decision without more information. He would like to see someone from Finance involved to help make the decision. Mayor Hollowell stated that the city receives \$112,000 from the county. Commissioner Krausz and the Sheriff's office are currently fighting the city on it getting the full amount. They would like to keep the money for equipment, which is not bad in itself, but equipment does no good without employees to run it. The City pays 75% of the costs for 911 based on calls and the county picks up the rest, moving dispatch to the County would put the City at a great disadvantage. The entity that determines the amount to charge for calls would be out of the city's hands. Chief Colombik commented at the last 911 meeting Commissioner Krausz talked about it but there was no clear answer on

why it would be more efficient. All dispatchers would be released from employment and the county would make its own department. This all began after interviewing for the dispatch supervisor and no reason has ever been given on why this would be more efficient. Mayor Hollowell stated the only way we could protect our employees is if the city negotiated with the county to keep the current employees. He has received no reasoning from the county commissioners, not saying that they don't have them.

***Committee Member Kassner amended the original motion to move to City Council with a recommendation for no, seconded by Committee Member Erlenbusch. On roll call vote the amended motion **passed** unanimously, 3-0.*

6. Adjournment

***Committee Member Erlenbush moved to adjourn the meeting, seconded by Committee Member Kassner and **passed** unanimously, 3-0.*

The meeting was adjourned at 6:10 p.m.

Respectfully Submitted:

Ken Gardner, Chairperson

Linda Wilkins, Recorder

Flood Control Committee
July 19, 2017

The **Flood Control Committee** met Wednesday, July 19, 2017 at 5:15 p.m. in the City Hall Conference Room. Present were Committee members; Jeff Erlenbusch, Rick Huber and Brant Kassner. Committee member Ken Gardner was absent. Also present were Floodplain Administrator Samantha Malenovsky, Public Works Director Scott Gray and Recorder Payroll/Claims Clerk Ally Capps.

1. Request of Citizens/Public Comment

-None-

2. Committee Member Comments

-None-

3. Unfinished Business

-None-

4. New Business

A. Recommendation to Council to approve the KLJ Task Order for WIK service relating to Section 205 study (Program Management and Misc. Engineering Services; Government Relations & Public outreach/involvement; interior drainage and structure inventory).

*** Committee Member Kassner moved to open the discussion, seconded by Committee Member Huber.*

Floodplain Administrator Malenovsky explained the interior drainage and structure inventory would no longer be a cost associated with this project, as they would be completed this year.

Committee Member Huber asked if having the interior drainage and structure inventory completed this year puts the project ahead of schedule. Floodplain Administrator Malenovsky responded that this could put the project ahead of schedule; structure inventory is a big one because multiple tasks relate to structure inventory. Hazardous Toxic Radioactive Waste, Interior Drainage and Structure Inventory are being completed by the City and KLJ, and Economics, which is dependent on the structure inventory, done by the Army Corps of Engineers. Committee Member Huber commented that the public would probably like to know that the project is ahead of schedule.

Floodplain Administrator Malenovsky stated that she has been helping with the project thus saving money by doing what tasks she can do eliminating KLJ's labor. Committee Member Erlenbusch asked if there are other departments involved. Floodplain Administrator Malenovsky responded that Director Gray has been helpful with storm drainage and will use his expertise whenever needed. Connie Muggli is offering help with HTRW (Hazardous Toxic Radioactive Waste) due to the superfund site.

*** Committee Member Kassner moved to recommend to Council the approval of the Modification of the Pending KLJ Master Service Plan seconded by Committee Member Huber, motion passed unanimously, 3-0.*

B. Recommend to Council to approve changes to Section 12 Floodplain Regulations.

*** Committee Member Kassner moved to open the discussion, seconded by Committee Member Huber.*

Floodplain Administrator Malenovsky explained in Ordinance No. 1271, the changes are to fit our community, not to have a blanket approach, and to add clarification of residential and mixed-use buildings. Example, if a person wanted to put a garage underneath and the residence above they would still have to build the lowest floor to regulations. That does not let them build below the floodplain they would need to provide the required elevation certificates. We need to have these certificates with all new construction and certificates submitted to FEMA. Article 15 is to change the fees on violations; violations were a set \$100.00. The change is to make the fees more stringent; first offence is \$100.00 not more than \$500.00, second offence is \$300.00 not more than \$500.00, this way if they keep offending the fees will increase.

*** Committee Member Kassner moved to accept the motion as read; for recommendation to Council to approve changes to Section 12 Floodplain Regulations, seconded by Committee Member Kassner and passed unanimously, 3-0.*

C. Recommend to Council to increase Flood Control fees.

*** Committee Member Kassner moved to open the discussion, seconded by Committee Member Huber.*

Floodplain Administrator Malenovsky explained the increase fees would help revenue. Fees right now are not covering the expense of notifications in the paper and mailing adjacent property owners as per State law. Other fee increases would be extensions; permits are good for a year. Some people come in and ask for an extension of another year. The new fee would charge them half of what they paid for the original permit. Variance fees would be going from \$75.00 to \$300.00 again matching the fees for Board of Appeals.

Committee Member Huber asked Floodplain Administrator Malenovsky if this just applies to buildings in the floodplain and would still have to get a building permit from Building Inspector Hirsch. What happens if you have a shed and it just sits on a skid in the floodplain? Floodplain Administrator Malenovsky explained sometimes sheds just appear and she sends them letters to inform them they need to get permits from Building Inspector Hirsch and Floodplain Administrator Malenovsky and what the requirements are in the floodplain.

*** Committee Member Kassner moved to accept the motion as read; for recommendation to Council to approve changes to increase the Flood Control Fees, seconded by Committee Member Huber and passed unanimously, 3-0.*

5. Adjournment

*** Committee Member Huber moved to adjourn the meeting, seconded by Committee Member Kassner and passed unanimously, 3-0.*

There being no further business, the Committee adjourned at 6:00 p.m.

Respectfully Submitted,

Flood Control Committee Chairperson

Ally Capps Recorder

Jeff Erlenbusch Chairperson

Finance Committee Meeting

July 20, 2017

The Finance Committee met Thursday, July 20, 2017 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Kathy Wilcox and Dwayne Andrews.

Also present were: Public Works Director Scott Gray, Floodplain Administrator Samantha Malenovsky and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens-

None

2. Review and Recommendation on Bids for Denton Complex

Director Gray explained he received two estimates for the press box demolition at Denton Field. The project will rid the City of liability from the facility. The estimates cover building the press box over the concession stand. Down the road when money is available (\$250,000 - \$300,000) the City could build a new press box in its present location and the press box being built now could be used for other things. The bids received are: Board by Board- \$29,270 and Star Enterprise- \$33,800

*** Committee Member Andrews moved to approve the Board by Board estimate for the amount of \$29,270, seconded by Committee Member Wilcox. The motion passed 4-0*

3. Review and Recommendation on Floodplain Permit Fees

Administrator Malenovsky explained the increases match what the Board of Appeals charge. The increase from \$75 to \$300 for the variance is to discourage citizens to apply for the permit. It cost, the City to publish the notice in the paper and sending certified letters to the effected neighbors of the variance, which are more than the \$75 charged.

*** Committee Member Wilcox moved to recommend to Council to approve the Floodplain Permit Fees as presented, seconded by Committee Member Huber. The motion passed 4-0*

4. Adjournment

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

The meeting was adjourned at 6:35 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

New Business

Properties that County would like to be exempt!

City Specials
on
~~000~~ RSP0079
RSP0080
RSP0040
County would like these
Specials taken off
7/25/17

Exempt

MI PARK

MI PARK

Town / Range / Sec
08 / 47E / 33

LT 10
LT 1 thru 6
LT 11 thru 20
OT site

RSP 0079 \$ 114. —
RSP 0080 600. —
RSP 0040 3163.23

RESOLUTION NO. 4079

A RESOLUTION TO APPROVE AN AGREEMENT WITH BLUE ROCK DISTRIBUTING FOR ADVERTISING AND SIGNAGE IN CONNORS STADIUM IN DENTON SPORTS COMPLEX.

WHEREAS, the City has previously adopted a Donation Policy specific to Phase I of the Connors Stadium renovation, and

WHEREAS, said Policy authorizes the sale of advertising space on the back wall of the grandstands above the bleachers, and

WHEREAS, Blue Rock Distributing, Inc. wishes to contract with the City for a period of five (5) years for advertising space on the center back wall of Connors Stadium at a cost of \$5,000, and

WHEREAS, Blue Rock Distributing, Inc. proposes the installation of signage at no cost to the City, and will coordinate installation with the City Public Works Department.

WHEREAS, the City wishes to approve said contract and signage,

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The City hereby approves the contract with Blue Rock Distributing attached hereto as "Exhibit A".
2. The City hereby approves the design of advertising signage attached hereto as "Exhibit B".
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said policy and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 25th DAY OF JULY 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A
Connors Stadium
Advertising and Signage Agreement

This Agreement is made and entered into by and between the City of Miles City, a Montana municipal corporation, of P.O. Box 728, Miles City, Montana 59301, hereinafter "Lessor," and Blue Rock Distributing, Inc, of Miles City, hereinafter "Lessee," for the lease of advertising signage space in the Connors Stadium in Denton Sports Complex, which is owned by Lessor, under the terms contained herein:

Location of Signage in Stadium: Center Back Wall
(Press Box) (Back Wall of Grandstand L, C, R Section)

Term of Lease: 07/25/2017 through 07/24/2022 (begin and end date of lease)

Consideration: \$5,000

The parties make the following agreements regarding the advertising signage being placed on Lessor's property by Lessee:

1. Lessee is responsible for the cost of providing professional quality signage; and
2. Signage is subject to approval of the Lessor, in Lessor's sole discretion; and
3. Lessor will coordinate installation with Lessee and/or designated contractors, and
4. Lessee is responsible for ongoing maintenance of said signage for term of the agreement, to the satisfaction of Lessor; and
5. If Lessee abandons, is neglectful of maintenance, and/or unresponsive when notified of needed repair and/or maintenance of said signage by Lessor, removal of damaged, neglected or abandoned signage shall be at the discretion of the Lessor.

This agreement is subject to the laws and regulations of the State of Montana, and the parties agree to a choice of venue of the 16th Judicial District Court, in Custer County.

DATED this 25th day of July, 2017

LESSOR:

LESSEE:

City of Miles City, Montana

By: _____

By: _____

Name/Title: John Hollowell, Mayor

Name/Title: _____

EXHIBIT B

BLUE ROCK DISTRIBUTING, INC
SIGNAGE
CONNOR STADIUM



RESOLUTION NO. 4080

A RESOLUTION TO APPROVE AN AGREEMENT WITH MILESTOWN COMMUNITY IMPROVEMENTS, INC FOR ADVERTISING AND SIGNAGE IN CONNORS STADIUM IN DENTON SPORTS COMPLEX.

WHEREAS, the City has previously adopted a Donation Policy specific to Phase I of the Connors Stadium renovation, and

WHEREAS, said Policy authorizes the sale of advertising space on the back wall of the grandstands above the bleachers, and

WHEREAS, Milestown Community Improvements, Inc. wishes to contract with the City for a period of five (5) years for advertising space on the back wall of Connors Stadium at a cost of \$5,000, and

WHEREAS, Milestown Community Improvements, Inc. proposes the installation of signage at no cost to the City, and will coordinate installation with the City Public Works Department.

WHEREAS, the City wishes to approve said contract and signage,

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The City hereby approves the contract with Milestown Community Improvements, Inc. attached hereto as "Exhibit A".
2. The City hereby approves the design of advertising signage attached hereto as "Exhibit B".
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said policy and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 25th DAY OF JULY 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A
Connors Stadium
Advertising and Signage Agreement

This Agreement is made and entered into by and between the City of Miles City, a Montana municipal corporation, of P.O. Box 728, Miles City, Montana 59301, hereinafter "Lessor," and Milestown Community Improvements, Inc, of Miles City, hereinafter "Lessee," for the lease of advertising signage space in the Connors Stadium in Denton Sports Complex, which is owned by Lessor, under the terms contained herein:

Location of Signage in Stadium: West Back Wall
(Press Box) (Back Wall of Grandstand L, C, R Section)

Term of Lease: 07/25/2017 through 07/24/2022 (begin and end date of lease)

Consideration: \$5,000

The parties make the following agreements regarding the advertising signage being placed on Lessor's property by Lessee:

1. Lessee is responsible for the cost of providing professional quality signage; and
2. Signage is subject to approval of the Lessor, in Lessor's sole discretion; and
3. Lessor will coordinate installation with Lessee and/or designated contractors, and
4. Lessee is responsible for ongoing maintenance of said signage for term of the agreement, to the satisfaction of Lessor; and
5. If Lessee abandons, is neglectful of maintenance, and/or unresponsive when notified of needed repair and/or maintenance of said signage by Lessor, removal of damaged, neglected or abandoned signage shall be at the discretion of the Lessor.

This agreement is subject to the laws and regulations of the State of Montana, and the parties agree to a choice of venue of the 16th Judicial District Court, in Custer County.

DATED this 25th day of July, 2017.

LESSOR:

LESSEE:

City of Miles City, Montana

By: _____

By: _____

Name/Title: John Hollowell, Mayor _____

Name/Title: _____

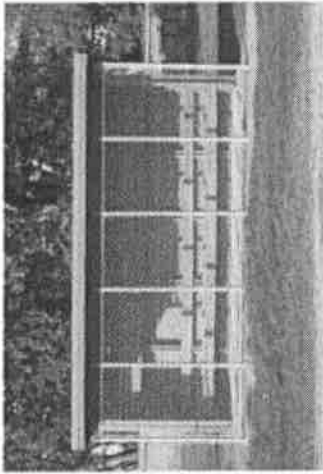
EXHIBIT B: MCI²
SIGNAGE
CONNOR STADIUM
West Wall

Panel 1



For more information on our future projects & happenings,
please find us on facebook or visit our website:
www.mci2.com

Panel 3

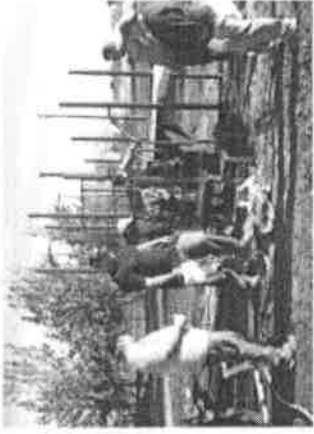


New Dugouts @ Jaycee's Field | 2012

Panel 2

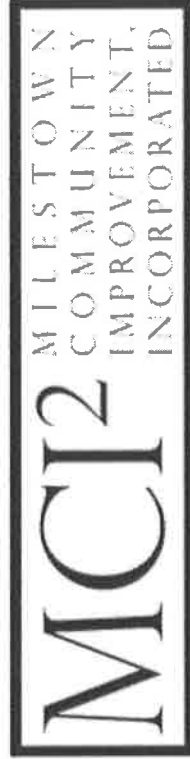


Fall Course @ Milwaukee Park | 2013



Playground @ Pine Hills Park | 2014

Panel 4



for more information on our future projects & happenings,
please find us on facebook or visit our website:

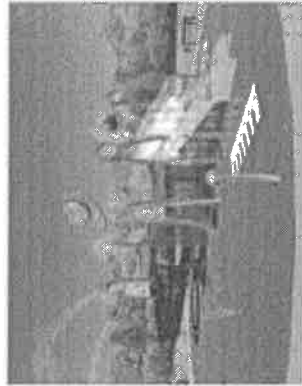
www.mci2.com

EXHIBIT B: MCI² SIGNAGE FOR CONNOR STADIUM

Panel 5

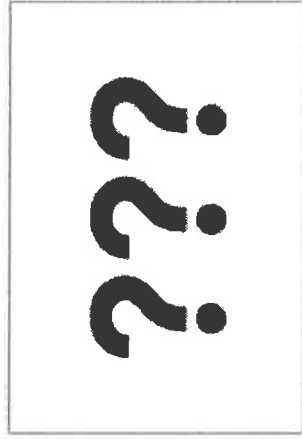


Ryno Band Shell ● Riverdale Park | 2016



Splash Park ● Location TBD | 777

Panel 6



Let us know what you want us to do next!!!



For more information on our quality products & services, please contact us at 406.263.0000 or visit our website www.mci2.com

RESOLUTION NO. 4081

A RESOLUTION ADOPTING A REVISED PURCHASING POLICY FOR THE CITY OF MILES CITY, MONTANA.

WHEREAS, the City of Miles City wishes to implement a revised policy governing the process relative to all purchases made by the City of Miles City;

AND WHEREAS the City of Miles City has developed an updated policy with regards to the same;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The Purchasing Policy attached hereto as Exhibit "A" is hereby approved and adopted by the Council, effective immediately.


SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 25TH DAY OF JULY, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

 CITY OF MILES CITY POLICY & PROCEDURE	Effective Date:	02-2003
	Last Revised:	<u>04/28/15</u>
Purchasing Policy		
RESOLUTION # 4081		

Purpose & Scope

This document is intended to describe the policy and process that shall be followed by the City of Miles City relative to all purchases.

A. Authorization to Make Purchases

1. Upon the City Council's acceptance of budgets, all Department Directors are authorized to make purchases required for their departments in accordance with this policy.
2. The Department Director may designate other department staff to make the purchases for the Department; however, the Department Director will acknowledge ALL department purchases through signing off or initialing each transaction.

B. Montana Law References

1. MCA 7-5-4302 (1) requires that any automobile, truck, other vehicle, road machinery, other machinery, apparatus, appliances, equipment, materials, supplies, or any construction, repair or maintenance of any kind in excess of \$80,000, must be advertised & let to the lowest responsible bidder.
2. MCA 7-5-4302 (2) and (3) as well as MCA 7-5-4303 and MCA 7-5-4304 provide details on bidding & advertising requirements.
3. MCA 7-5-4305 explains that the bidding process cannot be circumvented by dividing a work or construction project into several contracts or separate work orders or similar device.
4. MCA 7-5-4306 & MCA 7-7-4104 explain limitations placed upon the use of installment purchase contracts.
5. MCA 7-7-4101 explains the purposes for which the City can incur indebtedness.
6. MCA 7-5-4310 explains that the city may make purchases at public auction for any vehicle, machinery, appliance, apparatus, building, or materials and supplies provided the sum is less than \$50,000.
7. MCA 15-70-101 explains that all Gas Tax funds must be disbursed to the lowest responsible bidder for projects set forth in MCA 7-5-2301 and 7-5-4302.

C. City Policy

1. Department Directors will purchase from local vendors when the item is available locally. Written explanation will be provided and retained by the Director when a local vendor is not the provider.
2. All documentation on purchases under Section A, B, C & D above will be kept in retrievable files within the appropriate Department.
3. All documentation on purchases for Section E below will be provided to the City Clerk's office for retention in a central location.

D. Process for Procurement by Purchase Order (PO)

1. The Department Director or designee will obtain an invoice from the vendor.
2. The Department Director or designee will prepare and sign the PO and properly code the Purchase Order.
3. The Department Director will insure delivery of signed & coded Purchase Orders to the City Clerk's office as they occur or insure that outstanding PO's are completed properly & delivered to City Clerk's office by the 25th of each month. PO's are paid **the next day after the first Council meeting** of each month.
4. The City Clerk's office will review the PO for completeness and proper coding.
 - a. Department Directors will be advised on POs that need correction or coding adjustment.
 - b. The City Clerk's office may return the PO for the Department Director to correct, or
 - c. The City Clerk's office may make any adjustments after consultation with the Department Director.
5. The City Clerk's office will make notes on any adjustments made to a PO that was not returned to the Department Director for adjustment.

E. Process for Procurement by Credit Card.

1. Departments will restrict those persons authorized to make purchases with the credit card(s) to as few as needed to meet department needs.
2. Department Directors will sign off on each purchase and code it for budgeting purposes.
3. The Department Director will receive a monthly statement from the credit card company. The Department Director or designee will check that all transactions are theirs; that documentation (charge slips, receipt or invoice) exists for every purchase; and that each purchase is properly coded for budget purposes.
4. The Department Director will insure that the City Clerk's office gets the original of the card statement and the originals of all documentation (charge slips, receipts or invoices) on a timely basis.
5. All disputed items on the monthly credit card statement, or billing errors or credits due are the responsibility of the Department to rectify or verify.
6. Department Directors and/or employees who are issued a card will sign a "Cardholder Agreement".
7. Credit card(s) will be kept in a secure location(s).
8. The credit card numbers should be protected and should not be posted at a desk or in an easily seen location.

9. The card holder will be responsible for reporting the loss/theft of the credit card to the City Clerk and Department Director immediately. The City Clerk will be responsible to report the loss of the credit card to the Credit Card Company.
10. Credit cards may not be used for any personal (non-City) use, such as: cash advances; meals, per diem that exceeds city policy, or any personal health & medical services.

F. Claims review and approval

1. The City Clerk's office will prepare checks to vendors and present the itemized list of reviewed claims to the City Council for approval before payment.
2. Council approval will be obtained at the first council meeting of each month. Each month before claims are approved by the City Council, the Chair of the City's Finance Committee or his/her designee, or the Mayor in the Chair's absence, will:
 - a. Review & approve the journal voucher register & supporting vouchers
 - b. Sign the monthly claims list as evidence of that approval;
 - c. Review and account for the numerical sequence of checks & account for any checks paid but not approved by list and confirm voided checks; and
 - d. Compare the claims register with the claims check register;

Attachments:

- Guide on How to Write Bid Specifications
- Compliance for Audits of Local Government on Procurement, Bid Letting, Contracts
- Purchasing policy guidelines

Purchasing Policy Guidelines for the City of Miles City
July 2017

Amount of Purchase	Policy/Process	Documentation Required
A. Under \$4,999	1. Any manner deemed appropriate by department manager.	1. Copy of invoice and signed purchase order or credit card receipt 2. Attach documentation to claim
B. \$5,000 to \$9,999	1. Secure telephone quotations from a minimum of three vendors, whenever possible. 2. Document if unable to obtain three quotations.	1. Must use purchase order/claim 2. Record of telephone quotations with name of bidder and name of person submitting quote 3. Attach documentation to claim.
C. \$10,000 to \$49,999	1. Payment by written purchase orders only, unless authorization to use a credit card is approved by the Mayor in advance. 2. Secure written bids/quotes from a minimum of three vendors, whenever possible. 3. Document if unable to secure three quotations. 4. If purchase and amount was not approved in Budget, then the purchase must be approved in advance by City Council	1. Copy of invoice and signed purchase order/claim 2. List of vendors 3. Copy of Request for Quotation (RFQ) form 4. Copies of all memoranda and correspondence concerning the purchase 5. Written record of any phone conversations regarding the purchase with vendors ("Sole Source" documentation) 6. Notification to Finance Committee and the Mayor if purchase is being awarded to someone other than the lowest bidder 7. Attach documentation to claim

<p>D. \$50,000 to \$79,999</p>	<ol style="list-style-type: none"> 1. Payment by written purchase orders only, unless authorization to use a credit card is approved by the Mayor in advance. 2. Secure written bids/quotes from a minimum of three vendors, whenever possible. 3. Document if unable to secure three quotations. 4. If purchase and amount was approved in Budget, it will need to go to Finance Committee for approval. If the purchase was not in the budget the purchase must be approved in advance by the Finance Committee and City Council 	<ol style="list-style-type: none"> 1. Copy of invoice and signed purchase order/claim 2. List of vendors 3. Copy of Request for Quotation (RFQ) form 4. Copies of all memoranda and correspondence concerning the purchase 5. Written record of any phone conversations regarding the purchase with vendors ("Sole Source" documentation) 6. Notification to Finance Committee and the Mayor if purchase is being awarded to someone other than the lowest bidder 7. Attach documentation to claim
<p>E. . Over \$80,000 in equipment, supplies or construction costs</p>	<p>Per appropriate section in Montana Codes Annotated, sealed bids with Public Opening; with legal review on the process prior to letting; followed by City Council approval. Solicitation of bids, only need to go to Finance Committee.</p>	<ol style="list-style-type: none"> 1. All of the above, plus: <ul style="list-style-type: none"> • Copies of all advertisements for bid. • Copies of bid specifications as supplied to vendors, • Copies of certified mail receipts, • Documentation of legal review of the bidding process by the City Attorney

RESOLUTION NO. 4082

A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR FISCAL YEAR 2016-2017 FOR TOURISM BUSINESS IMPROVEMENT DISTRICT NO. 101, AND PROVIDING FOR HEARING THEREON

WHEREAS, the City of Miles City by Ordinance 1202 established Business Improvement District No. 101;

AND WHEREAS, §7-12-1132 MCA requires the trustees of such business improvement district to annually submit to the City Council of the City of Miles City, for its approval, a work plan and proposed budget for the ensuing fiscal year;

AND WHEREAS, on July 20, 2017, the trustees of said District did submit to the City Council their proposed work plan for FY 2017-2018;

AND WHEREAS, the City Council has considered and approves of such work plan and proposed budget, and desires to finally approve the same, following a public hearing as required by §7-12-1132(3) MCA

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

Upon hearing and full consideration, the City Council of the City of Miles City hereby approves the work plan and proposed budget of Business Improvement District No. 101 for FY 2017-2018, attached hereto as Exhibit "A" and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to §7-12-1132(3) MCA, a public hearing shall be held on the above proposed approval on the 11th day of August, 2017, at 7:00 p.m. in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §15-10-203 MCA, at least 2 times with at least 6 days separating each publication. Such publication shall be placed in a portion of the newspaper other than that portion utilized for legal and classified advertisements.

**SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 25TH
DAY OF JULY, 2017.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 11TH DAY OF AUGUST, 2017.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Miles City TBID Budget FY18

The FY2018 Budget is much like previous year in the fact that we are budgeting funds we are assuming we will receive. We have seen a decline in funds in the last few years due to many factors, gas prices, weather, fires in the park, the Bakken, etc. It is our hope that we have a more solid set of facts to predict our collections for this year. We have supported a huge number of worthwhile events and help in the success of many events. I believe we are being good stewards of these funds and plan to spend this year's funds as follows:

Advertising: \$15,000.00

Event Support: \$20,000.00

Sports Events/Tournaments: \$30,000.00

Convention Recruitment/Support: \$2,000.00

Insurance: \$700.00

Memberships: 1500.00

TOTAL: \$69,200.00

2016/2017 Miles City TBID Review

For the fiscal year 2017 we received \$81,553.00 and we expended \$74,489.38

We spent \$17,629.61 on advertising.

We spent \$20,070.40 on event support.

We spent \$31,487.37 on sporting events and tournaments.

We spent \$1662.00 on convention recruitment and support.

We spent \$2140.00 on insurance.

We spent \$1500.00 on memberships

TOTAL: \$74,489.38

RESOLUTION NO. 4083

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN AGREEMENT ENTITLED “AMENDMENT #1 TO THE STATEMENT OF WORK...” BETWEEN THE CITY OF MILES CITY AND THE MONTANA STATE LIBRARY.

WHEREAS, the City of Miles City has entered into an agreement with the Montana State Library for the Miles City GPS/GIS Capacity Building Project, and desires to extend the completion time called for in said agreement through March 30, 2018.

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

1. The “Amendment #1 to the Statement of Work – Montana Land Information Act FY 2017 Grant MLIA_2017_11: Miles City GPS/GIS Capacity Building Project – An agreement Between: The City of Miles City and the Montana State Library,” attached hereto as Exhibit “A”, and made a part hereof, is hereby approved and adopted by this Council.

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said document on behalf of the City of Miles City and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 25th DAY OF July, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

**Amendment #1 to the Statement of Work
Montana Land Information Act FY 2017 Grant MLIA_2017_11:
Miles City GPS/GIS Capacity Building Project
An Agreement Between: the City of Miles City and the Montana State Library**

This amendment to MLIA_2017_11, hereinafter called "Amendment #1," is made and entered into between the City of Miles City, hereinafter called the "Contractor," and the Montana State Library, P. O. Box 201800, Helena, Montana, 59620-1800, hereinafter called the "Agency."

The parties to the Amendment, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

Pursuant to the parties' mutual agreement, the section entitled "Timeline and Period of Performance" the Contractor has requested an additional 9-month extension due to legitimate circumstances they have encountered that are beyond their control. Therefore, MLIA_2017_11 is amended with an extension through 3/30/2018, with the original language in the section "Timeline and Period of Performance" deleted and replaced with the following language:

"The period of performance for this project will start on the date of contract signing and the work tasks are estimated to continue through 3/30/2018."

The original language in the section "Quarterly Progress Reports" deleted and replaced with the following language:

"The Contractor shall continue to provide the Agency's Project Manager quarterly progress reports due on July 14, 2017, October 10, 2017, January 10, 2018, and a final report due by 3/30/2018. The reports shall include a section on each deliverable including any deviations from the timeline and/or budget and any problems encountered. If the project is completed early a final report will be required 1 month from project close-out, or by 3/30/2018, whichever comes first and the rest of the required interim quarterly reports will be waived."

The total MLIA not to exceed amount for this grant is \$13,700. The contractor may submit monthly invoices to the Agency's Project Manager, to be reimbursed within 30 days of receipt. With each quarterly progress report the Contractor will submit a quarterly financial report. Deviations from the approved budget will be noted in the quarterly progress report. Upon approval of the most recent quarterly report and quarterly financial report, the Contractor may continue to monthly invoices.

This Amendment consists of two (2) pages. One original is to be retained by the Department and one original is to be retained by the Contractor. A copy of the original has the same force and effect for all purposes as the original.

Execution/Signature Block


In Witness Whereof, the parties hereto, having read this Amendment 1 to MLIA_2017_11 in its entirety, do agree thereto in each and every particular.

Approved

Approved

Montana State Library

City of Miles City



Signature

Signature

Jennie Stapp

Print or Type Name

Print or Type Name

Montana State Librarian

Title

Title

7/7/17
Date

Date

RESOLUTION NO. 4084

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO TREASURE STATE ENDOWMENT PROGRAM FOR A PLANNING GRANT TO PREPARE A CAPITAL IMPROVEMENTS PLAN FOR THE MILES CITY WATER AND WASTEWATER TREATMENT AND DISTRIBUTION FACILITIES AND AGREEING TO CONFORM TO THE REQUIREMENTS OF SAID APPLICATION.

WHEREAS, the City of Miles City is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to prepare a Capital Improvements Plan for the Water/Wastewater Treatment & Distribution Facilities;

WHEREAS, the City of Miles City agrees to comply with all State laws and regulations and the requirements described in the TSEP Application & Administration Guidelines for Infrastructure Planning Grants specifically, and those that will be described in the TSEP Project Administration Manual generally;

WHEREAS the City of Miles City commits to provide the amount of matching funds as proposed in the TSEP application; and

That John Hollowell, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of City of Miles City, to act on its behalf and to provide such additional information as may be required.

WHEREAS, the City of Miles City has legal jurisdiction and authority to finance, operate and maintain the city's water/wastewater treatment and distribution facilities; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MILES CITY, that the City Council authorizes the Mayor to submit an application for funding to the Treasure State Endowment Program on behalf of the City of Miles City and that the City Council agrees to conform with the regulations, terms and conditions of the grant program and to provide such additional information as may be required.

Said Resolution read and put upon its passage this 25th day of July, 2017.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 4085

A RESOLUTION APPROVING TASK ORDERS TO KADRMAS, LEE & JACKSON, INC., FOR SERVICES RELATED TO THE CUSTER COUNTY MILES CITY FLOOD PROTECTION PROJECT.

WHEREAS, the City of Miles City requires services related to the Custer County Miles City Flood Protection Project, and has engaged Kadrmass, Lee & Jackson, Inc. (KLJ), a City of Miles City retained engineering firm, for assistance.

AND WHEREAS, pursuant to the procedure for issuing task orders to KLJ, the City desires to issue Task Orders for Government Relations and Public Outreach/Involvement; Internal Drainage Analysis; Structure Inventory Data Collection; and Program Management and Miscellaneous Engineering;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The following task orders, attached hereto and made a part hereof, are hereby approved and adopted by this Council: Government Relations and Public Outreach/Involvement, attached as Exhibit "A"; Interior Drainage Analysis, attached as Exhibit "B"; Structure Inventory Data Collection, attached as Exhibit "C"; and Program Management and Miscellaneous Engineering, attached as Exhibit "D."

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Task Orders on behalf of the City of Miles City, and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 25th DAY OF JULY, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

Floodplain Management, Flood Control and Related Services

This is a Task Order consisting of three (3) pages.

Task Order: Government Relations and Public Outreach/Involvement

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated May 9, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: _____
- b. Owner: City of Miles City
- c. Engineer: Kadrmas, Lee & Jackson, Inc.
- d. Specific Project (title): Government Relations and Public Outreach/Involvement
- e. Specific Project (description): Government Relations and Public Outreach/Involvement as part of the US Army Corps of Engineers Section 205 Feasibility Study in Miles City, Montana, as well as assisting Owner with related tasks not specifically associated with the Section 205 Feasibility Study.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
 - 1. Section 205 Work In-Kind Services
 - a. Quarterly newsletters
 - b. Quarterly press releases
 - c. Two public meetings and associated marketing per year
 - d. One public communications strategy development/revamp per year
 - e. Two community/regional presentations per year
 - f. Organization and facilitation of monthly subcommittee meetings for each of the following subcommittees:
 - 1) Funding
 - 2) PR/Agency Coordination
 - g. Monthly posting on Owner's project Facebook page

2. Services Ineligible for Section 205 Work In-Kind Credit
 - a. Develop a spreadsheet based on public data provided by Owner and specifications from preliminary design work to be used by the Owner's bond counsel to advise the Owner.
 - b. Other Government Relations and Public Outreach/Involvement as requested by the Owner.

3. Additional Services

A. Additional Services that may be authorized or necessary under this Task Order are:

[X] those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

It is anticipated that Engineer's services will be provided through the duration of the project and occur and intervals outlined in Section 2 of this task order. We anticipate providing services through the duration of the USACE Section 205 Study.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

	Description of Service	Amount	Basis of Compensation
1.	Government Relations/Public Involvement	\$3,500/month	Hourly, not to exceed
2.	Additional Services (Part 2 of Exhibit A)	(N/A)	TBD

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order: (Does not Apply)

8. Other Modifications to Agreement and Exhibits: (Does not Apply)

9. Attachments: *(Does not Apply)*

10. Other Documents Incorporated by Reference: *(Does not Apply)*

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER: City of Miles City

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Engineer License or Firm's Certificate No. (if required): PEL-EF-LIC-37
State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Samantha Malenovsky

Name: Molly Herrington

Title: Floodplain Administrator

Title: Government Relations Manager

Address: PO Box 910
Miles City, MT 59301

Address: PO Box 1157
Bismarck, ND 58502

E-Mail Address: smalenovsky@milescity-mt.org

E-Mail Address: molly.herrington@kljeng.com

Phone: 406-234-3493

Phone: 701-355-8717

EXHIBIT B
Floodplain Management, Flood Control and Related Services

This is a Task Order consisting of three (3) pages plus attachments.

Task Order: Interior Drainage Analysis

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated May 9, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: _____
- b. Owner: City of Miles City
- c. Engineer: Kadrmas, Lee & Jackson, Inc.
- d. Specific Project (title): Interior Drainage Analysis
- e. Specific Project (description): Interior Drainage Analysis as part of the US Army Corps of Engineers Section 205 Feasibility Study in Miles City, Montana.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

[X] as follows: Refer to the attached document entitled "Miles City Section 205 Interior Drainage Scope" dated February 3, 2017 (2 pp.).

- B. Resident Project Representative (RPR) Services *(Does not Apply)*

- C. Designing to a Construction Cost Limit *(Does not Apply)*

- D. Other Services

Engineer shall also provide the following services: *(Does not Apply)*

- E. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:

[X] those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in the attached document, as well as Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

It is anticipated that Engineer's services will be completed by November 1, 2017.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Interior Drainage Analysis	\$5,600.00	Lump Sum
2. Additional Services (Part 2 of Exhibit A)	(N/A)	TBD

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. **Consultants retained as of the Effective Date of the Task Order:** *(Does not Apply)*

8. **Other Modifications to Agreement and Exhibits:** *(Does not Apply)*

9. **Attachments:** Refer to the attached document entitled "Miles City Section 205 Interior Drainage Scope" dated February 3, 2017 (2 pp.).

10. **Other Documents Incorporated by Reference:** *(Does not Apply)*

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER: City of Miles City

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Engineer License or Firm's Certificate No. (if required): PEL-EF-LIC-37
State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Samantha Malenovsky

Name: Carl Jackson

Title: Floodplain Administrator

Title: Project Manager

Address: PO Box 910
Miles City, MT 59301

Address: PO Box 80303
Billings, MT 59108-0303

E-Mail Address: smalenovsky@milescity-mt.org

E-Mail Address: carl.jackson@kljeng.com

Phone: 406-234-3493

Phone: 406-245-5499

Miles City Section 205 Interior Drainage Scope 3 February 2017

PART 1: SCOPE

An interior drainage analysis of the existing system will be performed to determine, at a minimum:

- a. The location of existing drainage structures/pipes through the levees (Tongue and Yellowstone) and their current condition (functioning or not)
 - KIJ Assumptions: Drainage structures will be based on readily available data from the City and outlet locations will be extrapolated where no specific location is provided. No field work or trips to the site are anticipated. Portions of the urban area outside the city limits will be limited to those along the current levee alignment.
- b. The location of probable drainage structures through the proposed levee alignment (few to none if all drainage is currently directed away from the levee and towards the old abandoned Tongue channel)
 - KIJ Assumptions: General locations of new outlets will be recommended based on natural depression storage and layout of existing storm drain, along with input from the City. Determining specific outlet location is not included and will be completed in a subsequent task. Type (gravity outfall or lift station) will be assumed. Data on depression storage will be based on items 1d. Data on storm drain will be based on item 1a.
- c. Current drainage patterns for the City
 - KIJ Assumptions: It is recommended that for this step, an XPSWMM 2D model be developed to evaluate overland flow paths. Rainfall on grid will be used. The limits of the model will be the City limits and the limits of the Yellowstone Corridor Study LiDAR. More than one iteration is not included, given the planning-level nature of this task.
- d. Existing ponding locations in the City for large events that exceed the storm drain system capacity (such as a 100-year storm).
 - KIJ Assumptions: Existing ponding locations will be derived from the model created in step 1c. Data from the previous study by KIJ regarding flow along the Tongue River oxbows will also be used. No storage curves will be computed. Ponding will not be based on existing storm drain but rather overland flow.
- e. The location of any drainage structures through the existing Tongue and Yellowstone levees with functioning gates with identification of how they are operated and their capacities.
 - KIJ Assumptions: It is assumed this data can be provided by the City and that a site visit is not required.

PART 2: DELIVERABLES

- a. Deliverables will be a map (GIS shapefile and report plate) with existing drainage patterns for the City (both storm drain patterns and overland patterns for storms that exceed system capacity)
 - KLJ Assumptions: Information from above tasks will be placed on the map to the extent of the data was derived. Deliverables will be .pdf export of the map on Montana State Plane Coordinates. Shapefiles of all the data will also be provided. If desired by the USACE, an alternative to shapefiles will be a file geodatabase with feature classes. It is assumed that aerial imagery and the Yellowstone Lidar are already held by the USACE and will not be included in the delivery to save space.
- b. A report/memorandum that explains:
 1. Modeling background
 - A short report will discuss hydrology, data acquired, and results of each step along with a discussion of the XPSWMM modeling methodology.
 2. Results for this task only (not the entire report for the system master plan)
 - As explained in 2b1.
 3. Any proposed changes to the system that are likely to be implemented in the near future (less than 3 years) and will need to be considered as part of the existing condition for USACE's future efforts with this study.
 - Any anticipated changes in the next three years by the City will be discussed briefly.

PART 3: COMPENSATION

KLJ's fee to complete services described is \$5,600 unless there is an approved change in scope.

Floodplain Management, Flood Control and Related Services

This is a Task Order consisting of three (3) pages plus attachments.

Task Order: Structure Inventory Data Collection

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated May 9, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: _____
- b. Owner: City of Miles City
- c. Engineer: Kadrmas, Lee & Jackson, Inc.
- d. Specific Project (title): Structure Inventory Data Collection
- e. Specific Project (description): Structure Inventory Data Collection as part of the US Army Corps of Engineers Section 205 Feasibility Study in Miles City, Montana.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
 - [X] as follows: Refer to the attached document entitled "Miles City Section 205 Structure Inventory Data Collection Scope" dated February 6, 2017 (3 pp.).
- B. Resident Project Representative (RPR) Services ***(Does not Apply)***
- C. Designing to a Construction Cost Limit ***(Does not Apply)***
- D. Other Services

Engineer shall also provide the following services: ***(Does not Apply)***
- E. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:
 - [X] those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in the attached document, as well as Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

It is anticipated that Engineer's services will commence mid-July 2017 and will be completed by November 1, 2017.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Interior Drainage Analysis	\$16,665.00	Lump Sum
2. Additional Services (Part 2 of Exhibit A)	(N/A)	TBD

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order: *(Does not Apply)*

8. Other Modifications to Agreement and Exhibits: *(Does not Apply)*

9. Attachments: Refer to the attached document entitled "Miles City Section 205 Structure Inventory Data Collection Scope" dated February 6, 2017 (3 pp.).

10. Other Documents Incorporated by Reference: *(Does not Apply)*

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER: City of Miles City

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Engineer License or Firm's Certificate No. (if required): PEL-EF-LIC-37
State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Samantha Malenovsky

Name: Carl Jackson

Title: Floodplain Administrator

Title: Project Manager

Address: PO Box 910
Miles City, MT 59301

Address: PO Box 80303
Billings, MT 59108-0303

E-Mail Address: smalenovsky@milescity-mt.org

E-Mail Address: carl.jackson@kljeng.com

Phone: 406-234-3493

Phone: 406-245-5499

Miles City Section 205 Structure Inventory Data Collection Scope 6 February 2017

The structure inventory data collection will require an assessment of all structures (residential and commercial) within the 0.2% ACE flood event boundary plus 1-foot buffer (approximately 3,500 structures) in Miles City, MT. Available data and records will be collected, and compared to structure inventory needs (required fields are provided in the example structure inventory database as listed under Task 1 below). Additional data will be collected in the field to complete the structure inventory that will be used in the HEC-FDA model and the nonstructural assessment for the Section 205, Miles City feasibility/environmental assessment report. There shall only be one complete structure inventory database, used by both the nonstructural assessment and economic analysis, therefore all necessary data for the analysis and assessment will be collected simultaneously.

Task 1: Structure Data Collection from Available Sources

The Cadastral parcel data set will be used as the starting point for collecting available structure data. The GIS-based Cadastral Data Framework serves as a clearinghouse for obtain parcel-based property information for each county in the State of Montana. The Cadastral Data Framework stores information about public and private land ownership on a parcel-by-parcel basis, and is available for download either in a geodatabase/shape file format, or as metadata. The Montana Cadastral Framework data consists of tax parcels defined by the Montana Department of Revenue (DOR) which are joined to the DOR's Computer Assisted Mass Appraisal (CAMA) data—a database that records property ownership, property value, and other information about each parcel of land in the state.

The Miles City representatives will contact the Custer County Assessor to obtain all the necessary GIS-based structure data, or parcel data, if not downloadable from the Cadastral website. For example, the Cadastral Data may not include detailed structure information about public or municipal buildings.

Data requirements for the structure inventory data set include:

- structure ID
- occupancy type
- structure square footage
- garage
- construction material (exterior walls)
- number of stories
- basement status
- basement window height
- low openings (walk out basements or other)
- structure condition
- first floor elevation
- foundation type
- critical facility identification

It is anticipated that the majority of structure information required for the structure inventory will be available from the Cadastral data set and/or Custer County Assessors, and that field work will be required to fill in the missing data. A compiled excel file of only the structures within the 0.2% ACE flood event boundary plus a 1-foot buffer will be necessary for the field data collection.

Elevation certificates on file with the City will be collected as well. The first floor elevation, the ground elevation, and reported base flood elevation (BFE) from the elevation certificate is the information of interest. The compiled elevation certificates information shall be transferred into one excel file with one structure's relevant data in each row. This file will identify structure ID, location (exact coordinates and addresses are preferred; addresses will work if coordinates are not available), first floor elevation, ground elevation, reported BFE and elevation with datum. The structure ID will be unique and linkable to the assessor and/or Cadastral databases.

It is expected that the Task 1 deliverables of the Cadastral database, the Custer County Assessor database if collected, and the elevation certificates information be provided to USACE one month prior to field data collection.

Task 1: Total hours: 40

Task 2: Field data collection

The field data collection team will consist of four (4) USACE personnel and two (2) Miles City representatives. The team will split into two groups of three (3). The Miles City representatives will provide two (2) cars, one for each group. The goal of two combined USACE and Miles City representatives groups is to complete the field data collection with efficiency.

The necessary field data collection will include the collection of the first floor elevation estimations, foundation types, basement window heights, and low opening situations. In addition, "ground-truthing" of selected assessor data variables will be completed. The attached excel spreadsheet presents an example of the input data per structure needed to complete the structure inventory during the field data collection, this spreadsheet does not include all of the necessary structure inventory information, just the information that may be collected during the field data collection effort.

Field data collection will consist of four (4) 10 hour days. 8 additional hours for any pre-field work and travel to and from the worksite (48 hours for each person)

Task 2 total hours: 96 hours

Deliverables

The four deliverables are:

1. Cadastral Database and the Raw Custer County Assessor Database if collected (Task 1)
2. Excel file in the format requested reflecting an inventory of all the structures within the 0.2% ACE flood even boundary plus a 1-foot buffer with the data requirements from (Task 1)
3. Elevation Certificates information in an excel format (Task 1)
4. Two vehicles and two participants in field audits (Task Two)

Total coordination hours: 8 hours for calls during Task 1 if needed, any questions before Task 2 starts, and questions for deliverable formats.

Period of Performance: Completion by June 9, 2017.

Total structure inventory hours: 144 hours

Summary for Inclusion with Section 205 Scope of Work Document (FCSA)

Miles City Section 205 Structure Inventory Data Collection
Work Scope presented on February 6, 2017
Completion date June 9, 2017

Work Scope

The structure inventory data collection will require an assessment of all structures (residential and commercial) within the 0.2% ACE flood event boundary plus 1-foot buffer (approximately 3,500 structures) in Miles City, MT. Available data and records will be collected, and compared to structure inventory needs (required fields are provided in the example structure inventory database as listed under Task 1 above, defined by USACE). Additional data will be collected in the field to complete the structure inventory that will be used in the HEC-FDA model and the nonstructural assessment for the Section 205, Miles City feasibility/environmental assessment report. There shall only be one complete structure inventory database, used by both the nonstructural assessment and economic analysis, therefore all necessary data for the analysis and assessment will be collected simultaneously.

Deliverables

The four deliverables are:

1. Cadastral Database and the Raw Custer County Assessor Database if collected (Task 1)
2. Excel file in the format requested reflecting an inventory of all the structures within the 0.2% ACE flood even boundary plus a 1-foot buffer with the data requirements from (Task 1)
3. Elevation Certificates information in an excel format (Task 1)
4. Two vehicles and two participants in field audits (Task Two)

Basis of Estimate

Work tasks and hours associated with them were developed by the USACE and included within the scope of work provided. Task definitions, deliverables required and hours of time to perform the tasks were delivered via email on February 10, 2017 to Samantha Malenovsky CFM, City of Miles City, Miles City MT.

Task 1: Structure Data Collection from Available Sources

More completely defined above.

Total hours provided within USACE work scope = 40 hrs. @ \$105.00 per hr. = \$4,200

Task 2: Field data collection

More completely defined above.

Total hours provided within USACE work scope = 96 hrs. @ \$105.00 per hr.= \$10,080

Project Coordination:

Total hours provided for Task 1. = 8 hours @ \$105.00 per hr. = \$840

Total hours provided for Task 2. = 0 hours @ \$105.00 per hr. = \$0

Expenses: based on allotted hours:

Travel: round trip from Billings 4.5 hrs. x 2 = 9 hrs. x \$105 per hr. = \$945

Per diem (Lodging & Meals for 2 @ \$150 per day 4 days = \$600

KLJ estimated fee based on 2/10/17 USACE work scope = \$ 16,665

EXHIBIT D

Floodplain Management, Flood Control and Related Services

This is a Task Order
consisting of three (3) pages.

Task Order: Program Management and Miscellaneous Engineering

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated May 9, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: _____
- b. Owner: City of Miles City
- c. Engineer: Kadrmas, Lee & Jackson, Inc.
- d. Specific Project (title): Program Management and Miscellaneous Engineering
- e. Specific Project (description): On-call program management and miscellaneous engineering as requested by Owner.

2. Services of Engineer

A. The specific services to be provided or furnished by Engineer under this Task Order are:

- 1. On-call services, upon request by Owner throughout the duration of Section 205, which may include technical, project management, internal/external coordination, meeting attendance and committee participation, project planning and due diligence, public relations, cost estimating, mapping, QC reviews, and other miscellaneous tasks. Only a portion will be eligible as work in-kind reimbursement as part of the US Army Corps of Engineers Section 205 Feasibility Study.

3. Additional Services

A. Additional Services that may be authorized or necessary under this Task Order are:

- [X] those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

It is anticipated that Engineer's services will be provided on-call throughout the duration of the Agreement.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Program Management and Miscellaneous Engineering	\$6,000/month	Hourly, not to exceed
2. Additional Services (Part 2 of Exhibit A)	(N/A)	TBD

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. **Consultants retained as of the Effective Date of the Task Order: *(Does not Apply)***

8. **Other Modifications to Agreement and Exhibits: *(Does not Apply)***

9. **Attachments: *(Does not Apply)***

10. **Other Documents Incorporated by Reference: *(Does not Apply)***

11. **Terms and Conditions**

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER: City of Miles City

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Engineer License or Firm's Certificate No. (if required): PEL-EF-LIC-37
State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Samantha Malenovsky

Name: Carl Jackson

Title: Floodplain Administrator

Title: Project Manager

Address: PO Box 910
Miles City, MT 59301

Address: PO Box 80303
Billings, MT 59108-0303

E-Mail Address: smalenovsky@milescity-mt.org

E-Mail Address: carl.jackson@kljeng.com

Phone: 406-234-3493

Phone: 406-245-5499

RESOLUTION NO: 4086

**AN RESOLUTION ESTABLISHING REVISED FLOODPLAIN PERMIT FEES FOR
MILES CITY, MONTANA**

WHEREAS, pursuant to Section 12-20 of the Code of Ordinances of Miles City, Montana, the City has authority to impose fees for processing of floodplain permits; and

WHEREAS, the City has evaluated the fees currently being charged, and desires to update said fees to cover the cost of processing floodplain permit applications.

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

1. That the fees set forth in Exhibit "A" for processing floodplain permit applications are reasonable and appropriate, and are hereby adopted by the City of Miles City.
2. BE IT FURTHER RESOLVED that a public hearing shall be held on said fees on the 8th day of AUGUST, 2017, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, pursuant to §7-1-4128 MCA, 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 25th DAY OF JULY, 2017.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 8th DAY OF AUGUST, 2017.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT "A"

FLOODPLAIN PERMITS FEES

Small scale projects reviewed by Custer County Conservation District under Section 310 of Montana Stream Preservation Act and which qualifies for Section 404 of the Clean Water Act-
NO CHARGE

Projects, including tools sheds, garden sheds, carports, and other non-livable, cold-storage detached accessory structures, requiring less than 240 square feet of flood protection - \$150.00

New, non-enclosed decks that are attached to a residence - \$100.00

Small scale projects including mobile homes, single family residences, garages, carports, and other accessory structures requiring less than 10,000 square feet of flood protection - \$325.00

Substantial projects, including multi-family residences, commercial development requiring more than 10,000 square feet of flood protection - \$650.00

Large scale projects, including bridges, railroad embankments, utility substations and pipelines, flood control structures, large commercial or industrial development - \$1500.00

If construction activates commence prior to the issuing of a floodplain permit fees shall double.

Any extension requested will be charged half the price of the original fee.

Application for variance from floodplain regulations - \$300.00

All fees shall be non-refundable

FLOODPLAIN PERMITS FEES

Resolution 3337, 3356, 3475

Small scale projects reviewed by Custer County Conservation District under Section 310 of Montana Stream Preservation Act and which qualifies for Section 404 of the Clean Water Act-NO CHARGE

Projects, including tools sheds, garden sheds, carports, and other non-livable, cold-storage detached accessory structures, requiring less than 240 square feet of flood protection - \$75.00 to \$150.00

New, non-enclosed decks that are attached to a residence - \$75.00 to \$100.00

Small scale projects including mobile homes, single family residences, garages, carports, and other accessory structures requiring less than 10,000 square feet of flood protection - \$250.00 to \$325.00

Substantial projects, including multi-family residences, commercial development requiring more than 10,000 square feet of flood protection - \$500.00 to \$650.00

Large scale projects, including bridges, railroad embankments, utility substations and pipelines, flood control structures, large commercial or industrial development - \$1000.00 to \$1500.00

If construction activates commence prior to the issuing of a floodplain permit fees shall double.

Any extension requested will be charged half the price of the original fee.

Application for variance from floodplain regulations -\$75.00 to \$300.00

All fees shall be non-refundable

Gray sections
are changes.

ORDINANCE NO. 1315

AN ORDINANCE REPEALING SECTION 12 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY AND ENACTING A NEW SECTION 12 OF SAID CODE OF ORDINANCES OF THE CITY OF MILES CITY, CORRECTING INTERNAL CITATIONS WITHIN THE FLOOD CODE PASSED BY ORDINANCE 1264 AND 1271.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Chapter 12 shall be amended by replacing Sections 12-1 through 12-76 with the following sections 12-1 through 12-76:

ARTICLE 1. TITLE, PURPOSE, AUTHORITY AND GENERAL PROVISIONS

Sec. 12-1 FLOODPLAIN HAZARD MANAGEMENT REGULATIONS

These regulations are known and may be cited as the “Floodplain Hazard Management Regulations;” hereinafter referred to as “these regulations.”

Sec. 12-2 STATUTORY AUTHORITY

1. Floodplain and Floodway Management is incorporated in Montana Code Annotated (MCA) Title 76, Chapter 5 and describes the authority, procedures and minimum standards for local regulations and is further described in Montana Administrative Rule (ARM) 36, Chapter 15.
2. The authority to regulate development in specifically identified flood hazard areas has been accepted pursuant to 76-5-301, MCA.

Sec. 12-3 FINDINGS OF FACT

1. Flood hazard areas specifically adopted herein as Regulated Flood Hazard Areas have been delineated and designated by order or determination of the Department of Natural Resources and Conservation (DNRC) pursuant to MCA 76-5-201 et.seq.
2. These regulations have been reviewed by Montana Department of Natural Resources and Conservation and the Federal Emergency Management Agency. The Montana Department of Natural Resources and Conservation has found the regulations acceptable in meeting the Department minimum standards. The Federal Emergency Management Agency finds that these regulations are adequate and consistent with the comprehensive criteria for land management and use pursuant to the standards established in 44 CFR 60.3. (76-5-302, MCA, ARM 36.15.202, 44 CFR60.1(b), 42USC 4022)

Sec. 12-4 PURPOSE

The purpose of these regulations is to promote public health, safety and general welfare of the residents and minimize public and private losses due to flood conditions in Regulated Flood Hazard Areas. These Regulations are intended to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business and public service interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges;
6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood disruptions; and to
7. Ensure compliance with the minimum standards for the continued participation in the National Flood Insurance Program for the benefit of the residents.

Sec. 12-5 METHODS TO REDUCE LOSSES

In accordance with 76-5-102, MCA, these regulations are intended to reduce flood losses through the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flooding or that may cause excessive increases in flood heights or velocities;
2. Require that uses of land vulnerable to floods, including public facilities, be developed or constructed to at least minimum standards or to otherwise minimize flood damage;
3. Regulate the alteration of natural floodplains, stream channels, and natural protective barriers which are needed to accommodate floodwaters;
4. Regulate filling, grading, dredging and other development which may increase flood damage;
5. Prevent or regulate the construction of flood barriers which will impact other land, flood water depth or velocity of floodwaters;
6. Distinguish between the land use regulations applied to the floodway within the Regulated Flood Hazard Area and those applied to that portion of the Regulated Flood Hazard Area not contained in the floodway;

7. Apply more restrictive land use regulations within the floodway of the Regulated Flood Hazard Area; and
8. Ensure that regulations and minimum standards balance the greatest public good with the least private injury.

Sec. 12-6 REGULATED AREA

These regulations apply only to the flood hazard areas specifically adopted herein as Regulated Flood Hazard Areas which are more fully and specifically described in Article 4. Requirements and approvals for alterations to the Regulated Flood Hazard Area are specified in Article 4. The Regulated Flood Hazard Area includes areas specifically identified, labeled and illustrated on maps such as Floodplain, Floodway, or Flood Fringe that have differing uses allowed and minimum building standards that apply. The Regulated Flood Hazard Area is the geographic area inundated by the Flood of 100-year Frequency illustrated and depicted in the referenced studies and maps.

The Regulated Flood Hazard Area supporting study and maps illustrating the regulatory area are based on studies and maps that have been specifically adopted pursuant to 76-5-201 et seq. The maps and accompanying study become the Regulated Flood Hazard Area only when formally adopted by DNRC and subsequently by the political subdivision by these regulations. The original source of studies and data may be from a Flood Insurance Study by FEMA, or other studies by Corps of Engineers, Soil Conservation, United States Geological Service or other federal or state agency.

Sec. 12-7 FLOODPLAIN ADMINISTRATOR

A Floodplain Administrator is hereby officially appointed by the Mayor and is an employee of the office of Public Works. The Floodplain Administrator's duty is to administer and implement the provisions of these regulations. The appointed Floodplain Administrator shall be the designated administrator of the regulations as set forth in any Federal, State, and local laws. The Floodplain Administrator must serve to meet and maintain the commitments pursuant to 44 CFR 59.22(a) to FEMA to remain eligible for National Flood Insurance for individuals and business within the political subdivision. ((44 CFR 59.22(b)(1)) (ARM 36.15.204(2)(h))

Sec. 12-8 COMPLIANCE

Development, New Construction, Alteration, Substantial Improvement, or Demolition may not commence without full compliance with the provisions of these regulations.

Sec. 12-9 ABROGATION AND GREATER RESPONSIBILITY

It is not intended by these regulations to repeal, abrogate, or impair any existing easements, covenants, deed restrictions, zoning or other regulations in effect. However, where these regulations impose greater restrictions, the provision of these regulations must prevail. (44 CFR 60.1(d))

Sec. 12-10 REGULATION INTERPRETATION

In the interpretation and application of these regulations, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under state statutes. (44 CFR 60.1)

Sec. 12-11 WARNING AND DISCLAIMER OF LIABILITY

These regulations do not imply that land outside the Regulated Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. These regulations shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made hereunder.

Sec. 12-12 SEVERABILITY

If any section, clause, sentence, or phrase of these regulations is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding will in no way affect the validity of the remaining portions of these regulations.

Sec. 12-13 DISCLOSURE PROVISION

All property owners or their agents in the Regulated Flood Hazard Areas shall notify potential buyers or their agents that such property, including any permitted uses transferred, is located within the Regulated Flood Hazard Area and is subject to regulation and any permitted uses that are transferred. Information regarding Regulated Flood Hazard Area and the repository for Floodplain maps is available in the Floodplain Administrator's office. (ARM 36.15.204(2)(g))

Sec. 12-14 AMENDMENT OF REGULATIONS

These regulations may be amended after notice and public hearing in regard to the amendments to these regulations. The amendments must be found adequate and acceptable by DNRC and FEMA to be effective and must be submitted for review at least 30 days prior to official adoption.

Sec. 12-15 PUBLIC RECORDS

Records, including permits and applications, elevation and flood proofing certificates, certificates of compliance, fee receipts, and other matters relating to these regulations must be maintained by the Floodplain Administrator and are public records and must be made available for inspection and for copies upon reasonable request. A reasonable copying cost for copying documents for members of the public may be charged and may require payments of the costs before providing the copies. (44 CFR 60.3(b)(5)(iii) & 44 CFR 59.22 (a)(9)(iii))

Sec. 12-16 SUBDIVISION REVIEW

Within the Regulated Flood Hazard Area, subdivisions including new or expansion of existing manufactured home parks, must be designed to meet the following criteria:

1. The Base Flood Elevations and boundary of the Regulated Flood Hazard area must be determined and considered during lot layout and building location design;

2. Locations for future structures and development must be reasonably safe from flooding; (44CFR 60.3(a)(4))
3. Adequate surface water drainage must be provided to reduce exposure to flood hazards; (44 CFR 60.3 (a)(4)(iii))
4. Public utilities and facilities such as sewer, gas, electrical, water systems, or any other public/private utility service must be located and constructed to minimize or eliminate flood damage; and (44 CFR 60.3(a)(4)(ii))
5. Floodplain permits must be obtained according to these regulations before development occurs that is within the Regulated Flood Hazard Area. (44 CFR 60.3(b))

Sec. 12-17 DISASTER RECOVERY

In the event of a natural or man-made disaster, the Floodplain Administrator should participate in the coordination of assistance and provide information to structure owners concerning Hazard Mitigation and Recovery measures with the Federal Emergency Management Agency, Montana Disaster Emergency Services, Montana Department of Natural Resources and Conservation, and other state, local and private emergency service organizations.

Upon completion of cursory street view structure condition survey within the Regulated Flood Hazard Area, the Floodplain Administrator shall notify owners that a permit may be necessary for an alteration or substantial improvement before repair or reconstruction commences on damaged structures because of damages caused by natural or man-made disasters such as floods, fires or winds.

Owners should be advised that structures that have suffered substantial damage and will undergo substantial improvements require a floodplain application and permit and must be upgraded to meet the minimum building standards herein during repair or reconstruction. ((MCA 76-5-404(3)(b) (ARM 36.15.702) (44 CFR 60.3(c)(2 and 3))

ARTICLE 2. DEFINITIONS

Sec. 12-18 Definitions

Unless specifically defined below, words or phrases used in these regulations shall be interpreted as to give them the meaning they have in common usage and the most reasonable application. For the purpose of these regulations, the following definitions are adopted:

100-year Flood – One percent (1%) annual chance flood. See Base Flood

Alteration – Any change or addition to an artificial obstruction that either increases its external dimensions or increases its potential flood hazard. (ARM 36.15.101(2))

Appurtenant Structure – A structure in which the use is incidental or accessory to the use of a principal structure. (44 CFR 59.1)

Artificial Obstruction – Any obstruction which is not natural and includes any development, dam, diversion, wall, riprap, embankment, levee, dike, pile, abutment, projection, revetment, excavation, channel rectification, road, bridge, conduit, culvert, building, refuse, automobile body, fill or other analogous structure or matter in, along, across, or projecting into any Regulated Flood Hazard Area that may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by the water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property. See also Development. (ARM 36.15.101(3) & MCA 76-5-103(1))

Base Flood (Flood of 100 Year Frequency) – A flood having a one percent (1%) chance of being equaled or exceeded in any given year (ARM 36.15.101(4) & (44 CFR 59.1))

Base Flood Elevation (BFE) – The elevation above sea level of the Base Flood in relation to the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988 or unless otherwise specified. (ARM 36.15.101(5))

Basement – Any area of a building, except a crawl space, as having its Lowest floor below ground level on all sides. (44 CFR 59.1) (NFIP Insurance Manual, Rev. May 2013)

Building – A walled and roofed structure, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. (44 CFR 59.1)

Carport – A carport whether attached or unattached to a building can have only one closed side, either a portion of the way up, or all the way up. A carport attached to a building has one closed side, by definition. A carport with more than one closed side will be considered a garage.

Channel – The geographical area within either the natural or artificial banks of a watercourse or drain way. (MCA 76-5-103(2))

Crawl Space – An enclosure that has its interior floor area no more than 5 feet below the top of the next highest floor. See Enclosure and Sub grade Crawlspace. (NFIP Insurance Manual, Rev. May 2013)

DNRC – Montana Department of Natural Resources and Conservation

Development – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. See also Artificial Obstruction. (44 CFR 59.1)

Elevated Building – A building that has no Basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns. A building on a crawlspace is considered an elevated building. (NFIP Insurance Manual, Rev. May 2013)

Enclosure – That portion below the lowest elevated floor of an elevated building that is either partially or fully shut in by rigid walls including a crawlspace, sub grade crawlspace, stairwell, elevator or a garage below or attached.

Encroachment – Activities or construction within the Regulated Flood Hazard Area including fill, new construction, substantial improvements, and other development.

Encroachment Analysis – A hydrologic and hydraulic analysis performed by an engineer to assess the effects of the proposed artificial obstruction or nonconforming use on Base Flood Elevation, flood flows and flood velocities.

Establish – To construct, place, insert, or excavate. (MCA 76-5-103(7) (ARM 36.15.101(9))

Existing Artificial Obstruction or Nonconforming Use – An artificial obstruction or nonconforming use that was established before land use regulations were adopted pursuant to Section 76-5-301(1), MCA. (MCA 76-5-404(3))

FEMA – Federal Emergency Management Agency

Flood Fringe – The identified portion of the Floodplain of the Regulated Flood Hazard Area outside the limits of the Floodway. (ARM 36.15.101(10))

Flood of 100 Year Frequency (Base Flood) – A flood magnitude expected to recur on the average of once every 100-years or a flood magnitude that has a 1% chance of occurring in any given year. (MCA 76-5-103(9)) (44 CFR 59.1)

Floodplain – The area of the Regulated Flood Hazard Area including and adjoining the watercourse or drainway that would be covered by the floodwater of a Base Flood. The area is partitioned into a Flood Fringe and Floodway where specifically designated. See Regulated Flood Hazard Area.

Floodway – The identified portion of the Floodplain of the Regulated Flood Hazard Area that is the channel and the area adjoining the channel that is reasonably required to carry the discharge of the Base Flood without cumulatively increasing the water surface by more than one half foot. (MCA 76-5-103(11)) (MCA 76-5-103(5))

Floodplain Administrator – Community official or representative appointed to administer and implement the provisions of this ordinance. (Section 12-7)

Flood Proofing – Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, electrical, plumbing, HVAC systems, structures and their contents. The term includes wet flood proofing, dry flood proofing and elevation of structures. (44 CFR 59.1)

Historic Buildings/Structures –means any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1) By an approved state program as determined by the Secretary of the Interior or
 - 2) Directly by the Secretary of the Interior in states without approved programs.

Letter of Map Change (LOMC) – An official response from FEMA that amends or revises the FEMA Special Flood Hazard Area and FEMA Flood Insurance Study for flood insurance purposes and/or flood risk hazard. FEMA Letters of Map Change specific to an amendment or revision include:

Letter of Map Amendment (LOMA) – A letter of determination from FEMA issued in response to a request that a property or structure is not subject to the mandatory flood insurance requirement because it was inadvertently located in the effective FEMA Special Flood Hazard Area. The material submitted and response from FEMA may be considered by the Floodplain Administrator for determining if a property or structure is within the Regulated Flood Hazard area and subject to these regulations.

Letter of Map Revision Based on Fill (LOMR-F) – A letter of approval from FEMA removing the mandatory requirement for flood insurance on property based on placement of fill or an addition. Placement of fill or an addition must be preceded by a permit pursuant to these regulations. Placement of fill does not remove the development from the Regulated Flood Hazard Area or these regulations.

Letter of Map Revision (LOMR) – An official FEMA amendment to the currently effective FEMA Flood Insurance Rate Map or FEMA Flood Boundary Map based on a physical change to the floodplain of the Special Flood Hazard Area. It is issued by FEMA and changes flood zones, delineations, and elevations on the FEMA Flood Insurance Rate Map or FEMA Flood Boundary Map and may amend the FEMA Flood Insurance Study and the Flood Insurance Rate Map. It must be preceded by an approved alteration of the designated floodplain from DNRC and subsequently an amendment to the Regulated Flood Hazard Area.

Conditional Letter of Map Revision (CLOMR) – A FEMA letter of approval for a proposed physical change that when completed would propose to change the flood zones, delineation or elevations on the FEMA Flood Insurance Rate Map or FEMA Flood Boundary Map and may amend the FEMA Flood Insurance Study through a subsequent LOMR. The CLOMR may be considered in an evaluation by DNRC and the Floodplain Administrator during consideration of a proposed alteration to the Regulated Flood Hazard Area.

Lowest Floor – Any floor of a building including a basement used for living purposes, storage, or recreation. This includes any floor that could be converted to such a use. ((ARM 36.15.101(14)) (44 CFR 59.1))

Manufactured Home Park or Subdivision – Includes the construction of facilities for servicing the manufactured home lots and at a minimum includes the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads. (44 CFR 59.1)

Manufactured or Mobile Home – A building that may be residential or non-residential, is transportable in one or more sections, built on a permanent chassis, and designed to be used with a permanent foundation when connected to the required utilities and includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. (ARM 36.15.101(15))

New Construction – Structures for which the commencement of clearing, grading, filling, or excavating to prepare a site for construction occurs on or after the effective date of these regulations and includes any subsequent improvements to such structures. (ARM 36.15.101(20)) (44 CFR 59.1)

New Manufactured Home Park Or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed includes at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads and is completed on or after the effective date of floodplain management regulations adopted by a community. (44 CFR 59.1)

Non-Residential– Buildings including manufactured homes that are not residential including commercial, agricultural, industrial buildings and accessory buildings. See Residential.

Owner – Any person who has dominion over, control of, or title to an artificial obstruction. (MCA 76-5-103(13))

Person – Includes any individual, or group of individuals, corporation, partnership, association or any other entity, including State and local governments and agencies. (44 CFR 59.1)

Recreational Vehicle – A park trailer, travel trailer, or other similar vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a motorized vehicle; (d) has quick disconnect connections; (e) designed primarily for use as temporary living quarters that can only be on site for fewer than 180 days for recreation, camping, travel, or seasonal use, not for use as a permanent dwelling; and (f) has no permanently attached additions. (44 CFR 59.1)

Regulated Flood Hazard Area – A Floodplain whose limits have been designated pursuant to Part 2, Chapter 5 of Title 76, MCA, and is determined to be the area adjoining the watercourse that would be covered by the floodwater of a Base Flood. The Regulated Flood Hazard Area consists of the Floodway and Flood Fringe where specifically designated. This is referenced as

the Special Flood Hazard Area on the adopted FEMA FIRM. (MCA 76-5-103(4)), (MCA 76-5-103(10), (ARM 36-15-101(11))

Residential Building – A dwelling or building for living purposes or place of assembly or permanent use by human beings and including any mixed use of residential and non-residential use. All other buildings are **non-residential**.

Riprap – Stone, rocks, concrete blocks, or analogous materials that are placed along the bed or banks of a watercourse or drainway for the purpose of preventing or alleviating erosion. (ARM 36.15.101(18))

Scour Depth – The maximum depth of streambed scour caused by erosive forces of the Base Flood.

Special Flood Hazard Area – Land area which has been specifically identified by the Federal Emergency Management Agency as the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is useful for the purposes of identifying flood hazards by local subdivisions of government for regulatory purposes as well as use by the National Flood Insurance Program for establishing risk zones and flood insurance premium rates. The FEMA flood hazard area zone designation or flood risk potential is as illustrated on FEMA's Flood Hazard Boundary Map or Flood Insurance Rate Map.

Structure – Any Artificial Obstruction.

Sub grade Crawlspace – A Crawlspace foundation enclosure that has its interior floor no more than 5 feet below the top of the next higher floor and no more than 2 feet below the lowest adjacent grade on all sides. A foundation exceeding either dimension is a Basement. (NFIP Insurance Manual, Rev. May 2013)

Substantial Damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would exceed 50 percent of the market value of the structure before the damage occurred. (44 CFR 59.1)

Substantial Improvement – Any repair, reconstruction or improvement of a structure where the cost equals or exceeds fifty percent (50) of the market value of the structure either before the improvement or repair is started or if the structure has been damaged, and is being restored, before the damage occurred;

1. Substantial improvement is considered to occur when the first construction of any wall, ceiling, floor or other structural part of the building commences;

2. The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the national register of historic places or state inventory of historic places. (ARM 36.15.101(21)) (44 CFR 59.1))

Suitable Fill – Fill material which is stable, compacted, well graded, and pervious, not adversely affected by water and frost, devoid of trash or similar foreign matter, tree stumps or other organic material; and is fitting for the purpose of supporting the intended use and/or permanent structure. (ARM 36.15.101(22))

Variance – Means a grant or relief from the development requirements of these regulations which would permit construction in a manner that would be otherwise prohibited by these regulations by an approval pursuant Article 12. (ARM 36.15.101(23))

Violation – A finding and order pursuant to the regulations against the owner or responsible party of the failure of a structure or other development to be fully compliant with these regulations. (44 CFR 59.1)

ARTICLE 3. FORMS AND FEES

Sec. 12-19 Forms

The following forms may be required by the Floodplain Administrator:

- 1. Floodplain Permit Application Form** –The “Joint Application for Proposed Work in Montana’s Steams, Wetlands, Regulated Flood Hazard Areas, and Other Water Bodies”, or other designated application form. A completed FEMA MT-1 form may be required to accompany the application when required by the Floodplain Administrator.
- 2. Floodplain Permit Compliance Report** – A report required to be submitted by the Applicant to the Floodplain Administrator once the permitted project in the Regulated Flood Hazard Area is completed or within the designated time stipulated on the Floodplain permit. A compliance report including an elevation and or flood proofing certificate may be required where specified for the purpose of documenting compliance with the requirements of the permit.
- 3. Floodplain Variance Application Form** – An application submitted by the Applicant to the Floodplain Administrator to initiate a proposed variance from the requirements of these regulations as described in Article 12.
- 4. Floodplain Appeal Notice Form**– A form submitted by the Applicant or an aggrieved party to initiate the appeal process described in Article 13.
- 5. Floodplain Emergency Notification Form**– A written notification form required pursuant to Article 11 of these regulations.
- 6. Official Complaint Form** – A form that may be used by any person to notify the Floodplain Administrator of an activity taking place that appears to be noncompliant with the requirements of these regulations.

7. Other Forms or Supporting Documentation – Any other forms or supporting documentation that the Floodplain Administrator may deem appropriate to support and demonstrate program compliance.

Sec. 12-20 Fees

A reasonable application fee for processing of permit applications may be imposed by resolution. Fees may be adopted for costs of permit applications, notices, variances, inspections, certifications or other administrative actions required by these regulations. (ARM 36.15.204(3)(b))

ARTICLE 4. REGULATED FLOOD HAZARD AREA

Sec. 12-21 REGULATED FLOOD HAZARD AREAS

1. The Regulated Flood Hazard Areas are the 100-year floodplains illustrated and referenced in the following specific studies and reports described as follows:

1. FEMA Flood Insurance Study (FIS) and Digital Flood Insurance Rate Maps (DFIRMs) for the City of Miles City, Montana adopted July 22, 2010.
2. The Regulated Flood Hazard Areas specifically described or illustrated in the above referenced studies and maps of the 100-year floodplain have been delineated, designated and established by order or determination by the DNRC pursuant to 76-5-201et.seq., MCA.
3. Use allowances, design and construction requirements specifically in Articles 5, 6, 9, and 10 in these regulations vary by the specific Floodplain areas including areas identified as Floodway and Flood Fringe within the Regulated Flood Hazard Area.

Sec. 12-22 INTERPRETATION OF REGULATED FLOOD HAZARD AREA BOUNDARIES

1. The mapped boundaries of the Floodplain illustrated in the referenced studies and maps in this Section are a guide for determining whether property is within the Regulated Flood Hazard Area.
2. A determination of the outer limits and boundaries of the Regulated Flood Hazard Area or the Flood Fringe and Floodway within the Regulated Flood Hazard Area includes an evaluation of the maps as well as the particular study data referenced in this Section. Supporting study material for Base Flood Elevations takes precedence over any map illustrations if it exists.
3. The Regulated Flood Hazard Area boundary is delineated by the Base Flood Elevation. The physical field regulatory boundary of the Regulated Flood Hazard Area is the actual intersection of the applicable study Base Flood Elevation with the existing adjacent terrain of the watercourse or drainway. (ARM 36.15.501(6))

4. The Floodway boundary where identified within the Floodplain is as illustrated on the referenced maps and studies. Since the Floodway boundary is a study feature, the location of the boundary may be physically located by referencing the study data to a ground feature. The Floodplain Administrator's interpretation of the boundary and decision may be appealed as set forth in Article 13.
5. The Floodplain Administrator may request additional information described below to determine whether or not the proposed development is within the Regulated Flood Hazard Area:
 1. Where Base Flood Elevations exist, the property owner may provide additional information which may include elevation information provided by an engineer or land surveyor in order to determine if the proposed development is subject to these regulations. (ARM 36.15.501(6))
 2. Where Base Flood Elevations do not exist, the property owner may provide additional information to be considered to determine the location of the regulatory boundary or alternatively provide a computed Base Flood Elevation provided by an engineer.
 3. The Floodplain Administrator's interpretation of the boundaries and decision may be appealed as set forth in Article 13.
6. Any owner or lessee of property who believes his property has been inadvertently included in the Regulated Flood Hazard Area including the Floodway or Flood Fringe may submit scientific and/or technical information to the Floodplain Administrator for a determination if the property is appropriately located. Scientific or technical information submitted to FEMA by an owner to affect the insurance rating for insurance purposes may be considered by the Floodplain Administrator. A determination by the Floodplain Administrator is independent of any determination by FEMA for insurance purposes.

Sec. 12-23 ALTERATION OF REGULATED FLOOD HAZARD AREA

1. Revisions or updates to the specific maps and data that alter the established Floodplains or Floodway of the Regulated Flood Hazard Area requires DNRC approval pursuant to 75-5-203, MCA. An alteration of the Regulated Flood Hazard Area is a DNRC approved amendment to the DNRC order that originally delineated and designated the 100-year floodplain and is the basis of the Regulated Flood Hazard Area referenced in Section 12-21.2. A DNRC approved alteration consists of revisions or updates to the specific maps and data of the referenced studies in this Section and forms the basis for an amendment to the Regulated Flood Hazard Area in these regulations; (ARM 36.15.505)
2. Any change to the Regulated Flood Hazard Area as a result of a DNRC alteration is effective upon amendment to the Regulated Flood Hazard Area described in Section 12-21.1;

3. Substantial natural physical change or new technical or scientific flood data showing that the Base Flood Elevation has or may be changed or was erroneously established shall be brought to the attention of DNRC and FEMA; (ARM 36.15.505(1)(a)) (44 CFR 65.3)
4. Any Floodplain permit application for a proposed development or artificial obstruction must be denied until a DNRC alteration pursuant to 76-5-203, MCA is approved if it causes an increase of 0.5 feet or more to the Base Flood Elevation of a Regulated Flood Hazard Area without a Floodway or an increase of more than 0.00 feet to the Base Flood Elevation of a Floodway.
5. To propose an alteration a petition must be submitted to DNRC and must include the following information:
 1. Certification that no buildings are located in the areas which would be impacted by the increased Base Flood Elevation; (44 CFR 65.12(a)(5))
 2. Evidence of notice to all property and land owners of the proposed impacts to their properties explaining the proposed impact on their property; (44 CFR 65.12(a)(3))
 3. Information that demonstrates that alternatives are not feasible; (44 CFR 65.12(2))
 4. Information that demonstrates that development is for a public use or benefit; and
 5. Any other supporting information and data as needed for approvals. ((ARM 36.15.505) (44 CFR 60.3(c)(10)) (44 CFR 60.3(d)(3)) (44 CFR 65.7(3)) (44 CFR 65.12))
6. The Floodplain Administrator may represent the permit authority for any necessary applications, approvals or endorsements such as the FEMA Community Acknowledgement Form to FEMA where affecting the FEMA Special Flood Hazard Area;
7. A determination by the Floodplain Administrator that land areas located within the Regulated Flood Hazard Area are above the Base Flood Elevation as proven by a certified elevation survey does not constitute or require an alteration or an amendment of the Regulated Flood Hazard Area and may be maintained as a public record that more explicitly defines the Regulated Flood Hazard Area boundary; and
8. Elevating with suitable fill as permitted does not alter the Regulated Flood Hazard Area or remove the elevated area from the Regulated Flood Hazard Area. (ARM 36.15.505(2))

9. A floodplain permit implementing the physical change cannot be approved until a CLOMR has been issued by FEMA.

ARTICLE 5. USES ALLOWED WITHOUT A PERMIT WITHIN THE REGULATED FLOOD HAZARD AREA

Sec. 12-24 GENERAL

Existing artificial obstructions or nonconforming uses established before land use regulations pursuant to Section 76-5-301, MCA were effective, are allowed without a permit. However, alteration or substantial improvement of an existing artificial obstruction or nonconforming use requires a floodplain permit. Maintenance of an existing artificial obstruction or nonconforming use does not require a floodplain permit if it does not cause an alteration or substantial improvement. (MCA 76-5-404(3))

Sec. 12-25 OPEN SPACE USES

The following open space uses shall be allowed without a permit in the Regulated Flood Hazard Area, provided that such uses are not prohibited by any other regulation or statute, do not require structures, and do not require fill, grading, excavation or storage of materials or equipment: ((ARM 36.15.601) (ARM 36.15.701)(1) (MCA 76-5-401) (MCA 76-5-404(3)))

1. Agricultural uses, not including related structures, such as tilling, farming, irrigation, ranching, harvesting, grazing, etc; ((ARM 36.15.601(1)(a)) (MCA 76-5-401(1)))
2. Accessory uses, not including structures, such as loading and parking areas, or emergency landing strips associated with industrial or commercial facilities; ((ARM 36.15.601(1)(b)) (MCA 76-5-401(2),))
3. Forestry, including processing of forest products with portable equipment; ((ARM 36.15.601(1)(d)) (MCA 76-5-401(4)))
4. Recreational vehicle use provided that the vehicle is on the site for fewer than 180 consecutive days and the vehicle is fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system with wheels intact, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; (44 CFR 60.3(c)(14))
5. Residential uses such as lawns, gardens, parking areas, and play areas; ((ARM 36.15.601(1)(e)) (MCA 76-5-401(5)))
6. Maintenance of the existing state of an existing open space uses including preventive maintenance activities such as bridge deck rehabilitation and roadway pavement preservation activities. Maintenance cannot increase the external size or increase the hazard potential of the existing open space use; (MCA 76-5-404(3)(b))
7. Public or private recreational uses not requiring structures such as picnic grounds, swimming areas, boat ramps, parks, campgrounds, golf courses, driving ranges, archery

ranges, wildlife management and natural areas, alternative livestock ranches (game farms), fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, and hiking and horseback riding trails; (ARM 36.15.601(a)(c)) (MCA 76-5-401,))

8. Fences that have a low impact to the flow of water such as barbed wire fences and wood rail fences, and not including permanent fences crossing channels. Fences that have the potential to stop or impede flow or debris such as a chain link or privacy fence requires a floodplain permit and meet the requirements of Section 12-45; (ARM 36.15.601(2)(b)) (MCA 76-5-401))
9. Addition of highway guard rail, signing and utility poles that have a low impact to the flow of water along an existing roadway.
10. Irrigation and livestock supply wells, provided that they are located at least 500 feet from domestic water supply wells and with the top of casing 18" above the Base Flood Elevation. ((ARM 36.15.601(2)(a)) (MCA 76-5-401) (ARM 36.21.647))

ARTICLE 6. PROHIBITED USES, ACTIVITIES AND STRUCTURES WITHIN THE REGULATED FLOOD HAZARD AREA

Sec. 12-26 FLOODWAY

The following artificial obstructions and nonconforming uses are prohibited in the Floodway of the Regulated Flood Hazard Area, except for those established before land use regulations have been adopted: (MCA 76-5-404(3))

1. A building for residential or non-residential purposes; (MCA 76-5-403(1), (ARM 36.15.605)(1a)), (ARM 36.15.605(2b), (ARM 36.15.605(2)(a)).
2. A structure, fill, or excavation that would cause water to be diverted from the Floodway, cause erosion, obstruct the natural flow of waters or reduce the carrying capacity of the Floodway. Notwithstanding these requirements, excavation or fill may be allowed when it is a component to a permitted use allowed in these regulations; (MCA 76-5-403(2)).
3. The construction or storage of an object (artificial obstruction) subject to flotation or movement during flood level periods; (MCA 76-5-403(3) and ARM 36.15.605(1)(c))
4. Solid and hazardous waste disposal and individual and multiple family sewage disposal systems unless the systems meet the local health and sanitation regulations and when permitted pursuant to these regulations and are designed to minimize or eliminate infiltration of flood waters and avoid impairment or contamination; ((ARM 36-15-605(2c)) (44 CFR 60.3(a)(3)))
5. Storage of toxic, flammable, hazardous or explosive materials; and (ARM 36.15.605(2d))

6. Cemeteries, mausoleums, or any other burial grounds.

Sec. 12-27 FLOOD FRINGE OR REGULATED FLOOD HAZARD AREA WITHOUT A FLOODWAY

The following artificial obstructions and nonconforming uses are prohibited in the Flood Fringe or Regulated Flood Hazard Area without a Floodway, except for those established before land use regulations have been adopted:

(MCA 76-5-404(3))

1. Solid and hazardous waste disposal and individual and multiple family sewage disposal systems unless the systems meet the local health and sanitation regulations and when permitted pursuant to these regulations and are designed to minimize or eliminate infiltration of flood waters and avoid impairment or contamination; ((ARM 36-15-703(1)) (44 CFR 60.3(a)(3)))
2. Storage of toxic, flammable, hazardous or explosive materials; (ARM 36-15-703(2))
3. The construction or storage of an artificial obstruction subject to flotation or movement during flood level periods;
4. Cemeteries, mausoleums, or any other burial grounds; and
5. Critical facilities, including buildings and associated structures that provide essential community care and emergency operation functions such as schools, hospitals, nursing home facilities, fire stations and police stations. (44CFR 60.22(a)(2))

ARTICLE 7. FLOODPLAIN PERMIT APPLICATION REQUIREMENTS

Sec. 12-28 GENERAL

1. A Floodplain permit is required for a person to establish, alter or substantially improve an artificial obstruction, nonconforming use or development within the Regulated Flood Hazard Area; ((44 CFR 60.1) (MCA 76-5-404) (ARM 36.15.204(2)(a)))
2. A Floodplain permit is required for artificial obstructions, developments and uses not specifically listed in Articles 9 and 10, except as allowed without a Floodplain permit in Article 5, or as prohibited as specified in Article 6, within the Regulated Flood Hazard Area;
3. Artificial obstructions and nonconforming uses in a Regulated Flood Hazard Area not exempt under Article 5 are public nuisances unless a Floodplain permit has been obtained; (MCA 76-5-404(1))
4. A Floodplain permit is required for an alteration of an existing artificial obstruction or nonconforming use that increases the external size or increases its potential flood hazard and not exempt under Article 5; ((MCA 76-5-404(3)(b)) (ARM 36.15.204(2)(a)))

5. A Floodplain permit is required to reconstruct or repair an existing artificial obstruction that has experienced substantial damage and will undergo substantial improvement; and
6. Maintenance of an existing artificial obstruction or use that is a substantial improvement or an alteration requires a Floodplain permit. (MCA 76-5-404(3)(b))

Sec. 12-29 REQUIRED FLOODPLAIN PERMIT APPLICATION INFORMATION

1. A Floodplain permit application shall include, but is not limited to the following:
 1. A completed and signed Floodplain Permit Application;
 2. The required review fee;
 3. Plans in duplicate drawn to scale showing the location, dimensions, and elevation of the proposed project including landscape alterations, existing and proposed structures, and the location of the foregoing in relation to the Regulated Flood Hazard Areas and if applicable the Floodway boundary; ((MCA 76-5-405) (ARM 36.15.216))
 4. A copy of other applicable permits or pending applications required by Federal or State law as submitted which may include but are not limited to a 310 permit, SPA 124 permit, Section 404 Permit, 318 Authorization, 401 Certification or a Navigable Rivers Land Use License or Easement for the proposed project; and the applicant must show that the Floodplain permit application is not in conflict with the relevant and applicable permits; and (44 CFR 60.3(a)(2))
 5. Additional information related to the specific use or activity that demonstrates the design criteria and construction standards are met or exceeded as specified in Articles 9 and 10. ((MCA 76-5-405) (ARM 36.15.216))
 6. In the event of a residential and/or mixed use building an Elevation Certificate will be required to finalize a permit. For a Commercial or Industrial structure a Floodproofing Certificate is required.
 7. A non-conversion agreement shall be signed and recorded at the Custer County Courthouse, Clerk and Recorder office, for any detached accessory structure over one-story prior to permit approval.
8. The Floodplain Administrator may request additional information if deemed necessary to the project such as a CLOMR, CLOMR-F, Elevation Certificate (while under construction), or any other pertinent documentation.

ARTICLE 8. FLOODPLAIN PERMIT APPLICATION EVALUATION

Sec. 12-30 FLOODPLAIN PERMIT APPLICATION REVIEW

1. The Floodplain Administrator shall review and evaluate the Floodplain permit application and shall approve, approve with conditions, or deny the application within (60 working days or a time specified) of receipt of a correct and complete application. (MCA 76-5-405(2))
2. The Floodplain Administrator shall determine whether the Floodplain permit application contains the applicable elements required in these regulations and shall notify the applicant of the Floodplain Administrator's determination.
3. If the Floodplain permit application is found to be missing the required elements and if the applicant corrects the identified deficiencies and resubmits the Floodplain application, the Floodplain Administrator shall notify the applicant whether the resubmitted Floodplain application contains all the elements required by these regulations, as applicable.
4. This process shall be repeated until the applicant submits a completed Floodplain permit application containing all the elements required by these regulations, or the application is withdrawn.
5. If after a reasonable effort the Floodplain Administrator determines that the Floodplain application remains incomplete, the Floodplain Administrator shall deny the Floodplain permit application and notify the applicant of missing elements. No further action shall be taken on the Floodplain permit application by the Floodplain Administrator until the Floodplain permit application is resubmitted.
6. A determination that a Floodplain permit application is correct and complete for review does not ensure that the Floodplain permit application will be approved or conditionally approved and does not limit the ability of the Floodplain Administrator to request additional information during the review process.

Sec. 12-31 NOTICE REQUIREMENTS FOR FLOODPLAIN PERMIT APPLICATIONS:

1. Upon receipt of a complete application and receipt of payment for a Floodplain permit, the Floodplain Administrator shall prepare a notice containing the facts pertinent to the Floodplain permit application and shall:
 1. Publish the notice at least once in a newspaper of general circulation in the area; (ARM 36.15.204(2)(c))
 2. Serve notice by first-class mail upon adjacent property owners; (ARM 36.15.204(2)(c))

3. Serve notice to the State National Flood Insurance Program Coordinator located in DNRC by the most efficient method. Notice to other permitting agencies or other impacted property owners may be provided; and
 4. Prior to any alteration or relocation of a watercourse in the Regulated Flood Hazard Area, additionally provide notice to FEMA and adjacent communities. (44 CFR 60.3 (b)(6))
2. The notice shall provide a reasonable period of time, not less than 15 days, for interested parties to submit comments on the proposed activity. (ARM 36.15.204(2)(c))

Sec. 12-32 FLOODPLAIN PERMIT CRITERIA

1. Floodplain permit applications shall be approved provided the proposed new construction, substantial improvement, or alteration of an artificial obstruction meets the requirements of the minimum standards and criteria in Articles 9 and 10 and other requirements of these regulations. ((MCA 76-5-406) (44 CFR 60.3))
2. A Flood Plain permit application for a development that will cause an increase of more than 0.00 feet to the Base Flood Elevation of the Floodway or more than 0.50 feet to the Base Flood Elevation of the Regulated Flood Hazard Area without a Floodway shall not be approved until approval for an Alteration pursuant to Section 12-23 has been approved, the Regulated Flood Hazard Area is amended and a FEMA CLOMR where required is issued.
3. The Floodplain Administrator shall determine that all necessary permits have been received from those governmental agencies from which approval is required by Federal, State, and local law including section 404 of the Federal Water Pollution Control Act Amendment of 1972, and ESA if required. 36 U.S.C. 1334.(44 CFR 60.3(a)(2))

Sec. 12-33 DECISION

1. The Floodplain Administrator shall approve, conditionally approve, or deny the proposed Floodplain permit application. The Floodplain Administrator shall notify the applicant of his/her action and the reasons thereof within (120 working days or a time specified) of receipt of a correct and complete Floodplain permit application unless otherwise specified. A copy of the approved Floodplain permit must be provided to DNRC. ((MCA 76-5-405(2)) (ARM 36.15.204(2)(e))
2. The approval of a Floodplain permit application does not affect any other type of approval required by any other statute or ordinance of the state, local government, or any political subdivision or the United States, but is an added requirement. (MCA 76-5-108)

Sec. 12-34 FLOODPLAIN PERMIT CONDITIONS AND REQUIREMENTS

1. Upon approval or conditional approval of the Floodplain permit application, the Floodplain Administrator shall provide the applicant with a Floodplain permit with

applicable specific requirements and conditions including but not limited to the following:

1. The Floodplain permit will become valid when all other necessary permits required by Federal, State, and local law are in place;(44 CFR 60.3(a)(2)
2. Completion of the development pursuant to the Floodplain permit shall be completed within one year from the date of Floodplain permit issuance or a time limit commensurate with the project construction time line for completion of the project or development. The applicant may request an extension, a maximum of a year, or less depending on the nature of such request. . The request must be made at least 30 days prior to the permitted completion deadline. The Floodplain Administrator may deny or reduce any proposed extension and must specify such reasoning within 30 day of the request. If the applicant cannot finish the proposed project within the extension period a violation shall be issued as stated in Section 12-69 and the applicant shall resubmit their application in writing and pay double for another permit;
3. The applicant shall notify subsequent property owners and their agents and potential buyers of the Floodplain development permit issued on the property and that such property is located within a Regulated Flood Hazard Area and shall record the notice with the Floodplain Administrator; (ARM 36.15.204(2)(g))
4. The applicant shall maintain the artificial obstruction or use to comply with the conditions and specifications of the permit;
5. The applicant shall allow the Floodplain Administrator to perform on-site inspections at select intervals during construction or completion;
6. The applicant shall provide periodic engineering oversight and/or interim reports during the construction period to be submitted to the Floodplain Administrator to confirm constructed elevations and other project elements;
7. The applicant shall submit a compliance report including certifications where required and applicable including flood proofing, elevation, surface drainage, proper enclosure openings, materials, and any other documents as requested to the Floodplain Administrator within 30 days of completion or other time as specified, or Corrective Action shall be taken as stated in Section 12-69;
8. The applicant shall submit an annual performance and maintenance report on bank stabilization or other projects utilizing maturing vegetative components to the Floodplain Administrator for a period of 5 years or a time specified in the permit; or
9. The applicant shall submit evidence of a submittal of a FEMA Letter of Map Revision (LOMR) to FEMA and applicable fees within 6 months of project completion and proceed with due diligence for acceptance of the document and necessary supporting materials by FEMA. (44 CFR 65.3)

ARTICLE 9. DEVELOPMENT REQUIREMENTS IN THE FLOODWAY

Sec. 12-35 USES REQUIRING PERMITS

Artificial obstructions including alterations and substantial improvements specifically listed in Sections 12-37 to 12-49 may be allowed by permit within the Floodway, provided the General Requirements in Section 12-36 and the applicable requirements in Sections 12-37 to 12-49 are met.

Sec. 12-36 GENERAL REQUIREMENTS

An application for a permit shall meet the following requirements:

1. All projects shall be designed and constructed to ensure that they do not adversely affect the flood hazard on other properties and are reasonably safe from flooding;
2. All projects shall assure that the carrying capacity of the Floodway is not reduced. All projects in the Floodway shall meet the following:
 1. Demonstrate that the project does not increase the Base Flood Elevation by conducting an encroachment analysis certified by an engineer. A minimal or qualitative encroachment analysis may be accepted when the project or development does not require a structure, alteration of the Floodway, involve fill, grading, excavation or storage of materials or equipment but is also certified by an engineer to not exceed the allowable encroachment to the Base Flood Elevation; and
 2. The allowable encroachment to the Base Flood Elevation is 0.00 feet, and no significant increase to the velocity or flow of the stream or water course unless approval of an alteration of the Regulated Flood Hazard Area pursuant to Section 12-23 and an approved FEMA Conditional Letter of Map Revision occurs before permit issuance; and
((ARM 36.15.604) (ARM 36.15.505) (ARM 36.15.605(b)) (44 CFR 60.3(a)(3 and 4)) (44CFR 65.12(a))
3. An application for a Floodplain permit must also demonstrate the following factors are considered and incorporated into the design of the use or artificial obstruction in the Floodway:
 1. The danger to life and property due to backwater or diverted flow caused by the obstruction or use; ((MCA 76-5-406(1)) (ARM 36.15.216(2)(a)))
 2. The danger that the obstruction or use may be swept downstream to the injury of others; ((MCA 76-5-406(2)) (ARM 36.15.216(2)(b)))
 3. The availability of alternative locations; ((MCA 76-5-406(3)) (ARM 36.15.216(2)(c)))

4. Construct or alter the obstruction or use in such manner as to lessen the flooding danger; ((MCA 76-5-406(4)) (ARM 36.15.216(2)(d)))
5. The permanence of the obstruction or use and is reasonably safe from flooding; ((MCA 76-5-406(5)) (ARM 36.15.216(2e)))
6. The anticipated development in the foreseeable future of the area which may be affected by the obstruction or use; ((MCA 76-5-406(6)) (ARM 36.15.216(2f)))
7. Relevant and related permits for the project have been obtained; (44 CFR 60.3(a)(2))
8. Such other factors as are in harmony with the purposes of these regulations, the Montana Floodplain and Floodway Management Act, and the accompanying Administrative Rules of Montana; and ((MCA 76-5-406(7)) (ARM 36.15.216(2)(g)))
9. The safety of access to property in times of flooding for ordinary and emergency services. (44CFR 60.22 (c)(7))

Sec. 12-37 MINING OF MATERIAL REQUIRING EXCAVATION FROM PITS OR POOLS provided, in addition to the requirements of Section 12-36, that:

1. A buffer strip of undisturbed land of sufficient width as determined by an engineer to prevent flood flows from channeling into the excavation is left between the edge of the channel and the edge of the excavation; (ARM 36.15.602(1)(a))
2. The excavation meets all applicable laws and regulations of other local and state agencies; and (ARM 36.15.602(1)(b))
3. Excavated material may be processed on site but is stockpiled outside the Floodway.(ARM 36.15.602(1)(c))

Sec. 12-38 RAILROAD, HIGHWAY STREET STREAM CROSSINGS

including other transportation related crossings provided, in addition to the requirements of Section 12-36, that:

1. Crossings are designed to offer minimal obstructions to the flood flow; (ARM 36.15.602(2))
2. Where failure or interruption of public transportation facilities would result in danger to public health or safety and where practicable and in consideration of FHWA Federal-Aid Policy Guide 23CFR650A:
 1. Bridge lower chords shall have freeboard to at least two (2) feet above the Base Flood Elevation to help pass ice flows, the base flood discharge and any debris associated with the discharge; and

2. Culverts shall be designed to pass the Base Flood discharge and maintain at least two (2) feet freeboard on the crossing surface;
3. Normal overflow channels, if possible are preserved to allow passage of sediments to prevent aggradations; and
4. Mid stream supports for bridges, if necessary, have footings buried below the maximum scour depth.

Sec. 12-39 LIMITED FILLING FOR ROAD AND RAILROAD EMBANKMENTS

including other transportation related embankments, not associated with stream crossings and bridges provided, in addition to the requirements of Section 12-36, that:

1. The fill is suitable fill;
2. Reasonable alternate transportation routes outside the floodway are not available; and (ARM 36.15.602(3))
3. The encroachment is located as far from the stream channel as possible. (ARM 36.15.602(3))

Sec. 12-40 BURIED OR SUSPENDED UTILITY TRANSMISSION LINES

provided, in addition to the requirements of Section 12-36, that:

1. Suspended utility transmission lines are designed such that the lowest point of the suspended line is at least six (6) feet higher than the Base Flood Elevation; (ARM 36.15.602(4))
2. Towers and other appurtenant structures are designed and placed to withstand and offer minimal obstruction to flood flows; (ARM 36.15.602(4))
3. Alternatives such as alternative routes, directional drilling, and aerial crossings are considered when technically feasible; and
4. Utility transmission lines carrying toxic or flammable materials are buried to a depth of at least twice the calculated maximum scour depth determined by an engineer for the Base Flood. (ARM 36.15.602(4))

Sec. 12-41 STORAGE OF MATERIALS AND EQUIPMENT

provided, in addition to the requirements of Section 12-36, that:

1. The material or equipment is not subject to major damage by flooding and is properly anchored to prevent flotation or downstream movement; or (ARM 36.15.602(5)(a))

2. The material or equipment is readily removable within the limited time available after flood warning. Storage of flammable, toxic or explosive materials shall not be permitted.(ARM 36.15.602(5)(b))

Sec. 12-42 DOMESTIC WATER SUPPLY WELLS

provided, in addition to the requirements of Section 12-36, that:

1. They are driven or drilled wells located on ground higher than surrounding ground to assure positive drainage from the well; (ARM 36.15.602(6))
2. They require no other structures (e.g. a well house); (ARM 36.15.602(6))
3. Well casings are water tight to a distance of at least twenty five (25) feet below the ground surface and the well casing height is a minimum of two (2) feet above the Base Flood Elevation or capped with a watertight seal and vented two (2) feet above the Base Flood Elevation; ((ARM 36.15.602(6)))
4. Water supply lines have a watertight seal where the lines enter the casing; (ARM 36.15.602(6))
5. All pumps and electrical lines and equipment are either of the submersible type or are adequately flood proofed; and (ARM 36.15.602(6))
6. Check valves are installed on main water lines at wells and at all building entry locations. ((44 CFR 60.3 (a)(5)) (ARM 36.15.602(6)))

Sec. 12-43 BURIED AND SEALED VAULTS FOR SEWAGE DISPOSAL IN CAMPGROUNDS AND RECREATIONAL AREAS

provided, in addition to the requirements of Section 12-36, demonstrate approval by Montana Department of Environmental Quality and local health and sanitation permits or approvals. ((44 CFR 60.3(a)(6)) (ARM 36.15.602(7)))

Sec. 12-44 PUBLIC AND PRIVATE CAMPGROUNDS

provided, in addition to the requirements of Section 12-36, that:

1. Access roads require only limited fill and do not obstruct or divert flood waters; (ARM 36.15.602(8))
2. The project meets the accessory structures requirements in this Section;
3. No dwellings or permanent mobile homes are allowed; (ARM 36.15.602(8))
4. Recreational vehicles and travel trailers are ready for highway use with wheels intact, with only quick disconnect type utilities and securing devices, and have no permanently attached additions; and (44 CFR 60.3(c)(14))

5. There is no large-scale clearing of riparian vegetation within 50 feet of the mean annual high water mark.

Sec. 12-45 STRUCTURES ACCESSORY OR APPURTENANT

to permitted uses such as boat docks, loading and parking areas, marinas, sheds, emergency airstrips, permanent fences crossing channels that may impede or stop flows or debris, picnic shelters and tables and lavatories, that are incidental to a principal structure or use, provided in addition to the requirements of Section 12-36, that:

1. The structures are not intended for human habitation or supportive of human habitation; (ARM 36.15.602(9))
2. The structures will have low flood damage potential; (ARM 36.15.602(9))
3. The structures will, insofar as possible, be located on ground higher than the surrounding ground and as far from the channel as possible; (ARM 36.15.602(9))
4. The structures will be constructed and placed so as to offer a minimal obstruction to flood flows; (ARM 36.15.602(9))
5. Only those wastewater disposal systems that are approved under health and sanitation regulations are allowed;
6. Service facilities within these structures such as electrical, heating and plumbing are flood proofed according to the requirements in Article 10; (ARM 36.15.602(9))
7. The structures are firmly anchored to prevent flotation; (ARM 36.15.602(9))
8. The structures do not require fill and/or substantial excavation;
9. The structures or use cannot be changed or altered without permit approval; and
10. There is no clearing of riparian vegetation within 50 feet of the mean annual high water mark.

Sec. 12-46 CONSTRUCTION OF OR MODIFICATIONS TO SURFACE WATER DIVERSIONS

provided, in addition to the requirements of Section 12-36, that the design is reviewed and approved by an engineer and includes:

1. Measures to minimize potential erosion from a Base Flood; and (ARM 36.15.603(3)(b))
2. Designs and plans that demonstrate any permanent structure in the stream is designed to safely withstand up to the Base Flood considering the forces associated with

hydrodynamic and hydrostatic pressures including flood depths, velocities, impact, ice buoyancy, and uplift forces associated with the Base Flood. ((ARM 36.15.603(3)(c) ((CFR 60.3(a)(3) (CFR 60.3(d)(3)))

Sec. 12-47 FLOOD CONTROL AND STREAM BANK STABILIZATION MEASURES

provided, in addition to the requirements of Section 12-36, that the design is reviewed and approved by an engineer and constructed to substantially resist or withstand the forces associated with hydrodynamic and hydrostatic pressures, including flood depths, velocities, impact, ice, buoyancy, and uplift associated with the Base Flood. The design must also show compliance with the following applicable criteria: ((CFR 60.3(a)(3) (CFR 60.3(d)(3)) (ARM 36.15.606))

1. LEVEE AND FLOODWALL construction or alteration:

1. Must be designed and constructed with suitable fill and be designed to safely convey a Base Flood; (ARM 36.15.606(1)(a))
2. Must be constructed at least 3 feet higher than the elevation of the Base Flood unless the levee or floodwall protects agricultural land only; (ARM 36.15.606(2)(a))
3. Must meet state and federal levee engineering and construction standards and be publically owned and maintained if it protects structures of more than one landowner; and (ARM 36.15.505(1)(c)(ii)and (iii))
4. For any increase in the elevation of the Base Flood, an alteration of the Regulated Flood Hazard Area requires approvals pursuant to Section 12-23.

2. STREAM BANK STABILIZATION, PIER AND ABUTMENT PROTECTION projects:

1. Must be designed and constructed using methods and materials that are the least environmentally damaging yet practicable, and should be designed to withstand a Base Flood once the project's vegetative components are mature within a period of up to 5 years or other time as required by the Floodplain Administrator. Once vegetation is mature and established it should not require substantial yearly maintenance after the initial period;
2. Materials for the project may be designed to erode over time but not fail catastrophically and impact others. Erosion, sedimentation, and transport of the materials may be designed to be at least similar in amount and rate of existing stable natural stream banks during the Base Flood;
3. Must not increase erosion upstream, downstream, across from or adjacent to the site in excess of the existing stable natural stream bank during the Base Flood; and (ARM 36.15.606(1)(b))

4. Materials for the project may include but are not limited to riprap, root wads, brush mattresses, willow wattles, natural woody debris or combinations of analogous materials.

3. CHANNELIZATION PROJECTS where the excavation and/or construction of an channel is for the purpose of diverting the entire or a portion of the flow of a stream from its established course, the project must:

1. Not increase the magnitude, velocity, or elevation of the Base Flood; and
2. Meet the requirements of Section 12-47.2. (ARM 36.15.101(7)) (ARM 36.15.606(1)(c))

4. DAMS:

1. The design and construction shall be in accordance with the Montana Dam Safety Act and applicable safety standards; and
2. The project shall not increase flood hazards downstream either through operational procedures or improper hydrologic/hydraulic design. (ARM 36.15.606(1)(d))

Sec. 12-48 STREAM AND BANK RESTORATION

projects intended to reestablish the terrestrial and aquatic attributes of a natural stream and not for protection of a structure or development provided, in addition to the requirements of Section 12-36, that:

1. The project will not increase velocity or erosion upstream, downstream, across from or adjacent to the site; (ARM 36.15.606(1)(b))
2. Materials may include but are not limited to boulders, rock cobble, gravel, native stream bed materials, root wads, brush mattresses, willow wattles, natural woody debris or combinations of analogous materials and that reasonably replicates the bed and bank of the natural stream;
3. Erosion, sedimentation, and transport of the materials are not more than the amount and rate of existing natural stream banks during the Base Flood; and
4. The project may be designed to allow vegetative materials to mature within a period up to 5 years or other time as required by the Floodplain Administrator. Once vegetation is mature and established it should not require substantial yearly maintenance after the initial period.

Sec. 12-49 EXISTING RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS IN THE FLOODWAY

any alteration or substantial improvement to an existing building must meet the requirements of Section 12-36 and the applicable requirements in Article 10 for residential or non-residential buildings. (MCA76-5-404(3)(b))

ARTICLE 10. DEVELOPMENT REQUIREMENTS IN THE FLOOD FRINGE OR REGULATED FLOOD HAZARD AREA WITH NO FLOODWAY

Sec. 12-50 USES REQUIRING PERMITS

All uses allowed by permit in the Floodway shall also be allowed by permit within the Flood Fringe or Regulated Flood Hazard Area with no Floodway. Such uses are subject to the requirements in Article 9, with the exception of the encroachment limit of Section 12-36.2. Instead, such uses are subject to the encroachment limits of this Section 12-51.9.

Except for prohibited artificial obstructions in Section 12-27, all other artificial obstructions including new construction, substantial improvements, alterations to residential, and nonresidential structures including manufactured homes, and related suitable fill or excavation shall be allowed by permit and are subject to the requirements in this Section and General Requirements of Section 12-36, with the exception of the encroachment limit of Section 12-36.2. (ARM 36.15.701(2))

Sec. 12-51 GENERAL REQUIREMENTS

An application for a Floodplain permit must demonstrate or meet the following applicable requirements:

- 1. Base Flood Elevation** Where necessary to meet the appropriate elevation requirement in these regulations, the base Flood Elevation(s) must be determined by an engineer and utilized in the design and layout of the project demonstrating the design and construction criteria herein are met. For Regulated Flood Hazard Areas that do not have computed and published Base Flood Elevations in the adopted flood hazard study referenced in Article 4, a Base Flood Elevation must be determined or obtained from a reliable source, utilizing appropriate engineering methods and analyses;
- 2. Flood Damage** Structures must be constructed by methods and practices that minimize flood damage and structures must be reasonably safe from flooding; ((44 CFR 60.3(a)) (44 CFR 60.3(a)(3)(iii)))
- 3. Surface Drainage** Adequate surface drainage must be provided around structures;
- 4. Materials** Structures must be constructed with materials resistant to flood damage; ((44 CFR 60.3(a)) (44 CFR 60.3(a)(3)(ii)))
- 5. Artificial Obstructions** Structures, excavation or fill must not be prohibited by any other statute, regulation, ordinance, or resolution; and must be compatible with subdivision, zoning and any other land use regulations, if any; (ARM 36.15.701(3)(a)) ((ARM 36.15.701(3)(b)))
- 6. Anchoring**

All construction and substantial improvements must be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;(44CFR 60.3(a)(3))

7. Certification

Certification by an engineer, architect, land surveyor, or other qualified person must accompany the application where required including for an encroachment analysis, adequacy of structural elevations, Base Flood Elevation determinations, flood-proofing, enclosure flood openings and design and construction to withstand the hydrodynamic forces and hydrostatic pressures of flood depths, velocities, impact, buoyancy, uplift forces associated with the Base Flood and surface drainage. A certification is not intended to constitute a warranty or guarantee of performance, expressed or implied; ((ARM 36.15.606(1) (ARM 36.15.702(2)(c)) (ARM 36.15.801(3)(b)) (44 CFR 60.3(c)(3) &4)) (44 CFR 60.3 (d)(3)))

8. Access

Structures must have safe access during times of flooding up to the Base Flood for ordinary and emergency services provided there are no reasonable alternate locations for structures;

9. Encroachment Analysis

1. All applications in the Regulated Flood Hazard Area without a Floodway must be supported by an encroachment analysis of the proposed use, a thorough hydrologic and hydraulic analysis except as provided in following paragraph 4, Section 12-51.9.4, prepared by an engineer to demonstrate the effect of the structure on flood flows, velocities and the Base Flood Elevation; ((ARM 36.15.604) (44 CFR 60.3(a)(3))
2. The maximum allowable encroachment is certified to be at or less than 0.5 feet increase to the Base Flood Elevation unless approval of an alteration of the Regulated Flood Hazard Area pursuant to Article 4 and an approved FEMA Conditional Letter of Map Revision occurs before permit issuance; ((ARM 36.15.604) (ARM 36.15.505) (44 CFR 60.3(c)(13)))
3. An encroachment analysis is not required for any development in the Flood Fringe where an accompanying Floodway has been designated within the Regulated Flood Hazard Area; and
4. Although all other development standards herein apply, a minimal or qualitative encroachment analysis may be accepted when the project or development does not require a structure, alteration of the Floodplain, involve fill, grading, excavation or storage of materials or equipment and also is certified by an engineer to not exceed the allowable encroachment.

10. Electrical Systems Flood Proofing

All electrical service materials, equipment and installation for uses in a Regulated Flood Hazard Area must be certified to meet the following requirements:

1. All incoming power service equipment including all metering equipment, control centers, transformers, distribution and lighting panels and all other stationary equipment must be located at least two feet above the Base Flood Elevation; (ARM 36.15.901(1)(a))
2. Portable and movable electrical equipment may be placed below the Base Flood Elevation, provided that the equipment can be disconnected by a single plug and socket assembly of the submersible type; (ARM 36.15.901(1)(b))
3. The main power service lines must have automatically operated electrical disconnect equipment or manually operated electrical disconnect equipment located at an accessible remote location outside the Regulated Flood Hazard Area or two feet above the Base Flood Elevation; and (ARM 36.15.901(1)(c))
4. All electrical wiring systems installed below the Base Flood Elevation must be suitable for continuous submergence and may not contain fibrous components. (ARM 36.15.901(1)(d))

11. Heating and Cooling Systems Flood Proofing

Heating and cooling systems for uses in a Regulated Flood Hazard Area must be certified to meet the following requirements:

1. Float operated automatic control valves must be installed so that fuel supply is automatically shut off when flood waters reach the floor level where the heating and cooling systems are located; (ARM36.15.902(1)(a))
2. Manually operated gate valves must be installed in gas supply lines. The gate valves must be operable from a location above the Base Flood Elevation; (ARM36.15.902(1)(b))
3. Electrical Systems flood proofing must be met; and (ARM36.15.902(1)(c))
4. Furnaces and cooling units must be installed at least two (2) feet above the Base Flood Elevation and the ductwork installed above the Base Flood Elevation.

12. Plumbing Systems Flood Proofing

Plumbing systems for uses in the Regulated Flood Hazard Area must be certified to meet the following requirements:

1. Sewer lines, except those to a buried and sealed vault, must have check valves installed to prevent sewage backup into permitted structures; and (ARM 36.15.903(1)(a))

2. All toilets, stools, sinks, urinals, vaults, and drains must be located so the lowest point of possible flood water entry is at least two (2) feet above the Base Flood Elevation. (ARM 36.15.903(1)(b))

13. Structural Fill Flood Proofing

Fill used to elevate structures, including but not limited to residential and non-residential buildings must be certified to meet the following requirements:

1. The filled area must be at or above the Base Flood Elevation and extend at least fifteen (15) feet beyond the structure in all directions;
2. Fill material must be suitable fill, that is stable, compacted, well graded, and pervious, not adversely affected by water and frost, devoid of trash or similar foreign matter, tree stumps or other organic material; and is fitting for the purpose of supporting the intended use and/or permanent structure. (ARM 36.15.101(22))
3. The fill must be compacted to minimize settlement and compacted to 95 percent of the maximum density. Compaction of earthen fill must be certified by an engineer;
4. No portion of the fill is allowed within the floodway;
5. The fill slope must not be steeper than 1 ½ horizontal to 1 vertical unless substantiating data justifying a steeper slope is provided and adequate erosion protection is provided for fill slopes exposed to floodwaters.

14. Wet Flood Proofing

Building designs with an enclosure below the lowest floor must be certified to meet the following:

1. Materials used for walls and floors are resistant to flooding to an elevation two (2) feet or more above the Base Flood Elevation; (ARM 36.15.702(2)(a))
2. The enclosure must be designed to equalize hydrostatic forces on walls by allowing for entry and exit of floodwaters. Opening designs must either be certified by an engineer or architect or meet or exceed the following:
 1. Automatically allow entry and exit of floodwaters through screens, louvers, valves, and other coverings or devices;
 2. Have two (2) or more openings with a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area below the Lowest Floor, except if the enclosure is partially subgrade, a minimum of 2 openings may be provided on a single wall; and

3. Have the bottom of all openings no higher than one (1) foot above the higher of the exterior or interior adjacent grade or floor immediately below the openings. (44 CFR 60.3(c)(5)) (NFIP Insurance Manual, Rev. May 2013)

4. The opening design cannot exceed a dimension ratio of 1 vertical unit for every 2 horizontal units.

15. Dry Flood Proofing

Building designs that do not allow internal flooding must be certified according to these regulations to meet the following:

1. Building use must be for non-residential use only and does not include mixed residential and non-residential use;
2. Be Flood Proofed to an elevation no lower than two (2) feet above the Base Flood Elevation;
3. Be constructed of impermeable membranes or materials for floors and walls and have water tight enclosures for all windows, doors and other openings; and
4. Be designed to withstand the hydrostatic pressures and hydrodynamic forces resulting from the Base Flood and the effects of buoyancy.
(ARM 36.15.702(2)(b)) (44 CFR 60.3(c)(3))

16. Elevation of the Lowest Floor

Elevating the lowest floor may be by either suitable fill, foundation wall enclosure, stem walls, pilings, posts, piers, columns or other acceptable means; ((MCA 76-5-402(2)(b)) (44 CFR 60.3(b)(8)) (44 CFR 60.3(c)(6)))

17. Crawl Spaces

Crawl space foundation enclosures including sub grade crawlspace enclosures below the lowest floor must meet the wet flood proofing requirements and be designed so that the crawl space floor is at or above the Base Flood Elevation. Crawl space foundations must have an inside dimension of not more than five (5) feet from the ground to the top of the living floor level and a sub grade crawlspace must also have the interior ground surface no more than two (2) feet below the exterior lowest adjacent ground surface on all sides. A sub grade foundation exceeding either dimension is a basement;

18. Manufactured Home Anchors

For new placement, substantial improvement or replacement of manufactured homes for residential or nonresidential use including additions, the chassis must be secure and must resist flotation, collapse or lateral movement by anchoring with anchoring components capable of carrying a force of 4,800 pounds and as follows:

1. For manufactured homes less than fifty (50) feet long, over-the-top ties to ground anchors are required at each of the four (4) corners of the home, with two additional ties per side at intermediate locations; or

For manufactured homes more than fifty (50) feet long, frame ties to ground anchors are required at each corner of the home with five (5) additional ties per side at intermediate points; and meet ((CFR 60.3(b)(8)) CFR 60.3(c)(6))

19. Access

Access for emergency vehicles is provided. For manufactured homes, access for a manufactured home hauler is also provided.

Sec. 12-52 RESIDENTIAL BUILDING, EXCEPTIONS OR ADDITIONAL REQUIREMENTS

New construction, alterations, and substantial improvements of residential dwellings, manufactured homes, including replacement of manufactured homes, must be constructed such that:

1. **Elevation of the Lowest Floor** The Lowest Floor of the building including an attached garage or basement must be two (2) feet or more above the Base Flood Elevation; (ARM 36.15.701(3))
2. **Enclosure** Enclosures of elevated buildings cannot be dry flood proofed. Use for an enclosure is limited to facilitating building component access. The enclosure including a crawlspace must be wet flood proofed and the enclosure floor must be at or above the Base Flood Elevation. An attached garage floor must be two (2) or more feet above the Base Flood Elevation; and
3. **Recreation Vehicles** Recreational vehicles on site for more than 180 days or not ready for highway use must meet the requirements for manufactured homes for residential use.

Sec. 12-53 NON-RESIDENTIAL BUILDING, EXCEPTIONS OR ADDITIONAL REQUIREMENTS

New construction, alterations, and substantial improvements of non-residential including agricultural, commercial and industrial buildings and residential and non-residential accessory buildings must be constructed such that:

1. **Elevation of the Lowest Floor** The Lowest Floor of the building must be elevated two (2) feet above the Base Flood Elevation or adequately dry flood proofed according to this Section. The Lowest Floor may be wet proofed provided the use is limited to only parking, loading and storage of equipment or materials not appreciably affected by floodwater; ((ARM 36.15.702(2) (44 CFR 60.3(c)(3)(ii) (44 CFR 60.3(c)(3) & (4)))
2. **Enclosure** Enclosures below the Lowest Floor on elevated buildings must be wet flood proofed and the use must be limited to parking, access or storage or must be adequately dry flood proofed according to this Section;

3. Manufactured homes Manufactured homes proposed for use as non-residential buildings cannot be dry flood proofed; and

4. Agricultural structures Agricultural structures not intended to be insurable, used solely for agricultural purposes, having low flood damage potential, used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities including raising of livestock, and not intended for human habitation are exempt from the elevation requirement, dry or wet flood proofing, but shall:

1. Be located on higher ground and as far from the channel as possible;
2. Offer minimal obstruction to flood flows;
3. Be adequately anchored to prevent flotation or collapse;
4. Where electrical, heating and plumbing systems are installed, meet the flood proofing requirements in Sections 12-51.10, 12-51.11, and 12-51.12; and
5. Meet the elevation or dry flood proofing requirements if the structure is an animal confinement facility.

((ARM 36.15.602(9) (ARM 36.15.701(3)(e)) (ARM 36.15.702(2))

ARTICLE 11. EMERGENCIES

Sec. 12-54 General

1. Emergency repair and replacement of severely damaged artificial obstructions and development in the Regulated Flood Hazard Area, including public transportation facilities, public water and sewer facilities, flood control works, and private projects are subject to the permitting requirements of these regulations.(ARM 36.15.217)
2. The provisions of these regulations are not intended to affect other actions that are necessary to safeguard life or structures during periods of emergency.

Sec. 12-55 Emergency Notification and Application Requirements

1. The property owner and or the person responsible for taking emergency action must notify the Floodplain Administrator prior to initiating any emergency action in a Regulated Flood Hazard Area normally requiring a Floodplain permit. An Emergency Notification Form must be submitted to the Floodplain Administrator within five (5) days of the action taken as a result of an emergency.
2. Unless otherwise specified by the Floodplain Administrator, within 30 days of initiating the emergency action, a person who has undertaken an emergency action must submit a Floodplain Permit Application that describes what action has taken place during the

emergency and describe any additional work that may be required to bring the project in compliance with these regulations.

3. A person who has undertaken an emergency action may be required to modify or remove the project in order to meet the permit requirements.

ARTICLE 12. VARIANCES

Sec. 12-56 GENERAL

A variance from the minimum development standards of these regulations may be allowed. An approved variance would permit construction in a manner otherwise as required or prohibited by these regulations. ((44 CFR 59.1) (ARM 36.15.218))

Sec. 12-57 VARIANCE APPLICATION REQUIREMENTS:

1. Prior to any consideration of a variance from any development standard in these regulations, a completed Floodplain Permit application and required supporting material must be submitted.
2. Additionally, supporting materials in a Variance application specific to the variance request including facts and information addressing the criteria in this section must be submitted.
3. If the Floodplain permit application and Variance application is deemed not correct and complete, the Floodplain Administrator shall notify the applicant of deficiencies within a reasonable time not to exceed 30 days. Under no circumstances should it be assumed that the variance is automatically granted.

Sec. 12-58 NOTICE REQUIREMENTS FOR FLOODPLAIN VARIANCE

APPLICATION Public Notice of the Floodplain Variance application shall provide the following information:

1. Name of applicant and the landowner (if different);
2. Legal description of the site and its address or another general description by which the public can locate it;
3. Present land use at the site;
4. Proposed use;
5. That a public hearing is to be held to accept public comment and what board or body will conduct a public hearing;
6. The date, time and place of the hearing; and
7. Where applications are available for review.

Notice of the hearing shall be provided as follows:

1. By certified mail, at least 15 calendar days before the hearing, to the applicant, landowner, and all adjoin property owners (including purchasers of record under contract for deed) and owners of land within 150 feet of the subject property;
2. By newspaper publication, at least 15 calendar days before the hearing, one legal notice in the official newspaper;
3. All variance notices shall comply with (a) above.

Sec. 12-59 EVALUATION OF VARIANCE APPLICATION

1. A Floodplain permit and Variance shall only be issued upon a determination that the variance is the minimum allowance necessary, considering the flood hazard, to afford relief from these regulations and provided all of the following criteria are met:
 1. There is a good and sufficient cause. Financial hardship is not a good and sufficient cause; (44 CFR 60.6(a)(3))
 2. Failure to grant the variance would result in exceptional hardship to the applicant; (44 CFR 60.3(a)(3)) & ARM 36.15.218(b))
 3. Residential and nonresidential buildings are not in the Floodway except for alterations or substantial improvement to existing buildings, Residential dwellings including basements and attached garages do not have the lowest floor elevation below the Base Flood Elevation;
 4. Any enclosure including a crawl space must meet the requirements of Section 12-51.14, Wet Flood Proofing if the enclosure interior grade is at or below the Base Flood Elevation;
 5. Granting of a variance will not result in increased flood heights to existing buildings, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with other existing local laws or ordinances; (44 CFR 60.6 (a)(3) & (ARM 36.15.218(a))
 6. The proposed use is adequately flood proofed; (ARM 36.15.218(c))
 7. The variance is the minimum necessary, considering the flood hazard, to afford relief; (44 CFR 60.6(a)(4))
 8. Reasonable alternative locations are not available; (MCA 76-5-406(3) & ARM 36.15.218(d))
 9. An encroachment does not cause an increase to the Base Flood Elevation that is beyond that allowed in these regulations; and (44 CFR 60.6(a)(1))
 10. All other criteria for a Floodplain permit besides the specific development standard requested by variance are met.
2. An exception to the variance criteria may be allowed as follows:
 1. For either new construction of a structure outside of the Floodway only or for substantial improvements or an alteration of a structure, on a lot of one-half acres or less that is contiguous to and surrounded by lots with existing structures constructed below the Base Flood Elevation; or (44 CFR 60.6(a).

2. Historic Structures – variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum relief necessary to preserve the historic character and design of the structure. The historic nature of the building must be designated as a preliminary or historic structure by U.S. Secretary of Interior or an approved state or local government historic preservation program. (44 CFR 60.6(a))

Sec. 12-60 DECISION

1. The Board of Adjustments shall:

1. Evaluate the Floodplain permit application and Variance application using the criteria in Section 12-59, and the application requirements and minimum development standards in Articles 9 and 10;
2. Make findings, and approve, conditionally approve or deny a Floodplain permit and variance within 60 days of a complete application. (criteria as stated in Section 12-33.1)
3. If approved, attach conditions to the approval of Floodplain permit and Variance including a project completion date and inspections during and after construction.
4. Notify the applicant that the issuance of a Floodplain permit and Variance to construct a structure not meeting the minimum building requirements in these regulations may result in increased premium rates for flood insurance and that flood insurance premiums are determined by actuarial risk and will not be modified by the granting of a variance. (44CFR 60.6(a))
5. Submit to the Floodplain Administrator a record of all actions involving a Floodplain permit and variance, including the findings and decision and send a copy of each variance granted to DNRC.(44 CFR 60.6(a)(6) & MCA 76-5-405)

Sec. 12-61 JUDICIAL REVIEW

Any person or persons aggrieved by the Floodplain permit and variance decision may appeal such decision in a court of competent jurisdiction.

ARTICLE 13. ADMINISTRATIVE APPEALS

Sec. 12-62 GENERAL

An administrative appeal may be brought before the Board of Appeals for review of the Floodplain Administrator's order, decision to grant, condition or deny a floodplain permit or interpretation of the Regulated Flood Hazard Area boundary.

Sec. 12-63 APPEALS REQUIREMENTS

The following provisions apply to administrative appeals:

1. An appeal shall include the basis of the appeal and supporting information including specific findings and conclusions of the Floodplain Administrator's decision being appealed;
2. An appeal may be submitted by an applicant and/or anyone who may be aggrieved by the Floodplain Administrator's decision or order;
3. Appeals must be received within 30 days of the date of the Floodplain Administrator's decision or order of the Floodplain Administrator; and
4. Additional information specific to the appeal request may be requested by the review panel.

Sec. 12-64 NOTICE AND HEARING

1. Notice of the pending appeal and hearing shall be provided pursuant to Section 12-31. The Floodplain Administrator may notify DNRC and FEMA of pending appeals.
2. A public hearing on the appeal must be held within 60 days of the Notice unless set otherwise.

Sec. 12-65 DECISION

A judgment on an appeal shall be made within 30 days of the hearing unless set otherwise. The decision may affirm, modify, or overturn the Floodplain Administrator's decision. A decision on an appeal of a permit cannot grant or issue a variance. A decision may support, reverse or remand an order or determination of a boundary of the Regulated Flood Hazard Area by the Floodplain Administrator.

Sec. 12-66 JUDICIAL REVIEW

Any person or persons aggrieved by the decision on an administrative appeal may appeal such decision in a court of competent jurisdiction.

ARTICLE 14. ENFORCEMENT

Sec. 12-67 INVESTIGATION REQUEST

An investigation to determine compliance with these regulations for an artificial obstruction or nonconforming use within the Regulated Flood Hazard Area may be made either on the initiative of the Floodplain Administrator or on the written request of three titleholders of land which may be affected by the activity. The names and addresses of the persons requesting the investigation shall be released if requested. (MCA 76-5-105)(2)

Sec. 12-68 NOTICE TO ENTER AND INVESTIGATE LANDS OR WATERS

The Floodplain Administrator may make reasonable entry upon any lands and waters for the purpose of making an investigation, inspection or survey to verify compliance with these regulations. (MCA 76-5-105(1))

1. The Floodplain Administrator shall provide notice of entry by mail, electronic mail, phone call, or personal delivery to the owner, owner's agent, lessee, or lessee's agent whose lands will be entered.
2. If none of these persons can be found, the Floodplain Administrator shall affix a copy of the notice to one or more conspicuous places on the property.
3. If the owners do not respond, cannot be located or refuse entry to the Floodplain Administrator, the Floodplain Administrator may initiate a Search Warrant.

Sec. 12-69 NOTICE TO RESPOND AND ORDER TO TAKE CORRECTIVE ACTION

1. When the Floodplain Administrator determines that a violation may have occurred, the Floodplain Administrator may issue written notice to the owner or an agent of the owner, either personally or by certified mail. Such notice shall cite the regulatory offense and include an order to take corrective action within a reasonable time or to respond by requesting an administrative review by the Floodplain Administrator.
2. Known violation by the applicant such as not completing work within the one year time frame, not being complaint with the permit application, or these regulations will be seen as a violation.

Sec. 12-70 ADMINISTRATIVE REVIEW

The order to take corrective action is final, unless within five (5) working days or any granted extension, after the order is received, the owner submits a written request for an administrative review by the Floodplain Administrator. A request for an administrative review does not stay the order.

Sec. 12-71 APPEAL OF ADMINISTRATIVE DECISION

Within ten (10) working days or any granted extension of receipt of the Floodplain Administrator's decision concluding the administrative review, the property owner or owner's agent may appeal the decision pursuant to Article 13.

Sec. 12-72 FAILURE TO COMPLY WITH ORDER TO TAKE CORRECTIVE ACTION

If the owner fails to comply with the order for corrective action, remedies may include administrative or legal actions, or penalties through court.

Sec. 12-73 OTHER REMEDIES

This section does not prevent efforts to obtain voluntary compliance through warning, conference, or any other appropriate means. Action under this part shall not bar enforcement of these regulations by injunction or other appropriate remedy.

ARTICLE 15. PENALTIES

Sec. 12-75 MISDEMEANOR

Violation of the provisions of these regulations or failure to comply with any of the requirements, including failure to obtain permit approval prior to development in the Regulated Flood Hazard Area except for an emergency, shall constitute a misdemeanor and may be treated as a public nuisance.

Any person who violates these regulations or fails to comply with any of its requirements shall, upon conviction thereof, shall be punishable by a fine for the first offense of not less than \$100.00 and not more than \$500.00 or by imprisonment for a term not to exceed six months, or both. The second offense shall be punishable by a fine of not less than \$300.00 and not more than \$500.00 or by imprisonment for a term not to exceed six months, or both. The third or subsequent offense shall be punishable by a fine of \$500.00 or by imprisonment for a term not to exceed six months, or both. Each day's continuance of a violation shall be deemed a separate and distinct offense. (MCA 76-5-110)

Sec. 12-76 DECLARATION TO THE FEDERAL FLOOD INSURANCE

ADMINISTRATOR Upon finding of a violation and failure of the owner to take corrective action as ordered, the Floodplain Administrator may submit notice and request a 1316 Violation Declaration to the Federal Insurance Administrator. The Federal Insurance Administrator has the authority to deny new and renewal flood insurance for a structure upon finding a valid violation declaration. (44 CFR 73.3)

The Floodplain Administrator shall provide the Federal Insurance Administrator the following:

1. The name(s) of the property owner(s) and address or legal description of the property sufficient to confirm its identity and location;
2. A clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation or ordinance;
3. A clear statement that the public body making the declaration has authority to do so and a citation to that authority;
4. Evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and
5. A clear statement that the declaration is being submitted pursuant to section 1316 of the National Flood Insurance Act of 1968, as amended.

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this ____ day of _____,
2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this ____ day of _____, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RECORDS DESTRUCTION DOCUMENT (RM88)

NO. 2017-03

PAGE 1 OF 1 PAGES

1. AGENCY NAME AND DIVISION/PROGRAM:

CITY OF MILES CITY
FINANCE DEPARTMENT

2. AGENCY CONTACT:

NAME: Becky Hart

PHONE #: 406-874-8620 EMAIL: bhart@milescity-mt.org

3. NOTICE OF INTENTION: The schedule records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

Delete Incinerate Shred as Classified Toss without Restriction

Other: Explain RECYCLE

4. SUBMITTED BY: I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements or **Offer to the State Historical Society Archives** has been fully justified, and that further retention is not required for any litigation pending or imminent. Documentation attached from Historical Society.

SIGNATURE:

NAME AND TITLE: Becky Hart, General Office Clerk

DATE:

5. LIST OF RECORD SERIES

NOTE: Attach any inventories or Excel spreadsheets to this form to help validate records destroyed.

a. Retention Schedule Number	b. Item number listed on Retention Schedule	c. Record Series Title	d. Retention in months/years	e. Inclusive Dates	f. Volume in Cubic Feet	g. Disposition Action and Date completed after Authorization
8	2 -page 58	Agendas	2 years	2007-2008		
8	10 -page 76	Insurance Claims-Liability & Property	2 years	2015		
8	5 -page 16	Promissory Notes (b all other notes)	3y from payoff	2011		
8	5 -page 87	Permits (Parks and Recreation)	5 years	5/1/07-10/16/07		
8	5 -page 59	Budget Working Papers	5 years	2011/12		
8	7 -page 76	Insurance Policies	5 years	2011/12		
8	5 -page 17	Service Agency Agreements	8 years	1/7/08-7/1/09		
					~0.5 cubic ft (total)	

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Manager

Name: Lorrie Pearce, City Clerk Date:

Signature:

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column g.

Name and Title: Jase Kinsey, Customer Service/HEO

Signature:

2017-03

Request Records Disposal for:

[No RM60 Records Disposal Request Form Required]

TO BE RECYCLED:

Record retention is 2 years:

- Parks Advisory Commission Agendas 2007 – 2008

Record retention is 2 years after final settlement:

- MMIA General Loss Notice (Claims Info) January-June 2015

Record retention is 3 years from date of payoff:

- DNRC loan documents from 2009, letter dated 11/26/2012 stating the loan has been paid in full

Record retention is 5 years after FY they relate:

- Park Use Permit for Miles City Flag Football 9/4/07 – 10/16/07
- Park Use Permit for Miles City Farmer's Market Club 5/1/07 – 10/15/07
- Budget working papers 2011/2012
- MMIA Insurance Policy info 11/12

Record retention is 8 years after expiration/cancellation/termination:

- Coop. Agmt MT DPHHS & MC Board of Health dated 6/29/09, exp. 6/30/2009
- Eastern Montana Drug Task Force Interlocal Agmt FY 08/09
- Denise Je & Shane Leroy Clark Fire Contract, dated 1/7/2008, cancelled 7/1/2009

Claims

07/18/17
09:48:16

CITY OF MILES CITY
Claim Details
For the Accounting Period: 6/17

Page: 1 of 19
Report ID: AP100

* Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
128710	79053S 999999 DAN BAKER	58.00							
1	TEV23316 06/15/17 Training ~ Bozeman	58.00		23316	1000 5 420140	370		101000	
128798	78935S 4050 US BANK - SPA LOCKBOX CM9695	198,893.75							
1	CM9695 05/01/17 9999FD992 ~ Principle PHASE I	32,000.00			5310 29 490200	608		102316	
2	CM9695 05/01/17 9999FD992 ~ Interest	18,660.00			5310 29 490200	626		102316	
3	CM9695 05/01/17 96CTLS0 ~ Principle PHASE I	7,000.00			5210 23 490200	617		102313	
4	CM9695 05/01/17 96CTLS0 ~ Interest	5,555.00			5210 23 490200	631		102313	
5	CM9695 05/01/17 97CTLW9 ~ Principle PHASE II	31,000.00			5210 23 490200	615		102313	
6	CM9695 05/01/17 97CTLW9 ~ Interest	27,000.00			5210 23 490200	634		102313	
7	CM9695 05/01/17 9CTLLQ ~ Principle PHASE II	8,000.00			5210 23 490200	611		102315	
8	CM9695 05/01/17 9CTLLQ0 ~ Interest	828.75			5210 23 490200	622		102315	
9	CM9695 05/01/17 96CTLR2 ~ Principle Carbon Hil	7,000.00			5210 23 490200	618		102312	
10	CM9695 05/01/17 96CTLR2 ~ Interest	5,555.00			5210 23 490200	632		102312	
11	CM9695 05/01/17 9CTLR0 ~ Principle Carbon Hill	30,000.00			5210 23 490200	616		102312	
12	CM9695 05/01/17 9CTLR0 ~ Interest Carbon Hill	26,295.00			5210 23 490200	638		102312	
128838	79054S 4046 BILL RONNING	60.50							
1	1598507081 05/22/17 May Cell Phone Reimbersmen	48.40		23178	2510 107 430220	345		101000	
2	1598507081 05/22/17	12.10		23178	2520 108 430220	345		101000	
128847	-99996C 4010 FELT, MARTIN, FRAZIER & WELDON,	10,500.00							
1	0001 06/01/17 CCWSD Lawsuit	10,500.00*		23253	1000 4 411100	350		101000	
128848	79151S 999999 FRONTIER PRECISION, INC	15,876.74							
1	163042 07/14/17 Trimble GPS Handheld Equipment	5,000.00		22276	1000 36 411020	350		101000	
2	163042 07/14/17 Flood	5,000.00		22276	1000 201 431200	350		101000	
3	163042 07/14/17 Public Works	2,938.22		22276	4060 911 430233	940		101000	
4	163042 07/14/17 Public Utilities	1,469.26		22276	5210 23 430550	214		101000	
5	163042 07/14/17	1,469.26		22276	5310 31 430630	214		101000	
128849	79006S 1970 MONTANA DAKOTA UTILITIES	36,017.16							
1	06/30/17 GAS/ELECTRIC	284.05			1000 7 420460	341		101000	
2	GAS/ELECTRIC	30.59			1000 7 420460	344		101000	
3	GAS/ELECTRIC	479.90			1000 8 411230	341		101000	
4	GAS/ELECTRIC	39.83			1000 8 411230	344		101000	
5	GAS/ELECTRIC	708.68			1000 13 460433	341		101000	
6	GAS/ELECTRIC	82.90			1000 13 460433	344		101000	
7	GAS/ELECTRIC	274.10*			1000 14 460445	341		101000	
8	GAS/ELECTRIC	25.67			1000 21 440600	341		101000	
9	GAS/ELECTRIC	26.74			1000 21 440600	344		101000	
10		667.75		23221	2220 16 460100	341		101000	
11		33.41		23221	2220 16 460100	344		101000	
12	GAS/ELECTRIC	10,650.98*			2400 46 430263	341		101000	
13	GAS/ELECTRIC	5,459.30			2400 46 430263	533		101000	

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14		GAS/ELECTRIC	1,970.25			2420 48 430263	341	101000
15		GAS/ELECTRIC	741.10*			2420 48 430263	533	101000
16		GAS/ELECTRIC	139.64			2430 49 430263	341	101000
17		GAS/ELECTRIC	1,275.71			2440 50 430263	341	101000
18		GAS/ELECTRIC	302.32*			2470 72 430263	341	101000
19		GAS/ELECTRIC	304.12			2470 72 430263	533	101000
20		GAS/ELECTRIC	123.15			2480 47 430263	341	101000
21		GAS/ELECTRIC	86.64*			2510 107 430220	341	101000
22		GAS/ELECTRIC	0.00			2510 107 430220	344	101000
23		GAS/ELECTRIC	0.00			2520 108 430220	341	101000
24		GAS/ELECTRIC	0.00			2520 108 430220	344	101000
25		GAS/ELECTRIC	5,827.47*			5210 22 430530	341	101000
26		GAS/ELECTRIC	58.80			5210 22 430530	344	101000
27		GAS/ELECTRIC	12.44			5210 23 430550	341	101000
28		GAS/ELECTRIC	32.25			5210 23 430550	344	101000
29		GAS/ELECTRIC	12.44*			5310 31 430630	341	101000
30		GAS/ELECTRIC	32.26			5310 31 430630	344	101000
31		GAS/ELECTRIC	1,192.33			5310 32 430690	341	101000
32		GAS/ELECTRIC	56.96			5310 32 430690	344	101000
33		GAS/ELECTRIC	3,682.10			5310 33 430640	341	101000
34		GAS/ELECTRIC	110.46			5510 10 420730	341	101000
35		GAS/ELECTRIC	11.89			5510 10 420730	344	101000
36	06/30/17	GAS/ELECTRIC	789.23*		676	5610 87 430300	341	101000
37	06/30/17	GAS/ELECTRIC	95.80*		676	5610 87 430300	344	101000
38		GAS/ELECTRIC	359.73			6040 910 430220	341	101000
39		GAS/ELECTRIC	36.17			6040 910 430220	344	101000
128850	78999S	4019 WEX Bank	10,256.42					
1	49973826	06/30/17 FUEL	618.02		23184	1000 13 460433	231	101000
3	06/30/17	FUEL	1,626.98		23184	2510 107 430220	231	101000
4	06/30/17	FUEL	406.75		23184	2520 108 430220	231	101000
6	06/30/17	FUEL	84.35		23019	5210 22 430530	231	101000
7	06/30/17	FUEL	56.23		23019	5210 80 430540	231	101000
8	06/30/17	FUEL	112.47		23019	5310 33 430640	231	101000
9	06/30/17	FUEL	140.58		23019	5310 32 430690	231	101000
10	06/30/17	FUEL	1,457.79*		23139	1000 7 420460	231	101000
11	06/30/17	FUEL	1,102.02		23139	5510 10 420730	231	101000
12	06/30/17	FUEL	2,344.97		23311	1000 5 420140	231	101000
15	06/30/17	FUEL	1,097.26*		23080	5210 23 430550	231	101000
16	06/30/17	FUEL	1,097.26*		23080	5310 31 430630	231	101000
17	06/30/17	FUEL	111.74		674	5610 87 430300	231	101000

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128851	79055S	4076 EXPRESS LAUNDRY, LLC COMMERCIAL		179.70					
1	11308	06/30/17 CITY HALL: RUGS		42.50*		23199	1000 8 411230	220	101000
2	11594	06/30/17 CITY HALL: RUGS		28.50*		23199	1000 8 411230	220	101000
3	11584	06/30/17 SHOP: RUGS/MOPS		20.50		23199	6040 910 430220	220	101000
4	8248	06/30/17 FIRE DEPT: MATS		5.00		23140	1000 7 420460	220	101000
5	11378	06/30/17 WWTP: MOPS/TOWELS		19.20		23020	5310 33 430640	360	101000
6	11384	06/30/17 WTP: MOPS/TOWELS		23.50		23020	5210 22 430530	360	101000
7	11303	06/30/17 PD: MATS		13.50		12208	1000 5 420140	360	101000
8	8948	06/30/17		13.50		23309	1000 5 420140	360	101000
9	11588	06/30/17		13.50		23318	1000 5 420140	360	101000
128852	79007S	2831 MILES CITY STAR ADVERTISING		469.36					
1	185938	05/26/17 Resolution ~ 4054		47.67		22547	1000 3 410500	220	101000
2	185938	05/26/17 Final Budget		47.67*		22547	5210 25 430510	220	101000
3	185938	05/26/17		47.66*		22547	5310 29 430610	220	101000
4	168001	05/30/17 CCWD & MC Working Group		72.36*		22547	1000 2 410100	220	101000
5	185092	05/08/17 Flood ~ 410 Mississippi		84.00		22963	1000 201 431200	331	101000
6	185612	05/22/17 Flood ~ 800 Yellowstone		84.00		22963	1000 201 431200	331	101000
7	50314	05/05/17 PD ~ Job Ad Animal Control		86.00*		23310	1000 5 420140	220	101000
128853	78998S	373 MASTERCARD		23,497.07					
2	06/20/17	SUPPLIES		8.35			1000 3 410500	220	101000
5	06/20/17			411.48			1000 3 410500	370	101000
6	06/20/17			89.00			1000 3 410500	380	101000
7	06/20/17			490.16			1000 5 420140	210	101000
8	06/20/17			2,668.87			1000 5 420140	214	101000
9	06/20/17			117.56*			1000 5 420140	220	101000
10	06/20/17			37.00*			1000 5 420140	226	101000
11	06/20/17			1,073.15*			1000 5 420140	230	101000
12	06/20/17			30.72			1000 5 420140	311	101000
14	06/20/17			165.36			1000 5 420160	210	101000
16	06/20/17			378.15			1000 5 420140	366	101000
17	06/20/17			155.00*			1000 5 420140	380	101000
18	06/20/17			222.21			1000 5 420140	370	101000
19	06/20/17			18.60*			1000 6 410300	220	101000
21	06/20/17			140.56			1000 7 420460	220	101000
22	06/20/17			21.00			1000 7 420460	226	101000
23	06/20/17			27.72			1000 7 420460	230	101000
24	06/20/17			13.98			1000 7 420460	241	101000
25	06/20/17			17.00			1000 7 420460	311	101000
26	06/20/17			120.00*			1000 7 420460	330	101000
28	06/20/17			87.56*			1000 7 420460	345	101000
29	06/20/17			1,620.04			1000 7 420460	360	101000
30	06/20/17			488.46			1000 7 420460	370	101000
31	06/20/17			375.99*			1000 7 420460	400	101000

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32	06/20/17		190.74*			1000 8 411230	220	101000
33	06/20/17		295.71*			1000 13 460433	214	101000
34	06/20/17		180.00			1000 13 460433	220	101000
35	06/21/17		462.35			1000 13 460433	222	101000
36	06/20/17		1,124.63*			1000 13 460433	230	101000
37	06/20/17		44.93			1000 13 460433	363	101000
38	06/20/17		239.38*			1000 13 460433	380	101000
39	06/20/17		101.62*			1000 13 460434	230	101000
41	06/20/17		20.72			1000 21 440600	230	101000
42	06/20/17		13.19			1000 36 411020	210	101000
43	06/20/17		119.00			1000 36 411020	214	101000
44	06/20/17		6.00			1000 36 411020	320	101000
45	06/20/17		2.87			1000 36 411020	311	101000
47	06/20/17		215.22			2220 16 460100	214	101000
48	06/20/17		70.55			2220 16 460100	224	101000
49	06/20/17		109.09			2220 16 460100	311	101000
50	06/20/17		699.50			2220 16 460100	382	101000
51	06/20/17		13.19			2394 18 420531	210	101000
53	06/20/17		50.00*			2394 18 420531	380	101000
54	06/20/17		45.72*			2510 107 430220	210	101000
57	06/20/17		243.31			2510 107 430220	230	101000
58	06/20/17		85.88*			2510 107 430220	242	101000
59	06/20/17		828.37*			2510 107 430220	363	101000
60	06/20/17		11.43			2520 108 430220	210	101000
63	06/20/17		60.83			2520 108 430220	230	101000
64	06/20/17		21.47			2520 108 430220	242	101000
65	06/20/17		207.09			2520 108 430220	363	101000
68	06/20/17		11.69			2985 15 450340	220	101000
69	06/20/17		294.00*			2985 15 450340	311	101000
70	06/20/17		106.26			5210 22 430530	220	101000
71	06/20/17		107.02			5210 22 430530	230	101000
72	06/20/17		29.80			5210 22 430530	330	101000
75	06/20/17		644.23			5210 23 430550	220	101000
76	06/20/17		174.98			5210 23 430550	226	101000
77	06/20/17		398.19			5210 23 430550	230	101000
78	06/20/17		844.64*			5210 23 430550	234	101000
79	06/20/17		102.81*			5210 23 430550	235	102270
80	06/20/17		669.67*			5210 23 430550	363	101000
81	06/20/17		12.99			5210 23 430550	380	101000
82	06/20/17		8.35*			5210 25 430510	220	101000
85	06/20/17		106.27			5210 80 430540	220	101000
86	06/20/17		186.69			5210 80 430540	230	101000
87	06/20/17		4.59			5210 80 430540	311	101000
88	06/20/17		520.50			5210 80 430540	352	101000
89	06/20/17		8.36*			5310 29 430610	220	101000
91	06/20/17		174.97			5310 31 430630	226	101000

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93	06/20/17	458.50			5310 31 430630	230		101000	
98	06/20/17	669.67*			5310 31 430630	363		101000	
99	06/20/17	12.99*			5310 31 430630	380		101000	
101	06/20/17	44.19			5310 32 430690	230		101000	
104	06/20/17	61.47			5310 33 430640	230		101000	
105	06/20/17	63.00			5310 33 430640	346		101000	
106	06/20/17	574.00			5310 33 430640	352		101000	
107	06/20/17	20.47			5310 33 430640	363		101000	
108	06/20/17	39.71*			5510 10 420730	220		101000	
109	06/20/17	1,022.64*			5510 10 420730	222		101000	
110	06/20/17	34.49			5510 10 420730	230		101000	
111	06/20/17	16.96			5510 10 420730	241		101000	
112	06/20/17	400.00			5510 10 420730	380		101000	
113	06/20/17	49.00			5510 10 420730	400		101000	
114	06/20/17	388.11*			5610 87 430300	230		101000	
115	06/20/17	54.00*			5610 87 430300	330		101000	
116	06/20/17	109.28			5610 87 430300	345		101000	
117	06/20/17	186.40*			5610 87 430300	363		101000	
118	06/20/17	14.99*			6040 910 430220	210		101000	
119	06/20/17	359.99			6040 910 430220	214		101000	
120	06/20/17	135.50			6040 910 430220	220		101000	
121	06/20/17	134.99			6040 910 430220	226		101000	
128854	79061S 870 EAST MAIN ANIMAL CLINIC	412.45							
1	HBC Cat 06/29/17 June ~ Vet Fees for Dogs & Ca	412.45		23327	1000 21 440600	350		101000	
128855	78894S 1721 MID RIVERS TELEPHONE CORP	3,152.71							
1	06/30/17 TELEPHONE/INTERNET/CABLE/Judge	110.54		22924	1000 6 410300	345		101000	
2	06/30/17 TELEPHONE/INTERNET/CABLE/Judge	51.50		22924	1000 6 410300	347		101000	
3	06/30/17 TELEPHONE/INTERNET/CABLE/Libry	131.24		23214	2220 16 460100	345		101000	
4	06/30/17 TELEPHONE/INTERNET/CABLE/Libry	74.04		23214	2220 16 460100	347		101000	
5	06/30/17 TELEPHONE/INTERNET/CABLE/SmPol	0.00			1000 14 460445	345		101000	
6	06/30/17 TELEPHONE/INTERNET/CABLE/ 911	336.30		21398	2850 105 420140	345		101000	
8	06/30/17 TELEPHONE/INTERNET/CABLE/child	21.20*			1000 5 420140	220		101000	
9	06/30/17 TELEPHONE/INTERNET/CABLE/rsvp	118.63			2985 15 450340	345		101000	
10	06/30/17 TELEPHONE/INTERNET/CABLE/Airpt	121.35		662	5610 87 430300	345		101000	
11	06/30/17 TELEPHONE/INTERNET/CABLE/Airpt	72.95*		662	5610 87 430300	319		101000	
12	06/30/17 TELEPHONE/INTERNET/CABLE/Airpt	28.80		662	5610 87 430300	347		101000	
14	06/30/17 TELEPHONE/INTERNET/CABLE/mayor	29.54			1000 1 410200	345		101000	
15	06/30/17 TELEPHONE/INTERNET/CABLE/fin	51.14			1000 3 410500	345		101000	
16	06/30/17 TELEPHONE/INTERNET/CABLE/fin	19.50			1000 3 410500	347		101000	
17	06/30/17 TELEPHONE/INTERNET/CABLE/atny	3.34			1000 4 411100	345		101000	
18	06/30/17 TELEPHONE/INTERNET/CABLE/pd	311.74			1000 5 420140	345		101000	
19	06/30/17 TELEPHONE/INTERNET/CABLE/pd	65.66			1000 5 420140	347		101000	
20	06/30/17 TELEPHONE/INTERNET/CABLE/disp	309.87			1000 5 420160	345		101000	
21	06/30/17 TELEPHONE/INTERNET/CABLE/fire	160.65*			1000 7 420460	345		101000	

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22	06/30/17	TELEPHONE/INTERNET/CABLE/fire	135.60			1000 7 420460	347	101000
23	06/30/17	TELEPHONE/INTERNET/CABLE/tres	3.35*			1000 9 410540	345	101000
24	06/30/17	TELEPHONE/INTERNET/CABLE/park	39.43			1000 13 460433	345	101000
25	06/30/17	TELEPHONE/INTERNET/CABLE/park	37.60			1000 13 460433	347	101000
26	06/30/17	TELEPHONE/INTERNET/CABLE/ACtr	40.03			1000 21 440600	345	101000
27	06/30/17	TELEPHONE/INTERNET/CABLE/plng	76.20			1000 36 411020	345	101000
28	06/30/17	TELEPHONE/INTERNET/CABLE/bldg	26.36			2394 18 420531	345	101000
29	06/30/17	TELEPHONE/INTERNET/CABLE/md204	66.11			2510 107 430220	345	101000
30	06/30/17	TELEPHONE/INTERNET/CABLE/md205	31.43			2520 108 430220	345	101000
31	06/30/17	TELEPHONE/INTERNET/CABLE/wplnt	74.88			5210 22 430530	345	101000
32	06/30/17	TELEPHONE/INTERNET/CABLE/wplnt	80.25			5210 22 430530	347	101000
33	06/30/17	TELEPHONE/INTERNET/CABLE/wtlns	35.59			5210 23 430550	345	101000
34	06/30/17	TELEPHONE/INTERNET/CABLE/wtlns	11.40			5210 23 430550	347	101000
35	06/30/17	TELEPHONE/INTERNET/CABLE/wtadm	45.77			5210 25 430510	345	101000
36	06/30/17	TELEPHONE/INTERNET/CABLE/wtadm	11.69			5210 25 430510	347	101000
37	06/30/17	TELEPHONE/INTERNET/CABLE/wwadm	45.75			5310 29 430610	345	101000
38	06/30/17	TELEPHONE/INTERNET/CABLE/wwadm	19.51*			5310 29 430610	347	101000
39	06/30/17	TELEPHONE/INTERNET/CABLE/swlns	35.58			5310 31 430630	345	101000
40	06/30/17	TELEPHONE/INTERNET/CABLE/swlns	11.40			5310 31 430630	347	101000
41	06/30/17	TELEPHONE/INTERNET/CABLE/wwpln	33.62			5310 33 430640	345	101000
42	06/30/17	TELEPHONE/INTERNET/CABLE/wwpln	45.60*			5310 33 430640	347	101000
43	06/30/17	TELEPHONE/INTERNET/CABLE/amb	108.06			5510 10 420730	345	101000
44	06/30/17	TELEPHONE/INTERNET/CABLE/amb	28.24			5510 10 420730	347	101000
45	06/30/17	TELEPHONE/INTERNET/CABLE/shop	36.69			6040 910 430220	345	101000
46	06/30/17	TELEPHONE/INTERNET/CABLE/shop	54.58*			6040 910 430220	347	101000
128856	79004S	394 BOSS INC	1,147.19					
1	131353-0	05/30/17 Finance -	187.06		22545	1000 3 410500	220	101000
2	145363-0	05/30/17	187.06*		22545	5210 25 430510	220	101000
3	147939-0	05/30/17	187.07*		22545	5310 29 430610	220	101000
4	147761-2	05/30/17 City Court -	228.97		22923	1000 6 410300	210	101000
5	153692-2	05/30/17 Jeff Noble's Office	180.59*		18189	1000 4 411100	210	101000
6	150639-0	05/30/17 Police Department	42.50*		22591	1000 5 420140	220	101000
7	153413-0	05/30/17 Fire Department	96.43		23129	1000 7 420460	210	101000
8	153587-00	05/30/17	37.51		23130	5510 10 420730	210	101000
128857	79017S	999999 NARSYPD ~ BETTY RUTH	100.00					
1	NARSYPD061	06/05/17 National Annual Dues	100.00*		21285	2985 15 450340	334	101000
128858	79056S	4134 Fickler Oil Company, Inc.	462.16					
1	63391	06/14/17 Oil & Grease	96.32		21674	2510 107 430220	231	101000
2	63391	06/14/17	24.08		21674	2520 108 430220	231	101000
3	63391	06/14/17	170.88*		21674	5210 23 430550	231	101000
4	63391	06/14/17	170.88*		21674	5310 31 430630	231	101000

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Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
128859	79057S 316 DATA IMAGING SYSTEMS, INC	15,264.30							
1	31711 06/30/17 Managed Services	291.40			1000 3 410500	360		101000	
2	31711 06/30/17 Managed Services	136.78*			2394 18 420531	360		101000	
4	31711 06/30/17 Managed Services	136.78*			5210 25 430510	360		101000	
5	31711 06/30/17 Managed Services	72.85*			5310 29 430610	360		101000	
6	31711 06/30/17 Managed Services	72.85*			1000 1 410200	360		101000	
7	31711 06/30/17 Managed Services	144.24			1000 36 411020	360		101000	
8	31711 06/30/17 Managed Services	144.24			5210 23 430550	360		101000	
9	31711 06/30/17 Managed Services	103.45			5310 31 430630	360		101000	
10	31711 06/30/17 Managed Services	55.37			2510 107 430220	360		101000	
11	31711 06/30/17 Managed Services	73.94			2520 108 430220	360		101000	
12	31711 06/30/17 Managed Services	72.85*			1000 9 410540	360		101000	
13	31711 06/30/17 Managed Services	152.25*			1000 11 411840	360		101000	
14	31697 06/28/17 Historic Preservation	1,655.98			1000 11 411840	220		101000	
15	31655 06/15/17 FD ~ Server Install	8,544.38			1000 7 420460	210		101000	
16	31706 06/30/17 WP ~ Computers	2,151.94			5210 22 430530	214		101000	
17	31701 06/29/17 WD ~ Laptop	1,455.00			5210 23 430550	214		101000	
128860	79015S 2471 POSTMASTER	274.00							
1	USPS060117 06/01/17	91.33		22544	1000 3 410500	220		101000	
2	USPS060117 06/01/17	91.33*		225441	5210 25 430510	220		101000	
3	USPS060117 06/01/17	91.34*		225441	5310 29 430610	220		101000	
128863	79058S 999999 BORDER STEEL & RECYCLING	770.42							
1	617N004 06/01/17 Unit 87 Trailer	308.17*		21671	2510 107 430220	363		101000	
2	617N004 06/01/17	77.05		21671	2520 108 430220	363		101000	
3	617N004 06/01/17	192.60*		21671	5210 23 430550	363		101000	
4	617N004 06/01/17	192.60*		21671	5310 31 430630	363		101000	
128865	79018S 4000 AG PARTNERS. LLC	1,007.50							
1	QM2IA8955 05/09/17 Fixate Nonionic Cond Agent	72.50*		658	5610 87 430300	220		101000	
2	QM2IA8956 05/09/17 Chem Tank-15G Shuttle 324-t	225.00*		658	5610 87 430300	220		101000	
3	IA9283 06/19/17 Fertilizer	150.00		23197	1000 14 460445	222		101000	
4	IA9283 06/19/17	560.00		23197	1000 13 460433	222		101000	
128866	78893S 999999 CONNIE MUGGLI	450.52							
1	ATRF060517 06/05/17 Meals and Travel	450.52		17-027	2935 11 460461	370		101000	
128874	79059S 2903 TIRE-RAMA	1,194.74							
1	1060188697 06/06/17 Unit 14	249.62*		21673	2510 107 430220	363		101000	
2	1060188697 06/06/17	62.41		21673	2520 108 430220	363		101000	
3	1060188697 06/06/17	156.01*		21673	5210 23 430550	363		101000	
4	1060188697 06/06/17	156.01*		21673	5310 31 430630	363		101000	
5	1060189114 06/15/17 Unit #43	480.96*		21677	2510 107 430220	363		101000	
6	1060189114 06/15/17	120.24		21677	2520 108 430220	363		101000	

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9900	0000046	10/13/15	Credit from Tire Rama from 3/	-24.40*			2510 107 430220	363	101000
	CI 10								
9901	0000046	10/16/15		-6.11			2520 108 430220	363	101000
	CI 10								
128876	78987S	4034	STEVE RICE	75.00					
1		SRI28876	06/30/17 Police Commission ~ 2nd pmt	75.00			1000 5 420140	350	101000
128877	78988S	4033	MARK HILDERBRAND	75.00					
1		MH128877	06/30/17 Police Commission ~ 2nd pmt	75.00			1000 5 420140	350	101000
128878	78989S	4031	ED CURNAN	75.00					
1		EC128878	06/30/17 Police Commission ~ 2nd pmt	75.00			1000 5 420140	350	101000
128879	79019S	4008	PITNEY BOWES	267.12					
1		3303646644	06/01/17 Pitney Bowes Lease	89.04		17155	1000 3 410500	220	101000
2		3303646644	06/01/17	89.04*		17155	5210 25 430510	220	101000
3		3303646644	06/01/17	89.04*		17155	5310 29 430610	220	101000
128880	79005S	2830	STAR PRINTING & SUPPLY	3,322.04					
1		251846	05/31/17 F.D ~	84.93		23134	1000 7 420460	210	101000
2		252023	05/31/17	33.03		23114	5510 10 420730	210	101000
3		252258	05/31/17 R.S.V.P.	2,070.96*		21280	2985 15 450340	210	101000
5		253415	05/31/17 Historical Preservation	821.19*		17-030	2935 11 460461	220	101000
8		252957	05/31/17 Library ~	43.39		23211	2220 16 460100	320	101000
9		252677	05/31/17	17.19		23211	2220 16 460100	210	101000
10		252595	05/31/17 Airport ~ Envelopes	72.80		667	5610 87 430300	210	101000
11		252151	05/31/17 Finance ~ Supplies	57.52		22546	1000 3 410500	220	101000
12		252729	05/31/17	57.52*		22546	5210 25 430510	220	101000
13		252608	05/31/17	57.51*		22546	5310 29 430610	220	101000
14		252151	05/31/17 Planning ~ Supplies	6.00		22277	1000 36 411020	320	101000
128885	79060S	872	EASTERN MONTANA IND	325.00					
1		6549	05/31/17 Library ~ Cleaning Contract	325.00		23216	2220 16 460100	360	101000
128887	78896S	999999	HORTON HOUSE	127.33					
1		HH060517	06/05/17 Lodging guest Author	127.33		23217	2880 43 460100	350	101003
128891	78897S	2570	REGAL AVIATION INSURANCE	4,615.00					
1		TR025117	06/01/17 3rd Installment ~ Insurance	4,615.00		675	5610 87 430300	513	101000

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128892	78898S	268 MILES CITY SANITATION INC.	60.00					
1	76117981	06/01/17 Garbage Bins June	60.00*		673	5610 87 430300	220	101000
128893	79062S	975 FIREMANS FUND	1,890.00					
1	1st Quarte	02/23/17 Clothing Allotment	1,890.00*		22827	1000 7 420460	211	101000
128894	79020S	2270 NORTHWEST PIPE INC	1,731.64					
1	1813880	06/05/17 Parks ~	1,731.64*		23079	5210 23 430550	234	101000
128895	79000S	523 CITY SERVICE, INC.	10,866.99					
1	201743	06/11/17 5000 Gallons Jet A Fuel	10,866.99		670	5610 87 430300	237	101000
128896	79001S	999999 PRIM	293.28					
1	06/15/17	Insurance for Parade 4th of Ju	146.64*		23255	1000 1 410200	220	101000
2	06/15/17		146.64*		25255	1000 2 410100	220	101000
128897	79002S	1921 Montana Municipal Interlocal	4,072.20					
1	285272	06/02/17 Retiree Health Insurance	4,072.20			1000 362022		101000
128898	79021S	1737 MC AREA SOLID WASTE DISTRICT	5.00					
1	24211	06/08/17 Animal Disposal	5.00		23314	1000 21 440600	220	101000
128899	79003S	4015 WILLIAMS BROTHERS CONSTRUCTION	667,684.46					
1	W08	06/05/17 Phase II WWTP Upgrade	667,684.46		23083	5310 33 430640	940	102279
128900	79022S	284 AQUA PURE	9,547.50					
1	MCWMT 1702	05/22/17 Tote of AF Polymer 2850#	9,547.50*		23022	5210 80 430540	222	101000
128901	79023S	790 DPC INDUSTRIES	710.27					
1	DE72000113	04/30/17 Demurrage	510.27*		23023	5310 33 430640	222	101000
2	DE72000113	04/30/17 Chorine Cylinders	200.00*		23023	5210 80 430540	222	101000
128902	79063S	1120 GLADER ELECTRIC CO	3,056.18					
1	82129	05/24/17 Fuses	100.00		23024	5310 33 430640	230	101000
2	81527	06/28/17 3 Poles on Balsam	1,500.00*		23414	2430 49 430263	360	101000
3	81527	06/28/17	207.87		23414	2430 49 430263	230	101000
4	81726	06/07/17 City Main ~ 6 X Photo Cells	237.98*		23414	2440 50 430263	230	101000
5	82179	06/20/17 Riverside Park	40.38*		23414	1000 13 460433	230	101000
6	82179	06/20/17	284.95*		23414	1000 13 460433	230	101000
7	82179	06/20/17 Wibaux Park Shed ~ replace J b	382.50		23414	1000 13 460433	360	101000
8	81703	06/09/17 Southgate ~ Breaker Tripping	85.00		23030	5210 22 430530	360	101000
9	81787	06/16/17 WWTP Locate	90.00		23032	5310 33 430640	360	101000
10	81401	06/14/17 Southgate ~ Sewer Lift	127.50		23032	5210 22 430530	360	101000

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128903	79024S	1896 HAWKINS, INC		1,013.50					
1	4084855	05/25/17 Fluoride and Floran		624.25*		23021	5210 80 430540	222	101000
2	4084855	05/25/17		389.25		23021	5210 80 430540	230	101000
128904	79008S	267 HAYNES ENTERPRISES		6,894.79					
3	2619	06/09/17 Prairie and Palmer		3,697.95		23189	2510 107 430234	350	101000
4	2619	06/09/17		3,196.84		23189	2510 107 430235	230	101000
128905	79064S	4013 SOLESTONE REIMB SERVICES		3,602.33					
1	8798	06/06/17 Ambulance Billing		3,602.33*		23142S	5510 10 420730	350	101000
128906	79025S	3039 UTILITIES UNDERGROUND LOCATION		214.76					
1	7055086	05/31/17 May ~ Locates		107.38		23082	5210 23 430550	350	101000
2	7055086	05/31/17		107.38		23082	5210 31 430630	350	101000
128907	79065S	771 DEPT OF REVENUE		6,744.29					
1	CGR-2	6/17 06/12/17 Pay Estimate #8 Withholdin		6,744.29		23084	5310 33 430640	940	102279
128908	79026S	979 FIREMANS COMPANY		149.00					
1	7617	05/23/17 Service Fire Extinguisher		30.50		23144	1000 7 420460	241	101000
2	7680	06/16/17 Library ~ Fire Extinguishers		118.50		23220	2220 16 460100	360	101000
128909	79066S	2510 QUAD K SUPPLY		95.77					
1	48063	06/12/17 Paper Towels & Cleaner		43.03		23143	1000 7 420460	220	101000
2	48043	06/12/17		16.74*		23143	5510 10 420730	220	101000
3	48282	07/03/17 Paper Towels		25.92		23456	1000 7 420460	220	101000
4	48282	07/03/17		10.08*		23456	5510 10 420730	220	101000
128910	79027S	999999 THE GOOD DEED ORGANIZATION		60.73					
1	14222	05/31/17 RSVP Stickers		60.73		128910	2985 15 450330	220	101004
128911	79028S	999999 CINTAS		115.04					
1	8008041978	06/06/17 Medical Supplies Refill		115.04		23313	1000 5 420140	210	101000
128912	79029S	999999 THREE ONE EIGHT SOUTH, LLC		10,830.00					
1	1296	05/31/17 Uniform Swift Licensing 19 Set		10,830.00*		23351	2850 105 420140	350	101000
128913	79030S	4028 MISSOULA PUBLIC LIBRARY		1,436.00					
1	HQAP23218	06/08/17 Yearly Contract 17/18		1,436.00		23218	2220 16 460100	350	101000

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128914	79067S	237 CPI COLLECTION PROFESSIONALS INC		106.03					
1	CPI061917	05/31/17 Kruger, K ~ Collections		53.01*		CPI617	5210 25 430510	350	101000
2	CPI061917	05/31/17 Sattler, T ~ Collections		53.02*		CPI617	5310 29 430610	350	101000
128915	79031S	4112 FARMERS BROTHERS COFFEE		124.44					
1	65149558	06/15/17 2 Cases of Coffee		124.44*		677	5610 87 430300	220	101000
128916	79032S	1407 KADRMAS LEE & JACKSON INC		17,513.34					
1	10085557	06/07/17 Government / Program Relation		892.64		22961	1000 201 431200	350	101000
2	10085752	06/09/17		3,941.03		22961	1000 201 431200	350	101000
3	20086239	06/22/17 Data Maintenance		1,856.93*		12241	2850 105 420140	350	101000
4	10086233	06/22/17 Southgate Storm Water #24161		10,822.74		23402	2510 107 430235	350	101000
128917	79009S	999999 SONJA WOODS		547.39					
1	6458101399	06/13/17 Meeting ~ Helena		547.39*		23219	2880 41 460100	370	101030
128918	79033S	2477 PRINCE INC		5,040.00					
1	77770	06/01/17 210 Tons 4A Chips		5,040.00		23190	2510 107 430233	350	101000
128919	79010S	2865 DEPT OF ENVIRONMENTAL QUALITY		250.00					
1	22962	06/08/17 318 Application Permit Fee		250.00		22962	1000 201 431200	540	101000
128920	79068S	1535 LUCAS & TONN PC		501.35					
1	TEV61317	06/13/17 Travel Service Program Billi		401.35*		128920	1000 4 411100	370	101000
2	LTPC617	06/30/17 Monthly Billing		100.00*			1000 4 411100	350	101000
128921	79034S	1527 LN CURTIS & SONS		5,129.00					
1	INV107688	06/15/17 Fire GXtreme Jackets X 2		2,490.00		23147	1000 7 420460	226	101000
2	INV107688	06/15/17 Fire GXtreme Pant X 2		1,850.00		23147	1000 7 420460	226	101000
3	INV104655	05/31/17 Fire Gloves		615.00		23141	1000 7 420460	226	101000
4	INV107851	06/15/17 Gear Bags		174.00		23453	1000 7 420460	226	101000
128922	79035S	1331 HOLY ROSARY HEALTH CENTER-CLINIC		114.00					
1	IHCF23148	06/15/17 Physicals ~ C Miller		38.00*		23148	1000 7 420460	350	101000
2	IHCF23148	06/15/17 Physicals ~ M Miller		38.00*		23148	1000 7 420460	350	101000
3	IHCF23148	06/15/17 Physicals ~ E Kanduch		38.00*		23128	1000 7 420460	350	101000
128923	79069S	999999 MIKE WILLEMS		46.00					
1	TEV23319	06/20/17 Crime Score Training ~ Sidne		46.00		23319	1000 5 420140	370	101000

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128924	79036S	2151	System Technology Consultants	52.50					
1	27581	06/14/17	PD ~ IT work on SWIFT Program	52.50		23317	1000 5 420140	350	101000
128925	79011S	1426	KIWI PETES TREE SERVICE	4,175.00					
1	9824-24	06/12/17	1519 Palmer	300.00		23198	2510 107 430220	350	101000
2	9824-16	05/02/17	Palmer and Prairie	2,000.00		23198	2510 107 430220	350	101000
3	9824-15	06/02/17	Parks	875.00		23198	1000 13 460433	360	101000
4	9824-32	06/21/17	N. Montana	1,000.00		23198	2510 107 430220	350	101000
128926	79012S	1637	RONNING ENTERPRISES dba MARTIN	6,298.51					
1	447	06/12/17	Bender Park	303.51*		23187	1000 13 460433	230	101000
2	448	06/12/17		5,995.00		23187	1000 13 460433	360	101000
128927	79013S	4140	Stoltz Construction	5,053.50					
1	547850	06/14/17	620 N. Cottage	4,088.00		23188	2510 107 430235	350	101000
2	547850	06/14/17		965.50		23188	5210 23 430550	230	101000
128928	79014S	572	VERIZON WIRELESS	263.53					
1	9787053860	06/07/17	June ~ ICAC Cell Phone Bil	263.53*		23322	1000 5 420140	220	101000
128929	79070S	1859	MLEA	745.00					
1	10508	06/07/17	DISPATCH~ Public Safety Comm	350.00		23320	1000 5 420160	380	101000
2	10416	04/12/17	PD ~ Ground Tactics	395.00*		23330	1000 5 420140	380	101000
128930	79071S	999999	CUMMINGS ROCKY MOUNTAINS	1,155.77					
1	004-46709	06/16/17	Unit # 24	462.31*		21676	2510 107 430220	363	101000
2	004-46709	06/16/17		115.58		21676	2520 108 430220	363	101000
3	004-46709	06/16/17		288.94*		21676	5210 23 430550	363	101000
4	004-46709	06/16/17		288.94*		21676	5310 31 430630	363	101000
128931	79037S	999999	NATIONAL JUDGES ASSOCIATION	90.00					
1	NJA0601201	06/01/17	Judge ~ Dues Schedule 17/1	90.00*		22926	1000 6 410300	334	101000
128932	79072S	1330	SCL Health - Sisters of Charity	966.80					
1	500185824	02/14/17	DUI ~ Coleman, A	241.70		23321	1000 5 420140	350	101000
2	500191751	05/03/17	DUI ~ Hensleigh, D	241.70		23321	1000 5 420140	350	101000
3	500193751	05/02/17	DUI ~ Hill, C	241.70		23321	1000 5 420140	350	101000
4	500193751	05/19/17	DUI ~ Smith, B	241.70		23321	1000 5 420140	350	101000
128933	79038S	501	CHEM SEARCH	758.16					
1	2727505	05/18/17	Mend-Con Dispensing Gun	758.16		23025	5310 33 430640	230	101000

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128938	79016S	2450 POSTMASTER (UTILITIES)	1,004.00					
1	USPS062017	06/29/17 Water and Sewer Postage	502.00		128938	5210 25 430510	311	101000
2	USPS062017	06/29/17	502.00		128938	5310 29 430610	311	101000
128940	79039S	4108 Mid America Research Chemical	1,489.50					
1	0609754-IN	06/09/17 Root Control	1,489.50		23088	5310 31 430630	222	101000
128941	79040S	4171 Ferguson Waterworks #1701	1,355.21					
1	0656678	05/31/17 1" I Pearl Meters & Omni Mete	1,355.21		23089	5210 23 430550	220	101000
128942	79073S	999999 BUCKY JOHNSON	23.88					
1	1601867292	06/04/17 Cell Phone Reimbursement	11.94		23090	5210 23 430550	345	101000
2	1601867272	06/04/17	11.94		23090	5310 31 430630	345	101000
128943	79074S	800 DOEDEN CONSTRUCTION	7,042.18					
1	53525	06/14/17 Curbstop Maint	345.00*		23091	5210 23 430550	235	102270
2	53525	06/14/17	172.50*		23091	5210 23 430550	235	102270
3	53525	06/14/17	207.00*		23091	5210 23 430550	235	102270
4	53609	06/30/17 Curbstop Leighton & Woodbury	396.48*		23092	5210 23 430550	235	101000
5	77894	06/29/17 Curb	465.76		23416	2510 107 430234	350	101000
6	77905-949	06/29/17 Top Surface	5,455.44*		89416	2510 108 430233	350	101000
128944	79041S	4142 HD Supply Waterworks, LTD	1,268.30					
1	H291784	06/08/17 CPLG & Grippings	1,268.30*		23085	5210 23 430550	234	101000
128945	79075S	286 STANLEY CHIROPRACTIC OFFICE	160.00					
1	11843-CDL	06/16/17 CDL Physicals ~ Kinsey	40.00		23086	5210 23 430550	350	101000
2	11843-CDL	06/16/17	40.00		23086	5310 31 430630	350	101000
3	2120-CDL	06/20/17 CDL Physicals ~ Decker	80.00*		23196	6040 910 430220	350	101000
128946	79042S	4140 Stoltz Construction	2,283.00					
1	41400617	06/28/17 515 N. Cottage	2,283.00		23404	2510 107 430235	350	101000
128947	79043S	278 TITAN MACHINERY	1,304.56					
1	9514174	06/13/17 Shaft Keyed	219.71*		21679	2510 107 430220	363	101000
2	9514174	06/13/17	54.92		21679	2520 108 430220	363	101000
3	9514174	06/13/17	137.32*		21679	5210 23 430550	363	101000
4	9514174	06/13/17	137.32*		21679	5310 31 430630	363	101000
5	9478854	06/13/17 Unit #44	395.34*		21675	2510 107 430220	363	101000
6	9478854	06/13/17	98.84		21675	2520 108 430220	363	101000
7	9478481	06/02/17	208.89*		21675	2510 107 430220	363	101000
8	9478481	06/02/17	52.22		21675	2520 108 430220	363	101000

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128948	79044S	4073 JOHN DEERE FINANCIAL	476.23					
1	1855983	06/28/17 Sweeper Lease (Principle)	422.14		678	5610 87 490500	645	101000
2	1855983	05/20/17 Sweeper Lease (Interest)	54.09*		678	5610 87 490500	646	101000
128949	-99993C	4003 SHI INTERNATIONAL CORP	3,832.65					
1	S45885031	06/27/17 HP- Acrobat & Windows 16	614.31		17-033	1000 11 411840	350	101000
2	S45838553	06/19/17 FD ~ Computer Programs	1,980.56		23452	1000 7 420460	210	101000
3	B06654430	06/12/17 FD ~ Server Software	742.64		23149	1000 7 420460	210	101000
4	B06564799	05/23/17 Office 2016	247.57		23028	5210 22 430530	220	101000
5	B06564799	05/23/17	247.57		23028	5210 80 430540	220	101000
128950	79076S	910 EVERGREEN LANDSCAPING	208.50					
1	14915	06/12/17 Parks ~ 1" 90 Street Elbow MxF	83.40*		23194	1000 13 460433	230	101000
2	15040	06/20/17	125.10*		23194	1000 13 460433	230	101000
128951	79077S	2560 REGAN PLUMBING & HEATING	488.38					
1	217-52268	06/05/17 Supplies	158.38*		23195	1000 13 460433	230	101000
2	217-52330	06/12/17 Denton Field Restroom Repai	330.00		23195	1000 13 460433	350	101000
128952	79078S	721 DALES CLEANING SERVICE	600.00					
1	DCS62817	06/28/17 City Hall ~ June Cleaning	600.00		23407	1000 8 411230	360	101000
128953	79079S	4022 MARILYNN FORMAN	600.00					
1	MF63017	05/31/17 June ~ Clean City Shop	250.00		23406	6040 910 430220	360	101000
2	PDMF63017	05/31/17 June ~ Clean Police Departm	350.00		23323	1000 5 420140	350	101000
128954	79045S	977 MSUES FIRE TRAINING SCHOOL	185.00					
1	207-32	06/20/17 Annual Subscription	185.00		23455	1000 7 420460	380	101000
128955	79080S	4069 AGRI INDUSTRIES	17,128.86					
1	177110	06/21/17 Gates and Culverts	12,570.00		23405	2510 107 430235	230	101000
2	177456	06/29/17 Pump Repair	2,896.86		23033	5210 22 430530	360	101000
3	177441	06/29/17 Pump Removal	803.00		23033	5210 22 430530	360	101000
4	180824	06/29/17 Pump Install	859.00		23033	5210 22 430530	360	101000
128956	79046S	999999 OVERDRIVE, INC.	2,334.30					
1	1526004506	06/28/17 Library ~ Content Purchase	2,334.30		23225S	2220 16 460100	382	101000
128957	79081S	999999 WAYNE NILE	150.00					
1	16245	06/09/17 Boot Reimbursement	150.00		23193	2510 107 430220	226	101000

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128958	79047S	999999	BAKER RECREATION CENTER	940.00					
1	BRC6217	06/02/17	Life Gaurd Training X 7	940.00		23200	1000 14 460445	380	101000
128959	79082S	2847	STEADMANS ACE HARDWARE	347.03					
1	269349	06/07/17	Weedeater	329.99*		23186	1000 13 460433	214	101000
2	270390	06/13/17	Golf Cart - Fastners	17.04*		682	5610 87 430300	230	101000
128960	79083S	700	CUSTER COUNTY WATER & SEWER	13,788.88					
1	CCWSD617	06/30/17	June ~ Monthly Collections	13,788.88		128960	7980 211020		101000
128961	79084S	4127 I -	State Truck Center	30,630.00					
1	V251005529	06/08/17	2000 Interstate 4000 Serie	30,630.00		29192	4060 911 430233	940	101000
128962	79048S	4170	TNT Springs Inc.	3,292.00					
1	W-027110	06/16/17	E-9 Brakes and Parts	3,292.00		23145	1000 7 420460	364	101000
128963	79085S	4062	SCL HEALTH ~ Supplies	267.75					
1	IN 3263	05/31/17	Medical Supplies	267.75*		23451	5510 10 420730	222	101000
128964	79086S	999999	NICOLE RICHARDSON	16.94					
1	03-422326	06/15/17	6 X Cases of Water	16.94*		22927	1000 6 410300	220	101000
128965	79087S	4151	Eleanor P Lavin	200.00					
1	EPL23324	06/23/17	Police Phych Exam F. Lee	200.00		23324	1000 5 420140	350	101000
128966	79049S	999999	DAKTECH, INC.	1,418.00					
1	0079978	06/28/17	Discovery Workstations	1,418.00		23223	2220 16 460100	214	101000
128967	79088S	485	CENTURY COMPANIES, INC.	34,162.35					
1	13424	06/15/17	Cold Mix	20,529.88		23191	2510 107 430233	350	101000
2	13424	06/15/17		5,132.47		23191	2520 108 430233	350	101000
3	13424	06/15/17		4,250.00		23181	5210 23 430550	360	101000
4	13424	06/15/17		4,250.00		23181	5310 31 430630	360	101000
128968	79050S	1638	ENVIRO-CLEAN INTERMOUNTAIN LLC	1,177.99					
1	17-5769	06/02/17	Unit 30-P.U.D	588.99*		21672	5210 23 430550	363	101000
2	17-5769	06/02/17		589.00*		21672	5310 31 430630	363	101000
128969	79089S	999999	BETTY VAIL	396.03					
1	TEV063017	06/30/17	June ~ Out of Town Travel	198.41		21286	2985 15 450340	370	101000
2	06/30/17	FY In Town Travel		197.62		21286	2985 15 450330	370	101004

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128970	79090S	999999 JORDAN OR KENDRA MACKEY		93.52					
1	67603	06/30/17 Water & Sewer Deposit		93.52			5210 214010		101000
128971	79091S	999999 PAIGE ULMEN-PARSONS		32.08					
1	67604	06/30/17 Water & Sewer Deposit		32.08			5210 214010		101000
128972	79092S	999999 JIM NOVELLI		41.77					
1	67605	06/30/17 Water & Sewer Refund		41.77			5210 214010		101000
128973	79093S	999999 TIM ZASTROW		101.82					
1	67606	06/30/17 Water & Sewer Refund		101.82			5210 214010		101000
128974	79094S	999999 TARA ALBERSON		101.82					
1	67606	06/30/17 Water & Sewer Refund		101.82			5210 214010		101000
128975	79095S	999999 SANDRA MOLLER		53.64					
1	67608	06/30/17 Water & Sewer Refund		53.64			5210 214010		101000
128976	79096S	999999 DENISE KELLY OR JOSEPH SINGER		34.16					
1	67609	06/30/17 Water & Sewer Deposit		34.16			5210 214010		101000
128977	79097S	999999 KIRK HEDGES		56.89					
1	67610	06/30/17 Water & Sewer Deposit		56.89			5210 214010		101000
128978	79098S	999999 TANA GOULD		149.75					
1	67611	06/30/17 Water & Sewer Deposit		149.75			5210 214010		101000
128979	79099S	999999 LIZ LEWIS		47.17					
1	67612	06/30/17 Water & Sewer Deposit		47.17			5210 214010		101000
128980	79100S	999999 EVELYN SANTIAGO		10.38					
1	67613	06/30/17 Water & Sewer Deposit		10.38			5210 214010		101000
128981	79101S	999999 CARL JOHNSON		91.04					
1	67614	06/30/17 Water & Sewer Deposit		91.04			5210 214010		101000
128982	79051S	2579 ROBERT PECCIA & ASSO		33,250.45					
1	12	06/21/17 Project 14840003		33,250.45		23068	5310 33 430640	940	102279
128983	79102S	2871 THATCHER CHEMICAL CO		5,250.84					
1	345044	06/27/17 Aluminum Sulphate		5,250.84*		23027	5210 80 430540	222	101000

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128984	79103S	2961 TW ENTERPRISES INC	1,072.58					
1	32712	06/23/17 Annual Generator Service	551.95		23036	5310 32 430690	360	101000
2	32746	06/27/17	520.63		23026	5310 33 430640	360	101000
128985	79104S	673 CUSTER NETWORK AGAINST DOMESTIC	3,091.50					
1	CNADA617	06/30/17 Quarterly ~ Civil Legal Assi	3,091.50			7471 212500		101000
128986	79105S	390 JERRYS REFRIGERATION SERV INC	217.40					
1	105007	06/27/17 C Hall ~ AC's & Filters	119.40*		23409	1000 8 411230	230	101000
2	105007	06/27/17	98.00		23409	1000 8 411230	360	101000
128987	79106S	2914 TOURISM BUSINESS IMPROVEMENT	1,130.00					
1	TBID063017	06/30/17 June ~ TBID	1,130.00			7370 212500		101000
128988	79107S	671 CUSTER COUNTY TREASURER	2,194.00					
1	LEAS063017	06/30/17 Law Enforcement Academy	2,194.00			7467 212200		101000
128990	79108S	1721 MID RIVERS TELEPHONE CORP	117.18					
1	1050200717	07/01/17 RSVP ~ Phone, Fax & Intern	117.18		21288	2985 15 450340	345	101000
128992	79109S	288 MILES CITY AREA CHAMBER OF	56.80					
1	7123419	06/30/17 Mailing July to Volunteers	55.80*		21289	2985 15 450330	311	101004
2	7123419	06/30/17	1.00*		21289	2985 15 450340	311	101000
128993	79110S	4000 AG PARTNERS. LLC	1,148.50					
1	IA9254	06/13/17 Fertilizer	1,148.50		23412	1000 13 460433	222	101000
128995	79111S	1050 FRANKS BODY SHOP	126.50					
1	46179	05/30/17 PD ~ Tow F100 NO PLATES	126.50*		23329	1000 5 420140	220	101000
128998	79112S	790 DPC INDUSTRIES	1,479.80					
1	727000176-	06/26/17 Chorine 2000#	1,479.80*		23031	5210 80 430540	222	101000
128999	79113S	1286 DENNIS HIRSCH	18,400.18					
1	DHC0717	06/30/17 June Permits	18,400.18*		23411	2394 18 420531	360	101000
129000	79114S	329 WATCHGUARD VIDEO	5,020.00					
1	06292017J	06/29/17 Patrol Video System for New	4,795.00		23332	1000 5 420140	214	101000
2	06292017J	06/29/17 Police Car ~ Front Camera	200.00		23332	1000 5 420140	214	101000
3	06292017J	06/29/17 Freight Fees	25.00		23332	1000 5 420140	311	101000

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129001	79115S	4027 THOMSON REUTERS	216.00					
1	083611	06/03/17 MT Rules of Court	216.00*		22929	1000 6 410300	334	101000
129002	79153S	267 HAYNES ENTERPRISES	27,056.67					
1	2669	06/30/17 ADA, Flatwork and Curbs	14,465.00		23421	2510 107 430234	350	101000
2	2670	06/30/17 Lab	12,591.67		23421	2510 107 430235	230	101000
129004	79116S	4173 Dyna Engeineering LTD,	330.00					
1	14098	06/28/17 Sign Brackets	264.00*		23408	2510 107 430220	242	101000
2	14098	06/28/17	66.00		23408	2520 108 430220	242	101000
129005	79117S	317 BILLINGS CLINIC	287.00					
1	06262017	06/26/17 MCPD Officer Canidate	287.00		23331	1000 5 420140	350	101000
129006	79118S	999999 IMAGE TREND	7,000.00					
1	AH--574	06/30/17 EMS & FIRE Reporting Software	7,000.00		23457	1000 7 420460	210	101000
129007	79119S	636 CRIDCO, LLC	178.00					
1	59029	06/02/17 Airport ~ Water 3 Months	178.00*		681	5610 87 430300	220	101000
129008	79154S	999999 POLICE ONE.COM ACADEMY	2,132.00					
1	010133-541	06/01/17 Annual Subscription	2,132.00*		23337	1000 5 420140	380	101000
129011	79120S	1407 KADRMAS LEE & JACKSON INC	1,906.60					
1	10083544	04/25/17 GIS DATA Managment	49.67*		23353	2850 105 420140	350	101000
2	10086239	06/22/17 GIS DATA Managment	1,856.93*		23353	2850 105 420140	350	101000
129024	79121S	2910 TONGUE RIVER ELECTRIC	442.85					
1	TRECO06251	06/25/17 Southgate Lighting	401.84			2450 51 430263	341	101000
2	PTRECO0625	06/25/17 Radio Tower	41.01		23355	2850 105 420140	341	101000
129033	79122S	1780 MILES CITY MOTOR SUPPLY	66.60					
1	632817	06/14/17 Filters & Radiator Flush	59.61*		684	5610 87 430300	363	101000
2	633721	06/20/17 Parts	6.99*		684	5610 87 430300	363	101000
129034	79123S	313 FASTENAL	2,089.71					
1	61533	07/07/17 Cones and Candle Sticks	835.88		23401	2510 107 430235	230	101000
2	61533	07/07/17	208.97		23401	2520 108 430235	230	101000
3	61533	07/07/17	522.43		23401	5210 23 430550	230	101000
4	61533	07/07/17	522.43		23401	5310 31 430630	230	101000

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129035	79124S	3286 WPCI		28.00					
1	118427	04/30/17 Random Testing		28.00*		23420	6040 910 430220	350	101000
129036	79125S	284 AQUA PURE		2,557.50					
1	MCWMT 1701	04/24/17 AF 4355 Polymur		2,557.50*		23035	5210 80 430540	222	101000
129037	79126S	660 CUSTER COUNTY CLERK & RECORDER		15,737.75					
1	1 07/11/17	Dues for Mike Rinaldi		15,737.75		23260	2270 37 440140	350	101000
129038	79127S	4001 CRITELLI COURIERS, INC.		287.50					
1	22392	06/30/17 Library ~ Crate Delivery		287.50		23228	2880 39 460100	311	101000
129039	79128S	1527 LN CURTIS & SONS		420.00					
1	INV111034	06/29/17 Fire GXtreme Jackets X 2		420.00		23463	1000 7 420460	226	101000
129041	79129S	3039 UTILITIES UNDERGROUND LOCATION		191.10					
1	7065086	06/30/17 June ~ Locates		95.55		23098	5210 23 430550	350	101000
2	7065086	06/30/17		95.55		23098	5310 31 430630	350	101000
129042	79130S	2830 STAR PRINTING & SUPPLY		552.71					
1	253582	06/30/17 F.D -		52.18		23454	1000 7 420460	210	101000
3	2503044	06/30/17 R.S.V.P.		308.14		21287	2985 15 450340	220	101000
5	253322	06/30/17 Historical Preservation		2.38*		18-001	2935 11 460461	220	101000
8	283186	06/30/17 Library ~		127.01		23308	2220 16 460100	320	101000
14	253186	06/30/17 Police Department		63.00*		23308	1000 5 420140	220	101000
129043	79131S	2125 MONTANA RURAL WATERS		250.00					
1	2017041162	07/15/17 Annual Membership		125.00*		23099	5210 23 430550	334	101000
2	2017041162	07/15/17		125.00*		23099	5310 31 430630	334	101000
129045	79149S	771 DEPT OF REVENUE		5,715.61					
1	#9	06/27/17 Phase II Payment #9		5,715.61		23501	5310 33 430640	940	102279
129046	79150S	4015 WILLIAMS BROTHERS CONSTRUCTION		565,845.19					
1	W09	06/05/17 Phase II WWTP Upgrade		565,845.19		231000	5310 33 430640	940	102279
129047	79152S	4174 PUBLIC DEFENDER		9,995.25					
1	06/30/17	Public Defender's Office		9,995.25*		22930	1000 6 410300	220	101000
# of Claims				150	Total:		1954,157.56		
Total Electronic Claims				14,332.65	Total Non-Electronic Claims		1939824.91		