

**Stevensville Town Council Meeting Minutes**

**for THURSDAY, DECEMBER 12, 2024, 6:30 PM 206 Buck Street, Town Hall**

**CONDENSED MINUTES**

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order. Councilmembers Barker, Brown, Nelson and Smith were all present.

2. Pledge of Allegiance

3. Public Comments (Public comment from citizens on items that are not on the agenda)

Jenelle Berthoud: read into the record public comment (it will be included in the minutes of this meeting)

4. Approval of Minutes

a. Town Council Meeting Minutes 11/14/2024

Mayor Michalson: introduced town council meeting minutes for 11/14/2024.

Councilmember Nelson: I make a motion that we approve town council meeting minutes for 11/14/2024.

Councilmember Smith: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council. Public comments? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

b. Special Town Council Meeting Minutes (closed session) 11/19/2024

Mayor Michalson: introduced special town council meeting minutes for 11/19/2024.

Councilmember Smith: I move that we approve special town council meeting minutes for 11/19/2024.

Councilmember Barker: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Since it was a closed meeting there is no discussion or public comment. Jenelle, please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0.

#### 5. Approval of Bi-Weekly Claims

a. #19339, approved at the 11/14/24 meeting for \$66.30 should have been \$66.33

Mayor Michalson: informational.

b. Out of Cycle Claims for November, #19366-#19387

Mayor Michalson: introduced out of cycle claims for November #19366-#19387.

Councilmember Brown: make a motion to approve the out of cycle claims for November #19366-#19387. Which is corrected because they were duplicated on the next set.

Councilmember Nelson: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Brown: #19371. Chemicals for the water plant. Is that more than a month's supply of chemicals?

Stephen Lassiter, Public works supervisor: about 6-8-10 weeks maybe three months.

Mayor Michalson: chlorine has gone through the roof lately.

Stephen Lassiter: this company is a bit cheaper, and they take back the empties, we do not use as much chlorine in the winter.

Councilmember Nelson: #19372, Tire Rama tire service for public works, just curious on that. Do we have an option to go through Les Schwab or is there a reason that we are not.

Stephen Lassiter: Tire Rama treats us better. They seem to want our business.

Mayor Michalson: I would like to say right below that Councilmember Brown came in earlier today 19373, Ed ~~Sunderland~~<sup>Sutherland</sup> cleaned ditch by Railroad tracks. I did not know about this about a month and a half ago I had a gentleman come into my office and his back yard basement was starting to flood because of the ditch back there was getting backed up so first Cody and Steve went and cleaned out the culvert and thought that it would do it. the problem was even bigger, the guy that came into my office said that Ed cleaned it when he worked here. So, I called Ed, and he said yes, Ed said when Creekside Meadows was built it was a PCI thing, and they had to do something with the storm water so they built that ditch back there so the storm water runs down and so it needs to be cleaned out about every two to three years. Even though it is not our property we have to maintain it. we did not know anything about it and so that is what that bill is about. Any other questions from the public on the out of cycle claims.

#### PUBLIC COMMENT

Jeff Motley: What is the stash pile?

Stephen Lassiter: slash pile.

Jeff Motley: oh, so it is a typo.

Mayor Michalson: any other questions on the claims? Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

c. Claims #19384-#19414

Mayor Michalson: introduced claims#19384-#19414.

Councilmember Smith: I move that we approve claims #19384-#19414.

Councilmember Nelson: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Barker: Go daddy domain will we ever get away from that?

Gina Crowe: You cannot get away from that it has nothing to do with the .gov. it is our domain name.

Councilmember Barker: #19392, Dog waste depo?

Stephen Lassiter: doggie bags, just about a year's worth.

Mayor Michalson: any other comments from the council? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

## 6. Administrative Reports

Mayor Michalson: introduced administrative reports.

### a. Airport

Brian Germaine: in the packet, curtesy car insurance finalized on that.

### b. Building Department

In the packet.

### c. Finance

None.

### d. Fire Department

Chief Motley: in the packet, things that are coming up, radio grant application we are looking to replace our 22 handheld radios. We have developed a leak on the ladder truck, so we will be getting that in for an estimate.

### e. Police Department

In the packet. Chief Boe is out of town, so Mayor Michalson read the report.

### f. Public Works

Stephen Lassiter, Public Works Supervisor: in the packet, we did hire a new man, Kevin. Hope to get him trained up like Glenn. Started on some classes for water and wastewater.

## 7. Public Hearings



a. 2nd Reading: Proposed Additions to Ordinance No. 135 an Ordinance of the Town of Stevensville Traffic Code, Section 10.06.100 (3)

Mayor Michalson: introduced public hearing for the 2<sup>nd</sup> reading, Proposed Additions to Ordinance No. 135 an Ordinance of the Town of Stevensville Traffic Code, Section 10.06.100 (3).

PUBLIC COMMENT

None

8. New Business

a. Discussion/Decision: Additions to Ordinance No. 135 an Ordinance of the Town of Stevensville Traffic Code Section 10.06.100 (3)

Mayor Michalson: introduced new business item a. Additions to Ordinance No. 135 an Ordinance of the Town of Stevensville Traffic Code Section 10.06.100 (3).

Councilmember Barker: I make a motion to approve Additions to Ordinance No. 135 an Ordinance of the Town of Stevensville Traffic Code Section 10.06.100 (3)

Councilmember Brown: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Barker: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

b. Discussion/Decision: Resolution No. 559 a Resolution of the Town Council of the Town of Stevensville, Montana, Providing for the Revisions of the Budget for the Fiscal Year 2024-2025

Mayor Michalson: introduced new business item b. Resolution No. 559 a Resolution of the Town Council of the Town of Stevensville, Montana, Providing for the Revisions of the Budget for the Fiscal Year 2024-2025.

Gina Crowe: provides better

Councilmember Smith: I move that we approve Resolution No. 559 a Resolution of the Town Council of the Town of Stevensville, Montana, Providing for the Revisions of the Budget for the Fiscal Year 2024-2025.

Councilmember Barker: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council? Public comment?

PUBLIC COMMENT

Jeff Motley: is this an amendment?

Gina Crowe: no this was passed in the budget and now we are giving them the appropriate name to the line item.

Mayor Michalson: no more comments. Jenelle, would you please take the vote.

Councilmember Smith: aye.

Councilmember Barker: aye.

Councilmember Nelson: aye.

Councilmember Brown: aye.

Mayor Michalson: passes 4-0

c. Discussion/Decision: Resolution No. 560 a Resolution Establishing a Temporary Contract for Public Works Services for the Town of Stevensville

Mayor Michalson: introduced new business item c. Resolution No. 560 a Resolution Establishing a Temporary Contract for Public Works Services for the Town of Stevensville. We have to have a certified operator to do the sign offs. Cody knows how to do it but is not certified yet.

Councilmember Smith: I move that we approve Resolution No. 560 a Resolution Establishing a Temporary Contract for Public Works Services for the Town of Stevensville.

Councilmember Nelson: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Brown: did anybody reach out to any of the other towns that have a certified operator that is local, Darby, Hamilton that could come down and help us out or is this our only shot in the dark?

Mayor Michalson: we would have to probably pay them a lot more, Glen knows the system here and has been here a long time.

Stephen Lassiter: 14 years, we only need one, his name on the paper every week, we fill that out every week and send that in.

Councilmember Brown: how far out are we possibly getting someone certified?

Stephen Lassiter: hopefully March.

Gina Crowe: we are also working on getting Kevin certified as well, and it is the most difficult test to take. We are setting up trainings here.

Stephen Lassiter: March could be too soon, there is also a test in May.

Mayor Michalson: the guy that came up last week and he said that it is hard, like Cody said it is the math, the formulas are hard.

Stephen Lassiter: a lot of terms that you have to be familiar with.

Mayor Michalson: I think that we should be thankful that Glen is willing to come back and do this. He is not here a whole eight hours some days he may just have to come in for a couple of hours.

Stephen Lassiter: I called him today with a question, we would not be able to do this with anyone else.

Mayor Michalson: any other comments from the council or the public? Jenelle, please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0.

d. Discussion/Decision: Department of Commerce, Community Technical Assistance Program Funding for the Town of Stevensville Growth Policy Update

Mayor Michalson: introduced new business item d. Department of Commerce, Community Technical Assistance Program Funding for the Town of Stevensville Growth Policy Update. This made my day a lady called Jenelle one day and she said that she was willing to help out with our Growth Policy, \$30,000.00. We do not have to put out an RFP or anything like that, they are just going to be able to help.

Councilmember Nelson: make a motion that we accept Department of Commerce, Community Technical Assistance Program Funding for the Town of Stevensville Growth Policy Update.

Councilmember Brown: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Nelson: the \$30,000 that was mentioned is a grant?

Mayor Michalson: no, it is their money, we will not know about the funding,

Jenelle Berthoud: there will be a few other outside entities that will be helping her with the program and so it is us and I think three other towns that are going to get help.

Mayor Michalson: any comments from the public? Seeing none, Jenelle please take the vote.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Councilmember Brown: aye.

Councilmember Barker: aye.

Mayor Michalson: passes 4-0

e. Discussion/Decision: Master Agreement for Professional Airport Engineering Services Between the Town of Stevensville and Morrison-Maierle, Inc

Mayor Michalson: introduced new business item e. Master Agreement for Professional Airport Engineering Services Between the Town of Stevensville and Morrison-Maierle, Inc. When Will was here, he was looking into this grant, then Brian came in and finished it up. We were on a really strict deadline to get this in and get funds. Brian brought it to the airport board meeting, because of the deadline we did not have time to open it in front of you, and Morrison-Maierle were the only ones.

Councilmember Smith: I move that we approve Master Agreement for Professional Airport Engineering Services Between the Town of Stevensville and Morrison-Maierle, Inc.

Councilmember Barker: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. with your permission Brian, would you like to speak on it.

Brian Germane: M&M has been our engineering company since 2016. They are also have created the master plan for the airport, without them we would be so lost with the grant process and the FAA. I was ecstatic that they wanted to continue with us. I ask that you approve this for the future of the airport.



Craig Thoams: airport board chair. None of this would have happened with out Jenelle and Bob. It was an extremely short time frame, and if Brian would not have stepped up, we would have lost the funding. We are fortunate that Brian stepped up and took this on, M&M, Tyler and Kevin and Diane from the FAA.

Mayor Michalson: any questions from the council?

Councilmember Smith: the two gentlemen that presented to us I was impressed with, and what they have presented.

Councilmember Brown: I do have a couple of questions on this contract agreement. I am not sure if anyone can answer those questions because I do not see any representative from M&M.

Jenelle Berthoud: Tyler was unable to attend this evening.

Councilmember Brown: I guess that they will go unanswered then.

Brian Germane: lets give it a shot, I will try.

Councilmember Brown: page 104, item #7 I would like an explanation on that, it is about task orders. (read item #7) is that stating that if you have a project in, and you have a task order in and this expires in 5 years and they are still working on it that they will honor that task order.

Brian Germane: yes, these task orders are put in 6-10 months before the project is under construction. The task order put in they are including their design service fees and they will continue that work under that task order.

Councilmember Brown: under page 4, 11 of 26. Prepare the required FAA grant applications I now that Tyler does a lot of them, I am wondering if there are other grants available to the airport that you are going to be looking at and will they help with those.

Brain Germane: outside of FAA and the department of aeronautics, no. those are the two different funding entities that we are dealing with.

Craig Thomas: during project's M&M will step up and work with others on their own time.

Councilmember Brown: 2.02, they mentioned an engineering fee, and in different spots 5.06 and 5.07 with interest. Do we know what the engineering fee is?

Brian Germane: those fees vary greatly depending on the size of the project. as low as \$7,000 to \$35,000.



Councilmember Brown: designate in writing a person to act for an owners representative. That is the only place that I saw that, what do they mean by that.

Brian Germaine: the person who make the decision for the project. Who can represent the airport and the project.

Councilmember Brown: just wanted to make sure that the town would be making those decisions. Construction documents. We do not have the right to reuse them. So, if we do not use them then we do not get to use them at a later date? 6.07 and 6.08, page 19 of 26 in the packet.

Brian Germaine: I am trying to think of an example, I do not think that is a much as the job not going through, it would be for that specific project. I guess that they are saying that if we tried to reuse the same drawings it would not be a good idea, we would have to redesign that project.

Councilmember Brown: that was all of my questions.

Brian Germaine: I do not take an exception to that one, we would not want to reuse the drawings.

Mayor Michalson: any other comments from the council? Any comments from the public? Seeing none, Jenelle please take the vote.

Councilmember Brown: no.

Councilmember Nelson: aye.

Councilmember Barker: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-1.

f. Discussion/Decision: Approval of Track Out Of Service Agreement between the Town of Stevensville and Montana Rail Link Regarding RR Crossing at East 2nd Street

Mayor Michalson: introduced new business item f. Approval of Track Out Of Service Agreement between the Town of Stevensville and Montana Rail Link Regarding RR Crossing at East 2nd Street. So, when I first became mayor the first calls that I got was about the crossing, I contacted MT rail link many times through email and then he stopped by the office and talked to Jenelle so then I called him and we had a conversation, in that conversation Ravalli County is already working on removing their crossings and having them paved. So, what does it take to get ours done, the county owns one side of the tracks, and we own the other. (mayor read the options from Trent, email with options was part of the packet). MRL is no longer and now it is called the Washington Corporation. Removal of the crossing is about \$13,000.00.

both tracks about \$30,000.00. (read through the remaining options to the council). Item #1 we thought that it would be the best option, I talked to Robert tonight and this might be in our TIFT district. He is going to look into for us. I just want to get your blessing to get the process going, when that is done, we will bring that back for your approval and where the money is going to come from.

Councilmember Barker: they tried to fix that a while back.

Councilmember Smith: are we paying \$100.00 per month?

Gina Crowe: it is \$100.00 per year.

Mayor Michalson: with the motion can you please stipulate what item number.

Councilmember Nelson: make a motion we approve the Track Out Of Service Agreement between the Town of Stevensville and Montana Rail Link Regarding RR Crossing at East 2nd Street

Councilmember Barker: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. Discussion from the council?

Councilmember Nelson: under item #1.

Mayor Michalson: Public comments? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0.

g. Discussion/Decision: Set a C.O.W. Meeting to Discuss Council Rules and Procedures

Mayor Michalson: introduced new business item g. Councilmember Brown has been going back and forth about this and would like to set a time to go through this.

Councilmember Smith: I move that we set a COW meeting and a date to discuss council rules and set a date. Amened it to that date.

Mayor Michalson: set a meeting date January 16<sup>th</sup> at 6:30.

Councilmember Nelson: 2<sup>nd</sup>.

Mayor Michalson: motion and a 2<sup>nd</sup>. January 16<sup>th</sup> at 6:30 pm. any further discussion?  
seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

## 9. Board Reports

Councilmember Smith: the airport board, Brian summed up everything, there was some discussion about the property taxes paid at the airport. Also, from what Craig had said earlier, he said that he has not seen a budget come out to the penny in all of his years.

## 10. Town Council Comments

Councilmember Brown: since this is our last meeting for the month, I would like to wish everyone a Merry Christmas and want to thank all the people that made the ceremony for Tunnels to Towers, it was amazing, the house is amazing.

## 11. Executive Report

Mayor Michalson: I did the Turkey Trot, and I raised \$500.00 and a ham to donate to Pantry Partners. I want to thank all of the businesses who gave so generously to this. Next year I hope to double it. I would also like to thank Sean Doyle and the Civic Club and Public Works and their work on Country Christmas and I would like to thank the Fire Department for hanging the lights and having their trucks in the parade. It was packed and it is good for the town of Stevensville. I want to thank Jenelle, Gina, Andrena and Jessica and past employees Glen Beis and Colette Taylor for keeping us on the same side of things this year. I want to thank our police department and public works with storm pick up. I want to thank you for all of that hard work. We had some water and wastewater training here. Jenelle and Gina are looking forward to attending municipal training next year, even though we do not have the money we will find the money. There will be a hearing in front of Judge Lindt on December 18<sup>th</sup> regarding Berta's Farm. I will be on vacation the 23<sup>rd</sup> through the 28<sup>th</sup> and Councilmember Brown will be in charge. I want to give a short review of what you the council did last year. First in foremost you appointed Councilmember Nelson to replace me on the council. You the council revised and approved the



following: personnel policy, purchasing policy, the drug and alcohol policy, the job descriptions that had not been up to date since 2018. You hired a new police chief, two new officers, a public works employee and one fire and court clerk. You appointed numerous cadets and EMT's. you appointed a deputy clerk, Andrena Case, and I want to thank you for being so patient because she is a rock star, she is the one that is making the phone calls and the appointments. You approved and agreed on the John Owens Fishing Access site. You established an on-call policy for public works. you established a two mill levy for disaster funds. You worked through and helped through four major weather events. You approved a surplus sale for numerous items of town property, you approved an airport master plan and an SRO contract with the school. You raised the water rates for the first time in nine years, although unpopular with some of you and many of the town folk it was the responsible thing to do. You appointed a new airport manager; you renewed a contract with our attorney. You approved the 24/25 budget after numerous budget workshops. You have supported the town on their water rights. You approved the Mission Street water main replacement project. you approved the paving on Spring Street and Railroad Ave. You approved a new fee schedule to streamline the process to change things with a resolution. You approved an ordinance to amend town code about noxious weeds. You approved a fee schedule and charges for airport fees, building permits, bulk water and you added a stop sign at E 3<sup>rd</sup> Street and Railroad Ave. I went back and looked at all of the years that I was on the council since 2016, and I will say that this council has done more than any other council since I was there. I am emotional and you should be proud of it, you guys have did a lot. I am proud of this council, the staff and everyone out there.

Councilmember Smith: I want to thank you Bob for bringing this all forward.

## 12. Adjournment

Councilmember Smith: make a motion to adjourn.

Councilmember Nelson: 2<sup>nd</sup>.

APPROVE:



Bob Michalson, Mayor

ATTEST:



Jenelle S. Berthoud, Town Clerk

## Jenelle Berthoud

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**From:** katesmith59870 <katesmith59870@proton.me>  
**Sent:** Friday, November 15, 2024 3:51 PM  
**To:** Jenelle Berthoud  
**Subject:** Bertas farm - letter for packet as requested

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

As requested, please include in packet. Thank you. -Kate

Your Honorable Mayor and Stevensville Council Members,

At the council meeting of October 24th Sarah Urfer one sided talked her perspective of persecution Berta Farms and her father Frank Piwarski, but what she said was incorrect self serving and not factual and she did not talk about what has happened to get to where we are now.

The Bitterroot Star on November 5th published about her talking but it is highly important for the council and the mayor to know that the history and facts.

The lawsuit on the Montana Supreme Court web site has as a "statement of facts" about the blowing up of dangerous chemicals and some of us in town remember when the hazmat teams and fire department dynamited a clandestine laboratory that Frank was operating, this entire thing is about Frank Piwarski intimidating an entire town for decades and decades!

If Stevensville does not enforce it's own rules now then everyone else in the town will do whatever they want in the future. You should enforce what you started to and do not be swayed by one person's story or lies.

Stevensville won the court battle so enough is enough. There is no permitted dwelling on Berta's Farm and he has been intimidating all of us for decades and it is wrong. Please don't believe sort of pity story as we have heard it over and over and enough is enough. Please

If you are not sure then look up the all the old facts. The place is much more than an eye sore or trash and it is dangerous and frightening so much that no one wants to go there to do what they need to do. So please clean up Berta Farms now! No more excuses! Please.

Thank you.