

MINUTES OF THE TOWN OF BEARCREEK COUNCIL MARCH 2, 2023 MEETING

Mayor Surwill called the Bearcreek council meeting to order at 7:30 p.m. March 2, 2023, in the Town Hall. Council members Cristan, Jenkins, Boos-Bader and Hogan were present. Rob Surwill, Animal Control Officer, Juliane Lore, Town Attorney; and Dean Webb, Public Works Director were in attendance. Lonnie Hanson, Zoning Administrator, was absent. Audience present were Jack Owens, Skip Boyer, and Mike Horton.

The Pledge of Allegiance was recited.

The Mayor granted Attorney Lore the floor so that she could remind all of the rules for public participation. She had attended the Feb. meeting by phone and had heard the meeting get quite convoluted with the back and forth and out of procedure. As a listener it was almost impossible to know who was speaking and to tell where we were at and what was going on. She was concerned that we were so far out of procedure, and there may have been some bullying tactics displayed. The meeting was so far out of procedure that the Town ran the risk of having an ineffective meeting even though a quorum was present. She stressed her goal is not to be a decision maker but in the advisory and educational capacity to guide the council so that their work is effective and keep them out of court. The purpose of a council meeting is for the council to be informed by employee and dept. head reports. The public is always welcome as the meetings are open to the public, but the public is restricted to 3-minute segments to speak during the allotted agenda items. We have gotten to the point where there is back and forth interaction between the council and public and this should never happen. We should always follow parliamentary procedures. She would ask that the public, at the proper agenda time, after being recognized by the Mayor, use the podium, stick to the 3-minute segment, and state their name and address before addressing the council. This will insure in 50 years that we can show that we had a lawful town meeting and that we followed Parliamentary Procedure. She asked the public to be respectful and mindful that the meeting is for the council and not for the public to ask questions. At the last meeting a member of the public asked the clerk the name of the auditor, and that is never appropriate at a council meeting. That is public information and can be obtained by asking the clerk during business hours. We had another section where during the employee report, the employee was drilled by a member of the audience just asking questions. It was not appropriate as it wasn't the allotted time for the public to speak nor does anyone have authority over these employees except for the Town. She asked that everyone be receptive to getting back on track by following Roberts Rules of Order and allow the council to get the information they need. The council and clerk are always available for public information. A request may be made in the 3-minute segment to have interaction with the council by having a special workshop. If they feel their segment will run over 3 minutes, request the additional time from the Mayor prior to speaking, which can be allowed.

Council member Jenkins moved to accept the Feb. minutes, financial reports, and budget vs actual reports as presented. Council member Cristan seconded the motion which carried 4-0.

Under correspondence a letter from Governor Greg Gianforte was read. He advised the Town of the conditional approval for the ARPA Water & Sewer Minimum Allocation Grant award that transferred from Carbon County in the amount of \$102,700 for the Bearcreek Water system Upgrades Project (digging the line to a better depth on the Meeteetse Trail so the County graders and public traffic don't break the line).

Under public comments Mike Horton, of Absarokee, Mt., questioned what steps he needed so he can build on his recently purchased Bearcreek lot. During a quick recess the clerk assisted him to the best of her knowledge so he could provide the Zoning Administrator with the proper documentation to start the zoning process.

Dept. Head reports was started with Dean who reported everything was going fine. Rob stated that about 50% of the animal license applications had been returned and everything else was good. The clerk reported for Zoning that 2 zoning applications had been approved. One for Skip Boyer who was bringing a mobile home in on his property at Bearcreek Alley and Mark Bridges for the property he had purchased from Richie Martisich. Mr. Bridges plans to build a small home and a garage. Council member Hogan asked for an update on the water leak that had been mentioned at the last council meeting. Dean responded he still wasn't sure where it was as it is under the frost and coming out of an old sewer line, where there isn't a water line for 300 feet.

There were no items addressed under council concerns.

Under unfinished business Betty moved to go into an executive session so that an update on the Repac litigation be given. Paul seconded the motion which passed 4-0. The public was asked to leave.

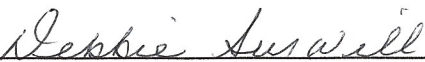
The meeting was opened back up to the public.

There was no new business.

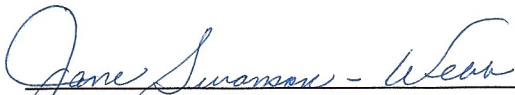
Danell asked permission to leave the state March 26-30. Paul moved to grant Danell permission. Harold seconded the motion, which passed unanimously.

Under clerks items: (1) the clerk advised that the Auditor called and stated that the report won't be done until May or June, but the state had okayed the extension as some of the towns couldn't even find an auditing firm to do their audits. (2) Jane advised what items had been sent for the website and asked the council for input on any additional items. The Mayor thought it would be nice to have an Events space. (3) Jane mentioned that the Lead & Copper meeting that was to be held in Roberts in Feb. that Dean was to attend had been cancelled due to the snow storm. (4) Jane questioned the council if they wished to hire someone to clean the cemetery as she had been told several of the volunteers wouldn't be able to do it this year. Paul questioned if the cemetery clean up could be on the next months agenda as he had some thoughts concerning it and which volunteers wouldn't be able to help. The clerk responded that Harold had mentioned he couldn't, and Beverly had said Cy couldn't. Harold thought now he could, but he would be slower. Dean would be available to do the mowing again. Julianne volunteered to assist in the cleanup, also. (5) The clerk advised she would be leaving March 30th and returning April 3rd.

With no further business Harold moved to adjourn the meeting. The motion seconded by Danell passed unanimously.



Debbie Surwill, Mayor



Jane Swanson-Webb, Clerk