

## MINUTES OF THE SEPTEMBER 7, 2023, TOWN OF BEARCREEK COUNCIL MEETING

Mayor Surwill called the Bearcreek council meeting to order at 7:30 p.m. Sept. 7, 2023, in the Town Hall. Council members Cristan, Hogan, and Boos were present. Rob Surwill, Animal Control Officer; Loni Hanson, Zoning Director; and Dean Webb, Public Works Director were in attendance. Public present was Lowell Cutshaw, Interstate Engineering.

The Pledge of Allegiance was recited.

Council member Hogan moved to accept the minutes, financial reports, and budget vs actual reports as presented. Council member Boos seconded the motion which carried 3-0.

Council member Hogan moved to approve the claims as presented after complimenting Interstate on a job well done on the PER. He could see a lot of time and effort had gone into their work. Betty seconded the motion. Motion carried unanimously.

There was no correspondence.

There were no public comments.

Dean started Dept. head reports by stating that the water table has dropped, but the tank has been filling twice a day. He felt that we needed to get the lower spring box tied in before winter, so we don't continue to lose water level. He advised that the Corp of Engineers is bringing a team the week of Sept 11<sup>th</sup> to view the damage and hopefully they can come up with a permanent fix. If not, Dean recommended a temporary fix be done and then in the spring or summer do the permanent fix. He had taken three (3) contractors to the Meeteetse Trail site after he had dug a pothole for them so they could do a bid proposal. Dean advised that he was going to get Cotter Service in to x-ray the sewer line as when he took the manhole cover off it looked like it was ½ plugged and we want that done before winter hits. The contractor for the water leak will be in to repair it in the next week, hopefully. Loni had nothing to report for zoning. Rob reported all was going good with animal control.

There were no council concerns.

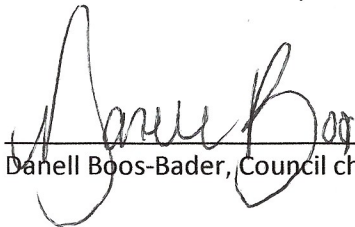
Under unfinished business: (1) Lowell Cutshaw of Interstate Engineering presented the final draft of the PER of the Bearcreek Water System. Interstate will address any comments the council may have and there is a public hearing scheduled for Sept. 18 at 7:00 p.m. in the Town Hall for all public comment. It had been advertised in the Carbon County News for both editions of Sept. 7<sup>th</sup> and 14<sup>th</sup>. After that public hearing another notice will be published for a 30 day DEQ review. Once that closes the Town passes a Resolution stating that there are no environmental impacts as a result of the project and then the Town has completed the requirements of the funding agency so the Town should be good to proceed. (2) Lowell reiterated that the Corp of Engineers were bringing a team the week of the 11<sup>th</sup> to inspect the spring box erosion. A discussion ensued about what transportation would be needed to get the team to the site. Paul mentioned he would like to go up there and view the site to get a better understanding of it. Dean responded to just let him know and he would be willing to take him there. (3) Lowell advised that he had gotten one bid from Steve Cole for \$31,620 or \$51.00 per linear foot for the Meeteetse Trail project but hadn't heard from Mark DeRudder or Trevor Herman. The clerk questioned if they had given them a deadline to submit their bids. Dean and Lowell commented that they hadn't. The clerk asked if they couldn't request them to be submitted by September 15<sup>th</sup>. Both answered they could so Lowell will email, and Dean will call them requesting either their bid or advising the Town they don't wish to bid should be submitted by the 15<sup>th</sup>. We need all three (3) responses to show that the town solicited at least three bids. Paul questioned if Lowell had worked with either of the three companies, and he hadn't, but Dean has worked with all three (3) and all are reputable companies and do good work. Lowell mentioned that Trevor had done boring under Rock Creek, so he was familiar with the area. (4) Lowell advised the council and clerk that the invoices that had been submitted by Interstate that were grant eligible would have Rebecca from Interstate applying for the draws and then the Town could pay them. The clerk replied that she had submitted them with all the claims so they were approved and when the grant money came they could be paid. (5) Lowell also advised he had been in contact with Karl


Hanson about his water and sewer extension, but Karl hadn't had time to review the plans, so wasn't ready to proceed. The clerk advised she, too, had visited with Karl and he had been busy and hadn't a chance to visit with the neighbors concerning the SID. Dean mentioned that Karl had visited with him about the council allowing him to live in the basement of his house without water and sewer being connected. It will need to be placed on the agenda when Karl wants to discuss it with the council.

Under new business: (1) The Resolution to cancel the General Election was read. A letter had been received from the Elections Administrator advising there had been no write-in candidates at the end of the write-in filing, Sept. 5, 2023 at 5:00 p.m. for the positions of Mayor and two (2) council persons. The current candidates Debbie Surwill (Mayor) and Harold Jenkins and Danell Boos (council) are elected to the positions by acclamation. Betty moved to accept the Resolution with Paul seconding said motion. Motion passed 3-0. (2)The Mayor announced that Marli McCampbell had wished not to renew her janitorial contract. Courtney Eves had expressed a desire to do the janitorial services for the Town. Betty moved to accept Marli's resignation and to hire Courtney for the janitorial services. Danell seconded the motion. Motion passed unanimously.

Under clerk's items the clerk asked the council to please encourage townspeople to submit their lead letters as a report needs to be submitted to the state for each home whether they have lead pipes or not. She advised another reminder would be going out in the September water bills reminding people to get them submitted. If the people don't know what their pipes are that's okay, Dean can come and check for them. This is mandated by the federal and state government so it needs to be done so Bearcreek can be in compliance.

With no further business, Paul moved to adjourn the meeting. The motion seconded by Danell passed 3-0.

  
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Danell Boos-Bader, Council chair

  
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Jane Swanson-Webb, Clerk

## TOWN OF BEARCREEK SPECIAL MEETING – REVIEW OF PER FOR PROPOSED WATER PROJECTS

The special meeting was called to order by Mayor Surwill at 7:00 p.m., Sept. 18, 2023 in the Bearcreek Town Hall. All council members were present, as was the public works director and clerk/treasurer. Public in attendance were Gina Barry and Lowell Cutshaw, Interstate Engineering; Skip Boyer; Beverly Murfitt; Cy Murfitt; and Steve Repac.

The pledge of allegiance was recited.

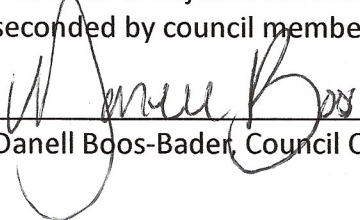
The Mayor opened the public hearing with the introduction of Gina Barry of Interstate Engineering who presented the preliminary engineering report (PER) that Interstate Engineering had done on the whole Town of Bearcreek water system that needed repairs and/or improvements. She reviewed the water system history and system overview, the increase of population in Bearcreek and the water demands. She identified deficiencies in the system, showed alternatives to correct the deficiencies and the phasing of each project to correct those deficiencies. Different available funding sources were included and how the Bearcreek water rates are not in the target category which would mean a rate increase of \$48.00 per month to each water user so that the Town could apply for the existing grants and loan. The target rate is set by the income basis for the residents of the Town of Bearcreek and multiplied by 1.4%. Gina had found documentation that showed the income level in Bearcreek per household was \$63,000 but said that after 2021 the USDA would use the household income of \$100 thousand plus for Bearcreek. The recommendation was that the monthly rate be increased by the Dec. billing period or January at the latest. Lowell commented that a project he was working on in the Billings area was at the target rate and the loan forgiveness was 50%, but another area wasn't and there wasn't any loan forgiveness therefore they paid the entire loan amount. None of the funding was guaranteed except SFA and that was a loan with loan forgiveness, depending on your target rate. A time schedule was provided for the projects. Gina ended her presentation with a question/comment section. Skip Boyer complimented the engineers on a presentation that everyone could understand, and he was glad something was being done providing a good system for his children and grandchildren in the future. Steve Repac questioned the income level. The clerk pointed out that more than one household had miners plus their spouses were employed as well and most of the other households had both spouses working or they were in business for themselves. Lowell advised that if an income survey was done and it came out more than the \$63,000 that would raise the target amount per month for Bearcreek and you need a 51% return that is on the lower income scale of the survey sent out. He has found that a number of people don't like to share the amount they make, although names are not used on the survey. The question was asked if the money that had been collected from the nonuser fees would be used for the projects. Dean advised that it was put in the water fund and used only for water costs. Lowell reiterated that water and sewer are enterprise funds therefore they are to be self-sufficient, and the money collected used only for those purposes. Skip mentioned that he would like to see a well drilled instead of relying on the springs entirely. Dean advised that he had visited with the ranch representatives as that is

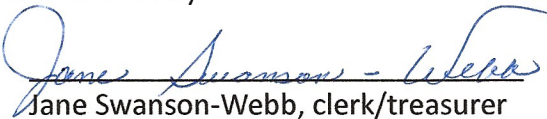
where it would need to be begin, with an easement from the ranch to drill on their property. Council member Hogan expressed that he wished more townspeople would have attended. He felt that the council needs to get to work on the project and it all depends on the townspeople and what they are willing to pay.

With no further comments, the Mayor closed the public hearing. Another public hearing will be held on Oct. 5, 2023 before the regular council meeting.

Lowell advised that 3 bids had been solicited but only 2 bids had been received for the Meeteetse Trail project (protecting the existing water line from vehicular damage). This is to be paid from the MAG grant money. Bids received were from Steve Cole Construction Inc - \$31,620.00 and Tru Directional - \$56,700.00. State Line Contractors didn't submit a bid, although he had viewed the site. Council member Hogan moved to accept the bid from Steve Cole. The motion seconded by council member Cristan was passed 4-0.

A motion to adjourn the meeting was made by council member Hogan. Said motion was seconded by council member Boos. Motion carried unanimously.

  
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Danell Boos-Bader, Council Chair

  
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Jane Swanson-Webb, clerk/treasurer