Minutes of the October 2, 2024, Bearcreek Council Meeting

Mayor Surwill called the regular meeting of the Bearcreek Council to order at 7:30 p.m., Oct. 2, 2024. Council members present were Harold Jenkins, Betty Cristan and Danell Boos-Bader on the phone. Rob Surwill, animal control officer; Loni Hanson, zoning administrator; and Dean Webb, public works director and the clerk were in attendance. Public in attendance was Tyler Lindbloom of Interstate Engineering.

The Pledge of Allegiance was recited.

Harold moved to accept the minutes, the financial report, and the budge vs. actual report. Betty seconded said motion which passed 3-0.

Claims were presented for payment and approved with a motion by Betty, seconded by Harold which passed 3-0.

The correspondence pertained to the updates from Interstate Engineering, therefore they were read under unfinished business.

There were no public comments.

Dept. Head Reports – Rob reported that everything was going fine, but he still had 3 delinquent animal owners therefore they would be issued citations, and they would have to appear in court. The clerk advised Rob that she had received a complaint about dogs barking day and night. He responded that he would give the owners a call concerning the matter. Under zoning Loni reported that the Board of Adjustments had met the previous night for a variance request from Paul and Linda Lemire at 403 3rd Ave South from the 10' setback to the 5' setback on the north and 25' to 23.5' setback on the south. The Board had approved the variance. Dean advised that everything was going well with the water, sewer and streets. He reported that about 30,000 gallons of water per day were being used.

There were no council concerns.

Under unfinished business Tyler Lindbloom of Interstate Engineering advised that they had a design finalized for the spring boxes but wanted to get Dean's intake before presenting the design to USDA at next Tuesday's Teams meeting. If USDA approves then the permitting will take 4-6 weeks. The bid to restore the upper spring box could go out for bidding with construction next year. Tyler mentioned he had talked to several local contractors and gave them a heads up that we would be going out to bid probably next spring. The biggest obstacle will be the access to the site although it is a simple project. Gina Barry wasn't present therefore Tyler presented the Per update that Gina was to present. He went over the overview of the scope of the work for a Per update to address the water supply and requested a revision of the agreement between the town and the engineering firm. A letter for the Water Smart grant committing $10,000.00 support was presented. A letter for the proposed change of scope for DNRC was also presented to be signed and given to Dept of Natural Resources. The money left from the Meeteetse trail project was requested to be used on the long-term water source PER as a match to an approved RRGL planning grant and a pending MCEP planning grant. A letter from Interstate Engineering with an explanation of the scope of engineering services – water source amendment PER is attached showing the tasks for the PER amendment including the Hydrogeologic study. A motion made by Harold and seconded by Betty to approve the scope change, revised professional services agreement, and committing $10,000.00 to make up the difference for the $1,003,000.00 grants applications between MCEP, RRG, and the Water Smart Grant that have been applied for passed 3-0.

The clerk showed the council the hall rental damages and asked for their input on how they wish to handle them. The blind had been burned and candles had left marks on 5 tables. The clerk had tried several different methods in removing the stains, to no avail. Jane advised she would take the blind down and take it to the Blind Man in Billings to get a cost estimate. Betty moved to send a bill for the damages to the renter of the hall at the time the damages occurred, and a revision of the rental contract be completed for the council's approval at the next meeting. Harold seconded the motion, which passed unanimously.

Under the clerk's items the Repac survey was discussed and the council decided by a motion made by Harold, seconded by Betty, passing unanimously the following.

1. The streets and alleys will be shown on the Repac survey as they have been platted on the past surveys.

2. The town will be responsible for the cost of adding the streets and alleys to the survey, (as approved at a prior meeting) but nothing else.

3. The invoice for that task will be invoiced directly to the town, (as approved by the council at a prior meeting)

4. The north-south alley between 2nd and 3rd street has utilities in there and can't be eliminated.

5. The old foundation that is near 2nd street lies on the property line. Mr. Repac will be allowed to build on the foundation, but should it burn or be destroyed in the future or if he chooses to sell the property, the new construction will have to conform with the 25' setback. The easement can't be narrowed.

6. The Town will pay Red Lodge Surveying to come and put the corner markers in as Dean had requested previously (and approved at a prior meeting).

With no further business Harold moved to adjourn the meeting. Motion seconded by Betty, passed 3-0.

Debbie Surwill

Debbie Surwill, Mayor

Jane Swanson-Webb

Jane Swanson-Webb, Clerk