



# COUNCIL AGENDA

**Monday, March 16, 2020 - 6 PM | Council Chambers**

1. **Call Meeting to Order | Pledge of Allegiance**
2. **Public Comment:** Members of the audience may comment on any non-agenda item. State Statute limits the City Council from discussing any introduced item. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.
3. **Consent Items** – The City Council considers all item(s) listed as consent to be considered routine and will act through one motion. There will be no separate discussion of these item(s) unless, before the City Council votes on the motion to adopt, members of the Council, staff, or the public request specific item(s) to be removed as consent for separate discussion and action.

#### **Minutes**

- a. Regular Meeting, February 18<sup>th</sup>
- b. Public Hearings, March 2<sup>nd</sup>
- c. Regular Meeting, March 2<sup>nd</sup>

#### **Expenditures**

- a. None.

#### **4. Department Reports**

- |  |   |
|--|---|
| <ol style="list-style-type: none"><li>a. Administration</li><li>b. Attorney</li><li>c. Code Compliance</li><li>d. Fire</li></ol> | <ol style="list-style-type: none"><li>e. Police</li><li>f. Public Works</li><li>g. Recreation</li></ol> |
|--|---|

#### **5. Mayor & Council Concerns**

#### **6. Public Hearings**

- a. None.

#### **7. Business Items: The Council will act on each item after accepting public comments.**

- a. Auditor's Report (Newland & Company) – Pat Burt  
Recommended Action:  
Review and accept the audit as presented by Mr. Burt.
- b. City Council acceptance to acquire 102 Main Street for \$35K (FEMA Property Acquisitions Grant) – Brian Bender  
Recommended Action:  
Approve the acquisition and authorize Mayor Solle to sign the Buy-Sell Agreement.

- c. Agreement between the Deer Lodge Little League and the City of Deer Lodge – Brian Bender  
Recommended Action:  
Approve the MOU and authorize Mayor Solle to sign.
- d. Resolution 2020-R-8: City Council support for FEMA funding to update the Flood Study and Flood Insurance Rate Maps  
Recommended Action:  
Adopt Resolution 2020-R-8.
- e. COVID-19 Response Discussion  
Recommended Action:  
Informational only; no action is necessary.

**8. Next Meeting Announcement**

- a. Regular Meeting: Monday, April 6<sup>th</sup> at 6 PM

**9. Adjournment**

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**Deer Lodge City Council meets in the Council Chambers  
300 Main Street, Deer Lodge, MT 59722**

[For Further Information Contact](#)

Brian P. Bender | City Administrator  
bbender@cityofdeerlodgemt.gov | 406.846.2238 ext. 307

# CITY COUNCIL

## MINUTES

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Tuesday, February 18, 2020 - 6 PM | Council Chambers, City Hall.

<b>Members Present:</b>	Dick Bauman, Amanda Bohrer, Mary Hathaway, John Henderson, Robert Kersch, Tom Malcomb, John Molendyke, & John Skibsrud
<b>Members Absent:</b>	None
<b>Mayor:</b>	Diana J. Solle
<b>CAO:</b>	Brian Bender
<b>Staff:</b>	Police Chief Bender, Matt Bowdish, Peter Elverum, Trent Freeman, Kimberly Hughes, Fire Chief Pierson, & Judi Whitney
<b>Consultants</b>	None
<b>Guests:</b>	P. Kerr, M. Stafford, T. Paddock, J. Mullen, B. Burgess, & D. Burgess

### 1. Call Meeting to Order | Pledge of Allegiance

Mayor Solle called the meeting to order at 6 PM, and all present recited the Pledge of Allegiance.

- 2. Public Comment** - Members of the audience may comment on any non-agenda. State Statute limits the City Council from discussing any introduced item. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.  
None.

- 3. Consent Items** – The City Council considers all item(s) listed as consent to be considered routine and will act through one motion. There will be no separate discussion of these item(s) unless, before the City Council votes on the motion to adopt, members of the Council, staff, or the public request specific item(s) to be removed as consent for separate discussion and action.

Minutes:

- a. Regular Meeting, February 3<sup>rd</sup> – Approved unanimously.
- b. Goal Setting Meeting, February 15<sup>th</sup> – Approved unanimously.

#### **4. Department Reports**

a. Administration

Mr. Bender reviewed the Administrators report, outlining activities for January. He briefed the Council on the PRA project and discussed a grant opportunity for a PAR for City Hall.

b. Attorney

Mr. Elverum briefed the Council on January activities. He noted that paperwork was received regarding a suit brought by Rick Johnson. MMIA has been in contact and will be appointing Counsel.

c. Code Compliance

Compliance Officer, Matt Bowdish gave a summary of January activities, offering clarification, when necessary.

d. Fire

Chief Pierson offered an update on departmental activities. He stated that the alley clearance check had been completed and discussed upcoming training.

e. Public Works

Mr. Freeman summarized updates on current City projects and Public Works activities. He stated that well testing has been ongoing in the southeast portion of the valley. He noted that a bid was chosen for the O'Neil Street sewer project (MJD from Helena). He briefed the Council on the need for a manhole numbering system development (GIS). Freeman informed the Council that he, Stewart Jewell, and Kyler Noel have earned their certifications for mosquito abatement.

#### **5. Mayor & Council Concerns**

Mayor Solle stated that the goal setting meeting on February 15<sup>th</sup> was a success.

Member Kersch stated that he would be holding training for Committee Chairs on March 9<sup>th</sup> at 5 PM. He also advised that he would be discussing City Clerk responsibilities for committee meeting minutes with Attorney Elverum.

CAO Bender emphasized the need to be included in the creation of committee agendas.

Member Bauman briefly spoke about Ms. Cahills request for a new lease contract for the KOA.

Mayor Solle advised that the item will be on the meeting agenda for March 2<sup>nd</sup>.

#### **6. Public Hearings**

a. None.

## 7. Business Items

- a. Stahly Engineering Task Order: grant writing for Montana Historic Preservation Grant  
Mr. Bender summarized the grant and the need for the Task Order.

A motion for approval was moved by Member Bauman, seconded by Member Bohrer, and a vote passed unanimously.

- b. Stahly Engineering Task Order: grant writing for Homeland Security Grant  
Bender briefly discussed the grant opportunity, noting how it may be utilized, if awarded.

A motion for approval was moved by Member Malcomb, seconded by Member Kersch, and a vote passed unanimously.

- c. Stahly Engineering Task Order: Grant administration/Project Assistance – FEMA Property Acquisitions

CAO Bender discussed the item, outlining the applicable properties.

A motion for approval was moved by Member Molendyke, seconded by Member Malcomb, and a vote passed unanimously.

- d. Stahly Engineering Task Order: Project Assistance – GIS/Street Management  
Mr. Bender explained the item and gave a brief overview.

A motion to approve was moved by Member Bauman, seconded by Member Molendyke, and a unanimous vote passed.

- e. O'Neil Street Sewer Project Bid Acceptance and Award

Trent Freeman discussed the bid opening held on February 4<sup>th</sup>, stating that the bid was awarded to MJD Contracting from Helena for approximately \$53K.

Mr. Bender noted that the project was initiated by previous Mayor Cozby.

A motion to accept the bid was moved by Member Kersch, seconded by Member Hathaway, and a vote passed unanimously.

- f. Request for a ROW Encroachment Permit: 415 5<sup>th</sup> Street

Compliance Officer, Matt Bowdish, reviewed the history of the permit request, stating that the Public Works Committee recommended a denial at its meeting of January 15<sup>th</sup>. He continued by reviewing the staff report of findings.

Mr. Burgess asked the Council members if they knew where his property was and if they knew what an encroachment permit was. He expressed his displeasure and disagreement with the findings, stating that the shed has been there for five years and

traffic flow has not been impeded. He also cited discrepancies in the reported site characteristics and size of the shed.

Mayor Solle asked why was it placed on City property?

Burgess answered that it looked like it belonged there, and it was to block the "debris" in his neighbor's yard. He stated, "we take care of the alley", and that two other garages are also on City property.

Member Molendyke mentioned that the Public Works Committee had spent quite a bit of time considering the Permit before rendering its decision of denial. He noted that the other two garages are permanent structures, but the Burgess shed is on skids, and not anchored. He also emphasized that the shed is approximately nine feet into the alley.

Guest, Todd Paddock, reiterated that Mr. Burgess did not seek City approval five years ago and the shed was, indeed, placed illegally.

Attorney Elverum directed the Council back to the approval criteria, stating that it's a "recent" encroachment on City property.

Member Kersch asked Mr. Burgess if the shed was placed knowingly on City property and Mr. Burgess admitted that it was. The Council offered more discussion and comments regarding the placement and level of encroachment.

A motion to approve the encroachment permit was moved by Member Bauman and seconded by Member Bohrer. A split vote occurred with 4 in favor, 4 against, with the Mayor casting the final vote against.

A second motion was moved by Member Hathaway to request a boundary survey, at the owners' expense, in order to determine the degree of encroachment on City property. The motion was seconded by Member Kersch.

Subsequent discussion ensued among Council members, with Ms. Hathaway rescinding the previous motion.

Member Hathaway then motioned further to uphold the denial, citing parameters contained in the Staff Report. Member Kersch seconded the motion and a vote ensued. A split vote occurred with 4 in favor, 4 against, with Mayor Solle casting the determining vote in favor of the denial.

g. Resolution 2020-R-5: City's Right of Reversion of an Easement granted to the Department of Corrections

Attorney Elverum explained the intent of the Resolution, stating the purpose as canceling the easement in order for the building to be demolished to accommodate the Airport

Improvement Plan. Mr. Elverum advised against the City assuming responsibility for the demolition but recommended the City to lock and secure the building and to ensure the disconnection of services (water/electricity).

A motion to adopt the Resolution was moved by Member Kersch, seconded by Member Bauman, and a vote passed unanimously.

h. Resolution 2020-R-6: Surplus Vehicle

Member Bauman titled the Resolution and Police Chief Bender offered an explanation for deeming it as surplus property, thereby removing it from City ownership.

A motion to adopt was moved by Member Malcomb, seconded by Member Hathaway, and a vote passed by unanimous consent.

**8. Next Meeting Announcements**

The following meeting dates were confirmed:

- a. Public Hearings: Fee Schedule and Wastewater I & I project – March 2<sup>nd</sup> at 5 PM.
- b. Regular Meeting, March 2<sup>nd</sup> at 6 PM.

**9. Adjournment**

The meeting was adjourned by unanimous consent at 8:05 PM.

Prepared by Kimberly Hughes, City Clerk

\_\_\_\_\_  
Diana J Solle, Mayor

\_\_\_\_\_  
Date

# CITY COUNCIL

# MINUTES

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***Special Meeting - Monday, March 2, 2020 – 5 PM | Council Chambers, City Hall.***

<b>Members Present:</b>	Dick Bauman, Mary Hathaway, Robert Kersch, Tom Malcomb, & John Molendyke
<b>Members Absent:</b>	Amanda Bohrer, John Henderson, & John Skibsrud
<b>Mayor:</b>	Diana Solle
<b>CAO:</b>	Brian Bender
<b>Staff:</b>	Kimberly Hughes, & Judi Whitney
<b>Consultants</b>	Robie Culver, & Kurt Thompson of Stahly Engineering
<b>Guests:</b>	None

**1. Call Meeting to Order | Pledge of Allegiance**

Mayor Solle called the meeting to order at 5 PM, and all present recited the Pledge of Allegiance.

- 2. Public Comment** - Members of the audience may comment on any non-agenda. State Statute limits the City Council from discussing any introduced item. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.  
None.

**3. Public Hearings**

- a. Proposed 2020 Fee Schedule, implementing as a Business Item during Regular Meeting  
The Public Hearing commenced at 5 PM, and Member Kersch briefly summarized changes to the Fee Schedule including:
- i. Dog License Fee reduction and introduction of excessive Dog Fee.
  - ii. Major/Minor Home Business License Fees.
  - iii. Contractor's Business License Fee established.
  - iv. Water Service Connection fee established.

Other changes to the Fee Schedule were briefly reviewed and summarized.

No public comments or concerns were received, and the hearing concluded at 5:21 PM.

b. Infiltration and Inflow (I & I) Issue

The Public Hearing began at 5:21 PM, with Kurt Thompson with a PowerPoint presentation explained the I & I issue, as it currently exists. He defined the causes and effects of the problem, as well as the methods of repair and/or reduction of the issue. Lastly, he discussed probable next steps.

Ms. Culver discussed the preparation for the Preliminary Engineering Report (PER) and the types of funding available. She also explained grant parameters and considerations.

No public comments or concerns were noted, and the hearing concluded at 5:58 PM.

**4. Mayor & Council Concerns**

None

**5. Adjournment**

The meeting was adjourned by unanimous consent at 5:58 PM.

Prepared by Kimberly Hughes, City Clerk

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Diana Solle, Mayor

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Date

# CITY COUNCIL

## MINUTES

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Monday, March 2, 2020 – 6 PM | Council Chambers, City Hall.

<b>Members Present:</b>	Dick Bauman, Mary Hathaway, John Henderson, Robert Kersch, Tom Malcomb, John Molendyke, & John Skibsrud
<b>Members Absent:</b>	Amanda Bohrer,
<b>Mayor:</b>	Diana J Solle
<b>CAO:</b>	Brian Bender
<b>Staff:</b>	Police Chief Bender, Matt Bowdish, Peter Elverum, Kimberly Hughes, & Judi Whitney
<b>Consultants</b>	None
<b>Guests:</b>	Peggy Kerr, Mike Stafford, & Bill Forsman

**1. Call Meeting to Order | Pledge of Allegiance**

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None.

**3. Consent Items** – The City Council considers all item(s) listed as consent to be considered routine and will act through one motion. There will be no separate discussion of these item(s) unless, before the City Council votes on the motion to adopt, members of the Council, staff, or the public request specific item(s) to be removed as consent for separate discussion and action.

Minutes:

- a. Regular Meeting, February 18<sup>th</sup> – Minutes for February 3<sup>rd</sup> were included in error. Will approve February 18<sup>th</sup> minutes in meeting of March 16<sup>th</sup>.

#### **4. Schedule of Meetings**

All meeting dates were reviewed and confirmed.

#### **5. Committee Reports**

- a. Member Kersch noted activities such as City website recommendations, Title 11 overview, and the codification process.
- b. Member Hathaway stated Committee efforts toward the North Gateway sign, Wayfinding signage funding, and goal setting.
- c. Member Bauman noted that the committee signed February claims, approved Fire Department expenditures, discussed a plan for collections, and considered a new KOA lease.
- d. No report, due to Member Bohrer's absence.
- e. Member Kersch stated efforts toward Title 10 review/revision and staff reports.
- f. Member Molendyke noted that the Public Works Committee made recommendations for an R-of-W variance at 1116 Dixon, and is working on Title 4 review, O'Neil Street Contractor bonding, and sewer jetting.

#### **6. Board Reports**

- a. Airport  
Member Skibsrud noted that the Board is discussing the expansion plan, runway maintenance and grants.
- b. Arrowstone Park  
Member Molendyke cited no news on the RTP grant but stated that dogs are now allowed on Yellowstone Trail, provided they are leashed.
- c. Chamber of Commerce  
Member Henderson stated that the Chamber is considering upcoming events and joining efforts for the promotion of Deer Lodge.
- d. Headwaters RC & D  
The Board did not meet in February.
- e. Historic Preservation  
Member Hathaway noted plans for roof repair at Trask Hall and grant considerations.
- f. Landfill  
Member Kersch stated that they are working on prioritizing equipment needs, reviewing propane rates and animal carcass fees.

- g. LEPC  
Member Malcomb stated that the Board is working on a letter of support for electronic signage for the City. They are also reviewing emergency policies and participated in a Search and Rescue presentation from Gold Creek.
- h. Library  
No report, due to Member Bohrer's absence.
- i. Planning Board  
Member Bauman noted that an explanation and overview of Title 11 was offered at the last meeting. He stated that the Conley Street Bridge is due for replacement in 2021 and answered questions regarding the project.
- j. Youth Board  
Ms. Hathaway noted a marginal turnout for the Family Fun Day, due to other conflicting activities.

## **7. Mayor & Council Concerns**

Mayor Solle read a "thank you" letter from the Hardin Marching Band for the City's donation.

Member Skibsrud asked Mr. Elverum if any determination has been made regarding the Clerk staying after hours to take Committee meeting minutes. He stated that he understands the "Mayor's right to direct staff, but not to direct the Council".

Mr. Elverum informed him that he will be meeting with Mr. Kersch this Friday to discuss it.

## **8. Public Hearings**

None.

## **9. Business Items**

- a. Treasurers Report/February Claims  
Ms. Whitney provided the financial summary for February, clarifying claims, as necessary. A motion to approve the claims was moved by Member Bauman, seconded by Member Kersch and a unanimous vote passed.

Mr. Bender noted that Pat Burt, of Newland and Company, will be at the Council meeting on March 16<sup>th</sup> to discuss the recent audit. He added that, Treasurer, Judi Whitney, is doing an excellent job and all in attendance offered congratulatory applause.

- b. Beverage License Request: 210 North Main Street  
CAO Bender explained the item.

A motion to approve the application was moved by Member Molendyke, seconded by Member Malcomb and a vote passed unanimously.

c. Hydrometrics Professional Services Agreement (PRA)

Mr. Bender defined the background of the PRA project, displaying the area of concern. He explained that this item is simply a transfer of project from one company to another, due to Mark Brook leaving the employ of Morrison-Maierle for employment with Hydrometrics. He noted that the hourly rate with Hydrometrics is \$50 per hour less and discussed funding parameters.

A motion to approve the agreement for signature was moved by Member Kersch. It was seconded by Member Bauman and a vote was passed unanimously.

d. Hydrometrics Task Order # 1 (DNRC Planning Grant for PRA)

Mr. Bender explained the Task Order.

A motion to approve was moved by Ms. Hathaway, seconded by Mr. Molendyke and a unanimous vote passed.

e. Hydrometrics Task Order # 2 (VCRA Remediation Proposal for PRA)

Again, Mr. Bender briefed the Council on the item, noting that it is being funded by a grant.

A motion for approval was moved by Mr. Kersch, seconded by Mr. Molendyke and a vote passed by unanimous consent.

f. KOA Campground Lease Discussion

This item was tabled in the Finance Committee and removed from the agenda.

g. Request for a Right of Way Encroachment Permit at 1116 Dixon Street

Compliance Office, Matt Bowdish reviewed the request, offering that the Public Works Committee recommended this item to the Council for approval. He displayed a map and photos of the property concerned.

Mr. Bender noted that, if approved, the item would come before the Board of Adjustment for approval on March 9<sup>th</sup>.

There was brief discussion regarding the potential of the homeowner purchasing a small parcel of land from the City to accommodate the project.

Attorney Elverum affirmed the possibility, offering clarification.

A motion was moved by Member Kersch to approve the permit. The motion was seconded by Member Molendyke and a unanimous vote passed.

h. Resolution 2020-R-7: 2020 Fee Schedule

The Resolution was titled by Member Bauman and Member Kersch offered a summary and review in response to questions posed by guest, Ms. Kerr.

A motion for adoption was moved by Member Kersch and seconded by Member Hathaway. A roll call vote followed and passed with 6 for, and 1 against (Skibsrud), with one absent.

**10. Next Meeting Announcement**

a. Regular Meeting: March 16<sup>th</sup> at 6 PM.

**9. Adjournment**

The meeting was adjourned by unanimous consent at 7:05 PM.

Prepared by Kimberly Hughes, City Clerk

\_\_\_\_\_  
Diana J Solle, Mayor

\_\_\_\_\_  
Date



## CITY OF DEER LODGE

# MEMORANDUM for the CITY COUNCIL

March 16, 2020

**7a. COVID-19 Response Discussion – Mayor Solle**

Mayor Solle will take the opportunity to discuss the City's preparations and coordination with local and state agencies.

**7b. Auditor's Report (Newland & Company) – Pat Burt**

Please see the enclosed memo for consideration. Mr. Burt will brief the City Council on the City's financial status and offer recommendations to improve financial practices.

**7c. City Council acceptance to acquire 102 Main Street for \$35K (FEMA Property Acquisitions Grant) – Brian Bender**

Staff is seeking approval by the City Council to offer the owner \$35K for the property. In September of 2018, the City received two valuations for the property at \$34,800 and \$35K (enclosed) establishing the fair market value. The owner unfortunately disputed the fair market value throughout much of 2019, slowing the acquisition process. The City sent the owner a September 24, 2019 letter explaining FEMA prohibits the City from offering a transaction price above the fair market value. The letter also explained FEMA asserts if an owner challenges the valuation, the owner has the ability to commission a second valuation at their expense. In November, the owner agreed to accept \$35K and now the Council needs to approve the amount to start the acquisition process. As a reminder, FEMA will reimburse the City for seventy-five percent of all project costs. A motion to approve the acquisition (by offering \$35K for the property) and authorize Mayor Solle to sign the (pending) Buy-Sell Agreement is requested.

**7d. Agreement between the Deer Lodge Little League and the City of Deer Lodge – Brian Bender**

Please see the enclosed Agreement for consideration. The Agreement enables the Deer Lodge Little League to recondition the "Lower Upper, Softball Field" at Jaycee Park in exchange for use of the field for practices and games. The Agreement has the City contributing \$1K from the Repair & Maintenance, Supplies portion of the Parks Maintenance Budget to offset expenses to be incurred by the Little League. The Agreement has a term of three years with an option for renewal. Mr. Elverum reviewed the agreement. A motion to approve the Agreement and authorize Mayor Solle to sign is requested.

**7e. Resolution 2020-R-8: Resolution 2020-R-8: City Council support for FEMA funding to update the Flood Study and Flood Insurance Rate Maps**

Please see Resolution 2020-R-8 for consideration. A motion to adopt the Resolution is requested.



## INDEPENDENT AUDITOR'S REPORT

The Mayor and City Council Members  
City of Deer Lodge  
300 Main Street  
Deer Lodge, Montana 59722

 DRAFT

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Deer Lodge, Montana, as of and for the years ended June 30, 2018 and 2019, and the related notes to the financial statements. These financial statements collectively comprise City of Deer Lodge's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation, and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

DRAFT

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Deer Lodge, Deer Lodge, Montana, as of June 30, 2018 and 2019, and the respective changes in financial position, and, where applicable, cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### ***Other Matters***

#### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on page 41 and 42 and the schedules of proportionate net pension liability and pension contributions on pages 55 and 56 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the management discussion and analysis that accounting principles generally accepted in the United States require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who consider it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

#### ***Other Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise City of Deer Lodge's basic financial statements. The schedule of expenditures of federal awards on page 44 is presented for purposes of additional

analysis as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is not a required part of the basic financial statements.

The above-mentioned schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplemental schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 16, 2020 on our consideration of City of Deer Lodge's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Deer Lodge's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of Deer Lodge, Montana's internal control over financial reporting and compliance.

Sincerely,

*Newland & Company*

NEWLAND AND COMPANY  
A Professional Corporation

Butte, Montana  
March 16, 2020

**AGREEMENT**  
**City of Deer Lodge, Montana**  
**and**  
**Deer Lodge Little League**

This agreement is made and entered into this 16<sup>th</sup> day of **March 2020**, by and between the City of Deer Lodge, Montana (the "city"), and the Deer Lodge Little League, a Montana not-for-profit corporation ("League").

**WITNESS**

WHEREAS, the City is the owner of Jaycee Park and the athletic fields contained within the Park; and

WHEREAS, the League wishes to utilize for events the *Lower Upper, Softball Field* located at Jaycee Park; and

WHEREAS, the League to utilize the *Lower Upper, Softball Field* needs to improve the field conditions to make it suitable for practices and games; and

WHEREAS, the City grants the League approval to make the improvements to the *Lower Upper, Softball Field* as described in this Agreement; and

WHEREAS, the City in exchange for the improvements grants the League permission of use of the *Lower Upper, Softball Field*;

WHEREAS, the City authorizes use of the *Lower Upper, Softball Field* to the League for three years starting from the approval date of the Agreement with an option for renewal;

THEREFORE, BE IT RESOLVED THAT by the City Council of the City of Deer Lodge and the Deer Lodge Little League agree the following in consideration of the above recitals, which are contractual in nature, as follows.

**1. Described improvements:**

- a. Apply and spread decomposed granite on the infield;
- b. Replace the mound, bases and home plate at two different distances to accommodate separate age divisions; and
- c. Aeration fertilization and seeding of all turf areas.

**2. Project Costs:**

- a. The League estimates \$5,000 for the improvements including labor and materials.
- b. The City agrees to contribute \$1,000 from the Repair & Maintenance, Supplies portion of the Parks Maintenance Budget as a singular contribution.

**3. Notices:**

The League is required to inform and obtain an approval from the City before making improvements or revisions to the *Lower Upper, Softball Field* not specifically described in the Agreement. The League and/or their authorized agents are prohibited from making permanent alterations from the *Lower Upper, Softball Field* during the term of this Agreement

**4. Participating Agencies and Designated Contact Persons:**

City Representative: Trent Freeman, Public Works Superintendent  
300 Main Street  
Deer Lodge, MT 59722  
406.594.2240

League Representative: Sean Herrick, President  
903 Kohrs Street  
Deer Lodge, MT 59722  
406.565.7278

**5. Term and Effectiveness:**

This Agreement shall be effective upon its complete execution by the parties' authorized agents shall remain in effect for three years with an expiration date of March 16, 2023. Thereafter, the parties may negotiate an extension of this Agreement for up to three years.

IN WITNESS WHEREOF, the parties have caused their authorized agents to execute the Agreement.

Deer Lodge Little League  
a Montana nonprofit corporation

By: \_\_\_\_\_  
Sean Herrick, President

Date: \_\_\_\_\_

City of Deer Lodge  
a Montana municipality

By: \_\_\_\_\_  
Diana J. Solle, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Kimberly Hughes, City Clerk

Date: \_\_\_\_\_

**RESOLUTION 2020-R-8**

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEER LODGE SUPPORTING A GRANT APPLICATION BY THE MONTANA DEPARTMENT OF NATURAL RESOURCES TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY SEEKING FUNDS TO UPDATE THE FLOOD STUDY AND THE FLOOD INSURANCE RATE MAPS ILLUSTRATING SPECIAL FLOOD HAZARD AREAS WITHIN AND ADJACENT TO THE CITY OF DEER LODGE.**

WHEREAS, the City Council of the City of Deer Lodge desires to promote the public health, safety and general welfare, to minimize flood losses in areas subject to flood hazards, and to promote wise use of floodplains; and

WHEREAS, the City of Deer Lodge as a participant in the National Flood Insurance Program, the Federal Emergency Management Agency (“FEMA”) requires the City to maintain a up-to-date Flood Study and Flood Insurance Rate Maps (“FIRMs”) for the purpose describing special flood hazard areas for the purpose of regulating these areas and as an informational resource to inhabitants; and

WHEREAS, the existing Flood Study and FIRMs for the City of Deer Lodge date from 1981 with two spatially limited revisions adopted in 2017 and 2018, and as such are in the need for a comprehensive update; and

WHEREAS, as the City Council of the City of Deer Lodge deems it is necessary to have a up-to-date Flood Study and FIRMs, expresses support to the grant application the Montana Department of Natural Resources is preparing to obtain funding to replace the outdated floodplain management tools; and

NOW THEREFORE, BE IT RESOLVED by the Deer Lodge City Council hereby announces support to the grant application the Montana Department of Natural Resources will submit to FEMA.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 16<sup>th</sup> day of March, 2020.

The effective date of Resolution 2020-R-8 is March 16, 2020.

<b>Council Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain/Present</b>	<b>Absent</b>
Dick Bauman				
Amanda Bohrer				
Mary Hathaway				
John Henderson				
Robert Kersch   Council President				
Tom Malcomb				
John Molendyke				
John Skibsrud				
Diana Solle   Mayor				

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Diana J. Solle, Mayor

Attest:

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Kimberly Hughes, City Clerk