

**Stevensville Town Council Meeting Minutes**

**for THURSDAY, JUNE 08, 2023, 6:00 PM 206 Buck Street, Town Hall**

**CONDENSED MINUTES**

1. Call to Order and Roll Call

Mayor Gibson called the meeting to order. Councilmembers Brown, Lowell and Michalson were all present. Councilmember Barker was not present.

2. Pledge of Allegiance

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

Leslie Tadvick: Nancy and I have a project for the summer, we would like council approval to raise funds for the pool. We are going to contact everyone that has used that pool through the years and work on donations.

Councilmember Lowell: you might want to mention that this will not affect the town, it will come to Farmers State Bank.

Leslie Tadvick: we are going to Facebook it and they can share it. It has been going on since 1956, it just needs a face lift.

Mayor Gibson: thank you, the civic club is also interested in helping out.

4. Approval of Minutes

a. Town Council Meeting Minutes for 05/11/2023

Mayor Gibson: introduced town council meeting minutes for 5/11/23.

Councilmember Michalson: approve town council meeting minutes for 5/11/23.

Councilmember Lowell: 2nd

Mayor Gibson: motion and a 2<sup>nd</sup>. Public comment? Further discussion? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: 3-0

b. Special Town Council Meeting Minutes for 06/01/2023

Mayor Gibson: introduced special town council meeting minutes for 6/1/23.

Councilmember Michalson: make a motion to approve special town council meeting minutes for 6/1/23.

Councilmember Lowell: 2<sup>nd</sup>

Mayor Gibson: motion and a 2<sup>nd</sup>. Further discussion. Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: 3-0

5. Approval of Bi-Weekly Claims

a. Claims #18370-#18374, #18376-#18386

Mayor Gibson: introduced bi-weekly claims. Jenelle, you got a chance to explain. When you see Melanie, she has really stepped up to do the claims. She has done a really good job.

Councilmember Michalson: to approve #18370-#18374, #18376-#18386 and make an amendment to approve #18377-#18394

Councilmember Lowell: 2<sup>nd</sup>

Mayor Gibson: motion and a 2<sup>nd</sup>. Further discussion.

Councilmember Lowell: I don't have a problem with accepting the claims, but my concern is knowing the status of the line items, as the council we don't know if they are short, or if there is money there.

Mayor Gibson: I think Robert gave you an update to where we are with the budget. We are still under budget.

Councilmember Lowell: I guess for our own use, what we will need is an actual revenue that will show what each line item is, I just don't want to see a bunch of amendments at the end of the year if it can be handled now.

Mayor Gibson: as far as the next council meeting there, we are down a lawn mower, and water meters, and those are the only other budget amendments for this year. As far as the budget goes, we don't have a finance officer, starting next week we will be starting with the department heads and do their "wish lists".

Councilmember Brown: claim for backpack sprayers, was this for two?

Jenelle Berthoud: yes, those are for two.

Mayor Gibson: any other questions on the claims? Seeing none, Jenelle please call for the vote.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 3-0

6. Administrative Reports

Mayor Gibson: introduced administrative reports to the council.

a. Airport

b. Building Department

c. Finance

d. Fire Department

Chief Motley: report was in the packet, Chief Motley talked about the month of May stats. Six responses last night. Last month we did some training. The association is planning to put on the fourth of July fireworks show. The wall for the police department has been built and so we are cleaning up.

Councilmember Michalson: what are up to now for your roster.

Chief Motley: town roster is 16 and if you combined that with the district, I think that is around 45 to 46. If you look at active participants that number is really low.

Councilmember Lowell: you all should be commended for all of the time and work that you put in. Thank you.

e. Police Department

f. Public Works

7. Guests

NONE

8. Correspondence

NONE

9. Public Hearings

a. Rescinding Resolution No. 444

Mayor Gibson: introduced the public hearing item a. Rescinding Resolution No. 444. We asking to rescind this basically because it violates the law. It is not our intent to not have a code of conduct for elected officials. So, with that Jenelle please read the comment.

PUBLIC COMMENT

Jenelle Berthoud, Town Clerk: read a public comment from Mary Beth Egan. Her letter will be part of the minutes of this meeting.

Mayor Gibson: in defense to that person, they do not have Mr. Overstreet's comments as to why this is being done.

PUBLIC COMMENT

Vickey Motley: 318 9<sup>th</sup> Street, I also agree I do not believe that this should be rescinded, I do not know what your comments where I think that everyone needs to be held accountable.

Mayor Gibson: I agree 100% the reason that it should be rescinded is that it violates the state and federal laws.

10. Unfinished Business

a. Discussion/Decision: 2-Year Extension Request for Final Plat Filing Deadline for Twin Creeks Subdivision Phase 2

Mayor Gibson: introduced unfinished business item a. 2-Year Extension Request for Final Plat Filing Deadline for Twin Creeks Subdivision Phase 2. The owner has come forward with the \$9600.00 for law enforcement. It is to extend the final plat for phase 2 and they have provided a check for phase 2 not phase 3.

Councilmember Michalson: I make a motion to approve 2-Year Extension Request for Final Plat Filing Deadline for Twin Creeks Subdivision Phase 2.

Councilmember Lowell: 2<sup>nd</sup>

Mayor Gibson: motion and a 2<sup>nd</sup>. Public comment? Further discussion? Seeing none, Jenelle please take the vote.

Councilmember Brown: abstain

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 2-0 with one abstain.

11. New Business

a. Discussion/Decision: Rescinding Resolution No. 444

Mayor Gibson: introduced new business item a. Rescinding Resolution No. 444. Out intent is to have a code of conduct that follows state and federal laws, in summary it violates first amendment parts of it. Violates free speech and opens up the town for potential lawsuits. If you rescind this and go through his comments I think that you will understand why. I have asked Mr. Michalson and then if we have a finance officer to meet with me and do a new one.

Councilmember Michalson: I make a motion to rescind resolution No. 444

Councilmember Lowell: 2<sup>nd</sup>

Mayor Gibson: motion and a 2<sup>nd</sup>. Public comment? Further discussion?

Councilmember Michalson: I was on the council in 2018 when this was brought forward and I had a lot of issues with it then, some parts were good and other parts were bad, they used this to put me on trial. I fought with the previous administration to get rid of this, I brought it forth and I was shot down.

Mayor Gibson: there is another part in here where you can't speak badly of me, 24/7.

Councilmember Michalson: I agree that we need to be held accountable and the ethics that are in the MCA code are very broad.

Councilmember Brown: so, we are going to bring up a new resolution for a code of conduct. Do you have any idea when that will be.

Mayor Gibson: I need to get a finance officer, get the budget started so I can't give you an exact day.

Councilmember Brown: I was just curious.

Mayor Gibson: Jenelle, please take the vote.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 3-0

b. Discussion/Decision: Real-estate Transfer, Block 1 Lot 6 & 7, Between Mr. Brekllle to Tall Timber Flying Service

Mayor Gibson: introduced new business item b. Real-estate Transfer, Block 1 Lot 6 & 7, Between Mr. Brekllle to Tall Timber Flying Service.

Councilmember Michalson: make a motion to approve Real-estate Transfer, Block 1 Lot 6 & 7, Between Mr. Brekllle to Tall Timber Flying Service

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

Mayor Gibson: motion and a 2<sup>nd</sup>. Public comment? Further discussion?

Councilmember Lowell: and this has been approved through the airport board. I have often wondered if all of the new people know all of the rules.

Mayor Gibson: this has been approved and then do know. And some that do not.

Councilmember Brown: this is going to be a new lease, Jenelle.

Jenelle Berthoud: yes it will.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 3-0

c. Discussion/Decision: Approval of a New Land Lease, Block 2 Lot 9 to Museum of Mountain Flying

Mayor Gibson: introduced new business item c. Approval of a New Land Lease, Block 2 Lot 9 to Museum of Mountain Flying.

Councilmember Michalson: make a motion to approve a New Land Lease, Block 2 Lot 9 to Museum of Mountain Flying.

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

Mayor Gibson: motion and a 2<sup>nd</sup>. Public comment? Further discussion?

Councilmember Brown: on this new lease is that the new amount?

Jenelle Berthoud: yes.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 3-0.

d. Discussion/Decision: Contract for Carpet Cleaning Services

Mayor Gibson: introduced new business item d. Contract for Carpet Cleaning Services. We do all of the cleaning here are town hall.

Councilmember Michalson: make a motion to approve carpet cleaning services.

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

Mayor Gibson: motion and a 2<sup>nd</sup>. Any further discussion? Seeing none, Jenelle please take the vote.

Councilmember Brown: aye.

Councilmember Lowell: aye.

Councilmember Michalson: aye.

Mayor Gibson: passes 3-0.

12. Town Council Comments

NONE

13. Board Reports

NONE

14. Executive Report

Mayor Gibson: pretty close on the water rights, looks like we could be wrapped up in September. All of the objectors have pretty much gone away. the BARSSA extra money, someone is supposed to call me back next week. I think that we are going to get around \$175,000.00. would like to get bids out this summer. The ARPA grant should be getting started, the design should be done, and we hope to put the bids out in August. Budget worksheets are going out and there is a possibility and I will know tomorrow we might have a finance officer and I will let you know as soon as possible.

15. Adjournment

**APPROVE:**



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**Steve Gibson, Mayor**

**ATTEST:**



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**Jenelle S. Berthoud, Town Clerk**

## Jenelle Berthoud

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**From:** Mary Beth Egan <marybegan66@gmail.com>  
**Sent:** Thursday, June 8, 2023 2:26 PM  
**To:** Jenelle Berthoud  
**Subject:** [EXTERNAL] Resolution No. 444

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jenelle.

As I am unable to attend the meeting tonight, I would like to put forth my strong conviction that the above resolution not be rescinded.

Having worked in various municipal entities, these resolutions bind municipal staff and contractors to a legal code of conduct.

If we remove the right to hold our elected officials and outside contractors' accountable for their behavior, then we have opened the door to the old "*no one told me I couldn't...*" and liability will be an open ended claim.

This is in the best interest of the taxpaying public.

I am a bit concerned how this Resolution would even come up to be rescinded...on what grounds could anyone object to a forthright document mandating integrity?

I support keeping Resolution 444 intact.

Sincerely,

Mary Beth Egan  
3592 Sourdough Lane  
Stevensville