

	A	B	C	D	E	F	G
1	WATER DEBT SERVICE RESERVE REQUIREMENTS						8/2/2017
2		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	
3							
4	NET OPERATING REVENUE (NOR)	Projected	Projected	Projected	Projected	Projected	
5	1. Operating Revenue	1,331,715	1,399,425	1,425,000	1,425,000	1,425,000	
6	2. Operating Expenses	753,925	756,353	763,916	771,555	779,525	
7	3. Net Operating Revenue (NOR)	577,790	643,072	661,084	653,445	645,475	
8	4. Required Net Operating Revenue						
11	SRF 2001 \$866,000	65,950	67,670	34,340	0	0	
12	SRF 2002 \$677,000	44,460	45,650	44,810	44,970	45,260	
13	SRF 2004 \$700,000	47,155	48,244	47,299	48,343	48,055	
14	SRF 2005 \$709,000	55,282	55,247	55,178	55,098	54,283	
15	SRF 2008 \$500,000	33,432	33,772	34,099	33,383	34,093	
16	SRF 2008 \$150,000	11,150	10,910	10,670	10,430	11,391	
17	SRF 2010 \$333,700	17,733	17,583	17,463	17,343	17,823	
18	SRF 2010 \$1,247,000	84,170	83,490	83,765	83,980	83,805	
19	USDA 2015 \$3,917,500	158,802	158,802	158,802	158,802	158,802	
20	RRG&L Program \$881,000 10 year 3% est	0	102,629	102,629	102,629	102,629	
21	Total Required Net Operating Revenue	518,134	623,997	589,055	554,978	556,141	
68							
69	Revenue Over/(under)	59,656	19,075	72,029	98,467	89,334	
70							
71	5. Budgeted Capital Outlay	30,000	30,000	30,000	30,000	30,000	
72	6. Homic/Devon	1,100,000					
73	7. TSEP RRG&L		1,631,000				
74							
75							
76							
77							
78							
79							
80							

	A	E	G	I	K	M
1	SEWER DEBT SERVICE RESERVE REQUIREMENTS	8/2/2017				
2		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
3						
4	NET OPERATING REVENUE (NOR)	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
5	1. Operating Revenue	731,643	798,500	936,000	936,000	936,000
6	2. Operating Expenses	511,430	516,544	521,710	526,927	532,196
7	4. Capital Outlay - Multi Modal	0	0	0	0	0
8	3. Net Operating Revenue (NOR)	220,213	281,956	414,290	409,073	403,804
12	SRF-2001 453,000	33,480	33,840	17,170	0	0
13	SRF-2009 359,300	22,261	21,947	21,632	21,587	20,550
14	SRF-2009 623,000	44,685	45,770	44,810	44,850	45,585
15	USDA-2013 1,634,299	62,219	62,219	62,219	62,219	62,219
16	SRF- 4th cell	0	0	227,000	227,000	<u>227,000</u>
17	Total Required Net Operating Revenue	162,645	163,776	372,831	355,656	355,354
32						
33	Revenue over/(under)	57,568	118,180	41,459	53,417	48,450
34						
35	4. Additional Capital Outlay Budgeted	30,000	30,000	30,000	30,000	30,000
36	5. 4th Cell would be financed SRF	4,200,000	4,200,000	4,200,000	0	0

	A	B	C	D	E	F	G	H	I
1	SOLID WASTE (COLLECTION & LANDFILL)								
2									8/3/2017
3									
4	NET OPERATING REVENUE (NOR)		Projected 17-18	Projected 18-19	Projected 19-20	Projected 20-21	Projected 21-22		
5	1. Operating Revenue		859,907	859,907	859,907	859,907	859,907		
6	2. Operating Expenses		744,865	752,314	759,837	767,435	775,110		
7	3. Net Operating Revenue (NOR)		115,042	107,593	100,070	92,472	84,797		
8	4. Required Net Operating Revenue								
9	Cat Purchase 345,000 5% 7 years		30,000	59,020	59,020	59,020	59,020		
10	Loan from Permissive Fund		11,280	11,280	11,280	11,280	11,280		
11	Loan from Street Maint Fund		23,747	23,747	23,747	23,747	23,747		
12	Loan from First State Bank - Garbage Truck		44,364	44,464	44,464	-	-		
14	Total Required Net Operating Revenue		109,391	138,511	138,511	94,047	94,047		
15	5. Required NOR Over (Under)		5,651	(30,918)	(38,441)	(1,575)	(9,250)		
17									
47	Budgeted Capital Outlay		20,000	20,000	20,000	20,000	20,000		

AMENDMENT NO. 18

CITY OF SHELBY LANDFILL ENGINEERING CONSULTING SERVICES

The Original Consultant Agreement for Professional Services ("Agreement") between the City of Shelby, Mt. ("Owner") and Barry Damschen Consulting, LLC ("Consultant") shall be amended to provide additional consulting services to prepare and update the landfill master plan/design and Operation and Maintenance Plan.

SCOPE OF SERVICES

I. TOPOGRAPHIC MAPPING

Initially the site's topographic map of the existing and proposed waste areas shall be updated. The Consultant shall coordinate with a surveyor on the necessary mapping. The mapping costs shall be billed directly to the Owner.

II. MASTER PLAN/DESIGN

1. Review Existing Master Plan/Design The Consultant shall review the existing landfill master plan/design that was prepared in 2004 with the staff once the topographic mapping has been completed. During this trip, the staff and Consultant shall identify basic decisions as to the new design.
2. Prepare Draft of New Master Plan/Design The Consultant shall develop a draft of the updated master plan/design. The plan shall:
 - a) Delineate the proposed waste areas, drainage ditches, internal access roads, buildings, etc.
 - b) Update the base and final contour plans of the waste areas.
 - c) Develop a sequence plan which will indicate the most efficient order in which to fill each waste area, as well as designate which wastes will be disposed of in each cell.
 - d) Calculate the volume of waste, density, intermediate and final cover requirements and include this information on the plans.
 - e) Prepare a set of plans that depict the new plan/design.

3. Review Draft Design. The Consultant shall submit the draft plans to the Owner for review. The Consultant shall follow up this submittal with a trip to Shelby to review the plans with the staff and Board. It is assumed that this trip will be in conjunction with one of the four quarterly monitoring trips.
4. Prepare Final Master Plan. Upon review of the draft plan, the Consultant shall prepare the final plan/design incorporating the changes agreed up on in Task 3.

III. OPERATION & MAINTENANCE PLAN

The Consultant shall prepare an updated draft of the Operation and Maintenance Plan. This plan shall depict any necessary changes to the operating procedures at the site. The draft plan shall be reviewed with the staff at the same time as the updated design (Task 2-3 above) and make any necessary changes and finalize the plan.

IV. SUBMITTAL TO DEQ

The Consultant shall submit all documents to the DEQ for review.

FEES

The Consultant shall conduct the work for the Lump Sum Fee as delineated below: The topographic mapping, however, will be billed directly to the District.

<u>ITEM</u>	<u>LUMP SUM FEE</u>
1. Topographic Mapping	Billed Directly to District (\pm \$4,500 est.)
2. Master plan/design	\$14,500
3. Operation & Maintenance Plan	\$ 3,200
4. Submittal to DEQ	<u>Included Above</u>
TOTAL	\$17,700

The Consultant shall submit monthly invoices based on the percentage of work completed for each major task delineated above.

It shall be noted that the above fees do not include any review time with the DEQ once the plans are submitted to the DEQ. It is agreed herein that our review time with the DEQ will be conducted on an hourly rate basis. This cost typically is in the \$2,000 - \$3,000 range depending on how significant the changes to the plan may be (if any).

TIME FRAME

It is anticipated that the scope of work delineated herein will be completed and the documents submitted to the DEQ within six months after the topographic mapping has been completed. This time frame will be dependent upon the review time needed by the District and Staff.

This Owner and Consultant hereby agree to this Amendment.

CITY OF SHELBY, MT.

BARRY DAMSCHEN CONSULTING, LLC

Chairman

Barry E. Damschen, P.E.
Consultant

Attest

Date

Date



Fax – (406) 651-0120

**Proposal Number
51367**

Please reference the Proposal Number above on all Purchase Orders issued.

Scope of Work - In-Service Clean & Inspect

This Potable Water System Proposal is made this date, by and between **City of Shelby** of the state of **Montana**, (hereinafter "Client") and **Liquid Engineering Corporation, of Billings, MT**, (hereinafter "LEC"). LEC will provide all labor, specialty equipment and insurance to professionally evaluate your facilities.

In-Service Inspection

Interior and exterior inspections will review structural, sanitary, safety, security and any installed coating conditions. Reporting will be provided based on water tank inspection criteria, referencing applicable OSHA, EPA, AWWA, TCEQ and NFPA requirements. Minimum items examined will include ladders, shell, roof, vent, manways, welds, seams, foundation, anchors, safety systems, hatches, external overflow and plumbing.

Underwater interior video documentation will be completed with real-time closed circuit high-resolution color underwater video equipment. All pertinent findings will be recorded on DVD format (including dive maintenance technician's findings and narrative summary).

Services will include detailed interior video documentation of the potable water tank(s) / clearwell(s) as described on page two (2).

Underwater Operations – All Dive Maintenance Technicians and associated in-tank equipment are fully disinfected in accordance with AWWA Standard C652-02. All system entries will be conducted in accordance with applicable OSHA regulations pertaining to Diving and Confined Space; including 1910.401 thru 1910.441. Specialty equipment may include but is not limited to; appropriate OSHA climbing and personal fall protection, AWWA and ADC approved commercial diving equipment dedicated to in-service potable water operations.

In-Service Cleaning

In-service removal of accumulated bottom sediment is accomplished using LEC's proprietary HydroDyne™ cleaning equipment. Normal cleaning prices provided include removal of sediment accumulations up to the first three inches (3") in depth or cubic yards given on reservoir information breakout.¹ Material that cannot be vacuumed with LEC's HydroDyne™ (e.g., concrete, gravel, misc. materials or compact sediment requiring the use of a hand nozzle), is considered debris. Cleaning includes up to one hour of debris removal per tank at no additional charge.²

For normal cleaning operations client shall make available an approved discharge location (sewer, cofferdam, etc.) within 300' of the reservoir access hatch. (Site-specific discharge recommendations can be provided by LEC upon request).

Deliverable – Prioritization Schedule

The deliverable provided on site will consist of LEC's on site report, summary recommendations and Immediate Needs Assessment™, which documents discrepancies that require urgent action, and is supplemented by the interior DVD documentation.

If requested, within approximately 45 days of completion of the onsite work, LEC's formal report will be delivered. This additional documentation will include a comprehensive listing of all discrepancies found, with corresponding photos and recommendations provided by LEC's specialists. Any cost estimates provided are estimated based on services provided by LEC and its specialists. This report will be delivered in the form of a digital PDF document. If a bound hard copy is requested, additional costs may apply. Costs for this bound report, without a professional engineers stamp are given on page 3. If necessary, reports can be signed and stamped by a licensed professional engineer for an additional charge.

TRANSACTION REPORT

JUL/13/2017/THU 10:50 AM

FAX (TX)

#	DATE	START T.	RECEIVER	COM. TIME	PAGE	TYPE/NOTE	FILE
001	JUL/13	10:49AM	914066510120	0:00:50	1	MEMORY OK	SG3 0116



Page 3 of 3

Proposal Number
51367

Please reference the Proposal
Number above on all Purchase
Orders issued.

Costing

Cleaning / Inspection & On-Site Reporting **\$ 8,560.00**

Pricing above does not include Local, State or Franchise Taxes - if any.

RIDERS – Additionally Requested Services

(Billed upon completion, as necessary and requested)	Initial	
Digital Formal Report (As described on page 1 of proposal) (This is a per tank cost) (Digital Formal Report Payment Terms: Due Upon Receipt)		\$ 300.00 / tank

Pricing above does not include Local, State or Franchise Taxes - if any.

(Prior written approval will be obtained from Client's Authorized Representative for any additional charges outside the Scope described herein).

1. Bottom sediment in excess of three inches or cubic yards stated above will be removed at \$42.00 per cubic yard.
2. Debris removal in excess of one hour per tank will be charged at a rate of \$425.00 per hour.
3. Unscheduled delays, which are a direct result of the utility's obligations (i.e. access and water level), may incur standby charges.
4. Access requiring portable set-up (i.e. truck only), will incur an additional setup/tear-down charge.

This Proposal, when executed by both parties, shall constitute a binding agreement between the parties. The persons signing on behalf of Client and LEC hereby represent and certify that they are fully empowered to bind the respective parties to this Contract. Client acknowledges that payment for onsite work is due and payable **Net 30 upon completion of on site work. Payment for the Digital Formal report(s) is due upon receipt.** Progress billing will be applied on any contract whose duration is longer than ten (10) days. A finance charge on past-due accounts is computed at a periodic rate of 1.5% per month, which is an annual percentage rate of 18%.

In the event Liquid Engineering Corporation is required to bring suit to enforce its rights under this Agreement, to collect any and all payments due and owing under this Agreement, or to otherwise determine, protect or enforce its rights and remedies under the Agreement or at law or equity, Liquid Engineering Corporation will be entitled to recover from the client its reasonable attorney's fees, expert fees, costs and expenses incurred in connection therewith.

City of Shelby
112 1st South
Shelby, MT 59474

LIQUID ENGINEERING CORPORATION
P.O. Box 80230
Billings, MT 59108
(800) 438-2187 Voice / (406) 651-0120 Fax

Accepted & Agreed per Costing Breakdown
Attached hereto and by Reference included herein

By: _____

By:  - Fred Muller

Title: _____

Title: Vice President - Operations

Date: _____

Date: June 15, 2017

Note: This proposal may be withdrawn if not accepted within 90 days from the above LEC signature date.

Lori Stratton

From: Larry Bonderud
Sent: Thursday, July 13, 2017 2:34 PM
To: Gary McDermott
Cc: Lori Stratton
Subject: Re: Railroad Safety Infrastructure Improvements

Your engineering fee analysis is correct. We will not have to pay the engineers for any storm drainage work in this specific grant. If the project comes in above the available grant funding we will have the option of scaling down the project to meet the grant funding or not do the project and not except the grant funding. We will bid the project with separate schedules so we will have a menu of bid items to consider to delete if the total low bid exceeds grant funding. The priorities of the project are to get the quiet zones. All else would be nice to do but not necessary to create the quiet zones.

Sent from my iPhone

Mayor Lar

On Jul 13, 2017, at 1:58 PM, Gary McDermott <garym@3rivers.net> wrote:

Mayor Larry: When you get time look at the statement of work for this project. Unrelated to the storm drain match, the project includes widening Galena Street Crossing on the west side, extension of an existing 12 inch diameter culvert by 10 feet, grading over the culvert to match the existing grade, installation of one additional four-foot-wide concrete crossing panel to each of the track crossings, installation of curb ramps, and installation of driveway aprons, improvements to the Highway 2 at-grade crossing, implement a railroad quiet zone, installation of 2 quadrant gates and center medians, wayside horns at Galena street, extend the existing 10-foot wide concrete AMTRAK loadout surface by 100 feet, and repair and extension of the existing damaged culvert at the Galena Street rail crossing. The new money provided by the FRA grant is \$953,954. What happens if the bid costs to perform the work described above exceeds the grant money? The above described scope of work is clearly not part of the storm drain project. Please look this over. In response to engineering, it looks like the City is getting double billed for the engineering under our matching share. If KLJ expects to receive from this project \$266,992 of which \$149,515 is match by the storm drain we already paid these engineering fees with storm drain money therefore, we shouldn't have to pay them again in this project.

Gary Mc Dermott

From: Larry Bonderud [<mailto:larry@shelbymt.com>]
Sent: Thursday, July 13, 2017 12:00 PM
To: Gary McDermott
Subject: Re: Railroad Safety Infrastructure Improvements

Do not have the project budgets in front of me but the total engineering costs are reflected in just the FRA portion of the project. No additional payment from the storm drainage project.

Sent from my iPhone

Mayor Lar

On Jul 13, 2017, at 11:26 AM, Gary McDermott <garym@3rivers.net> wrote:

For further clarification, the engineers are not expecting a check from this project in the amount of \$266,992 for engineering design.

Gary

From: Larry Bonderud [<mailto:larry@shelbymt.com>]
Sent: Thursday, July 13, 2017 11:12 AM
To: Gary McDermott
Subject: Re: Railroad Safety Infrastructure Improvements

Yes. It is part of the matching funds. The balance of match is the storm drainage construction in that area.

Sent from my iPhone

Mayor Lar

On Jul 13, 2017, at 10:48 AM, Gary McDermott <garym@3rivers.net> wrote:

Mayor Larry: With respect to the above referenced project, has the City of Shelby approved a Task Order for engineering? For clarification purposes, on page 6, Project Estimate by Task, the engineering design is \$266,992. City match is \$149,515. My understanding is that the City of Shelby is using a portion of the storm drain project specifically the 1900 feet of 54" or 48" pipe running from the Oilfield Avenue overpass to the east end of town as match. We have paid the engineers for the preliminary engineering report and construction design of the storm drain. Will a pro rata portion of the engineering fees that the City of Shelby paid on the Storm Drain be offset against the City portion of engineering on this project?

Gary Mc Dermott

FRA CLASS OF ACTION DETERMINATION CHECKLIST

Project/Action Name: Shelby Rail Safety Improvements

Grant Program: FY16 Railroad Safety Infrastructure Improvements Grant Program

Project Sponsor: City of Shelby, Montana

Location: Shelby, Toole County, Montana

Description:

This project would install 1,900 feet of 7-foot-high green chain link fencing including three 4-foot-wide opening gates along the south side of the railroad tracks adjacent to the existing Amtrak station as well as two 20-foot-wide double opening drive gates. The fencing is intended to deter pedestrians traffic from crossing the BNSF tracks, and new signage would direct pedestrians to the three pedestrian gates.

As part of the project, improvements would be made to the existing Highway 2 at-grade crossing to improve vehicle and pedestrian safety and implement a railroad quiet zone. Currently there are lights, but no crossing arms at the Highway 2 crossing. This project would include installation of 2 quadrant gates and center medians at the Highway 2 crossing. This improvement would block the crossing when train traffic is present, and deter vehicle traffic within 100 feet of the crossing from driving around the gates. Wayside Horns would be installed at the Galena Street at-grade crossing to improve safety and allow for trains to stop using train horns within the community.

These safety improvements are necessary because there have been six documented fatalities on Shelby's rail tracks in the past 20 years.

The project would also widen the existing Galena Street Crossing on the west side to better accommodate pedestrians. The project would include the repair and extension of an existing 12-inch diameter culvert at Galena Street by 10 feet, grading over the culvert to match the existing roadway grade, installation of one additional four-foot-wide concrete crossing panel to each of the track crossings, installation of curb ramps and installation of driveway aprons. All improvements would be designed in accordance with state and federal Americans with Disabilities Act (ADA) requirements. Flooding has occurred in the area in the past; therefore, in addition to the culvert extension at the Galena Street crossing, multiple additional stormwater improvements would be completed within the project area to prevent flooding.

Stormwater improvements would include installation of 1,900 feet of 54" RCP storm drain trunk line and approximately 300 feet of storm drain laterals and corresponding inlets in Front Street adjacent to the BNSF right-of-way (ROW). The trunk main is intended to move stormwater from the low-lying BNSF ROW near the Oilfield Avenue overpass to the east end of town and includes a jack and bore beneath the BNSF south line. In years past the low area has flooded Highway 2 and the rail lines. The stormwater element of the project is intended to drain the BNSF ROW facilitating future rail

infrastructure and rail safety improvements. The Galena Street crossing is one of the lowest areas of the City and is currently susceptible to flooding; therefore, appropriate storm drainage in this area is critical.

Lastly, there is an existing Amtrak loading area on which the current loadout surface is roughly graded gravel. This project would extend the existing 10-foot wide concrete loadout surface by 100 feet to more safely accommodate pedestrian traffic during loading and unloading of trains.

Part I. Checklist Analysis

<u>QUESTION</u>	<u>YES</u>	<u>NO</u>	<u>NEED DATA</u>
1. Is there a likelihood that the proposed action will be highly controversial on environmental grounds or will be unique and precedent setting?		X	
2. Will the proposed action likely have an effect on any of the resources FRA is required to analyze in environmental reviews?		X	
3. Would the proposed action meet the criteria for an FRA Categorical Exclusion (CE) but have any “unusual circumstances” which could omit it from the CE process?		X	
4. Is there a likelihood that the proposed action would require consideration or action under other regulations and requirements typically covered under the NEPA process or conflict with local, State or Tribal laws?		X	

Part II. Comments or Additional Information Related to Part I

The following space is provided to discuss the “yes” or “needs data” responses to the above categories or to provide any supplemental information.

Part III. Conclusions

1. This proposed action is a CE and it requires no further environmental review. [X]

Justification:

FRA comments:

When completing FRA’s CE Worksheet, the City must address the following:

If the existing Amtrak station is historic (i.e., eligible for or listed on the National Register of Historic Places), the City will need to evaluate the project’s potential indirect effects on the station in accordance with Section 106 of the NHPA. In addition, the City will need to determine whether any of the ground disturbing activities have the potential to impact buried archaeological resources. This may require the City hiring a qualified archaeological consultant to perform Phase I or field surveys.

The City must confirm that the unavoidable permanent wetlands impacts will be compensated for via the in-lieu fee program administered by Montana Aquatic Resources Services (MARS), as indicated in USACE permit # NOW-2009-02496-MTH or else identify its proposal for another form of wetlands mitigation. The City must also confirm that the project will be completed within the duration of the USACE permit (by November 9, 2020) or else indicate if it intends to apply for a permit extension.

2. This proposed action is a CE, but it is recommended for further review under one or more of the environmental authorities noted below (list). []

Justification:

3. An EA is recommended for this proposed action. []

Justification:

4. An EIS is recommended for this proposed action. []

Justification:

5. Other environmental document or analysis is recommended for this action []

Justification:

Part IV. Signatures

X

Environmental Protection Specialist

Recommendation:

LAURA ANNE
X SHICK

Digitally signed by LAURA ANNE SHICK
DN: c=US, o=U.S. Government, ou=DOT
Headquarters, ou=FRAHQ, cn=LAURA
ANNE SHICK
Date: 2017.07.17 11:46:48 -04'00'

FRA Environmental Official

Concurrence:

AGENDA
CITY COUNCIL MEETING
CITY OF SHELBY
April 18, 2016
7:30 P.M.

ROLL CALL OF MEMBERS

OPEN PUBLIC HEARING

- Environmental Assessment and TSEP Application

APPROVAL OF MINUTES

- Regular Meeting, 4/4/16

APPEARANCE REQUESTS

- Non Agenda Items

COMMITTEE REPORTS

- Law Enforcement Report
- City-County Planning Board Minutes, 4/11/16

CLOSE PUBLIC HEARING

- Environmental Assessment and TSEP Application

CITY ATTORNEY

- Draft Cat Ordinance
- Draft Fowl & Livestock Ordinance
- Resolution No. 1932 adopting the Environmental Assessment for the well field, treatment system, booster station, and water transmission improvement project (Action item)
- ✓ • Resolution No. 1933 authorizing the submission of a TSEP application (Action item)

CITY FINANCE OFFICER

- City Judge's Report, March 2016
- Monthly Reconciliation Report, Budget Year to Date, Vendor Summary, Enterprise Funds, Statement of Expenditures, Revenues, Cash Flow Report, Investments, Project Budgets, Outstanding Check Report, March 2016 (Action Item)
- City of Shelby Delinquent Taxes, 3/31/16

CITY SUPERINTENDENT

OTHER MATTERS

- Personnel Policy Updates (Action Item)
- Summer Pool Manager (Action Item)
- Amended Industrial Park Subdivision (Action Item)

ADJOURN

RESOLUTION NO. 1933

A RESOLUTION TO AUTHORIZE SUBMISSION OF A TSEP APPLICATION

WHEREAS, the City of Shelby is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) for well field, treatment system, booster station, and water transmission improvements between the Marias River well field and the City of Shelby.

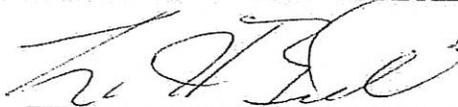
WHEREAS, the City of Shelby has the legal jurisdiction and authority to construct, finance, operate, and maintain the well field;

That the City of Shelby agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual;

✓ That the City of Shelby commits to provide the amount of matching funds as proposed in the TSEP application; and

That Larry J. Bonderud, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the City of Shelby, to act on its behalf and to provide such additional information as may be required.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHELBY, MONTANA, AND APPROVED BY THE MAYOR THIS 18TH DAY OF APRIL, 2016.



LARRY J. BONDERUD, MAYOR

ATTEST:


JADE GOROSKI, FINANCE OFFICER

RESOLUTION NO. 1932

A RESOLUTION ACCEPTING THE DETERMINATION THAT THE DRAFT ENVIRONMENTAL ASSESSMENT IS APPROPRIATE FOR THE CITY OF SHELBY'S WELL FIELD, TREATMENT SYSTEM, BOOSTER STATION AND WATER TRANSMISSION IMPROVEMENTS

WHEREAS, the City of Shelby has completed an assessment to identify potential environmental impacts to the well field, treatment system, booster station and transmission improvements between the Marias River well field and the City of Shelby;

WHEREAS, the draft Environmental Assessment (EA) was made available for public comment and the findings were presented and reviewed at the public meeting;

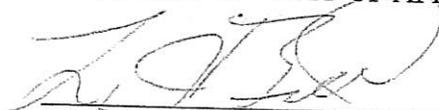
WHEREAS, no substantive public comment was received;

WHEREAS, the City of Shelby has determined that the well field, treatment system, booster station and transmission improvements project will not significantly affect the quality of the human environment and accordingly the City of Shelby has determined an Environmental Assessment and EIS; is not necessary;

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

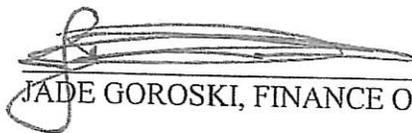
That the City of Shelby, Montana adopts the Environmental Assessment (EA) for the well field, treatment system, booster station, and water transmission improvement project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHELBY, MONTANA, AND APPROVED BY THE MAYOR THIS 18TH DAY OF APRIL, 2016.



LARRY J. BONDERUD, MAYOR

ATTEST:



JADE GOROSKI, FINANCE OFFICER

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA

ss.

County of Toole

I, Patty Grubb, being duly sworn, deposes and says: That she is the Legals Editor of *The Shelby Promoter*, a weekly newspaper of general circulation, printed and published in Shelby, Toole County, Montana, and that the notice annexed:

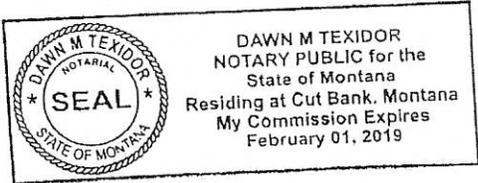
Notice of Availability -
TSEP grant
City of Shelby

has been correctly published in the regular and entire issue of every number of said paper for one (1) consecutive issues, commencing on the 13th day of April, 2016 and ending on the 13th day of April, 2016.

Patty Grubb

Subscribed and sworn before me this 13th day of April, A.D., 20 16.

Dawn M. Texidor



NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT AND PUBLIC HEARING
The City of Shelby is preparing an application for a Treasurer State Endowment Program (TSEP) Grant from the Montana Department of Commerce (DOC) and Department of Natural Resources (DNRC) Renewable Resource Grant and Loan (RRGL) Program. The grants are a state action subject to the Montana Environmental Policy Act (MEPA). As required by the MEPA and DOC regulations, the City of Shelby has prepared a draft Environmental Assessment (EA) that evaluates the potential environmental effects and consequences of the proposed project. This notice announces the availability of the draft EA for public review and comments as well as the date and time of a Public Hearing regarding the proposed project.
The proposed action generally consists of well field, treatment system, booster station, and water transmission improvements between the Marias River well field and the City of Shelby. Copies of the draft EA are available for review at City Hall, 112 1st St S, Shelby MT 59474. The City of Shelby will consider all substantive comments received in response to the draft EA.
The City Council will hold a Public Hearing at 7:30 p.m. MST, on Monday, April 18, 2016 at City Hall in order to discuss the draft EA and present the preliminary engineering research for the proposed project.
At the Public Hearing the proposed project will be explained, including the purposes and proposed areas of the work, activities, budget, environmental issues, and grant issues. After the hearing, all comments will be reviewed and considered and the City of Shelby will decide that either:
1. An Environmental Impact Statement (EIS) is necessary;
2. The Environmental Assessment did not adequately reflect the issues raised by the proposed action and must be revised; or
3. An EIS is not necessary, and make a final decision on the proposed action (submitting the application for TSEP funding).
All interested persons will be given the opportunity and are encouraged to ask questions and to express their opinions regarding the proposed project and its environmental impacts. Comments may be given orally at the hearing or submitted in writing before 5:00 p.m. MST on April 18, 2016. Written comments should be sent to: City of Shelby, 112 1st St S, Shelby, MT 59474. For further information contact Mayor Larry J. Bonderud, at City Hall or call (406) 434-5222.

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA

County of Toole

SS.

I, Patty Grubb, being duly sworn, deposes and says: That she is the Legals Editor of *The Shelby Promoter*, a weekly newspaper of general circulation, printed and published in Shelby, Toole County, Montana, and that the notice annexed:

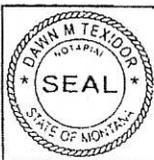
NOA of EA - TSEP grant

has been correctly published in the regular and entire issue of every number of said paper for one consecutive issues, commencing on the 6th day of April, 2016 and ending on the _____ day of _____ 20_____.

Patty Grubb

Subscribed and sworn before me this 6th day of April A.D., 2016.

Dawn M. Texidor



DAWN M TEXIDOR
NOTARY PUBLIC for the
State of Montana
Residing at Cut Bank, Montana
My Commission Expires
February 01, 2019

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Publish: April 6, 13, 2016
MNAXLP



Mayor
7-10-17

July 5, 2017

Larry Bonderud, Mayor
City of Shelby
112 1st Street South
Shelby, MT 59474

RE: City of Shelby – Wastewater Treatment Lagoon Capacity

Dear Mayor Bonderud:

Thank you for meeting with my staff on June 13, 2017 to discuss ongoing growth-related challenges within your community. Together with your engineer, Jason Crawford of KLJ Engineering, you were able to provide an overview of completed projects, as well as some scheduled improvements for the City of Shelby (City). We recognize and appreciate the work you and the City have accomplished to date, and look forward to continuing to the work with you moving forward.

The Department of Environmental Quality (DEQ) is helping finance an ongoing stormwater improvements project and secure financing for a wastewater treatment facility (WWTF) improvements project. The WWTF is expected to be constructed in 2018 and completed in 2019. In conjunction with the previous stormwater separation work and sludge removal work in 2010, the City has shown a willingness and good-faith effort to address capacity-related shortcomings with respect to the WWTF.

In light of the City's commitment to move forward with the WWTF improvements work, some subdivision-related sewer service connections might be granted through the deviation process allowed under section 17.36.601 of the Administrative Rules of Montana. Developments with larger flows still might not receive DEQ approval until the WWTF improvements are completed, and approval of any request will require ongoing effluent compliance and proper operation of the WWTF.

All deviation requests will be considered on a case-by-case basis, and no request will be granted unless the applicant demonstrates that the regulatory criteria have been met. Following is a list of items that will be needed to substantiate a request for a deviation as related to your WWTF:

1. The design flows of the proposed subdivision project and how those flows will impact the system treatment (e.g., whether the project involves normal municipal wastewater or an industrial component).

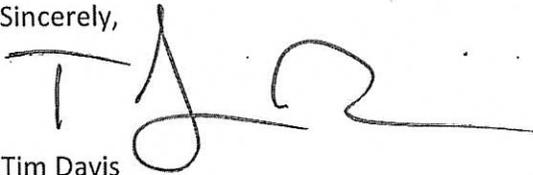
2. The type of system capacity in DEQ-2 from which the applicant is deviating (e.g., DEQ would expect this will be hydraulic capacity).
3. Information about how the proposed project's timing will relate to the timing of the WWTF improvements project to increase wastewater capacity.

Additionally, DEQ will need the following information from the City regarding the deviation request:

1. The current capacity/flows into the WWTF.
2. Information about whether the city WWTF remains in compliance with its discharge permit at the time the application is submitted.
3. Information about whether the financial commitments to fund planned improvements are being met by the city at the time the application is submitted.

I hope this provides some clarity regarding the deviation process, and also provides some guidance as you move forward with your stormwater and wastewater projects. DEQ is committed to assisting Shelby and other communities address water quality challenges. If you have any questions feel free to contact me or Kari Smith at (406) 444-6727 or karsmith@mt.gov.

Sincerely,



Tim Davis
Division Administrator
Water Quality Division

cc: Jason Crawford, KLJ (email)
Terry Campbell, DEQ (email)
Kari Smith, DEQ (email)
Barbara Kingery, DEQ (email)

Proclamation

WHEREAS, Shelby, Montana is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Shelby, Montana is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Shelby, Montana is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Shelby, Montana acknowledges the mission of Extra Mile America to create 575 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2017.

NOW THEREFORE, I, Mayor of Shelby, do hereby proclaim November 1, 2017, to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

CITY OF SHELBY

Larry J. Bonderud, Mayor

Sarah Clary

From: Larry Bonderud
Sent: Wednesday, August 2, 2017 1:45 PM
To: Sarah Clary
Subject: Fwd: RDG Planning Grants - Call for Applications
Attachments: 2019 BIENNIUM RITP APPLIC Sept 2017.doc; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

Packets

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Lorette Carter <shbcdc@3rivers.net>
Date: August 2, 2017 at 1:29:36 PM MDT
To: Larry Bonderud <larry@shelbymt.com>
Subject: FW: RDG Planning Grants - Call for Applications

From: Anderson Folnagy, Heidi [<mailto:HAndersonFolnagy@mt.gov>]
Sent: Tuesday, August 01, 2017 3:00 PM
To: Anderson Folnagy, Heidi <HAndersonFolnagy@mt.gov>
Subject: RDG Planning Grants - Call for Applications

Reclamation and Development Grants Program Planning Grants – Call for Applications

APPLICATION DUE DATE: Friday September 8, 2017 by 5 pm

The 2017 Legislature authorized the Montana Department of Natural Resources and Conservation (DNRC) \$800,000 in funds for Reclamation and Development Grants (RDG) Program planning grants. DNRC expects to have approximately \$250,000 available this cycle.

WHO: Tribes, cities, counties, conservation districts, and other local government entities

WHAT: Planning for natural resource projects that provide natural resource benefits in one of two categories:

- mineral development impacts or
- crucial state need.

Mineral development impact projects must:

1. Reclaim land, water or other resources adversely affected by mineral development, or

2. Mitigate damage to public resources caused by mineral development, or
3. Research, demonstrate, or provide technical assistance to promote the wise use of Montana minerals, or
4. Investigate and remediate sites where hazardous wastes or regulated substances threaten public health or the environment, or
5. Research to assess existing or potential environmental damage resulting from mineral development.

Crucial state need projects must prevent or eliminate severe and unacceptable damage to natural resources or capture extraordinary public benefit that would otherwise be lost. Public benefit from implementation of this type of project must directly relate to natural resources.

Planning grant activities may include, but are not limited to: (1) problem analysis, (2) feasibility or design studies, (3) environmental monitoring, (4) remedial action plans, (5) technology demonstration, (6) research, (7) construction, or (8) other related actions that lead to a full-scale project.

FUNDING LIMIT: Up to \$50,000 per planning project, depending on intended planning activities.

DUE: Submittal deadline is 5 pm on Friday, September 8, 2017

APPLICATION SUBMITTAL: The complete application form and instructions are available electronically on the DNRC website at: <http://dnrc.mt.gov/divisions/cardd/resource-development/reclamation-and-development-grants-program/reclamation-and-development-planning-grants-program> or by contacting DNRC. Please call Heidi Anderson Folnagy (contact information below) for submittal questions.

Applications may be submitted by email or mail to the addresses listed below.

Submit by email to:

Heidi Anderson Folnagy
(406) 444-6691
hfolnagy@mt.gov

Submit by mail to:

Department of Natural Resources
and Conservation
Resource Development Bureau
Attn: Heidi Anderson Folnagy
P.O. Box 201601
Helena, MT 59620-1601

Questions? Contact Heidi Anderson Folnagy: 406.444.6691, hfolnagy@mt.gov

Thank you for your interest.

Heidi Anderson Folnagy, RDG Grant Manager
Department of Natural Resources and Conservation
P.O. Box 201601
Helena, MT 59620-1601
406.444.6691
hfolnagy@mt.gov



**DNRC Conservation and Resource Development Division
RECLAMATION & DEVELOPMENT PLANNING GRANT**



A. PLANNING GRANT OVERVIEW

The Montana Department of Natural Resources and Conservation (DNRC) manages the Reclamation and Development Grants Program (RDGP) to fund projects that indemnify the people of the state for the effects of mineral development on public resources and that meet other crucial needs to protect Montana's environment. Crucial state need projects must serve the public interest and the total environment of the citizens of Montana. The purposes of the reclamation and development grants program are to:

- (a) repair, reclaim, and mitigate environmental damage to public resources from nonrenewable resource extraction; and,
- (b) develop and ensure the quality of public resources for the benefit of all Montanans.

The purpose of the RDGP planning grant program is to assist local governments with planning and preparation of an RDGP project grant.

B. APPLICANT ELIGIBILITY

RDG Program planning grants are available to city, county, or other local political subdivisions or Tribal governments within the state. State and federal agencies, private corporations, non-profits and individuals are ineligible to receive RDGP planning grant funding.

C. PROJECT ELIGIBILITY

Proposed activities must plan for a project that will provide benefits in one of two categories: mineral development impacts or crucial state need. Projects must address one or more of the following:

1. Reclamation of land, water or other resources adversely affected by mineral development
2. Mitigation of damage to public resources caused by mineral development
3. Research, demonstration, or technical assistance to promote the wise use of Montana minerals, including efforts to make processing more environmentally compatible
4. Investigation and remediation of sites where hazardous wastes or regulated substances threaten public health or the environment
5. Research to assess existing or potential environmental damage resulting from mineral development
6. Prevention or elimination of severe and unacceptable damage to natural resources or capture of extraordinary public benefit that would otherwise be lost.

Activities may include, but are not limited to: (1) problem analysis, (2) feasibility or design studies, (3) environmental monitoring, (4) remedial action plans or implementation, (5) technology demonstration, (6) research, (7) site assessment, or (8) other related actions that lead to cleanup of contamination, mitigation of damage or protection of Montana's environment.

D. FUNDING LIMITS

Grants may be awarded for any amount up to \$50,000, depending on the intended planning activities. Applicant must demonstrate that funding is not available through other reasonable sources. An applicant may submit planning grant applications for more than one project. Matching funds are required, but a specific amount is not prescribed. Match funds may be in-kind contributions.

E. INELIGIBLE COSTS

The following tasks are ineligible for grant funds:

- Activities outside of the scope of work
- Costs incurred outside of the contract term
- Routine maintenance and operation
- Salaries/wages, travel, and other expenses not directly related to the project
- Expenses related to presenting the project at workshops, conferences, or other public venues, unless specifically included in the scope of work
- Administrative costs greater than 3% of the total project cost
- Equipment unless specifically included in the scope of work
- Food and beverages for meetings
- Indirect Costs (e.g. Facilities and Administration)

F. APPLICATION SUBMITTAL

Submittal deadline is 5 pm on Friday, September 8, 2017

The complete application form and instructions are available electronically on the DNRC website at: <http://dnrc.mt.gov/divisions/cardd/resource-development/reclamation-and-development-grants-program/reclamation-and-development-planning-grants-program> or by contacting DNRC. Please call Heidi Anderson Folnagy (contact information below) for submittal questions.

Applications may be submitted by email or mail to the addresses listed below.

Submit by email to either:

Heidi Anderson Folnagy
(406) 444-6691
hfolnagy@mt.gov

Submit by mail to:

Department of Natural Resources
and Conservation
Resource Development Bureau
Attn: Heidi Anderson Folnagy
P.O. Box 201601
Helena, MT 59620-1601

Planning grants will be made available approximately biannually, depending upon available funding. Approximately \$200,000 will be available per application cycle. DNRC will announce additional grant cycles until all funds are expended.

G. PROJECT EVALUATION CRITERIA

DNRC will evaluate planning grant applications based on the extent to which it meets the following criteria:

- (a) The planning grant contains a well-reasoned, achievable strategy for dealing with the problem or need.
- (b) The need and urgency for the planning grant are clear.
- (c) The application provides a clear description of who, what, why, where, when and how planning grant activities will be conducted.
- (d) The planning grant will lead to a project grant proposal.
- (e) The final project benefits natural resources.

H. REQUIRED CONTRACT AND DELIVERABLES

Upon award of a planning grant, the grantee must enter into a grant agreement with DNRC. Under terms of the agreement, the grantee must submit periodic progress reports and a final report of planning grant activities.

Progress reports must include project activities during the reporting period, costs incurred, funds remaining, anticipated activities during the next reporting period, and expected changes in scope, schedule or budget. Reported project costs must include those funded by the Project Sponsor and matching funds. Progress reports are required with each reimbursement request or on a quarterly basis, whichever occurs sooner.

I. PAYMENT

The grant agreement will not be effective until signed and dated by representatives of the DNRC and the grantee. **Expenses incurred before the grant agreement becomes effective will not be reimbursed.**

DNRC will award up to 90 percent of the contracted amount upon receipt and approval of requests for payment, supporting documentation, and accompanying progress reports. The grantee will receive the final payment based on the total of actual costs submitted, not to exceed the total contracted amount, and upon delivery of a final report and a final invoice. The final report must follow the format attached to the contract.

J. PROCUREMENT AND PERMITTING REQUIREMENTS

Grantees agree to comply with all relevant procurement and contracting requirements related to work performed under DNRC grant agreements. In some cases, DNRC retains the right to approve subcontracts.

Grantees are responsible for obtaining all necessary local, state, and federal permits for the completion of projects approved for funding through the RDG Grant Program. Landowner permission must be secured for projects on private land before contracting.

K. AGENCY COORDINATION

For all proposed projects regulated, or likely to be regulated, in some capacity by the Montana Department of Environmental Quality (DEQ), planning grant applicants must submit with the application a letter from an authorized DEQ official confirming support for the project.



**DNRC Conservation and Resource Development Division
RECLAMATION & DEVELOPMENT PLANNING GRANT
APPLICATION FORM**



GRANT SUBMITTAL CHECKLIST

- Steps 1-8 as a Word document submitted via email or mail.
- Signed authorizing statement
- Project location map
- Other documents, e.g. letters of support

STEP 1: GRANT APPLICATION SUMMARY FORM AND AUTHORIZING STATEMENT

Applicant Name: _____

Project Title: _____

Requested Grant Amount: _____

Brief Description of Project Location: _____

Latitude and Longitude (decimals): _____

Proposed Project Brief Description: _____

(For ex.: site assessment, reclamation, cleanup under Brownfields or the Voluntary Cleanup & Redevelopment Act, site affected by oil & gas development or hazardous substance releases, natural resource improvement in damaged area)

Authorized Representative: _____
(Name, Title)

Mailing Address: _____
(Street/PO Box)

(City/State/Zip) (Telephone)

Contact Person: _____
(Name, Title)

Mailing Address: _____
(Street/PO Box)

(City/State/Zip)

Telephone & email _____

Proposed Budget		
Funding Source	Amount	Committed/Uncommitted
	\$	
	\$	
	\$	
	\$	
TOTAL		

Please enter the source and amount of ALL funding that may be used to complete the proposed activity. Indicate if alternate sources of funding are other than cash, such as in-kind services.

AUTHORIZING STATEMENT

I certify that the information and the statements in this application are true, complete and accurate to the best of my knowledge. I certify that the project or activity as described in this application complies with all applicable state, local and federal laws and regulations. By my signature below, I certify that I have knowledge of and understand the content of this application and that I am fully authorized to apply to DNRC for the grant specified in the submitted materials.

If the name below is not authorized to enter in to a binding contract should the applicant be awarded a grant, the name, title and relationship to the applicant for the authorized person to execute a contract with DNRC is:

_____.

A facsimile, photocopy or electronic copy of the signature below shall have the same force and effect as an original signature and an electronic signature shall be regarded as an original signature. 30-18-102, MCA.

/s/ _____
Signature and Title of Authorized Applicant Representative

Date

Please print name and title of representative signing above

In steps 2-8, describe the scope, budget, and merits of your project. Please include the information under each step in a narrative not exceeding 5 pages in length.

STEP 2: PROJECT PURPOSE AND SCOPE

- Include a brief history and description of the problem and need for the proposed project;
- Explain the measurable project objective(s); and
- List and describe project tasks and deliverables to attain the project objective (linked directly to the budget, see below for budget format).

STEP 3: PROJECT SCHEDULE

- Outline the proposed project schedule, broken down chronologically by task.

STEP 4: PROJECT BUDGET

- Summarize the available funding and the need for RDG funding, and
- Provide a project budget by task using the following format

Task name and description	RDG Grant Funds	Match Funds	Total
Task 1:	\$	\$	\$
Task 2:	\$	\$	\$
Task 3: etc.	\$	\$	\$
Total	\$	\$	\$

For consulting services include estimated personnel rates, estimated hours per task, and estimated cost of materials and other direct costs such as travel. If the applicant plans to perform project activities using its own employees then list salaries and wages, key personnel, supplies and materials, communications, travel, and other. Identify source of match. Match funds may include in-kind contributions.

STEP 5: PROJECT GRANT EXPECTATION

- How will the activities from the planning grant lead to a reclamation project?
- Describe the expected natural resource benefits from the project (how does the project repair, reclaim, or mitigate environmental damage to natural resources?)

STEP 6: PROJECT COORDINATION

- List participating partners and collaborators with defined roles and provide a description of experience and local support for project

STEP 7: PROJECT MANAGEMENT

Provide a short narrative highlighting the project management and organization capability

- how the project will be administered
- the skills, qualifications, and experience of the project manager, key personnel, etc.
- identify the procurement policy that will be used for acquiring services or supplies

STEP 8: OTHER

- regulatory issues, if applicable;
- permits and/or landowner permissions needed
- letters of support