

**AGENDA**  
**CITY COUNCIL MEETING**  
**CITY OF SHELBY**  
**November 15, 2021**  
**6:30 P.M.**

**ROLL CALL OF MEMBERS**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

- Regular Council Meeting, 11/01/2021 (pgs. 5-6)

**APPEARANCE REQUESTS**

- Agenda Items
- Non-Agenda Items – Bucky Doane

**COMMITTEE REPORTS**

- Law Enforcement Report

**BUILDING INSPECTOR**

**CITY ATTORNEY**

- Update on Marijuana Laws (pg.7)
- 

**CITY FINANCE OFFICER**

- City Judge's Report, October 2021 (pgs. 8-20)
- Bank Account Report (handout), Budget Year to Date (handout), Vendor Summary (handout), Enterprise Funds (handout), Statement of Expenditures (handout), Revenues (handout), Cash Flow Report (handout), October 2021
- 

**CITY SUPERINTENDENT**

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**COMMUNITY DEVELOPMENT DIRECTOR**

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**OTHER MATTERS**

- AMKO Advisors
- 

**ADJOURN**

## CITY OF SHELBY MEETING SCHEDULE

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### November 15, 2021

6:30 p.m.      Regular City Council Meeting

### November 29, 2021

6:30 p.m.      Park & Recreation Meeting  
                    (Mayor, Superintendent, Frydenlund,  
                    Kimmet)

### December 6, 2021

6:00 p.m.      Audit Committee  
                    (Mayor, Finance Officer, Clark, Frydenlund, Moritz)

6:30 p.m.      Regular City Council Meeting

### December 13, 2021

6:30 p.m.      City-County Planning Board  
                    (Mayor, Deputy Clerk, Flesch, Clark)

## CITY COUNCIL PACKET LISTING

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### A. Agenda

### B. Agenda Items

1. Minutes of Regular Council Meeting, 11/01/2021
2. Update on Marijuana Laws
3. City Judge's Report, October 2021
4. Bank Account Report, October 2021 (handout)
5. Budget Year to Date, October 2021 (handout)
6. Vendor Summary, October 2021 (handout)
7. Enterprise Funds, October 2021 (handout)
8. Statement of Expenditures, October 2021 (handout)
9. Statement of Revenues, October 2021 (handout)
10. Cash Flow Report, October 2021 (handout)

### C. Correspondence

1. 11/02/21 Municipal General Election Results
2. 11/03/21 Letter to MT Dept of Commerce re: Humic Growth Solutions Inc. water volumes
3. 11/04/21 Summary of Port of Northern Montana board meeting

### D. Reports

### E. Handouts

- 1.

## **Policy on Conduct and Manner of Addressing Council**

The public is invited to speak on any item after recognition by the presiding officer.

1. Public comments will be accepted only on items within the jurisdiction of the City of Shelby.
2. Comments shall be limited to 5 minutes per meeting, unless such time is extended by a majority vote of the Council members.
3. While the Council is in session, those in attendance must preserve order and decorum. No member of the public shall delay or interrupt the Council proceedings; disturb any member who may be speaking; or refuse to obey the orders of the Council or its presiding officer.
4. Prepared statements are welcome and should be given to the Finance Officer prior to a Council meeting. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements for public hearings shall become part of the hearing record.
5. All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff.
6. Public members recognized by the presiding officer, shall:
  - a. Stand, if able
  - b. For the record, give his/her name and address
  - c. If applicable, give the person, firm or organization he/she represents
  - d. Limit comments to the matter of fact
  - e. Address the Council as a body and not to any individual member of the Council or City Staff
  - f. Ask no questions of individuals who are Council members, staff or other public members, except through the presiding officer
  - g. Limit comments to a maximum of 5 minutes, unless such time is extended by a majority vote of Council members.

The Council thanks public members for respectfully and courteously providing constructive and valuable information.

MINUTES OF REGULAR COUNCIL MEETING OF THE SHELBY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS  
November 1, 2021

Mayor McDermott called the meeting to order at 6:30 p.m.  
Present were: Sanna Clark, Lyle Kimmet, Joe Flesch, Pat Frydenlund, Aaron Heaton and Bill Moritz, Council Members; Bill Hunt, City Attorney; Jade Goroski, Finance Officer; Lorette Carter, Community Development Director; Jack Johannes, Superintendent; Matthew James, Foreman; and Rob Tasker, Building Inspector. Absent & Excused: None.

Other citizens present: Dennis Knickerbocker and Elisha Dempsey.

PLEDGE OF ALLEGIANCE

OPEN PUBLIC HEARING

Mayor McDermott opened the public hearings at 6:31pm.

- Show Cause Hearing re: 233 2<sup>nd</sup> Ave SE  
Rob Tasker will issue a certificate of occupancy prior to trailer being occupied.

REGULAR MEETING MINUTES, 10/18/2021

CLARK MADE A MOTION TO APPROVE THE 10/18/2021 MINUTES. SECONDED BY MORITZ. VOTE AYES - CLARK, KIMMET, MORITZ, FRYDENLUND, HEATON, FLESC. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

APPEARANCE REQUESTS

- AGENDA ITEMS -
- NON-AGENDA ITEMS - Dennis Knickerbocker and Elisha Dempsey re: shipping container, proposed resolution and City deficiencies.

CLOSE PUBLIC HEARING

Mayor McDermott closed the public hearing at 6:54pm.

CLAIMS REPORT, 10/31/2021

MORITZ MADE A MOTION TO APPROVE THE 10/31/2021 CLAIMS REPORT. SECONDED BY FRYDENLUND. VOTE AYES - CLARK, KIMMET, MORITZ, FRYDENLUND, HEATON, FLESC. NOES - NONE. ABSENT - NONE. ABSTAIN - NONE.

BUILDING INSPECTOR

- Building Inspector Report, October 2021

COMMITTEE REPORTS

- Minutes of Park & Rec Meeting, 10/25/2021
- Minutes of Quarterly Safety Committee & Employee Meeting  
10/20/2021

CITY ATTORNEY

CITY FINANCE OFFICER

CITY SUPERINTENDENT

Jack provided an update on the projects ongoing and plans for the next couple weeks.

COMMUNITY DEVELOPMENT DIRECTOR

Lorette provided notes as a handout.

OTHER MATTERS

- Arbor Day Proclamation

ADJOURN

AT 7:40 P.M. FLESCH MADE A MOTION TO ADJOURN THE MEETING.  
SECONDED BY MORITZ. VOTE AYES - CLARK, KIMMET, MORITZ,  
FRYDENLUND, HEATON, FLESCH. NOES - NONE. ABSENT - NONE.  
ABSTAIN - NONE.

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Gary McDermott, Mayor

ATTEST:

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Jade Goroski, Finance Officer

11/15/2021

Montana law regarding "marijuana businesses" in Shelby. Opt-In for Shelby

"Marijuana business" means a recreational use store, medical marijuana dispensary, lab, cultivator, manufacturer, etc. 16-12-102 MCA.

16-12-301(1)(a) MCA "a marijuana business may not operate in a county in which the majority of voters voted against approval of Initiative Measure No. 190 in the November 3, 2020, general election.

Toole County voters were against Initiative 190 54% to 46%. **Therefore, no marijuana businesses may operate in Shelby at this time** (even though voters in the Shelby precinct approved it 51% to 48%) **until a Shelby voters approve** a business.

Shelby voters may "opt-in" to allow marijuana businesses contrary to the 2020 or future Toole County-wide voter results.

The Council may pass an ordinance for a referendum to be on the next election ballot (or special election) like we did with the cell phone ordinance.

Or,

The local voters can petition for a voter initiative to be placed on the ballot (gather enough signatures of qualified Shelby voters to have the initiative be placed on the ballot.

Excise Tax

Voters of a local government may also approve an up-to 3% excise tax on marijuana. My strict interpretation of 16-12-311 is that any vote on an excise tax. Therefore, assuming Shelby voters approve marijuana businesses but Toole County as a whole does not, then a vote on any excise tax still must be approved by the Toole County electorate. This seems somewhat nonsensical to me and could fit the pattern of other statutes that appear to be "only applies to counties" but really "applies to county and cities". But, I can also see this as concession to give county voters more of control in what goes on in their counties including municipalities. It looks like Billings had a vote on allowing marijuana businesses (failed) and Yellowstone County had a vote on the excise tax (passed). So for now, I'm sticking with my strict interpretation and will do a deeper look if we ever get to this point.

The tax could be used "activity, undertaking, or administrative service that the municipality is authorized by law to perform, including costs resulting from the imposition of the tax or due to administrative burdens imposed on the municipality as a result of licensing or regulatory requirements imposed in this chapter.

**Shelby City Court**  
Cases by Filing Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021  
All Judges

User: BALEXANDER

**Judge: Rapkoch, Peter**

Case	Filed	Entered	Party	Status
CR-865-2021-0000004	10/13/2021	10/13/2021	Bahls, Corey Alan, Defendant	Pending
FK-865-2021-0000141	10/4/2021	10/4/2021	Stuart, Jody Lynn, Defendant	Pending
FK-865-2021-0000142	10/7/2021	10/7/2021	Rides At The Door, George Gregory, Defendant	Closed
FK-865-2021-0000143	10/8/2021	10/8/2021	Davis, Jode Dee, Defendant	Pending
FK-865-2021-0000144	10/12/2021	10/12/2021	Spottedeagle, Courtney Rae, Defendant	Pending
FK-865-2021-0000145	10/14/2021	10/14/2021	Razo, Briana Marie, Defendant	Pending
FK-865-2021-0000146	10/14/2021	10/14/2021	Haugen, Gordon Mark, Defendant	Closed
FK-865-2021-0000147	10/15/2021	10/15/2021	Rice, Kristi Anna, Defendant	Pending
FK-865-2021-0000148	10/15/2021	10/15/2021	Bennett, Noble Anthony, Defendant	Pending
FK-865-2021-0000149	10/20/2021	10/20/2021	Morris, Tiffany Rae, Defendant	Disposed
FK-865-2021-0000150	10/25/2021	10/25/2021	Eklund, Bob Joseph, Defendant	Pending
FK-865-2021-0000151	10/25/2021	10/25/2021	Nation, Trey Trever, Defendant	Pending
FK-865-2021-0000152	10/25/2021	10/25/2021	Guo, Peng, Defendant	Pending
FK-865-2021-0000153	10/25/2021	10/25/2021	Black, Kylie Nicole, Defendant	Pending
FK-865-2021-0000154	10/28/2021	10/28/2021	Kovatch, Casey Duke Hamilton, Defendant	Pending
FK-865-2021-0000155	10/29/2021	10/29/2021	Furrell, Steven Shawn, Defendant	Disposed

**Total cases for Rapkoch, Peter : 16**

**Total cases for report: 16**



Date: 10/29/2021

Time: 06:18 PM

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**Shelby City Court**

Receipts by Date

City

All Case Types

From 10/1/2021 to 10/29/2021

User:

BALEXANDER

All Judges

10/5/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6231	03:59 PM	Criminal Payment	.00	.00	.00	.00	.00	.00	.00	.00	235.00	.00
		Payor: Ellison, Hunter Allen										
		TK-865-2021-0000041										
		Ellison, Hunter Allen		61-5-102(1) [1]								
		200.00 Fine										
		15.00 Misdemeanor Surcharge										
		10.00 Technology Surcharge										
		10.00 Law Enforcement Academy										
		<u>235.00</u>										
Daily totals:			235.00	.00	.00	.00	.00	.00	.00	.00	235.00	.00
Miscellaneous:			.00									
Fine/fee:			235.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

E-Payment transaction no.: 1963124705

Driving Without a Valid Drivers License

Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

10/6/2021  
All Judges

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6232	04:35 PM	Criminal Payment	.00	.00	.00	.00	.00	.00	.00	.00	85.00	.00
		Payor: Martinez, Kimberlyn Beverly										
		CR-865-2020-0000003										
		Martinez, Kimberlyn Beverly 45-6-101(1) [1]										
		24.00 Victim Witness Surcharge										
		1.00 Victim Witness Admin Fee										
		10.00 Law Enforcement Academy										
		35.00										
		TK-865-2020-0000134										
		Martinez, Kimberlyn Beverly 45-6-101(1) [1]										
		50.00 Fine										
		50.00										
Daily totals:			85.00	.00	.00	.00	.00	.00	.00	.00	85.00	.00
Miscellaneous:			.00									
Fine/fee:			85.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

Date: 10/29/2021

Time: 06:18 PM

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**Shelby City Court**

Receipts by Date

City

All Case Types

From 10/1/2021 to 10/29/2021

User:

BALEXANDER

All Judges

**10/7/2021**

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6233	03:12 PM	Criminal Payment	.00	.00	.00	185.00	.00	.00	.00	.00	.00	.00
		Payor: Greg Zadow										
		TK-865-2021-0000137										
		Sams, Virginia Marie		5.1.2(1)(b)		Public Intoxication						
		185.00 Fine										
		<b>185.00</b>										
						Check Number: 9393						
Daily totals:			<b>185.00</b>	.00	.00	.00	185.00	.00	.00	.00	.00	.00
Miscellaneous:			.00									
Fine/fee:			185.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/8/2021

[illegible]

Date: 10/29/2021  
Time: 06:18 PM  
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Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/8/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6237	03:47 PM	Criminal Payment	.00	.00	25.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Johnson, Levi Jacquescarl										
		TK-865-2020-0000158										
		Johnson, Levi Jacquescarl 61-6-301(4) [4th+]										
		Operating Without Liability Insurance In Effect - 4th or Subsequent Of										
		25.00 Fine										
		25.00										
Daily totals:			705.00	.00	.00	45.00	660.00	.00	.00	.00	.00	.00
Miscellaneous:			.00									
Fine/fee:			705.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/14/2021

[illegible]

Date: 10/29/2021

Time: 06:18 PM

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Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/15/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6239	04:18 PM	Criminal Payment Payor: Eklund, Bob Joseph	.00	.00	38.00	.00	.00	.00	.00	.00	.00	.00
		TK-865-2021-0000101 Eklund, Bob Joseph		45-6-101(1) [1]								
		38.00 Fine										
		<b>38.00</b>										
6240	05:33 PM	Criminal Payment Payor: Mccurdy, D'siree Nicole	.00	.00	.00	.00	.00	.00	.00	.00	285.00	.00
		TK-865-2021-0000136 Mccurdy, D'siree Nicole		61-6-301(4) [1st]							E-Payment transaction no.: 1967923088	
		250.00 Fine										
		15.00 Misdemeanor Surcharge										
		10.00 Technology Surcharge										
		10.00 Law Enforcement Academy										
		<b>285.00</b>										
Daily totals:			<b>323.00</b>	.00	.00	38.00	.00	.00	.00	.00	285.00	.00
Miscellaneous:			.00									
Fine/fee:			323.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

All Judges												
Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6241	10:01 AM	Criminal Payment	.00	.00	.00	.00	.00	.00	.00	.00	77.00	.00
		Payor: Daniels, Ashton Nicole									E-Payment transaction no.: 1968880628	
		TK-865-2021-0000040										
		Daniels, Ashton Nicole		61-8-301(1)(a) [1st]		Reckless Driving - 1st Offense						
		77.00 Fine										
		77.00										
6242	10:02 AM	Criminal Payment	.00	.00	20.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Baney, Michael Steven										
		TK-865-2021-0000060										
		Baney, Michael Steven		45-6-101(1) [1]		Criminal Mischief Pecuniary Loss Less Than \$1,500						
		8.00 Fine										
		1.00 Victim Witness Surcharge										
		1.00 Victim Witness Admin Fee										
		10.00 Law Enforcement Academy										
		20.00										
6243	11:01 AM	Criminal Payment	.00	.00	25.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Albrecht, Mickayla Aubrey										
		TK-865-2020-0000106										
		Albrecht, Mickayla Aubrey		61-5-212(1)(a)(i) [2]		Driving a Motor Vehicle While Privilege To Do So Is Suspended Or Rev						
		25.00 Fine										
		25.00										
6244	01:25 PM	Criminal Payment	.00	.00	.00	85.00	.00	.00	.00	.00	.00	.00
		Payor: Hammond, Thomas Leon										
		TK-865-2021-0000105										
		Hammond, Thomas Leon		61-8-302(1) [1]		Careless Driving						
		50.00 Fine										
		15.00 Misdemeanor Surcharge										
		10.00 Technology Surcharge										



Date: 10/29/2021

Time: 06:18 PM

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Shelby City Court

Receipts by Date

City

All Case Types

From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/18/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6244	01:25 PM	Criminal Payment	.00	.00	.00	85.00	.00	.00	.00	.00	.00	.00
		Payor: Hammond, Thomas Leon										
		TK-865-2021-0000105										
		Hammond, Thomas Leon		61-8-302(1) [1]		Careless Driving						
		10.00		Law Enforcement Academy								
		<u>85.00</u>										
						Check Number: 1713						
Daily totals:			207.00	.00	.00	45.00	85.00	.00	.00	.00	77.00	.00
Miscellaneous:			.00									
Fine/fee:			207.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									

Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/21/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6245	10:08 AM	Bond Conversion	50.00	50.00	.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Benjamin, Scott Frantz										
		TK-865-2021-0000140										
		Benjamin, Scott Frantz		61-8-310(1)								
		Speed - Exceed Restricted Speed Limit Established Local Authority										
		15.00 Fine										
		15.00 Misdemeanor Surcharge										
		10.00 Technology Surcharge										
		10.00 Law Enforcement Academy										
		<u>50.00</u>										
Daily totals:			50.00	50.00	.00	.00	.00	.00	.00	.00	.00	.00
Miscellaneous:			.00									
Fine/fee:			.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			50.00									

Date: 10/29/2021  
Time: 06:18 PM  
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Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/29/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6246	04:04 PM	Criminal Payment	.00	.00	50.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Peterson, Kayala Mae										
		TK-865-2020-0000216										
		Peterson, Kayala Mae		45-6-101(1) [1]								
			50.00	Victim Restitution								
			50.00									
6247	04:21 PM	Criminal Payment	.00	.00	105.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Hagood, Brenden Ray										
		TK-865-2021-0000030										
		Hagood, Brenden Ray		61-7-108 [1st]								
		100.00 Fine										

Shelby City Court  
Receipts by Date  
City  
All Case Types  
From 10/1/2021 to 10/29/2021

User:  
BALEXANDER

All Judges

10/29/2021

Receipt	Time		Bond Conversion	Transfer	Cash	Check	Cashiers Check	Money Order	Credit Card	Debit Card	E-Payment	Direct Deposit
6247	04:21 PM	Criminal Payment	.00	.00	105.00	.00	.00	.00	.00	.00	.00	.00
		Payor: Hagood, Brenden Ray										
		TK-865-2021-0000030										
		Hagood, Brenden Ray		61-7-108 [1st]								
		5.00		Law Enforcement Academy								
		105.00										
Daily totals:			155.00	.00	.00	155.00	.00	.00	.00	.00	.00	.00
Miscellaneous:			.00									
Fine/fee:			155.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			.00									
Report totals:			2015.00	50.00	50.00	283.00	1000.00	.00	.00	.00	682.00	.00
Miscellaneous:			.00									
Fine/fee:			1965.00									
Cash bond:			.00									
Bond forfeiture:			.00									
Bond percent fee:			.00									
Bond conversion:			50.00									

**MUNICIPAL GENERAL ELECTION-NOVEMBER 2, 2021**

**OFFICE - CANDIDATES**

**UNOFFICIAL RESULTS**

<b>Vote 1</b>	<b>CITY OF SHELBY MAYOR</b>	<b>WARD I</b>	<b>WARD II</b>	<b>WARD III</b>	<b>TOTALS</b>	
<b>Voted</b>	Gary W. McDermott	214	226	186	626	***
<b>At</b>	Overvote			1	1	
<b>Large</b>	Undervote	12	12	10	34	
<b>Vote 1</b>	<b>CITY OF SHELBY COUNCIL WARD 1</b>					
	Aaron T. Heaton	202			202	***
	Overvote				0	
	Undervote	24			24	
<b>Vote 1</b>	<b>CITY OF SHELBY COUNCIL WARD 2</b>					
	Patrick J. Frydenlund		230		230	***
	Overvote				0	
	Undervote		8		8	
<b>Vote 1</b>	<b>CITY OF SHELBY COUNCIL WARD 3</b>					
	Crissy Bauman			49	49	
	Joseph L. Flesch			145	145	***
	Overvote				0	
	Undervote			3	3	
<b>Vote 1</b>	<b>AN ORDINANCE TO SELL CITY OF SHELBY LAND HELD IN TRUST AS A PARK</b>					
	FOR	167	190	150	507	***
<b>Voted</b>	AGAINST	52	43	45	140	
<b>At</b>	Overvote				0	
<b>Large</b>	Undervote	7	5	2	14	
<b>Vote 1</b>	<b>TOWN OF KEVIN MAYOR</b>	<b>Voted at Large</b>				
<b>Voted</b>	Bob Fagan	19			19	***
<b>At</b>	Overvote				0	
<b>Large</b>	Undervote	13			13	
<b>Vote 2</b>	<b>TOWN OF KEVIN COUNCIL</b>	<b>Voted at Large</b>				
<b>Voted</b>	Kari F. Hinkle	28			28	***
<b>At</b>	<b>WRITE IN</b>					
<b>Large</b>	Bob Fisher	11			11	***
	James (Jim) Jordan	10			10	
	Overvote				0	
	Undervote	15			15	

Election Statistics	Sent	Returned	%
Shelby Ward 1	456	226	50.00%
Shelby Ward 2	485	238	49.00%
Shelby Ward 3	393	197	50.00%
Town of Kevin	80	32	40.00%

# CITY OF SHELBY

112 First Street South  
Shelby, MT 59474  
Telephone: (406) 434-5222  
FAX: (406) 434-2039  
[www.shelbymt.com](http://www.shelbymt.com)



**Mayor:** Gary McDermott  
**Council:** Joe Flesch, Sanna Clark, Aaron Heaton, Lyle Kimmet, Bill Moritz, Pat Frydenlund  
**Animal Control:** Mark Warila  
**Attorney:** William E. Hunt, Jr.  
**City Supt.:** Luis Correa  
**Building Inspector:** Rob Tasker  
**Community Development:** Lorette Carter  
**Finance Officer:** Jade Goroski  
**Judge:** Joe Rapkoch

November 3, 2021

Montana Department of Commerce  
Community Development Block Grant Program – Economic Development  
P.O. Box 200501  
Helena, MT 59620

Re: Humic Growth Solutions Inc. water volumes

Department Officials,

As a follow up to the City of Shelby letter dated October 21, 2021, I offer the attached Humic Growth Solutions water volume raw data. In the first few months of operation, the facility was slowly coming on line – hiring staff, testing equipment, making the necessary adjustments to operate and train new staff. As Humic President, Kevin Merritt indicated in his attached letter, as production progressed the facility faced serious issues with water flow which disrupted the manufacturing process. A larger pump was installed in the pump station, but did not meet the needs of the manufacturing facility. To further complicate and disrupt production, the facility accommodated residential neighbors by shutting down water consumption from 5:00 – 7:00am and 5:00 to 7:00pm daily as water flow was inadequate for households along the outdated system.

In the second and third year, the facility has had several spikes in water volume attributed to a substantial water leak and meter issues that led to multiple month volumes reported. They have also had to shut down the plant for several weeks at a time to conduct facility maintenance and add equipment.

As we are all aware, last year has been difficult with COVID shut downs and workforce shortage. Mr. Merritt is currently forced to run a modified production schedule with limited staff numbers.

Sincerely,

A handwritten signature in blue ink that reads "Lorette Carter". The signature is written in a cursive, flowing style.

Lorette Carter, Community Development Director

Cc: Gary McDermott, Mayor  
Shelby City Council  
William Hunt, City Attorney

**Summary of Port of Northern Montana board meeting  
November 4, 2021  
Lorette Carter**

1. **Mountain View Reload:** MVR car numbers are increasing.
2. **Calumet Lubricants, Co.:** Calumet is negotiating for an additional 40 car storage capacity in the facility.
2. **Ardent Mills:** Nothing new to report.
3. **Pat's Off-Road, Inc.:** Pat's continues to move a lot of product in and out of the facility.
4. **Savage Services Inc.:** Nothing to report.
5. **Pacific Steel & Recycling:** Nothing to report.
6. **Dick Irvin Inc.:** The Port is still working on a commitment for a lot within the facility.
7. **Data Center Feasibility:** A letter of intent is forthcoming with an interested company. NaturEner is able to provide 50 megawatts at this time. At full build-out, the facility would need 200 megawatts.
8. **Bridge Agri Partners:** Bridge Agri would like to move their feed operation into the park facility along the new track ~ 2973A.
9. **Kiros Energy Marketing:** They continue to load cars.
10. **Dept. of Ag Grant:** Jillian Streit ~ Stricks Ag/Redwood Group reported she will be meeting with the Governor's Office and Department of Commerce in the coming week. The ARPA Commission moved a portion of the funding to the GTA Program with grant limits and match requirements. The Port as well as individual commercial entities will be able to apply for funding through GTA. The ARPA Commission is also considering a potential loan program.

**Action Items:**

- The Port Authority approved extending the Redwood Group Intermodal Agreement & Intermodal Engineering until December 31, 2022.
- The Toole County Memorandum of Understanding for ARPA funding for the north bulk facility water & sewer project was tabled until Port authorities can meet with the City of Shelby and Toole County on the project.
- The Port Authority approved the Bridge Agri Partners Terminal Operating Agreement for Track 2973A where they will move their feed operation.
- The Port Authority approved a new task order for Triple Tree Engineering for the BNSF Intermodal Track Design Submittal.
- The Port Authority approved a Terminal Operating Agreement with CityServiceValcon, LLC. CSV has purchased Ben Taylor Incorporated.

**Other Business:**

Curtis Shuck, Universal Exports Limited – consultant for the Port, provided the following information:

- Calloway Trading of Ellensburg, Washington is working with the Port on space within the facility. They are considering Lots 1 & 2 which the city owns. Port Authorities will work with the city on options for those lots. The plan would be to build a hay bale compression facility in 2023.

Conversation led to employee numbers when facilities are up and running and **housing demand**. The Port Authority, City and County may want to meet in consideration of housing.