STATE OF MONTANA
DEPARTMENT OF COMMERCE
MONTANA COAL BOARD

TRANSCRIPT OF THE COAL BOARD MEETING

June 20, 2018
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Held at Holiday Inn Express
3431 Ember Lane
Billings, Montana

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WHEREUPON, the following proceedings were had:

CHAIRMAN WILLIAMS: Good morning, everybody.

I'll call the meeting to order.

If we could please have roll call.

MS. PICHETTE: Chairman Williams.

CHAIRMAN WILLIAMS: Here.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Here.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Here.

MS. PICHETTE: Amber Henning.

BOARD MEMBER HENNING: Here.

MS. PICHETTE: Marianne Roose.

BOARD MEMBER ROOSE: Here.

MS. PICHETTE: Tim Schaff.

BOARD MEMBER SCHAFF: Here.

MS. PICHETTE: Veronica Small-Eastman.

BOARD MEMBER SMALL-EASTMAN: Here.

CHAIRMAN WILLIAMS: Thank you.

MS. PICHETTE: And if we could remind the members of the public as well, the sign-in sheet is right here next to the snacks. If you could sign in sometime today, we'd appreciate it. Thank you.

CHAIRMAN WILLIAMS: Okay. Thank you very much.

Everybody sign in. And we've got no push buttons on the phone, so everyone speak directly into the mic.

Welcome, everybody. Thank you for coming here this morning. The first item that we do have on the agenda is we have some training for, for the board, and the public is certainly welcome to participate by being a part of understanding what we're going to be trained in as far as our emailing goes. So thank you for coming.

And Jennifer.

MS. OLSON: Good morning, Board, members of the public. I'd like to introduce Bonnie Martello. She's with our Department of Commerce legal staff, and she's here to help walk through the new email addresses that you'll be having. But I wanted to take a minute to explain to you the why.

So first and foremost, the new email addresses that you're having are part of the state network. So with that comes -- as part of all of the benefits of working with the Department of Commerce as an attached-to board, the IT staff are available to help you as well as some other folks. You've seen Amy Barnes come here before and talk to you as legal staff. So this is an extension to our IT staff.

A couple of different things that are important to know. This email address probably will seem a little bit cumbersome at first, getting used to it. But the reason that this is beneficial for not only you but the State and the public is because if there is a public information account, that means that the State will have to pay, and it comes out of your coal board budget as administrative expenses, to investigate and search into your personal email account.

You know, if there's a request about a specific project or a specific conversation or a topic, then we would have to do some investigation and hire out or send staff to redo that research and make sure that it's complete and thorough, then it would be subject to legal review, and then we would send that out to the individual or party that is requesting that public information.

So your Walgreens, you know, prescriptions that you probably do with your emails, we would be going through that, or anything that you might buy on eBay or Amazon, we might be going through that, just in the effort of trying to find and search the exact email and the content that we're looking for.

Additionally, it also protects you from not only that search, but then also anything that might be happening at the state network; so provides you upgrades and information that would be then provided as part of the overall state network that our IT staff could do. So not

only if there's issues related to people trying to access your information or whatnot, because it is a secure site, also with the state network comes a lot of encryption information.

Lastly, I think it also helps because then the communication that we the board staff send to you, it becomes a place where we can help to make sure that you're getting that information and that that access to your state email account then is secure and is operating. So if there's something that's going on and you can't figure it out, we have, again, a good IT staff to help.

So Bonnie is going to walk through with you the process. And I would say the RSA tokens, so the little gray things that have the numbers that are in front of you, replacements for those do cost the Board our administrative dollars. So treat them like a credit card. Keep them with you at all times. And when you're particularly accessing your email, but then also when you're not accessing your state email, please keep them in a secure location. Because that's definitely a unique identification number, but it provides a double authentication to ensure that any attempts to hack into your state email account or anything like that become extraordinarily much more difficult.

So those are very, very important. We can replace...
paper that I provided to you. That has your information all have to use it. And we all have the RSA code. We request that comes in and we're not pulling your Walgreens information or whatever personal information is out there, which is super-nice. And we all have the RSA code. We all have to use it. So in front of you, you have a little square piece of paper that I provided to you. That has your information that you're going to need to log into the state email system. The first one is your user name. It's a CCA number and then some numbers after it. Below that is your email password. It will prompt you the first time to change it. So you guys all have the same exact password right now, but it will prompt you to change that once you get in there the first time.

And then below that is your State of Montana email address. It's your first.lastname@mt.gov. So it is your full name written out. That is something new for us employees of the State of Montana; they are going to the full name process.

So if you look on the handout I gave you, down towards the bottom is the how-to information. The top part is really just telling you, as a nonemployee, you are still under the same policies and procedures as we are as employees of the State of Montana. Acceptable use policy.

And once you get into your email, those will all be sent to you. So the first time, IT will see you activate it, they'll push out all those policies to you. You can read them when you're ready. You know, data loss prevention, sensitive information, the archive facility.

We can archive everything in Outlook, so it's not off the system. So when we are going to look at information if we do get an information request or the Legislature wants information from us, it's easy, it's in the Outlook system, we can pull it right from there.

So how-to information. So if you open your Internet browser, and whatever browser you choose to use, totally up to you, if you type in mt.gov and then backslash employee, it will bring you to the state employee access page. And for us, there's other services, as a state employee, we can get into. But the only one that you're going to be required to get into is what's called webmail on the left-hand side.

So you click in the login screen, and this is where you're going to need your RSA token. So in the domain and the user name, you're always going to have to put state backslash, and then that's where your CCA number goes in.

So the number that's on your top little piece of paper, CCA, and then you have the number. And then your password is the password that's on your piece of paper. For you guys, it's "rockbottom," and those are zeros and not Os. So those are zeros.

So it will come up, look like -- Whoever uses Outlook in their normal day to day, it will look pretty similar to that. So this is what it will look like. Kind of fuzzy for you, but -- So on your left-hand side, you have your inbox, so that's where everything will come into. You can put it in your favorites if you would like to have --
whichever you would like to have in there.

Below that is your own archiving information. So you can right-click, you make can folders, if you want to make it for quarterly meetings. You know, so once Coal Board sends stuff out to you, you can keep it in there if you would like. For records management, anything that is state business needs to be records managed, so there's a retention schedule. So what I would encourage you to do is make a folder on the left-hand side; any information for this meeting or the September meeting, you just drag and drop into there so that you are compliant with the records management for the State of Montana.

BOARD MEMBER FREDRICKSON: I have a question.

MS. MARTELLO: Yes.

BOARD MEMBER FREDRICKSON: So if we don't do any of the folders and we just keep it in the inbox --

MS. MARTELLO: That's totally fine too.

BOARD MEMBER FREDRICKSON: That's fine.

MS. MARTELLO: Yep.

BOARD MEMBER FREDRICKSON: Okay.

MS. MARTELLO: As long as it's accessible if we have to go out and find it. We can totally do that too.

VICE-CHAIR FITZPATRICK: So then if you don't even do it at all, that's fine too?

MS. MARTELLO: That's up to --

VICE-CHAIR FITZPATRICK: That's going to be probably me.

MS. MARTELLO: That's up to -- I think that they are going to start sending your information through the email. But I'm just here to show you how to do it, so...

MS. OLSON: And I might interject for a moment.

Mr. Chairman, Vice-Chairman Fitzpatrick, we're going to start to communicate with all of you via this email so that we also can document, demonstrate that the communication isn't to a personal, private email account that would then have to be subject to review or scrutiny as a public information request.

BOARD MEMBER ROOSE: Then does that mean that our board packets will come email? No more mailing?

MS. OLSON: Chairman, Marianne Roose, that's actually the direction that we'd like to be heading. So we'll have a transition time. But that will hopefully get the packets to you sooner. The volume of them tends to be a little bit daunting, so we'll start to work towards that end. It might just be a little bit of transition so that you get the front part of the packets first and then the applications or something like that.

We also don't want to overload your email so that it's full of really large documents, so -- But in the coming months, years, we're going to be looking at how we can your password -- It will prompt you to change it. After 60 days, if you don't do it, it will prompt you to change your password. And it cannot be the same password. It will not allow you to do that, to continue to change to the same password.

And any questions, anything like that, she hasn't been introduced yet, but Jodee Prevel will be your first point of contact if you have any questions or concerns or have any issues trying to get in. And then at the bottom of the page, all of the IT staff for the Department of Commerce is there and available for any problems that arise trying to get in. It is required that your Windows is up to date in the software requirement. So that if you don't update your Windows, it won't let you in. And that, again, is part of the security, so that we're safekeeping the State of Montana so that, you know, any virus or anything doesn't come into the system.

So any questions?

BOARD MEMBER ROOSE: Yes. Is this a part at all of the Montana Transfer Service?

MS. MARTELLO: It does hook to that. So we can hook you up for the Transfer Service.

BOARD MEMBER ROOSE: I serve on another state board, and we use the Transfer Service and I have a
MR. ATCHISON: Thank you, Mr. Chairman, Members

MS. MARTELLO: Yes. Yep. And that number

BOARD MEMBER ROOSE: -- a hard copy of what our

number is?

MS. MARTELLO: Yes. Yep. And that number

BOARD MEMBER ROOSE: -- is connected to that.

MS. MARTELLO: Yep. And some of the bigger

binders that do go out, we can put them into the Transfer

Service. You will automatically -- I'm sure like you do

in the other board, you get an email, you click on it, and

it literally opens right there for you.

BOARD MEMBER ROOSE: It's very friendly to use.

MS. MARTELLO: It is very friendly. It is easy
to use, and it's right there at your fingertips. So

that's something too that they can explore with you.

BOARD MEMBER ROOSE: That's good. Thank you. It

is much easier to use.

MS. MARTELLO: It is super-easy to use.

Any other questions? No? Okay.

Well, we're all here. We're available. Any

questions, please make sure you give us a call. Even

something as simple as "my RSA code isn't working." We've

all thrown those RSA codes around, because when we first

had to go onto them, we were all not liking them. But now

they're pretty accustomed to us.

BOARD MEMBER ROOSE: So really, this is nothing

more than for us to have at our fingertips --

MS. MARTELLO: To get into your Outlook.

BOARD MEMBER ROOSE: -- and that number

attaches to your email and to your CCA number, so if you

don't have that when you try to get in, it's not going to

let you in. We went to two-factor authentications

probably about a year ago now, and so it's just that

second step of safekeeping your information so intruders
can't come in.

Anything else?

Okay. Thank you.

CHAIRMAN WILLIAMS: Any other questions? Any

comments?

Okay. Thank you, Bonnie.

Okay. Thank you very much.

The next item on the agenda is the opportunity for

public comment, and I would invite members of the public

to make comment to myself and the Board on any items that

you would like to discuss other than those that are on the

agenda. So I would welcome your comments at this time.

MR. ATCHISON: Thank you, Mr. Chairman, Members

of the Coal Board. For the record, my name is

Jim Atchison. I'm the executive director of Southeastern

Montana Development based in Colstrip. And we are a

regional nonprofit economic development group that have

been there for over 20 years.

I had a couple of comments I wanted to share with the Board. Obviously, coal and energy is a big deal in

Montana, and the last couple years there's been a plethora

of different conferences and workshops and meetings going

on, and I just wanted to share a couple of those with the

Board that happened in the last couple months.

The Montana Energy Summit was held right here in

Billings. Many of you attended. It was hosted by

Senator Daines and Congressman Gianforte. Probably one of

the best energy conferences I've ever attended in 17 years

of doing what I've been doing. Outstanding speakers, a

star-studded list of speakers for two days. They made a

little side trip to Colstrip, which was very appreciated.

And what I wanted to share was this is the first time

that I can -- well, actually, first time ever that a FERC

commissioner visited the state of Montana. And FERC is a

pretty big deal. It's kind of like the federal PSC for

the feds, and the first time ever a commissioner has been

in Montana. And they also had some high-ranking

Department of Energy officials here too. So Montana is

getting noticed, especially in energy. And we all knew

that, but it's nice to be recognized and appreciated for

what we have and can contribute to the national economy.

Also in Billings back in April was the Coal Reliant

Communities Forum, specifically targeting communities that

are having impact challenges -- Roundup, Colstrip, and, of
course, Hardin and a few others, including Billings --

when certain things do happen. And they have one

scheduled for Gillette, but it's been postponed into the

near future. So a couple things there.

Also, I'm happy to report that it looks like,

according to the Montana Coal Council, Montana coal

production in 2017 was up about 9 percent. So that's some

encouraging news. In 2016 it was definitely down; 2017 it

was up about 9 percent; and so far, according to

Coalage.com through February, it was up about 2-and-a-half

percent in Montana. So some good news there as far as the

Severance Tax and exactly what the Coal Board and other

state agencies that rely on coal revenue can anticipate in

the future hopefully.

One grant application that we were part of, the

Colstrip diversification strategy, which we applied for

back in September and were awarded an award from you folks

in January, and we appreciate that, just a little update:

We completed the request for proposal, RFP process just

about a week ago. We're going through those applications

and scoring those presently. And probably July 1st, we'll
be hiring a coordinator position to help us with the
implementation of that diversification strategy, which is
a big deal not only for Colstrip but obviously the state
of Montana as well.

And Mr. Chairman, I know you've heard this before, but
I would like to officially invite the Coal Board to our
15th Annual Energy Open Conference and Golf Tournament
coming up in August. And I do have a handout there,
Mr. Chairman, if I could hand that out.

CHAIRMAN WILLIAMS: Please.
MR. ATCHISON: I think I have eight copies here,
so if we can pass those out.

And that's an event that we started back in 2004 to
showcase the economic benefits of responsible energy
development. And so this is, like I said, our 15th annual
conference. So you're all welcome. It's a lot of fun,
very casual. But you get around energy officials, and, of
course, you get to tour certain facilities that the public
generally cannot get into.

So with that, I'll sit down and let someone else talk.

So thank you.

CHAIRMAN WILLIAMS: Thank you very much, Jim.

Other comments from the public?

MR. HOWELL: Good morning, Board. For the
record, my name is Brad Howell. I'm the administrator of
Roundup Memorial Healthcare in Roundup. I have with me
Theresa Doumitt, who is our grant writer for the hospital.
We'd like to give a report on Grant No. MT-CB-17-1813,
which is health care equipment for Musselshell County,
Montana. We'd like to express our deep appreciation to
the Board for the funding that we've received. We have,
to date, used the funding -- or plan to use the funding
for seven different equipment projects, and I'll briefly
go through those and tell you where we are with those and
what the impact is.

Before I do that, I would like to, again, thank the
Board. Your funding is often crucial for us to obtain
other grant funding. Many of our grantors require
matching contributions, and Musselshell County, as one of
the poorer counties in the state, struggles to come up
with those sort of funds. And so your assistance on a
matching basis is, is instrumental to us being successful.

The first item that we have funded is a telemetry
monitoring system replacement. We have completed that
project. The project was launched on November 15th, 2017,
and that is fully operational. The impacts of this has
been that we have -- we are able to provide cutting-edge
emergency and acute care services on date of delivery in
our county.

You may or may not be familiar with rural health care,
but we are so small that we are not able to specialize
with our nursing care in different areas of the hospital,
so we generally staff one nurse who covers the emergency
room, covers our acute care beds, and then also, if we
have any skilled nursing beds, they all do that together
in some miraculous way. And one of the ways that we make
that work is with technology.

And so what the telemetry system does is allows us to
put patients on the monitor, and while the nurse or the
CNA may be elsewhere, the equipment is actually monitoring
heart rate, blood pressure, those sort of things with the
patient; and if there's a change in status, it alarms and
they're able to go assist them. It helps our providers to
make better decisions on care, and more quickly, because
there's a continuous monitoring system in place and those
vital signs are readily available.

And then finally, the machinery transcribes the
information directly into our electronic health record and
thereby decreases errors and time that it takes the
patients -- or, excuse me, our nurses to transcribe
information into the record. So this has had a very
significant and great impact with improvement in our
hospital services.

The second area is our portable x-ray project. We had
a machine that was many years old and was failing. There
were no repair parts for it. And so we purchased a new
machine using a technology called DR, which is digital
radiography. The benefits of that system are that
patients have to move less because we're able to -- we
don't have to put a, what's called a cassette underneath
them, and so it creates more comfort for our emergency
room patients and others.

And then the DR technology is much clearer and much
faster. And the machine we have actually has a screen so
that as the x-ray is taken, the providers and nurses, the
technician can actually look at the image as it's being
taken. So rather than developing cassettes and taking
several minutes to get a shot, it's instantaneous. And
that's been a significant improvement. The equipment is,
in fact, so good that we use it for our extremity x-rays
in lieu of using our standard equipment. The providers
love the equipment because if there's a broken bone, for
example, they can look at it and see exactly what's going
on sort of instantaneously and can move forward. So a
wonderful enhancement for us.

The third project that we're using the coal board
money for is the hydrotherapy equipment project. We're
building a new physical therapy building in Roundup, and
the hydrotherapy pool will be a centerpiece of a new
service, which will greatly enhance the ability for us to
help our patients. A lot of patients in Roundup skip physical therapy because it usually requires two or three visits a week and they don't want to travel back in to Billings that often for that sort of service. So that's a significant improvement to the services we provide. Particularly, the hydrotherapy system uses, of course, buoyancy and those kind of things to improve gait training or ability for people to walk and to walk in a more normal way, and so it will be a very significant improvement.

The equipment we're buying is, is cutting edge. It's used by many NFL and NCAA teams. So if you get challenged to a run or an arm wrestle in the next couple of years by anybody from Roundup, I'd encourage you to think about it because they're probably going to be in really good shape.

The fourth project that we are working on is a pharmacy cabinet project. This is an enhancement to how we currently dispense medications. Automatic dispensing equipment has been proven to make medication dispensing safer and quicker for patients, and thereby enhancing their care and helping us avoid errors.

We are partnering with the Helmsley Charitable Trust on this project. The Trust is providing about 75 percent of the funding, and the Coal Board is -- we're using coal board funds for the rest of the project. This will, again, greatly enhance our ability to provide safe care.

It allows a pharmacist oversight of medication orders, which is something we have struggled with but is a really important safety device that in a small hospital is hard to do. We just can't afford to have a pharmacist there. But this will allow us to have a pharmacist available remotely to review the medication orders.

The other projects that we're going to use the balance of the funds are for a new EKG machine, a portable ventilator, and a bone density scanner for the Roundup area. The EKG is used to monitor heart rhythms and is a critical part of care. They're hard to find funding for. It's difficult for us, with our reimbursement structure, to develop funding for those sort of things where they're replacements and not an actual new revenue stream.

The portable ventilator will be used on transfers to Billings and is a significant enhancement in patient safety. We currently use -- if ventilation is needed between Roundup and Billings, we currently do that manually. And sometimes you can push too hard or push too little, not get enough air in, get too much air into the patient. And a portable ventilator removes those kind of problems.

And then the bone density scanner is a service that's highly utilized for senior patients and also women to monitor the density of the bones and identify osteoporosis and those sort of things.

So that's how we're using your money. We deeply, deeply appreciate the grant that we've received. We are planning an open house for our new building in December or January '19. We plan to do that in coordination with the next coal board meeting -- or the coal board meeting in that time frame, and we would invite you to come see what we've been doing with your money up in the Roundup area.

CHAIRMAN WILLIAMS: Thank you very much, Brad. Thank you very much for that great update. And great job on all those things that you're doing for the folks up in Roundup and Musselshell County. So appreciate that very much.

Next, please.

CHANCELLOR EDELMAN: Good morning, Mr. Chair, Board Members. My name is Dan Edelman. I'm privileged to be the new chancellor of Montana State University Billings, and I'm thrilled to be here today. And thank you for allowing me to take a few minutes of your important time this morning to speak with you.

First of all, I get asked three questions wherever I go: The first is about the football team, when are we going to start that; the second is why do I have a cane; and how long am I going to be here. As far as the football team, we're not going to talk about that now. As far as the cane, I'm a disabled veteran. It's not here to hit you or anything bad, I promise you, but I need it for support.

And the third question, which is most important, is how long do I plan to be in Billings and serve as the chancellor. I plan to be here a long time. I've made a lot of personal financial commitments already. I've walked away from a defined benefit plan in the state of Texas I could start collecting in about two years because this opportunity was so great and because the community is an excellent partner, and there are just so many great things going on here.

So I want to thank you so much for investing, through Big Sky Development, in MSUB and our community to help us fund our new science building. We're getting really close. I'm confident we'll have the remaining funds shortly. We've already tentatively scheduled a groundbreaking ceremony in September. We are definitely within sight. I invite the Board to utilize space that we are repurposing on campus. If you want to hold meetings on our lovely campus, you may. That area should be ready in September and will be able to hold about 300, 350 people. So we look forward to inviting you there.

And lastly, again, I want to thank you again for
Chairman Williams, I have an update on the Heritage Acres project. If I may, I have a presentation of $500,000 -- Mr. Ueland, Shawn, from the Butte area -- and stepped up to the plate and covered the Murdock grant.

We have a community campaign starting; we'll kick it off on Thursday. And we have a $50,000 matching grant that's already halfway done right now for Thursday. Before Thursday gets here, we're hoping we'll have the $100,000 matched on that. And we have -- the chancellor is stepping up to the plate, and he'll do a challenge match also for the community and will be selling bricks. And hopefully that campaign in the next few weeks will put us at about $4.5 million.

We also have three large donors that we're working with. We're hoping to make that announcement coming up. And, and then back to the Board of Regents and to have the money appropriated to bring the project to $17.1 million with the student fees that have been voted to go forward for this building. And then after the Board of Regents, to have it signed off by the budget director at the State and the finishing up the drawings. We're hoping to bid in November and awarding by December. And as the chancellor said, we're hoping to have the ceremonial groundbreaking in September. And we just want to make sure all of you know we would love to have you there. We'll be getting an invite for each of you. The project is progressing, and with your help and your appropriation, what it really did is spurred a lot of our other donors to come on board with us and working forward.

The other thing that I wanted to say is not just on this building, but Montana State University Billings is reaching out in Coal Country. What we're doing, Commissioner Veronica Small-Eastman, is we're looking to set up working with you and especially education in Lame Deer and then the Crow Reservation in Coal Country. And we'd like to get that going, and the chancellor and I will be making a trip down to see you and getting that taken care of.

What we'd also like to do is we have a little tour through eastern Montana. Once the chancellor got here to town he said, "Why aren't we reaching out to eastern Montana?" So we have a bus tour going. We'll be coming -- Mr. Fitzpatrick, Commissioner Fitzpatrick has invited us down for Crow Fair, but what we're also doing is coming down into the Crow Nation and working in different areas with Montana State University Billings as we reach out.

Mr. Chairman, we'll be over to Colstrip and seeing
MR. HODGES: And I also have the director of nurses here and the mayor of Hardin, Joe Purcell, to my immediate left. What we did in the nurses' station -- if you remember, we were awarded, Anne, I believe $252,000 for the nurses' station remodel and then I call equipment. And what equipment involved was the nurse call system. And if you remember correctly, I called it the keno machine. You didn't know where the lights were at when it was activated because it was so dysfunctional, so the poor nurses and CNAs in this long-term care facility were just guessing where the call lights were being activated or lit up. That's no longer the case now. It's state-of-the-art. When someone rings and needs assistance in the long-term care facility, room specific, we know exactly where they're at.

And also, the WanderGuard system. That, to me personally, was probably the most insecure part of this grant request. Because, again, we literally had residents that were leaving the facility at an inappropriate time. That WanderGuard system locks us down. We know where they're at. We also have, I believe, Joe, they're bands that we put on the residents. So they are working, the systems, in appropriate coordination, and that's what so great.

What Joe and I did, we took about, I think six shots of the renovation. And if you can see that first picture, that's basically the before and I will call the ugliness protruded out into the lobby. You can see the combination of tile and carpet. That has been replaced.

The next picture is kind of during construction. And you can see we're starting -- we pushed back, did away with that nurses' station.

And then the last picture, we didn't do justice to it. We should have backed up a little bit. But that's the completed lobby. And it has just brightened that entire area. You can see there's a table there. Residents can meet there. It's centered underneath our skylight. You have to see it, but it's just made such a difference to that environment. Family members can visit. I mean, it's just now a gathering place, a magnate for the population to gather, and it's just made such a big change.

The last shot is actually where the staff charts at; where before, they were charting everywhere and anywhere. It's a secluded spot. They can chart. They can be professional. The providers that visit and round on the residents, they can sit down, they can chart. And it's just been so great.

The only thing -- And again -- Let's say we're substantially compliant. We've got the tile that's in the lobby that's a little bit lighter than we wanted. We're negotiating with both the installer and the manufacturer on that specific color and then the durability of the product. Joe could probably address it a little bit better. But we want to make certain that that durability is what we want in that particular area. We are providing what I will call leverage. We have not paid that contractor -- or that installer, so we're holding back, getting our way, and we hope to have that resolved very quickly.

But I mean, that's the project, and we're so, so happy this has gotten taken care of. I personally -- and Joe works in the environment every day. We really appreciate the generosity of the Coal Board. Thank you very much.

CHAIRMAN WILLIAMS: Okay. Thank you very much, Bill.

Other questions or comments?

MAYOR PURCELL: Good morning. Joe Purcell, the mayor of the City of Hardin and also director of nursing.

I'm going to follow up with Bill.

Again, the environment that it changed for that facility is unbelievable. The natural light, the families come in, and it's just a wow factor as they come in.

We're now way more HIPAA compliant and on the right track of being compliant with all of our CMS regulations and changes.

As far as the City of Hardin goes, I just want to kind of give an update and a thank you. The trash compactor up at the landfill, that project is 100 percent complete.

It's working great. And we realize now how much time we wasted on our other piece of equipment that would overheat after 20 minutes and we'd have to shut it down for an hour. And this has made the processes at our landfill much more efficient.

Our next project coming up is our Terry Avenue street restoration. We were a little short on funding. We went back to the engineers, we did a little bit of I would say downsizing and got it to fit into our budget. That is scheduled for July 9th, with a six-week completion time.

And so far that's going forward as long as the rain holds out and we can get in there.

Again, I thank you for both of those projects and helping us improve our community. Thank you.

CHAIRMAN WILLIAMS: Thank you very much, Mayor.

Other comments?

Okay. Thank you.

Next item on the agenda, we have the, actually the presentation of the transcript of -- At the last meeting, we did a transcript versus -- as we are this meeting,
MS. OLSON: Second week. Sorry. It's been more
fiscal year. And you can see all of the revenue that has
been earned or received into the Coal Natural Resource
Account beginning July 1 of 2017 through today's date. I
might point out that as of today, the June -- sorry, the
report is showing that June has no revenue receipt, and
that's because it comes in on a quarterly basis, so we
have not finished the month of June.
And so I want to point out one more thing, if you turn
the page, just from a historical look back, you have a
copy of all of the history of the revenue dating back to
2007. This was a request I think a couple of meetings ago
about what revenue looked like before.
So I'm going to direct you to the bottom of the page.
And you can see in fiscal year 2017, and I'll just remind
you that in October -- excuse me, I didn't mean to say
that -- in June, you can see that there was $591,714.11.
That same number occurs in 2018 in October. And that is a
negative amount of $591,714.11. So you can see how June
and October -- so June of the 2017 fiscal year is the same
number, and it always is this way, in the subsequent
fiscal year.
That's because the amount of revenue that is received
in June isn't recorded until after the quarter or the

fiscal year ends. And so it’s what’s called a reverse accrued. So at some point, Department of Revenue puts in the number and then reverses that accrual out based on the actual revenue received in the subsequent quarter which occurs in the subsequent fiscal year. So that’s why there’s a zero dollar amount.

You will see that typically, those numbers, as you look in the history, are -- well, they are always identical, but you can see that that amount fluctuates a lot. So as an example, they estimated in 2016 $1,040,779.96; however, what was actually received, if you look at October of 2017, was only $755,000, so it was a negative -- it was an overestimation of $284,000 approximately.

So we don’t know what that revenue estimate is, so right now we have zero dollars of revenue. So I’m going to direct you back to the main page, but this is good information I think to keep on moving forward. So just to recap again, we have revenue available in the Coal Natural Resource Account of $2,790,927.31. We did receive -- Actually, a project came back in and reverted funds on the project costs -- Sorry. I’m just going to wait for a second.

The costs of the project came in under budget, and so $12,301 were reverted back. So that means that the balance available of revenue -- of funds available in the account, there is negative $172,844.69. Which means that at this time, the Board has over-awarded project funds considering all of the awards that were made since the last meeting. That doesn’t count the $1.2 million that’s available -- excuse me, that has been requested for this meeting to be considered before the Board. So that’s all of the projects awarded thus far in the year.

So I wanted to point out a couple of different things. So you all should have the statutory criteria for coal board grants in front of you. It’s the little card stock sheet. And 90-6-206(1)(c) is where we find availability of funds, which is the third bold -- It’s right there. There you go. So everybody has that. Again, 90-6-206(1)(c) is based on availability of funds. Funds, we’re talking about funds available in the Coal Natural Resource Account, of which we have a negative $172,000.

So I’m available and open for questions. But I do have one question for the Board. We have approximately -- Let me pull out my sheet. We have Projects 0841, 0842, 0845, and 0846 that make up -- which is the Big Horn County Law Enforcement vehicle fleet upgrade, Big Horn County Library capital improvement needs, Rosebud County Health Care Center equipment updating project, and the Hardin Public Schools Activity Center pool roof replacement, which primarily makes up the $172,000 of awards, which is the negative $172,000.

So we would need direction as the board staff. We have not entered into contracts with those projects. As you might recall, we have not been entering into contracts until we see that there’s available revenue in the account to ensure that any obligations made by the State can be then fulfilled with the project applicant and fully committed.

Now, we still have another whole fiscal year to go. We still have the $3.4 million of available appropriation that will be in fiscal year ’19. But also just as an update, because we have not started the fiscal year yet, we have zero dollars of revenue sitting in the account for fiscal year ’19.

So I’m open and available for questions and happy to take any comments from the Board or the public.

CHAIRMAN WILLIAMS: Questions of Jennifer?

JENNIFER OLSON: Jennifer, tell me again, what numbers are those that make up the $172,000?

MONTANA DEPARTMENT OF COMMERCE - TRANSCRIPT OF COAL BOARD MEETING 6-20-18

MS. OLSON: You bet. Happy to. If you look, 0841, 0842, 0845, and 0846. As a reminder, the last board meeting, the 0848, Big Sky Economic Development Association project, that was awarding the MSUB Science
MS. OLSON: Well, I think that what I need is your direction. So it's a little bit of a sticking place because -- I wanted to point out the statute because it's based on availability of funds.

CHAIRMAN WILLIAMS: Yes.

MS. OLSON: So those projects we can't move forward with until there's revenue. And as you can see, the history of revenue, in October Department of Revenue will do that reverse accrual. They will put those funds back into the June account.

CHAIRMAN WILLIAMS: Right.

MS. OLSON: But, of course, that's into the next fiscal year, so it's a little bit of a conundrum. So we would need some direction from the Board about those being contingent upon available funds in the next fiscal year or that those are going to be funded out of the 2019 funds or in any, any number of things that would allow those projects to move forward once funds become available.

CHAIRMAN WILLIAMS: Well, if we make -- Okay. So the funds aren't here because we're in June. So they'll be coming in, you've got to figure they're going to be coming in next month after this. But they would be coming -- But wouldn't you anticipate that those would occur before the first of July?

MS. OLSON: I would not. What we saw last -- So when you think about last June, it took us until -- Well, let me take a little step back. When we looked at last June, we still had zero revenue for June. Then what we saw was there was no revenue in July, there was no revenue in August, and we went to our September board meeting with very little information about what revenue was in June, July, or August. In fact, it wasn't populated until at the very end of September in order to do a reverse accrual in October. Which is what you can see from the history, that that's when the reverse accrual occurs for the Department of Revenue.

The payments are received on a quarterly basis because the mines get a certain amount of time to pay that. And then the Department of Revenue, I believe, gets somewhere between 30 to 45 days, I can't remember that exact date, to enter that information into the accounts and do the processing of the payments that they have to do. So that's why we're looking at that, that quarter. Then they have that time to take care of it. But, but they're also doing some reconciliation, because it's the beginning of the fiscal year. So that's why we, last time, saw the data populated in July and August late in September. So it won't -- I'm guessing here because we don't know when will that revenue come into, into the account credited in June. So we can, we can hold them contingent upon availability of funds for the rest of the fiscal year, for this -- excuse me, this 2018 fiscal year. And we also don't how much revenue, so it could be up or down based on when you look at the appropriation.

And remember that we're talking about two different things; one's appropriation, and one's revenue. So I was explaining this earlier, think about your coffee cup. If your coffee cup is full of appropriation but you only get to have revenue poured in to halfway, you only get to drink halfway up the cup; that's the revenue. If your appropriation is only half of a cup but your revenue goes to the top, you still only get to drink half of it. Because it's based either -- well, it's based on the appropriation, but the amount of available funds in the account is the revenue; it's the cash in the account.

CHAIRMAN WILLIAMS: Okay. Now, the action that you need from the Board is to -- So we need to act on that or we can allow it to continue --

MS. OLSON: So what we will do -- And it would be great to have confirmation from the Board --

CHAIRMAN WILLIAMS: Yeah.

MS. OLSON: What we will be doing is still waiting for revenue to come in for 0841, 0842, 0845, and 0846, those projects. We won't be entering contracts until we see revenue.

CHAIRMAN WILLIAMS: Right.

MS. OLSON: This is going to be a more important conversation as we go to the end of the biennium. Because if you make awards and you make it contingent upon, we would make contracts contingent upon, but that's a slippery slope because we still won't know what the available revenue is for June. So if the available revenue doesn't come in sufficient to pay for those contracts, then you're essentially awarding funds that you don't have the authority to award.

So contingent upon available revenue is very critical to how the Board proceeds. So we will be waiting for revenue to come into the account before we enter into these contracts. Of course, if they come in in July for some reason, we will enter into contracts right away with those grantees.

So just your confirmation that that's the process that we'll be moving forward with and there's not other direction from the Board.

CHAIRMAN WILLIAMS: Okay. So what action do you need from the Board?

MS. OLSON: I guess just a confirmation that we'll wait for those to be entered into contract, which will happen in the subsequent fiscal year upon
availability of revenue.

BOARD MEMBER ROOSE: With a priority of the order in which we discussed.

MS. OLSON: So it will still go in this order of 0841 through 0846.

CHAIRMAN WILLIAMS: Okay.

MS. OLSON: Which is what the Board had previously established as a priority order.

BOARD MEMBER ROOSE: But wouldn't 0848 be the top priority?

MS. OLSON: Which is not part of -- That's not really part of the factor. It's these --

VICE-CHAIR FITZPATRICK: Just the latest ones.

MS. OLSON: These four.

BOARD MEMBER ROOSE: Just the latest ones. Yes.

MS. OLSON: Uh-huh. And let me talk a little bit about 0848. We are short just under $5,000 -- sorry, $3,000 to meet it, so we're going to enter into a contract with MSUB because we feel pretty confident that we'll come up with $3,000 in revenue. I think that's a pretty safe bet. So we're going to move forward with that one, but the other ones are really subject to a larger amount of funds coming in.

CHAIRMAN WILLIAMS: Okay. So you need board action on confirmation?

MS. OLSON: Yeah. And so if those funds for the, the Board's concurrence on --

CHAIRMAN WILLIAMS: Okay. So we can do that now.

MS. OLSON: And, of course, any other questions, and if the public has questions as well.

CHAIRMAN WILLIAMS: Okay. Let's go ahead and have a motion on that confirmation of that activity.

MS. OLSON: And before you make your motion, you might want to have public comment as well.

CHAIRMAN WILLIAMS: Well, no. I'm going to do a motion and then I'll do comments --

MS. OLSON: Oh. I'm sorry.

CHAIRMAN WILLIAMS: -- and then I'll do public comment. Okay?


CHAIRMAN WILLIAMS: Okay. A motion on that?

BOARD MEMBER SCHAFF: So moved.

CHAIRMAN WILLIAMS: And second?

VICE-CHAIR FITZPATRICK: Second.

CHAIRMAN WILLIAMS: Discussion of the Board? Discussion of the public?

MR. KENNEDY: Mr. Chairman, members of the Commission, Bill Kennedy, CEO of MSU Billings Foundation.

The question I have, Mr. Chairman, Jennifer, would be that if these projects were to come out of fiscal year '19, and
MR. HODGES: Mr. Chair, Bill Hodges, Big Horn Hospital Association. I'm the executive director. I mentioned to both Anne and Jennifer, regardless of what Jennifer's comments were, is that I was going to ask for our application, 0850, the hospital renovation, to be tabled to September, next quarterly meeting. And it certainly underscores what Jennifer has said. I was going to ask it be tabled regardless of what I heard. We have a couple things going with us. Actually, yesterday, we went in front of the Montana Facility Finance Authority Board and asked for a loan, and we did receive preliminary approval for our loan. And at the same time, we have another loan working plus our philanthropic public campaign. It just makes more sense for us to wait until September, because we'll have the public campaign dollars, we'll know definitely on that loan. I just did not want to waste the time of this board talking about something that was still going to be out there at least a quarter of the time.

So I respectfully request that it be tabled, if that's appropriate now.

CHAIRMAN WILLIAMS: It would not be at this time.

Okay? But I appreciate your comments. We'll address it when we come to it on the agenda.

MR. HODGES: Thank you.

CHAIRMAN WILLIAMS: Okay. Other comments as it relates to the motion?

Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Yes.

MS. PICHETTE: Shawn Frederickson.

BOARD MEMBER FREDRICKSON: Yes.

MS. PICHETTE: Amber Henning.

BOARD MEMBER HENNING: Yes.

MS. PICHETTE: Marianne Roose.

BOARD MEMBER ROOSE: Yes.

MS. PICHETTE: Tim Schaff.

BOARD MEMBER SCHAFF: Yes.

MS. PICHETTE: Veronica Small-Eastman.

BOARD MEMBER SMALL-EASTMAN: Yes.

MS. PICHETTE: Chairman Williams.

CHAIRMAN WILLIAMS: Yes.

Thank you. The motion has passed.

Okay. Any other business as it relates to the issue?

Next item on the agenda, Jennifer.

MS. OLSON: Mr. Chairman I'm going to hand this over to Anne to do project updates.

CHAIRMAN WILLIAMS: Okay.

MS. PICHETTE: Mr. Chairman and Board Members, if you'd like to turn to the first spreadsheet behind the budget pages Jennifer was mentioning. It's got a blue line at the top and then a gray line close to the top as well. Those are your 2015 and 2017 projects.

No. 0742 is at 85 percent spent. They sent an update that they've had a short pause in the current construction they're doing, and they believe that construction will start again on the 25th of June.

You'll see that 0743 closed.

And then on this list, I'll go through some of them, but behind this list will be the actual letter requests that some of them have sent in for extension requests or scope of work changes. So I'll do the quick update here, and then we can go through them one at a time, through your packet, for the ones that have requested extensions or changes. And some of them may be here as well.

CHAIRMAN WILLIAMS: Okay. So any other -- so we'll continue on with the updates and then we'll come back and address those that have asked for extensions.

MS. PICHETTE: If that's what you'd like, or we can do it --

CHAIRMAN WILLIAMS: Okay. Let's do it --

MS. PICHETTE: -- whichever way the Board would like.

CHAIRMAN WILLIAMS: Yeah. Let's go ahead and do that, and then we'll address those that have been -- those requests.

MS. PICHETTE: Wonderful. Thank you, Mr. Chairman.

CHAIRMAN WILLIAMS: Okay. Thank you.

MS. PICHETTE: So 0759, City of Colstrip, you'll have a letter in your packet for an extension request.

0781, Musselshell County. When you look at your spreadsheet, it looks like there's zero percent spent, but they've actually completed the project. We're just in the middle of going through their final paperwork to get 100 percent paid and do their closeout. They're just waiting on, they said, about 2 to 5 percent of the project to be finalized by the contractor, and they don't have their certificate of occupancy yet. So we're working through that. And they wanted to do theirs all as a lump sum drawdown. So that one is close to closing as fully completed.

No. 0758, Big Horn County, you'll have an extension request in your packet for that.

No. 0786 closed.

No. 0787, you have an extension request in your packet.

No. 0789, that's another one of those that looks to be zero percent. They've actually completed the project, and we're just finalizing paperwork to be able to do the
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
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<tbody>
<tr>
<td>0790</td>
<td>Broadview Fire Department, they have been working with the contractor and they have started construction.</td>
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<tr>
<td>0793</td>
<td>is now closed. That was one that you addressed at your meeting in March.</td>
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<tr>
<td>0796</td>
<td>Hardin Public Schools, that one is going to have an extension request. Sorry. I printed this too small for myself.</td>
</tr>
<tr>
<td>0799</td>
<td>City of Colstrip, that one closed.</td>
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<tr>
<td>0800</td>
<td>City of Hardin, we just got an update on their landfill compactor, and they've completed and closed.</td>
</tr>
<tr>
<td>0801</td>
<td>Big Horn County, that one is also closed.</td>
</tr>
<tr>
<td>0802</td>
<td>Rosebud County, that one is closed.</td>
</tr>
<tr>
<td>0803</td>
<td>Yellowstone County, has closed.</td>
</tr>
<tr>
<td>0804</td>
<td>Musselshell County, that one has closed.</td>
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<tr>
<td>0805</td>
<td>is another Musselshell County, and that one sent a letter that they may need to extend. That contract does not expire until March of 2019.</td>
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<tr>
<td>0807</td>
<td>Lodge Grass Schools, they are very close and they believe they'll be sending a draw sometime at the end of the summer.</td>
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<tr>
<td>0808</td>
<td>that one, the work has been completed.</td>
</tr>
<tr>
<td>0810</td>
<td>the contractor has been selected and they're on track with the elevator.</td>
</tr>
<tr>
<td>0811</td>
<td>Big Horn County, the Hospital Association, that's the boiler, and that one has closed.</td>
</tr>
<tr>
<td>0812</td>
<td>Colstrip Fire Department, that one has closed.</td>
</tr>
<tr>
<td>0813</td>
<td>we received an update on that one today, and they're at 76 percent.</td>
</tr>
<tr>
<td>0815</td>
<td>Big Horn County, that one has closed.</td>
</tr>
<tr>
<td>0818</td>
<td>is expecting the delivery of their ambulance either sometime the 25th through the 29th of this month. So then once they receive their vehicle, they'll be ready to close as well. And then No. 0819 is one that you will see both on this page and on your next spreadsheet, which is your 2019 projects. And that one, they're just getting started, as that one goes through 2021. So if you want to go to the next page. It's the one with the pink at the top. Those are all the 2019 biennium projects. Many of them have just contracted. They were the ones that we're starting with -- last June's awards that we just started to enter into contract as we received enough revenue to do so. But I would like to report that No. 0822 already completed and closed their project. No. 0827, Big Horn County, they completed their project and closed. And they came in under budget by $11,292. That's part of the recaptured amount you would have seen on your very first page that was highlighted, because that's now funds that has gone back in. The same thing with 0828, Hardin Public Schools, for their AEDs. They also came in under budget and have returned $1,009 to the Coal Board. So they are also closed. Then No. 0833 through No. 0840 have contracts routing. And you will see No. 0830 has a request in to the Board for a scope change.</td>
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<td>0830</td>
<td>has a request in to the Board for a scope change.</td>
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<td>0833</td>
<td>through No. 0840 have contracts routing.</td>
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<tr>
<td>0836</td>
<td>Big Horn County, the Hospital Association, that's the boiler, and that one has closed.</td>
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<tr>
<td>0825</td>
<td>since the time this spreadsheet was printed, has actually put in a request for $113,000 that's gone through, so they are now 94 percent completed with their project.</td>
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<tr>
<td>0827</td>
<td>Big Horn County, they completed their project and closed.</td>
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<td>0828</td>
<td>Hardin Public Schools, for their AEDs. They also came in under budget and have returned $1,009 to the Coal Board. So they are also closed. Then No. 0833 through No. 0840 have contracts routing. And you will see No. 0830 has a request in to the Board for a scope change.</td>
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<td>0833</td>
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CHAIRMAN WILLIAMS: Okay. Thank you.

MS. PICHETTE: Mr. Chairman and Board, I apologize. I missed one on my list. No. 0825, since the time this spreadsheet was printed, has actually put in a request for $113,000 that's gone through, so they are now 94 percent completed with their project.

BOARD MEMBER SCHAFF: Which one was that?

MS. PICHETTE: Sorry. It was one of the 2019 projects. It was 0825, Lame Deer Public Schools.

I'm sorry. I just skipped over that one, but that's an update that you won't see on your sheet as that just came through.

CHAIRMAN WILLIAMS: Okay. Thank you for that.

Okay. Let's go with now the requests on the extensions or whatever requests from the applicants. Let's go through those processes.

MS. PICHETTE: So Mr. Chairman and Board, the first one in your packet is from Hardin Public Schools, No. 0796, and you have a letter in there with their request.

CHAIRMAN WILLIAMS: Okay. The request on this letter -- Is the superintendent of schools here?
BOARD MEMBER SCHAFF: John, remember, he was retiring.

CHAIRMAN WILLIAMS: Okay. The request on this is for this project to be extended to March 31st of year 2020, based on the information in that letter. I'll entertain a motion to that effect.

BOARD MEMBER SCHAFF: So moved.

CHAIRMAN WILLIAMS: And second?

BOARD MEMBER SMALL-EASTMAN: Second.

CHAIRMAN WILLIAMS: Discussion?

Comments from the public?

Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: I recuse because I work with the schools.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Yes.

MS. PICHETTE: Amber Henning.

BOARD MEMBER HENNING: Yes.

MS. PICHETTE: Marianne Roose.

BOARD MEMBER ROOSE: Yes.

MS. PICHETTE: Tim Schaff.

BOARD MEMBER SCHAFF: Yes.

MS. PICHETTE: Veronica Small-Eastman.

BOARD MEMBER SMALL-EASTMAN: Yes.

MS. PICHETTE: Chairman Williams.

That request is approved.

Next item, next request.

MS. PICHETTE: The next request in your packet is from Big Horn County Board of County Commissioners. It is for Project No. 0785. And they believe they need until October 31st of this year.

CHAIRMAN WILLIAMS: This is a request on Application 0785 to extend the date of that to October the 31st, 2018. I'll entertain a motion.

BOARD MEMBER ROOSE: This is Marianne Roose. I make a motion that we approve that request.

CHAIRMAN WILLIAMS: And second?

BOARD MEMBER SMALL-EASTMAN: Second.

CHAIRMAN WILLIAMS: It's been seconded.

Discussion?

Comments from the public?

Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Recuse.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Yes.

MS. PICHETTE: Amber Henning.

That request is approved.

Next, Anne, please.

MS. PICHETTE: The next request in your packet is from the City of Colstrip, No. 0759, and you have their letter there that they're 95 percent complete.

CHAIRMAN WILLIAMS: I'll entertain a motion.

BOARD MEMBER SCHAFF: So moved.

CHAIRMAN WILLIAMS: And second?

BOARD MEMBER FREDRICKSON: Second.

CHAIRMAN WILLIAMS: Discussion from the Board?

I'll just make some comments as far as discussion on this project. This has been a big project for the City of Colstrip. It's a $2.5 million project, and it required a lot of processes to go through with the DEQ and other activities associated with completing this rehab project on the sewer system, the clarification system on the sewer plant. And the City has almost completed it. As a matter of fact, we anticipate we'll be completed probably by the end of, end of next week. This also required us to go through a bonding process, required about $1 million on a $2.5 million project.

So any other comments?

Comments from the public?

Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Yes.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Yes.

MS. PICHETTE: Amber Henning.

BOARD MEMBER HENNING: Yes.

MS. PICHETTE: Marianne Roose.

BOARD MEMBER ROOSE: Yes.

MS. PICHETTE: Tim Schaff.

BOARD MEMBER SCHAFF: Yes.

MS. PICHETTE: Veronica Small-Eastman.

BOARD MEMBER SMALL-EASTMAN: Yes.

MS. PICHETTE: Chairman Williams.

That is approved. Thank you.

Next, please.

MS. PICHETTE: The next one before you has...
two separate letters with two separate requests. It is
No. 0787 from the Crow Tribe. The first request is to
extend the contract. The second request is to change the
scope. So I'm not sure how you want -- if you want to
look at those individually or if you want to look at those
two letters together.

7  BOARD MEMBER SCHAFF: Mr. Chairman, I think you
need to do those separately.
8  CHAIRMAN WILLIAMS: Yeah. Let's go ahead and
we'll work on them separately. And we'll go through the
first to extend the contract and then to change the scope.

9  BOARD MEMBER ROOSE: This is Marianne Roose. I
make a motion that we approve the request for extension.

10  CHAIRMAN WILLIAMS: And second, please.
11  BOARD MEMBER FREDRICKSON: Second.
12  CHAIRMAN WILLIAMS: It's been moved and seconded
to extend the contract to the December 31st, 2020 date.

13  Discussion?
14  Comments from the public?
15  Vote, please.
16  MS. PICHETTE: Vice-Chair Fitzpatrick.

17  MS. PICHETTE: Shawn Fredrickson.
18  BOARD MEMBER FREDRICKSON: Yes.
19  MS. PICHETTE: Marianne Roose.

20  MS. PICHETTE: Veronica Small-Eastman.
21  BOARD MEMBER SMALL-EASTMAN: Yes.
22  MS. PICHETTE: Chairman Williams.
23  CHAIRMAN WILLIAMS: Yes.

24  The motion is approved.
25  Next, Anne.
26  MS. PICHETTE: The next letter in your packet is
65
27  a request for a change of scope. This is for one of the
28  projects that was awarded last June, so it is not
29  currently under contract as they've requested a change in
30  scope before the contract could be executed. And in that
31  packet, you've got the information of why they want to
32  change the items they're purchasing and the difference
33  between what the Board approved in June and what the new
34  request is.

1  request is.
2  CHAIRMAN WILLIAMS: Okay. The letter identifies
3  on the request -- Sheri, you're here. Would you like to
4  address the Board?
5  MS. BEMENT: Sure.
6  Good morning, Chairman and Coal Board Members. I was
7  awarded a $170,356 award last year for water and
8  wastewater equipment for my utilities program. And the
9  first prioritized budget I submitted exceeded my amount,
10  and it only let me get two trucks and the backhoe. But
11  after deliberation with my team and my board members, we
12  submitted a second budget that lets me get pretty much all
13  of the equipment I requested -- minus the backhoe because
14  it was too much and a third truck -- which I need, because
15  for the Reservation I have five districts to cover, and
16  these changes would be very much appreciated.
17  CHAIRMAN WILLIAMS: Okay. Thank you.
18  Any questions of Shari on her request on this?
19  I think at the time -- we asked you at that time to
20  kind of go through it and prioritize and those types of
21  things --
22  MS. BEMENT: Yes.
23  CHAIRMAN WILLIAMS: -- for a number of reasons.
24  Of course, you were newer to the position and -- But the
25  Board went pretty much along with what you had requested.
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<tr>
<td>18</td>
<td>So I would entertain a motion to approve the request from the Northern Cheyenne Utility Commission to change the scope of the project. The award amount stays the same at $170,346 [verbatim].</td>
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<td>19</td>
<td>BOARD MEMBER SMALL-EASTMAN: So moved.</td>
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<td>20</td>
<td>CHAIRMAN WILLIAMS: And second?</td>
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<td>21</td>
<td>BOARD MEMBER FREDRICKSON: Second.</td>
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<td>22</td>
<td>CHAIRMAN WILLIAMS: It's been moved and seconded.</td>
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<td>23</td>
<td>Discussion?</td>
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<td>24</td>
<td>Comments from the public?</td>
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<td>25</td>
<td>Okay. Vote, please.</td>
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<td>MS. PICHETTE: Vice-Chair Fitzpatrick.</td>
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<td>27</td>
<td>VICE-CHAIR FITZPATRICK: Yes.</td>
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<td>28</td>
<td>MS. PICHETTE: Shawn Fredrickson.</td>
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<td>29</td>
<td>BOARD MEMBER FREDRICKSON: Yes.</td>
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<td>30</td>
<td>MS. PICHETTE: Amber Henning.</td>
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<td>31</td>
<td>BOARD MEMBER HENNING: Yes.</td>
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<td>32</td>
<td>MS. PICHETTE: Marianne Roose.</td>
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<td>33</td>
<td>BOARD MEMBER ROOSE: Yes.</td>
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<td>34</td>
<td>MS. PICHETTE: Tim Schaff.</td>
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<td>35</td>
<td>BOARD MEMBER SCHAFF: Yes.</td>
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<td>36</td>
<td>MS. PICHETTE: Veronica Small-Eastman.</td>
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<td>37</td>
<td>BOARD MEMBER SMALL-EASTMAN: Yes.</td>
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<td>38</td>
<td>MS. PICHETTE: Chairman Williams.</td>
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<td>39</td>
<td>CHAIRMAN WILLIAMS: Yes.</td>
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<td>1</td>
<td>MS. PICHETTE: Thank you.</td>
</tr>
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<td>2</td>
<td>CHAIRMAN WILLIAMS: Thank you very much. Okay.</td>
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<tr>
<td>3</td>
<td>Where are we at now?</td>
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<td>4</td>
<td>MS. PICHETTE: And then a letter that's not in your packets, that came after your packets, is from Musselshell County, and it's a thank you letter. But they've addressed it to you, so I want to make sure we hand out copies to you now.</td>
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<td>5</td>
<td>And then the next section -- the next page in your packet, you will see some documents provided from grantees. At the last meeting, you asked for follow-up from some of them during your awards. The following pages are the documents they have provided. The first one is a set of minutes from Roundup, and that was for Project 0838, which was for an end dump truck purchase. The next packet is three pages from the Rosebud County Commissioners, and that was for Project 0836 for the Rosebud County Sheriff's Office equipment. And then the last set of correspondence is correspondence that the Board received following the last meeting with some questions about one of the applications. In there for you is the response from Commerce. It also includes the letter from the Chairman, as a member of the public wrote the Chairman directly. So Chairman Williams sent it over to Commerce. So this packet also includes</td>
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<td>costs. The applicant states the need to rehabilitate the system to address specific problems associated with the system, including the replacement of Lift Station 1, components for Lift Station 2, evaluation of the collection system, and other items as relating to the system. The applicant has stated they also plan to further quantify the extent of the lagoon leakage.</td>
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<td>CHAIRMAN WILLIAMS: Okay.</td>
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<td>8</td>
<td>MS. PICHETTE: And Mr. Chairman, their environmental is complete on this request.</td>
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<td>9</td>
<td>CHAIRMAN WILLIAMS: Pardon me?</td>
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<td>10</td>
<td>MS. PICHETTE: Their environmental documentation is complete on this request.</td>
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<td>11</td>
<td>CHAIRMAN WILLIAMS: Okay. Town of Hysham.</td>
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<td>MAYOR FINK: My name is Larry Fink. I'm the mayor of Hysham, unfortunately for about the last 30 years. But I did get rid of one of my jobs. I retired from the school after 42 years in Hysham. And one of my students will actually give a lot of the talk to it.</td>
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<td>13</td>
<td>Bob Keele, our maintenance person, was not able to attend.</td>
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<td>14</td>
<td>He has been babysitting the lift station because of the extra rain going into it.</td>
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| 15 | We are changing the amount that we are requesting. We are going to change it down to $60,000 at this time for just the engineering part so that we can at least maybe
get going on the process.

MR. VANDERLOOS: Thank you, Mr. Fink.

Good morning, Chairman, Members of the Board. My name is Bryan Vanderloos. I'm with the engineering firm KLJ.

We wanted to, first and foremost, thank you for the planning grant that you granted the Town of Hysham. We were able to use those funds to complete a preliminary engineering report for the Town to address the needs of their wastewater system.

In that project, we indicated the lift stations had failed last winter, Lift Station No. 1 primarily. It is the primary lift station that pumps all the wastewater from town to the lagoon system. At this time, like Mr. Fink said, we'd like to move forward with our engineering process.

I would like to address the staff report and the findings for the discrepancy in the budget narrative and the budget. From what we found working in southeastern Montana, that there will be some inflation dollars for a construction in 2020 for this project, which we accounted for in the construction budget and the budget itself. And we explained it, furthermore, as a separate item in the budget narrative. It's included in the budget and the budget narrative, just in two separate locations. And to address the priorities and the needs for the Town, the Town did complete a capital improvements plan in 2014. The Town hired KLJ in 2015 to do an assessment of the lift stations, and at that time we did find that the lift stations were in pretty rough shape, which moved them further up in the priority list of the needs of the Town.

Any questions?

CHAIRMAN WILLIAMS: Questions from the Board?

BOARD MEMBER HENNING: Mr. Chairman, I have a question.

CHAIRMAN WILLIAMS: Please.

BOARD MEMBER HENNING: You have lowered your request to $60,000 and noting that, you know, you want to get this project started as soon as possible. You heard the talk earlier. We have no funds in the account right now, possibly won't have those revenues until months later. Is that even feasible for you at this point?

MAYOR FINK: I think so. Because actually, we have no other funds at this time. You know, we just finished a major water project, kind of deleted everything we had. So we would like to, even though you have no money at the time, at least have an idea that we can continue. Because, as I say, our maintenance person -- I'd hate to see him drown down there sooner or later.

MR. VANDERLOOS: And to kind of further what Mayor Fink is talking about, with Lift Station 1, when it did fail last winter, the pumps failed, the Town had to find a, basically a refurbished pump that they had in the back of their maintenance shop to get in the lift station to keep it running at this time. It does kind of click and clank, and it's in pretty rough shape, but operating now.

CHAIRMAN WILLIAMS: Other questions or comments?

MAYOR FINK: You know, really, I couldn't tell you right offhand. But being there for 42 years, when we first went there the high school had 120 students in it. Our whole school last year had 56, K through 12. So our population town-wise I think has probably, in those 40 years, dropped by half. And like myself, we're a retired part now.

CHAIRMAN WILLIAMS: Mayor, do you know what your total debt is? What's your debt on your town?

MAYOR FINK: That I couldn't tell you right offhand. We just finished the $2.5 million water project.

CHAIRMAN WILLIAMS: On your water tank?

MAYOR FINK: On our water tank. And we raised the sewer rate just recently so that we would have more money going into that account.

CHAIRMAN WILLIAMS: Okay. I appreciate that. You know, I'm well aware of not only do you pay your taxes but you've got water and sewer rates that you pay and you have to bond yourselves in order for that to occur and borrow the money and put that obligation back on your residents. It's a challenge to keep things going. So thank you for that.

Thank you.

Next is 0850, and this is the Big Horn County Memorial Hospital request for $500,000. And I know, Bill, you've already stated it, but we'll go ahead and we'll introduce it, and then you can do your action request.

MS. PICHETTE: No. 0850, Big Horn County Memorial Hospital renovation and equipment updates, $500,000.

The applicant is requesting $500,000, of a total project of cost of $9,632,830, in coal board funds to complete the renovation of the hospital and the replacement of equipment. The request to the Board is 5 percent of the project costs. The applicant states the need to upgrade equipment and renovate the existing
facility along with an addition. The current facility was built in 1959 and includes an undersized emergency department and lack of controlled patient access.

CHAIRMAN WILLIAMS: Thank you.

Bill.

MR. HODGES: Good morning. Bill Hodges, Big Horn Hospital Association. I'm the foundation director of the Hospital Association. And as I stated earlier, it's just wise for us right now to request a table on this application for the half a million. As I mentioned, we just heard yesterday from Montana Finance Facility that we did receive preliminary approval through a resolution for our loan amount. That's a positive thing. And again, as I indicated, we're going to go out to the public very soon and have a capital campaign and be able to generate additional funds.

Right now, I'm in what's called the internal campaign or family campaign. And what that involves is everybody that's employed, so to speak, with the Hospital Association, that's us as staff, that's medical providers, that's our four boards, and I'm pledging them up for a challenge for the loans that we'll see.

And so, like I say, right now it's just premature for us. And like I said, irregardless of what Jennifer conveyed to the Board, is that I still respectfully request a table so we could, again, get more accurate consideration of funding in that September meeting.

Mr. Chair and Board Members.

CHAIRMAN WILLIAMS: Okay. Thank you.

Questions from the board?

Thank you for that.

Next is 0581, Big Horn County, excavator purchase.

Anne.

MS. PICHETTE: Thank you, Mr. Chair. No. 0581, Big Horn County, excavator purchase, $165,000.

The applicant is requesting $165,000, of a total project cost of $240,000, in coal board funds to complete the purchase of an excavator. The request to the Board is 69 percent of the project costs. The applicant states the need to purchase an excavator as the road department does not currently own one.

CHAIRMAN WILLIAMS: Big Horn County, please.

MR. REDDEN: Good morning, Mr. Chairman, Members of the Board. My name is Matt Redden. I'm the road superintendent for Big Horn County. It is true we don't have an excavator right now. We've never had one. We've been using backhoes and whatnot to get things done. This will help the County get things done more faster and more efficiently.

The situations, you know, with the flooding going on their best in that short amount of time they have the window for the excavator. You know, we replaced one up in Little Bighorn Valley, a big culvert, and we just had one collapse in North Valley. You know, roads, we've got 1,000 miles of Big Horn County road. And this would be a great asset for our fleet.

CHAIRMAN WILLIAMS: Okay. Questions from the Board?

If it's not funded, you'll continue to rent equipment?

MR. REDDEN: Yes.

CHAIRMAN WILLIAMS: It's just a lot of money for, for a piece equipment if you can currently get by without it.

MR. REDDEN: Well, the thing -- Excuse me. The thing about that is, is when you try renting one, you have a scheduled time. Like the chairman, George, was talking about with the culvert that we had to go out there on Wyola, we was trying to install that during a rainstorm and snow in April, trying to get that completed because we only had allotted time to get in there to get this done.

So we're trying to crowd everything in that time zone when we rent one, so it's kind of tough for us to do.

CHAIRMAN WILLIAMS: Have you checked the availability of a good used piece of equipment?

MR. REDDEN: No. Well, you can, but you don't
CHAIRMAN WILLIAMS: Yes.

BOARD MEMBER SMALL-EASTMAN: You know, in the application, you mentioned the Crow Tribe and the Northern Cheyenne Tribe, but then on page 8 of the application, you're asking just for the City of Hardin. And so I'm kind of wondering, you know, will this new fire truck be going out to the -- You have I guess memorandum agreements with, you know, the Crow Tribe and Cheyenne Tribe, and as well as with the communities like Lodge Grass and Wyola and Pryor. Will this new fire truck be going out to those communities or will it be the ones that are junkers?

MR. CONNELLY: Basically, the way it works is if another fire department requests our assistance, we won't turn them down. I think Matt would attest to us doing the best that we can to provide mutual aid in surrounding areas, wherever they would be. The way the mutual aid agreement works is based on the chief's discretion, so my discretion, or the mayor's discretion. Our fire department knows that if a fire department needs help, go help them, whether it's a structure or grass or whatever.

BOARD MEMBER SMALL-EASTMAN: Okay. Might want to make an amendment to that on that page 8 where, you know, it will be going out to the other communities as well.

MR. CONNELLY: Okay.

Members of the Board. My name is Joe Connelly. I'm the fire chief of the Hardin Volunteer Fire Department. We are looking to replace our 1985 Ford fire truck, which only holds a total of three firemen. They do not have self-contained breathing apparatus in the truck, so any fire related to that, those firemen are not protected if there is gas leaks or whatnot. And a truck this size would also help to replace the 1983 bus that we use for transportation also.

I'll have the mayor...

MAYOR PURCELL: Joe Purcell, mayor of the City of Hardin. Just to back up what Joe was saying, they've done a really good job of maintaining the equipment we have, but it's getting to the point where it's starting to fail on us. As far as public safety, environmental safety, that's kind of our biggest concern, as far as being able to get to fires in a timely manner and in a safe manner. I do need to apologize and include our environmental review. I thought I had included that with our application and I had not. So I have that review form that I will turn in as well.

So any questions?

CHAIRMAN WILLIAMS: Questions?

BOARD MEMBER SMALL-EASTMAN: I just have one question, please.

CHAIRMAN WILLIAMS: City of Hardin.

MR. CONNELLY: Good morning, Mr. Chairman,
within our community. This is also our first request with the Coal Board and also the first request from Fergus County.

A little information on the project. This project is located on city property. Some of it, the adjacent property, was acquired through the Rails to Trails Program. As the railroad pulled out of our community, the City purchased the adjacent railroad and adjacent railroad properties to also locate this facility. The City of Lewistown did acquire some private property. It is located on our Main Street, which is a U.S. Highway, and adjacent to our renowned Big Spring Creek. It is the source of our water and also a blue ribbon trout stream. It is approximately a block and a half from our historic downtown, and, you know, like all downtowns across the country, we’ve seen a definite economic impact, you know, so this is something that we’re hoping will provide future development in the downtown and also increase foot traffic to those businesses that are hurting in today’s economic climate. You’ll hear more about how this project is a catalyst for future development in our downtown and also how this project is part of the larger community project shortly.

You’ll also hear kind of the history of coal in our community and how that played an instrumental part in what is going to be very helpful for her.

Next is 0853, Lewistown. The applicant is requesting $226,000, of a total project cost of $276,860, in coal board funds to complete the construction of a year-around public restroom facility. The request to the Board is 82 percent of the project costs. The applicant states the need to provide public facilities for the trail system. The abandoned railway has become a 20-plus-mile-long trail system and the reason this facility is needed.

To touch on the planning components of this, as you know, there is not a lot of planning funds available currently. I know it was pointed out that the need for a public restroom was addressed in previous master plans and other planning documents. The most recent downtown master plan the City of Lewistown has is a 2005 document. It was pointed out in that document, as well in our urban renewal plan, which was done in 2014. We recently had a very long planner retirement. That employee was employed with the City of Lewistown for about 20 years, and he recently retired, so there was a vacancy in our planning department for about a year. We recently hired a new city planner and recognized the importance to update those documents. So as funds become available, we will be addressing the need for updates to those required documents.

At this time, I’m going to turn it over to my cohorts.

MS. SWEENEY: Chairman Williams, Coal Board Members, good morning. I’m Karen Sweeney, with Snowy Mountain Development Corporation. It’s been a while since I’ve been before the Coal Board. It’s very, very nice to be back.

I want to talk to you a little bit about the coal impacts. Lewistown does not have a current operating mine, nor is there one in Fergus County, so it may seem odd that we’re coming before you with a coal impact project. However, we have quite a history with coal, and in the application we included a map from DEQ, and it showed 94 abandoned mine land sites in Fergus County. The majority of those were very close to Lewistown.

From 1880 to 1950, residents of central Montana were entirely dependent upon coal for their heat, and it was also a primary source they used for cooking. And it was used by businesses as well as families. The railroad was built into Lewistown in 1903, and not only did the railroad use the coal to operate, to fuel their trains,
areas, work with the Roundup people. And we’re often host to meetings regarding those coal impact topics. And also,

12 CHAIRMAN WILLIAMS: Sure.
13 MS. SWEENEY: So it was pointed out in the staff report that the average of the three years of mill levy rates for Lewistown was higher than the current rate. However, I’ve done a quick little summary and attached the annual tax backup information. And it does show that both under the general mill levy rates and the total, which includes health and a government study, that the average rate is below the current rate, which is highlighted on your top sheet. So I’m not sure where that discrepancy comes from, but the information that we obtained shows that we do fall into that requirement.
19 I want to talk briefly about need. As mentioned by Holly, Lewistown has no year-around public restroom facilities at all. So not only is it a problem for trail users -- I’m a trail user and sometimes I’ll walk for an hour or more. And if you need a break there’s nowhere to go unless you, like, go to the Yogo Inn or use a business, which is not really what we like to do in our community.
20 But it’s not just trail users. It’s other recreationalists. Visitors that come to Lewistown, they have to stop at a gas station. There’s just nowhere for them to go. Shoppers downtown. So this is really a needed facility that has been on the planning list for many, many, many years.
21 And we’re very concerned because I’m about to explain to you the hub that this area is going to become, and we are concerned with increased activity and large crowds there. We’re concerned about the impacts to the environment of not having proper facilities there. And we’re a little concerned about -- we could get in violation with some of the state or federal health and safety standards as our public use does increase.
22 Next, I’d like to talk about our local effort. And this one is really fun to talk about. Since Snowy Mountain has been a partner in this project, we’re pretty intimately involved. And our Creekside Central Station, which we’ve proposed to you is actually a component of a much larger community project known as Creekside Marketplace and Pavilion. And if you can see on the
And then the larger building that shows there at the bottom is actually where our new brewery is going to be located. Their grand opening is scheduled for July 4th. It's a brewery, which is the first for Lewistown, and a restaurant. And this is the business that Holly mentioned that they've invested around $4 million into. And I do want to mention that when those investors were looking at this site and this project for their brewery, they came to a public meeting and said -- you know, looked at the blighted area that this started as and said, you know, we're just not willing to invest that much money in a project unless the community partners with us and makes improvements as well on their property.

And I do have another handout, Chairman Williams, if I may share that as well.

CHAIRMAN WILLIAMS: Sure.

MS. SWEENEY: And it shows you some of the pictures. I have some before and current pictures. And you can see how industrial it looks there. And one of the buildings that was there, we referred to it as the Mill Building, before any new work was done, that building was demolished. It was quite unsightly. It's the building that shows the metal, and it was quite unsightly. And it also was along the Mill Ditch there. In that bottom right-hand picture, you can see the side of that building. So that building is now gone, and it really opened up that area. I don't think people realized what a beautiful area that it was until that was gone. If you flip it over, you can see a small picture of the plants that are out there, and these other pictures below were taken yesterday. So the first picture there in the middle, the parking lot is done and it's all striped and ready to go. And the picture to the right of it, the center area there is where the restroom facility will be located. To the left is the parking lot, which is done. To the right is the dining deck, which the slab has been poured for picnic tables. But the restroom facility will be located right behind where that sign is in that picture.

The bottom left-hand picture is the new brewery. You can see that they've done all new windows, they've added an upper and lower deck. It's just going to be a beautiful facility. And then the final picture on the right-hand lower side is across the street. That's the trailhead for our trail system. And that's kind of the vision we have for the other side of Main Street. It's very beautiful, and we want to continue that onto our project site.

I do want to tell you how great the community has been. The main partners in this, it started as a Recharge Our Community workshop activity. We had about 60 volunteers, just people interested in the community, gather, and this project came out of one of the groups that formed because of that effort. And that group partnered with the City, partnered with Friends of the Trails, and partnered with the Snowy Mountain Development Corporation to lead this project and make it happen.

The project cost estimate, the entire project, with a $200,000 endowment that was budgeted for so that if there's future major improvements needed, repairs needed, such as a new roof, say in 20 years, we have the funds that we can take care of this facility. But the total budgeted cost is $1.68 million. To date, we have met 76 percent of that goal, and that includes over $720,000 from private donations and fundraising events. We have received cash donations from 107 individuals and businesses plus an additional 15 businesses where people have made pledges. And we have offers for an additional 12 in-kind donations, such putting in a security system or an irrigation system, those types of things. So we have 134 parties who have already contributed to this.

One really neat thing is we had a partnership formed that's never happened before where we had four service and faith organizations partnered together to pledge $25,000 for the project to build the children's play area. And that's the Rotary, the Kiwanis, the Jaycees, and then the New Life Assembly of God Church. It's really neat to see the community come together. And everyone wants this. It's been a really easy sell for the community.

We have had two fundraising events. Our first was a kickoff in November of 2017, and we just held one again in April of this year, to try to raise funds. And we did raise funds at both of those. Another $554,000 has been committed with other grants and in-kind activity done by a construction company and also utilization of city funds that are available. We've received a total of seven grants. Some of them are small. They range from, like, $5,000 to $100,000. But we have just applied for everything we can find, and so we've had some success with that. Since the application was sent in, we got $11,000...
from the Central Montana Foundation, and NorthWestern Energy has committed $6,000 to us.
So we still need about $403,000 to complete this entire project, the bulk of which is for that restroom facility. That is the final component to complete this project.
And then Holly mentioned briefly the $4 million project for the brewery, and I just wanted to mention that that business is expected to provide 25 full-time equivalent jobs to our area’s low-to-moderate-income residents. So it’s going to be huge for us. And they will be opening in a couple weeks.
Now, I’d like to point out in the architect’s rendition, I think we’ve kind of shown you where things are, but again, it’s only about a block and a half from Main Street. We think this is going to have a huge economic impact for downtown Lewistown. We have kind of been plagued with some empty storefronts, and we really think this is going to give people the confidence to invest in the rest of downtown, because it’s cleaning it up and it’s going to bring a lot of activity to that area.
So between the brewery and restaurant and Creekside, we think that it’s really going to help Lewistown.
We are requesting $226,000 from the Coal Board. I do want to mention that we haven’t been at the table before, I don’t know of any activity that would fit in that.
I noted in the staff report that the environmental indicated that it wasn’t complete. So we were a little confused. So I wanted to walk you through the steps. An environmental assessment was completed in September. It was available for public review on both our website and the City’s website. At the September 20th meeting, it was on the agenda. The agendas are posted, they’re put in the newspaper, and they’re also on the City’s website. You have a copy of the agenda in your packet. I believe it’s page, let me get you the -- 37, page 37 of Exhibit F.
As you can see, the EA stated that because environmental impacts are not negative and there is minimal construction, that it’s been determined that there is no significant environmental impact and therefore no EIA statement is required. They did also have action at that September 20th meeting declaring -- it was on the agenda, declaring there’s no significant impact and that Holly was authorized to sign that uniform environmental checklist. That was noted in the minutes on page 41.
There was an opportunity for public comment at that time. This is in 2017, September 2017.
Again, when the application was submitted on April 2nd of 2018, it was on the agenda once again. And again, it was in the minutes that there was no, no significant impact and that they were going to submit the application.
So once again, the public had another opportunity to comment both on this application and on any environmental issues. So hopefully that explains the environmental process and how the public was involved in that process.
Also, I think it’s really important that you have accurate information, and I wanted to address an issue in the staff report. The staff report talks about a TED District and it was in the Snowy Mountain Development Corporation’s CEDS 2017. It was not. I wrote that document. The TEDD was not mentioned in there at all.
I’m not really sure why the staff put it in their staff report. The TEDD is not relevant to this project at all. It’s not located in this area at all. There is no potential benefit from this project from the TEDD. And I’m not sure where they got it, because we didn’t put it in the application. But I did want to make sure that you knew that that information was totally irrelevant.
And if you had any questions, we are now open for questions. We’re excited about this project, as you can see. And I did want to kind of just reiterate that when they talk about more than 70 percent of the funding of that $1.6 million, we’ve only got $10,000 that’s in state or federal funds. The City has put some funds into it, but otherwise, it’s pretty much private donations.
Questions?
CHAIRMAN WILLIAMS: Questions from the Board?
BOARD MEMBER FREDRICKSON: Yeah, I guess I have a question more for probably this board. Have we ever given funds on the basis that coal was shipped to a community? Because I feel like every town in Montana can make that argument. So do we know -- I mean, coal was shipped to Butte and Anaconda until 1980. Are we going to have Anaconda folks coming up here and trying to get money from us? I guess I was just wondering about a little bit of history on that.
CHAIRMAN WILLIAMS: You know, I guess I can’t -- I don’t know of any activity that would fit in that.
BOARD MEMBER FREDRICKSON: I mean, does this
CHAIRMAN WILLIAMS: That's what we have to go by, the statutory criteria for coal.
And of course, Kathie, that's my problem, that's my hangup too. We've got to follow the statutory requirement. But I'm not aware of anything.

MS. OLSON: Mr. Chairman, Shawn, so just as kind of a little reminder, the Department of Commerce is charged with completing a coal impact study on a biennial basis, so at the end of each biennium, we complete that study. So we did that last biennium, which is kind of stepping forward to help prep the next biennium of those communities that would be designated versus non-designated.

So when we are thinking about designated versus non-designated, all applicants technically are eligible to apply for coal board funds. And so then the Board is charged with reviewing the statutory criteria for coal board grants to identify how the proposed project, whether it is from a designated or non-designated community, fits within the statutory criteria. The Board's limitation is that no less than 51 percent of the funds can be -- or must be awarded to those communities or areas within the designated impact area.

So 49 percent, hypothetically, could go outside the designated area so long as the Board has reviewed and the applicant has provided documentation justification that it meets the statutory criteria.

CHAIRMAN WILLIAMS: It can be awarded outside as long as it meets the statutory requirement. Any place is eligible as long as they meet the statutory criteria for coal board grants. Designated communities, just to reiterate, indicates that this amount has to go into coal-impacted areas.

MS. OLSON: And according to our 2017 designation report, we have a list of designated, not only school districts, but counties and cities.

CHAIRMAN WILLIAMS: Yeah. And we moved on that a couple meetings ago.

MS. OLSON: I think actually last year in June.

CHAIRMAN WILLIAMS: Yeah, we moved on that last June, on the designated communities, and agreed to that.

MS. OLSON: And just for the record, the City of Lewistown is listed as a designated community.

BOARD MEMBER FREDRICKSON: Okay.

CHAIRMAN WILLIAMS: But as far as Anaconda coming in, yeah, they could come in.

BOARD MEMBER FREDRICKSON: Oh, boy.

CHAIRMAN WILLIAMS: And that's been my -- they can come in as long as they meet, and it's up to the Board to determine, statutory criteria.

BOARD MEMBER FREDRICKSON: Okay.

MS. BAILEY: Mr. Chairman, Shawn, Board Member Shawn, if I could just remind -- This is not just a matter of shipping coal. We are inundated with abandoned coal mines in this community. And we've cleaned up the major one that we talked about earlier, which the City actually cleaned that up. It is part of our trail system. It is one of the trailheads on our trail system which connects to this area.

So we do feel that we're impacted by coal. Now, it's been a while. I'm not going to say it hasn't been. And we certainly are not impacted like Hardin or Colstrip or some of the other communities. That's why you haven't seen us here ever before, in front of the Coal Board. Lewistown has never asked for funds from the Coal Board, even though we have been in the impacted communities since the beginning of the Coal Board.

BOARD MEMBER FREDRICKSON: No, thank you. You know, I'm not opposed to this project at all. I think it's a great project, and it looks like you guys have been working really hard on it. So I just wanted clarification because you guys haven't came to the Coal Board ever. So, you know, thank you.

MS. BAILEY: You know, this project should almost be an example of what statewide everybody is doing. Because it really is a grassroots local community input. When I say only $10,000 of that 74 percent has been state and federal, the rest has been you and me, pockets, putting our dollar out. And it's been everything from $50 to $100,000 that people are writing checks for. It's amazing.

CHAIRMAN WILLIAMS: Thank you. You know, I think it's a great project also. And of course, the thing that I focus in on right at the top, provide governmental services to facilities that are needed as a direct consequence of an increase or decrease in coal development or in the consumption of coal by a coal-using energy complex.

So all good projects. You know, the Lewistown project, I really compliment Lewistown for what they're doing to revitalize their community. And certainly, they need to search out every opportunity available to fund those projects. It's a very worthwhile project. It's one that has merit. But when I look at the statutory requirement -- and understand that as we make these awards, our actions are reviewed by those that will be in the future looking as to funding for impact areas.

Okay. Let's take a 15-minute break -- Any other
I would like to do with this applicant is I -- I -- I would like to do with this applicant is $60,000. Discussion?

If I were to do with this applicant is the motion to change the requested amount to $60,000 based on the information provided by the applicant. We've requested that that be changed to a request of $60,000.

As far as funds requested. They've requested that that be changed to a request of $60,000. Now, the applicant made the request during their presentation that this request be changed to a new number and this is for the Phase I of the wastewater system red and this is the Press of the wastewater system that this request be changed to a new number.

So I would like to do with this applicant is the motion to change the amount requested to $60,000. Discussion?

It is the motion of the Board to change the amount requested to $60,000 and then go the next step on how we are going to address that request. So I will entertain a motion to change the requested amount to $60,000.

Okay. Having said that, we will go right down the list. Our first grant request is Town of Hysham, 0849, is scheduled to occur on the 20th of September.

It is the motion of the Board to change the amount requested to $60,000. Discussion?

Vale. The other thing is that we can make suggestions or ideas or we would like to do with this applicant is the motion to change the requested amount to $60,000 and based on my earlier discussion, so I will entertain a motion to table.

We now have no moneys available at this time and we're in the process of going down through and, and recognizing all of the grant requests and other issues associated with their grant -- with their position of tabling these requests or denying the requests, of course, if we do not feel that they meet the criteria, the Board does not feel they meet the criteria.

Jennifer and comments that she's made, my recommendation to the Board is that we not do that until we know how many dollars we will have available to us. That places us in the position of tabling these requests or denying the requests. So that's my recommendation to the Board as we go down through this.

Now, the Board will entertain the motion to change the amount requested to $60,000. Now I will entertain a motion to award or to table.

Okay. Here's where we are in our process. Going down through and, and recognizing all of the grant requests and other issues associated with their grant -- with their position of tabling these requests or denying the requests, of course, if we do not feel that they meet the criteria, the Board does not feel they meet the criteria.

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Chairman Williams.

Okay, that's approved to change the amount to the $60,000 and then go the next step on how we are going to address that request. So I will entertain a motion to change the requested amount to $60,000.

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CHAIRMAN WILLIAMS: Yes.

It's passed to table that. Now, this would be tabled to the next meeting. These have to come up at the next meeting, which is in September.

Next applicant is 0850, and prior to many of our discussions, the applicant has indicated their desire to have it tabled. So I will entertain a motion to table 0850.

BOARD MEMBER FREDRICKSON: So moved.

CHAIRMAN WILLIAMS: And second?

BOARD MEMBER SCHAFF: Second.

CHAIRMAN WILLIAMS: Discussion?

Discussion from the public?

Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Yes.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Yes.

MS. PICHETTE: Amber Henning.

BOARD MEMBER HENNING: Yes.

MS. PICHETTE: Marianne Roose.

BOARD MEMBER ROOSE: Yes.

MS. PICHETTE: Tim Schaff.

BOARD MEMBER SCHAFF: Yes.

MS. PICHETTE: Veronica Small-Eastman.

BOARD MEMBER SMALL-EASTMAN: Yes.

MS. PICHETTE: Chairman Williams.

CHAIRMAN WILLIAMS: Yes.

So that is passed to table that, that application to the next meeting.

Next applicant is 0851, Big Horn County. This is a request for an excavator purchase. The amount requested is $165,000. I'll entertain a motion.

BOARD MEMBER SCHAFF: Mr. Chairman, move to table.

CHAIRMAN WILLIAMS: Moved and seconded to table. Discussion?

One question that I had on that pumper: The prices that you got, are those good prices that you've received?

MR. CONNELLY: Yes. Those are quotes.

CHAIRMAN WILLIAMS: So that's a good quote that -- so that's an active quote.

MR. CONNELLY: Yep, as of a few months ago.

CHAIRMAN WILLIAMS: Okay. Very good. Thank you.

Other questions of the public?

Okay. Vote, please.

MS. PICHETTE: Vice-Chair Fitzpatrick.

VICE-CHAIR FITZPATRICK: Yes.

MS. PICHETTE: Shawn Fredrickson.

BOARD MEMBER FREDRICKSON: Second.

CHAIRMAN WILLIAMS: It's been moved and seconded to table. Discussion?

One question that I had on that pumper: The prices that you got, are those good prices that you've received?

MR. CONNELLY: Yes. Those are quotes.

CHAIRMAN WILLIAMS: So that's a good quote that -- so that's an active quote.

MR. CONNELLY: Yep, as of a few months ago.

CHAIRMAN WILLIAMS: Okay. Very good. Thank you.

Other questions of the public?

Okay. Vote, please.

MS. PICHETTE: Chairman Williams.

CHAIRMAN WILLIAMS: Second.

CHAIRMAN WILLIAMS: It's been moved and seconded to table. Discussion?

One question that I had on that pumper: The prices that you got, are those good prices that you've received?

MR. CONNELLY: Yes. Those are quotes.

CHAIRMAN WILLIAMS: So that's a good quote that -- so that's an active quote.

MR. CONNELLY: Yep, as of a few months ago.

CHAIRMAN WILLIAMS: Okay. Very good. Thank you.

Other questions of the public?
CHAIRMAN WILLIAMS:  Yes.

Okay.  The next applicant is 0853.  This is Lewistown.

This is the Creekside Central Station restroom facility and kiosk.  The amount requested is $226,000.  And I will entertain a motion.

BOARD MEMBER ROOSE:  I would so move to table.

CHAIRMAN WILLIAMS:  Second?

BOARD MEMBER HENNING:  Second.

CHAIRMAN WILLIAMS:  It's been moved and seconded to table.  Discussion?

You know, as much as I appreciate the efforts of Snowy Mountain and particularly Lewistown, I can't support this application based on the criteria, the statutory criteria.  That's my, that's my thought on this.  I don't feel it meets it, and I feel that for us to fund something particularly of this size and magnitude I think would be in violation of the statutes that we're required to, to follow.  So those are my comments.

Other comments?

BOARD MEMBER ROOSE:  Mr. Chairman, I do have a question.

CHAIRMAN WILLIAMS:  Sure.

BOARD MEMBER ROOSE:  If you're concerned about the legality of following the statute, would it not be prudent for our attorney to review that and make a recommendation to the Board?

CHAIRMAN WILLIAMS:  We could, we could request that.  But my thought on that would be that the attorney would say, hey, it's a board decision; if you feel it meets the criteria, then you would move forward with it.

We could make that request, but that's my thought.

BOARD MEMBER ROOSE:  I guess I think that when we have an attorney that represents the Board, you should rely on their professional understanding of the law.  And maybe I'm looking at things wrong, but isn't it their job to protect us, to make sure we are following the statutes?  And if they say there is no problem, you know, I'd be more comfortable with that myself.  I don't know about the others.

CHAIRMAN WILLIAMS:  Well, we could make that request.  But I think when -- And I'd be glad to do that.

If the Board feels that's the direction they would like to go, I'm fine with that.

But one of the things that our staff is required to look at also is whether, in fact, it does, and they have not indicated it does not meet that because that's a decision that remains with the Board in those particular instances.  But for me, with my time on the Board, a rest stop, even though I think it's great, a restroom facility and hookup, I don't feel -- When I read the statutory criteria for coal board grants, at least to me, it's obvious it does not meet it.

But I'd be glad -- if the Board would like us to have our counsel review that, I'd be glad to move that process forward.

BOARD MEMBER HENNING:  Mr. Chairman, I would just make a comment too.  I think, when looking at these criteria, statutory criteria that we are bound by as a board, I think it really comes down to that degree of severity of impact requirement.  And I think that if you did ask this of our staff attorney, you know, she would go through the criteria provided by Lewistown looking at this degree of severity criteria, and I think -- I would think that she would come again to the conclusion that it's really up to the Board's discretion on whether or not we feel that that has been met.

And so if this is tabled, I would ask, then, that we as a board, between now and the next meeting, look at that criteria and kind of make our own determination, individual determination; and we can have further discussion on this at the next meeting, whether or not we feel that that statutory criteria is met.  I'm not opposed to posing this to our staff attorney, though, either.

CHAIRMAN WILLIAMS:  And, you know, I agree with those comments.

Other comments from the Board?  Other direction that the Board would like to move forward with?

You know, Staff, you've heard the comments and if you could get with the attorney, I think, and get their input into the process.

MS. ROTHENBUECHER:  This is A.C.  Would you like our attorney to look at that?  Is that a specific request from the Board?

BOARD MEMBER SMALL-EASTMAN:  Yes.

MS. ROTHENBUECHER:  Okay.  Thank you.

CHAIRMAN WILLIAMS:  Other questions, comments?

Comments from the public?

Okay.  You know, the direction we're going to go on this, it's going to be tabled, which will require you to come back to the next meeting, you know.  And I think you understand my comments on it.  I just can't because of -- I don't need to reiterate some of those things.  But I'll go ahead and I'll support the tabling for further discussion.

Vote, please.

MS. PICHETTE:  Vice-Chair Fitzpatrick.

Vice-CHAIR FITZPATRICK:  Yes.

MS. PICHETTE:  Shawn Fredrickson.

BOARD MEMBER FREDRICKSON:  Yes.

MS. PICHETTE:  Amber Henning.
 Okay. Thank you. That's passed to table.

We have no other old business. This also gives the --

Now if the public has other comments to address the Board, they're welcome to at this time.

Okay. Under Board Matters, we currently have a meeting time scheduled for September the 20th for our next meeting, and it's my suggestion to the Board that we meet in Colstrip. And Colstrip would be glad to host the Board for that meeting, and what I would do would be to set up a visit with the coal company there, Westmoreland, and to do a tour of the, of the mine and some projects that have been funded within our community.

This is the 50-year celebration in Colstrip of Western Energy's mine. That's the Rosebud Mine. And so that would -- I'm sure that would kind of fit with some of the discussions that they would share with the Coal Board.

Western Energy, from the time they began their mining -- most recent operation of mining in Colstrip, they will have mined over 500 million ton of coal there.

So I could do something there in relationship to that mine celebration and also request some discussions from the, from the plant people. Though we may not be able to tour that, we could have some discussions where they would provide us information on all of the coal that has been burned in Colstrip and what their future plans are for their operating of those mines. I'd be glad to do that if the Board would like for that to occur.

BOARD MEMBER FREDRICKSON: Mr. Chairman, I think going down to Colstrip is a great idea. I would ask if maybe we could move it to the week of September 13th, if that is possible with -- a possible date with the other board members.

BOARD MEMBER ROOSE: That works for me. Is that within the guidelines?

CHAIRMAN WILLIAMS: We could. It doesn't work for me. I'll be out of the country that day, so -- that week. So earlier or later would be workable.

Other discussion on that from the Board?

BOARD MEMBER HENNING: Would it be possible to go a week later?

BOARD MEMBER ROOSE: I can't go a week later, but...
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