

Montana Coal Impact Grant Application



Submitted to the Montana Coal Board

by

Big Horn County

for

Cemetery District No. 1 Improvement Project

Date submitted:

April 27, 2020

**THE COAL IMPACT GRANT APPLICATION FORM
SUBMITTED BY BIG HORN COUNTY**

CERTIFICATION

The chief elected official or executive officer of the applicant must sign the application certifying that to the best of the official's knowledge and belief, the information provided in the application and the attached documents is true and correct.

The chief elected official or executive officer of the applicant must also certify that, in accordance with Section 90-6-205, MCA, the applicant is eligible for a Coal Impact Grant and has the authority to administer and make expenditures to provide for the proposed service or facility.

CERTIFICATION

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct.

In accordance with Section 90-6-205, MCA, the applicant is eligible for Coal Board grants and has the statutory authority to make expenditures to provide for the particular service or facility.

Name: *George Real Bird III*

Title: *Chairman*

Signature: *[Handwritten Signature]* Date: *04.22.2020*

SUMMARY INFORMATION

1. NAME OF APPLICANT(S):

Big Horn County

2. TYPE OF ENTITY:

Local Government

3. FEDERAL TAX ID NUMBER:

4. SENATE AND HOUSE DISTRICTS:

Senate District: 21; House Districts: 42

5. AMOUNT OF COAL IMPACT GRANT REQUESTED:

\$124,870

6. NAME OF PROJECT:

Cemetery District No. 1 Improvement Project

7. TYPE OF PROJECT:

Public Service

8. POPULATION SERVED BY PROJECT:

13,141 (2015 American Communities Survey, <http://comdev.mt.gov/Resources/Financial/TargetRate>)

9. NUMBER OF HOUSEHOLDS SERVED BY PROJECT:

3,576 (2015 American Communities Survey, <http://comdev.mt.gov/Resources/Financial/TargetRate>)

10. CHIEF ELECTED OFFICIAL OR AUTHORIZED REPRESENTATIVE:

Mr. George Real Bird III, Chairman
Board of Commissioners – Big Horn County
P.O. Box 908
Hardin, MT 59034
406-665-9700 phone
406-665-9706 fax
cwells@bighorncountymt.gov

11. PRIMARY ENTITY CONTACT PERSON:

Ms. Candy Wells, Administrative Assistant
P.O. Box 908
Hardin, MT 59034
Office: 406-665-9700
Fax: 406-665-9706
Email: cwells@bighorncountymt.gov

12. OTHER CONTACT PERSONS:

Mr. Larry Vandersloot
County Commissioner, District 3
Office: 406-665-9700
Fax: 406-665-9706
Email: lvandersloot@bighorncountymt.gov

13. MILLAGE RATES:

GENERAL LEVY

FY2019-2020: \$23,195 – 1 Mill Value; 164.93 Mills Levied = \$3,825,551.35

FY2018-2019: \$23,559 – 1 Mill Levy; 129.86 Mills Levied = \$3,059,371.74

FY2017-2018: \$23,776 – 1 Mill Value; 125.96 Mills Levied = \$2,994,824.96

FY2016-2017: \$23,337 – 1 Mill Value; 107.51 Mills Levied = \$2,508,960.87

FY2015-2016: \$25,058 – 1 Mill Value; 86.82 Mills Levied = \$2,175,535.56

FY2014-2015: \$25,114 – 1 Mill Value; 74.05 Mills Levied = \$1,859,691.70

General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

14. AMOUNT OF COAL GROSS PROCEEDS TAX:

- **Total amount of Coal Gross Proceeds tax the applicant receives during the last two years**
 - ***The amount received and amount expended for each year*** – In 2017 and 2018, Big Horn County received \$15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), \$18,895,203, due to reduced coal production. Approximately 40% is allocated to County Department budgets and the remaining 60% is allocated to County schools.
 - ***Balance of available proceeds that remains*** – There is no available balance that remains unallocated at this time.
- **Description of the process the applicant uses to decide the use of the proceeds** - The Coal Gross Proceeds taxes are distributed based on the 1989 Tax Levy for each fund including appropriations to the general, bridge, medical facilities, refunding bonds, internal health service, road and school funds.

15. IMPACTS TO COAL INDUSTRY:

U.S. News & World Report published an article titled “Western US Coal Miners Laid off Amid Drop in Electricity Use” on April 23, 2020. The following is an excerpt from the article:

“Three hundred miners and other workers are being laid off as the struggling western U.S. coal industry contends with diminished electricity use during the coronavirus pandemic. Seventy-three workers at the Spring Creek mine in southeastern Montana and 57 at the Antelope mine in northeastern Wyoming are losing their jobs, Navajo Transitional Energy Company reports. St. Louis-based Peabody Energy, meanwhile, announced it was laying off 170 at Wyoming’s largest coal mine, North Antelope Rochelle. All three mines are located in the Power River Basin, which accounts for about 40% of U.S. coal production. Coal demand has declined over the past decade due to competition from natural gas-fired power and renewable energy sources. School and business shutdowns and stay-at-home orders to contain the coronavirus have reduced electricity use over the past month, further dimming the outlook for coal-fired electricity and coal mining.”

With regard to the trend in Big Horn county, there were approximately 149 residents of Big Horn county employed by the coal industry in February 2019. To determine the number of residents, a county representative contacted human resource personnel in nearby coal mines and coal-using facilities. Human resource personnel at the facilities queried their records for employees with zip codes for Busby (59016); Crow Agency (59022), Decker (59025), Garryowen (59031); Hardin (59034); Fort Smith (59035); Lodge Grass (59050); Pryor (59066); Saint Xavier (59075); and, Wyola (59089). When a current employee count was requested of Cloud Peak Energy, the County learned the company had laid off the entire external affairs team. The external affairs team consistently provided the employee count in the past. The company does not intend to hire replacements due to the continued depressed coal markets. Upon making the inquiry, the County was not provided a current contact at the company.

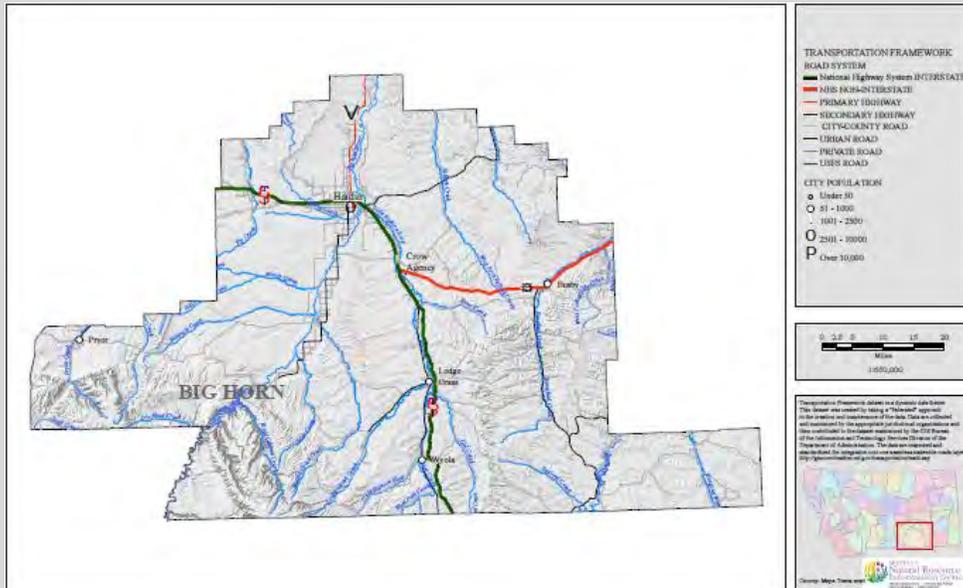
| Facility | # of County Residents Employed (February 2019) |
|---------------------------|--|
| Absaloka Mine | 118 |
| Decker Mine | no response received |
| Spring Creek Mine | 14 |
| Hardin Generating Station | 17 |
| TOTAL | 149 |

Human Resource personnel at Absaloka and Spring Creek Mines provided their data by zip code.

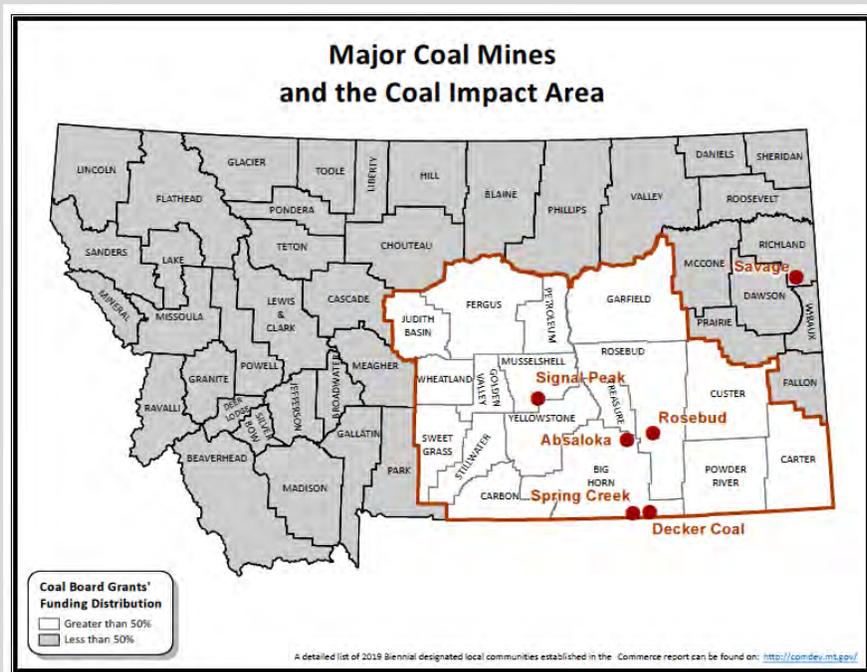
| Zip Code/Community | # of County Residents Employed at Absaloka Mine (February 2019) | # of County Residents Employed at Spring Creek Mine (February 2019) |
|--------------------|---|---|
| 59016 Busby | 0 | 2 |
| 59022 Crow Agency | 41 | 1 |
| 59025 Decker | 0 | 0 |
| 59031 Garryowen | 5 | 2 |
| 59034 Hardin | 35 | 4 |
| 59035 Fort Smith | 3 | 0 |
| 59050 Lodge Grass | 20 | 4 |
| 59066 Pryor | 2 | 0 |
| 59075 Saint Xavier | 4 | 0 |
| 59089 Wyola | 8 | 1 |
| TOTAL | 118 | 14 |

16. **MAPS:**

Boundary of Big Horn County



Big Horn County's location in the Coal Impact Area



17. **BRIEF PROJECT SUMMARY:**

**PROJECT SUMMARY FOR BIG HORN COUNTY
CEMETERY DISTRICT NO. 1 IMPROVEMENT PROJECT**

Historical Information: Big Horn County Cemetery District No. 1 is governed by a three person board appointed by the Big Horn County Commissioners. The district presides over the operation and maintenance of Fairview Cemetery in Hardin. Fairview Cemetery was established in 1954. The cemetery spans approximately 40 acres: 20 developed and 20 undeveloped. A section of the cemetery is reserved and dedicated to the use and purpose of burying the bodies of veterans and ex-veterans of past and future wars of the United States. Approximately one burial a month occurs at the cemetery. The cemetery has approximately 3,400 grave spaces and half of them are available. Two, of numerous, responsibilities of the district are to (1) purchase, rent, or lease equipment, personal property, and materials necessary to develop and implement an effective program and (2) construct, improve, and maintain new or existing facilities and buildings necessary to accomplish the purposes of the district.

Problem: The current tractor is a 1978 John Deere 310A. The hour gage reads 1,268 hours but it seems the gauge was altered at some point so actual hours are not known. The tractor is kept at county-owned property across the road from the cemetery where the cemetery caretaker resides. The tractor is not stored in a covered structure so it is exposed to sun, rain, and snow; as is the operator. The tractor is used to dig graves, set and align headstones, erect mourners' shelters, set up casket-lowering devices, and maintain the appearance of the surrounding grounds.

Proposed Solution: Purchase a new tractor to replace the current tractor and construct a building to store the tractor and smaller equipment used in the maintenance upkeep of the cemetery.

18. PROJECT BUDGET AND IMPLEMENTATION SCHEDULE:

A. Project Budget Form:

| | SOURCE: MT Coal Board | SOURCE: Big Horn County | TOTAL: |
|--|---------------------------------|-----------------------------------|------------------|
| Personnel Services/Office Costs | \$ 0 | \$0 | \$0 |
| Professional Services | \$ 0 | \$0 | \$0 |
| Legal Costs | \$ 0 | \$0 | \$0 |
| Travel & Training | \$ 0 | \$0 | \$0 |
| Audit Fees | \$ 0 | \$0 | \$0 |
| TOTAL ADMINISTRATIVE/ FINANCIAL COSTS | \$ 0 | \$0 | \$0 |
| Equipment Cost*** | \$96,500 | \$0 | \$96,500 |
| Construction Cost*** (Concrete pad \$10,917) (Building \$42,453) | \$28,370 | \$25,000 | \$53,370 |
| Architectural/Engineering Design | \$0 | \$0 | \$0 |
| Product Completion (PERs, studies, etc.) | \$0 | \$0 | \$0 |
| Contingency | \$0 | \$0 | \$0 |
| TOTAL ACTIVITY COSTS | \$124,870 | \$25,000 | \$149,870 |
| TOTAL PROJECT COSTS | \$124,870 | \$25,000 | \$149,870 |

Big Horn County will provide all administrative services as an in-kind contribution to the project.

***Cost estimates for the tractor, concrete pad, and building are provided as **Appendix A**.

B. Project Budget Narrative:

**BUDGET NARRATIVE FOR BIG HORN COUNTY
CEMETERY DISTRICT NO. 1 IMPROVEMENT PROJECT**

ADMINISTRATIVE/FINANCIAL COSTS

Not Applicable – Big Horn County

ACTIVITY COSTS

Equipment Cost: \$96,500

The estimated cost associated with purchasing one tractor. This is an equipment replacement project. Big Horn County obtained cost estimates for the tractor from RDO Equipment (\$89,000); CAT Tractor Equipment Company (\$105,180); and, Titan Machinery (\$95,455), all potential vendors. The proposed cost of the tractor is the average of the three estimates. Copies of the cost estimates are provided as **Appendix A**.

Construction Cost: \$53,370

The estimated cost associated with constructing a building to store the tractor and smaller equipment used in the maintenance upkeep of the cemetery. Big Horn County obtained a cost estimate for a concrete pad from Hardin Concrete and Construction (\$10,917) and a cost estimate on a 30' x 40' x 16' building from SBarS Building Center (\$42,453). Copies of the cost estimates are provided as **Appendix A**.

Architectural/Engineering Design: \$0

Architectural/engineering design costs are not applicable.

Product Completion (PERs, studies, etc.): \$0

Product completion (PERs, studies, etc.) costs are not applicable.

Contingency: \$0

Contingency costs are not applicable.

TOTAL ACTIVITY COSTS: \$149,870

TOTAL PROJECT COSTS: \$149,870

C. Implementation Schedule:

| TASK | QUARTERS 2020 | | | | QUARTERS 2021 | | | |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| | 1 ST | 2 ND | 3 RD | 4 TH | 1 ST | 2 ND | 3 RD | 4 TH |
| Sign contract with Coal Board | | | X | | | | | |
| Submit progress reports and drawdown requests | | | X | X | | | | |
| Purchase equipment in accordance with County procurement rules | | | X | | | | | |
| Construct 30' x 40' x 16' building in accordance with County procurement procedures | | | | X | | | | |
| Coal Board administrative staff conduct on-site monitoring of the project | | | | X | | | | |
| Submit project completion report | | | | | X | | | |
| Include project in audits | | | | | | | X | |

19. DESCRIPTION OF RELATIONSHIP TO COAL BOARD STATUTORY GRANT CRITERIA

A. Need

- I. Does a serious deficiency exist in a basic or necessary community public facility or service? Examples include emergency services such as police, fire or ambulance services. (Describe the nature and frequency of occurrence and provide supporting documentation.)**

A deficiency exists in a basic community service provided by Big Horn County. Big Horn County Cemetery District No. 1 presides over the operation and maintenance of Fairview Cemetery in Hardin. Fairview Cemetery was established in 1954. The cemetery is approximately 40 acres: 20 developed and 20 undeveloped. A section of the cemetery is reserved and dedicated to the use and purpose of burying the bodies of veterans and ex-veterans of past and future wars of the United States. Approximately one burial a month occurs at the cemetery. The cemetery has approximately 3,400 grave spaces and half of them are available. Two, of numerous, responsibilities of the district are to (1) purchase, rent, or lease equipment, personal property, and materials necessary to develop and implement an effective program and (2) construct, improve, and maintain new or existing facilities and buildings necessary to accomplish the purposes of the district. The cemetery's current tractor is a 1978 John Deere 310A. The hour gage reads 1,268 hours but it seems the gauge was altered at some point so actual hours are not known. The tractor is kept at county-owned property across the road from the cemetery where the cemetery caretaker resides. The tractor is not stored in a covered structure so it is exposed to sun, rain, and snow; as is the operator. The tractor is used to dig graves, set and align headstones, erect mourners' shelters, set up casket-lowering devices, and maintain the appearance of the surrounding grounds.

The current tractor, proposed for replacement, is at the point where the cost of ownership for the equipment exceeds its market value; maintenance costs have begun to escalate; condition of the unit is poor; and reliability of the unit is unpredictable. A picture of the current tractor is below.



- 2. Have serious public health or safety problems that are clearly attributable to a deficiency occurred, or are they likely to occur, such as illness, disease outbreak, substantial property loss, environmental pollution, safety problems, hazards, or health risks? (Describe the nature and frequency of occurrence and provide supporting documentation.)**

The age and condition of the current tractor are a risk to the operator. Research shows that for each year of the machine's age the risk of injury when using it increases by about four percent (Worksafe Victoria, June 2009). The older machine needs to have improvements retrofitted to meet new industry standards of safety, such as improved guarding, a cabin, steps for easier and safer access, better ergonomic seating with a seatbelt, roll over protective structure, warning and advisory signs for operators, and reversing alarm and flashing lights.

- 3. Is the entire community, or a substantial percentage of the residents of the community, seriously affected by the deficiency or at risk, as opposed to a small percentage of the residents? (Describe the number or percentage of community residents affected by the problem.)**

All residents of Big Horn County are affected by the age, usage, condition, and reliability of the tractor proposed for replacement; as well as its maintenance and storage. The tractor is the main piece of machinery used in the maintenance upkeep of the community cemetery.

Cemeteries are very valuable historic resources. They are indicators of various settlement patterns, such as villages, rural communities, urban centers, and ghost towns. Cemeteries tell information about historic events, religions, lifestyles, and genealogy. Fueled by a flood of amateur genealogists seeking their families' roots, there is a resurgence of visitors to cemeteries.

"Cemeteries are fascinating places. They're full of history, they're full of beautiful artwork ... they truly are outdoor museums. You can learn so much about your community by learning about the cemetery. You're going to have the iconic people of that area buried there."

-Minda Powers-Douglas, author of *Cemetery Walk: A Journey Into the Art, History and Society of the Cemetery and Beyond*

- 4. Is there clear documentation that the current condition of the public facility or service (or lack of a facility or service) violates, or may potentially violate, a state or federal health or safety standard (If yes, describe the standard being violated.)? If the proposed project is necessary to comply with a court order or a state or federal agency directive, describe the directive and attach a copy of it.**

The deficiency does not violate or potentially violate a state or federal standard or directive.

- 5. Does the standard that is being violated, or potentially may be violated; represent a significant threat or potential threat to public health or safety?**

All residents of Big Horn County are affected by the age, usage, condition, and reliability of the tractor proposed for replacement; as well as its maintenance and storage. The tractor is the main piece of machinery used in the maintenance upkeep of the community cemetery. The older machine needs to have improvements retrofitted to meet new industry standards of safety, such as improved guarding, a cabin, steps

for easier and safer access, better ergonomic seating with a seatbelt, roll over protective structure, warning and advisory signs for operators, and reversing alarm and flashing lights.

6. **Additional information supporting the NEED for this project.** None

B. Degree of Severity of Impact from an Increase or Decrease in Coal Development or In the Consumption of Coal by A Coal-Using Energy Complex

1. **Describe why the need for the expansion or improvement to the public facility or public service is attributable to coal-related impacts. Additionally, please provide the percentage of the project that is a result of coal impacts.**

Nearly 100% of this project is in response to coal-related impacts. Big Horn County is the largest coal producing County in the State of Montana. The economy of Big Horn County relies on coal. Coal development and coal-using energy complexes in the county heighten the need for reliable, modernized equipment.

In 2017 and 2018, Big Horn County received \$15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), \$18,895,203, due to the decline in coal production. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

2. **Name the nearest coal development area or coal-using energy complex to your community and the road miles from your community.**

There are a number of coal mines or coal-using complexes in Big Horn County.

| | |
|--------------------|----------|
| Absaloka Mine | 30 miles |
| Decker Coal Mine | 80 miles |
| Spring Creek Mine | 84 miles |
| Hardin Power Plant | 1 mile |

3. **Additional information supporting the DEGREE OF SEVERITY OF IMPACT FROM AN INCREASE OR DECREASE IN COAL DEVELOPMENT OR IN THE CONSUMPTION OF COAL BY A COAL-USING ENERGY COMPLEX.**

None

C. Availability of Funds

1. **Amount requested from the Coal Board:** \$124,870

2. **Amount of Coal Board funds available at the time of application \$_____ (#2 will be completed by Coal Board staff)**

3. **Explain why a coal impact grant is necessary to make the project feasible and affordable.**

Coal gross proceeds tax revenue for Big Horn County has been on the decline in recent years. In 2017 and 2018, Big Horn County received \$15,558,637 in gross proceeds tax which is 19.37% less than the previous two years (2015 and 2016), \$18,895,203, due to the decline in coal production.

County Coal Gross Proceeds Tax Revenue Total Collections – Fiscal Years

| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 |
|-----------------------|-------------|-------------|-------------|--------------|--------------|-------------|-------------|-------------|-------------|
| Big Horn County | \$8,594,921 | \$9,176,021 | \$9,965,177 | \$10,559,906 | \$10,000,360 | \$9,402,169 | \$9,493,034 | \$9,160,210 | \$6,398,427 |
| Year of Over % Change | --- | 6.8% | 8.6% | 6.0% | -5.3% | -6.0% | 1.0% | -3.5% | -30.1% |

Source: MT Department of Revenue; Current as of 10/26/2018

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties. A coal impact grant is necessary to make the project feasible and affordable for tax payers in Big Horn County.

GENERAL LEVY

FY2019-2020: \$23,195 – 1 Mill Value; 164.93 Mills Levied = \$3,825,551.35

FY2018-2019: \$23,559 – 1 Mill Levy; 129.86 Mills Levied = \$3,059,371.74

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FY2016-2017: \$23,337 – 1 Mill Value; 107.51 Mills Levied = \$2,508,960.87

FY2015-2016: \$25,058 – 1 Mill Value; 86.82 Mills Levied = \$2,175,535.56

FY2014-2015: \$25,114 – 1 Mill Value; 74.05 Mills Levied = \$1,859,691.70

General levy which includes general, bridge, fairgrounds, library, public safety, health insurance and weed funds.

4. What are the other proposed funding sources for the project?

| FUNDING SOURCES SUMMARY FOR BIG HORN COUNTY CEMETERY DISTRICT NO. 1 IMPROVEMENT PROJECT | | | | |
|--|--------------|------------------|---|--------------------|
| Source | Type of Fund | Amount | Status of Commitment | Loan Rates & Terms |
| Coal Board | Grant | \$124,870 | Application submitted on April 27, 2020 | Not applicable |
| Big Horn County | Cash | \$25,000 | Committed in Letter included as Appendix B | Not applicable |
| TOTAL | | \$149,870 | | |

5. If a particular proposed source of funding is not obtained, how will the applicant proceed?

If Big Horn County does not receive a Coal Impact Grant, the County may re-apply in the next funding cycle while working to identify other potential sources of funding.

D. Degree of Local Effort in Meeting Needs

- 1. If current millage rates given are lower than the average rates levied during the previous three years, briefly explain why they are lower.**

In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

- 2. Describe any local efforts to meet the public facility or public service needs by providing financial contributions to the project to the extent possible, such as local funding, donations of land, absorbing some or all-administrative costs. For non-profit organizations, describe fund-raising efforts or other in-kind assistance to the proposed project as well as usual program fund-raising efforts.**

Big Horn County has committed \$25,000 in cash or 17% of the total project cost to the project. A letter of commitment is included as *Appendix B*.

- 3. Describe past operation and maintenance budgets and practices over the long-term, including any reserves for repair and replacement.**

Past operation and maintenance budgets and practices over the long-term for Big Horn County have been consistent and practicable. Big Horn County will assume all maintenance and operational costs incurred with the new tractor and building.

- 4. If there are indications that the problem is not of recent origin, or has developed because of inadequate operation and maintenance practices in the past, explain the circumstances and describe the actions that management will take in the future to assure that the problem will not reoccur.**

Past operation and maintenance budgets and practices over the long-term have been as consistent as practicable. Age and continual use of machinery necessitates its replacement.

- 5. If the project involves water, wastewater or solid waste, provide the current and projected monthly household user charges, including operation and maintenance:**
 - a. What is the current monthly household user charge? \$ _____**
 - b. What is the projected monthly user charge (including operation and maintenance) when the project is complete? \$ _____**

Not applicable

- 6. What are your current debt obligations?**

Big Horn County has no current debt obligations.

- 7. What are your current assets?**

Total fixed assets for Big Horn County for Fiscal Year ending June 30, 2018 is \$41,620,535.

- 8. What financial accounting system do you use? BARS**

- 9. Is the applicant in compliance with the auditing and annual financial reporting requirements provided for in the Montana Single Audit Act, 2-7-501 to 522, MCA?**

(Tribal governments must comply with auditing and reporting requirements provided for in OMB Circular A-133).

Yes X No ___ Date of last completed audit or financial report June 30, 2018

10. If there have been audit findings within the last five years, have they been satisfactorily addressed?

Big Horn County has satisfactorily addressed any audit findings.

11. Additional information supporting the DEGREE OF LOCAL EFFORT IN MEETING NEEDS.

None

E. Planning & Management

1. Describe how your grant request reasonably fits into an overall plan for the orderly management of the existing or contemplated growth or decline problems related to coal impacts.

The grant request reasonably fits into the contemplated decline of the coal industry in Big Horn County. In order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget, Big Horn County has increased revenue received in property tax by levying more mills. The General Levy mill amount has *decreased 7.64%* over the past five years while the number of General mills levied has *increased 122.73%* over the past five years. The change in taxable value, determined by Montana Department of Revenue, reflects the decline in value of coal-producing properties.

2. Describe how the proposed project is consistent with current plans.

The proposed project is consistent with the *Big Horn County Growth Policy* (May 2014). The following are excerpts from the growth policy that describe current characteristics and future trends.

Local Services

Local services are important for retaining and attracting residents. The county is quite large and services such as fire protection, ambulance, law enforcement, schools, and medical centers can be distant from the individuals needing the services. Law enforcement has been a historically chronic problem, particularly in areas where jurisdictions among BIA, Tribal governments, county sheriff are confusing and result in long response times and complexities for residents. Schools with high drop-out rates create incentives for residents to school their children elsewhere or leave the area, and they are a disincentive for others with children to relocate to the county. The high proportion of youth creates special needs for services. Increased numbers of older persons will also create increased demands for medical care, transportation, and other services.

Infrastructure

infrastructure that Big Horn County maintains includes county roads, and county buildings, such as the court house, fairgrounds, library, and public health department, and other buildings it supports including the museum, senior center, etc.

Goal: Provide for the long-term infrastructure needs of the county.

Goal Objectives:

- a. *A standardized approach to long-term repair/replacement of infrastructure owned by Big Horn County.*

- b. County assistance where possible on provision of other non-county infrastructure, such as community water and sewer.
- c. Non-agricultural semi-trucks pay their fair share of impacts to county roads.

Goal Implementation Strategies:

- a. Big Horn County to develop a Capital Improvements Plan to inventory county-owned infrastructure and major equipment, including current condition, and set a multi-year schedule and budget for major repairs, renovation, and replacement. (Initiate within 2 years.)
- b. Big Horn County to provide grant-writing assistance and match- funding within reasonable limits to support community water, sewer, and storm drainage systems. (Ongoing)
- c. Big Horn County to identify and implement a system to recoup costs to county roads caused from non-agricultural semi-trucks. Begin with an assessment of fees for new approaches onto county roads. (initiate within 2 years)

The proposed project is consistent with the *Big Horn County Capital Improvements Plan* (September 2014). The following is an excerpt from the CIP that summarizes current inventory and need for a new tractor.

“Big Horn County owns a total of 63 public buildings and facilities, ranging from the Courthouse Building and Jail to the Big Horn County Historical Museum. Other facilities, like the Lodge Grass Cemetery, receive financial support from the County but are governed by an outside authority. The Courthouse Building and numerous buildings in the Museum complex, which were built in 1930, are the most antiquated buildings owned by the County. The newest buildings are structures added to the Fairground as a result of an ongoing upgrade to meet a Master Plan that was recently developed. Those structures were added to the public building inventory for Big Horn County in 2012. Most structures are in fair condition, and there are a number of buildings that have had recent renovations.

Tractor – a tractor is required to maintain the roads, parking, and trails in all weather conditions. The tractor currently being used is not adequately appointed for winter weather conditions. The new tractor should have the following features:

1. Enclosed cab with heater/air conditioning
2. Loader
3. Sweeper
4. Mower
5. Snow blade or blower

Estimated Cost: \$45,000-\$50,000”

Environmental Review Checklist

| | |
|-------------------------|--|
| Name of Project: | New Tractor and Equipment Shed for Cemetery #1 |
| Proposed Action: | Purchase of a new tractor and construction of a pole building needed to store, protect, and safeguard heavy and light equipment used at the Big Horn County Cemetery #1. |
| Location: | Big Horn County, Montana |

Key Letter: N – No Impact/Not Applicable B – Potentially Beneficial A – Potentially Adverse
P – Approval/Permits Required M – Mitigation Required

PHYSICAL ENVIRONMENT

| | |
|----------------|---|
| KEY <hr/> N | <p>1. Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)</p> <p><i>Comments and Source of Information:</i> Existing ground at the proposed project site is relatively flat, with little to no vegetation. There are two existing buildings near the proposed site, so soil suitability issues are not anticipated.</p> |
| KEY <hr/> N | <p>2. Hazardous Facilities (e.g., power lines, EPA hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/ petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks)</p> <p><i>Comments and Source of Information:</i> Power lines are adjacent to the project property but are approximately 250-ft from the proposed building location. No hazardous facilities are anticipated on the project property.</p> |
| KEY <hr/> N | <p>3. Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)</p> <p><i>Comments and Source of Information:</i> Temporary dust associated with the construction; however, there will be no long-term impacts in regard to the surrounding air quality as a result of the project.</p> |
| KEY <hr/> N | <p>4. Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to ground water, sole source aquifers)</p> <p><i>Comments and Source of Information:</i> The proposed project is not anticipated to impact the groundwater resources and/or aquifers. The new building will be slab-on-grade, and minimal excavation is required.</p> |
| KEY <hr/> N | <p>5. Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)</p> <p><i>Comments and Source of Information:</i> The proposed building will be located approximately 50-feet from an existing irrigation canal; however, site grading will prevent surface water from entering the canal. Storm water at the proposed building location will be directed to existing storm water runoff paths.</p> |
| KEY <hr/> N | <p>6. Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)</p> <p><i>Comments and Source of Information:</i> There are no identified floodplains within a mile of the proposed project boundary.</p> |

| | |
|---------------------------------|---|
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>7. Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)</p> <p><i>Comments and Source of Information:</i> No wetlands are present within one mile of the proposed project boundary.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>8. Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.)</p> <p><i>Comments and Source of Information:</i> Agricultural land surrounds the proposed project site; however, none of the land has been identified as prime or important farm ground. No forest lands lie within one mile of the project boundary. The proposed project will not affect existing agricultural lands.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>9. Vegetation & Wildlife Species & Habitats, Including Fish (e.g., terrestrial, avian and aquatic life and habitats)</p> <p><i>Comments and Source of Information:</i> According to the Montana Natural Heritage Program, no vegetation species of concern are located at the proposed project site. There are eleven species of concern listed; however, as the project site is located adjacent to existing buildings, no long-term habitat impacts are anticipated.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>10. Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish, sage grouse or other wildlife)</p> <p><i>Comments and Source of Information:</i> According to the Montana Natural Heritage Program, no vegetation species of concern are located at the proposed project site. There are eleven species of concern listed; however, as the project site is located adjacent to existing buildings, no long-term habitat impacts are anticipated.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>11. Unique Natural Features (e.g., geologic features)</p> <p><i>Comments and Source of Information:</i> No unique geologic features are located within the proposed project vicinity.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>12. Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways (including Federally Designated Wild & Scenic Rivers), and Public Open Space</p> <p><i>Comments and Source of Information:</i> The proposed project is located on property currently owned by Big Horn County and will not impact access to public lands or public open space.</p> |
| HUMAN POPULATION | |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>1. Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics</p> <p><i>Comments and Source of Information:</i> The proposed project will add a new pole building to an existing County facility location. No impacts to visual quality are anticipated.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>2. Nuisances (e.g., glare, fumes)</p> <p><i>Comments and Source of Information:</i> There are no anticipated nuisances associated with the proposed project as it will add a new building to an existing County facility location.</p> |

| | |
|---------------------------------|--|
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>3. Noise – suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads)</p> <p><i>Comments and Source of Information:</i> There may be some temporary noise during construction of the proposed project. However, construction operation hours will be limited to 7:00 AM to 7:00 PM. No other long-term impacts to noise are anticipated upon completion of the project.</p> |
| <p>KEY</p> <hr/> <p>M</p> <hr/> | <p>4. Historic Properties, Cultural, and Archaeological Resources</p> <p><i>Comments and Source of Information:</i> According to the Montana Cultural Resource Database, there are historical sites and inventoried areas present in the proposed project vicinity. Prior to construction disturbance, Montana SHPO will be contacted to ensure no cultural, historic or archaeological sites are disturbed.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>5. Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)</p> <p><i>Comments and Source of Information:</i> The proposed project is not anticipated to impact demographic characteristics.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>6. Environmental Justice – (Does the project avoid placing lower income households in areas where environmental degradation has occurred, such as adjacent to brownfield sites?)</p> <p><i>Comments and Source of Information:</i> This project does not contribute to the location of any lower income households into unacceptable areas.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>7. General Housing Conditions – Quality, Quantity, Affordability</p> <p><i>Comments and Source of Information:</i> The proposed project is not anticipated to impact general housing conditions.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>8. Displacement or Relocation of Businesses or Residents</p> <p><i>Comments and Source of Information:</i> The proposed project will not require displacement or relocation of businesses and/or residents.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>9. Public Health and Safety</p> <p><i>Comments and Source of Information:</i> The proposed project will not affect public health and safety.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>10. Lead Based Paint and/or Asbestos</p> <p><i>Comments and Source of Information:</i> The proposed project is not anticipated to involve the handling of any lead-based paint and/or asbestos.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>11. Local Employment & Income Patterns – Quantity and Distribution of Employment, Economic Impact</p> <p><i>Comments and Source of Information:</i> There are no anticipated long-term impacts to local employment or income patterns directly attributed to the proposed project. Temporary beneficial impacts could be seen from construction labor employment.</p> |
| <p>KEY</p> <hr/> <p>N</p> <hr/> | <p>12. Local & State Tax Base & Revenues</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to the local and state tax base and revenues directly attributed as a result of the proposed project.</p> |

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| KEY _____ N | <p>13. Educational Facilities - Schools, Colleges, Universities</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to the educational facilities as a direct result of the proposed project.</p> |
| KEY _____ N | <p>14. Commercial and Industrial Facilities – Production & Activity, Growth or Decline</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to the growth or decline of commercial or industrial facilities.</p> |
| KEY _____ N | <p>15. Health Care – Medical Services</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to the health care facilities as a direct result of the proposed project.</p> |
| KEY _____ N | <p>16. Social Services – Governmental Services (e.g., demand on)</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to the demand on governmental services.</p> |
| KEY _____ N | <p>17. Social Structures & Mores (Standards of Social Conduct/Social Conventions)</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to social structures as a direct result of the proposed project.</p> |
| KEY _____ N | <p>18. Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)</p> <p><i>Comments and Source of Information:</i> There is no anticipated impact to land use compatibility as a direct result of the proposed project. The proposed pole building will be adjacent to currently existing County facility structures.</p> |
| KEY _____ N | <p>19. Energy Resources – Consumption and Conservation</p> <p><i>Comments and Source of Information:</i> There is no anticipated change in energy resources as a direct result of the proposed project.</p> |
| KEY _____ N | <p>20. Solid Waste Management</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to solid waste management as a result of the proposed project.</p> |
| KEY _____ N | <p>21. Wastewater Treatment – Sewage System</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to wastewater treatment as a result of the proposed project.</p> |
| KEY _____ N | <p>22. Storm Water – Surface Drainage</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to storm water as a result of the proposed project. Storm water runoff will be directed to existing runoff paths.</p> |

| | |
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| KEY _____ N | <p>23. Community Water Supply</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to the public water supply as a result of the proposed project.</p> |
| KEY _____ N | <p>24. Public Safety – Police</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to public safety and/or police as a result of the proposed project.</p> |
| KEY _____ N | <p>25. Fire Protection – Hazards</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to fire protection as a result of the proposed project.</p> |
| KEY _____ N | <p>26. Emergency Medical Services</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts to emergency medical services as a result of the proposed project.</p> |
| KEY _____ N | <p>27. Parks, Playgrounds, & Open Space</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts as a result of the proposed project.</p> |
| KEY _____ B | <p>28. Cultural Facilities, Cultural Uniqueness & Diversity</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts as a result of the proposed project.</p> |
| KEY _____ N | <p>29. Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)</p> <p><i>Comments and Source of Information:</i> There are no anticipated impacts as a result of the proposed project.</p> |
| KEY _____ B | <p>30. Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)</p> <p><i>Comments and Source of Information:</i> The proposed project is consistent with all local ordinances, resolutions, and plans, including the Big Horn County Comprehensive Capital Improvements Plan.</p> |
| KEY _____ N | <p>31. Is There a Regulatory Action on Private Property Rights as a Result of this Project? (Consider options that reduce, minimize, or eliminate the regulation of private property rights.)</p> <p><i>Comments and Source of Information:</i> There will be no regulatory action on private property as a result of the proposed project.</p> |

ENVIRONMENTAL QUESTIONS

On a separate piece of paper, please answer the following as they apply to your proposed project:

1. **Alternatives:** Describe reasonable alternatives to the project.
2. **Mitigation:** Identify any enforceable measures necessary to reduce any impacts to an insignificant level.
3. **Is an EA or Environmental Impact Statement (EIS) required?** Describe whether or not an EA or EIS is required and explain in detail why or why not.
4. **Public Involvement:** Describe the process followed to involve the public in the proposed project and its potential environmental impacts. Identify the public meetings -- where and when -- the project was considered and discussed, and when the district approved the final environmental assessment.
5. **Person(s) Responsible for Preparing:** Identify the person(s) responsible for preparation of this checklist.
6. **Other Agencies:** List any state, local, or federal agencies that have over-lapping or additional jurisdiction or environmental review responsibility for the proposed action and the permits, licenses, and other authorizations required; and list any agencies or groups that were contacted or contributed information to this Environmental Assessment (EA).



Authorized Representative

4-23-2020

Date

Big Horn County



Chairperson

04.23.2020

Date

1. Alternatives

The current tractor is use at Cemetery #1 is from 1947, and well past its service life. The County proposes to replace this antiquated tractor with a new tractor. The alternative is to keep using the existing tractor, which continually has mechanical issues and is not adequate for the work required.

The new pole building is proposed to house the new tractor. The existing tractor has been used for 73 years, and the County intends to use and maintain the new tractor for at least that same amount of time. The installation of a new storage building to house the tractor will assist with keeping the tractor from deteriorating prematurely and provide safety from theft and tampering. The alternative to a new pole building is to store the new tractor in the outdoors, which will result in premature aging and possible damage by trespassers.

2. Mitigation

Anticipated impacts as a result of the proposed project are both minimal and temporary. Noise impacts will be contained by allowing construction activities only during specified hours of the day. Contractors will take all precautions to provide a safe work environment for the general public.

3. Is an EA or Environmental Impact Statement (EIS) required?

The Montana Environmental Policy Act requires than an environmental review be performed whenever a state agency takes an action; whenever that action is not exempt or excluded from MEPA; and whenever the action may impact the human environment. As the proposed project is to construct a new pole building on existing county property, it is anticipated that the action will result in a Finding of No Significant Impact, and an EA or EIS is not necessary.

4. Public Involvement

The project has been discussed by the Big Horn County Cemetery Board in at public meeting. There were no public present at the meeting, and the project was approved by the Board.

The Draft Environmental Assessment was advertised in the Big Horn County News on April 9 and April 16, 2020, with comments to be received by the Big Horn County Board of Commissioners until 4:00 p.m. on April 21, 2020. Comments were called to be submitted in person, in writing, by telephone, or on the County Facebook Page.

No comments were received, and the EA was approved as written.

5. Person(s) Responsible for Preparing

Kathy Thompson, Project Manager, Stahly Engineering

6. Other Agencies

As the proposed project may involve state funding for construction of a new building located on undisturbed ground, Montana State Historic Preservation Office will be contacted prior to any disturbance.

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LEGAL NOTICE

Big Horn County is submitting two grant applications to the Montana Coal Board on April 27, 2020. One application requests funds to purchase two vehicles for the Sheriff's Department. The other application requests funds to purchase a tractor and equipment shed for Cemetery #1. Environmental Checklists for the projects are being completed and will be available for public review April 10-21, 2020 at Big Horn County Commission Chambers located at 121 West 3rd Street Room 302 in Hardin, Montana, 59034 and online at www.big-horncountymt.gov. Due to the COVID-19 Novel Coronavirus pandemic Big Horn County issued Resolution 2020-7, an emergency proclamation, on March 17, 2020. Due to the pandemic, Big Horn County is soliciting public comment regarding the Environmental Checklists by multiple means: in person at Commissioners' Office during normal business hours; in writ-

ing to cwells@big-horn-countymt.gov; Big Horn County Board of Commissioners, PO Box 908, Hardin MT 59034; or Big Horn County, Montana Facebook page; and/or by telephone at 406-665-9700 Monday thru Friday between the hours of 8:00 a.m. and 4:00 p.m. All comments must be received by 4:00 P.M. on April 21, 2020. Big Horn County Commissioners will review public comment received, hear any additional public comment, and accept the level of environmental finding for the projects at a public meeting on April 23, 2020 at 10:00 a.m. in the Big Horn County Commissioners Office. Individuals can connect via conference call for the public meeting by dialing (406) 665-9711, Conference ID 481# Password 59034#. Big Horn County can provide reasonable accommodations for any known disability that may interfere with a person participating in this public review process. Should you have any questions or require more information, please contact Candy Wells, Administrative Assistant at 406-665-9700 or cwells@big-horncountymt.com.

Publish: April 10 & 16, 2020
MNAXLP

.....

***BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA***

**AGENDA
APRIL 23, 2020
THURSDAY**

8:30

9:00 Sheriff Big Hair

9:30

10:00 Coal Board Applications – Environmental Assessment Determination
Sheriff Office Vehicle purchase
Cemetery District #1 tractor and equipment shed purchase

10:30

11:00

11:30

1:00

1:30

2:00

2:30

3:00

3:30

4:00

PUBLIC COMMENT AND DISCUSSION IS ENCOURAGED FOR EACH ITEM LISTED

RESOLUTION TO ACCEPT THE DETERMINATION THAT A FINDING OF NO SIGNIFICANT IMPACT IS APPROPRIATE FOR THE NEW TRACTOR AND EQUIPMENT SHED FOR CEMETERY #1

WHEREAS, Big Horn County has completed an assessment to identify potential environmental impacts from the construction of a new equipment shed;

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

WHEREAS, no substantive public comment was received;

WHEREAS, Big Horn County has determined that the equipment shed project will not significantly affect the quality of the human environment and accordingly that Big Horn County has determined an Environmental Impact Statement is not necessary;

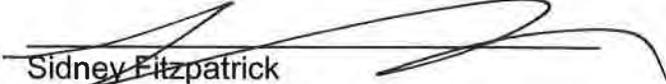
NOW THEREFORE BE IT RESOLVED by the Commissioners of Big Horn County:

Big Horn County, Montana adopts the final Environmental Assessment for the *New Tractor + Equipment Shed For Cemetery District #1*.

Dated this date of April 23, 2020, in Hardin, Montana.

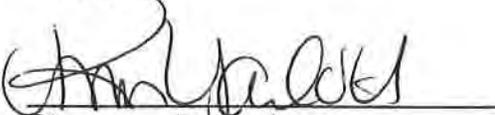
BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA


George Real Bird III
Chairman


Sidney Fitzpatrick
Member


Larry Vandersloot
Member

ATTEST:


Clerk and Recorder

Appendix A

Cost Estimates



JOHN DEERE

Investment Proposal (Quote)

RDO Equipment Co.
5221 Midland Road
Billings MT, 59101

Phone: (406) 259-5536 - Fax: (406) 256-2269

Proposal for:
BIG HORN COUNTY
CEMETERY DIST 1
PO BOX 318
HARDIN, MT, 590340318
BIG HORN

Investment Proposal Date: 1/14/2020
Pricing Valid Until: 2/13/2020
Deal Number: 1276038
Customer Account#: 1201019
Sales Professional: Matt Eaton
Phone: (406) 259-5536
Fax: (406) 256-2269
Email: MEaton@rdoequipment.com

Equipment Information

| Quantity | Serial Number Stock Number | Hours (approx.) | Status / Year / Make / Model Additional Items | Cash Price |
|----------------------------|-------------------------------|--------------------|--|-------------------------------|
| 1 | TBD TBD | 0 | New 2020 JOHN DEERE 310L Warranty -John Deere Comprehensive-36 Months, 3000 Hours,Deductible: 200, Exp Date: 1/14/2023 | \$85,500.00 \$2,000.00 |
| 1 | TBD TBD | 0 | New 2020 JRB 30" BELLHOLE BUCKET | \$1,500.00 |
| Equipment Subtotal: | | | | \$89,000.00 |

NOT included

Purchase Order Totals

| | |
|-------------------|--------------------|
| Balance: | \$89,000.00 |
| Tax Rate 3: (0%) | \$0.00 |
| Sales Tax Total: | \$0.00 |
| Sub Total: | \$89,000.00 |
| Cash with Order: | \$0.00 |
| Balance Due: | \$89,000.00 |



Purchaser's Order

DATE

Jan 13, 2020

Quote No.

224159

PURCHASER BULLIS MORTUARY
STREET ADDRESS 507 N CENTER AVE
CITY/STATE MADISON, MS **COUNTY** SIMPSON **ZIP** 39244
POSTAL CODE 39244 **PHONE NO.** 662-565-1900
CUSTOMER CONTACT: Darrell Mortuary
INDUSTRY CODE: COMETARY AND GROUND CARR SERVICES (5362) **PRINCIPAL WORK CODE** _____

CUSTOMER NUMBER NON-DDS **Sales Tax Exemption # (if applicable)** N/A **CUSTOMER PO NUMBER** _____
PAYMENT TERMS: NET PAYMENT ON RECEIPT OF INVOICE NET ON DELIVERY FINANCIAL SERVICES CSC LEASE LDC Assignment
CASH WITH ORDER 50.00 **BALANCE TO FINANCE** 50.00 **INTEREST RATE** 0.00
PAYMENT PERIOD _____ **PAYMENT AMOUNT** _____ **NUMBER OF PAYMENTS** _____ **OPTIONAL BUY-OUT** 50.00

| DESCRIPTION OF EQUIPMENT ORDERED / PURCHASED | | | |
|--|-------------------------|--------------------------------|------------|
| MAKE CATERPILLAR | MODEL: 420P2 STD | YEAR: 2019 | |
| STOCK NUMBER: 18W0122 | SERIAL NUMBER: 3M401612 | SKU: 4 | |
| 120F2 DHL ST, TIER 4 HRC | 450-0448 | ARRIALIZED TECHNICAL MEDIA KIT | 421-8926 |
| LAHR 3 ORDER | 0P-9003 | LINES, COMBINED AUX, E-STICK | 390-2853 |
| STICK, EXTENDABLE, 14FT | 450-0730 | BRACON, MAGNETIC MOUNT, STROBE | 431-0154 |
| ENGINR, 71.5KW, C1.4 ACRT, T4F | 450-8757 | PLATR GROUP - ROOM WEAR | 423-7607 |
| HYDRAULICS, MP, 6PCM/8WTK, ST | 450-8530 | PACK, DOMESTIC TRUCK | 0P-0310 |
| PRODUCT LINK, CELLULAR, PL6411 | 447-0049 | RUST PREVENTATIVE APPLICATOR | 462-1033 |
| CAB, DELUXE | 450-8603 | RIDE CONTROL | 398-2601 |
| WORKLIGHTS (8) HALOGEN LAMP | 471-6734 | COUPLER, PO, MAN.D.LOCK, DHL | 444-7500 |
| SEAT, DELUXE FABRIC | 433-4906 | GUARD, STABILIZER | 353-1389 |
| WFLR, 3MAT, 2" SUSPENSION | 206-1747 | SHIPPING/STORAGE PROTECTION | 461-6839 |
| AIR CONDITIONER, TA | 450-0715 | POWERTRAIN, 4WD, POWERSHIFT | 547-6094 |
| TIRRS, 12.5 80/19.5L-24, P9 | 340-0961 | ENG SN W7N60191 M50 8MV0X | |
| COUNTERWEIGHT, 1015 LBS | 337-7696 | BUCKET - 19W1023BT | 19W10-25BT |
| STABILIZER PADE, FLIP-OVER | 9R-6007 | BUCKET - 19W1027BT | 19W10-26BT |
| INSTRUCTIONS, ANSI | 430-0044 | BUCKET - 19W1027BT | 19W10-27BT |

| TRADE-IN EQUIPMENT | | SELL PRICE | |
|--------------------|---------|------------|--------------|
| MODEL: | YEAR: | SN: | |
| PAYOUT TO: | AMOUNT: | PAID BY: | \$105,180.79 |
| MODEL: | YEAR: | SN: | |
| PAYOUT TO: | AMOUNT: | PAID BY: | \$105,280.79 |
| MODEL: | YEAR: | SN: | |
| PAYOUT TO: | AMOUNT: | PAID BY: | \$105,180.79 |
| MODEL: | YEAR: | SN: | |
| PAYOUT TO: | AMOUNT: | PAID BY: | |
| MODEL: | YEAR: | SN: | |
| PAYOUT TO: | AMOUNT: | PAID BY: | |

ALL TRADE-INS ARE SUBJECT TO EQUIPMENT BEING IN "AS INSPECTED CONDITION" BY VENDOR AT TIME OF DELIVERY OF REPLACEMENT MACHINE PURCHASE ABOVE.

PURCHASER HEREBY SELLS THE TRADE-IN EQUIPMENT DESCRIBED ABOVE TO THE VENDOR AND WARRANTS IT TO BE FREE AND CLEAR OF ALL CLAIMS, LIENS, MORTGAGES AND SECURITY INTEREST EXCEPT AS SHOWN ABOVE.

CATERPILLAR EQUIPMENT WARRANTY INITIAL _____

USED EQUIPMENT WARRANTY INITIAL _____

The customer acknowledges that he has received a copy of the Caterpillar Warranty and has read and understood said warranty. Warranty applicable including expiration date where necessary.

All used equipment is sold as is where is and no warranty is offered or implied except as specified here:

Warranty applicable:

CGA: _____
 NOTES: Included in quote: DOT, fuel and freight.

THIS AGREEMENT IS SUBJECT TO THE TERMS AND CONDITIONS ON THE REVERSE

ORDER RECEIVED BY

John Gallary

REPRESENTATIVE

APPROVED AND ACCEPTED ON _____

PURCHASER

PURCHASER

BY _____

SIGNATURE

PRINT NAME AND TITLE

TITAN

MACHINERY

1728 Old Hardin Road
Billings, MT 59101

Phone: 406-259-5500
Fax: 406-259-8559

January 13, 2020

Bullis Mortuary
507 N. Central Ave
Hardin, MT 59034

Darrel,

Thank you for the opportunity to quote your equipment needs. Below is a quote for a CASE 580SN Tractor Loader Backhoe. I priced this as a governmental deal.

Model: CASE 580SN

18,500-pound operating weight
95 hp 3.4L diesel engine
Enclosed Cab with heat and AC
Powershift Transmission
Extendahoe
Pilot Controls (switchable between Deere and Cat)
Power Lift
Flip Over Stabilizer Pads
82" 1.1 cubic yard bucket with bolt-on cutting edges
24" Universal backhoe bucket
Air Ride Suspension Seat
LED Work light package
Severe Cold Start Package
19.5 Lx24 10 ply Tires – Rear
12.5x16.5 10 ply Tires - Front

CASH Pricing:

\$ 95,455.00

This model is currently in stock at our Billings store. These machines come with a 12-month / unlimited hour factory warranty for the full machine. The engine is covered with an additional 12 months or up to a total of 2000 machine hours.. We can look at extended warranties if you desire.

Sincerely,

David Weller

Equipment Sales Consultant

Hardin Concrete & Const LLC
RR 1 box 1217
Hardin, MT 59034 US
406 679 3231
Hardinconcrete17@yahoo.com

ADDRESS

Big Horn County Cemetery
Hardin MT 59034

ESTIMATE # 1028

DATE 03/24/2020

EXPIRATION DATE 04/24/2020

Week starting 03/22/2020

Services

Set, pour and finish 30x40 mono slab. 1'x1' thickend edge 5" center. #4 rebar 2' centers
District 1

10,917.00

TOTAL

\$10,917.00

Accepted By

Accepted Date

From: **Mike Jones** mikej@s-bar-s.com
 Subject: Preliminary Estimate
 Date: March 20, 2020 at 3:45 PM
 To: bullismortuary@icloud.com
 Cc: ryans@s-bar-s.com, brendah@s-bar-s.com, mikej@s-bar-s.com

Daryl,

We appreciate the opportunity to provide the attached preliminary estimate to you for your review. Please let us know either way what we can do to design this building to meet your specific needs. We look forward to working with you on this project in the near future.

Thank you,

Mike Jones
 Sales
 S-Bar- S Building Center
 406-259-3391
 mikej@s-bar-s.com



2032 Old Hardin Road
 Billings, MT 59101-6504
 Phone (406) 259-3391
 Toll Free. (800) 932-5100
www.s-bar-s.com

Preliminary Estimate

| | | | |
|----------------|--|--------|----------------------------------|
| Customer Name: | <u>Big Horn County Cemetery #1 POC Dar</u> | Phone: | <u>406-679-1621</u> |
| Address: | <u>Van Zant Road</u> | E-mail | <u>bullismortuary@icloud.com</u> |
| | <u>Hardin, MT</u> | Date | <u>03/20/20</u> |

Building Size: 30'x40'x16' Turned Girt Pole Building

Standard Specifications:

- Poles: 3-Ply 2 x 6 S4S, Bottom Treated, Set 10' o/c
- Girts: Lower - Dbl 2 x 6 CA Treated; Intermediate - 2 x 6 set 30" o/c; Header - Glu-lam.
- Trusses: 30# Snow Load; 4/12 Pitch set 4' o/c attached to header with Steel Plates.
- Siding: 29 gauge colored high tensile steel attached with 1" Screws with Neoprene Washers.
- Roofing: 29 gauge colored high tensile steel attached with 1-1/2" Screws with Neoprene Washers.
- Purlins: 2 x 4 set 24" o/c of sufficient length so that no two consecutive joints fall on the same truss.

| Accessories: | Qty | Other Description |
|---------------------------------|------|-------------------|
| Walk Door | 1 | |
| 12'x14' Insulated Overhead Door | 1 | |
| 6" Concrete Floor Slab | 1200 | |
| Gravel | 24 | |
| Metal Ceiling Liner | 1200 | |
| Poles in Concrete | 14 | |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |
| | 0 | 0 |

1 of 2

| | |
|---|---|
| 0 | 0 |
| 0 | 0 |

Project Total: \$ 42,453.00
 Building Site Location: Hardin, Montana

ALTERNATES

| Alt # | Description | Alt # | Value |
|--------|-----------------------------------|-------|-------------|
| Alt #1 | MT-50-11-U - 14' Opener | Add | \$ 1,021.00 |
| Alt #2 | Insulation R38 Ceiling, R19 Walls | | \$ 4,718.00 |
| Alt #3 | | | \$ - |
| Alt #4 | | | \$ - |
| Alt #5 | | | \$ - |
| Alt #6 | | | \$ - |
| Alt #7 | | | \$ - |

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Appendix B

Letter of Cash Commitment

**CEMETERY DISTRICT NO. 1
BIG HORN COUNTY
P.O. BOX 908
HARDIN, MT 59034
(406) 665-9700**

Fax (406) 665-9706

E-mail to: cwells@bighorncountymt.gov

April 23, 2020

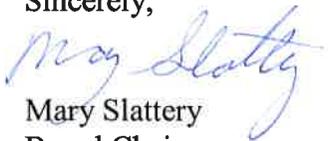
Montana Coal Board
Community Development Division
Department of Commerce
PO Box 200523
Helena MT 59620-0523

RE: Funding to replace tractor and construct new equipment building for Cemetery District No. 1

Dear Montana Coal Board Members,

On behalf of Cemetery District No. 1, we are pleased to commit \$25,000 to the Cemetery District No. 1 equipment replacement purchase and new equipment shed. This commitment of funds is approximately 20% of the total project cost.

Sincerely,



Mary Slattery
Board Chair
Cemetery District No. 1

MEMO

To: Coal Board Members and Commerce Staff
From: Division Engineer
Subject: Big Horn County – cemetery project
Meeting: June 2020

History – Fairview Cemetery in Hardin was established in 1954. The cemetery is governed by a three-person board appointed by the Big Horn County Commissioners. A section of the cemetery is reserved for the purpose of burying the bodies of veterans and ex-veterans of past and future wars of the United States. About one burial a month occurs at the cemetery. The 40-acre cemetery has about 3,400 grave spaces and half of them are available. A 1978 John Deere tractor is used to dig graves, set and align headstones, erect mourners' shelters, set up casket-lowering devices, and maintain the appearance of the surrounding grounds.

Problem – Problems identified in the application included the following:

- tractor is old; and
- tractor is not stored in a covered structure, so it is exposed to sun, rain, and snow.

Solution – The proposed project includes the

- purchase of a new tractor, and
- construction of a storage building.

The purpose of the project is to replace equipment. The current tractor is at the point where the cost of ownership for the equipment exceeds its market value; maintenance costs have begun to escalate; condition of the unit is poor; and reliability of the unit is unpredictable. The older machine does not meet new industry standards of safety, such as improved guarding, a cabin, steps for easier and safer access, better ergonomic seating with a seatbelt, roll over protective structure, warning and advisory signs for operators, and reversing alarm and flashing lights.

The Coal Board grant request is for \$124,870. The total cost is \$149,870; the County is contributing \$25,000.

The source of the cost estimate for the tractor were quotes from RDO Equipment, Tractor & Equipment Co, and Titan Machinery, all out of Billings. The cost estimates for the concrete pad and for the storage building were obtained from Hardin Concrete & Construction from Hardin and from S Bar S Building Center from Billings.

The implementation schedule included a line that indicated the following: *purchase equipment in accordance with county procurement rules.*

An environmental checklist and review form were included with the application.

Coal Board Grant Applicant #0907 Big Horn County Staff Report / June 2020 Meeting

Applicant: Big Horn County

Project: Purchase a New Tractor and Construction of a Storage Building for the Fairview Cemetery

Coal Board Funds Requested: \$124,870

Total Project Cost: \$149,870

Project Information: The applicant is requesting \$124,870, of a total project cost of \$149,870, in Coal Board funds to purchase a new tractor to replace the current tractor and to construct a building to store the tractor and smaller equipment used in the maintenance upkeep of the cemetery. **The applicant is a designated unit.**

Categories:

Need:

- **Applicant:**
 - Applicant states that a deficiency exists in a basic community service provided by Big Horn County.
 - Applicant states the age and condition of the current tractor are a risk to the operator.
 - Applicant states all residents of Big Horn County are affected by the age, usage, condition and reliability of the tractor proposed for replacement as well as its maintenance and storage.
 - Applicant provided an environmental checklist, environmental review form, documentation from the newspaper notifying the public of the meeting where the environmental would be discussed, an agenda, minutes documenting that the environmental determination was made at a public meeting, and a signed resolution.
- **Staff Review:**
 - Staff has determined that the environmental process is complete.
 - The current tractor is at the point where the cost of ownership for the equipment exceeds its market value and the machine does not meet industry standards. The tractor is not stored in a covered structure, so it is exposed to sun, rain, and snow.

Degree of Severity of Impact:

- **Applicant:**
 - Applicant states nearly 100% of this project is in response to coal-related impacts.
 - Applicant states there are a number of coal mines or coal-using complexes in Big Horn County.
- **Staff Review:**
 - Documentation regarding severity of impact included in the narrative responses to Severity of Impact questions in the application.

Availability of Funds:

- **Applicant:**
 - Applicant states that coal gross proceeds tax revenue for Big Horn County have been on the decline in recent years.

- Applicant states that if Big Horn County does not receive a Coal Impact Grant, they may re-apply in the next funding cycle while working to identify other potential sources of funding.
- **Staff Review:**
 - Applicant is a designated unit.
 - Revenues related to the Coal Natural Resource account are not sufficient to fund the costs associated with this project request.

Degree of Local Effort in Meeting Needs:

- **Applicant:**
 - Applicant states in order to off-set revenue lost in coal gross proceeds tax and maintain a balanced budget; Big Horn County has increased revenue received in property tax by levying more mills.
 - Applicant states the county has committed \$25,000 in cash or 17% of the total project cost.
 - Applicant states that Big Horn County has no current debt obligations.
 - The applicant states the mill rates are \$164.93.
- **Staff Review:**
 - Millage rates provided by MDOR data demonstrates the average millage rates for the previous three years are lower than the current year millage rates. MDOR data years: 2019-2020, 2019-2018, 2018-2017.

Planning & Management:

- **Applicant:**
 - Applicant states the grant request reasonably fits into the projected decline of the coal industry in Big Horn County.
 - Applicant states the proposed project is consistent with the Big Horn County Growth Policy (05/2014).
- **Staff Review:**
 - The applicant has demonstrated a reasonable connection between purchase of a new tractor and construction of storage for the new tractor with community planning. The proposed project appears to be consistent with the effort to maintain adequate community facilities in Big Horn County as referenced in the 2014 Big Horn County Growth Policy goal to “provide for the long-term infrastructure needs of the county”.
 - There is a 2014 Big Horn County CIP and an updated CCIP spreadsheet. Although there are tractor purchases outlined in these documents, it is unclear if any of them are for the cemetery.

Grant History:

Since 2009, the applicant has been awarded 47 projects totaling \$3,960,331. For more information on Coal Board projects for this or any other applicant, please visit the Commerce Grants Database at <https://commerce.mt.gov/About/FundedProjects>.

Supplemental Documents (not included in this staff report): None

Staff Summary:

See engineer memo.

The applicant provided an environmental checklist, environmental review form, documentation from the newspaper notifying the public of the meeting where the environmental would be discussed, an agenda, minutes documenting that the environmental determination was made at a public meeting, and a signed resolution. Staff has determined that the environmental process is complete.

“The applicant must provide documentation of the completed environmental review process and include with the application all documentation of the public review process, including but not limited to, the public notice for and minutes of a public hearing at which the environmental review was discussed, the public comments received, and the final decision on the environmental determination made during a public meeting” (Montana Coal Board Application, pg 27).

Staff does not recommend funding due to the statutory criteria: Availability of Funds. Staff does not recommend awarding contingent upon available revenue as there is insufficient revenue to award projects currently. Staff recommend awarding projects based on revenue received to meet the Availability of Funds statutory criteria.