STATE OF MONTANA
DEPARTMENT OF COMMERCE
MONTANA COAL BOARD
January 18, 2018 – Billings, Montana
BOARD MEETING

John Williams (Chair), Colstrip – Impact Area                                                            Veronica Small-Eastman, Lodge Grass - Education
Sidney Fitzpatrick, Hardin– Impact Area                              Tim Schaff, Roundup – Education
Marianne Roose, Eureka – other                                                                                  Shawn Fredrickson, Butte – other
Vacant – Attorney

Notice of Public Meeting

January 17, 2018: The Board will gather informally for dinner at 6:30 p.m. at Commons 1882, (404 N 30th Street, Billings, MT). Members of the public are also invited to attend the dinner at their own expense.

January 18, 2018: The Board will hold a quarterly meeting at 8:30 am, Thursday, January 18, 2018, at MSU Billings Student Union Building (1500 University Drive, Room Banquet A&B) in Billings, MT. The Board will gather for lunch on campus in the Rimrock Café and members of the public are welcome. For more information or to request reasonable accommodations for a disability, please contact CDD staff at (406) 841-2770 or at DOCCB@mt.gov before the meeting.

Agenda:
1. Call to order
2. Roll call
3. Opportunity for public comment
4. Department of Commerce and Department of Revenue Updates
5. Approval of minutes (September 22, 2017 and December 21, 2017 Conference Call)
6. Budget and Project Updates
   • Correspondence
7. Old Business (applications tabled September 22, 2017)

Tabled Applications:

<table>
<thead>
<tr>
<th>No.</th>
<th>Applicant</th>
<th>Project</th>
<th>Amount requested</th>
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<tbody>
<tr>
<td>0832</td>
<td>MSU Billings</td>
<td>Yellowstone Science &amp; Allied Health Bldg Renovation</td>
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<td>0833</td>
<td>Musselshell County</td>
<td>Purchase of Road Grader</td>
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<td>0834</td>
<td>Golden Valley County</td>
<td>Jaws of Life Purchase</td>
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<td>0835</td>
<td>Big Sky Economic Dev</td>
<td>Coulson Park Master Plan</td>
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<td>0836</td>
<td>Rosebud County</td>
<td>Sheriff’s Office Equipment and Upgrades</td>
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<td>0837</td>
<td>Town of Broadus</td>
<td>Powder River First Responders Capnography Machine</td>
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<td>0838</td>
<td>Town of Roundup</td>
<td>Public Works Department End Dump Purchase</td>
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<td>0839</td>
<td>City of Colstrip</td>
<td>Economic Diversification Strategy Implementation</td>
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<td>0840</td>
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<td>Fire Truck Purchase</td>
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Total Funds Requested: $ 1,427,522.00
8. New Business

**New Applications:**

*Please note that as the Board reviews the following applications, action in the form of an environmental determination may be made by the Board.*

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<td>0846</td>
<td>Hardin Public Schools</td>
<td>Activity Center Pool Roof Replacement</td>
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**Total Funds Requested:** $786,460.00

9. Opportunity for public comment
10. Board Matters
11. Adjourn
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### Revenue Update for January 2018 Meeting

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Montana Coal Board
Draft Meeting Minutes
September 22, 2017
Big Horn County Historical Museum, Hardin, MT

Board Members Present
Chairman John Williams, Vice-Chair Sidney Fitzpatrick, Veronica Small-Eastman, Shawn Fredrickson, Tim Schaff, and Marianne Roose.

Montana Department of Commerce Staff Present
Jennifer Olson, Division Administrator, A.C. Rothenbuecher, Grants Bureau Chief, Anne Pichette, Administrative Officer, Amy Barnes, Legal Counsel, and Amy Peck, Administrative Assistant.

Public Present
Jim Atchison  Southeastern Montana Development Corporation
Bill Hodges  Big Horn Hospital Association
Sandra Jones  City of Roundup
Katy Easton  Big Sky Economic Development
Robert Goffena  Musselshell County Commission
Jack Lane  City of Hardin
Dennis Gerke  Hardin Public Schools
Ed Joiner  Rosebud County Commission
Keith Raymond  Rosebud County DES
George Real Bird III  Big Horn County Commission
Kathie Bailey  Snowy Mountain Development Corporation
Thomas Stockert  Musselshell County Road Department
Allen Fulton  Rosebud County
Scott Klein  Forsyth City Fire Department
Brandon Heberle  Forsyth City Fire Department
Carole Raymond  City of Forsyth Council
Doris Pinkerton  City of Forsyth
Christy Wright  Wyola School District
Bob Pallas  Golden Valley County
Michael Egge  Golden Valley Fire Department
Bill Kennedy
Rudy King Jr.
Laurel Slattery
Linda Hammett
Tom Berry
Robbie Carpenter
Ron Larsen
Dave Warne
Brandon Good Luck
Lon Sibley
Welcome – Call to order
Chairman Williams called to order the meeting of the Montana Coal Board at 8:30 a.m. He thanked Bill Hodges, Big Horn County Hospital Association, Heritage Acres, and Big Horn County Historical Museum for their hospitality.

Roll call
Ms. Pichette called the roll for board members. The following board members were present: Chairman Williams, Vice-Chair Sidney Fitzpatrick, Shawn Fredrickson, Marianne Roose, Veronica Small-Eastman and Tim Schaff.

Opportunity for Public Comment
- George Real Bird – Big Horn County, welcomed the Board to Crow Country, Cheyenne Country, and Big Horn County; home to three of six coal mines in the state.
- Tom Stockert – Musselshell County, thanked the Board for all the assistance to the county through past grants.
- Bill Hodges – Big Horn County Hospital Association, welcomed everyone to the Museum and invited everyone to tour it if possible. He provided updates on the previous awards for the boilers and elevators in Heritage Acres long term facility.
- Bradley Good Luck – Wyola School District, commented on the security system and cameras needed for the school as well as funding assistance for a snow plow truck to assist with bus routes. Will be applying in the future.
- Tom Berry – former Representative, commented regarding Coal Board funding and that he had recently met with the Governor regarding supporting coal country.
- Jim Atchison – SEMDC, updated the Board on the Energy Open golf tournament held recently. He reported on the Colstrip Diversification Strategy and that the first phase funded by the Board where six major goals were identified and 18 strategies and that there has been a lot of interest shown from Washington DC to Washington State. (handouts were provided)
- Kathie Bailey – Snowy Mountain Development Corporation, thanked the Board for the funding provided to the coal impacted region. She provided information regarding a power summit in Billings that four economic councils are hosting and invited the Board and the public to attend and that economic training especially geared towards coal country will be provided given that 30 people at Signal Peak mine are being laid off in October and the possibility of 50 more later in the year.

Department of Commerce Orientation Updates
Ms. Olson introduced Amy Barnes, Legal Counsel to the Department and assistant to the Board, who presented a review of topics as discussed at the Orientation meeting held June 21, 2017. The following were reviewed:
1. Open Meeting Laws/Public Participation
   Ms. Barnes reviewed and discussed the process and provided documentation of this process. No questions and comments from the public or the Board were made.
2. Conflict of Interest
Ms. Barnes reviewed and discussed the process and provided documentation of this process. Comments were received from the Board and Ms. Barnes provided clarification.

3. Environmental Review Process
Ms. Barnes reviewed and discussed the process and provided documentation of this process. No questions and comments from the public or the Board were made.

4. Limitations on Grants
Ms. Barnes reviewed and discussed the process and provided documentation of this process. Comments were received from the public and Ms. Barnes provided clarification.

Approval of Minutes (June 21 and June 22, 2017)
- Chairman Williams called for discussion from the Board regarding the minutes and any comments from the public. No comments were made.

Action by the Board: Ms. Roose made a motion to approve the minutes. Mr. Schaff seconded. Motion passed.

Budget & Financial Report

Funds available for 2019 Biennia: $6,822,204.00

2018 State Fiscal Year (July ‘17 – June ‘18)
- Funds appropriated for SFY 2018: $3,403,336.00
- Coal Board funds awarded for SFY 2018: $1,573,427.00
- Revenue available in Coal Natural Resource account: $740,446.95
- Balance of available SFY 2018 appropriation: $1,829,909.00
- Balance of available revenue less awards made: ($832,980.05)

2019 State Fiscal Year (July ‘18 – June ‘19)
- Funds appropriated for SFY 2019: $3,418,868.00
- Coal Board funds awarded for SFY 2019: $0
- Revenue available in Coal Natural Resource account: $0
- Balance of available SFY19 appropriation: $3,418,868.00

Total awarded: $1,573,427.00
Total Revenue: $740,446.95
Total appropriation available: $5,248,777.00
Balance of available revenue: ($832,980.05)
Ms. Olson reviewed the budget and explained during the Orientation Meeting held on June 21, 2017 that the Department tracks the appropriation and how it can be allocated. This biennium is on a fiscal year allocation. The Coal Natural Resource account is the funding source; House Bill 2 separated it into two fiscal years. Ms. Olson detailed the current actual revenue deposited into the Coal Natural Resource account and the amounts awarded by the Board at the previous meeting. Due to the shortage of revenue available, the Department has not entered into contracts for the June awards. Ms. Olson drew attention to the Criteria for Award, Section C on availability of funds, and that this is a statutory consideration for any application.

- Chairman Williams – stated that appropriations have exceeded the revenue received to date. Staff will not issue contracts until revenue is received. As for the nine applications being considered at this meeting, no funds are available to award. He recommended that the Board hear the presentations and then table each until there are available funds. On the Agenda for the December meeting, Old Business will move in front of New Business so that the applications received at this meeting will be heard prior to the new applications. This will be an equitable treatment and allows time for applicants to complete the Environmental Review process.
- Kathie Bailey – SMDC, understood the issue and questioned as to whether there was a cash balance fund? Previously, a letter was sent to Staff requesting to remove an application from the table, will this apply for the December meeting? She requested that the Budget information be placed on the Department’s website in the future.
- Chairman Williams – all applications will automatically be removed from the table at the next meeting.
- Ms. Olson – a public copy of the binder sent to the board members is available for review at each meeting which includes budget information as it can be difficult for a number of reasons to post all the information to the website. Also, it is believed that the cash balance is nearly zero; can provide an exact amount at next meeting.
- Jim Atchison – SEMDC, according to the Legislative Fiscal Division, the Coal Severance Tax collected $58.8 million as of July 1 and 5.8% of that would be the $6.8 million for the Coal Board so would it be that all accounts like the Coal Natural Resource are not receiving funds?
- Ms. Olson – that is a good question to be directed to the Department of Revenue.
- Chairman Williams – might it be possible to have a representative from the Department of Revenue be available to discuss the flow of cash and provide an update?
- Julie Emmons – SEMDC, questioned how long an awardee can have a contract before projects actually begin and the order in which those applications previously awarded would receive funding? The best use of funds may be to use funds on those awardees ready to proceed as opposed to those that are not.
- Ms. Olson – all startup conditions must be met prior to entering contracts.
- Chairman Williams – when are funds anticipated?
- Ms. Olson – assuming the same trend that has occurred in the past, December should have funds available.
• Bill Kennedy – MSU Billings, a contract affects the timeline of steps to move forward like the bidding process and start of construction. A delay today delays the project three to four months which can affect the dollars needed for a project.

Project Updates
• Number of projects awarded since the beginning of the 2019 Biennia: 13
• There are currently 29 open contracts; 2 are closed; 12 are in process.
• Ms. Pichette read the letter from the Town of Lodge Grass requesting to extend their contract #0742. The requested date is October 31, 2018.

Action by the Board: Mr. Schaff made a motion to extend the contract. Ms. Roose seconded. Motion passed.

New Business
Application #0832 MSU Billings – Yellowstone Science and Allied Health Building $500,000
• The applicant is requesting $500,000 to complete the renovation of the 70-year old Science facility at MSU Billings.
• Bill Kennedy – President/CEO, MSU Billings Foundation, provided a video presentation and handouts. An Environmental Review checklist was provided in the application and he commented the Board for MSU found the project to be categorically excluded.
• Ron Larson – Chancellor, MSU Billings, eastern Montana is served by MSU Billings which is committed to coal country. The building is currently insufficient to meet the demand. The ability to attract teachers will also improve with an improved facility.
• Dave Warren – MSU Billings Foundation volunteer, as an alum from 1972 and a teacher for many years, the importance and value of education and that most jobs require a college degree, cannot be over-emphasized. Also, many educators and students at the school come from eastern Montana.
• Questions and comments from the Board – due to the school’s timeline, could this be approved pending funding? The urgency is there for their process for other funding.
• Bill Kennedy – an appropriation can show we have funding to further our timeline.
• Ms. Olson – to enter into a contract, the Department needs a scope of work and a budget.

Action by the Board: Ms. Roose made a motion to table the application. Mr. Schaff seconded. Motion passed.

Application #0833 Musselshell County – Motor Grader $269,750
• The applicant is requesting $269,750 to complete the purchase of a new motor grader.
• Tom Stockert – Musselshell County Road Department, expressed appreciation for previous awards. Currently, one of the graders has no air-conditioning which impacts the health of the driver as windows must be left open. In the past three years, there have been $40,000 in repairs to this grader.
• Kathie Bailey – SMDC, this request is included in the Comprehensive Economic Strategy and the CIP for the County.
• Bob Goffena – Commissioner, Musselshell County, if Signal Peak Mine were to shut down due to the challenges it faces, the County would lose 36% of revenues. The Bruner Mountain fire impacted the County and the Mine. The County is trying to stay ahead of failing equipment.

**Action by the Board:** Mr. Schaff made a motion to table the application. Mr. Fredrickson seconded. Motion passed.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #’s 0833 to 0840. Mr. Schaff seconded. Motion passed.

Discussion of applications prior to tabling:

**Application #0834 Golden Valley County – Jaws of Life**

- The applicant is requesting funds to complete the purchase of a new Jaws of Life for emergency services to replace existing equipment.
- Bab Pallas – Volunteer Fire Department, the current equipment is outdated and not repairable any longer.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #’s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0835 Big Sky Economic Development – Coulson Park Master Plan**

- The applicant is requesting funds to complete the Coulson Park Master Plan in Billings.
- Katy Easton – Big Sky Economic Development, this area is managed by the City of Billings and has the capacity to be a major regional park that would significantly improve a currently blighted, crime-ridden property, as well as spur economic development in the area. Many coal and energy employees live within Billings and Yellowstone County. (handouts were provided)
- **Questions and comments from the Board:** This is in the heart of Crow Country. Will the old, abandoned power plant be part of the park?
- Katy Easton – it is hoped that the future owner of the plant will partner with the City to continue improvements and access to the park per the Master Plan.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #’s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0836 Rosebud County – Sheriff’s Office Equipment**

- The applicant is requesting funds to complete the purchase and installation of equipment for the Sheriff’s Office.
- Ed Joiner – Commissioner, Rosebud County, the County is maxed in Mills and the budget is extremely tight. Equipment age has put employees at risk. (handouts were provided)
• Allen Fulton – Sheriff, Rosebud County, all this equipment requested has become more and more necessary; car cameras, body cameras, tasers, and others are to save lives of the people, in the case of the boat, and the officers of this county. Provided handouts to help complete the Environmental Review as requested by staff.

• Jim Atchison – SEMDC, Colstrip has begun the overhaul on Unit 1. Four to five hundred workers are coming to assist. This request will help meet the needs of these people should they need help too.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #'s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0837 Town of Broadus – First Responder Capnography Machine** $6,100

• The applicant is requesting funds to complete the purchase of two capnography machines for use throughout the county by the Powder River First Responders.

• Julie Emmons – SEMDC, Powder River is unique; there is no doctor in whole county, all EMT’s are volunteers. The closest doctor and hospital are 90 miles away. 45% of the population are above age 62. The ER has been completed. A letter of commitment from Powder River Endowment Fund received $1 million donation. $6,100 will be matching funds to an award from the Coal Board. SEMDC and the Town of Broadus will donate the administrative fees from the grant for approximately $650. (handouts were provided)

• Jim Atchison – SEMDC, Montana is a rapidly aging state; by 2030 it will be the fourth oldest in population. Powder River follows this trend. This request is much needed.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #'s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0838 Town of Roundup – End Dump Truck** $67,309

• The applicant is requesting funds to complete the purchase of an end dump truck.

• Sandra Jones – Mayor, City of Roundup, thanked the Board for previous critical awards in the City, schools and hospital. 60.2% of the population is below the poverty level and this equipment is listed in the CIP. The requested new truck is necessary to meet emissions regulations; it is difficult to find good used vehicles. The ER process has been completed. (handouts were provided)

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #'s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0839 City of Colstrip – Economic Diversification Strategy Implementation** $175,000

• The applicant is requesting funds to complete the implementation of the recent economic diversification strategy.

• Jim Atchison – SEMDC, the strategy was completed in May. In October/November 2015 CEDS document, Colstrip challenged SEMDC to provide specifics; a targeted approach for the coming
potential impact to the City due to the downturn in coal production. Colstrip needs to move on the implementations. Colstrip United, a group on social media, has provided support. Also, the request is amended to $70,000 due to funding received from other sources. (handouts were provided)

- Ed Joiner – Rosebud County, in full support of this request. The Strategy has made a huge, positive impact on Colstrip.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #’s 0833 to 0840. Mr. Schaff seconded. Motion passed.

**Application #0840 City of Forsyth – Fire Truck**

- The applicant is requesting funds to complete the purchase of a new pumper fire truck.
- Keith Raymond – Volunteer Fire Department, the truck being looked at is a demo which will save money. The current 1973 truck really cannot be a front-line truck any longer; having to manufacture parts since they are no longer available for purchase. This will increase firefighter and civilian safety. The City provides mutual aid to surrounding areas; as far away as Miles City. This equipment is listed in the Growth Plan. (handouts were provided)
- Jim Atchison – SEMDC, this purchase is listed on the Infrastructure Needs list and is strongly supported.
- Ed Joiner – Rosebud County, the Commission fully supports this request.

**Action by the Board:** Vice-Chair Fitzpatrick amended the motion to table all remaining applications - #’s 0833 to 0840. Mr. Schaff seconded. Motion passed.

The Board and members of the public had closing comments regarding the Environmental Review process as previously discussed.

**Old Business**

None.

**Board Matters**

- Marianne Roose – the concerns and expectations of applicants were understandable but felt it prudent to wait for funding and to table the applications.
- A.C. Rothenbuecher – staff will have a funding update sometime in early October.
- Chairman Williams – noted that the amount of PM10 from the forest fires this summer alone would have taken the four plants in Colstrip to operate 100 years to exude the same amount.
- Bill Kennedy – MSU Billings extended the invitation to hold the next meeting at the school.
Adjournment
With no other business, the meeting was adjourned by Chairman Williams at 1:15 p.m. The next meeting is scheduled for December 21, 2017 in Billings, Montana, location to be announced.

___________________________________________
John Williams, Board Chair
Montana Coal Board  
Draft Meeting Minutes  
Conference Call  
December 21, 2017  
Montana Department of Commerce, Billings, MT

Board Members Present  
Chairman John Williams, Vice-Chair Sidney Fitzpatrick, Shawn Fredrickson, Tim Schaff, and Marianne Roose. Veronica Small-Eastman was absent.

Montana Department of Commerce Staff Present  
Jennifer Olson, Division Administrator, A.C. Rothenbuecher, Grants Bureau Chief, Anne Pichette, Administrative Officer, Emily Rowe and Amy Peck, Administrative Assistants.

Welcome – Call to order  
Chairman Williams called to order the meeting of the Montana Coal Board at 8:37 a.m.

Roll call  
Ms. Pichette called the roll for board members. The following board members were present on the call: Chairman Williams, Vice-Chair Sidney Fitzpatrick, Shawn Fredrickson, Marianne Roose, and Tim Schaff. Veronica Small-Eastman was absent.

• Chairman Williams – due to Commerce staff and others not being able to travel because of inclement weather and hazardous road conditions, explained that the purpose for the call was to notify all on the line that the meeting was postponed and that a new date in January needed to be decided upon, at which time the quarterly meeting would take place. He proposed January 18, 2018 as the date with the meeting being held at MSU-Billings, and opened the discussion to the Board members.

• All Board members on the call indicated that January 18th worked for them.

• Bill Kennedy – MSU-Billings, agreed to the date.

Action by the Board: Mr. Schaff made a motion to accept January 18, 2018 as the next quarterly meeting to be held at MSU-Billings. Ms. Roose seconded. Motion passed.

• Chairman Williams – opened the discussion about setting the date for the March quarterly meeting.

• Anne Pichette – reminded the Board that March 22, 2018 was the date chosen by the Board at the Orientation Meeting held in September 2017.

• Chairman Williams – the March meeting will be held in Billings with the exact location to be determined.

• Bill Kennedy – requested that with a quorum in place could the applications be discussed during this call?

• Chairman Williams – explained that it was preferable to not act on anything in the conference call format as it is difficult for both applicants and Board members. All applicants from both September and December will be considered.
• Ms. Olson – all decisions made at previous meetings will be retained for the meeting in January; Old Business will be conducted first for the tabled applications and then New Business for the current applications. This delay or postponement is only for the December meeting items. No new applications will be taken or considered.

Adjournment

With no other business, the meeting was adjourned by Chairman Williams at 8:53 a.m. The next meeting is scheduled for January 18, 2017 in Billings, Montana, at MSU-Billings.

___________________________________________
John Williams, Board Chair
## Legislative Appropriation (HB 209):

$6,822,204.00

**FY 2018 Appropriation:** $3,403,336.00

**FY 2019 Appropriation:** $3,418,868.00

Revenue Available to Date: $740,446.95

Awards Made to Date: $1,573,427.00

Revenue Available (to award this meeting): ($832,980.05)

### Applications for Consideration

**September 2017**

<table>
<thead>
<tr>
<th>Grant #</th>
<th>Grantee</th>
<th>Project Description</th>
<th>Funds Requested</th>
<th>Total Project Costs</th>
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<tbody>
<tr>
<td>0832</td>
<td>MSU Billings</td>
<td>Science &amp; Allied Health Building Renovation</td>
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### Applications for Consideration
#### December 2017

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<th>Project Description</th>
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