

STATE OF MONTANA  
DEPARTMENT OF COMMERCE  
MONTANA COAL BOARD

TRANSCRIPT OF THE COAL BOARD MEETING

June 20, 2018  
8:38 a.m. - 1:09 p.m.

Held at Holiday Inn Express  
3431 Ember Lane  
Billings, Montana

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

1 WHEREUPON, the following proceedings were had:  
 2 CHAIRMAN WILLIAMS: Good morning, everybody.  
 3 I'll call the meeting to order.  
 4 If we could please have roll call.  
 5 MS. PICHETTE: Chairman Williams.  
 6 CHAIRMAN WILLIAMS: Here.  
 7 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 8 VICE-CHAIR FITZPATRICK: Here.  
 9 MS. PICHETTE: Shawn Fredrickson.  
 10 BOARD MEMBER FREDRICKSON: Here.  
 11 MS. PICHETTE: Amber Henning.  
 12 BOARD MEMBER HENNING: Here.  
 13 MS. PICHETTE: Marianne Roose.  
 14 BOARD MEMBER ROOSE: Here.  
 15 MS. PICHETTE: Tim Schaff.  
 16 BOARD MEMBER SCHAFF: Here.  
 17 MS. PICHETTE: Veronica Small-Eastman.  
 18 BOARD MEMBER SMALL-EASTMAN: Here.  
 19 CHAIRMAN WILLIAMS: Thank you.  
 20 MS. PICHETTE: And if we could remind the members  
 21 of the public as well, the sign-in sheet is right here  
 22 next to the snacks. If you could sign in sometime today,  
 23 we'd appreciate it. Thank you.  
 24 CHAIRMAN WILLIAMS: Okay. Thank you very much.  
 25 Everybody sign in. And we've got no push buttons on the

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1 that this is beneficial for not only you but the State and  
 2 the public is because if there is a public information  
 3 request and you use your individual personal email  
 4 account, that means that the State will have to pay, and  
 5 it comes out of your coal board budget as administrative  
 6 expenses, to investigate and search into your personal  
 7 email account.  
 8 You know, if there's a request about a specific  
 9 project or a specific conversation or a topic, then we  
 10 would have to do some investigation and hire out or send  
 11 staff to redo that research and make sure that it's  
 12 complete and thorough, then it would be subject to legal  
 13 review, and then we would send that out to the individual  
 14 or party that is requesting that public information.  
 15 So your Walgreens, you know, prescriptions that you  
 16 probably do with your emails, we would be going through  
 17 that, or anything that you might buy on eBay or Amazon, we  
 18 might be going through that, just in the effort of trying  
 19 to find and search the exact email and the content that  
 20 we're looking for.  
 21 Additionally, it also protects you from not only that  
 22 search, but then also anything that might be happening at  
 23 the state network; so provides you upgrades and  
 24 information that would be then provided as part of the  
 25 overall state network that our IT staff could do. So not

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1 phone, so everyone speak directly into the mic.  
 2 Welcome, everybody. Thank you for coming here this  
 3 morning. The first item that we do have on the agenda is  
 4 we have some training for, for the board, and the public  
 5 is certainly welcome to participate by being a part of  
 6 understanding what we're going to be trained in as far as  
 7 our emailing goes. So thank you for coming.  
 8 And Jennifer.  
 9 MS. OLSON: Good morning, Board, members of the  
 10 public. I'd like to introduce Bonnie Martello. She's  
 11 with our Department of Commerce legal staff, and she's  
 12 here to help walk through the new email addresses that  
 13 you'll be having. But I wanted to take a minute to  
 14 explain to you the why.  
 15 So first and foremost, the new email addresses that  
 16 you're having are part of the state network. So with that  
 17 comes -- as part of all of the benefits of working with  
 18 the Department of Commerce as an attached-to board, the  
 19 IT staff are available to help you as well as some other  
 20 folks. You've seen Amy Barnes come here before and talk  
 21 to you as legal staff. So this is an extension to our  
 22 IT staff.  
 23 A couple of different things that are important to  
 24 know. This email address probably will seem a little bit  
 25 cumbersome at first, getting used to it. But the reason

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1 only if there's issues related to people trying to access  
 2 your information or whatnot, because it is a secure site,  
 3 also with the state network comes a lot of encryption  
 4 information.  
 5 Lastly, I think it also helps because then the  
 6 communication that we the board staff send to you, it  
 7 becomes a place where we can help to make sure that you're  
 8 getting that information and that that access to your  
 9 state email account then is secure and is operating. So  
 10 if there's something that's going on and you can't figure  
 11 it out, we have, again, a good IT staff to help.  
 12 So Bonnie is going to walk through with you the  
 13 process. And I would say the RSA tokens, so the little  
 14 gray things that have the numbers that are in front of  
 15 you, replacements for those do cost the Board our  
 16 administrative dollars. So treat them like a credit card.  
 17 Keep them with you at all times. And when you're  
 18 particularly accessing your email, but then also when  
 19 you're not accessing your state email, please keep them in  
 20 a secure location. Because that's definitely a unique  
 21 identification number, but it provides a double  
 22 authentication to ensure that any attempts to hack into  
 23 your state email account or anything like that become  
 24 extraordinarily much more difficult.  
 25 So those are very, very important. We can replace

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1 them. They do have a cost to them. So just as a fair  
 2 warning upfront, they're very, very unique and important.  
 3 So I'll hand it over to Bonnie, because she can answer  
 4 any questions that you might have.  
 5 MS. MARTELLO: Good morning. Again, my name is  
 6 Bonnie Martello, and I do work for the Department of  
 7 Commerce in the legal department. I am the paralegal for  
 8 the department, so I have three attorneys that I support  
 9 along with all the boards and the other departments of  
 10 Department of Commerce.  
 11 So back in the last legislative session,  
 12 House Bill 123, now which is in Title 2, came about, and  
 13 it deals with public information and right to know. And  
 14 that became a huge deal for us because of what information  
 15 we can and what we are required to give to the public, and  
 16 it does have some restrictions of what we can and cannot  
 17 release to the public. Generally for employees, you know,  
 18 we won't give out rate of pay or social security numbers  
 19 or that kind of stuff, but it's pretty broad of what we  
 20 have to give out now.  
 21 So we are really trying to safe-keep the boards  
 22 especially. Like Jennifer said, we don't need to know  
 23 your personal information on your personal emails. This  
 24 will solely be information that is from the Department of  
 25 Commerce to you guys as a coal board member, so then we

1 are not searching information that doesn't belong to us or  
 2 that the general public needs to know about your personal  
 3 lives as a coal board member. And in this day and age,  
 4 phishing and information on attacks, that kind of stuff,  
 5 is becoming pretty prevalent, and so we're really trying  
 6 to safe-keep information.  
 7 We at the State of Montana have safeguards in place to  
 8 try to keep information from getting out to the wrong  
 9 hands. And so with you guys having State of Montana  
 10 Outlook email, we're safeguarding you so that things don't  
 11 get out to the general public that doesn't need to be out  
 12 there.  
 13 We do have a program that's called Varonis that we can  
 14 run if there's information requests that come in that we  
 15 just literally type in key words. Someone wants to know  
 16 something about Colstrip or someone wants to know about  
 17 Hardin, whatever, we type that in, and it's only going to  
 18 bring up that information. So it's easier for us to go  
 19 through that information if we do have an information  
 20 request that comes in and we're not pulling your Walgreens  
 21 information or whatever personal information is out there,  
 22 which is super-nice. And we all have the RSA code. We  
 23 all have to use it.  
 24 So in front of you, you have a little square piece of  
 25 paper that I provided to you. That has your information

1 that you're going to need to log into the state email  
 2 system. The first one is your user name. It's a  
 3 CCA number and then some numbers after it. Below that is  
 4 your email password. It will prompt you the first time to  
 5 change it. So you guys all have the same exact password  
 6 right now, but it will prompt you to change that once you  
 7 get in there the first time.  
 8 And then below that is your State of Montana email  
 9 address. It's your first.lastname@mt.gov. So it is your  
 10 full name written out. That is something new for us  
 11 employees of the State of Montana; they are going to the  
 12 full name process.  
 13 So if you look on the handout I gave you, down towards  
 14 the bottom is the how-to information. The top part is  
 15 really just telling you, as a nonemployee, you are still  
 16 under the same policies and procedures as we are as  
 17 employees of the State of Montana. Acceptable use policy.  
 18 And once you get into your email, those will all be sent  
 19 to you. So the first time, IT will see you activate it,  
 20 they'll push out all those policies to you. You can read  
 21 them when you're ready. You know, data loss prevention,  
 22 sensitive information, the archive facility.  
 23 We can archive everything in Outlook, so it's not off  
 24 the system. So when we are going to look at information  
 25 if we do get an information request or the Legislature

1 wants information from us, it's easy, it's in the Outlook  
 2 system, we can pull it right from there.  
 3 So how-to information. So if you open your Internet  
 4 browser, and whatever browser you choose to use, totally  
 5 up to you, if you type in mt.gov and then backslash  
 6 employee, it will bring you to the state employee access  
 7 page. And for us, there's other services, as a state  
 8 employee, we can get into. But the only one that you're  
 9 going to be required to get into is what's called webmail  
 10 on the left-hand side.  
 11 So you click in the login screen, and this is where  
 12 you're going to need your RSA token. So in the domain and  
 13 the user name, you're always going to have to put state  
 14 backslash, and then that's where your CCA number goes in.  
 15 So the number that's on your top little piece of paper,  
 16 CCA, and then you have the number. And then your password  
 17 is the password that's on your piece of paper. For you  
 18 guys, it's "rockbottom," and those are zeros and not Os.  
 19 So those are zeros.  
 20 So it will come up, look like -- Whoever uses Outlook  
 21 in their normal day to day, it will look pretty similar to  
 22 that. So this is what it will look like. Kind of fuzzy  
 23 for you, but -- So on your left-hand side, you have your  
 24 inbox, so that's where everything will come into. You can  
 25 put it in your favorites if you would like to have --

1 whichever you would like to have in there.  
 2 Below that is your own archiving information. So you  
 3 can right-click, you make can folders, if you want to make  
 4 it for quarterly meetings. You know, so once Coal Board  
 5 sends stuff out to you, you can keep it in there if you  
 6 would like. For records management, anything that is  
 7 state business needs to be records managed, so there's a  
 8 retention schedule. So what I would encourage you to do  
 9 is make a folder on the left-hand side; any information  
 10 for this meeting or the September meeting, you just drag  
 11 and drop into there so that you are compliant with the  
 12 records management for the State of Montana.  
 13 BOARD MEMBER FREDRICKSON: I have a question.  
 14 MS. MARTELLO: Yes.  
 15 BOARD MEMBER FREDRICKSON: So if we don't do any  
 16 of the folders and we just keep it in the inbox --  
 17 MS. MARTELLO: That's totally fine too.  
 18 BOARD MEMBER FREDRICKSON: That's fine.  
 19 MS. MARTELLO: Yep.  
 20 BOARD MEMBER FREDRICKSON: Okay.  
 21 MS. MARTELLO: As long as it's accessible if we  
 22 have to go out and find it. We can totally do that too.  
 23 VICE-CHAIR FITZPATRICK: So then if you don't  
 24 even do it at all, that's fine too?  
 25 MS. MARTELLO: That's up to --

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1 VICE-CHAIR FITZPATRICK: That's going to be  
 2 probably me.  
 3 MS. MARTELLO: That's up to -- I think that they  
 4 are going to start sending your information through the  
 5 email. But I'm just here to show you how to do it, so...  
 6 MS. OLSON: And I might interject for a moment.  
 7 Mr. Chairman, Vice-Chairman Fitzpatrick, we're going to  
 8 start to communicate with all of you via this email so  
 9 that we also can document, demonstrate that the  
 10 communication isn't to a personal, private email account  
 11 that would then have to be subject to review or scrutiny  
 12 as a public information request.  
 13 BOARD MEMBER ROOSE: Then does that mean that our  
 14 board packets will come email? No more mailing?  
 15 MS. OLSON: Chairman, Marianne Roose, that's  
 16 actually the direction that we'd like to be heading. So  
 17 we'll have a transition time. But that will hopefully get  
 18 the packets to you sooner. The volume of them tends to be  
 19 a little bit daunting, so we'll start to work towards that  
 20 end. It might just be a little bit of transition so that  
 21 you get the front part of the packets first and then the  
 22 applications or something like that.  
 23 We also don't want to overload your email so that it's  
 24 full of really large documents, so -- But in the coming  
 25 months, years, we're going to be looking at how we can

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1 best help to make sure that that information is readily  
 2 available.  
 3 BOARD MEMBER ROOSE: Thank you.  
 4 MS. MARTELLO: And just as a sidenote, most  
 5 boards are going to this web-based -- you're not the only  
 6 board that is going to have State of Montana email  
 7 accounts. It's a better safekeeping for your personal  
 8 information. And so we are transitioning -- Not only at  
 9 Commerce, but across the board they are transitioning to  
 10 board emails so that we know that the information that is  
 11 going out to board members that is State of Montana  
 12 information is being dealt with properly.  
 13 So it's pretty self-explanatory. You know, new mail,  
 14 you click on the "new mail," you can enter in "to," you  
 15 know, anyone you want to.  
 16 So once you first get in -- And I will be around, so  
 17 everybody, if you want to try to get in the first time,  
 18 I'm here. We can help, you know, navigate people  
 19 through moving things through. There is a calendar option  
 20 here so that, you know, Anne and whoever sends out -- You  
 21 will get little meeting bugs that will come up about  
 22 meetings that pertain to the Coal Board and that kind of  
 23 stuff.  
 24 We do ask that every 60 days you change your password  
 25 so that we know that it is safe and secure. And to change

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1 your password -- It will prompt you to change it. After  
 2 60 days, if you don't do it, it will prompt you to change  
 3 your password. And it cannot be the same password. It  
 4 will not allow you to do that, to continue to change to  
 5 the same password.  
 6 And any questions, anything like that, she hasn't been  
 7 introduced yet, but Jodee Prevel will be your first point  
 8 of contact if you have any questions or concerns or have  
 9 any issues trying to get in. And then at the bottom of  
 10 the page, all of the IT staff for the Department of  
 11 Commerce is there and available for any problems that  
 12 arise trying to get in.  
 13 It is required that your Windows is up to date in the  
 14 software requirement. So that if you don't update your  
 15 Windows, it won't let you in. And that, again, is part of  
 16 the security, so that we're safekeeping the State of  
 17 Montana so that, you know, any virus or anything doesn't  
 18 come into the system.  
 19 So any questions?  
 20 BOARD MEMBER ROOSE: Yes. Is this a part at all  
 21 of the Montana Transfer Service?  
 22 MS. MARTELLO: It does hook to that. So we can  
 23 hook you up for the Transfer Service.  
 24 BOARD MEMBER ROOSE: I serve on another state  
 25 board, and we use the Transfer Service and I have a

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1 password. And that's very easy to use --  
 2 MS. MARTELLO: Yes.  
 3 BOARD MEMBER ROOSE: -- so I was curious if this  
 4 is connected to that.  
 5 MS. MARTELLO: Yep. And some of the bigger  
 6 binders that do go out, we can put them into the Transfer  
 7 Service. You will automatically -- I'm sure like you do  
 8 in the other board, you get an email, you click on it, and  
 9 it literally opens right there for you.  
 10 BOARD MEMBER ROOSE: It's very friendly to use.  
 11 Yes. Very friendly.  
 12 MS. MARTELLO: It is very friendly. It is easy  
 13 to use, and it's right there at your fingertips. So  
 14 that's something too that they can explore with you.  
 15 BOARD MEMBER ROOSE: That's good. Thank you. It  
 16 is much easier to use.  
 17 MS. MARTELLO: It is super-easy to use.  
 18 Any other questions? No? Okay.  
 19 Well, we're all here. We're available. Any  
 20 questions, please make sure you give us a call. Even  
 21 something as simple as "my RSA code isn't working." We've  
 22 all thrown those RSA codes around, because when we first  
 23 had to go onto them, we were all not liking them. But now  
 24 they're pretty accustomed to us.  
 25 BOARD MEMBER ROOSE: So really, this is nothing

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1 more than for us to have at our fingertips --  
 2 MS. MARTELLO: To get into your Outlook.  
 3 BOARD MEMBER ROOSE: -- a hard copy of what our  
 4 number is?  
 5 MS. MARTELLO: Yes. Yep. And that number  
 6 attaches to your email and to your CCA number, so if you  
 7 don't have that when you try to get in, it's not going to  
 8 let you in. We went to two-factor authentications  
 9 probably about a year ago now, and so it's just that  
 10 second step of safekeeping your information so intruders  
 11 can't come in.  
 12 Anything else?  
 13 Okay. Thank you.  
 14 CHAIRMAN WILLIAMS: Any other questions? Any  
 15 comments?  
 16 Okay. Thank you, Bonnie.  
 17 Okay. Thank you very much.  
 18 The next item on the agenda is the opportunity for  
 19 public comment, and I would invite members of the public  
 20 to make comment to myself and the Board on any items that  
 21 you would like to discuss other than those that are on the  
 22 agenda. So I would welcome your comments at this time.  
 23 MR. ATCHISON: Thank you, Mr. Chairman, Members  
 24 of the Coal Board. For the record, my name is  
 25 Jim Atchison. I'm the executive director of Southeastern

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1 Montana Development based in Colstrip. And we are a  
 2 regional nonprofit economic development group that have  
 3 been there for over 20 years.  
 4 I had a couple of comments I wanted to share with the  
 5 Board. Obviously, coal and energy is a big deal in  
 6 Montana, and the last couple years there's been a plethora  
 7 of different conferences and workshops and meetings going  
 8 on, and I just wanted to share a couple of those with the  
 9 Board that happened in the last couple months.  
 10 The Montana Energy Summit was held right here in  
 11 Billings. Many of you attended. It was hosted by  
 12 Senator Daines and Congressman Gianforte. Probably one of  
 13 the best energy conferences I've ever attended in 17 years  
 14 of doing what I've been doing. Outstanding speakers, a  
 15 star-studded list of speakers for two days. They made a  
 16 little side trip to Colstrip, which was very appreciated.  
 17 And what I wanted to share was this is the first time  
 18 that I can -- well, actually, first time ever that a FERC  
 19 commissioner visited the state of Montana. And FERC is a  
 20 pretty big deal. It's kind of like the federal PSC for  
 21 the feds, and the first time ever a commissioner has been  
 22 in Montana. And they also had some high-ranking  
 23 Department of Energy officials here too. So Montana is  
 24 getting noticed, especially in energy. And we all knew  
 25 that, but it's nice to be recognized and appreciated for

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1 what we have and can contribute to the national economy.  
 2 Also in Billings back in April was the Coal Reliant  
 3 Communities Forum, specifically targeting communities that  
 4 are having impact challenges -- Roundup, Colstrip, and, of  
 5 course, Hardin and a few others, including Billings --  
 6 when certain things do happen. And they have one  
 7 scheduled for Gillette, but it's been postponed into the  
 8 near future. So a couple things there.  
 9 Also, I'm happy to report that it looks like,  
 10 according to the Montana Coal Council, Montana coal  
 11 production in 2017 was up about 9 percent. So that's some  
 12 encouraging news. In 2016 it was definitely down; 2017 it  
 13 was up about 9 percent; and so far, according to  
 14 Coalage.com through February, it was up about 2-and-a-half  
 15 percent in Montana. So some good news there as far as the  
 16 Severance Tax and exactly what the Coal Board and other  
 17 state agencies that rely on coal revenue can anticipate in  
 18 the future hopefully.  
 19 One grant application that we were part of, the  
 20 Colstrip diversification strategy, which we applied for  
 21 back in September and were awarded an award from you folks  
 22 in January, and we appreciate that, just a little update:  
 23 We completed the request for proposal, RFP process just  
 24 about a week ago. We're going through those applications  
 25 and scoring those presently. And probably July 1st, we'll

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1 be hiring a coordinator position to help us with the  
 2 implementation of that diversification strategy, which is  
 3 a big deal not only for Colstrip but obviously the state  
 4 of Montana as well.  
 5 And Mr. Chairman, I know you've heard this before, but  
 6 I would like to officially invite the Coal Board to our  
 7 15th Annual Energy Open Conference and Golf Tournament  
 8 coming up in August. And I do have a handout there,  
 9 Mr. Chairman, if I could hand that out.  
 10 CHAIRMAN WILLIAMS: Please.  
 11 MR. ATCHISON: I think I have eight copies here,  
 12 so if we can pass those out.  
 13 And that's an event that we started back in 2004 to  
 14 showcase the economic benefits of responsible energy  
 15 development. And so this is, like I said, our 15th annual  
 16 conference. So you're all welcome. It's a lot of fun,  
 17 very casual. But you get around energy officials, and, of  
 18 course, you get to tour certain facilities that the public  
 19 generally cannot get into.  
 20 So with that, I'll sit down and let someone else talk.  
 21 So thank you.  
 22 CHAIRMAN WILLIAMS: Thank you very much, Jim.  
 23 Other comments from the public?  
 24 MR. HOWELL: Good morning, Board. For the  
 25 record, my name is Brad Howell. I'm the administrator of

1 Roundup Memorial Healthcare in Roundup. I have with me  
 2 Theresa Doumitt, who is our grant writer for the hospital.  
 3 We'd like to give a report on Grant No. MT-CB-17-1813,  
 4 which is health care equipment for Musselshell County,  
 5 Montana. We'd like to express our deep appreciation to  
 6 the Board for the funding that we've received. We have,  
 7 to date, used the funding -- or plan to use the funding  
 8 for seven different equipment projects, and I'll briefly  
 9 go through those and tell you where we are with those and  
 10 what the impact is.  
 11 Before I do that, I would like to, again, thank the  
 12 Board. Your funding is often crucial for us to obtain  
 13 other grant funding. Many of our grantors require  
 14 matching contributions, and Musselshell County, as one of  
 15 the poorer counties in the state, struggles to come up  
 16 with those sort of funds. And so your assistance on a  
 17 state level is, is instrumental to us being successful.  
 18 The first item that we have funded is a telemetry  
 19 monitoring system replacement. We have completed that  
 20 project. The project was launched on November 15th, 2017,  
 21 and that is fully operational. The impacts of this has  
 22 been that we have -- we are able to provide cutting-edge  
 23 emergency and acute care services on date of delivery in  
 24 our county.  
 25 You may or may not be familiar with rural health care,

1 but we are so small that we are not able to specialize  
 2 with our nursing care in different areas of the hospital,  
 3 so we generally staff one nurse who covers the emergency  
 4 room, covers our acute care beds, and then also, if we  
 5 have any skilled nursing beds, they all do that together  
 6 in some miraculous way. And one of the ways that we make  
 7 that work is with technology.  
 8 And so what the telemetry system does is allows us to  
 9 put patients on the monitor, and while the nurse or the  
 10 CNA may be elsewhere, the equipment is actually monitoring  
 11 heart rate, blood pressure, those sort of things with the  
 12 patient; and if there's a change in status, it alarms and  
 13 they're able to go assist them. It helps our providers to  
 14 make better decisions on care, and more quickly, because  
 15 there's a continuous monitoring system in place and those  
 16 vital signs are readily available.  
 17 And then finally, the machinery transcribes the  
 18 information directly into our electronic health record and  
 19 thereby decreases errors and time that it takes the  
 20 patients -- or, excuse me, our nurses to transcribe  
 21 information into the record. So this has had a very  
 22 significant and great impact with improvement in our  
 23 hospital services.  
 24 The second area is our portable x-ray project. We had  
 25 a machine that was many years old and was failing. There

1 were no repair parts for it. And so we purchased a new  
 2 machine using a technology called DR, which is digital  
 3 radiography. The benefits of that system are that  
 4 patients have to move less because we're able to -- we  
 5 don't have to put a, what's called a cassette underneath  
 6 them, and so it creates more comfort for our emergency  
 7 room patients and others.  
 8 And then the DR technology is much clearer and much  
 9 faster. And the machine we have actually has a screen so  
 10 that as the x-ray is taken, the providers and nurses, the  
 11 technician can actually look at the image as it's being  
 12 taken. So rather than developing cassettes and taking  
 13 several minutes to get a shot, it's instantaneous. And  
 14 that's been a significant improvement. The equipment is,  
 15 in fact, so good that we use it for our extremity x-rays  
 16 in lieu of using our standard equipment. The providers  
 17 love the equipment because if there's a broken bone, for  
 18 example, they can look at it and see exactly what's going  
 19 on sort of instantaneously and can move forward. So a  
 20 wonderful enhancement for us.  
 21 The third project that we're using the coal board  
 22 money for is the hydrotherapy equipment project. We're  
 23 building a new physical therapy building in Roundup, and  
 24 the hydrotherapy pool will be a centerpiece of a new  
 25 service, which will greatly enhance the ability for us to

1 help our patients.  
 2 A lot of patients in Roundup skip physical therapy  
 3 because it usually requires two or three visits a week and  
 4 they don't want to travel back in to Billings that often  
 5 for that sort of service. So that's a significant  
 6 improvement to the services we provide. Particularly, the  
 7 hydrotherapy system uses, of course, buoyancy and those  
 8 kind of things to improve gait training or ability for  
 9 people to walk and to walk in a more normal way, and so it  
 10 will be a very significant improvement.  
 11 The equipment we're buying is, is cutting edge. It's  
 12 used by many NFL and NCAA teams. So if you get challenged  
 13 to a run or an arm wrestle in the next couple of years by  
 14 anybody from Roundup, I'd encourage you to think about it  
 15 because they're probably going to be in really good shape.  
 16 The fourth project that we are working on is a  
 17 pharmacy cabinet project. This is an enhancement to how  
 18 we currently dispense medications. Automatic dispensing  
 19 equipment has been proven to make medication dispensing  
 20 safer and quicker for patients, and thereby enhancing  
 21 their care and helping us avoid errors.  
 22 We are partnering with the Helmsley Charitable Trust  
 23 on this project. The Trust is providing about 75 percent  
 24 of the funding, and the Coal Board is -- we're using  
 25 coal board funds for the rest of the project. This will,

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1 again, greatly enhance our ability to provide safe care.  
 2 It allows a pharmacist oversight of medication orders,  
 3 which is something we have struggled with but is a really  
 4 important safety device that in a small hospital is hard  
 5 to do. We just can't afford to have a pharmacist there.  
 6 But this will allow us to have a pharmacist available  
 7 remotely to review the medication orders.  
 8 The other projects that we're going to use the balance  
 9 of the funds are for a new EKG machine, a portable  
 10 ventilator, and a bone density scanner for the Roundup  
 11 area. The EKG is used to monitor heart rhythms and is a  
 12 critical part of care. They're hard to find funding for.  
 13 It's difficult for us, with our reimbursement structure,  
 14 to develop funding for those sort of things where they're  
 15 replacements and not an actual new revenue stream.  
 16 The portable ventilator will be used on transfers to  
 17 Billings and is a significant enhancement in patient  
 18 safety. We currently use -- if ventilation is needed  
 19 between Roundup and Billings, we currently do that  
 20 manually. And sometimes you can push too hard or push too  
 21 little, not get enough air in, get too much air into the  
 22 patient. And a portable ventilator removes those kind of  
 23 problems.  
 24 And then the bone density scanner is a service that's  
 25 highly utilized for senior patients and also women to

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1 monitor the density of the bones and identify osteoporosis  
 2 and those sort of things.  
 3 So that's how we're using your money. We deeply,  
 4 deeply appreciate the grant that we've received. We are  
 5 planning an open house for our new building in December or  
 6 January '19. We plan to do that in coordination with the  
 7 next coal board meeting -- or the coal board meeting in  
 8 that time frame, and we would invite you to come see what  
 9 we've been doing with your money up in the Roundup area.  
 10 CHAIRMAN WILLIAMS: Thank you very much, Brad.  
 11 Thank you very much for that great update. And great job  
 12 on all those things that you're doing for the folks up in  
 13 Roundup and Musselshell County. So appreciate that very  
 14 much.  
 15 Next, please.  
 16 CHANCELLOR EDELMAN: Good morning, Mr. Chair,  
 17 Board Members. My name is Dan Edelman. I'm privileged to  
 18 be the new chancellor of Montana State University  
 19 Billings, and I'm thrilled to be here today. And thank  
 20 you for allowing me to take a few minutes of your  
 21 important time this morning to speak with you.  
 22 First of all, I get asked three questions wherever I  
 23 go: The first is about the football team, when are we  
 24 going to start that; the second is why do I have a cane;  
 25 and how long am I going to be here. As far as the

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1 football team, we're not going to talk about that now. As  
 2 far as the cane, I'm a disabled veteran. It's not here to  
 3 hit you or anything bad, I promise you, but I need it for  
 4 support.  
 5 And the third question, which is most important, is  
 6 how long do I plan to be in Billings and serve as the  
 7 chancellor. I plan to be here a long time. I've made a  
 8 lot of personal financial commitments already. I've  
 9 walked away from a defined benefit plan in the state of  
 10 Texas I could start collecting in about two years because  
 11 this opportunity was so great and because the community is  
 12 an excellent partner, and there are just so many great  
 13 things going on here.  
 14 So I want to thank you so much for investing, through  
 15 Big Sky Development, in MSUB and our community to help us  
 16 fund our new science building. We're getting really  
 17 close. I'm confident we'll have the remaining funds  
 18 shortly. We've already tentatively scheduled a  
 19 groundbreaking ceremony in September. We are definitely  
 20 within sight. I invite the Board to utilize space that we  
 21 are repurposing on campus. If you want to hold meetings  
 22 on our lovely campus, you may. That area should be ready  
 23 in September and will be able to hold about 300, 350  
 24 people. So we look forward to inviting you there.  
 25 And lastly, again, I want to thank you again for

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1 everything you did to help us and your support.  
 2 CHAIRMAN WILLIAMS: Thank you, Chancellor.  
 3 CHANCELLOR EDELMAN: And I welcome any questions.  
 4 CHAIRMAN WILLIAMS: Questions?  
 5 Okay. Thank you. Thank you for your service.  
 6 CHANCELLOR EDELMAN: Thank you. May I?  
 7 (Off the record briefly while Chancellor Edelman  
 8 thanked each board member.)  
 9 MR. KENNEDY: Mr. Chairman, Members of the  
 10 Committee, my name is Bill Kennedy, and I'm the  
 11 president/CEO of the Montana State University Billings  
 12 Foundation. I just wanted to give you a little bit of  
 13 update and just follow up with what the chancellor had to  
 14 say.  
 15 The chancellor has hit the ground running, and I've  
 16 got to tell you, things have been really good. What we  
 17 have going is as of -- We're about 4.3 million. We're  
 18 \$700,000 from getting close. We're hoping to tie that up  
 19 real soon. We did have a little setback, and I just  
 20 wanted to give you an update on that. The M.J. Murdock  
 21 grant, they did come back the end of May and said that at  
 22 this time they would not go forward with the funding.  
 23 They invited us to come back at another time. Some of the  
 24 delay I think affected that and -- But they have been very  
 25 positive, and we'll be working with them in the future.

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1 Where we're at is we did have another donor step up to  
 2 the plate. And if you read in the paper, at the Wine Fest  
 3 he made a presentation of \$500,000 -- Mr. Ueland, Shawn,  
 4 from the Butte area -- and stepped up to the plate and  
 5 covered the Murdock grant.  
 6 We have a community campaign starting; we'll kick it  
 7 off on Thursday. And we have a \$50,000 matching grant  
 8 that's already halfway done right now for Thursday.  
 9 Before Thursday gets here, we're hoping we'll have the  
 10 \$100,000 matched on that. And we have -- the chancellor  
 11 is stepping up to the plate, and he'll do a challenge  
 12 match also for the community and will be selling bricks.  
 13 And hopefully that campaign in the next few weeks will put  
 14 us at about \$4.5 million.  
 15 We also have three large donors that we're working  
 16 with. We're hoping to make that announcement coming up.  
 17 And, and then back to the Board of Regents and to have the  
 18 money appropriated to bring the project to \$17.1 million  
 19 with the student fees that have been voted to go forward  
 20 for this building. And then after the Board of Regents,  
 21 to have it signed off by the budget director at the State  
 22 and the finishing up the drawings.  
 23 We're hoping to bid in November and awarding by  
 24 December. And as the chancellor said, we're hoping to  
 25 have the ceremonial groundbreaking in September. And we

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1 just want to make sure all of you know we would love to  
 2 have you there. We'll be getting an invite for each of  
 3 you. The project is progressing, and with your help and  
 4 your appropriation, what it really did is spurred a lot of  
 5 our other donors to come on board with us and working  
 6 forward.  
 7 The other thing that I wanted to say is not just on  
 8 this building, but Montana State University Billings is  
 9 reaching out in Coal Country. What we're doing,  
 10 Commissioner Veronica Small-Eastman, is we're looking to  
 11 set up working with you and especially education in  
 12 Lame Deer and then the Crow Reservation in Coal Country.  
 13 And we'd like to get that going, and the chancellor and I  
 14 will be making a trip down to see you and getting that  
 15 taken care of.  
 16 What we'd also like to do is we have a little tour  
 17 through eastern Montana. Once the chancellor got here to  
 18 town he said, "Why aren't we reaching out to eastern  
 19 Montana?" So we have a bus tour going. We'll be  
 20 coming -- Mr. Fitzpatrick, Commissioner Fitzpatrick has  
 21 invited us down for Crow Fair, but what we're also doing  
 22 is coming down into the Crow Nation and working in  
 23 different areas with Montana State University Billings as  
 24 we reach out.  
 25 Mr. Chairman, we'll be over to Colstrip and seeing

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1 you, and then our bus trip will take us over to  
 2 Miles City, Glendive, all the way up to Poplar to the  
 3 Reservation up north. And then next year we'll plan  
 4 another one as we keep on working eastern Montana.  
 5 Eastern Montana is where -- as you all know, Eastern  
 6 Montana University, and if you went there, you still know  
 7 it as Eastern Montana College. We're reaching out to all  
 8 of eastern Montana because that's where this university  
 9 serves. And we appreciate your support on the university  
 10 that serves eastern Montana and Coal Country.  
 11 So any questions?  
 12 CHAIRMAN WILLIAMS: Questions of Bill?  
 13 Okay. Thank you, Bill.  
 14 MR. KENNEDY: And I would hope that, Jennifer,  
 15 you'll look at -- It will be a nice space at the  
 16 University, and we'd love to get you there for your  
 17 meetings as you come into Billings. It's a bigger room  
 18 than this.  
 19 Thank you.  
 20 CHAIRMAN WILLIAMS: Okay. Thank you.  
 21 Other comments?  
 22 MR. HODGES: Good morning, Montana Coal Board.  
 23 Bill Hodges, Big Horn Hospital Association. If I may,  
 24 Chairman Williams, I have an update on the Heritage Acres  
 25 nurses' station renovation and equipment.

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1 CHAIRMAN WILLIAMS: Sure.  
 2 MR. HODGES: And I also have the director of  
 3 nurses here and the mayor of Hardin, Joe Purcell, to my  
 4 immediate left. What we did in the nurses' station -- If  
 5 you remember, we were awarded, Anne, I believe \$252,000  
 6 for the nurses' station remodel and then I call equipment.  
 7 And what equipment involved was the nurse call system.  
 8 And if you remember correctly, I called it the keno  
 9 machine. You didn't know where the lights were at when it  
 10 was activated because it was so dysfunctional, so the poor  
 11 nurses and CNAs in this long-term care facility were just  
 12 guessing where the call lights were being activated or lit  
 13 up. That's no longer the case now. It's  
 14 state-of-the-art. When someone rings and needs assistance  
 15 in the long-term care facility, room specific, we know  
 16 exactly where they're at.  
 17 And also, the WanderGuard system. That, to me  
 18 personally, was probably the most insecure part of this  
 19 grant request. Because, again, we literally had residents  
 20 that were leaving the facility at an inappropriate time.  
 21 That WanderGuard system locks us down. We know where  
 22 they're at. We also have, I believe, Joe, they're bands  
 23 that we put on the residents. So they are working, the  
 24 systems, in appropriate coordination, and that's what so  
 25 great.

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1 What Joe and I did, we took about, I think six shots  
 2 of the renovation. And if you can see that first picture,  
 3 that's basically the before and I will call the ugliness  
 4 of that nurses' station. I mean, that nurses' station  
 5 protruded out into the lobby. You can see the combination  
 6 of tile and carpet. That has been replaced.  
 7 The next picture is kind of during construction. And  
 8 you can see we're starting -- we pushed back, did away  
 9 with that nurses' station.  
 10 And then the last picture, we didn't do justice to it.  
 11 We should have backed up a little bit. But that's the  
 12 completed lobby. And it has just brightened that entire  
 13 area. You can see there's a table there. Residents can  
 14 meet there. It's centered underneath our skylight. You  
 15 have to see it, but it's just made such a difference to  
 16 that environment. Family members can visit. I mean, it's  
 17 just now a gathering place, a magnet for the population  
 18 to gather, and it's just made such a big change.  
 19 The last shot is actually where the staff charts at;  
 20 where before, they were charting everywhere and anywhere.  
 21 It's a secluded spot. They can chart. They can be  
 22 professional. The providers that visit and round on the  
 23 residents, they can sit down, they can chart. And it's  
 24 just been so great.  
 25 The only thing -- And again -- Let's say we're

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1 substantially compliant. We've got the tile that's in the  
 2 lobby that's a little bit lighter than we wanted. We're  
 3 negotiating with both the installer and the manufacturer  
 4 on that specific color and then the durability of the  
 5 product. Joe could probably address it a little bit  
 6 better. But we want to make certain that that durability  
 7 is what we want in that particular area. We are providing  
 8 what I will call leverage. We have not paid that  
 9 contractor -- or that installer, so we're holding back,  
 10 getting our way, and we hope to have that resolved very  
 11 quickly.  
 12 But I mean, that's the project, and we're so, so happy  
 13 this has gotten taken care of. I personally -- and Joe  
 14 works in the environment every day. We really appreciate  
 15 the generosity of the Coal Board. Thank you very much.  
 16 CHAIRMAN WILLIAMS: Okay. Thank you very much,  
 17 Bill.  
 18 Other questions or comments?  
 19 MAYOR PURCELL: Good morning. Joe Purcell, the  
 20 mayor of the City of Hardin and also director of nursing.  
 21 I'm going to follow up with Bill.  
 22 Again, the environment that it changed for that  
 23 facility is unbelievable. The natural light, the families  
 24 come in, and it's just a wow factor as they come in.  
 25 We're now way more HIPAA compliant and on the right track

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1 of being compliant with all of our CMS regulations and  
 2 changes.  
 3 As far as the City of Hardin goes, I just want to kind  
 4 of give an update and a thank you. The trash compactor up  
 5 at the landfill, that project is 100 percent complete.  
 6 It's working great. And we realize now how much time we  
 7 wasted on our other piece of equipment that would overheat  
 8 after 20 minutes and we'd have to shut it down for an  
 9 hour. And this has made the processes at our landfill  
 10 much more efficient.  
 11 Our next project coming up is our Terry Avenue street  
 12 restoration. We were a little short on funding. We went  
 13 back to the engineers, we did a little bit of I would say  
 14 downsizing and got it to fit into our budget. That is  
 15 scheduled for July 9th, with a six-week completion time.  
 16 And so far that's going forward as long as the rain holds  
 17 out and we can get in there.  
 18 Again, I thank you for both of those projects and  
 19 helping us improve our community. Thank you.  
 20 CHAIRMAN WILLIAMS: Thank you very much, Mayor.  
 21 Other comments?  
 22 Okay. Thank you.  
 23 Next item on the agenda, we have the, actually the  
 24 presentation of the transcript of -- At the last meeting,  
 25 we did a transcript versus -- as we are this meeting,

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1 transcript versus taking of the minutes. And I think  
 2 everybody has had an opportunity, the Board, to go through  
 3 this transcript. And it's the actual recording of what  
 4 was discussed versus, generally speaking, minutes.  
 5 So I think what I would do is, just to follow our  
 6 process as before, I will entertain a motion to accept the  
 7 transcript of the last meeting. I will entertain a motion  
 8 to that.  
 9 BOARD MEMBER SCHAFF: So moved.  
 10 CHAIRMAN WILLIAMS: And second?  
 11 BOARD MEMBER HENNING: Second.  
 12 BOARD MEMBER FREDRICKSON: Second.  
 13 CHAIRMAN WILLIAMS: Okay. It's been moved and  
 14 seconded. Discussion?  
 15 Comments from the public?  
 16 Vote, please.  
 17 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 18 VICE-CHAIR FITZPATRICK: Yes.  
 19 MS. PICHETTE: Shawn Fredrickson.  
 20 BOARD MEMBER FREDRICKSON: Yes.  
 21 MS. PICHETTE: Amber Henning.  
 22 BOARD MEMBER HENNING: Yes.  
 23 MS. PICHETTE: Marianne Roose.  
 24 BOARD MEMBER ROOSE: Yes.  
 25 MS. PICHETTE: Tim Schaff.

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1 BOARD MEMBER SCHAFF: Yes.  
 2 MS. PICHETTE: Veronica Small-Eastman.  
 3 BOARD MEMBER SMALL-EASTMAN: Yes.  
 4 MS. PICHETTE: Chairman Williams.  
 5 CHAIRMAN WILLIAMS: Yes.  
 6 Thank you. That's passed.  
 7 The next item is the budget status update, please.  
 8 MS. OLSON: Good morning again, Board. I'll  
 9 also, before I get into the budget, if I might, introduce  
 10 Jodee Prevel. She is our administrative lead at  
 11 Department of Commerce Community Development Division and  
 12 is also going to be a regular face for you as a board  
 13 staff person here. So if you have any questions or  
 14 whatnot, she is a good contact for you. We'll get her all  
 15 set up. She's actually just, I think what, your second  
 16 week, Jodee? Third week.  
 17 MS. PREVEL: Second week.  
 18 MS. OLSON: Second week. Sorry. It's been more  
 19 fun than I thought. But, of course, Anne is also  
 20 available, but I wanted to introduce you to her. And  
 21 she's got a lot of energy and whatnot, so I think she'll  
 22 help you in any way that we can.  
 23 So I'd like to point you to the tab in your binder  
 24 called Budget & Project Updates. So the first tab, as you  
 25 can -- or the first sheet, excuse me, that you can see,

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1 I'll just kind of run through the basics of what we've  
 2 been doing as part of our regular budgetary updates, just  
 3 to make sure that we're all on the same page.  
 4 So as you know, in House Bill 209 from the last  
 5 legislative session, there was appropriated to the Board  
 6 \$6,822,204. Now, as you recall, that's broken up into  
 7 two fiscal years. The fiscal year beginning -- for 2018  
 8 began July 1st, 2017, and ends June 30th, 2018. The  
 9 second part of that fiscal year is fiscal year 2019, which  
 10 is just around the corner, begins July 1st, 2018, and ends  
 11 June 30th, 2019.  
 12 So there's been funds that have been appropriated;  
 13 again, appropriated for state fiscal year, \$3,403,336.  
 14 The Coal Board has awarded funds for this fiscal year of  
 15 \$2,976,073. But one of the things that we've been  
 16 chatting about is the amount of available revenue in the  
 17 Coal Natural Resource Account. So as a reminder, revenue  
 18 gets placed into the Coal Natural Resource Account as  
 19 revenue production payments are made based off the Coal  
 20 Severance Tax and goes into the Coal Natural Resource  
 21 Account on a quarterly basis that Department of Revenue is  
 22 responsible for reporting into the revenue account. There  
 23 is available, as of today, \$2,790,927.31 that goes into  
 24 the Coal Natural Resource Account.  
 25 So I'm going to ask you to flip the page, and you can

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1 see there is basically almost like a bar chart, but it's  
 2 an Excel spreadsheet, and that pulls out just the 2018  
 3 fiscal year. And you can see all of the revenue that has  
 4 been earned or received into the Coal Natural Resource  
 5 Account beginning July 1 of 2017 through today's date. I  
 6 might point out that as of today, the June -- sorry, the  
 7 report is showing that June has no revenue receipt, and  
 8 that's because it comes in on a quarterly basis, so we  
 9 have not finished the month of June.  
 10 And so I want to point out one more thing, if you turn  
 11 the page, just from a historical look back, you have a  
 12 copy of all of the history of the revenue dating back to  
 13 2007. This was a request I think a couple of meetings ago  
 14 about what revenue looked like before.  
 15 So I'm going to direct you to the bottom of the page.  
 16 And you can see in fiscal year 2017, and I'll just remind  
 17 you that in October -- excuse me, I didn't mean to say  
 18 that -- in June, you can see that there was \$591,714.11.  
 19 That same number occurs in 2018 in October. And that is a  
 20 negative amount of \$591,714.11. So you can see how June  
 21 and October -- so June of the 2017 fiscal year is the same  
 22 number, and it always is this way, in the subsequent  
 23 fiscal year.  
 24 That's because the amount of revenue that is received  
 25 in June isn't recorded until after the quarter or the

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1 fiscal year ends. And so it's what's called a reverse  
 2 accrual. So at some point, Department of Revenue puts in  
 3 the number and then reverses that accrual out based on the  
 4 actual revenue received in the subsequent quarter which  
 5 occurs in the subsequent fiscal year. So that's why  
 6 there's a zero dollar amount.  
 7 You will see that typically, those numbers, as you  
 8 look in the history, are -- well, they are always  
 9 identical, but you can see that that amount fluctuates a  
 10 lot. So as an example, they estimated in 2016  
 11 \$1,040,779.96; however, what was actually received, if you  
 12 look at October of 2017, was only \$755,000, so it was a  
 13 negative -- it was an overestimation of \$284,000  
 14 approximately.  
 15 So we don't know what that revenue estimate is, so  
 16 right now we have zero dollars of revenue.  
 17 So I'm going to direct you back to the main page, but  
 18 this is good information I think to keep on moving  
 19 forward. So just to recap again, we have revenue  
 20 available in the Coal Natural Resource Account of  
 21 \$2,790,927.31. We did receive -- Actually, a project came  
 22 back in and reverted funds on the project costs -- Sorry.  
 23 I'm just going to wait for a second.  
 24 The costs of the project came in under budget, and so  
 25 \$12,301 were reverted back. So that means that of the

1 balance available of revenue -- of funds available in the  
 2 account, there is negative \$172,844.69. Which means that  
 3 at this time, the Board has over-awarded project funds  
 4 considering all of the awards that were made since the  
 5 last meeting. That doesn't count the \$1.2 million that's  
 6 available -- excuse me, that has been requested for this  
 7 meeting to be considered before the Board. So that's all  
 8 of the projects awarded thus far in the year.  
 9 So I wanted to point out a couple of different things.  
 10 So you all should have the statutory criteria for  
 11 coal board grants in front of you. It's the little card  
 12 stock sheet. And 90-6-206(1)(c) is where we find  
 13 availability of funds, which is the third bold -- It's  
 14 right there. There you go. So everybody has that.  
 15 Again, 90-6-206(1)(c) is based on availability of funds.  
 16 Funds, we're talking about funds available in the Coal  
 17 Natural Resource Account, of which we have a negative  
 18 \$172,000.  
 19 So I'm available and open for questions. But I do  
 20 have one question for the Board. We have approximately --  
 21 Let me pull out my sheet. We have Projects 0841, 0842,  
 22 0845, and 0846 that make up -- which is the Big Horn  
 23 County Law Enforcement vehicle fleet upgrade, Big Horn  
 24 County Library capital improvement needs, Rosebud County  
 25 Health Care Center equipment updating project, and the

1 Hardin Public Schools Activity Center pool roof  
 2 replacement, which primarily makes up the \$172,000 of  
 3 awards, which is the negative \$172,000.  
 4 So we would need direction as the board staff. We  
 5 have not entered into contracts with those projects. As  
 6 you might recall, we have not been entering into contracts  
 7 until we see that there's available revenue in the account  
 8 to ensure that any obligations made by the State can be  
 9 then fulfilled with the project applicant and fully  
 10 committed.  
 11 Now, we still have another whole fiscal year to go.  
 12 We still have the \$3.4 million of available appropriation  
 13 that will be in fiscal year '19. But also just as an  
 14 update, because we have not started the fiscal year yet,  
 15 we have zero dollars of revenue sitting in the account for  
 16 fiscal year '19.  
 17 So I'm open and available for questions and happy to  
 18 take any comments from the Board or the public.  
 19 CHAIRMAN WILLIAMS: Questions of Jennifer?  
 20 Jennifer, tell me again, what numbers are those that  
 21 make up the \$172,000?  
 22 MS. OLSON: You bet. Happy to. If you look,  
 23 0841, 0842, 0845, and 0846. As a reminder, the last board  
 24 meeting, the 0848, Big Sky Economic Development  
 25 Association project, that was awarding the MSUB Science

1 and Allied Health Building \$500,000, was placed as a  
 2 priority. So 0848, while not numerically in order, was  
 3 prioritized ahead of those.  
 4 BOARD MEMBER ROOSE: And it will stay that way?  
 5 MS. OLSON: It will stay that way. Well, I  
 6 suppose the Board could definitely have a conversation  
 7 about that, but -- So that's why, if you look at the  
 8 numbers, that number occurs after that. It's prioritized  
 9 ahead of that, so that's why.  
 10 CHAIRMAN WILLIAMS: The awards were made based on  
 11 available funds, is that what -- for the \$172,000?  
 12 MS. OLSON: So the negative \$172,000, yep, is  
 13 what is not in the account to fund those four projects,  
 14 which is why the Department has not been entering into  
 15 contracts --  
 16 CHAIRMAN WILLIAMS: Right.  
 17 MS. OLSON: -- albeit awards were made by the  
 18 Board.  
 19 CHAIRMAN WILLIAMS: Right. And so when those  
 20 funds are available, then you will initiate the contracts.  
 21 MS. OLSON: Exactly. So today, June 20th, there  
 22 is zero dollars of revenue available.  
 23 CHAIRMAN WILLIAMS: Right. Okay. So is there  
 24 any action other than what has occurred that the Board  
 25 needs to do?

1 MS. OLSON: Well, I think that what I need is  
 2 your direction. So it's a little bit of a sticking place  
 3 because -- I wanted to point out the statute because it's  
 4 based on availability of funds.  
 5 CHAIRMAN WILLIAMS: Yes.  
 6 MS. OLSON: So those projects we can't move  
 7 forward with until there's revenue. And as you can see  
 8 the history of revenue, in October Department of Revenue  
 9 will do that reverse accrual. They will put those funds  
 10 back into the June account.  
 11 CHAIRMAN WILLIAMS: Right.  
 12 MS. OLSON: But, of course, that's into the next  
 13 fiscal year, so it's a little bit of a conundrum.  
 14 So we would need some direction from the Board about  
 15 those being contingent upon available funds in the next  
 16 fiscal year or that those are going to be funded out of  
 17 the 2019 funds or in any, any number of things that would  
 18 allow those projects to move forward once funds become  
 19 available.  
 20 CHAIRMAN WILLIAMS: Well, if we make -- Okay. So  
 21 the funds aren't here because we're in June. So they'll  
 22 be coming in, you've got to figure they're going to be  
 23 coming in next month after this. But they would be  
 24 coming -- But wouldn't you anticipate that those would  
 25 occur before the first of July?

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1 MS. OLSON: I would not. What we saw last -- So  
 2 when you think about last June, it took us until -- Well,  
 3 let me take a little step back. When we looked at last  
 4 June, we still had zero revenue for June. Then what we  
 5 saw was there was no revenue in July, there was no revenue  
 6 in August, and we went to our September board meeting with  
 7 very little information about what revenue was in June,  
 8 July, or August. In fact, it wasn't populated until at  
 9 the very end of September in order to do a reverse accrual  
 10 in October. Which is what you can see from the history,  
 11 that that's when the reverse accrual occurs for the  
 12 Department of Revenue.  
 13 The payments are received on a quarterly basis because  
 14 the mines get a certain amount of time to pay that. And  
 15 then the Department of Revenue, I believe, gets somewhere  
 16 between 30 to 45 days, I can't remember that exact date,  
 17 to enter that information into the accounts and do the  
 18 processing of the payments that they have to do.  
 19 So that's why we're looking at that, that quarter.  
 20 Then they have that time to take care of it. But, but  
 21 they're also doing some reconciliation, because it's the  
 22 beginning of the fiscal year. So that's why we, last  
 23 time, saw the data populated in July and August late in  
 24 September. So it won't -- I'm guessing here because we  
 25 don't know when will that revenue come into, into the

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1 account credited in June. So we can, we can hold them  
 2 contingent upon availability of funds for the rest of the  
 3 fiscal year, for this -- excuse me, this 2018 fiscal year.  
 4 And we also don't how much revenue, so it could be up or  
 5 down based on when you look at the appropriation.  
 6 And remember that we're talking about two different  
 7 things: One's appropriation, and one's revenue. So I was  
 8 explaining this earlier, think about your coffee cup. If  
 9 your coffee cup is full of appropriation but you only get  
 10 to have revenue poured in to halfway, you only get to  
 11 drink halfway up the cup; that's the revenue. If your  
 12 appropriation is only half of a cup but your revenue goes  
 13 to the top, you still only get to drink half of it.  
 14 Because it's based either -- well, it's based on the  
 15 appropriation, but the amount of available funds in the  
 16 account is the revenue; it's the cash in the account.  
 17 CHAIRMAN WILLIAMS: Okay. Now, the action that  
 18 you need from the Board is to -- So we need to act on that  
 19 or we can allow it to continue --  
 20 MS. OLSON: So what we will do -- And it would be  
 21 great to have confirmation from the Board --  
 22 CHAIRMAN WILLIAMS: Yeah.  
 23 MS. OLSON: What we will be doing is still  
 24 waiting for revenue to come in for 0841, 0842, 0845, and  
 25 0846, those projects. We won't be entering contracts

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1 until we see revenue.  
 2 CHAIRMAN WILLIAMS: Right.  
 3 MS. OLSON: This is going to be a more important  
 4 conversation as we go to the end of the biennium. Because  
 5 if you make awards and you make it contingent upon, we  
 6 would make contracts contingent upon, but that's a  
 7 slippery slope because we still won't know what the  
 8 available revenue is for June. So if the available  
 9 revenue doesn't come in sufficient to pay for those  
 10 contracts, then you're essentially awarding funds that you  
 11 don't have the authority to award.  
 12 So contingent upon available revenue is very critical  
 13 to how the Board proceeds. So we will be waiting for  
 14 revenue to come into the account before we enter into  
 15 these contracts. Of course, if they come in in July for  
 16 some reason, we will enter into contracts right away with  
 17 those grantees.  
 18 So just your confirmation that that's the process that  
 19 we'll be moving forward with and there's not other  
 20 direction from the Board.  
 21 CHAIRMAN WILLIAMS: Okay. So what action do you  
 22 need from the Board?  
 23 MS. OLSON: I guess just a confirmation that  
 24 we'll wait for those to be entered into contract, which  
 25 will happen in the subsequent fiscal year upon

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1 availability of revenue.  
 2 BOARD MEMBER ROOSE: With a priority of the order  
 3 in which we discussed.  
 4 MS. OLSON: So it will still go in this order of  
 5 0841 through 0846.  
 6 CHAIRMAN WILLIAMS: Okay.  
 7 MS. OLSON: Which is what the Board had  
 8 previously established as a priority order.  
 9 BOARD MEMBER ROOSE: But wouldn't 0848 be the top  
 10 priority?  
 11 MS. OLSON: Which is not part of -- That's not  
 12 really part of the factor. It's these --  
 13 VICE-CHAIR FITZPATRICK: Just the latest ones.  
 14 MS. OLSON: These four.  
 15 BOARD MEMBER ROOSE: Just the latest ones. Yes.  
 16 MS. OLSON: Uh-huh. And let me talk a little bit  
 17 about 0848. We are short just under \$5,000 -- sorry,  
 18 \$3,000 to meet it, so we're going to enter into a contract  
 19 with MSUB because we feel pretty confident that we'll come  
 20 up with \$3,000 in revenue. I think that's a pretty safe  
 21 bet. So we're going to move forward with that one, but  
 22 the other ones are really subject to a larger amount of  
 23 funds coming in.  
 24 CHAIRMAN WILLIAMS: Okay. So you need board  
 25 action on confirmation?

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1 MS. OLSON: Yep. Yep. I think we'd like to have  
 2 the Board's concurrence on --  
 3 CHAIRMAN WILLIAMS: Okay. So we can do that now.  
 4 MS. OLSON: And, of course, any other questions,  
 5 and if the public has questions as well.  
 6 CHAIRMAN WILLIAMS: Okay. Let's go ahead and  
 7 have a motion on that confirmation of that activity.  
 8 MS. OLSON: And before you make your motion, you  
 9 might want to have public comment as well.  
 10 CHAIRMAN WILLIAMS: Well, no. I'm going to do a  
 11 motion and then I'll do comments --  
 12 MS. OLSON. Oh. I'm sorry.  
 13 CHAIRMAN WILLIAMS: -- and then I'll do public  
 14 comment. Okay?  
 15 MS. OLSON: Yep. That sounds fine.  
 16 CHAIRMAN WILLIAMS: Okay. A motion on that?  
 17 BOARD MEMBER SCHAFF: So moved.  
 18 CHAIRMAN WILLIAMS: And second?  
 19 VICE-CHAIR FITZPATRICK: Second.  
 20 CHAIRMAN WILLIAMS: Discussion of the Board?  
 21 Discussion of the public?  
 22 MR. KENNEDY: Mr. Chairman, members of the  
 23 Commission, Bill Kennedy, CEO of MSU Billings Foundation.  
 24 The question I have, Mr. Chairman, Jennifer, would be that  
 25 if these projects were to come out of fiscal year '19, and

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1 once the State of Montana -- And the delay is as those  
 2 dollars come in, and there's usually a two-to-three-month  
 3 delay sometimes, as those come in, do you leave dollars on  
 4 the table for fiscal year '18 or do those dollars, are  
 5 they pushed into fiscal year '19?  
 6 MS. OLSON: Mr. Chairman. Thanks for the  
 7 question, Mr. Kennedy. Let me answer it this way: We  
 8 don't know what the revenue is, so based on the available  
 9 funds in the account, that could happen. So as we look  
 10 towards the next fiscal year, we're sitting in the  
 11 biennium entirely, that will be a very critical question  
 12 that we have to figure out as we get into the next -- at  
 13 the end of this biennium, the next fiscal year. If the  
 14 funds are not awarded, they always stay in the Coal  
 15 Natural Resource Account.  
 16 MR. KENNEDY: Okay.  
 17 MS. OLSON: So it doesn't change from -- you  
 18 know, the Coal Natural Resource Account, if you don't use  
 19 it, then it automatically reverts to another account.  
 20 However, of course, the Legislature would have to give the  
 21 appropriation and authority to access those funds in the  
 22 future biennium. And additionally, the Legislature could  
 23 choose to move those funds elsewhere.  
 24 So on the table is a lot of potentials in regards to  
 25 other things that could happen. And we can, like I said,

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1 look at talking about making those funds contingent upon  
 2 so that we can actually obligate them. But the challenge  
 3 there is, as we can see from the history, occasionally --  
 4 well, actually, it's kind of all over the map. Sometimes  
 5 the Department of Revenue overestimates, sometimes they  
 6 underestimate.  
 7 So then if they underestimate -- And let me explain  
 8 what that means. If they say, we think there's going to  
 9 be \$600,000 in June, but really only \$300,000 comes in,  
 10 they have to then take it from that future fiscal year and  
 11 backfill that previous fiscal year. So that's where it's  
 12 a bit of a guessing game.  
 13 MR. KENNEDY: My biggest concern was the dollars  
 14 that did come in in '18, even though it was delayed before  
 15 it was approved, that it would just have to stay in '18.  
 16 But as long it's in '19 too -- I just want to make sure  
 17 the full amount stays during this biennium.  
 18 MS. OLSON: Yeah. And so if those funds for the,  
 19 let's say hypothetically the '19 revenue still is below  
 20 the authority or appropriation, then we'd still be able to  
 21 access 100 percent of them. If it exceeds the authority,  
 22 then we would be in another question.  
 23 MR. KENNEDY: Thank you, Mr. Chairman.  
 24 CHAIRMAN WILLIAMS: Thank you.  
 25 Other comments?

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1 MR. HODGES: Mr. Chair, Bill Hodges, Big Horn  
 2 Hospital Association. I'm the executive director. I  
 3 mentioned to both Anne and Jennifer, irregardless of what  
 4 Jennifer's comments were, is that I was going to ask for  
 5 our application, 0850, the hospital renovation, to be  
 6 tabled to September, next quarterly meeting. And it  
 7 certainly underscores what Jennifer has said. I was going  
 8 to ask it be tabled irregardless of what I heard.  
 9 We have a couple things going with us. Actually,  
 10 yesterday, we went in front of the Montana Facility  
 11 Finance Authority Board and asked for a loan, and we did  
 12 receive preliminary approval for our loan. And at the  
 13 same time, we have another loan working plus our  
 14 philanthropic public campaign. It just makes more sense  
 15 for us to wait until September, because we'll have the  
 16 public campaign dollars, we'll know definitely on that  
 17 loan. I just did not want to waste the time of this board  
 18 talking about something that was still going to be out  
 19 there at least a quarter of the time.  
 20 So I respectfully request that it be tabled, if that's  
 21 appropriate now.  
 22 CHAIRMAN WILLIAMS: It would not be at this time.  
 23 Okay? But I appreciate your comments. We'll address it  
 24 when we come to it on the agenda.  
 25 MR. HODGES: Thank you.

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1 CHAIRMAN WILLIAMS: Okay. Other comments as it  
 2 relates to the motion?  
 3 Vote, please.  
 4 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 5 VICE-CHAIR FITZPATRICK: Yes.  
 6 MS. PICHETTE: Shawn Frederickson.  
 7 BOARD MEMBER FREDRICKSON: Yes.  
 8 MS. PICHETTE: Amber Henning.  
 9 BOARD MEMBER HENNING: Yes.  
 10 MS. PICHETTE: Marianne Roose.  
 11 BOARD MEMBER ROOSE: Yes.  
 12 MS. PICHETTE: Tim Schaff.  
 13 BOARD MEMBER SCHAFF: Yes.  
 14 MS. PICHETTE: Veronica Small-Eastman.  
 15 BOARD MEMBER SMALL-EASTMAN: Yes.  
 16 MS. PICHETTE: Chairman Williams.  
 17 CHAIRMAN WILLIAMS: Yes.  
 18 Thank you. The motion has passed.  
 19 Okay. Any other business as it relates to the issue?  
 20 Next item on the agenda, Jennifer.  
 21 MS. OLSON: Mr. Chairman I'm going to hand this  
 22 over to Anne to do project updates.  
 23 CHAIRMAN WILLIAMS: Okay.  
 24 MS. PICHETTE: Mr. Chairman and Board Members, if  
 25 you'd like to turn to the first spreadsheet behind the

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1 budget pages Jennifer was mentioning. It's got a blue  
 2 line at the top and then a gray line close to the top as  
 3 well. Those are your 2015 and 2017 projects.  
 4 No. 0742 is at 85 percent spent. They sent an update  
 5 that they've had a short pause in the current construction  
 6 they're doing, and they believe that construction will  
 7 start again on the 25th of June.  
 8 You'll see that 0743 closed.  
 9 And then on this list, I'll go through some of them,  
 10 but behind this list will be the actual letter requests  
 11 that some of them have sent in for extension requests or  
 12 scope of work changes. So I'll do the quick update here,  
 13 and then we can go through them one at a time, through  
 14 your packet, for the ones that have requested extensions  
 15 or changes. And some of them may be here as well.  
 16 CHAIRMAN WILLIAMS: Okay. So any other -- so  
 17 we'll continue on with the updates and then we'll come  
 18 back and address those that have asked for extensions.  
 19 MS. PICHETTE: If that's what you'd like, or we  
 20 can do it --  
 21 CHAIRMAN WILLIAMS: Okay. Let's do it --  
 22 MS. PICHETTE: -- whichever way the Board would  
 23 like.  
 24 CHAIRMAN WILLIAMS: Yeah. Let's go ahead and do  
 25 that, and then we'll address those that have been -- those

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1 requests.  
 2 MS. PICHETTE: Wonderful. Thank you,  
 3 Mr. Chairman.  
 4 CHAIRMAN WILLIAMS: Okay. Thank you.  
 5 MS. PICHETTE: So 0759, City of Colstrip, you'll  
 6 have a letter in your packet for an extension request.  
 7 0781, Musselshell County. When you look at your  
 8 spreadsheet, it looks like there's zero percent spent, but  
 9 they've actually completed the project. We're just in the  
 10 middle of going through their final paperwork to get  
 11 100 percent paid and do their closeout. They're just  
 12 waiting on, they said, about 2 to 5 percent of the project  
 13 to be finalized by the contractor, and they don't have  
 14 their certificate of occupancy yet. So we're working  
 15 through that. And they wanted to do theirs all as a lump  
 16 sum drawdown. So that one is close to closing as fully  
 17 completed.  
 18 No. 0758, Big Horn County, you'll have an extension  
 19 request in your packet for that.  
 20 No. 0786 closed.  
 21 No. 0787, you have an extension request in your  
 22 packet.  
 23 No. 0789, that's another one of those that looks to be  
 24 zero percent. They've actually completed the project, and  
 25 we're just finalizing paperwork to be able to do the

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1 project completion report and a full draw for that as  
 2 well.  
 3 No. 0790, Broadview Fire Department, they have been  
 4 working with the contractor and they have started  
 5 construction.  
 6 No. 0793 is now closed. That was one that you  
 7 addressed at your meeting in March.  
 8 No. 0796, Hardin Public Schools, that one is going to  
 9 have an extension request. Sorry. I printed this too  
 10 small for myself.  
 11 No. 0798, City of Colstrip, that one closed.  
 12 No. 0799 is at 91 percent spent, so they are close to  
 13 finishing theirs.  
 14 No. 0800, City of Hardin, we just got an update on  
 15 their landfill compactor, and they've completed and  
 16 closed.  
 17 No. 0801, Big Horn County, that one is also closed.  
 18 No. 0802, Rosebud County, that one is closed.  
 19 No. 0803, Yellowstone County, has closed.  
 20 No. 0804, Musselshell County, that one has closed.  
 21 No. 0805 is another Musselshell County, and that one  
 22 sent a letter that they may need to extend. That contract  
 23 does not expire until March of 2019.  
 24 No. 0807, Lodge Grass Schools, they are very close and  
 25 they believe they'll be sending a draw sometime at the end

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1 of the summer.  
 2 No. 0808, that one, the work has been completed.  
 3 We're just finalizing whatever paperwork needs to come  
 4 through to be able to get that one paid and closed.  
 5 No. 0810, the contractor has been selected and they're  
 6 on track with the elevator.  
 7 No. 0811, Big Horn County, the Hospital Association,  
 8 that's the boiler, and that one has closed.  
 9 No. 0812, Colstrip Fire Department, that one has  
 10 closed.  
 11 No. 0813, we received an update on that one today, and  
 12 they're at 76 percent.  
 13 No. 0815, Big Horn County, that one has closed.  
 14 And No. 0818 is expecting the delivery of their  
 15 ambulance either sometime the 25th through the 29th of  
 16 this month. So then once they receive their vehicle,  
 17 they'll be ready to close as well.  
 18 And then No. 0819 is one that you will see both on  
 19 this page and on your next spreadsheet, which is your  
 20 2019 projects. And that one, they're just getting  
 21 started, as that one goes through 2021.  
 22 So if you want to go to the next page. It's the one  
 23 with the pink at the top. Those are all the 2019 biennium  
 24 projects. Many of them have just contracted. They were  
 25 the ones that we're starting with -- last June's awards

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1 that we just started to enter into contract as we received  
 2 enough revenue to do so. But I would like to report that  
 3 No. 0822 already completed and closed their project.  
 4 No. 0827, Big Horn County, they completed their  
 5 project and closed. And they came in under budget by  
 6 \$11,292. That's part of the recaptured amount you would  
 7 have seen on your very first page that was highlighted,  
 8 because that's now funds that has gone back in.  
 9 The same thing with 0828, Hardin Public Schools, for  
 10 their AEDs. They also came in under budget and have  
 11 returned \$1,009 to the Coal Board. So they are also  
 12 closed.  
 13 Then No. 0833 through No. 0840 have contracts routing.  
 14 And you will see No. 0830 has a request in to the  
 15 Board for a scope change.  
 16 CHAIRMAN WILLIAMS: Okay. Thank you.  
 17 Any questions from the Board or comments on those that  
 18 Anne has discussed on those projects?  
 19 Just a comment from myself. For those projects that  
 20 have been completed and when they come in under budget or  
 21 for whatever reasons you don't utilize the funds that were  
 22 available to you from the award that we made, we really  
 23 appreciate that. We appreciate the sincerity of the  
 24 processes that you are going through and the challenges  
 25 that are before you. And when you work it to reduce those

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1 costs and then put that money back into -- for the Board's  
 2 use for other projects out in the future, that is very,  
 3 very much appreciated. So thank you for that.  
 4 Okay. Anne.  
 5 MS. PICHETTE: Mr. Chairman and Board, I  
 6 apologize. I missed one on my list. No. 0825, since the  
 7 time this spreadsheet was printed, has actually put in a  
 8 request for \$113,000 that's gone through, so they are now  
 9 94 percent completed with their project.  
 10 BOARD MEMBER SCHAFF: Which one was that?  
 11 MS. PICHETTE: Sorry. It was one of the  
 12 2019 projects. It was 0825, Lame Deer Public Schools.  
 13 I'm sorry. I just skipped over that one, but that's an  
 14 update that you won't see on your sheet -- that just came  
 15 through.  
 16 CHAIRMAN WILLIAMS: Okay. Thank you for that.  
 17 Okay. Let's go with now the requests on the  
 18 extensions or whatever requests from the applicants.  
 19 Let's go through those processes.  
 20 MS. PICHETTE: So Mr. Chairman and Board, the  
 21 first one in your packet is from Hardin Public Schools,  
 22 No. 0796, and you have a letter in there with their  
 23 request.  
 24 CHAIRMAN WILLIAMS: Okay. The request on this  
 25 letter -- Is the superintendent of schools here?

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

1 BOARD MEMBER SCHAFF: John, remember, he was  
 2 retiring.  
 3 CHAIRMAN WILLIAMS: Okay. The request on this is  
 4 for this project to be extended to March 31st of year  
 5 2020, based on the information in that letter. I'll  
 6 entertain a motion to that effect.  
 7 BOARD MEMBER SCHAFF: So moved.  
 8 CHAIRMAN WILLIAMS: And second?  
 9 BOARD MEMBER SMALL-EASTMAN: Second.  
 10 CHAIRMAN WILLIAMS: Discussion?  
 11 Comments from the public?  
 12 Vote, please.  
 13 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 14 VICE-CHAIR FITZPATRICK: I recuse because I work  
 15 with the schools.  
 16 MS. PICHETTE: Shawn Fredrickson.  
 17 BOARD MEMBER FREDRICKSON: Yes.  
 18 MS. PICHETTE: Amber Henning.  
 19 BOARD MEMBER HENNING: Yes.  
 20 MS. PICHETTE: Marianne Roose.  
 21 BOARD MEMBER ROOSE: Yes.  
 22 MS. PICHETTE: Tim Schaff.  
 23 BOARD MEMBER SCHAFF: Yes.  
 24 MS. PICHETTE: Veronica Small-Eastman.  
 25 BOARD MEMBER SMALL-EASTMAN: Yes.

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1 MS. PICHETTE: Chairman Williams.  
 2 CHAIRMAN WILLIAMS: Yes.  
 3 Okay. That is approved to extend the contract to that  
 4 date.  
 5 Next item, next request.  
 6 MS. PICHETTE: The next request in your packet is  
 7 from Big Horn County Board of County Commissioners. It is  
 8 for Project No. 0785. And they believe they need until  
 9 October 31st of this year.  
 10 CHAIRMAN WILLIAMS: This is a request on  
 11 Application 0785 to extend the date of that to October  
 12 the 31st, 2018. I'll entertain a motion.  
 13 BOARD MEMBER ROOSE: This is Marianne Roose. I  
 14 make a motion that we approve that request.  
 15 CHAIRMAN WILLIAMS: And second?  
 16 BOARD MEMBER SMALL-EASTMAN: Second.  
 17 CHAIRMAN WILLIAMS: It's been seconded.  
 18 Discussion?  
 19 Comments from the public?  
 20 Vote, please.  
 21 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 22 VICE-CHAIR FITZPATRICK: Recuse.  
 23 MS. PICHETTE: Shawn Fredrickson.  
 24 BOARD MEMBER FREDRICKSON: Yes.  
 25 MS. PICHETTE: Amber Henning.

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1 BOARD MEMBER HENNING: Yes.  
 2 MS. PICHETTE: Marianne Roose.  
 3 BOARD MEMBER ROOSE: Yes.  
 4 MS. PICHETTE: Tim Schaff.  
 5 BOARD MEMBER SCHAFF: Yes.  
 6 MS. PICHETTE: Veronica Small-Eastman.  
 7 BOARD MEMBER SMALL-EASTMAN: Yes.  
 8 MS. PICHETTE: Chairman Williams.  
 9 CHAIRMAN WILLIAMS: Yes.  
 10 That request is approved.  
 11 Next, Anne, please.  
 12 MS. PICHETTE: The next request in your packet is  
 13 from the City of Colstrip, No. 0759, and you have their  
 14 letter there that they're 95 percent complete.  
 15 CHAIRMAN WILLIAMS: I'll entertain a motion.  
 16 BOARD MEMBER SCHAFF: So moved.  
 17 CHAIRMAN WILLIAMS: And second?  
 18 BOARD MEMBER FREDRICKSON: Second.  
 19 CHAIRMAN WILLIAMS: Discussion from the Board?  
 20 I'll just make some comments as far as discussion on  
 21 this project. This has been a big project for the City of  
 22 Colstrip. It's a \$2.5 million project, and it required a  
 23 lot of processes to go through with the DEQ and other  
 24 activities associated with completing this rehab project  
 25 on the sewer system, the clarification system on the sewer

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1 plant. And the City has almost completed it. As a matter  
 2 of fact, we anticipate we'll be completed probably by the  
 3 end of, end of next week. This also required us to go  
 4 through a bonding process, required about \$1 million on a  
 5 \$2.5 million project.  
 6 So any other comments?  
 7 Comments from the public?  
 8 Vote, please.  
 9 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 10 VICE-CHAIR FITZPATRICK: Yes.  
 11 MS. PICHETTE: Shawn Fredrickson.  
 12 BOARD MEMBER FREDRICKSON: Yes.  
 13 MS. PICHETTE: Amber Henning.  
 14 BOARD MEMBER HENNING: Yes.  
 15 MS. PICHETTE: Marianne Roose.  
 16 BOARD MEMBER ROOSE: Yes.  
 17 MS. PICHETTE: Tim Schaff.  
 18 BOARD MEMBER SCHAFF: Yes.  
 19 MS. PICHETTE: Veronica Small-Eastman.  
 20 BOARD MEMBER SMALL-EASTMAN: Yes.  
 21 MS. PICHETTE: Chairman Williams.  
 22 CHAIRMAN WILLIAMS: I'll abstain.  
 23 That is approved. Thank you.  
 24 Next, please.  
 25 MS. PICHETTE: The next one before you has

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1 two separate letters with two separate requests. It is  
 2 No. 0787 from the Crow Tribe. The first request is to  
 3 extend the contract. The second request is to change the  
 4 scope. So I'm not sure how you want -- if you want to  
 5 look at those individually or if you want to look at those  
 6 two letters together.  
 7 BOARD MEMBER SCHAFF: Mr. Chairman, I think you  
 8 need to do those separately.  
 9 CHAIRMAN WILLIAMS: Yeah. Let's go ahead and  
 10 we'll work on them separately. And we'll go through the  
 11 first to extend the contract and then to change the scope.  
 12 BOARD MEMBER ROOSE: This is Marianne Roose. I  
 13 make a motion that we approve the request for extension.  
 14 CHAIRMAN WILLIAMS: And second, please.  
 15 BOARD MEMBER FREDRICKSON: Second.  
 16 CHAIRMAN WILLIAMS: It's been moved and seconded  
 17 to extend the contract to the December 31st, 2020 date.  
 18 Discussion?  
 19 Comments from the public?  
 20 Vote, please.  
 21 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 22 VICE-CHAIR FITZPATRICK: Yes.  
 23 MS. PICHETTE: Shawn Fredrickson.  
 24 BOARD MEMBER FREDRICKSON: Yes.  
 25 MS. PICHETTE: Amber Henning.

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1 BOARD MEMBER HENNING: Yes.  
 2 MS. PICHETTE: Marianne Roose.  
 3 BOARD MEMBER ROOSE: Yes.  
 4 MS. PICHETTE: Tim Schaff.  
 5 BOARD MEMBER SCHAFF: Yes.  
 6 MS. PICHETTE: Veronica Small-Eastman.  
 7 BOARD MEMBER SMALL-EASTMAN: Yes.  
 8 MS. PICHETTE: Chairman Williams.  
 9 CHAIRMAN WILLIAMS: Yes.  
 10 That is approved. Thank you.  
 11 The next item is to expand the scope of this  
 12 particular project. There's no other request other than  
 13 that as far as any types of additional funding or  
 14 anything, but it goes through an explanation of expanding  
 15 the scope to include other activities and to change the  
 16 way the original presentation was made for this project to  
 17 the Board.  
 18 So I will entertain a motion to approve the scope  
 19 changes as are identified in the June 6th letter.  
 20 BOARD MEMBER SMALL-EASTMAN: So moved.  
 21 CHAIRMAN WILLIAMS: And second?  
 22 BOARD MEMBER SCHAFF: Second.  
 23 CHAIRMAN WILLIAMS: It's been moved and seconded.  
 24 Discussion?  
 25 Comments from the public?

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1 Vote, please.  
 2 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 3 VICE-CHAIR FITZPATRICK: Yes.  
 4 MS. PICHETTE: Shawn Fredrickson.  
 5 BOARD MEMBER FREDRICKSON: Yes.  
 6 MS. PICHETTE: Amber Henning.  
 7 BOARD MEMBER HENNING: Yes.  
 8 MS. PICHETTE: Marianne Roose.  
 9 BOARD MEMBER ROOSE: Yes.  
 10 MS. PICHETTE: Tim Schaff.  
 11 BOARD MEMBER SCHAFF: Yes.  
 12 MS. PICHETTE: Veronica Small-Eastman.  
 13 BOARD MEMBER SMALL-EASTMAN: Yes.  
 14 MS. PICHETTE: Chairman Williams.  
 15 CHAIRMAN WILLIAMS: Yes.  
 16 The motion is approved.  
 17 Next, Anne.  
 18 MS. PICHETTE: The next letter in your packet is  
 19 a request for a change of scope. This is for one of the  
 20 projects that was awarded last June, so it is not  
 21 currently under contract as they've requested a change in  
 22 scope before the contract could be executed. And in that  
 23 packet, you've got the information of why they want to  
 24 change the items they're purchasing and the difference  
 25 between what the Board approved in June and what the new

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1 request is.  
 2 CHAIRMAN WILLIAMS: Okay. The letter identifies  
 3 on the request -- Sheri, you're here. Would you like to  
 4 address the Board?  
 5 MS. BEMENT: Sure.  
 6 Good morning, Chairman and Coal Board Members. I was  
 7 awarded a \$170,356 award last year for water and  
 8 wastewater equipment for my utilities program. And the  
 9 first prioritized budget I submitted exceeded my amount,  
 10 and it only let me get two trucks and the backhoe. But  
 11 after deliberation with my team and my board members, we  
 12 submitted a second budget that lets me get pretty much all  
 13 of the equipment I requested -- minus the backhoe because  
 14 it was too much and a third truck -- which I need, because  
 15 for the Reservation I have five districts to cover, and  
 16 these changes would be very much appreciated.  
 17 CHAIRMAN WILLIAMS: Okay. Thank you.  
 18 Any questions of Sheri on her request on this?  
 19 I think at the time -- we asked you at that time to  
 20 kind of go through it and prioritize and those types of  
 21 things --  
 22 MS. BEMENT: Yes.  
 23 CHAIRMAN WILLIAMS: -- for a number of reasons.  
 24 Of course, you were newer to the position and -- But the  
 25 Board went pretty much along with what you had requested.

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

1 So I would entertain a motion to approve the request  
 2 from the Northern Cheyenne Utility Commission to change  
 3 the scope of the project. The award amount stays the same  
 4 at \$170,346 [verbatim].  
 5 BOARD MEMBER SMALL-EASTMAN: So moved.  
 6 CHAIRMAN WILLIAMS: And second?  
 7 BOARD MEMBER FREDRICKSON: Second.  
 8 CHAIRMAN WILLIAMS: It's been moved and seconded.  
 9 Discussion?  
 10 Comments from the public?  
 11 Okay. Vote, please.  
 12 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 13 VICE-CHAIR FITZPATRICK: Yes.  
 14 MS. PICHETTE: Shawn Fredrickson.  
 15 BOARD MEMBER FREDRICKSON: Yes.  
 16 MS. PICHETTE: Amber Henning.  
 17 BOARD MEMBER HENNING: Yes.  
 18 MS. PICHETTE: Marianne Roose.  
 19 BOARD MEMBER ROOSE: Yes.  
 20 MS. PICHETTE: Tim Schaff.  
 21 BOARD MEMBER SCHAFF: Yes.  
 22 MS. PICHETTE: Veronica Small-Eastman.  
 23 BOARD MEMBER SMALL-EASTMAN: Yes.  
 24 MS. PICHETTE: Chairman Williams.  
 25 CHAIRMAN WILLIAMS: Yes.

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1 MS. PICHETTE: Thank you.  
 2 CHAIRMAN WILLIAMS: Thank you very much. Okay.  
 3 Where are we at now?  
 4 MS. PICHETTE: And then a letter that's not in  
 5 your packets, that came after your packets, is from  
 6 Musselshell County, and it's a thank you letter. But  
 7 they've addressed it to you, so I want to make sure we  
 8 hand out copies to you now.  
 9 And then the next section -- the next page in your  
 10 packet, you will see some documents provided from  
 11 grantees. At the last meeting, you asked for follow-up  
 12 from some of them during your awards. The following pages  
 13 are the documents they have provided. The first one is a  
 14 set of minutes from Roundup, and that was for  
 15 Project 0838, which was for an end dump truck purchase.  
 16 The next packet is three pages from the Rosebud County  
 17 Commissioners, and that was for Project 0836 for the  
 18 Rosebud County Sheriff's Office equipment.  
 19 And then the last set of correspondence is  
 20 correspondence that the Board received following the last  
 21 meeting with some questions about one of the applications.  
 22 In there for you is the response from Commerce. It also  
 23 includes the letter from the Chairman, as a member of the  
 24 public wrote the Chairman directly. So Chairman Williams  
 25 sent it over to Commerce. So this packet also includes

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1 his letter, his response to Linda Hammett Greenwalt, and  
 2 her original letter requesting some information regarding  
 3 the Hardin School District roof replacement project.  
 4 CHAIRMAN WILLIAMS: Okay. Any questions from the  
 5 Board on any of those activities?  
 6 Okay. Hearing none, we'll move to the next item.  
 7 Thank you, Anne.  
 8 MS. PICHETTE: Thank you, Mr. Chair.  
 9 CHAIRMAN WILLIAMS: We'll move to the next item.  
 10 We don't have any other action on that, do we, that I  
 11 missed? Okay.  
 12 Okay. That brings us down to new business. And we've  
 13 got one, two, three, four, five applications under new  
 14 business. And we'll begin the process -- We'll be taking  
 15 a lunch break at 11:30, but let's go ahead and get started  
 16 on these new applications. And we'll go through all the  
 17 applications prior to board action.  
 18 The first one is 0849. Anne, please.  
 19 MS. PICHETTE: Thank you, Mr. Chair. No. 0849,  
 20 Town of Hysham, wastewater system rehabilitation, Phase I,  
 21 \$154,000.  
 22 The applicant is requesting \$154,000, of a total  
 23 project of cost \$754,000, in coal board funds to complete  
 24 Phase I of the wastewater system rehabilitation project.  
 25 The request to the Board is 20 percent of the project

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1 costs. The applicant states the need to rehabilitate the  
 2 system to address specific problems associated with the  
 3 system, including the replacement of Lift Station 1,  
 4 components for Lift Station 2, evaluation of the  
 5 collection system, and other items as relating to the  
 6 system. The applicant has stated they also plan to  
 7 further quantify the extent of the lagoon leakage.  
 8 CHAIRMAN WILLIAMS: Okay.  
 9 MS. PICHETTE: And Mr. Chairman, their  
 10 environmental is complete on this request.  
 11 CHAIRMAN WILLIAMS: Pardon me?  
 12 MS. PICHETTE: Their environmental documentation  
 13 is complete on this request.  
 14 CHAIRMAN WILLIAMS: Okay. Town of Hysham.  
 15 MAYOR FINK: My name is Larry Fink. I'm the  
 16 mayor of Hysham, unfortunately for about the last  
 17 30 years. But I did get rid of one of my jobs. I retired  
 18 from the school after 42 years in Hysham. And one of my  
 19 students will actually give a lot of the talk to it.  
 20 Bob Keele, our maintenance person, was not able to attend.  
 21 He has been babysitting the lift station because of the  
 22 extra rain going into it.  
 23 We are changing the amount that we are requesting. We  
 24 are going to change it down to \$60,000 at this time for  
 25 just the engineering part so that we can at least maybe

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1 get going on the process.  
 2 MR. VANDERLOOS: Thank you, Mr. Fink.  
 3 Good morning, Chairman, Members of the Board. My name  
 4 is Bryan Vanderloos. I'm with the engineering firm KLJ.  
 5 We wanted to, first and foremost, thank you for the  
 6 planning grant that you granted the Town of Hysham. We  
 7 were able to use those funds to complete a preliminary  
 8 engineering report for the Town to address the needs of  
 9 their wastewater system.  
 10 In that project, we indicated the lift stations had  
 11 failed last winter, Lift Station No. 1 primarily. It is  
 12 the primary lift station that pumps all the wastewater  
 13 from town to the lagoon system. At this time, like  
 14 Mr. Fink said, we'd like to move forward with our  
 15 engineering process.  
 16 I would like to address the staff report and the  
 17 findings for the discrepancy in the budget narrative and  
 18 the budget. From what we found working in southeastern  
 19 Montana, that there will be some inflation dollars for a  
 20 construction in 2020 for this project, which we accounted  
 21 for in the construction budget and the budget itself. And  
 22 we explained it, furthermore, as a separate item in the  
 23 budget narrative. It's included in the budget and the  
 24 budget narrative, just in two separate locations.  
 25 And to address the priorities and the needs for the

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1 Town, the Town did complete a capital improvements plan in  
 2 I believe 2014. The Town hired KLJ in 2015 to do an  
 3 assessment of the lift stations, and at that time we did  
 4 find that the lift stations were in pretty rough shape,  
 5 which moved them further up in the priority list of the  
 6 needs of the Town.  
 7 Any questions?  
 8 CHAIRMAN WILLIAMS: Questions from the Board?  
 9 BOARD MEMBER HENNING: Mr. Chairman, I have a  
 10 question.  
 11 CHAIRMAN WILLIAMS: Please.  
 12 BOARD MEMBER HENNING: You have lowered your  
 13 request to \$60,000 and noting that, you know, you want to  
 14 get this project started as soon as possible. You heard  
 15 the talk earlier before. We have no funds in the account  
 16 right now, possibly won't have those revenues until months  
 17 later. Is that even feasible for you at this point?  
 18 MAYOR FINK: I think so. Because actually, we  
 19 have no other funds at this time. You know, we just  
 20 finished a major water project, kind of deleted everything  
 21 we had. So we would like to, even though you have no  
 22 money at the time, at least have an idea that we can  
 23 continue. Because, as I say, our maintenance person --  
 24 I'd hate to see him down there sooner or later.  
 25 MR. VANDERLOOS: And to kind of further what

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1 Mayor Fink is talking about, with Lift Station 1, when it  
 2 did fail last winter, the pumps failed, the Town had to  
 3 find a, basically a refurbished pump that they had in the  
 4 back of their maintenance shop to get in the lift station  
 5 to keep it running at this time. It does kind of click  
 6 and clank, and it's in pretty rough shape, but operating  
 7 now.  
 8 CHAIRMAN WILLIAMS: Other questions or comments?  
 9 I'll just make a couple. You guys, I understand the  
 10 challenges, particularly on these small towns, cities and  
 11 towns type of thing. I mean, you're looking at taking on  
 12 more debt than what you already have in order to get the  
 13 project, because these projects are very costly, and  
 14 you've got a small population. What's your population in  
 15 Hysham?  
 16 MAYOR FINK: You know, really, I couldn't tell  
 17 you right offhand. But being there for 42 years, when we  
 18 first went there the high school had 120 students in it.  
 19 Our whole school last year had 56, K through 12. So our  
 20 population town-wise I think has probably, in those  
 21 40 years, dropped by half. And like myself, we're a  
 22 retired part now.  
 23 CHAIRMAN WILLIAMS: Mayor, do you know what your  
 24 total debt is? What's your debt on your town?  
 25 MAYOR FINK: That I couldn't tell you right

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1 offhand. We just finished the \$2.5 million water project.  
 2 CHAIRMAN WILLIAMS: On your water tank?  
 3 MAYOR FINK: On our water tank. And we raised  
 4 the sewer rate just recently so that we would have more  
 5 money going into that account.  
 6 CHAIRMAN WILLIAMS: Okay. I appreciate that.  
 7 You know, I'm well aware of not only do you pay your taxes  
 8 but you've got water and sewer rates that you pay and you  
 9 have to bond yourselves in order for that to occur and  
 10 borrow the money and put that obligation back on your  
 11 residents. It's a challenge to keep things going. So  
 12 thank you for that.  
 13 Thank you.  
 14 Next is 0850, and this is the Big Horn County Memorial  
 15 Hospital request for \$500,000. And I know, Bill, you've  
 16 already stated it, but we'll go ahead and we'll introduce  
 17 it, and then you can do your action request.  
 18 MS. PICHETTE: No. 0850, Big Horn County Memorial  
 19 Hospital renovation and equipment updates, \$500,000.  
 20 The applicant is requesting \$500,000, of a total  
 21 project of cost of \$9,632,830, in coal board funds to  
 22 complete the renovation of the hospital and the  
 23 replacement of equipment. The request to the Board is  
 24 5 percent of the project costs. The applicant states the  
 25 need to upgrade equipment and renovate the existing

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1 facility along with an addition. The current facility was  
 2 built in 1959 and includes an undersized emergency  
 3 department and lack of controlled patient access.  
 4 CHAIRMAN WILLIAMS: Thank you.  
 5 Bill.  
 6 MR. HODGES: Good morning. Bill Hodges, Big Horn  
 7 Hospital Association. I'm the foundation director of the  
 8 Hospital Association. And as I stated earlier, it's just  
 9 wise for us right now to request a table on this  
 10 application for the half a million. As I mentioned, we  
 11 just heard yesterday from Montana Facility Finance that we  
 12 did receive preliminary approval through a resolution for  
 13 our loan amount. That's a positive thing. And again, as  
 14 I indicated, we're going to go out to the public very soon  
 15 and have a capital campaign and be able to generate  
 16 additional funds.  
 17 Right now, I'm in what's called the internal campaign  
 18 or family campaign. And what that involves is everybody  
 19 that's employed, so to speak, with the Hospital  
 20 Association, that's us as staff, that's medical providers,  
 21 that's our four boards, and I'm pledging them up for a  
 22 challenge for the loans that we'll see.  
 23 And so, like I say, right now it's just premature for  
 24 us. And like I said, irregardless of what Jennifer  
 25 conveyed to the Board, is that I still respectfully

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1 request a table so we could, again, get more accurate  
 2 consideration of funding in that September meeting,  
 3 Mr. Chair and Board Members.  
 4 CHAIRMAN WILLIAMS: Okay. Thank you.  
 5 Questions from the board?  
 6 Thank you for that.  
 7 Next is 0851, Big Horn County, excavator purchase.  
 8 Anne.  
 9 MS. PICHETTE: Thank you, Mr. Chair. No. 0581,  
 10 Big Horn County, excavator purchase, \$165,000.  
 11 The applicant is requesting \$165,000, of a total  
 12 project cost of \$240,000, in coal board funds to complete  
 13 the purchase of an excavator. The request to the Board is  
 14 69 percent of the project costs. The applicant states the  
 15 need to purchase an excavator as the road department does  
 16 not currently own one.  
 17 CHAIRMAN WILLIAMS: Big Horn County, please.  
 18 MR. REDDEN: Good morning, Mr. Chairman, Members  
 19 of the Board. My name is Matt Redden. I'm the road  
 20 superintendent for Big Horn County. It is true we don't  
 21 have an excavator right now. We've never had one. We've  
 22 been using backhoes and whatnot to get things done. This  
 23 will help the County get things done more faster and more  
 24 efficiently.  
 25 The situations, you know, with the flooding going on

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1 and everything, we've been having to go out with backhoes  
 2 and trying to reach out with the backhoes, trying to get  
 3 the debris out from the culverts and bridges and whatnot.  
 4 We've been always having to rent in the past. And \$1700  
 5 for a week or two weeks of work with the excavator and  
 6 trying to schedule the time we rent this excavator is  
 7 pretty tough to do, and then also have flooding or rains  
 8 on top of it when we're trying to do these projects.  
 9 I know this last Sunday -- Excuse me. I had too much  
 10 coffee this morning and I'm jittery. So Sunday, we had to  
 11 go out during the day because we had a big tree fall off a  
 12 private property across our road. And we had to go out  
 13 there with backhoes and chainsaws trying to get it knocked  
 14 out of the way, and it took four hours; when we could have  
 15 went out there with an excavator and moved it out. And I  
 16 know there's two coal mine families that live out there on  
 17 that road.  
 18 So it will be a good asset out there for us to have an  
 19 excavator to help us out with our projects, with the  
 20 bridges, demolishing or building. So it will save the  
 21 County a lot of money in the future.  
 22 COMMISSIONER REAL BIRD: George Real Bird,  
 23 Big Horn County Commissioner. Chairman, Members of the  
 24 Board, you know, Matt stated, our county road supervisor,  
 25 that we rent one. You know, so our crews are trying to do

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1 their best in that short amount of time they have the  
 2 window for the excavator. You know, we replaced one up in  
 3 Little Bighorn Valley, a big culvert, and we just had one  
 4 collapse in North Valley. You know, roads, we've got  
 5 1,000 miles of Big Horn County road. And this would be a  
 6 great asset for our fleet.  
 7 CHAIRMAN WILLIAMS: Okay. Questions from the  
 8 Board?  
 9 If it's not funded, you'll continue to rent equipment?  
 10 MR. REDDEN: Yes.  
 11 CHAIRMAN WILLIAMS: It's just a lot of money for,  
 12 for a piece equipment if you can currently get by without  
 13 it.  
 14 MR. REDDEN: Well, the thing -- Excuse me. The  
 15 thing about that is, is when you try renting one, you have  
 16 a scheduled time. Like the chairman, George, was talking  
 17 about with the culvert that we had to go out there on  
 18 Wyola, we was trying to install that during a rainstorm  
 19 and snow in April, trying to get that completed because we  
 20 only had allotted time to get in there to get this done.  
 21 So we're trying to crowd everything in that time zone when  
 22 we rent one, so it's kind of tough for us to do.  
 23 CHAIRMAN WILLIAMS: Have you checked the  
 24 availability of a good used piece of equipment?  
 25 MR. REDDEN: No. Well, you can, but you don't

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1 know how good they are. You can go out and get a piece of  
 2 used equipment, but it depends who had them before, what  
 3 they used them for.  
 4 CHAIRMAN WILLIAMS: Oh, I understand that. When  
 5 you buy anything used, that's the challenges that are out  
 6 there before you. I also know that there are pieces of  
 7 equipment out there that have low mileage and low hours on  
 8 them that are available at a cheaper rate.  
 9 MR. REDDEN: And when we do get this, we'll --  
 10 you know, we maintain everything that we have. We have a  
 11 pretty good maintenance program. It will last us a long  
 12 time. So...  
 13 CHAIRMAN WILLIAMS: Other questions?  
 14 Okay. Thank you.  
 15 Next is 0852, City of Hardin.  
 16 MS. PICHETTE: Thank you, Mr. Chair. No. 0852,  
 17 City of Hardin, fire station pumper, \$162,500.  
 18 The applicant is requesting \$162,500, of a total  
 19 project cost of \$325,000, in coal board funds to complete  
 20 the purchase of a fire pumper. The request to the Board  
 21 is 50 percent of the project costs. The applicant states  
 22 the need to upgrade aging equipment with the new pumper  
 23 fire truck to provide fire suppression.  
 24 CHAIRMAN WILLIAMS: City of Hardin.  
 25 MR. CONNELLY: Good morning, Mr. Chairman,

1 Members of the Board. My name is Joe Connelly. I'm the  
 2 fire chief of the Hardin Volunteer Fire Department. We  
 3 are looking to replace our 1985 Ford fire truck, which  
 4 only holds a total of three firemen. They do not have  
 5 self-contained breathing apparatus in the truck, so any  
 6 fire related to that, those firemen are not protected if  
 7 there is gas leaks or whatnot. And a truck this size  
 8 would also help to replace the 1983 bus that we use for  
 9 transportation also.  
 10 I'll have the mayor...  
 11 MAYOR PURCELL: Joe Purcell, mayor of the City of  
 12 Hardin. Just to back up what Joe was saying, they've done  
 13 a really good job of maintaining the equipment we have,  
 14 but it's getting to the point where it's starting to fail  
 15 on us. As far as public safety, environmental safety,  
 16 that's kind of our biggest concern, as far as being able  
 17 to get to fires in a timely manner and in a safe manner.  
 18 I do need to apologize and include our environmental  
 19 review. I thought I had included that with our  
 20 application and I had not. So I have that review form  
 21 that I will turn in as well.  
 22 So any questions?  
 23 CHAIRMAN WILLIAMS: Questions?  
 24 BOARD MEMBER SMALL-EASTMAN: I just have one  
 25 question, please.

1 CHAIRMAN WILLIAMS: Yes.  
 2 BOARD MEMBER SMALL-EASTMAN: You know, in the  
 3 application, you mentioned the Crow Tribe and the  
 4 Northern Cheyenne Tribe, but then on page 8 of the  
 5 application, you're asking just for the City of Hardin.  
 6 And so I'm kind of wondering, you know, will this new fire  
 7 truck be going out to the -- You have I guess memorandum  
 8 agreements with, you know, the Crow Tribe and Cheyenne  
 9 Tribe, and as well as with the communities like Lodge  
 10 Grass and Wyola and Pryor. Will this new fire truck be  
 11 going out to those communities or will it be the ones that  
 12 are junkers?  
 13 MR. CONNELLY: Basically, the way it works is if  
 14 another fire department requests our assistance, we won't  
 15 turn them down. I think Matt would attest to us doing the  
 16 best that we can to provide mutual aid in surrounding  
 17 areas, wherever they would be. The way the mutual aid  
 18 agreement works is based on the chief's discretion, so my  
 19 discretion, or the mayor's discretion. Our fire  
 20 department knows that if a fire department needs help, go  
 21 help them, whether it's a structure or grass or whatever.  
 22 BOARD MEMBER SMALL-EASTMAN: Okay. Might want to  
 23 make an amendment to that on that page 8 where, you know,  
 24 it will be going out to the other communities as well.  
 25 MR. CONNELLY: Okay.

1 CHAIRMAN WILLIAMS: I can share with you -- I  
 2 mean, all of your -- We have mutual aid agreements the  
 3 same as you guys have, the City of Colstrip, and we go out  
 4 wherever a request is made from the respective fire  
 5 department chief. We allow that to -- we provide that  
 6 opportunity to occur.  
 7 The other thing, you know, I appreciate volunteer fire  
 8 departments. I really do. I mean, you folks have the  
 9 responsibility of doing a lot of training to maintain your  
 10 credibility within your unit, but also the status within  
 11 the ratings that occur. And there's a lot of requirements  
 12 that are placed on our volunteer fire departments, and I  
 13 do appreciate what you folks do very much.  
 14 MR. CONNELLY: Thank you.  
 15 CHAIRMAN WILLIAMS: A lot of time away from  
 16 family and those types of things, and you don't get paid  
 17 for anything until you retire.  
 18 MR. CONNELLY: Correct.  
 19 CHAIRMAN WILLIAMS: And you've got to put in  
 20 20 years before you're eligible for retirement. So thank  
 21 you.  
 22 MR. CONNELLY: Thank you.  
 23 MAYOR PURCELL: Thank you.  
 24 MS. OLSON: Mr. Chairman, if I could just  
 25 interject. If I could just ask the public to make sure

1 you speak into the microphone and state your name clearly,  
 2 particularly when you're speaking between questions, that  
 3 will help our court reporter to be accurate in the  
 4 minutes. And then the Board, definitely using your  
 5 microphones also helps. Cheryl is pretty awesome, but she  
 6 does use the recorder to kind of go back and listen, so  
 7 that's going to be very helpful for her.

8 CHAIRMAN WILLIAMS: Okay. Thank you.  
 9 Next is 0853, Lewistown.

10 MS. PICHETTE: Thank you, Mr. Chairman. So 0853,  
 11 City of Lewistown, Creekside Central Station restroom  
 12 facility and kiosk, \$226,000.

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

21 MS. PHELPS: Good morning, Chairman, Members of  
 22 the Board. My name is Holly Phelps. I am city manager  
 23 for the City of Lewistown and a lifelong resident of  
 24 Lewistown. As you've heard, we're requesting funds for  
 25 the first and only year-around restroom facility located

1 the community is today and where we are going in the  
 2 future.

3 Adjacent to this restroom and this facility, a private  
 4 business has invested about \$4 million into a brewery and  
 5 restaurant development. And this, again, will be the  
 6 first and only year-around restroom facility located in  
 7 our community. Our community serves as a hub for several  
 8 communities. We have a hospital, and a very good  
 9 hospital, that employs a lot of employees from the  
 10 surrounding area, so there's a lot of employees that come  
 11 in to work in Lewistown and often spend time, you know,  
 12 frequenting our restaurants, eating in our parks, and  
 13 enjoying our facilities too. So that serves the need of  
 14 employees in our area as well.

15 To touch on the planning components of this, as you  
 16 know, there is not a lot of planning funds available  
 17 currently. I know it was pointed out that the need for a  
 18 public restroom was addressed in previous master plans and  
 19 other planning documents. The most recent downtown master  
 20 plan the City of Lewistown has is a 2005 document. It was  
 21 pointed out in that document, as well in our urban renewal  
 22 plan, which was done in 2014.

23 We recently had a very long planner retirement. That  
 24 employee was employed with the City of Lewistown for about  
 25 20 years, and he recently retired, so there was a vacancy

1 within our community. This is also our first request with  
 2 the Coal Board and also the first request from  
 3 Fergus County.

4 A little information on the project. This project is  
 5 located on city property. Some of it, the adjacent  
 6 property, was acquired through the Rails to Trails  
 7 Program. As the railroad pulled out of our community, the  
 8 City purchased the adjacent railroad and adjacent railroad  
 9 properties to also locate this facility. The City of  
 10 Lewistown did acquire some private property.

11 It is located on our Main Street, which is a  
 12 U.S. Highway, and adjacent to our renowned Big Spring  
 13 Creek. It is the source of our water and also a blue  
 14 ribbon trout stream. It is approximately a block and a  
 15 half from our historic downtown, and, you know, like all  
 16 downtowns across the country, we've seen a definite  
 17 economic impact, you know, so this is something that we're  
 18 hoping will provide future development in the downtown and  
 19 also increase foot traffic to those businesses that are  
 20 hurting in today's economic climate.

21 You'll hear more about how this project is a catalyst  
 22 for future development in our downtown and also how this  
 23 project is part of the larger community project shortly.  
 24 You'll also hear kind of the history of coal in our  
 25 community and how that played an instrumental part in what

1 in our planning department for about a year. We recently  
 2 hired a new city planner and recognized the importance to  
 3 update those documents. So as funds become available, we  
 4 will be addressing the need for updates to those required  
 5 documents.

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

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

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

20 From 1880 to 1950, residents of central Montana were  
 21 entirely dependent upon coal for their heat, and it was  
 22 also a primary source they used for cooking. And it was  
 23 used by businesses as well as families. The railroad was  
 24 built into Lewistown in 1903, and not only did the  
 25 railroad use the coal to operate, to fuel their trains,

1 but they hauled coal from some of the mines for use by the  
 2 residents and businesses. Montana Power brought natural  
 3 gas into Lewistown around 1950, and thus most of the mines  
 4 were abandoned close to that time.

5 In 1980, the railroad running through Lewistown was  
 6 abandoned, and the railways were rail banked under the  
 7 management of the City of Lewistown. And now those  
 8 abandoned railways are utilized for Lewistown's extensive  
 9 trail system. And if you haven't been in Lewistown and  
 10 checked those out, I would encourage you to do so. We're  
 11 very fortunate to have those in Lewistown.

12 There's a poster up here, and it talks about one of  
 13 the larger mines that was in the Lewistown area, and it's  
 14 called the Spring Creek Mine. It's only a couple miles  
 15 south of Lewistown, and it was -- at the time, it covered  
 16 about 900 acres of land. It employed about 125 miners,  
 17 and the production was about 250 tons of coal per day in  
 18 its prime.

19 A few -- several years ago, a lot of local effort and  
 20 a lot of resources were used to clean that area up. It's  
 21 also known as Brewery Flats, and there was just a great  
 22 effort to get that cleaned up because of the mine there.  
 23 And it is, it actually became the first component of our  
 24 trail system. It's a very popular area now that connects  
 25 to the rest of the trails, and it's a big asset for

1 Lewistown.

2 In Lewistown today, there are still hundreds of  
 3 descendants of the area coal mine operators and employees  
 4 residing in and near Lewistown. When I looked at some of  
 5 the history and looked at the list of names, I recognized  
 6 many of them as their descendants are still on that  
 7 property where those mines were located. We actually have  
 8 two Signal Peak mine employees that reside in Lewistown.  
 9 And one of the Census Bureau maps that we put into the  
 10 application shows that there are five Montana coal miners  
 11 that live in Fergus County.

12 Fergus Electric Co-Op is located in Lewistown. They  
 13 have about 22 employees, and they are one of the major  
 14 suppliers for Signal Peak Mine, being a utility, and the  
 15 mine actually pays about a half a million dollars a month  
 16 to them. So we have that tie in our area with the coal  
 17 mine.

18 I'm with Snowy Mountain Development Corporation, as is  
 19 Kathie Bailey, and we are the region's economic  
 20 development organization. We cover six counties in  
 21 central Montana. And we've provided assistance to  
 22 coal-impacted communities for 17 years now. We're very  
 23 active in the Musselshell County, Golden Valley County  
 24 areas, work with the Roundup people. And we're often host  
 25 to meetings regarding those coal impact topics. And also,

1 some of the employees or organizations that are coal  
 2 impacted do meet in Lewistown.

3 So we're kind of a regional hub, as Holly mentioned,  
 4 but also because we are in the dead center of Montana, we  
 5 are a central location for many activities around the  
 6 state. We're also known statewide because it's so easy  
 7 for everyone across the state to get to us.

8 One thing I would like to talk to you briefly about --  
 9 Chairman Williams, if I may hand out a summary on the mill  
 10 levy. Is that okay?

11 CHAIRMAN WILLIAMS: Sure.

12 MS. SWEENEY: So it was pointed out in the staff  
 13 report that the average of the three years of mill levy  
 14 rates for Lewistown was higher than the current rate.  
 15 However, I've done a quick little summary and attached the  
 16 annual tax backup information. And it does show that both  
 17 under the general mill levy rates and the total, which  
 18 includes health and a government study, that the average  
 19 rate is below the current rate, which is highlighted on  
 20 your top sheet. So I'm not sure where that discrepancy  
 21 comes from, but the information that we obtained shows  
 22 that we do fall into that requirement.

23 I want to talk briefly about need. As mentioned by  
 24 Holly, Lewistown has no year-around public restroom  
 25 facilities at all. So not only is it a problem for trail

1 users -- I'm a trail user and sometimes I'll walk for an  
 2 hour or more. And if you need a break there's nowhere to  
 3 go unless you, like, go to the Yogo Inn or use a business,  
 4 which is not really what we like to do in our community.

5 But it's not just trail users. It's other  
 6 recreationalists. Visitors that come to Lewistown, they  
 7 have to stop at a gas station. There's just nowhere for  
 8 them to go. Shoppers downtown. So this is really a  
 9 needed facility that has been on the planning list for  
 10 many, many, many years.

11 And we're very concerned because I'm about to explain  
 12 to you the hub that this area is going to become, and we  
 13 are concerned with increased activity and large crowds  
 14 there. We're concerned about the impacts to the  
 15 environment of not having proper facilities there. And  
 16 we're a little concerned about -- we could get in  
 17 violation with some of the state or federal health and  
 18 safety standards as our public use does increase.

19 Next, I'd like to talk about our local effort. And  
 20 this one is really fun to talk about. Since Snowy  
 21 Mountain has been a partner in this project, we're pretty  
 22 intimately involved. And our Creekside Central Station  
 23 which we've proposed to you is actually a component of a  
 24 much larger community project known as Creekside  
 25 Marketplace and Pavilion. And if you can see on the



1 drawing here, the architect's drawing -- I might -- Well,  
 2 I won't step over there because I'll lose the microphone.  
 3 But this entire facility includes not just the  
 4 year-around public restroom, it also includes a public  
 5 parking lot, it has a children's play area. It's kind of  
 6 a natural play area. It will have a stage and pavilion  
 7 and a viewing area, so we can have concerts and plays and  
 8 that kind of thing. And there's a dining deck where  
 9 people can come and picnic along the Mill Ditch, which  
 10 leads into Spring Creek. So it's right along beautiful  
 11 Spring Creek. It borders Main Street, which is  
 12 Highway 87.  
 13 And then the larger building that shows there at the  
 14 bottom is actually where our new brewery is going to be  
 15 located. Their grand opening is scheduled for July 4th.  
 16 It's a brewery, which is the first for Lewistown, and a  
 17 restaurant. And this is the business that Holly mentioned  
 18 that they've invested around \$4 million into. And I do  
 19 want to mention that when those investors were looking at  
 20 this site and this project for their brewery, they came to  
 21 a public meeting and said -- you know, looked at the  
 22 blighted area that this started as and said, you know,  
 23 we're just not willing to invest that much money in a  
 24 project unless the community partners with us and makes  
 25 improvements as well on their property.

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1 And I do have another handout, Chairman Williams, if I  
 2 may share that as well.  
 3 CHAIRMAN WILLIAMS: Sure.  
 4 MS. SWEENEY: And it shows you some of the  
 5 pictures. I have some before and current pictures. And  
 6 you can see how industrial it looks there. And one of the  
 7 buildings that was there, we referred to it as the Mill  
 8 Building, before any new work was done, that building was  
 9 demolished. It was quite unsightly. It's the building  
 10 that shows the metal, and it was quite unsightly. And it  
 11 also was along the Mill Ditch there. In that bottom  
 12 right-hand picture, you can see the side of that building.  
 13 So that building is now gone, and it really opened up  
 14 that area. I don't think people realized what a beautiful  
 15 area that it was until that was gone. If you flip it  
 16 over, you can see a small picture of the plants that are  
 17 out there, and these other pictures below were taken  
 18 yesterday. So the first picture there in the middle, the  
 19 parking lot is done and it's all striped and ready to go.  
 20 And the picture to the right of it, the center area there  
 21 is where the restroom facility will be located.  
 22 To the left is the parking lot, which is done. To the  
 23 right is the dining deck, which the slab has been poured  
 24 for picnic tables. But the restroom facility will be  
 25 located right behind where that sign is in that picture.

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1 The bottom left-hand picture is the new brewery. You can  
 2 see that they've done all new windows, they've added an  
 3 upper and lower deck. It's just going to be a beautiful  
 4 facility. And then the final picture on the right-hand  
 5 lower side is across the street. That's the trailhead for  
 6 our trail system. And that's kind of the vision we have  
 7 for the other side of Main Street. It's very beautiful,  
 8 and we want to continue that onto our project site.  
 9 I do want to tell you how great the community has  
 10 been. The main partners in this, it started as a Recharge  
 11 Our Community workshop activity. We had about  
 12 60 volunteers, just people interested in the community,  
 13 gather, and this project came out of one of the groups  
 14 that formed because of that effort. And that group  
 15 partnered with the City, partnered with Friends of the  
 16 Trails, and partnered with the Snowy Mountain Development  
 17 Corporation to lead this project and make it happen.  
 18 The project cost estimate, the entire project, with a  
 19 \$200,000 endowment that was budgeted for so that if  
 20 there's future major improvements needed, repairs needed,  
 21 such as a new roof, say in 20 years, we have the funds  
 22 that we can take care of this facility. But the total  
 23 budgeted cost is \$1.68 million. To date, we have met  
 24 76 percent of that goal, and that includes over \$720,000  
 25 from private donations and fundraising events. We have

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1 received cash donations from 107 individuals and  
 2 businesses plus an additional 15 businesses where people  
 3 have made pledges. And we have offers for an additional  
 4 12 in-kind donations, such putting in a security system or  
 5 an irrigation system, those types of things. So we have  
 6 134 parties who have already contributed to this.  
 7 One really neat thing is we had a partnership formed  
 8 that's never happened before where we had four service and  
 9 faith organizations partnered together to pledge \$25,000  
 10 for the project to build the children's play area. And  
 11 that's the Rotary, the Kiwanis, the Jaycees, and then the  
 12 New Life Assembly of God Church. It's really neat to see  
 13 the community come together. And everyone wants this.  
 14 It's been a really easy sell for the community.  
 15 We have had two fundraising events. Our first was a  
 16 kickoff in November of 2017, and we just held one again in  
 17 April of this year, to try to raise funds. And we did  
 18 raise funds at both of those. Another \$554,000 has been  
 19 committed with other grants and in-kind activity done by a  
 20 construction company and also utilization of city funds  
 21 that are available. We've received a total of seven  
 22 grants. Some of them are small. They range from, like,  
 23 \$5,000 to \$100,000. But we have just applied for  
 24 everything we can find, and so we've had some success with  
 25 that. Since the application was sent in, we got \$11,000

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1 from the Central Montana Foundation, and NorthWestern  
 2 Energy has committed \$6,000 to us.  
 3 So we still need about \$403,000 to complete this  
 4 entire project, the bulk of which is for that restroom  
 5 facility. That is the final component to complete this  
 6 project.  
 7 And then Holly mentioned briefly the \$4 million  
 8 project for the brewery, and I just wanted to mention that  
 9 that business is expected to provide 25 full-time  
 10 equivalent jobs to our area's low-to-moderate-income  
 11 residents. So it's going to be huge for us. And they  
 12 will be opening in a couple weeks.  
 13 Now, I'd like to point out in the architect's  
 14 rendition, I think we've kind of shown you where things  
 15 are, but again, it's only about a block and a half from  
 16 Main Street. We think this is going to have a huge  
 17 economic impact for downtown Lewistown. We have kind of  
 18 been plagued with some empty storefronts, and we really  
 19 think this is going to give people the confidence to  
 20 invest in the rest of downtown, because it's cleaning it  
 21 up and it's going to bring a lot of activity to that area.  
 22 So between the brewery and restaurant and Creekside, we  
 23 think that it's really going to help Lewistown.  
 24 We are requesting \$226,000 from the Coal Board. I do  
 25 want to mention that we haven't been at the table before,

1 have really no plans to come back. This is kind of our  
 2 one-time coal impact project. And we have committed funds  
 3 of a little over \$50,000 as match for this project. And  
 4 it's just been a very exciting thing, and it's happening  
 5 pretty quickly.  
 6 So I would like Kathie Bailey to come and wrap things  
 7 up and talk to you a little about a couple of remaining  
 8 topics.  
 9 MS. BAILEY: I'm Kathie Bailey, with  
 10 Snowy Mountain Development Corporation. I'm the mop-up  
 11 crew today.  
 12 So just a couple things. We noted in the staff report  
 13 that the environmental indicated that it wasn't complete.  
 14 We were a little confused. So I wanted to walk you  
 15 through the steps. An environmental assessment was  
 16 completed in September. It was available for public  
 17 review on both our website and the City's website. At the  
 18 September 20th meeting, it was on the agenda. The agendas  
 19 are posted, they're put in the newspaper, and they're also  
 20 on the City's website. You have a copy of the agenda in  
 21 your packet. I believe it's page, let me get you the --  
 22 37, page 37 of Exhibit F.  
 23 As you can see, the EA stated that because  
 24 environmental impacts are not negative and there is  
 25 minimal construction, that it's been determined that there

1 is no significant environmental impact and therefore no  
 2 EIA statement is required. They did also have action at  
 3 that September 20th meeting declaring -- it was on the  
 4 agenda, declaring there's no significant impact and that  
 5 Holly was authorized to sign that uniform environmental  
 6 checklist. That was noted in the minutes on page 41.  
 7 There was an opportunity for public comment at that time.  
 8 This is in 2017, September 2017.  
 9 Again, when the application was submitted on April 2nd  
 10 of 2018, it was on the agenda once again. And again, it  
 11 was in the minutes that there was no, no significant  
 12 impact and that they were going to submit the application.  
 13 So once again, the public had another opportunity to  
 14 comment both on this application and on any environmental  
 15 issues. So hopefully that explains the environmental  
 16 process and how the public was involved in that process.  
 17 Also, I think it's really important that you have  
 18 accurate information, and I wanted to address an issue in  
 19 the staff report. The staff report talks about a  
 20 TED District and it was in the Snowy Mountain Development  
 21 Corporation's CEDS 2017. It was not. I wrote that  
 22 document. The TEDD was not mentioned in there at all.  
 23 I'm not really sure why the staff put it in their staff  
 24 report. The TEDD is not relevant to this project at all.  
 25 It's not located in this area at all. There is no

1 potential benefit from this project from the TEDD. And  
 2 I'm not sure where they got it, because we didn't put it  
 3 in the application. But I did want to make sure that you  
 4 knew that that information was totally irrelevant.  
 5 And if you had any questions, we are now open for  
 6 questions. We're excited about this project, as you can  
 7 see. And I did want to kind of just reiterate that when  
 8 they talk about more than 70 percent of the funding of  
 9 that \$1.6 million, we've only got \$10,000 that's in state  
 10 or federal funds. The City has put some funds into it,  
 11 but otherwise, it's pretty much private donations.  
 12 Questions?  
 13 CHAIRMAN WILLIAMS: Questions from the Board?  
 14 BOARD MEMBER FREDRICKSON: Yeah, I guess I have a  
 15 question more for probably this board. Have we ever given  
 16 funds on the basis that coal was shipped to a community?  
 17 Because I feel like every town in Montana can make that  
 18 argument. So do we know -- I mean, coal was shipped to  
 19 Butte and Anaconda until 1980. Are we going to have  
 20 Anaconda folks coming up here and trying to get money from  
 21 us? I guess I was just wondering about a little bit of  
 22 history on that.  
 23 CHAIRMAN WILLIAMS: You know, I guess I can't --  
 24 I don't know of any activity that would fit in that.  
 25 BOARD MEMBER FREDRICKSON: I mean, does this

1 project meet our criteria?  
 2 CHAIRMAN WILLIAMS: That's what we have to go by,  
 3 the statutory criteria for coal.  
 4 And of course, Kathie, that's my problem, that's my  
 5 hangup too. We've got to follow the statutory  
 6 requirement. But I'm not aware of anything.  
 7 Jennifer, are you?  
 8 MS. OLSON: Mr. Chairman, Shawn, so just as kind  
 9 of a little reminder, the Department of Commerce is  
 10 charged with completing a coal impact study on a biennial  
 11 basis, so at the end of each biennium, we complete that  
 12 study. So we did that last biennium, which is kind of  
 13 stepping forward to help prep the next biennium of those  
 14 communities that would be designated versus  
 15 non-designated.  
 16 So when we are thinking about designated versus  
 17 non-designated, all applicants technically are eligible to  
 18 apply for coal board funds. And so then the Board is  
 19 charged with reviewing the statutory criteria for  
 20 coal board grants to identify how the proposed project,  
 21 whether it is from a designated or non-designated  
 22 community, fits within the statutory criteria.  
 23 The Board's limitation is that no less than 51 percent  
 24 of the funds can be -- or must be awarded to those  
 25 communities or areas within the designated impact area.

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1 So 49 percent, hypothetically, could go outside the  
 2 designated area so long as the Board has reviewed and the  
 3 applicant has provided documentation justification that it  
 4 meets the statutory criteria.  
 5 CHAIRMAN WILLIAMS: It can be awarded outside as  
 6 long as it meets the statutory requirement. Any place is  
 7 eligible as long as they meet the statutory criteria for  
 8 coal board grants. Designated communities, just to  
 9 reiterate, indicates that this amount has to go into  
 10 coal-impacted areas.  
 11 MS. OLSON: And according to our 2017 designation  
 12 report, we have a list of designated, not only school  
 13 districts, but counties and cities.  
 14 CHAIRMAN WILLIAMS: Yeah. And we moved on that a  
 15 couple meetings ago.  
 16 MS. OLSON: I think actually last year in June.  
 17 CHAIRMAN WILLIAMS: Yeah, we moved on that last  
 18 June, on the designated communities, and agreed to that.  
 19 MS. OLSON: And just for the record, the City of  
 20 Lewistown is listed as a designated community.  
 21 BOARD MEMBER FREDRICKSON: Okay.  
 22 CHAIRMAN WILLIAMS: But as far as Anaconda coming  
 23 in, yeah, they could come in.  
 24 BOARD MEMBER FREDRICKSON: Oh, boy.  
 25 CHAIRMAN WILLIAMS: And that's been my -- they

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1 can come in as long as they meet, and it's up to the Board  
 2 to determine, statutory criteria.  
 3 BOARD MEMBER FREDRICKSON: Okay.  
 4 MS. BAILEY: Mr. Chairman, Shawn, Board Member  
 5 Shawn, if I could just remind -- This is not just a matter  
 6 of shipping coal. We are inundated with abandoned coal  
 7 mines in this community. And we've cleaned up the major  
 8 one that we talked about earlier, which the City actually  
 9 cleaned that up. It is part of our trail system. It is  
 10 one of the trailheads on our trail system which connects  
 11 to this area.  
 12 So we do feel that we're impacted by coal. Now, it's  
 13 been a while. I'm not going to say it hasn't been. And  
 14 we certainly are not impacted like Hardin or Colstrip or  
 15 some of the other communities. That's why you haven't  
 16 seen us here ever before, in front of the Coal Board.  
 17 Lewistown has never asked for funds from the Coal Board,  
 18 even though we have been in the impacted communities since  
 19 the beginning of the Coal Board.  
 20 BOARD MEMBER FREDRICKSON: No, thank you. You  
 21 know, I'm not opposed to this project at all. I think  
 22 it's a great project, and it looks like you guys have been  
 23 working really hard on it. So I just wanted clarification  
 24 because you guys haven't come to the Coal Board ever. So,  
 25 you know, thank you.

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1 MS. BAILEY: You know, this project should almost  
 2 be an example of what statewide everybody is doing.  
 3 Because it really is a grassroots local community input.  
 4 When I say only \$10,000 of that 74 percent has been state  
 5 and federal, the rest has been you and me, pockets,  
 6 putting our dollar out. And it's been everything from  
 7 \$50 to \$100,000 that people are writing checks for. It's  
 8 amazing.  
 9 CHAIRMAN WILLIAMS: Thank you. You know, I think  
 10 it's a great project also. And of course, the thing that  
 11 I focus in on right at the top, provide governmental  
 12 services to facilities that are needed as a direct  
 13 consequence of an increase or decrease in coal development  
 14 or in the consumption of coal by a coal-using energy  
 15 complex.  
 16 So all good projects. You know, the Lewistown  
 17 project, I really compliment Lewistown for what they're  
 18 doing to revitalize their community. And certainly, they  
 19 need to search out every opportunity available to fund  
 20 those projects. It's a very worthwhile project. It's one  
 21 that has merit. But when I look at the statutory  
 22 requirement -- and understand that as we make these  
 23 awards, our actions are reviewed by those that will be in  
 24 the future looking as to funding for impact areas.  
 25 Okay. Let's take a 15-minute break -- Any other

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1 comments? 15-minute break, where does that put us?  
 2 Let's go take a lunch break. Can we do that?  
 3 BOARD MEMBER ROOSE: I think that's good.  
 4 CHAIRMAN WILLIAMS: Take a lunch break and meet  
 5 back here at 12:30. Thank you all.  
 6 (Lunch recess.)  
 7 CHAIRMAN WILLIAMS: Thank you for everybody  
 8 coming back. I call the meeting to order.  
 9 Okay. Here's where we are in our process, going down  
 10 through and, and recognizing all of the grant requests and  
 11 making the awards. And from the earlier discussions, we  
 12 have no moneys available at this time, and we're in the  
 13 red on available funding.  
 14 So the Board could award based on a contingency of  
 15 available funds, but based on our discussions with  
 16 Jennifer and comments that she's made, my recommendation  
 17 to the Board is that we not do that until we know how many  
 18 dollars we will have available to us. That places us in  
 19 the position of tabling these requests or denying the  
 20 requests, of course, if we do not feel that they meet the  
 21 criteria, the Board does not feel they meet the criteria.  
 22 Table the requests or deny. So that's my recommendations  
 23 to the Board as we go down through this.  
 24 Oh. The other thing is that we can make suggestions  
 25 to the applicants as we go through these if there are

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1 other issues associated with their grant -- with their  
 2 requested amount of money. If we have some other thoughts  
 3 or ideas or we would like them to provide additional  
 4 information in support of their request, we could do so at  
 5 this time, and then that would give the applicant the  
 6 opportunity to move on that prior to our next meeting that  
 7 is scheduled to occur on the 20th of September.  
 8 Okay. Having said that, we will go right down the  
 9 list. Our first grant request is Town of Hysham, 0849,  
 10 and this is for the Phase I of the wastewater system  
 11 rehab. Now, the applicant made the request during their  
 12 presentation that this request be changed to a new number  
 13 as far as funds requested. They've requested that that be  
 14 changed to a request of \$60,000.  
 15 So what I would like to do with this applicant is I  
 16 will entertain the motion to change the amount requested  
 17 to the \$60,000 and then go the next step on how we are  
 18 going to address that request. So I will entertain a  
 19 motion to change the requested amount to \$60,000 based on  
 20 the information provided by the applicant.  
 21 BOARD MEMBER SCHAFF: So moved.  
 22 CHAIRMAN WILLIAMS: And second, please.  
 23 BOARD MEMBER FREDRICKSON: Second.  
 24 CHAIRMAN WILLIAMS: It's been moved and seconded  
 25 to change the amount requested to \$60,000. Discussion?

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1 Comments from the public?  
 2 Vote, please.  
 3 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 4 VICE-CHAIR FITZPATRICK: Yes.  
 5 MS. PICHETTE: Shawn Fredrickson.  
 6 BOARD MEMBER FREDRICKSON: Yes.  
 7 MS. PICHETTE: Amber Henning.  
 8 BOARD MEMBER HENNING: Yes.  
 9 MS. PICHETTE: Marianne Roose.  
 10 BOARD MEMBER ROOSE: Yes.  
 11 MS. PICHETTE: Tim Schaff.  
 12 BOARD MEMBER SCHAFF: Yes.  
 13 MS. PICHETTE: Veronica Small-Eastman.  
 14 BOARD MEMBER SMALL-EASTMAN: Yes.  
 15 MS. PICHETTE: Chairman Williams.  
 16 CHAIRMAN WILLIAMS: Yes.  
 17 Okay. That's approved to change the amount to the  
 18 \$60,000 level. Now I will entertain a motion to award  
 19 based on my earlier discussion, so I will entertain a  
 20 motion to award or to table.  
 21 BOARD MEMBER SCHAFF: Mr. Chairman, I'd like to  
 22 move to table.  
 23 BOARD MEMBER ROOSE: I second that motion.  
 24 CHAIRMAN WILLIAMS: It's been moved and seconded  
 25 to table that award at the level of \$60,000. Discussion?

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1 Comments from the public?  
 2 BOARD MEMBER FREDRICKSON: Mr. Chairman, so can  
 3 we -- So I think -- It's my view that all these projects  
 4 are great projects and should go forward. Can we table  
 5 all of them rather than going through each one or --  
 6 BOARD MEMBER SCHAFF: Yeah.  
 7 BOARD MEMBER ROOSE: I think we could.  
 8 CHAIRMAN WILLIAMS: I think what we need to --  
 9 What I would like to do is address each one individually.  
 10 BOARD MEMBER FREDRICKSON: Okay.  
 11 CHAIRMAN WILLIAMS: Other discussion?  
 12 Vote.  
 13 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 14 VICE-CHAIR FITZPATRICK: Yes.  
 15 MS. PICHETTE: Shawn Fredrickson.  
 16 BOARD MEMBER FREDRICKSON: Yes.  
 17 MS. PICHETTE: Amber Henning.  
 18 BOARD MEMBER HENNING: Yes.  
 19 MS. PICHETTE: Marianne Roose.  
 20 BOARD MEMBER ROOSE: Yes.  
 21 MS. PICHETTE: Tim Schaff.  
 22 BOARD MEMBER SCHAFF: Yes.  
 23 MS. PICHETTE: Veronica Small-Eastman.  
 24 BOARD MEMBER SMALL-EASTMAN: Yes.  
 25 MS. PICHETTE: Chairman Williams.

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1 CHAIRMAN WILLIAMS: Yes.  
 2 It's passed to table that. Now, this would be tabled  
 3 to the next meeting. These have to come up at the next  
 4 meeting, which is in September.  
 5 Next applicant is 0850, and prior to many of our  
 6 discussions, the applicant has indicated their desire to  
 7 have it tabled. So I will entertain a motion to table  
 8 0850.  
 9 BOARD MEMBER FREDRICKSON: So moved.  
 10 CHAIRMAN WILLIAMS: And second?  
 11 BOARD MEMBER SCHAFF: Second.  
 12 CHAIRMAN WILLIAMS: Discussion?  
 13 Discussion from the public?  
 14 Vote, please.  
 15 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 16 VICE-CHAIR FITZPATRICK: Yes.  
 17 MS. PICHETTE: Shawn Fredrickson.  
 18 BOARD MEMBER FREDRICKSON: Yes.  
 19 MS. PICHETTE: Amber Henning.  
 20 BOARD MEMBER HENNING: Yes.  
 21 MS. PICHETTE: Marianne Roose.  
 22 BOARD MEMBER ROOSE: Yes.  
 23 MS. PICHETTE: Tim Schaff.  
 24 BOARD MEMBER SCHAFF: Yes.  
 25 MS. PICHETTE: Veronica Small-Eastman.

1 you would anticipate for something of the magnitude of  
 2 this purchase. So that's my suggestion to  
 3 Big Horn County.  
 4 Other questions or comments from the public?  
 5 Okay. Vote, please.  
 6 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 7 VICE-CHAIR FITZPATRICK: Yes.  
 8 MS. PICHETTE: Shawn Fredrickson.  
 9 BOARD MEMBER FREDRICKSON: Yes.  
 10 MS. PICHETTE: Amber Henning.  
 11 BOARD MEMBER HENNING: Yes.  
 12 MS. PICHETTE: Marianne Roose.  
 13 BOARD MEMBER ROOSE: Yes.  
 14 MS. PICHETTE: Tim Schaff.  
 15 BOARD MEMBER SCHAFF: Yes.  
 16 MS. PICHETTE: Veronica Small-Eastman.  
 17 BOARD MEMBER SMALL-EASTMAN: Yes.  
 18 MS. PICHETTE: Chairman Williams.  
 19 CHAIRMAN WILLIAMS: Yes.  
 20 Okay. Thank you. That has passed to be tabled.  
 21 The next item is the City of Hardin, and this is the  
 22 fire station pumper that has been requested. The amount  
 23 there is \$162,500. I will entertain a motion to table.  
 24 BOARD MEMBER HENNING: So moved.  
 25 CHAIRMAN WILLIAMS: And second, please.

1 BOARD MEMBER SMALL-EASTMAN: Yes.  
 2 MS. PICHETTE: Chairman Williams.  
 3 CHAIRMAN WILLIAMS: Yes.  
 4 So that is passed to table that, that application to  
 5 the next meeting.  
 6 Next applicant is 0851, Big Horn County. This is a  
 7 request for an excavator purchase. The amount requested  
 8 is \$165,000. I'll entertain a motion.  
 9 BOARD MEMBER SCHAFF: Mr. Chairman, move to  
 10 table.  
 11 BOARD MEMBER ROOSE: I second.  
 12 CHAIRMAN WILLIAMS: Moved and seconded.  
 13 Discussion?  
 14 I've got a comment to the Big Horn County request on  
 15 this. And that would be one of the things that I see, a  
 16 purchase for a new piece of equipment that has not been  
 17 utilized but has been used as a -- what you've been doing,  
 18 a rental. And I raised the issue of whether or not you  
 19 had pursued looking at a used piece of equipment. And I  
 20 would ask Big Horn County to consider that on a piece of  
 21 equipment such as an excavator.  
 22 I know oftentimes, particularly on large pieces of  
 23 equipment, there are opportunities to purchase out there  
 24 at a lesser amount, particularly on a piece of equipment  
 25 that is not going to be utilized to the full extent that

1 BOARD MEMBER FREDRICKSON: Second.  
 2 CHAIRMAN WILLIAMS: It's been moved and seconded  
 3 to table. Discussion?  
 4 One question that I had on that pumper: The prices  
 5 that you got, are those good prices that you've received?  
 6 MR. CONNELLY: Yes. Those are quotes.  
 7 CHAIRMAN WILLIAMS: So that's a good quote  
 8 that -- so that's an active quote.  
 9 MR. CONNELLY: Yep, as of a few months ago.  
 10 CHAIRMAN WILLIAMS: Okay. Very good. Thank you.  
 11 Other questions of the public?  
 12 Okay. Vote, please.  
 13 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 14 VICE-CHAIR FITZPATRICK: Yes.  
 15 MS. PICHETTE: Shawn Fredrickson.  
 16 BOARD MEMBER FREDRICKSON: Yes.  
 17 MS. PICHETTE: Amber Henning.  
 18 BOARD MEMBER HENNING: Yes.  
 19 MS. PICHETTE: Marianne Roose.  
 20 BOARD MEMBER ROOSE: Yes.  
 21 MS. PICHETTE: Tim Schaff.  
 22 BOARD MEMBER SCHAFF: Yes.  
 23 MS. PICHETTE: Veronica Small-Eastman.  
 24 BOARD MEMBER SMALL-EASTMAN: Yes.  
 25 MS. PICHETTE: Chairman Williams.

1 CHAIRMAN WILLIAMS: Yes.  
 2 Okay. The next applicant is 0853. This is Lewistown.  
 3 This is the Creekside Central Station restroom facility  
 4 and kiosk. The amount requested is \$226,000. And I will  
 5 entertain a motion.  
 6 BOARD MEMBER ROOSE: I would so move to table.  
 7 CHAIRMAN WILLIAMS: Second?  
 8 BOARD MEMBER HENNING: Second.  
 9 CHAIRMAN WILLIAMS: It's been moved and seconded  
 10 to table. Discussion?  
 11 You know, as much as I appreciate the efforts of  
 12 Snowy Mountain and particularly Lewistown, I can't support  
 13 this application based on the criteria, the statutory  
 14 criteria. That's my, that's my thought on this. I don't  
 15 feel it meets it, and I feel that for us to fund something  
 16 particularly of this size and magnitude I think would be  
 17 in violation of the statutes that we're required to, to  
 18 follow. So those are my comments.  
 19 Other comments?  
 20 BOARD MEMBER ROOSE: Mr. Chairman, I do have a  
 21 question.  
 22 CHAIRMAN WILLIAMS: Sure.  
 23 BOARD MEMBER ROOSE: If you're concerned about  
 24 the legality of following the statute, would it not be  
 25 prudent for our attorney to review that and make a

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1 recommendation to the Board?  
 2 CHAIRMAN WILLIAMS: We could, we could request  
 3 that. But my thought on that would be that the attorney  
 4 would say, hey, it's a board decision; if you feel it  
 5 meets the criteria, then you would move forward with it.  
 6 We could make that request, but that's my thought.  
 7 BOARD MEMBER ROOSE: I guess I think that when we  
 8 have an attorney that represents the Board, you should  
 9 rely on their professional understanding of the law. And  
 10 maybe I'm looking at things wrong, but isn't it their job  
 11 to protect us, to make sure we are following the statutes?  
 12 And if they say there is no problem, you know, I'd be more  
 13 comfortable with that myself. I don't know about the  
 14 others.  
 15 CHAIRMAN WILLIAMS: Well, we could make that  
 16 request. But I think when -- And I'd be glad to do that.  
 17 If the Board feels that's the direction they would like to  
 18 go, I'm fine with that.  
 19 But one of the things that our staff is required to  
 20 look at also is whether, in fact, it does, and they have  
 21 not indicated it does not meet that because that's a  
 22 decision that remains with the Board in those particular  
 23 instances. But for me, with my time on the Board, a rest  
 24 stop, even though I think it's great, a restroom facility  
 25 and hookup, I don't feel -- When I read the statutory

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1 criteria for coal board grants, at least to me, it's  
 2 obvious it does not meet it.  
 3 But I'd be glad -- if the Board would like us to have  
 4 our counsel review that, I'd be glad to move that process  
 5 forward.  
 6 BOARD MEMBER HENNING: Mr. Chairman, I would just  
 7 make a comment too. I think, when looking at these  
 8 criteria, statutory criteria that we are bound by as a  
 9 board, I think it really comes down to that degree of  
 10 severity of impact requirement. And I think that if you  
 11 did ask this of our staff attorney, you know, she would go  
 12 through the criteria provided by Lewistown looking at this  
 13 degree of severity criteria, and I think -- I would think  
 14 that she would come again to the conclusion that it's  
 15 really up to the Board's discretion on whether or not we  
 16 feel that that has been met.  
 17 And so if this is tabled, I would ask, then, that we  
 18 as a board, between now and the next meeting, look at that  
 19 criteria and kind of make our own determination,  
 20 individual determination; and we can have further  
 21 discussion on this at the next meeting, whether or not we  
 22 feel that that statutory criteria is met. I'm not opposed  
 23 to posing this to our staff attorney, though, either.  
 24 CHAIRMAN WILLIAMS: And, you know, I agree with  
 25 those comments.

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1 Other comments from the Board? Other direction that  
 2 the Board would like to move forward with?  
 3 You know, Staff, you've heard the comments and if you  
 4 could get with the attorney, I think, and get their input  
 5 into the process.  
 6 MS. ROTHENBUECHER: This is A.C. Would you like  
 7 our attorney to look at that? Is that a specific request  
 8 from the Board?  
 9 BOARD MEMBER SMALL-EASTMAN: Yes.  
 10 MS. ROTHENBUECHER: Okay. Thank you.  
 11 CHAIRMAN WILLIAMS: Other questions, comments?  
 12 Comments from the public?  
 13 Okay. You know, the direction we're going to go on  
 14 this, it's going to be tabled, which will require you to  
 15 come back to the next meeting, you know. And I think you  
 16 understand my comments on it. I just can't because of --  
 17 I don't need to reiterate some of those things. But I'll  
 18 go ahead and I'll support the tabling for further  
 19 discussion.  
 20 Vote, please.  
 21 MS. PICHETTE: Vice-Chair Fitzpatrick.  
 22 VICE-CHAIR FITZPATRICK: Yes.  
 23 MS. PICHETTE: Shawn Fredrickson.  
 24 BOARD MEMBER FREDRICKSON: Yes.  
 25 MS. PICHETTE: Amber Henning.

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1 BOARD MEMBER HENNING: Yes.  
 2 MS. PICHETTE: Marianne Roose.  
 3 BOARD MEMBER ROOSE: Yes.  
 4 MS. PICHETTE: Tim Schaff.  
 5 BOARD MEMBER SCHAFF: Yes.  
 6 MS. PICHETTE: Veronica Small-Eastman.  
 7 BOARD MEMBER SMALL-EASTMAN: Yes.  
 8 MS. PICHETTE: Chairman Williams.  
 9 CHAIRMAN WILLIAMS: Yes.  
 10 Okay. Thank you. That's passed to table.  
 11 We have no other old business. This also gives the --  
 12 Now if the public has other comments to address the Board,  
 13 they're welcome to at this time.  
 14 Okay. Under Board Matters, we currently have a  
 15 meeting time scheduled for September the 20th for our next  
 16 meeting, and it's my suggestion to the Board that we meet  
 17 in Colstrip. And Colstrip would be glad to host the Board  
 18 for that meeting, and what I would do would be to set up a  
 19 visit with the coal company there, Westmoreland, and to do  
 20 a tour of the, of the mine and some projects that have  
 21 been funded within our community.  
 22 This is the 50-year celebration in Colstrip of Western  
 23 Energy's mine. That's the Rosebud Mine. And so that  
 24 would -- I'm sure that would kind of fit with some of the  
 25 discussions that they would share with the Coal Board.

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1 that's all right.  
 2 BOARD MEMBER FREDRICKSON: I can make the 20th  
 3 work.  
 4 CHAIRMAN WILLIAMS: Okay. Then that's what we  
 5 will do. We'll set it up for that period of time at  
 6 Colstrip. Okay with everybody?  
 7 Okay. And also, if the Board -- Are there any other  
 8 items to address to have on the agenda for the next  
 9 meeting? Are there any items that the Board would  
 10 request?  
 11 Okay. Hearing none, then we'll go with what we have  
 12 before us and with the new applicants at that time in  
 13 addition to those items that we have tabled at this  
 14 meeting.  
 15 Okay. Are there any other matters that need to come  
 16 before the attention of the Board?  
 17 Any other matters that the public would like to bring  
 18 up at this time?  
 19 Okay. Well, thank you all for coming. Appreciate  
 20 your being here. And thank you, Board Members and staff.  
 21 I'll adjourn the meeting.  
 22 (The proceedings concluded at 1:09 p.m.)  
 23  
 24  
 25

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1 Western Energy, from the time they began their mining --  
 2 most recent operation of mining in Colstrip, they will  
 3 have mined over 500 million ton of coal there.  
 4 So I could do something there in relationship to that  
 5 mine celebration and also request some discussions from  
 6 the, from the plant people. Though we may not be able to  
 7 tour that, we could have some discussions where they would  
 8 provide us information on all of the coal that has been  
 9 burned in Colstrip and what their future plans are for  
 10 their operating of those mines. I'd be glad to do that if  
 11 the Board would like for that to occur.  
 12 BOARD MEMBER FREDRICKSON: Mr. Chairman, I think  
 13 going down to Colstrip is a great idea. I would ask if  
 14 maybe we could move it to the week of September 13th, if  
 15 that is possible with -- a possible date with the other  
 16 board members.  
 17 BOARD MEMBER ROOSE: That works for me. Is that  
 18 within the guidelines?  
 19 CHAIRMAN WILLIAMS: We could. It doesn't work  
 20 for me. I'll be out of the country that day, so -- that  
 21 week. So earlier or later would be workable.  
 22 Other discussion on that from the Board?  
 23 BOARD MEMBER HENNING: Would it be possible to go  
 24 a week later?  
 25 BOARD MEMBER ROOSE: I can't go a week later, but

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COURT REPORTER'S CERTIFICATE

STATE OF MONTANA )  
 ss.  
 COUNTY OF LEWIS AND CLARK )

I, CHERYL ROMSA, Court Reporter, residing in Helena, Montana, do hereby certify:

That the foregoing proceedings were reported by me in shorthand and later transcribed into typewriting; and that the foregoing -117- pages constitute a true and accurate transcription of my stenotype notes of the proceedings.

DATED this 2nd day of August, 2018.

/s/Cheryl A. Romsa  
 CHERYL A. ROMSA

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