

West Great Falls Flood Control & Drainage District
PO Box 791, Great Falls, Mt 59403-0791
May 16, 2023
Commissioners' Meeting Minutes

Location of Meeting: Temple Baptist Church 313 18th St SW, Great Falls, Mt.

Call to Order: 7:03 PM by Commissioner Rogers.

Roll Call: Commissioner Rogers and Commissioner Lankford present. Janet Fulmer present.

Public Attendance: Judy Rogers, Sandy Mares, Trina Mans, Aspen Northerner, Dennis Croxford, Fred Fairhurst and Former Commissioner Eric Bailey.

Reading of Minutes: Minutes of April 18, 2023 approved as read.

Treasurer's Report: Operating fund balance \$480,703 Maintenance reserve fund balance \$37,851 Flood emergency fund balance \$24,474. Taxes receivable \$29,603.

Inspection Report: Commissioner Rogers stated that weather has dried up enough to get on the levee. Commissioner Rogers looked at the North end of the levy and noted that there are trees down on the access road on the river side. Also, that the top and east end of new fence that was put up by Hanna's place are down. Commissioner Rogers stated he will take staples and put back up.

Fencing Report: Commissioner Lankford said he talked to Dennis and they plan to go inspect fencing Friday afternoon. Commissioner Rogers and Fred Fairhurst are also attending.

Contract Status Report: Commissioner Rogers stated that district has signed contracts for the spraying with the Bug Doctor and mowing and weed control with Dr Lawn. Dr. Lawn stated that as soon as it is dry enough he will get on levee for spraying. Commissioner Rogers stated he has had no word from Dr. Lawn.

Snow Pack and Flood Forecast Report: Commissioner Lankford stated he took a boat ride to end of Gibson Sunday and said it should spill in next couple days.

Section 408 Status Report: Commissioner Rogers reported that the Flood Plan Administrator has thrown a wrench in the works and is requiring a full Hydrological Study of the Sun River. It is an estimated \$80,000 expense to the district. Right now Great West is going to get with DNRC and see if they will override that requirement. Commissioner opened the lake drain on the 8th and has been filling the lake until today and shut the gate. Another crest is due on Saturday and I will probably open the gate again on Friday.

Woody Vegetation: Commissioner Rogers has not been able to get a hold of Donnie Lighthouse. After inspection on Friday and contact Donnie on trees that need to be removed. Drainage structures are difficult to get to with so many trees growing up around them. Plan is to have Donnie clear a 20 foot path around all the drainage structures.

Flap Gate Re-coating Report: Commissioner Lankford reported that Mike Andre is super busy but will try to get a hold of Scott this weekend and go look. Will work with TNL Equipment is main issue.

Drainage Structure Repairs Report: Commissioner Rogers reported that nothing going on in that area right now. Work list that was approved at February meeting has been sent to Mike Andre. These were items on pipe inspection that needed to be fixed. We have not heard back from him yet.

Liability Insurance Application for Renewal Report: Commissioner Rogers reported that all the insurances are paid for and are good to go.

Worker Compensation Report: Initial payment has been made yesterday per Janet Fulmer. Scott Lankford asked about enclosed areas. Commissioner Rogers said he with Great West Friday to inspect the enclosed area on east Watson Coulee pipe per requirement of inspection report and they noted no change in past 3-5 years. Suggestion is to inspect between inspections. Great West will send district a report.

New Business: A motion was made and approved to appoint Fred L. Fairhurst as a commissioner of the West Great Falls Flood and Drainage District. After Fred L. Fairhurst read the Oath of Office he was appointed commissioner for Division C.

A motion was made to renew Janet Fulmer's contract for secretarial services, any comment. Janet Fulmer said it was up to the Commissioners. Scott Lankford said he had no problem renewing her contract. He said everything has to be run efficiently as it should have been in the past and it wasn't done completely the way it should have been done. He said he has no problem as long as it was done correctly in the future. Fred has no history at this point. Commissioner Rogers said that in response to Scott, that attempts were made during the past year but there was always a reason why reports were delayed and could not be completed in a timely manner. Janet felt that some of blame was on Commissioner Manzer also being the Chairperson at that time. Commissioner Fairhurst said there is always a statement of work associated with any contract and he asked Janet if she had a statement of work and what was expected of her. Janet replied yes. Scott asked her if in future she could fulfill the work on scheduled and on dates required. Janet replied yes. Commissioner Rogers feels Janet Fulmer is too busy with her other work duties to take care of District properly.

Commissioner Rogers asked for public comment:

Trina Mans said that Janet has stated several times that she was going to resign. Trina reminded Janet that she did not have the minutes done meeting after meeting and even denied Commissioner Rogers use of the checkbook when he asked. Trina told Janet that she works for the Commissioners they do not work for her.

Judy Rogers also said that Janet stated in the past that she did not want to continue working with district as Chairman Rogers was doing her work, which he did as Janet had not done it, and it was his fault. Janet said that she had told Sandy and Scott before that because of some of the conflicts that had been with the commissioner that resigned that there was a lot of history there and Janet said numerous times that she is not here for a particular commissioner she was here for the levee district. She felt that was where a lot of the fights and arguments and issues came from dealing with a particular chairperson too. Janet stated she did not have a problem doing the job.

Commissioner Rogers stated to Janet that she is are so quick to throw someone under the bus all the time. We need someone to come in here and be passionate about the district and get the job done.

Before the vote:

Commissioner Lankford asked Janet if she could do the work that is given to her. Janet said yes if could work with the commissioners. Commissioner Fairhurst asked Janet what would preclude that. He wanted to know in advance what would make it so Janet could not work with the commissioners. Janet said there wasn't anything. She has the phone that rings to her phone 24/7 if anyone calls. I check the mail everyday on my way home from work. I check email accounts and anytime emails come in I forward to all commissioners. Commissioner Fairhurst said what his question was what Janet said could do work as long as could work with us. Because I haven't been here, I would like some examples of how they did not work with you so I would know not to do that. Janet replied that trying to state something one commissioner wants and another commissioner wants a different way and me trying to just put the basics. There was so much BS over the last or maybe two years that made things bad.

In response to why commissioners did not have access to email accounts, Janet said that way back when someone decided to delete something so it was decided that she would be in charge and forward all emails as needed. Commissioner said one email was deleted in 2020. It was the treasurer's report. It was no big deal, just had to call the treasurer and get another report sent. This report would have been noticed as missing as numbers would not be available to put in report.

Commissioner said his issue is that Janet had said to several people that she could not work with Commissioner Rogers. I was mentioned that you felt you had to babysit the commissioners all the time. He told Janet it was not her job. We are the commissioners, we need to take care of ourselves, Janet said right.

Commissioner Fairhurst asked if in absence of a signed contract, is there a month-to-month provision. He remembers when this came up months ago and that was when Janet resigned for a short period. There was no notice to board then. Janet said that once she thought Commissioner Rogers wanted her to do the inspection which was the commissioner's job. Commissioner Rogers stated that he did not want her to do the inspection but to get him date from records.

Commissioner Rogers said if no further comment those in favor of renewing Janet's contract say yea, those opposed say nay, (Commissioner Lankford said he was not ready to make a decision yet). He felt everyone had a finger in the problems. He said he was voting yes and if she is willing to try to do and keep up the work he is ok. If she cannot the new commissioners will weed her out that way, I am sure of it.

Commissioner Fairhurst asked if there was a provision in the contract based on non-performance. Commissioner Fairhurst said if provision in contract for non-conformance, then he is willing to give her a chance.

Motion on contract was made to have secretary work without a contract for 30 day so commissioner can meet and go over and review previous contract. Approved
re child and pet

A motion (ed to put in)
talked about letter to send if gates left open per Fred

Former Commissioner, Eric Bailey said when he was commissioner they worked closely with Sheriff's Department. Numerous letters were sent and if ignored deputies went out. Commissioner Scott

Commissioner Lankford pointed that those with full access can go anywhere they are able to go to backside the levee because they are grandfathered in, Commissioner Rogers stated that they have a request from Angie Dickinson to use her water rights that she has never used and wants the district to pay for the gate. He feels it is not an expense of the district and asked Janet if she sent the letter. Janet said that Commissioner Manzer was talking to them. Commissioner Lankford said he did not think the district can dictate what gate can go in. There is a pipe through the levee that has not been used in 40 years. Ms Dickinson has not had the pipe inspected and does not have permission to put in any buildings on riverside. She would have to get permission from the DNRC to do that. Letter should emphasize what owners can do and not do.

Motion approved to continue as is with #3 deleted.

Public Comment: There was a provision for beaver trapping as beavers are a huge issue. Commissioner Fairhurst will coordinate this. Former Commissioner Eric Bailey said anyone with access to trap beavers needs to let the commissioners know when they are on the levee. Will keep complaints from home owners down. Have to have permission to take four wheeler but river access is preferred. There is a dock at Wadsworth Park. Dennis Croxford has no problem his property being used as long as he knows.

Invoices to be paid: Commissioner Lankford \$158.62, Commissioner Rogers \$158.62. Ooma April & May phone bill \$36.64, Montana State Fund, workers compensation \$206.30.

Date Approved _____ / _____ / _____

West Great Falls Flood Control and Drainage District

Chuck Rogers, Commissioner

Scott Lankford, Commissioner