

BROADWATER COUNTY COMMISSIONERS
515 Broadway, Townsend
Meetings are held at the Flynn Building on 416 Broadway St.

Current and previously recorded meetings, official agenda, and minutes may be viewed on the website at <https://www.broadwatercountymt.com>.

Per Montana Code Annotated (MCA) 2-3-202, agenda must include an item allowing public comment on any public matter that is not on the agenda of the meeting and that is within the jurisdiction of the agency conducting the meeting. Public comments and items not on the agenda will be taken either in writing before or in person at the beginning of the meeting. Mail and items for discussion and/or signature may occur as time allows during the meeting. Issues and times are subject to change. Working meetings will be posted on the agenda and will not be recorded.

OFFICIAL agendas are posted in the Courthouse (1st-floor bulletin board), on our website at www.broadwatercountymt.com, in the window of the Flynn Building at least 48 hours in advance of the meeting, and in the Helena Independent Record (IR).

Wednesday, May 17, 2023

- 10:00 AM** **Discussion/Decision, Ruby Taylor, Public Health Director, Master Contract Between the State of Montana, Department of Public Health and Human Services and Broadwater County; Task Order 24-07-4-31-301-0; \$4,719.00**
- 10:05 AM** **Discussion, Nichole Brown, Community Development & Planning Director, Vistas at Headwaters Subsequent Minor Subdivision, request preliminary plat approval**
- 10:35 AM** **Discussion/Decision, Jessica Erickson, Broadwater County Fair Manager, Fair Board Bylaws**

****REVISED****

- 3:00-5:00 PM** **Working Meetings; Department Budget Meetings**

Tuesday, May 23, 2023- Mark your calendar for this informative meeting

- 2:00 PM** **Public Meeting; Hear directly from MDT. Gino Liva, Butte District Operations Manager-MDT, and others will be there to give an update and answer your questions. This will also be live-streamed if you cannot make the meeting**

Items for Discussion / Action / Review / Signature – Consent Agenda

- ✓ Certificate of Survey review
- ✓ Management – on-going advisory board appointments
- ✓ Claims/Payroll/minutes

- ✓ County Audit / Budget
- ✓ Mail – ongoing grants
- ✓ Correspondence – support letters

Debi Randolph, Chairman (406) 266-9270 or (406) 980-2050
Darrel Folkvord, Vice Chairman (406) 266-9272 or (406) 980-1213
Lindsey Richtmyer (406) 266-9271 or (406) 521-0834
E-mail: commissioners@co.broadwater.mt.us

Future Meetings being held at the Flynn Building (416 Broadway)
(Please note: These meetings times/dates may change, please check the county website)

The Commissioners may be attending these board meetings (except the Planning Board)

- *Airport Board, Wednesday, May 17th at 7 PM*
- *LEPC Meeting, Thursday, May 18th at 1 PM*
- *Broadband Advisory Board Meeting, Thursday, May 18 at 4 PM*
- ***MDT Public Meeting, Tuesday, May 23 at 2 PM***
- *Broadband Advisory Meeting, Thursday, May 25th at 4 PM*

TASK ORDER NUMBER 24-07-4-31-103-0

**TO THE MASTER CONTRACT
EFFECTIVE JULY 1, 2019 TO JUNE 30, 2026
BETWEEN THE STATE OF MONTANA,
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES
AND BROADWATER COUNTY**

Immunization Program

SECTION 1. PARTIES

This Task Order is entered into between the Montana Department of Public Health and Human Services, ("Department"), P.O. Box 4210, Helena, Montana, 59620, Phone Number (406) 444-5623, Fax Number (406) 444-1970, and Broadwater County Health Department ("Contractor"), Federal ID Number 81-6001337 and 124 N Cedar, Townsend, MT 59644.

THE DEPARTMENT AND CONTRACTOR AGREE AS FOLLOWS:

SECTION 2. PURPOSE

The purpose of this Task Order is to reduce the burden of vaccine preventable disease within the Contractor's service area by ensuring the oversight and provision of immunization services for children, adolescents, and adults.

SECTION 3. TERM OF TASK ORDER

- A. The term of this Task Order for the purpose of delivery of services is from 07/01/2023 through 06/30/2024.
- B. Each Party, after expiration or termination of this Task Order, remain subject to and obligated to comply with all legal and continuing contractual obligations arising in relation to its duties and responsibilities that may arise under the Task Order including, but not limited to, record retention, audits, indemnification, insurance, the protection of confidential information, and property ownership and use.

SECTION 4. SERVICES TO BE PROVIDED AND SCOPE OF WORK

- A. The Contractor agrees to provide the following services:
 - 1. Provide and/or coordinate the delivery of immunization services, when requested, to children, adolescents, and adults per standing orders/facility medical protocol.
 - a) Report quarter 1, on the Clinic Information form, (Attachment A) when your immunization clinic is available to provide vaccines. Include the day(s) of the week and times immunization clinics are offered and if your clinic allows for walk-ins. Provide a description of any off-site clinics your jurisdiction may hold throughout the year for the public, for example, school or influenza clinics.

2. Obtain and maintain staff proficiency in the imMTrax application by:
 - a) Updating and maintaining immunization records in the statewide Immunization Information System (IIS), imMTrax.
 - b) Ensuring all employees requiring imMTrax access complete the appropriate Access Request forms and agreements.
 - c) Ensuring all employees requiring imMTrax access complete training/updates applicable to their user role. DPHHS offers training throughout the year through a variety of media including in-person trainings and webinars.
 - d) Ensuring a minimum of one employee is trained in and obtains an imMTrax access level that includes the ability to merge client records.
 - e) Providing accurate and timely documentation of staffing changes resulting in imMTrax user deletion or adjustments in user role as outlined in imMTrax IIS Memorandum of Agreement.
- 3) Assess immunization records for required vaccinations for children enrolled in a licensed childcare facility and notify childcare providers of children enrolled without proper documentation of immunizations as outlined in A.R.M. 37.95.140.
 - a) Childcare facility reviews should be conducted on-site, at a minimum of 60% of all facilities (jurisdictions with 150 or more total facilities, should visit 50% of all childcares) including 100% of licensed childcare centers. If a facility is not 100% compliant, reviewer will implement follow-up procedure. Facilities not assessed in the year previous, should be assessed in this contract year. Completed reviews are to be submitted to DPHHS within 10 working days of completion via the online childcare reporting system.
- 4) As appropriate, provide assistance to schools, upon request, regarding school immunization requirements.
- 5) Collaborate with your local Women, Infants and Children Program (WIC) throughout the contract period to ensure WIC clients are up to date with Advisory Committee on Immunization Practices (ACIP) recommended vaccinations.

Suggested activities may include, but are not limited to:

- a) Checking the immunization status of children prior to the WIC visit;
- b) Providing immunization services and/or recall/reminder notices for the parents.

Report quarterly, on the WIC Collaboration Form (Attachment B), describing how your county collaborates with the WIC program in your area during first quarter or if it changes throughout the year. Each quarter please provide us with the total number of WIC clients assessed, total number of records reviewed, how many were up to date, how many were not up to date, how many of those you immunized with that quarter, total of records not available, and any highlights that your county is doing currently.

- 6) Select at least one quality improvement (QI) project listed below to complete over the next contract year. These strategies are designed to increase on-time vaccination of children and adolescents. The strategy selected should be something new or an enhancement of an existing strategy you are currently using.

Strategies could include:

- a) Schedule the next visit before the patient leaves the office;
 - i. Examples: Consider scheduling the next visit prior to administering vaccines; scheduling the next visit even if client is unsure they can make the appointment and they can reschedule if necessary; train multiple people to schedule appointments; having the vaccinator schedule from the treatment room if the front desk is too busy with new clients.
- b) Leverage IIS functionality to improve immunization practice;
 - i. Examples: Use imMTrax tools including coverage rate, recall/reminder, and/or manage population reports.
- c) Give a strong vaccine recommendation (including HPV) and vaccine conversations;
 - i. Examples: Use resources designed to guide you and your staff with conversational techniques for discussing vaccines with parents: talking to parents about vaccines; HPV resources.
- d) Strengthen Vaccination Communications
 - i. Examples: Develop a vaccination policy/statement for patients; look for posters, social medial posts, etc. for addressing the community; share specific vaccine information with parents of children and/or teens.
- e) Custom quality improvement activity
 - i. Example: Develop a county specific vaccine QI strategy/project to increase on-time or catch-up vaccination of children and adolescents.

Report quarterly, on the Quality Improvement Form (Attachment C), what quality improvement project has been selected from the list of strategies; summarize the status of what is happening in your office i.e., what you are doing now. Summarize opportunities for improvement i.e., what you would like to do to improve; describe action items i.e. who is assigned to review, train, implement each aspect of the strategy with dates and specific action items.

- 7) Develop partnerships in your jurisdiction through education and outreach to clinics and the public.

Examples may include, but are not limited to:

- a) Offer education programs created and provided by the Montana Immunization Program;
- b) Offer vaccines at non-routine immunization clinics such as clinics at schools or sports physicals;

- c) Collaborate with private clinics, other public health programs, community-based organizations, and other stakeholders to promote immunizations in your jurisdiction;
 - i. Collaborate with cancer prevention partners to promote HPV vaccination;
 - ii. Collaborate with other immunization clinics in your jurisdiction to provide immunization education materials for pregnant women and their infants.
- d) Partner in your community to offer incentives within your jurisdiction.

Report quarterly, on the Promote Partnerships and Vaccination Services Form (Attachment D) what activities were implemented and include information on how many people attended trainings, meetings, and/or how many were vaccinated.

- 8) Collaborate with local Public Health Emergency Preparedness (PHEP) program personnel, as appropriate, to improve and maintain community preparedness for influenza and other vaccine preventable disease pandemic responses by:
 - a) Collaborating with PHEP partners to assist in the completion of immunization specific deliverables as described in the PHEP contract.
 - i. IZ1 - Report the number of off-site influenza clinics conducted and doses of influenza administered. Due quarterly.
 - ii. IZ2 - Provide a list of influenza vaccine partner meetings, planning meetings, or influenza messaging activities. If promotional materials were used, indicate types used. Due quarterly.
 - iii. CM1- Off-site Influenza Point of Dispensing (POD) Vaccination Clinic; includes conducting off-site influenza vaccination clinic as a POD exercise the following your emergency medical countermeasures plan, completing the Checklist of Best Practices for Vaccination Clinic Held at Satellite, Temporary, or Off-Site Locations, and implanting population ground screening questions. Due Quarter 2.
 - b) Maintain a list of all complementary immunization providers in your jurisdiction (pharmacies).

Report Quarter Four, on the Complementary Immunization Providers (Attachment E).

- 9) Upload all Immunization Action Plan (IAP) attachments to the correct folder in the *IAP Quarterly Deliverables* Library through a web application made available by DPHHS within 15 days after the end of each quarter.

B. The Department agrees to do the following: Provide allocation of funds based upon the required activities.

- 1) Provide allocation of funds based upon the required activities.
- 2) Provide Contractor training, technical assistance, and help desk support for imMTrax.
- 3) Provide to the Contractor, via website and/or secure means:
 - a) Lists of childcare facilities;
 - b) Childcare review form worksheet;
 - c) List of WIC clinic;
 - d) List of VFC clinics;

- e) Reports regarding the immunization status of children in your county and/or seen at your clinic.
- 4) On a quarterly basis, reimburse the Contractor for expenditures up to the limit of this Task Order for immunization activities described above, once activities have been submitted by the contractor and reviewed by DPHHS.
- 5) Provide guidelines, templates, formats, and requirement criteria for each activity required. Forms and templates will be available through a web application provided by DPHHS.
- 6) Provide training and technical assistance on immunization practices through a variety of training resources.
- 7) Communicate regularly with the Contractor through monthly conference calls, telephone, e-mail, and fax as necessary to enable the Contractor to complete Task Order requirements.
- 8) To the extent resources and time allow, provide on-site technical assistance concerning immunization services.

SECTION 5. CONSIDERATION, PAYMENTS, AND PROGRESS PAYMENTS

- A. In consideration of the services provided through this Task Order, the Department will pay the Contractor a total of \$6,870.00 as follows:

Quarterly payments, for 25% of the total contract award, will be made upon receipt of completed progress reports indicating completion of all activities listed in SECTION 4.

- B. All progress reports must be received by the Department no later than 15 days following the end date of each quarter. Payments will be issued upon review and approval of the progress reports.
- C. The completion date of performance for purposes of issuance of final payment for services is the date upon which the Contractor submits to the Department such final reports as are required under this Task Order and are satisfactory in form and content as determined by the Department.

SECTION 6. SOURCE OF FUNDS AND FUNDING CONDITIONS

The sources of the funding for this Task Order are \$4,719.00 from 93.268 and \$2,151.00 from special state.

SECTION 7. 2 CFR 200 REQUIREMENTS

The following information may be required pursuant to 2 CFR 200:

1. Sub recipient name: Broadwater County Health Department
2. Sub recipient Unique Entity Identifier: ENMTASEFELN8
3. FAIN number: NH231P922574
4. Federal award date: To be provided at a later date
5. Federal award start and end date: 07/01/2023-06/30/2024
6. Total amount of funds obligated with this action: \$4,719.00
7. Amount of funds obligated to sub recipient: \$4,719.00

8. Total amount of the federal award: \$4,719.00
9. Project description: CDC-RFA-IP19-1901 Immunization and Vaccines for Children - COVID 19 vaccination planning and implementation
10. Awarding agency/pass-through entity/contact info: CDC/PHSD Immunization Program. Trisha Gardner, trisha.gardner@mt.gov 406-444-2675.
11. CFDA number/name: 93.268/ Immunization Cooperative Agreement
12. Research and Development: No
13. Indirect cost rate: NA

SECTION 8. TERMINATION

Either party may terminate this Task Order in accordance with the Master Contract.

SECTION 9. LIAISON AND SERVICE OF NOTICES

- A. Trisha Gardner, or their successor, will be the liaison for the Department. Contact information is as follows:

Trisha Gardner
DPHHS Immunization Program
P O Box 202951
Helena, MT 59601
Phone Number (406) 444-2675
Fax Number (406) 444-2920
trisha.gardner@mt.gov

Diane Thorne, or their successor, will be the liaison for the Contractor. Contact information is as follows:

Diane Thorne
Broadwater County Health Department
124 N Cedar
Townsend, MT 59644
Phone Number (406) 266-5209
Fax Number (406) 266-3940
dthorne@co.broadwater.mt.us

These above referenced liaisons serve as the primary contacts between the parties regarding the performance of this Task Order. The State's liaison and Contractor's liaison may be changed by written notice to the other party.

- B. Written notices, reports and other information required to be exchanged between the parties must be directed to the liaison at the parties' addresses set out in this Task Order.

SECTION 10. FEDERAL REQUIREMENTS

The Contractor agrees that they will comply with all federal statutes and regulations in providing services and receiving compensation under this Task Order. The Contractor acknowledges that there are certain federal statutes and reporting requirements that must be followed whenever certain federal funds are used. It is the Contractor's responsibility to comply with all federal laws and reporting requirements.

Contractor certifies, by signing this contract, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. In the event your company is debarred from engaging in any state or federal contracts, your contract will be terminated.

SECTION 11. DEPARTMENT GUIDANCE

The Contractor may request from the Department guidance in administrative and programmatic matters that are necessary to the Contractor's performance. The Department may provide such guidance as it determines is appropriate. Guidance may include providing copies of regulations, statutes, standards, and policies that are to be complied with under this Task Order. The Department may supply essential interpretations of such materials and this Task Order to assist with compliance by the Contractor. The Contractor is not relieved by a request for guidance of any obligation to meet the requirements of this Task Order. Legal services will not be provided by the Department to the Contractor in any matters relating to the Task Order's performance under this Task Order.

SECTION 12. INFORMAL DISPUTE RESOLUTION PROCEDURES

In addition to the Choice of Law and Remedies in the Master Contract, the Contractor may provide written request for resolution about any disagreement about the Task Order to the PHSD Administrator Todd Harwell, Phone Number (406) 444-0303, Fax Number (406) 444-6943, tharwell@mt.gov with a copy to Director Charlie Brereton, Phone Number (406) 444-5623, Fax Number (406) 444-1970, Charles.brereton@mt.gov.

SECTION 13. PUBLIC INFORMATION AND DISCLAIMERS

- A. The Contractor may not access or use personal, confidential, or privileged information obtained through the Department, its agents, and contractors, unless the Contractor does so:
1. in conformity with governing legal authorities and policies;
 2. with the permission of the persons or entities from whom the information is to be obtained; and
 3. with the review and approval by the Department prior to use, publication, or release.

Privileged information includes information and data the Department, its agents and contractors produce, compile, or receive for state and local contractual efforts, including those local and state programs with which the Department contracts to engage in activities related to the purposes of this Task Order.

- B. The Contractor may not use monies under this Task Order to pay for media, publicity, or advertising that in any way associates the services or performance of the Contractor or the Department under this Task Order with any specific political agenda, political party, a candidate for public office, or any matter to be voted upon by the public. Media includes but is not limited to commercial and noncommercial print, verbal, and electronic media.
- C. The Contractor must inform any people to whom it provides consultation or training services under this Task Order that any opinions expressed do not necessarily represent the position of the Department. When using non-federal funds from this Task Order, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the

services and activities funded with this Task Order prepared and released by the Contractor must include the statement:

"This project is funded in whole or in part under a Contract with the Montana Department of Public Health and Human Services. The statements herein do not necessarily reflect the opinion of the Department."

- D. The Contractor must state the percentage and the monetary amount of the total program or project costs of this Task Order funded with (a) federal monies and (b) non-federal monies in all statements, press releases, and other documents or media pieces made available to the public describing the services provided through this Task Order.

"For contracts funded in whole or part with federally appropriated monies received through programs administered by the U.S. Department of Health & Human Services, Education or Labor. Section 503 of H.R. 3288, "Consolidated Appropriations Act, Division D, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010", Pub. L. No. 111-117, and in H.R. 1473, "Department" Of Defense And Full-Year Continuing Appropriations Act, 2011", Title I – General Provisions, Sec. 1101, Pub. L. 112-10, and as may be provided by congressional continuing resolutions or further budgetary enactments."

- E. When using federal funds from this Task Order, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Task Order prepared and released by the Contractor must include the following statement or its equivalent and must be approved by the Department liaison, prior to use, publication and release.

*"This project is funded in part **AND/OR** in whole by grant number(s) Insert Grant Number(s) from the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services and from the Montana Department of Public Health and Human Services. The contents herein do not necessarily reflect the official views and policies of the U.S. Department of Health and Human Services or the Montana Department of Public Health and Human Services."*

- F. Before the Contractor uses, publishes, releases, or distributes them to the public or to local and state programs, the Department must review and approve all products, materials, documents, publications, press releases and media pieces (in any form, including electronic) the Contractor or its agents produce with task order monies to describe and promote services provided through this Task Order.

SECTION 14. SCOPE OF TASK ORDER

This Task Order consists of 9 numbered pages and the following Attachments:

- Attachment A: WIC Collaboration
- Attachment B: Quality Improvement
- Attachment C: Promote Partnerships
- Attachment D: Vaccination Services
- Attachment E: Complementary Immunization Providers Administering Influenza Vaccine

All of the provisions of the Master Contract are incorporated into and are controlling as to this Task Order. In the case of a material conflict, a dispute, or confusing language between this Task Order and Master Contract the Master Contract shall control. This Task Order does not stand alone. If Master Contract lapses, so does this Task Order. The original Task Order will be retained by the Department. A copy of the original has the same force and effect for all purposes as the original. This is the entire Task Order between the parties.

SECTION 15. AUTHORITY TO EXECUTE

Each of the parties represents and warrants that this Task Order is entered into and executed by the person so authorized to bind the party to the provisions of this Task Order and the Master Contract.

IN WITNESS THEREOF, the parties through their authorized agents have executed this Task Order on the dates set out below:

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

BY: _____
Todd Harwell, Administrator

Date: _____

CONTRACTOR, BROADWATER

BY: _____
Broadwater County Commissioner

Date: _____

ATTACHMENT A To Task Order No. 24-07-4-31-103-0

Clinic Information Form

Provide and/or coordinate the delivery of immunization services, when requested, to children, adolescents, and adults per standing orders/facility medical protocol.

County Name:

Provide when your immunization clinic is available to provide vaccines. Include the day(s) of the week and times immunization clinics are offered and if your clinic allows for walk-ins.

Days of the week	Vaccination Clinic Hours	Type of services offered
		Walk-in only
		Appointment only
		Both walk-in and appointments

Provide a description of any off-site clinics your jurisdiction may hold throughout the year to the public, for example at schools or during influenza season.

Example:
School based clinic conducted in October.
Influenza drive up clinic in November.
School clinics twice a year.

ATTACHMENT B To Task Order No. 24-07-4-31-103-0

WIC Collaboration

Collaborate with your local Women, Infants and Children Program (WIC) throughout the contract period to ensure WIC clients are up to date with Advisory Committee on Immunization Practices (ACIP) recommended vaccinations. Suggested activities may include, but are not limited to: Checking the immunization status of children prior to the WIC visit; providing immunization services and/or recall/reminder notices for the parents.

County Name:

Provide a narrative describing how your county collaborates with the WIC program in your area during first quarter or if it changes throughout the year. Each quarter please provide us with the total of WIC patients assessed, total number of records reviewed, how many were up-to-date, how many were not up-to-date, how many of those you immunized with that quarter, how many records not available, and any highlights that your county is doing currently.

My County Does Not Provide WIC Services and this is provided by _____.

Quarter 1, Quarter 2, Quarter 3, Quarter 4					
# <u>of</u> WIC patients assessed	# <u>of</u> Records Reviewed	# <u>Up-to-Date</u>	# NOT <u>up-to-date</u>	# Immunized in the Qtr.	# <u>of</u> Records not available
<input style="width: 20px; height: 20px;" type="text" value="1"/>	<input style="width: 20px; height: 20px;" type="text" value="2"/>				<input style="width: 20px; height: 20px;" type="text" value="3"/>

ATTACHMENT C To Task Order No. 24-07-4-31-103-0

Quality Improvement



**Quality Improvement Form
Attachment C**

IAP Contract Language Section 2.A.6: Select at least one quality improvement (QI) project listed below to complete over the next contract year. These strategies are designed to increase on-time vaccination of children and adolescents. The strategy selected should be something new or an enhancement of an existing strategy you are currently using. Strategies could include: Schedule the next visit before the patient leaves the office; Examples: consider scheduling the next visit prior to administering vaccines; scheduling the next visit even if client is unsure they can make the appointment and they can reschedule if necessary; train multiple people to schedule appointments; Having the vaccinator schedule from the treatment room if the front desk is too busy with new clients. Leverage IIS functionality to improve immunization practice; Examples: Use imMTrax tools including coverage rate, recall/reminder, and/or manage population reports. Give a strong vaccine recommendation (including HPV) and vaccine conversations; Examples: Use resources designed to guide you and your staff with conversational techniques for discussing vaccines with parents: talking to parents about vaccines; HPV resources. Strengthen Vaccination Communications; Examples: Develop a vaccination policy/statement for patients; look for posters, social medial posts, etc. for addressing the community; share specific vaccine information with parents of children and/or teens. Custom quality improvement activity; Example: Develop a county specific vaccine QI strategy/project to increase on-time or catch-up vaccination of children and adolescents.

County Name:

Report quarterly, on the Quality Improvement Form (Attachment C), what quality improvement project has been selected from the list of strategies; summarize the status of what is happening in your office i.e. what you are doing now. Summarize opportunities for improvement i.e. what you would like to do to improve; describe action items i.e. who is assigned to review, train, implement each aspect of the strategy with dates and specific action items.

QI Strategy	
Summarize this strategy's current implementation status	
Summarize existing gaps/limitations and opportunities for improvement in the current implementation of this strategy	
Describe action items for this strategy/develop a plan (i.e., implementation/improvement steps) Short bullets recommended. <ul style="list-style-type: none"> ▪ Brief description of task [assigned staff: target date] 	

ATTACHMENT D To Task Order No. 24-07-4-31-103-0

Promote Partnerships and Vaccination Services

Develop partnerships in your jurisdiction through education and outreach to clinics and the public. Examples may include, but are not limited to: Offer the education program created and provided by the Montana Immunization Program; Offer vaccines at non-routine immunization clinics such as clinics at schools or sports physicals; Collaborate with private clinics, other public health programs, community-based organizations, and other stakeholders to promote immunizations in your jurisdiction; Collaborate with cancer prevention partners to promote HPV vaccination; Collaborate with other immunization clinics in your jurisdiction to provide immunization education materials for pregnant women and their infants. Partner in your community to offer incentives within your jurisdiction.

County Name:

Report quarterly, on the Promote Partnerships and Vaccination Services Form (Attachment D) what activities were implemented and include information on how many people attended trainings, meetings, and/or how many were vaccinated.

Quarter 1
Quarter 2
Quarter 3
Quarter 4

ATTACHMENT E To Task Order No. 24-07-4-31-103-0

Complementary Immunization Providers

Check here if there are no pharmacies in your county.

Name of Pharmacy	Point of Contact	Phone #	Address	Type of Pharmacy	Does the pharmacy offer flu vaccination?	Additional Comments
EXAMPLE	JOHN DOE	+++++	1234 Main Street	Chain, Supermarket, Mass Merchant, or Independent	Yes, No, Unknown	
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FINDINGS OF FACT AND ORDER REPORT

VISTAS AT HEADWATERS SUBSEQUENT MINOR SUBDIVISION

To: Broadwater County Planning Board
From: Nichole Brown, Broadwater County Community Development Director
Subject: A proposed subdivision to be known as **Vistas at Headwaters Subsequent Minor Subdivision**

GENERAL INFORMATION

Date of Application: November 2, 2022
Date of Sufficiency: March 9, 2023
Review Period Ends: June 2, 2023

APPLICANT: Headwaters Investments, LLC
347 S Ferguson Ave
Bozeman, MT 59718

APPLICANTS' REPRESENTATIVE: Alpine Surveying and Engineering
714 Stoneridge Drive, Suite 3
Bozeman, MT 59718

LEGAL DESCRIPTION: Situated in the Section 16, Township 2 North, Range 1 East, Broadwater County, Montana

GENERAL LOCATION: The proposed subdivision is situated off of US Highway 287, approximately thirty (30) miles south of the city of Townsend, Montana and approximately .85 miles north of the US Highway 287/I-90 Interchange.

I. EXECUTIVE SUMMARY:

The developers intend to create five (5) lots from an existing 25.175 acre parcel. The minimum lot size proposed is 1.0 acre and the maximum lot size proposed is 11.628 acres. Water and wastewater services will be provided via connection to the Headwaters Utility District and individual wells. The property has already been annexed into the district. The future system will be required to undergo review and approval through DEQ and the Broadwater County Environmental Health Department. Fire protection will be provided by the Three Forks Fire District. The Headwaters Utility District is proposing fire hydrants throughout the district, which includes these proposed five (5) lots. Access will be provided onto US Highway 287 via the proposed internal road network consisting of three internal subdivision roads.

II. REQUEST:

Approval of a 5-lot Subsequent Minor Subdivision for Commercial or Industrial purposes.

III. STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Vistas at Headwaters Subsequent Minor Subdivision Preliminary Plat subject to the conditions of approval based on the recommended findings of fact included in the Staff Report.

IV. LOCATION:

The proposed subdivision is located west of US Highway 287 in the Section 6, T2N, R1E, P.M.M., Broadwater County, Montana.

V. EXISTING DEVELOPMENT AND USES:

The property is generally flat unirrigated land and has previously been unused and vacant. However, most recently the Headwaters Utility District has been actively installing water and sewer lines to serve the future development within the district.

VI. ADJACENT LAND USES:

North: Commercial and Residential Subdivision
South: Commercial
East: Commercial
West: Agricultural

VII. PUBLIC COMMENT:

To date, no public comment has been received.

VIII. PROJECT BACKGROUND

Water is proposed to be provided via individual wells. The plans for are subject to review and approval by the Montana Department of Environmental Quality (DEQ), and the Broadwater County Environmental Health Office.

Wastewater treatment for the proposed development is proposed to be provided via connection to the Headwaters Utility District. The plans for the Headwaters Utility District are subject to review and approval by the Montana Department of Environmental Quality (DEQ), and the Broadwater County Environmental Health Office.

The Applicant is proposing to use the fire hydrants to be installed as part of the Headwaters Utility District plan. The Three Forks Rural Fire District will provide fire protection services to this development.

Access will be off of US Highway 287 connecting to the proposed internal loop road system consisting of three (3) internal subdivision roads. All internal roads will be built to Broadwater County Subdivision Road Standards.

IX. STAFF ANALYSIS

Compliance:

The proposed subdivision is located within the Wheatland Targeted Economic Development District (TEDD). Montana statutes require that a TEDD be zoned in accordance with the County Growth Policy Plan. Broadwater County simultaneously created a zoning district with the same

boundary as the TEDD. This subdivision will not violate any zoning regulations. The only use not allowable is dwellings.

X. CRITERIA FOR REVIEW

In accordance with 76-3-608(3), MCA a subdivision proposal must undergo review for impacts on the following primary criteria; 1. Agriculture; 2. Agricultural water user facilities; 3. Local services (water, wastewater, solid waste, utilities, roads, traffic, schools, emergency services and parkland); 4. The natural environment; 5. Wildlife; 6. Wildlife habitat; 7. Public health and safety; 8. Compliance with the County's Subdivision Regulations; 9. Compliance with survey requirements; 10. The provision of easements within and to the proposed subdivision for the location and installation of any planned utilities; and 11. The provision of legal and physical access to each parcel within the proposed subdivision. Listed below are the Findings of Fact and Conclusions regarding each primary criterion.

FINDINGS OF FACT AND CONCLUSIONS:

IMPACTS ON AGRICULTURE

FINDINGS OF FACT REGARDING IMPACTS ON AGRICULTURE:

1. Per Chapter V-A of the Broadwater County Subdivision Regulations, all subdivisions must be designed and developed to provide satisfactory building sites that properly relate to topography, and must, to the extent possible, preserve the natural environment.

The proposed subdivision property is generally level and thus provides good building sites that will minimize the flow of stormwater and therefore minimize soil erosion that might occur due to the construction of buildings and associated infrastructure, which could negatively affect agriculture.

2. Per Chapter V-N-d of the Broadwater County Subdivision Regulations, the subdivider shall show on the preliminary plat ditch easements for the unobstructed use and maintenance of existing water delivery ditches and facilities as necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundary that are consistent with historic and legal rights.

The subject property is not located near any irrigation ditches or canals.

Conditions of approval for the proposed subdivision will require a Noxious Weed Management Plan be on file and recorded with the final plat; Restrictive covenants providing notice of agricultural operations in the vicinity; That the property shall be maintained in a weed-free manner; and restraining domestic pets on the property. Other conditions of approval will provide the opportunity to financially guarantee any improvements required by the Weed Management Plan.

Conditions of Approval Numbers 2, 10-c, 10-g, and 10-h are required to mitigate impacts on agriculture. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts to agriculture, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON AGRICULTURAL WATER USERS

FINDINGS OF FACT REGARDING AGRICULTURAL WATER USERS:

1. Per Chapter V-N-d of the Broadwater County Subdivision Regulations, the subdivider shall show on the preliminary plat ditch easements for the unobstructed use and maintenance of existing water delivery ditches and facilities as necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundary that are consistent with historic and legal rights.

The subject property is not located near any irrigation ditches or canals.

Conditions of Approval Numbers 10-c, 10-g and 10-h are required to mitigate impacts on agriculture. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts to agricultural water user facilities, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON LOCAL SERVICES

FINDINGS OF FACT REGARDING WATER & WASTEWATER:

1. Per Chapter I-C-7, 8, 9, 10, 11 and 13 of the Broadwater County Subdivision Regulations, the purposes of these regulations are to promote the public health, safety, and general welfare by regulating the subdivision of land; the provision of adequate transportation, water, drainage and sanitary facilities; the avoidance of subdivisions which would involve unnecessary environmental degradation; the avoidance of danger or injury by reason of natural hazard or the lack of water and drainage; and the avoidance of excessive expenditure of public funds for the supply of public improvements and services.

The proposed lots will be served by the Headwaters Utility District. The plans for the district are subject to review and approval by MT Department of Environmental Quality and the Broadwater County Environmental Health Department.

2. Per Chapter V-C of the Broadwater County Subdivision Regulations, the governing body may find land to unsuitable for subdivision because of potential hazards identified during the subdivision review process. These lands must not be subdivided unless the hazards are eliminated or will be mitigated by approved design and constructions plans. Examples of hazards that could render property unsuitable for subdivision or require mitigation include (but are not limited to) the following: polluted or non-potable water supply.

According to the preliminary plat application all lots in this development will be served by individual wells. A letter from the Department of Natural Resources and Conservation (DNRC) evaluating the amount of water proposed to be utilized by these 5 commercial lots is included in the preliminary plat application as Appendix 29. DNRC and MDEQ will need to approve the use of exempt wells for commercial purposes on each of the proposed 5 parcels.

3. Per Chapter V-K of the Broadwater County Subdivision Regulations, all water systems may be subject to approval by the governing body. Water systems required by the governing body shall meet the minimum requirements of the local reviewing authority, MDEQ and the MT Department of Natural Resources and Conservation. Where the subdivision is within the service area of a public water supply system the subdivider must install complete water system facilities in accordance with the requirements of the jurisdiction involved and to the MDEQ and must obtain their approvals prior to undertaking any construction.

The location of all individual wells will be approved by DEQ prior to final plat approval of the subdivision.

4. Per Chapter V-L of the Broadwater County Subdivision Regulations, all wastewater systems may be subject to the approval of the governing body. Where the subdivision is within the service area of a municipal or public sanitary sewer system, the subdivider must install complete sanitary sewer system facilities in accordance with the requirements of the jurisdiction involved and the DEQ. The subdivider must submit plans and specifications for the proposed facilities to the jurisdiction involved and to the DEQ and must obtain their approvals prior to undertaking any construction.

The public utility system, Headwaters Utility District, will be approved and installed prior to final plat approval of the subdivision

Condition of Approval Number 1 is required to mitigate impacts to water and wastewater under local services. (A full list of the Conditions of Approval is found starting on page number 13)

FINDINGS OF FACT REGARDING SOLID WASTE:

1. Requirements for solid waste collection and disposal must be in compliance with Chapter I-G of the Broadwater County Subdivision Regulations.

Contract collection and disposal of solid waste is available and contracting with a solid waste provider will be the responsibility of the property owners.

No conditions of approval are required to mitigate impacts to solid waste under local services.

FINDINGS OF FACT REGARDING MAIL DELIVERY:

1. Mail collection and delivery shall be in compliance with Chapter V-I of the Broadwater County Subdivision Regulations.

The applicant will be required to work with the Three Forks Post Office for mail delivery.

Condition of Approval Number 8 is required to mitigate impacts on mail delivery under local services. (A full list of the Conditions of Approval is found starting page number 13)

FINDINGS OF FACT REGARDING UTILITIES:

1. Per Chapter V-H-c-iii of the Broadwater County Subdivision Regulations, developing subdivisions shall provide access and utility easements to adjoining lands when access to those land must pass through the subdivision.

The preliminary plat indicates utility easements are within the subdivision roadway easement system.

2. The installation of utilities shall be in compliance with Chapter V-M of the Broadwater County Subdivision Regulations

According to the preliminary plat application, utility services will be provided by Northwestern Energy, Vigilante Electric, Spectrum and Qwest. All utilities will be placed underground within the rights-of-way. The preliminary plat has been submitted to the utility companies for their review. The development is proposed in an established commercial corridor.

Condition of Approval Number 9 is required to mitigate impacts on utilities under local services. (A full list of the Conditions of Approval is found starting on page number 13)

FINDINGS OF FACT REGARDING ROADS AND TRAFFIC:

1. Per Chapter V-H of the Broadwater County Subdivision Regulations, roads located within a subdivision shall meet the appropriate road design standards of the regulations.

Internal subdivision roads will meet Broadwater County Road Standards for the Road Standard indicated necessary by the developer's Traffic Impact Analysis.

2. The proposed subdivision shall be in compliance with Chapter V-H-a-ii of the Broadwater County Subdivision Regulations to address impacts to adjacent offsite roads.

Access to the subdivision internal roads will be via US Highway 287. All state and county road encroachment permits will be finalized prior to any road construction. Modifications to US Highway 287 may be required based on MT Department of Transportation approach permit requirements.

3. Per Chapter V-H-b of the Broadwater County Subdivision Regulations, the subdivider shall establish a new Rural Improvement District (RID) prior to final plat approval to provide funds for ongoing maintenance for all new public improvements associated with the

subdivision.

An RID will need to be created that includes all lots within the proposed subdivision that will address the maintenance, preservation and repair of the internal access roads.

4. Per Chapter V-H-c of the Broadwater County Subdivision Regulations, the arrangement, type, extent, width, grade, materials and location of all roadways shall be considered in their relationship to existing and planned streets and roads, to topographical conditions, maintenance considerations, the delivery of emergency services, to public convenience and safety, in their relation to the proposed uses of the land to be served by them, and to impacted lands outside the subdivision.

An internal road system is proposed for this development. The roads will need to be certified as meeting County Subdivision Road Standards by a professional engineer.

5. Per Chapter V-H-c-xi of the Broadwater County Subdivision Regulations, all road names shall be reviewed and approved by the County Planner. All road name signs and traffic control signs shall be installed by the subdivider.

Road names for the new roads must be submitted to the Community Development Director for review and approval, and road names shall be shown on the final plat and all other documents of the proposed subdivision. All traffic control signs shall be installed in accordance with the approved plans and specifications.

Conditions of Approval Numbers 4, 5, 6, 7, 9, 10-b, 11, 12 and 13 are required to mitigate impacts on roads and traffic under local services. (A full list of the Conditions of Approval is found starting on page number 13)

FINDINGS OF FACT REGARDING SCHOOLS:

1. The proposed subdivision is located in the Three Forks School District. Since this is proposed as a commercial/industrial development it will not generate any school aged children. According to the preliminary plat application, the impact on the schools will be nonexistent. Also, bussing turnarounds are not required.

No Conditions of Approval are required to mitigate any impacts to schools under local services.

FINDINGS OF FACT REGARDING EMERGENCY SERVICES:

1. Per Chapter V-C of the Broadwater County Subdivision Regulations, the governing body may find land to be unsuitable for subdivision because of potential hazards. These lands must not be subdivided unless the hazards are eliminated or will be mitigated by approved design and construction plans. Examples of hazards that could render property unsuitable for subdivision or require mitigation include (but are not limited to) the following: high potential for wildfire or vehicular traffic hazards.

The Broadwater County Sheriff's Office will provide law enforcement services, with the potential for assistance from Gallatin County Sheriff's Office. Three Forks Ambulance will provide emergency medical and ambulance services. Fire protection will come from Three Forks Rural Fire District.

The posting of valid physical addresses will benefit emergency providers responding to an event.

The proposed subdivision will utilize emergency water from the Headwaters Utility District. The water and sewer district is proposing fire hydrants throughout the district. The fire hydrants will supply fire flow for each of the proposed lots.

2. Per Chapter V-Q of the Broadwater County Subdivision Regulations, a fire plan will be created with the Fire Protection Authority (FPA) with jurisdiction for the area in which the subdivision is located.

According to the preliminary plat application, a letter requesting comments has been mailed to the Three Forks Fire Department, by the developer but to date no response has been received.

Conditions of Approval Number 3 is required to mitigate impacts on emergency services under local services. (A full list of the Conditions of Approval is found starting on page number 13)

FINDINGS OF FACT REGARDING PARKLAND:

1. The proposed subdivision shall be in compliance with the parkland requirements under Chapter V-P of the Broadwater County Subdivision Regulations.

Since all lots are to be utilized for commercial/industrial purposes no parkland dedication is required.

No Conditions of Approval are required to mitigate any impacts to schools under local services.

CONCLUSION: The impacts to local services (water, wastewater, solid waste, utilities, roads, traffic, schools, emergency services, and parkland), as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON THE NATURAL ENVIRONMENT

FINDINGS OF FACT:

1. Per Chapter V-B of the Broadwater County Subdivision Regulations, the design and development of subdivisions must provide satisfactory building sites which are properly related to topography, and must, to the extent possible, preserve the natural environment.

The proposed subdivision property is generally level and thus provides good building sites that will minimize the flow of stormwater and therefore minimize soil erosion that might occur due to the construction of buildings.

2. All grading, drainage and erosion control shall be in compliance with Chapter V-J of the Broadwater County Subdivision Regulations.

According to the preliminary plat application post development generated stormwater will be detained within the subdivision boundaries. A stormwater pollution prevention plan will be implemented and will remain in effect during the construction phase of this project and until disturbed soils are properly stabilized. The grading and drainage plan will be provided for review to MT DEQ.

3. Per Chapter V-R of the Broadwater County Subdivision Regulations, a Weed Management Plan shall be approved by the Broadwater County Weed Board prior to the subdivision application being considered complete.

A Noxious Weed Management Plan has been completed by the developer, submitted, and approved by the Broadwater County Weed Coordinator and the Broadwater County Weed Board.

Conditions of Approval Numbers 2 and 10-c are required to mitigate impacts on the natural environment. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts to the natural environment, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON WILDLIFE

FINDINGS OF FACT:

1. Per Chapter III-A-7-b-iv-E of the Broadwater County Subdivision Regulations, the governing body shall consider the proposed development's impact on wildlife when approving, conditionally approving or denying a subdivision.

Since the area of proposed development is in a high-traffic commercial area the impacts to wildlife should be minimal.

Conditions of Approval Numbers 10-c and 10-h are required to mitigate impacts on wildlife. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts to wildlife, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON WILDLIFE HABITAT

FINDINGS OF FACT:

1. Per Chapter II-A-7-b-iv-F of the Broadwater County Subdivision Regulations, the governing body shall consider the proposed development's impacts on wildlife habitat when approving, conditionally approving or denying a subdivision.

Since the area of proposed development is in a high-traffic commercial area, the impacts to wildlife habitat should be minimal.

Conditions of Approval Numbers 10-c and 10-h are required to mitigate impacts on wildlife habitat. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts to wildlife habitat, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IMPACTS ON PUBLIC HEALTH AND SAFETY

FINDINGS OF FACT:

1. Per Chapter V-C of the Broadwater County Subdivision Regulations, the governing body may find land to be unsuitable for subdivision because of potential hazards. These lands must not be subdivided unless the hazards are eliminated or will be mitigated by approved design and construction plans. Examples of hazards that could render the property unsuitable for subdivision or require mitigation include (but are not limited to) the following: steep slopes in excess of 25 percent slope; polluted or non-potable water supply; high voltage lines; high pressure gas lines; severe toxic or hazardous waste exposure; aircraft or vehicular traffic hazards or congestion; and/or high potential for wildfire.

No steep slopes are located on this property. The potable water will be supplied by individual on-site wells. No high pressure gas lines are approximate to this proposed development. However, there are nearby high voltage power lines and industrial activity. There is no threat of severe toxic waste exposure or high potential for wildfire. A fire plan will be created in collaboration with the Three Forks Fire District.

The potential danger of vehicular traffic hazards and congestion will be mitigated through appropriate signage and traffic calming measures as required by MT Department of Transportation (MDT). According to the preliminary plat application, Highway 287 hazards will be mitigated through MDT's System Impact Review for new improvements.

According to the preliminary plat application expansive soils have been found in the surrounding area. These soil conditions can be mitigated with proper foundation and geotechnical design.

Conditions of Approval Numbers 3, 10-c, 10-d, 10-e and 10-f are required to mitigate impacts on public health and safety. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The impacts on public health and safety, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

COMPLIANCE WITH SUBDIVISION REGULATIONS

FINDINGS OF FACT:

1. Per Chapter V of the Broadwater County Subdivision Regulations, all subdivisions approved by the governing body must comply with the provisions of this section, except where granted a variance pursuant to Section I-1, Variances.

No variances have been requested from the Subdivision Regulations for this proposed subdivision.

All conditions of approval are required to address compliance with the Subdivision Regulations. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: Compliance with subdivision regulations, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

COMPLIANCE WITH SURVEY REQUIREMENTS

FINDINGS OF FACT:

1. Per Chapter V-E of the Broadwater County Subdivision Regulations, all subdivision applications must be in compliance with survey requirements of the Montana Subdivision and Platting act.

A land survey and plat completed by a registered land surveyor in the State of Montana has been prepared. A review of the plat by the Community Development Department and the Examining Land Surveyor at the time the final plat application is submitted, will ensure the plat conforms to all conditions of approval, plat rules and regulations

Condition of Approval number 9 is required to address compliance with survey requirements. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: Compliance with survey requirements, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

THE PROVISION OF EASEMENTS WITHIN AND TO THE PROPOSED SUBDIVISION FOR THE LOCATION AND INSTALLATION OF ANY PLANNED UTILITIES

FINDINGS OF FACT:

1. Per Chapter V-M of the Broadwater County Subdivision Regulations, the subdivider must provide adequate and appropriate easements for the construction of utilities within the subdivision.

Utility easements will be shown and described on the final plat, in accordance with the Subdivision Regulations and in consultation with the utility providers, where utilities are or will be installed, and where necessary for the future extension of services.

Conditions of Approval number 9 is required to address the provision of easements within and to the proposed subdivision for the location and installation of planned utilities. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The provision of easements within and to the proposed subdivision for the location and installation of any planned utilities, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

THE PROVISION OF LEGAL AND PHYSICAL ACCESS TO EACH PARCEL WITHIN THE PROPOSED SUBDIVISION

FINDINGS OF FACT:

1. Per Chapter V-F of the Broadwater County Subdivision Regulations, each subdivision lot must have access to a public or private street or road.

Access to each lot will be via the internal subdivision roads.

2. Per Chapter V-H-c-vii-C-1-a, b and c of the Broadwater County Subdivision Regulations, all roadways within a proposed subdivision shall have dedicated easements providing public access to the subdivision and shall constitute an acceptable roadway when the easement is accepted by the governing body, recorded in the Office of the Clerk and Recorder and clearly grants to the public an unrestricted right of ingress and egress.

All roads within the subdivision will have to be dedicated as public access easements and shown on the final plat, signed and approved by the governing body at time of final plat approval and recorded in the Broadwater County Clerk and Recorder's office.

3. Per Chapter V-H-c-vii-C-1-d of the Broadwater County Subdivision Regulations, all roadways within a proposed subdivision shall have dedicated easements providing public

access to the subdivision and shall constitute an acceptable roadway when a signed statement from a professional engineer documenting that roads are built according to engineering plans and county standards.

A condition of approval for the proposed subdivision will require a signed and stamped road plan from the project engineer, and upon time of final plat approval request shall provide a certification letter from the project engineer that all subdivision roadways have been constructed to said plans and Broadwater County subdivision road standards.

4. Per Chapter V-H-c-vii-C-1-a through e of the Broadwater County Subdivision Regulations, all roadways within a proposed subdivision shall have dedicated easements providing public access to the subdivision and shall constitute an acceptable roadway when a Property Owners'/Road Users' Agreement for maintenance of the roadway is provided to the governing body.

A condition of approval for proposed subdivision will require a Road Users' Agreement for maintenance of the subdivision roadways

Conditions of Approval Numbers 4, 5, 6 and 9 are required to address the provision of legal and physical access to each parcel within the proposed subdivision. (A full list of the Conditions of Approval is found starting on page number 13)

CONCLUSION: The provision of legal and physical access to each parcel within the proposed subdivision as set forth in the Findings of Fact, will be addressed by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

Based on these finding of fact and conclusions for each criterion, the Community Development Director concludes that the proposed subdivision is supported under the criteria and standards of the Broadwater County Subdivision Regulations.

VISTAS AT HEADWATERS SUBSEQUENT MINOR SUBDIVISION

CONDITIONS OF APPROVAL

MAY 9, 2023

On May 9, 2023, the Broadwater County Planning Board held a public meeting regarding the proposed Vistas at Headwaters Subsequent Minor Subdivision located in Section 16, T2N, R1E, P.M.M., Broadwater County, Montana

The preliminary approval is for five (5) commercial/industrial lots. To mitigate identified adverse impacts, this approval is subject to the following conditions:

1. Prior to submission of a final plat application, the applicant shall submit plans for wastewater treatment and water supply systems to the Montana Department of Environmental Quality

(DEQ) and the Broadwater County Environmental Health Department for review and approval. The applicant shall submit documentation to the Broadwater County Community Development Department from DEQ and the Broadwater County Environmental Health Department verifying their review and approval. All specifications and requirements of the approved plans that are required to be completed prior to final plat approval, shall be met at the cost of the applicant. **(Mitigates Findings of Fact under “Impacts on Water and Wastewater under Local Services”)** (Sections 76-4-101, et.seq., MCA; Sections 17.36.101, et.seq., ARM; Sections 76-3-102(4), 504(1)(g)(iii), and 608(3)(a), MCA; Chapters I.C.7, 8, 9, 10, 11 and V-C, V-K and V-L, Broadwater County Subdivision Regulations)

2. Prior to any development and/or soil disturbance, the applicant shall submit a Subdivision Noxious Weed Management and Revegetation Plan for the proposed subdivision to the Broadwater County Weed District for review and approval. All specifications and requirements of the approved plan shall be met at the cost of the applicant. The applicant shall submit documentation to the Broadwater County Community Development Department from the Weed District verifying their review and approval. **(Mitigates Findings of Fact under “Impacts on Agriculture and Impacts on Natural Environment”)** (Sections 76-3-102(5 and 6), and 608(3)(a), MCA; Chapters I-C-9 and V-R, Broadwater County Subdivision Regulations)
3. Prior to submitting the final subdivision plat application, the applicant shall complete a Fire Protection Plan for the purpose of furthering fire protection. The Fire Protection Plan shall be created with concurrence by the Three Forks Fire District. **(Mitigates Findings of Fact under “Impacts on Emergency Services under Local Services and Impacts on Public Health and Safety”)** (Sections 76-3-102, 501, 504 and 608(3), MCA; Chapter V-Q, Broadwater County Subdivision Regulations)
4. The applicant shall complete the following to construct the internal access roads **(Mitigates Findings of Fact under “Impacts on Utilities and Impacts on Roads and Traffic under Local Services and the Provision of Legal and Physical Access to each parcel within the proposed subdivision”)**:
 - a. Prior to submitting the final subdivision plat application, the applicant shall improve all subdivision roads providing legal and physical access to all lots to the specifications required by the County Subdivision Regulations
 - b. All roads are to be built in accordance with the reviewed and approved plans. An engineer registered in the State of Montana shall certify all road improvements as meeting County Subdivision Road Standards. The applicant shall be responsible for all costs associated with meeting this condition of approval. (Sections 76-3-102, 501, 504(1)(g)(i), and 608(3), MCA; Chapters I-C, V-E and V-H, Broadwater County Subdivision Regulations)
5. Prior to any construction, the applicant shall request an approach permit from Montana Department of Transportation for any proposed access point(s) onto US Highway 287 for the subdivision approach road(s). Installation of the approach shall be completed in accordance with the approved permit. **(Mitigates Findings of Fact under “Impacts on Roads and**

Traffic under Local Services and the Provision of Legal and Physical Access to each Parcel within the proposed subdivision”) (Sections 76-3-102(3 and 4), 501(1), 504(1)(g)(i), and 608(3)(a), MCA; Chapters I-C-2, 5, 10 & 11, V-H, Broadwater County Subdivision Regulations)

6. Prior to any construction, the applicant shall provide an approved Broadwater County Road Approach Permit for the subdivision approach road(s). Installation of the approach shall be completed in accordance with the approved permit. **(Mitigates Findings of Fact under “Impacts on Roads and Traffic under Local Services and the Provision of Legal and Physical Access to each Parcel within the proposed subdivision”)** (Sections 76-3-102(3 and 4), 501(1), 504(1)(g)(i), and 608(3)(a), MCA; Chapters I-C-2, 5, 10 & 11, V-H, Broadwater County Subdivision Regulations)
7. If it is determined, via a Traffic Impact Study, that the additional traffic from this proposed subdivision will cause an increase in traffic beyond the current Level of Service (LOS) for the current constructed road standard of Wheatland Road, the developer shall be responsible for the proportionate share of road improvements. **(Mitigates Findings of Fact under “Impacts on Roads and Traffic under Local Services”)** (Sections 76-3-102(3 and 4), 501(1) and 608(3)(a), MCA; Chapters I-C-2, 5, 10 & 11, V-H, Broadwater County Subdivision Regulations)
8. Prior to final plat approval, the applicant shall have plans for the location and installation of mailbox units reviewed and approved by the United States Postal Service prior to installation. The applicant shall submit documentation from the United States Postal Service verifying their approval. The applicant shall be responsible for all costs associated with meeting this condition of approval. **(Mitigates Findings of Fact under “Impacts on Mail Delivery under Local Services”)** (Sections 76-3-102(4), 501(1), and 608(3) (a and b), MCA; Chapters I-C-10 and V-I, Broadwater County Subdivision Regulations)
9. The applicant shall, at the applicant’s expense, have a final subdivision plat prepared in accordance with the applicable state survey requirements and the Broadwater County Subdivision Regulations; in addition, the final plat shall show and describe the following: **(Mitigates Findings of Fact under “Impacts on mail Delivery, Utilities, Roads and Traffic under Local Services”, “Compliance with Survey Requirements, the provision of Easements within and to the Proposed Subdivision for the Location and Installation of any Planned Utilities and Provision of Legal and Physical Access to each Parcel within the Proposed Subdivision”)** (Sections 76-3-102, 402, 501, 504 and 608 (3), MCA; Chapters I-C and V-E, Broadwater County Subdivision Regulations)
 - a. A “no access” restriction along the eastern subdivision boundary adjacent to US Highway 287 except for those approved by MDT;
 - b. A “no access” restriction along the northern subdivision boundary adjacent to Wheatland Road except for those approved by the Broadwater County Public Works Department;
 - c. All existing and proposed utility easements on the subject property;
 - d. Any existing ditch/irrigation easements;

- e. Mailbox locations and easements, if on-site;
 - f. Easements for fire protection facilities, if on-site;
 - g. Easements for stormwater conveyance and detention/retention ponds, if on-site;
10. The Book and Page reference to the restrictive covenants (filed with the Clerk and Recorder's Office) shall be indicated on the face of the plat. In addition, restrictive covenants shall be placed upon the property and shall provide for the following: **(Mitigates Findings of Fact under all Review Criteria listed in the Staff Report)** (Section 76-3-608(3)(a), MCA; Chapters I-C and V, Broadwater County Subdivision Regulations)
- a. Notice is hereby given that all lots shall be used for Commercial/Industrial purposes only per the subdivision application. No residential dwelling unit for residential use shall be allowed. **(Mitigates Findings of Fact under "Compliance with Subdivision Regulations")** (Chapter I-C and III-A, Broadwater County Subdivision Regulations);
 - b. Notice is hereby given that each owner of any lot by acceptance of a deed therefore, whether or not it shall be so expressed in such deed, waives the right to protest joining or the amendment of a Rural Improvements District for the installation, maintenance, preservation, and repair of the following: roads that provide access to the subdivision, stormwater improvements for the subdivision; fire protection improvements for the subdivision. **(Mitigates Findings of Fact under "Impacts on Roads and Traffic under Local Services")** (Section 76-3-102(4), MCA; Chapter V-H-b, Broadwater County Subdivision Regulations)
 - c. Notice is hereby given that each lot shall be maintained in a weed-free manner and a Noxious Weed and Revegetation Plan has been prepared for the subdivision and is on file with the Broadwater County Clerk & Recorder's Office. **(Mitigates Findings of Fact under "Impacts on Agriculture, Impacts on Agricultural Water Users, Impacts on the Natural Environment, Impacts on Wildlife and Wildlife Habitat and Impacts on the Public Health and Safety")** (Sections 76-3-102 and 608(3), MCA; Chapters I-C-9 and V-R, Broadwater County Subdivision Regulations)
 - d. Notice is hereby given of the potential health risk from radon concentrations and that such risk can be evaluated through soil tests and mitigated through radon abatement techniques incorporated into structures. **(Mitigates Findings of Fact under "Impacts on Public Health and Safety")** (Section 76-3-608(3)(a), MCA; Chapter I-C-10 and V-C, Broadwater County Subdivision Regulations)
 - e. Notice is hereby given that all structures within the subdivision should be constructed to specifications which meet or exceed equivalent provisions in the applicable State building code for this seismic zone (Zone 3). **(Mitigates Findings of Fact under "Impacts on Public Health and Safety")** (Section 76-3-608(3)(a), MCA; Chapters I-C-10 and V-B, Broadwater County Subdivision Regulations)
 - f. Notice is hereby given of a restrictive covenant, binding the landowner, any heirs, successors and assigns, and all future owners of property within the subdivision, agreeing therein to hold Broadwater County harmless and indemnify Broadwater County from all claims, demands, obligations, suits, causes of action, damages,

and liability, including the County's costs and attorney's fees, arising in any manner whatsoever out of, or relating to, the existence, use, operation, repair and/or maintenance of the following: **(Mitigates Findings of Fact under "Impacts on Public Health and Safety")**(76-3-608(1) and (4), MCA; Chapter I-C-10, Broadwater County Subdivision Regulations)

- i. Exposure to radon;
 - ii. Earthquake fault zone and any seismic activity; and
 - iii. Water availability
- g. Notice is hereby given of the presence of agricultural operations in the vicinity and such operations may occur at varying times and seasons and include, but are not limited to, the noises and odors due to the operation of machinery, the pasturing and feeding of livestock, irrigation, and the application of fertilizers, herbicides, and pesticides to fields. **(Mitigates Findings of Fact under "Impacts on Agriculture and Impacts on Agricultural Water User Facilities")** (section 76-3-608-(3)(a), MCA; Chapter III-A-7-b, Broadwater County Subdivision Regulations)
- h. Notice is hereby given that domestic pets should be restrained on the property at all times **(Mitigates Findings of Fact under "Impacts on Agriculture, Impacts on Agricultural Water User Facilities, Impacts on Wildlife and Wildlife Habitat")** (Section 76-3-608(3)(a), MCA; Chapter I-C and III-A-7, Broadwater County Subdivision Regulations)

11. In cooperation with Broadwater County, the applicant shall create, or expand an existing, Rural Improvement District for the maintenance, preservation and repair of the internal subdivision roads. **(Mitigates Findings of Fact under "Impacts on Road and Traffic under Local Services")** (Sections 7-11-1003, 76-3-102, 501, 504 and 608(3), MCA; Chapter V-H-b, Broadwater County Subdivision Regulations)

12. The Shared Road Maintenance Agreement (SRMA) included in the preliminary plat application shall be amended to eliminate the term "county" from the "public county road" statements in the agreement. The road names included in the SRMA shall be removed and replaced with road names approved by the Broadwater County Community Development Department. **(Mitigates Findings of Fact under "Impacts on Road and Traffic under Local Services")** (Sections 7-11-1003, 76-3-102, 501, 504 and 608(3), MCA; Chapter V-H-b, Broadwater County Subdivision Regulations)

13. The applicant shall submit a signage plan for traffic control and street identification signs for the internal access roads to the Community Development Department for review and approval. All specifications and requirements of the approved plan shall be met at the cost of the applicant. **(Mitigates Findings of Fact under "Impacts on Roads and Traffic under Local Services")** (Section 76-3-608, MCA; Chapters I-C and V-H-c-xi, Broadwater County Subdivision Regulations)

14. Prior to final plat approval the applicant shall:

- a. Provide proof that all real property taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies (**Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”**) (Section 76-3-611(1)(b), MCA; Chapter III, Broadwater County Subdivision Regulations)
- b. Provide documentation showing that the applicant is the lawful owner of the property with the apparent authority to subdivide the same and showing the names of lien holders or claimants of record (**Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”**) (Section 76-3-612, MCA; Chapter III, Broadwater County Subdivision Regulations)

This preliminary approval shall be in force for three (3) calendar years. At the end of this approval period, the Board of County Commissioners may, at the written request of the applicant, extend its approval if that approval period is included as a specific condition of a written agreement between the Board of County Commissioners and the applicant. (**Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”**)

GENERAL INFORMATION:

Statutory Timeframes:

Date Application Submitted: November 2, 2022

Date Application Deemed Complete: February 15, 2023

Date Application Deemed Sufficient: March 9, 2023

Planning Board Public Hearing: May 9, 2023

Planning Board Recommendation: May 9, 2023

Commission First Reading: May 17, 2023

Commission Decision: May 24, 2023

Date Review Period Ends: June 2, 2023

DATED this _____ day of May, 2023

BROADWATER COUNTY COMMISSION

ATTEST:

Debi Randolph, Chairperson

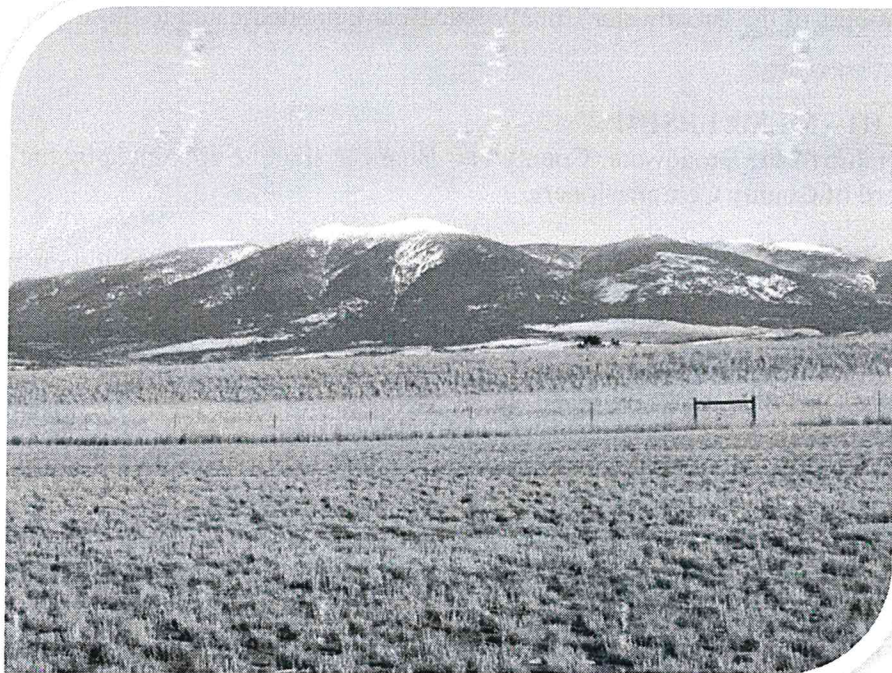
Angie Paulsen, Clerk & Recorder

Darrel Folkvord

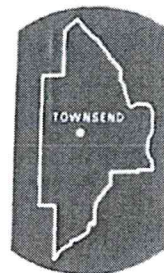
Lindsey Richtmyer

Broadwater County Fair Board Bylaws

Revised 2023



***BROADWATER
COUNTY FAIR***



BROADWATER COUNTY FAIR BOARD BYLAWS

ARTICLE I – NAME

The name of this organization shall be Broadwater County Fair Board.

- A. MCA Legal Structure: See Appendix 1

ARTICLE II – PURPOSE

The purpose of this organization shall be:

- A. To work in the spirit of cooperation and fairness with all businesses, agencies, and organizations, profit or non-profit, for the benefit of the fair.
- B. To never lose sight of the fact that the Broadwater County Fair is a business funded by the people of this county. Therefore, we will strive to keep costs low and community involvement high.
- C. To educate people by allowing new ideas and talents to be shared in the spirit of family fun.

We, the members of the Broadwater County Fair Board, are dedicated to these goals.

ARTICLE III – MEMBERSHIP

The membership of the Broadwater County Fair Board** shall be appointed by the Broadwater County Board of County Commissioners.

- A. The Fair Board shall consist of five responsible persons with the following roles.
 - a. Vendor Supervisor
 - b. Open Class Supervisor
 - c. 4-H Representative
 - d. Rodeo Board Representative
 - e. Public Relations
- B. No more than two members shall have terms that expire in the same year.
- C. Board members shall be appointed to serve 3-year terms.
- D. The Board of County Commissioners shall appoint members of the County Fair Board to succeed members whose terms expire; or to renew the appointment of existing members.
- E. Election of offices will occur yearly in January. Vacancy in elected office will be filled by election by the board for the remainder of the term. Elected officers may serve consecutive terms in the same office.
 - Chairman
 - The Chairman shall run the Fair Board meetings and support members as needed.
 - Vice Chairman
 - The Vice Chairman shall perform the duties of the Chairman in all cases in which the Chairman is unable to serve or in cases of conflicts of interest.

- Additional non-voting members may be appointed if approved by majority vote of the Fair Board Members
- F. All appointed members should agree to and sign a Board Member Expectation Form for their position.
- G. A quorum is the majority of voting members.

**When reading through this manual, Fair Commission and Fair Board are one and the same. The Board of County Commissioners will always be so defined.

ARTICLE IV – SUBCOMMITTEES

Persons who are not members of the Fair Board may be asked by the Fair Board to serve on subcommittees to work in cooperation with activities of the Fair Board. They are not entitled to compensation. Committee members shall:

- A. Consult and communicate with the Manager so continuity, communication and efficiency are established.
- B. Make commitments only with the approval of a Board majority, regarding finance, operation, planning, or a facet of Fair or Fairgrounds business.
- C. Accept assignment and responsibilities to committees and duties under the jurisdiction of the Chairman. (Duties will be primarily supervisory at fair time)
- D. Subcommittee board members to be reasonably available to circulate and observe the entire operation of the Fair.
- E. Accept no compensation for any duties performed other than the yearly compensation allowed by law. (\$25.00 per year plus necessary expenses.)

ARTICLE V – POLICY GOVERNING DUTIES OF THE MANAGER

The manager is hired, and salary set by the Commissioners with input by the Fair Board. Necessary and reasonable expenses in keeping with the duties of the job will be allowed.

- A. Attend all meetings and officially record all business. Prepare and distribute to each board member a copy of the minutes of the previous meeting, ten (10) days before the next meeting, with approval and correction of the minutes to be a part of the agenda of the following meeting.
- B. Follow the direction and orders of the Board in all work and detail in connection with the operation of the Fair and all business directly related to the property and grounds of the Fairgrounds.
- C. Work with the members of the Fair Board in the preparation of the annual budget for the fair. Supervise the spending of the budget and be prepared to show budget balances at all times. Prevent any deficit spending but recognize the legal privilege of transfer and potential of emergency budget in unforeseen circumstances.
- D. Prepare claims for approval.
- E. Keep a record that will show all expenditures and income.
- F. See that an accurate record is kept of any checking accounts that have been established with permission of the Board and the County Commissioners.
- G. Represent the Fair Board at all times.

- H. To bring all grievances, relative to personnel or the public, to the Board.
- I. To assume personal responsibility of petty cash and submit proof of expenditure for reimbursement.
- J. Attend meetings, workshops, etc., when possible, that will prove of direct benefit to the operation of the Fair.
- K. Work for good public relations.

ARTICLE VI – MEETINGS

- A. A minimum of four (4) meetings will be held each year.
- B. A minimum of one (1) joint meeting will be held with the Rodeo Board each year within two (2) months after the Fair and Rodeo.
- C. Meetings will be called as needed.
- D. Meetings will be conducted using Parliamentary Authority.

ARTICLE VII - MONTANA CODE ANNOTATED

The board is required to follow the Montana Code Annotated updated in 2021.

https://leg.mt.gov/bills/mca/title_0070/chapter_0210/part_0340/sections_index.html

ARTICLE VII – REVISIONS AND APPROVAL

Section 1 – Amendments

Amendments may be made to these Bylaws by a two-thirds majority vote of the Broadwater County Fair Board members present at a meeting or special meeting, provided notice of proposed changes were given to the Fair Board Members a minimum of thirty (30) days prior to the meeting.

Section 2 – Approval

These bylaws have been revised and approved on _____ by the following Broadwater County Fair Board Members present:

_____	_____
_____	_____
_____	_____

APPENDIX 1

Section 1 – Duties of Broadwater County Fair Manager

The Broadwater County Fair Manager is employed by Broadwater County. The position is part-time, working on average 10 hours per week, or as needed during fair time. The Fair Manager is advised by the Broadwater County Commission. Duties include but may not be limited to:

- Outline budget for the current year and have approved by the Chairman.
- Submit claims on time.
- Attend and write minutes for all Fair Board meetings.
- Keep Fair Book up to date.
- Track Fair Board positions and vacancies.
- Maintain Superintendents for each Fair division.
- Submit newspaper articles as needed.
- Outline and present Fair week with the Fair Board.
- Prepare posters for the upcoming Fair.
- Coordinate with the Fair Board Vendor Rep. to send letters to vendors and commercial exhibitors.
- Coordinate preparation of all areas for display of judged exhibits.
- Hire a person for security when exhibit building is open.
- Prepare Fair book and advertising for Fair.
- Coordinate set up and tear down of tents.
- Arrange for entry day help and order lunches for them.
- Acquire money from the budget to pay premiums, buy rodeo tickets for superintendents, lunches for helpers, and other expenses.
- Coordinate theme for next year's Fair.
- Arrange entertainment and activities for Fair.
- Coordinate exhibits, print exhibit tags and judges' sheets.
- Coordinate with Fair Board Open Class Rep to organize judges for exhibits (also gratuities and expense sheets).
- Publicity report for newspaper.
- Order and organize all ribbons and tags.
- Maintain supplies in Fair cabinet.
- Maintain 4-H/Exhibit Building.
- Schedule and maintain calendar of events in 4-H Building, prepare contracts, collect rental fees.
- Order supplies for Fair Board as needed.
- Communicate with Fair Board members regularly.
- Maintain Broadwater County Fair's membership in the Rocky Mountain Association of Fairs, including paying any dues necessary.

