

April 4, 2022

Meeting was called to order at 5:33 p.m.

Introductions of county officials, town council members for Denton, and Tracy from DNRC

Pam Vosen spoke about the FEMA designated Special Flood Hazard Area for the town. The Town of Denton has had a contract with the Fergus County Planning Department for decades. In January 2022, the fee schedule for the Planning Office was updated. Last year, 2021, a violation led to discussion from Denton residents on the floodplain program.

Tracy from DNRC gave a brief history of the how the floodplain program came into existence. The flood program came into existence in 1968. It was recognized that a way to control and flood insurance available. 1940-1968 flooding nationwide with no insurance created issues. Flooding is the 2nd highest cause of natural disaster in Montana and number 1 nationwide. The flood program has four components: regulations, insurance, mitigation, and information. Nationwide standards were developed for floodplains. Only three states, Montana was one, adopted the national standards. Other states adopted the minimum. Flood after a fire is very common. The town of Denton was mapped in 1974. 1978-79 a 25% flood event happened. In 1980 remapping with levies, floodways, and flood fringe areas occurred. It was relooked at in 1997. In 2010, the current map was developed. Floodplain maps take 4-8 years to develop. FEMA and the Corps of Engineers developed these levies. Many communities do not even realize they have the levies. Now, communities are looking at where the levies are and maintenance that has occurred. Traditionally, these entities have not worked together. In the last 15 years, the Corps and FEMA have started trying to work together. If an event happens, the recovery process can have issues. Roundup property owners are still working on the process when the flooding took place in 2011. It is a long process but if you work together, it is much quicker. FEMA's programs tie to other fundings provisions and can cause sanctions. Programs you could be thrown out of are mitigation grants, fire, federally backed loans get called, and VA loans. Flood events could take place. Also, to reenter the program is a long and involved process.

Pam discussed the contract and what will take place if Denton was to drop out of the program. It was discussed on what happens if rebuilding takes place without permits. The Planning Office is located in Lewistown so the majority of the time, the town must police itself. There are multiple options: Continue contracting with Fergus County, someone in Denton administer program, or hire an engineering firm to administrator. The new contact with Fergus County Planning Office is the same with the change of fees. Now a violation fee is \$250. If found in violation, you must either return it to how the area was originally or pay the extra fee for a permit after the fact. So, something could cost you \$750 by the time you get the permit and pay the violation fees. Each time the office is sent out and a violation is found, another violation fee is added on. It is a \$35 per hour fee for services performed by the Planning Office. Either party can terminate after a 30-day notice is given. The town gets all the records if the contract is dropped.

Tracy discussed the hurdles of what happens if the flood program isn't administered. No insurance, mortgages can be called in, and in a lot of cases during disasters, some people have to take out a second

mortgage. The most successful is when a coordinated effort is made with one point of contact. She gave the example of the Musselshell Coalition.

Pam mentioned that to date no permits have been issued for rebuilding in the designated flood area.

Curtis Hershberger spoke on that the current levy works. He stated that since FEMA and the Corps does not talk it has been hard to work on getting the levy certified. Tracy stated to that now is the time to begin working on getting the levy certified. It is not an easy process. It often takes years, but right now Denton is a focus for state officials. It is time to use that to help expediate the process.

Curtis asked how did it happen originally and why is the levy not certified? Tracy and Pam spoke on it takes maintenance logs and records. The town of Denton has looked for the information but not been able to find. It would be a good time to set up a committee and continue looking for records.

Curtis spoke on the Corps that visited in 2010.

Pam said that FEMA came in and said it couldn't certify and won't map.

Ross asked what does it mean to be certifiable?

Tracy stated that it takes core samples, show meeting standards, vegetation, and animal habitation.

Ross asked about the elevation that has been said is not enough along with maintenance issues.

Pam explained that the Corps has a yearly and three-year review process along with what maintenance is needed.

Tracy again stated that now is the time to start the process. Ask the Governor and Congressional delegates along with FEMA and Corps to help the process.

Pam told everyone that requests need to come from the town in a written format to pass up the change. It will be the most effective.

Ross spoke on the building that needs to happen now. Permits require elevations. Bring people together and use mitigation funds to help hire the engineering firms to get the elevation surveys.

Pam elevation surveys have two parts. It takes a survey of the property. It does take some mitigation.

Ryan Peterson spoke on every five years a Hazard and Mitigation Plan is done. This time ours is being completed as a region. This opens grant opportunities.

Pam spoke on the Growth Plan. It will be adopted soon. The town of Denton gets to choose to be a part of it. Having a Growth Plan opens up opportunities.

Jeff Schafer said that the property owners were not anticipating these costs. Maybe the Denton Relief Fund and Town can help the citizens with engineers and get elevation information.

Tracy agreed. It is cheaper to do as a group. An example, hire an engineering firm to do multiple sights at one time.

Lori asked if Pam does the permits within the floodplain? Does the town have ordinances, set-backs, permits, etc.? In the Special Mitigation area is a permit required on a structure even if it is temporary?

Pam told the crowd to call and ask anytime dirt is turned. You are allowed to do anything you want on your land, but what you do cannot impede someone up or downstream. This is why permits are required.

Sandy reiterated that as Jeff stated it is a great time to use the Fire Disaster Relief Fund.

Pam spoke on communication being key. It is easier to let you know what is possible and what it will take rather than finding a violation.

Action Item: If the contract is passed by the County Commissioners, then it will go to the town of Denton to review. If they have changes, it will then go back to the Commissioners. April 18th is the next Denton Town Council Meeting. The Commissioners have meeting on April 20th and 25th to act on Denton's action. Carl pointed out that it might be easier to have Denton's Town Council look at the contract before the Commissioners take action.

Carl moved to table. Ross seconded. Motion carried.

Carl did state the County fee schedule is non-negotiable, but other areas of the contract are open for discussion.

Pam added that the Fergus County fee schedule is set, but the town could charge their own fees in addition to what the Fergus County fees are.

Discussion on non-agenda Items:

Lori Schafer asked on the status of the roads in the Denton area and the plans. She knows people are out working currently.

John Anderson spoke about a Missile Road being 37 feet wide with 22-24 feet of gravel. The Everson area at the East end was worked on last fall. The contract to gravel roads will be put out to contract this year in 2022. They will work on graveling it in 2023. Missile Road standards are 24 feet wide. An easement is sixty feet or 30 feet from center on each side.

Carl spoke on the plan to redo Benchland. The state will handle Judith Basin to Denton. It will begin in 2023 at missile road standards with calcium chloride. The crown on a missile road is 5%. They have tried to talk them into lowering them down. A regular county road will beat down to about 3 ½-4%.

Jeff asked what the county was doing to recruit a maintenance operator.

John stated that they had started with a person last week out of Lewistown since there is no permanent operator hired for the area yet. Two years ago they had someone coming out of Lewistown. When it hit haying time, the person was asked not to grade the roads. Last year it became too dry too quickly.

Jerry Ayers asked if the county owned a water truck. John said that they have a 3500 gallon one.

Jerry asked what are you doing to recruit and what is the wage.

It was stated starting wage is \$18.50 with insurance, holidays, and vacations.

Jerry said that the youth in the area have been working for \$25-32 per hour for Wickens and Weeden. Maybe it is time to look at increasing the starting wage.

Carl stated that they have been looking at road wages and did a significant bump last year. One of the benefits of working for the county is you aren't traveling from your family out of the Denton area.

Ross pointed out that there seems to be a shortage of people.

Jerry spoke about that the road issues that they were having were exemplified by the Taylor Fire. He says it feels like they only are getting this meeting because it is an election year. It is very hard to get ahold of John Anderson. This isn't the first time that the local knowledge was ignored. He had told Kyle Dubbs that Alton would be impassable by the first rain and people got stuck. Not listened to and exactly what he said happened. What does the county get for Missile Roads? \$48,000 is what Carl answered. They do get a little extra is they have to remove more than 4 inches.

Jerry had a question on the impact to the school. The areas that need the most work are North Denton Road, Ayers Road, Alton Cutoff. These areas need maintenance and attention. Why does it take a phone call to get action?

John said that they just finished graveling the Grass Range area. They will be focusing on Denton most of the summer.

Jerry said that it feels like money is what matters to get roads worked on. They have ponds in water and gravel to use. Please come and ask the community what resources they have available.

Carl asked about Bear Springs and how it was now as they had the guy cut the washboard out.

Jerry stated that the previous guy didn't cut the washboard out and mainly just moved gravel around.

Ross talked about when he started eight years ago, they were just finishing up the Denton area. They worked on the Winifred for about three years, Grass Range area had about three years, the North Fork had not been done for about 35 years. They are back in the Denton area. The crew is of about 7-8 drivers. We bought another blade instead of a new shop. The blade was supposed to be ready to go and ship. Now two months later we are still waiting on it to arrive.

Jerry talked about the importance of having a blade operator in Denton. They are able to get out and take care of as soon as a shower happens. He asked the guys to be mindful when they go by an approach. They make a berm of about 6 inches. There is a lot of gravel out in the Denton area.

Linda Gluth asked about the bridge that they are replacing and the timeline. She asked that they wait until July since the detour will take away people from her greenhouse business.

Tiffany Wickens asked if they hire people and then train to operate machinery.

Sandy said that we do, but the training process is long as it takes awhile for a person to learn and work their way up the machinery.

Keith Dirks spoke about the North end of Everson Road. The approaches are 8-10 inches deep when the blade goes by. Please have the driver smooth them out when they go back by. Culverts were not found when working on the road and now water runs over the road. He asked if there was a way to make the permit process for landowners available so they know exactly what steps are needed.

Pam said that she has been doing that on her in through outreach. The town can do outreach and updating ordinances. It might be time to create that if the town doesn't have it for themselves.

Keith asked again what the steps are.

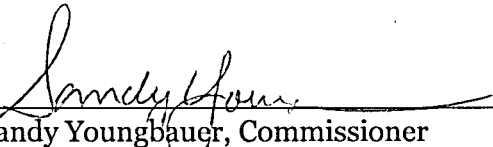
Pam responded that for Denton specifically it might be best for the town to create or address as it is their ordinances.

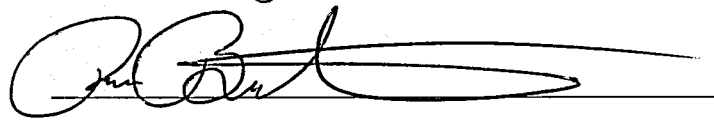
Carl talked about the process of a centralized gravel pit. A long form can take 6 months to permit. The permit is good for 25 years. A landowner can take 10,000 yards and do whatever they want, even sell.


The meeting was adjourned at 7:12 p.m.

****Respectfully submitted by Rhonda Long****

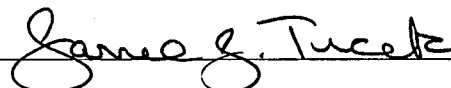
FERGUS COUNTY COMMISSIONERS:


Sandy Youngbauer, Commissioner


Ross Butcher, Commissioner


Carl Seilstad, Commissioner

Attest:


Janel J. Tucek, Clerk & Recorder

