



**The Billings Heights  
Community Development  
Task Force**

**MEETING CALLED TO ORDER 7:00PM**

**PLEDGE OF ALLEGIANCE**

**WELCOME AND INTRODUCTIONS** Larry Brewster, Laura Drager, Pam Ellis, Paul Evanson, Frank Ewalt, Ed Gulick, Janna Hafer, Stefanie Hilling, Ed Hostettler, Doug Kary, Tom McGillvray, MarkMorse Teresa (Darnielle) Morse, TJ Smith, Nancy Steel, Mike Yakawich

**There was no police report.**

**PRIOR MEETING MINUTES** October 2023 Ed Hostettler noted that there were 47 abandoned cars in September. He made the motion to accept the minutes as corrected; seconded by Laura Drager. Unanimous approval.

**NEW BUSINESS**

- ☐ Tom McGillvray: Convention of the States
  - <https://tommcgillvray.com/convention-of-states-2/>
  - Montana Sen. Tom McGillvray: Here's How States Can Actually DO SOMETHING About Congressional Logjam

<https://conventionofstates.com/videos/montana-sen-tom-mcgillvray-here-s-how-states-can-actually-do-something-about-congressional-logjam> o Learn more at <https://conventionofstates.com/sim>

Senator McGillvray stated that the most partisan thing is spending your money to buy your vote. He referenced Article 5 of the US constitution and the 2 processes for amending the constitution: 1) 2/3 of the US Congress can propose a change; 2) 2/3 of the states can call a constitutional convention

There are two processes for ratification: 1) Congress can send the proposed changes to state legislatures—requires 3/4 of the states to ratify; 2) can send to state conventions to ratify

Proposed amendments must be ratified by 38 state legislatures or 38 state conventions to be adopted. Founding father George Mason made sure that the states would have the ability to enact changes to the US constitution. Historically most people attending state constitutional conventions are elected by state legislatures. Each state gets only one vote, irregardless of the number of people from each state in attendance.

By 2032, the U.S. will have \$1.2 trillion in interest rate payments. Defense spending is \$1 trillion.

Senator McGillvray recommended:

1. Vote for people who are fiscally responsible
2. Demand something of the people we elect
3. Federalism—states have power

4. Do not buy the argument that the U.S. does not have enough people to bring change

He predicted that the MT U.S. Senate race is projected to spend \$200-\$400 million

## **REPORTS City, County, School District**

Operational Change for Storm Billing - Public Works is planning to migrate from charging the storm fee as an assessment on property taxes to instead charge the fee on the utility bill effective July 1, 2024, to coincide with the implementation of the new storm rates and rate structure. While there are many communities who still assess storm fees on the property tax statement, it has become more common to charge the fee on the utility bill as it is a type of utility similar to water and wastewater. <https://www.billingsmt.gov/ArchiveCenter/ViewFile/Item/1772> (Public Works recommends a \$178 million upgrade)

Members discussed the proposed operational change for storm billing. The illegal franchise fees that the city assessed for 20 years were referenced. The question was raised “Is this the best tie to set a precedent to bill \$174 million in additional fees for storm water treatment.” Citizens have a right to rescind spending decisions by council by petition.

Ed Gulick noted that he sat on the Storm Water steering committee. The city has a lot of deferred maintenance. Recently a culvert broke; repair is more expensive than maintenance. The repair cost for the culvert break on Gabel road was \$700,000. Some areas of the city are more flood prone than others. The proposal is a 7 year ramp up to spend the full \$178 million; has not yet been approved by city council (NOTE: It was approved by the Public Works board and the Council budget committee which includes Ed Gulick and Jennifer Owen).

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Ed commented that the median increase for property taxes was 20%; the city of Billings taxes increased 30%. The city increased taxes to pay the franchise fee settlement from the general fund (\$2.9 million plus another \$1 million to the plaintiff's attorney, and additional processing fees).

Doug Kary moved that the Heights Task Force write a letter to the other Task Forces (see letter attached). Seconded by Laura Drager. Frank Ewalt amended the motion to state that information should be shared in a council business meeting and not just in a letter to city manager Chris Kukulski. Seconded by Laura Drager. The motion passed.

**School District #2 Jana Hafer:** Jana shared that the District is conducting an outreach effort to students who have dropped out of school. Students and families were invited to a luncheon. 90 students participated. Dr. Garcia's goal was to try to figure out what would attract these students back to school. 30 students re-enrolled. There are a myriad of reasons why students drop out. Some need to support their family, illness, or students have jobs that require them to work during the day, etc.

**Yellowstone County, Mark Morse:** The state has begun transferring inmates to Arizona. About 70-80 state will be transferred from Yellowstone County detention. The county commissioners are willing to build as big a jail as taxpayers will support. Currently the detention has 500-600 detainees. No one can go in unless someone comes out. Most detainees have felonies. There are probably 300 that are DOC but are being held in Yellowstone County.

### **Billings City Administrator Weekly Report October 27, 2023:**

Castlerock Playground Updates - Good news concerning the playground, the slide has shipped, and the installer is still in town. Once the slide is delivered the installation should proceed without further delays.

There were some questions about the playground earlier this week. This playground was selected after receiving input from community leaders, the Heights Task Force and councilmembers all supporting the design and

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type of play equipment. The structures are made from wood, but there are the same expectations concerning durability and life span, as if it were made of metal or composite. The wood cracks naturally and is expected to as it dries and ages. The cracks don't affect the integrity of the structure, nor does it impact the warranty.

Earthscapes, the manufacturer, is scheduling technicians from the factory to come and reinstall the swings. When they arrive, they will perform a complete safety inspection of all structures.

The Zip-Line was removed from service after the seat connector was damaged. A warranty claim has been filed and a new part has been ordered. The installer will repair once the part arrives.

November 10, 2023 Update Parks Projects - The slide for Castlerock Park playground has been delivered and is scheduled to be installed on November 13 & 14. The replacement parts for the swings and zip-line are on order and will be installed once they arrive. All structures will be inspected at that time for defects.

**Meeting adjourned at 8:30PM**

**Next Meeting, 1/23/24:** January 23, 2024 7:00 pm Billings Public Library, Community Room