



**Agenda
City of Laurel
City Council Meeting
Tuesday, July 28, 2026
6:30 PM
Council Chambers**

Welcome. . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes from April 14, 2026.

Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

Notice to the Public

The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration. The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.

2. Approval of claims entered through July 24, 2026.
3. Approval of Payroll Register for PPE 7/19/2026 totaling \$273,312.25.
4. Council Workshop Minutes of February 3, 2026.
5. Council Workshop Minutes of February 17, 2026.

Ceremonial Calendar

Reports of Boards and Commissions

6. Budget/Finance Committee Minutes of July 14, 2026.
7. City/County Planning Board Minutes of July 13, 2026.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

8. Resolution No. R26-45: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Water Model Assessment By And Between The City Of Laurel And Morrison-Maierle
9. Resolution No. R26-46: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Laurel Industrial Park MFE Review By And Between The City Of Laurel And Morrison-Maierle
10. Resolution No. R26-47: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Casa Linda Sub. Block 4 MFE Review By And Between The City Of Laurel And Morrison-Maierle
11. Resolution No. R26-48: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents for the FY27 RRG Planning Grant Assistance By And Between The City Of Laurel And Morrison-Maierle

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

12. Corrospondance and Presentation. Liz Forster, Forster Law PLLC

Mayor Updates

Unscheduled Matters

Adjournment

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

April 14, 2026

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Council President Canape at 6:29 p.m. on April 14, 2026.

COUNCIL MEMBERS PRESENT: Thomas Canape Sara Naylor
Brent Edmond Jessica Banks
Casey Wheeler Irv Wilke
Richard Klose Jodi Mackay

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Brittney Harakal, Administrative Assistant
Forrest Sanderson, Contracted Planner
Kelly Strecker, Clerk/Treasurer
Kelly Gauslow, Accounts Payable
Matt Wheeler, Public Works Director
JW Hopper, Fire Chief

Council President Canape led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Mackay to approve the minutes of the regular meeting of February 10, 2026, as presented, seconded by Council Member Klose. There was no public comment or Council discussion. A roll call vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Police Monthly Report – March 31, 2026
- Public Comments Received by April 10, 2026.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS:

Council Member Mackay disclosed correspondence she sent to Governor Greg Gianforte regarding communication from the State concerning the proposed forensic facility and noted that no response had been received.

PUBLIC HEARING:

- Public Hearing on a variance Requested By Drew Nordman To Allow Side-Corner Minimum Setback For An Accessory Dwelling Unit (ADU) In The Approximate Location Of The Existing Non-Conforming Garage.

Council President Canape opened the public hearing regarding a variance request submitted by Drew Nordman to reduce the required side corner setback for an accessory dwelling unit (ADU) located at 201 North 5th Avenue.

Forrest Sanderson presented the staff report and reviewed the recommendation of the Laurel Yellowstone City-County Planning Board. He explained that the Planning Board recommended approval of the variance reducing the required side corner setback from 20 feet to 16 feet, finding that six of the seven required variance criteria had been met.

The applicant, Drew Nordman, spoke in support of the request, explaining that the proposal would replace the existing nonconforming garage with a larger garage containing an ADU while maintaining the existing setback.

There being no opponents or additional comments, Council President Canape closed the public hearing.

CONSENT ITEMS:

- **Claims entered through April 10, 2026.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Clerk/Treasurer Financial Statements for the month of March 2026.**
- **Approval of Payroll Register for PPE 3/29/2026 totaling \$294,818.45.**

The Council President asked if there was any separation of consent items. There was none.

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Wilke. There was no public comment or Council discussion. A roll call vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of March 24, 2026.
- City/County Planning Board Minutes of March 18, 2026.
- Emergency Services Committee Minutes of March 23, 2026.
- Laurel Airport Authority Minutes of December 16, 2025.
- Laurel Urban Renewal Agency Minutes of March 23, 2026.
- Tree/Park Board Minutes of April 2, 2026.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Byrne Manley addressed the Council regarding the proposed state forensic facility. He expressed concerns about community safety, the future use of the property, proximity to nearby schools, and the State's characterization of residents' concerns as unfounded.

SCHEDULED MATTERS:

- **Appointment of Amy Mullaney to the Public Works Committee.**

Motion by Council Member Mackay to approve the Mayor's appointment of Amy Mullaney to the Public Works Committee, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R26-08: A Resolution Of The City Council Authorizing The Mayor To Approve A Change Order With Earth Mover's Excavation For The Project Known As The Bernhardt Ditch Improvements Project.**

Motion by Council Member Edmond to approve Resolution No. R26-08, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R26-09: A Resolution Of The City Council Approving The Variance Requested By Drew Nordman To Allow Side-Corner Minimum Setback For An Accessory Dwelling Unit (ADU) In The Approximate Location Of The Existing Non-Conforming Garage.**

Motion by Council Member Banks to approve Resolution No. R26-09, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R26-10: A Resolution Of The City Of Laurel City Council Authorizing The Mayor To Execute All Necessary Agreements For Services Performed By Emergency Networking Related To Electronic Management Systems For Laurel Fire Rescue**

DRAFT

Motion by Council Member Wilke to approve Resolution No. R26-10, seconded by Council Member Klose. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

- **Resolution No. R26-11: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With CivicPlus For Services Relating To Upgrading The City's Website, Agenda And Meeting Management, Media, AudioEye, And DocAccess.**

Motion by Council Member Naylor to approve Resolution No. R26-11, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Forrest Sanderson, on behalf of the Laurel Urban Renewal District, provided updates on the Barnhart Ditch Improvement Project, noting the project remains on schedule and within budget. He also announced upcoming bidding for the Downtown Improvement Project and continued progress on the Southeast Fourth Street lighting project.

Elizabeth Gilg announced that the mayoral recall petition had exceeded the required number of signatures for submission to the Elections Office. She also informed the public that an additional public records release had been posted online.

Kris Vogeles announced an upcoming public hearing regarding the State's MEPA review for the proposed forensic facility, scheduled at the Laurel Public Library, and encouraged public attendance.

COUNCIL DISCUSSION:

Council Member Klose announced the upcoming quarterly Cemetery Committee meeting and requested that the updated moratorium be placed on the following week's Workshop agenda for Council review.

Council Member Mackay thanked the Laurel Urban Renewal District and Forrest Sanderson for their continued work and progress on City projects.

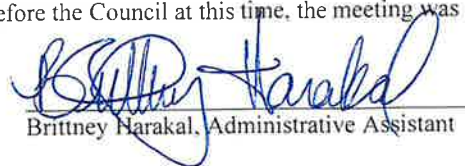
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Wheeler to adjourn the Council meeting, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight Council Members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:19 p.m.


Brittney Harakal, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 28th day of July, 2026.

Kris R. Vogeles, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

Print Name	Address
Athanasia Hopper	504 Randless
Jody DelParoie	1309 Elkhoron Dr
Miles & Vicki Walter	419 8th Ave
Shad Madell	1241 Elkhoron Drive
Kris Vek	306 E 4th St Laurel
Julie Toner	1261 W 4th St - Laurel
Dennis Sharpish	

~~Address~~ Address

1241 Elkhorn Drive

1018 7th Ave

Print Name	Address Address
Jennifer Lorenz	916 5th Ave
Amber Fahn	1224 W 4th St
Ryan Letcher	1224 W 4th St
Christa Molnar	3000 Chief Looking Glass
Festa Molnar	610 64th St
Cheryl Hill	109 W. 1st Street
Jeremy Land	1035 9th Ave
Jaquelyn Holmes	366 Woodland
Shelley White	512 Wyoming Ave

March 31, 2026

Dear Members of Laurel's City Council

I am writing in support of the forensic hospital the state is proposing to build in our fair city. I think this addition will bring many well-paying jobs, the tax base will increase, and most of the merchants in town will profit through the increase in well paid members of our community.

I understand some community members are upset about the way this project got off the ground. But I don't think that is a reason to oppose the hospital.

So count me as a supporter of the hospital.

Sincerely,

A handwritten signature in black ink, appearing to read 'Les Fuglevand', with a stylized, cursive script.

28 Vista Lane

Laurel, Mt.

Brittney Harakal

From: Matt <gilgm12@gmail.com>
Sent: Saturday, March 28, 2026 10:02 AM
To: Brittney Harakal; elizabeth@laurelcared.com
Cc: Civil Attorney; Ward 4B; Ward 1A; Ward 1B; Ward 2A; Ward 2B; Ward 3A; Ward 3B; Ward 4A; Kelly Strecker; City Mayor; Kurt Markegard; Michael Skinner; naturecalls406@gmail.com; montanahomesolutions@gmail.com; thefrontporchmt@gmail.com; shawna@carltondepot.com
Subject: Re: Hello Attorney and Council
Attachments: image001.gif

Michele and City of Laurel -

Thank you for the fee schedule and for continuing to respond while traveling. I have three issues to raise.

1. The city's FOIA fee schedule violates state law.

The schedule charges \$50/hour for city staff research, \$150-\$250/hour for contracted staff, and \$250/hour for city attorney review. MCA 2-6-1006(5) caps all public records search fees at \$25/hour and requires the most cost-efficient method. Under subsection (5)(c), the first hour of service is free after a \$5 filing fee. The city's rates are 2x to 10x the statutory maximum. State law preempts this schedule.

I do not consent to a "quote from IT" for the four email searches I submitted on March 26. These are narrow searches - two parties, 55 days each - that any city employee with email access can perform in minutes. Under the statute, this falls well within the first free hour. I expect production, not a bill.

2. The city's IT vendor has a direct conflict of interest in this matter.

John Roberts, a Senior Network Technician at Morrison-Maierle - the company operating as "Systems Technology Consultants" under the city's contract - has been publicly and actively antagonizing community members on social media regarding the facility. Screenshots are attached showing:

- His Facebook profile listing his employer as Morrison-Maierle (Attachment 1)
- His comment dismissing community concerns: "these people never actually do any research before posting this shit lol" (Attachment 2)
- His comment calling a community member "honey" and telling them to "go play in your sandbox" (Attachment 3)
- His comment: "You people need something productive to do your time, Jesus Christ" - to which **Mayor Waggoner personally replied: "I like John's humor"** (Attachment 4)
- A thread showing Roberts deleting his own comments when community members began screenshotting them, and Mayor Waggoner's engagement with Roberts being called out by constituents (Attachment 5)

This is the person - or this person's company - that is handling public records production, quoting fees to the city for FOIA compliance, and determining what documents are "responsive." The mayor who signed this vendor's contract renewal on February 10 is publicly endorsing this employee's mockery of the

citizens requesting those records.

I am formally requesting that the city confirm in writing: what search terms were used for the consolidated FOIA pull, the full document count by custodian, and that no records have been altered, withheld, or deleted during vendor processing.

3. Kelly and Brittney have not answered a yes-or-no question.

I understand your explanation that they were uncomfortable responding due to the legal issues raised, and that your office has addressed the legal questions. I appreciate that. But the question I asked Kelly and Brittney is not a legal question — it is a factual one: *Have you been asked or directed by Waggoner or Markegard to delay, limit, or withhold production of any records?*

That is a yes or no. It does not require legal analysis. Your answer on their behalf - however thorough - is not a substitute for their individual, personal responses. If the answer is no, it should take five seconds to say so. The continued silence on this specific question is noted.

Respectfully,
Matt Gilg

Attachments:

1. John Roberts Morrison-Maierle.png
2. John Roberts - These People.jpeg
3. John Roberts - Honey.jpeg
4. John Roberts - Waggoner.jpg
5. John Roberts - Waggoner Like.png
6. John Roberts Prison Position.jpeg



John Roberts

Digital creator · 464 followers



@john.roberts.590186



Senior Network Technician at Morrison-Maierle

Add friend



John Roberts Top contributor

Matt Ryan let 'em! I'm eccited for new job opportunities and growth in the community. I don't care if they put it across the fence from me. I'm not scared of it because I actually know what the facility is.



John Roberts Top contributor

Jessica Sawyer these people never actually do any research before posting this shit lol

8m Like Reply



Matt Ryan Author

John Roberts and you've researched the economic impacts of prisons?

Dumbass.

1m Like Reply



John Roberts Top contributor

Matt Ryan let 'em! I'm eccited for new job opportunities and growth in the community. I don't care if they put it across the fence from me. I'm not scared of it because I actually know what the facility is.

2m Haha Reply

1



Matt Ryan Author

John Roberts maybe if you'd ask them more often, they wouldn't be dropping a prison in your backyard.

5m Like Reply



John Roberts Top contributor

Matt Ryan look honey, I'm not here to argue opinions with you all day. You go play in your sandbox and I'll play in mine.

9m Like Reply

Sandi Whitman replied · 1 Reply



John Roberts
You people need something productive to do your time, Jesus Christ.

9w Like Reply 4



Coreen Tomek
John Roberts How ironic that you say this when I've seen you post more than anyone on this issue. Maybe YOu need something better to do! I know you seem to thrive on goading people online so I will not respond to your posts again. I do believe you more than likely will not live literally right next door like I will. So, I think you should get a life.

9w Like Reply Edited 5

Sandi Whitman replied · 1 Reply

The comment Hilary Anderson is replying to has been deleted.



Hilary Anderson
 Dave Waggoner A lot of your constituents are voicing serious concerns and not laughing.

9w Like Reply 5

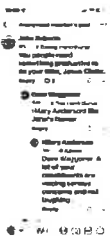


John Roberts
Hilary Anderson why are you screenshotting comments? Nothing better to do?

9w Like Reply



Hilary Anderson
Why are you deleting comments now?



9w Like Reply 2



Reply to Hilary Anderson



Hilary Anderson
 Dave Waggoner since you liked this comment why don't you speak up on what's going on here?

9w Like Reply 8

10:00



< Anonymous member's post ...



John Roberts ·

4h · · ★ Rising contributor

You people need something productive to do your time, Jesus Christ.

Reply 3



Dave Waggoner ·

8m · · ♀ Top contributor

Hilary Anderson I like John's humor

Reply



Hilary Anderson ·

1m · · ♦ Admin

Dave Waggoner A lot of your constituents are voicing serious concerns and not laughing.

Reply



...

Wri...



Matt Gilg

mattgilg.dev

Cell: 860.771.3511

On Fri, Mar 27, 2026, 4:14 PM Brittney Harakal <bharakal@laurel.mt.gov> wrote:

Schedule of Fees Link:

<https://cityoflaurelmontana.com/clerk-treasurer/page/schedule-fees>

R26-05 Link:

<https://laserfiche.cityoflaurelmontana.com/WebLink/DocView.aspx?id=294361&dbid=0&repo=CityofLaurelMT>

Brittney Harakal

Council Administrative Assistant

City of Laurel

P.O. Box 10

Laurel, MT 59044

406-628-7431 ext. 5503

406-628-2289 fax

From: Civil Attorney <civilattorney@laurel.mt.gov>

Sent: Friday, March 27, 2026 3:39 PM

To: Matt <gilgm12@gmail.com>

Cc: Ward 4B <ward4b@laurel.mt.gov>; Brittney Harakal <bharakal@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Kelly Strecker <kstrecker@laurel.mt.gov>; City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>

Subject: RE: Hello Attorney and Council

Mr. Gilg:

City Staff requested of me, which I had no objection to, that I respond to your emails, due to the legal issues raised therein. They are not attorneys, and rightfully so, when any communications received by City Staff raise legal issues, the response is best addressed by my office.

With regard to the retention of IT services, the City works with an outside IT vendor that has been retained by the City for a number of years (the same company during my tenure of 5 years or so). They have changed their name several times, I believe, based upon Resolutions that I have prepared, and I don't want to misspeak here. I believe it was previously GET Systems Technology. *By way of this email, I ask that Brittney provide you a copy of the Resolution passing fees/charges, as well as outlining services, provided by the City's IT Vendor.* I don't have a copy of the executed Agreements in this regard, with easy access right now, especially since I'm traveling back to Billings today.

I hope that the information that I provided clarified the timing involved. I will have a link to all of the downloaded documents before City Staff leaves for the weekend, and my intention is to spend whatever time is necessary this weekend to finalizing the production. That will **not** include the additional 50k of documents pulled related to zoning,

annexations, etc ... as there is no conceivable way that I can get through 60k pages of documents this weekend to finalize production. However, that will be an ongoing effort, and I am hopeful that we can have that information to you as soon as I'm able to review it all.

With regard to CM Wheeler's vote several weeks ago, I want to clarify some things, from my perspective, as Legal Counsel for the City of Laurel:

1. I have never had any concerns about any "conflict of interest" by CM Wheeler. I have no reason to believe that CM Wheeler discusses City matters with PW Director Wheeler. I also have no reason to believe that CM Wheeler is/was/will ever be motivated to vote – one way or the other – based upon PW Director Wheeler's position within the City. There are no financial or pecuniary interests that I have knowledge of, related to these two individuals, and most specifically, related to the land use decisions in front of CC.
2. I must respectfully disagree with your characterization that CM Wheeler was the "deciding vote" on the proposed Emergency Moratorium Ordinance. There were three CC Members that voted against the Ordinance, and all three equally voted as they did. Not one vote, or another, was the "deciding vote."

I will continue doing my best to provide you information, as it is sought.

I hope that you have a good weekend.

Best Regards,



Michele L. Braukmann

Civil City Attorney

City of Laurel

Cell Phone: 406.671.4333

civilattorney@laurel.mt.gov

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From: Matt <gilgm12@gmail.com>
Sent: Friday, March 27, 2026 2:24 PM
To: Civil Attorney <civilattorney@laurel.mt.gov>
Cc: Ward 4B <ward4b@laurel.mt.gov>; Brittney Harakal <bharakal@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Kelly Strecker <kstrecker@laurel.mt.gov>; City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>
Subject: Re: Hello Attorney and Council

Thanks for the clarifications Michele.

No answers yet from the Clerk, the inhouse IT staff, or anybody else at the city on this topic.

I will again ask the name of the contracted external IT company, because at this point I'm running out of faith in their ability and capacity to do the job in a competent manner without overcharging the city. Did they bid for that contract?

I'm also disheartened that nobody else from the city seems to feel the need or obligation to provide answers to my other simple questions.

--
Matt Gilg

mattgilg.dev

Cell: 860.771.3511

On Fri, Mar 27, 2026, 2:16 PM Civil Attorney <civilattorney@laurel.mt.gov> wrote:

Mr. Gilg:

I apologize that I did not address the legal questions asked in your earlier emails. I am traveling back from Tennessee today after the unexpected death of a close friend.

The City does not have a "written notice of denial," pursuant to Mont. Code Ann. § 2-6-1009, as the City is directly working with its outside IT vendor to produce responsive documents. It has taken longer than anticipated, as I have been informed that there are thousands of documents that were pulled with the relevant search terms. As noted in my earlier email, I am hopeful that a large bulk of documents will be available for production to you directly by earlier next week.

With regard to the questions about CM Wheeler's vote on the Emergency Moratorium Ordinance, I am not aware of any conflict of interest by CM Wheeler. If there is something in particular you are referring to, from a legal standpoint, please advise, and I will do my best to respond.

Thank you.

Best Regards,



Michele L. Braukmann

Civil City Attorney

City of Laurel

Cell Phone: 406.671.4333

civilattorney@laurel.mt.gov

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From: Civil Attorney
Sent: Friday, March 27, 2026 2:05 PM
To: 'Matt' <gilgm12@gmail.com>
Cc: Ward 4B <ward4b@laurel.mt.gov>; Brittney Harakal <bharakal@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Kelly Strecker <kstrecker@laurel.mt.gov>
Subject: RE: Hello Attorney and Council

Mr. Gilg:

As Clerk-Treasurer, Kelly has provided the Consolidated PRR to the City's outside IT vendor. As I understand it, the City's IT vendor provided potentially-responsive documents to the City this week, which Staff has been reviewing to ensure appropriate responsiveness. I appreciate your other email confirming that the City can continue to produce responsive documents that include the over 50k documents that were pulled for the Part 3 request.

I believe that the City will have Part 1 and Part 2 documents to the C.A.R.E.D. Committee by early next week. Staff has been working diligently on pulling out "any junk mail" and non-responsive documents, and a full set of documents should be produced after my review, which I intend to get done this weekend.

Best Regards,



Michele L. Braukmann

Civil City Attorney

City of Laurel

Cell Phone: 406.671.4333

civilattorney@laurel.mt.gov

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From: Matt <gilgm12@gmail.com>
Sent: Thursday, March 26, 2026 6:53 AM
To: Civil Attorney <civilattorney@laurel.mt.gov>
Cc: Ward 4B <ward4b@laurel.mt.gov>; Brittney Harakal <bharakal@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>
Subject: Re: Hello Attorney and Council

No response from anyone yet.

Michelle, can you speak to Kelly's role in ensuring the legal accuracy and completeness of delivered FOIA records?

Thanks,

Brittney Harakal

From: Elizabeth Wilson <elizabethanngilg@gmail.com>
Sent: Wednesday, March 25, 2026 12:17 PM
To: Ward 1B; Ward 1A; Ward 2A; Ward 2B; Ward 3A; Ward 3B; Ward 4A; Ward 4B; City Mayor; Brittney Harakal; Civil Attorney; City Clerk; Laurel City Planner
Subject: A personal response to Jodi's clarification

You get to choose if the following offends you. If it does - then it's directed at you.

Clearly an effective process has not been established for records requests, otherwise Kelly would have known what she was supposed to be searching for. What does anyone even do over there? For nearly 100k per year our city clerk isn't capable of reading the records request or reviewing the motion? We really have to provide clarification on this the day after a deadline is not met? This is embarrassing, and unacceptable.

Can anyone shed any light on why no records from part B of our request have been released? Those aren't even records that you would have to search for. None of part B would be privileged - and at this point we have little reason to believe that anyone in city hall is doing what they say they are. I don't care if there are a lot of records. I don't care if this is difficult for city employees. These are things that WE, THE COMMUNITY, are having to do because nobody who is getting paid or has been elected seems to be able to competently do their jobs.

You all are paid. Some are elected. The community should not have to babysit you to make sure you are making decisions that are in the best interest of Laurel. Do you really not know right from wrong? Shame on all of you. What are you so afraid of? It's not hard at all to stand up for what is right - TO DO WHAT IS RIGHT. Complacency, laziness, self-centeredness, and ego has no business in public service. WHY DO WE EVEN HAVE TO ASK CITY COUNCIL TO PUT THE EXECUTIVE BRANCH IN CHECK?! Ask for the records yourself. Demand them. Do your job. If you voted something through or approved something while you were asleep at the wheel, OWN IT. MAKE IT RIGHT.

Are none of you aware that the Mayor runs around calling women "bitches" and "cunts"? There's no way you aren't aware - It's not like he is shy about it. Why do we have to make a fuss to get such a heap of shit removed from leading our city?

Let me be clear - IF YOU DO NOT CALL OUT DAVE FOR THE THINGS HE SAYS AND DOES, you are as guilty as he is - you are as disgusting as he is - and you should be ashamed of yourselves. If you are not capable of caring for this city more than you care for Kurt, or Dave - you should remove yourself as a representative of Laurel.

- Elizabeth Gilg

Brittney Harakal



City Mayor
Wednesday, March 18, 2026 5:11 PM
Brittney Harakal
FW: Concerns Regarding Proposed State Mental Health Prison

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Steve Rodgers <mrswardgers@gmail.com>
Sent: Wednesday, March 18, 2026 5:10 PM
To: City Mayor <citymayor@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>
Cc: Ward 3B <ward3b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>
Subject: Concerns Regarding Proposed State Mental Health Prison

To the Mayor and Members of the Laurel City Council

Subject: Concerns Regarding Proposed State Mental Health Prison

Mayor and Council Members,

I am a resident of Laurel who cares deeply about the long term health, stability, and prosperity of our community. I appreciate the opportunity to voice my opinion.

I support mental health treatment and the need for expanded services in Montana. However, the location, financial impact, and long term obligations associated with this proposal raise significant concerns that must be fully considered.

1. Permanent Loss of Tax Revenue

Because the state does not pay property taxes, annexing this land for a state run facility would permanently eliminate:

- Future residential tax revenue
- Future commercial tax revenue
- Long term development potential on one of Laurel's most valuable remaining growth areas

This represents **millions of dollars in lost future revenue**—funds that would otherwise support streets, sidewalks, parks, police, and essential city services.

2. The Location Benefits the State, Not Laurel

It is clear why the state selected this site:

- Easy extension of sewer and water
- Immediate access to I 90

- Proximity to Billings for staffing

These factors make the project convenient for the state, **but convenience for Helena does not equal prosperity for Laurel. The city should not sacrifice its best growth corridor simply because it is the easiest option for the state.** The citizens of Laurel have clearly voiced concerns as to the proximity of this Mental Prison to Laurel Elementary school.

3. Laurel's Growth and Identity Are at Stake

I think of Laurel as a bedroom community. Our economic health depends on:

- New housing
- New families
- New businesses
- A growing tax base

Giving up this land for a non taxable state facility **blocks Laurel's most logical direction for future expansion.** Meanwhile, our streets and sidewalks are already deteriorating (by the way, throwing a shovel of asphalt into a hole and patting it down with a shovel is not fixing our streets). **Without new tax revenue, Laurel will struggle to maintain basic infrastructure,** and the appearance of our town will continue to decline. **The condition of our community directly affects the families and businesses we attract.**

4. The Jobs Argument Does Not Hold Up

The mayor has stated that he had interest in the project because of potential job creation. However:

- Laurel does not have enough housing for 90–100 new employees and their families
- We are giving up the very land that could have supported that housing
- Most workers will live in Billings or between Laurel and Billings

Laurel would carry the burden while other communities receive the economic benefit.

5. Aging Infrastructure and Long Term Liability

Laurel's water, sewer, and road systems are already aging and strained. If the city annexes this land to a non-tax paying entity:

- Laurel becomes responsible for providing services to the facility
- When infrastructure fails, **the state will not pay to repair or upgrade it**
- **Laurel taxpayers will bear the cost**

This is a long term financial liability that the city must not take on without full understanding and safeguards.

6. The City Should Negotiate Compensation

If the state insists on this location, insists on annexation and shoves this facility down our throats (there is a chance that could happen), then City of Laurel should negotiate a one time **Payment in Lieu of Taxes (PILOT) of at least \$5 – 10 million to offset:**

- Permanent loss of taxable land
- Increased demand on city services
- Long term infrastructure costs

PILOT agreements are common nationwide and provide fair compensation when governments remove land from the tax base.

7. Need for Transparency and Public Involvement

This proposal has advanced with limited public communication and zero input from the citizens of Laurel. A decision of this magnitude requires:

- **A full public impact study**
- **Additional open forums**
- Clear disclosure of funding, ownership, and operational plans

The residents of Laurel deserve transparency and a complete understanding of the long term consequences.

Conclusion

I respectfully urge the Council to gather complete information, prioritize the long term interests of Laurel residents, and slow this process down or stop it all together. I am not opposed to mental health services. I am opposed to annexation and **long term financial burdens being placed on our city without transparency, planning, or compensation.** Help Laurel grow the right way; this Mental Health Prison will turn Laurel into a trash town.

Make Laurel Great Again!

Thank you for your time and for your service to our community.

Kind Regards,

Steve Rodgers
626 W 13th St.
Laurel MT. 59044

Brittney Harakal

From: Laura Kirschenmann <laurakirschenmann@gmail.com>
Sent: Thursday, March 19, 2026 8:41 AM
To: Ward 1A; Ward 1B; Ward 3A; Ward 3B; Ward 4A; Ward 4B
Cc: City Mayor; Brittney Harakal; Civil Attorney
Subject: Fwd: Emergency Ordinance

Hello,

I wanted to forward my email as public comment to all of you ahead of tonight's meeting and vote on the emergency ordinance. Thank you all.

Laura Kirschenmann

----- Forwarded message -----

From: **Laura Kirschenmann** <laurakirschenmann@gmail.com>
Date: Tue, Mar 17, 2026 at 10:50 AM
Subject: Emergency Ordinance
To: <ward2a@laurel.mt.gov>, <ward2b@laurel.mt.gov>

Hello,

I am writing to you as my assigned elected ward officials to urge you to vote in favor of the emergency ordinance that will be discussed tonight and brought before you to vote on this week. I trust that as you, Brent and Jessica, along with the remaining council members review this ordinance, you will find it will serve you well to ensure this protects our city and provides ample time to review our city's current infrastructure state and demands along with all the other concerns that have arisen recently. Passing this ordinance is imperative to ensure the state of Montana and BOI cannot attempt to move forward with annexation. It is extremely frustrating that we have gotten to this point without you all first having the chance to go through a thorough review process and public input. We now have a chance to at least put a layer of protection in so that proper procedure and investigations can take place.

I thank you both kindly for your time and commitment to this matter and for serving your constituents.

Sincerely,

Laura Kirschenmann
939 W 4th St.
Laurel, MT 59044

Brittney Harakal

From: Amber Zahn <zahn.amber@myyahoo.com>
Sent: Sunday, March 22, 2026 10:12 AM
To: City Mayor; Ward 1A; Ward 1B; Ward 2A; Ward 2B; Ward 3A; Ward 3B; Ward 4A; Ward 4B; Kurt Markegard; Civil Attorney; Brittney Harakal
Cc: Cheryl Front Porch Hill; Shawna Hopper
Subject: City Authority and Statutory Obligations Regarding Annexation

City Council Members,

I am writing to address the City's role and legal authority regarding the proposed annexation associated with the forensic mental health facility.

There appears to be a growing perception that this decision is outside of the City's control. Montana law makes clear that it is not.

Under Montana Code Annotated 76-2-203, zoning and land use decisions are required to be made:

"with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdiction."

The statute further requires that decisions promote public health, safety, and general welfare, and support compatible development.

These are not discretionary guidelines. They are statutory obligations.

A secure, 24-hour forensic mental health facility serving court-ordered individuals connected to criminal proceedings is a fundamentally different use than residential housing. That difference directly implicates the City's duty to evaluate compatibility, district character, and the welfare of the existing community.

In addition, Montana law requires that zoning and annexation decisions be made in accordance with the City's adopted growth policy. Growth policies are intended to guide where higher-intensity or institutional uses are appropriate and to protect the character of established residential areas.

Under Montana Code Annotated 7-2-4601, the City has the authority to approve or deny annexation. Annexation is not automatic, and it is not required simply because it is requested. It is a discretionary decision that must be exercised in a manner consistent with the law and the long-term interests of the community.

This places a clear responsibility on the City.

If a proposed use is not compatible with the surrounding residential area, if it conflicts with the character of the district, or if it does not support the general welfare of the existing community, the City has both the authority and the obligation to act accordingly.

This annexation decision is one of the few points where the City has the ability to determine whether this placement is appropriate.

The community is looking to you to exercise that authority consistent with Montana law and the City's own planning framework.

If this annexation is approved, it will be understood by the public as a determination that this use is compatible with the surrounding residential area and consistent with the character of the district.

If that is the City's position, it should be clearly stated and supported on the record.

Respectfully,
Amber Zahn

Yahoo Mail: Search, Organize, Conquer

Brittney Harakal

From: Ward 4A
Sent: Monday, March 30, 2026 7:15 AM
To: Brittney Harakal
Subject: FW: Acting on time sensitive matters to keep our community whole and intact

From: Kris Vogeles <threepeat43@gmail.com>
Sent: Sunday, March 29, 2026 3:45 PM
To: Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>
Subject: Acting on time sensitive matters to keep our community whole and intact

Dear City Council,

Inaction turns to complicity when matters are not dealt with appropriately and in due time.

There may not be a city council meeting scheduled this week but it might be a necessary time to hold a special meeting and possibly go into executive session before making crucial decisions or taking immediate action.

I understand matters have been difficult and timing is not always convenient, however isn't it time to address the multitude of issues caused by the executive branch of our city?

Timing, scope, and immediacy would suggest you secure secondary counsel to discuss litigation and pending legal matters with. Not that our current counsel isn't fit, but that she may be too close to some issues and an outside counsel can provide you with confirmation of counsel you hear from the city attorney and also provide you with guidance on serious impending legal matters.

Given the lack of a moratorium on planning matters, there are going to be strict timelines you will need to be cognizant of as well as two or three potential lawsuits entering in the next few weeks.

The time to take a week off (although probably needed) is not now given the enormous amount of issues on your plate right now.

In addition, there seems to be a growing leadership gap at the city that is going to complicate things even more as time and matters progress. The community remains behind you and we want to be certain that our community survives this period of confusion and dissension and comes out stronger and together.

We know your role is not easy, but we ask that you act before the time to act passes which would place many in a difficult situation where they (or you) become compromised to the point of being a part of the problem.

City ordinance says it only takes two agreeing council members to add items to an upcoming agenda. I would sincerely hope that information you have received raises enough concern to call a special meeting.

Thank you for being a leader and protector of our city.

Sincerely a citizen who cares for our town,

Kris Vogeles

Brittney Harakal

From: Ward 1B
Sent: Thursday, March 26, 2026 8:34 AM
To: Civil Attorney; Brittney Harakal
Cc: Kelly Strecker
Subject: Fw: Prison
Attachments: Canape - organizational chart.docx

From: Monna Rae Adickes <monnarae@cbthebrokers.com>
Sent: Wednesday, March 25, 2026 12:00 PM
To: Ward 1B <ward1b@laurel.mt.gov>
Subject: Prison

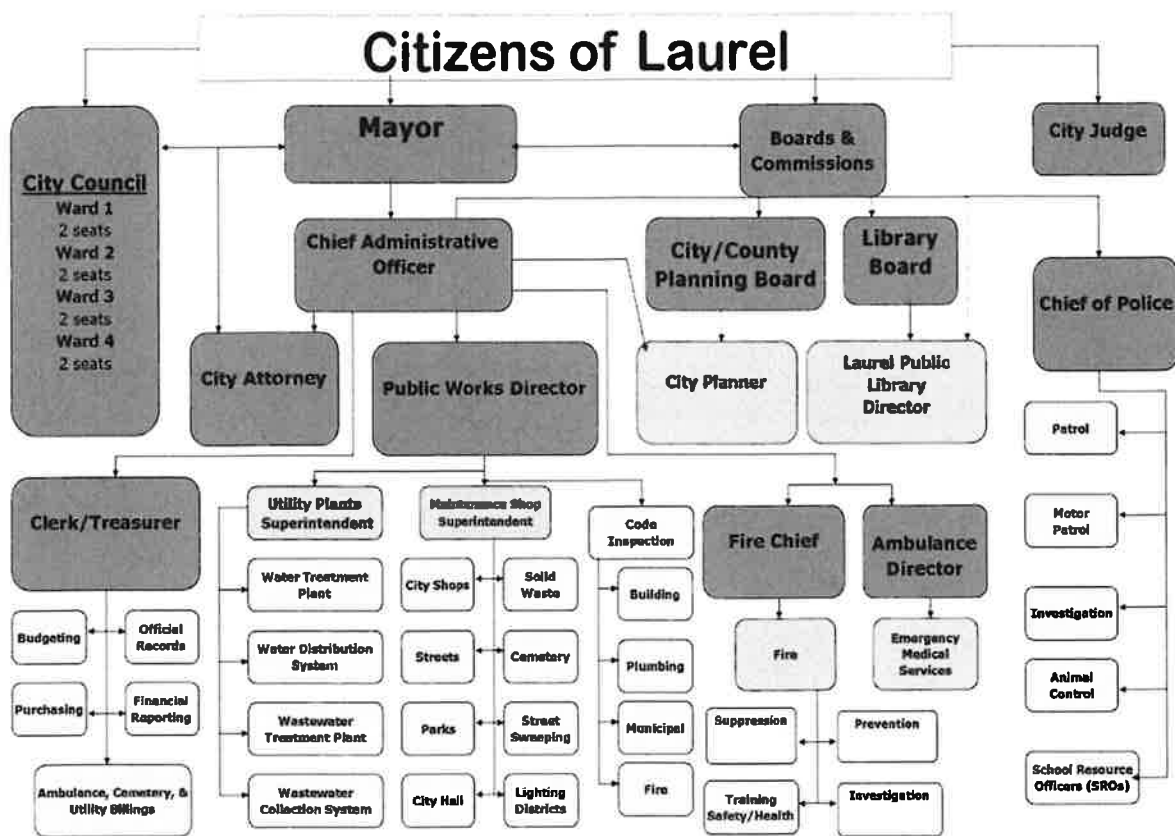
See attached



MONNA RAE ADICKES
Real Estate Broker

📞 406-860-4284
✉ monnarae@cbthebrokers.com
📍 3135 Meadow View Drive
Billings, MT 59102
🌐 www.mra406.com

 **COLDWELL BANKER** THE BROKERS



Tom Canape,

You fail to realize that you work for the citizens of Laurel. As a councilperson it is your duty to protect us, both fiscally and physically. Instead, you have thrown our fiscal (home equity) out the window and have opened our backyards to felons.

Please do us all a favor and step down. It is clear you are either a party to the good ole boys club or not a clue as to how city government works, as you are clearly unaware of your duties as a council person.

Monna Rae Adickes
102 8th Ave #B

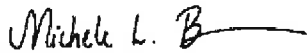
Brittney Harakal

From: Civil Attorney
Sent: Wednesday, March 25, 2026 6:57 PM
To: Ward 1A; Ward 1B; Ward 2A; Ward 2B; Ward 2B; Ward 3A; Ward 3A; Ward 4A; Ward 4B
Cc: City Mayor; Kurt Markegard; Kelly Strecker; Brittney Harakal
Subject: FW: Prison
Attachments: Klose - organizational chart.docx

All:

Please see the attached. It will be included in the next week's packet.

Best Regards,



Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: 406.671.4333
civilattorney@laurel.mt.gov

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From: Ward 4B <ward4b@laurel.mt.gov>
Sent: Wednesday, March 25, 2026 6:30 PM
To: Brittney Harakal <bharakal@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>
Subject: Fw: Prison

From: Monna Rae Adickes <monnarae@cbthebrokers.com>
Sent: Wednesday, March 25, 2026 12:01 PM
To: Ward 4B <ward4b@laurel.mt.gov>
Subject: Prison

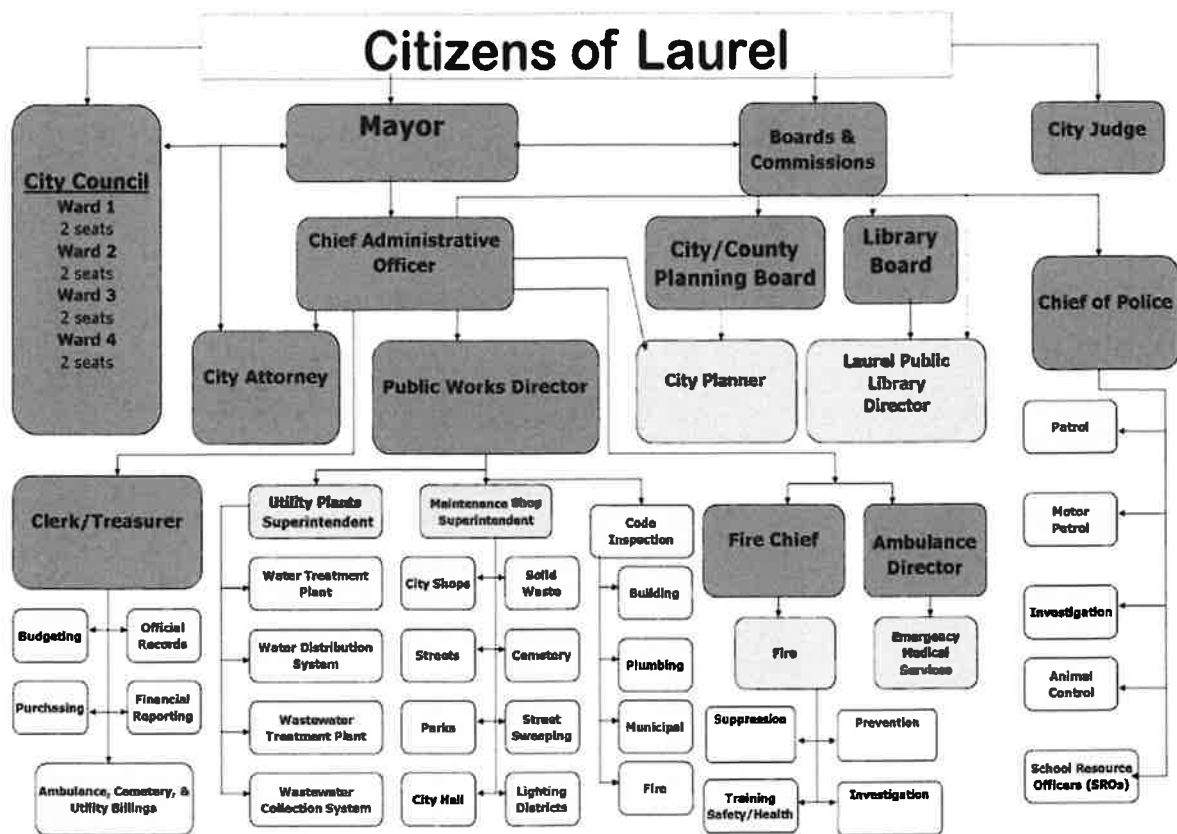
See attached



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✉ monna.rae@cbthebrokers.com
📍 3135 Meadow View Drive
Billings, MT 59102
🌐 www.mra406.com

 **COLDWELL BANKER** THE BROKERS



Richard Klose,

You fail to realize that you work for the citizens of Laurel. As a councilperson it is your duty to protect us, both fiscally and physically. Instead, you have thrown our fiscal (home equity) out the window and have opened our backyards to felons.

Please do us all a favor and step down. It is time to retire, as you are clearly unaware of your duties as a council person.

Monna Rae Adickes
102 8th Ave #B

Brittney Harakal

From: Ward 2A
Sent: Sunday, March 22, 2026 8:29 PM
To: Brittney Harakal
Cc: City Mayor; Civil Attorney
Subject: FW: State forensic hospital laurel



Jessica Banks

Ward 2A City Council Member
Mobile: 406-690-7181
Email: ward2a@laurel.mt.gov
P.O. Box 10
Laurel, MT 59044
Home Page | Laurel MT (cityoflaurelmontana.com)



From: Deb Pulse <gidgetrabbitt03@yahoo.com>
Sent: Friday, March 20, 2026 1:40 PM
To: Ward 2A <ward2a@laurel.mt.gov>
Subject: State forensic hospital laurel

I am writing as a concerned Laurel resident to formally express my strong opposition to the proposed construction of a facility for the criminally insane within our community, particularly at its currently planned location.

The proposed site is located approximately 500 yards from an elementary school and within an established residential neighborhood. This proximity raises serious concerns regarding public safety, child welfare, and responsible land-use planning. Schools and residential areas should remain protected spaces, and the placement of a high-security mental health correctional facility so close to children is both alarming and inappropriate.

In addition to safety concerns, this project directly conflicts with the intent of existing zoning laws. Residential zoning is designed to preserve quality of life, promote stability, and encourage thoughtful community growth. Introducing a facility of this nature into a residential area undermines those principles and sets a troubling precedent for future land-use decisions.

The long-term economic consequences are also significant. The presence of a prison for the criminally insane in close proximity to homes and schools will inevitably lead to decreased property values, making it more difficult for current residents to sell their homes and discouraging new families from moving to our town. This will deter residential development, private investment, and business growth. In turn, this will cause stagnation to the city's future and could potentially reduce its tax base.

Furthermore, the strain this facility would place on already limited local resources cannot be ignored. Emergency medical services, fire departments, and law enforcement agencies are not currently equipped to absorb the increased demands such a facility would generate. Diverting these critical services to support the prison would reduce response for local residents and place unnecessary risk on the Laurel community.

Additional concerns include infrastructure stress, staffing logistics, and long-term operational impacts—many of which could disproportionately affect the local community while offering little benefit in return.

While I recognize the importance of secure and appropriate facilities for individuals requiring mental health treatment, such facilities must be placed in locations that prioritize public safety, adhere to zoning standards, and respect the wellbeing of surrounding communities. This proposed location fails to meet those expectations.

I respectfully urge you to oppose this project as currently planned and to advocate for alternative locations that do not place children, families, property values, and residential neighborhoods at unnecessary risk. Our community deserves thoughtful planning, transparency, and a meaningful voice in decisions that will permanently shape our future.

Thank you for your time, service, and attention to this important matter.

Sincerely,
Debra and Tj Pulse
911 10th Ave Laurel
406-855-3147/406-951-0388

[Yahoo Mail: Search, Organize, Conquer](#)

Brittney Harakal

From: City Mayor
Sent: Wednesday, March 25, 2026 4:29 PM
To: Brittney Harakal
Subject: Fw: Forensic Mental Prison

Sent from my Verizon, Samsung Galaxy smartphone
[Get Outlook for Android](#)

From: Nathan <bsdcmillion1@yahoo.com>
Sent: Wednesday, March 25, 2026 4:27:03 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Forensic Mental Prison

Sent from my iPhone

Why is the Forensic Mental Prison being shoved down the town of Laurel Montana's throats??????? This is a disgrace what the state and Dan Villa who is a plain an simple snake oil salesmen and you our Mayor. Not even going to mention Kurt Markegaard he is irrelevant all he is good for is doing your dirty work 🙄 What are trying to do to our small town???? You all should be ashamed of your actions. Disregard who put you in the positions that you hold. We will remember come election. Disgusting is what you all are doing. Why are we not able to view the recorded City Council session??? How convenient for technical difficulties. Do better or resign!

Brittney Harakal

From: Laurel CARED <connect@laurelcared.com>
Sent: Thursday, March 26, 2026 10:06 AM
To: Civil Attorney
Cc: Kris Voegel; Elizabeth Wilson; Shawna; Samantha Mayes; The Front Porch; Brittney Harakal; Ward 1A; Ward 1B; Ward 2A; Ward 2B; Ward 3A; Ward 3B; Ward 4A; City Mayor; Kelly Strecker; Kurt Markegard
Subject: Re: Consolidated Records Request

The request for part 2 shouldn't require a search of any kind. We want the emails and any other type of communications between all city staff/officials discussing what to send to IT and copies of the correspondence between city staff/officials and IT. Timestamped. And we want the name and contact info for who the city has been using for IT.

We will compare it to statements made by city staff/officials. If they have lied about what they have done and when - we will address that and share with the community and press - obviously.

Part 3 was never a immediate concern. We made it clear that we would be requesting that information down the road in an organized manner.

On staff comms. The most cost effective way for the city to execute this request would be to produce phone logs and text logs for all city staff/officials phone numbers - both personal and city issued - as well as calls that have come in and been routed through the city switchboard.

From May 2025 to current. None of this information would be privileged - including call logs to and from the city attorney. With this information, CARED would be able to narrow down and provide specific dates and times of text logs that we would like produced - DIRECTLY FROM THE PROVIDERS. This can be done. It will not cost much. We don't want Dave and Kurt providing their own records. That is not at all appropriate. In fact, it's not appropriate that they be involved in this process at all.

We do not expect this to be a single step production. We never have.

On the past 5 years of land use matters and all decisions made by the City of Laurel, Dave, and/or Kurt - when we get to it, I will take it all. I will comb through every record. I will hire help if I need to.

I want to be very clear on this last message. It's a personal one - from myself and my family.

Dave. Kurt. City of Laurel.

We will continue to request waiver of fees when warranted, but to believe that we will be deterred or slowed down by financial barriers would be a mistake.

I don't recommend underestimating our means. If you force us into wasting money that could otherwise be put to positive use - I will only be come more of a thorn. Waste your money on an attorney, Dave - I dare you. You know exactly what you have done and the things you have said - and so do I 🌹

Elizabeth Gilg
Laurel C.A.R.E.D

On Wed, Mar 25, 2026, 5:18 PM Civil Attorney <civilattorney@laurel.mt.gov> wrote:

Dear C.A.R.E.D. Community:

The City is working diligently on the public records requests. An initial search term with IT returned about 5-6k in records. I assume most of those are irrelevant, although I have not reviewed them.

The secondary search, related to Part 3, that included all zoning, annexation, and land use issues resulted in 60k communications. I'm not sure that this is what you are seeking?

I'm trying to be proactive here and help you in what you are looking for. But, when you ask for the broad based categories that you, in Parts 2 and 3, these things are very broad.

I am concerned, because while I completely appreciate that you believe these issues are "one off," they simply are not. When we receive 60k search term emails from IT to produce, how possibly do you expect City Staff to cull through these documents?

I guess, at this point, I want to ask you – blanket, straight up. What is that you want? If you want all communications between Kurt and the Mayor and State officials, we can produce those. I think they have been, other than what the Mayor is providing, which is his choice. But, if you are on a "fishing expedition" for all zoning, annexation, and other issues, then we can produce this information, but I can assure you, as I represent, it will be over 50k in volume of documents, none of which I can imagine have to do with your immediate issue. And, the City will have to charge for this. L

If you want phone records, please identify what phone numbers you want records from. And, even if the City produces all phone records showing communications between the Mayor and Kurt, what does this tell you? The Mayor and CAO talk regularly by phone. None of which has to do with this facility.

I admire your work and your courage and dedication to accountability. But, you are putting a burden upon the City that we cannot meet, and not only can we not meet it, it is legally defensible not to meet. The City has no obligation to produce the information that you are requesting, in its broad based manner.

I ask very specific things from you:

1. Narrow your PRR to what you are trying to gain as far as information. Please provide identifying information and search terms.
2. Don't go on a fishing-expedition for any land use issue the last five years. If you want to do that, I can assure you, we can produce this information, but it will involve fees.

I ask this community to "take a step back." I said this last night at CC. I know emotions are heightened. Things are hard right now. Trust is not existent, and I understand the reasons why. But, if we are all going to serve our community well, we will all lessen the emotional issues involved, we will all step back and think about how to address things rationally, and we will not burn our City Staff to the ground in the process. I know that the C.A.R.E.D. group has impassioned positions. I see that, and I respect that.

But, right now, I'm dealing with City Staff that are at desperate spaces. We can all criticize them. Believe me, I'm not "loving the look going on right now." But, I have a CAO and City Staff so scared about how to act, it's a complete impediment.

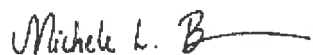
I ask for some basic things from this community, moving forward:

1. Moving forward, communicate with me on matters. I will help to address issues, and I will dispel things, as they need to be dispelled. I will respond, and I think I always have.
2. I cannot make "magic" here. That's not possible. But, I will take a leadership position and help to work through these things.
3. Please communicate your issues to the Mayor directly. I cannot speak for the Mayor, nor would I purport to. I separate out my responsibility to City Staff separate from the Mayor. If and to what extent the Mayor responds, that is on him. It has nothing to do with me, our City Staff, etc. The Mayor is an elected official, and he needs to show up as such.

Please feel free to provide information. I'm broken about where our City is right now. I can assure you, better days are ahead. I know that. I'm doing my best, and I know our City Staff is.

I welcome any feedback.

Best Regards,

A handwritten signature in black ink, appearing to read "Michele L. B" followed by a horizontal line.

Michele L. Braukmann

Civil City Attorney

City of Laurel

Cell Phone: 406.671.4333

civilattorney@laurel.mt.gov

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Brittney Harakal

From: John Esp <johnespforSenate@gmail.com>
Sent: Monday, April 6, 2026 8:27 AM
To: Ward 4A; To: governor@mt.gov; Dan; BOI.ED@mt.gov; Charlie; Cc: contactdoj@mt.gov; John; Vince; Lee; Ward 1A; Ward 2B; Ward 1B; Ward 3B; Ward 2A; Ward 3A; Ward 4B; City Mayor; Kurt Markegard; Civil Attorney; Michele Braukmann; Brittney Harakal; cwhite@yellowstonecountymt.gov; mwaters@yellowstonecountymt.gov; mmorse@yellowstonecountymt.gov; dehrlick@dailyMontanan.com; amitchell@billingsgazette.com; info@yellowstonecountynews.com; Jaci Webb; news@kulr.com; msilvers@montanafreepress.org; jonathon.ambarian@kxlh.com; shawna_1975@hotmail.com
Subject: Re: The rest of the story
Attachments: The Key Points from St. Louis 2.docx

Hi all, See the attached document for your consideration, Thanks, John Esp

On Sun, Mar 15, 2026 at 10:54 PM John Esp <johnespforSenate@gmail.com> wrote:
Hi all, See the attached Word document, John Esp

Key Points for Yellowstone County Leaders to consider from the following timeline.

From the following data and local decisions made in this South St. Louis neighborhood, it appears that people and their varied activities are compatible with a Forensic Hospital in the adjacent neighborhood. As you can see from the timeline below, many children centric uses have been initiated and then expanded very near or adjacent to this 180 bed Forensic Facility since it started caring for the mentally ill in 1997.

Timeline of development within a few hundred feet of the Forensic Treatment Center

- **1994:** A historic 4 story wing of the **St. Louis State Hospital** was torn down and construction began on a modern (for its time) 4 pod psychiatric hospital and cottages. The Yellowstone County Facility will have the added advantage of 30 years of advancement in security techniques, and electronic technology.
- **1997:** Patients were relocated from other historic wings to the newly constructed **St. Louis Psychiatric Rehabilitation Center** on the Hospital campus.
- **1998-2001:** The **South City Family YMCA** was constructed on the site of the demolished 1912 west wing of the St. Louis State Hospital. It opened to the public in **December 2001**.
- **2000:** The **Premier Charter School** opened its doors on the site of the former Hawthorne State Hospital to **524 students k - 6th grade**. A major \$2 million renovation in 2018 added to the capacity. **Current enrollment approx. 1000, pre-K – grade 8.**
- **2012-2013:** **Gateway Science Academy** renovated a shuttered school building (\$3 million “full gut rehab”) and opened down the street for the 2013-14 school year. **Enrollment: approx. 811 gr. 6-12**
- **2020:** Officially renamed the **Forensic Treatment Center – South** to reflect its specialized role in forensic inpatient psychiatric care. The Center treats court ordered patients only, similar in nature to those anticipated in the proposed Yellowstone County Forensic Facility.

Further observations of the neighborhoods within a one-mile radius of the FTC-South. Data from the American Community Survey (ACS) 2024 5-year estimates.

The median income in the census tracts within a one-mile radius of FTC-S are roughly 1.5 times higher than the median income for the City of St. Louis as a whole.

Fifty one percent of the residents in the radius over 25 years old have a Bachelor’s degree or higher.

The National Center for Education Statistics (NCES) School and District Navigator Tool notes 7 public schools within a one-mile radius of FTC-S, including the two that were opened within a few hundred feet of the Forensic Facility **after** it was completed and occupied by forensic patients as detailed in the timeline above. There may be private schools in the area, but data for them is not readily available.

There are at least 3 City Parks within the one-mile radius of FTC-S, one of which, the 289-acre Tower Grove Park is designated a National Historic Landmark attracting over 2 million visitors per year.

Real Estate data per the **Zillow Home Value Index (ZHVI)** over time since January of 2015, with the exception of a few recent years, shows comparable growth in values in the zip code containing the FTC-S (63139) and the growth in values for St. Louis as a whole.

Brittney Harakal

From: Ward 4A
Sent: Tuesday, April 7, 2026 7:01 AM
To: Dan; Charlie
Cc: Brittney Harakal; Civil Attorney; City Mayor; Laurel CARED; Deming, Lee; Vince
Subject: FW: Laurel

Good Morning,
I wanted to share an email that I sent to the Governor yesterday.
Thank you,
Council Member Jodi Mackay

From: Ward 4A
Sent: Monday, April 6, 2026 11:52 AM
To: To: governor@mt.gov <governor@mt.gov>
Subject: Laurel

Dear Governor Gianforte,

I am a member of Laurel's City Council. I will keep this correspondence short so as to not waste either of our time.

The 8 members of Laurel's City Council sent you, Mr. Villa and Mr. Brereton an email on Tuesday, March 3, 2026. To date, we have not received a response.

In a recent email to Senator Ricci and Representative Deming, you stated, "BOI has presented three times to the Laurel City Council." To be clear, **Mr. Villa has not "presented" anything to Laurel City Council.** He has used the "public comment" portion of our City Council meetings to drop tidbits of information on a massive, controversial project. Public Comment is a time for citizens to address the council. It does not allow for questions or discussion. "Presented" implies he took the appropriate steps to be placed on the meeting's agenda to meaningfully communicate with the Council and the community. His cowardly use of "Public Comment" is completely inappropriate and disrespectful to our City Council and our citizens. As Governor of this great state, you should be appalled by the disrespect shown to your constituents.

This volatile situation in Laurel is causing lasting, potentially irreparable, damage. Despite many opportunities to do things right the primary parties have doubled down and continue to make things worse.

Please do not continue this pattern of disrespecting, discounting and disregarding Laurel's citizens. Engage. Listen. Communicate. Do the right thing.

Sincerely,

Council Member Jodi Mackay

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

VARIANCE REPORT VAR-26-01 Drew Nordman Side -Corner Minimum Setback March 23, 2026

BACKGROUND:

The City of Laurel has had zoning since the early 1970's as authorized by §76-2-301 et. seq MCA. These regulations set minimum and maximum standards for all lands located with the jurisdiction of the City of Laurel. These regulations establish standards for the height, bulk, and location of structures.

The property owner is requesting to construct an Accessory Dwelling Unit (ADU) in the approximate location of the existing non-conforming garage. The subject property address is 201 N 5th Avenue and may be described as Lots 19 and 20 Block12, Laurel Original Townsite, located in Section 9, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.

The subject property is zoned R-6000, and is adjacent to two public rights-of-way (5th Ave and W 2nd Street). The subject property is developed with a non-conforming residence and a non-conforming garage. The non-conformity at issue in this request is related to the Side Corner Setback Requirements of the Laurel Zoning Regulations. Both the front and side corner setbacks are 20 feet from the public right-of-way.

Both existing structures are protected as 'Legally Existing Non-Conforming Uses'. The non-conforming use section of the Laurel Municipal Code is included in this report. The applicant was aware of this standard at the time of requesting a building permit from the city and has requested a variance as outlined in their application.

The application materials address several other points that outline the anticipated benefits of the project. The application materials are incorporated into this report by reference.

LEGAL DESCRIPTION:

Lots 19 and 20 Block12, Laurel Original Townsite, located in Section 9, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.

APPLICANT(S):

Drew Nordman
201 5th Ave
Laurel MT 59044

AGENT:

NONE

EXISTING CONDITION:

The subject property is a platted subdivision within the City of Laurel. The property is developed and is served by public water, sewer, streets, and solid waste collection. The property is 8,400 square feet in size.

PROCESS:

- The application for a Variance was submitted on February 2, 2026, and is scheduled for a public hearing on March 18, 2026 by the Laurel Zoning Commission.
- The Zoning Commission following the Public Hearing must adopt findings of fact and issue a formal recommendation to the City Council on the requested variance. The Zoning Commission may propose conditions or modifications to the request so long as the findings of fact support the condition(s).
- Those findings of fact and conclusions as well as the record minutes of the public hearing will be submitted to the City Council for consideration, hearing and final decision.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation, findings of fact, and any conditions mitigating the impacts associated with the request. This hearing will occur on April 14, 2026.

ZONES INVOLVED: Existing and Proposed

- R-6000 – Residential 6000.
 - The required setbacks for structures are:
 - Front 20feet
 - Side 5 feet
 - Side Corner 20 feet per Text of Regulations
 - Side Corner 10 feet per Dimensional Graphics R-6000
 - Rear 5 feet
 - Text and Graphics R-6000 Attached.
- Rule of Construction of the Laurel Municipal Code and Zoning Regulations.
 - The most restrictive standard is the governing regulation.
 - As such, the 20 foot side yard setback is required to be applied.

➤ Laurel Municipal Code.

✓ Chapter 17.56 - NONCONFORMING USES

✓ 17.56.010 - Nonconforming use designated.

Any lawful use of the land or buildings existing at the date of passage of the ordinance codified in this chapter, and located in a district in which it would not be permitted as a new use under the regulations of this chapter, is declared to be a nonconforming use, and not in violation of this title at the date of adoption of the ordinance codified in this chapter; provided, however, a nonconforming use shall be subject to, and the owner shall comply with the regulations set out in Sections 17.56.020 through 17.56.070.

(Prior code § 17.64.010 (part))

✓ 17.56.020 - Extension of.

The nonconforming use of a building may be extended throughout any part of a building clearly designated for such use but not so used at the date of the adoption of this chapter. No nonconforming use may be extended to occupy any land outside the building nor any additional building not used for such nonconforming use at the date of adoption of the ordinance codified in this chapter. The nonconforming use of land shall not be extended to any additional land not so used at the date of adoption of the ordinances codified in this title.

(Prior code § 17.64.010(A))

✓ 17.56.030 - Additions, repairs and alteration allowed when.

A. No building used for a nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless the use is changed to one which complies with the provisions of this chapter; provided, however, permits may be issued for the reconstruction of an existing building to be continued as a nonconforming use if the following conditions are complied with:

1. If a single- or two-family dwelling is presently a nonconforming use, and is located in a residential area, and is destroyed, the dwelling may be rebuilt. However, qualifying dwelling units located on arterial streets or roads must conform to the applicable setback standard;
2. New use would decrease the automobile parking congestion in the area;
3. New use would not increase the cubical contents of the structure, floor area ratio, if such would violate provisions of this chapter;
4. Such reconstruction would be one in accordance with the city building, plumbing, electrical codes and fire prevention code;
5. The issuance of such permit would not violate the provisions of Section 17.56.040 of this chapter.

(Prior code § 17.64.010(B)(part))

(Ord. No. O08-05, 6-17-08)

✓ 17.56.040 - Applicability when building damaged or destroyed.

A. If any building in which there is a nonconforming use is damaged by fire, flood, explosion, wind, war or other catastrophe, in an amount equal to or greater than fifty percent of its assessed valuation, it shall not be again used or reconstructed to be used for any use except one complying with the provisions of this title in which it is located. This

subsection specifically does not apply to nonconforming, one and two-family dwelling units.

B. In addition, repairs and maintenance work may be carried out each year in an amount not to exceed twenty-five percent of the assessed value of the building for that year. Such repairs and maintenance work shall not increase the cubical content of the building, nor the floor area devoted to the nonconforming use. Nor shall it increase the number of dwelling units provided in a building.

C. Nothing in this chapter shall be deemed to prevent the strengthening nor repair of a building which may be necessary to restore the building to a safe condition or to improve the sanitary conditions of the building; provided, that such strengthening and repair may not be used to restore a building to the provisions of Section 17.56.040 of this chapter.

(Ord. 06-12 (part), 2006; Ord. 06-06 (part), 2006; prior code § 17.64.010(B) (part), (C))

✓ 17.56.050 - Restrictions on moving building.

Any building in which there is a nonconforming use shall not be moved unless it is moved to a district in which the use for which the building was designed is permitted by this title. If any building in which there is a nonconforming use is moved any distance whatsoever, the building shall thereafter be used only in compliance with the provisions of this title for the district in which it is located.

(Prior code § 17.64.010(D))

✓ 17.56.060 - Continuance and change.

A nonconforming use may be continued in accordance with the provisions of this chapter, but it shall not be changed to any other use except the one which would be permitted as a new use in the district in which the building is located.

(Prior code § 17.64.010(E))

✓ 17.56.070 - Discontinuance.

If for any reason a nonconforming use ceases for a period of six months any new use must conform to the provisions of this title for the district in which the use occurs, and the nonconforming use no longer allowed.

(Ord. 04-5 (part), 2004; prior code § 17.64.010(F))

RATIONAL BASIS FOR VARIANCE:

“Variance” means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.

Findings of Fact: Standard of Review

A recommendation for Approval or Conditional Approval of a Variance shall require the Board of Adjustment making each of the following Findings of Fact:

1. Special Conditions

There are special circumstances or conditions that are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood; and

➤ Zoning Commission Finding:

- First, this property has unique physical conditions. As a corner lot, it is subject to two street-facing setbacks, which significantly reduces the usable building area. The existing house and garage were built long before current setback standards, and their placement limits where a replacement structure can reasonably go. W. 2nd Street is also classified as a residential local access or collector street, which typically corresponds to a smaller setback than 20 feet.

2. Not Result of Applicant

The special circumstances or conditions have not resulted from an act of the applicant or been established to circumvent this Ordinance; and

➤ Zoning Commission Finding:

- The Zoning Commission did not issue a favorable finding on this criterion.

3. Strict Application Unreasonable

Due to the special circumstances or conditions, the strict application of this Ordinance would deprive the applicant of reasonable use of the land or building or create an undue hardship on the landowner; and

➤ Zoning Commission Finding:

- Third, applying the 20-foot setback strictly would create an unreasonable hardship. Moving the structure further north would push it into the limited remaining yard space and create conflicts with the existing home. It would also make it difficult to design a safe, functional, and code-compliant garage and ADU.

4. Necessary to Provide Reasonable Use

Granting the Variance is necessary to provide a reasonable use of the land or building; and

➤ Zoning Commission Finding:

- Fourth, the variance is necessary for reasonable use. The new structure will be wider than the existing garage, but placing it in the same general location is essential for the design to work. Without maintaining the current setback, constructing a practical garage and ADU becomes extremely difficult.

5. Minimum Variance

The Variance is the minimum variance necessary to allow a reasonable use of the land or building; and

➤ Zoning Commission Finding:

- Fifth, this is the minimum variance needed. I am not asking for anything beyond the long-standing 16-foot setback that has existed for decades.

6. Not Injurious

Granting the Variance will not be injurious to the neighborhood or detrimental to the public welfare; and

➤ Zoning Commission Finding:

- Sixth, the variance will not be injurious to the neighborhood. The new structure will meet all current building and fire codes, and it will not interfere with the clear-vision triangle. Maintaining the existing setback preserves the visual rhythm of the street. In fact, after surveying 31 nearby corner lots, more than three-quarters do not meet the current 20-foot standard, so this request is consistent with the neighborhood.

7. Consistent with Ordinance

Granting the Variance is consistent with the purposes and intent of this Ordinance. A variance to the Allowed Uses of a zoning district is prohibited.

➤ Zoning Commission Finding:

- Finally, the variance is consistent with the intent of the ordinance. It does not change the allowed uses of the property. It supports orderly development, maintains neighborhood character, and allows the addition of an ADU, which aligns with state housing policy under MCA 76-2-323.

CONDITIONS

Conditions or restrictions may be placed on the approval of a Variance.

None were proposed by the Zoning Commission.

EXPIRATION

A Variance shall expire one (1) year from the date of approval if the next logical step in the development process is not commenced. The next step in the development process includes but is not limited to applying for a building permit, commencing the use, or applying for a Development Permit.

DISCUSSION:

While the Zoning Commission Did not find favorably on all 7-review criterion, they did find favorably on 6. It was the Commissions stated belief that the standard of review is the "Preponderance of the evidence".

RECOMMENDATION:

The Zoning Commission recommends that the City Council adopt their Findings of Fact and Grant the requested variance to the Side Corner setback on Lots 19 and 20 Block12, Laurel Original Townsite, located in Section 9, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana, reducing the side corner setback from 20 feet to 16 feet..

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 03, 2026**

A Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:31 p.m. on February 3, 2026.

COUNCIL MEMBERS PRESENT:

☒ Tom Canape	☒ Sara Naylor
☒ Brent Edmond	☒ Jessica Banks
☒ Casey Wheeler	☒ Irv Wilke
☒ Richard Klose	☒ Jodi Mackay

OTHERS PRESENT:

Brittney Harakal, Administrative Assistant
Kurt Markegard, CAO
Michele Braukmann, Civil Attorney
Kelly Strecker, Clerk/Treasurer
JW Hopper, Fire Chief

Public Input:

Mayor Waggoner announced the Closed Executive Session regarding litigation would be removed from the agenda. With no objection from the Council, the agenda was amended to move Other Items before Public Input.

Prior to public input, City Administrator Kurt Markegard informed the Council that the Montana Board of Investments had recently purchased property near Laurel and indicated its intent to pursue annexation into the City. He acknowledged the community's concerns regarding the proposed Montana State Forensic Hospital and explained that staff had limited information at this time because no formal application had been submitted. Mr. Markegard introduced Forrest Sanderson, the City's recently contracted planner, to explain the City's land use review process.

Mr. Sanderson advised that no application for annexation or development had been submitted to the City. He explained that if an application is received, the proposal must proceed through the City's established review process, beginning with a Growth Policy amendment, followed by Planning Board review and recommendation, consideration of annexation by the City Council, and, if applicable, zoning review. He emphasized that each step requires public participation and that the Council's responsibility is to evaluate any application in accordance with the Montana Constitution, Montana law, and the Laurel Municipal Code.

Mr. Sanderson stated the City is committed to conducting an open, fair, and transparent process and encouraged residents to remain engaged, rely on factual information, and participate throughout the public review process should an application be submitted. He advised that copies

of the City's Growth Policy maps were made available for public review and stated future meetings would be publicly noticed as the process moves forward.

The City Attorney proceeded to read into the record written correspondence received regarding the proposed Montana State Forensic Hospital. See Attached Correspondence.

Council Member Mackay stated she appreciated the public's engagement and the written correspondence received regarding the proposed Montana State Forensic Hospital. She also welcomed Forrest Sanderson as the City's contract planner and expressed confidence that he would provide transparency throughout the planning process. Council Member Mackay stated that many of the community's concerns centered on how the City became involved in the process. She questioned Mayor Waggoner regarding his direction to City Administrator Kurt Markegard to send correspondence to the State concerning the proposed project. Mayor Waggoner confirmed he directed Mr. Markegard to send the letters.

Council Member Mackay asked City Attorney Michele Braukmann whether she had reviewed the correspondence before it was sent. Ms. Braukmann stated she had not. Council Member Mackay also inquired about the status of public records requests related to the project.

City Administrator Kurt Markegard explained that City staff had been working to compile responsive records and had coordinated with the City's information technology provider to conduct email searches using terms provided by the City Attorney. He stated he had printed and organized his responsive records and made them available for release once the search process was completed. Mr. Markegard also described efforts he had made to meet with members of the public and answer questions regarding the proposed project.

City Clerk/Treasurer Kelly Strecker confirmed that the request to the City's information technology provider had been submitted, but as of the beginning of the meeting, a response had not yet been received.

City Attorney Michele Braukmann explained that Montana law does not establish a specific deadline for responding to public records requests, although legal guidance generally considers five business days to be a reasonable timeframe. She acknowledged that the City was beyond that timeframe on several requests and stated that responding to public records requests is a responsibility she routinely performs for the City.

Council Member Naylor read a prepared statement emphasizing the importance of ethical governance, transparency, accountability, and maintaining the public's trust. She asked Mayor Waggoner what steps the City intended to take to improve transparency moving forward.

Mayor Waggoner responded that no formal application had been submitted to the City and that the City would follow the required public process should an annexation application be received.

City Administrator Kurt Markegard provided a detailed overview of the City's involvement with the State regarding the proposed Montana State Forensic Hospital. He described initial contacts from the Montana Board of Investments, participation in site tours, subsequent requests for information regarding infrastructure and annexation procedures, and correspondence sent to the

State regarding the City's annexation process and legal requirements. Mr. Markegard stated that his intent throughout the process had been to ensure the State followed Montana law, including the City's required public review, Growth Policy amendment, annexation, and zoning processes. He reiterated that no annexation application had been submitted to the City and emphasized his commitment to transparency, public involvement, and providing the Council with the information necessary to make informed decisions if an application is received.

Council Member Klose stated that the lack of information being provided by the State had created confusion within the community and strained relationships among elected officials, City staff, and residents. He encouraged the State to meet directly with the Laurel community to answer questions and provide additional information regarding the proposed project.

Council Member Canape referenced previous Council discussions involving state legislators regarding the proposed facility and encouraged residents to allow the Council to complete its review process if an application is submitted. He stated the Council's responsibility is to represent the community and evaluate any proposal through the established public process.

Mayor Waggoner then opened the floor for public comment.

Shawna Hopper, 504 Roundhouse Drive, Laurel, expressed concerns regarding the lack of communication and transparency surrounding the proposed Montana State Forensic Hospital. She stated the community should have been informed when the State began considering locations in the Laurel area, regardless of whether the property was within the city limits. Ms. Hopper questioned the delay in responding to public records requests and suggested regular communication from the City could have reduced public frustration. She also expressed concerns regarding public safety, emergency services, impacts on children, and the possibility of future state facilities locating in the area. She encouraged the City to carefully review applicable laws and protect the community's interests.

Renee Roth, 1649 U.S. Highway 212 South, Laurel, thanked the Council for their service and stated she was speaking as a private citizen. Ms. Roth expressed concern regarding the proximity of the proposed facility to local schools and the lack of communication with the school district. She stated elected officials and the community should have been informed earlier in the process and encouraged City leadership to acknowledge mistakes and improve transparency moving forward.

Brian Lubinsky, Laurel, stated City leadership should have been more forthcoming with the community regarding the proposed project. He encouraged City officials to acknowledge any mistakes, communicate openly with residents, and work collaboratively with the community moving forward.

Amber Zahn, 1224 West 4th Street, Laurel, stated the proposed facility would directly impact her family and property. She asked what options the City and residents have to oppose the project if the community does not support it and encouraged City officials to continue operating in an open and transparent manner.

Elizabeth Gilg, 1200 Cedar Crest Circle, Laurel, questioned the City's handling of public records requests and asked when the request to the City's information technology provider had been submitted. She also expressed concerns regarding comments made during the meeting and stated she believed information requested by the public should have been distributed more efficiently.

Steve Krum, 249 24th Avenue West, Laurel, stated he believed the State should not determine the future of the community without local support. He encouraged the Council to rely on the City's ordinances, resolutions, and state law to protect property owners and formally oppose annexation of the proposed project.

Monna Rae Adickes, 102 8th Avenue Unit B, Laurel, asked the Council to explain the next steps if an annexation application is submitted and requested Council Members share their positions regarding the proposed project. She stated the uncertainty surrounding the proposal has created significant anxiety within the community.

Ms. Hopper asked what actions the City could take if the Council denied annexation and whether the State could still obtain City services. City Administrator Kurt Markegard explained the City's Annexation Policy (Resolution R08-22) generally prohibits extending new City services outside the city limits and stated only the City Council has the authority to approve such services. He advised he could not predict how the State would proceed if annexation were denied. Additional discussion occurred regarding previous correspondence between the City and the State concerning the proposed project.

Pauline Hammer, 1111 Yellowstone Avenue, Laurel, stated she shared many of the concerns expressed by previous speakers regarding the proposed facility. She thanked the City Attorney for reading the written correspondence into the record and expressed appreciation for the respectful discussion during the meeting. Ms. Hammer also expressed concern regarding interactions between the Mayor and the City Attorney and stated it affected her confidence in the City's leadership.

General Items

Executive Review

- 1. Finance:** Resolution - A Resolution Of The City Council Of The City Of Laurel, Montana Amending Resolution No. 25-75 And Affirming Continuation Of Services Under The Managed Service Agreement For Renamed Systems Technology Consultants.

The Clerk-Treasurer presented a resolution amending Resolution No. 25-75 to reflect the name change of Morrison-Maierle Systems to Systems Technology Consultants. She explained that the managed service agreement itself remained unchanged and that the resolution simply updated the contractor's legal name.

- 2. Finance:** Resolution - A Resolution Of The City Council Approving A Transportation Coordination Plan For The City Of Laurel Transit.

The Clerk-Treasurer presented a resolution approving the updated Transportation Coordination Plan for Laurel Transit. She explained that the plan is required for the City to remain eligible for transit grant funding and reflects updates including the correct partner organization, Allies in Aging, replacing an outdated reference, and the addition of the City's new transit bus obtained through grant funding. The updated plan ensures continued operation and funding of the Laurel transit system.

Council Issues

3. Discussion - BNSF Communications Tower

The Public Works Director explained that BNSF had provided the City with a courtesy notice that it intends to construct a communications tower, approximately 120 feet in height, within the railroad yard. Because the project falls under federal jurisdiction, no City approval is required. The item was placed on the agenda to ensure Council members were aware of the project.

Council Member Mackay asked whether the new tower would replace the existing communications tower located nearby. The Public Works Director stated that he was unsure but reiterated that the notification was informational only.

4. Closed Executive Session – Litigation

Item was removed from the agenda by Mayor Dave Waggoner.

Other Items

Attendance at Upcoming Council Meeting

Announcements

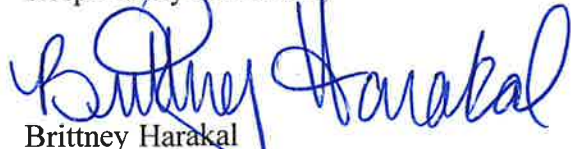
Council Member Mackay reminded everyone that the next Public Works Committee meeting would be held on Monday, February 9, one week earlier than usual due to the Presidents' Day holiday. The meeting would begin at 6:00 p.m. in the Council Chambers.

Council Member Canape announced that the Tree Board/Park Board meeting would be held on February 5 at 5:30 p.m. at the American Legion Hall in Riverside Park, and noted that board members had been notified.

Council Member Klose invited any interested Council Members or members of the public to attend the Tree Board/Park Board meeting to view the work that had been completed at the American Legion building.

The council workshop adjourned at 9:40 p.m.

Respectfully submitted,

A handwritten signature in blue ink, reading "Brittney Harakal". The signature is fluid and cursive, with the first name "Brittney" and last name "Harakal" clearly distinguishable.

Brittney Harakal
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

Print Name	Address
Brian Lebinski	320 7th Ave
James Zann	1224 N 4th St
Bryan Leitch	1224 N 4th St
Shawn Harper	504 Lindbergh

February 3, 2026

Mayor Waggoner, CAO Kurt Markegard, Attorney Braukman, City Council, Kelly Strecker and Brittany Harkel,

For two weeks we have been emailing to get documents released, with only one small email back offering up ONLY emails from Kurt Markegard to the BOI. The importance of preserving communication is utterly important. Please be advised that as of this request and many before this, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

Here is my public, in person, hand given request to release all communications, including any combination of emails, text messages and phone logs between Dave Waggoner, Kurt Markegard, the BOI, Dan Villa, Charlie Bereton, MT DPHHS and Miller Trois, LLC (aka Norman Miller) from 5/1/2025 to present.

Also requesting all text messages, emails and social media posts between Mayor Waggoner and CAO Markegard regarding the Forensic Mental Health Facility from 6/1/2025 to present. I am also requesting all phone logs and text messages between Mayor Waggoner and CAO Markegard from 6/20/2025 to 2/1/2026.

The lack of transparency and communication is frustrating and unacceptable. It continues to raise questions and distrust between our city government and the citizens of Laurel. Please do right by the citizens of Laurel and release this information.

Again, be advised that as of this request and many before this, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

Sincerely,

Shawna Hopper

Shawna Hopper

texts
In addition emails between Kurt Markegard,
Mayor Waggoner & Loves truck stop
project manager and staff from 1/1/25 - 2/1/26

February 3, 2026

I stand before you as a citizen of Laurel, lifelong resident, local business owner, property owner and community advocate. I speak solely for myself, representing my beliefs and what I feel is in the best interests of the city of Laurel, its citizens and my business.

First, I would like to say thank you all for your service and reiterate that NO one's family, spouses, children etc should be the target for negative comments or retaliation. I do not wish any harm or malice on anyone's families and believe most of our town is respectful as well. I would also hope my voice and comments would not have impact on my family personally or professionally.

I would also like to thank and acknowledge the Mayor, Kurt and those on council that have supported my business and community events. However, this has made me not want to do business in this community or live here.

A few of my concerns and issues are:

- Lack of communication and transparency between Mayor Waggoner and CAO Markegard with City Council of Laurel and the residents of Laurel
 - On Friday November 28th Both Cheryl Hill and I text Mayor Waggoner asking about the FMF and his response was he knew nothing about it; but clearly there was ongoing communication-
 - My Question to you is if he knows NOTHING, then who is running our city?
 - Are deals being made without council approval and knowledge

It sure feels like we are being offered up on a silver platter or did we get things for our community for having this here.

- Safety children, community and first responders
 - What kind of training will the state provide the City of Laurel Emergency Services
 - Will they pay for a full-time fire department, so that the people risking their lives actually get paid;
 - What will ensure that our town will not go without the services the residents pay for
 - MCA 50-6-101
 - Legislative purpose talks about focus on public welfare stakes for EMS
 - Emergency Services should be analyzed in relation to the system strain
 - Montana Environmental Policy Act
 - Has this review been completed a few things to require
 - MEPA review commonly includes government services (police, fire, EMS)
 - MCA 75-1-201
 - Demand the the MEPA includes
 - Increased 911 calls and EMS runs
 - Staffing and response time impacts
 - Law enforcement call volume and transportation
 - (MCA 46-14-202)
 - What costs are on local taxpayers
 - Mitigation measures
 - Funding, Staffing, on site medical and security
 - ARM 37-106-1831
 - Specialty mental health facility emergency services
 - Ensure that EMS and higher levels of care are available to patients AND Maintain an agreement with an outside source for EMS to ensure such services are immediately available
 - Is this our EMS?
 - Will this leave our community unattended

Although I do not know these answers or what all these statutes refer to completely and you likely won't either is the direct problem, NO communication, NO transparency, NO information.

Finally, WHAT ELSE are they planning to do with the extra 104 acres?

- My understanding is they are looking for a new spot for the Montana Women's Prison
- Warm Springs
- Half way houses etc

This is my plea for communication.

Sincerely,

Shawna Hopper

I would like to thank you all for your service. I am speaking on behalf of myself, a life long resident of Laurel and the surrounding area, a local business owner and community advocate.

February 3, 2026

Mayor Waggoner, CAO Kurt Markegard, Attorney Braukman, City Council, Kelly Strecker and Brittany Harkel,

For two weeks we have been emailing to get documents released, with only one small email back offering up ONLY emails from Kurt Markegard to the BOI. The importance of preserving communication is utterly important. Please be advised that as of this request and many before this, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

Here is my public, in person, hand given request to release all communications, including any combination of emails, text messages and phone logs between Dave Waggoner, Kurt Markegard, the BOI, Dan Villa, Charlie Bereton, MT DPHHS and Miller Trois, LLC (aka Norman Miller) from 5/1/2025 to present.

Also requesting all text messages, emails and social media posts between Mayor Waggoner and CAO Markegard regarding the Forensic Mental Health Facility from 6/1/2025 to present. I am also requesting all phone logs and text messages between Mayor Waggoner and CAO Markegard from 6/20/2025 to 2/1/2026.

The lack of transparency and communication is frustrating and unacceptable. It continues to raise questions and distrust between our city government and the citizens of Laurel. Please do right by the citizens of Laurel and release this information.

Again, be advised that as of this request and many before this, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

Sincerely,



Shawna Hopper

In addition, all emails & text messages between Mayor Waggoner & Kurt Markegard & Loves truck stop project manager and staff from 11/1/25 - 2/1/26 SH

February 3, 2026

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- Warm Springs
- Half way houses etc

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Sincerely,

Shawna Hopper

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Brittney Harakal

From: Ward 1A
Sent: Tuesday, February 3, 2026 2:43 PM
To: Brittney Harakal
Cc: Civil Attorney
Subject: FW: Proposed Mental Health Facility and City Council Considerations
Attachments: Mental Health Facility Concerns (1).docx



Sara B. Naylor

Council Member - City of Laurel - Ward 1

◆ 406.598.9499

◆ Ward1a@laurel.mt.gov

From: Tricia Tatman <ptatman27@gmail.com>
Sent: Tuesday, February 3, 2026 2:13 PM
To: Ward 1B <ward1b@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; citymayor@laurel.mt
Subject: Proposed Mental Health Facility and City Council Considerations

Please see the attached letter concerning the proposed Mental Health Facility

Sincerely,
Patricia Tatman
Yellowstone County resident of the Laurel Community

February 3rd, 2026

To: Laurel City Council Members and Mayor

From: Patricia Tatman

Subject: Proposed Mental Health Facility in or near Laurel, MT

Dear Valued City Council Members and Mayor Waggoner,

As I assume much of your correspondence is these days, I am writing to address the proposed Mental Health Facility in the area. While I am a county resident, and none of you directly represent me, it is the county residents that will likely feel the brunt of the decisions that are on your shoulders. I appreciate the time it will take you to review this letter, as well as the correspondence of others.

In short, my household is opposed to the proposed Mental Health Facility being at either identified location in Laurel (the property of Hwy 10 that has a buy/sell agreement, and the State -owned property off of Buffalo Trail and Laurel Airport Rd). We do recognize and appreciate that there is an extreme need in Montana for more access to mental health facilities, the problems with existing forensic mental health facilities, and the shortage of space in both our county jails and our State penitentiaries. That said a band-aide solution to a large problem generally leads to larger problems, instead of solving the recognized problem. I will bring up the ones that are on my mind and hope you will consider them when making your decisions.

#1. This has been shrouded in secrecy from the very beginning. While I am not naïve enough to believe that all decisions are made fully in the public light, this decision has huge implications for the community and public support should have been considered and gauged before any employee or elected official ever entered into discussion or agreements on this topic. Moving forward at all at this point will leave a huge distrust with the community consisting of your constituents and your county neighbors.

2. The Hwy 10 location is just so close to town. This has been a main talking point among community members. I realize the State's desire for cost savings based on existing water and sewer, the location to the West End interchange and its benefits for getting both users

of the facility, and employees of the facility to and from there. However, conveniences and cost savings are not the only factors that should be considered. The proximity to an elementary school, the interstate and highway in general, established homes, and businesses should all be considered security risks. Considerable consideration should also be given to reduction in property values, the overall strange aesthetic of putting a facility of this kind near a golf course and school and what this means as Laurel's growth continues to be planned for.

3. The Laurel Airport Location- I realize this is state owned land and while I don't know all that would go into putting the proposed facility here, I am sure it would be less restrictive than having to be annexed by the city. My understanding of the situation was that this was deemed less feasible due to available water and sewer, and the extreme cost that would be needed to develop those utilities. The city should NEVER be responsible for upgrading these utilities solely for a State facility that will provide no tax revenue. Additionally, other considerations should be discussed. This is right next to an increasingly busy airport, which seems to also be a security risk. Laurel Airport is in no condition to facilitate more traffic. This highway is quite narrow and has wrecks on a regular basis that would be exacerbated by both the building of and running of this facility. It is my view as well that it would be in incredibly poor taste to put this facility right next to our city cemetery and our increasingly used State Veteran's Cemetery. While a school is a bit further away than the Hwy 10 location, it is essentially a straight shot right to our high school, our health clinic and a nursing home.

4. If this facility is built at either location it will be the first thing visitors see when coming from either the west or the north. What will that do to the health of our community. Even the fact that our school mascot is the Laurel Locomotives, often shortened to Locos, seems that this facility will do nothing but bring a certain negative perception to our town.

5. This is just Phase 1 of a project. This is probably my area of greatest concern. What will come of subsequent phases. It is known we have a severe shortage of mental health facilities both forensic and otherwise. Will this grow to include more patients/prisoners? We know we lack county jail space. Is this a plan for getting more? We know we have a shortage of incarceration space in our State run prisons. Are these sites being looked at to help solve those problems? To my knowledge these questions haven't been answered or even addressed, and they certainly haven't been addressed with any kind of legally binding assurances of what will or won't happen in the future. Will patients ever be released into

the community? Will this bring in other state or privately run group homes or prerelease centers? What will be the city council's stance on them? Where will those be located? What will the security concerns be for those?

In closing, I want to fully disclose that I have previously worked in a group home facility and that I also live on Laurel Airport Rd. I come viewing this situation both with the recognition of the extreme need we have in this state, but with also the deeply held belief that these are both wrong locations for any such proposed facility or this type of development. Not from a "not in my backyard" mentality, but because they are categorically the wrong kind of locations for such facilities for so many serious reasons.

Thank you for your time and service and I wish you great calm and wisdom as you make further decisions!

Patricia Tatman

Yellowstone County based Laurel Resident

Brittney Harakal

From: Ward 1B
Sent: Tuesday, February 3, 2026 3:18 PM
To: Brittney Harakal
Cc: Civil Attorney; Kurt Markegard
Subject: Fw: Annexation of property for Forensic Mental Hospital

From: Gloria Allwin <gallwin@msn.com>
Sent: Tuesday, February 3, 2026 3:10 PM
To: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>
Subject: Annexation of property for Forensic Mental Hospital

To the Laurel City Council Members:

While we are not Laurel City residents, we are long term Laurel residents living just outside the city. We live at 185 Golf Course Rd, bordering the property being discussed about the Forensic Criminal Mental Hospital.

We appreciate your willingness to serve our community. We respectfully ask that you do not approve the annexation of the property into the city. The city has talked about growth and wanting to improve the city, however we do not see putting a facility like this being an improvement and not paying taxes to the county or the city. The idea it is so close to our K-2 elementary school is very concerning for our children's safety. This property could be used for taxable homes and with that, the city could grow helping with the tax base and supporting our schools, streets, water system, etc. With this type of facility being so close in the city limits, it will impede proper growth for the city and most likely cause the homes in the area to devalue as well.

The lack of Transparency by the city officials has been very concerning. Even though we don't have a vote in the city, the annexation of this "prison" does affect us as does your votes. Please do not vote for the annexation of this property.

Thank you.
Gloria and Dennis Allwin

Brittney Harakal

From: Ward 1B
Sent: Thursday, January 29, 2026 12:20 PM
To: Civil Attorney
Cc: Kurt Markegard
Subject: Fw: Frustrations and Disappointment

From: SHAWNA@CARLTONDEPOT.COM <SHAWNA@CARLTONDEPOT.COM>
Sent: Thursday, January 29, 2026 4:50 AM
To: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>
Subject: Fw: Frustrations and Disappointment

From: SHAWNA@CARLTONDEPOT.COM <SHAWNA@CARLTONDEPOT.COM>
Sent: Wednesday, January 28, 2026 4:06 PM
To: ward1a@laurelmt.gov <ward1a@laurelmt.gov>; ward1b@laurelmt.gov <ward1b@laurelmt.gov>; ward2a@laurelmt.gov <ward2a@laurelmt.gov>; ward2b@laurelmt.gov <ward2b@laurelmt.gov>; ward3a@laurelmt.gov <ward3a@laurelmt.gov>; ward3b@laurelmt.gov <ward3b@laurelmt.gov>; ward4a@laurelmt.gov <ward4a@laurelmt.gov>; ward4b@laurelmt.gov <ward4b@laurelmt.gov>
Subject: Frustrations and Disappointment

Good Afternoon,

Thank you for your time and dedication to our community. We all have lives, businesses, jobs, families, groups, and organizations, so the time we all put forth for our community is admirable. I know you are unable to respond but please take our emails, conversations and facts into considers when making this massive decision that will forever impact our community.

I would like to state I am not against this facility or any other facility helping those with severe or mild mental illness, special needs and addiction. These are very real lives for more people than we know, and all these people deserve help. However, I am against the current proposed location for many reasons.

But Today I am writing to you all, about my heart. My family ancestors settled here in 1883 and have been here ever since. I have lived in Laurel for 49 years, raised children here, this is MY HOME, this is MY COMMUNITY. I also opened my business to give this community something it so desperately needed; more places to eat. In addition, I have spent the last 3 years trying to BETTER our community. Joining forces on the Splash Park, working with the Laurel Community Foundation on creating a family friendly space for live music and fellowship at Rock the Block Events. I have had numerous fundraisers for the Laurel Softball Complex, Chamber of Commerce, Laurel Fire Association, as well as all the Laurel City Emergency Services that are so underfunded. Lastly, my non-profit the WHITE BUFFALO FOUNDATION has held numerous events to raise funds for an addition to one of the parks for physically and mentally disabled individuals; including those with all sorts of special needs.

It saddens me, breaks my heart, and makes me ill to see something like the Montana State Forensic Hospital being so close to our recently updated elementary school, softball complexes, residents and the community we claim we love.

This is my plea to vote NO to the annexation of the proposed Forensic Mental Hospital/Facility in its proposed location.

Sincerely,
Shawna Hopper
Concerned Citizen, Lifelong Resident, Business Owner
406.794.7222

Brittney Harakal

From: Ward 4A
Sent: Thursday, January 29, 2026 4:07 PM
To: Brittney Harakal
Subject: FW: Concerns

From: SHAWNA@CARLTONDEPOT.COM <SHAWNA@CARLTONDEPOT.COM>
Sent: Thursday, January 29, 2026 6:09 AM
To: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; ward2b@laurel.mt.gov; Ward 4A <ward4a@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>
Subject: Concerns

Good Morning Council,

As you are well aware, I oppose the Montana State Forensic Hospital/Prison at the proposed location in Laurel, for many reasons.

The city of Laurel struggles with finances; we have fundraisers for an ambulance, the City of Laurel's ambulance, protective vests for the police force, bunker gear, new safety equipment and PPE for the Fire Department. Why? Because the city does not have the funds. This property could have provided commercial and residential income for the city but know it will not bring income and will become a financial burden in one way or another.

Another great option would have been a new Emergency Services Facility as the current facility is in shambles, leaking roofs causing the potential for electrical issues, the heat and air duct is constantly going out, there are many safety issues in the dispatch and police area (which I will not speak publicly about as I do not want to endanger them in any way). Red Lodge Fire was just awarded 2 million dollars from the state for a new station as bunker gear should not be in the same bays as the trucks for exhaust and potential risks for cancer; guess where Laurel's gear is, yep in the same bay. The list could go on.

We operate on a very minimally paid fire department, who risk their lives, sacrifice time away from family on holidays for our community and its citizens. This stipend paid department covers one of the largest areas in the state will now have to have special training and additional risks on calls that will likely occur at the facility. When there are calls at this facility, it will pull from all Emergency Services, leaving the residents and community with less resources. This will directly impact our community.

The safety of our community, emergency services, and our children should be on the front of everyone's mind. At the school board meeting (please watch the video play to get exact quotes and names of individuals) a few comments struck a chord with me. Board Member, Kayla Gray made a comment in regards to her student teaching time; "children would be scared to go to the bathroom alone; this will add another level of fear, resulting in less productivity in the classroom", one of the student board appointee made a comment about the youth softball training facility directly bordering the proposed location; stating the safety of all Laurel students should be of utmost importance. Two ladies during public

comment stated a few facts about escapees from warm springs over the last several years. However, Amber Zahn's comments stuck with me the most; she stated, "it doesn't matter how frequent the escapes are it just takes ONE, one escapee to hurt one of our children or citizens."

During the September 30th, "Candidate Meet and Greet" meeting at the Front Porch with the Small Business Alliance Group, questions were asked of Mayor Waggoner about the proposed Facility. Mayor Waggoner stated the state of Montana had asked what the city of Laurel would do to bring the facility to Laurel, and he said absolutely NOTHING, the city will not give them anything. Well, it appears from the communication released by the State of Montana on August 22, 2025. The Mayor and CAO had been offering advice and working with them anyways; even if it was just a location, they were encouraging them to look in our community. As a business owner, my main question was about how this would affect the business community in Laurel, i.e.. pulling jobs from local businesses that already struggle to find help. He acknowledged this as a real risk that could directly affect my business. Why would it be good for the community to take away jobs from one place to add to another? Is the state hospital more important to the city than mine? As of now the fear has grown, as it is not just losing employees but customers as well. People will sell and although someone else may move in, I now have to figure out how capture them as a new customer; less people eat out in fear their property values will decrease. We have a desolate main street already, and this will continue to discourage people from coming to our community. Laurel will continue to struggle instead of encouraging real businesses to come to Laurel that would bring real money to the community and city.

I could go on but Ill save the rest for next week as this is truly exhausting, physically, mentally and emotionally as this affects me to my core. This affects me personally on so many levels as our property the borders this facility, my business will be affected and my husband and son's safety as well as many other first responders I care about will be directly impacted.

Please oppose this location and stand up for OUR community.

Thank you for your time,
Shawna Hopper
Concerned Citizen and Business Owner

Brittney Harakal

From: Ward 1B
Sent: Thursday, January 29, 2026 8:53 PM
To: Civil Attorney
Cc: Brittney Harakal; Kurt Markegard
Subject: Fw: Forensic Mental Health Facility
Attachments: GovLetter_BOI.pdf

From: Laura Kirschenmann <laurakirschenmann@gmail.com>
Sent: Thursday, January 29, 2026 6:15 PM
To: citymayor@laurelmt.gov <citymayor@laurelmt.gov>; michele@meridianlawmt.com <michele@meridianlawmt.com>; Kurt Markegard <kmarkegard@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>
Subject: Forensic Mental Health Facility

Good evening,

I am writing to you all to express my opposition to the currently proposed location for the forensic mental health facility. My family lives at 939 W 4th St. I have lived in Laurel for roughly 13 years, however my husband and his family have been in Laurel and heavily involved in the community for decades. I love Laurel and am grateful to be raising my son in this town. It is hard to find a gem to call home that we have here, with that small town vibe where you really feel safe and surrounded by a supportive community. I am deeply concerned with what the consequences may be by bringing this facility to Laurel. First and foremost, the currently proposed location is far too close to Laurel Elementary School. My next largest concern is the strain this would put on our emergency services. I am sure you all are aware of our thinly stretched volunteer ambulance and fire departments. I have heard countless calls on the scanner where our ambulance was either already out on a call, or no one was available to answer the call. This type of facility will undoubtedly have plenty of instances where calls will be placed needing the assistance of emergency personnel. I fear bringing this type of facility that will need support from our strained emergency services could endanger the citizens of Laurel at their most desperate times of need. Without having a 24/7 fully staffed fire and ambulance department, I feel this is putting all the citizens of Laurel at great risk. I beg you all to please do everything within your power to keep this facility out of Laurel.

Governor Gianforte was clear in his letter dated 9/10/2025, that due to the impact this facility will have on whichever community it is built in, it is imperative that there be public **participation and engagement**. I kindly ask that the public is included/invited into the decision making and discussions, as much as possibly allowed, of this project before moving forward as our Governor strongly encouraged.

Over the course of the last few months, this project has gained the attention of many in the public, both because of the great need for the proposed facility and because its location impacts their communities. In proceeding with this project, public participation should play a critical role as it moves forward. Engaging the public and stakeholders will ensure that these decisions are made in the open, allowing Montanans to have a voice in how their hard-earned tax dollars are spent.

As the Board moves expeditiously to resume implementation of House Bill 5, I encourage BOI to work closely with DPHHS during the development of the behavioral health facility plan to specify services to be provided at the facility and ensure that the public has an opportunity to be heard. While the building is to be constructed by BOI, it is important that DPHHS work closely alongside the Board so that the facility meets the behavioral health needs of Montanans. To ensure that all interested communities have the opportunity to provide feedback, I also encourage the Board to work with DPHHS to consider additional locations beyond the previously reviewed sites.

I appreciate each and every one of you and the hard work you put in every day for our community. I would be happy to speak further with anyone if you so wish.

Take care,

Laura Kirschenmann
281-813-9679

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

September 10, 2025

Montana Board of Investments
PO Box 200126
Helena, MT 59620-0126

Dear Members of the Montana Board of Investments,

Thank you for the brief pause you have placed on developing and constructing the behavioral health facility contemplated by House Bill 5, which the Legislature passed and I signed into law. At the most recent meeting of the Board of Investments (BOI), the Board requested written guidance from my office about how to best proceed with implementing House Bill 5 so that we can continue addressing the behavioral health challenges across our state.

As you know, House Bill 5 provided \$26.5 million to BOI to prepare and build a behavioral health facility in Eastern Montana in coordination with the Department of Public Health and Human Services (DPHHS) as an investment for the State. Under the law, the Legislature directed BOI and DPHHS to prepare a plan for facility type and location subject to approval by the Director of the Governor's Office of Budget and Program Planning.

Over the course of the last few months, this project has gained the attention of many in the public, both because of the great need for the proposed facility and because its location impacts their communities. In proceeding with this project, public participation should play a critical role as it moves forward. Engaging the public and stakeholders will ensure that these decisions are made in the open, allowing Montanans to have a voice in how their hard-earned tax dollars are spent.

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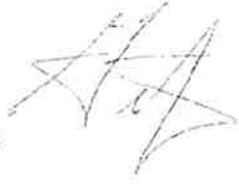
This project is of great importance to the State of Montana, as DPHHS must continue to build out capacity to take care of Montanans in need of behavioral health services. I share the goals of

Board of Investments
September 10, 2025
Page 2

the Legislature to complete this project quickly while also ensuring transparency, fairness, and public involvement.

Thank you to each member of the Board for their work on this important project. Should you have any additional questions, please do not hesitate to reach out to my office.

Sincerely,

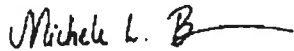


Greg Gianforte
Governor

Brittney Harakal

From: Civil Attorney
Sent: Friday, January 30, 2026 12:56 PM
To: Brittney Harakal; Kurt Markegard; City Mayor
Subject: Fw:

Best Regards,



Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: [406.671.4333](tel:406.671.4333)
civilattorney@laurel.mt.gov

From: Ward 1A <ward1a@laurel.mt.gov>
Sent: Friday, January 30, 2026 7:41:12 AM
To: Brittney Harakal <bharakal@laurel.mt.gov>
Cc: Civil Attorney <civilattorney@laurel.mt.gov>
Subject: FW:

Text messages I received Wednesday, January 28, 2026 and my response to them.



Sara B. Naylor

Council Member City of Laurel Ward 1

✦ 406 798 9499

✦ ward1a@laurel.mt.gov

From: Sara Naylor <sarabnaylor@gmail.com>
Sent: Friday, January 30, 2026 7:40 AM
To: Ward 1A <ward1a@laurel.mt.gov>
Subject:

7:38



+1 (860) 771-3511

Text Message • RCS
Wednesday 4:51 PM

Hi Sara! Quick question for you.

I live in Laurel, wondering how you feel about being removed from all city accounts, with the CAO now handling oversight. Before I make a big deal out of the tail end of last night's meeting for people, I figured I'd reach out to you directly and get your take.

Wednesday 7:35 PM

Good evening, thank you for reaching out. I'm a relatively new city council member as I just came on board this month. I'm not entirely sure how these matters are typically handled within the city from a policy standpoint. I would encourage you to reach out to the mayor or city clerk treasurer with regard to any questions or clarification on this matter. Again, thank you and I hope you have a good evening.

Read Yesterday

If you did not



Text Message • RCS





Sara B. Naylor

Chief of Staff - Billings Fire Department
Assistant Fire Marshal - Laurel Fire Rescue

- ✦ 406.508.9400
- ✦ saranaylor@bigskyfire.com
- ✦ [sbnaylor@billingsmt.gov](https://www.facebook.com/sbnylor)
- ✦ [sbnaylor@billingsmt.gov](https://www.linkedin.com/in/sbnaylor)

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:12 PM
Brittney Harakal
FW: Concerns regarding the Proposed Forensic Mental Health Facility Location in Laurel

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Bethany Haan <bethany_haan@yahoo.com>
Sent: Thursday, January 22, 2026 11:34 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Concerns regarding the Proposed Forensic Mental Health Facility Location in Laurel

Dear Mayor Waggoner,

I am writing to you as a deeply concerned resident of Laurel and an active member of our community regarding the recent site selection for the new state behavioral health facility. While I recognize and support the commitment to addressing Montana's critical need for mental health infrastructure, I am writing to formally express my opposition to the specific location currently under consideration.

My concerns are centered on the facility's proximity to established residential neighborhoods and educational institutions. My family resides off Laurel Golf Course Road, placing this planned site a mere 1.6 miles from our front door. Even more concerning is the fact that this facility—intended to house individuals requiring forensic mental health assessments, fitness-to-stand-trial evaluations, and those found guilty but mentally ill—would be located just one mile from Laurel Elementary School.

As a mother of four, with two children currently attending that elementary school, the safety and security of our students and neighborhoods are my highest priorities. Placing a high-security forensic population in such close proximity to school-aged children and densely populated residential areas presents risks that I believe have not been fully mitigated or addressed in the current planning phase.

I understand that the state is fulfilling a vital mandate to improve our mental health system. However, for a project of this sensitivity, the choice of location is as important as the services provided. I respectfully ask that you exercise your oversight to pause this selection and re-evaluate alternative sites that do not infringe upon the immediate safety zones of our schools and local families.

Our community is supportive of progress, but we ask that this progress does not come at the expense of the peace of mind and safety of Laurel's residents. Thank you for your time, your leadership, and your consideration of this urgent matter.

Respectfully,

Bethany Haan
Laurel, Montana

Brittney Harakal

From: Ward 1B
Sent: Thursday, January 29, 2026 12:20 PM
To: Civil Attorney
Cc: Kurt Markegard
Subject: Fw: mental hospital letter attached
Attachments: mental health facility - jan 2026.pdf

From: Don Smarsh <don@dynamicpromoproducts.com>
Sent: Thursday, January 29, 2026 7:38 AM
To: citymayor@laure.mt.gov <citymayor@laure.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Laurel Chamber <laurelchamber@laurelmontana.org>; Kurt Markegard <kmarkegard@laurel.mt.gov>
Subject: mental hospital letter attached

Thank you for your time.

Please review us on Google <https://g.page/r/CaSBBzGGWI45EB0/review>

Don Smarsh

Phone: 406-628-4718 Toll Free: 800-628-7795 Cell: 406-208-5358



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dynamicpromoproducts.com

206 1st Ave, Laurel, Montana 59044

Hours: 8:30am - 5:30pm, Monday-Friday

Mailing: PO Box 249, Laurel, Montana 59044

Brittney Harakal



Attachments:

City Mayor
Monday, February 2, 2026 1:17 PM
Brittney Harakal
FW: mental hospital letter attached
mental health facility - jan 2026.pdf

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Don Smarsh <don@dynamicpromoproducts.com>
Sent: Thursday, January 29, 2026 7:44 AM
To: The Front Porch <thefrontporchmt@gmail.com>; City Mayor <citymayor@laurel.mt.gov>; Laurel Chamber <laurelchamber@laurelmontana.org>
Subject: mental hospital letter attached

Thank you for your time.

Please review us on Google <https://g.page/r/CaSBBzGGWI45EB0/review>

Don Smarsh

Phone: 406-628-4718 Toll Free: 800-628-7795 Cell: 406-208-5358



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dynamicpromoproducts.com
206 1st Ave, Laurel, Montana 59044
Hours: 8:30am - 5:30pm, Monday-Friday
Mailing: PO Box 249, Laurel, Montana 59044

ridgmountain.com

January 29, 2026

To: Laurel Mayor and City Council

From: Don Smarsh

Re: State Mental Health Facility

My wife and I live at 1940 Ranch Trail Road in Yellowstone County just outside of Laurel. We have operated a business in downtown Laurel for 33 years. We have been fortunate to raise our kids here in Laurel and have always felt like Laurel is a relatively safe community to do so.

I am not against a much needed State Mental Hospital. I am against the location chosen for the new facility. There has been a lot of valid concerns brought up like; it will be too close to schools and residential housing, property values, no tax benefits to Laurel and the stigma it brings for future growth.

Some of my concerns are with the current Mental Hospital in Warm Springs. The hospital has been under scrutiny for patient deaths and assaults. This has led to safety concerns for both the staff and community. They have struggled with staffing the facility which leads to insufficient patient care and safety concerns. The Centers for Medicare and Medicaid Services took away their certification in 2023 due to the facility's failure to meet basic health and safety requirements. The loss of federal funding has put a strain on how the hospital is staffed and operated. There is 60-70 consistently on the waiting list for a bed which puts a strain on the local detention facilities until room becomes available.

The Mental Hospital in Warm Springs has been so insufficiently managed by the state that I am concerned about it being the same situation here in Laurel. I am concerned that our local law enforcement and fire department aren't equipped or staffed for this type of facility. I am concerned that staffing the facility may be difficult. The Yellowstone County Jail advertises on the local radio to find qualified employees. It takes a lot of employees to run a mental hospital and even though we are the most populated county in Montana those will be tough positions to fill and turnover is high. I think this could put more financial strain on the city of Laurel and Yellowstone county in the future.

Concerned citizen.

Don Smarsh

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:10 PM
Brittney Harakal
FW: Concerns Regarding Proposed State Mental Hospital

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: April Rosekelly <april_rosekelly@yahoo.com>
Sent: Wednesday, January 21, 2026 9:01 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Concerns Regarding Proposed State Mental Hospital

Dear City Council Members,

I am writing as a Laurel resident to formally express my opposition to the proposed location of the new state mental health facility within city limits, particularly given its proximity to Laurel Elementary School and established residential neighborhoods.

While I fully support the need for accessible mental health services in Montana, I strongly believe this specific site is not an appropriate or responsible placement. Locating a large state-run facility within walking distance of an elementary school raises serious safety, planning, and long-term community impact concerns that deserve deeper consideration.

In addition, the proposed site removes approximately 115 acres from the local tax base due to its tax-exempt status. This directly impacts city services and school funding while placing additional strain on local infrastructure—without corresponding financial benefit to the community. The potential negative effects on nearby property values and key community assets, including the golf course that brings significant revenue into Laurel, should not be dismissed.

Residents deserve transparency, meaningful public input, and thoughtful planning—especially for a project of this scale and permanence. I urge the Council to pause,

reconsider this location, and explore alternative sites outside of residential neighborhoods and school zones that would better serve both the facility's mission and the long-term wellbeing of Laurel.

Thank you for your time and for considering the voices of the community you represent.

Sincerely,

April Myers

Laurel, Montana

Sent from my iPhone

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:13 PM
Brittney Harakal
FW: Formal Request for Community Safety Review – Proposed Psychiatric Facility Location

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Amber Zahn <blondie_locks09@yahoo.com>
Sent: Friday, January 23, 2026 1:41 PM
To: City Mayor <citymayor@laurel.mt.gov>
Cc: Kyle Smith <kyle.smith@hepi.com>; My E-mail <blondie_locks09@yahoo.com>
Subject: Formal Request for Community Safety Review – Proposed Psychiatric Facility Location

Dear City of Laurel Officials,

I am writing as a parent and homeowner regarding the proposed forensic psychiatric facility adjacent to our residential neighborhood and within close proximity to an elementary school.

Our community supports access to mental health treatment. However, the proposed location raises serious unresolved concerns related to public safety, emergency response preparedness, long-term oversight, and zoning suitability — particularly given the state's recent history of documented safety failures at Montana State Hospital.

We are formally requesting:

- An independent, publicly released community safety and risk assessment
- Clear disclosure of security, staffing, and emergency response protocols
- A public forum allowing residents, school representatives, and first responders to ask questions on the record
- Consideration of alternative locations that do not place children and residential neighborhoods at heightened risk

Proceeding without transparency and documented safety analysis would be deeply concerning.

We respectfully request a written response.

Sincerely,
Amber Zahn

Yahoo Mail: Search, Organize, Conquer

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:13 PM
Brittney Harakal
FW: Adjacent Property Impacts and Mitigation – Laurel Forensic Facility

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Amber Zahn <blondie_locks09@yahoo.com>
Sent: Friday, January 23, 2026 10:59 PM
To: charles.brereton@mt.gov
Cc: citycouncil@laurel.mt.gov; commissioners@yellowstonecountymt.gov; City Mayor <citymayor@laurel.mt.gov>; My E-mail <blondie_locks09@yahoo.com>
Subject: Adjacent Property Impacts and Mitigation – Laurel Forensic Facility

Dear Sir or Madam,

I am a property owner whose land directly shares a boundary with the proposed forensic psychiatric facility near Laurel, Montana. I am writing to formally request detailed information and written clarification regarding anticipated impacts to my property and potential mitigation measures.

Because my property is immediately adjacent to the proposed site, I will be uniquely affected by decisions related to facility design, security features, access routes, lighting, and future expansion. These impacts differ materially from those experienced by the broader community and raise legitimate concerns regarding property value, use, and long-term marketability.

Specifically, I respectfully request written responses to the following:

1. Security and Design

- The planned type, height, and visibility of perimeter fencing.
- Whether any anti-climb, razor wire, or hardened security features are proposed.
- The placement, intensity, and shielding of exterior lighting and surveillance systems.

2. Setbacks and Buffers

- The planned setback distance from my shared property line.
- Whether the state is willing to implement permanent buffer measures, including berms, landscaping, tree lines, or no-build easements along the shared boundary.

3. Access and Operations

- The location of access roads, staff entrances, and patient transport routes.
- Expected traffic volume and any anticipated use of sirens or emergency transport protocols.
- Hours of operation most likely to affect adjacent landowners.

4. Zoning and Future Expansion

- The zoning designation governing the site.
- Whether current approvals allow for future expansion, additional beds, or enhanced security features without further public process.

5. Property Value Impacts and Mitigation

- Whether the state has conducted or plans to conduct a property value impact or diminution study for adjacent landowners.
- Whether mitigation measures or compensation are available for directly affected properties, including landscaping, easements, or other forms of relief.

I appreciate the importance of expanding forensic mental health services in Montana. At the same time, I believe it is reasonable and necessary for the state to address the disproportionate impacts borne by adjacent property owners through transparency, mitigation, and good-faith engagement.

I respectfully request that responses be provided in writing and included in the official project record.

Thank you for your attention to this matter.

Sincerely,
Amber Zahn

Yahoo Mail: Search, Organize, Conquer

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:16 PM
Brittney Harakal
FW: A Mothers View

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Ariel Ronan <ariellynnronan@gmail.com>
Sent: Wednesday, January 28, 2026 8:39 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: A Mothers View

Hi Mayor,

Ariel Ronan here - Resident at 614 E 1st ST

I know you likely won't reply, and that's ok. I would just like to send you a piece I wrote this morning. I hope that it might provide some insight into how it feels to be a mother to small children in the city of Laurel at this present time.

" Sitting in the drop off line at Laurel Elementary, waiting for my own 8 year old to exit my car. I'm watching other small children hop out of cars with backpacks half zipped and hair still messy, and I can't stop wondering: what's this view going to be like if there's a forensic mental health facility just on the other side of those trees?

This is where we wave goodbye to our smallest school goers. Where we tell them to be brave, to be kind, to have a good day. It's where we trust that this space is safe, familiar, and meant for growing. And yet my eyes keep drifting past the playground, past the fence line, imagining something entirely different looming there... something heavy, something that doesn't belong in the quiet rhythm of a school morning.

I'm trying to be present in this moment, to soak in the normalcy of it all, but it's hard not to feel a knot in my chest. It's hard not to think about what it means to change the landscape around our kids. Not just physically, but emotionally. This isn't about fear-mongering or ignoring the need for mental health care. But the reality is; this facility isn't about community mental health access. It's about criminals. Mentally unstable criminals.

It's about the dissonance of placing something so complex, so serious, next to a place that's supposed to feel light and safe.

As my child exits the car and I pull away, I keep thinking: our kids deserve spaces that let them be kids.
It's unsettling to wonder how much that view, and that feeling, might change

Build the facility, Montana; on another piece of land, much further away from our school. “

Thank you for your dedication to this town,



ARIEL RONAN

📞 701-334-2779

✉ ariellynnronan@gmail.com

Brittney Harakal

From: Ward 1A
Sent: Sunday, February 1, 2026 2:05 PM
To: Brittney Harakal
Cc: Civil Attorney
Subject: FW: Forensic Mental Correctional Facility



Sara B. Naylor

Council Member City of Laurel - Ward 1

✦ 410 598 9499

✦ Ward1@laurel.mt.gov

From: Monna Rae Adickes <monnarae@cbthebrokers.com>
Sent: Saturday, January 31, 2026 10:57 PM
To: Ward 1A <ward1a@laurel.mt.gov>
Subject: Forensic Mental Correctional Facility

Dear Laurel City Council Members,

What tangible benefit does this proposed mental health correctional facility bring to the City of Laurel?

What do the Laurel property owners receive in exchange for the inevitable decline in real estate values? Has the State committed to rebuilding *all* of Laurel's city streets? Upgrading our water and sewer plants? Purchasing a new ambulance for our community?

We do not want this facility in its proposed location. It is too close to our elementary school.

We have been told this project means "jobs and growth." Please—laugh out loud.

Employees of this facility will not buy homes in Laurel. They will commute from neighboring communities. Meanwhile, our residents will shoulder the risk.

Why the secrecy? According to Kurt's letter, Mayor Wagoneer was involved early in this plan. The City Attorney was later informed and warned Council members to remain silent. That should concern every resident.

This feels disturbingly familiar, just like how the NWE gas plant was ramrodded through with little regard for citizen concerns,

We urge you to vote NO to the annexation of the approximately 114 acres owned by Miller Trois LLC / Norman Miller. Vote NO to the zoning change that would allow a forensic mental correctional facility to be built on the Miller property north of Old Highway 10.

Laurel residents acknowledge that Eastern Montana needs a facility to care for the mentally ill. However, we strongly oppose placing it less than 500 yards from Laurel (West) Elementary School.

Please move this project back to the state-owned land, north of town as originally selected. By doing so you will provide the City of Laurel with more growth opportunities and provide a level of safety to the heart of our residential neighborhoods and schools.

For the sake of our children please Vote NO to annexation and the proposed zoning change.

Respectfully,
Monna Rae Adickes
102 8th Ave # B
Laurel MT 59044



MONNA RAE ADICKES
Real Estate Broker

☎ 406-860-4284
✉ monna.rae@cbthebrokers.com
📍 3135 Meadow View Drive
Billings, MT 59102
🌐 www.mra406.com

 **COLDWELL BANKER THE BROKERS**

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:18 PM
Brittney Harakal
FW: Letter of opposition to proposed state hospital

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: colleen maurer <colmaurer@gmail.com>
Sent: Friday, January 30, 2026 11:54 AM
To: City Mayor <citymayor@laurel.mt.gov>; michele@meridianlawmt.com; Kurt Markegard <kmarkegard@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; city.planner@laurel.mt.gov; Lee.Deming@legmt.gov; Vince.Ricci@legmt.gov; governor@mt.gov
Subject: Letter of opposition to proposed state hospital

Colleen Maurer
1416 W Maryland Lane
Laurel, MT 59044
colmaurer@gmail.com
406-530-4166

January 30, 2026

Dear City of Laurel and State of Montana Representatives,

I am writing as a concerned resident of Laurel to formally express my strong opposition to the proposed construction of a state mental hospital intended to house the worst violent offenders. While I understand the importance of providing mental health services and rehabilitation, the placement of such a facility in the proposed location for individuals with a history of severe violence presents significant risks and concerns for our city, its residents and our outlying county residents.

Placing this facility on the proposed property will be the biggest detriment to the City of Laurel. The 114-acre parcel in question will not provide any tax benefit to our city and will kill the potential of any future commercial or residential development- these businesses and residences would generate tax income that would pay for water, roads, emergency services, and schools. The State of Montana will not pay any taxes on this property, therefore leaving the city's current residences and business owners to foot the bill. If you are a current resident of Laurel, you already know that these services need tax dollars for ongoing improvement.

The primary responsibility of local and state government is to protect the safety and well-being of its citizens. The proximity of this facility to Laurel Elementary School is troubling. Establishing a facility for violent offenders—regardless of mental health status—poses a direct threat to public safety. The potential for escape, inadequate security measures, and unintended interactions with the community cannot be underestimated. Our residents, businesses, and schools could be put at risk should any security breaches occur.

The presence of such a hospital is likely to have a detrimental effect on property values in the surrounding area, discourage new investment, and create a lasting stigma for our community. Families may feel less inclined to settle here, and current residents may consider relocating, undermining the fabric of our neighborhoods and the economic vitality of our city.

I, along with many community members, feel that there has not been adequate transparency from state and local officials regarding the selection of the proposed site. Decisions of this magnitude must involve open dialogue with affected communities, thorough impact assessments, and consideration of alternative locations better suited for such specialized facilities. Our Mayor and CAO have been in discussion with the State long before letting the city council or the city's residents know of their two-person plan. It's quite back-handed and has created serious mistrust in the two individuals involved. What gives two people the authority to go behind the backs of a whole community and force this through in such a hush-hush manner?

I urge the city and state government to reconsider this proposal and instead explore locations that are more remote and specifically designed for the secure treatment of high-risk individuals. Additionally, investment in community-based mental health services and preventive programs can yield positive outcomes without placing undue burden on our neighborhoods.

In closing, I respectfully request that you take these concerns seriously and prioritize the safety, well-being, and future of Laurel. Looking at the overall picture.

Thank you for your attention to this matter.

Sincerely,
Colleen Maurer

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:12 PM
Brittney Harakal
FW: Forensic Mental Healthcare Project

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Laura Nelson <lauranelson4444@gmail.com>
Sent: Thursday, January 22, 2026 1:33 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Forensic Mental Healthcare Project

Good afternoon, Mayor,

Allow me to introduce myself to you. My name is Laura Nelson and I have been in the healthcare development industry for more than 30 years. I am a Montana native born and raised.

My specialty has been in rural America. I'm writing to you to give you some positive feedback that I hope you will consider. My corporation PPI has been acquiring funding for building new and renovating old healthcare facilities and working with States, Senators and Congressmen from all over the US. I do live in Billings. However, I come to you as my Son and his Wife live in Laurel along with many friends.

When building a hospital, clinic, nursing home, jail, whatever project you have and the State is involved, please maximize your potential by building out in a large area, a vacant field, between Billings and Laurel off of the highway and having the State pay for infrastructure, etc... Always build with the future in mind. This way you can grow, expand or add on services that may be needed in the future for these patients, etc...

The land in my projects has always been donated. I have worked with major donors all over the US as well. Once the land is agreed upon, then you will invite blueprints, architectural drawings.

You may or may not welcome this information. However, building in any neighborhoods or next to schools does not allow you to expand, grow to maximize your future funding potential. For example, the Red Lodge Hospital was first built up against a mountain with neighbors all around. There was nowhere to make improvements, so you probably noticed that they and the Columbus Hospital are now built on the outside of these towns. So vital.

I am currently caring for an elderly parent but am available for questions if you would like to visit. I have assisted the Columbus Hospital, Big Timber, and the like, but am currently slowing down to assist with family affairs.

I wish you nothing but the best and do thank you for stepping up to tackle this project. It is needed for Yellowstone Country's ability overall to stay in front of the population's increase in crime. I hope this information is helpful.

Sincerely,

Laura Nelson

--

Laura Nelson
P.O. Box 1854
Billings, MT 59103
(406)670-0339 Mobile
(Leave a message or feel free to text)

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:16 PM
Brittney Harakal
FW: Proposed Laurel Forensic Mental Hospital

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Kristi Hansen <kristi606@icloud.com>
Sent: Wednesday, January 28, 2026 11:25 AM
To: governor@mt.gov
Cc: vince.ricci@legmt.gov; lee.deming@legmt.gov; City Mayor <citymayor@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Laurel City Planner <cityplanner@laurel.mt.gov>
Subject: Proposed Laurel Forensic Mental Hospital

Greetings from Laurel,

I am writing to respectfully urge you to reconsider the proposed location of the Forensic Mental Hospital in Laurel and to relocate it to a more appropriate site. Laurel is a small, close-knit community that takes great pride in being a safe, family-oriented town with strong local values, growing businesses, and a positive future ahead.

The placement of a forensic mental health facility in our community raises serious concerns regarding public safety, long-term economic impact, property values, and the overall well-being of residents. These concerns extend to the surrounding subdivisions, nearby neighborhoods, and the elementary school—all of which would become immediate neighbors to the proposed facility.

How can this possibly be considered an acceptable option? I ask you to reflect on whether you would be comfortable with this in your own backyard or near your children, and if not, to consider why that answer matters for the families of Laurel.

Laurel has worked hard to build momentum for growth and development, and this decision has the potential to halt that progress, deter new investment, and undermine years of effort by local families, business owners, and community leaders.

We fully recognize the importance of mental health services and the critical role they play in our state. However, we strongly believe that this type of facility should be placed in a location that is better suited from both an infrastructure and community-impact perspective—one that ensures patient care, staff safety, and public confidence without placing an undue burden on a small town like ours.

Laurel residents deserve a voice in decisions that will permanently shape the future of our community. We are not asking that these services be eliminated—only that they be thoughtfully and strategically located in a place that better aligns with public safety, community development, and long-term planning goals for Montana.

I respectfully ask that you reconsider this decision and explore alternative locations that will serve both the needs of the state and the well-being of local communities.

Respectfully,

Kristi Hansen

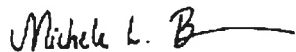
Laurel, Montana

Brittney Harakal

From: Civil Attorney
Sent: Wednesday, January 28, 2026 2:08 AM
To: Brittney Harakal
Subject: FW: Community Impact and Professional Concern Regarding Proposed Forensic Mental Health Facility

Please include in the public record to be read at the next meeting. Thanks!

Best Regards,



Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: 406.671.4333
civilattorney@laurel.mt.gov

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From: Civil Attorney
Sent: Wednesday, January 28, 2026 2:07 AM
To: 'Katlyn Gotschall' <katlyngotschall@gmail.com>; City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>
Cc: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>
Subject: RE: Community Impact and Professional Concern Regarding Proposed Forensic Mental Health Facility

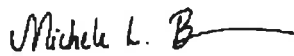
Dear Ms. Gotschall:

I want to first state, as an attorney, that deals with many issues that are both legal and otherwise in nature, including many that involve mental health issues, I thank you for your perspective and consideration on this issue. As the City Attorney for the City of Laurel, I don't ordinarily individually respond to these matters, because it's just not productive, nor is it often legal. So, I don't want you to take my lack of response on this to be a lack of understanding about the importance of what you are conveying. I also hope that you don't find any lack of CC response to be the same. I have advised CC that they simply cannot respond on these matters, right now, based upon the legal stage of things, and they simply need to hear your comment and process it, as they determine appropriate, and at the necessary time that a formal annexation/zoning matter is in front of them.

But, your words struck me deeply tonight, and I want you to know that. It was a long and hard meeting tonight, and it was hard for both constituents, our public, and our City Staff. But, it was incredibly important, because this is exactly how City governance is intended to work.

Thank you for your public feedback, and it will be read into the record the next meeting. Please know that you can appear at any upcoming meetings and speak in person. I personally appreciate you. I appreciate your Clinical Work. I appreciate the work that your Husband provides to our Volunteer Fire Department. I hope that you know that you are seen, we hear you, and I have full faith and confidence that our City Council, who are wise and informed individuals, will evaluate all matters that are presented to them in an informed manner with the full record that is presented to them.

Best Regards,



Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: 406.671.4333
civilattorney@laurel.mt.gov

CONFIDENTIALITY NOTICE: This transmission may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, or you are not authorized to disclose the contents herein, please note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify me immediately.

From: Katlyn Gotschall <katlyngotschall@gmail.com>
Sent: Tuesday, January 27, 2026 9:50 PM
To: City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>
Cc: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>
Subject: Community Impact and Professional Concern Regarding Proposed Forensic Mental Health Facility

Dear Mayor and Members of the Laurel City Council,

My name is Katlyn Gotschall, and I am a resident of Laurel, Montana.

I am writing this letter following the City Council meeting held this evening (1-27-2026) to formally share my concerns, perspective, and professional opinion regarding the proposed annexation of a forensic mental health facility into the City of Laurel.

When I met my husband, I knew Laurel would become our forever home. We have built our life here with intention and commitment, purchasing our home, raising our child, establishing our careers, and investing deeply in this community and its people.

I am a Licensed Clinical Professional Counselor. While this facility is sometimes framed as an opportunity for mental health employment, the reality is that forensic state facilities primarily employ psychiatrists, psychologists, correctional staff, and nursing professionals. Roles for counselors are limited and highly custodial in nature, and they are rarely filled by local outpatient clinicians. This facility would not meaningfully strengthen Laurel's mental health workforce, increase access to care, or support community based therapy services.

My clinical work centers around trauma, safety, and trust. What I have observed through this process is

that the City has unintentionally activated a collective trauma response within the community. Fight, flight, freeze, and fawn are predictable reactions when people feel unsafe or excluded from decision making. Laurel is responding with fight.

When questions are asked with urgency and emotion, it is not hostility. It is fear. Fear emerges when trust has been disrupted. Many residents feel blindsided and unheard. Rather than prioritizing sustainable growth such as affordable housing for healthcare professionals, investment in local services, and workforce retention, the City is considering annexing a state run forensic facility that offers little direct benefit to Laurel while introducing long term risk.

Once annexed, the City of Laurel would assume ongoing responsibility for municipal services tied to this facility. This includes emergency response, fire protection, medical coordination, infrastructure support, and mutual aid response. These responsibilities carry staffing, training, liability, and financial implications that remain even if state priorities or funding structures change.

Community members are not passive observers or social media acquaintances. We are residents who have entrusted our elected officials with transparency, accountability, and honest communication. When information is shared unevenly or appears selectively endorsed through informal platforms, it further erodes trust and deepens community concern.

As the spouse of a volunteer firefighter, my concerns deepen further. My home is structured around other people's worst days. I fear that our already stretched first responders may be expected to manage incidents involving a forensic population without specialized, ongoing, and fully funded training. Forensic psychiatric response differs significantly from standard crisis intervention. Without guaranteed preparation and resources, local responders are placed at risk alongside the community they serve.

I also feel anxiety knowing my husband may be asked to give more time, energy, and emotional labor to support a decision that does not clearly support him or his fellow responders in return. I feel shock that those entrusted with safeguarding this community would consider introducing a high acuity facility without a clearly defined and publicly presented plan for emergency readiness, responder protection, and long term sustainability.

Montana already faces critical shortages in healthcare and emergency personnel. Adding a high demand facility without parallel investment in workforce retention increases burnout risk, turnover, and strain on systems that are already operating at capacity.

As a mother, I am left asking how we teach our children to trust leadership when transparency feels absent. The individuals housed in a forensic mental health prison are not there voluntarily, nor are they stabilized for community integration. As a parent, I cannot support a decision that compromises my child's sense of safety.

For clarity:

A forensic mental health hospital is a secure psychiatric facility that evaluates and treats individuals involved in the criminal justice system, often those deemed incompetent to stand trial or not guilty by reason of mental disease or defect. These facilities operate with correctional level security and house individuals who have committed serious offenses.

Trust is built through consistency, transparency, and mutual respect.

Safety is the reasonable assurance that individuals and communities are protected from harm and that adequate systems are in place to respond effectively when risk arises.

Communication is the clear, timely, and honest exchange of information that allows informed decision making.

To date, there has been no publicly presented community benefit agreement outlining guaranteed funding, staffing ratios, emergency response support, infrastructure investment, or long term oversight mechanisms that would directly benefit Laurel residents.

You have already heard concerns regarding the lack of economic benefit, tax revenue, or expanded services this facility would bring. Other communities have expressed willingness to accept this facility where infrastructure and resources may better support it. This proposal is not comparable to the Billings Clinic Psychiatric Center, which stabilizes individuals in crisis. It is not Warm Springs. It is not Passages. This is a prison for mentally ill offenders.

Opposition to this annexation is not opposition to mental health treatment. It is opposition to placing a secure forensic facility in a community without demonstrated benefit, adequate preparation, or transparent collaboration.

Tonight, you have heard from many voices. This letter adds the perspective of a mental health professional, a first responder's spouse, a mother, and a committed community member.

I respectfully urge you not to annex this facility into Laurel.

Sincerely,
Katlyn Gotschall, MS, LCPC
Resident of Laurel, Montana
406-697-9487

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:15 PM
Brittney Harakal
FW: Community Impact and Professional Concern Regarding Proposed Forensic Mental Health Facility

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

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Sent: Tuesday, January 27, 2026 9:50 PM
To: City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>
Cc: Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>
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I respectfully urge you not to annex this facility into Laurel.

Sincerely,
Katlyn Gotschall, MS, LCPC
Resident of Laurel, Montana
406-697-9487

Brittney Harakal



Attachments:

City Mayor
Monday, February 2, 2026 1:18 PM
Brittney Harakal
FW: Letter of Gratitude from NAMI Montana
Matt Kuntz Letter to Laurel City Council 30JAN26.pdf

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Matt Kuntz <matt@namimt.org>
Sent: Friday, January 30, 2026 12:37 PM
To: City Mayor <citymayor@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>
Subject: Letter of Gratitude from NAMI Montana

Dear Laurel City Council,
Please accept the attached letter of appreciation from NAMI Montana for your support for the new forensic mental health facility. Hopefully, it provides some helpful information about the genesis of this effort at the Legislature and how some of the challenges of Yellowstone County were tied to it from the beginning.

NAMI Montana has also been involved with the creation of the Galen facility in 2015. Hopefully some of the things that we've learned over the last ten years with that facility will be helpful as well.

Thank you,
Matt

--
Matt Kuntz JD, MHA
Executive Director
NAMI Montana

NAMI Montana has a resource guide on our website for every county in Montana. Please let us know if anything needs to be updated for your county. <https://namimt.org/montana-county-mental-health-resource-guides/>

Brittney Harakal

From: Ward 4A
Sent: Friday, January 30, 2026 3:40 PM
To: Brittney Harakal
Subject: FW: Letter of Gratitude from NAMI Montana
Attachments: Matt Kuntz Letter to Laurel City Council 30JAN26.pdf

From: Matt Kuntz <matt@namimt.org>
Sent: Friday, January 30, 2026 12:37 PM
To: City Mayor <citymayor@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>
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Executive Director
NAMI Montana

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Brittney Harakal

From: Ward 1B
Sent: Friday, January 30, 2026 12:44 PM
To: Civil Attorney
Cc: Kurt Markegard; Brittney Harakal
Subject: Fw: Letter of Gratitude from NAMI Montana
Attachments: Matt Kuntz Letter to Laurel City Council 30JAN26.pdf

From: Matt Kuntz <matt@namimt.org>
Sent: Friday, January 30, 2026 12:36 PM
To: City Mayor <citymayor@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 2B <ward2b@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>
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Matt Kuntz JD, MHA
Executive Director
NAMI Montana

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NAMI Montana

National Alliance on Mental Illness

Laurel City Council
115 West 1st Street
Laurel, MT 59044

January 30, 2026

Subject: New Forensic Mental Health Facility

Dear Laurel City Council,

NAMI Montana works to improve the lives of Montanans with mental health conditions and their families through support, education, and advocacy. On behalf of NAMI Montana, I want to thank you for your support in building a forensic facility in your community.

As part of our work for Montana families, NAMI Montana tries to improve the interface between mental health conditions and the criminal justice system. It is hard, slow work with progress measured over the course of years.

In 2015, we supported building the forensic facility in Galen. This was in response to the state locking offenders with severe mental health conditions in solitary confinement in Montana State Prison because they couldn't manage their medication needs and the behaviors related to their untreated mental health conditions. It was horrible for everyone involved. There was also a massive lawsuit with the ACLU and Disability Rights Montana. The forensic facility at Galen that came out of that nightmare has been a success for the State of Montana, people served by Galen, and the community that supports it.

NAMI Montana and our allies in the Legislature worked to improve the laws around mental health and the criminal justice system in the last decade. I think we have made some slow progress in that, but Montana's population of people needing forensic mental health services continues to grow. Ten years ago, the issue of a dangerous lack of forensic capacity showed up in the Montana State Prison. This time the issue is starkest in county jails across Montana.

The reality of the dangerous lack of forensic capacity in Montana came to a head for us and members of the Montana Legislature during the hearing on Representative James Reavis's bill to make it possible for mental health evaluations to be offered in jails and prisons. This bill was well thought out, but desperate move to try to do something to address the massive backlog of people in jail in need of psychological evaluations. The testimony from

NAMI Montana
P.O. Box 1021
Helena, MT 59624

jail staff, law enforcement, and county attorneys was incredibly powerful. The message was that Montana's county jails were overwhelmed with people with complex mental health needs who are waiting for some kind of forensic services.

The testimony was excruciating. Jail staff desperately trying to serve prisoners that were well outside their facility's ability to safely serve. County Attorney searching for answers to move cases forward that were bogged down with either evaluations or treatment requirements to ensure they met their burden for "Fitness to Proceed." Everyone knowing that it is just a matter of time before the state and the counties are hit with a massive lawsuit.

No testimony was more powerful than those given by people in the legal system in Yellowstone County. Based upon the magnitude of the issue in Yellowstone County alone, it was clear that the State of Montana needed a new forensic facility. It was also clear that it needed to be able to easily serve Yellowstone County and the counties in Eastern Montana.

While there were a few turns or two in the hallways of the Capital, that was the genesis of the bill that passed the Legislature. NAMI Montana is grateful to the City of Laurel for hosting this facility that is critical to Montana and specifically Yellowstone County.

While I understand that there are always concerns about the placement of public health and justice facilities, NAMI Montana expects that this facility will operate similarly to the successful forensic unit at Galen. The 32-bed patient population will be a relatively small facility, in a well-designed building, with good staffing ratios. Most of the patient stays will be a relatively short duration - for either psychological evaluations or restoration of competency. Patients in need of long-term stays will eventually be transitioned to the group homes on the Montana State Hospital campus in Warm Springs.

As described by the Montana Department of Public Health and Human Services, most of the jobs in this facility will be for nursing staff and psychiatric assistants. These positions will offer great opportunities for the citizens of Laurel and also help bring in additional healthcare practitioners to Laurel who begin by working at the facility and then later transition to healthcare roles in the community.

NAMI Montana
P.O. Box 1021
Helena, MT 59624

Thank you for supporting this facility that is so essential for Montana families that have been impacted by mental health conditions and the criminal justice system. We really appreciate any help you can provide in moving it forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Kuntz". The signature is fluid and cursive, with the first name "Matt" and last name "Kuntz" clearly distinguishable.

Matthew Kuntz JD, MHA
Executive Director

NAMI Montana
matt@namimt.org
(406) 443-7871

NAMI Montana
P.O. Box 1021
Helena, MT 59624

1/29/2026

RE: Formal Opposition to Annexation and Development of the Forensic Mental Health Facility

To the Members of the Laurel City Council,

I am writing to you today not just as a neighbor to the proposed site, but as a taxpayer who is deeply concerned by the lack of transparency and the disregard for public safety inherent in the State's plan to build a 32-bed Forensic Mental Health Facility in our backyard.

I urge this Council to formally oppose the placement of this facility and to commit to denying any future petition for annexation of the land in question.

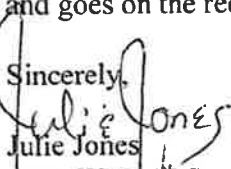
Opposition is based on three undeniable facts:

1. The Violation of the "Safe Zone" for our Children The proposed site is 451 yards from West Elementary School. This is not a standard medical clinic; it is a forensic facility housing individuals involved in the criminal justice system. The Laurel School District has already issued a public statement opposing this location. I ask you: if the school district responsible for our children's safety says this is a bad idea, why would the City Council even consider facilitating it?
2. Administrative Overreach and Lack of Transparency It is alarming that while the Council was reportedly kept in the dark, the City Planning Director and Mayor were actively courting this project. In a November letter, the Planning Director admitted the City had no suitable land, yet he personally steered the State toward this specific plot because the infrastructure was "remarkably successful" for their needs. This project was fast-tracked behind closed doors, bypassing the public's right to be heard before a buy-sell agreement was ever signed.
3. The Council Holds the Power of Annexation the State of Montana cannot operate this facility without the City of Laurel's water and sewer. Per MCA 7-2-44 and Resolution R08-22, the City Council has the ultimate authority to grant or deny annexation. The State may own the land, but they do not own our community's future. You are the final line of defense for the residents of Laurel.

Annexing this land would be a choice to prioritize state infrastructure convenience over the expressed safety concerns of the Laurel Schools and the residents you represent.

I respectfully request that the Council adds a formal discussion of this facility to the next agenda and goes on the record in support of our schools and neighborhoods by opposing this location.

Sincerely,


Julie Jones
1201 West 4th Street
406-671-2120

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:18 PM
Brittney Harakal
FW: Urgent Safety Concerns Regarding Proposed Mental Health Facility Near West Elementary

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Jeanette Miner <minerfamilynov10@gmail.com>
Sent: Thursday, January 29, 2026 9:25 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Urgent Safety Concerns Regarding Proposed Mental Health Facility Near West Elementary

Dear Mayor and Members of the Laurel City Council, My name is Jeanette Miner, and I am a resident of Laurel, Montana and a parent of three children currently enrolled in the Laurel School District, including one child attending West Elementary. I am writing to formally and strongly express my opposition to the proposed mental health hospital being built near West Elementary and surrounding residential neighborhoods. The placement of a secured mental health facility near a school where young children attend daily is a serious safety concern. Schools should be areas of protection, stability, and peace not locations where families are left worrying about potential risks or emergency situations outside their children's classrooms. This decision directly affects the safety of students, school staff, and the entire Laurel community. Parents should not have to question whether their children are safe at school due to the location of a nearby institutional facility. We already ask our children to live with lockdown drills and constant safety awareness. Adding this facility only increases fear, anxiety, and risk. Those who approve this project must understand the responsibility that comes with such a decision. If incidents occur that impact our schools, neighborhoods, or community, the accountability lies with those who chose to move forward despite clear public concern. Families should not be placed in a position where they feel forced to sell their homes in order to protect their children. We should not have to leave the community we love because of a decision that prioritizes facility placement over resident safety. This hospital, in this location, will not bring peace or security to our neighborhoods. Instead, it will create long term concern, increased emergency response activity, and lasting worry for parents and residents. While mental health services are important, their placement must be appropriate and must not compromise school safety or community well being. I respectfully and earnestly pray that you reconsider this decision. Please protect the residents of Laurel. Please protect our children. Our schools should remain places of learning, not areas of fear or uncertainty.

I strongly urge the City Council to pause and reevaluate the location of this facility and to place the safety of our children and families first!!!

Thank you for your time and consideration.

Respectfully,

Jeanette Miner

Laurel, Montana



+1 (406) 403-2725

Great Falls, MT



Transcript

Uh, this message is for Brent. Um, city council award number 2 councilman. Um, College concerning the state forensics hospital, et cetera, mental hospital that is coming to coming to Laurel, possibly coming to Laurel. I guess my only comment is, is if it does get to a scenario where the city council has an opportunity to vote upon whether or not, For example, a key thing is the annex, you know, the property into the into the city itself. Um, would really, as a councilman, um, I'm just kind of a reminder, I assume that you probably, you know, are in touch with all of your constituents, the people that voted you in, um, that you recontact them and get a good cross section of what they, what they believe, just kind of like when you're out campaigning, asking for their, asking for their support. Uh, now it's asking for their true honest opinion, and, you know, voting on this that legislation. Thank



Calls



Contacts



Keypad





coun

+1 (406) 403-2725

Great Falls, MT



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Call



Contacts



Keypad



Brittney Harakal

From: Laurel MT <laurel-mt@municodeweb.com>
Sent: Tuesday, February 3, 2026 9:26 AM
To: Brittney Harakal
Subject: Matt & Elizabeth Gilg

Submitted on Tuesday, February 3, 2026 - 9:26am

Submitted by anonymous user: 65.124.101.42

Submitted values are:

Name Matt & Elizabeth Gilg

Address 1200 Cedar Crest Circle

Public Comment The state's decision to place a 32-bed forensic mental health facility 459 yards from West Elementary raises serious concerns that this council needs to address. Safety. West Elementary experienced a student safety incident this year driven in part by funding and resource gaps. The school has taken this seriously and is working to improve—but those improvements require resources Laurel simply doesn't have. The Laurel School Board opposes this facility. Adding a forensic facility housing justice-involved individuals within 459 yards compounds risk at a school actively working to close safety gaps. Extraction without compensation. This facility follows a pattern this community knows well. NorthWestern Energy built a methane plant here without proper zoning approval—asking forgiveness rather than permission—while providing \$1.9M in tax revenue that does little to offset the impacts on our infrastructure and services. CHS Refinery has repeatedly protested their taxes, costing Laurel Public Schools as much as \$13 million over four years while schools borrowed against escrowed funds just to operate. Now the state places a forensic facility just outside city limits—zero tax revenue to Laurel, all of the risk. Transparency. Miller Trois LLC, connected to Billings attorney Malcolm Goodrich, has held the selected 114-acre property since 2008. Laurel officials said no suitable city land existed, yet the state selected this specific parcel outside city limits. Local officials learned of the plans from media, not the state. Our newly appointed CAO Kurt Markegard was Planning Director during the NorthWestern zoning controversy—the same pattern of opacity is repeating. If Mr. Markegard has nothing to hide, voluntary release of his past 7 years of tax documentation and business interests would go a long way toward rebuilding public trust. Liability. The state is aware of our school's safety challenges, aware of the facility's proximity, and aware of community opposition. Should any incident occur, this documented awareness establishes foreseeable risk. This council has a responsibility to Laurel's residents and our children. I urge you to formally oppose this facility location and demand full transparency from the state regarding the property selection process.

Email gilgm12@gmail.com

The results of this submission may be viewed at:

<https://cityoflaurelmontana.com/node/16092/submission/3255>

Brittney Harakal

From: Ward 1B
Sent: Tuesday, February 3, 2026 12:13 PM
To: Brittney Harakal
Cc: Civil Attorney; Kurt Markegard
Subject: Fw: Vote NO on Annexation - Forensic Mental Health Facility

From: Matt <gilgm12@gmail.com>
Sent: Tuesday, February 3, 2026 11:16 AM
To: Ward 1B <ward1b@laurel.mt.gov>
Subject: Vote NO on Annexation - Forensic Mental Health Facility

Dear Tom Canape,

I am a resident of Laurel at 1200 Cedar Crest Circle, and I am writing to urge you to vote NO on the proposed annexation for the forensic mental health facility.

This 32-bed facility would house justice-system involved individuals just 459 yards from West Elementary School. Our community deserves transparency about how this location was selected and what security measures will protect our children and neighborhoods.

Key concerns:

- No tax revenue to Laurel despite increased burden on emergency services
- Proximity to schools and residential areas
- Lack of public input in the decision-making process
- Inadequate information about security and safety protocols

The state cannot proceed without City Council approval of annexation. I urge you to vote NO and demand full transparency from city leadership about this process.

Sincerely,
Matt Gilg
1200 Cedar Crest Circle

--

Matt Gilg
mattgilg.dev
Cell: 860.771.3511

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:12 PM
Brittney Harakal
FW: Psychiatric prison

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Amber Zahn <blondie_locks09@yahoo.com>
Sent: Wednesday, January 21, 2026 11:37 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Re: Psychiatric prison

Hello sir, I write to you with a heavy heart but as a supporter of you. I live quite literally next door to the site in Laurel, Mt of the psychiatric prison. I have to tell you, there has been literally zero transparency about this. So many people have been blind sided by this facility and what it really is. And now it's being built quite literally in my backyard where I raise my babies. This is absolutely terrifying. It's completely taking away any sense of security we have worked so hard to build. Now there is a plan to house criminally insane people where I raise my kids. Sir, it is literally in my back yard. It's less than five blocks away from where they go to school. Everything we have worked so hard to secure for them is being ripped away. Please sir, see it from my prospective, a terrified mother who has done everything to ensure the safety of my children, who has done everything to raise them in a safe home, this is not ok. Please do not let them build this facility here.

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Jan 21, 2026 at 1:42 PM, Amber Zahn
<blondie_locks09@yahoo.com> wrote:

The property circled in blue is where we live. What would you do if it were you? How would you feel? We have two small children here. Their school is approximately four blocks away. This is absolutely terrifying.

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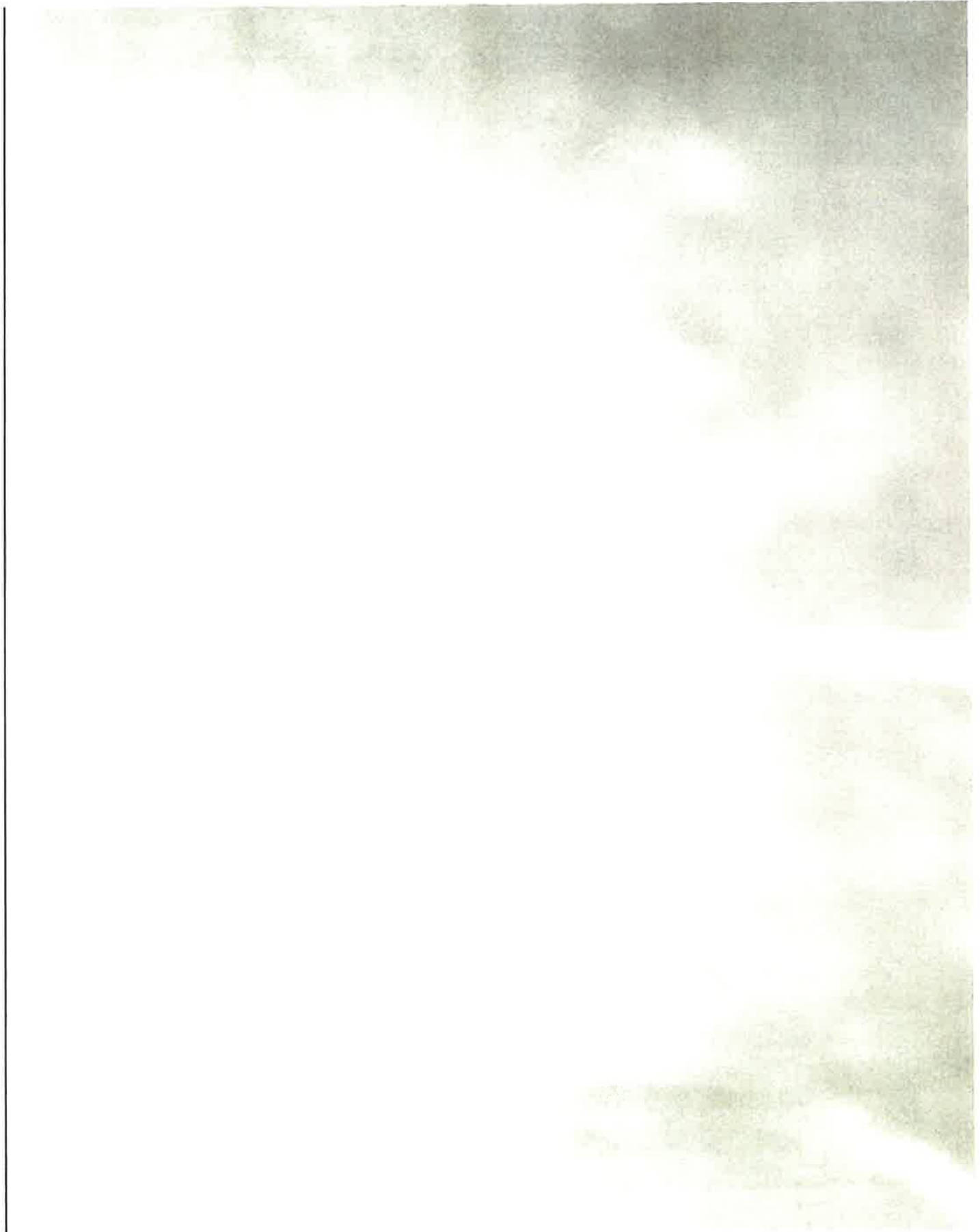


On Wed, Jan 21, 2026 at 1:31 PM, Amber Zahn
<blondie_locks09@yahoo.com> wrote:

Dear Mayor,

My name is Amber Zahn.

This is the view from my living room. The living room in the house where I raise my kids. Approximately four blocks east of here is their elementary school. Their dad was raised here. His mother was raised here. But the view that I show you in these pictures is a farmers field. The same farmers field in process of a buy/sell agreement for a psychiatric prison. I do not oppose the prison, what I oppose is the location. Developing a prison here will drive down our property values. Our neighbor's property values. Even with all of the security, it puts our family at risk. It puts the kids in the school at risk. It puts Laurel at risk. We don't even have the infrastructure to sustain such a facility. We don't have the emergency services. This was a poorly thought out plan only reaching for gain at the cost of the residents. We cannot afford to lose the value we have in our home, both monetary and memory.







Yahoo Mail: Search, Organize, Conquer

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:14 PM
Brittney Harakal
FW: Laurel Facility Plan Follow Up

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Samantha Mayes <brown.samantham@gmail.com>
Sent: Monday, January 26, 2026 8:16 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Re: Laurel Facility Plan Follow Up

Good morning,

I am writing again to follow up on my previous email regarding the proposed facility in Laurel. To date, I have not received a response, which is deeply concerning given the scale and impact of this project and the level of opposition and confusion within our community. I am concerned and bothered that I have yet to hear back from any part of the state government involved in this matter.

As I outlined previously, after speaking with Lee Deming, Vince Ricci, and our County Commissioners, it appears that no local representatives were consulted or gave approval for this plan. What role did you and Kurt Markeegard play in bringing this to Laurel? You have been effusive, at best, when it comes to answering this question, and as your constituent, it is deeply troubling.

There are also serious concerns about the proposed site itself. The location is in a residential area, adjacent to a school, youth softball fields, a golf course, and a public library. It is also within a mile of the CHS refinery. Given current land values, this raises legitimate questions about whether the state may be overpaying for property that appears poorly suited for this purpose.

In addition, I am requesting clarification regarding the site's proximity to nearby oil refineries or related industrial facilities. Specifically, I would appreciate information on:

- Whether the proximity to schools, an oil refinery, and public facilities was considered during site selection.
- Why did you not loop Rep. Deming and Sen. Ricci into the decision-making process on this plan? Why not listen to our County Commissioners?
- Do you have an evacuation plan in place if something were to happen at the refinery? How will you safely remove 32 criminally insane people from the facility without posing a danger to the community? Have you even spoken to CHS about this?

- Have you been in contact with our school board or superintendent about the placement so close to the school? If not, why? Wouldn't protecting our children be the primary question to be asked here?
- Whether any environmental, air quality, or health impact assessments have been conducted in relation to this site. Have you studied water tables? Have you reviewed safety concerns related to the proximity of the refinery? Have you done traffic studies?
- Have you done tax studies? Exactly how many dollars will this pull from our already struggling schools? What will happen to the real estate values in the area?
- Have you done economic studies? What will this do to expansion in our city? We are limited geographically on where we, as a town, can expand- residentially or commercially. Have you researched whether this will impact future expansion?

Most troubling is the apparent breakdown of the local governmental process. The majority of residents oppose this plan, and our city does not have the tax base to absorb the infrastructure demands this facility would create. Backdoor deals have been made without consulting the Laurel community. We deserve answers.

I am again requesting clarification on your role in this decision, how Laurel was selected over other willing communities, and—most importantly—how the voices of residents and elected officials are intended to be heard. The continued lack of response only reinforces the perception that this process has excluded the community most directly affected.

I respectfully request a response addressing these concerns.

Thank you for your time and attention.

Samantha Mayes

On Fri, Jan 23, 2026 at 9:45 AM Samantha Mayes <brown.samantham@gmail.com> wrote:

Mayor Waggoner,

I am writing to follow up on my previous correspondence regarding the proposed state facility in Laurel. I have not yet received a response, and given the magnitude of this proposal and the level of public concern, I feel it is important to seek clarity directly from you as our city's chief elected official.

As I previously outlined, discussions with Lee Deming, Vince Ricci, and our County Commissioners indicate that this plan moved forward without consultation or approval from local representatives. City Council members have stated publicly that they were not briefed, that no formal discussion occurred, and that the infrastructure impacts on Laurel were not adequately studied. This is particularly troubling given that other communities—Hardin, Miles City, and Columbus—have offered land and services for this facility.

I am also requesting clarification on your personal support for this project. Publicly, the majority of Laurel residents and our elected representatives have expressed opposition (including Rep. Deming),

citing infrastructure limitations, tax base concerns, and the proposed site's proximity to a school, youth sports facilities, a golf course, and a public library. Given these concerns, I would like to understand what factors led you to support this plan and how you believe it serves the best interests of Laurel. Do you support this plan? What was your role in this project? Has your office completed traffic studies? Environmental impact surveys? Neighborhood compatibility studies? What research was done to choose this spot, when in Laurel, right now, there are plenty of other plots of land available for sale that would be much more suitable?

Additionally, I am concerned by your activity on social media, specifically your "likes" on Facebook comments that are critical of residents and local officials who oppose this project. These actions give the impression that public concern is being dismissed rather than engaged with, and that opposition is being characterized negatively rather than treated as a legitimate part of civic discourse. I would appreciate clarification on how you view the role of public input in this process.

At this point, there is a strong perception among residents that decisions are being made without transparency and without respect for the local governmental structure. As mayor, your role in ensuring open communication and accountability is critical.

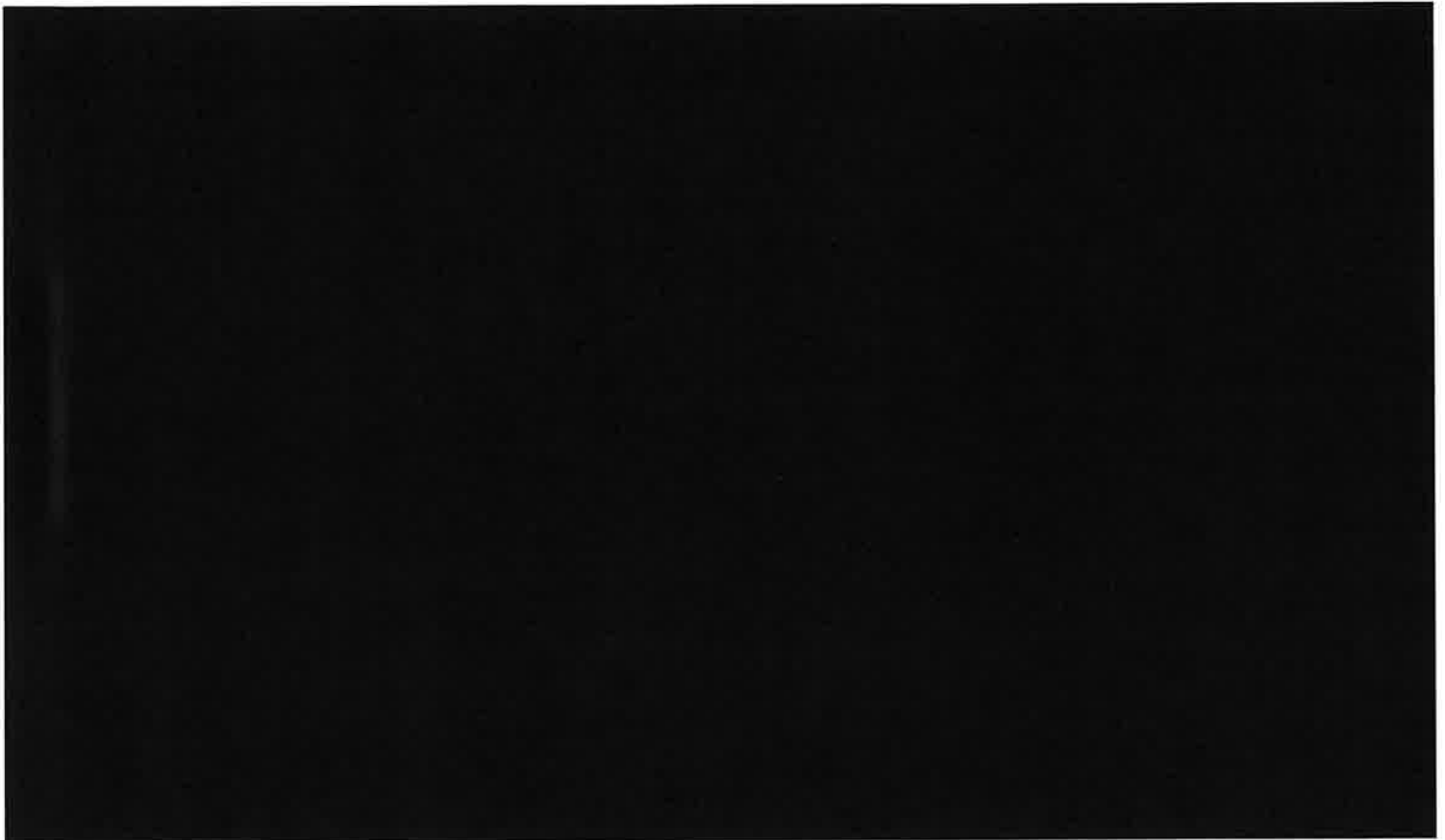
I respectfully request a response addressing your support for this plan, the process by which Laurel was selected, and how residents' voices will be meaningfully considered moving forward.

Thank you for your time and attention.

Sincerely,

Brittney Harakal

From: Civil Attorney
Sent: Thursday, January 29, 2026 4:50 PM
To: Kurt Markegard; Kelly Strecker; Brittney Harakal; City Mayor
Subject: FW: Public Records Request



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From: Samantha Mayes <brown.samantham@gmail.com>
Sent: Thursday, January 29, 2026 4:19 PM
To: Kelly Strecker <kstrecker@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>
Subject: Re: Public Records Request

Good afternoon-

Since the CAO is out sick I want to reiterate the importance of preserving communications. In addition, I wanted to clarify the request.

All email, and texts between any of the combination Dave Waggoner, the BOI, Dan Villa, Charlie Bererton, and Kurt Markegard. From 5/1/25-present

All social media posts, messages and texts between Dave Waggoner and Kurt Markegard regarding the mental health facility from 6/1/25-present

I would also like to request phone call logs and text messages between Dave Waggoner and Kurt Markegard between 6/25/25 and 1/27/25. If you could please

Please be advised that as of this request, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

On Thu, Jan 29, 2026 at 11:02 AM Kelly Strecker <kstrecker@laurel.mt.gov> wrote:

Good morning,

I have passed your information along.



Kelly Strecker

Clerk/Treasurer

City of Laurel, Montana

(406) 628-7431 extension 5100

From: Samantha Mayes <brown.samantham@gmail.com>

Sent: Thursday, January 29, 2026 6:39 AM

To: Kelly Strecker <kstrecker@laurel.mt.gov>

Subject: Re: Public Records Request

Good Morning!

I would like this to be added to the public records request- any social media messages or comments in connection with the facility proposal post by Dave Waggoner and Kurt Markegard or between Dave

Waggoner and Kurt Markegard. Please be advised that as of this request, deletion or editing of comments and messages would be spoliation of communication protected by MCA 2-2-1003.

Thank you,

Samantha

Please confirm receipt of this email.

On Wed, Jan 28, 2026 at 12:07 PM Kelly Strecker <kstrecker@laurel.mt.gov> wrote:

Good afternoon,

I will pass this information along.



Kelly Strecker

Clerk/Treasurer

City of Laurel, Montana

(406) 628-7431 extension 5100

From: Samantha Mayes <brown.samantham@gmail.com>

Sent: Wednesday, January 28, 2026 10:36 AM

To: Kelly Strecker <kstrecker@laurel.mt.gov>

Subject: Re: Public Records Request

Good Morning!

I would like to amend that public records request. I would like to remove the requests for the emails, as I believe those have already been made public. I would also like to request phone call logs and text messages between Dave Waggoner and Kurt Markegard between 6/25/25 and 1/27/25. If you could please pass this on to the appropriate personnel I would appreciate it.

On Tue, Jan 27, 2026 at 10:07 AM Kelly Strecker <kstrecker@laurel.mt.gov> wrote:

Hello,

I do not have access to get you the information you have requested. I have forwarded your request to the appropriate personnel. I hope you hear something soon.



Kelly Strecker

Clerk/Treasurer

City of Laurel, Montana

(406) 628-7431 extension 5100

From: Samantha Mayes <brown.samantham@gmail.com>

Sent: Tuesday, January 27, 2026 9:42 AM

To: Kelly Strecker <kstrecker@laurel.mt.gov>

Subject: Re: Public Records Request

Good Morning- not to bother you again but with the time crunch of the speed of all of this, do you have a time frame on when that record request will be reviewed? The state generally gives a response within 2 business days.

On Mon, Jan 26, 2026 at 8:37 AM Kelly Strecker <kstrecker@laurel.mt.gov> wrote:

Good morning,

I have forwarded your message to the appropriate personal.

Thanks



Kelly Strecker

Clerk/Treasurer

City of Laurel, Montana

(406) 628-7431 extension 5100

From: Samantha Mayes <brown.samantham@gmail.com>

Sent: Monday, January 26, 2026 8:26 AM

To: City Clerk <cityclerk@laurel.mt.gov>; Civil Attorney <civilattorney@laurel.mt.gov>

Subject: Re: Public Records Request

Good Morning!

I would like to confirm receipt of this public records request.

Thank you!

Samantha Mayes

On Fri, Jan 23, 2026 at 1:43 PM Samantha Mayes <brown.samantham@gmail.com> wrote:

I am writing in accordance with MCA 2-2-1003 to request all copies of any emails and communications between Mayor Dave Waggoner, City Administrator Kurt Markegard, the city council, or Michelle Baukman regarding the planning and proposal of the new mental health inpatient facility in Laurel. Including proposals, emails, discussions with the state, and memos.

Thank you,

Samantha Mayes

Laurel Resident

Brittney Harakal



City Mayor
Monday, February 2, 2026 1:13 PM
Brittney Harakal
FW: Laurel Facility Plan Follow Up

Dave Waggoner
Mayor
City of Laurel, Montana
(406) 628-8456 extension 5501

From: Samantha Mayes <brown.samantham@gmail.com>
Sent: Friday, January 23, 2026 1:46 PM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Re: Laurel Facility Plan Follow Up

Thank you for the statement. However, it failed to answer any of my questions. I am requesting clarification on your personal support for this project. Publicly, the majority of Laurel residents and our elected representatives have expressed opposition (including Rep. Deming), citing infrastructure limitations, tax base concerns, and the proposed site's proximity to a school, youth sports facilities, a golf course, and a public library. Given these concerns, I would like to understand what factors led you to support this plan and how you believe it serves the best interests of Laurel. Do you support this plan? **What was your involvement in this decision?** What was your role in this project? Has your office completed traffic studies? Environmental impact surveys? Neighborhood compatibility studies? What research was done to choose this spot, when in Laurel, right now, there are plenty of other plots of land available for sale that would be much more suitable?

Additionally, I am concerned by your activity on social media, specifically your "likes" on Facebook comments that are critical of residents and local officials who oppose this project. These actions give the impression that public concern is being dismissed rather than engaged with, and that opposition is being characterized negatively rather than treated as a legitimate part of civic discourse. **I would appreciate clarification on how you view the role of public input in this process.**

At this point, there is a strong perception among residents that decisions are being made without transparency and without respect for the local governmental structure. As mayor, your role in ensuring open communication and accountability is critical.

I respectfully request a response addressing your support for this plan, the process by which Laurel was selected, and how residents' voices will be meaningfully considered moving forward.

On Fri, Jan 23, 2026 at 9:48 AM City Mayor <citymayor@laurel.mt.gov> wrote:

A statement is being prepared

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Samantha Mayes <brown.samantham@gmail.com>
Sent: Friday, January 23, 2026 9:45:27 AM
To: City Mayor <citymayor@laurel.mt.gov>
Subject: Laurel Facility Plan Follow Up

Mayor Waggoner,

I am writing to follow up on my previous correspondence regarding the proposed state facility in Laurel. I have not yet received a response, and given the magnitude of this proposal and the level of public concern, I feel it is important to seek clarity directly from you as our city's chief elected official.

As I previously outlined, discussions with Lee Deming, Vince Ricci, and our County Commissioners indicate that this plan moved forward without consultation or approval from local representatives. City Council members have stated publicly that they were not briefed, that no formal discussion occurred, and that the infrastructure impacts on Laurel were not adequately studied. This is particularly troubling given that other communities—Hardin, Miles City, and Columbus—have offered land and services for this facility.

I am also requesting clarification on your personal support for this project. Publicly, the majority of Laurel residents and our elected representatives have expressed opposition (including Rep. Deming), citing infrastructure limitations, tax base concerns, and the proposed site's proximity to a school, youth sports facilities, a golf course, and a public library. Given these concerns, I would like to understand what factors led you to support this plan and how you believe it serves the best interests of Laurel. Do you support this plan? What was your role in this project? Has your office completed traffic studies? Environmental impact surveys? Neighborhood compatibility studies? What research was done to choose this spot, when in Laurel, right now, there are plenty of other plots of land available for sale that would be much more suitable?

Additionally, I am concerned by your activity on social media, specifically your "likes" on Facebook comments that are critical of residents and local officials who oppose this project. These actions give the impression that public concern is being dismissed rather than engaged with, and that opposition is being characterized negatively rather than treated as a legitimate part of civic discourse. I would appreciate clarification on how you view the role of public input in this process.

At this point, there is a strong perception among residents that decisions are being made without transparency and without respect for the local governmental structure. As mayor, your role in ensuring open communication and accountability is critical.

I respectfully request a response addressing your support for this plan, the process by which Laurel was selected, and how residents' voices will be meaningfully considered moving forward.

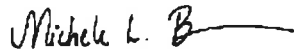
Thank you for your time and attention.

Sincerely,

Brittney Harakal

From: Civil Attorney
Sent: Wednesday, January 28, 2026 2:13 AM
To: Brittney Harakal
Subject: FW: City administrator emails

Best Regards,



Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: 406.671.4333
civilattorney@laurel.mt.gov

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From: Ward 4A <ward4a@laurel.mt.gov>
Sent: Tuesday, January 27, 2026 5:42 PM
To: Civil Attorney <civilattorney@laurel.mt.gov>
Subject: FW: City administrator emails

I just received this (as did other council members). I can't quite follow what she means so I'm not sure how this would be disclosed.

From: Samantha Mayes <brown.samantham@gmail.com>
Sent: Tuesday, January 27, 2026 3:16 PM
To: Ward 2B <ward2b@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 1A <ward1a@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Ward 2A <ward2a@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 3B <ward3b@laurel.mt.gov>
Subject: City administrator emails

On Tue, Jan 27, 2026 at 3:15 PM Samantha Mayes <brown.samantham@gmail.com> wrote:

Good afternoon-

I thought you all might find this public record email helpful in understanding what happened with the land proposal. Here you gave the city administrator, on behalf of land, offering up the woods land to the state. Despite claiming to the press that he had no idea why the state was looking at Laurel during the December 4th meeting.

Tuesday, Chief Administrative Officer Kurt Markegard said the city learned of the decision only after the public announcement was made.

"The state did not send me information on it. I had to go seek it once it went to the press," Markegard said during the meeting.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 17, 2026**

A Council Workshop was held in Council Chambers and called to order by Council President Tom Canape at 6:30 p.m. on February 17, 2026.

COUNCIL MEMBERS PRESENT:

☒ Tom Canape	☒ Sara Naylor
☒ Brent Edgmond	☒ Jessica Banks
☒ Casey Wheeler	☒ Irv Wilke
☒ Richard Klose	☒ Jodi Mackay

OTHERS PRESENT:

Brittney Harakal, Administrative Assistant
Michele Braukmann, Civil Attorney
Kelly Strecker, Clerk/Treasurer
Jarred Anglin, Police Chief
Kelly Gauslow, Accounts Payable

Public Input:

Council President Tom Canape called the workshop to order. He read the guidelines for public participation, reminding those in attendance that public comment is limited to three minutes per speaker, that Council cannot take action or debate matters not listed on the agenda, and that comments regarding agenda items should be made when those items are presented. He also noted that comments pertaining to a future public hearing should be reserved for that hearing so they may become part of the official record.

General Items

1. Appointment of Cheryl Hill from an advisory member to a voting member of Laurel Urban Renewal Agency for a four-year term ending December 31, 2029.

No discussion on this item.

2. Appointment of Chris White to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2029.

No discussion on this item.

Executive Review

Council Issues

Other Items

Prior to adjourning the workshop, a member of the public inquired about providing public comment during both the workshop and the regular City Council meeting immediately following.

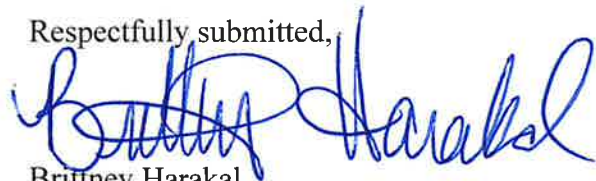
The City Attorney explained that workshops do not typically include public comment. Because the regular City Council meeting was scheduled to begin immediately afterward, she recommended combining public comment into the regular meeting for efficiency. She further explained that if members of the public had anticipated speaking during both meetings, the presiding officer could allow additional speaking time at their discretion.

Council President Canape agreed to allow speakers up to six minutes during the public comment portion of the regular City Council meeting in lieu of separate comment periods for each meeting.

Attendance at Upcoming Council Meeting**Announcements**

The Council Workshop adjourned at 6:39 p.m.

Respectfully submitted,



Brittney Harakal
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, July 14, 2026**

Members' Present: Jessica Banks, Tom Canape, Richard Klose, Casey Wheeler

Others Present: Kelly Strecker, Kelly Gauslow, Matt Wheeler, Kris Voge

The meeting was called to order by the Committee Chair at 5:30 pm.

Public Input: There was no public comment.

General Items –

1. Review and approve June 23, 2026, Budget and Finance Committee meeting minutes. Jessica Banks moved to approve the minutes of June 23, 2026. Casey Wheeler seconded the motion. With no objection, the minutes of June 23, 2026, were approved. There was no public comment or committee discussion.
2. Review and approve purchase requisitions. Matt presented a purchase requisition for the repair charges of one of the S.E 4th Street crosswalks. Matt stated that these crosswalks get damaged a couple of times a year. This time they were able to use leftover parts they had from fixing the other crosswalks, and Ace Electric would need to fix the electricity. The cost of Ace Electric to repair is \$7,283.47. There was brief discussion. Tom Canape made a motion to hold off on the purchase requisition and take to LURA to see if they would pay for the repairs this time. Jessica Banks seconded the motion. With no objection, the purchase requisition was put on hold until the LURA board was contacted. The next LURA meeting will be held on July 27, 2026.
3. Review and recommend approval to Council; claims entered through July 10, 2026. Richard Klose moved to approve the claims and check register for claims entered through July 10, 2026. Jessica Banks seconded the motion. With no objection, the claims and check register of July 10, 2026, were approved. There was no public comment.
4. Review and approve Payroll Register for the pay period ending June 21, 2026, totaling \$262,203.89. Jessica Banks motioned to approve the payroll register for the pay period ending June 21, 2026, totaling \$262,203.89. Tom Canape seconded the motion. With no objection, the payroll register was approved. There was no public comment.
5. Review and approve Payroll Register for the pay period ending July 5, 2026, totaling \$318,910.54. Tom Canape motioned to approve the payroll register for the pay period ending July 5, 2026, totaling \$318,910.54. Casey Wheeler seconded the motion. With no objection, the payroll register was approved. There was no public comment.
6. Review and approve June 2026 Utility Billing Adjustments. Tom Canape moved to approve June 2026 Utility Billing Adjustments. Casey Wheeler seconded the motion. With no objection, the June Utility Billing Adjustments were approved. There was no public comment.

New Business -Kelly discussed the membership renewal for the Montana League of Cities and Towns. The committee agreed to continue the membership for FY 2027. The total cost of the membership this year is \$14,410.00.

Old Business – Kelly let the committee know that she received an email from the Local Government Center stating the corrective action plan she submitted for the audit findings was accepted.

Other Items –

1. Review Comp/OT reports for the pay period ending June 21, 2026.
2. Review Comp/OT reports for the pay period ending July 5, 2026.
3. Mayor Update – The mayor stated he has been meeting with department heads regarding their budget requests and is hoping to have them completed within the next couple of weeks. Gave a brief overview of what the city has been working on moving in a forward direction. He stated that the water usage has been high over the last couple of weeks. The city will be meeting with CHS regarding the raw water, settled water contract.
4. Clerk/Treasurer Financial Update-Kelly stated that she continues to work on the budget. She said that an agreement for the transportation service with Allies on Aging is in the works and will be coming to council soon.

Announcements –

1. The next Budget and Finance Committee meeting will be held on July 28, 2026, at 5:30 pm.
2. Tom Canape is scheduled to review the claims for the next meeting.

Meeting Adjourned at 6:09 p.m.

Respectfully submitted,



Kelly Strecker

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, JULY 15, 2026**

A City/County Planning board meeting was held in Council Chambers and called to order by County Vice chair Jonathan Klasna at 6:00 pm on July 15, 2026.

Board Members Present:

<u> X </u> Tom Canape	<u> </u> Richard Herr	<u> X </u> Paul Thomae
<u> </u> Ron Benner	<u> X </u> Laura Kirschenmann	<u> X </u> Mike Waters
<u> x </u> Judy Goldsby	<u> X </u> Jonathan Klasna	

Others Present:

Amber Hatton – Deputy Clerk Treasurer
Forrest Sanderson – Contract Planner
Kurt Markegard - CAO
Brent Moore – Interstate Engineering
Tom Llewellyn – Steven Glantz LLC

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

None

Disclosure of Ex Parte Communication - None

Public Hearing

1. Steven Glantz Planned United Development Zone Change Request

Vice Chair Klasna asked contract planner, Forrest Sanderson to present staff report PUD-26-01-Steven Glantz Planned Unit Development Zone Change Request. See Attached report.

Vice Chair Klasna asked Tom Llewellyn, the developer of Planned unit development, if he would like to speak. Tom introduced himself and discussed his background and knowledge of developing a PUD subdivision. He also passed out a flyer. See attached.

Tom had acquired an engineering firm to have the water test the height and length of the water table so he can build a good home. Unfortunately, he had just received the report but did not have a chance to review the report from the engineers. He will make sure with the engineers; the build will be done properly. He feels that these PUD's are a good option for

affordable housing. Tom also stated that he is in communication with another property owner that would be interested in him building more PUD's.

Board member ask about the garage size and felt that they were too small for the majority of vehicles. Tom insisted that they would fit a standard sized vehicle. Board member was also concerned about the size of the driveway. Tom explained that he knows what he can and cannot do. If they must make a larger garage and driveway, that will cut down on the number of properties and will then increase the price of the property so they will no longer be considered affordable housing. If the City doesn't want this, then he can walk away.

Boad member also asked if the 32' road will be blacktop, curb and gutters? Tom confirmed they did.

Board member asked about the location across from the school and the impact of kids being dropped off picked up. Tom mentioned that the school is creating some kind of parking. They won't be creating a problem with parking on the street. The developers will also have to put in a new ditch and cover that so the fire department and garbage can drive through the subdivision.

Vice chair Klasna asked if there were any other commits for the public hearing. Richard Klose, 511 Cottonwood Laurel MT, addressed the board with his concerns of the number of properties and not having any provisions for water runoff. There has to be some kind of containment area to contain the water, or it could flood other properties. Richard is also concerned about the traffic in that area with people going to work and kid drop-offs that will create a traffic problem.

Tom mentioned again that he still needs to read the reports from the engineers to make sure it's safe to build. He is confident that they will build it right.

Vice chair Klasna asked 3 times if there are any other proponents to speak. There being none, they moved on.

Vice chair Klasna asked if there were any opponents that wish to speak. Forrest Sanderson received an email from board member Ron Benner which was read into record. See attached email.

Vice Chair Klasna asked 3 times if there were any more opponents for this public hearing. Hearing none, the hearing was closed.

Vice Chair opened the floor for discussion. Board member asked, in the staff report, if they recommend for approval, did staff consider the drainage being part of the consideration. Forrest explained that is part of the Factors to Consider that the board needs discuss. This is part of the report submitted.

Board member asked if the loop road was one entrance or 2 entrance. There are 2 outlets. There are concerns with the traffic being back up with the 2 schools and 12 housing units.

Paul Thomae made a motion to table the Steven Glanz Planned Unit Development until we get more in-depth engineering plans and provisions. Judy Goldsby seconded the motion for the item to be tabled. There was no other discussion. The motion to table passed 6/0.

General Items

2. Minutes from May 20, 2026

Motion made by Mike Waters to approve minutes from May 20, 2026, seconded by Paul Thomae. There was no public comment. Motion passed 6-0.

New Business

3. Steven Glantz Planned Unit Development Zone Change Request

Motion was made to table this item during the public hearing until the August 19th meeting.

Old Business

4. Interstate Engineering MLUPA Update

Brent Moore, with Interstate Engineering, updated the board on what they have done in past couple months. See attached. They have established an online survey. They plan to be at the farmers market in August.

Other Items

5. None

Announcements

6. Date for next meeting will be August 19, 2026, at 6:00 PM. The board will need to elect a new City County Planning Board Chair to replace Richard Klose.

Adjournment:

Motion by Tom Canape to adjourn the meeting, seconded by Laura Kirschenmann. There was no public comment. Motion passed 6-0.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:15 PM.

Amber Hatton

Deputy Clerk Treasurer



CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

STAFF REPORT PUD-26-01
Steven Glantz Planned Unit Development Zone Change Request
June 24, 2026

RLMF-PUD

BACKGROUND:

The City of Laurel is an incorporated City within the State of Montana with powers established under the Constitution of Montana XI.4. The power and processes for the City to establish zoning regulations are found in §76-2-301 et. seq. M.C.A.

The Laurel Zoning Regulations provide for flexibility in the design and development of lots within the City via the Planned Unit Development (PUD) section of the regulations. By law a PUD is an OVERLAY on the prevailing zoning district and in most cases is used to add or modify uses, development standards, height limits, setbacks and other performance standards of the prevailing zoning or subdivision regulations. Mr. Glantz has a preferred pattern of development on his property but the RLMF limits the number of residential structures per lot to a maximum of four (4). To offset the development density, the developer is proposing an internal looped subdivision road that will be 32 feet wide. The access road has been accepted as sufficient by Public Works and Emergency services.

Because a PUD is zoning assignment our charge is to consider the rational nexus for zoning. We also must look at the overall development to ensure that the deviations requested do not create a future issue for the city or the owners of the homes in the development.

The application materials address several other points that outline the anticipated benefits of the project. The application materials are incorporated into this report by reference.

LEGAL DESCRIPTION:

Parcel B1 A2 on COS 2385 (24) located in Section 9, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana. The property is located in approximately the 900 Block of Alder Avenue across the street from the Laurel Middle School.

APPLICANT/AGENT:

Steven W. Glantz LLC
7025 Lakeshore
Billings MT 59106

Tom Llewellyn
1643 Lewis Ste 3 - 1
Billings MT 59102

EXISTING CONDITION:

The subject property is tract land (not within a platted subdivision) within the City of Laurel. The property is served by public water, sewer, streets, solid waste, is surrounded by RLMF, R-7500, and County RT Zoning Designations, the property is 1.343 (58,500 Square Feet) in size. Unlike other zone change requests, the Laurel PUD Process does not have a minimum lot area of 2.07 acres to submit an application.

PROCESS:

- The application for a Zoning Map Amendment (Zone Change) was submitted on March 17, 2026, and is scheduled for a public hearing on July 15, 2026, by the Laurel Zoning Commission.
- The Zoning Commission following the Public Hearing may propose changes to the proposed PUD modification by may not impose conditional modifications to the zoning and map. The change may only be recommended for approval, approval as amended, or denial. In all cases, the decision must be supported by findings of fact and conclusions related to the rational nexus for the adoption of zoning or zoning amendments.
- Those findings of fact and conclusions as well as the record minutes of the public hearing will be submitted to the City Council for consideration, hearing and final decision.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation and an Ordinance of the City Council on First Reading on August 11, 2026.
 - Should the Zoning Commission recommendation be denial and it is upheld by the City Council on First Reading, the request is deemed denied.
 - Should the Zoning Commission recommendation for approval or approval as amended, pass on First Reading, another public hearing and Second Reading and adoption will be scheduled.
- If passed on Second Reading, the new zoning map assignment would become effective 30-days post Second Reading.

ZONES INVOLVED: Existing and Proposed

- RLMF- Residential Light Multi Family.
 - The Residential Light Multi-Family zone is intended to provide a suitable residential environment for medium-density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
 - The RLMF provides for the construction of a 4-plex on a 10,000 square foot lot.

- PUD – Planned Unit Development.
 - The planned unit development zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes as an integrated unit.

SITE DESIGN STANDARDS:

PUD shall comply with the following site design standards

17.08.031 BUILDING SITES

The configuration and arrangement of development shall provide each lot and building with a suitable site that minimizes disturbance of sloping hillsides protects natural resources and is serviceable by adequate infrastructure.

17.08.032 ACCESS

Safe and adequate vehicular access shall be provided to all lots and building sites to accommodate routine and emergency accessibility.

17.08.033 NATURAL RESOURCES

Natural resources shall receive greater protection than is routinely provided by standards of the Ordinance or other state and federal regulations. Examples of compliance with this standard include but are not limited to:

A. SETBACKS

Providing greater setbacks from water bodies and wetlands than required by other sections of this Ordinance or by the state and federal regulations, or

B. HILLSIDES

Avoiding the disturbance of hillsides that is otherwise permitted by other sections of this Ordinance, or

C. WILDLIFE

Protecting wildlife habitats and migration corridors.

17.08.034 CONNECTIVITY, CIRCULATION

The roadway system shall maximize connectivity to the adjoining streets and promote efficient circulation within the PUD.

17.08.035 PEDESTRIAN SYSTEM

A safe and logical system of sidewalks, trails, and pathways shall provide convenient pedestrian connections throughout the PUD and to adjoining neighborhoods.

17.08.036 INTEGRATION, COMPATIBILITY

Site design and the arrangement of land uses shall integrate the PUD with surrounding developments and maximize compatibility with neighboring properties. The PUD design shall blend with the existing development pattern and street network of the City.

17.08.037 HUMAN INTERACTION

Site design, arrangement of buildings and open spaces, and the circulation system shall provide places for and promote interaction among the residents and workers occupying the PUD

17.08.038 GROWTH POLICY

A PUD application shall demonstrate in a convincing and persuasive way that the proposed development will implement the goals and strategies of the Laurel Growth Policy

REQUIRED FINDINGS:

Approval of a PUD shall require the Planning Board/Planning Commission making the following findings of fact:

17.08.051 GROWTH POLICY

- The PUD implements the goals and strategies of the Laurel Growth Policy.

17.08.052 CONSISTENT WITH PURPOSE, INTENT

- The PUD is fully consistent with the stated purpose and intent of this Section and in no way contradicts the purpose and intent of this Section.

17.08.053 COMPLIES WITH STANDARDS

- The PUD fully complies with all applicable standards of this Section and this Ordinance.

17.08.054 NO ADVERSE IMPACT

- The PUD creates no significant adverse impact to neighboring property and does not negatively impact natural resources.

STATEMENT OF STANDARDS:

Upon approval of a PUD, the owner shall prepare a Statement of Standards for review by the Zoning Administrator that describes the specific uses, development standards, deviations from the underlying zoning standards, and conditions of approval. This Statement of Standards shall be approved as to form by the City Attorney and upon approval by the City Council, recorded in the land records of Yellowstone County.

FACTORS TO CONSIDER:

- The RLMF allows for the construction of four (4) units on a 10,000 square foot lot.
- The proposal is to construct 12 units on one (1) parcel.
- The internal road system is proposed to be privately owned with a 32-foot driving surface. The internal road will be open to public use and not gated.
- The proposal is to provide water, sewer and access to each unit by extension of private roads and mains.
- That a will serve letter for water, sewer, and solid waste for the project is issued by the Laurel Public Works Department.
- The project will need DEQ approval for water, sewer, stormwater, and solid waste.
- The entire neighborhood is subject to high ground water levels which may limit the overall development plan and pattern.
- The high groundwater table may adversely affect the ability to retain or detain storm water on the property at full development.
- The location of fire hydrants will need to be approved by the Laurel Fire Department.

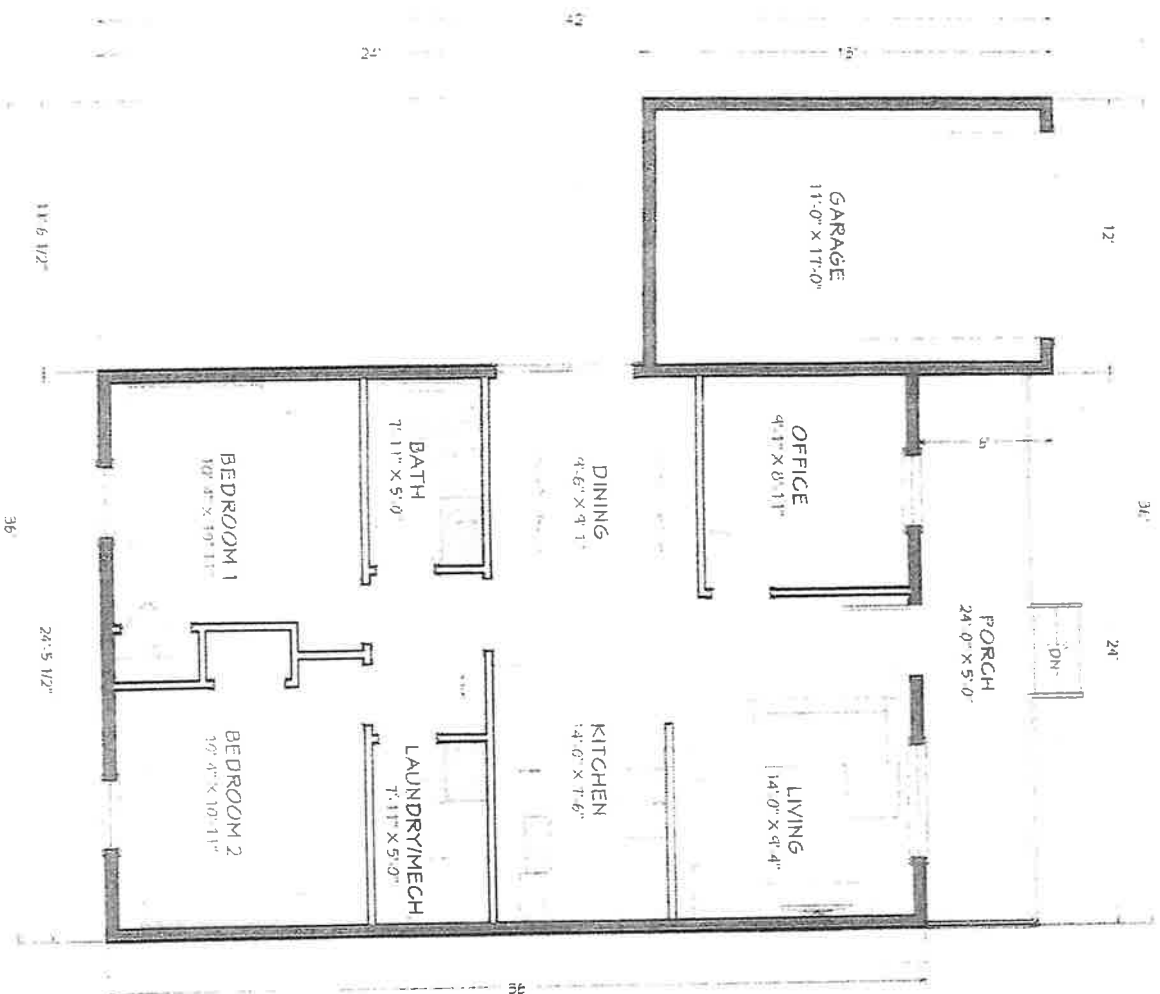
- There is an existing buried irrigation ditch adjacent to the property along Alder Avenue. The proposed loop access points will need to be installed in accordance with the Nutting Drain companies' approval and standards.
- The developer may not use the Nutting Drain for storm water management.
- There may be a subdivision of the property at some point in the future but the project may be able to proceed without subdivision.
- As of the date of this report we have not received any comments for or against the proposal.

RECOMMENDATION:

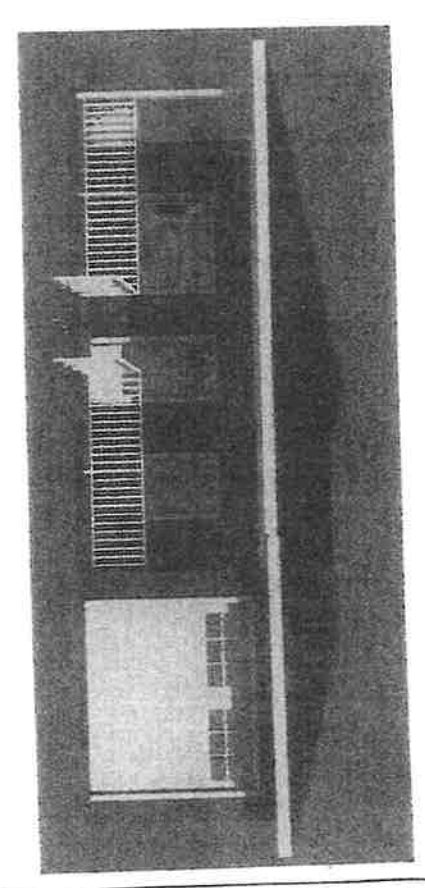
Staff Recommends that the Zoning Commission find that the requested zoning, subject to conditions, is consistent with the Laurel-Yellowstone Growth Policy; that the PUD is consistent with the purpose and intent of the Laurel Zoning, that the PUD generally complies with the required Standards, and will have no Adverse Impact on surrounding properties or the natural resources. Further, that the Zoning Commission recommend that the City Council adopt the Zoning Classification of RLMF - PUD on Parcel B1 A2 on COS 2385 (24) located in Section 9, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.

SUGGESTED FORM OF MOTION:

1. I move to adopt Staff Report pud-26-01 as findings of fact and conclusions of law.
2. I move to recommend that the City Council adopt the requested zoning RLMF – PUD subject to the following conditions:
 - a. The internal road system is proposed to be privately owned with a 32-foot driving surface. The internal road will be open to public use and not gated.
 - b. The proposal is to provide water, sewer and access to each unit by extension of private roads and mains.
 - c. That a will serve letter for water, sewer, and solid waste for the project is issued by the Laurel Public Works Department.
 - d. The project will need DEQ approval for water, sewer, stormwater, and solid waste.
 - e. The entire neighborhood is subject to high ground water levels which may limit the overall development plan and pattern.
 - f. The high groundwater table may adversely affect the ability to retain or detain storm water on the property at full development.
 - g. The location of fire hydrants will need to be approved by the Laurel Fire Department.
 - h. There is an existing buried irrigation ditch adjacent to the property along Alder Avenue. The proposed loop access points will need to be installed in accordance with the Nutting Drain companies' approval and standards.
 - i. The developer may not use the Nutting Drain for storm water management.
 - j. There may be a subdivision of the property at some point in the future but the project may be able to proceed without subdivision.



SAMPLE UNIT - 881 S.F. LIVABLE AREA
 1/8" = 1'-0"



FRONT VIEW
 NO SCALE

*PORCH OPTIONAL, IF WE DON'T EXCEED
 MAXIMUM LOT COVERAGE

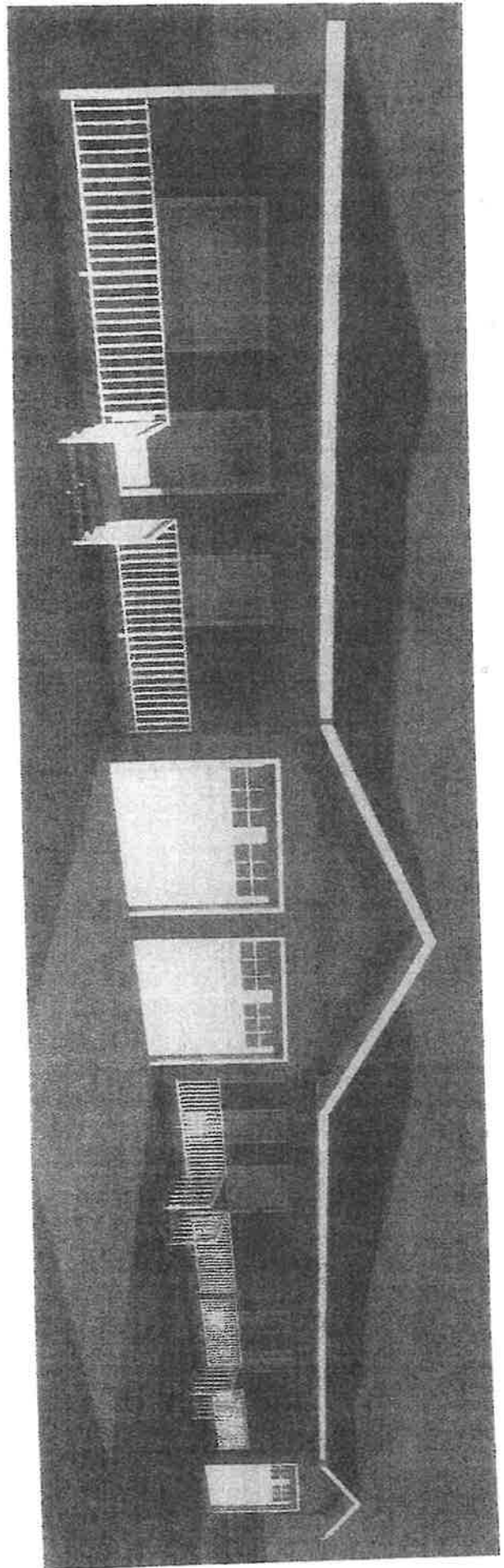


CLIENT:
 Tom Llewellyn

PROJECT ADDRESS:
 Alder Avenue, Laurel MT
 Certificate of Survey 2385

Geocode
 03-0821-04-1-04-21-0000

DATE:
 3/13/2026



FRONT VIEW
NO SCALE



CLIENT:
Tom Lluellyn

PROJECT ADDRESS:
Alder Avenue, Laurel MT
Certificate of Survey 2385

Geocode
03-0821-04.1 04.21-0000

DATE:
3/13/2026

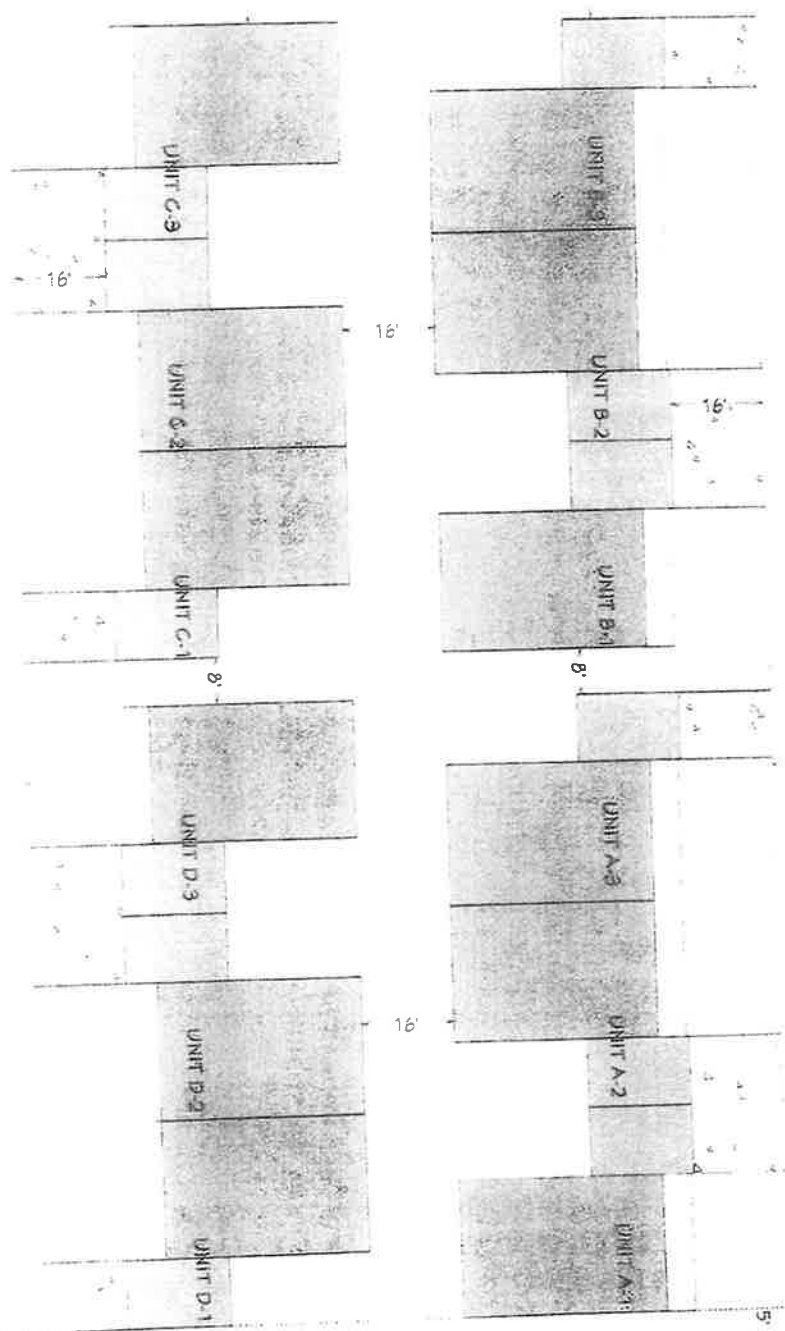
5'

5' turn radius
at corners

32'

20'

20'



32' private road

setback

20'

5' sidewalk

ALDER AVENUE



PRELIMINARY PLOT PLAN
1/32" = 1'-0"



CLIENT:
Tom Liwelljn

PROJECT ADDRESS:
Alder Avenue, Laurel MT
Certificate of Survey 2385

Geocode
03-0821-04-1-04-21 0000

DATE:
3/13/2026

Planning board questions & concerns to be addressed on Wednesday's Planning board meeting

From Ron Benner <ron@smocvision.com>

Date Mon 7/13/2026 6:11 PM

To Ward 4B <ward4b@laurel.mt.gov>; Ward 1B <ward1b@laurel.mt.gov>; Forrest Sanderson
<ForrestSanderson@PeaksPlanning.onmicrosoft.com>

Forest, Richard and Tom,

Here are some comments for the planning board meeting on Wednesday evening.

Planning Board:

I apologize for not being present at tonight's meeting but I have a conflict that has me out of town. I am sending this with some concerns that need to be addressed. The first is regarding an agenda item / hearing. The other concerns are for the growth plan.

A. Public Hearing on zoning change

1. The meeting packet for the Meeting on Wednesday July 15th is confusing at best. There is a hearing scheduled for a zoning change. The material provided lacks detail. It took me a while to figure out which property this covered (a small plot on the east side of Alder – just north of the middle school and west of the new intermediate school). What made this more confusing was that additional information was supplied with information about town homes on Monad road townhomes. I do not understand what this information is attached for?

Now the concern for this project. I do like the concept. This is going to be a tight development and with a single entrance off alder I believe there is a risk for getting emergency personal in and out. That is not a full road and with the on one side and the ditch on the other side all turns are going to be tight. At some point that road will need to be widened and I'm not sure where the easement is but that will affect this development or worse off affect any road widening.

This area is a swamp. The paper work says the DEQ will need to approve the site for water, sewer and waste water. Ground water will make building there problematic (the school is having issues with ground water and the road they are putting across their property just south of this proposed development. Waste water will also be the real problem. Where is the water going to go with 12 units, roads and driveways? There will be very little open ground to soak up runoff. Where is a catch pond for runoff? Pushing runoff into Nutting Drain is not an option. The ditch between the proposed development and the west side of alder is an irrigation ditch and can not be dumped into. Just like the schools (Middle and Intermediate) there will need to be a water holding area- catch pond that is not shown or mentioned in the proposal and request.

Finally- This high density housing (12 units) on a narrow incomplete road adjacent to two schools with very busy traffic and only one entrance is not in my view right for this area.

It will further congest traffic unless there is a plan to widen Alder from East Maryland, south to where 7th should run. A much smaller single or duplex development may be a better fit.

I would urge the planning board to not approve the zoning changes on the grounds that it does not create a benefit for this area and in fact, will create multiple problems with traffic, waste water, pedestrian traffic, future road development and emergency services.

B) Growth Policy update

1. At the May meeting we were presented with a plan to move forward with Interstate Engineering on land use planning. With the cancellation of last month's meeting, we are now behind and have missed some opportunities to bring in community voices. The job we are tasked with is big. We will have some important decisions to make, and we need to not just get this done, but get it done with community input and involvement.

As you all are aware, for the last 8 months there have been a lot of community questions regarding the growth plan for Laurel. "Where is it? Is it being followed?" This update needs to answer those questions and allow the town's residents to participate. The modifications to the growth plan that we will be asked to make per the newest MLUPA laws. These changes have the possibility of dramatically impacting many of the city residents. My guess is that more than a few are not going to like the changes to their neighborhoods the MLUPA changes will create.

The recent developments on the west end of town and the potential impact on homeowners from the MLUPA changes demand that we, as a board, need to press to have this entire process as open, transparent and engaging with the community as possible. We need to create opportunities for people to show up and allow them to ask questions, help educate them and ourselves on what the options are as well as the impact to them and their neighbors. Our final document should have people's concerns addressed in it and not just create concerns for not allowing them to be part of the process.

Last Tuesday night at the City Council workshop, a concerned citizen asked about the process and the outreach. She expressed concern that there was not a "booth" for discussion and questions - only someone handing out a card that directed people to website for a survey. She expressed disappointment with this and asked the council not to allow this as the only means of input.

I believe it's our duty to open next month's meeting for public comment and input. We will have to hope we have more to work with to discuss, but it is important that we let people know that this process is happening and community participation is needed.

We were given a timeline that we chose due to its ambition. I believe we are behind it. We have not had a community workshop. We have missed several community events, so the timeline listed as TASK 3 – COMMUNITY ENGAGEMENT given in the May packet, as I see it is still just getting started. We are 2 months behind on the time line, we have not even held our first "joint workshop". The presentation we were given at the MAY meeting was not in any way a workshop, and it did not involve any public input. We should not and do not want to skip any steps, especially any community participation opportunities just to catch up. It's better to delay the outcome and do this right than to move just to catch up.



INTERSTATE

- Infrastructure capacity (Roads, Water, Sewer) — alignment with Water and Sewer Engineering Reports and capital improvement benchmarks
- Economic snapshot — major employers, commercial and industrial areas, employment land inventory, tax base, and development trends
- Environmental constraints — floodplains, natural hazards, sensitive natural areas, and conservation priorities
- Community facilities and public services — schools, parks, recreation, intergovernmental coordination, and service delivery capacity
- Transportation — mobility, access, circulation, freight, and multimodal connections
- Historic and cultural resources — community identity, place-making, and historic preservation priorities

Task 3 – Community Engagement

Community engagement will be conducted throughout the project to ensure the Land Use Plan reflects local priorities and is supported by all stakeholders. Our strategy is built on a simple principle: **meaningful input requires meeting people where they are.** Rather than relying solely on traditional meetings, we will provide multiple, accessible pathways for people to participate in the planning process, such as pop-up events, surveys, interviews, on-site engagement, and targeted outreach.

Our engagement approach emphasizes clarity, inclusion, and action. It builds on past efforts while responding to new opportunities and momentum. We will ensure that residents, business owners, civic groups, and stakeholders have clear, consistent ways to contribute, both within and beyond formal meetings. Engagement strategies will reflect Laurel's culture and the day-to-day realities of the community's life. Our role is to help meet community needs with clarity and professionalism, providing confidence in both process and outcome.

Engagement metrics will be tracked and quantified from the beginning of the project to ensure statutory compliance and confirm outreach strategies are reaching a broad cross-section of the Laurel community.

- Planning Commission meetings – Kickoff to discuss project timeline; regular updates on all phases of the project, including existing conditions review; visioning and growth scenarios; topical discussions; draft land use plan; and adoption-related hearings
- Online survey and interactive map — An Online Community Survey will be launched at project kickoff providing a mobile-friendly platform for residents and business owners to share ideas and priorities. An interactive online mapping platform will allow users to identify and comment on geographic areas of concern and value.
- Community events (3) — The project team will coordinate with City staff to participate in community events, such as Rock the Block on May 29, to raise awareness about the planning process. Community Workshops will be held at two locations in Laurel using collaborative, map-based exercises.
- Stakeholder Interviews (6) — Confidential Key Stakeholder Interviews will be conducted early in the process. Target groups include the School District, major employers, the Chamber of Commerce, the development and real estate community, neighborhood associations, and civic organizations.
- Project website or engagement platform — The project team will design and host a dedicated project website or other engagement platform, such as ArcGIS StoryMaps, to serve as the central hub for all public outreach, including project updates, maps, FAQs, draft documents, and survey links.

Task 4 – Visioning and Goals

Based on all feedback received during the engagement phases and informed by the Existing Conditions findings, the team will develop the following foundational planning elements:

- Community vision statement — A forward-thinking and adaptable vision statement for the future of Laurel, addressing future challenges such as demographic shifts, housing delivery, infrastructure growth,



If I were in the room with the board, I'd ask Brett: (a) how he is going to adjust the timeline from what it was to how it's going to be and what the plan is to adhere to the new timeline; and (b) if there is a plan to better engage the community than simply handing out cards and asking people to use those cards to fill out a web survey. This is not what we were told would occur in the proposal or in the follow-up conversation at the May meeting.

Planning Board Meeting Schedule and Agenda Items - December 2019 - June 2020

The onset of the COVID-19 pandemic curtailed meetings of the Planning Board between March and June of 2020. Compiling the policy components and preparation of narrative portions continued during this time under the previously established schedule. The chart below shows the Planning Board and City Council meetings in which the Growth Management Policy Update was presented.

Laurel Growth Management Policy Update 2020 - Meeting Schedule			
Date	Purpose	Task	Outcome
December 11, 2019	Approve Schedule and Contacts	Initial Visioning Discussion	Invites to Agencies
January 8, 2020	Disc: Chapters 1&3	Introduction, Purpose and Common Goals	Work Session
February 12, 2020	Disc: Chapters 4&5	Community Profile, Employment Forecast	Work Session
February 26, 2020	Disc: Chapter 6	Land Use	Work Session
March 11, 2020	Disc: Chapter 7	Future Land use	Work Session
March 25, 2020	Disc: Chapter 8	Housing	Work Session
April 8, 2020	Disc: Chapter 9	Infrastructure	Work Session
April 22, 2020	Disc: Chapter 10	Transportation	Work Session
May 13, 2020	Disc: Chapter 11	Economic Development	Work Session
May 27, 2020	Disc: Chapters 12&13	Public Services, Facilities & Recreation Plan	Work Session
June 10, 2020	Disc: Chapters 3, 14, 15	Community Goals, Natl Resources & Implementation	Work Session
June 24, 2020	Review Document	Review Completed Chapters	Work Session
July 22, 2020	Planning Board Review	Chapters 3, 7, 7.5, 8, 9, 10, 11, 13	Work Session
August 19, 2020	Planning Board Review	Review Draft Document	Schedule Public Hearing
October 21, 2020	Planning Board Public Hearing	Full Document Review and Approval	Resolution of Adoption
November 3, 2020	City Council Discussion Session	Full Document (PB Approved)	Preliminary Presentation
November 17, 2020	City Council Workshop	Full Document (PB Approved)	City Council Review and Comments
November 24, 2020	City Council Public Hearing	Receive Public Comment, Approve Resolution of Adoption	Resolution of Adoption
December 24, 2020	Final Adoption	30 Day Comment Period	Adoption of Growth Management Policy

December 8, 2023	Legal Advertisement Published in Yellowstone County News	Community Public 2 nd Notice	Public Notice
December 15, 2023	Legal Advertisement Published in Yellowstone County News	Community Public 3 rd Notice	Public Notice
December 20, 2023	Planning Board Public Hearing	Full Document Review and Approval	
TBD	City Council discussion Session	Full Document	Preliminary Presentation
TBD	City Council Workshop	Full Document	City Council Review and Comments Preliminary Presentation City Council Review and Comments
TBD	County Commissioners Discussion Session	Full Document	
TBD	County Commission Discussion Session	Full Document	
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 1 st Notice - City	Public Notice
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 1 st Notice - County	Public Notice
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 2 nd Notice - City	Public Notice
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 2 nd Notice - County	Public Notice
TBD	City Council Public Hearing	Receive Public comment, Approve Resolution of Adoption	Resolution of Adoption
TBD	County Commissioners Public Hearing	Receive Public Comment, Approve Resolution of Adoption	Resolution of Adoption
TBD	Final Adoption	30 Day Comment Period	Adoption of Growth Management Policy

3. The board should be asking a few questions:

- a. Was the 2023 update approved by the council?
- b. Did the hearings take place?
- c. If so, can the current document be updated to reflect that?
- d. If no action was taken, can the city council (council members) offer an explanation?
- e. If no action was taken, was this a rejection of the 2023 update?
- f. If the planning board is going to do a new update (as directed by the state and a consultant hired by the city council), what are we updating? The 2020 growth plan that has been approved by city council or the 2023 update to the growth plan (that has not been taken up by the city council)?

This is not the first time there is questionable information posted on the website. When old, outdated information is posted it is misleading and looks poorly on the city. When new information is withheld, it is worse. The recent conflicts the city has had have been challenging and with community questions surrounding the growth plan, I would think the city should make a sustained effort to assess that only accurate, up to date information is accessible? If the city website is under construction- a disclaimer should pop up that informs the user that the site is under construction maybe only partial information if

Any significant expansion of scope, including additional public meetings beyond those listed, zoning audit and update, or preparation of subdivision regulation revisions as separate documents, will be addressed through a written Scope and Fee amendment agreed to by both parties following adoption of the land use plan.

Project Schedule

The timeline below provides an overall framework to complete each task outlined in the Scope of Work. We are ready to begin work immediately and are committed to devoting the proposed personnel and resources for the entire length of time necessary to complete the Laurel Land Use Plan by October 31, 2026.

Task / Milestone	Timing
TASK 1 — PROJECT MANAGEMENT	
1.1 Budget, Schedule & Work Plan Strategic Kickoff Meeting	May 2026
1.2 Ongoing Coordination with Staff & Elected Officials	May – October 2026
1.3 Project Branding & Communications	May - October 2026
TASK 2 — EXISTING CONDITIONS ANALYSIS	
2.1 Data Request & GIS Base Mapping	May 2026
2.2 Existing Conditions Research & Field Analysis	May – June 2026
2.3 Existing Conditions Memo & Staff Review	June 2026



INTERSTATE

TASK 3 — COMMUNITY ENGAGEMENT

3.1 Kickoff Joint Workshop –Planning Commission	May 2026
3.2 Online Survey Launch & Interactive Mapping Platform	May 2026
3.3 Key Stakeholder Interviews	May – June 2026
3.4 Community Event #1	May 2026
3.5 Community Workshop #1	June 2026
3.6 Community Event #2	July 2026

TASK 4 — VISIONING & GOALS

4.1 Vision Statement Development & Staff Review	June – July 2026
4.2 Growth Principles & Priority Values Framework	July 2026

TASK 5 — FUTURE LAND USE PLAN & POLICY FRAMEWORK

5.1 Draft Land Use Plan	August 2026
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INTERSTATE

Project Approach

This proposal builds upon the momentum captured in Laurel's recent planning efforts and supports a community-driven vision for growth, connection, and investment. We have designed a work plan that reflects both regional understanding and best practices in planning and public participation. Our approach centers on inclusive community engagement, ensuring diverse perspectives shape the outcomes of the plan.

Our project team combines national experience with deep local knowledge. This allows us to bring best practices from the national stage and tailor them to fit Laurel's unique needs and assets.

We strongly believe that a successful Land Use Plan for Laurel must be shaped by those who live, work, and invest in the community. By collaboratively engaging with residents and creating unique opportunities for meaningful dialogue to develop Laurel's Land Use Plan will ensure as a true community document for years into the future.

Even if not explicitly stated, the following sections acknowledge and will comply with the requirements outlined in MCA 76-25, Section II.

Task 1 – Project Management

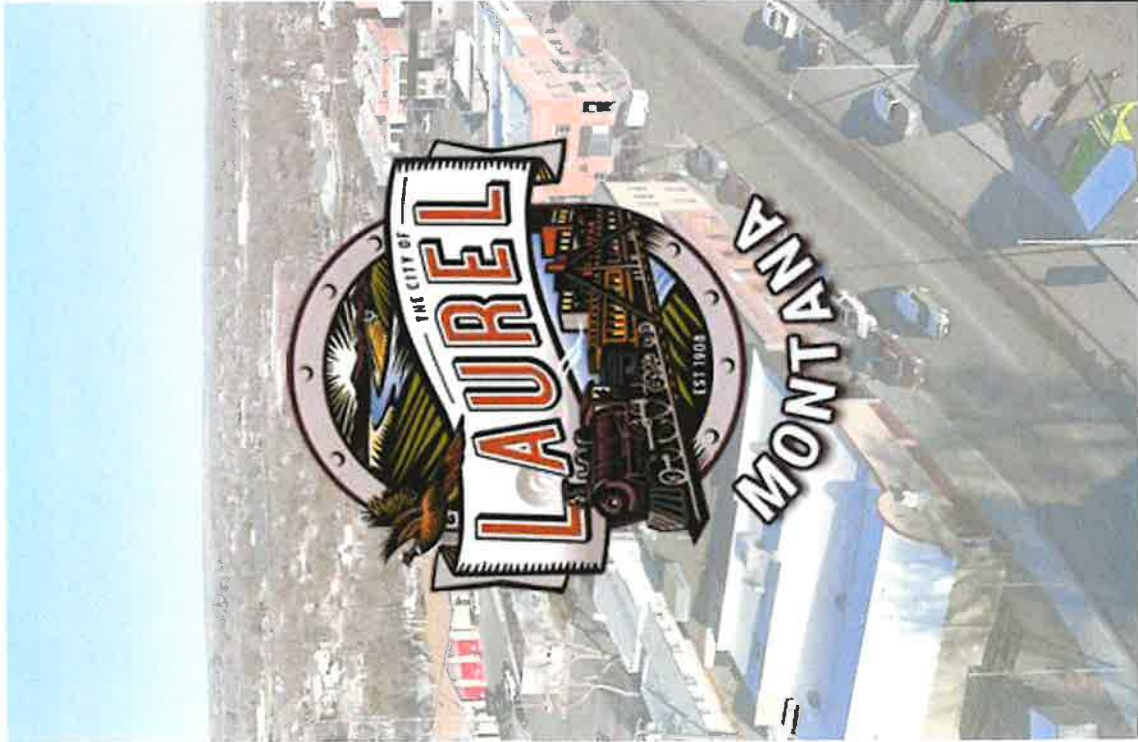
Establish and maintain project structure, communications, and coordination with City staff and officials throughout all phases of the project.

- **Budget, Schedule and Work Plan** — The project team will develop and maintain a detailed project budget, schedule, and work plan from kickoff through final adoption. This includes regular check-in calls with the Contract Planner and City staff, meeting agendas and notes with action items, and monthly invoices with percentage-complete breakdown by task. The project team will work with the Planning Commission beginning at their May meeting. The meeting will confirm project goals, objectives, and expectations to help guide the project team's actions and decisions through the remainder of the project. This may also include a tour of the city to allow staff to discuss specific neighborhoods, opportunities, and other key planning areas with the team.
- **Coordination with Staff and Elected Officials** — The project team will maintain clear, consistent communication with the City's Contract Planner and key staff throughout the project. The team will provide agenda-ready materials for Planning Commission and City Council sessions and will support the City in communicating project progress to elected and appointed officials. Our team adapts easily to changing needs throughout the project timeline.
- **Project Branding & Communications** — The project team will utilize and maintain applicable in-person and online communication tools to share project information with stakeholders to ensure updates reach people where they are. We will also develop a recognizable project brand to help build trust in the project with the public. This branding will be applied to all project materials, the project website, email blasts, and social media content.

Task 2 – Existing Conditions Analysis

A thorough baseline assessment of existing data and current conditions is an essential first step. The project team will build off the City's 2023 Growth Policy, Zoning and Subdivision Regulations, Water and Sewer Engineering Reports, and other relevant documents. We will conduct field visits and host stakeholder conversations to capture on-the-ground realities and highlight the community's strengths and challenges. The plan will include inventories and descriptions of all elements required by MCA 76-25-203, including:

- **Population and housing trends** — demographic profile, population projections through 2045, household characteristics, housing supply, and affordability analysis
- **Land use inventory and zoning overview** — current land use patterns, zoning districts, buildable land inventory, development capacity, and identification of key opportunity and constraint areas



MONTANA LAND USE PLANNING ACT (MLUPA)

PLANNING COMMISSION, JULY 15

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MONTANA LAND USE PLANNING ACT

[Montana Land Use Planning Act | MT DOC](#)

- Growth Policy 2.0 - Mandatory Goals
- Sufficient Land for Housing and Services
- Implement pro-housing zoning strategies
- Maintain predictable planning outcomes
- Engage the public in citywide planning

Chapter 25. Montana Land Use Planning Act: Table of Contents, Title 76, MCA
PLANNING COMMISSION AND MONTANA LAND USE PLANNING ACT TRAINING



GUIDANCE ON KEY ELEMENTS OF MONTANA LAND USE PLANNING ACT



PROJECT GOALS & OBJECTIVES

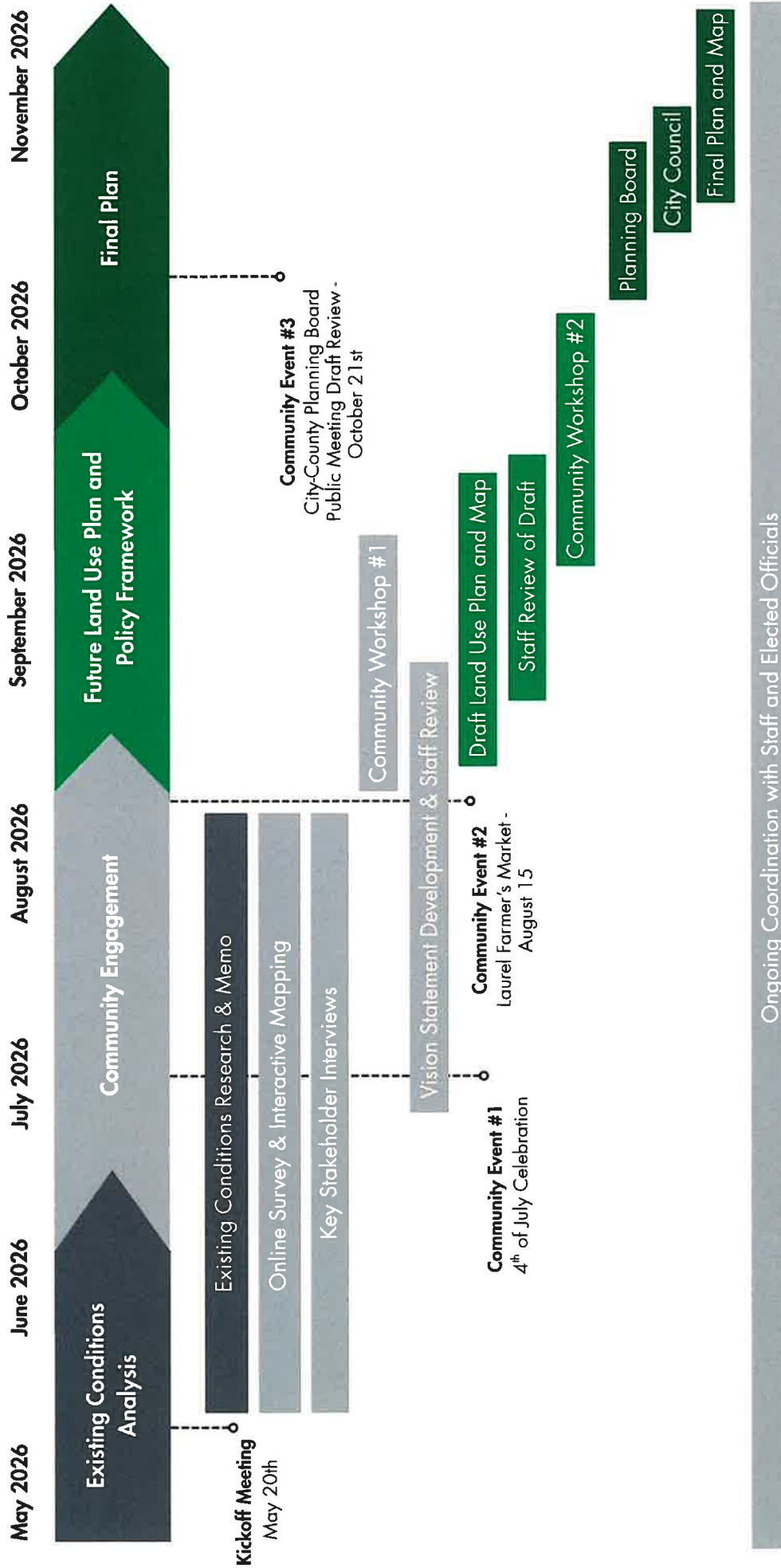
- **Goal**

- Update Laurel's 2020 Growth Policy to comply with the Montana Land Use Planning Act (MLUPA)
- Complete by end of 2026, an expedited timeframe

- **Objectives**

- Create a robust and responsive public engagement plan
- Guide future growth
- Align development with infrastructure capacity
- Provide a clear framework for land use
- Next Phase in 2027 – Implementation - subdivision and zoning updates
- Prepare a Future Land Use Map (FLUM) for Laurel and adjacent properties (ETJ?)

LAUREL LAND USE PLANNING PROCESS



WHAT WE'VE DONE

- **Stakeholder Meetings**

- Superintendent Matt Torix, Laurel Public Schools (June 25th)
- Angela Klein-Hughes, A Haus of Realty (June 8)
- Laurel Chamber of Commerce (July 13)

- **Community Engagement**

- 4th of July Celebration (July 4)
- Community Survey
 - 32 responses as of July 14
- Project Website: www.LaurelForward.com



WHAT WE'VE DONE

- **Existing Conditions**

- Windshield Tour (June 8)
- Public Works Discussion (June 8)
- Initial Mapping
 - Existing Land Use
 - Future Growth Areas



SURVEY RESULTS (As of July 14)

- 32 responses
- People like Laurel for the **small-town feel** and generally think the city is a **close-knit and safe** place to live.
- People have concerns about infrastructure.

Q41 How would you rate the quality of the roads in Laurel?



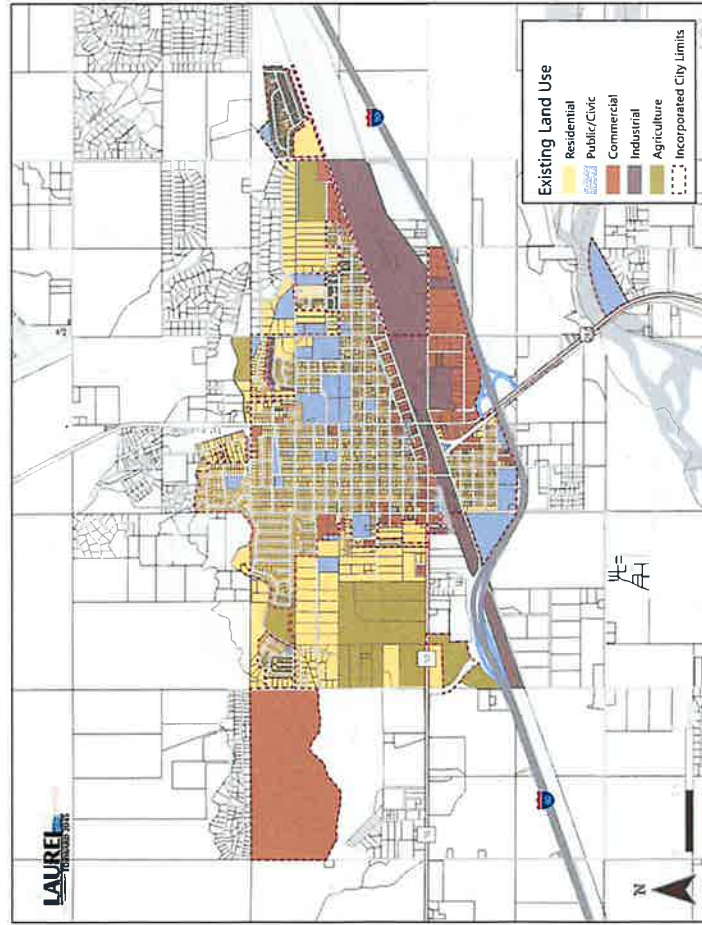
Q42 How would you rate the quality of the sidewalks in Laurel?



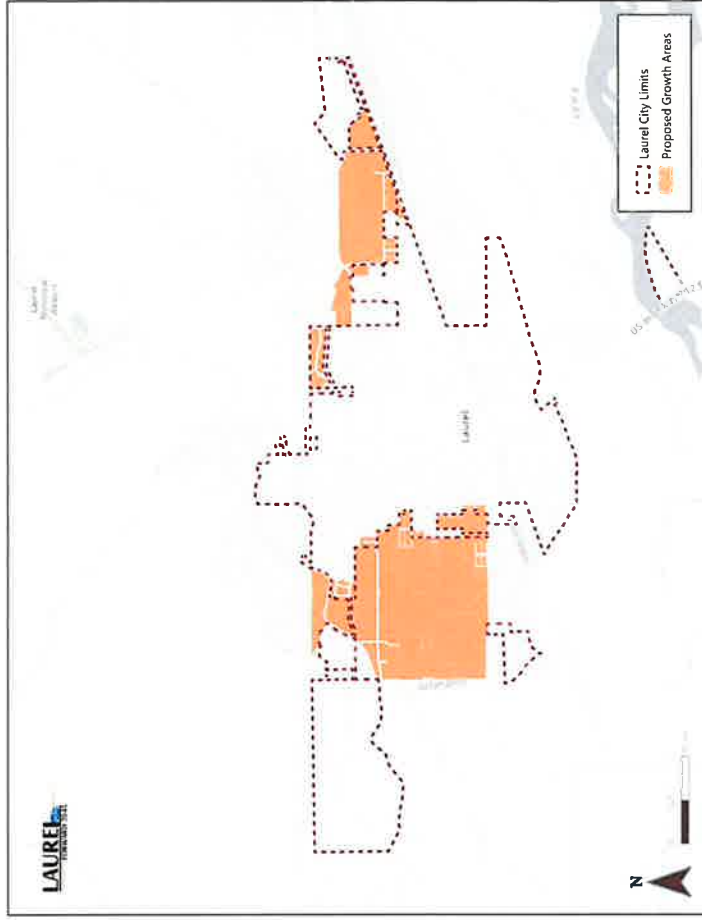
- Most responses say there are **not enough recreation opportunities** in town.
- People generally feel **safe** in Laurel and think the school, police department, fire department, and EMS serve the community well, but believe **emergency responders are understaffed and under-resourced**.

MAPS

Existing Land Use

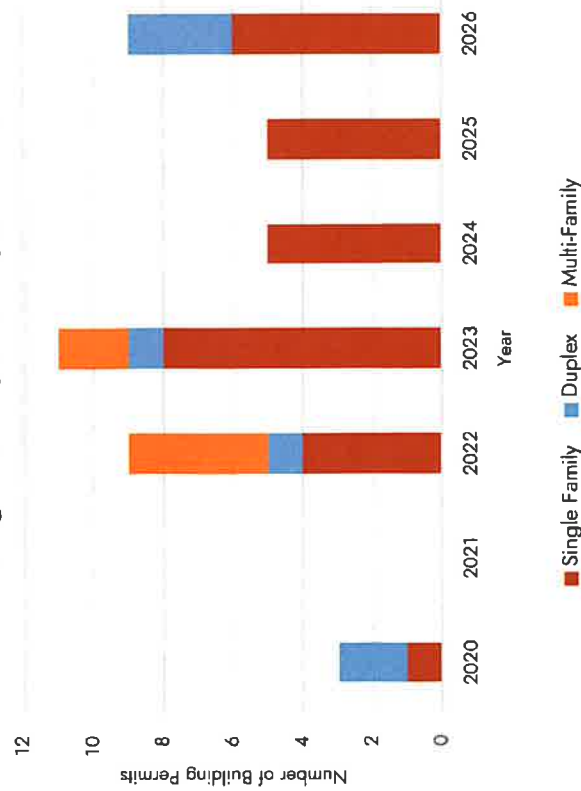


Future Growth Areas

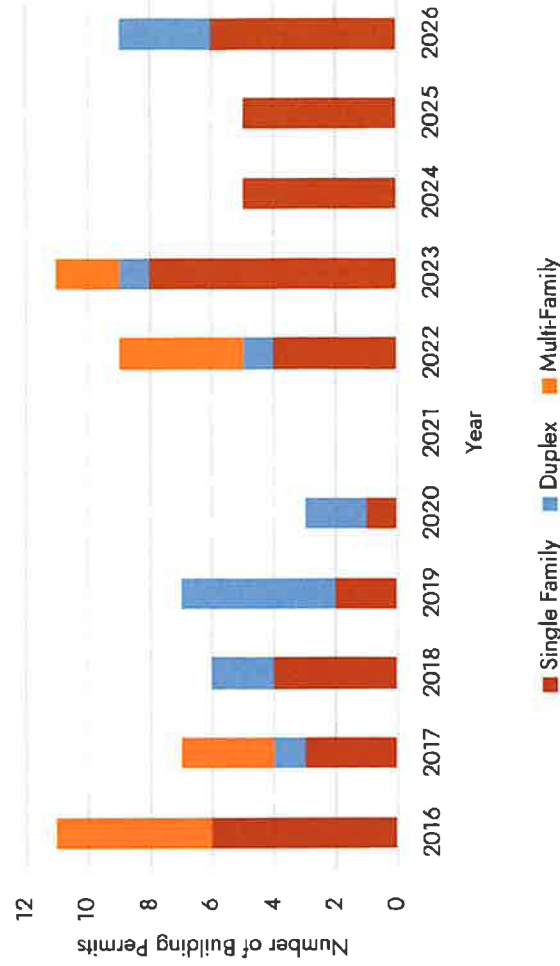


HOUSING

Housing Permits (2020 - April 2026)



Housing Permits (2016 - April 2026)



WHERE WE'RE GOING

- **Stakeholder Meetings**
 - Laurel Rotary Club (July 21)
- **Community Engagement**
 - Laurel Farmer's Market (August 15)
- **Existing Conditions**
 - Existing Conditions Memo (August 19)
- **Community Workshops**
 - Land Use, Developer Input, Infill Development, Other?



DEVELOPMENT/ REDEVELOPMENT SCENARIOS

- Imagining the future (AI)
 - West Laurel Entryway Commercial District
 - School-Owned Properties
 - North Side
 - Old High School
 - Streetscape Improvements
 - Connectivity Corridor (US Highway 10)
 - Repurposed Structures (Downtown Adjacent)
 - Welcome to Laurel Sign



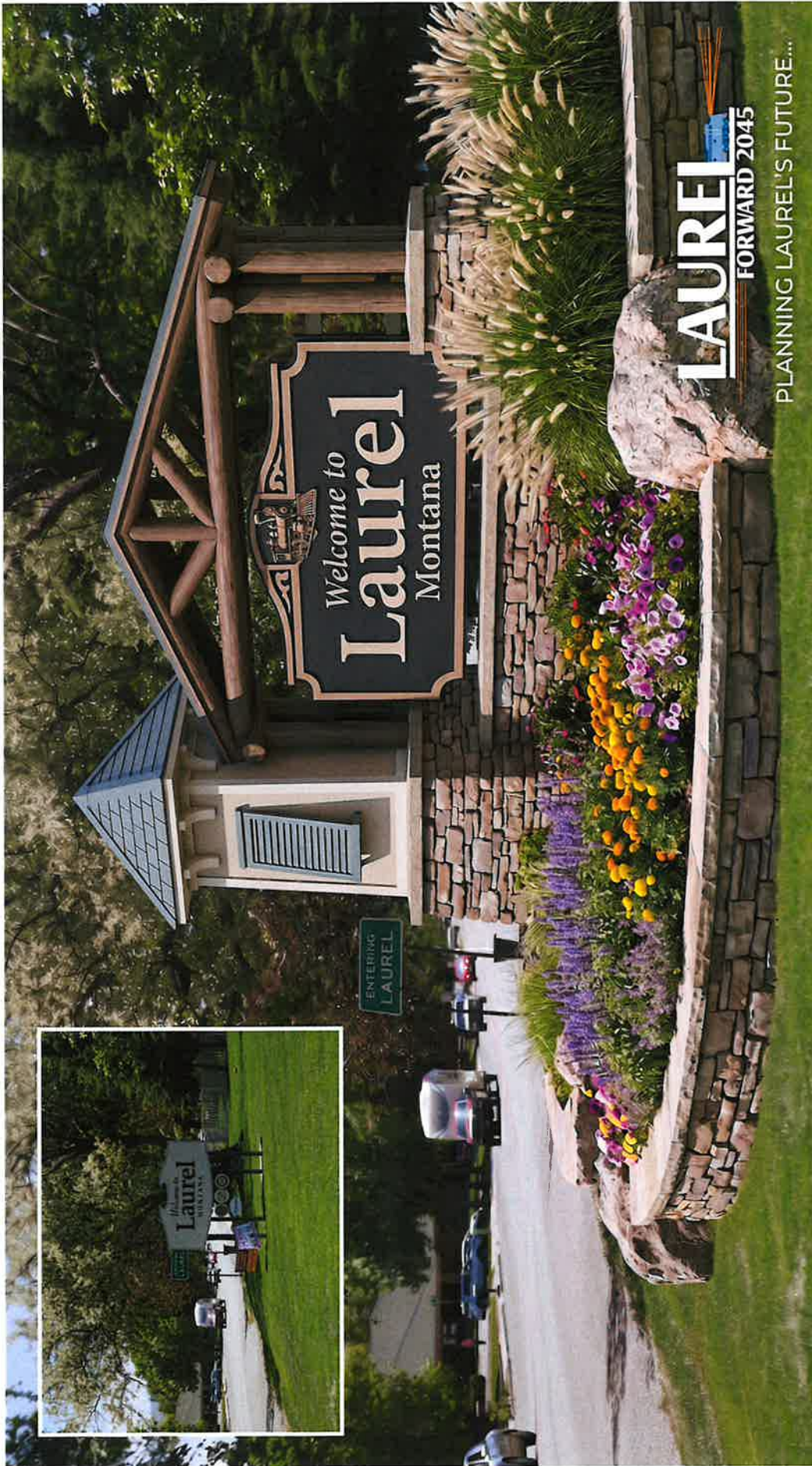
LAUREL

FORWARD 2045

PLANNING LAUREL'S FUTURE...







LAUREL
FORWARD 2045

PLANNING LAUREL'S FUTURE...





LAUREL

FORWARD 2045

PLANNING LAUREL'S FUTURE...





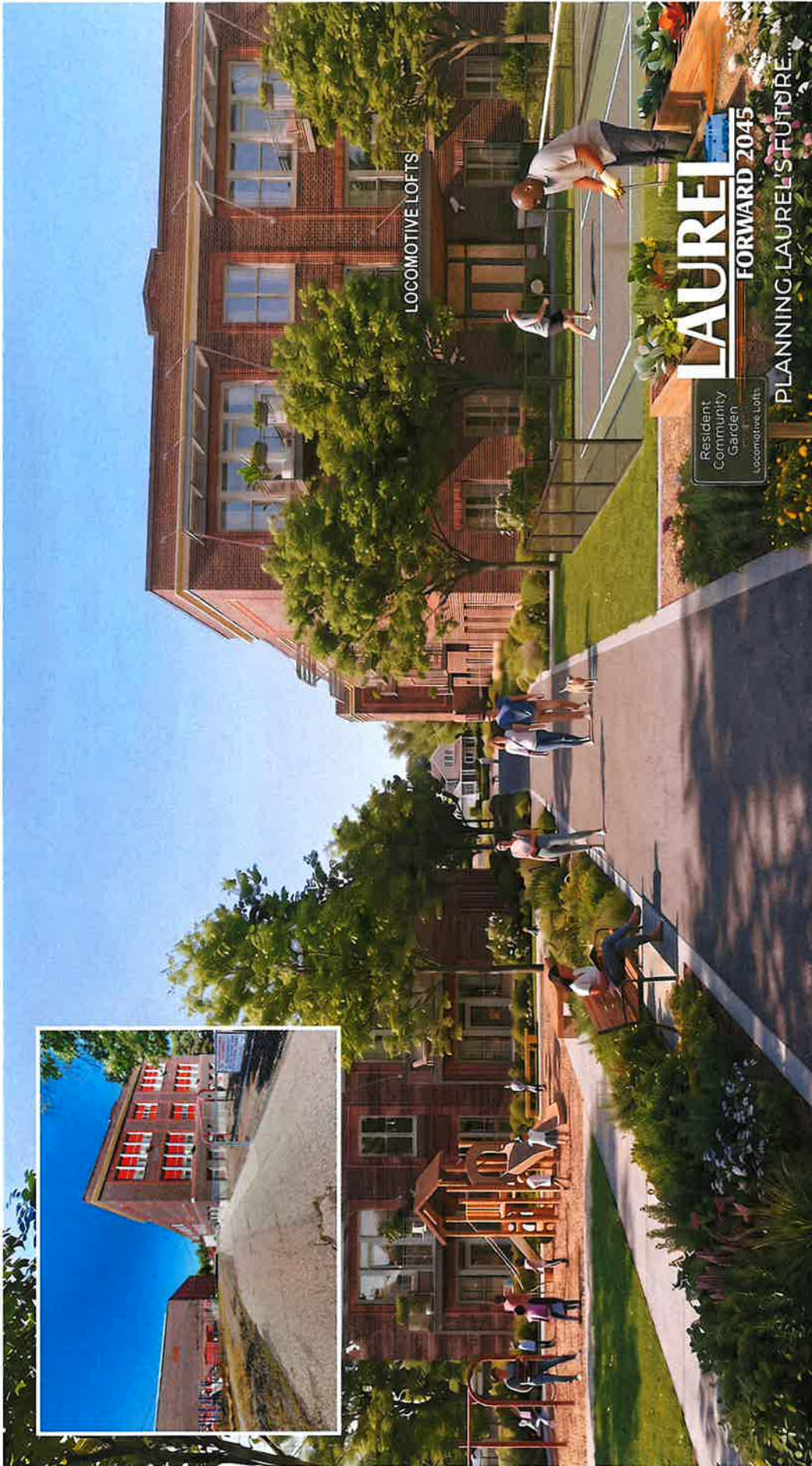


LAUREL

FORWARD 2045

PLANNING LAUREL'S FUTURE...







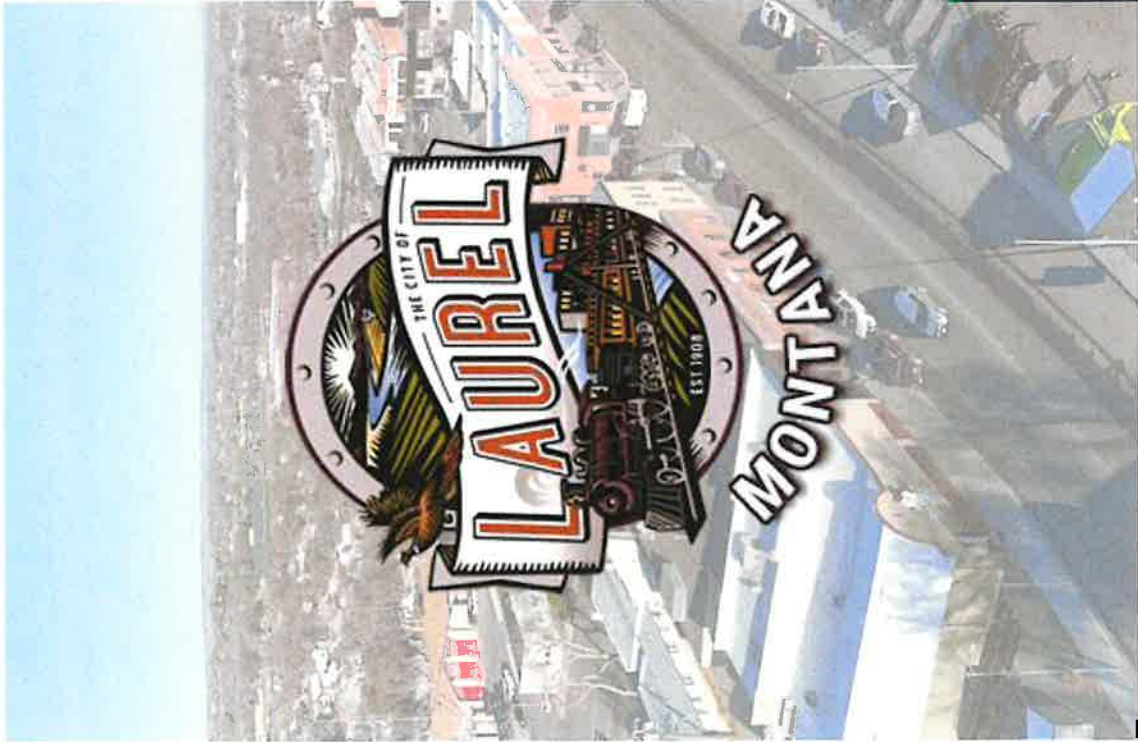
LAUREL
FORWARD 2045
PLANNING LAUREL'S FUTURE





DISCUSSION

- School District Properties/Partnerships
- Any comments or questions?



THANK YOU!



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ITEM REPORT

To: City Council
From: Matt Wheeler, Public Works Director
Meeting Date: July 28, 2026
Department/Office: Public Works Department
Item Name: Resolution No. R26-45: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Water Model Assessment By And Between The City Of Laurel And Morrison-Maierle

Summary:

- Description: Update, calibrate, and assess the City's hydraulic water model, including flow testing and development of a technical memorandum evaluating system performance and future demands. This information will be utilized for the water PER. The level of effort to include Future demands for this effort was discussed with Forrest to help streamline the PER efforts.
- Billing Type: Lump sum

Recommended Action:

Staff Recommendation: Approve Task Order No. 2.

Budget:

This task order has been budgeted from the Water Fund.

Name	Impact Date	Fund(s)	Account(s)	Project #(s)	Amount Budgeted
Task Order No. 2 - Water Model Assessment					\$50,850

Attachments:

1. R26-45 Approve Task Order No. 2 Water Model Assessment
2. Task Order 2 Water Model Assessment w Attachment A

RESOLUTION NO. R26-45

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE
WATER MODEL ASSESSMENT BY AND BETWEEN THE CITY OF LAUREL AND
MORRISON-MAIERLE**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle., for the Water Model assessment, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle.

Introduced at a regular meeting of the City Council on the 28th day of July 2026, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 28th day of July 2026.

APPROVED by the Mayor on the 28th day of July 2026.

CITY OF LAUREL

Kris R. Vogeles, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:



Ryan C. Addis, Civil City Attorney

Task Order 2

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated 05/26/2026 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: 07/28/2026
- b. Owner: City of Laurel
- c. Engineer: Morrison-Maierle
- d. Specific Project (title): Hydraulic Model Assessment
- e. Specific Project (description): Import the existing hydraulic model, review data from City, collect flow test data, incorporate changes based on as-built data, project future demands in model, and provide a hydraulic assessment technical memorandum.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

☒ as follows: See Attachment A to Task Order 2.

3. Additional Services

- B. Additional Services that may be authorized or necessary under this Task Order are:

☒ as follows: Additional Services that may be authorized or necessary under this Task Order are as follows: See Attachment A to Task Order 2. Additional Services may include, but are not limited to, additional data collection, model updates, calibration, analysis, meetings, coordination, or revisions required due to incomplete, inaccurate, unavailable, or inconsistent information; limitations or deficiencies in the existing hydraulic model, GIS data, record drawings, SCADA data, or flow testing information; changes in City direction or operating assumptions; requests for additional scenarios or alternatives; or services not specifically included in the Basic Services described in Attachment A.

4. Owner's Responsibilities

Task Order Form

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and American Society of Civil Engineers. All rights reserved.

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following: *See Attachment A to Task Order 2*

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: *See Attachment A to Task Order 2*

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Hydraulic Model Assessment and Memo	\$50,850	Lump Sum
TOTAL COMPENSATION	\$50,850	Lump Sum

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits: None

9. Attachments: Attachment A to Task Order 2

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is 7/28/2026.

OWNER:

By: _____

Print Name: _____

Title: _____

ENGINEER:

By: _____

Print Name: Jill A. Cook, PE

Title: Vice President

Engineer License or Firm's
Certificate No. (if required): 19585 PE
State of: MT

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurtis DeShaw

Title: Project Manager

Address: 315 N 25th St, Suite 102

E-Mail
Address: kdeshaw@m-m.net

Phone: 406-237-1251

Task Order Form

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Page 3

ATTACHMENT A
TO
TASK ORDER NO. 2
CITY OF LAUREL
HYDRAULIC MODEL ASSESSMENT
SCOPE OF SERVICES

Exhibit A of the Master Agreement for Professional Services dated February 18, 2026, related to water facilities between the City of Laurel (COL, Owner) and Morrison-Maierle Inc. (Engineer), shall be modified for this Task Order No. 2, as noted below. The scope of this Task Order addresses hydraulic model assessment services in order to have it prepared, updated, and calibrated for future use in system analysis and development-related reviews, which will be completed in separate task orders. This includes planning-level calibration and verification of hydraulic performance so model results mirror actual performance.

The costs and schedule described herein assume approval of Task Order 2 on July 28, 2026. The schedule will be as follows:

- **Data Gathering:** A data request will be made to the City after approval of the Task Order. It is assumed that all necessary data, including the most recent hydraulic model as completed by the City's former Engineer, GIS database, and flow data, booster station and tank information, will be provided by the City to the Engineer by July 24, 2026. Additional data collection for calibration shall include hydrant flow testing by Engineer over two working days. During flow testing, City personnel shall be available to operate valves, as needed.
- **Hydraulic Model:** Assuming data is received as noted above, hydraulic modeling, calibration, and a draft technical memo will be provided to the City for review and comment within 8 weeks of receipt of data. The modeling task will also include incorporating population and demand projections into the model for future planning efforts.

The overall goal is to complete the Hydraulic Model Assessment Technical Memorandum by mid-October 2026 after incorporating City feedback. This includes 8 weeks from receipt of data for draft submittal to City, one week for City review and comments, and one week to incorporate the City's feedback. The data collected and model updates will facilitate a more streamlined hydraulic modeling effort for the future PER (to be performed in a separate Task Order).

Assumptions, Limitations, and Additional Effort

The scope, schedule, and compensation for this Task Order are based on the assumptions and level of effort described herein, including timely receipt of available City data, the existing hydraulic model, GIS

information, record drawings, flow data, booster station and tank information, and SCADA information needed to support the hydraulic model assessment. Engineer's evaluation will be based on information made available by the City and field data collected within the limits of this Task Order.

Additional services may be required if the existing model, GIS data, record drawings, operating information, SCADA data, or other information is incomplete, inaccurate, unavailable, inconsistent, or not suitable for the intended level of hydraulic assessment; if additional field investigation, survey, flow testing, calibration, model development, scenario analysis, meetings, or coordination is requested; or if City direction, operating assumptions, planning assumptions, or project requirements change after the effective date of this Task Order. Such services may be performed as Additional Services in accordance with the Agreement.

PART 1 – BASIC SERVICES

A.1.01 Modeling Import, Calibration, and Assessment Phase

A. Engineer shall complete the following tasks:

1. Task 1 – Water Model Hydraulic Assessment

- a. Import the existing water model from the previous consultant. The review will include a general review of pipeline size and material compared to information in the GIS database, as well as a review of pump stations and reservoir settings.
- b. Update the hydraulic model of the distribution system using InfoWater as required to reflect hydraulic conditions based on additional data provided by the City. Update new or replacement water main sizes, materials, and alignments to the extent practicable.
- c. Collect additional hydrant flow data as calibration points. Two days of hydrant flow tests will be performed and coordinated with City operation staff to adjust water treatment facilities. Flow testing will be conducted by Morrison-Maierle staff with assistance from City staff and will consist of approximately 15 hydrant flow tests. Morrison-Maierle will provide direction on what data is needed and a recommended procedure for staff to use. Morrison-Maierle will also be on site to document flows and pressures.
- d. Elevations for the system will be based on the previous model. Information about recently constructed facilities will be based on record drawings. Existing atlas mapping and GIS database information will also be utilized. No survey is included in this task order.
- e. Calibrate the water model based on existing data from the City and new flow testing data collected. It is assumed that the City can provide SCADA information on the system at the time of the hydrant flow tests, including pump status and storage reservoir levels.

2. Task 2 – Hydraulic Model Assessment Memo

- a. Hydraulic Analysis Technical Memorandum: A technical memorandum will be developed based on the analysis of the hydraulic model. This technical memorandum will include the following information:
 - 1) Summary of key modeling assumptions, including:
 - a) Existing demands
 - b) Operational assumptions for reservoirs, booster stations, and pressure zones
 - c) Pipe hydraulic coefficients
 - d) Population and demand projection discussion.
 - 2) Description of the hydraulic model updates and calibration efforts, including available hydrant flow data and system operating information used in the evaluation.
 - a) Evaluation of existing system hydraulic performance, including:
 - b) Pressure distribution throughout the system
 - c) Reservoir operating levels and usable storage
 - d) Pump station initial operating conditions
 - 3) Identification and summary of key hydraulic deficiencies, operational concerns, and system constraints requiring additional evaluation as part of the PER.
- b. Based on hydraulic analysis and planning evaluations, the Engineer will prepare a Hydraulic Assessment Technical Memorandum.

The technical memorandum may include, but is not limited to, the following:

- 1) Recommendations for future data collection efforts to support the PER.
 - 2) Summary of actual conditions versus model performance.
 - 3) Preparation of exhibits and mapping illustrating:
 - a) Existing water system infrastructure
 - b) Proposed improvements and future expansion areas
- c. A digital copy of the draft technical memorandum will be provided to the City for review and comment. The schedule assumes that the draft technical memorandum will

be reviewed and that feedback will be provided within one week. A digital copy of the final technical memorandum in pdf format will be provided to the City two weeks after feedback is received.

3. Task 3 – Project Management and Quality Assurance

- a. Establish project files, coordinate internal resources, and initiate project review activities.
- b. Conduct project management activities including schedule development, task delegation, coordination among review personnel, and progress tracking throughout the Study and Report Phase.
- c. Two meetings to review data with City personnel are included. City council and/or public works meeting attendance are not included in this scope.
- d. Coordinate with Owner regarding review expectations, schedule assumptions, progress updates, budget status, project billing, and potential changes in scope, schedule, or level of effort, including timely communication of issues that may require additional review or Additional Services.
- e. Morrison-Maierle will provide an internal quality assurance review by an experienced Senior Engineer with expertise in the report subject.

No formal public presentations are included in this task.

Engineer's services under the Task Order will be considered complete on the date when the final memorandum and any other deliverables have been delivered to and accepted by Owner, as appropriate.

PART 2 – ADDITIONAL SERVICES

A2.01 *Additional Services Requiring Owner's Written Authorization*

- A. If authorized in writing by Owner, Engineer shall furnish or obtain from others Additional Services of the types listed below.
 1. Proceed with Preliminary Design, Design, Construction, and Post-Construction Phase Services.
 2. Preparation of applications and supporting documents (in addition to those furnished under Basic Services) for private or governmental grants, loans, or advances in connection with the Project; preparation or review of environmental assessments and impact statements beyond those described in the scope of this contract; review and evaluation of the effects on the design requirements for the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.

3. Services to make measured drawings of or to investigate existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by Owner or others.
4. Services resulting from significant changes in the scope, extent, or character of the portions of the Project designed or specified by Engineer or its design requirements including, but not limited to, changes in size, complexity, Owner's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date or are due to any other causes beyond Engineer's control.
5. Services required as a result of Owner's providing incomplete or incorrect Project information to Engineer.
6. Providing renderings or models for Owner's use.
7. Undertaking investigations and studies including, but not limited to, detailed consideration of operations, maintenance, and overhead expenses; the preparation of financial feasibility and cash flow studies, rate schedules, and appraisals; assistance in obtaining financing for the Project; evaluating processes available for licensing, and assisting Owner in obtaining process licensing; detailed quantity surveys of materials, equipment, and labor; and audits or inventories required in connection with construction performed by Owner.
8. Furnishing services of Consultants for other than Basic Services.
9. Services during out-of-town travel required of Engineer other than for visits to the Site or Owner's office.
10. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by Owner; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other Bidding Documents as a result of such review processes.
11. Preparing to serve or serving as a consultant or witness for Owner in any litigation, arbitration, or other dispute resolution process related to the Project.
12. Other services performed or furnished by Engineer not otherwise provided for in this Agreement.

A2.02 Additional Services Not Requiring Owner's Written Authorization

- A. Engineer shall advise Owner in advance that Engineer will commence to perform or furnish the Additional Services of the types listed below. For such Additional Services, Engineer need not request or obtain specific advance written authorization from Owner. Engineer shall cease performing or furnishing such Additional Services upon receipt of written notice from Owner.

1. Services in connection with work change directives and change orders to reflect changes requested by Owner.

ITEM REPORT

To: City Council
From: Matt Wheeler, Public Works Director
Meeting Date: July 28, 2026
Department/Office: Public Works Department
Item Name: Resolution No. R26-46: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Laurel Industrial Park MFE Review By And Between The City Of Laurel And Morrison-Maierle

Summary:

- Description: Engineering review of municipal infrastructure for MFE approval, including technical analysis, hydraulic modeling, and review comments.
- Billing Type: Hourly (recoverable from developer)

Recommended Action:

Staff Recommendation is to approve Task Order No. 3

Budget:

Task Order No. 3 has been budgeted.

Name	Impact Date	Fund(s)	Account(s)	Project #(s)	Amount Budgeted
Task Order No. 3 – Laurel Industrial Park MFE Review					\$11,500

Attachments:

1. R26-46 Approve Task Order No. 3 Laurel Industrial Park MFE Review
2. Task Order 3 Laurel Industrial Park MFE Review w Attachment A

RESOLUTION NO. R26-46

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE
LAUREL INDUSTRIAL PARK MFE REVIEW BY AND BETWEEN THE CITY OF
LAUREL AND MORRISON-MAIERLE**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle., for the Laurel Industrial Park MFE Review, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle.

Introduced at a regular meeting of the City Council on the 28th day of July 2026, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 28th day of July 2026.

APPROVED by the Mayor on the 28th day of July 2026.

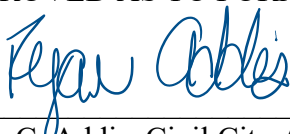
CITY OF LAUREL

Kris R. Vogeles, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:



Ryan C. Addis, Civil City Attorney

Task Order 3

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated 05/26/2026 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: 07/28/2026
- b. Owner: City of Laurel
- c. Engineer: Morrison-Maierle
- d. Specific Project (title): Laurel Industrial Park MFE Review
- e. Specific Project (description): Municipal Facilities Exclusion Review for City approval of the Laurel Industrial Park Subdivision.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

☒ as follows: See Attachment A to Task Order 3.

3. Additional Services

- B. Additional Services that may be authorized or necessary under this Task Order are:

☒ as follows: The anticipated review effort as described in Attachment A is based on receipt of complete, coordinated developer submittals that are in general conformance with applicable City standards. Additional review, coordination, or re-review required due to incomplete, inconsistent, or substantially nonconforming documents may be performed as an Additional Service in accordance with the Agreement.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following: *See Attachment A to Task Order 3*

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: *See Attachment A to Task Order 3*

Task Order Form

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and American Society of Civil Engineers. All rights reserved.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Laurel Industrial Park MFE Review	\$11,500	Hourly Rate
TOTAL COMPENSATION	\$11,500	Hourly Rate

Services shall be performed on an Hourly Rate basis in accordance with the rate schedule included in the Agreement and as described in Exhibit C of the Master Agreement.

For hourly rate work, the hourly rates and expenses for Engineering Services may be adjusted annually, and such adjusted rates will be utilized for those Basic Services and Additional Services utilizing the Hourly Rate method of payment. Owner shall pay Engineer for services at the current Standard Billing Rates in effect at the time the work is performed.

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits: None

9. Attachments: Attachment A to Task Order 3

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is 07/28/2026.

OWNER:

ENGINEER:

By: _____

By: _____

Print Name: _____

Print Name: Jill A. Cook, PE

Title: _____

Title: Vice President

Engineer License or Firm's Certificate No. (if required): 19585 PE
State of: MT

Task Order Form

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurtis DeShaw

Title: Project Manager

Address: 315 N 25th St, Suite 102

E-Mail
Address: kdeshaw@m-m.net

Phone: 406-237-1251

Task Order Form

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ATTACHMENT A
TO
TASK ORDER NO. 3
CITY OF LAUREL
LAUREL INDUSTRIAL PARK MFE REVIEW
SCOPE OF SERVICES

Exhibit A of the Master Agreement for Professional Services dated May 26, 2026, related to the review of the Laurel Industrial Park Subdivision between the City of Laurel (Owner) and Morrison-Maierle Inc. (Engineer), shall be modified for this Task Order No. 3, as noted below. The scope of this Task Order addresses Study and Report Phase services for completing the Municipal Facilities Exclusion (MFE) review of the Laurel Industrial Park Subdivision.

The costs and schedule described herein assume approval of Task Order 3 on July 28, 2026. The review schedule and assumptions are as follows:

Engineer will initiate the review following authorization to proceed and receipt of the applicant/developer's submitted materials necessary to perform the review. The review process is anticipated to generally include project initiation and data review, technical review and analysis, hydraulic modeling/capacity evaluation as applicable, internal QA/QC, issuance of initial review comments, review of applicant responses and resubmittals, and issuance of revised review correspondence as appropriate.

Because the review schedule is dependent upon the timing, completeness, consistency, and technical adequacy of materials submitted by the applicant/developer, as well as response times by the applicant, Owner, and other reviewing parties, specific review durations are not guaranteed. Engineer will coordinate with Owner regarding anticipated review timing as submittals are received and the level of effort required becomes better defined. Additional review, coordination, or analysis required due to incomplete, inconsistent, substantially revised, or nonconforming submittals may be performed as Additional Services in accordance with the Agreement.

PART 1 – BASIC SERVICES

A.1.01 Study and Report Phase

A. Engineer shall complete the following general tasks as required for the individual MFE review. Task items may include:

1. Task 1 – Project Initiation and Management

- a. Establish project files, coordinate internal resources, and initiate project review activities.

- b. Conduct project management activities including schedule development, task delegation, coordination among review personnel, and progress tracking throughout the Study and Report Phase.
 - c. Coordinate with Owner regarding review expectations, schedule assumptions, progress updates, budget status, project billing, and potential changes in scope, schedule, or level of effort, including timely communication of issues that may require additional review or Additional Services.
- 2. Task 2 – Preliminary Evaluation and Data Review**
- a. Review available project information, reports, plans, and supporting documentation associated with the proposed subdivision and MFE application.
 - b. Evaluate submitted materials to identify required elements, determine completeness of the application package, and establish review criteria based on applicable local and state standards.
- 3. Task 3 – Technical Review and Analysis**
- a. Perform a detailed engineering review of proposed water, wastewater, stormwater, and related municipal infrastructure improvements for conformance with applicable design standards, regulations, and municipal requirements.
 - b. Review submitted engineering reports and supporting technical documentation, identify deficiencies, and develop comments, questions, and recommendations for further clarification or revision.
 - c. Evaluate anticipated utility demands and system impacts associated with the proposed development.
- 4. Task 4 – Hydraulic Modeling and Capacity Assessment**
- a. Utilize the City of Laurel water model to assess the effect of proposed development demands on the public water system.
 - b. Perform hydraulic analyses necessary to evaluate system capacity, pressure performance, and the ability of the municipal water system to serve the proposed developments.
 - c. Coordinate with Owner regarding applicant/developer-provided sanitary sewer and stormwater capacity analyses, including review of available City system information, discussion of assumptions and identified system constraints, and communication with Owner regarding whether additional information or analysis should be requested from the applicant/developer to demonstrate adequate sanitary sewer and stormwater capacity. Detailed sanitary sewer and stormwater capacity modeling or independent capacity analyses by Engineer are not included since a storm or sanitary sewer model is not currently developed.

5. Task 5 – Findings and Recommendations

- a. Prepare technical findings based on engineering review and hydraulic analyses.
- b. Develop recommendations regarding municipal utility capacity, infrastructure adequacy, and additional information or revisions necessary to support MFE consideration.

6. Quality Assurance / Quality Control

- a. Conduct internal QA/QC reviews of technical evaluations, calculations, hydraulic modeling results, and review comments to ensure consistency and technical accuracy.

7. Study and Report Deliverables

- a. Prepare and issue a formal review letter documenting findings, technical comments, requests for additional information, and recommendations regarding the MFE application.
- b. Review resubmitted plans and reports, update technical evaluations as necessary, revise hydraulic analyses, perform follow-up QA/QC review, and issue revised review correspondence documenting final comments and recommendations.

8. Deliverables

- a. The principal Study and Report Phase deliverables shall include:
 - 1) Technical review of submitted plans and reports.
 - 2) Water system hydraulic capacity evaluation.
 - 3) Review comment memorandum and/or formal comment letter.
 - 4) Revised review memorandum and/or comment letter following applicant responses and resubmittals.
 - 5) Signed MFE form and will-serve letter.

Engineer's services under the Study and Report Phase will be considered complete on the date when the final Report and any other deliverables have been delivered to and accepted by Owner, as appropriate.

ITEM REPORT

To: City Council
From: Matt Wheeler, Public Works Director
Meeting Date: July 28, 2026
Department/Office: Public Works Department
Item Name: Resolution No. R26-47: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The Casa Linda Sub. Block 4 MFE Review By And Between The City Of Laurel And Morrison-Maierle

Summary:

- Description: Engineering review for MFE approval, including infrastructure evaluation, hydraulic modeling, and formal review documentation.
- Billing Type: Hourly (recoverable from developer)

Recommended Action:

Staff recommendation is to approve Task Order No. 4.

Budget:

Task Order No. 4 has been budgeted.

Name	Impact Date	Fund(s)	Account(s)	Project #(s)	Amount Budgeted
Task Order No. 4 - Casa Linda Subdivision Block 4 MFE Review					\$9,200

Attachments:

1. R26-47 Approve Task Order No. 4 Casa Linda Sub. Block 4 MFE Review
2. Task Order 4 Casa Linda Sub. Block 4 MFE Review w Attachment A
3. Casa Linda Subd. - 913733
4. Resolution No. 1875

RESOLUTION NO. R26-47

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE
CASA LINDA SUB. BLOCK 4 MFE REVIEW BY AND BETWEEN THE CITY OF
LAUREL AND MORRISON-MAIERLE**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle., for the Casa Linda Sub. Block 4 MFE Review, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle.

Introduced at a regular meeting of the City Council on the 28th day of July 2026, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 28th day of July 2026.

APPROVED by the Mayor on the 28th day of July 2026.

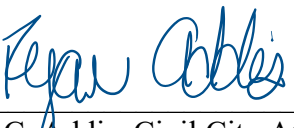
CITY OF LAUREL

Kris R. Vogeles, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:



Ryan C. Addis, Civil City Attorney

Task Order 4

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated 05/26/2026 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: 07/28/2026
- b. Owner: City of Laurel
- c. Engineer: Morrison-Maierle
- d. Specific Project (title): Casa Linda Subdivision, Block 4 MFE Review
- e. Specific Project (description): Municipal Facilities Exclusion Review for City approval of the Casa Linda Subdivision, Block 4.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

☒ as follows: See Attachment A to Task Order 4.

3. Additional Services

- B. Additional Services that may be authorized or necessary under this Task Order are:

☒ as follows: The anticipated review effort as described in Attachment A is based on receipt of complete, coordinated developer submittals that are in general conformance with applicable City standards. Additional review, coordination, or re-review required due to incomplete, inconsistent, or substantially nonconforming documents may be performed as an Additional Service in accordance with the Agreement.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following: *See Attachment A to Task Order 4*

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: *See Attachment A to Task Order 4*

Task Order Form

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6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Casa Linda Subdivision, Block 4 MFE Review	\$9,200	Hourly Rate
TOTAL COMPENSATION	\$9,200	Hourly Rate

Services shall be performed on either an Hourly Rate or Lump Sum basis in accordance with the rate schedule included in the Agreement and as described in Exhibit C of the Master Agreement.

For hourly rate work, the hourly rates and expenses for Engineering Services may be adjusted annually, and such adjusted rates will be utilized for those Basic Services and Additional Services utilizing the Hourly Rate method of payment. Owner shall pay Engineer for services at the current Standard Billing Rates in effect at the time the work is performed.

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits: None

9. Attachments: Attachment A to Task Order 4

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is 07/28/2026.

OWNER:

ENGINEER:

By: _____

By: _____

Print Name: _____

Print Name: Jill A. Cook, PE

Title: _____

Title: Vice President

Engineer License or Firm's
Certificate No. (if required): 19585 PE

State of: MT

Task Order Form

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DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurtis DeShaw

Title: Project Manager

Address: 315 N 25th St, Suite 102

E-Mail
Address: kdeshaw@m-m.net

Phone: 406-237-1251

Task Order Form

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ATTACHMENT A
TO
TASK ORDER NO. 4
CITY OF LAUREL
CASA LINDA SUBDIVISION, BLOCK 4 MFE REVIEW
SCOPE OF SERVICES

Exhibit A of the Master Agreement for Professional Services dated May 26, 2026, related to the review of the Casa Linda Subdivision, Block 4 between the City of Laurel (Owner) and Morrison-Maierle Inc. (Engineer), shall be modified for this Task Order No. 4, as noted below. The scope of this Task Order addresses Study and Report Phase services for completing the Municipal Facilities Exclusion (MFE) review of the Casa Linda Subdivision, Block 4.

The costs and schedule described herein assume approval of Task Order 4 on July 28, 2026. The schedule will be as follows:

Engineer will initiate the review following authorization to proceed and receipt of the applicant/developer's submitted materials necessary to perform the review. The review process is anticipated to generally include project initiation and data review, technical review and analysis, hydraulic modeling/capacity evaluation as applicable, internal QA/QC, issuance of initial review comments, review of applicant responses and resubmittals, and issuance of revised review correspondence as appropriate.

Because the review schedule is dependent upon the timing, completeness, consistency, and technical adequacy of materials submitted by the applicant/developer, as well as response times by the applicant, Owner, and other reviewing parties, specific review durations are not guaranteed. Engineer will coordinate with Owner regarding anticipated review timing as submittals are received and the level of effort required becomes better defined. Additional review, coordination, or analysis required due to incomplete, inconsistent, substantially revised, or nonconforming submittals may be performed as Additional Services in accordance with the Agreement.

PART 1 – BASIC SERVICES

A.1.01 Study and Report Phase

A. Engineer shall complete the following tasks:

1. Task 1 – Project Initiation and Management

- a. Establish project files, coordinate internal resources, and initiate project review activities.

- b. Conduct project management activities including schedule development, task delegation, coordination among review personnel, and progress tracking throughout the Study and Report Phase.
 - c. Coordinate with Owner regarding review expectations, schedule assumptions, progress updates, budget status, project billing, and potential changes in scope, schedule, or level of effort, including timely communication of issues that may require additional review or Additional Services.
- 2. Task 2 – Preliminary Evaluation and Data Review**
- a. Review available project information, reports, plans, and supporting documentation associated with the proposed subdivision and MFE application.
 - b. Evaluate submitted materials to identify required elements, determine completeness of the application package, and establish review criteria based on applicable local and state standards.
- 3. Task 3 – Technical Review and Analysis**
- a. Perform a detailed engineering review of proposed water, wastewater, stormwater, and related municipal infrastructure improvements for conformance with applicable design standards, regulations, and municipal requirements.
 - b. Review submitted engineering reports and supporting technical documentation, identify deficiencies, and develop comments, questions, and recommendations for further clarification or revision.
 - c. Evaluate anticipated utility demands and system impacts associated with the proposed development.
- 4. Task 4 – Hydraulic Modeling and Capacity Assessment**
- a. Utilize the City of Laurel water model to assess the effect of proposed development demands on the public water system.
 - b. Perform hydraulic analyses necessary to evaluate system capacity, pressure performance, and the ability of the municipal water system to serve the proposed development.
 - c. Coordinate with Owner regarding applicant/developer-provided sanitary sewer and stormwater capacity analyses, including review of available City system information, discussion of assumptions and identified system constraints, and communication with Owner regarding whether additional information or analysis should be requested from the applicant/developer to demonstrate adequate sanitary sewer and stormwater capacity. Detailed sanitary sewer and stormwater capacity modeling or independent capacity analyses by Engineer are not included since a storm or sanitary sewer model is not currently developed.

5. Task 5 – Findings and Recommendations

- a. Prepare technical findings based on engineering review and hydraulic analyses.
- b. Develop recommendations regarding municipal utility capacity, infrastructure adequacy, and additional information or revisions necessary to support MFE consideration.

6. Quality Assurance / Quality Control

- a. Conduct internal QA/QC reviews of technical evaluations, calculations, hydraulic modeling results, and review comments to ensure consistency and technical accuracy.

7. Study and Report Deliverables

- a. Prepare and issue a formal review letter documenting findings, technical comments, requests for additional information, and recommendations regarding the MFE application.
- b. Review resubmitted plans and reports, update technical evaluations as necessary, revise hydraulic analyses, perform follow-up QA/QC review, and issue revised review correspondence documenting final comments and recommendations.

8. Deliverables

- a. The principal Study and Report Phase deliverables shall include:
 - 1) Technical review of submitted plans and reports.
 - 2) Water system hydraulic capacity evaluation.
 - 3) Review comment memorandum and/or formal comment letter.
 - 4) Revised review memorandum and/or comment letter following applicant responses and resubmittals.
 - 5) Signed MFE form and will-serve letter.

Engineer's services under the Study and Report Phase will be considered complete on the date when the final Report and any other deliverables have been delivered to and accepted by Owner, as appropriate.

RESOLUTION NO. 1875

CHANGING STREET NAME IN BLOCK 4, CASA LINDA
SUBDIVISION FROM 11th AVENUE TO DEL REY CIRCLE.

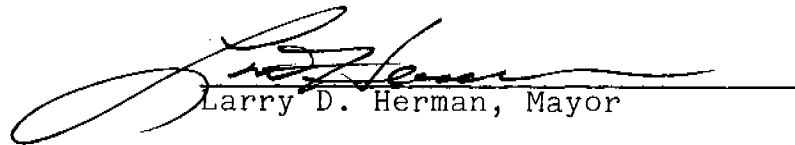
WHEREAS, the aforesaid described property is within the city limits of the City of Laurel and that it is within the best interests of the City of Laurel to change the street name in Block 4, Casa Linda Subdivision from 11th Avenue to Del Rey Circle.

NOW, THEREFORE, BE IT RESOLVED:

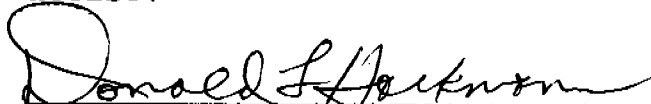
That the street name in Block 4, Casa Linda Subdivision is changed from 11th Avenue to Del Rey Circle.

Introduced by Alderman Behm at a regular meeting of the Laurel City Council.

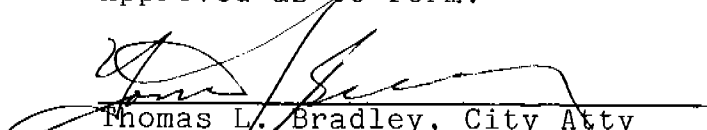
Passed this 21st day of July, 1981, by the entire council present.


Larry D. Herman, Mayor

ATTEST:


Donald L. Hackmann, City Clerk

Approved as to form:


Thomas L. Bradley, City Atty

ATTED

CHERRY

HILL

REFUSE COLLECTION EASEMENT (TYPICAL)

S 89°54'38"E

N 00°11'15"W
165.30'

116.63'
BLOCK 14
9628 S.F.

S 89°53'35"E

116.31'

15

9602 S.F.

3

115.99'

600'

104.89'

108.89'

100.90'

108.89'

26.97'

26.98'

96.91'

105.91'

119.89'

N 02°52'30"E

N 00°01'56"E

105.41'

110'

104.89'

N 89°52'34"W

105.41'

S 00°01'56"W

105.47'

114.88 S.F.

12

114.88 S.F.

105.53'

N 00°01'56"E

105.53'

8622 S.F.

11

8622 S.F.

100.90'

S 20°08'16"W

114.43'

108.89'

10

8752 S.F.

N 43°19'07"E

172.68'

9

1181 S.F.

15

1163 S.F.

N 43°03'45"W

172.70'

14

8119 S.F.

13

8415 S.F.

105.85'

N 01°35'21"E

N 89°52'34"W

306.09'

CASA

LINDA

6' WIDE UTILITY EASEMENT

100' YEAR FLOOD DRAINAGEWAY

SUB.

-BLOCK-

-4-

DEL REY CR.

N 00°07'26"E

62.39'

130.09'

16

8116 S.F.

17

8116 S.F.

18

8116 S.F.

19

8116 S.F.

20

8116 S.F.

21

8116 S.F.

22

8116 S.F.

130.09'

N 89°52'34"W

S 00°07'26"W

62.39'

12th

N 00°07'26"E

58.50'

1

7616 S.F.

2

7616 S.F.

3

7616 S.F.

4

7616 S.F.

5

7616 S.F.

6

7616 S.F.

7

7616 S.F.

8

8571 S.F.

27.16'

S 89°52'34"E

130.09'

7

7616 S.F.

AVENUE

AVENUE

NINTH

12' WIDE UTILITY & DRAINAGE EASEMENT

UNPLATTED

$\Delta = 26^{\circ}09'34"$
 $L = 123.27'$
 $R = 270.00'$

ITEM REPORT

To: City Council
From: Matt Wheeler, Public Works Director
Meeting Date: July 28, 2026
Department/Office: Public Works Department
Item Name: Resolution No. R26-48: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents for the FY27 RRG Planning Grant Assistance By And Between The City Of Laurel And Morrison-Maierle

Summary:

- Description: Engineer will provide assistance to complete the FY27 RRG Planning Grant application for the City of Laurel.
- Billing Type: Hourly

Recommended Action:

Staff recommendation is to approve Task Order No. 5.

Budget:

Task Order No. 5 has been budgeted.

Name	Impact Date	Fund(s)	Account(s)	Project #(s)	Amount Budgeted
Task Order No. 5 - FY27 RRG Planning Grant Assistance					\$5,000

Attachments:

1. R26-48 Approve Task Order No. 5 FY27 RRG Planning Grant Assistance
2. Task Order 5 FY27 RRG Planning Grant Assistance
3. RRG_RPG_Guidance_27-Bien

RESOLUTION NO. R26-48

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE
FY27 RRG PLANNING GRANT ASSISTANCE BY AND BETWEEN THE CITY OF
LAUREL AND MORRISON-MAIERLE**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle., for the FY27 RRG Planning Grant Assistance, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and Morrison-Maierle.

Introduced at a regular meeting of the City Council on the 28th day of July 2026, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 28th day of July 2026.

APPROVED by the Mayor on the 28th day of July 2026.

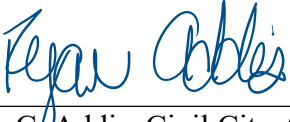
CITY OF LAUREL

Kris R. Vogeles, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:



Ryan C. Addis, Civil City Attorney

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated 5/26/2026 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: 7/28/2026
- b. Owner: City of Laurel
- c. Engineer: Morrison-Maierle
- d. Specific Project (title): FY27 RRG Planning Grant Assistance
- e. Specific Project (description): Engineer shall provide FY27 RRG Planning Grant assistance to complete an RRG Planning Grant Application.

2. Services of Engineer

A. The specific services to be provided or furnished by Engineer under this Task Order are:

- ☒ as follows: Engineer shall provide FY27 RRG Planning Grant assistance to complete an RRG Planning Grant Application.

3. Additional Services

B. Additional Services that may be authorized or necessary under this Task Order are:

- ☒ as follows: None

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following: *None*

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: The schedule shall meet the August 21, 2026 application deadline.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

The total compensation for services identified under this Task Order is estimated to be \$5,000. Based on the following assumed distribution:

Description of Service	Amount	Basis of Compensation
1. FY27 RRG Planning Grant Assistance	\$5,000	Hourly Rates
TOTAL COMPENSATION	\$5,000	Hourly Rates

Services shall be performed on an Hourly Rate basis in accordance with the rate schedule included in the Agreement and as described in Exhibit C of the Master Agreement.

Hourly rates and expenses for Engineering Services may be adjusted annually, and such adjusted rates will be utilized for those Basic Services and Additional Services utilizing the Hourly Rate method of payment. Owner shall pay Engineer for services at the current Standard Billing Rates in effect at the time the work is performed.

7. Consultants retained as of the Effective Date of the Task Order: None. May be defined on a task by task basis, if needed.

8. Other Modifications to Agreement and Exhibits: None

9. Attachments: Current Hourly Rates, effective through December 31, 2026.

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is 7/28/2026.

OWNER:

ENGINEER:

By: _____

By: _____

Print Name: _____

Print Name: Jill A. Cook, PE

Title: _____

Title: Vice President

Task Order Form

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Engineer License or Firm's
Certificate No. (if required): 19585 PE
State of: MT

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurtis DeShaw

Title: Project Manager

Address: 315 N 25th St, Suite 102

E-Mail
Address: kdeshaw@m-m.net

Phone: 406-237-1251

Task Order Form

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Renewable Resource Grant Program (RRG)

Planning Grant Guidelines

Key Information

- **Eligible Applicants** – Government entities
- **Maximum Grant Award** – \$20,000 to \$40,000 depending on project type
- **Matching Funds** – No minimum match requirement
- **Application Cycle** – Usually opens annually, from late summer to early fall
- **Planning Grant Webpage** – <https://tinyurl.com/RRG-Planning>

Purpose

These guidelines implement Montana Code Annotated: MCA, [Title 85, Chapter 1, Part 6](#) and Administrative Rules of Montana: ARM [36.17.6](#) as applied to planning grants. The RRG Planning Grant Program provides funding to governmental entities for professional and technical services necessary to produce a high-quality RRG grant application that leads to a project that conserves, manages, develops, or protects Montana's renewable resources.

Eligible Applicants

Only tribal, state, or local government entities may apply for project grant funds. Eligible applicants include any division of state government, tribal government, or other county, city, or local political subdivision (see [MCA 85-1-605](#)).

Governmental entities include, but are not limited to:

- Cities
- Towns
- Counties
- Water and/or Sewer Districts
- Conservation Districts
- Irrigation Districts
- School Districts and Universities
- Regional Water Authorities
- State Agencies
- Tribal Governments

Sponsoring a Grant for an Ineligible Entity

Private or non-profit entities are ineligible for planning grants. An eligible local government may sponsor a planning grant on behalf of an ineligible entity, but restrictions apply. Both parties should carefully review DNRC guidance for [Sponsored or Partner Grants](#) before applying for a sponsored grant.

Eligible Project Types

Eligible funding types are specified in [MCA 85-1-602](#). Grants may fund the following:

- Feasibility, design, research, and resource assessment studies.
- Preparation of construction, rehabilitation, or production plans.

Please refer to [Appendix A](#) for more information on eligibility.

Eligible Project Types, Grant Limits, Requirements

Planning Effort	Grant Limit	Requirements
Preliminary Engineering Report (PER)	\$40,000	PERs must meet the standard as described in the most current Uniform Application for Montana Public Facility Projects. https://dnrc.mt.gov/docs/conservation/WASACT/Uniform-Application-Public-Facility-Projects.pdf . See Appendix B for Planning effort distinction in this category.
Technical Narrative	\$30,000	Technical narratives are for component-focused planning efforts only. Applicants will be asked to upload a PER or equivalent planning document that identifies this component-focused effort. Applications without this additional document may lose points in the rank and scoring stage. See Appendix B for planning effort distinction in this category.
Watershed Restoration Plan	\$40,000	Watershed Restoration Plans and Project Plans must meet the standard as described by Department of Environmental Quality's (DEQ's) Nonpoint Source Management Program. https://deq.mt.gov/water/Programs/nonpoint
Watershed Restoration Project Plan	\$30,000	Watershed Restoration Plans and Project Plans must meet the standard as described by DEQ's Nonpoint Source Management Program. https://deq.mt.gov/water/Programs/nonpoint
Update to Existing PER or Technical Narrative	\$20,000	Updated PERs and Technical Narratives must meet the document standards as described above. When applying to this category, the applicant must upload a copy of the document they are updating.
Capital Improvement Plan or Growth Plan	\$20,000	Capital Improvement Plans (CIP) and Growth Plans must follow the manuals provided by the Department of Commerce. https://commerce.mt.gov/Infrastructure-Planning/Programs-and-Services/Community-Technical-Assistance/Presentations-Publications-and-Model-Documents DNRC Grant funds can only reimburse CIP or Growth Plan costs associated with topics that have both a renewable resource and public benefit (e.g., drinking water systems, wastewater systems, etc.).
Design-only	\$20,000	Design-only documents are standalone planning deliverables that focus on detailed design for construction, rehabilitation, or improvement of renewable resource projects; not a PER substitute. When applying to this category, the applicant must upload a copy of the PER or equivalent planning document that identifies this effort. See Appendix C for guidelines.
Asset Inventory/Asset Management Plans	\$20,000	These plans should follow the guidance and best practices of DEQ Capacity Development https://deq.mt.gov/water/Programs/dw-capacity
Other: Groundwater Monitoring Plans, Hydrogeologic Assessments, Source Watershed Assessments, Sampling & Analysis Plans, Surveys, and other Technical Reports	\$20,000	Applicants must provide a detailed outline when applying to this category, see Appendix D for more information and examples. Source Watershed Assessments must follow DEQ standards here: https://deq.mt.gov/water/Programs/dw-sourcewater

Additional Considerations

- DNRC allows only one grant per planning effort. An applicant may submit more than one application per cycle for clearly distinct projects per cycle. However, DNRC may award only one planning grant per applicant per cycle in order to achieve geographic balance in the promotion of renewable resource grant funds. DNRC recommends that applicants submit one priority application per cycle.
 - Applicants who submit more than one planning grant application will be asked to prioritize their applications due to DNRC's goal for geographic spread of grant funding in Montana.
 - To achieve adequate geographic spread, applicants who were awarded grant funding in a previous cycle within the same biennium, may not receive funding for their current application.
- DNRC may not reimburse the full planning grant amount if the agency determines a grant recipient's final planning document does not meet the above standards.

Ineligible Projects

RRG Planning Grants cannot fund the following:

- Projects which better fit the legislative intent of another DNRC grant program, such as the Reclamation Development Grant Program, the Aquatic Invasive Species Grant Program, etc.
 - Applicants may not artificially split projects to circumvent this requirement.
- Any project determined to have adverse environmental impacts that cannot be mitigated or that does not preserve the state's renewable resources per [MCA 85-1-601](#) is ineligible for a grant.

Eligible Expenses

RRG Planning Grants can only reimburse expenses for technical or engineering services.

DNRC grants require compliance with the Montana Procurement Act and/or local procurement rules and regulations. See the [DNRC Procurement Plan and Guide](#) available online.

Ineligible Expenses

RRG Planning Grants cannot reimburse:

- Grant administration costs
- Program or indirect costs
- Political lobbying or litigation
- Land or property acquisition
- Food or beverages
- Activities that limit lawful access to property (see [MCA 85-1-602](#))

Match

Applicants must demonstrate financial feasibility to complete the proposed project. A funding match is not required for this program but ranking will consider committed cash match. To demonstrate a **cash match commitment**, the applicant must include documentation on its grant application following DNRC's [Firm Commitment of Matching Funds Guidance](#) available online.

Ranking

Infrastructure and irrigation projects will be ranked separately. Applications will be reviewed and competitively ranked based on the renewable resource and public benefits of the proposed planning effort.

During application review, DNRC considers need and urgency of the effort, technical and financial feasibility, as well as the applicant's ability to manage a project. Projects that are not technically or financially feasible will not be funded. Financial feasibility considers the committed match in relation to total project cost. Please refer to [Appendix E](#) for more information on ranking and scoring.

Notification of Award and Grant Management

DNRC will email an award letter to successful applicants. The letter will identify steps the grant recipient must take to satisfy start-up conditions and receive a grant agreement. Failure to submit start-up documents to DNRC by the date identified in the award letter or adequately communicate with DNRC may result in a rescinded award.

DNRC generally cannot reimburse expenses incurred prior to the DNRC grant award letter date.

After receiving a DNRC award letter, most grant recipients will follow the process below to execute a grant agreement.

- The grant recipient compiles and submits start-up documents to DNRC.
- DNRC reviews and approves start-up documents. Upon approval, DNRC generates a grant agreement.
- Both parties sign the grant agreement via DocuSign to execute it.

Reimbursement

DNRC generally limits each grant recipient to two reimbursement requests at the following milestones:

- **Optional – Milestone 1 – A DRAFT planning document is available.**
 - The grant recipient should submit the draft document to DNRC. At that time, the grant recipient may request reimbursement for up to 50% of the total grant amount.
- **Required – Milestone 2 – The FINAL planning document is available.**
 - The grant recipient must submit the final document and other grant closeout documents to DNRC. At that time, the grant recipient will request reimbursement for the remaining (or full) grant amount.

Procurement

DNRC grants require compliance with the Montana Procurement Act and/or local procurement local rules and regulations. See the [DNRC Procurement Plan and Guide](#) available online.

Reporting

Quarterly progress reports and/or final reports are generally not required for this program.

Grant Amendments

See [DNRC Amendment Request Process Guidance](#).

Grant Closeout

DNRC grants require deliverables and invoices in compliance with the grant agreement to process final reimbursement. To close an RRG Planning Grant and receive final reimbursement, the grant recipient must submit a copy of the final planning document identified in grant agreement scope of work, a signed Certificate of Compliance, and a complete reimbursement request package.

Program Contact

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Appendix A: Eligibility

The criteria for eligibility and ranking RRG Grant Applications are established in ARM [36.17.610](#).

Applicant Eligibility

- Local Government ([MCA 85-1-605](#)) – Project, Planning, Emergency.

Eligible Activities (MCA 85-1-602)

- Feasibility, design, research, and resource assessment studies.
- Preparation of construction, rehabilitation, or production plans.
- Construction, rehabilitation, production, education, or other implementation efforts.

Eligible Projects (MCA 85-1-602)

- Development of natural resource-based recreation.
- Development of natural, off stream, and tributary storage.
- Improvement of water use efficiency, including development of new, efficient water systems, rehabilitation of older, less efficient water systems, and acquisition and installation of measuring devices required under [MCA 85-2-113](#); monitoring; and development of state, tribal, and federal water projects.
- Water-related projects that improve water quality, including livestock containment facility projects, soil and range health projects, and the maintenance and repair of source watersheds.
- Water-related projects that improve water quantity, including stream flows and water storage in existing natural systems, such as riparian areas, flood plains, and wetlands.
- Advancement of farming practices that reduce agricultural chemical use.
- Projects that facilitate the use of alternative renewable energy sources, as defined in [MCA 15-6-225](#).

RRG Eligibility (ARM 36.17.610)

- Project must have renewable resource benefits.
- Project must result in public benefits.
- Project must be technically feasible:
 - Adequate alternative analysis.
 - Adequate cost estimate for the potential alternatives.
 - Adequate cost estimate for the preferred alternative. **Eligibility evaluates applicant's total project budget including committed cash match. Projects that fail to provide an adequate budget narrative to justify project costs may receive a reduced award or be ineligible for grant funds.**
 - Preferred alternative selection.
 - Thoroughness and feasibility of the project's implementation plan and schedules.
 - Quality of supporting technical data.
- Project Management Plan must be adequate and able support the project:
 - Past management problems.
 - Other concerns.
- Project may NOT reduce, restrict, or prohibit any lawful access to the property that existed prior to the project's implementation.
- Project may NOT result in a long-term adverse impact to public benefits: land, air, water, fish, wildlife or recreation opportunities. [MCA 85-1-601](#)

Appendix B: Preliminary Engineering Report vs Technical Narrative

Preliminary Engineering Report (PER)

A PER is required under the Uniform Application when the planning effort will evaluate and plan for a whole system (entire drinking water, wastewater, stormwater, or irrigation system). It provides a comprehensive assessment of existing conditions, needs, alternatives, and recommended improvements at the system level, using the full PER outline and all required elements.

- Applicants should consider preparing a PER when:
 - The proposed planning effort meets the requirements of the [Uniform Preliminary Engineering Report for a Montana public facility project under the Uniform Application](#).
 - The proposed planning effort will evaluate overall system capacity, condition, and deficiencies at the system level.
 - Alternatives and recommendations will be developed in the context of the overall system, even if the ultimately recommended project is a single asset or project element.
- In these cases, the PER must:
 - Address all major system components (source, treatment, storage, distribution/collection, and controls, as applicable).
 - Provide a comprehensive evaluation of existing conditions, regulatory compliance, projected demands, alternatives, and a recommended system level improvement program, consistent with the Uniform Application PER requirements.

Technical Narrative

A Technical Narrative is used when the planning effort is focused on a specific component, sub-system, or issue rather than on a complete system-wide assessment. Technical Narratives must follow the same PER outline and headings, but the content is intentionally limited to the defined component (a well field, storage reservoir, lift station, particular canal reach, or one treatment process) and does not need to re-evaluate the entire system.

- Applicants should consider preparing a Technical Narrative when:
 - The applicant has already completed an adequate system-wide PER, or
 - The immediate planning need is narrowly focused on a particular component, reach, or issue that does not require re-opening the full system assessment.
- Examples include:
 - Evaluating alternatives for replacing or upgrading a single storage tank, lift station, or segment of transmission main.
 - Assessing options for rehabilitation of a specific irrigation canal reach or structure.
 - Refining design concepts for a single well field, intake, or treatment unit where the broader system needs are already documented.

Both PERs and Technical Narratives must follow the PER outline format and use the same major headings (e.g., project planning, existing facilities, need for project, alternatives analysis, selected alternative, environmental impacts, schedule, costs, and financing). The difference is scope and level of detail, not the outline itself. In a PER, each section covers the entire system. In a Technical Narrative, each section is focused only on the defined component or reach.

- Example of this distinction:
 - Under “Existing Facilities,” a PER will describe all major existing system components; a Technical Narrative will describe only the existing conditions of the specific component (for example, one reservoir or canal segment) that is the subject of the planning effort.

- Under “Alternatives Analysis,” a PER will compare systemwide alternatives; a Technical Narrative will compare alternatives for addressing the defined component- level problem (for example, lining vs. replacement vs. new routing of a specific canal reach). Adequate alternatives analysis guidance is available online at: https://dnrc.mt.gov/docs/conservation/RD-Bureau/Bureau-Guidance/RDB_Alternatives-Analysis.pdf.

For **system-wide planning**, applicants should request funding to prepare or update a **PER** that meets Uniform Application requirements.

For **component focused planning**, applicants may request funding for a **Technical Narrative** that:

- Follows the PER outline;
- Clearly defines the specific component or reach being evaluated; and
- Demonstrates how the resulting document will support a future construction application, design phase, or implementation project.

Appendix C: Design-Only Guidelines

The purpose of the design-only project document category is to provide planning level funding for design tasks that improve project readiness and implementation feasibility, where a full PER or equivalent planning document has already been completed. Eligible efforts include, but are not limited to, preparation of detailed plans and specifications, design drawings, limited scope design packages for components of larger projects, and similar design efforts that support future implementation. Examples of design-only may include the design of a replacement diversion structure, design of a new well pump station based on an existing PER, design of a lateral replacement, plans/design concerning an open ditch to a buried pipe, canal lining, etc.

Design-only Project Documents are not considered equivalent to a Preliminary Engineering Report for the purposes of meeting planning document requirements for RRG Project Grant applications. **Applicants considering the design-only category must upload the preliminary engineering report or equivalent planning document that outlines this effort to their application.**

Suggested Components of Design-Only Documents

- 1. Project Description and Background**
 - a. Brief description of the project, existing conditions, and the renewable resource problem or need being addressed (for example, undersized transmission main, failing diversion, or needed reservoir outlet improvements).
 - b. Identification of any existing PERs, Technical Narratives, or other planning documents the design builds upon.
- 2. Design Basis and Assumptions**
 - a. Summary of key design criteria and assumptions (flows, loads, operating conditions, design standards or codes used).
 - b. Brief reference to the preferred alternative, if it has already been selected in a previous PER or study; if not, a concise explanation of why this design was chosen.
- 3. Design Documents Produced**
 - a. List and description of the design products to be delivered (for example, plan and profile drawings, structural details, mechanical/electrical design sheets, process diagrams, or site plans).
 - b. At least schematic level drawings and, where appropriate, outline technical specifications for major components.
- 4. Opinion of Probable Construction Cost (OPCC)**
 - a. Planning level or design level cost estimate based on the design documents, with major line items identified and assumptions stated.
 - b. Identification of contingencies, allowances, and any cost uncertainties that could affect future project budgets.
- 5. Implementation Considerations**
 - a. Brief discussion of permitting, right-of-way, landownership, and constructability considerations that emerged during design.
 - b. Statement of how the design will be used (for example, to apply for an RRG Project Grant, other state/federal funding, or local implementation).
- 6. Appendices**
 - a. Drawings, specifications, technical memoranda, and calculations, as appropriate to the level of design.

Additional Considerations

Design-only documents must be prepared by a licensed professional engineer. DNRC acceptance of design-only documents does not constitute design review or legal approval authorizing construction of the project. For Public Facility Projects, plans and specifications must be reviewed and approved by the Montana Department of Environmental Quality prior to construction. Applicants seeking permit approval with design-only documents must coordinate with relevant permitting agencies and submit to their requirements when developing these planning materials. For stormwater, restoration, or irrigation projects, formal plan and specification review likely depends on the involved funding partners. It is the responsibility of the local government to determine this with the involved agencies.

Appendix D: “Other” Outline Guidelines and Examples

Applicants applying to the “Other” category are asked to provide a detailed outline for their identified planning effort document in their grant application so DNRC can evaluate eligibility and scope. The detailed outline may vary upon the type of document needed (completing a study, conducting a survey, performing a technical assessment).

Please see below for the minimum outline requirements for studies, surveys, etc. Additionally, example outlines are included here for applicants looking to fund planning efforts surrounding hydrogeologic studies, groundwater monitoring assessments and technical assessments.

Outlines that are missing one or more required elements or do not clearly describe the purpose, scope, and expected products may be deemed incomplete and not advance to full eligibility or scoring review.

Minimum Outline Requirements

1. **Working title and purpose**
 - a. Working title of the study, survey, or assessment.
 - b. One to three sentences stating the overall purpose and decision(s) the work will support.
2. **Problem or question(s) to be addressed**
 - a. Brief description of the resource issue, question, or decision.
 - b. Any key regulatory, programmatic, or management context (e.g., supports a future RRGL project application, informs a TMDL, drought plan, water rights administration, etc.).
3. **Objectives and expected products**
 - a. Clear objectives (what the study, survey, or assessment will accomplish).
 - b. The type of final planning product (e.g., technical memo, assessment report, monitoring design, alternatives screening, concept level recommendations).
4. **Major tasks and methods (high level)**
 - a. A task-by-task outline that briefly describes:
 - i. The main activities under each task (e.g., data compilation, field data collection, analysis, alternatives evaluation, stakeholder review).
 - ii. The general methods or tools to be used (e.g., literature review, mapping, basic statistical analysis, qualitative ranking).
 - b. Enough information so DNRC can distinguish planning level work from ineligible construction or operations/maintenance activities.
5. **Deliverables and use of results**
 - a. A list of anticipated deliverables (draft and final).
 - b. A short statement of how the applicant plans to use the results (e.g., to support a future construction application, prioritize projects, refine designs, or guide management actions).

Hydrogeologic Outline Example

1. **Working title and purpose**
 - a. “Upper Willow Creek Hydrologic Study to Support Future Storage and Drought Planning”
Purpose: To characterize surface- and groundwater availability and seasonal variability in the Upper Willow Creek watershed to inform future storage, drought management, and a potential RRGL project application.
2. **Problem or questions to be addressed**
 - a. The Upper Willow Creek watershed experiences late season shortages affecting irrigators, fisheries, and instream flows.

- b. Existing streamflow and groundwater data are sparse and not sufficient to support design of new storage or drought response measures.
- c. Key questions:
 - i. How much water is available on a seasonal basis under typical and dry years?
 - ii. When and where do shortages occur, and how severe are they?
 - iii. Which parts of the basin contribute most to late season flow?
- 3. Objectives and expected products**
 - a. Quantify historical and current hydrologic conditions (runoff timing, low flow frequency, and interannual variability).
 - b. Develop a watershed scale hydrologic assessment that identifies seasonal shortages and hydrologic opportunities (e.g., storage, aquifer recharge, operational changes).
 - c. Produce a concise technical report that can support future conceptual design and RRGL project applications.
 - d. Expected products:
 - e. Hydrologic Study Report (draft and final) with figures, tables, and GIS layers.
 - f. Summary memo highlighting implications for storage and drought planning.
- 4. Major tasks and methods (high level)**
 - a. Task 1 – Project initiation and data inventory
 - i. Confirm goals with the sponsor and DNRC.
 - ii. Compile existing streamflow, climate, snowpack, diversion, and groundwater data from state and federal sources.
 - b. Task 2 – Data analysis and hydrologic characterization
 - i. Analyze historical streamflow records (where available) for timing, magnitude, and frequency of low flows.
 - ii. Use available climate and snowpack records to characterize seasonal patterns and drought years.
 - c. Task 3 – Watershed hydrologic assessment
 - i. Develop a conceptual description of watershed hydrology (runoff sources, key tributaries, storage areas).
 - ii. Identify spatial and seasonal patterns of surplus and deficit; map key hydrologic features.
 - d. Task 4 – Synthesis and reporting
 - i. Prepare draft Hydrologic Study Report including findings, data gaps, and recommendations.
 - ii. Incorporate sponsor and DNRC comments; finalize report and deliver GIS data package.
- 5. Deliverables and use of results**
 - a. Deliverables: data inventory summary, draft and final Hydrologic Study Report, editable maps/GIS files, brief summary memo.
 - b. Use of results: to support future feasibility/design studies, prioritize project concepts (e.g., storage, aquifer recharge, operational changes), and underpin a future RRGL project application.

Groundwater Monitoring Outline Example

- 1. Working title and purpose**
 - a. “Groundwater Monitoring Network Assessment for the Smith Valley Alluvial Aquifer”
Purpose: To design a long-term groundwater monitoring network and monitoring plan for the Smith Valley alluvial aquifer to support water supply and drought planning decisions.
- 2. Problem or questions to be addressed**
 - a. Smith Valley relies heavily on shallow groundwater for domestic, agricultural, and municipal use.
 - b. Anecdotal reports suggest declining groundwater levels in some areas, but current monitoring is limited and not well coordinated.

- c. Key questions:
 - i. Where are groundwater level trends most concerning?
 - ii. What monitoring locations and frequencies are needed to track trends and support management decisions?
 - iii. How should data be stored and shared with local and state partners?
- 3. **Objectives and expected products**
 - a. Characterize existing groundwater monitoring coverage and data quality.
 - b. Develop a conceptual hydrogeologic understanding of the alluvial aquifer relevant to monitoring design.
 - c. Propose a practical, phased monitoring network and data management framework.
 - d. Expected products:
 - e. Groundwater Monitoring Assessment and Network Design Report (draft and final).
 - f. Map set of proposed monitoring locations and a summary table of recommended wells, parameters, and frequency.
- 4. **Major tasks and methods (high level)**
 - a. Task 1 – Data compilation and review
 - i. Compile well logs, existing groundwater level and quality data, and any previous hydrogeologic studies.
 - ii. Map existing monitoring locations and data records.
 - b. Task 2 – Conceptual hydrogeologic framework
 - i. Summarize aquifer boundaries, recharge and discharge areas, and likely flow directions.
 - ii. Identify areas of greatest use and potential decline based on available data.
 - c. Task 3 – Monitoring network needs and design
 - i. Identify monitoring objectives (e.g., track long term trends, evaluate drought impacts, support specific users or environmental flows).
 - ii. Develop a proposed monitoring network (wells/springs/stream gages), parameters, sampling frequency, and rough installation priorities.
 - d. Task 4 – Data management and reporting approach
 - i. Outline how groundwater data will be recorded, stored, quality checked, and shared (e.g., database, spreadsheets, web portals).
 - ii. Recommend basic reporting formats and frequency.
 - e. Task 5 – Reporting and recommendations
 - i. Prepare draft Groundwater Monitoring Assessment and Network Design Report, including maps and tables.
 - ii. Incorporate feedback from the sponsor, DNRC, and key stakeholders; finalize report and implementation recommendations.
- 5. **Deliverables and use of results**
 - a. Deliverables: data compilation memo, draft and final Assessment and Network Design Report, monitoring network maps and summary tables.
 - b. Use of results: to guide installation and funding of monitoring wells and gauges, support groundwater management and drought planning, and provide supporting documentation for future RRGL or other implementation funding.

Technical Assessment Outline Example

- 1. **Working title and purpose**
 - a. “Riverview Irrigation Canal and Structure Condition Survey and Technical Assessment”
 - b. Purpose: To complete a condition survey and screening level technical assessment of the Riverview Irrigation District’s main canal and appurtenant structures to prioritize rehabilitation and prepare for a future RRGL project application.

2. Problem or questions to be addressed

- a. The district's main canal and several checks, turnouts, and crossings are aging and suspected to be leaking or structurally deficient.
- b. The district lacks current, systematic information on condition, risks, and relative priorities, making it difficult to scope and justify a construction project.
- c. Key questions:
 - i. Which canal reaches and structures present the greatest risk to safety, water losses, and operations?
 - ii. What are the highest priority rehabilitation needs and conceptual alternatives?
 - iii. What information is needed next for a future PER or design effort?

3. Objectives and expected products

- a. Inventory and document the condition of key canal segments and structures.
- b. Evaluate relative risk and consequence of failure to develop a prioritized list of rehabilitation needs.
- c. Provide conceptual level recommendations and cost ranges suitable for scoping a future PER and project application.
- d. Expected products:
- e. Infrastructure Condition Survey and Technical Assessment Report (draft and final).
- f. Prioritized list of projects with conceptual recommendations and planning level cost ranges.

4. Major tasks and methods (high level)

- a. Task 1 – Background review and mapping
 - i. Compile existing as-built drawings, previous reports, and O&M records.
 - ii. Develop a base map of the main canal and major structures.
- b. Task 2 – Field condition survey
 - i. Conduct field inspections of identified canal reaches and structures (e.g., headworks, checks, turnouts, siphons, crossings).
 - ii. Document conditions using standardized forms, photographs, and GPS locations.
- c. Task 3 – Risk and consequence screening
 - i. Develop simple criteria for likelihood and consequence of failure (e.g., safety, service disruption, water loss, environmental impact).
 - ii. Screen canal reaches and structures using these criteria to identify high priority problem areas.
- d. Task 4 – Conceptual rehabilitation options and planning level costs
 - i. For high priority problem areas, identify conceptual rehabilitation options (e.g., lining, replacement, automation).
 - ii. Develop order of magnitude cost ranges sufficient for project scoping and future PER development.
- e. Task 5 – Reporting and prioritization
 - i. Prepare draft Infrastructure Condition Survey and Technical Assessment Report summarizing inventory, methods, findings, and prioritized recommendations.
 - ii. Incorporate feedback from the district and DNRC; finalize report and provide supporting maps and tables.

5. Deliverables and use of results

- a. Deliverables: field inventory forms, GIS or CAD mapping of key assets, draft and final Technical Assessment Report, prioritized list of projects with conceptual recommendations and planning level cost ranges.
- b. Use of results: to select and scope a future RRGL project application and to guide subsequent PER and design work.

Appendix E: Ranking and Scoring

The criteria for eligibility and ranking RRG Grant Applications are established in ARM [36.17.610](#).

The DNRC has applied this to the RRG Planning grant program and translated it into the specific scoring criteria below. RRG Planning Grant applications are ranked and scored based on the planning effort itself.

Scoring criteria	Total points available
Need and Urgency	10
Renewable Resource Benefits	20
Public Benefits	10
Financial Feasibility	10
Technical Feasibility	10
Application Quality and Clarity	5
Past Performance	5
Total Possible Points	80

Need and Urgency

This category provides DNRC information on how severe the issue may be, and if it is actively occurring. See the following scoring breakdown (reviewers select one option):

- Application indicates that the issue is occurring now. The described planning effort is a necessary first step to address it. (5pts)
- Application indicates that the issue may occur in the future if action is not taken. (5pts)
- The application appears unclear on what issue is being addressed. (0 pts)

Applicants working to address a violation from a regulatory agency (who have provided proof), or provided accurate information that they are working to address pollutants in an impaired waterbody identified on Montana's 303(d) list may be given more points when scoring. See the following scoring breakdown (reviewers select one option):

- The described planning effort will support the work toward addressing a violation, a potential violation, or a compliance order. Adequate documentation to support this claim is provided. (5pts)
- The described planning effort will support the work toward reducing pollutants to one of Montana's impaired water bodies. Adequate and accurate information to support this claim is provided. (5pts)
- The applicant has selected that the described planning effort does not address a potential violation, violation, compliance order, or impact to an impaired waterbody. (0 pts)

Renewable Resource Benefits

Answers to the renewable resource benefits question are evaluated with a sliding scale:

- High, well supported potential (16-20 pts)
 - Clear description of the renewable resource(s) affected (e.g., groundwater supply, instream flow, irrigated acres, drinking water source).
 - Planning deliverable is directly tied to an eventual construction or implementation project that would measurably conserve, manage, develop, or protect those resources.
 - Application includes at least planning level metrics or references (e.g., existing demand numbers, known water quality exceedances, known leakage rates, irrigated acreage), even if future work will refine them.
- Moderate potential, partially supported (11-15 pts)
 - Resource(s) are identified and clearly linked to the planning tasks.
 - Evidence is mostly qualitative, or quantitative data are sparse or older.

- It is reasonable to expect that the planning effort could lead to a strong RRGL project, but the pathway is less detailed.
- Low or uncertain potential (1-10 pts)
 - Resource benefits are described vaguely or only in general terms.
 - It is not clear what specific project could result, or the connection to RRGL eligible outcomes is weak.
- No renewable resource benefits – the project is ineligible for funding.

Public Benefits

Answers to the public benefits question are evaluated with a sliding scale:

- Multiple public benefits (8-10 pts)
 - The application clearly described multiple public benefits that tie to the anticipated project and are supported by at least some data or specific examples (e.g., reduction in boil-water orders, economic benefits for irrigated agriculture, improved recreation access).
- One primary public benefit (4-7 pts)
 - One public benefit is reasonably described; others are possible but not well developed.
- Benefits defined but not clear (1-3 pts)
 - One or more public benefits are asserted but not clearly connected to the planning deliverable or potential project.
- No public benefits – the project is ineligible for funding.

Financial Feasibility

DNRC uses this category to evaluate match funding. Match is not required for RRG Planning Grants, but applications that include match with a funding commitment letter meeting DNRC requirements can receive additional points. Applicants who do not require additional funding from other sources and have accurately indicated so in their application remain at 5 points. See the following scoring breakdown (reviewers select one option):

- If match is indicated – it is accurately identified on the uniform budget and funding commitment letter(s) meeting the [DNRC requirements](#) have been provided. (5 pts)
- Match is indicated but the budget does not accurately reflect this and no commitment letters meeting [DNRC requirements](#) have been provided. (0 pts)

Reviewers also check whether the uniform budget, funding partners (if any), and any budget narrative/cost analysis documents are consistent with the scope of the planning effort. Applications with incorrect uploads or budgets that do not reasonably match the described scope may receive a lower score.

- The uploaded uniform budget appears reasonable, a cost analysis has been provided with accurate information, the budget forms are complete and have few errors. (4-5 pts)
- The uploaded uniform budget does not appear reasonable (no cost analysis provided or what has been provided is inconsistent with other planning efforts of this nature), the budget forms are not complete and/or have errors. (0-3 pts)

Technical Feasibility

In this category applicants are evaluated for planning effort readiness and their procurement approach. Planning efforts that show an unreasonable schedule, or efforts that will take longer than 2 years to complete may receive a lower score. See the following scoring breakdown (reviewers select one option):

- Planning efforts to be completed in 1 year or less. (5 pts)
- Planning efforts to be completed in 1 to 2 years. (3 pts)
- Planning efforts to be completed in 2 or more years. (1 pt)

Procurement questions are evaluated for the applicant's understanding of procurement requirements/laws and if the described approach will allow for the planning effort to be completed efficiently, effectively, and correctly.

- Described procurement approach references a law, a link to the procurement law/policy has been provided, the approach seems acceptable. (5 pts)
- Described procurement approach does not reference any law or local governing policy, the approach does not follow the law, the approach seems questionable. (0 pts)

Application Quality and Clarity

Applications will be evaluated for completeness and overall quality. See the following scoring breakdown (reviewers select one option):

- Great (4-5 pts)
 - The application had full sentences, the uploads were filled out correctly, the planning effort description was easy to follow, and it included significant key details.
- Fair (2-3 pts)
 - The application had minor errors, most uploads were correctly filled out, more detail could have been provided for some answers, but overall the reviewer could understand the components of the planning effort.
- Poor (0-1 pts)
 - The application had major errors, the uploads provided were not satisfactory, the application lacked significant detail, and it was hard to follow.

Past Performance

Applicants will be evaluated for their DNRC grant management history and/or risk level. See the following scoring breakdown (reviewers select one option):

- Applicant has no past grant management issues and/or is low risk. (5pts)
- Applicant is new to DNRC grants and/or is medium risk. (3-4 pts)
- Applicant has had past grant management issues and/or is high risk. (1-2 pts)

Additional Questions –

These questions are not scored but considered when breaking a tie:

- Does the application address a State Water Plan priority?
- Has the applicant submitted more than one planning grant application for this grant cycle?
- Has the applicant received a planning grant in the previous cycle within the current biennium (2025 – 2026)?

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July 23, 2026

Sent via email to:

City of Laurel Mayor Kris Vogeles
citymayor@laurel.mt.gov
civilattorney@laurel.mt.gov

RE: *Laurel CARED v. State of Montana lawsuit*

Dear Mayor Vogeles,

On behalf of my client Laurel CARED, I write to urge the City of Laurel to join—or alternatively intervene in—Laurel CARED’s lawsuit challenging the State of Montana’s siting of the forensic mental health facility on Old Highway 10. The litigation presents an opportunity for the City to stand with its residents and protect its own governmental interests.

As you are aware, Laurel residents expressed significant opposition to the Facility’s location and frustration with the opaque and rushed site-selection process. Among other deficiencies, the State selected Laurel even though neither the City nor Yellowstone County applied to host the Facility, gave perfunctory consideration to the applications from other jurisdictions, and added significant information about the Facility’s environmental effects only after public participation had ended. The State denied Laurel residents a meaningful voice, and this lawsuit presents the City with the opportunity to advocate for its citizens’ interests.

This lawsuit also would allow the City to protect its authority and resources. The Environmental Assessment’s treatment of City water services is particularly consequential. It assumes that Laurel will annex the property and provide municipal water, even though the City has never committed to either and has imposed an annexation moratorium. The EA further understates the Facility’s anticipated water demand by treating it as a five-bedroom residence rather than a mental hospital. The former produces an estimate of 2,000 gallons per day, while the latter produces daily estimates of 4,680 gallons for a 32-bed Facility and 8,960 gallons for a 64-bed Facility. The State offered no reasoned explanation for relying on the lower figure, even though its conclusion that Laurel has sufficient water capacity depends on that calculation.

The State’s errors are detailed in full in Laurel CARED’s enclosed filings. Because those errors implicate the City’s interests, Laurel CARED asks the City to join the lawsuit or seek intervention. The City’s participation would ensure that the State does not speak for Laurel or its citizens. We welcome the opportunity to discuss the City’s potential participation.

Sincerely,

/s/ Elizabeth M. Forster
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**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
 YELLOWSTONE COUNTY**

LAUREL CARED,

Plaintiff,

vs.

STATE OF MONTANA,

Defendant.

Cause No.: DV-56-2026-0000855-DK

Ed Zink

COMPLAINT

1. This case challenges the decision by the Defendant State of Montana—through the Montana Department of Public Health and Human Services (“DPHHS”) and Board of Investments (“BOI”)—to proceed with purchasing a \$4.25 million property just outside Laurel and constructing a new state-run forensic mental health

facility based on an incomplete and at times inaccurate environmental assessment, in violation of the Montana Environmental Policy Act (“MEPA”), MCA §§ 75-1-101, *et seq*, and without ensuring the public’s right to meaningfully participate in the decision, in violation of Mont. Const. art. II, § 8.

2. Among the environmental impacts unaccounted for by Defendant are the facility’s actual water and sewer demands, the actual availability of water and sewer utility services, and the sufficiency of those services to meet the estimated demand, if those services are even available.

3. Defendant further disregards the facility’s impacts on the human environment, including the surrounding area’s social structures and incompatibility with the nearby rural residences elementary school.

4. The need for Defendant to account for the actual impacts of this facility is especially important since Defendant chose this site over locations proposed by Big Horn County and Custer County. Neither the City of Laurel nor Yellowstone County applied for this facility, yet the EA’s assessment of the sites in Big Horn and Custer counties is, at best, perfunctory.

5. Rather than taking the requisite “hard look” at the facility’s impacts, *Mont. Wildlife Fed’n v. Mont. Bd. Of Oil & Gas Conservation*, 2012 MT 128, ¶ 43, 365 Mont. 232, 280 P.3d 877, Defendant selected this site based on environmental assessment (“EA”) that dismissed some of the facility’s most uncertain impacts with

minimal analysis, improperly deferred others for future consideration, and overlooked some harms entirely.

6. Defendant further deprived the public of its statutory and constitutional right to have a meaningful opportunity to participate in the decision-making process by repeatedly disclosing material information only after the public's prior opportunity to comment had closed. Defendant effectively required the public to comment on a continually changing proposal and deprived the public of any opportunity to review and comment on the information Defendant ultimately relied upon for its final decision.

7. Because Defendant's actions and omissions violate MEPA and the Montana Constitution, Plaintiff requests that this Court declare that the EA violates MEPA and violates the public's right to participate, vacate the EA, and require Defendant to produce an environmental impact statement fully assessing the human impacts of siting and building the facility on this 114-acre property outside Laurel.

JURISDICTION AND VENUE

8. Plaintiff brings this action pursuant to the Uniform Declaratory Judgments Act, MCA §§ 27-8-201, 202, the Injunctive Relief Act, MCA § 27-19-102, MEPA, MCA § 75-1-101, *et seq*, and Mont. Const. art. II, § 8.

9. Venue is proper in this District because the proposed project that Plaintiff challenges would be constructed in Yellowstone County. MCA §§ 25-2-126(1), 75-1-108.

PARTIES

10. Plaintiff Laurel CARED is a non-profit based in Laurel, Montana. It was formed in 2026 by a collective of Laurel community members in response to Defendant's announcement that it was going to locate the FMHF just outside Laurel in Yellowstone County. Laurel CARED's mission is to empower Laurel community members with the information, resources, and tools to advocate for responsible economic development that protects Laurel neighborhoods, schools, agricultural heritage, and future. Laurel CARED advocates on any issue where: A government decision significantly affects residents' safety, quality of life, or economic future; the process lacks transparency, public participation, or proper democratic procedure; the community has a meaningful avenue to influence the outcome. Laurel CARED and its members have intensive, long-standing interests in ensuring the health and vitality of the Laurel community and surrounding area. Laurel CARED members live, work, run businesses, and send their kids to the schools in the area that will be adversely impacted by Defendant's approval of the proposed forensic mental health facility. Laurel CARED brings this action on its own behalf and on behalf of its adversely affected members.

11. The legal violations alleged in this complaint cause direct injury to Laurel CARED members' health, recreational, property, and aesthetic interests because the challenged decision authorizes construction of a 64-bed forensic mental health facility that would strain local water supply and government services on which they depend, present safety hazards to their families and children attending Laurel Elementary School, interfere with the current social composition of the area, and limit Laurel's growth. Additionally, the challenged decision injures Laurel CARED and its members' procedural interests because it was not based on the requisite analysis and disclosure that MEPA requires. These are actual and concrete injuries caused by Defendant's failure to comply with MEPA that would be redressed by the relief requested in this complaint. Laurel CARED exhausted its administrative remedies by submitting written and oral comments on both versions of the draft EA and thus has no other adequate remedy at law.

12. Defendant State of Montana is a government entity subject to suit for injuries to persons. Mont. Const. art. II, § 18. The State of Montana, through its departments, boards, officers, employees, and agents, including the Department of Public Health and Human Services and the Montana Board of Investments, participated in and approved the actions challenged in this Complaint.

LEGAL BACKGROUND

I. MEPA

13. MEPA intends to “provide[] for an adequate assessment of the relationship between humans and their environment, protect[] the right to use and enjoy private property free of undue government regulation, disclose[] proposed actions to avoid, minimize, or mitigate environmental impacts in accordance with existing regulations, stimulate[] the health and welfare of humans, enrich[] the understanding of the ecological systems and natural resources important to the state, and establish[] an environmental quality council.” MCA § 75-1-102(2).

14. MEPA further seeks to provide an adequate review of state actions to ensure that “the public is informed of the anticipated impacts in Montana of proposed actions.” MCA § 75-1-102(1)(b).

15. The policies and goals of MEPA “are intended to provide a public forum in which to analyze and disclose potential significant impacts on Montana’s environment from proposed actions.” MCA § 75-1-109(2)(a).

16. MEPA requires state agencies to consider, in part, the direct, cumulative, and secondary impacts of their actions on the physical environment and on the human population in the area to be affected by the proposed action. ARM 17.4.609(3)(d), (e).

17. The agency’s analysis of the impacts on the physical environment can include impacts on water quality, quantity, and distribution; aesthetics; and demands on environmental resources of land, water, air, and energy. ARM 17.4.609(3)(d).

18. The agency’s analysis of the effects on the human population in the area can include social structures and mores, local tax base and tax revenues, distribution and density of population and housing, demands for government services, locally adopted environmental plans and goals, and other appropriate social and economic circumstances. *Id.* 17.4.609(3)(e).

19. In evaluating these impacts under MEPA, “[t]he agency must examine the relevant data and articulate a satisfactory explanation for its action, including a rational connection between the facts found and the choice made.” *Mont. Wildlife Fed’n*, ¶ 43 (quoting *Clark Fork Coal. v. Mont. Dep’t of Env’t Quality*, 2008 MT 407, ¶ 47, 347 Mont. 197, 197 P.3d 482).

20. MEPA requires agencies to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources.” MCA § 75-1-201; ARM 17.4.609(3)(f). An alternative analysis is defined as an “evaluation of different parameters, mitigation measures, or control measures that would accomplish the same objectives as those included in the proposed action by the applicant.” MCA § 75-1-220(1).

21. In evaluating the sufficiency of an agency’s alternatives analysis, the court looks at whether the agency considered “the relevant factors and whether there

has been a clear error of judgment.” *Mont. Trout Unlimited v. Mont. Dep’t of Env’tl. Qual.*, 2024 MT 36, ¶ 102, 415 Mont. 214, 544 P.3d 163.

22. Defendant must prepare an environmental impact statement (“EIS”) if the proposed project will “significantly affect[] the quality of the human environment.” ARM 17.4.607(1). Defendant may proceed with the proposed project without preparing an EIS only if it rationally determines through preparation of an environmental assessment (“EA”) that the project’s impacts will not be significant, *see id.* 17.4.607(1)(b), or that otherwise significant impacts can be mitigated below the level of significance, *id.* 17.4.607(4) (“For an EA to suffice in this instance, the agency must determine that all of the impacts of the proposed action have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur.”).

23. “One of the purposes of an EA is to ‘assist in the evaluation of reasonable alternatives’ ... and an EA must contain ‘analysis of reasonable alternatives to a proposed action whenever alternatives are reasonably available and prudent to consider.’” *Park Cty. Env’tl. Council v. Mont. Dep’t of Env’tl. Qual.*, 2020 MT 303, ¶ 47, 402 Mont. 168, 477 P.3d 288 (citing ARM 17.4.607(2)(b), 17.4.609(3)(f)).

24. Another purpose of an EA is to “ensure the fullest appropriate opportunity for public review and comment on proposed actions, including

alternatives and planned mitigation, where the residual impacts do not warrant the preparation of an EIS.” ARM 17.4.607(d); MCA § 75-1-109(1)(a).

II. SITE SELECTION OF THE FORENSIC MENTAL HEALTH FACILITY

25. In June 2025, Governor Greg Gianforte signed House Bill 5, appropriating \$26.5 million for the construction of a behavioral health facility and directing BOI and DPHHS to develop a facility and location plan.

26. In late July 2025, BOI, state legislators, and certain local leaders from Billings and Laurel toured five potential sites in the Billings and Laurel areas for the Forensic Mental Health Facility (“FMHF” or “Facility”). During the site visits, state officials allegedly explained they needed a 10-acre property. Laurel City Administrator Kurt Markegard allegedly stated he saw a property for sale on Old Highway 10, which BOI Executive Director Dan Villa pulled on a map and noted was 10 acres.

27. By late August 2025, state officials were “plowing ahead” to select Billings for the Facility, despite intense public opposition and local leaders complaining of the state’s lack of transparency in the site selection process.

28. On August 20, BOI Executive Director Dan Villa announced that BOI was pausing the project. Villa cited disagreements over BOI’s authority to construct the Facility, as well as the non-viability of the sites toured in July.

29. Markegard called Villa that day for an update on the project progress, and they discussed the Old Highway 10 site again.

30. On August 22, Markegard emailed Villa, the DPHHS Director Charles Brereton, and the Director of Budget and Program Planning Ryan Osmundson more details about the site. Markegard stated that the site could potentially utilize water and sewer infrastructure associated with the nearby Love's Travel Center development. Villa responded that he would be in touch once BOI had more guidance on the project.

31. On September 10, 2025, Governor Gianforte resumed site selection for the Facility. In his announcement, he emphasized that "public participation should play a critical role," and that decisions must be "made in the open, allowing Montanans to have a voice in how their hard-earned tax dollars are spent."

32. On October 6, 2025, Director Brereton sent a letter to Villa about site selection and facility type and purpose. DPHHS stated that though it was still interested in site opportunities in Yellowstone County, "it is important that all Eastern Montana communities equipped with adequate infrastructure and a potential workforce are afforded the opportunity to submit proposals for hosting our new facility."

33. On October 7, 2025, DPHHS announced that it would be soliciting proposals from Montana communities to host a new 32-bed forensic mental health facility. The deadline for applications was November 10, 2025, at 5 p.m.

34. By the deadline, only Big Horn County and Custer County had submitted applications for the Facility. Neither Yellowstone County nor the City of Laurel submitted applications.

35. Villa texted Markegard on November 11 asking if Markegard and Laurel Mayor Dave Waggoner would write a letter to BOI describing the appropriateness of the Old Highway 10 site for the facility. At 1:20 p.m., Villa texted Markegard, “I’ll buy the beer if you send it this afternoon?” referring to the letter.

36. Markegard sent Villa a letter on November 17, 2025, to “explain why the City of Laurel did not nominate itself” for the Facility. Markegard then explained that the Old Highway 10 location would “make building the facility remarkably successful” because it has access to existing or forthcoming utility services. However, the land is outside city limits and would require the City of Laurel to approve annexation to connect to any city services. Markegard then explained that, for annexation, city staff usually has a pre-application meeting with the land owners or potential land owners to discuss annexation requirements. He then wrote, “In the past, buy/sell agreements could [sic] be made until the public process has taken place and a favorable vote for annexation is complete by Laurel’s City Council.”

Markegard ends the letter stating that though he “applauds the efforts to get community involvement in choosing the location for the facility,” he “believe[s] the process did not allow the location [he] pointed out to [Villa] during the summer tour to be nominated.”

37. After Markegard submitted the letter, he texted Villa that he sent the letter, and the two set up a non-public meeting with Mayor Waggoner and DPHHS on November 20, 2025.

38. On November 26, 2025, DPHHS and BOI submitted a plan to the State Budget Director to construct a 32-bed forensic mental health facility in Laurel, with BOI overseeing construction and owning the land, and DPHHS leasing the Facility from BOI.

39. On November 28, DPHHS announced Laurel as the selected site. The specific site was not provided.

40. On December 9, 2025, DPHHS and BOI representatives spoke to Laurel City Council and reportedly ensured that the Council would hear first about any buy-sell agreement, and that BOI would follow local regulatory processes.

41. On January 13, 2026, BOI executed a buy-sell agreement with Miller Trois LLC to purchase three lots off Old Highway 10 just outside the Laurel city limits in Yellowstone County totaling 114 acres for \$4.25 million. BOI paid \$42,500 in earnest, with the remaining balance due at closing. The closing date was

established as July 13, 2026. The agreement specified that BOI had the right to terminate the agreement for any reason without penalty prior to July 1, 2026.

42. This property is located within a 0.5-mile radius of residences and just over a half-mile from the Laurel Elementary School.

43. The property was identified in the Laurel Growth Policy as a priority area for development, including for residential development and to provide for an adequate supply of affordable housing.

44. As the property is outside of Laurel city limits, it is not annexed into the City and is currently not able to receive city services.

45. On January 27, 2026, the Laurel City Council held a meeting where dozens of local residents expressed their concerns for safety, property values, and strain on local resources, as well as their confusion about how Laurel was selected in the first place through “backdoor deals” that excluded the public.

46. That same day, the Laurel Public Schools Board of Trustees and Superintendent Matthew Torix announced their “unified opposition” to the Facility because of its proximity to the elementary school and requested the state apply the one-mile correctional facility buffer to the FMHF. State officials had not contacted the Board about how the FMHF would impact the student body of Laurel schools.

47. On March 3, 2026, the Laurel City Council sent a letter to Governor Gianforte, Villa, and Brereton describing how state officials had failed to

meaningfully engage with the Laurel City Council and Laurel residents, and that promises by state officials for local engagement “appear to be misleading if not complete falsehoods.” Laurel City Council never received a response to this letter.

48. On March 24, 2026, Villa requested a zoning change for the site during a Yellowstone County Commission meeting. During the public comment section of the meeting, Villa announced an April 22, 2026 public meeting in Laurel.

49. The Yellowstone County Commission scheduled a zoning change public hearing for April 2, 2026, then canceled it because BOI needed to own the land before requesting a zoning change.

50. On April 6, 2026, Laurel City Councilmember Jodi Mackay sent another letter to Governor Gianforte criticizing the Governor’s representation that Villa had “presented” three times to City Council about the Facility. Council Member Mackay stated Villa only had used the public comment portion of Council meetings to “drop tidbits of information on a massive, controversial project.”

51. On April 20, 2026, Laurel CARED sent BOI a formal demand to continue the April 22 hearing in Laurel because the agenda and supporting materials were not publicly available. Sometime after 4 p.m. that day, Defendant added the meeting notice, meeting agenda, and a Draft Environmental Assessment to a hyperlink on the HB 5 website in a box with the hearing date, time, and location without clearly identifying that the materials were hyperlinked there. The notice

stated that written comments submitted before 10 a.m. on April 22 would be considered.

52. The Draft EA contained incomplete sections, including the section on water resources, which the Draft EA described as a “placeholder” section while water resources were being confirmed.

53. On April 22, 2026, Defendant held public hearings in Laurel at 10 a.m. and 4 p.m. Plaintiff and its members testified. Defendant extended the written comment window to May 6. Plaintiff and its members submitted written comments.

54. Sometime after May 6, Defendant announced on the HB 5 website that another public hearing would occur in Billings at 1 p.m. on June 2, 2026.

55. On May 18, 2026, a hyperlink was added to the box listing the June 2 meeting on the HB 5 website. That hyperlink contained a document entitled “State of Montana Final Environmental Assessment: 32-Bed Forensic Mental Health Facility.”

56. This document stated, for the first time, that Defendant intended the Facility to expand to 64 beds during a second phase of the project.

57. Plaintiff’s members and numerous other people attended and testified at the June 2 hearing.

58. On June 12, 2026, Defendant added another button to the HB 5 website that hyperlinked to a document also entitled “State of Montana Final Environmental

Assessment: 32-Bed Forensic Mental Health Facility” (“the Final EA”). In this June 12 Final EA, Defendant issued a finding of no significant impact and stated that it would proceed with siting the facility on the 114-acre property outside Laurel.

59. Defendant, through BOI, closed on the property on June 12, though this was not publicly reported until June 16.

60. On June 23, 2026, Yellowstone County scheduled a public hearing on zoning for the property for July 9, 2026.

III. THE FINAL ENVIRONMENTAL ASSESSMENT

Alternatives

61. The Final Environmental Assessment considered three alternatives for the FMHF: “the Proposed Action,” “the Alternative Sites Considered Prior to Selection,” and the “No Action Alternative.”

62. The Proposed Action was to “[c]onstruct and [o]perate the FMHF on [p]arcel [n]ear Laurel in Yellowstone County.”

63. The “Alternative Sites Considered Prior to Selection” are listed in Appendix E and include the locations proposed by Big Horn County and Custer County.

64. The No Action Alternative was to decline to build the facility entirely.

65. The Final EA repeatedly states that the 114-acre facility outside Laurel “most clearly satisfied” the criteria and “demonstrated superior long-term viability.”

66. Again, neither Yellowstone County nor the City of Laurel submitted an application for the FMHF.

67. For each of the “alternative sites” considered in Appendix E, Defendant provides a single word or short phrase about why they were not selected.

68. For the Big Horn County site, the Final EA summarily states, “[d]istance from patient concentration, workforce availability, unclear path toward land ownership/acquisition.” However, the Final EA does not actually address the arguments made on each of these points in Big Horn County’s application.

69. For the Custer County site, the Final EA summarily states, “[d]istance from patient concentration, workforce availability, State Land Board Processes.” However, the Final EA does not actually address the arguments made on each of these points in Custer County’s application.

70. Accordingly, Defendant created a competitive site-selection process, received two complete applications, selected a non-applicant location, and then failed to meaningfully analyze why the selected site was environmentally preferable and the rejected sites were not compatible.

Impacts on Water Resources and Services

71. The Department of Environmental Quality’s Circular DEQ-4 document provides a standard formula for projected potable water demand.

72. The Final EA discloses, for the first time, that the application of the Department of Environmental Quality's Circular DEQ-4 methodology yields a projected potable water demand of approximately 4,680 gallons per day for a 32-bed FMHF. This figure is a 2,680-gallon increase from the 2,000 gallon per day estimate provided in the May 18 Final EA before the June 2 public hearing.

73. The Final EA also discloses, for the first time, that the DEQ-4 methodology yields a projected potable water demand of approximately 8,960 gallons per day for a 64-bed FMHF. This is a 6,360-gallon increase from the estimate provided in the May 18 Final EA before the June 2 public hearing.

74. It appears this estimate is based on Circular DEQ-4's estimated demands for a mental hospital.

75. The Final EA nevertheless states that "actual projected potable demand for the 32-bed FMHF is approximately 2,000 gallons per day." The Final EA explains that it assumes that demand would be equivalent to ten five-bedroom homes, or 400 gallons per day.

76. The Final EA does not state where it derived the five-bedroom-home demand figure. However, Circular DEQ-4 states that a five-bedroom home's estimated use is about 400 gallons per day. Circular DEQ-4 states that this estimate is specifically for non-commercial residences that have fewer than nine people.

77. Defendant never explains why it selected an estimate applicable to residential homes over the state-endorsed calculation for mental hospitals.

78. The Final EA indicates that the City of Laurel has only confirmed it has capacity for 2,000 gallons per day of demand.

79. The May 18 “Final” EA circulated for public comment before the June 2 public hearing also did not disclose that application of the State’s standard water-demand methodology would produce substantially higher potable water demand estimates for either the 32-bed facility or the 64-bed buildout. Defendant disclosed those estimates for the first time after the close of public comment and simultaneously with its final decision and closure on the property.

80. Defendant thus deprived the public of any meaningful opportunity to comment on both the substantially higher potable water demand projected by the Circular DEQ-4 methodology, and Defendant’s unexplained rejection of that methodology in favor of a significantly lower estimate.

81. The Final EA further states water services would be provided by connecting to existing City of Laurel facilities, and that the “City of Laurel has stated that sufficient capacity is available to provide water supply to this proposed facility.”

82. In support of this statement, the Final EA only cites to the Love’s Late-Comer’s and Development Agreement, which was approved by the Laurel City Council under Resolution R25-39 in June 2025.

83. The Final EA states that it would discharge wastewater into the existing municipal wastewater collection and treatment system operated by the City of Laurel. The Final EA states, “the city has confirmed [it] has adequate treatment capacity at projected flow of approximately 2,000 gallons per day per 32-bed unit.”

84. The Final EA does not state whether “the city has confirmed” adequate treatment capacity for the 64-bed unit project flow.

85. Based on information and belief, Defendant has not actually confirmed with the City of Laurel that the City has the capacity to serve even the 32-bed FMHF.

86. A water supply test and site flow analysis for the Love’s Travel Center concluded that the water supplied by the City of Laurel did not meet the minimum target flow demand required for the operation of the RV stalls and check-in building. The report concluded that a domestic pump was required to supply these components of the Love’s Travel Center.

87. In other words, this test concluded that the City of Laurel does not have the capacity to serve all of the Love’s Travel Center operations.

88. Additionally, just with the operation of the Love’s Travel Center, residences in west Laurel have experienced, for the first time, low water pressure.

89. Yet, the Final EA does not acknowledge or analyze the insufficiency of the water pressure to serve even the Love’s Travel Center, let alone the FMHF at 32

or 64 beds, despite Defendant's heavy reliance on the Love's Travel Center water supply documents in its analysis of potable water supply.

90. Instead, the June 12 Final EA disclosed, for the first time, that Defendant would need to install a domestic pump to ensure adequate pressure. Defendant did not disclose this need in the Draft EA or May 18 "Final EA." Accordingly, the public did not have any opportunity to comment on the necessity, feasibility, and implications of the domestic pump.

91. Further, connection to the City of Laurel facilities would require the City to approve the annexation of the FMHF. However, the City of Laurel enacted a 90-day moratorium on annexation applications on April 28, 2026, lasting until July 27, 2026, in response to Defendant's pursuit of the FMHF at this 114-acre site. At the City of Laurel Public Works meeting on or about June 15, 2026, it was announced that City Council plans to extend the moratorium indefinitely.

92. The Final EA does not disclose and discuss the impact of this moratorium on the availability of utility services.

93. The Final EA does not propose any alternatives to supplying utility services to the FMHF if Defendant is not able to secure annexation and access the City of Laurel's services. It merely assumes that the City of Laurel will do so.

94. Thus, Defendant lacks a rational basis for assuming municipal water and sewer service would be available for the FMHF.

95. The Final EA next states that it will install on-site groundwater wells to source non-potable water for irrigation, pursuant to a permit from the Montana Department of Natural Resources and Conservation. The Final EA estimates its irrigation demand will be about 7,000 gallons per day during growing season.

96. The Final EA does not contain or describe any groundwater studies or consultation with DNRC about the feasibility of such wells.

97. Last, the Final EA describes six wetlands totaling 17.31 acres and five bed-and-bank features totaling 1.84 acres that were delineated in February 2026.

98. These features may be governed by the Clean Water Act if they are considered “jurisdictional.” If the Clean Water Act applies, the statute will limit Defendant’s ability to discharge pollutants and fill materials into them and require Defendant to obtain permits from the U.S. Army Corps of Engineers.

99. The Final EA states that Wetlands-3, -5, and -6 “may be considered jurisdictional” because they are connected to a seasonal wetland (Bed and Bank 1), which conveys water into the Yellowstone River—a Water of the United States.

100. The Final EA states that “[m]ore research and field investigation will need to be performed” to determine whether Wetland-1 is jurisdictional.

101. The Final EA states that Wetlands-2 and -4 and Bed-and-Banks-2, -3, -4, and -5 are “likely non-jurisdictional.”

102. Accordingly, Defendant proceeded with a final decision on the FMHF without making a preliminary determination, let alone actually determining, whether federal permitting constraints apply.

103. Because federal permitting requirements may materially constrain the Facility's design, location, and construction activities, Defendant could not rationally assess impacts without first evaluating the extent to which the Clean Water Act applies.

Impacts on the Human Environment

104. As described, the property Defendant purchased for the FMHF is located just outside the city limits of Laurel in Yellowstone County. It is a secure facility that houses people who have serious mental health conditions and who have been accused of or convicted of crimes. The Final EA states that the facility will have "tighter security than traditional locked psychiatric units," with sally port doors, a "robust, high-security perimeter fence," and a 24/7 central command station to monitor all movements in the facility.

105. At the same time, the current location of the proposed FMHF is just over a 0.25-mile distance from rural residences, including a residence owned by a Laurel CARED member. Many of these residences are home to families with young children.

106. The City of Laurel designated the area proposed for the FMHF in its Growth Policy as a priority area for development, including for residential and mixed-use development and to grow the city's tax base.

107. This area is particularly important for Laurel's growth because the city cannot grow into the south, where the refinery is located.

108. Because the FMHF is a state-run facility, it does not pay local taxes.

109. Despite the rural residential character of the area and its potential for mixed-development growth to raise revenue for Laurel, the Final EA concludes that this secure mental health facility is consistent with that Growth Policy.

110. The location of the proposed FMHF also is just over 0.5-mile from Laurel Elementary School.

111. Private facilities housing people involved in the criminal justice system may not be licensed within one mile of a school. MCA § 53-30-607(1).

112. This statute demonstrates that the Legislature considered the proximity between secure custodial facilities and schools as a factor that reasonably warrants environmental review.

113. However, the Final EA does not consider this policy statement from the Legislature and instead summarily dismisses it as non-binding on the FMHF.

114. In analyzing the security and safety concerns, the Final EA compares the potential impacts to emergency response calls at the Galen facility. However, the

Final EA only provides EMS and fire department calls. It does not document law enforcement responses, escapes and attempted escapes, or other security breaches.

115. Even so, Defendant states that the Galen facility patient population is not comparable to the population that the FMHF will serve, without explaining the differences or providing emergency service strain in a comparable facility.

116. Defendant later dismisses commenters' comparison to a correctional facility in favor of a comparison to the Galen facility.

117. Defendant further seeks to compare the FMHF and its impact on property values to mental health centers and group homes, despite its previous representations that the facility will have "tighter security" than a typical "locked" psychiatric facility.

118. Defendant does not reconcile these inconsistent positions, instead relying on the comparison that is most favorable to the issue at hand.

119. Further, the Final EA inconsistently represents whether it will utilize local emergency services. The Final EA states that "[l]ocal governments (county or city) could provide standard municipal services, including ... fire, and emergency response," but then later states that the State "will not seek annexation" to "obtain[] fire, police, or ambulance services[.]"

120. Accordingly, the Final EA fails to provide a full analysis of the extent of emergency service use, as well as its availability at the proposed facility.

121. Instead of providing the analysis of the impacts on these components of the human environment that exist at this site, Defendant spends significant effort defending the need for a forensic mental health facility in general, regardless of its location.

COUNT I

Inadequacy of Final EA Violation of MEPA, MCA § 75-1-201, ARM 17.4.608(1)(b)

122. Plaintiff re-alleges and incorporates all previous paragraphs.

123. To fulfill its requirement to take a “hard look” at the environmental impacts of Defendant’s authorization of the purchase of the 114-acre property in Yellowstone County for the FMHF and the construction of the facility, Defendant must evaluate the direct, cumulative, and secondary impacts of the project on the physical environment and on the human population affected by a proposed action. ARM 17.4.609(3)(d), (e). In this regard, MEPA requires Defendant to analyze any “direct” impacts that occur at the same time and place as the action that triggers the effect, and secondary impacts, defined as “a further impact to the human environment that may be stimulated or induced by or otherwise result from a direct impact of the action[.]” ARM 17.4.603(18), in its environmental analysis. ARM 17.4.609(3)(d).

124. Defendant’s Final EA violates these MEPA standards because it does not disclose or rationally evaluate the direct, secondary, or cumulative impacts to the

physical and human environment posed by the construction of the FMHF facility at the proposed site. MCA § 75-1-201; ARM 17.4.609(3)(d).

125. As to water resources, Defendant fails to disclose and rationally evaluate the FMHF's potable water demands, the actual availability of water and sewer systems, and the sufficiency of those systems to satisfy the FMHF's demand.

126. Defendant further fails to actually analyze the availability of groundwater supplies, including consulting with DNRC. Defendant, again, assumes without factual support that sufficient groundwater supply exists.

127. Defendant further fails to provide a complete analysis of whether the wetlands on the property will be subject to federal Clean Water Act restrictions and permitting. Defendant instead defers such complete analysis to some later stage, after its final decision and the close of public comment.

128. Despite these significant gaps in Defendant's analysis, Defendant concludes that the FMHF is not likely to have significant impacts on the physical environment.

129. As Defendant's analysis of water resources is incomplete and without a reasoned basis, its finding of no significant impact is arbitrary, in violation of MEPA.

130. As to the human environment, Defendant fails to seriously analyze the impacts of siting the FMHF in close proximity to rural residences and an elementary

school, in an area designated by the City of Laurel as a priority for mixed-use development and local revenue generation.

131. Defendant further fails to provide a complete, coherent, and reasoned analysis of the site's security and safety concerns. Defendant fails to disclose and analyze the potential for escapes and other security breaches, as well as the frequency and type of law enforcement calls. Defendant's comparison of the FMHF to other types of mental health facilities is inconsistent and internally contradictory.

132. Finally, Defendant fails to provide a consistent position on whether and to what extent the FMHF will utilize local emergency services, leaving the local community in the dark about the strain on two volunteer departments and local law enforcement.

133. These issues are all components of the human environment that MEPA regulations specifically advise agencies to evaluate and that the public was entitled to review prior to the agency's decision. ARM 17.4.609(3)(e).

134. Despite these significant gaps in Defendant's analysis, Defendant concludes the FMHF is not likely to significantly impact the human environment.

135. As Defendant's analysis of the human environmental impacts is incomplete and without a reasoned basis, its finding of no significant impact is arbitrary, in violation of MEPA.

136. The unresolved disputes concerning water supply, wastewater service, groundwater availability, wetlands permitting constraints, emergency services, community development impacts, and alternative locations demonstrate that Defendant lacks a rational basis to conclude the project would not significantly affect the human environment. An EIS is therefore required.

137. MEPA also requires agencies to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources.” MCA § 75-1-201; ARM 17.4.609(3)(f).

138. Defendant created a competitive site-selection process, received two complete applications from Big Horn and Custer counties, and then selected a non-applicant location.

139. In the Final EA, Defendant dismisses the eligibility of the locations in Big Horn and Custer counties in just a few words each.

140. In dismissing these alternative locations, Defendant does not address any components of the counties’ applications, including the counterpoints to the reasons why Defendant dismisses their eligibility. Thus, Defendant omits any serious analysis of the alternative sites, despite soliciting applications from these counties in the first place.

141. Such a summary dismissal of alternatives undermines one of the fundamental purposes of an EA: to evaluate reasonable alternatives.

142. These acts and omissions individually and collectively violate MEPA.

COUNT II

Inadequacy of Public Participation Violation of MEPA, MCA §§ 75-1-102, 109, ARM 17.4.607(2)(d)

143. Plaintiff re-alleges and incorporates all previous paragraphs.

144. MEPA is intended to ensure that “the public is informed of the anticipated impacts in Montana of proposed actions.” MCA § 75-1-102(1)(b).

145. MEPA further provides a public forum in which agencies analyze and disclose environmental impacts before making decisions. MCA § 75-1-109(2)(a).

146. An environmental assessment therefore must “ensure the fullest appropriate opportunity for public review and comment on proposed actions, including alternatives and planned mitigation, where the residual impacts do not warrant the preparation of an EIS.” ARM 17.4.607(2)(d).

147. Prior to completion of environmental review and public participation, Defendant selected Laurel as the preferred location and entered into a buy-sell agreement for the project site.

148. Defendant released a Draft EA for public review and comment just prior to the April 22, 2026 public hearing and comment period.

149. Following that comment period, Defendant released a document entitled “State of Montana Final Environmental Assessment: 32-Bed Forensic Mental Health Facility” on or about May 18, 2026, and held a second public hearing on June 2, 2026.

150. Defendant thereafter released another document bearing the same title on June 12, 2026. In that document, Defendant issued its final decision to proceed with construction of the FMHF on the 114-acre property outside Laurel.

151. The June 12 Final EA disclosed, for the first time, that application of the Department of Environmental Quality's Circular DEQ-4 methodology yields substantially greater potable water demand estimates than the estimates previously presented to the public.

152. Specifically, Defendant disclosed for the first time that application of the State's standard methodology yields projected potable water demand of approximately 4,680 gallons per day for the 32-bed facility and approximately 8,960 gallons per day for the 64-bed buildout analyzed in the Final EA.

153. The June 12 Final EA further disclosed, for the first time, Defendant's decision to reject those estimates in favor of substantially lower demand estimates.

154. Defendant did not provide the public with any opportunity to review or comment on these newly disclosed demand estimates, the basis for those estimates, or Defendant's rejection of the State's standard methodology.

155. Defendant likewise did not provide the public with any opportunity to comment on the June 12 Final EA before issuing its final decision and closing on the purchase of the property.

156. By disclosing material information concerning the project's projected water demand and environmental impacts only after the close of public participation and simultaneously with the final decision, Defendant deprived Plaintiff and the public of the meaningful opportunity for review and comment that MEPA requires.

157. Defendant's actions are contrary to the disclosure and public participation purposes of MEPA, including MCA §§ 75-1-102 and 75-1-109 and ARM 17.4.607(2)(d).

158. Because Defendant fails to provide a meaningful opportunity for public review and comment on the environmental information ultimately relied upon in its decision, the Final EA and resulting decision violate MEPA and must be vacated.

COUNT III

Failure to Guarantee a Reasonable Opportunity to Participate Violation of Mont. Const. art. II, § 8

159. Plaintiff re-alleges and incorporates all previous paragraphs.

160. The Montana Constitution guarantees the public the right to expect governmental agencies to afford a reasonable opportunity to participate in agency decision-making. Mont. Const. art. II, § 8.

161. The basic elements of this right to participation are notice and a reasonable opportunity to be heard. *Citizens for a Better Flathead v. Bd. of Cnty. Comm'rs of Flathead Cnty.*, 2016 MT 256, ¶ 39, 385 Mont. 156, 381 P.3d 555.

162. Throughout this process, Defendant disclosed material information only after the public's prior opportunity to comment had closed, requiring the public to comment on a continually changing proposal without any opportunity to review and comment on the information ultimately relied upon for the final decision.

163. The Draft EA, released less than 48 hours prior to the April 22 hearing in Laurel only at the request of Plaintiff, contained placeholder sections.

164. The May 18 "Final" EA, released prior to the June 2 hearing in Billings, added substantial new information.

165. The June 12 Final EA added still more information, including critical water-demand calculations and the need to use a domestic pump to ensure adequate water pressure.

166. Further, Defendant closed on the purchase of the property for the Facility the same day it released the June 12 Final EA without notifying the public of either event and without giving the public an opportunity to comment on the new information in the Final EA before closing.

167. At every stage, important information was disclosed only after earlier participation opportunities had closed.

168. Accordingly, Defendant deprived Plaintiff and the public of the opportunity to be heard on key issues regarding the Facility, in violation of Mont. Const. art. II, § 8.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, Laurel CARED, respectfully requests the Court:

1. Declare that Defendant violated MEPA and MEPA's implementing regulations by failing to rationally evaluate the direct, secondary, and cumulative effects of its authorization of the Facility;
2. Declare unlawful and set aside Defendant's Final EA and Findings and Conclusions for the Facility;
3. Declare that Defendant violated Montana Constitution Article II, § 8;
4. Order Defendant to prepare an EIS for the facility;
5. Enjoin Defendant from constructing the Facility or taking any other actions in furtherance of the Facility until Defendant complies with MEPA and Mont. Const. art. II, § 8;
6. Award Plaintiff its reasonable attorney fees, costs, and expenses as authorized by law;
7. Grant Plaintiff such additional relief as the Court may deem just and proper.

DATED this 25th day of June, 2026.

/s/ Elizabeth M. Forster
Forster Law, PLLC

/s/ Timothy M. Bechtold
Bechtold Law Firm, PLLC

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**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
 YELLOWSTONE COUNTY**

LAUREL CARED,

Plaintiff,

vs.

STATE OF MONTANA,

Defendant.

Cause No.: DV-56-2026-0000855-DK

Judge: Hon. Ed Zink

**PLAINTIFF'S MOTION FOR
 TEMPORARY RESTRAINING
 ORDER & PRELIMINARY
 INJUNCTION**

Plaintiff Laurel CARED, by and through counsel, hereby moves for a temporary restraining order pursuant to Section 27-19-314, MCA, and a preliminary injunction pursuant to Section 27-19-201, MCA to prohibit Defendants from proceeding with the permitting, design, construction, and other planning requirements for a proposed forensic mental health facility ("Facility" or "FMHF")

on a property near the City of Laurel pending judicial review of Defendant's compliance with the Montana Environmental Policy Act ("MEPA"). A brief in support of this Motion is filed herein.

Plaintiff is contemporaneously serving the Compliant, Summons, Motion for Temporary Restraining Order and Preliminary Injunction, and supporting papers on Defendant State of Montana. Plaintiff has retained a process server to effect service and will promptly file proof of service upon completion.

Respectfully submitted this 25th day of June, 2026.

/s/ Elizabeth M. Forster
Forster Law, PLLC

/s/ Timothy M. Bechtold
Bechtold Law Firm, PLLC

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Elizabeth Marie Forster, hereby certify that I have served true and accurate copies of the foregoing Motion - Motion to the following on 06-25-2026:

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Representing: Laurel CARED
Service Method: eService

STATE OF MONTANA (Defendant)
Service Method: Hand Delivery

Electronically Signed By: Elizabeth Marie Forster
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Attorneys for Plaintiff

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
 YELLOWSTONE COUNTY**

LAUREL CARED,

Plaintiff,

vs.

STATE OF MONTANA,

Defendant.

Cause No.: DV-56-2026-0000855-DK

Judge: Hon. Ed Zink

**PLAINTIFF'S BRIEF IN SUPPORT OF
 MOTION FOR TEMPORARY
 RESTRAINING ORDER &
 PRELIMINARY INJUNCTION**

INTRODUCTION

Plaintiff Laurel CARED seeks a temporary restraining order and preliminary injunction prohibiting Defendant State of Montana, by and through Montana Department of Public Health and Human Services ("DPHHS") and Board of Investments ("BOI"), from proceeding with the permitting, design, construction, and

other planning requirements for a proposed forensic mental health facility (“Facility” or “FMHF”) on a property near the City of Laurel pending judicial review of Defendant’s compliance with the Montana Environmental Policy Act (“MEPA”).

On June 12, 2026, Defendant issued a Final Environmental Assessment (“Final EA”), concluded the Facility would not significantly affect the environment, selected the Laurel site, and closed on the purchase of the 114-acre property. In effect, Defendant committed public resources to a state-run facility before conducting the level of reasoned environmental review that MEPA requires.

Plaintiff is likely to succeed on the merits because the Final EA fails to provide a reasoned basis for several key conclusions. Defendant departs from the State’s standard methodology for estimating water demand without explanation, assumes municipal water and sewer services would be available despite substantial uncertainty regarding annexation and utility access, and fails to provide a meaningful analysis of alternative locations. Rather than taking the hard look required by MEPA, the Final EA relies on unsupported assumptions and conclusory statements.

Preliminary relief is necessary to preserve the status quo. BOI has already purchased the property. A public hearing on zoning for the property is scheduled for July 9, 2026. Defendant presumably will continue expending public resources on permitting, design, utility planning, and construction activities absent Court intervention. Each additional step will further entrench Defendant’s commitment to

the Laurel site, diminish the possibility of meaningful consideration of alternatives, and threaten to irreparably harm Plaintiff's and its members' interests as adjacent landowners and users of city services. Plaintiff therefore requests that the Court enjoin further implementation of the Facility pending resolution of this action.

STATEMENT OF FACTS

In June 2025, Governor Greg Gianforte signed House Bill 5, appropriating \$26.5 million for the construction of a behavioral health facility and directing BOI and DPHHS to develop a facility and location plan. H.B. 5, 69th Leg. Sess. (M.T. 2025). State officials toured locations in Yellowstone County in July and August 2025, but halted their efforts on August 20 after intense public opposition and uncertainty about BOI's authority to construct the Facility. Forster Decl., Ex. 1, 2.

On August 22, Laurel City Administrator Kurt Markegard emailed BOI Executive Director Dan Villa, DPHHS Director Charlie Brereton, and Director of Budget and Program Planning Ryan Osmundson regarding a site on Old Highway 10 outside Laurel. Forster Decl., Ex. 3. Markegard stated that the site could potentially utilize water and sewer infrastructure associated with the nearby Love's Travel Center development. *Id.* Villa responded that he would be in touch once BOI had additional guidance on the project. *Id.*

On September 10, 2025, Governor Gianforte announced that the process of selecting a site for the Facility would resume. Forster Decl., Ex. 4. The Governor

emphasized that “public participation should play a critical role,” and that decisions must be “made in the open, allowing Montanans to have a voice in how their hard-earned tax dollars are spent.” *Id.* DPHHS then solicited applications from Montana communities interested in hosting the facility. *Id.*, Ex. 5. By the November 10, 2025 deadline, only Big Horn County and Custer County had submitted applications. *Id.*, Ex. 6, 7. Neither Yellowstone County nor the City of Laurel applied.

The day after the application deadline—and despite Laurel never having submitted an application—Villa solicited a letter from Markegard supporting the Old Highway 10 location. Hopper Decl., Ex. 7 at 3–4. Markegard submitted a letter to “explain why the City of Laurel did not nominate itself” on November 17. *Id.*, Ex. 8 at 1. On November 28, 2025, DPHHS and BOI announced their plan to build the Facility in Laurel. Forster Decl., Ex. 8. On January 13, 2026, before completing any environmental review, BOI executed a buy-sell agreement to purchase 114 acres on Old Highway 10 outside Laurel for \$4.25 million. *Id.*, Ex. 9. The agreement allowed BOI to terminate the purchase without penalty until July 1, 2026. *Id.*

After executing the buy-sell agreement for the property, Defendant initiated the MEPA process for the Laurel site. The Laurel community—including local government officials, the Laurel Public Schools Board of Trustees and Superintendent Matthew Torix, Plaintiff, and its members—voiced substantial opposition to the location of the Facility. Hopper Decl., Ex. 2, Ex. 5.

Defendant announced it would hold a public hearing in Laurel on April 22. Two days before the hearing, Defendant still had not made the meeting materials publicly available, so Plaintiff requested the materials and asked Defendant to delay the hearing. Hopper Decl., Ex. 10. Defendant released the meeting notice, agenda, and a Draft Environmental Assessment dated April 20, 2026. Forster Decl., Ex. 10. Defendant then proceeded with the April 22 hearing, during which Plaintiff's members testified and submitted written comments. *Id.*

On May 18, Defendant released a document entitled "State of Montana Final Environmental Assessment: 32-Bed Forensic Mental Health Facility" ("May 18 'Final' EA"). Forster Decl., Ex. 11. This document stated, for the first time, that Defendant intended the Facility to expand to 64 beds in a second phase of the project. *Id.* Defendant then held a second hearing in Billings June 2, 2026. *Id.*

On June 12, 2026, Defendant issued a second Final Environmental Assessment, concluded the Facility would not significantly affect the environment, selected the Laurel site, and closed on the purchase of the property the same day. Forster Decl., Ex. 12 (hereinafter, "Final EA"). The closing was not publicly reported until June 16. Hopper Decl. ¶35.

LEGAL STANDARD

"A preliminary injunction order or temporary restraining order may be granted when the applicant establishes that: (a) the applicant is likely to succeed on

the merits; (b) the applicant is likely to suffer irreparable harm in the absence of preliminary relief; (c) the balance of equities tips in the applicant’s favor; and (d) the order is in the public interest.” MCA § 27-19-201(1); *see also Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). This standard “mirror[s] the federal preliminary injunction standard” and “closely follow[s] United States supreme court case law.” MCA § 27-19-201(4)(a).

ARGUMENT

I. Plaintiff is likely to succeed on the merits of its claim that Defendant’s environmental assessment for the Facility violates MEPA.

MEPA “provide[s] for the adequate review of state actions in order to ensure” that their “environmental attributes are fully considered by the legislature in enacting laws to fulfill constitutional obligations” and that “the public is informed of the anticipated impacts in Montana of potential state actions.” MCA § 75-1-102(1). The statute’s focus on pre-decisional review is a central part of its design. As this Court has acknowledged, “MEPA’s procedural mechanisms help bring the Montana Constitution’s lofty goals into reality by enabling fully informed and considered decision making, thereby minimizing the risk of irreversible mistakes depriving Montanans of a clean and healthful environment.” *Park Cty. Env’tl. Council v. Mont. Dep’t of Env’tl. Qual.*, 2020 MT 303, ¶70, 402 Mont. 168, 477 P.3d 288.

MEPA therefore requires agencies to prepare an “environmental impact statement” or “EIS” to evaluate the impacts of all “major actions of state government significantly affecting the quality of the human environment.” MCA § 75-1-201(1)(b)(iv). When the significance of the impacts is unclear, an agency may prepare a shorter “environmental assessment” to determine the need for an EIS. ARM 17.4.607(2)(c), (3)(a).

The Court reviews an agency’s MEPA analysis to determine whether the agency’s decision is “arbitrary, capricious, unlawful, or not supported by substantial evidence.” *MEIC v. DEQ*, 2016 MT 9, ¶14, 382 Mont. 102, 365 P.3d 454 (citation omitted). The agency’s decision must be “based on a consideration of the relevant factors and whether there has been a clear error of judgment.” *Id.*

“A decision is not arbitrary or capricious when it relies on consistent, rational, and well-supported agency decision-making.” *Hillcrest Natural Area Found. v. DEQ*, 2022 MT 240 ¶9, 411 Mont. 30, 521 P.3d 766 (quotations omitted). “A well-supported decision is one that considers relevant data and can articulate a satisfactory explanation for. . . action, including a rational connection between the facts found and the choice made.” *Id.* (quotations omitted). An agency that fails to satisfy this standard does not take a “hard look” at a proposal’s environmental impacts. *Mont. Wildlife Fed’n v. Mont. Bd. of Oil & Gas Conservation*, 2012 MT 128, ¶43, 365 Mont. 232, 280 P.3d 877.

A. Defendant fails to take a hard look at the impacts of the Facility on the demand for local utility and emergency services.

MEPA requires agencies to analyze, in part, the impacts of their actions on the demand for water resources and the demand for government services. ARM 17.4.609(3)(d), (e). Defendant's analysis of the Facility's impact on water resources and its demand on City and County services is unsupported by the record and without rational basis, in violation of MEPA.

1. Defendant fails to provide a reasoned basis for its conclusion that adequate municipal water service exists for the Facility.

Defendant fails to take a hard look at the Facility's impact on the area's water resources and the City of Laurel's water services because it rejects its own standard methodology for estimating water demand, substitutes a substantially lower estimate without explanation, and then relies on that unsupported estimate to conclude that adequate water service exists.

The Final EA offers two estimates for the Facility's potable water use demand. The first applies the Department of Environmental Quality's Circular DEQ-4, which contains the State-endorsed methodology for estimating wastewater flows and potable water demand from various types of residential, commercial, industrial, and other nonresidential scenarios. Final EA at 16;¹ Forster Decl., Ex. 13. Although Circular DEQ-4 includes a specific demand calculation for mental hospitals based

¹ All citations to the Final EA, Draft EA (Exhibit 10), and May 18 'Final' EA (Exhibit 12) refer to the documents' internal pagination rather than the PDF page.

on beds and employees, the Final EA does not identify that methodology. *See* Forster Decl., Ex. 13 at 27. Instead, the Final EA generally states that Circular DEQ-4 projects potable demand of approximately 4,680 gallons per day for the 32-bed Facility and 8,960 gallons per day for the 64-bed Facility, using 115 gallons per day per bed and 10 gallons per day per employee. Final EA at 16.

The Final EA then rejects those estimates without explanation and substitutes lower “actual projected potable demand” figures of 2,000 gallons per day for the 32-bed Facility and 2,600 gallons per day for the 64-bed Facility. *Id.* The Final EA states that the 32-bed Facility is equivalent to ten five-bedroom single-family homes using 400 gallons per day. *Id.* Defendant may have derived that figure from Circular DEQ-4’s methodology for single-family residences. *See* Forster Decl., Ex. 13 at 25.

However, the Final EA never explains why it adopted a methodology intended for single-family residences when Circular DEQ-4 expressly limits that methodology to residences with nine or fewer occupants and separately provides a methodology for mental hospitals. *Id.* at 25, 27. Nor does the Final EA explain why a residential analogy provides a more reliable estimate of demand than the mental hospital methodology designed for facilities like the FMHF. Defendant therefore fails to articulate a satisfactory explanation connecting the facts found to its selection of the substantially lower residential estimate. *See MEIC*, ¶14; *cf. Park Cty.*, ¶44 (upholding agency’s analysis of a permit’s impact on groundwater quality where, in

the face of conflicting data in the record, the agency articulated a satisfactory explanation for its action).

This unexplained departure is material because the Final EA itself states that the City of Laurel only has the capacity for 2,000 gallons per day of available capacity. Final EA at 17. Under Defendant's own DEQ-4 calculation, projected demand for the 32-bed Facility would exceed that capacity by more than twofold, and projected demand for the 64-bed Facility by more than fourfold.

Defendant's conclusion that adequate water service exists is further undermined by the limited evidence on which it relies. The Final EA cites statements made by the City during review of the Love's Travel Center development in June 2025 regarding its water capacity. Final EA at 19. However, Defendant identifies no commitment by the City to provide water service to the Facility nor any analysis of whether the City's system can accommodate the Facility's projected demand.

To the contrary, a water supply and flow analysis prepared for the Love's Travel Center project concluded that the City's existing system could not satisfy the development's anticipated demand without a domestic pump. Hopper Decl., Ex. 1 at 5. Those findings raise obvious questions regarding the ability of the City's infrastructure to accommodate additional demand from the Facility. Yet the Final EA neither addresses those findings nor explains why they do not undermine its conclusion that adequate municipal water service exists. *W. Watersheds Project v.*

Kraayenbrink, 632 F.3d 472 (9th Cir. 2009) (agency acted arbitrarily and capriciously where it received comments directly contradicting its no significant impact conclusion and then neither responded to the “comments objectively and in good faith nor made responsive changes to the proposed” action).² The Final EA instead just states that a domestic pump would be used. Final EA at 17.

Moreover, the public also had no meaningful opportunity to comment on Defendant’s rejection of the mental hospital-specific methodology and adoption of the much lower residential analogy, as well as the commitment to use a domestic pump. Defendant did not disclose any of these statements until the Final EA. *See* Forster Decl., Ex. 10 at 8; Ex. 12 at 14–15. As a result, the public had no meaningful opportunity to evaluate or comment on the significance of that information before Defendant reached its significance determination.

Accordingly, Defendant’s conclusion that adequate municipal water service exists rests on an unexplained departure from the State’s own standard methodology for estimating water demand, unsupported assumptions regarding actual water use, and information first disclosed in the Final EA after the close of public comment. Because Defendant failed to articulate a rational basis for those conclusions, the Final EA does not demonstrate the hard look required by MEPA.

² “Because MEPA is modeled after NEPA, it is appropriate to look to the federal interpretation of NEPA.” *Montana Wilderness Ass’n v. Board of Health & Env’tl. Science*, 171 Mont. 477, 506, 559 P.2d 1157, 1172 (1976).

2. *Defendant fails to seriously assess the availability of city water and sewer services.*

Defendant also assumes municipal water and sewer service will be available, yet the record contains substantial evidence to the contrary. The Final EA never addresses that uncertainty.

The property for the Facility is located outside of the city limits of Laurel. Final EA at 10. As a result, access to municipal water and sewer services depends on annexation and the extension of city utilities. When Defendant issued the Final EA, however, annexation was not merely uncertain—it was unavailable. On April 28, 2026, in direct response to Defendant’s proposal to locate the Facility on the subject property, the Laurel City Council unanimously enacted a 90-day moratorium on annexation applications. Hopper Decl. ¶26. During the June 15, 2026 Public Works Committee meeting, City officials indicated that they intended to extend the moratorium indefinitely. *Id.*

Thus, when Defendant issued the Final EA and selected the Facility site, the Defendant could not even submit an annexation application for city services. Yet the Final EA contains no discussion of the annexation moratorium, its implications for the availability of municipal utilities, or the possibility that annexation may not occur. The Final EA simply assumes utility service will be available and never analyzes the possibility that annexation may not occur. *Env’tl. Def. Ctr. v. Bureau of Ocean Energy Mgmt.*, 36 F.3d 850, 873–74 (9th Cir. 2022) (“To take the requisite

hard look, an agency may not rely on incorrect assumptions ... in arriving at its conclusion of no significant impacts.”) (quotation omitted).

Accordingly, by failing to acknowledge and analyze the uncertainty surrounding annexation and utility access, Defendant fails to take the hard look required by MEPA and violates the statute’s fundamental “look before you leap” principle. *See Held v. State*, 2024 MT 312, ¶67, 419 Mont. 406, 560 P.3d 1235.

3. *Defendant fails to provide a consistent and reasoned assessment of the Facility’s expected strain on local emergency services.*

The Final EA’s discussion of the Facility’s impact on emergency services is internally inconsistent and unsupported. On the one hand, the Final EA states that local governments could provide emergency response services but also that the Facility would rarely rely on Laurel’s limited emergency resources. Final EA at 20. On the other hand, the Final EA states that Defendant will not seek annexation of the property for the purpose of obtaining emergency services. *Id.* The Final EA never reconciles these statements or explains what emergency response resources the Facility will actually utilize. *See Env’tl. Def. Ctr.*, 36 F.4th at 873–74 (rejecting EA where the record contained conflicting information about the expected frequency of use of well stimulation treatments for offshore oil and gas drilling).

The Final EA also relies on emergency response data from the existing state-run forensic mental health facility in Galen to conclude that the Facility’s impacts

on local emergency services will be minimal. Final EA at 23. At the same time, the Final EA states that the Galen facility patient population is not comparable to the anticipated FMHF population. *Id.* The Final EA does not explain the those differences, analyze how they may affect emergency service needs, or provide metrics from a facility serving a comparable population. As a result, Defendant simultaneously relies on Galen as evidence that emergency service impacts will be minimal while acknowledging that Galen is not an appropriate comparison.

Even assuming Galen is comparable, the Final EA only discloses EMS and fire calls while omitting law enforcement and other emergency response calls. The Final EA never explains why those other types of emergency calls are not relevant.

Thus, the Final EA fails to provide a reasoned basis for its conclusion that the Facility would have insignificant impacts on local emergency response resources.

B. Defendant fails to provide a reasoned analysis of the alternative locations considered for the Facility.

Defendant created a competitive site-selection process, solicited applications from interested communities, received complete applications from Big Horn County and Custer County, and then selected a location that did not submit an application. The Final EA dismisses the two actual applicants in a few words each. That is not the reasoned alternatives analysis MEPA requires.

MEPA requires agencies to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources.” MCA § 75-1-201; ARM 17.4.609(3)(f). An “alternative analysis” is an “evaluation of parameters, mitigation measures, or control measures that would accomplish the same objectives as the proposed action.” MCA § 75-1-220(1). “One of the purposes of an EA is to ‘assist in the evaluation of reasonable alternatives[.]’” *Park Cty.*, ¶47 (citing ARM 17.4.607(2)(b), 17.4.609(3)(f)).

Under MEPA, the question is whether the agency considered the relevant factors and articulated a reasoned basis for its decision, not whether it merely listed possible sites and assigned them shorthand labels. *Mont. Trout Unlimited v. Mont. Dep’t of Env’tl. Quality*, 2024 MT 36, ¶102, 415 Mont. 214, 544 P.3d 163.

The Final EA’s Alternatives section enumerates three alternatives: the “Proposed Action,” construction and operation of the FMHF on the parcel near Laurel; “Alternative Sites Considered Prior to Selection,” listed in Appendix E; and the “No Action Alternative,” under which the Facility would not be built. Final EA at 12–13. Defendant selected the Proposed Action, repeatedly stating that the 114-acre facility outside Laurel “most clearly satisfied” the criteria and “demonstrated superior long-term viability.” *Id.* at 13.

The Final EA’s alternatives analysis was perfunctory and conclusory. The “Alternative Sites Considered Prior to Selection” section focuses almost entirely on the alleged suitability of the Laurel site and does not meaningfully address the rejected sites. *Id.* at 13–14. Appendix E rejects those alternative sites, including the Big Horn County and Custer County locations, with only single words or short phrases, such as “distance from patient concentration,” “workforce availability,” and “unclear path toward land ownership/acquisition.” *Id.* at 283–84. Defendant never addresses the specific facts that bear on those stated concerns. The result is not a meaningful comparison of alternatives and reasoned selection; it is a bare disposition of the only complete applications. That is not the reasoned analysis MEPA requires. *Mont. Trout Unlimited*, ¶102; *see also W. Watersheds Project v. Abbey*, 719 F.3d 1035, 1050 (9th Cir. 2013) (an agency must “give full and meaningful consideration to all reasonable alternatives in an environmental assessment”) (quotation omitted).

This defect is especially apparent with respect to “distance from patient concentration.” The Final EA never defines the relevant patient-concentration area beyond the broad reference to eastern Montana, and it never explains why that factor favors Laurel over the rejected sites. Custer County’s application includes statements from surrounding communities explaining the practical and financial need for a behavioral health hub in a centralized location as far east as Miles City. Forster Decl., Ex. 6 at 17–26. Those submissions also state that Yellowstone County

is hours away from those communities, limiting the benefit of placing the facility as far west as Laurel. *See id.* at 23. Big Horn County's proposed site is also farther east than Laurel with access to two major interstates and a regional airport, calling into question whether Laurel better serves communities spread across eastern Montana. Forster Decl., Ex. 7 at 4. Defendant never discusses these facts.

In short, Defendant's analysis fails to connect the facts before it to the stated bases for rejecting the alternative locations. Without that connection, the stated reasons are conclusory rather than reasoned, in violation of MEPA.

II. Plaintiff and its members are likely to suffer irreparable harm in the absence of a temporary restraining order and preliminary injunction.

Plaintiff and its members are likely to suffer irreparable harm absent a temporary restraining order and preliminary injunction because Defendant has already selected the Laurel site, purchased the property, and likely begun committing public resources toward implementation of the Facility. A public hearing on the zoning of the property is scheduled for July 9, 2026. Hopper Decl. ¶36. Without an injunction, Defendant will continue advancing the project through permitting, design, utility planning, and related activities before this Court has an opportunity to determine whether Defendant complied with MEPA.

Plaintiff's members have concrete interests in the existing character of their neighborhood and the availability of local water and emergency services. Zahn Decl. ¶22; Hopper Decl. ¶¶12–14. Defendant's decision to proceed with implementation

of the Facility places those interests at immediate risk and threatens to alter the existing character of the area before judicial review can occur. *See Sweet Grass Farms, Ltd. v. Board of County Comm'rs*, 2000 MT 147, ¶32, 300 Mont. 66, 2 P.3d 825 (finding irreparable harm where the development of a subdivision in an agricultural area would reduce the quality of local services and irreparably change the character of the area). The resulting impacts cannot be undone.

In addition, Plaintiff and its members face irreparable injury to their constitutional and statutory participation rights. Mont. Const. art. II, § 8; MCA § 75-1-102(1); *see also Park Cty.*, ¶70. Though Montana law guarantees citizens the opportunity to meaningfully participate in governmental decisions before commitments are made, Defendant here disclosed material information about the Facility's environmental impacts only after the opportunity to participate closed. Zahn Decl. ¶¶26–29; Hopper Decl. ¶¶27–36. As a result, Plaintiff and its members were deprived of any meaningful opportunity to review and comment on that information before Defendant selected the site and purchased the property. That lost opportunity cannot later be restored.

Absent preliminary injunctive relief, Defendant will continue moving forward with a project that Plaintiff contends was approved in violation of MEPA, further entrenching the State's commitment to the selected site and irreparably impairing both Plaintiff's substantive interests and its ability to obtain meaningful relief. By

the time the Court reaches the merits, Defendant will likely argue that substantial additional resources have been invested in the project and that relocating the Facility is no longer feasible. A preliminary injunction is therefore necessary to preserve the status quo while this Court reviews the legality of Defendant's actions.

III. The balance of equities weighs in Plaintiff's favor, and preliminary injunctive relief is in the public interest.

The balance of equities and public interest factors also weigh in Plaintiff's favor. These factors "merge into one inquiry when the government opposes a preliminary injunction." *Porretti v. Dzurenda*, 11 F.4th 1037, 1050 (9th Cir. 2021).

As described, Plaintiff and its members face immediate irreparable harm absent preliminary relief. Defendant will not be harmed by the issuance of an injunction that preserves the status quo. Any prejudice to Defendant from a temporary delay is limited. If Defendant ultimately prevails, construction may proceed. If Plaintiff prevails, however, allowing implementation to continue in the meantime would undermine the very purpose of MEPA's requirement that environmental review occur before irreversible commitments are made.

Importantly, Plaintiff does not seek to permanently prevent construction of a forensic mental health facility or even challenge that additional forensic mental health capacity is needed in eastern Montana. Plaintiff seeks limited relief regarding Defendant's selection of the 114-acre property for the Facility.

Additionally, Defendant created whatever urgency now exists by entering into a buy-sell agreement for the land before completing any environmental analysis and only issuing its decision less than a month before the expiration of the buy-sell agreement's contractual termination rights. Both acts limited the window in which judicial review could occur prior to BOI's closing on the property.

Last, it is in the public interest to prohibit the State from acting in violation of its own laws, as is the case here. *See Arizona Dream Act Coal. v. Brewer*, 757 F.3d 1053, 1069 (9th Cir. 2014) (“[I]t is clear that it would not be equitable or in the public’s interest to allow the state . . . to violate the . . . law, especially when there are no adequate remedies available.” (quotation omitted)).

CONCLUSION

For these reasons, Plaintiff has shown that it is likely to succeed on the merits of its MEPA claim, that it and its members are likely to suffer irreparable harm absent an injunction, the equities weigh in Plaintiff’s favor, and an injunction is in the public interest. Plaintiff respectfully requests this Court grant Plaintiff’s motion for a temporary restraining order and preliminary injunction.

Respectfully submitted this 25th day of June, 2026.

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 35, I hereby disclose that I used Microsoft Word's Copilot feature to edit this brief for spelling, grammar, and typographical errors. I certify that every citation to law and the record has been verified as accurate.

DATED this 25th day of June, 2026.

/s/ Elizabeth M. Forster
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I, Elizabeth Marie Forster, hereby certify that I have served true and accurate copies of the foregoing Answer/Brief - Brief In Support of Motion to the following on 06-25-2026:

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