

**AUGUST 30 – SEPTEMBER 3, 2021
COMMISSIONER MEETINGS**

Sweet Grass County Commissioner meetings are held in the office of the county commissioners in the Sweet Grass County Annex in Big Timber, Montana, unless otherwise noted in the minutes. The first Monday of each month a department head staff meeting will be held at 9:30 a.m. Claims will be reviewed and approved for payment every Thursday unless a conflict arises. At least one commissioner will be in the office from 9:00 a.m. to 5:00 p.m. daily unless they are at a conference or a meeting requiring them to be out of the office.

NOTICE: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

Monday, August 30, 2021

Commissioner Moody and Wallace are in today and Commissioner Roe is out.

Public Works Director Conner was in for the gravel @ Bue pit award. Fisher Industries bid of \$295,000.00 was the only bid received. Commissioner Wallace made a motion to accept Fisher Industries bid for 50,000 cubic yards and 20,000 cubic yards contingency, as the original bid spec indicated. Commissioner Moody seconded this and the motion passed with 2 ayes.

DES/911 Coordinator Brophy was in to give an update.

Tuesday, August 31, 2021

Commissioner Moody and Wallace are in today and Commissioner Roe is out.

Tony, with HRDC, was in to talk about their services.

Commissioner Moody made a motion to accept/approve resolution 08-31-2021 joining the national moment of remembrance of the 20th anniversary of 9/11. Commissioner Wallace seconded this and the motion passed with 3 ayes as Commissioner Roe had called in for the meeting. (See attached resolution)

Wednesday, September 1, 2021

Commissioner Moody and Wallace are in today and Commissioner Roe is out.

A meeting for the final approval of the FY21/22 budget was held with Ian from the Big Timber Pioneer, Nadine Stosich from the City of Big Timber, Finance Officer Uehling and Clerk & Recorder Pederson present. Commissioner Roe called in for the meeting.

Commissioner Wallace made a motion to approve the final budget for fy21/22 with resolution 09-01-2021A and Commissioner Moody seconded this with the correction of fiscal year vs physical year of the original motion. Commissioner Wallace asked for public comment. After discussion the motion passed with 3 ayes. (Resolution attached)

Commissioner Wallace made a motion to approve resolution 09-01-2021B for Sweet Grass County fixing the tax levy and fees pursuant to the fy2021-2022 final budget, pursuant to MCA 7-6-4034 and 7-6-4036 for county wide milled funds, rural county milled funds, special revenue funds and capital improvement funds. Commissioner Roe seconded this and the motion passed with 3 ayes. (Resolution attached)

Commissioner Wallace made a motion to approve resolution 09-01-2021C a salary resolution for fiscal year 2021/2022. Commissioner Moody seconded this and the motion passed with 3 ayes. (Resolution attached)

Leon Royer, East Boulder resident, gave a presentation to the Commissioners and residents of Sweet Grass County on the East Boulder Mine tailings pond expansion project. Present were County Attorney Dringman, Planner Dringman, Clerk and Recorder Pederson and approximately 30 residents. This meeting was recorded and the written presentation is attached.

Tom Schriver, Dan Smart and Kirk Stephens from the American Legion were in to request a donation for the American Legion remodel project.

Thursday, September 2, 2021

Commissioner Moody and Wallace are in today and Commissioner Roe is out.

Claims for the week were reviewed and signed.

Commissioner Wallace and Moody attended the Covid after action review at the ambulance station and Commissioner Roe attended via Zoom.

Commissioner Wallace attended a PMC board meeting and Commissioner Moody attended the Fair board meeting.

Friday, September 3, 2021

All Commissioners are in today.

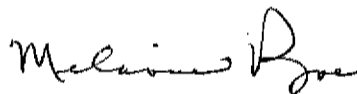
DES/911 Coordinator Brophy was in to give an update.

Claims for the month of August totaled \$236,150.75

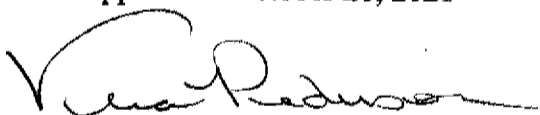
Payroll for the month of August totaled \$239,180.51

Respectfully submitted,
/s/ Vera Pederson

Board of County Commissioners


Melanie Roe, Chairman

Date Approved: October 28, 2021


Attest: Vera Pederson, Clerk



RESOLUTION NO. 09-01-2021 A
RESOLUTION APPROVING THE SWEET GRASS COUNTY FINAL BUDGET FOR
FISCAL YEAR 2021-2022

WHEREAS, pursuant to Sections 7-6-609 and 7-6-4021 MCA, the Board of County Commissioners of Sweet Grass County held a public hearing on the proposed budget for FY 2021-2022 on September 1, 2021 at 9:00 a.m.; and

WHEREAS, Section 7-6-4036 MCA, requires the Commission to approve and adopt a budget to authorize appropriations to defray expenses or liabilities for the fiscal year and establish legal spending limits at the fund level as finally determined and enter the budget in the official minutes with an effective date of July 1, 2021; and,

WHEREAS, Sweet Grass County received the official Certified Taxable Valuation for 2021 from the Montana Department of Revenue on August 2, 2021; and,

WHEREAS, a Resolution for approving the Final Budget was noticed for consideration on August 19th and August 26th, 2021; and,

WHEREAS, the attached Preliminary Budget, which is made a part of this resolution by reference, lists accounts by fund for all appropriations for Sweet Grass County; and,

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Sweet Grass County has approved the following budgets for FY 2021-2022:

County-wide for a total appropriation of.....	\$5,432,083
Rural for a total appropriation of.....	\$1,686,001
Permissive insurance for a total appropriation of.....	\$ 356,400
PMC Voted levy for a total appropriation of.....	\$ 792,158
Non-Levied total appropriations	\$18,865,048
Predatory animal control – Sheep.....	\$2,142
Predatory animal control – Cattle.....	\$17,106
Total appropriations.....	<u>\$27,150,938</u>
Soil conservation	\$10,750
Soil conservation permissive levy	\$2,400

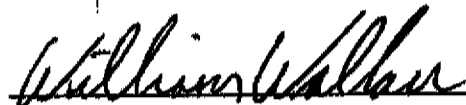
BE IT FURTHER RESOLVED, that Fiscal Year 2021-2022 final budget for Sweet Grass County is hereby approved and adopted and that warrants are issued in accordance with laws appertaining thereto.

Dated this 1st day of September, 2021

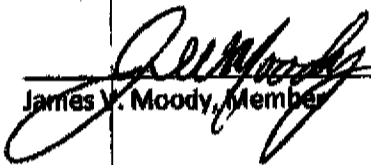
BOARD OF COUNTY COMMISSIONERS
SWEET GRASS COUNTY



Melanie Roe, Chair



William Wallace, Member



James V. Moody, Member

Attest:



Vera Pederson, Clerk & Recorder



Account	Description	FY2021/2022 Budget
FUND: MELVILLE FIRE DEPT (donation account) - 2732		\$ 12,856.00
FUND: Justice Court Trust Account - 2740		\$ 15,768.00
FUND: County Attorney Trust Account - 2750		\$ 6,587.00
FUND: Public Health - 2760		\$ 29.00
FUND: GAS TAX - 2820		\$ 131,241.00
FUND: SPECIAL GAS TAX - 2821		\$ 91,144.00
FUND: JUNK VEHICLE - 2830		\$ 9,011.00
FUND: Weed North Grant - 2840		\$ 19,097.00
FUND: Weed South Grant - 2841		\$ 4,325.00
FUND: WEED SPECIAL COUNTY - 2842		\$ 46,312.00
FUND: MCLEOD/MENDENHALL AREA - 2844		\$ 4,097.00
FUND: WEED RAC GRANT - 2845		\$ 22,000.00
FUND: 2020 BOULDER CONTINUING - 2847		\$ 8,175.00
FUND: WEED DNRC GRANT - 2849		\$ 7,922.00
FUND: 911 EMER - 2850		\$ 255,374.00
FUND: COUNTY LAND INFO - 2859		\$ 17,494.00
FUND: MM TAX PLAN & ECON DEVEL - 2860		\$ 1,322,840.00
FUND: OPERATION MEDICINE CABINET - 2871		\$ 219.00
FUND: FEDERAL MINERAL ROYALTY - 2894		\$ 6,285.00
FUND: HARD ROCK MINE TRUST - 2895		\$ 4,955,358.00
FUND: PILT - 2900		\$ 3,240,954.00
FUND: LAW ENF RAC GRANT - 2904		\$ 20,000.00
FUND: LAW ENF BVP GRANT - 2918		\$ 2,382.00
FUND: HOMELAND SECURITY 2021 - 2927		\$ 83,243.00
FUND: HOMELAND SECURITY 2022 - 2928		\$ 99,440.00
FUND: DUI TASK FORCE - 2950		\$ 20,173.00
FUND: DPHHS WHEATLAND - 2993		\$ 34,403.00
FUND: CARES ACT - 2994		\$ 516,441.00
FUND: ARPA - 2995		\$ 725,868.00
FUND: HB 632 (Bucket B) - 2996		\$ 434,934.00
FUND: CAPITAL IMPROVEMENT PLAN - 2997		\$ 34,043.00
		\$ 12,744,054.00
FUND: COMPENSATED ABSENCES - 3200		\$ 162,615.00
FUND: CAP IMP COURTHOUSE - 4000		\$ 842,643.00
FUND: COUNTY WIDE - 4002		\$ 143,076.00
FUND: CAP IMP ROAD SHOP - 4003		\$ 43,815.00
FUND: CAP IMP BRIDGE - 4004		\$ 885,082.00
FUND: CAP PROJECT WEED - 4005		\$ 176,949.00
FUND: CAP IMP ROAD M&E - 4006		\$ 1,160,436.00

Account	Description	FY2021/2022 Budget
FUND: CAP IMP AIRPORT - 4008		\$ 301,568.00
FUND: CAP IMP LAW ENF - 4009		\$ 321,758.00
FUND: CAP IMP ANNEX - 4010		\$ 283,817.00
FUND: CAP IMP CEMETERY - 4011		\$ 80,350.00
FUND: CAP IMP TECHNOLOGY - 4012		\$ 62,543.00
FUND: CAP IMP SR CIT BLDG IMP - 4014		\$ 103,443.00
FUND: CIP CRISIS 4020		\$ 880,322.00
FUND: CAP IMP FAIR - 4100		\$ 100,811.00
FUND: CAP IMP FIRE - 4200		\$ 506,787.00
FUND: TSEP P.E.R. - 4306		\$ 15,000.00
FUND: TSEP OLD BOULDER - 4308		\$ 49,979.00
		\$ 5,958,379.00
Grand Total Non-Levied Funds:		\$ 18,865,048.00
FUND: PMC FACILITY - 2235		\$ 792,158.00
Grand Total PMC Voted Levy:		\$ 792,158.00
FUND: PERMISSIVE INSURANCE LEVY - 2372		\$ 356,400.00
Grand Total Permissive Levy:		\$ 356,400.00
Grand Total:		\$ 27,150,938.00

RESOLUTION NO. 09-01-2021 B

**A RESOLUTION FOR SWEET GRASS COUNTY FIXING THE TAX LEVY AND FEES
PURSUANT TO THE FY 2021-2022 FINAL BUDGET, PURSUANT TO 7-6-4034 AND 7-6-
4036 MCA FOR COUNTY-WIDE MILLED FUNDS, RURAL COUNTY MILLED FUNDS
(ROAD/LIBRARY/FIRE), SPECIAL REVENUE FUNDS, AND CAPITAL FUNDS**

WHEREAS, the Sweet Grass County Commission approved a resolution adopting the Final County Budget showing expenses for all departments and activities; and,

WHEREAS, Section 7-6-4034 and 7-6-4036, MCA, requires the County Commission to fix the tax levy for all funds as required to raise sufficient funds to meet said expenditures authorized in the budget; and,

WHEREAS, a Resolution for Fixing Mill Levies was noticed for consideration on August 19th and August 26th, 2021; and,

WHEREAS, the County Commission held a public hearing on the Preliminary Sweet Grass County Budget on September 1, 2021 on the final budget decision; and,

WHEREAS, the County Commission in the Preliminary Budget calculated the County-Wide Tax Levy Limitation to be 140.48 mills, using 133.78 mills and leaving 6.70 mills "on the table"; calculated the Rural Tax Levy Limitation to be 60.71 mills, using 46.66 mills and leaving 4.05 mills "on the table"; 6.03 mills for the Permissive Medical Levy, and, 25 mills for the PMC Facility voted levy; and,

WHEREAS, after receipt of the Certified Taxable Values the Commission determined that the County-wide taxable value is \$31,686,323, an increase of \$5,889,785 from FY 2021; and the Rural taxable value is \$26,227,364, an increase of \$4,852,125 from FY 2021; and,

WHEREAS, the Montana Department of Revenue did certify the yield of 1 mill for FY 2021 at \$31,686.32 for County-Wide mills; and \$26,227.37 for Rural mills; and,

WHEREAS, the mill for the statewide school mill levies pursuant to Sections 15-10-420 MCA, has been calculated by the Montana Department of Revenue to be set at a total of 101 mills; and,


WHEREAS, the determination of tax revenue and mill levy limitations under section 15-10-420, MCA, for the aggregate of all county-wide levied funds has been calculated to be 140.48 mills and 60.71 mills for the rural funds levied outside the City of Big Timber; and,

NOW THEREFORE BE IT RESOLVED, by the Sweet Grass County Commissioners that the attached budget worksheets, which are made a part of this resolution by reference, lists millage by fund for all taxing jurisdictions in Sweet Grass County.

DATED this 1st day of September, 2021

BOARD OF COUNTY COMMISSIONERS

SWEET GRASS COUNTY



Melanie Roe, Chair



William Wallace, Member

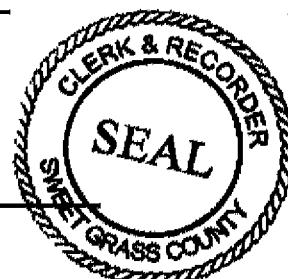


James V. Moody, Member

Attest:



Vera Pederson, Clerk and Recorder



**County of Sweet Grass
Taxable Valuation/Mill Levy
Ten-Year History and Analysis**

NOTE: The analysis below includes only entity-wide levies subject to the limitations of Section 15-10-420, MCA. If applicable, a separate analysis is provided for levies subject to the limitations of Section 15-10-420, MCA that are authorized and actually imposed using a different taxable valuation. Analyses contained in this report do not include voted or permissive levies. Voted and/or permissive mills levied in the current year are listed below.

FISCAL YEAR	ENTITY-WIDE TAXABLE VALUATION	%INCREASE (DECREASE) FROM PREVIOUS YEAR	TOTAL CURRENT YEAR AUTHORIZED MILL LEVY (Includes Prior Year Carry Forward Mills)	CURRENT YEAR ACTUAL MILL LEVY	CARRY FORWARD MILLS AVAILABLE (May be levied in a subsequent year)
			FY's 2008-2016 through 2016-2017 enter number of mills from prior year budget - page 8. FY's 2017-2018 and forward enter number of mills from line (14) of the applicable Mill Levy Determination Form.	FY's 2008-2016 through 2016-2017 enter number of mills from prior year budget - page 8. FY's 2017-2018 & forward enter number of mills from line (14) of the applicable Mill Levy Determination Form.	The Carry Forward in this column is not cumulative - the current fiscal year carry forward mills available are the full amount that may be levied in a subsequent year. These mills will be included in the next year's total authorized mill levy.
1 2012 - 2013	17,533,500	6.98%	125.13	118.42	
2 2013 - 2014	17,258,361	-1.57%	128.65	122.28	
3 2014 - 2015	17,451,289	1.12%	132.78	126.12	
4 2015 - 2016	18,927,609	8.46%	134.61	125.14	
5 2016 - 2017	17,866,541	-5.61%	139.46	137.78	
6 2017 - 2018	18,859,074	5.56%	135.71	135.20	0.51
7 2018 - 2019	20,889,071	10.76%	136.74	136.45	2.29
8 2019-2020	22,630,881	8.34%	138.21	136.72	2.49
9 2020-2021	25,816,598	14.06%	141.20	140.17	1.03
10 2021-2022	31,686,323	22.74%	140.48	133.78	6.70

Rural Mill

FISCAL YEAR	TAXABLE VALUATION	%INCREASE (DECREASE) FROM PREVIOUS YEAR	TOTAL CURRENT YEAR AUTHORIZED MILL LEVY (Includes Prior Year Carry Forward Mills)	CURRENT YEAR ACTUAL MILL LEVY	CARRY FORWARD MILLS AVAILABLE (May be levied in a subsequent year)
1 2012 - 2013	14,054,519	7.95%	44.18	40.82	
2 2013 - 2014	13,774,358	-1.99%	41.70	41.58	
3 2014 - 2015	13,986,927	1.54%	47.20	46.62	
4 2015 - 2016	15,211,863	8.76%	48.24	45.32	
5 2016 - 2017	14,308,373	-5.94%	49.99	46.91	
6 2017 - 2018	15,200,538	6.24%	48.46	48.15	0.31
7 2018 - 2019	17,083,997	12.39%	49.33	46.49	3.04
8 2019-2020	18,572,469	8.71%	49.85	49.27	0.58
9 2020-2021	21,375,240	15.09%	50.63	47.44	3.19
10 2021-2022	26,227,365	22.70%	50.71	46.66	4.05

Voted/Permissive mills levied in the current fiscal year:

Description	Number of Mills levied
Permissive Medical Levy	6.03
PMC Facility Levy	25.00

County of Sweet Grass
 FY 2021 - 2022 Budget
 NON-VOTED LEVIES
 County-Wide

Date Adopted: 9/11/2021

Fiscal Year: 2021-2022
 Page No: 1 of 8
V3.3

Assessed Valuation	\$ 31,686,323.00
Tax Valuation:	\$ 31,686,323
1 Mill Yields (10):	\$ 25,816.54
Income from 0.21:	\$ 5,869.78

Fund #	Fund Name	①		②		③-④+⑤		⑥-⑦+⑧		⑨-⑩+⑪		⑫-⑬+⑭		⑮-⑯	⑰
		Appropriation	Budgeted Cash Reserve	Total Requirements	actual cash 6/30/2021	Non-Ledged Revenues	Property Tax Revenues	Total Revenues	Total Resources	Mill Levy	Estimated Ending Cash Balance	6/30-21	diff		
1000	General	\$ 2,081,565	\$ 686,916	\$ 2,768,481	\$ 662,352	\$ 652,434	\$ 1,453,695	\$ 2,106,129	\$ 2,768,481	45.88	\$ 686,916	42.32	3.56		
2130	Bridge	\$ 716,965	\$ 236,598	\$ 953,563	\$ 258,684	\$ 16,246	\$ 678,534	\$ 694,880	\$ 953,563	21.42	\$ 236,598	25.08	-1.66		
2140	Ward	\$ 229,303	\$ 75,670	\$ 304,973	\$ 72,262	\$ 19,076	\$ 213,635	\$ 232,711	\$ 304,973	6.74	\$ 75,670	4.53	0.21		
2160	Fair	\$ 110,578	\$ 36,491	\$ 147,069	\$ 37,775	\$ 14,538	\$ 94,956	\$ 109,294	\$ 147,069	3.00	\$ 36,491	2.17	0.83		
2170	Airport	\$ 167,905	\$ 55,409	\$ 223,314	\$ 38,730	\$ 15,900	\$ 168,683	\$ 184,583	\$ 223,314	5.32	\$ 55,409	1.85	3.47		
2180	District Court	\$ 139,018	\$ 45,876	\$ 184,894	\$ 48,206	\$ 13,000	\$ 123,688	\$ 136,688	\$ 184,894	3.90	\$ 45,876	4.59	-0.69		
2240	Cemetery	\$ 101,552	\$ 33,512	\$ 135,064	\$ 34,559	\$ 15,821	\$ 84,684	\$ 100,505	\$ 135,064	2.67	\$ 33,512	3.79	-1.12		
2250	Planning	\$ 136,575	\$ 45,070	\$ 181,645	\$ 26,932	\$ 59,152	\$ 95,561	\$ 154,713	\$ 181,645	3.02	\$ 45,070	0.99	2.04		
2271	Mental Health	\$ 80,044	\$ 26,415	\$ 106,459	\$ 44,367	\$ 6,093	\$ 55,998	\$ 62,091	\$ 106,459	1.77	\$ 26,415	2.21	-0.44		
2280	Sr CR	\$ 78,975	\$ 26,062	\$ 105,037	\$ 15,118	\$ -	\$ 89,918	\$ 89,918	\$ 105,037	2.84	\$ 26,062	2.24	0.60		
2290	Extension	\$ 107,500	\$ 35,475	\$ 142,975	\$ 39,290	\$ 13,485	\$ 90,200	\$ 103,685	\$ 142,975	2.85	\$ 35,475	3.94	-1.09		
2300	Law Enforcement	\$ 1,362,326	\$ 449,568	\$ 1,811,894	\$ 497,951	\$ 371,760	\$ 982,183	\$ 1,353,943	\$ 1,811,894	31.00	\$ 449,568	36.59	-5.59		
2386	Technology	\$ 90,000	\$ 16,500	\$ 66,500	\$ 5,518	\$ -	\$ 60,982	\$ 60,982	\$ 66,500	1.92	\$ 16,500	1.77	0.15		
2800	Alcohol Rehab	\$ 69,777	\$ 23,026	\$ 92,803	\$ 26,515	\$ 20,080	\$ 46,289	\$ 66,289	\$ 92,803	1.46	\$ 23,026	1.75	-0.29		
		\$ 5,432,083	\$ 1,792,587	\$ 7,224,670	\$ 1,768,258	\$ 1,217,305	\$ 4,239,107	\$ 5,456,412	\$ 7,224,670	133.78	\$ 1,792,587	140.15	-6.37		

Total Requirements compared to Total Resources \$ 24,329

Tax Levy Limitation 140.48
 FY 22 Mills Levied 133.78
 6.70

Updated/Printed: 8/30/2021 9:51

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *Melanie Roe*
 Melanie Roe, Chair

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *Jamies Y. Moody*
 Jamies Y. Moody, Commissioner

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *William Wallace*
 William Wallace, Commissioner

Date Adopted: 9/11/2021

V3.3

Assessed Valuation
 Tax Valuation:
 1 Mill Yields: \$

Fiscal Year: 2021-2022
 Page No.: 3 of 8

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3) Total Requirements	(4) actual cash 6/30/2021	(5) Non-Levied Revenues	(6) Total Resources	(7) Estimated Ending Cash Balance
2260	Emerg Disaster	\$ 24.00		\$ 24.00	\$ 24	\$ -	\$ 24.35	\$ 0
2367	Tumblewood	\$ 7,632.00		\$ 7,632.00	\$ -	\$ 7,632.00	\$ 7,632.00	\$ -
2390	Drug Forfeiture	\$ 9,956.00		\$ 9,956.00	\$ 8,556	\$ 1,400	\$ 9,956	\$ 0
2393	Records Preservation	\$ 16,904.00		\$ 16,904.00	\$ 13,404	\$ 3,500	\$ 16,904	\$ 0
2399	BEG (Wind) Impact Fee	\$ 370,303.00		\$ 370,303.00	\$ 369,104	\$ 1,200	\$ 370,304	\$ 1
2710	Reserves	\$ 9,394.00		\$ 9,394.00	\$ 6,394	\$ 3,000	\$ 9,394	\$ 0
2711	Search & Rescue	\$ 22,567.00		\$ 22,567.00	\$ 14,567	\$ 8,000	\$ 22,567	\$ (0)
2713	Bond for Prisoners	\$ 4,052.00		\$ 4,052.00	\$ 52	\$ 4,000	\$ 4,052	\$ 0
2715	Garnishments	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
2720	Treasurer Petty Cash	\$ 100.00		\$ 100.00	\$ 46	\$ 54	\$ 100	\$ 0
2730	Fire Donations	\$ 151,439.00		\$ 151,439.00	\$ 91,439	\$ 60,000	\$ 151,439	\$ (0)
2731	McLeod Fire	\$ 3,668.00		\$ 3,668.00	\$ 3,668	\$ -	\$ 3,668	\$ (0)
2732	Melville Fire	\$ 12,856.00		\$ 12,856.00	\$ 12,856	\$ -	\$ 12,856	\$ (0)
2740	Justice Court Trust	\$ 15,768.00		\$ 15,768.00	\$ 10,768	\$ 5,000	\$ 15,768	\$ -
2750	County Atty Trust	\$ 6,587.00		\$ 6,587.00	\$ 587	\$ 6,000	\$ 6,587	\$ (0)
2760	Public Health	\$ 29.00		\$ 29.00	\$ -	\$ 29	\$ 29	\$ -
2820	Gas Tax	\$ 131,241.00		\$ 131,241.00	\$ 82,355	\$ 48,886	\$ 131,241	\$ 0
2821	Special Gas tax	\$ 91,144.00		\$ 91,144.00	\$ 33,394	\$ 57,750	\$ 91,144	\$ (0)
2830	Junk Vehicle	\$ 9,011.00		\$ 9,011.00	\$ 6,565	\$ 2,446	\$ 9,011	\$ (0)
		\$ 862,675	\$ -	\$ 862,675	\$ 653,779	\$ 208,897	\$ 862,676	\$ 1

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By Melanie Roe, Chair

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By James V. Moody, Commissioner

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By William Wallace, Commissioner

Date Adopted: 9/11/2021

V3.3

Assessed Valuation	
Tax Valuation:	\$
Mill Yields:	\$

Fiscal Year:	2021-2022
Page No.:	4 of 8

Fund #	Fund Name	Appropriation	Budgeted Cash Reserve	Total Requirements	actual cash 6/30/2021	Non-Levied Revenues	Total Resources	Estimated Ending Cash Balance
2840	North Grant	\$ 19,097.00		\$ 19,097.00	\$ -	\$ 19,097	\$ 19,097	\$ -
2841	South Grant	\$ 4,325.00		\$ 4,325.00	\$ -	\$ 4,325	\$ 4,325	\$ -
2842	Weed Special County	\$ 46,312.00		\$ 46,312.00	\$ 38,812	\$ 7,500	\$ 46,312	\$ 0
2844	McLeod/Mendenhall New	\$ 4,097		\$ 4,097.00	\$ -	\$ 4,097	\$ 4,097	\$ -
2845	Weed RAC Grant	\$ 22,000		\$ 22,000.00	\$ -	\$ 22,000	\$ 22,000	\$ -
2847	2020 Boulder Continuing	\$ 8,175		\$ 8,175.00	\$ -	\$ 8,175	\$ 8,175	\$ -
2849	DNRC Weed	\$ 7,922		\$ 7,922.00	\$ 7,922	\$ -	\$ 7,922	\$ 0
2850	911 Emergency	\$ 255,374		\$ 255,374.00	\$ 118,588	\$ 136,786	\$ 255,374	\$ 0
2859	County Land Info	\$ 17,494		\$ 17,494.00	\$ 16,534	\$ 960	\$ 17,494	\$ 0
2860	M/M Tax P&ED	\$ 1,322,840		\$ 1,322,840.00	\$ 940,840	\$ 382,000	\$ 1,322,840	\$ 0
2871	Op Med Cab	\$ 219		\$ 219.00	\$ 219	\$ -	\$ 219	\$ 0
2894	Fed Min Roy	\$ 6,285		\$ 6,285.00	\$ 6,285	\$ -	\$ 6,285	\$ 0
2895	Metal Mines Trust	\$ 4,955,358		\$ 4,955,358.00	\$ 4,447,358	\$ 508,000	\$ 4,955,358	\$ 0
2900	PLI	\$ 3,240,954		\$ 3,240,954.00	\$ 3,239,130	\$ 4,000	\$ 3,243,130	\$ 2,176
2904	Law Ent RAC	\$ 20,000		\$ 20,000.00	\$ -	\$ 20,000	\$ 20,000	\$ -
2918	Bulletproof Vest Grant	\$ 2,382		\$ 2,382.00	\$ 343	\$ 2,039	\$ 2,382	\$ 0
2927	Homeland Security 2021	\$ 83,243		\$ 83,243.00	\$ -	\$ 83,243	\$ 83,243	\$ -
2928	Homeland Security 2022	\$ 99,440		\$ 99,440.00	\$ -	\$ 99,440	\$ 99,440	\$ -
2950	DUI Tank Force	\$ 20,173		\$ 20,173.00	\$ 19,674	\$ 499	\$ 20,173	\$ 0
2992	DPHHS Sweet Grass	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
2993	DPHHS Wheatland	\$ 34,403		\$ 34,403.00	\$ -	\$ 34,403	\$ 34,403	\$ -
2994	carcs acct	\$ 516,441		\$ 516,441.00	\$ 516,441	\$ -	\$ 516,441	\$ 0
2995	arpa	\$ 725,868		\$ 725,868.00	\$ 362,934	\$ 362,934	\$ 725,868	\$ -
2996	hb 632	\$ 434,934		\$ 434,934.00	\$ -	\$ 434,934	\$ 434,934	\$ -
2997	cap imp plan	\$ 34,043		\$ 34,043.00	\$ 11,043	\$ 23,000	\$ 34,043	\$ 0
3200	Compensated Absence	\$ 162,615		\$ 162,615.00	\$ 131,615	\$ 31,000	\$ 162,615	\$ 0
		\$ 12,043,994	\$ -	\$ 12,043,994	\$ 9,857,737	\$ 2,186,432	\$ 12,044,169	\$ 2,175

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By
 Melanie Roe, Chair

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By
 Jayles V. Moody, Commissioner

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS

By
 William Wallace, Commissioner

County of Sweet Grass
 FY 2021 - 2022 Budget
 Non-Levied Funds

V3.3

Date Adopted: 9/1/2021

Fiscal Year: 2021-2022

Page No.: 5 of 8

Assessed Valuation: \$
 Tax Valuation: \$
 Mill Yields: \$

Fund #	Fund Name	Appropriation	Budgeted Cash Reserve	Total Requirements	actual cash 6/30/2021	Non-Levied Revenues	Total Resources	Estimated Ending Cash Balance
4000	Cap Imp Courthouse	\$ 842,643		\$ 842,643	611,697	\$ 230,946	\$ 842,643	\$ 0
4002	Cap Imp Countywide	\$ 143,076		\$ 143,076	111,390	\$ 31,686	\$ 143,076	\$ 0
4003	Cap Imp Road Shop	\$ 43,815		\$ 43,815	43,815	\$ -	\$ 43,815	\$ 0
4004	Cap Imp Bridge	\$ 885,082		\$ 885,082	623,460	\$ 261,622	\$ 885,082	\$ 0
4005	Cap Imp Weed	\$ 176,949		\$ 176,949	135,263	\$ 41,686	\$ 176,949	\$ 0
4006	Cap Imp Road M&E	\$ 1,160,436		\$ 1,160,436	884,436	\$ 276,000	\$ 1,160,436	\$ 0
4008	Cap Imp Airport	\$ 301,568		\$ 301,568	219,882	\$ 81,686	\$ 301,568	\$ 0
4009	Cap Imp Law Enf	\$ 321,758		\$ 321,758	211,186	\$ 110,572	\$ 321,758	\$ 0
4010	Cap Imp Annex	\$ 283,817		\$ 283,817	188,757	\$ 95,060	\$ 283,817	\$ 0
4011	Cap Imp Cemetery	\$ 80,350		\$ 80,350	50,350	\$ 30,000	\$ 80,350	\$ 0
4012	Cap Imp Technology	\$ 62,543		\$ 62,543	37,543	\$ 25,000	\$ 62,543	\$ 0
4014	Cap Imp Sr Cit	\$ 103,443		\$ 103,443	51,757	\$ 51,686	\$ 103,443	\$ 0
4020	Cap Crisis	\$ 880,322		\$ 880,322	880,322	\$ -	\$ 880,322	\$ 0
4100	Cap Imp Fair	\$ 100,811		\$ 100,811	94,811	\$ 6,000	\$ 100,811	\$ 0
4200	Cap Imp Fire	\$ 506,787		\$ 506,787	356,687	\$ 150,100	\$ 506,787	\$ 0
4306	TSEP Planning Grant	\$ 15,000		\$ 15,000	15,000	\$ -	\$ 15,000	\$ 0
4308	TSEP Old Boulder	\$ 49,979		\$ 49,979	49,979	\$ -	\$ 49,979	\$ 0
		\$ 5,958,379	\$ -	\$ 5,958,379	\$ 4,566,337	\$ 1,392,044	\$ 5,958,381	\$ 2

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *Melanie Roe*
 Melanie Roe, Chair

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *Jamies X. Moody*
 Jamies X. Moody, Commissioner

Approved this 1st day of September, 2021
 BOARD OF COUNTY COMMISSIONERS
 By *William Wallace*
 William Wallace, Commissioner

**RESOLUTION NO. 09-01-2021 C
 SALARY RESOLUTION FY 2021/2022**

Pursuant to 7-4-2503 and 7-4-2504 MCA, the salary paid to the county treasurer, county clerk and recorder, clerk of district court, county superintendent of schools, county sheriff, and justice of the peace must be established by the county governing body based upon recommendations of the county compensation board.

In accordance with MCA 7-4-2504, the Board of County Commissioners of Sweet Grass County, hereby set the salaries for elected officials, as recommended by the County Compensation Board, for the fiscal year 2021/2022 at FY 2021 salary plus 1.2% COLA, .8% overall pay increase, and 1% longevity. The Board of County Commissioners hereby also set FY 2021/2022 salaries for all other county employees not set by individual boards or supervisors at FY 2021 wage plus 1.2% COLA, .8% overall pay increase, and 1% longevity.

NOW, THEREFORE, it is hereby ordered that all salaries are hereby set for Sweet Grass County elected officials for Fiscal Year 2021/2022 as follows:

ATTORNEY (full-time)		FY 2021/2022
7-4-2502 MCA	36% paid by County	\$44,192.62
	64% paid by State of Montana	<u>\$77,467.00</u>
	Base Wage	\$121,659.62
	Longevity 1%	<u>\$1,185.60 (1 yr)</u>
	Total County Attorney Salary	\$122,845.22
COMMISSIONERS		
	Base Wage	\$48,989.19
	7-4-2107 MCA	<u>\$2,000.00</u>
		\$50,989.19
	Longevity 1%	<u>\$480.29 (1 yr)</u>
	Total County Commissioner Salary	\$51,469.48
CLERK OF COURT		
	Base Wage	\$48,989.19
	7-4-2503(2)(f) MCA	<u>\$2,000.00</u>
		\$50,989.19
	Longevity 1%	<u>\$480.29 (1 yr)</u>
	Total County Clerk of Court Salary	\$51,469.48
TREASURER/ASSESSOR		
	Base Wage	\$48,989.19
	7-4-2503(2)(f) MCA	<u>\$2,000.00</u>
		\$50,989.19
	Longevity 1%	<u>\$480.29 (1 yr)</u>
	Total County Treasurer/Assessor Salary	\$51,469.48
CLERK & RECORDER		
	Base Wage	\$48,989.19
	7-4-2503(2)(e) MCA (Election Administrator)	<u>\$2,000.00</u>
		\$50,989.19
	Longevity 1%	<u>\$480.29 (1 yr)</u>
	Total County Clerk & Recorder Salary	\$51,469.48
JUSTICE OF THE PEACE		
	Base Wage	\$48,989.19
	7-4-2503(2)(f) MCA	<u>\$2,000.00</u>
		\$50,989.19
	Longevity 1%	<u>\$480.29 (1 yr)</u>
	Total County Justice of the Peace Salary	\$51,469.48

SHERIFF/CORONER	Base Wage	\$48,989.19
	7-4-2503(2)(b) MCA	<u>\$2,000.00</u>
		\$50,989.19
	7-4-2503(2)(d) MCA Longevity 1%	<u>\$11,022.57 (22.5 yrs.)</u>
		\$62,011.76
	7-4-2503(2)(c) MCA Discretionary Increase (effective Oct 1)	<u>\$2,000.00</u>
	Sheriff Wage	\$64,011.76
	Coroner Wage	<u>\$4,000.00</u>
	Total Sheriff & Coroner Salary	\$68,011.76

SUP'T OF SCHOOLS	Base Wage (60% time)	\$29,393.52
	7-4-2503(2)(a) MCA	<u>\$400.00</u>
		\$29,793.52
	Longevity 1%	<u>\$288.17 (1 yr)</u>
	Total County Superintendent of Schools Salary	\$30,081.69

Dated this 1st day of September, 2021

SWEET GRASS COUNTY BOARD OF COMMISSIONERS

Maria Rye, CHAIRMAN

James Smith, MEMBER

William Walker, MEMBER

Vera Pederson

Attest: Vera Pederson, Clerk



Presentation to the Sweet Grass County Commissioners
September 1, 2021
Leon Royer

Thank you for the opportunity to speak with you today regarding the East Boulder Mine's ("EBM") Tailings Storage Facilities ("TSF").

Please interrupt me if you have any questions. All my assertions are fact based and can be easily verified.

I will provide the commissioners with the text of my presentation once it is concluded. I ask that you please make it a part of the public record.

This is one of those David and Goliath moments – a group composed of people mostly in their 60s, 70s and 80s, who own property on the East and Main Boulder Rivers, seeking protection for their land and homes versus South African based Sibanye Stillwater, the largest platinum and second largest palladium producer in the world, which swooped into Sweet Grass County in 2017. On paper, this is a mismatch. But, we believe in the righteousness of our cause and plan to oppose what the mine is seeking to do until we either succeed in stopping the expansion of the TSF, obtain the financial protection we deserve or have exhausted every legal avenue available to us.

In my nine page letters, dated July 29th, sent to both the Chairman and the Chief Executive Officer of Sibanye Stillwater, I wrote:

“Please understand that I have written this letter in the spirit of conciliation. I could have waited for the EIS (Environmental Impact Statement) comment period and ambushed Sibanye

Stillwater - but I did not do that. I want the mine to be successful. I want the company to be very profitable. I just don't want the enterprise to do so by potentially destroying the lives of its downstream neighbors."

That remains the way I feel today. I am a capitalist and strongly believe in free markets. I am not here in an attempt to close the mine. I am a representative of a group of your neighbors who own property along the East Boulder and Main Boulder Rivers. The June 24th meeting at the McLeod fire hall was a "wake up" call for us.

What started out as an issue arising from a group of concerned property owners on the East Boulder River seeking protection from a tailings storage facility breach was blown into virtually a global problem when Sibanye Stillwater invoked the use of the word "stakeholders" – a word that I personally dislike and do not use as it is very imprecise and can mean just about whatever the writer wants it to mean at the moment. The East Boulder residents were not and are not seeking any monetary gain from the mine. We were and are only seeking protection that we ourselves are unable to obtain, and should not be required to obtain, in that any problem that could arise would be the direct result of activities by the mine itself. That is a completely fair request – all we wanted and want is to be made whole in the event of a TSF fracture.

On August 24th, I received a letter from the Sibanye Stillwater CEO that said:

"The company has long-valued all stakeholders and recognized that decisions must be taken with all stakeholders in mind. Here, we could not consider your request without extrapolating it to provide equal treatment to other stakeholders potentially impacted in a similar fashion. When this equal treatment is considered, the

individualism of that request becomes clear. For us to essentially “bond out” the value of all properties that could be impacted in the very unlikely event of a tailings failure, would result in costs that would impact our operations at a very material level and put sustainability of the operations at risk. This eventuality is untenable, as it would compromise the benefits we provide to our many other stakeholders.”

Well, that is certainly a lofty, self-serving assessment of the situation. First, there was no “individualism” in the request – it has always been about all of the residents on the East Boulder Road and a portion of those on the Main Boulder Road. Any comment to the contrary is at best disingenuous. In essence the CEO’s letter means that although the property owners on the East Boulder River and a portion of the property owners on the Main Boulder River would unquestionably bear the brunt of the sedimentary destruction if the TSF breaches, Sibanye Stillwater will not protect us because some other “stakeholder” somewhere could also be disadvantaged so it won’t protect us because it won’t protect them.

It is very clever how Sibanye Stillwater took a very isolated situation, and expanded it to the point of near absurdity, in order to avoid helping us.

It seems like we, the citizens of Sweet Grass County, have been the “frog in the pot”. You remember the urban legend story that if you drop a frog in boiling water, it will jump out immediately. But if you drop a frog in tepid water and gradually increase the heat, the frog will boil to death. We are that frog – all of us.

Being appropriately grateful for the jobs provided by the mine and the huge contribution that the mine makes to the county’s coffers, it seems that we have been less than diligent, through lack of

awareness, negligence, misplaced trust or intent, to vigilantly monitor what is going on at the end of the East Boulder Road.

This was really brought home to me when I attempted to obtain a copy of the mine's emergency preparedness document which was the foundation for the June 24th fire hall meeting. I was told by three different county officials that the mine's presentation was "table-top" and, to the best of anyone's knowledge, there were no handouts. It seems that many officials simply took the mine's word regarding both the probability of a breach of the TSF occurring as well as the potential magnitude of the destruction. I was literally astonished to learn that no one, at least no one that I found, had put forth any effort to delve into what could be one of the greatest environmental disasters in U.S. history. I was troubled when we were informed at the fire hall meeting that there could be a "30 foot flood wave" come through the Boulder Valley. I was troubled when we were informed at the fire hall meeting that the evacuation time would be a few minutes and the alert would not reach county residents south of 8 mile bridge who would be outdoors at the time of the warning. I am highly concerned because we live under the ever enlarging walls of the tailings storage facility.

At the McLeod fire hall meeting, in response to my question about liability insurance coverage, I was told that the mine's general counsel would meet with me to discuss insurance coverage if I would like. I immediately attempted to set up the meeting. Despite my daily availability, it took 34 days to schedule a one hour meeting with her. On July 28th, that meeting took place at our home. I expressed my concerns and asked three primary questions; (1) how much liability coverage does the mine have? Answer: \$20,000,000 (2) has the mine decided to install cell relay towers in order to be able to alert its neighbors in the event that an evacuation is necessary? Answer: It is on the list of things for us to discuss. (3) has the mine decided whether or not to

provide financial protection to its downstream neighbors in the event of damage to or destruction of our properties as the result of a mine related incident? Answer: we have not talked about that yet.

At that meeting I also recommended that the mine place a firewall dam on the valley floor immediately below the tailing storage facility which could contain most of the material in the event of a breach to keep it from bursting down the valley. I was told that they had never thought about that. On July 29th, I received an email from mine management that said:

“On another note for a project like this my understanding is that this would require an EIS which between design and permit process would take multiple years before work could begin.

My take away from the July 28th meeting and the July 29th email was that the mine was slow playing our concerns (it had basically done nothing on the suggestions that had been made 34 days earlier) and that it valued its production over the lives and welfare of its downstream neighbors.

A follow-up meeting took place on August 11th again at our home. This was a very unproductive meeting although some interesting comments were made. When we asked questions about bonding the downstream neighbors who would be destroyed by a breach, the mine’s general counsel called our questions “ambiguous” and “coercive” (even though they were simple “yes” or “no” questions) and it once again stonewalled the issue.

We were also told that the mines’ engineers said that the firewall dam we had suggested would add to, not contain, the problem. The CEO’s August 23 letter also mentioned the suggested firewall dam:

“As the Montana team discussed at its last meeting with you, a hypothetical credible failure scenario would likely involve a large flood event that is already naturally occurring and any release of water or tailings would naturally flow directly to the East Boulder River, not to downgradient properties. Our geotechnical experts stated that accumulation of both naturally occurring flood water and tailings behind a secondary containment dam would add to the risk, not decrease it. Instead, the existing design considers and accounts for these risks.”

I ask that you please think about those comments for a minute. First, they are completely dismissive of any breach that could occur other than one caused by a flood on a mountain. I do not think that a flood could be the only reason for a breach and I will get to other potential causes in a few minutes. Second, common sense tells me that “... flood water and tailings behind a secondary containment dam” could not add to the risk because they are behind the dam therefore they would not be allowed to go roaring down the valley. Third, “... any release of water or tailings would naturally flow directly to the East Boulder River, not to downgradient properties” – but, to get to the East Boulder River, the water and tailings would have to go through the downgradient properties. And lastly, “... the existing design considers and accounts for these risks” but, if we are faced with a “large flood event ...” that would cause “any release of water or tailings” the existing design would have failed.

I personally think that these comments are far more indicative of the effort that the mine is willing to put forth to protect its neighbors, than they are factual. To straight forwardly assert that the problem would only be made worse if the mine attempted to staunch the flow very near its point of beginning, is another indication of how inflexible the mine is regarding its willingness to protect the citizens of Sweet Grass County. Please keep in mind that the only solution the mine has offered so far to its

downstream neighbors is for us to run for higher ground – “50 feet of elevation gain should be enough”.

So, how big is the problem? At the July 28th meeting, we were told that the risk is not greater now, and would not be greater if the pending environmental impact statement is approved, than it has been all along. Mine management said that the risk has always been there and, in his words, had been “buried” in previous EISs.

I went back to aerial photographs taken in 2005 when we bought our property. At that time, I calculated the TSF surface area to be 21.6 acres. At the fire hall meeting, I asked how large the TSF is presently and I recall being told about 80 acres. I asked how large it would be if the pending EIS is approved and I recall being told about 100 acres. So I did the math. If the current tailings storage facility has an 80 acre surface area and is 30 feet deep (I think this is very conservative in that the mine recently received permission to increase the height of the walls by 14 feet), it contains 104,544,000 cubic feet of tailings. What are tailings anyway and why must they be *permanently* impounded? According to the Sibanye Stillwater website:

Tailings are what remains after extracting valuable minerals and metals from mined ore and usually take the form of a liquid slurry comprising crushed rock, water, trace quantities of metals and additives used in processing, such as petroleum by-products, sulfuric acid and cyanide.

Tailings are pumped into surface dams known as tailings storage facilities (TSFs) where the material will dry. Thereafter the area will be restored with grass and other vegetation at the end of the facility’s life.

Okay, so conservatively, we have 100+ million cubic feet of inorganic material, containing toxic substances, there now or will soon be there. Does the mine seek to add 20 more acres of tailings surface area as I understood at the fire hall meeting? No. The truth is, the mine has applied to expand its TSF footprint by 87.81 acres creating an additional impoundment of 5.8 million cubic

yards. Converting cubic yards to cubic feet means that the mine wants the ability to store an additional 156+ million cubic feet of material containing toxic substances. That would be a total of at least 260 million cubic feet of tailings. Since it is hard for me to conceptualize 260 million cubic feet, I looked for a comparison that might enable me to better understand the extent of the issue. So, I went to the Bureau of Reclamation website and looked at Hoover Dam. As you know, Hoover Dam impounds the Colorado River which creates Lake Mead, the largest reservoir in the United States. The actual dam itself contains 87,750,000 cubic feet of concrete with the dam and appurtenant works containing a total of 118,800,000 cubic feet of concrete or as the Bureau of Reclamation says:

There is enough concrete in Hoover Dam (4 1/2 million cubic yards) to build a 2 lane road from Seattle, Washington to Miami, Florida or a 4 ft. wide sidewalk around the Earth at the Equator.

The EBM TSF would hold at least twice the volume of tailings as the volume of concrete needed to build that highway from Seattle to Miami or that sidewalk around the earth at the equator. In fact, the highway could be constructed, the sidewalk around the equator could be built and there would be more than enough material left to make the Main Boulder Road four lanes.

Let's go back for a minute and check the second paragraph of the Sibanye Stillwater website information about tailings, the part where it says that TSFs are "where the material will dry". Have you been up there to observe the current tailings storage facility? Have you seen any "dry" tailings? We were told at the fire hall meeting that the TSF has approximately three feet of surface water which rests on "fluid" solids that would cascade down the valley in the event of a breach. The water on top of the TSF is often blasted into the air in an attempt to get the water to

evaporate to keep the six foot "free board" that was discussed at the meeting.

As was mentioned at the fire hall meeting, the mine has a reclamation bond so I decided to look into that. Yes, the mine does have a reclamation bond in place, issued by Safeco. The aggregate amount of the bond is \$30 million with the amount reevaluated when amendments to the mining permit are requested. That did not seem like enough to me so I pressed the question. Again, "Yes, the state does believe that \$30 million is adequate". So I pressed further – "I am not sure that \$30 million would even remediate the tailings storage area." The answer I received was, the TSF is not covered by the reclamation bond. I asked what will happen to the TSF when the mine ceases operations and was told that it would be covered with dirt and vegetation. So, we presently have at least 100 million cubic feet of tailings, perched on a mountain side, in an impoundment lined with plastic and surrounded by waste rock, that Sibanye Stillwater will, sooner or later, leave for the residents of Sweet Grass County. That is as of now and does not incorporate the pending request. Remember, the land on which the TSF is located is not owned by Sibanye Stillwater, it is property of the United States. The reclamation bond will be gone, Sibanye Stillwater will be off the hook and the people of Sweet Grass County will be left with the problem and without recourse. Hundreds of millions of cubic feet of tailings left on the side of a mountain, just waiting ... Is this what we want for our kids and grandkids? Is this the legacy we want to leave this county?

I want to take you back for a minute to the August 11th meeting that I referenced earlier. In that meeting, I was saying that the mine does not care about its neighbors – it only cares about itself. The general counsel said "That is not true, we care about you that is why we are here" – to which I replied "You are here to try to get us not to oppose the EIS". There was no meaningful response. In

addition to the unmistakable conclusion that many of us reached that the mine is very single minded about this expansion, we learned one additional very important piece of information. I was going on about what does the mine care about us – if there is a breach, the mine portal and the vast majority of the improvements sit above the TSF, so it would just bulldoze a road through feet of sediment, passed our destroyed properties and reopen the facility. I was very quickly corrected and told by mine management that what I was saying was not true – Sibanye Stillwater would abandon the project if there is a material breach of the TSF.

Holy cow! Thirty plus miles of the county under feet of sediment (I have an email from the mine saying that everyone from the mine to Big Timber would be impacted), our renown fishery destroyed, pollution pouring into the Yellowstone, potential contamination of ground water and our South African neighbors are gone. They will have extracted the wealth of the county, on property owned by the U.S. government and they are out of here.

Then, what would Sweet Grass County do? The most significant taxpayer is no longer here, some of the highest taxed property in the county is worthless due to inorganic sediment covering it, county bridges are out, there is no road up the East Boulder at all, portions of the Main Boulder Road damaged, mine workers who reside in Sweet Grass county are suddenly out of work – what is the game plan?

In the commissioners' response, dated August 20th, to an email I had submitted relating to the TSF, I was told: The trainings were all based on a "Perfect Storm" scenario. (Those are the public presentations the mine made disclosing what could happen in the event of a breach.) First, thirteen people died in the "Perfect Storm". Next, the "Perfect Storm" was not a man-made happening. Each of us on the East Boulder Road bought our

properties accepting natural risks – forest fire and flooding. Most of us bought our properties before the mine posed a threat. Now, through no fault of our own, we are faced with the real world equivalent of the Sword of Damocles hanging over our heads. We accepted natural risks but now we are faced with a manmade risk which is far worse than anything nature can hurl at us short of a Yellowstone eruption. But, let's look at an imperfect storm in addition to a "Perfect Storm".

What about a ground water shift under the TSF? What about degradation of the plastic liner? What about a leak in a seam of the liner that gradually erodes the soil beneath the liner? What about the impact of a significantly sized object just below the free board that starts an unstoppable flow out? What about the malfunction of monitoring equipment? What about human error? Since the tailings storage facilities are some 500 feet below a mountain peak, what about an avalanche or landslide? There are many scenarios that could cause a problem with the TSF's structural integrity. The fact that anyone would bite on the theory that only the confluence of two entirely unrelated events, a "1,000 year flood" and the concurrent occurrence of a 7.0+ magnitude earthquake directly under the TSF, is clear evidence of just how effective the mine's public relations campaign has been.

Lastly, let's take a look at the financial scenario if a failure does occur. At the fire hall meeting, mine management mentioned the fracture of a tailings facility in 2019 in Brazil. We were assured that nothing like that could happen here because the construction of the EBM TSF is far superior to the Brazilian facility. To me, that is like the bravado dispensed by White Star Lines when it touted that the construction of the Titanic was far superior to the construction of any other ocean liner. So, I became curious and decided to look into the Brazilian disaster a little further.

The disaster occurred on January 25, 2019. One year later, and this is a quote from Reuters, “Brazilian state prosecutors charged Fabio Schvartsman, the former chief executive officer of mining giant Vale SA, and 15 other people with homicide for a dam disaster last year that killed 250 people, according to the charging document seen by Reuters.”

“In addition to homicide charges, Vale and TUV SUD, the German company responsible for inspecting the dam, were charged with environmental crimes.”

When we left the McLeod fire hall meeting, I was naively thinking that the Brazilian incident involved some fly-by-night company that was inexperienced in mining and tailings retention. Much to my surprise, I learned that Vale is the world’s largest iron ore miner and TUV SUD, according to its website is “the number one brand of choice for premium quality, safety and sustainability solutions that add tangible value to your business.” TUV SUD is a global company with over 25,000 employees. TUV SUD had done a periodic review of the Brazilian dam’s safety in June 2018 and a regular inspection of the dam’s safety in September 2018 – four months before it collapsed.

According to the publication *GeoEngineer*, “The dam’s failure was unexpected since no earthquakes or intense rainfalls had struck the region.”

Probably the most chilling story I read was from a *Los Angeles Times* article in early 2020 which said “Though the surrounding community will never be rebuilt, Vale is on the hook for at least cleaning up the sludge laced with iron ore residue and mining waste so that it does not further pollute Brumadinho water supplies. It is laborious work that requires draining the water from the mud, packing the dirt down into bricks, piling them up in the countryside and covering them up with replanted

vegetation. Local firefighters still scour the mud at Brumadinho. Each day, the hunt for the missing goes on. And, each day, more often than not, body parts are all they find.”

On February 4, 2021, a settlement was reached between Brazilian government subdivisions and Valy whereby Valy agreed to pay \$7 billion in compensation for the accident. I am not at all saying that this will happen to the East Boulder Mine tailings facility. What I am saying is that it happened to a tailings facility operated by the largest iron ore miner in the world after being inspected by a global leader in providing that type of inspection service. The real irony in my research is the quote from *GeoEngineer* “The dam’s failure was unexpected since no earthquakes or intense rainfalls had struck the region.” Those are the elements we were told must occur simultaneously for the East Boulder Mine’s TSF to fail. Is this a risk Sweet Grass County wants to run? I definitely do not think so.

Let’s look at the numbers for a minute. I suspect any comparable settlement in the United States would be for far more money. So, what do the financials of Sibanye Stillwater tell us? As of December 31, 2020:

Cash and equivalents	\$1.3 billion
Current assets	\$3.4 billion
Total assets	\$8.8 billion
Total capital	\$4.5 billion
2020 revenues	\$8.3 billion
Net income before depr.	\$3.2 billion
Net income	\$1.9 billion

According to information I gathered on the Fidelity Investments website, Sibanye Stillwater basically broke even in 2019 and had

losses of \$174 million and \$359 million respectively in 2018 and 2017.

Where is Sibanye Stillwater going to get the money for any meaningful cleanup and restitution if a rupture occurs? That is a really good question. We were told at the July 28th meeting that the mine has \$20 million of liability insurance. Subsequently, in the August 24th letter, the Sibanye Stillwater's CEO said:

“We do want to clarify the insurance limits our Montana team discussed with you did not include our umbrella coverages, which are multiples of the specific coverage that was discussed”.

While he may think that we are comforted by that revelation, we are not. Insurance coverage is good only so long as premiums are paid and coverage amounts are subject to change at the discretion of the insured. That is why reclamation bonds are bonds and not insurance policies. For the Sibanye Stillwater CEO to mention insurance in unspecified amounts is not helpful in resolving this matter.

In addition, Sibanye Stillwater does not have any other significant operations in the United States other than the sister mine near Nye and the processing facility at Columbus. What will it do? If its corporate structure allows for the isolation of the East Boulder Mine as a standalone subsidiary and if, the company would abandon the property as we have been told, I believe there is no doubt what it would do.

At an absolute minimum, in exchange for Sweet Grass County officials not vigorously attempting to block the proposed increased tailings capacity, as guardians of the welfare of the citizens of Sweet Grass County, we believe the commissioners should require the mine to bond all downstream property owners for the value of their property, including private bridges, head

gates and irrigation systems, to the extent that the mine's forecast flood wave would impact the value of those properties. In addition, we believe that the commissioners should require that the mine bond Sweet Grass County and the State of Montana for the estimated cost of bridges, roads and infrastructure that would be damaged or destroyed by a breach of the TSF. As of 12/31/2020, Sibanye Stillwater had the means to post actual cash bonds if it would choose to do so.

In closing, as the mine has repeatedly told us, the risk of a breach is very, very low. Since surety premiums are a function of risk, the cost of protecting its downstream neighbors should also be very, very low - unless, of course, the surety sees the risk differently than the mine does.

In my July 29th letters to both the Sibanye Stillwater Chairman and the CEO, I said:

“If the mine attempts to steam roll its neighbors, the neighbors will put up meaningful resistance.”

and that resistance begins here today.

Please join us in this David and Goliath confrontation. We are not in this fight for financial gain. We are in this fight to mitigate financial destruction and to prevent an environmental catastrophe. Please put aside any thoughts you may have regarding short term benefits and do what is clearly in the best interest of Sweet Grass County long term. Please don't kick the can down the road. Maintaining the county's neutrality in this situation is effectively the same as endorsing the expansion. We seek only fairness and justice.

Thank you. I will be pleased to respond to your questions.