

**AGENDA**

*The City of Hardin  
406 N. Cheyenne Avenue  
Hardin, MT 59034*

**May 6, 2025**

**AUDIO RECORDING BEGINS**

**PUBLIC HEARING: 6:00 p.m. – To Increase Rates and Charges for the Users of the Water and Sewer Systems**

**MEETING CALLED TO ORDER AT 6:30 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor: \_\_\_\_\_

Alderpersons: Steven Hopes \_\_\_\_\_  
Rock Massine \_\_\_\_\_

Clayton Greer \_\_\_\_\_  
Jeremy Krebs \_\_\_\_\_

Chris Sharpe \_\_\_\_\_  
Antonio Espinoza \_\_\_\_\_

**CONSENT AGENDA:**

Council Meeting 4/15/2025

Finance 4/15/2025

Claims

**PUBLIC COMMENT:**

**MAYOR:**

**COMMITTEE REPORTS:**

- **Personnel Committee/City Policy:** Mayor
- **Sewer & Water:** Massine
- **Law Enforcement:** Hopes
- **Streets & Alleys:** Espinoza
- **Parks & Playgrounds:** Krebs
- **Finance/Landfill:** Greer
- **Resolutions and Ordinances:** Sharpe

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

- MT Department of Transportation – Hardin Rest Area Restoration Project update
- Hardin Public Schools – Patron Day Program

**UNFINISHED BUSINESS:**

- Tetra Tech, Inc. – Contaminated Soil

**NEW BUSINESS:**

- River Valley Farmer’s Market Request
- Police Commission Appointment – 3-year term
- Increase Deposit for users of the Water System
- Hardin Volunteer Fire Department Funding Request

**STAFF REPORTS**

- **Public Works:**
- **Finance:**
- **Police:**
- **Legal:**
- **Economic Development:**

**RESOLUTIONS & ORDINANCES:**

- Resolution NO. 2401 – Relating to Up To \$2,121,000 Sewer System Revenue Bond and a \$2,121,000 Sewer System Revenue Bond Anticipation Note to Be Issued in Anticipation Thereof; Authorizing the Issuance and Fixing the Terms and Conditions Thereof and the Security Therefor
- Resolution NO. 2402 –Increasing Rates for the Users of the Sewer System
- Resolution NO. 2403 – To Increase Rates and Charges for the Users of the Water System
- Resolution NO. 2404 – Setting a Deposit for the Users of the Water System
- Resolution NO. 2405 – Appointing a Resident to the Hardin Police Commission

**ANNOUNCEMENTS:**

Operation Sparkle – May 9, 2025

Weed Mowing Bids – Second Bid process: Bids due Tuesday, May 13, 2025 by 2:00 p.m.

Local Government Review Study Commission Meetings - 3<sup>rd</sup> Wednesday of each month, 5:30 p.m., Council Chambers

City of Hardin Job Openings: Full-time positions: Police Officer and Terminal Agency Coordinator (TAC) /Administrative Assistant I-IV.

**Meeting adjourned at \_\_\_\_\_ P.M.**

**AUDIO RECORDING ENDS**

*Additions to the Agenda can be voted on by Council to add to the Agenda for the next Council meeting.  
Agenda items will need to be submitted by Wednesday noon before a Tuesday Council meeting.*



MAYOR  
Joe Purcell

POLICE CHIEF  
Paul M. George Jr.



PUBLIC WORKS DIRECTOR  
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK  
Andrew Lehr

The City of Hardin is inviting you to a scheduled Zoom meeting.

**Public Hearing & Council Meeting**  
of Tuesday, May 6, 2025

Held by virtual meeting and the Public is invited to attend in person.

**Topic: City of Hardin Public Hearing and Council Meeting – 5/06/2025**

Start Time: 6:00 p.m. Mountain Time

**Public Hearing: 6:00 p.m.**

**Council Meeting – 6:30 p.m.**

Start Time: 6:00 p.m. Mountain Time

The meeting will open at 5:45 p.m.

If you will be logging into the Council meeting by:

**Computer:** Please identify yourself by submitting your first and last name by using the “Chat” function.

**Phone:** Please identify yourself by stating your First and Last Name.

City of Hardin is inviting you to a scheduled Zoom meeting.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/9897104479>

Meeting ID: 989 710 4479

One tap mobile

+17193594580,,9897104479# US

+12532050468,,9897104479# US

Dial by your location

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

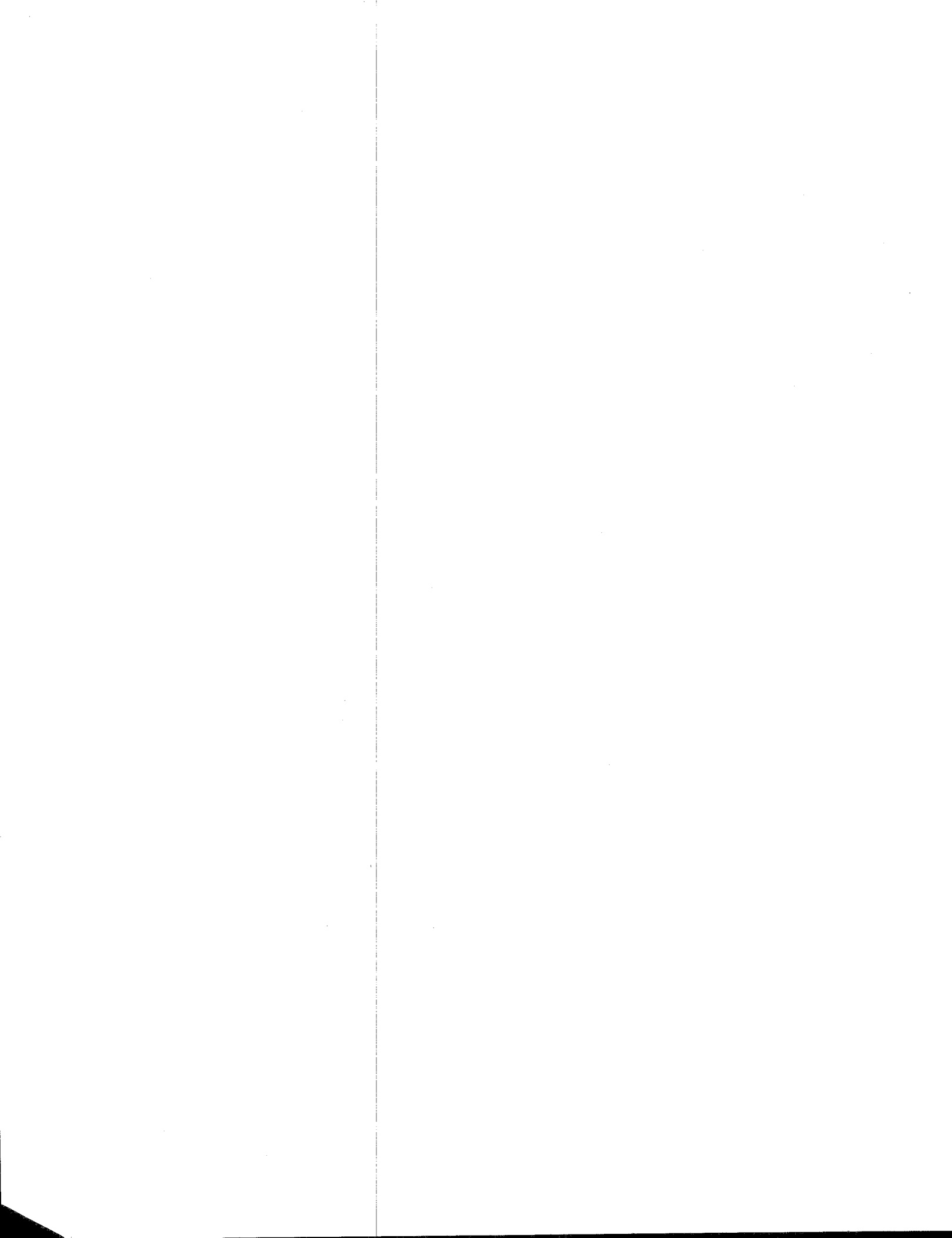
+1 305 224 1968 US

Meeting ID: 989 710 4479

Find your local number: <https://us02web.zoom.us/j/9897104479>

**Meetings are Audio Recorded ONLY**

**Montana Legislature House Bill 890**



**THE COMMON COUNCIL  
CITY of HARDIN, MONTANA**

**COUNCIL MEETING: The Regular Council Meeting for April 15, 2025 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Steven Hopes was excused. Antonio Espinoza was absent.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen. Police Chief Paul George, Jr.

Also present physically: Members of the Public  
There was not anyone present by Virtual Meeting.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for April 1, 2025. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Greer motioned to approve the Finance Committee minutes as written for April 1, 2025. Massine seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 15, 2025.

	CLAIM No.	Monthly Total
January, 2025	32226	\$ 30.00
March, 2025	32205, 32209-32222, 32227-32231, 32233-32234	83,710.87
April, 2025	32206-32208, 32223-32225, 32232	<u>1,128.75</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 84,869.62</b>
<b>March 2025</b>		<b><u>235,837.63</u></b>
<b>TOTAL Submitted</b>		<b>\$ 320,707.25</b>

Sharpe seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT: N/A**

**MAYOR:**

Mayor Purcell reported he met with Big Horn County Commissioners last week regarding the property tax sale scheduled for this fall. There are eight properties listed in the City. Four are occupied homes; he noted he told them the City would not be interested in taking those properties. The City will be open to take properties that are unoccupied, ready to be demolished homes or empty lots. Two of them need to be demolished. The sale in on October 22, 2025 at 10:00 a.m.; if they don't sell, there was discussion if those properties will have to go before a second sale. If not, the County can turn them back over to the City. There will be more information after the October sale.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs reported park restrooms will open Mother's Day weekend; there has not been any new updates on the South Park Project; and a representative from the company installing the splash pad park is expected to come and look at the site plat. Mayor Purcell reported a letter about the South Park Project was mailed with the rate increase information; adding there is no cost to the City for the project .

**Finance/Landfill:**

Greer reported there was a committee meeting to discuss reserve accounts. The consensus of the committee is to have a resolution drafted.

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:** N/A

**NEW BUSINESS:**

Mayor Purcell reported two bids were received for Weed Mowing. Greer noted one bid gave a singular price per lot and the other provided a per hour charge. There was discussion about lot sizes and hourly rates. Krebs motioned to go back out to bid with a per lot price. Greer seconded. Mayor Purcell voiced it has been moved and seconded to have the weed mowing bids re-bid for a flat rate per lot price and identify lot sizes. On a voice vote the motion was unanimously approved.

Mayor Purcell welcomed Cyndy Maxwell, representative of Joint Powers Trust (JPT). She provided a review of the contract renewal for the City health policy. There was further discussion about the Traditional and High Deductible plans. Greer motioned to approve the JPT renewal for Fiscal Year 2026. Sharpe seconded. On a voice vote the motion was unanimously approved.

Hurff reported he received three bids to replace the culvert on the irrigation ditch that runs on the South side of Town Pump and underneath Mitchell Avenue. He noted the City is looking at extending the culvert to eighty foot. Hurff reviewed the portion of the work that would be done by the City and the work that would be completed by a contractor. Sharpe motioned to approve JMG Construction in the amount of \$16,300. Massine seconded. There was further discussion about the time estimate for the completion of the project. On a voice vote the motion was unanimously approved.

Lehr reviewed the United States Department of Agriculture (USDA) Loan Resolution RUS Bulletin 1780-27, for the Wastewater Treatment Plant Project, that has to be passed to receive the new round of funding from Rural Development in the amount of \$2,562,000. Greer motioned to approve the USDA Grant Loan Resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the USDA Grant Agreement, for the Wastewater Treatment Plant Project, granting the City the amount of \$7,430,000 of Rural Development funding. Sharpe motioned to approve the USDA Grant Agreement. Massine seconded. On a voice vote the motion was unanimously approved.

Krebs reported he has been doing utility locates and he is concerned about the condition of the streets and alleys from the project that came through last year (phase 1 – phase 3 of Visionary Broadband). He provided a description of the conditions of the alleys; reporting there was no compaction. He voiced his opinion is that if they are already running the service lines, they should already have everything from phase one completely tied up and back to normal. Mayor Purcell reported he and Knudsen had a discussion and he provided information of the steps that will be taken moving forward. Krebs would like for them to not be able to do more work until repairs are made. Mayor Purcell noted there will be a meeting to put information together.

**STAFF REPORTS:**

**Public Works:**

Hurff provided a report of trainings for certifications he and the wastewater treatment plant employees recently attended. He reported he has received pricing from CAT to replace the compactor at the landfill; options are being looked into for either rebuilding or replacing the equipment.

**Finance:**

Lehr reported the first quarter request for the American Rescue Plan Act (ARPA) funding for the Lodge Grass project was submitted; he and Stahly Engineering are working on the reimbursement for the City minimum allocation

ARPA grant from the state; included with the notice of intent to increase water and sewer rates is information about the South Park Project, information about the Wastewater Treatment Plant Project, and a comparison of rates of other municipalities in close population to the City of Hardin; and he is working on the program audit for the COPS grant that is due by the end of this week. Lehr reviewed House Bill 6; the portion of the bill that would require governments to establish a capital reserve fund was removed and is on the Governors' desk to be passed formally. Lehr reported he will be doing more research on House Bill 37 that addresses property taxes; this bill was signed by the Governor. Senate Bill 117 is still going through committees; it would change the calculation of the annual mill levy by changing it to the average of the past three years but could not exceed a 4% increase. He received a notification the current inflation ratio for the budget for this upcoming year would be 2.11%.

**Police:**

Police Chief Paul George, Jr. reviewed calls for service. He reported the department will be playing Easter bunny by hiding eggs at family homes on Saturday evening and he provided information about how a family can participate.

Krebs reported a lot of vehicles have been stolen in the area. He asked if the Code Red could be utilized to get the information out. Police Chief Paul George, Jr. reported it cannot be sent out as an emergency, but it can be sent out as a routine message; adding there is not as many signed up for the routine non-emergency alerts as there are for the emergency alerts. He provided information of how to get signed up for the service.

**Legal:**

**Economic Development:**

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2400 – Authorizing Final Execution of a USDA Rural Development Grant.** Greer motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced the following employee anniversaries: Richard Jefferson, 4 years and Kristi Wedel, 19 years. The Local Government Review Study Commission Meetings are held at City Council Chambers on the third Wednesday of each month at 5:30 p.m.; Sump Pump reminder has been noticed; Letters of Interest to serve on the Police Commission are due April 17, 2025; and the Public Hearing for the Intent to Increase Water and Sewer Rates is scheduled for Tuesday, May 6, 2025 at 6:00 p.m.

The City of Hardin has the following Job Openings: Full-time positions: Police Officer, Police Service Aide (PSA), and Terminal Agency Coordinator (TAC) / Administrative Assistant I-IV. Positions are open until filled.

Mayor Purcell reported the job description for a Building Inspector/Code Enforcement/Floodplain Coordinator position is in review.

Greer motioned to adjourn the meeting at 7:34 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

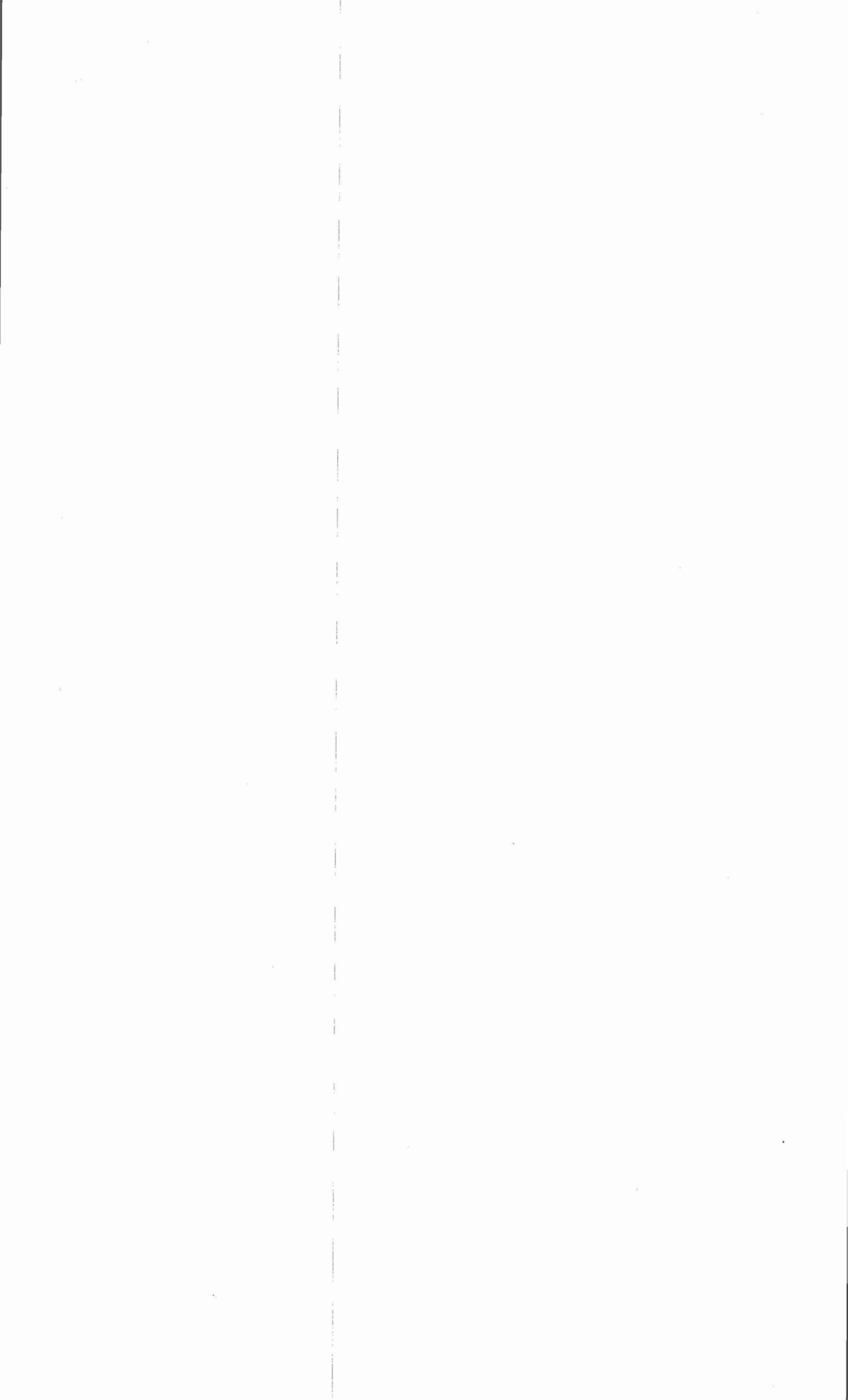
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**Joe Purcell, Mayor**

**ATTEST:**

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**Andrew Lehr, Finance Officer/City Clerk**





## City of Hardin

### Finance Committee Meeting

April 15, 2025

The Finance Committee Meeting began at 6:02 p.m. In attendance was Committee members Clayton Greer and Jeremy Krebs. Council Members Chris Sharpe and Rock Massine, and Mayor Joe Purcell were also present. City Staff members present were Finance Officer/City Clerk Andrew Lehr, Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Paul George.

Also present physically: Members of the public  
There was not anyone present by Virtual Meeting.

Public Comment: N/A

Lehr provided a review of House Bill 6, that was discussed previously, noting one of the prior versions of the bill that would require a city or municipality to have a certain amount of capital reserve set aside for garbage, landfill, water, and sewer funds to receive Renewable Resource Grant and Loan Program (RRGL) funding was removed. He voiced there has been discussion at previous meetings; it may come up again and for the City to be able to secure future funding, it would be a good plan to be proactive. Lehr reviewed an analysis break down of the water, sewer, garbage and landfill funds for the last four fiscal years, FY 2021-2024. Lehr recommended to create a capital reserve fund account for each fund to put away half of the positive cash flow for the year; if it is negative then no funds would be put away; and the most that can be put away is 10% of the actual charges for services revenue (does not include interest or impact fees) for that fiscal year. Lehr noted that whether it is passed as an Ordinance or Resolution, have the rule that if there is an emergency expense, the funds can be requested from the capital reserve fund account and be replenished in the future as the cash flow comes in. Krebs asked if the City could afford to do this with the current budget without raising any rates in each of these departments. Lehr reported it can. Krebs noted since there is a struggle with the sewer, can the sewer fund not be done right now. Lehr noted the sewer could be excluded until the project is complete or the debt is paid off.

The consensus of the committee is to have a resolution drafted, excluding the sewer fund.

There was no further discussion.

The meeting ended at 6:14 p.m.

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Clayton Greer, Committee Chairman

ATTEST:

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Angela Zimmer, Deputy City Clerk

DRAFT

# *City of Hardin*

Submitted for Approval

May 6, 2025

Month	CLAIM No.	Monthly Total
April, 2025	32235-32258, 32279-32281, 32284-32302, 32304	\$ 78,709.57
May, 2025	32259-32278, 32282-32283, 32303	2,645.23
<b>Claims Total (Expenditures)</b>		<b>\$ 81,354.80</b>
<b>April, 2025</b>		<b>206,483.41</b>
<b>TOTAL Submitted</b>		<b>\$ 287,838.21</b>

**Claims or Expenditures over \$5,000  
per Resolution #2189**

Vendor	Purpose	Check #	Amount
AQUA-PURE INC	Chemical supplies	41459	16,008.00
STAHLY ENGINEERING & ASSOCIATES INC	PER engineering	41484	9,295.00
JORDAN W KNUDSEN	Legal Services	41475	8,500.00
 <i>Approved previously at March 18, 2025 Meeting</i>			
TROJAN TECHNOLOGIES CORP	UV lights for waste water treatment plant	99569	15,836.92



**CITY OF HARDIN**

## Claims Report

For the Accounting Period: April, 2025

<b>Vendor</b>	<b>Claim #</b>	<b>Check</b>	<b>Amount</b>
VISIONARY BROADBAND	CL 32235	-99576	130.11
ENTERPRISE FLEET MANAGEMENT	CL 32236	-99577	3,459.06
MICHAEL HURFF Jr	CL 32237	41430	99.99
ANDREW LEHR	CL 32238	41431	115.00
TINA M TOYNE	CL 32239	41432	40.25
TONY PRIEST	CL 32240	41433	15.00
WAGeworks, INC.	CL 32241	-99567	2.32
STAPLES	CL 32242	-99572	594.38
MONTANA DAKOTA UTILITIES	CL 32243	41478	2,145.19
AQUA-PURE INC	CL 32244	41459	16,008.00
BALCO UNIFORM CO., INC.	CL 32245	41460	1,346.77
BILLINGS PETERBILT/JACKSON GROUP	CL 32246	41461	106.68
KRISTI WEDEL	CL 32247	41434	140.00
CENTURYLINK	CL 32248	-99573	213.15
ECOLAB INC	CL 32249	41467	83.74
ENERGY LABORATORIES INC	CL 32250	41468	3,440.50
HAWKINS, INC	CL 32251	-99571	1,541.84
INLAND TRUCK PARTS CO.	CL 32252	41473	1,280.85
JOE JOHNSON EQUIPMENT LLC	CL 32253	-99570	28.05
LOCAL GOVERNMENT SERVICES	CL 32254	41476	170.00
MT. RURAL WATER SYSTEMS, INC.	CL 32255	41480	400.00
SAFEGUARD BUSINESS SYSTEMS INC	CL 32256	41482	1,414.29
TACOMA SCREW PRODUCTS INC	CL 32257	41485	228.41
TROJAN TECHNOLOGIES CORP	CL 32258	-99569	15,836.92
CHRIS L SCHNEIDER	CL 32279	41435	219.99
STAHLY ENGINEERING & ASSOCIATES INC	CL 32280	41484	9,295.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 32281	41484	398.00
JANICE JONES	CL 32284	41474	88.41
SHAWN M STREVER	CL 32285	41483	58.30
DANIEL SHERMAN	CL 32286	41465	51.20
ANDREW STUMP	CL 32287	41457	7.66
FRED LUCERO	CL 32288	41469	19.00
CHRIS TELLER	CL 32289	41463	84.50
CITY WATER DEPT	CL 32290	41464	432.20
CenturyLink	CL 32291	41462	1,392.92
BIG SKY LINEN & UNIFORM INC	CL 32292	-99574	205.13
HARDIN DO IT BEST	CL 32293	41471	176.49
HARDIN BUILDING CENTER	CL 32294	41470	48.88

**CITY OF HARDIN**

**Claims Report**

**For the Accounting Period: April, 2025**

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<b>Vendor</b>	<b>Claim #</b>	<b>Check</b>	<b>Amount</b>
LYNN'S SUPERFOODS	CL 32295	41477	132.81
TOWN & COUNTRY SUPPLY ASSN	CL 32296	41486	578.00
MOUNTAIN ALARM	CL 32297	41479	464.50
JORDAN W KNUDSEN	CL 32298	41475	8,500.00
DIS TECHNOLOGIES	CL 32299	41466	1,230.00
I-STATE TRUCK CENTER	CL 32300	41472	159.02
PINE RIDGE FABRICATION LLC	CL 32301	41481	3,760.00
US ENVIRONMENTAL PROTECTION AGENCY	CL 32302	41488	1,320.00
APG YELLOWSTONE NEWS GROUP	CL 32304	41458	1,247.06
			<b>78,709.57</b>

CITY OF HARDIN

Claims Report

For the Accounting Period: May, 2025

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Vendor	Claim #	Check	Amount
JACK WEICHMAN	CL 32259	41436	100.00
BOB SCHOEN	CL 32260	41437	100.00
PAT BRECKENRIDGE	CL 32261	41438	100.00
TERRY BULLIS	CL 32262	41439	100.00
RON NEDENS	CL 32263	41440	100.00
DENNIS FOX	CL 32264	41441	100.00
HARRY KAUTZMAN	CL 32265	41442	100.00
ROB BRYSON	CL 32266	41443	100.00
KENTON G KEPP	CL 32267	41444	100.00
JAY LUNDBERG	CL 32268	41445	100.00
DANIEL J KLINGENSTEIN	CL 32269	41446	100.00
LARRY W VANDERSLOOT	CL 32270	41447	100.00
JIM WEDEL	CL 32271	41448	100.00
TIM A WAGNER	CL 32272	41449	100.00
TEDDY J BURROUGHS	CL 32273	41450	100.00
KATHERINE M JOHNSON	CL 32274	41451	50.00
SANDRA K BIERY	CL 32275	41452	50.00
KEITH BRECKENRIDGE	CL 32276	41453	100.00
JERRY WEMPLE	CL 32277	41454	100.00
MARK BETTS	CL 32278	41455	100.00
WISPWEST.NET	CL 32282	41489	115.12
U.S. POSTAL SERVICE	CL 32283	41487	500.00
VISIONARY BROADBAND	CL 32303	-99575	130.11
			<b>2,645.23</b>

**CITY OF HARDIN**

Check Report

5/6/2025

Vendor	Claim #	Check	Amount
MICHAEL HURFF Jr	CL 32237	41430	99.99
ANDREW LEHR	CL 32238	41431	115.00
TINA M TOYNE	CL 32239	41432	40.25
TONY PRIEST	CL 32240	41433	15.00
KRISTI WEDEL	CL 32247	41434	140.00
CHRIS L SCHNEIDER	CL 32279	41435	219.99
JACK WEICHMAN	CL 32259	41436	100.00
BOB SCHOEN	CL 32260	41437	100.00
PAT BRECKENRIDGE	CL 32261	41438	100.00
TERRY BULLIS	CL 32262	41439	100.00
RON NEDENS	CL 32263	41440	100.00
DENNIS FOX	CL 32264	41441	100.00
HARRY KAUTZMAN	CL 32265	41442	100.00
ROB BRYSON	CL 32266	41443	100.00
KENTON G KEPP	CL 32267	41444	100.00
JAY LUNDBERG	CL 32268	41445	100.00
DANIEL J KLINGENSTEIN	CL 32269	41446	100.00
LARRY W VANDERSLOOT	CL 32270	41447	100.00
JIM WEDEL	CL 32271	41448	100.00
TIM A WAGNER	CL 32272	41449	100.00
TEDDY J BURROUGHS	CL 32273	41450	100.00
KATHERINE M JOHNSON	CL 32274	41451	50.00
SANDRA K BIERY	CL 32275	41452	50.00
KEITH BRECKENRIDGE	CL 32276	41453	100.00
JERRY WEMPLE	CL 32277	41454	100.00
MARK BETTS	CL 32278	41455	100.00
ANDREW STUMP	CL 32287	41457	7.66
APG YELLOWSTONE NEWS GROUP	CL 32304	41458	1,247.06
AQUA-PURE INC	CL 32244	41459	16,008.00
BALCO UNIFORM CO., INC.	CL 32245	41460	1,346.77
BILLINGS PETERBILT/JACKSON GROUP	CL 32246	41461	106.68
CenturyLink	CL 32291	41462	1,392.92
CHRIS TELLER	CL 32289	41463	84.50
CITY WATER DEPT	CL 32290	41464	432.20
DANIEL SHERMAN	CL 32286	41465	51.20
DIS TECHNOLOGIES	CL 32299	41466	1,230.00
ECOLAB INC	CL 32249	41467	83.74
ENERGY LABORATORIES INC	CL 32250	41468	3,440.50
FRED LUCERO	CL 32288	41469	19.00
HARDIN BUILDING CENTER	CL 32294	41470	48.88
HARDIN DO IT BEST	CL 32293	41471	176.49



CITY OF HARDIN

Check Report

5/6/2025

Vendor	Claim #	Check	Amount
I-STATE TRUCK CENTER	CL 32300	41472	159.02
INLAND TRUCK PARTS CO.	CL 32252	41473	1,280.85
JANICE JONES	CL 32284	41474	88.41
JORDAN W KNUDSEN	CL 32298	41475	8,500.00
LOCAL GOVERNMENT SERVICES	CL 32254	41476	170.00
LYNN'S SUPERFOODS	CL 32295	41477	132.81
MONTANA DAKOTA UTILITIES	CL 32243	41478	2,145.19
MOUNTAIN ALARM	CL 32297	41479	464.50
MT. RURAL WATER SYSTEMS, INC.	CL 32255	41480	400.00
PINE RIDGE FABRICATION LLC	CL 32301	41481	3,760.00
SAFEGUARD BUSINESS SYSTEMS INC	CL 32256	41482	1,414.29
SHAWN M STREVER	CL 32285	41483	58.30
STAHLY ENGINEERING & ASSOCIATES INC	CL 32280	41484	9,295.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 32281	41484	398.00
TACOMA SCREW PRODUCTS INC	CL 32257	41485	228.41
TOWN & COUNTRY SUPPLY ASSN	CL 32296	41486	578.00
U.S. POSTAL SERVICE	CL 32283	41487	500.00
US ENVIRONMENTAL PROTECTION AGENCY	CL 32302	41488	1,320.00
WISPWEST.NET	CL 32282	41489	115.12
WAGeworks, INC.	CL 32241	-99567	2.32
TROJAN TECHNOLOGIES CORP	CL 32258	-99569	15,836.92
JOE JOHNSON EQUIPMENT LLC	CL 32253	-99570	28.05
HAWKINS, INC	CL 32251	-99571	1,541.84
STAPLES	CL 32242	-99572	594.38
CENTURYLINK	CL 32248	-99573	213.15
BIG SKY LINEN & UNIFORM INC	CL 32292	-99574	205.13
VISIONARY BROADBAND	CL 32303	-99575	130.11
VISIONARY BROADBAND	CL 32235	-99576	130.11
ENTERPRISE FLEET MANAGEMENT	CL 32236	-99577	3,459.06
			<b>81,354.80</b>



## Angela Zimmer, Deputy City Clerk

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**From:** Sloane Stinson <sloane@bigskypublicrelations.com>  
**Sent:** Wednesday, April 16, 2025 9:33 AM  
**To:** Sloane Stinson  
**Subject:** Hardin Rest Area Restoration Project Update – April 2025



Good morning.

The Montana Department of Transportation (MDT), and its partners, Dick Anderson Construction, WGM Group, and CWG Architecture, are in the final stages of restoring the eastbound and westbound Hardin Rest Area sites on Interstate 90 (I-90).

Work on the exterior of the main rest area buildings is almost complete. Metal trim and caulking are being installed.

Inside, the installation of the Terrazzo flooring and painting has been completed. Work is currently underway to install bathroom accessories, furnishing, and fixtures.

Crews are now inspecting and testing the systems to ensure they are ready for public use.

Additionally, work on the rest area sites is in the final stages, with crews installing fencing, gates, picnic tables, and landscaping.

The next update will share photos of the completed, new, and improved Hardin Rest Area sites!

The eastbound and westbound Hardin Rest Area sites remain closed until all work is complete.

As construction wraps up, minimal-to-no traffic disruption on I-90 is anticipated. Drivers should watch for trucks entering and exiting the project areas.

For more information about the project, including a detailed list of rest area improvements and renderings of the buildings and site layouts, visit [www.mdt.mt.gov/pubinvolve/hardinrestarea/](http://www.mdt.mt.gov/pubinvolve/hardinrestarea/).

Please do not hesitate to reach out with any questions or concerns. Email me directly at [sloane@bigskypublicrelations.com](mailto:sloane@bigskypublicrelations.com) or call the project hotline at 406-207-4484, Monday through Friday, 9 a.m. to 5 p.m.

Best wishes,  
Sloane Stinson  
On behalf of the Montana Department of Transportation



**MONTANA**

Department of Transportation

Anyone needing an alternative format of the document should contact MDT's ADA Coordinator at [mmaze@mt.gov](mailto:mmaze@mt.gov), 406-444-5416, or Montana Relay Service at 711.

Sloane Stinson

Project & Marketing Manager

Big Sky Public Relations

406-880-1057

[sloane@bigskypublicrelations.com](mailto:sloane@bigskypublicrelations.com)

[www.bigskypublicrelations.com](http://www.bigskypublicrelations.com)



# Hardin Public Schools 17H & 1

*Striving for Excellence, Achieving Success*

401 Park Road  
Hardin, MT 59034  
(406) 665-9300

[www.hardin.k12.mt.us](http://www.hardin.k12.mt.us)



April 24, 2025

Dear Stakeholder,

On behalf of Hardin Public Schools I would like to invite you to join us on Friday, May 9, 2025 for our first Patron Day program. This program gives community members a chance to visit our campus, learn more about what is going on in our schools, and ask any questions they may have.

**Did you know the Hardin School District:**

**Is home to a “dual immersion” Crow language program...**

**Hosts a yearly community Pow Wow both district-wide and in each school...**

**Is currently planning a major renovation of Crow Agency Elementary...**

**Is home to one of only 22 Montana “public charter” schools, the Big Horn Academy...**

**Is replacing the 50 year old boilers which heat the Intermediate, Middle and High Schools...**

**Has new camera systems in place to help ensure student safety...**

**Provides parent coaching (counseling) for all families at no cost...**

**Recently developed Portrait of a Graduate with the community...**

**High School students are earning OSHA certifications...**

**Employs over 325 members of our communities...**

Hardin Public Schools has a reputation for being a statewide leader in innovative educational programs while keeping our roots firmly entrenched in time tested and proven teaching practices. Guests will have the opportunity to join us for lunch and an overview of the district’s operations including budgeting, staffing and Impact Aid. Our principals will give you a tour of our existing programs and share the reasoning and research behind all of them. Participants will be given the opportunity to ask questions and chat with administration. If you haven’t already, please contact Jill Dale at the District Administration Office by Monday, May 5 to RSVP for lunch. She can be reached at [jill.dale@hardin.k12.mt.us](mailto:jill.dale@hardin.k12.mt.us) or 406-665-9301. Please join us for a specific school tour or for the entire day!

Tobin Novasio  
Superintendent

## **PATRON DAY**

**Friday, May 9, 2025**

*Meet at the District Administration Office 401 Park Rd, Hardin, MT*

*All times are approximate*

8:30 AM - Load the bus to head to Crow Agency

8:45 AM - Leave for Crow Agency

9:00 AM - Visit Crow Agency Public School

9:45 AM - Return to Hardin

10:00 AM - Kindergarten Readiness Center

10:30 AM - Hardin Primary School

11:15 AM - Family Engagement Center – Lunch with presentation

12:30 PM - Hardin Intermediate School

1:00 PM - Hardin Middle School

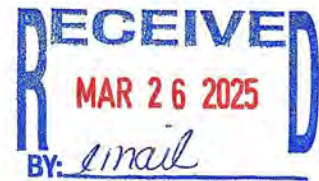
1:45 PM - Hardin High School

2:30 PM - Big Horn Academy

2:50 PM - Hardin Community Aquatic Center

2:55 PM - Depart for the District Office to collect personal vehicles

3:00 PM - Superintendent will be available for Q&A session



March 26, 2025

Hardin City Council  
Hardin, Montana

**SUBJECT: Request for Disposal of Petroleum Contaminated Soil  
Hardin City Landfill**

To Whom It May Concern:

Tetra Tech is requesting to dispose of petroleum contaminated soil at the Hardin City Landfill. We are working for Mountain States Environmental Services (MSES), a company operating in Billings, Montana. MSES is managing an environmental cleanup project for GTS Transportation, a trucking company which had a highway accident on December 11, 2024 on US Highway 212 approximately 13 miles east of Ashland, Montana in Powder River County. Approximately 50 gallons of diesel fuel were spilled as a result of the accident on the highway right of way.

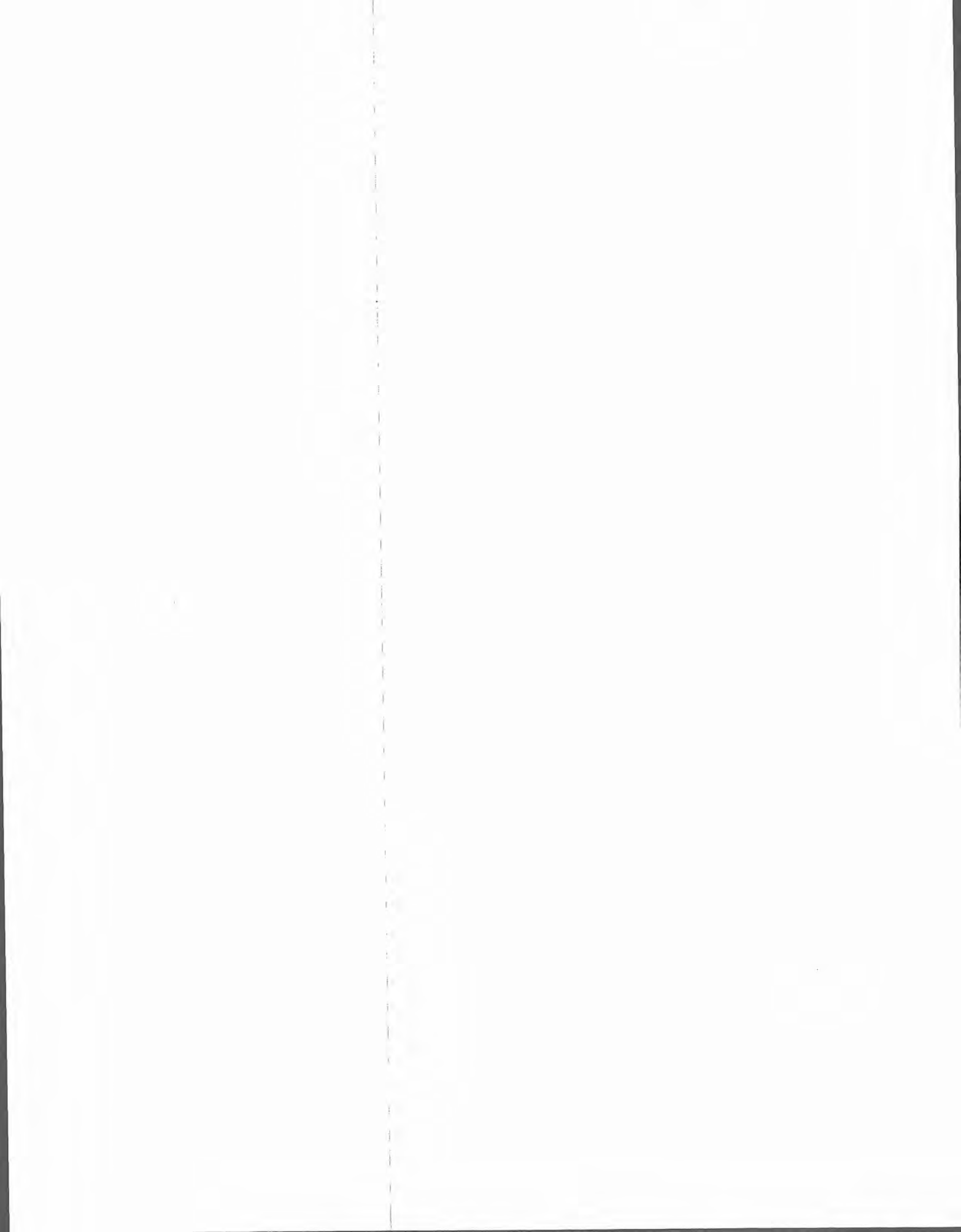
We anticipate that approximately 40 tons of contaminated soil will be excavated. We are requesting for permission to dispose of the contaminated soil in the Hardin City Landfill. We have collected a representative soil sample from the spill area and submitted to Energy Laboratories in Billings, Montana for the appropriate landfill disposal analysis as recommended by the Montana Department of Environmental Quality for landfill disposal. We will submit the laboratory analytical results to the Hardin City Landfill coordinator before transporting the contaminated soil for approval. Based on numerous other similar projects with trucking accidents and diesel fuel, the diesel concentration in these truck spill soil samples has always been acceptable for MDEQ landfill approval.

Respectfully submitted,

**Tetra Tech, Inc.**

Paul E. Lemire  
Project Manager

N:\ENVIROMSES Ashland\Hardin City Council letter.docx





## Angela Zimmer, Deputy City Clerk

---

**From:** Michael Hurff  
**Sent:** Thursday, April 24, 2025 2:08 PM  
**To:** Angela Zimmer, Deputy City Clerk  
**Subject:** FW: Tetra Tech diesel spill

**From:** Chris Schneider <[landfill@hardinmt.com](mailto:landfill@hardinmt.com)>  
**Sent:** Thursday, April 24, 2025 2:01 PM  
**To:** Michael Hurff <[publicworks@hardinmt.com](mailto:publicworks@hardinmt.com)>  
**Subject:** FW: Tetra Tech diesel spill

**From:** Collins, Fredrick <[FCollins2@mt.gov](mailto:FCollins2@mt.gov)>  
**Sent:** Thursday, April 24, 2025 10:38 AM  
**To:** Lemire, Paul <[Paul.Lemire@tetrattech.com](mailto:Paul.Lemire@tetrattech.com)>  
**Cc:** Chris Schneider <[landfill@hardinmt.com](mailto:landfill@hardinmt.com)>  
**Subject:** RE: Tetra Tech diesel spill

ALL!

This is good to go. Thank you for your patience in this review 😊

Fred Collins | *Solid Waste Section Supervisor*  
Waste Management Bureau  
Montana Department of Environmental Quality  
*Mailing Address:* P.O. Box 200901, Helena, MT 59620-0901  
*Office:* 406-444-9879 | [fcollins2@mt.gov](mailto:fcollins2@mt.gov)

**DEQ** Montana Department of  
Environmental Quality



How did we do? >>

**From:** Lemire, Paul <[Paul.Lemire@tetrattech.com](mailto:Paul.Lemire@tetrattech.com)>  
**Sent:** Thursday, April 24, 2025 9:04 AM  
**To:** Collins, Fredrick <[FCollins2@mt.gov](mailto:FCollins2@mt.gov)>  
**Subject:** [EXTERNAL] FW: Tetra Tech diesel spill

**From:** Chris Schneider <[landfill@hardinmt.com](mailto:landfill@hardinmt.com)>  
**Sent:** Thursday, April 24, 2025 7:22 AM  
**To:** Lemire, Paul <[Paul.Lemire@tetrattech.com](mailto:Paul.Lemire@tetrattech.com)>; Michael Hurff <[publicworks@hardinmt.com](mailto:publicworks@hardinmt.com)>  
**Subject:** RE: Tetra Tech diesel spill

Good Morning Paul,, could you tag Fred in this conversation, and then we will on the same page ..  
thanks chris

**From:** Lemire, Paul <[Paul.Lemire@tetrattech.com](mailto:Paul.Lemire@tetrattech.com)>  
**Sent:** Wednesday, April 23, 2025 4:59 PM  
**To:** Michael Hurff <[publicworks@hardinmt.com](mailto:publicworks@hardinmt.com)>  
**Cc:** Chris Schneider <[landfill@hardinmt.com](mailto:landfill@hardinmt.com)>  
**Subject:** Tetra Tech diesel spill

Micheal,

Tetra Tech is working for Mountain States Environmental Services (MSES), a company operating in Billings, Montana. MSES is managing an environmental cleanup project for GTS Transportation, a trucking company which had a highway accident on December 11, 2024 on US Highway 212 approximately 13 miles east of Ashland, Montana. Approximately 50 gallons of diesel fuel were spilled as a result of the accident on the highway right of way. We anticipate that approximately 40 tons of contaminated soil will be excavated.

We are requesting for permission to dispose of the contaminated soil in the Hardin City Landfill. We have collected a representative soil sample from the spill area and submitted to Energy Laboratories in Billings, Montana for the appropriate landfill disposal analysis as recommended by the Montana Department of Environmental Quality for landfill disposal. Attached is the laboratory analytical report.

I understand that the Hardin City Council must approve out of county contaminated soils for disposal in the Hardin Landfill. Please let me know if this disposal will be approved.

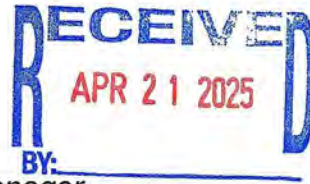
Thanks. Paul

**Paul E Lemire** | Hydrologist/Environmental Geologist  
Direct 406.248.9161 | Cell 406.671.4850 | Fax 406.248.9282 | [paul.lemire@tetrattech.com](mailto:paul.lemire@tetrattech.com)

**Tetra Tech** | Complex World, Clear Solutions™  
7100 Commercial Avenue, Suite 4, Billings, Montana 59101 | [tetrattech.com](http://tetrattech.com) [[tetrattech.com](http://tetrattech.com)]

PLEASE NOTE This message, including any attachments, may include privileged, confidential, and inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and delete it from your system.

Jessica Mussetter  
River Valley Farmers Market Manager  
[rvfm.hardin@gamil.com](mailto:rvfm.hardin@gamil.com)



04/19/2025



Dear City Council Members,

On behalf of the Helping Hands Food Bank in Hardin, we would like to request temporary road closure for the River Valley Farmers Market. The closure is needed on the 200 block of North Center Avenue in front of the Plaza between the hours of 3:30pm and 8:30pm every Thursday in August and the first two Thursday's in September of this year..

The past few years, the road closure for the markets were seamless, and vital to a smooth market environment. Therefore, we would like to propose the same set up for this year. The city would put out the road closure materials each Thursday morning/mid-day and pick up Friday morning after the market. The River Valley Farmers Market volunteers would take on the responsibility of physically setting up the road barriers and taking them down. Additionally, we are also requesting the restrooms (handicap accessible), handwashing station and picnic tables as done in past years.

Thank you for considering this request and ensuring the safety of our residents while promoting a healthy, not hungry community. We look forward to working with you.

*Best regards,*

*Jessica Mussetter*

RVFM Market Manager



**April 24, 2024**

**Mayor Joe Purcell and Hardin City Council  
406 N Cheyenne  
Hardin MT 59034**

**RE: Grant request**

**Dear Mayor and Council:**

**The non-profit organization, Hardin Volunteer Firefighters, helps the community in various ways. We provide training to others and do community outreach activities. Our most popular outreach activities are Fire Safety week at the schools, certain community events like Little Big Horn Days, 4H Fair, Farmers Markets among other events that may happen. We also purchase supplies and other needed materials for the firemen, fire hall, and firetrucks.**

**Would you continue to support us and the work we do by granting us \$10,000.00 as you have in the past?**

**Sincerely,**



A handwritten signature in black ink, appearing to read "Kevin Cannon", is written over the bottom portion of the large red Maltese cross logo.

**Kevin Cannon  
Secretary/Treasurer  
Hardin Volunteer Firefighters.**



CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Hardin, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. \_\_\_\_\_, entitled: "RESOLUTION RELATING TO UP TO \$2,121,000 SEWER SYSTEM REVENUE BOND AND A \$2,121,000 SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE TO BE ISSUED IN ANTICIPATION THEREOF; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF AND THE SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on May 6, 2025, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand officially this 6th day of May, 2025.

\_\_\_\_\_  
Finance Officer/City Clerk

RESOLUTION NO. 2401

RESOLUTION RELATING TO UP TO \$2,121,000 SEWER SYSTEM REVENUE BOND AND A \$2,121,000 SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE TO BE ISSUED IN ANTICIPATION THEREOF; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF AND THE SECURITY THEREFOR

BE IT RESOLVED by the City Council (the “Council”) of the City of Hardin, Montana (the “City”), as follows:

Section 1. Definitions. Terms used with initial capital letters but not defined herein shall have the meanings given them in the Original Resolution (as hereinafter defined), as amended. The terms defined in this Section 1 shall for all purposes of this Supplemental Resolution and the Resolution have the meanings herein specified, unless the context clearly otherwise requires:

“Closing Date” means the date of delivery of the Series 2025A Note and receipt of the first advance of principal thereof.

“Commitment Letter” means the Replacement Letter of Conditions from USDA to the City, dated February 28, 2025.

“Consulting Engineer” means Stahly Engineering & Associates, Inc, of Helena, Montana.

“Definitive Bond” means the City’s \$2,121,000 Sewer System Revenue Bond, Series 20\_\_, to be issued to the USDA to evidence the RD Loan.

“DNRC” means the Department of Natural Resources and Conservation of the State of Montana, an agency of the State, and any successor to its powers, duties and obligations under Montana Code Annotated, Title 75, Chapter 5, Part 11, as amended.

“Notes” means the Series 2025A Note or any additional notes issued pursuant to any Supplemental Resolution.

“Obligations” means the Notes and the Bonds, collectively.

“Original Purchaser” means, with respect to any series of Obligations, the original purchaser or underwriter of such series of Obligations. The Original Purchaser of the Series 2025A Note is the DNRC. The Original Purchaser of the Definitive Bond is the United States of America acting through Rural Utilities Service, United States Department of Agriculture.

“Original Resolution” means Resolution No. 1753, adopted by the City Council on August 19, 2003.

“RD Loan” means the loan from the USDA to the City in an amount not to exceed \$2,121,000 to provide funds to pay a portion of the costs of the Wastewater Treatment Plant Project and to pay costs of issuance.



“Resolution” means the Original Resolution, as amended and supplemented by Resolution Nos. 1899, 2004, and 2261, adopted by the City Council on March 17, 2003, July 21, 2003, April 21, 2014, February 3, 2020, and March 16, 2021, respectively, and by this Supplemental Resolution, as such resolution may from time to time be further amended or supplemented in accordance with its terms.

“Series 2010B Bond” means the City’s Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2010B, issued to the DNRC pursuant to the Resolution, as then in effect.

“Series 2010C Bond” means the City’s First Amended and Restated Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2010C, issued to the DNRC pursuant to the Resolution, as then in effect.

“Series 2021A Bond” means the City’s Subordinate Lien Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Taxable Series 2021A, issued to the DNRC pursuant to the Resolution, as then in effect.

“Series 2021B Bond” means the Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2021B, issued to the DNRC pursuant to the Resolution as then in effect.

“Series 2025A Note” means the City’s Sewer System Revenue Bond Anticipation Note, Series 2025A, to be issued in the maximum principal amount of \$2,121,000 to pay a portion of the costs of the Wastewater Treatment Plant Project and associated costs of issuance and in anticipation of the issuance of the Definitive Bond pursuant to this Supplemental Resolution.

“Supplemental Resolution” means any resolution supplementary or amendatory to the Resolution in accordance with the terms of the Resolution, including this Supplemental Resolution.

“USDA” means the United States of America acting through Rural Utilities Service, United States Department of Agriculture, or any successor agency under Public Law 103-354.

“Wastewater Treatment Plant Project” means the improvements to the System described in Section 2.03.

## Section 2. Authorization and Recitals.

2.01. Authorization. Under Montana Code Annotated, Title 7, Chapter 7, Parts 44 and 45, as amended (the “Act”), the City is authorized to issue and sell its revenue bonds payable during a term not exceeding forty years from their date of issue, to provide funds for the reconstruction, improvement, betterment and extension of a municipal sewer system and to issue refunding bonds to refund bonds issued for such purposes, provided that the bonds and the interest thereon are to be payable solely out of the income and revenues to be derived from rates, fees and charges for the services, facilities and commodities furnished by such sewer system, and

are not to create any obligation for the payment of which taxes may be levied except to pay for services provided by the sewer system to the City.

2.02. The Wastewater Treatment Plant Project. The City with the assistance of the Consulting Engineer has determined that it is in the best interest of the City and users of the System to undertake various improvements to the System, including improvements to the collection system, major additions and upgrades to the City’s sewer treatment system and related improvements (the “Wastewater Treatment Plant Project”). The costs of the Wastewater Treatment Plant Project, including engineering and financing costs, are presently estimated to be \$17,536,000.

The aggregate costs of the Wastewater Treatment Plant Project, including engineering and financing costs, are estimated to consist of the following items:

	Phase I Costs	Phase II and Phase III Costs	Total
Personnel Costs		\$ 2,000.00	\$ 2,000.00
Office Costs		\$ 2,000.00	\$ 2,000.00
Audit Fees		\$ 20,000.00	\$ 20,000.00
Legal Fees		\$ 2,000.00	\$ 2,000.00
Bond Costs	\$ 20,000.00	\$ 40,000.00	\$ 60,000.00
Interim Interest		\$ 59,500.00	\$ 59,500.00
Loan Reserves (SRF)	\$ 16,587.00	\$ 100,000.00	\$ 116,587.00
Engineering – Basic Services	\$ 80,441.00	\$ 1,285,020.00	\$ 1,365,461.00
Engineering – RPR	\$ 40,554.00	\$ 365,100.00	\$ 405,654.00
Engineering – Additional Services	\$ 9,026.00	\$ 40,000.00	\$ 9,026.00
Construction (I&I Work)	\$ 704,173.00		\$ 704,173.00
Construction (WWTP)		\$ 13,417,486.00	\$ 13,417,486.00
Search Grant			\$ 30,000.00
Project Contingency		\$ 1,302,113.00	\$ 1,302,113.00
<b>TOTAL PROJECT COSTS</b>	<b>\$ 870,781.00</b>	<b>\$ 16,635,219.00</b>	<b>\$ 17,536,000.00</b>

Phase I of the Wastewater Treatment Plant Project is substantially complete, and was financed with proceeds of the Series 2021A Bond, proceeds of the Series 2021B Bond, a DNRC Renewable Resources grant in the amount of \$125,000 and \$77,000 the City had on hand and available therefor.

Costs of Phases II and III of the Wastewater Treatment Plant Project and related financing costs have been or will be financed by proceeds of the Series 2025A Note, \$74,504 of the proceeds of the Series 2021B Bond, an additional series of bonds to be issued by the City and purchased by the DNRC in the aggregate principal amount of \$3,400,000, an additional series of bonds to be issued by the City and purchased by USDA in the maximum principal amount of

\$2,562,000, two USDA grants totaling \$7,400,000, a Montana Coal Endowment Program grant in the amount of \$500,000, a Coal Board grant in the amount of \$250,000, a USDA search grant in the amount of \$30,000, and \$327,715 the City has on hand and available therefor.

2.03. Outstanding Debt. Pursuant to the Act and the Original Resolution, the City has issued and there are outstanding its Series 2010B Bond, Series 2010C Bond, and Series 2021B Bond, each issued to finance or refinance costs of acquiring, constructing and/or improving the System. The Series 2021A Bond has been forgiven by the DNRC and is no longer outstanding. Apart from the Series 2010B Bond, the Series 2010C Bond, and the Series 2021B Bond, as of the date of this Supplemental Resolution, there are no other bonds or indebtedness of the City outstanding that are payable in whole or in part from or secured by revenues of the System.

2.04. Additional Bonds. The City has reserved the right under Section 10.3 of the Original Resolution, as amended, to issue additional Bonds on a parity with other then outstanding Bonds for the purpose of financing a Project or refunding outstanding Bonds, which additional Bonds may be made payable from and secured by the Net Revenues to be derived from the operation of the System, upon compliance with the provisions of said Section.

To satisfy Section 10.3 of the Original Resolution, as amended, this Council hereby finds and authorizes the Mayor and the Finance Officer/City Clerk to sign a certificate stating that the City is not in default under the Original Resolution and that the Net Revenues, calculated as provided in Section 6.7 of the Original Resolution, as amended, are equal to at least 110% of the maximum amount of principal and interest payable on the outstanding Bonds and the Definitive Bond proposed to be issued, assuming the Definitive Bond is issued in the principal amount of \$2,121,000. This Council hereby finds and determines that the conditions set forth in Section 10.3 can be satisfied so that the Definitive Bond, assuming it is issued in the principal amount of \$2,121,000 and in accordance the other terms and conditions set forth herein, may be issued as an additional Bond under the Original Resolution.

2.05. Net Revenues Available. The City is authorized to charge just and equitable rates, charges and rentals for all services directly or indirectly furnished by the System, and to pledge and appropriate to the Series 2010B Bond, the Series 2010C Bond, the Series 2021B Bond, and the Definitive Bond the Net Revenues to be derived from the operation of the System, including improvements, betterments or extensions thereof hereafter constructed or acquired. The Net Revenues to be produced by such rates, charges and rentals during the term of the Series 2010B Bond, the Series 2010C Bond, the Series 2021B Bond, and the Definitive Bond will be more than sufficient each Fiscal Year to pay the principal and interest when due on the Series 2010B Bond, the Series 2010C Bond, the Series 2021B Bond, and the Definitive Bond, and to create and maintain reasonable reserves therefor and to provide an allowance for replacement and depreciation, as prescribed by the Original Resolution.

2.06. Amendments to the Original Resolution. Pursuant to Section 14.4 of the Original Resolution (renumbered to Section 16.4 pursuant to this Supplemental Resolution), the City reserved the right to amend the Original Resolution with the prior written consent of the DNRC. The City has received such written consent.

2.07. Sale and Authorization of Series 2025A Note. In anticipation of the receipt of the proceeds of the RD Loan to be evidenced by the Definitive Bond, and in order to provide funds during construction of the Wastewater Treatment Plant Project to pay a portion of the costs thereof and costs of issuance of the Series 2025A Note, it is necessary that the City provide for the issuance and sale of the Series 2025A Note under and pursuant to Section 7-7-109 of the Act. The City has received an offer from the DNRC (the Original Purchaser thereof) to purchase the Series 2025A Note at a price of up to \$2,121,000, upon the further terms and conditions herein set forth. The terms and conditions of the offer are reasonable and advantageous to the City and are hereby accepted. The City is authorized and shall proceed to issue and deliver the Series 2025A Note in the form and upon the terms and conditions provided in this Resolution.

2.08. Authorization of the Definitive Bond. Pursuant to the authority recited in Section 2.01 and for the purpose of paying and redeeming the Series 2025A Note and, if appropriate, paying remaining costs of the Wastewater Treatment Plant Project and costs of issuance of the Definitive Bond, this Council hereby authorizes the issuance of the Definitive Bond. The USDA has agreed, subject to the terms and conditions of the Commitment Letter, to lend the City up to \$2,121,000 to be evidenced by the Definitive Bond to finance or refinance a portion of the costs of the Wastewater Treatment Plant Project and pay associated costs. The terms and conditions of the RD Loan, as set forth in the Commitment Letter, are reasonable and advantageous to the City and are hereby accepted. The City has adopted a Loan Resolution on \_\_\_\_\_, 20\_\_, and has signed a Letter of Intent To Meet Conditions, dated \_\_\_\_\_, 20\_\_, pursuant to which the City has agreed to issue its Definitive Bond, in the maximum aggregate principal amount of up to \$2,121,000, in accordance with the provisions of this Supplemental Resolution and the Commitment Letter.

2.09. Recitals. All acts, conditions and things required by the Constitution and laws of the State of Montana to be done, to exist, to happen and to be performed prior to the issuance of the Definitive Bond and the Series 2025A Note have been done, do exist, have happened, and have been performed in due time, form and manner, and it is now necessary for this Council to establish the form and terms of the Series 2025A Note and the Definitive Bond, to provide for the security therefor and to provide for the delivery of the Series 2025A Note.

### Section 3. The Series 2025A Note.

3.01. General Terms. The City shall forthwith issue the Series 2025A Note in the maximum principal amount of \$2,121,000. The Series 2025A Note shall be dated as of the date of its delivery. Upon each disbursement of the Series 2025A Note proceeds, the DNRC shall enter the amount advanced on Schedule A attached to the Series 2025A Note under "Advances" and the total amount advanced under the Resolution, including such disbursement, under "Total Amount Advanced." The Series 2025A Note shall be lettered and numbered R-1 and shall mature, subject to redemption as herein provided, on May 22, 2028 (the "Stated Maturity"), and shall bear interest from the date of each disbursement of the principal of the Series 2025A Note at 1.75% per annum. Principal then disbursed and interest thereon shall be payable on the Stated Maturity or earlier date of redemption, if any. The principal of and interest on the Series 2025A Note shall be payable in lawful money of the United States of America by the Finance Officer/City Clerk to the DNRC, the registered owner of the Series 2025A Note, at its address as it appears in the Note Register of the City.

To obtain a disbursement of principal of the Series 2025A Note to pay costs of the Wastewater Treatment Plant Project, the City shall submit simultaneously to the DNRC and the USDA a signed request for disbursement on the form or forms prescribed by the DNRC or the USDA, with all attachments required by such form or forms. The DNRC and the USDA will notify the City whether the signed request warrants a disbursement under the Series 2025A Note. The City may obtain disbursements only for costs which have been legally incurred and are due and payable. All disbursements of proceeds will be made to the City only upon proof that cost was incurred. If all or a portion of a disbursement of principal of the Series 2025A Note is made to reimburse the City for Wastewater Treatment Plant Project costs paid by it prior to the date of issuance of the Series 2025A Note, the City shall present on such issuance date the items required by the DNRC and the USDA. Upon making each disbursement of principal, the DNRC shall note such disbursement on Schedule A to the Series 2025A Note. The City's obligations under this Supplemental Resolution shall commence on the date hereof unless otherwise provided in this Supplemental Resolution. However, the obligation to make payments under this Section 3.01 shall commence only upon the first disbursement by the DNRC of proceeds of the Series 2025A Note.

3.02. Registration. The Series 2025A Note shall be fully registered as to both principal and interest and shall initially be registered in the name of and payable to the Original Purchaser thereof. The Finance Officer/City Clerk shall act as Note Registrar and as such shall establish and maintain a Note Register for the purpose of recording the names and addresses of the registered owners of the Series 2025A Note and the date of registration of any transfer.

3.03. Redemption. The Series 2025A Note shall be subject to redemption in whole but not in part, on any date, at the principal amount thereof plus accrued interest, without premium. Not less than 15 days before the date specified for redemption thereof, the Director of Finance and Administration shall mail notice of the redemption to the registered owner thereof at the address as it appears on the registration books of the Note Registrar.

3.04. Form of Series 2025A Note. The Series 2025A Note shall be prepared in substantially the form attached as Exhibit A to this Supplemental Resolution, which is hereby incorporated herein and made a part hereof, with such appropriate variations, omissions and insertions as are permitted or required by this Supplemental Resolution.

3.05. Assignment. The Series 2025A Note shall be transferable by the registered owner or attorney duly authorized in writing upon presentation thereof to the Finance Officer/City Clerk together with a written instrument of transfer satisfactory to the Finance Officer/City Clerk duly executed by the registered owner or its attorney. Such transfer shall be noted on the Series 2025A Note. Upon request of the registered owner or transferee, the City shall execute and deliver another Series 2025A Note of a principal amount equal to the outstanding principal amount of the Series 2025A Note and maturing at the same time as the Series 2025A Note so transferred, and the Series 2025A Note so surrendered for transfer shall be promptly cancelled by the Finance Officer/City Clerk. No service charge shall be made for such transfer, but the City may require payment of a sum sufficient to cover any tax, fee or governmental charge or other expense incurred by the City with respect to such transfer. Until and unless otherwise provided by resolution of this Council, the following shall be a sufficient written instrument of transfer within the meaning of this Section 3.05:

FORM OF ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto: \_\_\_\_\_ the Sewer System Revenue Bond Anticipation Note, Series 2025A, No. R-\_\_, of the City of Hardin, Montana, and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

3.06. Preparation, Execution and Delivery of Series 2025A Note. The Series 2025A Note shall be issued and delivered to the Original Purchaser thereof upon payment of the purchase price thereof. The Series 2025A Note shall be prepared under the direction of the Finance Officer/City Clerk and when so prepared shall be executed on behalf of the City by the Mayor and the Finance Officer/City Clerk, and sealed with the corporate seal of the City. When the Note has been so executed, it shall be delivered by the Finance Officer/City Clerk to the Original Purchaser thereof, and the Original Purchaser shall not be required to see to the application thereof.

3.07. The RD Loan. The City will observe and perform all of its obligations and duties under and do all acts and things as may be necessary or appropriate to satisfy the terms and conditions of the Commitment Letter, and all other regulations and requirements of the USDA relating to the RD Loan and the receipt of the proceeds therefrom to the end that the RD Loan may be closed and the Definitive Bond issued and delivered in evidence thereof on or before the maturity of the Series 2025A Note.

3.08. Issuance of Definitive Bond. The Series 2025A Note shall be payable solely from and secured by amounts on hand in the Note Account and revenues and income pledged and appropriated and from time to time credited to the Note Account, including the proceeds of the Definitive Bond and any transfer to the Note Account of Series 2025A Note proceeds as described in Section 3.10. The Series 2025A Note is issued in anticipation of the proceeds to be received upon the sale and issuance of up to \$2,121,000 principal amount of the Definitive Bond authorized by Sections 4 and 5 of this Supplemental Resolution and to be issued and sold by the City prior to the maturity of the Series 2025A Note to provide funds to be used, with other available funds of the City, to refund the principal amount thereof then outstanding and interest accrued thereon to the date of redemption.

The City hereby covenants and agrees for the benefit from time to time of the owners of the Series 2025A Note that on or before May 22, 2028, it will authorize, issue and offer for sale and use its best efforts to sell the Definitive Bond or other additional Bonds to refund the Series 2025A Note at its stated maturity. In the event the City is unable to sell the Definitive Bond herein authorized or such additional Bonds, the Holder of the Series 2025A Note shall be entitled, at its option, to exchange the Series 2025A Note for one or more Definitive Bond

amortized in semiannual installments over up to a thirty-year period and bearing interest at a rate equal to the rate then prevailing under the Water Pollution Control State Revolving Loan Program on a par-for-par basis, and the City covenants and agrees to increase the rates and charges of the System, if necessary, to comply with Section 6.7 of the Original Resolution within 18 months after the date of issuance thereof.

3.09. Increase in Rates and Charges. It is expressly understood that the Definitive Bond will be payable from and secured by the Net Revenues of the System. The City hereby covenants and agrees with the Original Purchaser of the Series 2025A Note that the City has increased or will increase the rates, charges and rentals for all services directly or indirectly furnished by the System, effective as of June 2025, such that such rates, charges and rentals are reasonable and expected to be sufficient to produce Net Revenues of the System in each Fiscal Year, commencing with the Fiscal Year ending June 30, 2026, not less than 110% of the maximum Fiscal Year debt service on the Bonds in any future Fiscal Year.

3.10. Application of Proceeds. All of the proceeds of the Series 2025A Note shall be deposited in the Acquisition and Construction Account established in and pursuant to Section 11.2 of the Original Resolution and used solely to pay costs of the Wastewater Treatment Plant Project and costs of issuance or to the transfer to the Note Account, to the extent necessary, of amounts sufficient for the payment of interest and principal due upon the Series 2025A Note.

#### Section 4. The Definitive Bond.

4.01. Date, Maturity and Interest. The Definitive Bond to be issued and sold pursuant to this Supplemental Resolution shall be designated a Sewer System Revenue Bond, Series 20\_\_, shall be in the maximum principal amount of \$2,121,000, shall be one in number, shall be dated as of the date of delivery to and payment therefor by the USDA, and shall bear interest at the rate of one and five-eighths percent (1.625%) per annum. Interest shall be computed on the basis of a 365-day year based on the actual number of days elapsed. Principal of and interest on the Definitive Bond shall be payable in equal amortized monthly installments of \$6,024 commencing on the same date as the date of issuance of the Definitive Bond in the calendar month next succeeding the calendar month containing such date of issuance, but no later than the 28th day of the month, the final installment being due and payable not later than forty (40) years from the date of the Definitive Bond. The final payment will be in such lesser or greater amount as is necessary to pay the balance of principal and interest then remaining due. Such installment payments shall be made to the registered holder of the Definitive Bond, at its address as it appears on the Bond Register on the date such principal and interest are payable, or as otherwise provided in Section 4.02, in lawful money of the United States of America.

4.02. Registration. The Definitive Bond shall be fully registered as to both principal and interest and shall be initially registered in the name of and payable to the United States of America. While held by the United States of America, the address of the registered holder shall be the NFAOC, Community Services Branch, Mail Code 1312, 4300 Goodfellow Blvd., Building 104, St. Louis, MO 63120-1703, or such other address as the USDA may designate in writing and delivered to the Registrar for the Definitive Bond, and principal of and interest on the Definitive Bond shall be payable at the State Office of the USDA Rural Development, at 2229 Boot Hill Court, Bozeman, Montana 59715, or such other place as may be designated by

the USDA in writing and delivered to the Registrar for the Definitive Bond. The Finance Officer/City Clerk and his or her successors in office shall act as Registrar for the Definitive Bond and as such shall establish and maintain a Bond Register for the purpose of recording the names and addresses of the registered holder or assigns of the Definitive Bond, and the date of registration. The City reserves the right to appoint a successor Registrar which may be a financial institution. The City shall pay all fees and charges of such Registrar for such services.

4.03. Redemption. The City shall have the right, on any installment payment date, to redeem installments of principal of the Definitive Bond, in whole or in part, and if in part, in multiples of \$1,000, at a price equal to the principal amount to be redeemed plus accrued interest, without premium; provided, that so long as the Definitive Bond is registered in the name of the United States of America, the City may redeem all or any portion of the principal on any date without penalty or premium. All such prepayments shall be applied to installments of principal in inverse order of their maturity dates. The Finance Officer/City Clerk shall, at least 30 days prior to the designated redemption date, cause notice of the redemption to be mailed to the registered holder of the Bond at its address as it appears in the bond register described in Section 4.02. The Registrar shall enter in the Bond Register the amount and date of each prepayment.

4.04. Assignment and Exchange. The Definitive Bond shall be transferable by the registered owner or its attorney duly authorized in writing upon presentation thereof to the Registrar together with a written instrument of transfer satisfactory to the Registrar and duly executed by the registered owner or its attorney. The following form of assignment shall be sufficient for the purpose:

#### FORM OF ASSIGNMENT

For value received \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ the within Sewer System Revenue Bond, Series 20\_\_, No. R-\_, of the City of Hardin, Montana, and does hereby irrevocably constitute and appoint \_\_\_\_\_, Attorney, to transfer said Bond on the books of said City with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Such transfer shall also be noted on the Definitive Bond and in the Bond Register. Upon request of the registered owner or transferee, and upon surrender of any Definitive Bond, the City shall execute and deliver, and the Registrar shall authenticate, one or more bonds, in an aggregate principal amount (and, if more than one bond is to be issued, in denominations that are multiples of \$1,000, to the extent practicable) equal to the principal amount of the Definitive Bond that then remains unpaid, and maturing at the same time or times as the then unpaid principal installments of the Definitive Bond, and the Definitive Bond shall be promptly cancelled by the Registrar. No service charge shall be made for such transfer or exchange, but



the City may require payment of a sum sufficient to cover any tax, fee or governmental charge or other expense incurred by the City with respect to such exchange. In the event of a request for the issuance of more than one new bond upon any such exchange, the City Council shall, by resolution, make such provisions relative to the form of such bonds as shall be deemed necessary or desirable to ensure that the terms of and the security for the indebtedness represented by the Definitive Bond shall not be varied in any material respect by reason of such exchange.

4.05. Execution and Delivery. The Definitive Bond shall be prepared under the direction of the Finance Officer/City Clerk and shall be executed on behalf of the City by the signatures of the Mayor and the Finance Officer/City Clerk and sealed with the official corporate seal of the City. When the Definitive Bond has been executed, the Finance Officer/City Clerk shall cause it to be dated as of the date of delivery and delivered to the USDA, as the Original Purchaser thereof, upon payment of the purchase price heretofore agreed upon, and the USDA shall not be obligated to see to the application of the purchase price.

4.06. Refinancing. If, at any time it shall appear to the USDA that the City is able to refinance the principal amount of the Definitive Bond then outstanding, in whole or in part, by obtaining a loan for such purposes from responsible cooperative or private credit sources at reasonable rates and terms for loans for similar purposes and periods of time, the City will, upon request of the USDA, apply for and accept such loan in a sufficient amount to repay the USDA and will take all such action as may be required in connection with such loan.

4.07. Form of Definitive Bond. The Definitive Bond shall be prepared in substantially the form attached as Exhibit B to this Supplemental Resolution, which is hereby incorporated herein and made a part hereof, with such appropriate variations, omissions and insertions as are permitted or required by the Resolution.

4.09. Appropriation of Definitive Bond Proceeds. The proceeds of the Definitive Bond are appropriated to the Note Account to the extent required to pay principal of and interest on the Series 2025A Note and otherwise to the Acquisition and Construction Account in the Sewer System Fund and applied to the costs of the Wastewater Treatment Plant Project, including costs of issuance of the Definitive Bond.

4.10. No Escrow Defeasance. As provided more particularly in Section 14.4 of the Original Resolution, as amended hereby, so long as the Definitive Bond is registered in the name of the United States of America, the City may not defease the Definitive Bond by depositing in escrow in advance of the redemption date cash or government obligations.

#### Section 5. Security for the Definitive Bond; Deposits; Reports; Insurance.

5.01. Lien on Net Revenues. The Definitive Bond is issued under Section 10.3 of the Original Resolution, as amended, and shall, with the Series 2010B Bond, the Series 2010C Bond, and the Series 2021B Bond now outstanding and any additional Bonds issued under the provisions of Section 10.3 of the Original Resolution, as amended, be equally and ratably secured by the provisions of the Resolution, and payable out of the Net Revenues pledged to the Revenue Bond Account, without preference or priority, all as provided in the Resolution. The

City shall keep, perform and observe each and every of its covenants and undertakings set forth in the Resolution.

5.02. Deposits to the RD Reserve Subaccount. Commencing with the first monthly apportionment of the Net Revenues to the Revenue Bond Account to pay the Definitive Bond, and in addition to and from the Net Revenues remaining after each monthly credit to the Revenue Bond Account required by Section 11.4 of the Original Resolution, as amended, the City shall credit to the RD Reserve Subaccount a minimum amount per month and such additional amounts as may be necessary to accumulate over a period concluding on the tenth anniversary of the date of issuance of the Definitive Bond, a balance in the RD Reserve Subaccount equal to the RD Reserve Requirement. It is expected that to fulfill the requirements of the preceding sentence, the City will credit to the RD Reserve Subaccount a minimum amount of \$603 per month with respect to the Definitive Bond. Once the RD Reserve Requirement has been satisfied and so long as it continues to be satisfied, monthly payments in the amount of \$603 may be applied to pay or prepay the Definitive Bond or credited to the Replacement and Depreciation Account.

5.03. Reports. The City shall, so long as the Definitive Bond is outstanding and the USDA is the holder thereof, prior to the beginning of each Fiscal Year submit to the USDA a proposed budget for the ensuing Fiscal Year and shall also submit to the USDA a quarterly income and expense statement for the three complete Fiscal Years after completion of the Wastewater Treatment Plant Project.

5.04. Improvements. So long as the Definitive Bond is outstanding and the USDA is the holder thereof, the City will not make any improvements or modifications to the System without the approval of the USDA.

#### Section 6. Amendments.

6.01. Authorization. Pursuant to Section 14.4 of the Original Resolution (renumbered to Section 16.4 pursuant to this Supplemental Resolution) and the written consent of the DNRC, as Holder of the Series 2010B Bond, the Series 2010C Bond and the Series 2021B Bond, the Original Resolution is hereby amended as follows.

#### 6.02. Amendments.

(a) Definitions. Section 1.1 of the Original Resolution is hereby amended:

(i) to add the following definitions:

“Bond Register” means the registration books maintained by the Registrar.

“Fiscal Year” means the period commencing on the first day of July of any year and ending on the last day of June of the next year, or any other specified twelve-month period, authorized by law and specified by the Council as the Borrower’s fiscal year.

“Government Obligations” means direct obligations of, or obligations the principal of and the interest on which are fully and unconditionally guaranteed as to payment by, the United States of America.

“Note” means any note issued pursuant to the Resolution and payable from the Note Account.

“Note Account” means the account within the Fund established pursuant to Sections 11.1 and 11.8.

“Obligations” means Notes and Bonds, collectively.

“Outstanding” or (unless the context clearly requires otherwise) “outstanding” means, when used with reference to Bonds, as of the date of determination, all Bonds theretofore issued except: (i) Bonds theretofore cancelled by the Borrower or the bond registrar or delivered to the Borrower or the bond registrar cancelled or for cancellation; (ii) Bonds and portions of Bonds for whose payment or redemption money or Government Obligations shall have been theretofore deposited in trust for the Holders of such Bonds; provided, however, that if such Bonds are to be redeemed, notice of such redemption shall have been duly given pursuant to the Resolution or irrevocable instructions to call such Bonds for redemption at a stated redemption date shall have been given by the Borrower; and (iii) Bonds in exchange for or in lieu of which other Bonds shall have been issued and delivered pursuant to the Resolution; provided, however, that in determining whether the Holders of the requisite principal amount of Outstanding Bonds have given any request, demand, authorization, direction, notice, consent or waiver hereunder, Bonds owned by the Borrower shall be disregarded and deemed not to be Outstanding.

“Principal and Interest Requirements” means, with respect to any Outstanding Bonds and for any Fiscal Year, the amount of principal of and interest on such Bonds due and payable during such Fiscal Year, assuming that amortization Bonds are to be paid in accordance with their amortization schedules, Outstanding Serial Bonds are to be paid at their Stated Maturities and Outstanding Term Bonds are to be paid on their Sinking Fund Payment Dates according to the mandatory redemption requirements established by the Resolution.

“RD Bonds” means Bonds purchased pursuant to the United States of America acting through Rural Utilities Service, United States Department of Agriculture program or similar program under which USDA or its successor makes loans for sewer systems or to refinance such loans.

“RD Reserve Requirement” means, as of the date of calculation, an amount equal to the maximum amount of Principal and Interest Requirements on Outstanding RD Bonds in the current or any future Fiscal Year to be funded as

provided in the Supplemental Resolution authorizing the issuance of the RD Bonds (giving effect to mandatory sinking fund redemption, if any).

“RD Reserve Subaccount” means the subaccount so named in the Reserve Account created under Section 11.5 of the Resolution.

“Registrar” means the Person or Persons designated by or pursuant to this Resolution or a Supplemental Resolution to receive and disburse the principal of, premium, if any, and interest on the Bonds on behalf of the Borrower and to hold and maintain the Bond Register.

“Serial Bonds” means Bonds that are not Term Bonds or amortization Bonds.

“Short-Lived Assets” means assets of the System identified as short-lived assets in the Borrower’s application for the RD Loans.

“Short-Lived Asset Replacement Reserve Subaccount” means the subaccount created in the Replacement and Depreciation Account established in Section 11.6 of the Resolution for the purpose stated therein.

“Sinking Fund Payment Date” means one of the dates set forth in any applicable provisions of a Supplemental Resolution (as to any series of additional Bonds) for the making of mandatory principal payments for additional Bonds which are Term Bonds.

“SRF Reserve Requirement” means, as of the date of calculation, an amount equal to one-half of the maximum annual aggregate Principal and Interest Requirements on Outstanding Bonds that are not RD Bonds in any one future Fiscal Year (giving effect to mandatory sinking fund redemption, if any).

“SRF Reserve Subaccount” means the subaccount so named in the Reserve Account created under Section 11.5 of the Resolution.

“Stated Maturity,” when used with respect to any Obligation, means the date specified in such Obligation as the fixed date on which the principal of such Obligation is due and payable.

“Term Bond” means any Bond for the payment of the principal of which mandatory payments are required by the Resolution to be made at times and in amounts sufficient to redeem all or a portion of such Bond prior to its Stated Maturity.

(ii) to amend the following definitions in their entirety:

“Operating Expenses” means the current expenses, paid or accrued, of operation, maintenance and repair of the System and its facilities, as calculated in accordance with sound accounting practices, and shall include, without limitation,

administrative expenses of the Borrower relating solely to the System, premiums for insurance on the properties thereof, labor and the cost of materials and supplies used for current operation, maintenance and repair, but shall not include amounts to be deposited to the Short-Lived Asset Replacement Reserve Subaccount.”

“‘Reserve Requirement’ means the sum of the SRF Reserve Requirement and RD Reserve Requirement.”

(b) Section 6.7. Section 6.7 of the Original Resolution is hereby amended to read as follows in its entirety:

“Section 6.7. Rates and Charges. While any Obligations are Outstanding and unpaid, the rates, charges and rentals for all services and facilities furnished and made available by the System to the Borrower and its inhabitants, and to all customers within or without the boundaries of the Borrower, shall be reasonable and just, taking into consideration the cost and value of the System and the cost of maintaining and operating them, and the amounts necessary for the payment of all Obligations and the interest accruing thereon, and the proper and necessary allowances for the depreciation of the System, and no free service shall be provided to any Person. It is covenanted and agreed that the rates, charges and rentals to be charged to all recipients of sewer services shall be maintained and shall be revised whenever and as often as may be necessary, according to schedules such that the revenues for each Fiscal Year will be at least sufficient to pay the current expenses of operation and maintenance as herein defined, and to produce Net Revenues during each Fiscal Year, not less than 110% of the maximum Principal and Interest Requirements on the Bonds in the current or any future Fiscal Year, to fund the Reserve Account at the Reserve Requirement, and to produce sufficient Surplus Net Revenues to make the required deposits to the Short-Lived Asset Repair and Replacement Subaccount and to pay the debt service on Subordinate Obligations as and when due.

If at the close of any Fiscal Year the Net Revenues or Surplus Net Revenues actually received during such Fiscal Year have been less than required hereby, the Borrower will forthwith prepare a schedule of altered rates, charges and rentals which are just and equitable and sufficient to produce Net Revenues and Surplus Net Revenues in such amount, and will do all things necessary to the end that such schedule will be placed in operation at the earliest possible date.”

(c) Section 11.4. Section 11.4 of the Original Resolution is hereby amended to read as follows in its entirety:

“Section 11.4. Revenue Bond Account. The Revenue Bond Account is hereby established as a separate account within the Sewer System Fund. As of each monthly apportionment there shall be credited to the Revenue Bond Account out of the Net Revenues remaining after the credit to the Operating Account (i) an amount equal to the principal of and interest payable on the next succeeding installment payment date with respect to any Bonds payable monthly and (ii) an amount equal to not less than one-sixth

of the interest due within the next six months and one-twelfth of the principal, if any, to become due within the next twelve months with respect to any Bonds payable semiannually; provided that the Borrower shall be entitled to reduce a monthly apportionment by the amount of any surplus previously credited and then on hand in the Revenue Bond Account. The Borrower shall allocate amounts in the Revenue Bond Account to (i) Outstanding Bonds that are other than RD Bonds and (ii) Outstanding RD Bonds, pro rata, in proportion to the Principal and Interest Requirements payable on the Outstanding Bonds that are other than RD Bonds and payable on the RD Bonds, respectively. If the amount so allocated to Outstanding Bonds that are other than RD Bonds is insufficient to pay the principal of, premium, if any, and interest on such Bonds as due, the Finance Officer/City Clerk shall transfer from the SRF Reserve Subaccount the amount of such deficiency, to the extent funds are available in such subaccount. If the amount so allocated to Outstanding RD Bonds is insufficient to pay the principal of, premium, if any, and interest on such Bonds as due, the Finance Officer/City Clerk shall transfer from the RD Reserve Subaccount the amount of such deficiency, to the extent funds are available in such subaccount. Money from time to time held in the Revenue Bond Account shall be disbursed only to meet payments of principal of and interest on the Bonds as such payments become due; provided that on any date when the amount then on hand in the Revenue Bond Account allocable to a series of Bonds, plus the amount in the applicable subaccount in the Reserve Account allocable to Bonds of such series, is sufficient with other moneys available for the purpose to pay or discharge all Bonds of that series and the interest accrued thereon in full, such amounts may be used for that purpose. If any payment of principal or interest becomes due when money in the Revenue Bond Account is temporarily insufficient therefor, such payment shall be advanced available funds then on hand in the appropriate subaccount in the Reserve Account, the Replacement and Depreciation Account or the Surplus Account, in that order.”

(d) Section 11.5. Section 11.5 of the Original Resolution is hereby amended to read as follows in its entirety:

“Section 11.5. Reserve Account. (a) The Reserve Account is hereby established as a separate account within the Sewer System Fund. There shall be established two subaccounts in the Reserve Account: the RD Reserve Subaccount and the SRF Reserve Subaccount.

(a) The RD Reserve Subaccount shall secure all Outstanding RD Bonds. Commencing with the first monthly apportionment of Net Revenues after the issuance of a RD Bond, from the Net Revenues remaining after each monthly credit to the Revenue Bond Account required by Section 11.4, the Borrower shall credit to the RD Reserve Subaccount a minimum amount per month equal to one-tenth of the monthly payment of principal of and interest on the RD Bond to accumulate over a 120-month period a balance in the Reserve Account equal to Reserve Requirement in respect of the RD Bond. Thereafter, upon each monthly apportionment, if the balance in the RD Reserve Subaccount is less than the RD Reserve Requirement, the Borrower shall credit Net Revenues remaining after the apportionment to the Revenue Bond Account to the RD

Reserve Subaccount, on a ratable basis with required credits to the SRF Reserve Subaccount under subsection (c), until the balance in the RD Reserve Subaccount equals the RD Reserve Requirement.

(b) The SRF Reserve Subaccount shall secure all Outstanding Bonds other than RD Bonds. Upon each monthly apportionment, from the Net Revenues remaining after the apportionment to the Revenue Bond Account, the Borrower shall credit to the SRF Reserve Subaccount, on a ratable basis with required credits to the RD Reserve Subaccount under subsection (a), such additional Net Revenues as may be required to establish and thereafter maintain the balance in an amount equal, as of the date of calculation, to the SRF Reserve Requirement. Money in the SRF Reserve Subaccount shall be used only to pay maturing principal, premium and interest on Bonds that are not RD Bonds when money within the Revenue Bond Account is insufficient therefor; provided that on any date when all outstanding Bonds that are not RD Bonds of a series are due or prepayable by their terms, if the amount then on hand in the SRF Reserve Subaccount allocable to such Bonds and available for such appropriation is sufficient with money available for the purpose to pay all such Bonds and the interest accrued thereon in full, it may be used for that purpose; and provided, further, that so long as the amount on hand in the SRF Reserve Subaccount is not less than the SRF Reserve Requirement, the Borrower may credit earnings on investment of the SRF Reserve Subaccount to the Revenue Bond Account.

(c) If on any Loan Repayment Date with respect to Bonds that are not RD Bonds or installment payment date with respect to RD Bonds there shall exist a deficiency in the Revenue Bond Account, the amount in the Revenue Bond Account shall be allocated, pro rata, between Outstanding RD Bonds and Outstanding Bonds that are not RD Bonds, in proportion to the debt service then payable on such Bonds, respectively. Upon calculation of such deficiencies, the Borrower shall immediately transfer from the RD Reserve Subaccount to the Revenue Bond Account an amount equal to such deficiency in respect of the Outstanding RD Bonds and from the SRF Reserve Subaccount to the Revenue Bond Account the amount of such deficiency in respect of the Outstanding Bonds that are not RD Bonds.

(d) Except as provided in this Section 11.5, money held in the RD Reserve Subaccount and the SRF Reserve Subaccount shall be used only to pay maturing principal and interest of RD Bonds and of Bonds that are not RD Bonds, respectively, when money in the Revenue Bond Account is insufficient therefor or to pay or defease an applicable series of Bonds as provided in Section 11.4. If the only Bonds that are outstanding are either RD Bonds or Bonds that are not RD Bonds, the Borrower may transfer all of the money in the subaccount for the type of Bonds that are no longer outstanding to the subaccount securing Bonds of the type that are outstanding.

If at any time the balance in the RD Reserve Subaccount exceeds the RD Reserve Requirement or the balance in the SRF Reserve Subaccount exceeds the SRF Reserve Requirement, the Borrower shall transfer such excess to the Revenue Bond Account to establish the required balance therein with respect to RD Bond and Bonds that are not RD Bonds, respectively.

As long as the RD Bonds held by USDA are Outstanding, the Borrower may not use or obligate moneys on hand in the RD Reserve Subaccount without the written approval of the USDA.”

(e) Section 11.6. Section 11.6 of the Original Resolution is hereby amended to read as follows in its entirety:

“Section 11.6. Replacement and Depreciation Account. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account Surplus Net Revenues of the System, as the governing body of the Borrower shall determine to be required for the accumulation of a reasonable allowance for depreciation of the System and for replacement or renewal of worn out, obsolete or damaged properties and equipment thereof. If the balance in the Reserve Account equals the Reserve Requirement and the Borrower is otherwise in compliance with its covenants herein, the amount in excess of the Reserve Requirement, to the extent not credited to the Revenue Bond Account as provided in Section 11.5, will be placed in the Replacement and Depreciation Account or, if the requirements of the Replacement and Depreciation Account are satisfied, the Surplus Account. The Borrower hereby establishes a subaccount in the Replacement and Depreciation Account denominated the Short-Lived Asset Replacement Reserve Subaccount. Commencing on the date that is one month following the date of issuance of the RD Bonds and monthly thereafter throughout the ensuing years, the Borrower shall deposit in the Short-Lived Asset Replacement Reserve Subaccount from Surplus Net Revenues remaining after required deposits of Net Revenues to the Revenue Bond Account and the Reserve Account \$103,779 annually for the life of the RD Loan. Money in the Short-Lived Asset Replacement Reserve Subaccount is to be used for the replacement of Short-Lived Assets, but may be applied to pay and discharge RD Bonds, together with other available funds of the Borrower, if the amount therein is then sufficient to pay and discharge the RD Bonds in full. Money in the Replacement and Depreciation Account shall be used only for the purposes above stated or, but only if the above requirements of the Replacement and Depreciation Account are satisfied, including those relating to funding the Short-Lived Asset Replacement Reserve Account, and if so directed by the governing body of the Borrower, to redeem Bonds which are prepayable according to their terms, or to pay the cost of improvements to the System or to be transferred to the Surplus Account; provided that, Surplus Net Revenues in the Replacement and Depreciation Account may be used to pay Subordinate Obligations as they come due, subject to the prior lien on Surplus Net Revenues to pay any deficiency of the Revenue Bond Account and the Reserve Account, in advance of payments required to be made into the Replacement and Depreciation Account; and provided further that amounts in the Short-Lived Asset Replacement Reserve Subaccount may be used only for the replacement of Short-Lived Assets or to discharge the RD Bonds as stated above, subject to the prior lien on Surplus Net Revenues to pay any deficiency of the Revenue Bond Account or the Reserve Account.”

(f) Section 11.7. Section 11.7 of the Original Resolution is hereby amended to read as follows in its entirety:



“Section 11.7. Surplus Account. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account (or such other account in the Fund as the Borrower may establish for bookkeeping purposes to account for Surplus Net Revenues in accordance with the purposes of this Resolution), and the money from time to time in that account, when not required to restore a current deficiency in the Revenue Bond Account, the Reserve Account, the Replacement and Depreciation Account, the Short-Lived Asset Replacement Reserve Subaccount, or the Note Account as provided in Sections 11.4, 11.5, 11.6, and 11.8, respectively, may be used for any of the following purposes and not otherwise:

- (a) To redeem Bonds when and as such Bonds become prepayable according to their terms; or
- (b) To purchase Bonds on the open market, whether or not the Bonds or other such Bonds may then be prepayable according to their terms; or
- (c) To be held as a reserve for redemption of Bonds which are not then but will later be prepayable according to their terms; or
- (d) To pay for repairs of or for the construction and installation of improvements or additions to the System; or
- (e) To pay Operating Expenses or restore the Operating Reserve or increase the same when determined to be necessary by the governing body of the Borrower; or
- (f) To pay Subordinate Obligations issued under Section 10.4 above.

No money shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the Borrower, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvement bonds or other obligations payable from other funds, except as provided in Section 11.10.”

(g) Section 11.8. Section 11.8 is hereby added to the Original Resolution to read as follows in its entirety:

“Section 11.8. Note Account. Upon issuance of a Note, there shall be established in the Sewer System Fund and the Finance Officer/City Clerk shall thereafter maintain a separate and special Note Account (the “Note Account”). If a Note is outstanding, all Surplus Net Revenues remaining after the required credits to the Operating Account, the Revenue Bond Account, the Reserve Account, and the Replacement and Depreciation Account pursuant to this Resolution may be credited to the Note Account to the extent then needed to pay an outstanding Note. The Borrower irrevocably appropriates to the Note Account: (a) the proceeds of any Bonds issued to refund one or more Notes, as received and to the extent necessary for the payment of such Notes, and (b) such other money as shall be appropriated to the Note Account from time to time.

Amounts on deposit in the Note Account shall be used solely to pay the principal of and interest on Notes made payable therefrom; provided that if on any date the balance in the Revenue Bond Account or the Reserve Account is less than then required, an amount equal to such deficiency will be transferred from the funds on deposit in the Note Account. Upon payment or discharge of a Note and upon the making of the credits to the Note Account required in connection with any other Notes made payable therefrom, all surplus funds therein shall be transferred to the Surplus Account.”

(h) Section 11.9. Section 11.9 is hereby added to the Original Resolution to read as follows in its entirety:

“Section 11.9. Rebate Account. The Rebate Account is hereby established as a separate account within the Water System Fund. The Borrower shall make deposits to and disbursements from the Rebate Account pursuant to one or more rebate certificates executed and delivered by the Borrower in connection with the issuance of Bonds, and for such purposes may make transfers, in the following order of priority, from the Surplus Account and the Repair and Replacement Account, as necessary, to meet the requirements of the Rebate Account. The Borrower shall invest the Rebate Account in accordance with the provisions of the rebate certificates and shall deposit income from such investments immediately upon receipt thereof in the Rebate Account.”

(i) Article XIV. The following Article XIV is hereby added to the Original Resolution to read as follows in its entirety:

#### “ARTICLE XIV

#### DEFEASANCE

“Section 14.1 General. When the liability of the Borrower on all Bonds issued under and secured by this Resolution and all interest thereon has been discharged as provided in this Article XIV, all pledges, covenants and other rights granted by this Resolution to the Holders of such Bonds shall cease, other than to the payment of such Bonds from money segregated for such purpose. The Borrower may also discharge its liability with respect to one or more Bonds in accordance with this Article XIV.

Section 14.2 Maturity. The Borrower may discharge its liability with reference to any Bonds and interest thereon which are due on any date by depositing with the Registrar for such Bonds on or before the date a sum sufficient for the payment thereof in full; or if any Bond or interest thereon shall not be paid when due, the Borrower may nevertheless discharge its liability with reference thereto by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

Section 14.3 Prepayment. The Borrower may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar therefor on or before the Redemption Date a sum sufficient for the payment thereof in full; provided

that notice of the redemption thereof has been duly given as provided in this Resolution or any Supplemental Resolution relating thereto.

Section 14.4 Escrow. The Borrower may at any time discharge its liability with reference to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action and the following paragraphs of this Section, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or Government Obligations authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal, interest and redemption premiums, if any, to become due on such Bonds at their stated maturities or, if such Bonds are prepayable and notice of redemption thereof has been duly given or irrevocably provided for, to such earlier redemption date.

Notwithstanding anything herein to the contrary, RD Bonds held by USDA shall not be subject to redemption by depositing in escrow cash or Government Obligations.”

(j) Article XV. The following Article XV is hereby added to the Original Resolution to read as follows in its entirety:

#### “ARTICLE XV

#### SUPPLEMENTAL RESOLUTIONS

“Section 15.1 General. The Borrower reserves the right to adopt Supplemental Resolutions from time to time and at any time, for the purpose of curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or of making such provisions with regard to matters or questions arising hereunder as the Borrower may deem necessary or desirable and not inconsistent with this Resolution, and which shall not adversely affect the interests of the Holders of outstanding Bonds, or for the purpose of adding to the covenants and agreements herein contained, or to the revenues herein pledged, other covenants and agreements thereafter to be observed and additional revenues or income thereafter appropriated to the Fund, or for the purpose of surrendering any right or power herein reserved to or conferred upon the Borrower, or for the purpose of authorizing the creation and issuance of a series of additional Bonds or Subordinate Obligations, as provided in and subject to the conditions and requirements of Article X. Subject to Section 15.4, any such Supplemental Resolution may be adopted without notice to or the consent of the Holder of any of the Bonds issued hereunder.

Section 15.2 Consent of Holders. With the consent of the Holders of Bonds issued hereunder as provided in Section 15.4, the Borrower may from time to time and at any time adopt a Supplemental Resolution for the purpose of amending this Resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof or of any Supplemental Resolution, except that no Supplemental Resolution shall be adopted at any time without the consent of the Holders of all Bonds issued hereunder which are then outstanding and affected thereby, if it would extend the time of payment of interest thereon or principal thereof, would reduce the interest rate

thereon or the amount of the principal or the redemption price thereof, would give to any Bond or Bonds any privileges over any other Bond or Bonds, would reduce the sources of revenues or income appropriated to the Fund, or would reduce the percentage in principal amount of such Bonds required to authorize or consent to any such Supplemental Resolution.

Section 15.3 Notice. Notice of the Supplemental Resolution to be adopted pursuant to Section 15.2 shall be mailed by first-class mail to the Holders of all outstanding Bonds at their addresses appearing in the Bond Register, and shall become effective only upon the filing of written consents with the Finance Director/City Clerk, signed by the Holders of not less than a majority in principal amount of the Bonds then outstanding and affected thereby. Any written consent to the Supplemental Resolution may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by Holders in person or by agent duly appointed in writing, and shall become effective when delivered to the Finance Director/City Clerk. Any consent by the Holder of any Bond shall bind him and every future holder of the same Bond with respect to any Supplemental Resolution adopted by the Borrower pursuant to such consent; provided that any Holder may revoke his consent with reference to any Bond by written notice received by the Finance Director/City Clerk before the Supplemental Resolution has become effective. In the event that unrevoked consents of the Holders of the required amount of Bonds have not been received by the Finance Director/City Clerk within one year after the mailing of notice of the Supplemental Resolution, the Supplemental Resolution and all consents theretofore received shall be of no further force and effect.

Section 15.4 Manner of Consent. Proof of the execution of any consent, or of a writing appointing any agent to execute the same, or of the ownership by any Person of Bonds shall be sufficient for any purpose of this Resolution and shall be conclusive in favor of the Borrower if made in the manner provided in this Section 15.4. The fact and date of the execution by any Person of any such consent or appointment may be proved by the affidavit of a witness of such execution or by the certification of any notary public or other officer authorized by law to take acknowledgment of deeds, certifying that the Person signing it acknowledged to him the execution thereof. The fact and date of execution of any such consent may also be proved in any other manner which the Borrower may deem sufficient; but the Borrower may nevertheless, in its discretion, require further proof in cases where it deems further proof desirable. The ownership of Bonds shall be proved by the Bond Register.”

6.03. Renumbering. Section 11.8 of the Original Resolution is hereby renumbered as Section 6.10, and all references in the Original Resolution to Section 6.10 shall be amended to be to “Section 6.10.” The entire Article XIV of the Original Resolution is hereby renumbered as Article XVI and all references in the Original Resolution to “Article XIV” shall be amended to be to “Article XVI.”

6.04. Interpretation. The amendments made by this Article X shall be interpreted liberally to give full meaning to the Original Resolution, as amended. If an irreconcilable conflict

exists between the provisions of the Original Resolution as heretofore amended and as amended hereby, the amendatory provisions in this Supplemental Resolution shall prevail.

Section 7. Tax Covenants relating to the Series 2025A Note and Definitive Bond.

7.01. Use of Wastewater Treatment Plant Project. The Wastewater Treatment Plant Project is and will be owned and operated by the City and used by the City to provide sewer services to members of the general public as part of the System. No user of the System is granted any concession, license or special arrangement with respect to the System or any part thereof. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Wastewater Treatment Plant Project or the System or security for the payment of the Series 2025A Note or the Definitive Bond which might cause either the Series 2025A Note or the Definitive Bond to be considered a “private activity bond” or a “private loan bond” within the meaning of Section 141 of the Code.

7.02. General Covenant. The City covenants and agrees with the owners from time to time of the Series 2025A Note or the Definitive Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2025A Note or the Definitive Bond to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the interest on the Series 2025A Note or the Definitive Bond will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

7.03. Arbitrage Certification. The Mayor and the Finance Officer/City Clerk, being the officers of the City charged with the responsibility for issuing the Series 2025A Note and the Definitive Bond pursuant to this Supplemental Resolution, are authorized and directed to execute and deliver to the Original Purchasers thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the respective dates of issue and delivery of the Series 2025A Note or the Definitive Bond, it is reasonably expected that the proceeds thereof will be used in a manner that would not cause the Series 2025A Note or the Definitive Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the Regulations.

7.04. Arbitrage Rebate. The City acknowledges that the Series 2025A Note is subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations to preserve the exclusion of interest on the Series 2025A Note from gross income for federal income tax purposes, unless the Series 2025A Note qualifies for the exception from the rebate requirement under Section 148(f)(4)(B) of the Code and no “gross proceeds” of the Series 2025A Note (other than amounts constituting a “bona fide debt service fund”) arise during or after the expenditure of the original proceeds thereof. In furtherance of the foregoing, the Mayor and the Finance Officer/ City Clerk are hereby authorized and directed to execute a tax or rebate certificate, substantially in the form to be prepared by Bond Counsel, and the City hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof.

7.05. Information Reporting. The City shall file with the Secretary of the Treasury by August 15, 2025 a statement concerning the Series 2025A Note containing the information required by Section 149(e) of the Code.

Section 8. Transcript Certification. The officers of the City are directed to furnish to Bond Counsel, the USDA and the DNRC certified copies of all proceedings and information in their official records relevant to the authorization, sale, execution and issuance of the Series 2025A Note and the Definitive Bond, and such certificates and affidavits as to other matters appearing in their official records or otherwise known to them as may be reasonably required to evidence the validity and security of the Series 2025A Note and the Definitive Bond, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations and recitals of the City as to the correctness of all facts stated therein and the completion of all proceedings stated therein to have been taken.

Section 9. Effective Date; Repeals. This Resolution shall become effective upon passage and all provisions of ordinances, resolutions and other actions and proceedings of the City which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, on this 6th day of May, 2025.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Finance Officer/City Clerk

(SEAL)

EXHIBIT A

[Form of Series 2025A Note]

UNITED STATES OF AMERICA  
STATE OF MONTANA  
COUNTY OF BIG HORN

**CITY OF HARDIN**

SEWER SYSTEM REVENUE BOND ANTICIPATION NOTE  
SERIES 2025A

No. R-1

\$2,121,000.00

<u>Maturity</u>	<u>Date of Original Issue</u>
May 22, 2028	May 22, 2025

REGISTERED OWNER: DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION OF THE STATE OF MONTANA

PRINCIPAL AMOUNT: TWO MILLION ONE HUNDRED TWENTY-ONE  
THOUSAND AND NO/100 DOLLARS

FOR VALUE RECEIVED, CITY OF HARDIN, MONTANA (the “City”), a municipal corporation and political subdivision of the State of Montana, acknowledges itself to be indebted and hereby promises to pay to the registered owner named above, or registered assigns (the “Holder”), but solely out of the Note Account (the “Note Account”) in its Sewer System Fund (the “Fund”), the principal sum equal to the sum of the amounts entered on Schedule A hereto under “Total Amount Advanced,” on the maturity date specified above, with interest on each such amount from the date the amount is advanced hereunder at the rate of 1.75% per annum on the amount advanced, until all principal and interest thereon is paid or discharged, all subject to the provisions hereof relating to the redemption of this Note before maturity. Interest shall be calculated on the basis of a 360-day year comprising 12 months of 30 days each. The interest hereon and the principal hereof are payable in lawful money of the United States of America to the registered owner of this Note as it appears in the Note Register of the City.

Upon each disbursement of proceeds of this Note, the Holder shall enter the amount advanced on Schedule A attached hereto under “Advances” and the total amount advanced under this Resolution, including such disbursement, under “Total Amount Advanced.”



This Note is one in number and comprises all of a duly authorized issue of Notes of the City (the “Series 2025A Note”) issued pursuant to, and in anticipation of the issuance by the City of its Sewer System Revenue Bond (the “Definitive Bond”), evidencing the loan (the “RD Loan”) from the United States of America through Rural Utilities Service, United States Department of Agriculture, authorized to be issued under Resolution No. 1753, adopted by the City Council on August 19, 2003 (the “Original Resolution”), as amended and supplemented by Resolution Nos. 1899, 2004, 2261, and [\_\_\_\_], adopted by the City Council of the City on December 15, 2009, April 2, 2013, March 16, 2021, and May 6, 2025, respectively (the Original Resolution, as so amended and supplemented, the “Resolution”), to which Resolution, copies of which are on file with the City, reference is hereby made for a description of the nature and extent of the security for the Series 2025A Note, the conditions under which additional Bonds may be issued on a parity as to payment with the outstanding Bonds or otherwise, the conditions under which the Resolution may be amended and the rights of the Holders of the Series 2025A Note. Terms used with initial capital letters but not defined herein have the meanings given to them in the Resolution. The Series 2025A Note is issued by the City for the purpose of providing interim financing for improvements to the City’s municipal sewer system (the “System”), including upgrades to and replacement of wastewater treatment facility and related improvements (the “Wastewater Treatment Plant Project”), and paying associated costs of issuance.

This Series 2025A Note is issued pursuant to and in full compliance with the Constitution and laws of the State of Montana, particularly Montana Code Annotated, Section 7-7-109, and Title 7, Chapter 7, Parts 44 and 45, as amended (the “Act”), and pursuant to the Resolution. This Series 2025A Note is payable from and secured by amounts on hand in the Note Account, including any Surplus Net Revenues, subject to the prior claim on such Surplus Net Revenues of the Revenue Bond Account and Reserve Account, and other revenues and income pledged and appropriated and from time to time credited to the Note Account, including the proceeds of the Definitive Bond, which the City has covenanted to issue and sell prior to the maturity of this Note in an amount sufficient, with other funds on hand, to pay the principal hereof and interest hereon.

This Series 2025A Note is not a general obligation of the City and the City’s general credit and taxing powers are not pledged to the payment of this Series 2025A Note or interest thereon. This Series 2025A Note does not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitations.

The City may redeem on any date, in whole but not in part, the unpaid principal of this Note at a price equal to the principal amount to be redeemed plus interest accrued to the date of redemption, without premium. Notice of any such prepayment will be mailed by the City not less than 15 days prior to the date specified for payment, to the registered holder of this Note at its address as it appears on the Note Register maintained by the Finance Officer/City Clerk.

As provided in the Resolution and subject to certain limitations set forth therein, this Note is transferable upon the books of the City at the office of the Finance Officer/City Clerk, by the registered owner hereof in person or by its attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Finance Officer/City Clerk, duly executed by the registered owner or his attorney. Upon such transfer, the City will cause a new Note to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to

reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer.

The City may deem and treat the person in whose name this Note is registered as the absolute owner hereof, whether this Note is overdue or not, for the purpose of receiving payment and for all other purposes, and the City shall not be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Montana to be done, to exist, to happen and to be performed precedent to and in the issuance of this Note in order to make it a valid and binding special obligation of the City according to its terms, have been done, do exist, have happened and have been performed in regular and due time, form and manner as so required; that the City, in and by the Resolution, has validly made and entered into covenants and agreements with and for the benefit of the Holders from time to time of the Series 2025A Note including covenants that the rates and charges for the System will from time to time be made and kept sufficient to provide gross income and revenues adequate to pay promptly the Operating Expenses of the System and to produce in each Fiscal Year Net Revenues in excess of such Operating Expenses equal to at least 110% of the maximum Principal and Interest Requirements on the Bonds in any subsequent Fiscal Year; that the City has received a written commitment for the RD Loan from the United States of America in an amount equal to \$2,121,000 and has by resolution covenanted to satisfy the conditions of the commitment; that by the Resolution, the City has covenanted, at or prior to the maturity of this Note, to sell and issue the Definitive Bond, either to the United States of America in evidence of the RD Loan or otherwise pursuant to the Act and the Resolution in a principal amount so as to provide funds sufficient, together with any money on deposit in the Note Account and available therefor, to pay in full the principal of and interest on this Note at maturity; that the City has appropriated to the Note Account the proceeds of the Definitive Bond to the extent required to pay principal hereof or interest hereon; that if this Note is not paid in full at maturity, the owner hereof may require the City to issue, in exchange for this Note, on a par-for-par basis, one or more of such Sewer System Revenue Bonds amortized in semiannual installments over a term of up to thirty years (at the option of the Holder) and bearing interest at a rate then prevailing under the Water Pollution Control State Revolving Fund Program; that all provisions for the security of the Holder of this Series 2025A Note set forth in the Resolution will be punctually and faithfully performed as therein stipulated; and that the issuance of this Note does not cause the general or special indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Hardin, Montana, by its City Council, has caused this Note to be executed on its behalf by the signature of the Mayor and the Finance Officer/City Clerk, and sealed with the official corporate seal of the City, and has caused this Note to be dated as of \_\_\_\_\_, 2025.

CITY OF HARDIN, MONTANA

By \_\_\_\_\_  
Mayor

And \_\_\_\_\_  
Finance Officer/City Clerk

(SEAL)

**PROVISIONS FOR REGISTRATION OF TRANSFER**

The ownership of this Note and of the interest payable hereon may be transferred to a bona fide purchaser only by delivery with an assignment duly executed by the registered owner or his attorney or legal representative, and the City may treat the registered owner as the person exclusively entitled to receive payments of principal of and interest on this Note and to exercise all the rights and powers of an owner until this Note is presented to the Finance Officer/City Clerk of the City of Hardin, accompanied by said assignment and by assurance of the nature provided by law that the same is genuine and effective, and until such transfer is registered on the books of the City and noted hereon by the Finance Officer/City Clerk.

**REGISTER**

The ownership of the unpaid Principal Balance of this Bond and the interest accruing thereon is registered on the books of the City of Hardin, Montana in the name of the registered holder appearing on the first page hereof or as last noted below:

Date of Registration	Name and Address of Registered Holder	Finance Officer/City Clerk
_____, 2025	Department of Natural Resources and Conservation 1539 Eleventh Avenue Helena, MT 59620	

**NO WRITING HEREON EXCEPT BY  
FINANCE OFFICER/CITY CLERK  
AS NOTE REGISTRAR**

The Finance Officer/City Clerk has transferred on the books of the City of Hardin, Montana, on the date last noted below, to the registered assign noted opposite said date, ownership of the principal amount of and interest on this Note, except the amounts of principal and interest theretofore paid:

Date of Transfer	Name of New Registered Holder	Signature of Registrar



EXHIBIT B

[Form of the Definitive Bond]

UNITED STATES OF AMERICA  
STATE OF MONTANA  
COUNTY OF BIG HORN

**CITY OF HARDIN**

SEWER SYSTEM REVENUE BOND  
SERIES 20\_\_

[the series designation to be completed with the calendar year  
in which the Bond is issued]

No. R-1

\$2,121,000.00

FOR VALUE RECEIVED, CITY OF HARDIN, MONTANA (the "City"), a duly organized municipal corporation and political subdivision of the State of Montana, acknowledges itself to be specially indebted and hereby promises to pay, solely from the Revenue Bond Account of its Sewer System Fund, to the United States of America acting through Rural Utilities Service, United States Department of Agriculture, or any successor agency under Public Law 103-354 (the "USDA"), or registered assigns (the "Holder"), the principal sum of TWO MILLION ONE HUNDRED TWENTY-ONE THOUSAND AND NO/100 DOLLARS (\$2,121,000.00), in installments as set forth below, and to pay interest thereon, [from and after the date of each such principal amount advanced entered on Schedule A attached hereto], solely from the Revenue Bond Account, at the rate of [one and five-eighths of one] percent ([1.625]%) per annum. Interest shall be computed on the basis of a 365-day year based on the actual number of days elapsed from and after each advance. Principal and interest are payable in equal monthly installments in the amount of \$[6,024.00], commencing on \_\_\_\_\_, 20\_\_, and payable on the \_\_\_\_ day of each month thereafter until the principal and interest are fully paid, except that the final installment of the entire indebtedness evidenced hereby, if not sooner paid, shall be due and payable forty years from the date hereof, subject to the right of prepayment set forth below. The installments of principal and interest are payable at State Office of the USDA, at USDA Rural Development, 2229 Boot Hill Court, Bozeman, Montana 59715, or such other place as the Purchaser shall designate in writing, except that in the event that the USDA has assigned this Bond, the installments of principal and interest are payable to the registered Holder at his address as it appears on the Bond Register of the City. Principal and interest are payable in any coin or currency of the United States of America which on the respective dates of payment is legal tender for public and private debts.

This Bond is one of an issue of Sewer System Revenue Bonds, heretofore and hereafter issuable in one or more series from time to time, pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 7, Parts 44 and 45, as amended (the "Act"), and including Resolution

No. 1753, adopted by the City Council on August 19, 2003 (the “Original Resolution”), as amended and supplemented by Resolution Nos. 1899, 2004, 2261, [\_\_\_\_] and [\_\_\_\_], adopted by the City Council of the City on December 15, 2009, April 2, 2013, March 16, 2021, May 6, 2025, and [\_\_\_\_], 20\_\_, respectively (the Original Resolution, as so supplemented and amended, the “Resolution”). Terms used with initial capital letters but not defined herein have the meanings given to them in the Resolution. This Bond (the “Series 20\_\_ Bond”) is issued for the purpose of paying and redeeming the City’s Sewer System Revenue Bond Anticipation Note, Series 2025A, which was issued to finance a portion of the costs of certain improvements to the municipal sewer system of the City (the “System”), which term includes all improvements, betterments, extensions and alterations of the System, and to pay costs of issuing the Series 20\_\_ Bond. This Series 20\_\_ Bond is issued on a parity with the City’s outstanding Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2010B (the “Series 2010B Bond”), its First Amended and Restated Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2010C (the “Series 2010C Bond”), its Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2021B (the “Series 2021B Bond”), and any additional Bonds issued under the Resolution on a parity therewith (collectively, the “Bonds”), payable solely from and secured by the Net Revenues pledged to the payment thereof.

The City may redeem on any installment payment date, in whole or part and if in part, in multiples of \$1,000, any unpaid principal of this Series 20\_\_ Bond at a price equal to the principal amount to be redeemed plus interest accrued to the date of redemption, without premium; provided that while this Series 20\_\_ Bond is registered in the name of the United States of America, the City may redeem any unpaid principal on any date and in any amount. Notice of any such prepayment will be mailed by the City not less than 30 days prior to the date specified for payment, to the registered holder of this Series 20\_\_ Bond at his address as it appears on the Bond Register.

This Series 20\_\_ Bond shall be registered in the name of the Holder on the bond register of the City kept by the Finance Officer/City Clerk as Bond Registrar. This Series 20\_\_ Bond is transferable by the registered Holder or its attorney duly authorized in writing, upon presentation hereof with a written instrument of transfer satisfactory to the City and duly executed by the registered holder or its attorney. Such transfer shall be noted on the bond register and hereon. The City will, upon request, issue to the registered Holder or transferee, upon surrender of this Series 20\_\_ Bond, one or more other bonds, in an aggregate principal amount (and, if more than one bond is to be issued, in denominations that are multiples of \$1,000, to the extent practicable) equal to the principal amount of the Series 20\_\_ Bond that then remains unpaid and maturing at the same time or times as the then unpaid principal installments hereof, subject to reimbursement for any tax, fee or governmental charge or other expense incurred by the City with respect to such exchange. The City may treat the person in whose name this Series 20\_\_ Bond is registered as the absolute owner hereof, whether this Series 20\_\_ Bond is overdue or not, for the purpose of receiving payment of principal and interest and all other purposes, and shall not be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that the City will prescribe and collect reasonable rates and charges for all services and facilities afforded by the System, including all additions thereto and replacements and improvements thereof, and has

created a special Sewer System Fund into which the revenues of the System will be paid, and a separate and special Revenue Bond Account in that Fund, into which will be paid each month, from the Net Revenues of the System then on hand an amount equal to not less than the sum of (i) one-sixth of the interest to become due within the next six months and one-twelfth of the principal to become due within the next twelve months with respect to all Bonds payable semiannually from that Account, and (ii) the amount of the next monthly installment of principal and interest with respect to all Bonds payable monthly from that Account; that it will transfer to the RD Reserve Subaccount in the Reserve Account in the Sewer System Fund monthly out of the remaining Net Revenues a minimum of [\$603] per month and such additional amounts as may be necessary to accumulate a balance therein equal to the RD Reserve Requirement; that the Revenue Bond Account will be used only to pay the principal of, premium, if any, and interest on the Bonds; that the rates and charges for the System will from time to time be made and kept sufficient to provide Net Revenues during each Fiscal Year not less than 110% of the maximum amount of principal and interest payable on the outstanding Bonds in the current or any future Fiscal Year; that sufficient Net Revenues shall be available to fund the Reserve Account, and sufficient Surplus Net Revenues shall be available to fund the Short-Lived Asset Replacement Reserve Subaccount as described in the Resolution; that additional Bonds may be issued and made payable from the Sewer System Fund on a parity with the outstanding Bonds upon certain conditions set forth in the Resolution, but no obligation will be otherwise incurred and made payable from the Net Revenues of the System, unless the lien thereof shall be expressly made subordinate to the lien of the outstanding Bonds on such Net Revenues; that all provisions for the security of the holder of this Series 20\_\_ Bond set forth in the Resolution will be punctually and faithfully performed as therein stipulated; that all acts, conditions and things required by the Constitution and laws of the State of Montana and the ordinances and resolutions of the City to be done, to exist, to happen and to be performed in order to make this Series 20\_\_ Bond a valid and binding special obligation of the City according to its terms have been done, do exist, have happened and have been performed as so required; and that this Series 20\_\_ Bond and the interest and premium, if any, hereon are payable solely from the Net Revenues of the System pledged and appropriated to the Revenue Bond Account and do not constitute a debt of the City within the meaning of any constitutional or statutory limitation or provision.



IN WITNESS WHEREOF the City of Hardin, Montana, by its City Council, has caused this Bond to be executed by the signatures of the Mayor and the Finance Officer/City Clerk, and has caused the official seal of the City to be affixed hereto, and has caused this Bond to be dated as of the \_\_\_\_\_, 20\_\_.

CITY OF HARDIN, MONTANA

By \_\_\_\_\_  
Mayor

And \_\_\_\_\_  
Finance Officer/City Clerk

(SEAL)

**PROVISIONS FOR REGISTRATION OF TRANSFER AND EXCHANGE**

The ownership of this Series 20\_\_ Bond and of the interest payable hereon may be transferred to a bona fide purchaser only by delivery hereof with an assignment duly executed by the registered owner or his attorney or legal representative, and the City may treat the registered owner as the person exclusively entitled to receive payments of principal of and interest on this Series 20\_\_ Bond and to exercise all the rights and powers of an owner until this Series 20\_\_ Bond is presented to the Finance Officer/City Clerk of the City of Hardin, Montana, as Bond Registrar, accompanied by said assignment and by assurance of the nature provided by law that the same is genuine and effective, and until such transfer is duly registered on the books of the City and noted hereon by the Bond Registrar.

**REGISTER**

The ownership of the unpaid principal balance of this Series 20\_\_ Bond and the interest accruing thereon is registered on the books of the City of Hardin, in the name of the registered holder as last noted below:

Date of Registration	Name and Address of Registered Holder	Signature of Finance Officer/City Clerk
_____20__	United States of America NFAOC, Community Services Branch, Mail Code 1312 4300 Goodfellow Blvd. Building 104 St. Louis, MO 63120-1703	_____

**NO WRITING HEREON EXCEPT BY  
FINANCE OFFICER/CITY CLERK  
AS BOND REGISTRAR**

The Finance Officer/City Clerk of the City, acting as Registrar, has transferred on the books of the City of Hardin, Montana, on the date last noted below, to the registered assign noted opposite said date, ownership of the principal amount of and interest on this Bond, except the amounts of principal and interest theretofore paid:

Date of Transfer	Name of New Registered Holder	Signature of Registrar
_____	_____	_____
_____	_____	_____





CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Hardin, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. \_\_\_\_\_ entitled: "RESOLUTION OF THE CITY OF HARDIN, MONTANA INCREASING RATES FOR THE USERS OF THE SEWER SYSTEM" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on May 6, 2025; that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: \_\_\_\_\_  
\_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand officially this 6th day of May, 2025.

\_\_\_\_\_  
Finance Officer/City Clerk

RESOLUTION NO. 2402

RESOLUTION OF THE CITY OF HARDIN, MONTANA  
INCREASING RATES FOR THE USERS OF THE SEWER  
SYSTEM

RECITALS

WHEREAS, the City of Hardin, Montana (the “City”), operates a municipal sewer system (the “System”); and

WHEREAS, the City has determined it is in the best interest of the City to undertake various improvements to the System, including major additions and upgrades to the City’s sewer treatment system and related improvements and costs (the “Wastewater Treatment Plant Project”); and

WHEREAS, the City presently has sewer system revenue bonds outstanding and will need to issue additional series of sewer system revenue bonds to finance the completion of the Wastewater Treatment Plant Project; and

WHEREAS, it is necessary for the City to collect sufficient revenues to pay the costs associated with the operation and maintenance of the System, to pay and provide for the sewer system revenue bonds, and to establish appropriate reserves; and

WHEREAS, the City has determined that the current rates of the System do not produce sufficient revenues; and

WHEREAS, under Section 69-7-101, M.C.A., the City has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the System. Rates, charges, and classifications must be reasonable and just; and

WHEREAS, pursuant to Section 69-7-111, M.C.A., the City Council shall order a public hearing prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing or increasing rates, fees, or charges for services or facilities; and

WHEREAS, a notice of public hearing was mailed to all customers of the System, notifying them that pursuant to Resolution No. 2398, adopted by the City Council of the City on April 1, 2025, it was the intention of the City to increase rates for users of the System, and notice of public hearing was published as required by Section 69-7-111, Montana Code Annotated. A public hearing was held on May 6, 2025, commencing at 6:30 p.m. at Hardin City Hall, 406 N. Cheyenne, in Hardin, Montana, for the purpose of hearing comments from the public on the sewer rate increase; and

WHEREAS, all persons appearing were given an opportunity to speak at the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the “Council”) of the City as follows:

Section 1. Current Rates.

1.1. Residential Rate. The City charges residential users of the System a flat rate of \$44.67 per month per connection (the “Residential Rate”).

1.2. Commercial Charge.

(a) The City charges commercial users of the System a base rate of \$44.67 per month per connection (the “Commercial Base Rate”), which includes the use of 7,200 gallons of water per month.

(b) In addition, the City charges commercial users of the System a monthly usage fee of \$3.8544 per 1,000 gallons of water or portion thereof used per connection per month over the 7,200 gallons included in the Commercial Base Rate (the “Commercial Usage Fee”).

(c) The monthly commercial charge (the “Commercial Charge”) is equal to the Commercial Base Rate plus the Commercial Usage Fee.

Section 2. New Rates.

2.1 New Residential Rate. Effective as of the June 2025 billing, the Residential Rate will be \$83.00 per month per connection.

2.2. New Commercial Rate.

(a) Effective as of the June 2025 billing, the Commercial Rate will be \$83.00 per month per connection.

(b) The Commercial Usage Fee will be \$6.00 per 1,000 gallons of water or portion thereof used per connection per month over the 7,200 gallons included in the Commercial Base Rate.

(c) The Commercial Charge is equal to the Commercial Base Rate plus the Commercial Usage Fee.

Section 3. Determination of Annual Budget for System. Each year the City Council shall determine the amount of money needed to pay the costs of the System including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the System; (b) administration of the System; (c) the payment of principal and interest on any bonded or other indebtedness of the System; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the City Council or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the System.

Based on the annual needs of the System, the City Council will establish monthly charges for the use and availability of the System.

Section 4. Future Rate Adjustments. Subsequent adjustments to the sewer rates will be made by resolution of the Council duly adopted as provided by law.

Section 5. Effective Date of Resolution. This resolution shall be immediately filed with the Finance Officer/City Clerk and shall become effective 10 days after filing with the Finance Officer/City Clerk.

Passed and approved this 6th day of May, 2025.

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Mayor

ATTEST:

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Finance Officer/City Clerk



Exhibit 1

**CITY OF HARDIN**  
**Water and Sewer Systems 2024-2025**

Service Type	Rate Code Description	Proposed Monthly Rate	Rate Over minimum	Minimum amount
SEWER	RESIDENTIAL	83.00	0.0000	
SEWER	COMMERCIAL	83.00	6.0000	7200 gallons
SEWER	SUMP PUMP	12.00		
WATER	3/4" METER	22.00	2.7500	3000 gallons
WATER	1.0" METER	36.31	2.7500	3000 gallons
WATER	1 1/2 " METER	44.31	2.7500	3000 gallons
WATER	2" METER	62.96	2.7500	3000 gallons
WATER	3" METER	90.66	2.7500	3000 gallons
WATER	4" METER	94.76	2.7500	3000 gallons
WATER	6" METER	112.72	2.7500	3000 gallons
WATER	H1 (Hydrants)	0.80	-	each
WATER	Bulk Water - price per 1000 gallons	10.00		

Late fee 10.00 for Water and Sewer  
 Penalty 1.5% for Water and Sewer  
 Reconnect fee ALL accounts \$50.00

**Water and Sewer Systems 2023-2024**

Service Type	Rate Code Description	Current Monthly Rate	Rate Over minimum	Minimum amount
SEWER	RESIDENTIAL	44.67	0.0000	
SEWER	COMMERCIAL	44.67	3.8544	7200 gallons
SEWER	SUMP PUMP	6.80		
WATER	3/4" METER	20.33	2.6932	3000 gallons
WATER	1.0" METER	33.55	2.6932	3000 gallons
WATER	1 1/2 " METER	40.95	2.6932	3000 gallons
WATER	2" METER	58.18	2.6932	3000 gallons
WATER	3" METER	83.78	2.6932	3000 gallons
WATER	4" METER	87.57	2.6932	3000 gallons
WATER	6" METER	104.16	2.6932	3000 gallons
WATER	H1 (Hydrants)	0.80	-	each
WATER	Bulk Water - price per 1000 gallons	8.00		

Late fee 10.00 for Water and Sewer  
 Penalty 1.5% for Water and Sewer  
 Reconnect fee ALL accounts \$50.00



## RESOLUTION NO. 2403

### RESOLUTION OF THE CITY OF HARDIN, MONTANA TO INCREASE RATES AND CHARGES FOR THE USERS OF THE WATER SYSTEM

WHEREAS, the City of Hardin, Montana (the "City") water system (the "System") is in need of additional revenue to cover expenses of operating;

WHEREAS, it is necessary to increase the rates and charges for the services provided by the System in order to collect sufficient revenues to pay the necessary expenses incurred in the operation and maintenance of the System;

WHEREAS, a public hearing was held on May 6, 2025 at 6:00 p.m. at the City Council Chambers, 401 Cheyenne Avenue, Hardin, Montana, for the purpose of hearing comments from the public on the rate increase regarding the System; and

WHEREAS, all persons appearing were given an opportunity to speak at the public hearing and based on comments received at the May 6, 2025 public hearing the City proposes to increase the water rates as shown in Section 2 below.

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City as follows:

1. Existing Monthly Rate Charge. The City currently imposes a monthly rate charge on all connections to the System (the "Monthly Rate Charge"). The costs of the System covered by the Monthly Rate Charge are the amount necessary to pay the costs of operating and maintaining the Systems, to pay principal of and interest on any outstanding debt of the System, if any, and to establish and maintain any reserves. The current Monthly Rate Charge for the Systems is as shown on Exhibit 1 attached hereto and incorporated by reference as if fully set forth in this Resolution.

2. Fixing of Water System Base Rate Charge. Effective as of the June 2025 billings cycle, the Monthly Rate Charge for the System shall be raised to the amounts set forth in Exhibit 1 attached hereto and incorporated by reference as if fully set forth in this Resolution.

3. Late Fees and Penalties. Late Fees and penalties collected shall be distributed to the Water Fund.

4. Reconnect Fees. Any time a service needs to be reconnected, there will be a \$50.00 fee.

5. The Council further resolves that the employees of the City shall have the authority to make any actions necessary to effectively execute this resolution, for the resolution to have full effect, and in accordance with state and local laws

This resolution shall be immediately filed with the City Clerk and shall become effective upon the date in Section 2, above.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this \_\_\_\_\_ day of May, 2025.

YEA VOTES \_\_\_\_\_

NAY VOTES \_\_\_\_\_

CITY OF HARDIN

BY: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

Exhibit 1

**CITY OF HARDIN**  
**Water and Sewer Systems 2024-2025**

Service Type	Rate Code Description	Proposed Monthly Rate	Rate Over minimum	Minimum amount
SEWER	RESIDENTIAL	83.00	0.0000	
SEWER	COMMERCIAL	83.00	6.0000	7200 gallons
SEWER	SUMP PUMP	12.00		
WATER	3/4" METER	22.00	2.7500	3000 gallons
WATER	1.0" METER	36.31	2.7500	3000 gallons
WATER	1 1/2 " METER	44.31	2.7500	3000 gallons
WATER	2" METER	62.96	2.7500	3000 gallons
WATER	3" METER	90.66	2.7500	3000 gallons
WATER	4" METER	94.76	2.7500	3000 gallons
WATER	6" METER	112.72	2.7500	3000 gallons
WATER	H1 (Hydrants)	0.80	-	each
WATER	Bulk Water - price per 1000 gallons	10.00		

Late fee 10.00 for Water and Sewer  
 Penalty 1.5% for Water and Sewer  
 Reconnect fee ALL accounts \$50.00

**Water and Sewer Systems 2023-2024**

Service Type	Rate Code Description	Current Monthly Rate	Rate Over minimum	Minimum amount
SEWER	RESIDENTIAL	44.67	0.0000	
SEWER	COMMERCIAL	44.67	3.8544	7200 gallons
SEWER	SUMP PUMP	6.80		
WATER	3/4" METER	20.33	2.6932	3000 gallons
WATER	1.0" METER	33.55	2.6932	3000 gallons
WATER	1 1/2 " METER	40.95	2.6932	3000 gallons
WATER	2" METER	58.18	2.6932	3000 gallons
WATER	3" METER	83.78	2.6932	3000 gallons
WATER	4" METER	87.57	2.6932	3000 gallons
WATER	6" METER	104.16	2.6932	3000 gallons
WATER	H1 (Hydrants)	0.80	-	each
WATER	Bulk Water - price per 1000 gallons	8.00		

Late fee 10.00 for Water and Sewer  
 Penalty 1.5% for Water and Sewer  
 Reconnect fee ALL accounts \$50.00



**RESOLUTION NO. 2404**

**RESOLUTION OF THE CITY OF HARDIN, MONTANA TO SETTING A DEPOSIT FOR THE USERS OF THE WATER SYSTEM**

WHEREAS, the City of Hardin, Montana (the "City") water system desires to set a new deposit requirement for new users of the water system;

WHEREAS, the City of Hardin is authorized to fix or establish rates, rentals and charge for water services, directly or indirectly afforded by the system taking into account services provided and benefits received per Mont, Code Ann. § 7-13-4304 (2023).

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City as follows:

1. The deposit for new water system services or accounts shall be \$250.00
2. The Council further resolves that the employees of the City shall have the authority to make any actions necessary to effectively execute this resolution, for the resolution to have full effect, and in accordance with state and local laws.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this \_\_\_\_\_ day of May, 2025.

YEA VOTES \_\_\_\_\_

NAY VOTES \_\_\_\_\_

CITY OF HARDIN

BY: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk





**RESOLUTION NO. 2405**

**A RESOLUTION OF THE CITY OF HARDIN, APPOINTING A RESIDENT TO THE HARDIN POLICE COMMISSION**

WHEREAS, the City Council (hereinafter "Council") of the City of Hardin, Montana (hereinafter "City") is required to appoint three residents of the City to serve on the Hardin Police Commission, pursuant to Mont. Code Ann. § 7-32-4151 (2023);

WHEREAS, the term of one member of the Hardin Police Commission, previously appointed, has expired;

WHEREAS, the members of the Police Commission must be appointed in May of each year, and must serve three-year terms, with only one member being appointed annually after the initial appointment, per § 7-32-4152.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARDIN, MONTANA:

The Council re-appoints the following resident to the Hardin Police Commission with the following term:

- 1. Rachel Ybarra 3-year term

The City shall continue to compensate each Commissioner \$50 per month while that Commissioner serves on the Hardin Police Commission.

The Council further resolves that the Commission and the employees of the City shall have the authority to make any actions necessary to effectively execute this resolution, for the resolution to have full effect, and in accordance with state and local laws.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this \_\_\_\_\_ day of May, 2025.

YEA VOTES \_\_\_\_\_

NAY VOTES \_\_\_\_\_

CITY OF HARDIN

BY: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk