



CITY OF LIBBY

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REGULAR COUNCIL MEETING #1627

APRIL 17, 2023 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Prayer by Tom Cole
- Roll Call
- Welcome
- Approve City Council meeting #1626 minutes dated April 3, 2023.

ANNOUNCEMENTS: Arbor Day activities April 28th, Municipal elections open April 20th.

COMMITTEE REPORTS:

- City Administrators Report
- Fire
- Police
- Ordinances
- Lights/Streets/Sidewalks
- Building
- Water/Sewer
- Zoning Commission
- Cemetery/Parks
- Finance
- Wildlife
- City-County Board of Health
- Park District Manager of Projects

PUBLIC COMMENT ON NON-AGENDA ITEMS: This is an opportunity for the public to offer comments related to issues that are not currently on the agenda that the council has jurisdiction over. Public comment is limited to 3 minutes.

OLD BUSINESS: Each previous agenda item will be introduced by the mayor with a description of the item and explanation for the recommended action to be taken. Following council discussion on each item there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

NEW BUSINESS: The mayor will introduce each new agenda item with a description of the item and an explanation for the recommended action to be taken. Following council discussion on each item, there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

1. Approve Memorandum of Understanding with Lincoln County Sheriff's Office.
2. Approve Ordinance #2004, Second Reading, Amending section 14.24.010 2021 International Fire Code.
3. Approve \$5000 from Community Development Fund to remove power pole from Mineral Avenue pocket park.
4. Fish, Wildlife, & Parks update on CWD trapping.
5. Review Independent Contractor Agreement for Lincoln County Park District Manager through January 31, 2025.
6. Ordinance update:
 - 1.) Chapter 12.40 Trees and Shrubbery – recommended changes introduction
 - 2.) Chapter 17.32.030 Fence or wall-Distance from Intersection – recommended changes introduction
7. Review FY23 Budget, end of 3rd Quarter.
8. Approve all claims received to date.
9. Approve all business license applications received to date.
 - a) Big Sky Sprinkler, 44 Opal Dr., Individual, Sprinkler installation, repair, and maintenance.
 - b) LAC Arms and Cerakote LLC, 717 Main Ave., LLC, Firearms transfer, selling, manufacturing, and cerakoting.
 - c) Lynx Enterprises, Inc., 3908 Northshore Blvd. NE, Tacoma, Wa., Corporation, General Contractor, subcontractor.
 - d) Rooted Gypsy Blooms, 310 East 9th St., LLC, Flowers, plants, home décor, and baked goods.
 - e) Wolfs Hardwood Flooring, 4372 Lake Creek Rd., Troy, Individual, Installation and refinishing hardwood floors.

UNFINISHED BUSINESS: Each item will be introduced by the mayor (or assigned liaison) with a description of the item. Following council discussion on each item, there will be an opportunity for public comment. No action will be taken. Public comment is limited to 3 minutes concerning each item.

GENERAL COMMENTS FROM COUNCIL: Public comment will not be taken during this portion of the meeting.

ADJOURNMENT:

The manner of Addressing Council:

- Each person, not a Council member, shall address the Council at the time designated in the agenda or as directed by the Council, by stepping to the podium or microphone, giving that person's name and address in an audible tone of voice for the record, unless further time is granted by the Council, shall limit the address to the Council to three minutes.
- All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff with no personal remarks allowed.
- No person, other than the Council and the person having the floor, shall be permitted to enter any discussion either directly or through a member of the Council, without the permission of the Presiding Officer.
- Any person making personal, impertinent, or slanderous remarks or who shall become boisterous or disruptive during the council meeting shall be forthwith barred from further presentation to the council by the presiding officer unless permission to continue is granted by a majority vote of the council.

ATTENTION:

To access this meeting electronically with **ZOOM**,
Dial: 253-215-8782
Meeting ID: **4042719951**
Password: **151041**
Posted: 4/13/23

UNAPPROVED MINUTES

The City Council held Council Meeting #1626 on Monday, April 3, 2023, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:00 pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, prayer was by Matthew Coblenz, roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Zach McNew, Kristin Smith, Hugh Taylor, Brian Zimmerman, Administrator Sam Sikes, Clerk-Treasurer Leann Monigold, and (via Zoom) City Attorney Dean Chisholm.

Mayor Williams welcomed all present.

Approve Public Hearing meeting minutes dated March 20, 2023 and City Council meeting #1626 minutes dated March 20, 2023:

Councilor Smith **MADE A MOTION** to approve and Councilor Zimmerman **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Committee Reports:

Administrator: Administrator Sikes reported after roughly two years, the USDA – RD has clarified the minimum reserves for each loan with the Water and Sewer Departments. All of the reserves are considered full except the short-lived asset replacement account and the city will no longer be paying twice into the one account. An example is next year the Water Department was scheduled to pay over \$188,000 into the reserve accounts, which is now just under \$83,000. This miscommunication was caused by the city and auditors treating each reserve account separate to each loan, the way the loan letter read it was correct. When the city had received more than one loan the USDA -RD saw both short-lived asset accounts as one fund to maintain the water system as a whole. As an outcome, \$422,000 has been transferred into the CIP to pay for the Cabinet View Water Main Replacement for the Water Department and \$138,000 was transferred into the CIP to pay for the necessary PER for the Sewer Department.

The Sewer Department has received the parts for the auxiliary bar screen and are being installed. The project is expected to be completed close to the end of the month.

In the Water Department, portions of the Water Rules have been identified as outdated. The Rules were adopted in 1986. The Streets Supervisor and Water Department have made several recommended changes to the document and would like to request the recommendation be taken into the Water/Sewer Committee for consideration.

Libby is still waiting to hear from Play Co. , the installation group, to schedule construction of the playground equipment in Fireman's Park. The Cemetery flagpole has been brought up again by concerned citizens who want lighting to be added. It was recommended that the flagpole topic be placed into the Cemetery/Parks Committee for consideration.

Councilor McNew accepted bringing the flagpole lighting to Cemetery/Parks Committee.

Councilor Zimmerman accepted bring the Water Rule changes to the Water/Sewer Committee.

Streets Supervisor: Streets Supervisor Justin Williams reported the number of shut-offs has decreased since the City started using the new payment methods and has eliminated a lot of the time, it takes two guys to shut the water off.

Both reservoirs are looking good, the water starting to come into the lower reservoir is turning a little discolored. Everything appears stable at this point and will continue to monitor the creeks and bed loads.

April Rainy, Jennifer Nelson, and volunteers in town have been doing a great job pruning our city trees.

The second week of street sweeping activity has been completed around the city.

Projects identified for the summer will be water line correction, painting, Education Way Project, street lights on Commerce Way, road patching, jetting, and playground equipment. Yellow and white paint has been received for street painting and the crews have been jetting lines, patching holes, inventorying, cleaning up garbage, snow equipment clean and put up for the season, and general maintenance activities.

Repairs on the Hall Bridge have been done the best they can and is in decent shape right now.

Joint effort with the Libby Volunteer Fire Department to purchase 60 hydrant lifts to allow them to be easily seen.

Six applications have been received for seasonal workers at Job Service and we will be hiring for those positions mid-month.

Mayor Williams inquired if blue paint was also purchased for handicapped spaces. Mr. Williams said we do have blue paint.

Police: Sergeant Buckner reported for March, 212 cases compared to 186 last year. More transient activity, theft cases are on the rise and thankful for the help from the County deputies.

All of the 2021-2022 IBR (Incident-Based Reporting) has been caught up and now eligible for state and federal funding.

Mr. Rovang has been detailing patrol vehicles to have them ready as we get new officers.

Stg Buckner said goodbye to Officer Brabo at the end of March and wishes him the best with his new job.

He joined the Troy Police Department with their weapons qualifying events and is now up to date on all certifications for weapons qualifications.

Light/Streets/Sidewalks: Councilor Beach announced a meeting will be held in the next few weeks and waiting for responses from people who would be adjacent to proposed handicapped parking downtown.

Zoning/Planning: Councilor Smith announced the Zoning Commission met last week and the next meeting is scheduled for April 24th to continue reviewing the residential districts.

Finance: Clerk-Treasurer reported the new budget season is about to begin and budget information is being updated to have it prepared for the Budget Committee meetings that will be starting soon. Last week, MMIA sent out the adjustment for the Employee Benefits Medical Rate. This year it did increase 9% but last year the rate had a significant drop of 16% for the medical benefits program cost so the City will still be able to offer the Mission plan and stay well within budget.

City-County Board of Health (BOH): Amy Fantozzi reported the Health Board has been educating the public on CPR, first aid, "Making Correct Choices" education with Libby and Troy schools taught to over 290 students, offered hygiene and nutrition presentations, and tobacco prevention. The County Health Department partnered with several organizations to help educate school staff and community members about mental illness identification and suicide prevention strategies in youth, 80 people have been trained, 16 people trained as facilitators, and a teen education version will be brought into the schools since most youths talk to their peers and friends. Training will start next week with the sophomore class. BOH approved influenza response plan and the next meeting will be May 9th.

Wildlife Committee: Councilor Taylor reported he had reached out to Tonya, our local biologist, they are still waiting on the last lab results from the CWD testing.

A Wildlife Committee meeting will be held at City Hall on April 6th at 6:30 to discuss the turkey problem.

Public Comment on Non-Agenda Items:

Mike Myers, 41 Midland Rd., had concerns about a Council member working for another Council member and saw it as a conflict of interest. Attorney Chisholm stated, this time is for comments, not questions, and there are statutory conflict of interest provisions and an

employment relationship is not contemplated by anything in the law. Mr. Myers inquired if the City hired a consulting firm to expand the city limits and had concerns of expenses if the city limits expanded. Mayor Williams explained, if referring to the Growth Plan as an annexation plan, it is not an annexation plan and there are no plans to annex.

Dan Torgison inquired why Mike Fraser was paid \$50,000 two years ago when \$18,000 was supposed to be set aside for the Switchback to help put in a sewer during the water main project.

Ben Scott, 252 Woodland Heights, president of the Ski Club, tailings from the primary dam (spoils pile) were left on city property by the ski course and requested it be discussed in the future to remove it.

Jim Myers, 4978 Kootenai River Rd., had concerns about a Council member working for another Council member and saw it as a conflict of interest.

DC Orr, 1117 Nevada Ave., said people are getting fed up from not having questions answered at a council meeting and wanted to know why questions have not been answered when getting a hold of the city administrator and concerns about transparency. Mr. Orr commented the Libby Creek Community Project is receiving grants and will be annexed. Concerns of a Council member working for another Council member and commented about the IP Settlement being taken off the agenda.

Kenny Rayome (via Zoom), 1314 Dakota Ave., wanted to remind people this is a small town and people have to wear lots of hats and trust the systems that are in place.

New Business:

Ordinance #2004, First Reading, Amending section 14.24.010 2021 International Fire Code.

Steve Lauer, Fire Chief of Libby Fire Department, requested the adoption of the 2021 International Fire Code and explained the updated ordinance.

Mayor Williams read Ordinance #2004 aloud for the first reading.

Councilor Taylor **MADE A MOTION** to approve Ordinance #2004, First Reading and Councilor Berke **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Approve construction of Chamber of Commerce storage shed:

Liz Waylon, representing the Chamber of Commerce and on the Farmers Market Committee, explained a grant is being applied for to get a constructed storage shed and requested a letter of support from City Council for the grant that will also show approval to build on city property. Ms. Waylon explained the size of the shed and where it would be located on the property, being only used for storage.

Councilor Smith **MADE A MOTION** to write a letter of support for the grant, and Councilor Zimmerman **SECONDED**.

Mayor Williams stated, according to lease, the Council does have to approve any building or changes.

Jennifer Nelson, 1026 Washington, requested the Chamber work with the City on the placement so it does not interfere with maintenance at the park and is aesthetically pleasing.

Councilor Smith **AMENDED** her **MOTION** to include the shed be placed in the location Ms. Waylon has instructed on the parking lot side of the building.

Council discussed the motion and the placement of the shed.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Approve separation agreement with Libby Police Chief Scott Kessel:

City Attorney Dean Chisholm explained, the document is a termination agreement between the City and Chief Kessel. There have been discussions in the executive sessions about the money factors at play in this situation, including the potential for long-term litigation and the potential for up to 4 years wages with benefits as reward for a successful wrongful discharge case. Due to privacy laws, not all details could be discussed even with Council, and we are in the process of making all of the information available that the law allows regarding the internal investigation and investigation done by external employment and law enforcement. This employee will receive roughly \$15,000 in gross compensation, \$9,000 in net compensation and in return, the employee will waive any rights to take any action against the City for anything related to his employment. By Age Discrimination Employment Act (ADEA) requires that employees over the age of 40 be given 21 days to review the agreement and 7 day rescission period. In this case, the employee waived his 21-day review period and rescission period will run in a day.

Councilor Taylor inquired why there were no copies of the document available to read before agreeing to it.

Mayor Williams called for a 10-minute recess for copies to be made and handed out.

Meeting resumed at 7:55 pm.

Attorney Chisholm explained and read over the details of the document.

Kenny Rayome, 1314 Dakota Ave., inquired why an attorney was involved, why not handled by MMIA, the amount spent on the attorney fees, and why it was not notarized.

DC Orr, 1117 Nevada Ave., inquired why copies were not made available prior to the meeting and stated his opinion.

John Bebee, 704 E. 9th, thanked Hugh Taylor for asking for a copy.

Smith **MADE A MOTION** to approve separation agreement with the Libby Police Chief Scott Kessel and Councilor Zimmerman **SECONDED**.

Attorney Chisholm explained no notary clause is need for this type of document.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Approve all claims received to date:

Councilor McNew **MADE A MOTION** to approve all claims received to date and Councilor Zimmerman **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Approve all business license applications received to date:

BTH Retail LLC and Wesson Moving LLC.

Councilor Smith **MADE A MOTION** to approve all claims received to date and Councilor Zimmerman **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Unfinished Business:

General Comments from the Council:

Mayor Williams stated this was the point in the meeting she had told Ben Scott she would mention the spoils pile.

Councilor Smith agreed to review the spoils pile if there was new information and should pursue looking for funding regarding the Haul Bridge.

Councilor McNew wanted to clarify about annexing, the funding received by the Libby Creek Community, grant money from the County and State was to redo the water supply that was outdated and would help the City by upgrading the line out that way and there is zero sewer hookups, only new septic tanks. Water and sewer must be provided to be annexed into the city.

Mayor Williams announced Farm To Market Store sent treats for the Council.

Councilor Taylor reminded the public of a Wildlife Committee meeting Thursday night and to come and give opinions or suggestions on the turkey problem.

Adjournment:

Councilor McNew **MADE A MOTION** to **Adjourn** and Councilor Berke **SECONDED**.

Councilors Beach, Berke, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:09 PM.

Mayor Peggy Williams

Clerk-Treasurer Leann Monigold

From: Tony Petrusha <tpetrusha@yahoo.com>
Sent: Monday, April 10, 2023 12:48 PM
To: Melissa Berke; Hugh Taylor; Peggy Williams; Brian Zimmerman; Kristin Smith; Gary Beach; Zach McNew; Sam Sykes; Leann Monigold
Cc: Jim Germany; Brent Teske
Subject: Recreation manager of Projects Contract Renewal and Quarterly Report
Attachments: Park District Manager of Projects - 2023 Renew.pdf; City Council Report 10 April 2023.docx

Madam mayor and Council Members

I am asking for time on the April 17th city council meeting agenda for 2 items.

First under the standing item -Recreation Project Manager report
Review of current status, attached quarterly report.

Second, either under regular agenda slot, OR new business item
Renewal of my contract.

Regarding the contract. You will recall contributions of \$10,000 each were made in 2018 by the City, County and Park District (cc'd on this email) Contributions were made again in 2019 by the City and the Park District, the county did not contribute (for no apparent reason).

This funding has been drawn against for the past 5 years at a rate of around \$6,400 per year for a total to date of \$31,668.25, leaving a balance of \$18,331.75 of previously approved money that should be applied to another two-year contract.

The money is held by the county and paid out by them as I invoice.

I believe recreation in the Libby area will continue to grow, my goal is to help develop facilities that can support local enthusiast's wants and needs, and facilities that will attract new residents and visitors. Through my actions, 'recreation' is more in the forefront than it was 5 years ago. We should continue to work together to include recreation as a part of all projects we undertake.

Thank You,

Tony Petrusha
Cabinet Country Consulting LLC
Tel 406.422.3528

City Council Report
Cabinet Country Consulting LLC

4/10/2023

1. Continued work on implementing the Snowshoe and Flower Creek Trails. Working with USFS, DNRC and Lincoln County.

Working with Lincoln County, Libby Port Authority and Libby Park District to develop a recreation 'ownership' model that will allow Port Authority recreation facilities to be transferred to the Park District for operations and maintenance.

2. The Kootenai Wellness Aquatic Center 'The Pool project' is officially closed and archived along with data from three prior pool projects. The information is archived in the City of Libby's upstairs archive locker.

3. There is a new aquatic feature being designed. A natural swimming feature approximately 100 ft x 150 ft x 5 feet deep with flow through water from Libby Creek, located in the Port Authority area, managed by the Libby Park District. Currently working with County Commissioners, Park District Board and Engineering firm to finalize funding, permitting and construction.

4. The agreement between City of Libby, Lincoln County, The Libby Park District, and the consultant is summarized below:

Establish a list of recreation projects, identify stakeholders that can provide labor, equipment, or other resources in support of each project, promote support for the project in and around Libby and facilitate public meetings as requested, provide progress reports to Lincoln County, City of Libby, and the Libby Park Board, develop a strategy to implement the "Greater Libby Area Trails Plan".

The consulting contract with the County, Park District and City expired in January of 2023. There is currently adequate funding from prior appropriations to support two more years at the past rate of expenditure. City of Libby renewal of the contract for 2 more years is requested at this time.

Submitted by:

Tony Petrusha

Cabinet Country Consulting LLC

MEMORANDUM OF AGREEMENT

CITY OF LIBBY AND LINCOLN COUNTY SHERIFF'S OFFICE AND LINCOLN COUNTY

This Memorandum of Agreement, "MOA" is made on the 22nd day of April, 2023, between the City of Libby ("City"), the Lincoln County Sheriff's Office ("LCSO" and "Sheriff") and Lincoln County ("County").

RECITALS:

WHEREAS, the City and the Sheriff have been cooperating to provide efficient police protection and service to the City under a memorandum of agreement dated February 1, 2023; and

WHEREAS, the Libby Police Department (LPD) staffing shortage continues, having recently reduced to one (1) employed full time LPD officer; and

WHEREAS, the ability of the Sheriff to cover vacant City patrol shifts and associated calls has become impossible under the terms of the February 1, 2023, MOA; and

WHEREAS, the Sheriff has identified a need to transition to an interim agreement wherein on-duty county deputies handle calls for both City of Libby and Lincoln County any time there is no LPD officer on shift to ensure full-time City police protection and service, as set forth in detail below.

WHEREAS, the City and the Sheriff agree that it is imperative that the Sheriff and LPD continue to provide exceptional service and ensure public safety to the residents of this county both within and outside the City boundaries in the most efficient manner possible by establishing new terms of agreement for temporary services provided by the Sheriff; and

WHEREAS, the City requests the Sheriff's assistance in the near future to formally field train newly hired LPD officers utilizing the Sheriff's certified field training officers; and

WHEREAS, the City requests the enhanced investigatory capacity provided by the Sheriff's detective division; and

WHEREAS, Section 7-11-102, MCA, permits local governments to make the most efficient use of their powers by enabling them to cooperate with other local governmental units on a basis of mutual advantage and thereby to provide services and facilities in a manner that will accord best with the factors influencing the needs and development of local communities; and

WHEREAS, Section 7-11-301(2), MCA, allows local governments to directly contract for consolidation and transfer of services without the formalities of an interlocal agreement; and

WHEREAS, the Chief of Police position will be vacant for a period of time and pursuant to the law enforcement duties set forth in Section 7-32-4105, MCA, the Mayor has designated appropriate City representative(s) to coordinate and supervise administration and operation of City law enforcement services until such time as a new chief of police is hired to take over command of the police department and coordination of the terms of this MOA with the Sheriff; and

MEMORANDUM OF AGREEMENT

CITY OF LIBBY AND LINCOLN COUNTY SHERIFF'S OFFICE AND LINCOLN COUNTY

WHEREAS, to the extent necessary or allowable by law, the City continues a standing request for assistance from the Sheriff, pursuant to Section 44-11-101, MCA, throughout the period this MOA is in effect; and

WHEREAS, the County and the Sheriff understand the temporary need for such law enforcement services, and declare that the Sheriff can provide such services as are necessary, and that the City will pay the set deputy straight wage, overtime wage, associated reimbursable benefits, and patrol vehicle mileage for the services provided.

NOW THEREFORE, the parties agree as follows:

1. The recitals set forth above are incorporated herein in full.
2. The purpose of this MOA is to provide the terms and conditions of the agreement for the Sheriff to provide law enforcement services for the City on a temporary basis and for payment of the Sheriff's expenses for said services.
3. The Sheriff and the City will each identify a designee to represent their respective daily operational interests.
4. On the effective date of this MOA, the Sheriff will transition to on-duty county deputies handling the calls for both the City and the County any time there is no LPD officer on shift; this ensures full-time 24/7 coverage of both the City and the County.
5. The Sheriff will ensure that on-duty deputies are coordinating amongst themselves to ensure that an adequate patrol presence and response time is maintained in the city.
6. For the purposes of this MOA, all straight time or overtime reimbursements by the City referred to herein shall also include associated reimbursable benefits.
7. The City agrees to reimburse the Sheriff for services provided by LCSO sworn patrol deputies, patrol sergeants, and the patrol captain at a \$4.00 per hour increase of their current straight time rate of pay per county shift worked when no LPD officer is working.
8. The City agrees to reimburse the Sheriff for services provided by two (2) LCSO sworn detectives at a \$4.00 per hour increase of their current straight time rate of pay per county shift worked when no LPD officer is working.
9. The City agrees to reimburse the Sheriff for services provided by two (2) LCSO sworn detectives at a \$4.00 per hour increase of their current straight time rate of pay per county shift worked, whether an LPD officer is working or not.
10. The City agrees to reimburse the Sheriff for services provided by LCSO sworn Field Training Officer-certified deputies actively engaged in the field training of LPD recruits at a \$6.00 per hour increase of their current straight time rate of pay for all time worked on shift.

MEMORANDUM OF AGREEMENT

CITY OF LIBBY AND LINCOLN COUNTY SHERIFF'S OFFICE AND LINCOLN COUNTY

11. The Sheriff will ensure that not less than two (2) deputies are working in the south county area at all times. Should all county deputies be called away to distant county calls, the City agrees to reimburse the Sheriff for an overtime callout to cover the City of Libby area, at the discretion of an LCSO supervisor. The Sheriff will first attempt to call out LPD officers for the overtime callout, prior to attempts to locate a deputy for callout.
12. If the Sheriff's shift schedule calls for only one on-duty deputy for a shift due to a leave status or scheduled training, the Sheriff will first attempt to schedule an LPD officer for overtime. If no LPD officer is available to cover the shift, the City agrees to reimburse the Sheriff for a deputy to be called out on overtime.
13. The City agrees to reimburse the Sheriff for any deputy overtime worked as a result of held-over shifts for Libby cases.
14. The City agrees to reimburse the Sheriff for overtime callouts due to priority case investigation follow-up, for case preparation with attorneys, and for court appearances.
15. The City agrees to reimburse the Sheriff for urgent callouts due to exigent law enforcement situations in the city when on-duty officers or deputies need additional assistance.
16. The City agrees to reimburse the Sheriff for any other required city case callout as determined necessary by an LCSO supervisor.
17. The City's identified designee will coordinate with the Sheriff's identified designee to ensure that the City's shift schedule is planned and made known in advance to patrol supervisors.
18. Any deputies working in the City will answer directly to the Sheriff, however, they will coordinate with the LPD sergeant or designee on a day-to-day basis regarding any issues that may arise.
19. Any felony investigations started by the Sheriff shall be completed by the Sheriff and prosecuted by the County Attorney's Office.
20. Vehicle Use:
 - a. LCSO will utilize assigned county vehicles to perform the duties as set forth herein.
 - b. When no LPD officer is on shift, the City agrees to reimburse the Sheriff a flat rate of 50 miles per county-covered shift at the Montana standard mileage rate. Vehicle mileage records need not be recorded by the Sheriff for this flat rate fee.
 - c. The City agrees to reimburse LCSO for actual vehicle mileage for all callouts to City cases or business at the Montana standard mileage rate. The mileage documentation will include beginning, ending, and total miles.

MEMORANDUM OF AGREEMENT

CITY OF LIBBY AND LINCOLN COUNTY SHERIFF'S OFFICE AND LINCOLN COUNTY

21. The Sheriff must submit reimbursement claims no later than the Wednesday prior to the first or third Monday of the month so that the Council may consider the claim at its next meeting and make payment of said claim the day following approval.
22. The furnishing of such services, the standards of performance, the discipline of deputies and other matters incidental to the performance of such services and the control of personnel so employed shall remain with the Sheriff. The employees of the City shall remain employees of the City and shall work with and cooperate fully with the Sheriff in the performance of their duties under this MOA.
23. The County and Sheriff shall maintain liability insurance for the activities of the Sheriff in providing law enforcement services to the City under this MOA. The County and Sheriff shall assume liability for, defend against and hold harmless the City from all costs or damages including attorney's fees for injury to persons or property caused by the negligence of or intentional misconduct of the Sheriff or Sheriff's personnel in providing or failing to provide such law enforcement services to the City. The City shall assume liability for, defend against, and hold harmless the County and Sheriff from all claims and costs of damages including attorney fees for injury to persons or property caused by the City in its negligent or intentional misconduct in administration of the terms and conditions of this MOA.
24. No party shall assign, transfer, or convey any right or obligation set forth in this MOA without the prior written consent of the other party. The undersigned represent that they have authority to enter into this MOA.
25. This MOA constitutes the sole and entire agreement between the parties hereto. No other terms or conditions shall be binding upon either party unless accepted in writing. This MOA supersedes any previous oral or written agreements between the parties.
26. All personnel employed by the Sheriff in providing general law enforcement services to the City shall be considered County employees, and they shall not have any benefit, status or right of City employment. The City shall not be liable for direct payments of salaries, wages or other compensation to the County employees providing general law enforcement services to it. The City shall not be liable for indemnity to any County employee for injury or sickness arising out of his or her employment in providing law enforcement services to it. For the sole purpose of giving official status to their acts in performing this MOA, every County Sheriff's deputy or employee engaged in providing general law enforcement service to the City shall be considered an agent of the City.
27. This MOA shall terminate immediately upon notification to the Sheriff by the City that the services provided by Sheriff are no longer required, or June 30, 2023, whichever comes first, unless extended or amended by all parties in writing.

MEMORANDUM OF AGREEMENT

**CITY OF LIBBY
AND
LINCOLN COUNTY SHERIFF'S OFFICE
AND
LINCOLN COUNTY**

Notwithstanding the date of signature of the parties, the terms and conditions of this MOA become effective on the 22nd day of April, 2023.

By:

_____	_____	_____	_____
Josh Letcher Chairperson, Lincoln County Board of County Commissioners	Date	Peggy Williams Mayor, City of Libby	Date

_____	_____
Darren Short Sheriff, Lincoln County Sheriff's Office	Date

DRAFT

ORDINANCE NO. 2004

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA
AMENDING THE LIBBY CITY CODE TO REFERENCE THE 2021 INTERNATIONAL
FIRE CODE, WITH ADDITIONS AND AMENDMENTS AS ADAPTED BY THE STATE
OF MONTANA ARM 23.12.601**

WHEREAS, the City of Libby desires to have regulations governing conditions hazardous to life and property from fire; and

WHEREAS, the City of Libby may incorporate technical codes by reference according to Mont. Code Ann. § 7-5-108 and § 7-5-4202.

NOW, THEREFORE, be it ordained by the City Council of the City of Libby, Montana as follows:

Section 1: Libby City Code Section 14.24.010 is hereby modified with the subsections shown below:

14.24.010 Adoption of Codes

1. The International Fire Code, 2021 Edition, will replace the International fire Code 2012 Edition.

Section 2: This Ordinance modification shall take effect thirty (30) days after its adoption by the City Council of the City of Libby, Montana, and signing by the Mayor thereof.

FIRST READING and approved by City Council on the 3rd day of April 2023.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LIBBY,
MONTANA** on this 17th day of April 2023.

Attest:

Peggy Williams, Mayor

Leann Monigold, Clerk/Treasurer



From: mayor@cityoflibby.com
Sent: Thursday, April 13, 2023 3:34 PM
To: clerk.treasurer@cityoflibby.com
Subject: FW: Final CWD Deer Trapping Summary (2022-23)

From: Chilton-Radandt, Tonya <TChilton@mt.gov>
Sent: Thursday, April 13, 2023 2:29 PM
To: Hugh Taylor <hugh.taylor@cityoflibby.com>; mayor@cityoflibby.com
Cc: Anderson, Neil <NAnderson@mt.gov>
Subject: Final CWD Deer Trapping Summary (2022-23)

Hi to you both,

I'm forwarding a summary of final capture information from the 2022-2023 Libby CWD Deer Trapping Project (below). I just heard back last night from FWP's Wildlife Health Lab with the CWD prevalence estimates for the Libby area, so I've added that to the final bullet:

- 75 deer were captured/culled inside or near Libby city limits (both bucks and does): 38 deer were trapped from HD 100, 21 from HD 103, and 16 from HD 104
- Of those captured, 7 deer tested positive for CWD and were taken to the Libby Landfill
- 68 deer that tested "Not detected" for CWD were donated to the Libby Christian Church Food Pantry
- 18 landowners – including a few from previous years - allowed us access to trap on their property this year, and we couldn't have had the success we did without them!
- White-tailed Deer CWD Prevalence Estimates were calculated within the Libby Surveillance Area (2019-2022) in the table below. Totals and estimates are calculated across age classes and both sexes, from hunter-harvested and agency removed animals only:

Year	Positives	Total	Prevalence
2019	23	167	0.14
2020	15	154	0.10
2021	12	148	0.08
2022	9	99	0.09

Feel free to contact me with any questions: 293-4161, ext. 209.

Best,

Tonya

Tonya Chilton-Radandt
Libby/Troy Area Wildlife Biologist
MT Fish, Wildlife, & Parks
385 Fish Hatchery Rd
Libby MT 59923
#(406)293-4161 x209

Montana FWP



THE OUTSIDE IS IN US ALL.



INDEPENDENT CONTRACTOR AGREEMENT LINCOLN COUNTY PARK DISTRICT MANAGER OF PROJECTS

This Independent Contractor Agreement (“Agreement”) is made and entered into as of this 17th day of April 2023 (“Effective Date”) by and between Lincoln County, Montana, City of Libby, Montana, the Libby Park District, (collectively, “Government Entities”), and Cabinet Country Consulting LLC / Paul Petrusha, (“Contractor”) to provide contract services for the identification, detailed development and initial implementation of recreation projects in the Libby area.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM

The term of this Agreement shall commence on the Effective Date, and shall terminate on January 31, 2025, unless terminated earlier by either party in writing as provided herein.

2. COMPENSATION

Contractor shall be paid by “Government Entities” as follows:

2.1 For purposes of payment, work will be invoiced under either one of two categories; Project Planning and Project Execution.

2.2 Project Planning work, defined as work performed during the formative or planning stages of a project, will be invoiced at an hourly rate of \$40.00 per hour.

2.3 Project Execution work, including project manager duties that are part of a project, will be included as line-item expenses in the project breakdown and invoiced for each completed stage of the project at an hourly rate of \$40.00 an hour.

2.4 Payment will be made as an independent contractor service, not as wages.

3. CONTRACTOR DUTIES

Contractor’s scope of work will be specifically identified by the Park District Board of Directors and will include any of the following services and other duties as defined by an approved motion by the board;

3.1 Establish a list of recreation projects.

3.2 Identify local citizens or groups interested in participating in each project’s development.

3.3 Identify stakeholders that can provide labor, equipment, or other resources in support of each project.

3.4 Research and develop a resource list of available grants and other opportunities for project funding.

3.5 Promote support for the project in and around Libby and facilitate public meetings as requested.

3.6 Provide quarterly progress reports to Lincoln County, City of Libby, and the Libby Park District Board.

3.7 Establish a five-year work plan, detailed for years one and two, with priority given to trails and facility transfer to Libby Park District.

3.8 Develop a strategy to implement the “Greater Libby Area Trails Plan” including but not limited to the following;

A. Coordinate with Montana DNRC, United States Forest Service, and other entities to obtain required approvals or to provide simple notice.

B. Provide design oversight and interface with design entities for review, sequencing, prioritization and clarification of design.

C. Plan and monitor construction of trails, trail heads, parking areas, and bridges, etc.

4. DESIGN AUTHORITY and OWNERSHIP

4.1 Any plans and designs for all projects shall be owned by the Government Entities and their agencies. Contractor shall have no ownership rights of any plans or designs, including those produced by Contractor in the course of fulfilling Contractor’s duties under this Agreement.

5. INDEPENDENT CONTRACTOR

5.1 The parties intend and agree that, at all times during the performance of services under this Agreement, Contractor shall act as an independent contractor and shall not be considered an agent or employee of the Government Entities. As such, Contractor shall have the sole legal responsibility to remit all federal and state income and social security taxes and to provide for his/her own workers compensation and unemployment insurance and that of his/her representatives. Contractor also agrees to provide liability insurance as required by Government Entities and this Agreement.

6. INSURANCE

6.1 General Liability Insurance. The contractor must provide and maintain at all times general liability insurance in an amount not less than one million dollars (\$1 million per occurrence), and insurance for bodily injury, personal injury, and property damage in the amount of \$50,000 per occurrence.

6.2 Contractor’s insurance coverage shall be primary insurance and/or primary source of recovery Entities, its elected or appointed officers, agents, officials, employees and volunteers with respect to all claims, losses or liability arising directly or indirectly from the Contractor’s operations or services provided to Government Entities.

6.3 Workers Compensation Insurance. By executing this Agreement, Contractor certifies that the contractor is aware of and will comply with the Labor Code of the State of Montana requiring every employer to be insured against liability for workers compensation or to undertake self-insurance before commencing any work. Contractor shall carry the insurance or provide for self-insurance required by Montana law to protect Contractor from claims under the Workers’ Compensation Act.

6.4 The contractor shall indemnify, defend and hold harmless Government Entities, its elected and appointed officers, employees, agents, representatives, boards and commissions (“Indemnified Parties”) with respect to any loss, liability, injury or damage that arises out of, or is in any way related to, the acts or omissions of Contractor, his or her employees, representatives, officers and agents in the course of performing services under this Agreement; however, Contractor shall not be required to indemnify Government Entities from any claim arising from the sole negligence or willful misconduct of the Indemnified Parties.

7. SEVERABILITY

7.1 If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

8. TERMINATION

8.1 Lincoln County, the City of Libby, or Libby Parks Board has the right, at its sole discretion and with or without cause, to terminate this Agreement at any time by giving three (3) calendar days prior written notice to Contractor. In the event of termination under this section, Government Entities shall pay Contractor on a prorated basis for any completed work up to the effective date of termination.

Brent Teske, Lincoln County Commissioner

Peggy Williams, City of Libby, Mayor

Jim Germany, Libby Park District

Paul Petrusha, Contractor
Cabinet Country Consulting LLC

Chapter 12.40 TREES AND SHRUBBERY

Sections:

12.40.010 Minimum height of branches over sidewalks and streets.

The lowest branch of any tree shall not be less than eight (8') feet above the ground where the same extends over sidewalks. Any tree where limbs or branches extend over the streets, driveways, or any place where traffic passes under such tree or branch shall be fourteen feet (14') above the surface of the street.

12.40.020 Trimming of hedges and shrubbery.

- A. Any owner, agent, tenant, or occupant of any real property shall trim all hedges and shrubbery adjacent to the sidewalks, streets, or alleys, so that the same will not interfere with pedestrian or public travel.
- B. Hedges or shrubbery shall not extend over any part of a public sidewalk, street, or alley in the city. All such hedges and shrubbery shall be trimmed back to the property line regardless of whether the property line abuts a sidewalk, street, or alley. It is the intent of this section that no hedge or shrubbery shall be allowed to grow upon or extend over any of the alleys, streets, or sidewalks in the city limits.

12.40.030 Legal boundary designated.

For the purpose of this chapter, the property line shall be deemed the actual legal boundary of the lot or lots concerned and extending upward at a ninety-degree angle into space.

12.40.040 Interference with planting prohibited.

It is unlawful for any person, not the owner thereof, or without lawful authority to do so, to ~~wilfully~~willfully injure, deface, disfigure, or destroy any fruit, shade, or ornamental tree or shrub, or to injure, destroy, cut or pick any flower or plant growing, standing, or being either on private ground or any street, parking, public park, or place within the city.

12.40.050 Authority over trees outside property lines.

~~The mayor and council are given full and complete control of all trees growing within the confines of the city limits which are outside of the property lines of the respective lots, plots, and tracts. The City maintains rights-of-way and public spaces inside the city limits.~~

12.40.060 ~~Traffic hazards within vision~~Visibility ~~Triangle~~—Trimming—City action.

- A. A visibility triangle is described as the area being formed by measuring eighty feet (80') along each of the centerlines of the street rights-of-way at an intersection and then connecting the two points with a straight line.
- B. Improvements in the Visibility Triangle
 - 1. The owners of property shall be allowed a wire mesh fence within the ~~vision-visibility~~ triangle of not more than six feet (6') in height, or open rail fence not more than four feet (4') in height, providing that the rails do not constitute more than one-third of the fence area.
 - 2. Any hedge, shrubbery, fence, wall, or other sight obstruction of any nature ~~except buildings and tree~~boles with limbs trimmed between thirty inches (30") and eight feet (8') in height from the existing centerline road elevation, existing, growing, placed, or installed shall be permitted. ~~within a vision triangle, the boundaries of the vision triangle being formed by measuring from the intersection of the centerline of~~

~~the street right of way eighty feet along the centerlines of the street right of way and then connecting the two points with a straight line~~

- C. It is unlawful for either the owner or the person in possession of any premise to permit ~~such~~ traffic hazards to exist. Any owner of any property failing to trim any trees, shrubs, or bushes in conformity with this chapter shall be notified by the city to do so and such notice shall require trimming in conformity with this chapter within fifteen days (15) after the date of such notice. Upon the expiration of such period, the city may cause the trimming to be done and the cost thereof may be collected from the owner of said property in the manner as other costs are assessed against the property owner.

12.40.070 Penalty for violations.

Any person violating any provision of this chapter shall, upon conviction thereof, be punished as set forth in Section 1.28.010.

(Ord. 878 (part), 1975)

17.32.030 Fence or wall—~~Distance from intersection.~~

A. Fences or walls may not exceed ~~not more than~~ six (6) feet in height ~~high may be erected~~ in any residence residential district in rear yards.

B. Solid fences in the front yard (i.e., measured to the front setback line) may not exceed four (4) feet in height. Open weave fences may be permitted up to six (6) feet in height.

C. , but no fence, wall, or shrubbery shall be maintained within twenty five (25) feet of any street intersection so as to interfere with traffic visibility around the corner ~~For Corner lots, see Visibility Triangle (12.40.060).~~

(Ord. 1359, 1987)

CITY OF LIBBY
Cash Report
For the Accounting Period: 4/23

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 GENERAL						
101000 Cash - Operating	752,135.82	14,406.05	0.00	0.00	0.00	766,541.87
103000 PETTY CASH	417.40	0.00	0.00	0.00	0.00	417.40
Total Fund	752,553.22	14,406.05				766,959.27
2386 IP SETTLEMENT						
101000 Cash - Operating	615,674.98	0.00	0.00	0.00	0.00	615,674.98
2410 Lighting Maint.						
101000 Cash - Operating	159,712.54	403.65	0.00	0.00	0.00	160,116.19
2510 Street Maint (Sprinkling)						
101000 Cash - Operating	75,356.21	911.01	0.00	0.00	0.00	76,267.22
2820 Gas Tax						
101000 Cash - Operating	78,192.17	0.00	0.00	0.00	0.00	78,192.17
2821 GAS TAX HB 473 BARSSA						
101000 Cash - Operating	110,757.30	0.00	0.00	0.00	0.00	110,757.30
2959 Community Development Fund						
101000 Cash - Operating	1,502,712.50	0.00	0.00	0.00	0.00	1,502,712.50
2992 American Recovery Plan Act						
101000 Cash - Operating	611,550.36	0.00	0.00	0.00	0.00	611,550.36
3200 MINERAL AVE. SID PROJECT						
101000 Cash - Operating	5,416.46	0.00	0.00	0.00	0.00	5,416.46
4001 City Buildings CIP						
101000 Cash - Operating	2,611.90	0.00	0.00	0.00	0.00	2,611.90
4002 Police Department CIP						
101000 Cash - Operating	35,000.00	0.00	0.00	0.00	0.00	35,000.00
4003 Fire Department CIP						
101000 Cash - Operating	1,000.00	0.00	0.00	0.00	0.00	1,000.00
4004 Streets CIP Fund						
101000 Cash - Operating	40,150.87	0.00	0.00	0.00	0.00	40,150.87
5210 WATER UTILITY						
101000 Cash - Operating	413,806.24	54,446.30	0.00	83.40	0.00	468,169.14
102200 Cash - Customer Water Deposits	40,350.00	0.00	0.00	0.00	0.00	40,350.00
102250 \$800K-Current Reserve	26,741.68	0.00	0.00	0.00	0.00	26,741.68
102251 \$800K-Future Reserve	53,483.00	0.00	0.00	0.00	0.00	53,483.00
102252 \$490K Debt Reserve	19,824.00	0.00	0.00	0.00	0.00	19,824.00
102253 \$3,200K Debt Reserve	129,408.00	0.00	0.00	0.00	0.00	129,408.00
102255 \$2,268K Debt Reserve	89,820.00	0.00	0.00	0.00	0.00	89,820.00
102256 DNRC Short-Lived Asset	72,975.00	0.00	0.00	0.00	0.00	72,975.00
102257 DNRC Coal Sev Tax Bonds Reserve	8,463.00	0.00	0.00	0.00	0.00	8,463.00
102258 DNRC General Reserve	130,425.00	0.00	0.00	0.00	0.00	130,425.00
102259 DNRC RD Bonds Reserve	138,888.00	0.00	0.00	0.00	0.00	138,888.00
102260 USDA-RD Short-Lived Asset	608,793.49	0.00	0.00	0.00	0.00	608,793.49
Total Fund	1,732,977.41	54,446.30		83.40		1,787,340.31
5211 Water Department CIP						
101000 Cash - Operating	1,106,285.69	0.00	0.00	0.00	0.00	1,106,285.69
5310 SEWER UTILITY						
101000 Cash - Operating	150,235.45	22,709.73	0.00	66.60	0.00	172,878.58

CITY OF LIBBY
Cash Report
For the Accounting Period: 4/23

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
102231 Cab Hgts Debt Reserve	66,384.00	0.00	0.00	0.00	0.00	66,384.00
102241 RD Loans Short-Lived Asset	244,338.00	0.00	0.00	0.00	0.00	244,338.00
102243 RD Bond Debt Reserve	29,136.00	0.00	0.00	0.00	0.00	29,136.00
Total Fund	490,093.45	22,709.73		66.60		512,736.58
5311 Sewer Department CIP						
101000 Cash - Operating	149,535.25	0.00	0.00	0.00	0.00	149,535.25
7120 FIRE RELIEF AGENCY FUND						
101000 Cash - Operating	20,983.02	308.37	0.00	0.00	0.00	21,291.39
7458 TECHNOLOGY SURCHARGE/TO COUNTY FOR STATE						
101000 Cash - Operating	504.00	0.00	0.00	0.00	0.00	504.00
7467 LAW ENFORCEMENT SURCHARGE/TO COUNTY FOR STATE						
101000 Cash - Operating	459.00	0.00	0.00	0.00	0.00	459.00
7910 PAYROLL FUND						
101000 Cash - Operating	68,259.45	0.00	0.00	0.00	0.00	68,259.45
7930 CLAIMS FUND						
101000 Cash - Operating	280,257.64	0.00	0.00	0.00	0.00	280,257.64
Totals	7,840,043.42	93,185.11	0.00	150.00	0.00	7,933,078.53

*** Transfers In and Transfers Out columns should match, with the following exceptions:

- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.

04/13/23
15:55:26

CITY OF LIBBY
Statement of Revenue Budget vs Actuals
For the Accounting Period: 4 / 23

Page: 1 of 5
Report ID: B110C

Fund	Account	Received		Estimated Revenue	Revenue	
		Current Month	Received YTD		To Be Received	% Received
1000 GENERAL						
310000 TAXES						
	311010 Real Property Taxes	2,399.20	284,743.51	414,280.00	129,536.49	69 %
	312000 Penalty & Interest on Delinquent Taxes	115.46	1,003.90	1,504.00	500.10	67 %
	314140 Local Option Tax	6,177.06	67,693.95	78,699.00	11,005.05	86 %
	Account Group Total:	8,691.72	353,441.36	494,483.00	141,041.64	71 %
320000 LICENSES AND PERMITS						
	321020 Coin Operated Amusement Licenses	0.00	300.00	300.00	0.00	100 %
	322010 Alcoholic Beverage Licenses and Permits	105.00	7,625.00	7,500.00	-125.00	102 %
	322020 Business Licenses	330.00	28,800.00	29,730.00	930.00	97 %
	322025 Business Licenses Late Fee/Penalty	0.00	35.00	0.00	-35.00	** %
	323010 Building Permits	0.00	23,618.00	40,000.00	16,382.00	59 %
	323020 Sidewalk Encroachment Permits	0.00	4.00	0.00	-4.00	** %
	323050 Street Opening Permits	0.00	1,100.00	600.00	-500.00	183 %
	Account Group Total:	435.00	61,482.00	78,130.00	16,648.00	79 %
330000						
	331072 CDBG Growth Plan	0.00	0.00	37,500.00	37,500.00	0 %
	331178 DUI Task Force STEP Grant	0.00	0.00	5,000.00	5,000.00	0 %
	334002 MAIN ST Grant	0.00	4,800.00	8,000.00	3,200.00	60 %
	335120 Video Gaming Machine Permits	0.00	21,925.00	21,000.00	-925.00	104 %
	335230 HB 124 Ent.	0.00	464,934.72	619,913.00	154,978.28	75 %
	Account Group Total:	0.00	491,659.72	691,413.00	199,753.28	71 %
340000						
	341010 Misc. Collection	0.00	0.00	200.00	200.00	0 %
	342010 Law Enforcement Fees	0.00	0.00	5,000.00	5,000.00	0 %
	343320 Sales of Cemetery Plots	350.00	12,760.00	17,100.00	4,340.00	75 %
	343340 Opening & Closing Charges	0.00	8,590.00	18,000.00	9,410.00	48 %
	343350 Perpetual Care Niche Wall	0.00	0.00	550.00	550.00	0 %
	346040 Camping Facilities Fees	0.00	5,356.00	5,500.00	144.00	97 %
	346050 Fireman's Park Dumping Fees	0.00	619.63	850.00	230.37	73 %
	Account Group Total:	350.00	27,325.63	47,200.00	19,874.37	58 %
350000						
	351030 City Courts	0.00	24,959.44	47,000.00	22,040.56	53 %
	351031 Vic Witness Surcharge-City	0.00	954.00	460.00	-494.00	207 %
	Account Group Total:	0.00	25,913.44	47,460.00	21,546.56	55 %
360000 MISCELLANEOUS REVENUE						
	361000 Rents/Leases	4,929.33	59,466.30	73,000.00	13,533.70	81 %
	361001 LCRFD Firehall Rent Received	0.00	12,000.00	12,000.00	0.00	100 %
	362000 Miscellaneous Revenue	0.00	16,033.69	5,000.00	-11,033.69	321 %
	367000 Sale of Junk or Salvage	0.00	0.00	7,433.00	7,433.00	0 %
	Account Group Total:	4,929.33	87,499.99	97,433.00	9,933.01	90 %
370000						
	371010 Investment Earnings	0.00	2,967.88	4,000.00	1,032.12	74 %
	Account Group Total:	0.00	2,967.88	4,000.00	1,032.12	74 %

Fund	Account	Received			Revenue	%
		Current Month	Received YTD	Estimated Revenue	To Be Received	Received
	Fund Total:	14,406.05	1,050,290.02	1,460,119.00	409,828.98	72 %
2386 IP SETTLEMENT						
370000						
	371010 Investment Earnings	0.00	3,264.97	4,346.00	1,081.03	75 %
	Account Group Total:	0.00	3,264.97	4,346.00	1,081.03	75 %
	Fund Total:	0.00	3,264.97	4,346.00	1,081.03	75 %
2410 Lighting Maint.						
360000 MISCELLANEOUS REVENUE						
	363010 Maintenance Assessments	387.78	45,997.17	66,000.00	20,002.83	70 %
	363040 Penalty & Interest Special Assessments	15.87	128.30	300.00	171.70	43 %
	Account Group Total:	403.65	46,125.47	66,300.00	20,174.53	70 %
370000						
	371010 Investment Earnings	0.00	746.68	600.00	-146.68	124 %
	Account Group Total:	0.00	746.68	600.00	-146.68	124 %
	Fund Total:	403.65	46,872.15	66,900.00	20,027.85	70 %
2510 Street Maint (Sprinkling)						
360000 MISCELLANEOUS REVENUE						
	363010 Maintenance Assessments	875.18	103,802.04	150,000.00	46,197.96	69 %
	363040 Penalty & Interest Special Assessments	35.83	289.77	500.00	210.23	58 %
	Account Group Total:	911.01	104,091.81	150,500.00	46,408.19	69 %
370000						
	371010 Investment Earnings	0.00	297.48	300.00	2.52	99 %
	Account Group Total:	0.00	297.48	300.00	2.52	99 %
	Fund Total:	911.01	104,389.29	150,800.00	46,410.71	69 %
2820 Gas Tax						
330000						
	335040 Gasoline Tax Apportionment	0.00	36,795.35	63,078.00	26,282.65	58 %
	Account Group Total:	0.00	36,795.35	63,078.00	26,282.65	58 %
370000						
	371010 Investment Earnings	0.00	449.62	250.00	-199.62	180 %
	Account Group Total:	0.00	449.62	250.00	-199.62	180 %
	Fund Total:	0.00	37,244.97	63,328.00	26,083.03	59 %

CITY OF LIBBY
Statement of Revenue Budget vs Actuals
For the Accounting Period: 4 / 23

Fund	Account	Received		Estimated Revenue	Revenue	
		Current Month	Received YTD		To Be Received	% Received
2821	GAS TAX HB 473 BARSSA					
330000						
	335041 HB 473 Gas tax	0.00	82,030.48	82,031.00	0.52	100 %
	Account Group Total:	0.00	82,030.48	82,031.00	0.52	100 %
	Fund Total:	0.00	82,030.48	82,031.00	0.52	100 %
2959	Community Development Fund					
360000	MISCELLANEOUS REVENUE					
	362000 Miscellaneous Revenue	0.00	15,300.00	0.00	-15,300.00	** %
	Account Group Total:	0.00	15,300.00	0.00	-15,300.00	** %
370000						
	371010 Investment Earnings	0.00	4,634.17	400.00	-4,234.17	*** %
	373010 Interest on Economic Development	0.00	233.66	447.00	213.34	52 %
	373020 Principal on Economic Development	0.00	838.89	1,699.00	860.11	49 %
	Account Group Total:	0.00	5,706.72	2,546.00	-3,160.72	224 %
	Fund Total:	0.00	21,006.72	2,546.00	-18,460.72	825 %
2992	American Recovery Plan Act					
330000						
	331991 American Recovery Plan Act (ARPA)	0.00	613,125.36	573,492.00	-39,633.36	107 %
	Account Group Total:	0.00	613,125.36	573,492.00	-39,633.36	107 %
	Fund Total:	0.00	613,125.36	573,492.00	-39,633.36	107 %
3200	MINERAL AVE. SID PROJECT					
360000	MISCELLANEOUS REVENUE					
	363001 Mineral Avenue Special Improvement District	0.00	1,018.68	2,150.00	1,131.32	47 %
	363040 Penalty & Interest Special Assessments	0.00	0.00	100.00	100.00	0 %
	Account Group Total:	0.00	1,018.68	2,250.00	1,231.32	45 %
	Fund Total:	0.00	1,018.68	2,250.00	1,231.32	45 %
5210	WATER UTILITY					
340000						
	343021 Metered Water Sales	0.00	1,196,055.31	1,541,323.00	345,267.69	78 %
	343022 Unmetered Water Sales	100.00	900.00	1,200.00	300.00	75 %
	343023 Bulk Water Sales	0.00	212.09	300.00	87.91	71 %
	343028 Water Plant Investment Fees (PIF)	0.00	8,279.14	3,000.00	-5,279.14	276 %
	Account Group Total:	100.00	1,205,446.54	1,545,823.00	340,376.46	78 %

Fund	Account	Received			Revenue		% Received
		Current Month	Received YTD	Estimated Revenue	To Be Received		
5210 WATER UTILITY							
360000 MISCELLANEOUS REVENUE							
	362000	Miscellaneous Revenue	0.00	11,302.92	531.00	-10,771.92	*** %
	363040	Penalty & Interest Special Assessments	5.26	5.26	0.00	-5.26	** %
		Account Group Total:	5.26	11,308.18	531.00	-10,777.18	*** %
370000							
	371010	Investment Earnings	0.00	10,392.51	13,000.00	2,607.49	80 %
		Account Group Total:	0.00	10,392.51	13,000.00	2,607.49	80 %
		Fund Total:	105.26	1,227,147.23	1,559,354.00	332,206.77	79 %
5211 Water Department CIP							
380000							
	383000	Interfund Operating Transfer	0.00	422,484.67	0.00	-422,484.67	** %
		Account Group Total:	0.00	422,484.67	0.00	-422,484.67	** %
		Fund Total:	0.00	422,484.67	0.00	-422,484.67	** %
5310 SEWER UTILITY							
330000							
	331077	DLA Grant Sewer System Bar Screen	0.00	63,829.66	478,000.00	414,170.34	13 %
	334061	MT COAL Waste Water PLC Grant	0.00	0.00	464,000.00	464,000.00	0 %
	334062	DNRC/RRGL Waste Water PLC Grant	0.00	9,612.37	125,000.00	115,387.63	8 %
	334063	CDBG Waste Water PLC Grant.	0.00	0.00	600,000.00	600,000.00	0 %
		Account Group Total:	0.00	73,442.03	1,667,000.00	1,593,557.97	4 %
340000							
	343031	Sewer Service Charges	100.00	557,855.41	717,000.00	159,144.59	78 %
	343034	Treatment Plant Investment Fees (PIF)	0.00	2,298.20	3,000.00	701.80	77 %
		Account Group Total:	100.00	560,153.61	720,000.00	159,846.39	78 %
360000 MISCELLANEOUS REVENUE							
	362000	Miscellaneous Revenue	0.00	4,843.50	0.00	-4,843.50	** %
	363040	Penalty & Interest Special Assessments	8.84	8.84	50.00	41.16	18 %
		Account Group Total:	8.84	4,852.34	50.00	-4,802.34	*** %
370000							
	371010	Investment Earnings	0.00	2,490.04	3,000.00	509.96	83 %
		Account Group Total:	0.00	2,490.04	3,000.00	509.96	83 %
		Fund Total:	108.84	640,938.02	2,390,050.00	1,749,111.98	27 %

Fund	Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
5311 Sewer Department CIP						
380000						
383000	Interfund Operating Transfer	0.00	138,805.07	0.00	-138,805.07	** %
	Account Group Total:	0.00	138,805.07	0.00	-138,805.07	** %
	Fund Total:	0.00	138,805.07	0.00	-138,805.07	** %
7120 FIRE RELIEF AGENCY FUND						
310000 TAXES						
311010	Real Property Taxes	308.37	36,300.34	51,645.00	15,344.66	70 %
	Account Group Total:	308.37	36,300.34	51,645.00	15,344.66	70 %
	Fund Total:	308.37	36,300.34	51,645.00	15,344.66	70 %
	Grand Total:	16,243.18	4,424,917.97	6,406,861.00	1,981,943.03	69 %

1000 GENERAL

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
410000 GENERAL GOVERNMENT						
410200 Executive Servicees(council)	141.58	35,915.40	49,837.00	49,837.00	13,921.60	72 %
410360 City Court	0.00	0.00	33,673.00	33,673.00	33,673.00	0 %
410500 Financial Services	1,026.57	46,102.04	79,133.00	79,133.00	33,030.96	58 %
410600 Elections	0.00	0.00	5,000.00	5,000.00	5,000.00	0 %
411030 Planning	170.00	5,332.70	10,000.00	10,000.00	4,667.30	53 %
411100 Legal Services	0.00	53,055.86	43,721.00	43,721.00	-9,334.86	121 %
411200 Facilities Administration(city hall)	872.13	72,414.64	120,324.00	120,324.00	47,909.36	60 %
411240 Facilities Improvements-City Hall	0.00	0.00	3,700.00	3,700.00	3,700.00	0 %
Account Group Total:	2,210.28	212,820.64	345,388.00	345,388.00	132,567.36	62 %
420000 PUBLIC SAFETY						
420100 Law Enforcement Services	2,314.08	387,107.03	513,132.00	513,132.00	126,024.97	75 %
420400 Fire Protection & Control	3,759.76	76,613.48	105,526.00	105,526.00	28,912.52	73 %
420402 Fire hall roof loan intercap	0.00	0.00	3,500.00	3,500.00	3,500.00	0 %
420500 Building Inspector	37.18	21,574.92	39,990.00	39,990.00	18,415.08	54 %
Account Group Total:	6,111.02	485,295.43	662,148.00	662,148.00	176,852.57	73 %
430000 Public Works						
430101 Public Works Growth Plan	0.00	22,054.13	58,000.00	58,000.00	35,945.87	38 %
430200 Road & Street Services	5,462.22	93,222.54	164,491.00	164,491.00	71,268.46	57 %
430262 Sidewalks & Curbs	0.00	19,058.01	50,000.00	50,000.00	30,941.99	38 %
430900 Cemetary Services	22,910.00	24,428.08	52,410.00	52,410.00	27,981.92	47 %
Account Group Total:	27,372.22	158,762.76	324,901.00	324,901.00	166,138.24	49 %
440000 PUBLIC HEALTH						
440600 Animal Control Services	0.00	12,000.00	12,000.00	12,000.00	0.00	100 %
Account Group Total:	0.00	12,000.00	12,000.00	12,000.00	0.00	100 %
460000 CULTURE AND RECREATION						
460430 Parks	548.11	28,803.84	61,932.00	61,932.00	33,128.16	47 %
460437 Forestry & Nursery	0.00	0.00	2,000.00	2,000.00	2,000.00	0 %
460438 DNRC - Arbor Day Grant	0.00	0.00	750.00	750.00	750.00	0 %
Account Group Total:	548.11	28,803.84	64,682.00	64,682.00	35,878.16	45 %
510000 MISCELLANEOUS						
510300 Other Unallocated Costs	0.00	46,524.17	51,000.00	51,000.00	4,475.83	91 %
Account Group Total:	0.00	46,524.17	51,000.00	51,000.00	4,475.83	91 %
Fund Total:	14,992.17	944,206.84	1,460,119.00	1,460,119.00	515,912.16	65 %

2386 IP SETTLEMENT

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
480000 CONSERVATION OF NATURAL RESOURCES						
480200 IP Money	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %
Account Group Total:	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %
Fund Total:	0.00	0.00	150,000.00	150,000.00	150,000.00	0 %

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2410 Lighting Maint.

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430263 Utilities	0.00	28,910.74	83,500.00	83,500.00	54,589.26	35 %
Account Group Total:	0.00	28,910.74	83,500.00	83,500.00	54,589.26	35 %
Fund Total:	0.00	28,910.74	83,500.00	83,500.00	54,589.26	35 %

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2510 Street Maint (Sprinkling)

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430200 Road & Street Services	0.00	105,357.20	143,457.00	143,457.00	38,099.80	73 %
Account Group Total:	0.00	105,357.20	143,457.00	143,457.00	38,099.80	73 %
Fund Total:	0.00	105,357.20	143,457.00	143,457.00	38,099.80	73 %

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2820 Gas Tax

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430200 Road & Street Services	0.00	42,131.40	61,295.00	61,295.00	19,163.60	69 %
Account Group Total:	0.00	42,131.40	61,295.00	61,295.00	19,163.60	69 %
Fund Total:	0.00	42,131.40	61,295.00	61,295.00	19,163.60	69 %

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2821 GAS TAX HB 473 BARSSA

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430200 Road & Street Services	0.00	0.00	82,031.00	82,031.00	82,031.00	0 %
Account Group Total:	0.00	0.00	82,031.00	82,031.00	82,031.00	0 %
Fund Total:	0.00	0.00	82,031.00	82,031.00	82,031.00	0 %

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2959 Community Development Fund

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
470000 Housing and Community Development						
470300 Economic Development	0.00	522,647.24	629,349.00	629,349.00	106,701.76	83 %
Account Group Total:	0.00	522,647.24	629,349.00	629,349.00	106,701.76	83 %
Fund Total:	0.00	522,647.24	629,349.00	629,349.00	106,701.76	83 %

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2992 American Recovery Plan Act

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430102 ARPA Expenditures	0.00	1,575.00	1,210,721.00	1,210,721.00	1,209,146.00	0 %
Account Group Total:	0.00	1,575.00	1,210,721.00	1,210,721.00	1,209,146.00	0 %
Fund Total:	0.00	1,575.00	1,210,721.00	1,210,721.00	1,209,146.00	0 %

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3200 MINERAL AVE. SID PROJECT

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
490000 DEBT SERVICE						
490504 SID LOAN PAYBACK TO LADC FUND	0.00	1,072.55	2,146.00	2,146.00	1,073.45	50 %
Account Group Total:	0.00	1,072.55	2,146.00	2,146.00	1,073.45	50 %
Fund Total:	0.00	1,072.55	2,146.00	2,146.00	1,073.45	50 %

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4001 City Buildings CIP

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
410000 GENERAL GOVERNMENT						
411241 City Buildings CIP	0.00	0.00	2,612.00	2,612.00	2,612.00	0 %
Account Group Total:	0.00	0.00	2,612.00	2,612.00	2,612.00	0 %
Fund Total:	0.00	0.00	2,612.00	2,612.00	2,612.00	0 %

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4002 Police Department CIP

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
420000 PUBLIC SAFETY						
420104 Police Department CIP	0.00	0.00	35,000.00	35,000.00	35,000.00	0 %
Account Group Total:	0.00	0.00	35,000.00	35,000.00	35,000.00	0 %
Fund Total:	0.00	0.00	35,000.00	35,000.00	35,000.00	0 %

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4003 Fire Department CIP

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
420000 PUBLIC SAFETY						
420404 Fire Department CIP	0.00	39,490.00	40,490.00	40,490.00	1,000.00	98 %
Account Group Total:	0.00	39,490.00	40,490.00	40,490.00	1,000.00	98 %
Fund Total:	0.00	39,490.00	40,490.00	40,490.00	1,000.00	98 %

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4004 Streets CIP Fund

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430204 Streets CIP	1,771.40	26,620.53	61,500.00	61,500.00	34,879.47	43 %
Account Group Total:	1,771.40	26,620.53	61,500.00	61,500.00	34,879.47	43 %
Fund Total:	1,771.40	26,620.53	61,500.00	61,500.00	34,879.47	43 %

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5210 WATER UTILITY

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430500 Water Operating	5,733.47	681,677.43	1,121,641.00	1,121,641.00	439,963.57	61 %
Account Group Total:	5,733.47	681,677.43	1,121,641.00	1,121,641.00	439,963.57	61 %
490000 DEBT SERVICE						
490200 RD LOAN WTR DIST. (\$2,268k)	7,485.00	74,850.00	89,820.00	89,820.00	14,970.00	83 %
490201 DNRC COAL SEVERANCE WATER BOND H2O	0.00	16,925.96	16,926.00	16,926.00	0.04	100 %
490202 DNRC WRF - 14298 WATER BOND LOAN	0.00	129,450.00	129,450.00	129,450.00	0.00	100 %
490203 DNRC LOAN \$800,000 FOR DAM	0.00	53,483.36	53,484.00	53,484.00	0.64	100 %
490204 RD BOND FLOWER CREEK	10,784.00	107,840.00	129,409.00	129,409.00	21,569.00	83 %
490205 RD BOND FLOWER CREEK	1,652.00	16,520.00	19,824.00	19,824.00	3,304.00	83 %
Account Group Total:	19,921.00	399,069.32	438,913.00	438,913.00	39,843.68	91 %
520000 OTHER FINANCING USES						
521000 Interfund Operating Transfers Out	0.00	422,484.67	0.00	0.00	-422,484.67	*** %
Account Group Total:	0.00	422,484.67	0.00	0.00	-422,484.67	*** %
Fund Total:	25,654.47	1,503,231.42	1,560,554.00	1,560,554.00	1,100,000.00	

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5211 Water Department CIP

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430504 Water CIP	0.00	178,961.21	1,299,575.00	1,299,575.00	1,120,613.79	14 %
Account Group Total:	0.00	178,961.21	1,299,575.00	1,299,575.00	1,120,613.79	14 %
Fund Total:	0.00	178,961.21	1,299,575.00	1,299,575.00	1,120,613.79	14 %

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5310 SEWER UTILITY

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430500 Water Operating	0.00	21.99	0.00	0.00	-21.99	*** %
430600 Sewer Operating	4,631.86	409,509.50	612,530.00	612,530.00	203,020.50	67 %
430641 Sewer Improvement BAR Screen	0.00	15,125.02	478,000.00	478,000.00	462,874.98	3 %
430642 Sewer Improvements PLC	0.00	8,612.37	1,189,000.00	1,189,000.00	1,180,387.63	1 %
Account Group Total:	4,631.86	433,268.88	2,279,530.00	2,279,530.00	1,846,261.12	19 %
490000 DEBT SERVICE						
490210 USDA-RD BOND LOAN PAYMENT CABINET	5,532.00	55,320.00	66,384.00	66,384.00	11,064.00	83 %
490220 USDA-RD BOND WASTE-WATER PLANT	2,428.00	24,280.00	29,136.00	29,136.00	4,856.00	83 %
490503 LADC ADVANCE LOAN TO WATER & SEWER	0.00	0.00	15,000.00	15,000.00	15,000.00	0 %
Account Group Total:	7,960.00	79,600.00	110,520.00	110,520.00	30,920.00	72 %
520000 OTHER FINANCING USES						
521000 Interfund Operating Transfers Out	0.00	138,805.07	0.00	0.00	-138,805.07	*** %
Account Group Total:	0.00	138,805.07	0.00	0.00	-138,805.07	*** %
Fund Total:	12,591.86	651,673.95	2,390,050.00	2,390,050.00	1,738,376.05	27 %

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5311 Sewer Department CIP

Account	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
430000 Public Works						
430604 Sewer CIP	0.00	24,269.82	210,391.00	210,391.00	186,121.18	12 %
Account Group Total:	0.00	24,269.82	210,391.00	210,391.00	186,121.18	12 %
Fund Total:	0.00	24,269.82	210,391.00	210,391.00	186,121.18	12 %
Grand Total:	55,009.90	4,070,147.90	9,422,790.00	9,422,790.00	5,352,642.10	43 %