

Regular Council Meeting
Town of Valier Town Council
Valier Civic Center
August 17, 2026

Mayor Glenn Wunderlich presided.

Council Members present: Steve Nelson, Rick Tomscheck, Bob Cannady, and Tawnee Hartwell (called in)

Absent:

Town Staff present: Stephanie Sullivan Clerk/Treasurer and Josh Clifford public works

Guests Present: Josh Reed, Paige Anteau, Sheriff Robert Skorupa, Holly Gordon, Jason Carey, Glynn Collier, Deputy Earl Gaub, Deputy Jeff Mayers, Don and Dusti Davis, Megan Werner, Paul Bielawski, Gary and Christie Kolste, Tucker Klette, Randy Haynes, Abby Sherwood, Nancy Hagen, Hyland Layne, Jere Vandenbos, Roberta Larson, Scott Stidhalm, Kent Montgomery, Nita Tomscheck, Grant Malinak, and Adrienne Collier.

Mayor Wunderlich brought the meeting to order at 7:00pm.

1. Mayor Wunderlich led the Pledge of Allegiance.

Mayor Wunderlich called for any corrections or additions to the July 13, 2026, regular town council meeting minutes. None heard. Alderman Nelson moved to approve the July 13, 2026, regular town council meeting minutes. Alderman Cannady second. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously.

2. Public Comment. Superintendent Josh Reed gave a report on what is happening at the school. Several community members were present to address their questions and concerns about Ordinance #206 and #207.

3. Law Enforcement Report. Sheriff Skorupa and Deputy Earl Gaub gave a brief police report.

4. Library Report.

Tawnee Hartwell gave the library report.

5. Public Works Report. Josh Clifford gave the water report. The Town pumped 5,451,600 gallons of water for the month, for an average of 175,858 gallons per day. Bulk water sold 58,370 gallons for month. The water sample was good for the month. The water levels in the wells are about average for this time of year.

6. Ordinance #206 Title 5 Chapter3 Animal Control: The council had a brief discussion about some of the wording in the ordinance as community members brought it to their attention. They decided to pass the ordinance with the way it was written and revisit the specific wording at a later date. Alderman Nelson made a motion to pass and adopt the ordinance. Alderman Cannady second. Mayor Wunderlich called for a roll call vote. Alderwoman Hartwell, Alderman Nelson and Alderman Cannady voted yes, and Alderman Tomscheck voted no. Mayor Wunderlich called for a vote on the motion The motion was approved by majority.

ORDINANCE #206

Title-6

Chapter 3-Animal Control

Section 1-Licensing of Dogs, Cats and Chickens

Section 2- Running at large; animals

Section 5-Prohibited Acts and Activities

Amend- Title 6

Chapter 3

Section 1-2 and 5

First Reading- 7-13-2026

Second Reading -8-17-2026

Adopted-8/17/2026

Effective -

CHAPTER 3

ANIMAL CONTROL

SECTION:

6-3-1: Licensing Of Dogs, Cats and Chickens

6-3-2: Running At Large; Animals

6-3-3 : Rabies Control

6-3-4 : Impounding

6-3-5 : Prohibited Acts And Activities

6-3-6: Vicious Dogs

6-3-7 : Temporary Permits

6-3-8 : Penalty

6-3-1: LICENSING OF DOGS AND CATS AND FOWL (LIMITED TO CHICKENS):

A License Required: It shall be unlawful for any resident to own, harbor, keep or possess a dog, cat or chickens (hens only) without first procuring a license as provided by this chapter; provided however, that the provisions of this chapter shall not apply to any person visiting in the town for a period of not exceeding thirty (30) days and owning or possessing a dog or cat currently licensed and bearing a license issued by another municipality or another licensing authority. Owners of service dogs shall be required to obtain a license, but shall be exempt for the payment of fees.

B. Application For License: The owner or person having charge of any dog or cat or chickens (hens only) shall make application to the town treasurer and provide such information as may be required, which shall include the type of dog and/or cat, the sex, the coloring and the name of the dog or cat. If the dog or cat is a spayed female, a statement of a licensed veterinarian verifying that fact must accompany the application.

C. Fee For License: Application for dog, cat or chickens (hens only) license must be accompanied by fees as set by council. A regular license fee shall be charged for the first two (2) dogs and first two (2) cats. Chickens (hens only) up to six (6). An additional surcharge for each dog or cat after the first two (2) shall be paid at the time of licensing and annually upon renewal of license. Chickens (hens only) shall be \$25.00 for up to 6 chickens (hens only).

D. Issuance Of License; Term: All dog and/or cat and chickens (hens only) licenses shall be issued for the calendar year January 1 through December 31 and each license shall expire on the last day of such calendar year. Upon receipt of an application and payment of the required fees, the town treasurer shall issue a receipt designating the owner's name,

the number of the license to be issued and the amount paid. At the same time, the town treasurer shall issue a metal tag (paper license for chickens) bearing the number corresponding to the number on the receipt and such tag shall be known as the license.

1. Chickens: License will be renewed upon inspection by town officials.

E. Collar; Tag:

1. Required: Every dog and/or cat shall at all times wear a substantial and durable collar or harness to which the required license shall be securely attached.

2. In the event a dog or cat is trapped in the process of removing feral cats; the owner will be notified.

3. Lost Tag; Fee: Upon satisfactory proof that a license tag has been lost, a new tag of a different number may be issued upon the payment as set by council and the transaction shall be noted upon the town office file for the number originally issued.

F. All trapped dogs or cats will be held for twenty-four (24) hours to provide time to claim the dog and/or cat. After twenty-four (24) hours euthanasia will take place. (Ord. 170, 10-14-2009; amd. Ord. 179, 11-14-2013, eff. 12-14-2013; Ord. 186, 2-8-2021, eff. 3-8-2021)

6-3-2 : RUNNING AT LARGE; ANIMALS:

A. Prohibited: It shall be unlawful for any person, to permit or allow any animal belonging to him or under his control, to run at large.

B. Dogs:

1. Prohibited: It shall be unlawful for any owner to allow or permit any dog, whether licensed or not, to be or remain upon the streets or alleys of the town or in any public place in the town, unless:

- a. Such dog be in the charge of a person or controlled by a leash; or unless
- b. Such dog is confined in a motor vehicle.

2. Fine: A fine will be levied against the owner of said dog or dogs in the amount as set by council. Any person not paying these fines will be held in contempt of court. (Ord. 170, 10-14-2009)

C. Chickens:

1. It shall be unlawful for chickens to be out of their coop.

6-3-3 : RABIES CONTROL:

A. Vaccination Required: All licensed or unlicensed dogs within the town must be vaccinated annually preventing a possible outbreak of rabies in the town.

B. Quarantine; Disposition: The town or designee shall *have* authority to order the owner of any dog showing symptoms of rabies or of any dog which has bitten any person so as to cause an abrasion of the skin, to subject such dog to the pound for quarantine for a period of not to exceed fifteen (15) days, and if such dog shall be determined free of rabies the same shall be returned to the owner.

C. Afflicted; Destruction: Any dog afflicted with rabies shall be disposed of immediately, either by the owner or by the town or designee. (Ord. 170, 10-14-2009)

6-3-4 : IMPOUNDING:

The town or designee may impound any and all animals found running at large in the streets, alleys or other public places or other premises, whether such animal so running at large is owned or harbored by a person residing within the corporate limits or elsewhere. The town or designee may impound any and all dogs without collars bearing licenses as required herein; provided, that when a dog wearing a collar bearing a license tag of the preceding year is taken up, the town or designee shall notify the owner or representative of the owner, if such owner or representative can be found. The owner or representative of the owner of any dog which may be taken up and impounded under the provisions of this chapter, may recover possession of such dog upon payment to the town or designee of the license fee and upon payment of fees and costs of impound. If the owner or representative of the owner of any dog taken up and impounded under the provisions of this chapter shall fail to pay the license fee and the costs and fees related to this chapter as set by council within *five* (5) days after such notice has been given, the town or designee may dispose of such dog by:

A. Delivering the same to any person who will pay the license and the costs and fees herein provided.

B. Destroying such dog in a humane manner. (Ord. 170, 10-14-2009)

6-3-5 : PROHIBITED ACTS AND ACTIVITIES:

A. Bovine, Equine, Ovine And Swine: It shall be unlawful for any person to keep, harbor or maintain within the corporate limits any bovine, equine, ovine and swine; provided however, that for the purpose offloading and shipping of any such animal, it shall be lawful to keep the same in loading pens provided for that purpose. No such animal shall be kept within the corporate limits for a period of more than forty-eight (48) hours, except by written permission of the mayor.

B. Other Animals Prohibited: Exotic animals shall be prohibited within the town of Valier incorporated limits. "Exotic animals" shall be defined as any nonindigenous feline, nonhuman primate, nonindigenous bear, wolves, and nonindigenous dogs except domestic dogs, any unusual pets such as mammals, birds, or reptiles, and any nontraditional

livestock such as reindeer, ostrich and emu, water buffalo, and American bison among others.

C. Offensive Premises: It shall be unlawful for any person within the town limits to keep or maintain any pen, enclosure, or building for dogs or chickens in such a filthy condition as to be offensive to neighbors or passersby, or injurious to the health of the neighborhood.

D. Nuisance Dogs: It is unlawful for any person to own, keep or harbor any dog, which by loud and frequent barking, howling or yelping or by any other manner or way causes any annoyance or disturbance to any person in the town.

E. Kennels Prohibited: It shall be unlawful to keep or maintain commercial kennels within the town limits or to keep, maintain or breed female dogs within the town limits for the primary purpose of obtaining the young therefrom and selling said young. (Ord. 170, 10-14-2009)

F. Number Of Dogs: (Rep. by Ord. 179, 11-14-2013, eff. 12-14-2013)

G. Animal Waste: The owner of an animal shall be responsible for the immediate removal of any excreta deposited by his animal on any public walk, recreation area or private property. (Ord. 170, 10-14-2009)

1. Chickens: waste removal as to not create offensive odors.

6-3-6 : VICIOUS DOGS:

Whenever affidavit be made before the town that any dog or other domestic animal has bitten any person in the town and that the person so bitten was not at the time trespassing or injuring the person or property of the owner or possessor of the dog or other domestic animal, the town or designee shall issue an order directing the owner or possessor of the dog or other domestic animal to turn it over to the town or designee within twenty four

(24) hours after receiving such order. If the owner or possessor cannot be found at his place of residence, the order may be served by leaving it with any person found at said residence or by placing it in a prominent place on the front door of such residence. In the event that the owner is unknown or that the owner or possessor shall refuse or neglect to turn over said dog or other domestic animal within twenty four (24) hours after receiving such order, it shall be the duty of the town or designee to seize and impound said dog at a licensed veterinarian's hospital at the owner's expense. If the owner or possessor refuses or neglects to turn over said dog or other domestic animal to the town or designee within twenty four (24) hours after receiving such order, said owner or possessor shall be guilty of violating this chapter. If said dog or other domestic animal is suspected of having rabies, it shall be the duty of the town or designee to notify the health officer and to hold the dog or animal under his orders; otherwise, to put to death said dog or other domestic animal in a humane manner; provided however, that if the identity of the owner or possessor of said dog or other domestic animal is known, the town or designee shall initiate proceedings in the court of jurisdiction for an order to show cause why said dog or other domestic animal should not be destroyed upon a minimum of five (5) days' written notice to the owner or possessor of said dog or other domestic animal. (Ord. 170, 10-14-2009)

6-3-7 : TEMPORARY PERMITS:

For the purposes of 4-H projects only, a temporary permit may be issued for a limited number of small animals. Such permits shall be issued solely at the discretion of the town council. Requests for a temporary permit must be accompanied by a detailed plan to include type of animal to be raised with beginning and end dates of project, care, feeding, animal waste removal and final disposition of such animal. Applicant must also include letters of consent signed by their adjoining neighbors. (Ord. 170, 10-14-2009)

6-3-8 : PENALTY:

Unless otherwise provided, any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof, subject to penalty as provided in section 1-4-1 of this code. (Ord. 170, 10-14-2009)

7. Ordinance #207 Title 7 Chapter 1 Section 3: Alderman Tomsheck made a motion to table the ordinance. Alderwoman Hartwell second. Mayor Wunderlich called for a roll call vote. Alderwoman Hartwell, Alderman Nelson, Alderman Cannady, and Alderman Tomsheck voted to table the ordinance. Mayor Wunderlich called for a vote on the motion The motion was approved to table.

ORDINANCE #207

Motor Vehicles and Traffic
Title 7- Motor Vehicles and Traffic
Chapter1-- Motor Vehicles and Traffic
Section 3- Prohibited Vehicles in Residential Zones

Amend- Title 7
Chapter 1
Section 3

First Reading- 7-13-2026
Second Reading –Tabled
Adopted-
Effective -

TITLE 7
MOTOR VEHICLES AND TRAFFIC

CHAPTER 1

MOTOR VEHICLES AND TRAFFIC

SECTION:

7-1-1: State Traffic Code Adopted

7-1-2: Speed Limits

7-1-1 : STATE TRAFFIC CODE ADOPTED:

Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context of the purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, provisions and sections of the Montana Traffic Code (title 61), as amended, are hereby adopted by the Town. Any and all violations thereof shall be considered violations of this Chapter and each such violation shall subject the violator thereof to penalty provisions under this Chapter if proceeded hereunder. (1999 Code)

7-1-2 : SPEED LIMITS:

A. Basic Rules; Speed Limits:

1. Reasonable And Prudent Conditions: No person shall drive a vehicle on a public thoroughfare at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the public thoroughfare in compliance with the legal requirements and duty of all persons to use due care.

2. Twenty Five Miles Per Hour: Where no special hazard exists that requires lower speed for compliance with subsection A of this Section, the speed of any vehicle shall not exceed twenty five (25) miles per hour.

3. Amendments: Upon proper action by the Town Council, the speed limits on any thoroughfare within the Town may be raised or lowered by posting signs to that effect. (1965 Code§ 10-4-1)

8. Minimum Speed Regulations: No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law. (1965 Code§ 10-4-2)

C. Limited Speed Zone: All streets and avenues within the Town limits shall be restricted to a twenty five (25) miles per hour speed limit, with the following exceptions:

1. Schools, Playgrounds And Similar Areas: All streets, avenues and alleys adjacent to and within one block of any and all school buildings, playgrounds, parking lots, athletic fields and practice fields shall be limited to fifteen (15) miles per hour, twenty four (24) hours a day, three hundred sixty five (365) days a year, including the Leap Year, February 29.

2. Alleys: All alleys within the Town limits shall be restricted to a fifteen (15) mile per hour limit. (Ord. 3, 1974)

7-1-3 : PROHIBITED VEHICLES IN RESIDENTIAL ZONES:

- A. No person shall park a truck, truck tractor, trailer, semi-trailer. Farm vehicles, including tractors, swathers, and combines. Construction equipment including backhoes, loaders, graders, and mobile cranes with a gross vehicle weight (GVW) as shown by their valid owner's certificate of registration and tax receipt or the gross vehicle weight receipt of 12,000 pounds and over on any street, alley or lot in residential zones A and B.
- B. The following exceptions shall apply to the above stated restrictions for residential zones A and B.
 - 1. Truck, truck tractor, trailer, semi-trailer. Farm vehicles, including tractors, swathers, and combines. Construction equipment including backhoes, loaders, graders, and mobile cranes may be temporarily parked for the expeditious loading and unloading of such vehicles, and for the parking of said vehicles while such vehicles are being used in connection with the construction or repair of buildings, service calls, or the moving of household goods.
- C. The definition of "truck, truck tractor, trailer, semi-trailer. Farm vehicles, including tractors, swathers, and combines. Construction equipment including backhoes, loaders, graders, and mobile cranes" under state law, as described in MCA Title 61, or its successor, shall be applicable for the purposes of this section.
- D. Violation of any provision of this section shall be a misdemeanor which is punishable by a fine or imprisonment as provided in MCA 61-8-711, or its successor, Each day such violation continues is a separate offence.



RA Zone Residential

RB Zone Residential

C Zone Commercial

M Zone Industrial

8. Consent Items

A. Regular Business Claims:

Mayor Wunderlich called for a motion to pay the bills, check#34963- #35006. Alderman Tomscheck made a motion to pay the bills. Alderman Cannady second. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously.

B. Business Licenses:

1. **Brian Nadeau**- Mayor Wunderlich called for a motion to approve the business license application. Alderman Tomscheck made a motion to approve the business license. Alderwoman Hartwell second. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously.

2. **Brighter Days Play and Learn**. - Mayor Wunderlich called for a motion to approve the business license application. Alderman Tomscheck made a motion to approve the business license. Alderman Cannady second. Alderwoman Hartwell voted No. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously.

C. Permit to Build:

1. Jim McCaughlin-832 Minnesota Ave. submitted a building permit to put a shed on his property. Alderman Nelson made a motion to approve the building permit. Alderman Cannady second. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously
2. Dan Gard-401 Illinois Ave. submitted a building permit to bring in a shed and put up a fence. The building permit was denied by the zoning board as he has added onto the shed which was not on the building permit. Alderman Nelson made a motion to deny the building permit. Alderman Cannady second. Mayor Wunderlich called for a vote on the motion. Motion carried unanimously

9. Council Concerns.

The council wants to readdress Ordinance #207.

10. Announcements.

Next regular Town Council meeting will be held on Monday September 14, 2026, at 7:00 pm at the Valier Civic Center.

11. Adjourn.

There being no more business to come before the Town Council, Mayor Wunderlich adjourned the meeting at 8:16 pm.

ATTEST:

Glenn Wunderlich, Mayor

Stephanie Sullivan, Clerk/Treasurer

