

# Town of West Yellowstone

Tuesday, January 7, 2013

West Yellowstone Town Hall, 440 Yellowstone Avenue

Town Council Meeting

7:00 PM

## TOWN COUNCIL MEETING AGENDA

Pledge of Allegiance

**Oath of Office for New Council Members Cole Parker and Greg Forsythe ∞**

**Election of Mayor for 2014**

**Election of Deputy Mayor for 2014**

Purchase Orders

Treasurer's/Securities Report

Claims ∞

Consent Agenda: **December 3, 2013 Town Council Meeting ∞**

**December 10, 2013 Town Council Meeting ∞**

**December 17, 2013 Town Council Meeting & Training Session ∞**

Business License Applications

Advisory Board Report(s)

Operations Manager & Department Head Reports

Assignments Report

**Council Comments**

**Public Comment Period**

### NEW BUSINESS

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Application to Maintain an Encroachment, DP Holdings LLC (Ernie's Bakery & Deli) Discussion/Action ∞

Marketing and Promotions Advisory Board Appointment Discussion/Action ∞  
▪ John Greve

Clothing Bank Ad Hoc Committee Appointments Discussion/Action ∞  
▪ Grace McCoy  
▪ Brian McCoy  
▪ Corinne Fagerburg  
▪ Doug Buskirk  
▪ Salle Engelhardt

Outside Amplification Permit, Fun Run Sled Dog Race, January 18-19, 2014 Discussion/Action ∞

Special Event Permit, IPSS Sled Dog Race, February 2, 2014, Request for Assistance Discussion/Action ∞

Correspondence/FYI  
▪ Letter from Fire Chief Scott Waldron, 911 Dispatch Issues Discussion ∞

Meeting Reminders

Adjournment



## **Policy on Public Hearings and Conduct at Public Meetings**

### Public Hearing/Public Meeting

A public hearing is a formal opportunity for citizens to give their views to the Town Council for consideration in its decision making process on a specific issue. At a minimum, a public hearing shall provide for submission of both oral and written testimony for and against the action or matter at issue.

### Oral Communication

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to Town Council on matters of concern. Accordingly, Town Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the presiding officer.
- Public comments related to non-agenda items will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing. Public comments specifically related to an agenda item will be heard immediately prior to the Council taking up the item for deliberation.
- Speakers must state their name for the record.
- Any citizen requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes unless prior approval by the presiding officer.
- If a representative is elected to speak for a group, the presiding officer may approve an increased time allotment.
- If a response from the Council or Board is requested by the speaker and cannot be made verbally at the Council or Board meeting, the speaker's concerns should be addressed in writing within two weeks.
- Personal attacks made publicly toward any citizen, council member, or town employees are not allowed. Citizens are encouraged to bring their complaints regarding employee performance through the supervisory chain of command.

Any member of the public interrupting Town Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing Town Council, shall be deemed to have disrupted a public meeting and, at the direction of the presiding officer, shall be removed from the meeting room by Police Department personnel or other agent designated by Town Council or Operations Manager.

### General Town Council Meeting Information

- Regular Town Council meetings are held at 7:00 PM on the first and third Tuesdays of each month at the Povah Community Center located at 10 S. Geyser Street.
- Presently, informal Town Council work sessions are held at 7:30 AM on the first and third Tuesdays of each month and occasionally on other mornings and evenings. Work sessions also take place at the Povah Community Center located at 10 S. Geyser Street
- The schedule for Town Council meetings and work sessions is detailed on an agenda. The agenda is a list of business items to be considered at a meeting. Copies of agendas are available at the entrance to the meeting room.
- Agendas are always published at least 48 hours prior to Town Council meetings and work sessions. Agendas are posted at the Town Offices and at the Post Office. In addition, agendas are available online at the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com). Questions about the agenda may be directed to the Town Clerk at 646-7795.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com).

Adopted November 3, 2010, a complete copy of this policy is available at the Town Offices.

*Town of West Yellowstone  
Oath of Office  
Town Council Member*

*I, \_\_\_\_\_, do solemnly swear that I will support,  
protect, and defend the Constitution of the United States,  
The Constitution of the State of Montana  
and the Charter of the Town of West Yellowstone  
and that I will discharge the duties  
of my office with fidelity (So Help Me God).*

*January 8, 2008*

\_\_\_\_\_  
*Town Council Member*



*State of Montana  
Gallatin County*

\_\_\_\_\_  
*Elizabeth Roos, Town Clerk & Notary Public  
Residing in West Yellowstone  
My Commission Expires August 9, 2011*

\* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
39539	2546 Century Link QCC	22.60							
	12/23/13 long dist chg	19.31		FINADM	1000 410510	345		101000	
	12/23/13 access fee/sm bus plan/tax	3.29		finadm	1000 410510	345		101000	
39540	2575 WY Tourism Business Improvement	4,778.21							
	01/01/14 December 2013 Collections	4,688.01		TBID	2102 411800	540		101000	
	12/01/13 November 2013-short	90.20		TBID	2102 411800	540		101000	
39544	1273 Montana Security and	61.50							
	40378 12/17/13 quarterly monitoring UPDL	61.50		UPDL	1000 411252	357		101000	
39546	2823 STAPLES Credit Plan	2,779.39							
	11/11/13 furniture-Soc Services	1,109.92		TWNHAL	1000 411250	364		101000	
	11/11/13 office supplies	279.50		SOCSE	1000 450135	212		101000	
	11/11/13 office supplies	8.98		POLICE	1000 420100	220		101000	
	11/11/13 office supplies	29.47		POLICE	1000 420100	220		101000	
	11/11/13 office supplies	29.98		JAIL	1000 420230	220		101000	
	11/11/13 office supplies	146.33		SOCSE	1000 450135	220		101000	
	11/11/13 office supplies	36.58		DISPAT	1000 420160	220		101000	
	11/11/13 office supplies	29.98		COURT	1000 410360	220		101000	
	11/11/13 office supplies	175.99		COURT	1000 410360	364		101000	
	12/12/13 furniture	-41.99		TWNHAL	1000 411250	364		101000	
	12/12/13 office supplies	170.19		FINADM	1000 410510	220		101000	
	12/12/13 office supplies	804.46		COURT	1000 410360	364		101000	
39551	2088 Town West Yellowstone	443.59							
	01/01/14 utility chrgs, Chamber, 895	30.58		BLDGS	1000 411257	340		101000	
	01/01/14 utility chrgs, UPDL, 892	78.20		BLDGS	1000 411252	340		101000	
	01/01/14 utility chrgs, PS Shops, 884	23.72		BLDGS	1000 411253	340		101000	
	01/01/14 utility chrgs. Povah Ctr, 887	47.43		BLDGS	1000 411255	340		101000	
	01/01/14 utility chrgs, Police Dept, 886	30.46		BLDGS	1000 411258	340		101000	
	01/01/14 utility chrgs, City Park, 885	111.83		BLDGS	1000 411253	340		101000	
	01/01/14 utility chrgs, Library, 891	23.87		LIBRAR	2220 460120	340		101000	
	01/01/14 utility chrgs, Lift #1, 903	10.17		SEWER	5310 430600	340		101000	
	01/01/14 utility chrgs, Twn Hall, 921	87.33		TWNHAL	1000 411250	340		101000	
39553	42 Fall River Electric	6,768.11							
	12/13/13 UPDH 4212041 elec service	1,000.24		UPDH	1000 411252	341		101000	
	12/13/13 POLICE 4212008 elec service	331.99		POLICE	1000 411258	341		101000	
	12/13/13 shop 4212018 elec service	317.85		STREET	1000 430200	341		101000	
	12/13/13 ANIMAL 4212029 elec serv	139.90		ANIMAL	1000 440600	341		101000	

\* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
	12/13/13 PARK 4212032 Elec ser	188.94		PARK	1000 411253	341		101000	
	12/13/13 PARK 2901001 elec serv	86.85		PARK	1000 411253	341		101000	
	12/13/13 CLORINATOR 4212030 elec serv	69.30		WATER	5210 430500	341		101000	
	12/13/13 MAD ADD WATER 4212017	40.55		WATER	5210 430500	341		101000	
	12/13/13 PUMP 4212005 elec serv	217.60		WATER	5210 430500	341		101000	
	12/13/13 SEWER LIFT STATION 4212006	206.53		SEWER	5310 430600	341		101000	
	12/13/13 SEWER PLANT 4212007 elec ser	601.36		SEWER	5310 430600	341		101000	
	12/13/13 MAD SEWER LIFT 4212014 elec	150.20		SEWER	5310 430600	341		101000	
	12/13/13 SEWER TREAT SERV 4212046 ele	1,126.23		SEWER	5310 430600	341		101000	
	12/13/13 library 23 dunraven 4212054	125.80		LIBRY	2220 460120	341		101000	
	12/13/13 povah comm ctr 4212001	249.56		POVAH	1000 411255	341		101000	
	12/13/13 unmetered lights 4212004	1,451.25		STLITE	1000 430263	341		101000	
	12/13/13 Town Hall 4212009	387.56		TWNHAL	1000 411250	341		101000	
	12/13/13 Ice Rink 421010	76.40		PARKS	1000 460430	366		101000	
39554	1514 Verizon Wireless	681.35							
	12/20/13 640-0512, Parks	31.26		PARKS	1000 460430	345		101000	
	12/20/13 640-1103, Operator	31.26		STREET	1000 430200	345		101000	
	12/20/13 640-1438 Soc Services	31.26		SOCSEK	1000 450135	345		101000	
	12/20/13 640-1460 Dispatch	31.26		POLICE	1000 420110	345		101000	
	12/20/13 640-1461, Facilities Tech	31.26		STREET	1000 430200	345		101000	
	12/20/13 640-1462, Operator, SP	61.26		STREET	1000 430200	345		101000	
	12/20/13 640-1463, Deputy PSS, SP	61.26		STREET	1000 430200	345		101000	
	12/20/13 640-1472, Ops Mgr, SP	61.26		ADMIN	1000 410210	345		101000	
	12/20/13 Rec 640-1676, SP	61.26		REC	1000 460440	345		101000	
	12/20/13 PD Chief 640-1754	31.26		POLICE	1000 420110	345		101000	
	12/20/13 PD 640-1755	31.26		POLICE	1000 420110	345		101000	
	12/20/13 PD 640-1756	31.26		POLICE	1000 420110	345		101000	
	12/20/13 PD 640-1757	31.26		POLICE	1000 420110	345		101000	
	12/20/13 PD 640-1758	31.26		POLICE	1000 420110	345		101000	
	12/20/13 PD 640-1759	31.26		POLICE	1000 420110	345		101000	
	12/20/13 640-7547, Facilities Tech	31.19		PARKS	1000 460430	345		101000	
	12/20/13 640-9074, PSS, SP	61.26		BLDINS	1000 420531	345		101000	
39556	2716 CenturyLink	14,849.01							
	10265016 11/30/13 E911 Annual Maint	14,849.01		911	2850 420750	398		101000	
39557	146 Morrison-Maierle, Inc	47.50							
	17253 12/17/13 IT support	47.50		FINADM	1000 410510	356		101000	

01/03/14  
16:24:09

TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 1/14

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Report ID: AP100

\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
39558	12/20/13	2645 Nansi Cisneros reimb notary supplies		61.00 61.00		DISPAT	1000 420160	335	101000
39559	12/01/13	135 Food Roundup supplies		29.95 29.95		HELP	7010 450135	220	101000
39560	11/30/13	151 WY Hebgen Basin Refuse District transfer station charges		52.90 52.90*		PARKS	1000 460430	534	101000
39561	1311068 1312041	489 MSE ANALYTICAL LABORATORY 12/12/13 water samples 12/16/13 water samples		322.20 202.50 119.70		WATER WATER	5210 430500 5210 430500	357 357	101000 101000
39562	21928 11/07/13	1235 Yellowstone Rental & Sports air compressor rental		45.00 45.00		PARKS	1000 460430	369	101000
39563	UTI.298184 12/11/13	1077 Bob Barker Company Inc jail supplies		39.18 39.18		JAIL	1000 420230	220	101000
39564	AOR373431 09/25/13 AOR373441 09/25/13	171 Montana Food Bank Network commodities commodities		54.27 24.27 30.00		HELP HELP	7010 450135 7010 450135	220 220	101000 101000
39565	11/28/13	2813 Century Link fire/alarm lines Town Hall		91.24 91.24		TWNHAL	1000 411250	345	101000
39566	2014 12/28/13	1331 West Yellowstone Foundation Hebgen Lake Ice Fishing Tournament, MAP Fund advance MAP Fund Advance, Ice Fish 201		2,500.00 2,500.00		MAP	2101 410130	398	101000
39567	12/19/13	2718 High Altitude Catering catering, Twn Hall Open House		1,450.00 1,450.00		LEGIS	1000 410100	220	101000
39568	01/02/14	100 Federation Fly Fishers refund 2013 resort tax bond		1,500.00 1,500.00		RT	2100 214000		101000
39569	12/31/13	999999 NANCY BOLDT deposit refund, Povah		350.00 350.00		POVAH	2210 214001		101000

\* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$							Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account		
39570	789 Justice Court	375.00								
Paygov	pass-through for Justice court									
	12/08/13 Francisco Xavier Medina warran	375.00		COURT	7469 213000					101000
39571	65 Tractor & Equipment Co	6,875.96								
	12/17/13 parts/repairs to 99 SS blower	5,406.40		STREET	1000 430200	369				101000
BLW00144005										
	12/20/13 harness	147.98		STREET	1000 430200	369				101000
42CS0411125										
	12/11/13 parts	1,321.58		STREET	1000 430200	369				101000
BLCS0557232										
39572	2540 Centennial Auto Repair	207.00								
	9425 12/09/13 07 SS Expedition repairs	27.00		SOCSE	1000 450135	361				101000
	9367 11/07/13 08 Ford pickup repairs	135.00		STREET	1000 430200	369				101000
	9458 12/20/13 11 Ford Expedition repairs	45.00		POLICE	1000 420100	361				101000
39573	153 IIMC	170.00								
	01/03/14 Sheri Holtzen, Add'l Member	85.00		FINADM	1000 410510	335				101000
	01/03/14 M Gospodarek, Add'l Member	85.00		FINADM	1000 410510	335				101000
39574	1989 A&E Architects, P.C.	1,200.00								
	1004601001 12/16/13 arch service, UPDL windows	1,200.00		UPDL	4000 411240	929				101000
39575	1447 MMC, Inc.	230.50								
	5249 12/18/13 labor, hydraulic cylinder	230.50		STREET	1000 430200	369				101000
39576	1241 QBS Safeguard	78.40								
	029425567 12/14/13 W2 & 1099 forms	78.40		FINADM	1000 410510	220				101000
39577	2635 Jake's Automotive and Tire	440.52								
	9701 12/20/13 07 Dodge Durango, maint	440.52		STREET	1000 430200	398				101000
39578	2617 Brad Schmier	350.00								
	12/17/13 refund Povah deposit	350.00		POVAH	2210 214001					101000
39579	99906 Secretary of State	25.00								
	01/03/14 David L Righenour, Notary App	25.00		DISPAT	1000 420160	335				101000

01/03/14  
16:24:09

TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 1/14

Page: 5 of 6  
Report ID: AP100

\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
39580			332 Insty-Prints	407.80					
	214656	11/20/13 printing jury summons		407.80		COURT	1000 410360	220	101000
39582			40 Jerry's Enterprises	101.50					
	12/30/13	fuel		56.52		STREET	1000 430200	231	101000
	12/30/13	supplies		31.99		STREET	1000 430200	220	101000
	12/30/13	supplies		12.99		FINADM	1000 410510	220	101000
		# of Claims	33	Total:	47,388.68				
					47,388.68				



WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**December 3, 2013**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier (by speakerphone), and Doc Stewart, John Costello and Tom Cherhoniak

OTHERS PRESENT: Operations Manager Becky Guay, Public Services Superintendent James Patterson, Social Services Director Jack Dittmann, Finance Director Lanie Gospodarek, Chief of Police Gordon Berger, Council Members-Elect Greg Forsythe and Cole Parker

The meeting is called to order by Mayor Jerry Johnson at 7:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

**ACTION TAKEN**

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- 1) Motion carried to approve the claims which total \$102,372.94. (Stewart, Cherhoniak)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the November 19, 2013 Town Council Meeting. (Stewart, Cherhoniak)
- 3) Motion carried to appoint Bill Howell to the 5-year position on the Police Commission. (Stewart, Cherhoniak)
- 4) Motion carried to appoint Doc DeTonancour to the four-year position on the Police Commission. (Stewart, Cherhoniak)
- 5) Motion carried to appoint Richard Gibson to the three-year position on the Police Commission. (Stewart, Cherhoniak)
- 6) Motion carried to approve the lease as modified with the Yellowstone Historic Center for the premises within the Union Pacific Dining Lodge for office space described as the "Rainbow Room" (old West Yellowstone Library) and the space described as the "Court Room" (clerk's office and actual court room). (Costello, Schmier)
- 7) Motion carried to approve the Application for Outside Amplification Permit made by West Yellowstone Executive Director Marysue Costello for outside amplification during the S'mores and More Evenings during the 2013-2014 winter season. (Stewart, Cherhoniak)
- 8) Motion carried to pass and adopt Resolution No. 642, a resolution amending the Social Services Help Fund to reflect an increase of \$5,200. (Stewart, Cherhoniak)
- 9) Motion carried to pass and adopt Resolution No. 643, a resolution writing off delinquent ambulance bills of identifiable accounts totaling \$18,633.61. (Stewart, Cherhoniak)

**Council Comments**

Mayor Johnson expresses condolences for the family of John Leafy, a long-time resident that recently passed away. He also wishes well to Mark Phillips, another resident that was badly injured in a car accident last weekend.

### **Public Comment Period**

West Yellowstone Chamber of Commerce Executive Director Marysue Costello expresses appreciation to the Town for support of last week's Ski Festival which was a huge success. She also invites the Council and everyone that is present to attend the Chamber's December meeting and social at Madison Crossing on December 10, 2013. Lastly, she mentions that they neglected to submit an outside amplification permit for the Christmas Stroll on December 12, 2013. Mayor Johnson indicates they will work that out with the staff.

### **DISCUSSION**

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- 3) The Council discusses the appointments to the Police Commission. The Town has received five applications for the three person board. One of the applicants is council member-elect, Greg Forsythe. Operations Manager Becky Guay summarizes a legal opinion from Town Attorney Jane Mersen that says state law does not specifically preclude appointing a council member to the commission, it is her opinion that a council member should not serve concurrently on the Police Commission. Mersen outlines multiple reasons to support her position in the written opinion. Following Guay's summary, Greg Forsythe states that he would like to pull his application for Police Commission. Mayor Johnson reads the state statutes that outline the process the Council should follow to appoint the members of the commission. According to the statutes, the Mayor nominates three applicants and the Council then votes. Mayor Johnson nominates Richard L. Gibson to the three-year term, Doc Deconotour to the four-year term, and Bill Howell to the five-year term. Motions are made to appoint the individuals as nominated by Mayor Johnson. Council Member-elect Greg Forsythe reads a statement to share concerns about the appointment of a new police commission and the process to follow to hire new police officers. He suggests that the Police Commission and the Town seek help from the Town's new attorney, Jane Mersen, and also the County to establish a proper procedure for hiring police officers. The Council discusses what sort of guidelines can be established for hiring police officers. Guay reads a section of the state code that addresses that and also describes an existing consortium that screens police applicants before they apply for qualifications, physical and mental health. She says she has also discussed with Sheriff Gootkin doing more in-depth background checks like they do at the County. Forsythe says that he thinks it is very important that all of the codes that pertain to the Police Commission are given to the newly appointment members, not just some of them. Guay says that she has already made copies of all of the codes for the new members. Forsythe's written statement also alleges that the State has begun a DCI investigation into the operation and management of the police force. Guay says that this kind of information is not public and she will not comment as to whether it is valid or not. She says that especially in police work there are many instances where an individual's privacy outweighs the public's right to know. Stewart asks Forsythe where is he getting his information. Forsythe says he "takes the fifth" and refuses to name his source, but says it is reliable. Guay emphasizes that this allegation is inappropriate and statements such as this should not be made in a public forum.
  
- 6) The Council discusses the proposed lease with the Yellowstone Historic Center for the portion of the Union Pacific Dining Lodge commonly known as the "Rainbow Room" (formerly known as the Library) and the space described as the Court Room. Ed Geiger, YHC Manager, explains that this request is based on current ongoing negotiations between the Town and the YHC to take over management of the UPDL entirely. Johnson asks for input from the staff on the modified lease. Guay says they do not recommend at this point including the Court Room space until the Town has determined the long-term use and management of the building. Johnson asks Geiger what the ramifications are if they do not approve use of the Court Room tonight as opposed to making a decision a month or two in the future. Schmier asks if the Town has any intention of using that court room space in the next ten months. Stewart says that space has been suggested as a possible place for the clothing bank.

- 7) The Council considers whether it would be appropriate to add the request for outside amplification during the Christmas Stroll on December 12 to this request. Ultimately they decide they cannot because the item was not properly noticed but that they will call a short meeting next week, after proper notice, to vote on the request.
  - 8) Dittmann, Guay, and Gospodarek explain that all they are really doing is moving money that is already in the Community Help Fund into the budget so it can be spent to compensate for some unexpected expenditures.
  - 9) Gospodarek explains that they are still collecting on ambulance accounts that go back as far as 2005 and as recent as 2009. The accounts named have either passed the statute of limitations, filed bankruptcy, or responsible party is deceased.
- A) Operations Manager's Report: Operations Manager Becky Guay reports on current issues: **Town Hall Project** – Todd Barta will be installing additional electrical outlets and telephone jacks in the town offices and the courtroom. Liz and Jerry are working to get historic pictures of the town printed to hang on the walls. We have tentatively scheduled an open house/employee holiday party for Thursday evening, December 19. **UPDL Window Replacement Project** – Because of the weather, Rand-Olson is delaying mobilization until next Monday, December 9. **Public Services** – It looks like winter has begun in earnest so crews are busy plowing and moving snow. **YHC Office Space Lease in UPDL** –The YHC has submitted a letter (Attachment A) requesting that the draft lease be modified to allow the YHC to lease both their current space in the "Rainbow Room" and also the "Court Room". This item will be placed on the next Council agenda for discussion/action. **Discussions on Management of UPDL** – Council members, Town staff, and YHC staff met this morning to begin discussions about management of the UPDL. **Police Department** – The Chief has prepared a Search and Seizure policy for review by the Town Attorney, officers, and MPEA. **Town Attorney Transition** – Jane Mersen, Jim McKenna and I have been in frequent contact about the process to transition the Town's legal services to Kasting, Kaufman and Mersen. Jim believes that he most of the transfer of files and cases will be completed by December 6. Jane and I will be meeting with police department staff next week to discuss the process we will use to transfer information back and forth between the P.D. and the Attorney.
- B) The Council briefly discusses plans for a Town Hall Open House/Holiday Party for later this month. Mayor Johnson offers to work with the supervisors to plan the event and the rest of the Council agrees.

The meeting is adjourned. (8:40 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**December 10, 2013**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, John Costello, Doc Stewart, Tom Cherhoniak

OTHERS PRESENT: Finance Director Lanie Gospodarek, West Yellowstone Chamber Executive Director Marysue Costello

The meeting is called to order by Mayor Jerry Johnson at 12:00 Noon in the West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

**Public Comment Period**

West Yellowstone Chamber Executive Director Marysue Costello thanks the Council for taking the time to call this special meeting.

- 
- 1) Motion carried to approve the Application for Outside Amplification made by the West Yellowstone Chamber of Commerce for the 2013 Christmas Stroll, scheduled for December 12, 2013, for outside amplification on that date between the hours of 5 PM and 9 PM. (Stewart, Cherhoniak)
  - 2) Mayor Johnson reads the letter of support prepared by Town Operations Manager Rebecca Guay for the proposed turbojet service at the West Yellowstone airport. Stewart and Schmier advise that the letter should specifically address the two points of possible impact that were delineated in the request letter from Morrison Maierle, Inc. The group discusses the proposal and the possible impacts on the Town.
  - 2) Motion carried to approve the letter of support for turbojet service to the Yellowstone Airport and to amend the letter to specifically address the two points in the letter that pertain to potential project-related effects. (Stewart, Cherhoniak)

The meeting is adjourned. (8:50 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting & Training Session**  
**December 17, 2013**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Doc Stewart, John Costello and Tom Cherhoniak

OTHERS PRESENT: Operations Manager Becky Guay, Finance Director Lanie Gospodarek, Chief of Police Gordon Berger, Council Members-Elect Greg Forsythe and Cole Parker, Town Attorney Jane Mersen

The meeting is called to order by Mayor Jerry Johnson at 12:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

Portions of the meeting are being recorded.

The Treasurer's Report with corresponding banking transactions is on file at the Town Offices for public review during regular business hours.

**Public Comment Period**

Mayor Johnson shares an article that's been circulating online by Ian Douglass and published on the blog [www.movoto.com](http://www.movoto.com) which ranks West Yellowstone as the best place to live in Montana. Mayor Johnson also states that he will not accept any nominations for Mayor for the next year. He says that will make some of the discussions that are going around about who will be the Mayor next year a little easier. He says he would have appreciated a little "heads up" but that's how things go. Tom Chernoniak thanks the Council for the opportunity to serve this year and hopes he has the opportunity to serve again in the future.

**ACTION TAKEN**

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- 1) Motion carried to approve the claims, which total \$198,743.83. (Stewart, Cherhoniak)

**DISCUSSION**

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- 1) The Council discusses the claims and specifically the claim for the recent election from Gallatin County. Finance Director Lanie Gospodarek explains that the cost for the election was estimated to be only \$1700 and they budgeted \$2000. The actual cost came in to nearly \$2500 due to the number of ballots they printed and travel costs and she was able to negotiate an agreement with the Clerk & Recorder that the Town would only have to pay just over \$2100.

12:15 PM, the meeting is recessed until 1 PM

At 1 PM, the Council reconvenes to participate in Roles and Responsibilities Training with Dan Clark, Director of the Montana State Local Government Center and Alan Hulse, Chief Executive Officer of the Montana Municipal Interlocal Authority (MMIA). Clark and Hulse introduce themselves and summarize the topics they are going to cover today. Clark asks the group if there are any specific topics they would like to cover. Forsythe asks them to cover the relationship between the Montana State statutes and city government. Johnson asks about ethics and privacy issues pertaining to the open meeting law and personnel issues. Guay suggests they discuss conflict of interest. Costello asks about rules of conduct and ground rules, both inside and outside of meetings.

Clark starts his presentation by outlining the structure of government in Montana. He explains that the Constitution is a vision of how things should operate in Montana. It is the Legislature's responsibility to pass laws to fulfill that vision. When there are questions about interpretation, the Attorney General may issue an opinion or it could go to the Montana Supreme Court. He points out specific sections in the Constitution of Montana that address the public's right to participate and the public's right to know. Clark explains that the Constitution guarantees the public the right to address a public body. He explains that they should be very careful about limiting public comment and ensure that it is fair. Clark and Hulse share some examples of good and not so good ways to keep public comment limited to a finite amount of time. Clark also

discusses the components of a legal meeting, which include a minimum notice of 48 hours, an agenda, time for public comment, and notice that there will be discussion or action on specific items. The group discusses public comment. Clark points out that there are two types of public comment. Comment on things that are on the agenda and comment on things that are not on the agenda but are still within the purview of the Council. Johnson points out that often members of the public expect a reply or action on the item they have brought up. Mersen agrees but says they need to remember it is public comment not public interrogation. Johnson says there is a fine line between running an open meeting and chaos. Clark describes the proper process to follow when making a decision: gather information, answer questions, public comment, Council comment, make a motion, discussion, and then act. The discussion returns to public comment and Forsythe says that he thinks it is important to respond to public comment, whether with an answer or by indicating when they will get an answer. Clark asks the group what they think fosters a high level of trust between the Council and the community. The answer is communication. Clark describes the City of Shelby, which uses very effective strategies including newsletters, radio broadcasts, and lots of public participation. It has taken over twenty years, but Shelby has attracted a wind farm, a new prison, and multiple other economic improvements. Clark explains that there is a difference between what is legal and what is politically wise. He uses the example of changing a resolution. He says that making changes to the resolution at the meeting may be legal, but politically it may be better to delay action until the next meeting. He cautions the group to be aware of the public perception of a quorum, such as at a basketball game or other social event. Costello asks about three council members serving on the board for a private non-profit and whether that should be considered a public meeting and be noticed. Clark answers that he thinks that it should be noticed and worded something like "a quorum of the Council will be present, no public business will be conducted." Guay adds that the board in question has also asked for public land to build a medical facility. Clark says that to be certain, everything must be open. The other question is about conflict of interest, considering that there is currently a quorum of the Council on the private non-profit board and board has been promised land through a resolution to build the medical facility. Costello says that it will be easy to eliminate this problem by a member of the Council resigning from the board. Johnson asks what happens if there are only two council members on the private board, but then another council member shows up at the meeting. Clark emphasizes that is exactly what they have to be careful about. Clark explains that government is nothing like running a business and says that government is designed to be fair, not efficient. Clark also discusses electronic communication and points out the pros and cons. He shares examples of other instances in the state where emails or instant messaging has been construed as a de facto meeting in a court case. He cautions them to be careful of responding to an issue by responding to everyone on an email. He also illustrates that the Town of Chester has a council member that is a professional snowboarder that uses Skype to attend meetings part of the year and that seems to work well. He also cautions the Council Members about using personal email addresses and encourages them to only use their Town email address. Clark and Hulse also emphasize that they need to understand that public records are open to the public and they have a responsibility to provide information when requested.

Clark discusses general governing powers versus self-governing powers. He first explains that every ten years, local governments in Montana are required to ask the voters if they want to form a study commission to study the Town's form of government. The Town will have to pass a resolution between now and March to pass a resolution to put the question on the ballot. Citizens can then run for a seat on the study commission in 2015 and any changes that are recommended will go on the ballot in 2016. Clark explains the difference between general governing powers and self-governing powers. Typical governments in Montana such as the commission-executive form or commission-manager form have general governing powers, meaning their powers are outlined in state law. West Yellowstone has a Charter with self-governing powers, which means their powers are only limited by what is prohibited by state law. Clark describes the differences between the forms of government and then reviews West Yellowstone's charter. Clark also briefly talks about open meeting law, duties and responsibilities of the Operations Manager, and privacy rights. He also briefly discusses Council Members disclosing personal business interests, especially in relation to approving claims.

Alan Hulse addresses the group and explains that the MMIA is a risk-retention pool that offers liability, property, workers compensation, and employee benefits coverage to cities and towns in Montana. Hulse explains how the MMIA risk retention pool works. He addresses common claims against municipalities including sewer backups, sidewalks, wrongful discharge, vehicle damage, and law enforcement claims. Hulse explains that regardless of what they do, claims will be filed against the Town and that is where the MMIA comes in. He encourages the Town to do what it can to manage exposure and names four things that must be proved for the Town to be liable: 1-duty to exercise reasonable care for infrastructure, 2-was the duty breached, 3-what was the cause, 4-what are the damages. Hulse says that is the basic formula they look at when evaluating claims. He says they also have to consider general damages, which include pain and suffering, emotional distress, etc. Hulse explains that there are tort limits for municipalities in Montana, which are \$750,000 per occurrence and \$1,500,000 aggregate. He says that the MMIA actually provides \$12 million worth of coverage in case of federal claims or instances where Montana's tort limits do not apply. Hulse explains the process they follow to evaluate and settle claims and shares multiple examples. He cautions the group when it comes to firing employees. He explains that employees have a right to their job once they have completed probation. Therefore, firing an employee correctly requires a lot of documentation and time. He explains that council members can be sued individually, but as long as they take their roles and responsibilities seriously, it is unlikely anything will ever come of it. He says that since 1992, he has only seen two instances where an employee or elected official committed an act that they would not cover. He says that the key to minimizing risks is transparency, professionalism, and courtesy as well as having the proper policies and procedures in place.

The meeting is adjourned. (5:30 PM)

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Mayor

ATTEST:

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Town Clerk

# APPLICATION TO MAINTAIN AN ENCROACHMENT

Town of West Yellowstone  
Gallatin County, Montana

DATE: 1-2-2014

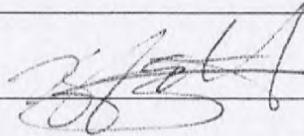
APPLICANT: Blaize "Doc" STEVART for DP Holdings LLC

ADDRESS: PO BOX 2034, W. YELLOWSTONE, MT 59758

PHONE: 770-214-0506

INTEREST IN PROPERTY: OWNER

OWNER OF RECORD'S SIGNATURE: \_\_\_\_\_



## 1. LEGAL DESCRIPTION:

Subdivision: (WEY) WEST YELLOWSTONE ORIGINAL PLAT

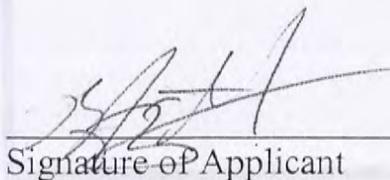
Block: 10 Lot: 13

Zoning District Number: B3

2. Please describe specifically the construction and size of the proposed encroachment. On the reverse of this application, please provide a sketch of the proposed encroachment.

CONSTRUCT 8' X 6' SIGN ON THE NORTH SIDE OF HWY 20 ACROSS FROM ERNIE'S BAKERY & DELI. THIS SIGN WILL REPLACE THE SIGN THAT WAS DESTROYED IN AN AUTO ACCIDENT ON OR ABOUT NOV 29, 2013.

THIS SIGN HAS BEEN A LANDMARK AND IN THIS POSITION FOR MANY YEARS.



Signature of Applicant

For Office Use Only:  
DECISION BY TOWN COUNCIL

Approved Disapproved

1-2-2014  
DATE

\_\_\_\_\_  
Mayor/Operations Manager

\_\_\_\_\_  
DATE



**TOWN OF WEST YELLOWSTONE**  
**MONTANA**  
*naturally inviting!*

## **PUBLIC NOTICE**

### **Marketing and Promotion Fund Advisory Board**

The West Yellowstone Town Council is seeking an interested individual to serve on the Marketing and Promotion (MAP) Advisory Board in accordance with Section 3.12.140 of the West Yellowstone Municipal Code. Board members are appointed by the Mayor, subject to the consent of the Town Council, for a term of three years. The board's responsibilities include the development of a general marketing plan, the creation of annual budgets, and the establishment of criteria by which specific marketing projects are selected and funded.

In accordance with adopted policies and procedures, the board selects individual marketing and promotion projects and makes recommendations to the Town Council on the expenditure of MAP funds for such projects.

Interested individuals should complete and return the 'Application for Boards and Committees' which is available from the Town Offices, 10 S Faithful, West Yellowstone, MT. This position is open until filled. For more information or to request an application by e-mail, please contact the Town Offices, 646-7795, or [info@townofwestyellowstone.com](mailto:info@townofwestyellowstone.com).

Elizabeth Roos  
Town Clerk



## Elizabeth Roos

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**From:** John Greve [jmg533g@gmail.com]  
**Sent:** Tuesday, December 10, 2013 2:05 PM  
**To:** Elizabeth Roos  
**Subject:** My MAPFAB service term renewal

Liz,

I've served on the MAP Fund Advisory Board since its inception in 2008. My current 3 year service term on the Board comes to an end on December 31.

I would like to continue to serve on the Board and renew my service term for 2014-2016. Before the end of the month, please submit my request to remain on the Board to the council for their consideration.

Thanks!

John M. Greve

MAPFAB Secretary

580-1520

[jmg533g@gmail.com](mailto:jmg533g@gmail.com)

**TOWN OF WEST YELLOWSTONE**  
**MONTANA**  
*Nationally recognized*

## **PUBLIC NOTICE**

### **Clothing Bank Ad Hoc Committee**

The Town is creating an ad hoc committee of interested citizens and Town employees to consider and create a recommendation for the future use and location of the Social Services clothing bank. This will be the committee's sole purpose and the committee will be dissolved following a final decision by the Town Council.

Interested individuals should complete and return the 'Application for Boards and Committees' which is available from the Town Offices, 440 Yellowstone Avenue, West Yellowstone, MT, or online at [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com). These positions are open until filled. For more information or to request an application by e-mail, please contact the Town Offices, 646-7795, or [info@townofwestyellowstone.com](mailto:info@townofwestyellowstone.com).

Elizabeth Roos  
Town Clerk





Received  
11-26-13  
AK

### APPLICATION FOR BOARDS AND COMMITTEES

Name Doug Baskirk Date 11/24/13

Address PO Box 1444

City W. Yellowstone State MT Zip 59758

Phone (Home): 640-4101 (Work): \_\_\_\_\_ (Cell/Other): \_\_\_\_\_

E-Mail Address: oldbobsrads@gmail.com

Are you a resident of West Yellowstone? Not in town length of residency in West Yellowstone: 2 yrs

Board or Committee you are applying for: Clothing Bank Committee

Occupation: Retired mental health professional

Employer: \_\_\_\_\_

Have you previously served on a County or City board? Yes - Anaconda-Deer Lodge County

If so, which board, and for how long? Medical Marijuana Advisory Board - 9 months

Past Memberships and Associations: American Psychological Association,

American Sociological Association

Current Memberships and Associations: Trout Unlimited, Federation of Fly Fishers

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: 20+ yrs. working in outreach to homeless + mentally ill.

Volunteer for W. Yellowstone Social Services.

What are your primary objectives for serving on this board? Find a long term, acceptable solution to providing clothing and services to disadvantaged residents in W. Yellowstone.

References (Individual or Organization):

Jack Dittman Phone: 646-7311

Becky Guay Phone: 640-1472

Rick Jensen Phone: 560-6818

Signature: Charles D Baskirk Date: 11/24/13

Please return this application to the Town Offices at 10 S Faithful, West Yellowstone, Montana. An interview may be required if deemed necessary. Thank you in advance for your interest.



Received  
12/4/13  
ar

APPLICATION FOR BOARDS AND COMMITTEES

Name Grace McCoy Date 12/4/13

Address 308 Lewis / PO Box 476

City West State MT Zip 59758

Phone (Home): 646-7152 (Work): \_\_\_\_\_ (Cell/Other): 325 513 2636

E-Mail Address: rhonda.smithbh@yahoo.com

Are you a resident of West Yellowstone? yes Length of residency in West Yellowstone: 6 mos.

Board or Committee you are applying for: Clothing Bank

Occupation: housewife

Employer: NA

Have you previously served on a County or City board? yes

If so, which board, and for how long? Route 66 Main Street Improvements, Williams Az 11 yrs

Past Memberships and Associations: Route 66 Main St. (2010) Natl Cosmetology Assoc., (1985-present)

Board of Realtors (Calif/Ariz/Texas/Arkansas) Chambers of Commerce 2004-2010, Ariz.

Current Memberships and Associations: see above loops!

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: current Co Ordinator of Clothing Bank Oct 1 thru present.

Working 30-50 hours a week, wash, dry, sort, hang + fold by size, age, gender

What are your primary objectives for serving on this board? to secure a "home" for clothing bank to benefit residents with winter wear. IT IS NOT A FLEA MARKET- RUMMAGE PILE OR "SHOPPING EXPERIENCE"!!!

References (Individual or Organization):

GORDON BERGER (Chief of Police) Phone: 640-1754

BENNY McCracken (PASTOR) Phone: 640-1858

JACK DITTMAN (OR KATHY A.) Phone: 541-786-2121 Jack / 640 0085 Kathy

Signature: Grace McCoy Date: 12/4/13

Please return this application to the Town Offices at 10 S Faithful, West Yellowstone, Montana. An interview may be required if deemed necessary. Thank you in advance for your interest.



Received  
12/4/13  
ER

### APPLICATION FOR BOARDS AND COMMITTEES

Name BRIAN MCCOY Date 12/4/13

Address 308 LEWIS AVE

City WY State MT Zip 59758

Phone (Home): 406 646 7152 (Work): 406 646 1757 (Cell/Other): 325 232 2650

E-Mail Address: \_\_\_\_\_

Are you a resident of West Yellowstone? YES Length of residency in West Yellowstone: 6mo

Board or Committee you are applying for: CLOTHING BANK

Occupation: POLICE OFFICER

Employer: WYPD

Have you previously served on a County or City board? NO

If so, which board, and for how long? \_\_\_\_\_

Past Memberships and Associations: \_\_\_\_\_

Current Memberships and Associations: \_\_\_\_\_

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: \_\_\_\_\_

What are your primary objectives for serving on this board? \_\_\_\_\_

References (Individual or Organization):

\_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Phone: \_\_\_\_\_

Signature: Brian W McCoy Date: 12/4/13

Please return this application to the Town Offices at 10 S Faithful, West Yellowstone, Montana. An interview may be required if deemed necessary. Thank you in advance for your interest.



Received  
12/26/13  
af

APPLICATION FOR BOARDS AND COMMITTEES

Name Corinne Fagerburg Date 12-26-2013

Address P.O. Box 93

City West Yellowstone State Mt. Zip 59758

Phone (Home): (406) 646-7555 (Work): \_\_\_\_\_ (Cell/Other): (406) 640-1749

E-Mail Address: Bcfburgwest@aol.com

Are you a resident of West Yellowstone? yes Length of residency in West Yellowstone: 18 yrs. full time

Board or Committee you are applying for: Clothing Closet

Occupation: Tennis instructor - retired

Employer: \_\_\_\_\_

Have you previously served on a County or City board? yes

If so, which board, and for how long? BBBS of Gallatin County

Past Memberships and Associations: West Yellowstone Foundation, Big Brothers Big Sisters, Helping Hands, WY United Women

Current Memberships and Associations: YHC, WYF, Community Protestant Church Elders, West Yellowstone United Women

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: none

What are your primary objectives for serving on this board? To create a clothing closet for those in need

References (Individual or Organization):  
Benny McCracken Phone: (406) 640-1858  
Rick Moler Phone: 551-0546  
Ann Criner Phone: (406) 646-7436

Signature: Corinne Fagerburg Date: 12-26-2013

Please return this application to the Town Offices at 10 S Faithful, West Yellowstone, Montana. An interview may be required if deemed necessary. Thank you in advance for your interest.



Received  
1/3/14 ar

APPLICATION FOR BOARDS AND COMMITTEES

Name Salle Engelhardt Date 1/2/2014

Address 623 Pkwy B (PO Box 1431)

City West Yellowstone State MT Zip 59758

Phone (Home): \_\_\_\_\_ (Work): \_\_\_\_\_ (Cell/Other): 640-1793

E-Mail Address: idahosalle@yahoo.com

Are you a resident of West Yellowstone? yes Length of residency in West Yellowstone: 8-5 yrs

Board or Committee you are applying for: Ad hoc clothing bank

Occupation: generalist

Employer: none at present

Have you previously served on a County or City board? WYDID yes

If so, which board. and for how long? WYDID 1.5 yrs - ?

Past Memberships and Associations: Volunteer - WYSEF

Current Memberships and Associations: \_\_\_\_\_

List any relevant qualifications and/or related experience? Attach any additional information or a resumé, if you prefer: Working knowledge of organizational administration and structure; Admin; non-profit experience; policy composition and analysis. (MPA degree).

What are your primary objectives for serving on this board? To assist in establishment of permanent and functional clothing bank in the community.

- References (Individual or Organization):
- Kathy Aruado Phone: 646-7311
  - Julia Steinbach Phone: 406-570-7134
  - Lisa Burdich Phone: 406-539-2572

Signature: Salle Engelhardt Date: 1/2/2014

Please return this application to the Town Offices at 10 S Faithful, West Yellowstone, Montana. An interview may be required if deemed necessary. Thank you in advance for your interest.

# SPECIAL EVENT PERMIT APPLICATION

Town of West Yellowstone  
Gallatin County, Montana

Event: Fun Run Sted Dog Races  
 Sponsor Organization: Klonike Dreams  
 Sponsor Address: PO Box 1374 West Yellowstone  
 Contact Person: Charlotte Mearney  
 Contact Phone: 406-646-4988 Fax: \_\_\_\_\_  
 E-mail Address: info@klonikedreams.com  
 Date(s) of Event: Jan 18 & 19, Sat & Sun, 2014 7am to 2pm  
 Location of Event: North Dugraven start/finish

Respond to all sections either on the applicable sheets, or attach sheets as needed. A complete application should be submitted a minimum of 4 weeks prior to the event.

- A. Event detail: Use the attached sheet to describe your event in detail and any special accommodations you are requesting from the Town.
- B. Site Plan: Detail the physical layout of your event on the attached site plan and return with the application.
- C. Liability Insurance: Please provide a copy of the event's liability insurance naming the Town of West Yellowstone as additionally insured. Liability insurance coverage shall be in the minimum amounts of \$750,000 per claimant/\$1,500,000 per occurrence and include alcohol liability, if applicable. The Operations Manager may grant exception to these limits based on general public health, safety and welfare associated with the request for exception, as well as the liability risk and the applicant's ability to pay.

Application Fee: \$ 25.00 pd  
 Administration Fee: \$ \_\_\_\_\_  
 Total Due: \$ 25.00 pd 1-3-14

  
 Signature of Applicant  
 12-31-13  
 Date

## FOR OFFICE USE ONLY

Department	Initials	Date	Comments
Pub Services			
Fire			
Police			
Administration			

Notes/Conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Approved
Denied
\_\_\_\_\_

Town Clerk

\_\_\_\_\_

Date

# SPECIAL EVENT PERMIT APPLICATION

Town of West Yellowstone  
Gallatin County, Montana

## Event Details

Use this sheet to describe your event in detail including location, routes, directions, show tents, canopies, fencing, cars, security, toilets, seating, stage, etc. and any special accommodations you are requesting from the

Town. Please also address parking, trash collection and disposal, expected number of participants and spectators, signs, and amplified sound (if applicable). Public drinking and public display of alcoholic beverages must conform with Section 9.12.020 of the West Yellowstone Municipal Code. The public place where the event will be held must be specifically exempted by resolution of the Town Council before alcoholic beverages may be allowed. Please attach a separate letter addressed to the West Yellowstone Town Council to make this request. If anything will be sold at the event, an Exposition Business License must also be obtained. Please describe any sale activity below and attach the Exposition Business License application.

Race starts on north end of Dunraven. Musher Parking on Dunraven between Alley D and Firehole. One lane access to hotels on Dunraven. Controlled access at Gibbon & Dunraven to allow resident access. Portable toilet on west side of Dunraven on private property, with owner permission, between Alley D & Gibbon. ~~A~~ Road closures ~~7-8 am~~ 7-8 am to 2pm Saturday and Sunday Jan 18 & 19, 2014. Maximum of 20 teams to race. Announcer and music over loudspeakers after 8 am.



Application for Outside Amplification Permit  
Town of West Yellowstone  
Gallatin County, Montana

Event: Fun Run Sled Dog Races

Contact Person: Charlotte Mooney

Address of Contact Person: PO Box 1374 West Yellowstone

Phone Number: 646-4988

Signature of Property Owner of Record: \_\_\_\_\_

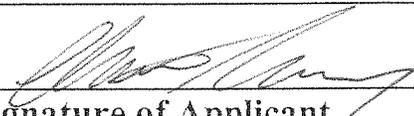
Date(s) of Event: Jan 18+19, 2014

Location: North end Dunraven

Amplification between the hours of: 8 AM/PM and 1 AM/PM

Description of Event: Sled Dog Races

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Signature of Applicant

12-31-13  
Date

FOR OFFICE USE ONLY

Decision by Town Council:                      Approved                      Disapproved

Conditions: \_\_\_\_\_

\_\_\_\_\_

Signature of Mayor/Operations Manager: \_\_\_\_\_

\_\_\_\_\_ Date

# SPECIAL EVENT PERMIT APPLICATION

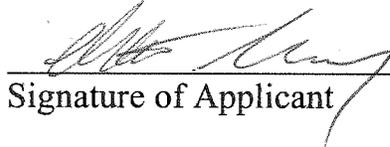
Town of West Yellowstone  
Gallatin County, Montana

Event: International Pedigree Stage Step Sled Dog Races - West Yellowstone Leg  
 Sponsor Organization: Klondike Dreams  
 Sponsor Address: PO Box 1374 West Yellowstone  
 Contact Person: Charlotte Morrey  
 Contact Phone: 646-4988 Fax: \_\_\_\_\_  
 E-mail Address: info@klondikedreams.com  
 Date(s) of Event: Feb. 2, 2014  
 Location of Event: Start at Canyon + Yellowstone, Run down Yellowstone to Forest trail

Respond to all sections either on the applicable sheets, or attach sheets as needed. A complete application should be submitted a minimum of 4 weeks prior to the event.

- A. Event detail: Use the attached sheet to describe your event in detail and any special accommodations you are requesting from the Town.
- B. Site Plan: Detail the physical layout of your event on the attached site plan and return with the application.
- C. Liability Insurance: Please provide a copy of the event's liability insurance naming the Town of West Yellowstone as additionally insured. Liability insurance coverage shall be in the minimum amounts of \$750,000 per claimant/\$1,500,000 per occurrence and include alcohol liability, if applicable. The Operations Manager may grant exception to these limits based on general public health, safety and welfare associated with the request for exception, as well as the liability risk and the applicant's ability to pay.

Application Fee: \$ 25.00  
 Administration Fee: \$ \_\_\_\_\_

  
 \_\_\_\_\_  
 Signature of Applicant

Total Due: \$ 25.00 <sup>1-3-14</sup> <sub>gr</sub> Date \_\_\_\_\_

## FOR OFFICE USE ONLY

Department	Initials	Date	Comments
Pub Services			
Fire			
Police			
Administration			

Notes/Conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Approved

Denied

\_\_\_\_\_  
 Town Clerk

\_\_\_\_\_  
 Date

# SPECIAL EVENT PERMIT APPLICATION

Town of West Yellowstone  
Gallatin County, Montana

## Event Details

Use this sheet to describe your event in detail including location, routes, directions, show tents, canopies, fencing, cars, security, toilets, seating, stage, etc. and any special accommodations you are requesting from the Town. Please also address parking, trash collection and disposal, expected number of participants and spectators, signs, and amplified sound (if applicable). Public drinking and public display of alcoholic beverages must conform with Section 9.12.020 of the West Yellowstone Municipal Code. The public place where the event will be held must be specifically exempted by resolution of the Town Council before alcoholic beverages may be allowed. Please attach a separate letter addressed to the West Yellowstone Town Council to make this request. If anything will be sold at the event, an Exposition Business License must also be obtained. Please describe any sale activity below and attach the Exposition Business License application.

Sled dog races to start on Yellowstone Avenue at Canyon Street  
Teams run length of Yellowstone to Forest Trails west of town.  
Musher parking on Yellowstone between Canyon & Boundary with 1 lane  
open for access to Free Haul & Wheel. Extra Musher parking at  
Chamber. Part bound traffic will be rerouted down Madison to  
Boundary. Race start at 9 am, close road at 7 am. ~~20~~  
All teams out by 10 am. Starting Line will be immediately removed.  
Race finish at old airport. One lane will remain open on  
each side of snow berms. - Need city to make two parallel  
snow berms running the length of Yellowstone from Canyon to Iris.  
Crossings located at Electric & Geysir to access south end of  
town. Race will include announcer and music over loudspeaker  
after 8 am. Crossing guards present at Electric & Geysir.  
Road closed signs manned by at least one person at all other  
cross roads.

# SPECIAL EVENT PERMIT APPLICATION

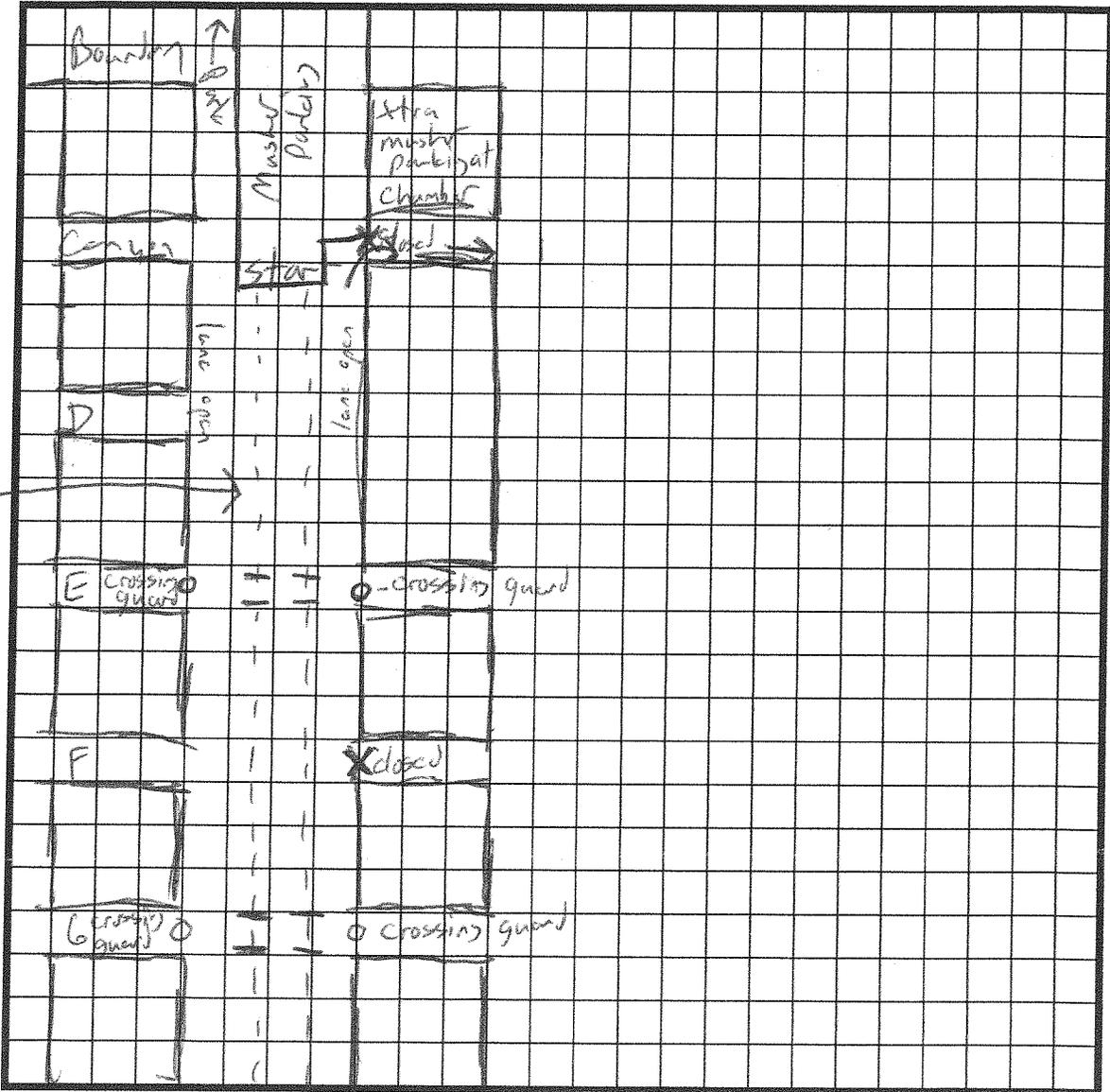
Town of West Yellowstone  
Gallatin County, Montana

## Site Plan

Event: IPSSSDR - West Yellowstone Leg

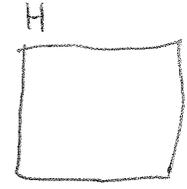
Yellowstone Ave  
←

Snow Berms 5 feet apart  
2 feet tall



dotted lines  
are parallel  
snow berms

Please indicate direction



Fris

Xclosed

Forest Trail



## HEBGEN BASIN FIRE DISTRICT

P.O. Box 1508 • West Yellowstone, MT 59758

**Station 1**

10 S. Faithful

West Yellowstone, MT 59758

**Station 2**

20 Tern Lane

West Yellowstone, MT 59758

**Station 3**

10 Denny Creek Road

West Yellowstone, MT 59758

406-646-9094 • 406-646-9090 fax

December 15, 2013

West Yellowstone Police Department Dispatch

P.O. Box 1570

West Yellowstone, MT 59758

Dear: Gordon Berger, Police Chief  
Kathi Hopkins, 9-1-1 Supervisor  
Becky Guay, Town Manager

Last week we had a critical call that I want to address and also take the opportunity to review issues that continue to arise with dispatch.

On Thursday December 12, 2013 at 16:53 the HBFD was dispatched to a 5 year old male who had been run over by a pickup truck, Call for Service #13-003137. While I won't address all of the specifics of the incident I believe everyone understood how critical this incident was and the importance of accurate, timely information and actions. Air Idaho was ordered early into the incident and we were advised that ETA to the IPAD in Island Park was 50 minutes. While the Call for Service Detail Page does not reflect all of the communications, based on the information AC Grube was provided he set the rendezvous location at Ashton, Idaho. As the ambulance transport began it became apparent to AC Grube that the 50 minute ETA to Island Park was not accurate. In this incident time was critical and I directed AC Grube to contact Air Idaho direct to confirm the times and best location to rendezvous so we did everything possible to save this child's life.

At the same time AC Grube was on the phone with Air Idaho, another call came in and I took over the communications with Air Idaho, trying to reduce the transport time. It was quickly determined by me talking with Air Idaho that the best rendezvous location was the IPAD in Island Park. I attempted to make contact with Ambulance 2 to advise them of the change but could not make contact with them. I requested WYPD Dispatch to contact Ambulance 2 to make the change to the IPAD. They advised me that AC Grube had requested Ashton. I told

them that I was making the change and wanted them to relay the information to the ambulance. It seemed difficult for dispatch to accept that I wanted the change made. I finally made contact with ambulance 2 by cell phone and told WYPD Dispatch to disregard my request that I had taken care of the change.

I would like to take this opportunity to address a number of dispatch issues that continue to arise.

First, dispatch centers are in place to provide service to agencies. Dispatch centers collect information from callers, responders, data banks and other sources and convey accurate concise information to user agencies based on protocols and procedures. They don't make decisions on what should be done that is up to the police, fire or other agency user, not the dispatch center.

Second, we understand the challenge of the WYPD dispatchers and their limited resources. They have limited personnel, no CAD system and dispatch a number of agencies that can have incidents at the same time. Communication during multi-agency incidents can be very challenging for WYPD dispatch. This became apparent at the airplane crash when on-scene police officers were trying to relay information to the responding ambulance and fire personnel and could not get through to dispatch. After the airplane crash last summer, and in an effort to alleviate some of the pressure on the dispatchers, several of the agencies met and agreed to go to each other's frequencies on calls instead of always relaying through dispatch. By going direct to the agency it removes the necessity of the dispatch to be involved, improves accuracy of communications and provides valuable time to the dispatcher during critical incidents. This is the same reason we contacted Air Idaho direct, to limit radio communications and get the most accurate information we could. We will continue to do this when it is in the best interest of our customers.

Third, the most important activity any of us deal with is the emergency call. Emergency calls trump all other communications a dispatch center does. With only one dispatcher on duty it is even more critical that they have the ability and procedural direction to delay administrative communications until the emergency or more critical information is concluded. Even on this recent incident the CFS shows that WYPD was requesting registration information on a vehicle while we were still dealing with the Air Idaho/ambulance coordination. The WYPD Officer may not have known anything about the transport issue. It is imperative that the dispatcher has the ability and direction to advise their users that a more critical incident is in place and administrative traffic needs to be delayed and it should not matter which agencies are involved.

Fourth, accuracy is important during the incident, from the moment the call is received; through to the when written report is produced. The dispatch system that WYPD uses is sub-standard and requires the transfer of a lot of details by hand. It uses a number of computer and radio systems that are not linked which requires repeated entry in multiple systems. This hardware is at the heart of a complicated work load the dispatchers must deal with. The result is that the oral and written information we receive is often incomplete or inaccurate. I want to convey that the

inaccurate information on the CFS 13-003137 is just one of many that occur. This CFS reflects a dispatch time of 16:53:00 and arrival time one block away, of 17:55:00 instead of 16:55:00? It shows Air Idaho lifted off at 19:57 instead of what would appear to be a more accurate time of 16:57. It is easy to say that these errors are readily apparent and not that big of a deal. However, it is a document that would be requested in legal action and one that puts our response in question and impacts our credibility in testimony. We need accuracy and the one way to achieve that is with a CAD system that is linked and time stamps all activity.

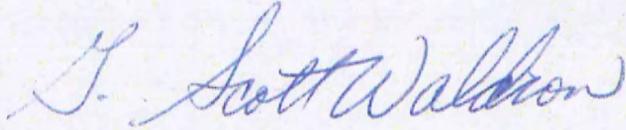
Fifth, in August we brought to the attention of WYPD Dispatch the problem of overriding communications that in certain situations makes it impossible for us to communicate with the 9-1-1 center. This was brought to the attention of WYPD August 9-10, 2013 after problems occurred during a heart attack call where we were unable to communicate WYPD to order Air Idaho. After repeated attempts to contact dispatch on the HBFD repeater channel the on scene personnel were forced to go to the WYPD channel to talk with a dispatcher. This resulted in a delay in ordering Air Idaho during a very critical incident. While a number of attempts have been made to correct the problem it has yet to be appropriately resolved and a life safety problem truly exists. On December 2, 2013 the problem was videotaped by two dispatchers and that video tape forwarded to Teton Communications. John Moore addressed the problem with Teton Communications and received feedback but no permanent resolution. It is five (5) months later and the problem still exists that in a number of scenarios we could be without direct communications to dispatch on our Hebgen Basin Repeater. This needs to be permanently and correctly resolved.

I have on a number of occasions asked the WYPD to create and organize a 9-1-1 user Advisory Board. I recently asked the Mayor to see if one could be part of the Police Commission but he advised me that it was outside their purview. Every dispatch center I have ever dealt with has a 9-1-1 Advisory Board. They meet regularly and through this forum look for solutions to the needs of the center and methods to improve communications and services. I'm not sure what the reason is we do not have one in West Yellowstone but it would resolve many of these problems.

While HBFD has tried to be patient and tolerant I believe I personally have been remiss in not pursuing correction of these problems in a more aggressive manner. That will end with this letter. After a recent review of these problems with our Board of Trustees it is apparent to HBFD they need to be addressed and documented. I have attached a copy of a form that I created to provide feedback to the WYPD dispatch center. This will be sent by the duty crew, Asst. Chief Grube or me when any problem occurs. This form also provides a means for the center to respond back and give us information to show how the problem will be resolved and how HBFD can help to find a solution from our side. I will ask other agencies to use this form to assist us all with improving our system. Over time this will enable us to determine and document if the problem occurred because of hardware, software, radios, personnel, training issue or for some other reason. It also provides a mechanism to report good performance which occurs regularly as well.

I look forward to working the WYPD Dispatch Center on making our system better. We are willing to work on all of these issues and will be glad to meet at any time to discuss ways we can all improve.

Sincerely,

A handwritten signature in blue ink that reads "G. Scott Waldron". The signature is written in a cursive style with a large, stylized "G" and "W".

G. Scott Waldron, Fire Chief  
Hebgen Basin Fire District

Cc: Town Council  
HBFD Board of Trustees

**WYPD Dispatch Feedback Form**

Date \_\_\_\_\_ Call for Service # \_\_\_\_\_ HBRFD Incident # \_\_\_\_\_

Name \_\_\_\_\_ Agency \_\_\_\_\_

**Detail the Problem/Concern:**

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Signed \_\_\_\_\_

**Detail the Success/Job Well Done**

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Signed \_\_\_\_\_

**WYPD Response**

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Signed \_\_\_\_\_