

Town of West Yellowstone

Tuesday, January 20, 2015

West Yellowstone Town Hall, 440 Yellowstone Avenue

7:00 PM

TOWN COUNCIL MEETING AGENDA

Pledge of Allegiance

Purchase Orders **\$8500 to Norland Manufacturing, Chute for Blower** ∞

Treasurer's Report/Securities Report

Claims ∞

Consent Agenda: **December 16, 2014, Town Council Meeting** ∞

January 6, 2015 Town Council Meeting ∞

January 13, 2015 Joint Meeting with HBFD ∞

Business License Applications

Advisory Board Report(s)

Operations Manager & Department Head Reports

Assignments Report

Comment Period

- **Public Comment**
- **Council Comments**

NEW BUSINESS

Proposal from Hebgen Basin Fire District to purchase the Emergency Services at 400 Yellowstone Avenue for \$200,000 Discussion/Action ∞

Application to Maintain an Encroachment, Fiber Optic Build, Grizzly Internet, Inc. Discussion/Action ∞

Marketing and Promotions Fund Advisory Board Reappointments Discussion/Action ∞

- Gloria Evans
- Marysue Costello

Compensation for the City Judge Discussion/Action ∞

Correspondence/FYI

- North Hebgen Multiple Resource Project ∞
- Letter, Udo & Janet Freund, Dogs running loose ∞

Meeting Reminders



Policy No. 16 (Abbreviated)
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 West Yellowstone Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.
- Presently, informal Town Council work sessions are held at 12 Noon on Tuesdays and occasionally on other mornings and evenings. Work sessions also take place at the Town Hall located at 440 Yellowstone Avenue.
- 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 and packets are available online at the Town's website: 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.

P.O. BOX 1570

TOWN OF WEST YELLOWSTONE MONTANA

PHONE: 406-646-7795

FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER

Date

Ship Via

Order No.

006700

Department

TO:

Norland Manufacturing

ADDRESS:

Paul, Id

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity

Description

1

Chute for Blower

Estimated Cost \$

8,500⁰⁰/KX

Authorized By

Requested By:

James Patterson

VENDOR COPY - White OFFICE COPY - Canary

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
40567	2654 Community Health Partners	113.65							
	11/20/14 drug tests	50.00		STREET	1000 430200	351		101000	
	11/20/14 immunizations	63.65*		SEWER	5310 430600	351		101000	
40568	1273 Montana Security and	61.50							
	43730 01/01/15 monitoring UPDL	61.50		UPDL	1000 411252	357		101000	
40569	266 Utilities Underground Location	9.10							
	4125290 12/31/14 excavation notifications	4.55		WATER	5210 430500	357		101000	
	4125290 12/31/14 excavation notifications	4.55		SEWER	5310 430600	357		101000	
40575	95 Energy West-Montana	2,900.63							
	12/31/14 nat gas - 62211 - updh	110.00		UPDH	1000 411252	344		101000	
	12/31/14 nat gas - 62017 - police sta.	24.09		POLICE	1000 411258	344		101000	
	12/31/14 nat gas - 12204-pub.svcs	28.58		STREET	1000 430200	344		101000	
	12/31/14 nat gas - 62214- old firehall	45.26		PARK	1000 460430	344		101000	
	12/31/14 nat gas - 01603 - old bld insp	145.18		STREET	1000 430200	344		101000	
	12/31/14 nat gas - 61962 - library	328.32		LIBRAR	2220 460120	344		101000	
	12/31/14 nat gas - 07154 - Povah Ctr.	562.16		POVAH	1000 411255	344		101000	
	12/31/14 nat gas - 62207 - pub svcs	634.13		PUBSVC	1000 430200	344		101000	
	12/31/14 nat gas -17279 -Town Hall	995.78		TWNHAL	1000 411250	344		101000	
	12/31/14 nat gas -17569-Sewer Lift	27.13		SEWER	5310 430600	344		101000	
40576	2789 WEX Bank	4,398.78							
	01/01/15 07 Ford Expedition 6-54563A	102.86		SS	1000 450135	231		101000	
	01/01/15 06 Dodge Durango 6-1374	121.28		STREET	1000 430200	231		101000	
	01/01/15 10 Ford Crown Vic 6-34157A	0.00		POLICE	1000 420100	231		101000	
	01/01/15 08 Ford Crown Vic 6-1437	0.00		POLICE	1000 420100	231		101000	
	01/01/15 10 Ford Expedition 6-000046	0.00		POLICE	1000 420100	231		101000	
	01/01/15 11 Ford Expedition 6-21425A	303.24		POLICE	1000 420100	231		101000	
	01/01/15 77 Intl Dumptruck	0.00		STREET	1000 430200	231		101000	
	01/01/15 78 Chevy Dumptruck	0.00		STREET	1000 430200	231		101000	
	01/01/15 78 Autocar Dumptruck	0.00		STREET	1000 430200	231		101000	
	01/01/15 85 Ford Dumptruck	0.00		STREET	1000 430200	231		101000	
	01/01/15 140 G Grader	493.66		STREET	1000 430200	231		101000	
	01/01/15 CAT 936 Loader	216.72		STREET	1000 430200	231		101000	
	01/01/15 93 Dodge	88.32		STREET	1000 430200	231		101000	
	01/01/15 95 Mobile Sweeper	0.00		STREET	1000 430200	231		101000	
	01/01/15 97 Athey Sweeper	0.00		STREET	1000 430200	231		101000	
	01/01/15 99 SS Snowblower	500.78		STREET	1000 430200	231		101000	
	01/01/15 00 Freightliner Dump 6-60700A	112.34		STREET	1000 430200	231		101000	
	01/01/15 Snowmobile	0.00		STREET	1000 420100	231		101000	
	01/01/15 02 Freightliner Dump 6-54564A	272.76		STREET	1000 430200	231		101000	
	01/01/15 08 Ford Pickup 6-1450	345.42		STREET	1000 430200	231		101000	
	01/01/15 08 GMC Pickup 6-1484	348.01		STREET	1000 430200	231		101000	
	01/01/15 08 CAT 938H Loader	832.51		STREET	1000 430200	231		101000	

01/16/15
16:06:09

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 1/15

Page: 2 of 5
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash
Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account		
	01/01/15 08 904B MiniLoader	214.42		STREET	1000 430200	231	101000		
	01/01/15 YNP Truck #1	161.76		STREET	1000 430200	231	101000		
	01/01/15 YNP Truck #2	0.00		STREET	1000 430200	231	101000		
	01/01/15 08 Ford Escape (multi-use)	32.71		SOCSEK	1000 450135	231	101000		
	01/01/15 14 Police Interceptor	251.99		POLICE	1000 420100	231	101000		
40577	2558 Hebgen Basin Fire District	45,563.00							
	01/15/15 January 2015	45,563.00		FIRE	1000 420400	357	101000		
40614	2673 First Bankcard	2,991.00							
	12/04/14 Lowe's, tree	238.00		TWNHAL	1000 411250	364	101000		
	12/11/14 Madison Crossing, Holiday dinn	1,248.00		LEGIS	1000 410100	870	101000		
	12/23/14 Instrumart, gas sniffer	1,505.00		WATER	5210 430500	369	101000		
40615	151 Gallatin County WY TS/Compost	328.80							
	12/31/14 transfer station charges	328.80		PARKS	1000 460430	534	101000		
40616	2832 Martin's Mowing & Trimming	2,847.00							
	01/01/15 sprinkler system	2,847.00*		TWNHAL	1000 411250	357	101000		
40617	764 General Distributing Co.	43.71							
	293118 12/31/14 compressed O2	43.71		STREET	1000 430200	220	101000		
40618	2096 Pump Tech Co., Inc.	800.00							
	22169 01/08/15 service call, sewer pumps	800.00		SEWER	5310 430600	398	101000		
40619	2507 Silvertip Pharmacy	142.90							
	120914/01 12/11/14 Rx	35.00		HELP	7010 450135	351	101000		
	112414/01 11/25/14 Rx	75.25		HELP	7010 450135	351	101000		
	110514/01 11/05/14 Rx	25.00		HELP	7010 450135	351	101000		
	110614/01 11/06/14 Rx	7.65		HELP	7010 450135	351	101000		
40620	171 Montana Food Bank Network	747.82							
	43030-1 01/07/15 commodities	354.57		HELP	7010 450135	220	101000		
	43029-1 01/07/15 commodities	393.25		HELP	7010 450135	220	101000		
40621	2871 Rand Olsen Construction, LLC	16,453.51							
	96 10/28/14 window project, UPDL, final!	16,453.51		UPDL	4000 411240	929	101000		
40622	153 IIMC	190.00							
	12/29/14 membership, Gospodarek	95.00		FINADM	1000 410510	335	101000		
	12/29/14 membership, Holtzen	95.00		FINADM	1000 410510	335	101000		

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
40623	2851 Amatics CPA Group 31939 12/31/14 audit work thru 12/31/14	9,100.00 9,100.00		FINANC	1000 410530	353	101000
40624	146 Morrison-Maierle, Inc 20102 01/09/15 PD online backup 20103 01/09/15 Town Offices online backup	130.00 70.00 60.00		DISPAT FINADM	1000 420160 1000 410510	398 356	101000 101000
40625	2182 Gallatin County 103114 11/26/14 Deputy coverage, Oct 2014 103014 12/18/14 Deputy coverage, Nov 2014 123114 01/06/15 Deputy coverage, Dec 2014	44,820.00 12,600.00* 19,820.00* 12,400.00*		POLICE POLICE POLICE	1000 420100 1000 420100 1000 420100	398 398 398	101000 101000 101000
40626	2886 Sunset 12/23/14 magazine renewal	16.00 16.00		LIB	2220 460100	215	101000
40627	1140 Sagebrush Floral 598384 12/17/14 poinsetta-Library	18.00 18.00		LIB	2220 460100	398	101000
40628	29 Terrell's Office Machines Inc 294854 01/01/15 copier contract pmt	43.70 43.70		LIB	2220 460100	398	101000
40629	2882 De Lage Landen 43763520 12/06/14 copier pmt	155.65 155.65		LIB	2220 460100	398	101000
40630	725 Swan Cleaners 1536 01/06/15 jail laundry-Nov 2014	52.50 52.50		JAIL	1000 420230	390	101000
40631	489 MSE ANALYTICAL LABORATORY 1412048 01/05/15 water samples	167.40 167.40		WATER	5210 430500	357	101000
40632	2201 Grizzly Internet, Inc. 20141216-1 12/16/14 internet service, 4 mo	210.00 210.00		LIB	2220 460100	345	101000
40633	2673 First Bankcard 12/04/14 Wild West, WS supplies 12/08/14 QuickPrint, H20 samples ship 12/15/14 QuickPrint, H20 samples ship 12/17/14 Rosauers, food 12/22/14 Rosauers, food 12/26/14 Playmill, tax test (will refun	421.61 65.40 30.60 27.92 85.78 191.16 20.75		LEGIS WATER WATER HELP HELP RT	1000 410100 5210 430500 5210 430500 7010 450135 7010 450135 2100 410532	220 311 311 220 220 353	101000 101000 101000 101000 101000 101000

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
40634	1955 Dellinger & Gallagher, Inc.	13,344.00					
	141107 12/31/14 closing entries, FY 2014	2,940.00		AUDIT	1000 410530	353	101000
	141108 12/31/14 RT audits 2013	9,804.00		RT	2100 410532	353	101000
	141108 12/31/14 TBID audits 2013	600.00*		TBID	2102 411800	357	101000
40635	533 Market Place	200.00					
	12/31/14 Grocery gift certs x 4	200.00		LEGIS	1000 410100	220	101000
40636	2291 American Express	327.00					
	12/09/14 Comfort Suites, BZN	90.81		STUDY	1000 411870	370	101000
	12/09/14 Comfort Suites, BZN	181.62		STUDY	1000 411870	370	101000
	12/09/14 Comfort Suites, BZN	90.81		STUDY	1000 411870	370	101000
	12/15/14 Amazon	5.68		FIN	1000 410510	870	101000
	12/19/14 USPS, postage	5.95		FIN	1000 410510	311	101000
	01/07/15 Book Peddler, WS supplies	91.20		LEGIS	1000 410100	220	101000
	12/13/14 returns	-139.07		FIND	1000 410510	220	101000
40637	1282 Elizabeth Roos	139.07					
	12/13/14 reimb supplies-AX	139.07		FIN	1000 410510	220	101000
40638	2601 Chemnet Consortium, Inc.	100.00					
	82026 01/08/15 annual testing fee 2015	100.00		ADMIN	1000 410210	351	101000
40639	2140 MMIA MONTANA	101.45					
	1114021 12/05/14 deductible recovery, Berger	101.45*		INS	1000 510330	513	101000
	# of Claims	32	Total:				146,937.78

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
December 16, 2014

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Operations Manager Becky Guay, Finance Director Lanie Gospodarek, Social Services Assistant Kathi Arnado, Jeremy Weber-WY News, Gallatin County Sheriff Brian Gootkin, Pat & Ginger Povah, Randy Wakefield, Doc & Donna Stewart, Les Brunton-YNP Law Enforcement, Richard & Terry Gibson, Doc & Mrs. Deconotour, Helene Rightenour, Dispatcher Nansi Cisneros, Head Dispatcher Brenda Martin, Sandi Pepler, Ryan Barker-Forsgren & Associates, Gallatin County Deputy Mike Gavagan, Scott Newell and family, Doug Buskirk, WY Police Officer Neil Curtis, Scott Clark, Carol Leasure-YHC, Gallatin County Deputy Matt Stubblefield, Tara Ross-YNP Law Enforcement

The meeting is called to order by Mayor Brad Schmier at 1:00 PM 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.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$85,972.01. (Johnson, Parker) Schmier abstains from #40453 and #40532, Forsythe abstains from #40559.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the December 2, 2014 Work Session & Town Council Meeting. (Johnson, Costello)
- 3) Motion carried to approve and authorize signing the Letter of Engagement with Rocky Mountain Appraisals to appraise the 80 acres of Forest Service, cost not to exceed \$10,000. (Costello, Parker)
- 4) Motion carried to approve the recommendation from the Marketing and Promotions Fund Advisory Board to award \$7500 to the West Yellowstone Chamber of Commerce Snowmobile Events Committee for the 2016 Snow Shoot event, scheduled for February 15-March 6, 2015. (Johnson, Costello)
- 5) Motion carried to accept the recommendation to hire Scott Newell to be the Chief of Police for West Yellowstone. (Johnson, Parker) Motion is unanimous.

Public Comment Period

Ryan Barker of Forsgren Associates greets the Council and wishes them a Merry Christmas. No other public comment is received.

Council Comments

Council Member John Costello says that he attended the Emergency Management Land exercise hosted in Bozeman on December 4, 2014. He says it was a very interesting and educational meeting to prepare for possible emergencies in Gallatin County. He also mentions that there will be a farewell reception tomorrow at the Gallatin County Courthouse for Pierre Martineau as his term as County Commissioner is coming to an end. Forsythe inquires whether the resolution they passed to urge the Montana Legislature

DISCUSSION

- 5) Doc Stewart addresses the Council and encourages them to accept the recommendation and hire Mr. Scott Newell to the position of Chief of Police. He says this has been a very long process and it is time to move forward. Gallatin County Sheriff Brian Gootkin says that he understands there have been some questions about how long it took the County to

complete the background investigation for Mr. Newell. He explains that a background investigation can sometimes be accomplished in as little as two weeks, but frequently take longer. He says that they provided an in-depth report to the Town, but did not make a recommendation. He says that an investigation will uncover strengths and weaknesses for any individual. He says that he feels strongly that Mr. Newell's strengths are exactly what is needed in West Yellowstone to rebuild their police department. He offers to answer any questions. Guay summarizes a memo she prepared that describes the process and results of the Chief of Police recruitment process. In her memo, she also describes Mr. Newell's background, experience, and recommends the Council hire Mr. Newell to be the West Yellowstone Chief of Police. Mayor Schmier also shares three emails that were received today to encourage the Council to hire Newell. Doc Detonocour addresses the Council and says that jurisdictional issues are common issues between law enforcement organizations and encourages them to remember those issues can be dealt with. Mayor Schmier says Newell comes with extensive background and experience and he will go on record as supporting this recommendation.

Forsythe says he agrees with the recommendation, but as he has said in previous meetings, he disagrees with the process. He thinks the Council should have the opportunity to meet and talk to candidates before they are actually hired. He also points out that they discussed early on in the process that they would bring in the top candidates for a "Meet and Greet" type of event and that did not happen. He reiterates that he does not have a problem with the candidate that was selected, just the process. Costello agrees with Forsythe and says that he has discussed the process at length with the Town Attorney. He says that he hopes that the Local Government Study Commission will address this matter in the near future through that process.

- A) Operations Manager and Department Head(s) Report: Operations Manager Becky Guay reports on current issues: **Recruitments - Police Officer** – On-hold until Chief of Police is hired, **Chief of Police** – Recommendation on your agenda today. **Labor Negotiations** – The negotiations scheduled for today and tomorrow were cancelled by the Association's representative. He will reschedule after the first of the year. **Local Government Study Commission** – The West Yellowstone Local Government Study Commission, consisting of Marysue Costello, Richard Gibson and Doc Stewart, met on Friday, December 5 and members attending the training sponsored by the Local Government Center in Bozeman on December 8 and 9. **Public Services Department** – We're waiting for snow and ready to go! The new-to-the-Town snow blower was delivered last week. The skating rink has been flooded and should be ready for Kids and Snow this weekend. The sledding hill could use more snow, but Mother Nature will have to help with that. **RFQs for Appraisal of 80 acres** – A pre-appraisal working meeting will be held here on Thursday, December 18 at 10 a.m. Andy Cornish of Rocky Mountain Appraisals, Forest Service and Town representatives will be attending. **Yellowstone Historic Center Management of the UPDL** – Staff met with Carol Leasure from YHC yesterday and discussed the draft lease agreement for YHC management of the UPDL. Carol is meeting with her executive committee on Thursday and hopes to have a response to our proposal after the meeting.

The meeting is adjourned. (8:15 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting & Work Session
January 6, 2015

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, John Costello, Cole Parker, Greg Forsythe

OTHERS PRESENT: Operations Manager Becky Guay, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Randy Wakefield, Helene Righenour, Mike Gavagan, Nansi Cisneros, Ryan Barker, Marysue Costello, HBFD Assistant Chief Shane Grube, Robert Godwin, Kyle Goltz, Scott Clark, Scott Waldron, Richard & Terri Gibson, Tom Cherhoniak, Doc & Donna Stewart, Carol Leasure, Chipper Smith, Doug Buskirk, Pierre Martineau, Barbette Ott

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

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

WORK SESSION

Mayor Brad Schmier calls the meeting to order. The topic for the work session is a discussion about the proposed West Yellowstone Aquatic Center. Mayor Schmier explains that they have been presented a proposed resolution that would allocate land for the project as well as a draft of a legal deed. Schmier asks Scott Clark, President and CEO for the West Yellowstone Aquatic Center, if he has any new information he would like to present. Clark explains that they have consulted their lawyers, and they feel that pursuing a "Deed With Possibility of Reverter" was a better approach for taking possession of the land instead of a long-term lease. Clark explains that this approach still guarantees that the land would be returned to the town in case of failure, whereas a lease would not be accepted by a financial institution. Schmier says he had not understood that the parcel of land they are asking for is that large, essentially all of Block 33 from Hayden to Iris Street. Clark explains that when he met with Public Services Superintendent James Patterson to calculate parking, they determined that in order to comply with the parking ordinance. He says that they felt it was better to ask for more than they need and then convert whatever they don't use to green space. Forsythe asks for input from the Town Attorney, Jane Mersen, on the issue. Mersen points out a couple issues that she has concerns about in both the resolution and deed. She says that if the Town indicates it wants to pursue this project, then she thinks they can adjust the documents so the Town is protected. Schmier says that he thought the direction they were going was that the Board for the Aquatic Center was going to raise money to come back to the Town to prove they have the support they need. It seems that now they are approaching it from the other direction. Forsythe asks multiple questions about the need Clark is expressing for a specific parcel of land. Clark says that the donors he has talked to have clearly expressed that they think the Town needs to show support and commitment for the project before they donate money, so they have had to turn the approach around. Schmier asks John Gospodarek, as a representative for the School Board, how the school feels about it-specifically the language that deeds any assets to the school in case the project fails. John Gospodarek says that the current School Board has not voted on the issue, but the previous board did vote to support it. He also says that he is on the board for the Aquatic Center, he understands that it is the Council's job to plan for what would happen should it fail, but he thinks that is highly unlikely. He says that they have largely based their projections on how many people go to the Grizzly & Wolf Discovery Center. He says that he knows families are looking for things to do in the evenings and there are examples such as Fairmont Hot Springs that show this type of facility can succeed. He says that as he understands it, the school could only inherit assets and no liabilities. Clark adds that they estimate the annual cost to operate the facility at \$1 million, they are estimating it will cost \$4 million to build, which is why the goal is to raise \$5 million before starting construction. Costello says that he has concerns about the information that has been presented, because he also thought the Town was expecting a different result. He says that he thinks the resolution and the deed are a mess. Mersen agrees and says that she has gone back and forth with the other attorney, Jim Shaw, but did not have specific direction from the Council

on which way they want to go. She says that she thought this was a good time to stop and meet with the Council again to discuss and decide how to proceed. The Council asks Mersen several specific questions about conditions and stipulations the Town may want to require. Johnson asks if the project will fail if they don't get the land from the Town. Clark answers that will set them back for sure. He also points out that they seem quite confident in the business plan, so why haven't they been able to raise enough money to just buy land. Clark says that there are no parcels left that are large enough, and they weren't in a position to purchase land when there was. Johnson asks Forsythe if the Yellowstone West Medical Center project is able to still raise money or get donations for leased land rather than deeded land. Forsythe says he can relate to the position the aquatic center is in. Costello says he does not see how it would make a difference to a donator whether they have a 100-year lease or a deed. The group acknowledges that a financial institution is going to be more comfortable with a deeded piece of property and collateral. Schmier states that what they need to do is direct legal counsel to draft documents that reflect what the Council is actually comfortable with. Patterson says that they also need to take a careful look at how much land they actually need for the facility. He says that they have not actually calculated parking requirements and the parcel they are discussing is a very large piece of property. Guay also suggests that they consider how much oversight the Town wants to have over what is actually included in the facility. Mersen suggests that by the next meeting, she could work on preparing both a long-term lease and a deed as well as work on the resolution for consideration by the Council. The Council considers having another meeting but agrees to direct Mersen to work on the documents for the Council to review in the near future. Johnson specifically asks Mersen to outline the pros and cons of a lease versus deed. The work session is adjourned at 7:05 PM.

Election of the Mayor and Deputy Mayor 2015

Following the Pledge of Allegiance, Mayor Schmier explains that at the first meeting of every year, the Council selects a Mayor and then Deputy Mayor for the upcoming year from the members of the Council. He says that they have received emails supporting Jerry Johnson for Mayor from four local residents. Mayor Schmier invites the public to comment on the election of the Mayor. Doc Stewart reads a statement that earnestly implores the Council to select Jerry Johnson to be the Mayor for 2015. Schmier says that he has enjoyed being the Mayor for the past year. There have been ups and downs and it has not always been fun, he says that he has no problem going forward and asks Jerry Johnson if he would accept the nomination. Johnson says that if this Council is willing to support him as Mayor he would be happy to serve. Schmier also states, that if it is the will of the Council, he is willing to serve again as the Mayor.

Schmier makes a motion to appoint Jerry Johnson to be the Mayor for 2015, but the motion fails for lack of a second. Forsythe makes a motion to appoint Brad Schmier to serve as Mayor for 2015, seconded by Parker, motion carries. Schmier makes a motion to appoint Jerry Johnson to serve as Deputy Mayor for 2015, seconded by Costello, motion carries.

ACTION TAKEN

- 1) Motion carried to appoint Brad Schmier to be the Mayor for 2015. (Forsythe, Parker)
Motion is unanimous.
- 2) Motion to appoint Jerry Johnson to be the Deputy Mayor for 2015. (Schmier, Costello)
Motion is unanimous.
- 3) Motion carried to approve the claims which total \$60,269.38. (Costello, Schmier)
Schmier abstains from #40609 and Forsythe abstains from #
- 4) Motion carried to approve the claim to HBFD (December 2014) for \$45,563. (Costello, Forsythe).

- 5) Motion carried to approve the Consent Agenda which includes the Treasurer's Report from November 2014 and Securities Report dated 12/31/14. (Johnson, Forsythe)
- 6) Motion carried to approve the Lease Agreement between the Town and the Yellowstone Historic Center for the Union Pacific Dining Lodge. (Costello, Parker)
- 7) Motion carried to acknowledge Hebgen Basin Fire District Resolution 12-1-14, a resolution offering to purchase the Emergency Services Building at 400 Yellowstone Avenue from the Town of West Yellowstone for \$200,000. (Johnson, Costello)

Presentation: 911 Advisory Board, Dispatcher of the Year

Hebgen Basin Fire District Chief Scott Waldron explains the 911 Advisory Board decided to annually recognize a dispatcher for outstanding service. He comments that dispatchers are the "unsung heroes" of emergency services and they are truly vital to smooth operation of an emergency situation. A vote was taken by all the agencies that utilize the dispatch service and Nansi Cisneros was selected for this year. Waldron displays a plaque they ordered to hang at the Police Department and also presents Cisneros with a gift card and card.

Public Comment Period

Marysue Costello, Executive Director for the West Yellowstone Chamber of Commerce, invites the Council and anyone else that may be interested to the workshop the Chamber and the Montana Office of Tourism is offering on January 27, 2015 on welcoming Chinese visitors to Montana.

Mike Gavagan announces that he just received a text from Head Dispatcher Brenda Martin, her new baby girl has arrived and all is well!

Council Comments

Council Member Johnson mentions the Stevenson family, former residents of West Yellowstone. Their son is paralyzed but was recently featured on the NBC Today Show and is making great strides. He also welcomes new Chief of Police Scott Newell and is confident they are on their way to building one of the best police departments in the state.

Forsythe asks if Guay has got a response on how resort tax is collected in other communities. Guay says she has heard back from Red Lodge and Whitefish but due to the holidays they have not accomplished much on that topic. Schmier also explains that the feedback they have heard back from Montana House District 64 Representative Kerry, is that there is not much support from other legislators to increase the resort tax and he is not inclined to push it much harder.

DISCUSSION

- 6) The Council discusses the proposed lease agreement with the Yellowstone Historic Center. Costello says he does not recall discussion about the utilities, specifically that the Town would cover the majority of the utilities for the first couple of years but gradually decrease the amount they pay. Forsythe asks a couple of questions about how the maintenance of the building will be handled. Carol Leasure of the YHC and James Patterson explain they have not worked out all the specific details, but essentially the Town will handle any major repairs but the YHC will handle daily issues.
- 7) Costello reads the Hebgen Basin Fire District (HBFD) Resolution 12-1-14. The resolution essentially expresses the interest of HBFD in purchasing the Town's building at 400 Yellowstone Avenue, commonly known as the Emergency Services Building or Fire Station One, for \$200,000. Doc Stewart asks what action the Town is contemplating about this resolution this evening. Costello answers that he thinks it is an offer to purchase. Stewart says that he thinks the fire department does a great job in the community. He points out that the Town already subsidizes the fire department at over \$500,000/year and provides the building. He thinks the Town should expect fair market value for its property and that there is no way it would appraise for only \$200,000, much

less insure it for that amount. Mayor Schmier asks Guay to share details from the Interlocal Agreement between the Town and HBFD. Guay shares the major points from the current agreement. Johnson expresses concern that they should not vote on this issue tonight. He says he does not think the general public has had the opportunity to hear or comment on this issue. Guay says that there is actually a process they have to follow to sell real property, which requires public notice, etc. Chipper Smith clarifies that the offer is just for the building, not the land, and the Council agrees. Robert Godwin explains that they want to make some significant improvements to the building and it seems logical to take over ownership. He says that they arrived at \$200,000 because that is essentially what the District can afford considering the renovations they will need to complete. Doug Buskirk asks if an appraisal has been conducted, Godwin says there has not. He says that they did not want to incur any costs until they were certain this proposal would move forward. Johnson makes a motion, seconded by Costello, to table HBFD Resolution 12-1-14, a proposal to purchase the building at 400 Yellowstone Avenue. After further discussion about the correct procedure to follow, Costello withdraws his second, motion dies. A new motion is carried to acknowledge the HBFD resolution but not take any other action at this time.

- A) **Operations Manager & Department Head Reports:** Operations Manager Becky Guay reports on current issues: **Recruitments - Police Officer** – Chief Newell is reviewing the applications that were previously scored by the Police Commission and has made contact with the most highly ranked applicants to see if they still wish to be considered for the job. All but one of the candidates is still interested in the positions. We need to hire three additional officers to be fully staffed. **Labor Negotiations** – We are waiting for the Association’s representative to reschedule sometime this month. **Local Government Study Commission** – The West Yellowstone Local Government Study Commission met today and will begin holding monthly meetings. These meetings are open to the public. **Public Services Department** – Plowing, plowing and more plowing! **Dispatch Center** – Head Dispatcher Brenda Martin is currently in labor, anticipating the birth of a daughter in the very near future. Brenda and Chief Newell have taken steps to ensure the smooth operation of the Dispatch Center during her absence. **Audit Exit Interview** – The Mayor, any other interested Council members and I need to complete an exit interview with the Town’s auditor before January 20, 2015. I request that we schedule this conference call as soon as possible. **Appraisal of 80 acres** – A pre-appraisal working meeting will be held on December 18. Forest Service land staff Anna Callahan, John Hickey, and Kimball Frome and District Ranger Cavan Fitzsimmons and Todd Stiles met with the Town’s appraiser Andy Cornish and his associate, Julie Smith, Councilmember Costello, James Patterson and I to discuss the Appraisal Assignment Package prepared by the Forest Service for the 80 acres. Federal regulations require the appraisal to be completed as if the property was being sold to any private individual or company. A draft schedule for the project is attached. Also attached is a document that instructs the appraiser as to the disposition of Forest Service special use permits that affect the property and a draft of the reservations that the Forest Service will retain (easements) on the property to be transferred to the Town. **Montana Mayors and City Managers Forum** – MMIA and the League of Cities and Towns is holding training for Mayors and Managers on March 4-5 in Helena (see attached). Please let Liz or I know if you are interested in attending.

The meeting is adjourned. (8:40 PM)

Mayor

ATTEST:

Town Clerk

WEST YELLOWSTONE TOWN COUNCIL
Joint Meeting with Hebgen Basin Fire District
September 30, 2014

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Jerry Johnson, Greg Forsythe, Cole Parker, John Costello

HEBGEN BASIN FIRE DISTRICT BOARD MEMBERS PRESENT: Robert Godwin, Gay McBirnie, Kyle Goltz, Ken Davis, Nancy Heideman

OTHERS PRESENT: Operations Manager Becky Guay, Public Services Superintendent James Patterson, Jeremy Weber-West Yellowstone News, Pierre Martineau, Rocky Hermanson, Tom Cherhoniak, Irene Siddons, Debbie Fleming-HBFD Clerk, Shane Grube-Assistant Fire Chief, Scott Waldron-Fire Chief

The meeting is called to order by Mayor Brad Schmier at 6:00 PM in the Emergency Services Building at 400 Yellowstone Avenue, West Yellowstone, Montana.

Public Comment Period

No public comment is received.

ACTION TAKEN

- 1) Motion carried to approve payment of the claims, which total \$11,780.00. (Costello, Parker)

DISCUSSION

Mayor Schmier calls the meeting to order. The Town Council briefly discusses and then approves payment of two claims from the Marketing and Promotions Fund. The main purpose of the meeting is to discuss the proposal from Hebgen Basin Fire District to purchase the Emergency Services Building at 400 Yellowstone Avenue for \$200,000. HBFD Chair, Robert Godwin, says that they think there are three options pertaining to the building: the Town could accept the offer of \$200,000 for the building and approve a long-term lease for the land, the Town could decline the offer to sell but HBFD would continue to use the building, or the Town terminates the Interlocal Agreement for fire protection and after two years, the Town will take over operation of the Fire Department and Emergency Services Building. Godwin points out that the Interlocal Agreement between the Town and HBFD stipulates that the use of the building is provided by the Town in exchange for fire protection. Schmier clarifies that what Godwin means is that HBFD won't provide service any longer if they don't have use of the meeting. Costello says that before this discussion goes much farther, he thinks it is important that they order an appraisal in order to quell the rumors and speculation in the community. Rocky Hermanson questions the Town's responsibility to fund HBFD considering the tax base outside of Town, too. He also says the Town should decide if they really want to sell the building before they order an appraisal. Johnson says he thinks this issue has spiraled out of control and it is unfortunate they have reached this point. He says that he does not think it is necessary to change how they are doing things, the interlocal agreement is working well now. Parker agrees with Johnson, but acknowledges he does not entirely understand why HBFD wants to purchase the building. Godwin says that there are a couple reasons including justifying to the County why they are spending money on the buildings, including it in their capital plan, and simplifying maintenance and improvement costs. The group discusses aspects of the Interlocal Agreement. Mayor Schmier says that he was involved when the agreement was originally signed and says that he really doesn't have any concerns other than possibly renegotiating the payment from the Town. He points out that when the agreement was signed, no one had any idea that resort tax collections would increase at the pace that they have. Greg Forsythe says that as a business owner, he understands why owning the building has advantages over leasing. He asks the group to consider what value the building has to the Town. There is agreement that the value is the fact that HBFD provides fire and ambulance protection. Johnson says they are a lot closer now to acquiring the 80 acres from the Forest Service. He questions whether this building will be adequate to provide service to that additional 80 acres. Fire Chief Scott Waldron says that from an apparatus standpoint, he thinks this building is adequate to store their equipment and if their next engine is configured correctly they could even reduce the number of apparatus. Johnson

disagrees, based on the amount of equipment and things that are stored outside, he thinks they need more space. Schmier says that he thinks they should wait until they know more about the 80 acres and what is available. Guay says that if the Town decides not to sell the building, then she thinks the Town should be involved with funding major upgrades such as the roof. Forsythe says that he doesn't understand why they wouldn't consider selling the building. He says the Town could use the \$200,000 and it's better for the Fire Department. Costello says that its apparent they are not going to come to a decision this evening, and suggests that they put this on the agenda for the next meeting and vote whether to sell or not. Ken Davis explains that he thinks it is valuable for the fire district to own the building. He says that even though they are a district and have their own board, but the County is not going to allow them to spend the kind of money they need to on a building they do not own. He illustrates that the fire district got into a difficult situation with Station 3 and if there was one lesson they learned, it was to own your own assets. Patterson says he agrees that leasing the building is not an ideal situation, but he also thinks they should wait until they know how things are going to work out with the 80 acres. Schmier says that if they do decide to sell the building, he thinks they need to earmark the money for something specific so it does not just disappear into the general fund. Guay suggests using it to buy the 80 acres and Schmier says they could make real improvements in Pioneer Park. Forsythe says that relationships are very important and points out that they have worked hard over the last couple of years to build a good relationship between the two entities. Rocky Hermanson says doesn't think selling the building is a bad idea, but that they should sell it for fair market value. The Council agrees to vote on the issue at the Town Council meeting next week.

The meeting is adjourned. (7:10 PM)

Mayor

ATTEST:

Town Clerk



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

Resolution 12-1-14

A RESOLUTION FOR THE PURPOSE OF PURCHASING THE EMERGENCY SERVICES BUILDING FROM THE TOWN OF WEST YELLOWSTONE.

Whereas, the Hebgen Basin Fire District (HBFD) and the Town of West Yellowstone (Town) have an Interlocal Agreement that defines the use and maintenance of the Emergency Services Building/Fire (ESB) Station 1; and

Whereas, the Town has vacated the ESB and HBFD is using the entire building including the former Town offices; and

Whereas, the HBFD has a need and desire to perform substantial maintenance on the building;

Whereas, under the Interlocal Agreement both HBFD and the Town have a responsibility for maintenance and care of the building; and it may be mutually agreeable and desirable to have HBFD as the owner of the building and solely responsible for its maintenance; and

Whereas, the HBFD has a desire to purchase the ESB and the Board of Trustees is authorized in MCA 7-33-2105 to make purchases and own real property;

Now Therefore Be It Resolved;

The Board of Trustees having found; that the purchase of the ESB is in the best interest of the HBFD and the community; it is agreed that the Board of Trustees authorizes \$200,000 for the purchase of the ESB plus 50% of closing costs and appropriate fees. The purchase is contingent on an agreeable Memorandum of Understanding for the lease of the underlying property where the ESB is built.

Signed

Robert Godwin----Board Chairman

Date

12/16/2014

APPLICATION TO MAINTAIN AN ENCROACHMENT

Town of West Yellowstone
Gallatin County, Montana

DATE: 1-9-2015

APPLICANT: Grizzly Internet, Inc

ADDRESS: 303 N Canyon Suite F

PHONE: 406-646-7006

INTEREST IN PROPERTY: Lease

OWNER OF RECORD'S SIGNATURE:

1. LEGAL DESCRIPTION:

Subdivision: Old Town & Grizzly Addition Proper

Block: ALL Lot:

Zoning District Number: ALL

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. To encroach in the public right of way in Old Town and the Grizzly Addition of the town of West Yellowstone for the purpose of installing and maintaining a fiber optic network to be able to provide businesses and residents with fiber optic broadband Internet service.

Construction will be done using mostly horizontal direction drilling with digging where needed. The installation will be of up to 2 inch in diameter conduit and 24 x 36 and 14 x 19 inch vaults along the path of the conduit.

Please see attached maps for location estimates and refer to business plan for more description.


Signature of Applicant

1-9-15
DATE

For Office Use Only:
DECISION BY TOWN COUNCIL

Approved Disapproved

Mayor/Operations Manager

DATE



Fiber Optic Build for Town of West Yellowstone

303 N Canyon St Suite F
West Yellowstone, MT 59758

p. 406-646-7006

pond@grizzlyinternet.com
<http://www.grizzlyinternet.com>

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Executive Summary

Since the creation of Grizzly Internet, Inc. in May 2005 our goal was to bring the best possible internet service to the Hebgen Basin. Nine (9) years later we continue to pursue this goal. Fiber Optics have been around since the 80's and are being installed in cities around the world. So why shouldn't remote West Yellowstone, that has more than 2 million people travel through it each year, not have access to the speeds and quality of fiber optic service. The proposed plan is to provide these speeds and quality to the town of West Yellowstone.

Objective

To install a fiber optic communication system inside the town of West Yellowstone in two phases. Phase 1 to be completed by the end of October 2015 including Old Town & Grizzly Addition; Phase 2 to be completed by end of Summer 2016 including Madison Addition.

Mission Statement

The goal of Grizzly Internet, Inc. is to provide the best possible internet service to the residences and businesses in the Hebgen Basin. We have been doing this through a proprietary wireless system since June of 2005. Our plan is to replace our wireless infrastructure with fiber optic and "future proof" our system design.

Keys to Success

We are unique in the fact that we will be the first to offer fiber to the home (FTTH) service in the Hebgen Basin. We have been a provider here for 9 years, locally owned and operated, and support the local community.

Description of Business

Grizzly Internet, Inc. is an Internet Service Provider. Our focus is on installing internet service in homes and business. Through the past 9 years we have done this primarily through wireless equipment. We are making the move to fiber optics to try to get ahead of the curve of technology advances.

Company Ownership/Legal Entity

Grizzly Internet, Inc. is a Subchapter S Corporation, owned and operated by Jason Pond, President and Tashara Pond, Vice President who are 50/50 owners, and does not have a board of directors.

Hours of Operation

8am – 4pm M-F with 24x7 emergency internet service support.

Products and Services

Wireless Services (currently offered)

- Residential (installed on a residential dwelling)
- Small Business (installed on a business, home offices do not qualify)
- Commercial service (dedicated internet access, only guaranteed bandwidth solution)

Fiber Optic Service (proposed to be offered)

- Residential (installed on a residential dwelling)
- Small Business (installed on a business, home offices do not qualify)
- Commercial service (dedicated internet access, only guaranteed bandwidth solution)

Phone Service (VoIP or Voice over IP)

Computer Repair (i.e., hardware failures, virus/malware removal)

Once the system is complete and customers are online, we plan to add additional services to our portfolio. Such as Home automation services and web cam (see your home while your away).

Service

We strive to provide the best possible customer service that we can. We may not be able to answer the phone every time it rings, but we do return calls as soon as possible. Our goal is same day service if there is a problem. Most problems that require service calls are handled within a few hours of the initial call.

Management

Jason Pond has been in the internet service provider industry since 2001. Helping found Little Apple Technologies in Manhattan, MT and growing that company, as their CTO, to over 600 subscribers before leaving and starting Grizzly Internet, Inc. Grizzly Internet, Inc. purchased West Yellowstone Web Works a local webhosting and internet service provider in June of 2005. Since then Grizzly Internet has grown from 30 wireless and 80 dial-up internet service subscribers to the current over 500 wireless internet service subscribers.

Tashara Pond has been in the finance field since 2001 where she started out as an Administrative Assistant in a high end architectural firm, LPAIA, in Bozeman, MT where she was soon promoted to Finance Manager. During this time in Bozeman, she also setup and managed the finances for 3 other companies, including Lohss Construction, Montana Mountain Maids, and Great Dane Consulting. After moving to West Yellowstone Tashara began working for Ventures West Inc. as their Controller. She recently left Ventures West Inc. to focus her time with Grizzly Internet, Inc. She is also very involved with the school and the Girl Scout program in West Yellowstone.

Marketing

In the past we have relied upon “word of mouth” marketing. This has worked very well for us. However we fully understand that type of marketing will not sustain us for this project. We have begun a direct mailer marketing program along with door hangers and public notice marketing. Our goal is to “hook up” everyone in the Hebgen Basin, in order to do this we will have to notify everyone that this new service is available. Local newspaper, radio, direct mail, door hanger, and yard signs (where permitted) will all be used.

Market Analysis

It has been proven in other markets that people want better and faster internet. Our service is “FTTH” which is the best on the market to date. Our basic service plan is over 6 times faster than our DSL competition. Over the past 3 months there has been a growing number of DSL customers switching to Grizzly Internet, Inc. wireless service without offering “FTTH” service, indicating the ease-ability to get new customers. During the past months we have confirmed that CenturyLink DSL is

only providing a 256kbps service in West Yellowstone due to a capacity cap. This make us the only broadband provider in the Hebgen Basin.

Competition

At this time there are no other providers offering “FTTH” service. There is a provider offering fiber service to large local businesses willing to pay high dollar amounts per month. This provider is Fremont Communications, which is an upstream provider to Grizzly Internet, Inc. They are aware that we are planning to build out the town of West Yellowstone.

Pricing

Our pricing is developed based upon market demand and our cost. As our costs for bandwidth decrease we can offer more bandwidth to the customer. The services offered are selected based on the local communities’ needs and how the internet is used. Phone service pricing falls in-line with a national standard of pricing, in order to be competitive.

Pricing Plans								
Residential			Small Business			Commercial		
	Min	Max		Min	Max		Min	Max
One Time Fees								
Install	100.00	250.00	Install	100.00	500.00	Install Fees	100.00	1,000.00
Monthly Recurring Internet Fees								
Speed Options			Speed Options			Speed Options		
10x10 Mb/s	45.00		15x15 Mb/s	45.00		Per Mb/s	50.00	
20x20 Mb/s	75.00		30x30 Mb/s	75.00				
30x30 Mb/s	105.00		40x40 Mb/s	105.00				
One Time Phone Fees								
Install	40.00	50.00	Install	40.00	50.00	Install	100.00	1,000.00
Monthly Recurring Phone Fees								
Phone Service	20.00	25.00	Phone / line	30.00	35.00	Custom	100.00	500.00

Strategy and Implementation

1st step was to secure funding. We have secured our own funding for this project. It is not subsidized in any way or by any government grant or loan.

2nd step is to receive town council approval to encroach on public right of ways.

3rd step is to place the order for any products that are going to take more than 3 months to receive, along with finalizing the warehouse lease.

4th step is to purchase all of the equipment needed for the installation process.

5th step is to start installing May 1st, 2015 provided the ground is thawed and most of the snow is melted.

We will begin by installing our main loop through town as well as the Grizzly Addition. From there, working the Alley's (A, B, C, D) in the first year of construction. In later years, we will extend into the Madison Addition and out of Town limits to cover the entire Hebgen Basin (phase's 2-5 as noted below).

Prior to the build phase of the project, we will be notifying business's and resident's that there will be fiber optic construction happening. We will be going door to door, along with direct mailer notifications.

Our construction method for the town mainline will be horizontal directional drill with excavation where required or needed (i.e., vault installation, crossing other utility lines). Our depth will be in the 42"-48" range which has been verified to be clear from most other utilities by the town of West Yellowstone Public Works superintendent. 811 Location service will be used as required by law. We will also have our own location verification process. Verified by other directional drillers and construction workers, our soil conditions are one of the easiest to drill through, obsidian sand has a very high compaction rate and is softer than carbide, making it easy to drill through with little collapsing.

To complete this we will hire 2 trained construction workers, to work for the season May – October. The rest of the work will be supplemented by the Grizzly Internet, Inc. existing staff. We will be hiring an Administrative Assistant in the early spring before notifications start, to handle answering the phone and entering in lead information. Construction is to start on May 1st, weather permitting (i.e., ground is thawed, and snow is out of the way). The construction phase for the mainline is estimated to extend through September taking into account potential delays. While October will be used to finalize the last of the customers before the ground freezes for the winter. Customer installations will be done by year-round staff until October, when the 2 construction crew members will assist in getting the last of the customers connected. Customer installation will be done using a small vibratory plow at a depth of 12 inches where possible and to drill where needed.

At the end of October 2016, when the entire town project is completed, we will increase to and maintain the following staff positions:

President (Salary)

Finance Manager / Vice President (Salary)

Support Lead (Hourly)

Support Technician (Hourly) New Position

Administrative Assistant / Support (Hourly)

This will add 2 full time positions and increase a part time position to a full time position at the end of the town of West Yellowstone Fiber project.

The office space that Grizzly Internet, Inc. recently moved into in August 2014 is large enough to sustain the employees listed above. There is also additional space that can be rented if necessary at this building location.

Appendix

Maps:

We have included in every packet a map of the proposed conduit & vault locations. Conduit sizes will vary depending on the amount of micro-ducts that are inside. Most will be less than 2in outside diameter. Vaults will vary in size from 14in x 19in to 24in x 36in there are only about 6 of the larger vaults where the main splices are at.

Maps are Phase 1, Phase 2, Old Town and Grizzly Addition. The pins are proposed vault locations. These are all proposed with +/- of 3ft. variance. This is due to the potential of other utilities or obstacles already at that exact location.

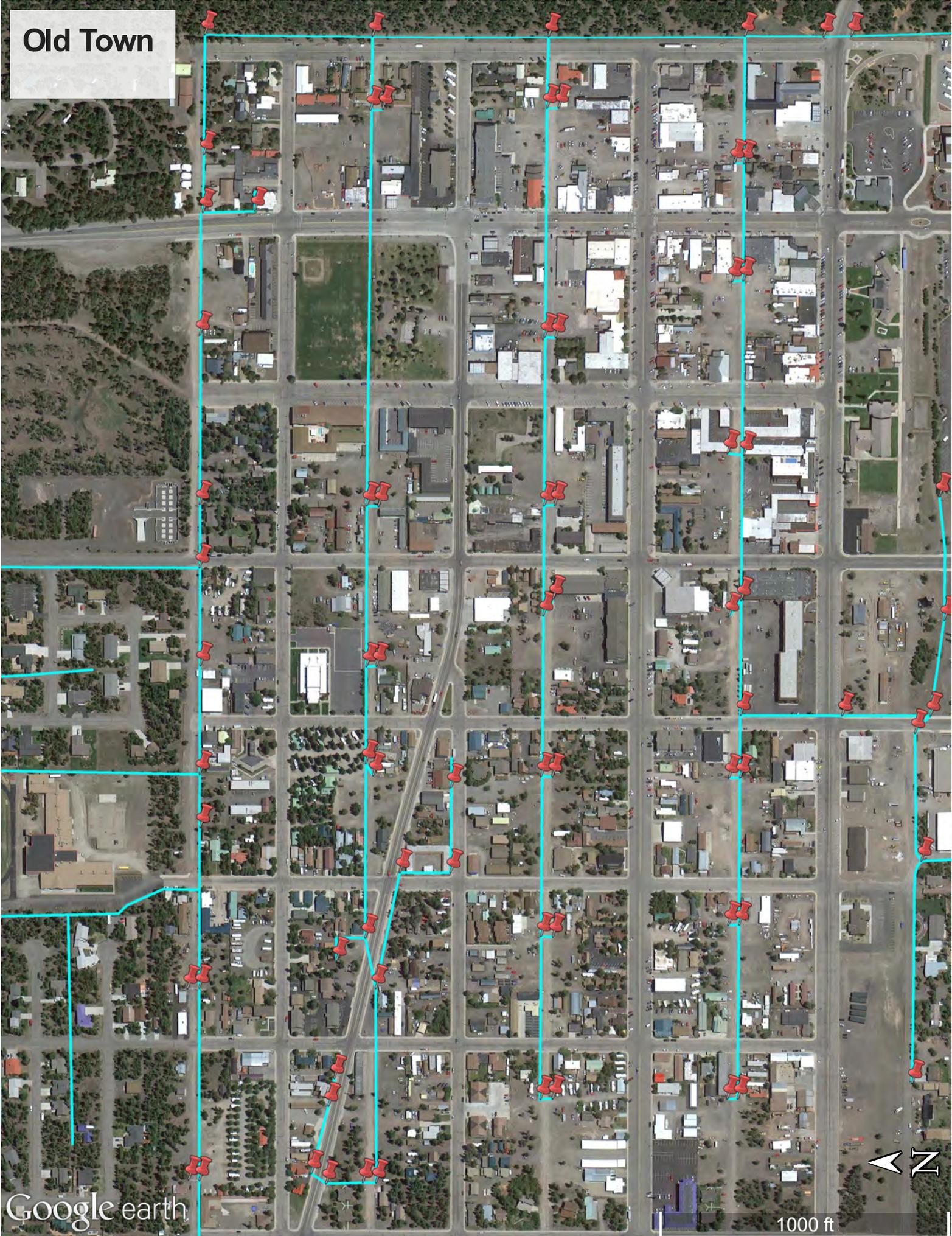
Notes:

As a WISP owner, I am a member of an organization called WISPA or Wireless Internet Service Providers Association. There are a lot of other WISPs doing projects just like this. Most are not starting this large, but to explain the reasoning behind this is to understand that the market demand is extremely high here.

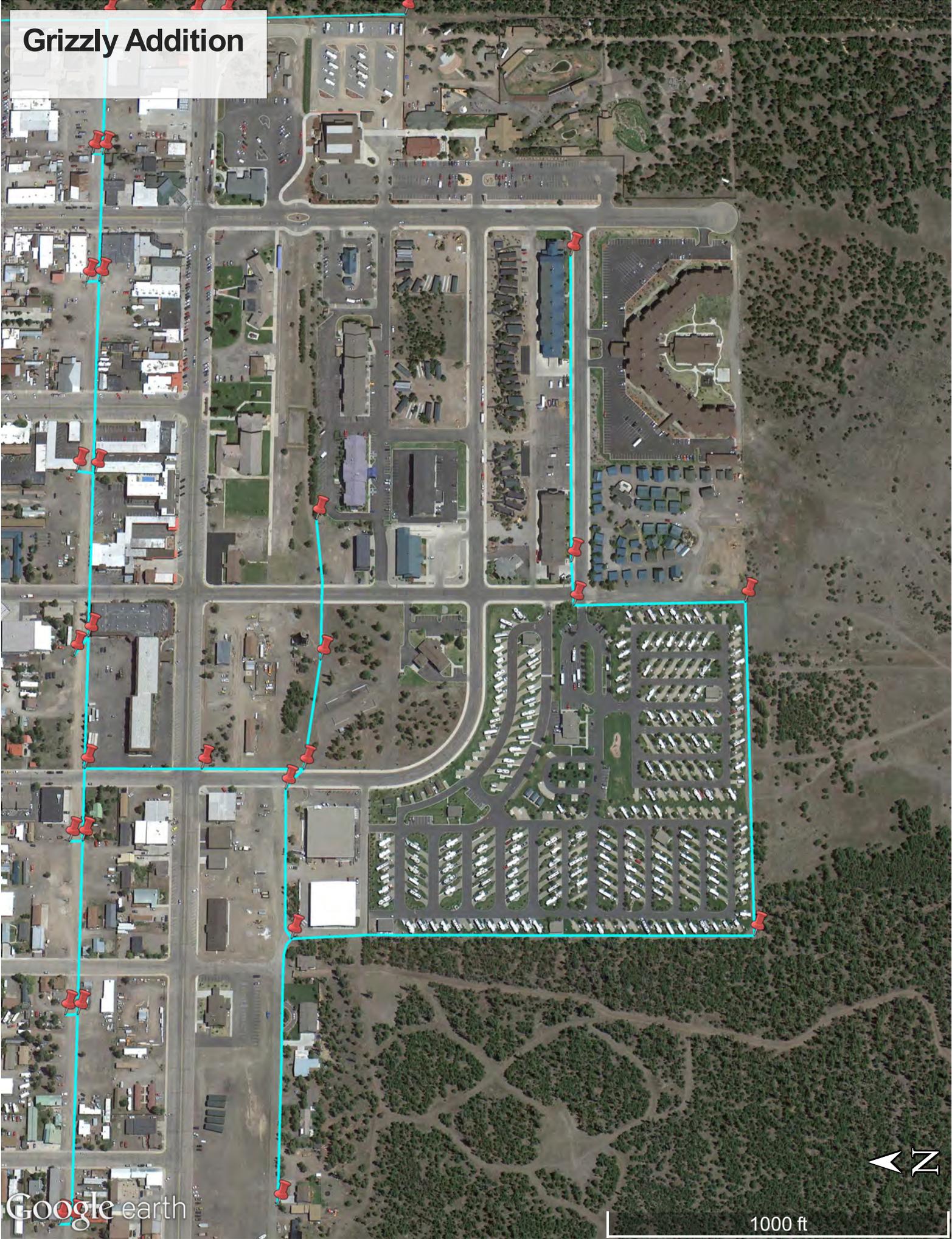
Timing is crucial in this market, which is why we are trying to get this project off the ground for spring 2015. By bringing fiber first to the market we hope to retain our customers for a very long time.

PROPRIETARY & CONFIDENTIAL information has been excluded from this business plan as it is being presented in a public forum.

Old Town



Grizzly Addition

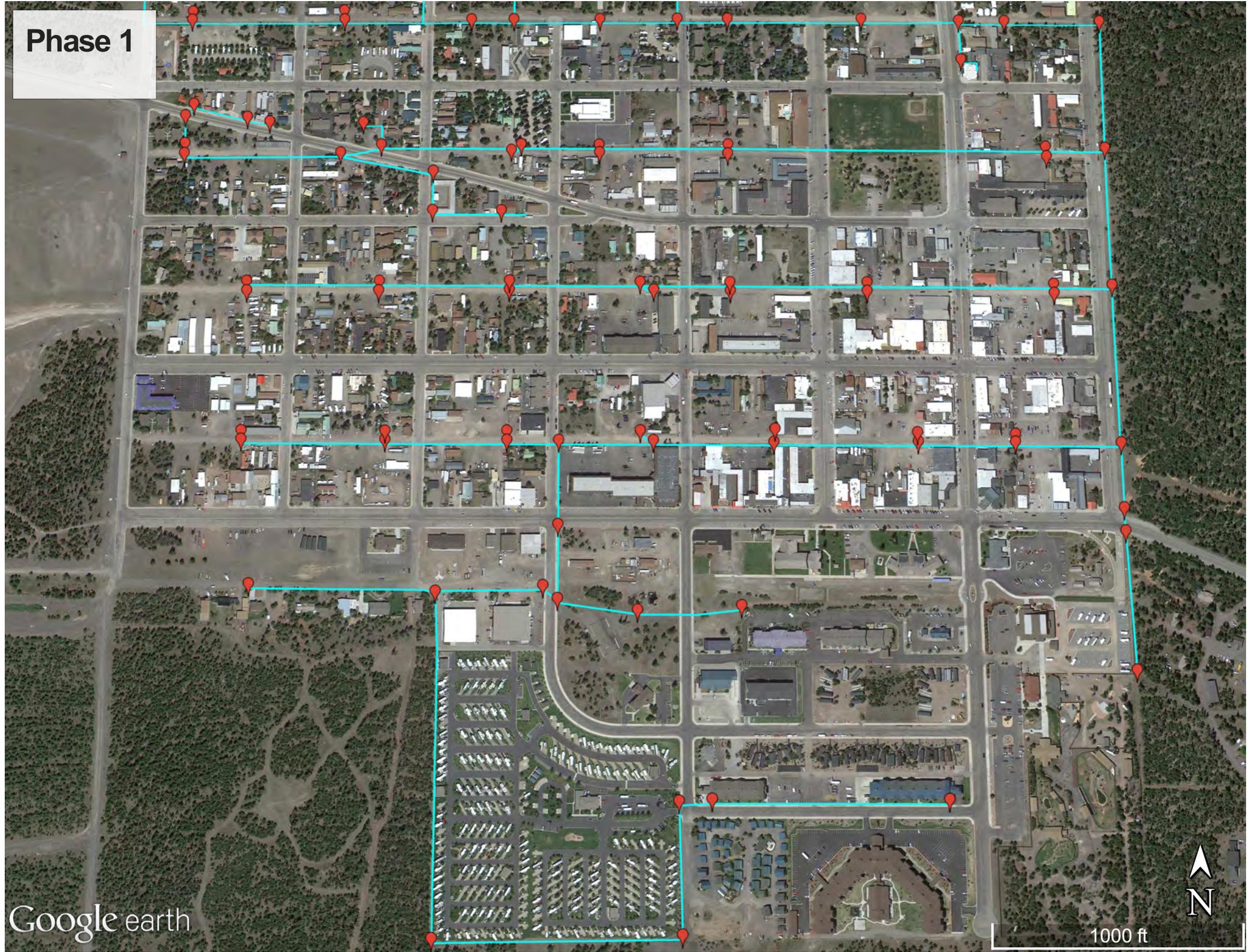


Phase 1

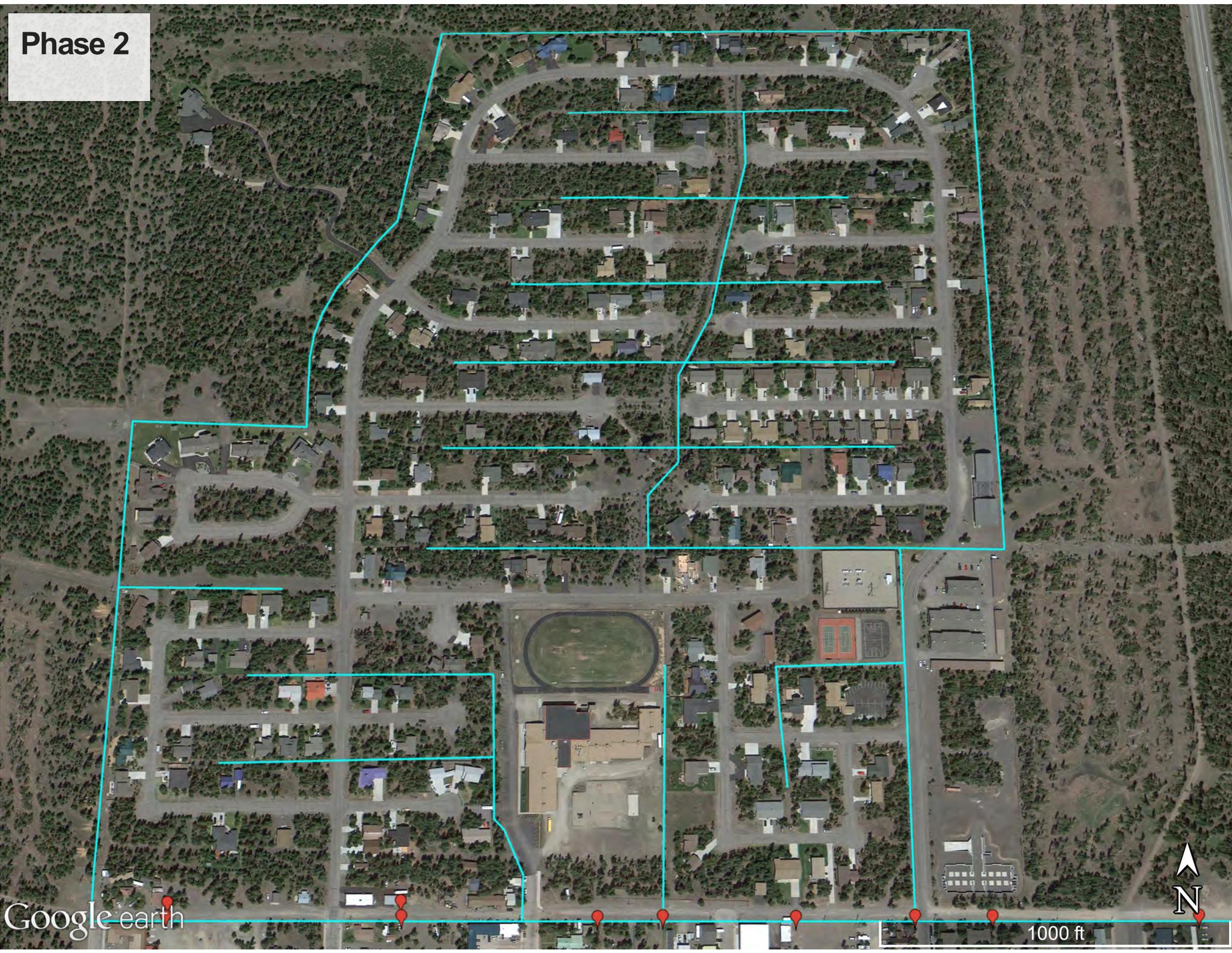
Google earth



1000 ft



Phase 2



Google earth

1000 ft





Received
1-7-14 ad

APPLICATION FOR BOARDS AND COMMITTEES

Name Gloria Evans Date 1/7/15

Address PO Box 1327

City W-Yellowstone State MT Zip 59758

Phone (Home): _____ (Work): 6464247 (Cell/Other): _____

E-Mail Address: _____

Are you a resident of West Yellowstone? yes Length of residency in West Yellowstone: 25 yrs

Board or Committee you are applying for: Mapp Renewal

Occupation: Self - Owner High Country Hair & Nail Salon

Employer: _____

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

If so, which board, and for how long? Mapp 6 yr.

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? for the events & support of our town bringing this to us is special

References (Individual or Organization):
Jerry Johnson Phone: _____
Ray Mathews Phone: _____
Marge Wanner Phone: _____

Signature: Gloria Evans Date: 1/7/15

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.

memo

TOWN OF WEST YELLOWSTONE

Date: January 16, 2015
To: Honorable Mayor and Town Council
From: Becky Guay, Operations Manager *BD*
Regarding: Compensation for the City Judge

Recommendation

Staff is requesting direction from the Council about setting the salary for Judge Brandis, City Court Judge.

Discussion

On October 7, 2014, the Council approved the reappointment of Judge Kathleen Brandis for another four (4) year term as City Court Judge. Judge Brandis has submitted a request (Attachment 1) for the Town Council to reconsider the basis for the Judge's compensation. The Judge's compensation is established by resolution of the Town Council, and staff is seeking direction from the Council prior to the preparation and Council action on the resolution. The 2011 resolution establishing the Judge's compensation is attached (Attachment 2) for your review.

The Judge's current annual salary is actually \$31,056.03 for what is considered a half time position. The figure quoted in her request (\$30,525.36) is adjusted from the actual salary to reflect an overpayment of \$530.70 in a prior year.

Judge Brandis is requesting her salary be increased to \$35,000 annually, an 11% increase over her current salary.

For comparison, department heads (the Town considers the Judge a department head), are eligible to receive up to a 3.5% increase annually based on performance.

It is interesting to note that per the agreement made with Judge Brandis in 2007, she does not accrue sick leave nor is able to carry vacation hours over to the subsequent fiscal year like other Town employees.

Attachment 1

Kathleen A Brandis
City Judge, Town of West Yellowstone
PO Box 1570
West Yellowstone, MT 59758
406-646-7845
kbrandis@montana.gov – kbrandis@townofwestyellowstone.com

12 December, 2014

Dear Council Members, Mayor Schmier and Messrs. Parker, Costello, Johnson, and Forsythe:

Thank you for reappointing me to another term as your City Judge. I am humbled and honored to continue my service in West Yellowstone.

At the time of my reappointment, we agreed to discuss pay at a later time. With January coming ever so quickly, I believe the time is now to discuss my pay. I propose a salary increase to \$35,000/year, with an annual raise of 3.25% every July, corresponding with the annual raises for other West Yellowstone employees.

Currently, the Town of West Yellowstone pays me an annual salary of \$30,525.36. I have not had a raise in 12 months. I understand that my predecessor made \$33,000 eight years ago and I believe my experience should allow me to meet that pay scale as adjusted with inflation. I also polled judges from other resort towns, including Whitefish and Red Lodge; they are paid \$35-\$37,000. I am on call 24/7 and am available for telephonic warrants and bond reduction requests. I also anticipate an increase in the court docket.

Last month, I successfully passed the Judge's Certification Exam. Therefore, I am authorized by the Montana Supreme Court to continue on the bench as a certified judge beginning January 2015.

I truly appreciate your careful consideration for this pay increase. I hope you see it as reasonable and worth it.

Very Truly Yours,



Kathleen A. Brandis
City Court Judge, Town of West Yellowstone

Attachment 2

RESOLUTION NO. 590

A RESOLUTION ADOPTED PURSUANT TO THE REQUIREMENTS OF
ORDINANCE NO. 199 AND RESOLUTION NO. 359 ESTABLISHING
THE COMPENSATION RATE OF THE CITY JUDGE

WHEREAS, the Town Council of the Town of West Yellowstone has adopted Ordinance No. 199 and Resolution No. 359 which provides the Town Council the authority to set the compensation and expense entitlement of the judge by ordinance and resolution; and

WHEREAS, the Town Council has determined that the judge should receive consideration for salary increases at the discretion of the Council.

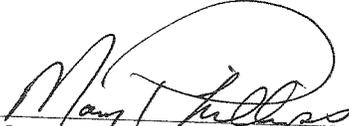
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF WEST YELLOWSTONE:

1. For calendar year 2011, the salary for the Judge shall be \$28,560.00. The salary will be adjusted annually on January 1 by applying the Cost of Living plus 0.5%. The Cost of Living shall be determined using the formula provided by the University of Montana Bureau of Economic Research and the US Department of Labor, Bureau of Labor and Statistics CPI-U for December.
2. The Council retains the right, as the need arises, to review their definition of "adequate compensation" for the Judge and to enact variances to this resolution.

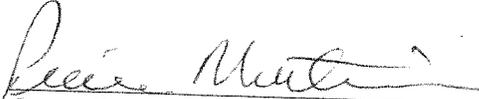
PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR
THIS 15th DAY OF FEBRUARY 2011.



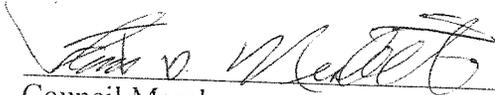
Mayor



Council Member



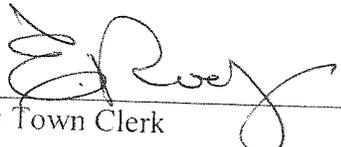
Council Member



Council Member



Council Member



Attest: Town Clerk

File Code: 1950

Date: January 9, 2015

The Forest Service invites your comments on the *North Hebgen Multiple Resource Project (North Hebgen)* on the Hebgen Lake Ranger District, Custer Gallatin National Forest. A variety of vegetation management treatments are being considered in the Teepee drainage, drainages along the north side of Hebgen Lake, along Highway 191 from Teepee Creek south to Duck Creek and west to the Horse Butte peninsula. The *project area* is approximately 73,250 acres, and approximately 8,200 acres of treatments are being considered.

The enclosed *Scoping Summary* document and maps (2) describe the proposed action, and the purpose and need for action. In addition to these documents, there is more detailed information on the treatment types and unit by unit detail posted on the Gallatin National Forest web site at: <http://www.fs.usda.gov/projects/gallatin/landmanagement/projects>. The additional documents include a *Description of Treatments* and a *North Hebgen Unit Summary Table (1/9/15)*. The maps posted on the web site can be enlarged to see greater detail.

Your comments ***specific to the project area and/or to individual sites and resources are valuable*** in helping my staff identify issues and concerns, develop alternatives to the proposed action, and refine our analysis to focus on places or issues that are important to you. The environmental assessment (EA) or environmental impact statement (EIS) for this project will analyze the ecological and social effects of implementing each of the alternatives, including a no-action alternative. So that your input may be included in our analysis, ***please provide comments addressing the proposed action by February 10, 2015.***

The District will hold a public open house on January 27, between 4-6 pm at the Chamber of Commerce, in West Yellowstone. The Chamber building is at 30 Yellowstone Avenue. There will also be a field trip from 2:00 to 3:30 pm on that day. The field trip will depart from the Hebgen Lake Ranger District office located in West Yellowstone, Montana. These opportunities will provide a chance for you to ask questions and discuss the project with the resource specialists on the planning team. If you plan to attend the field trip, be prepared for walking outside and please be prepared to provide your own transportation. We will be driving on plowed roads.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record and be available for public review. **If you would like to receive future mailings or email updates about this project, please either send us your comments or contact us to let us know that you would like to remain on the mailing list.** To submit comments electronically, send letters to: comments-northern-gallatin@fs.fed.us, Subject Line: "North Hebgen Multiple Resource Project". With your submission, please be absolutely sure that you have included your name and mailing address and an email address if you prefer electronic mail. Comments can be mailed to:

*North Hebgen Multiple Resource Project – Team Leader
Custer Gallatin National Forest
3710 Fallon Street, Ste. C
Bozeman, MT 59859*



The proposed project would implement the Gallatin Forest Plan and may be authorized under the Healthy Forest Restoration Act (HFRA). The project is subject to the *Predecisional Administrative Review Process* (referred to as the "objection process") pursuant to 36 CFR 218, subparts A and B. Objections will only be accepted from those who have submitted written comments specific to the proposed project during scoping or other public involvement opportunity, where written comments are requested by the responsible official (36 CFR 218.5).

For more information about this project, please contact the District Ranger at (406)823-6961 or Teri Seth, Team Leader, at (406) 522-2520. Thank you.

Sincerely,



MARY C. ERICKSON
Forest Supervisor

Project Information

Who: Hebgen Lake Ranger District, Custer Gallatin National Forest

What: The North Hebgen Multiple Resource Project (North Hebgen Project) is an outcome of the Hebgen Duck Landscape Assessment. The Hebgen Duck Landscape Assessment was completed to determine desired conditions for the area within the project boundary and to identify a series of project-level opportunities that, when implemented, would achieve those desired conditions. The North Hebgen Project is an integrated management proposal and has multiple primary purposes including: fuels reduction in the wildland urban interface, along evacuation routes and a power line; wildlife habitat improvement such as restoration and maintenance in aspen and white bark pine habitats; management to enhance forest health and resiliency; and treatments to improve visibility along Highway 191 and near the Rainbow Point Campground to reduce wildlife/vehicle collisions and unintended bear encounters thus improving public and wildlife safety.

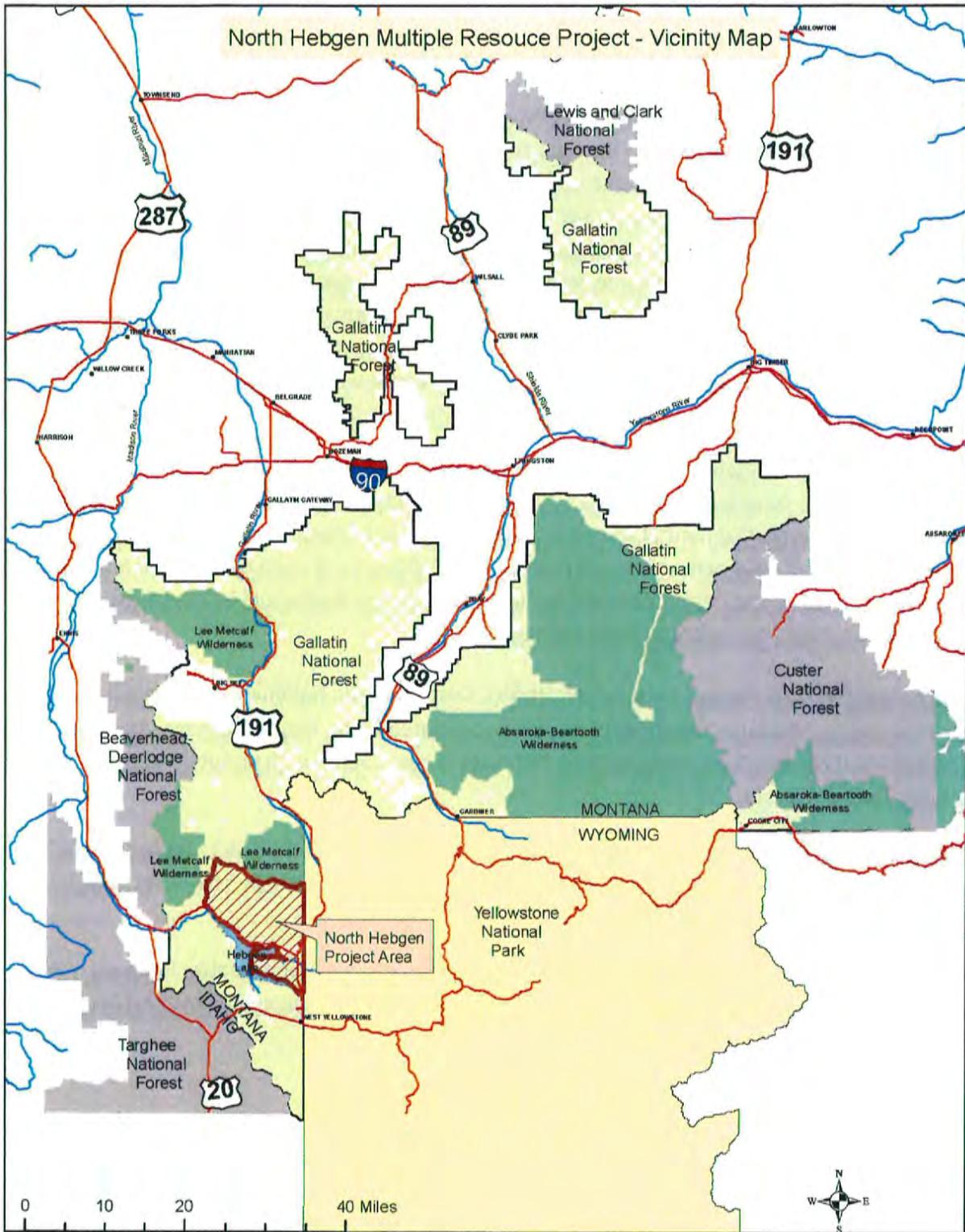
Primary methods for vegetation management include, but are not limited to: harvest or removal of commercial and non-commercial size trees with machinery and by hand, followed by piling, burning, chopping and/or masticating natural and activity fuels and/or prescribed burning. The proposal includes an estimated 4600 acres of commercial harvest, 2000 acres of small tree treatments and 1,600 acres of prescribed burning. Approximately 25 miles of temporary road would be constructed for implementation, then permanently closed and rehabilitated.

Where and When: Hebgen Lake Ranger District, Custer Gallatin National Forest, Gallatin County, West Yellowstone, Montana. Treatments are being considered in the Teepee drainage, drainages along the north side of Hebgen Lake, along highway 191 from Teepee Creek south to Duck Creek and west to the Horse Butte peninsula.

Treatments are proposed in portions of sections 4-10, 15-22, 27-34, T 11 S , R 05 E; Sections 3-10, 15-22, 27-34, T 12 S, R 05 E; Sections 3, 4 , 9, 10, T 13 S, R 05 E; sections 1-36, T 11 S, R 04 E; sections 1-12, T 12 S, R 04 E; Sections 1, 2, 11-14, 23-25, T 11 S, R 03 E.

Implementation would begin once a decision is made and has cleared Administrative Reviews, which could be as soon as field season 2016. The project is expected to be implemented over 8-12 years.

North Hebgen Project – Scoping Summary Document
January 9, 2015



Why – Purpose and Need for Action

Fuel reduction to provide for public and firefighter safety and protection of property.

The wildland urban interface includes the entire Hebgen Basin and surrounding national forest system (NFS) lands (Gallatin County CWPP 2006) however, the North Hebgen Project treatments are focused around the following subdivisions and essential infrastructure: Kirkwood, Hebgen, Yellowstone Holiday, Red Canyon, Whits Road, Parade Rest, Lower Bear Trap, Grayling Creek, Upper Bear Trap, Duck Creek, Cougar Creek area and power line corridors. Developed Forest Service sites include the Rainbow Point Campground and several trailheads. Essential roads i.e evacuation routes serving these private inholdings or Forest Service developed sites include: U.S. Highway 191, U.S. Highway 287, Rainbow Point Roads (FSR 6954, 6952), Cougar Creek Roads (FSR 1731), Whits Lake Road (FSR 971), Red Canyon Road (FSR 681) and Tepee Road (FSR 986).



Photo 1 and 2: The photo on the left shows private land adjacent to National Forest System lands near Duck Creek and the photo on the right shows the power line corridor near Cougar Creek Road. The power line is essential infrastructure serving these communities.

Existing dead down woody fuel loads range from 8 tons per acre to 45 tons per acre. Forested stands include lodgepole pine on the obsidian sand flats to Douglas-fir on dry south aspects and mixed conifer on northerly slopes and in higher elevations. Some forested stands have evidence of past harvest treatments, past and current insect activity and extensive dwarf mistletoe infection. As a result of these disturbances and stand ages, many of the stands have dense canopies and are multi-storied creating continuous ladder and crown fuels. The combination of surface fuel loading and canopy fuels resulted in Fuel Model 10 (FM 10) conditions throughout the area.

The expected fire behavior in FM 10 includes crown fire, spotting of fire brands and torching of individual trees. This situation creates fire control difficulties because the expected fire behavior would limit direct attack opportunities. A wildfire in FM 10 can be a high risk to public and firefighter safety.

Desired conditions: reduce dense tree canopies by increasing the spacing between trees, reduce surface fuels that are 3 inch and greater to less than 15 tons per acres and remove activity created fuels to less than 12 tons per acre.



Photo 3 and 4: The photo on the left shows a typical condition in lodgepole pine forest in the Hebgen Basin with continuous ladder and crown fuels. The photo on the right shows the same area post thinning. The fuel reduction thinning reduced ladder and crown fuel continuity.

Wildland firefighters would have a greater chance of controlling a wildland fire that is low to moderate intensity with direct attack by utilizing aerial and ground forces. Reducing the wildland fire threat near communities at risk and providing increased public and firefighter safety is essential to successful fire management responses. This project helps move the District toward the goal of protecting all wildland urban interface areas adjacent to NFS lands.

Wildlife habitat improvement and maintenance treatments for whitebark pine stands, aspen forest and meadows and to provide forage for wildlife. Treatments are designed to maintain or enhance diverse habitat in the area and follow natural disturbance patterns.

Whitebark Pine

The whitebark pine (WBP) seed crop is one of the four main food sources sustaining grizzly bear populations in the Greater Yellowstone Ecosystem (GYA). Grizzly bear survival and reproduction are strongly correlated with cone production. Whitebark pine nuts are highly nutritious and are sought after by many other species of wildlife, as well. Whitebark Pine forest is declining throughout the GYA and project area due to the effects of mountain pine beetle, white pine blister rust, and recent wildfires.

The mixed species stands proposed for *daylighting* include a manageable component of whitebark pine. Daylighting would reduce competition for whitebark pine, promote resilience to fire and increase vigor which helps trees to reach cone producing age sooner. Treatments would also create nutcracker openings in areas suitable for whitebark pine and where a seed source is nearby. These openings, that are attractive to nutcrackers for planting seeds, are lacking, and current regeneration is dominated by shade-tolerant subalpine fir and spruce. Nutcracker openings would promote whitebark pine regeneration by creating desirable sites for nutcracker caching and planting of rust resistant seedlings, which would promote whitebark pine forest presence.

Aspen

Aspen stands provide valuable habitats for a variety of wildlife species. Major declines of aspen have been well documented across the Northern Rockies. Aspen is a fire-dependent species, and fire suppression efforts have probably contributed to this decline. The high palatability of this species as browse for ungulates and livestock has also hampered regeneration of aspen stands. Within the project area, a substantial amount of aspen has been lost compared to what was historically available. Based on extensive field review and imagery, the interdisciplinary team found that many aspen stands in the project area are decadent and declining due to conifer encroachment.

Aspen enhancement treatments including *improvement cuts, commercial thinning, slashing and prescribed burning* are designed to reduce conifer competition to improve vigor and enhance sprouting. Aspen provides wildlife benefits, improved forest resiliency by providing habitat diversity, and typically provides low fire risk areas.



Figure 5 and 6: Aspen stand that is declining due to conifer competition (left) and a healthy aspen stand (right).

Forest Resiliency

Forested stands within the project area are currently being, or at risk of being, significantly impacted by a variety of disturbance agents. Mountain pine beetle, lodgepole pine dwarf mistletoe, western spruce budworm, Douglas-fir beetle, and white pine blister rust are specifically of concern. In addition, some areas are expected to support uncharacteristic fire behavior due to current stand conditions.

Forest resiliency treatments are designed to maintain a diverse, vigorous, and adaptable forest landscape by providing for a mix of species composition, stand structures, and age distribution. For these stands, there are multiple objectives and the silvicultural prescriptions are designed to integrate other objectives while improving forest resiliency and stand health.



Figure 5 and 6: Douglas-fir stand with insect activity. Second photo shows pile burning after thinning. The background shows a thinned Douglas-fir stand.

Treatments to reduce wildlife/vehicle collisions along 191.

Dense forest cover adjacent to Highway 191 where vehicles are travelling at high speeds limits sight distance and results in a higher likelihood of wildlife injury and death as well as human injury and death due to collisions.

Desired Condition: These treatment buffers are designed to increase sight distance and reaction time to reduce the likelihood of collisions between wildlife and vehicles.

How – Proposed Action

Summary of Primary Vegetation Treatments by Category – A description of these treatment types is available on the Gallatin webpage.

Vegetation Treatment	Proposed Primary Prescriptions	For what purpose	Acres
Intermediate harvest	Commercial Thin, Improvement Cut, Sanitation and Salvage	Fuel Reduction, Aspen improvement, Forest Resiliency	2,765
Regeneration harvest	Overstory Removal Seed Tree Cut Clearcut	Whitebark Pine Enhancement by creating nutcracker openings; Fuel reduction and Forest Resiliency	630
Group selection cut	Group selection Cut	Fuel Reduction fuels in mixed age stands with widespread dwarf mistletoe.	750
Powerline clearing/ Thinning	Thinning	Fuel reduction to protect vital infrastructure	145
Highway Clearing/ Thinning	Thinning	Wildlife Safety - to reduce wildlife/vehicle collisions along highway 191	140

Vegetation Treatment	Proposed Primary Prescriptions	For what purpose	Acres
Post and Pole	Thinning	Fuel reduction and Forest Resiliency	180
Precommercial Thin	Precommercial Thin	Reduce Fuels, Timber Stand Improvement, Forest Resiliency	1,150
Daylight	Thinning	Whitebark Pine Enhancement to reduce competition around healthy whitebark pine.	845
Prescribed Burn	Prescribed burn	Fuel Break	1,600
Estimated Total			8,205

Regulatory Framework and Applicable Direction

The Gallatin National Forest Plan (FP) includes forest wide and management area direction pertaining to the purpose and need for action:

Gallatin Forest Plan Goals	
Forest-wide Goals	
•	Provide a sustained yield of timber products and improve the productivity of timber growing lands.
•	Use prescribed fire to accomplish vegetative management objectives.
•	Provide a fire protection and use program which is responsive to land and resource management goals and objectives.
•	Manage National Forest resources to prevent or reduce serious long lasting hazards from pest organisms utilizing principles of integrated pest management.
•	Coordinate with the land and resource management and planning efforts of other Federal, State, local agencies and private landowners. Strengthen this coordination with in the entire Greater Yellowstone Area.

Gallatin Forest Plan Management Areas within the Project Area Boundary		
Management Area	Description of MA	Management Goals
MA1	Developed recreation sites	1. Maintain these sites and facilities for the safety and enjoyment of users.
MA5	Travel corridors that receive heavy recreation use.	1. Maintain and improve the wildlife habitat values and the natural attractiveness of these areas to provide opportunities for public enjoyment and safety. 2. Allow a level of timber harvest consistent with goal 1.
MA7	Riparian management areas	1. Manage the riparian resource to protect the soil, water, vegetation, fish, and wildlife dependent upon it.

Management Area	Description of MA	Management Goals
MA13	Forested, occupied grizzly bear habitat. The productive Forest lands are available for timber harvest provided grizzly bear habitat objectives are met.	<ol style="list-style-type: none"> 1. Manage vegetation to provide habitat necessary to recover the grizzly bear. <i>Consider treatment to enhance forest habitat components for grizzly bear where security will not be jeopardized and there is demonstrated need to provide openings in forest cover to increase production of browse species for ungulate prey species and improve whitebark pine nut availability.</i> 3. Allow a level of timber harvest compatible goal 1.
MA15	Open grasslands or a mosaic of grasslands or steep rocky slopes interspersed with timber which are located in occupied grizzly bear habitat and provide for dispersed recreation and livestock use.	<ol style="list-style-type: none"> 2. Manage vegetation to provide habitat necessary to recover the grizzly bear. <i>Grizzly bear habitat improvement, such as prescribed fire, may be scheduled where the need is identified. Big game habitat improvements such as prescribed fire, planting and fertilization may be scheduled where the need is identified.</i> 4. Provide dispersed recreation opportunities consistent with goal 1.

The **1995 Report Federal Wildland Fire Management Policy**¹ (Interagency Federal Wildland Fire Policy Review Working Group 2001) identified the following agency priorities: Protection of human life is the first priority in wildland fire management; and, where wildland fire cannot be safely reintroduced because of hazardous fuel build-ups, some form of pretreatment must be considered, particularly in Wildland Urban Interface areas.

The **National Fire Plan (2000)** was a Report to the President in Response to the Wildfires of 2000. The Plan established priorities for the Forest Service invest to in projects that reduce fire risk and assign the highest priority for hazardous fuel reduction to communities at risk, where conditions favor uncharacteristically intense fires.

The **Gallatin County Montana Community Wildfire Protection Plan (CWPP) (Gallatin County 2006)** defines Gallatin County wildland urban interface (WUI) areas and Fire Districts. The goals and objectives follow along with the National Fire Plan (Secretaries of the Interior and Agriculture 2000), and the Healthy Forest Initiative (HFI)². The Gallatin County CWPP goals and objectives focus on the protection

¹ Information about 1995 Federal Wildland Fire Management Policy can be found at web link: <http://www.fs.fed.us/fire/management/policy.html>

² Information about HFI can be found at <http://www.forestsandrangelands.gov/resources/overview/>.

North Hebgen Project – Scoping Summary Document
January 9, 2015

of life and human safety, limiting the loss of property and restoration and preservation of our ecology. The CWPP identified the Hebgen Basin, including this entire project area as WUI areas.

Preliminary Issues:

The following resources or impacts will be considered in our analysis: air quality, climate change and greenhouse gases, economics, fuels, invasive weeds, public safety, coordination with a range allotment, recreation uses and numerous special uses, scenery, impacts to the Inventoried Roadless Area (IRA), evaluation of terrestrial and aquatic wildlife issues, soil protection, transportation and vegetation impacts. Water quality and fish habitat protection needs will also be evaluated. Westslope cutthroat trout are present in Little Tepee and Tepee creeks that would be protected through mitigation development. If you have more specific issues or concerns related to potential impacts from the project or specific to the project area please share them with us so we can address your concern.

Approximately 240 acres of lands in the Roadless inventory are included in tree removal treatments to improve grizzly bear habitat and to restore desired ecosystem structure and function and 1,600 acres of prescribed burning is proposed that would include small tree cutting near control lines to hold the fire inside the planned perimeter. The burn would restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects.

The Roadless Rule (2001) allows: *The cutting, sale, or removal of generally small diameter timber when needed for one of the following purposes:*

1. *To improve threatened, endangered, proposed, or sensitive species habitat;*

- *Aspen enhancement is designed to improve threatened species habitat i.e. grizzly bear. Aspen forest is associated with higher levels of biodiversity resulting in a greater variety of prey species available for grizzly bear foraging.*

2. *To maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period; or,*

- *Evacuation routes and trailheads are areas that we manage for and encourage public use. To ensure public and firefighter safety in these areas, the areas would be thinned to favor surface fire allowing safer ingress and egress in an emergency. These treatments are designed to maintain desired ecosystem composition, structure and function to change expected fire behavior from active crown fire to surface fire in these units.*

Tree removal activities in the Inventoried Roadless Area

- *Tree cutting in the IRA is limited to generally small diameter trees and no road building is proposed in the IRA.*
- *Commercial Thin – to maintain the desired ecosystem composition and structure along an evacuation route in unit 135 = 12 acres*

North Hebgen Project – Scoping Summary Document
January 9, 2015

- *Commercial thin or Improvement Cut / Ground based for aspen enhancement in units 121, 150, 151, 152, 211 = 25 acres*
- *Improvement Cut / helicopter yarding for aspen improvement in units 126, 146, 218 = 195 acres*
- *Precommercial thin (less than 6" in diameter) to maintain desired ecosystem structure and composition along an evacuation route in unit 136 = 5 acres*
- *Prescribed burning with some slashing to restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects by providing a fuel break on the landscape to slow the spread of fire from the Hebgen Basin into the Cabin Creek Wildlife Management area = 1,600 acres*

Potential for Project Specific Forest Plan Amendment

To address the issue of “effects to old growth habitat”, we are proposing to analyze and disclose the existing condition and effects to old growth forest at the mountain range scale rather than the timber compartment in order to better assess habitat diversity across the landscape. We would also like to clarify our old growth definition and the metrics, which translate to vegetative characteristics of high quality grizzly bear habitat in MA13.

Utilizing only this approach to analyze old growth may require a project specific amendment to exempt the analysis from the following Forest Plan standard.

Existing Forest Plan Direction

Existing Forest-wide Standard 6(c)2: In order to achieve size and age diversity of vegetation, the Forest will strive to develop the following successional stages in timber compartments containing suitable timber (FP II-20):

Successional Stage	Minimum % of Area
Grass-forb	10
Seedlings	10
Saplings	10
Pole	10
Mature	10
Old Growth	10

Existing Forest Plan Direction MA 13 (p. III-41): **TIMBER** - Maintain a minimum of 30% of each timber compartment in old growth emphasizing by priority Douglas-fir, whitebark pine, and wet subalpine fir community types.”

To: Town Operations Manager and Town Council
Town of West Yellowstone
440 Yellowstone Avenue
PO Box 1570
West Yellowstone, MT 59758-1570

From:
Udo Freund and Janet S. Freund
317 Shoshone Avenue
West Yellowstone, MT 59758-0317
udofreund317@gmail.com
661 733-8730
jfreund72@gmail.com
661 305-3773

Subject: dogs running loose in town

Ms. Guay and Members of the Town Council,

Recent incidents involving dogs running loose within the town limits are causing us concern. One of our dogs was bitten by a loose dog this past New Years Day. On that occasion I, Udo, had both of our dogs on leashes, one in each hand. After rounding the corner of DeLacy Ave. from Lewis Ave. a tan dog approached us in the street and stood in front of our dogs for several seconds before it lunged and bit our female on the head.

A few days later we heard of an incident wherein a loose dog was shot with a firearm by someone in town. The latter incident may be an indication of someone's frustration over the many animals that are allowed to run loose and defecate everywhere.

For over a year and a half we've walked our dogs in the Madison Addition streets and City Park on a daily basis. We have rarely had a day go by without encountering at least one dog running off leash. With the exception of the bite situation all have been relatively friendly although some have made us quite uncomfortable.

Therefore we see a need for enforcement of town ordinance **6.04.020, Animals at large prohibited** (aka: leash law). The State of Montana Code states "A dog that is at **large** may be **defined** as one who is off the owner's property unaccompanied or not on a leash." Some people believe that verbal commands to control their animal are an acceptable substitute for a physical leash. In our opinion any reasonable person knows better. Dogs are not always predictable and do not always respond to verbal commands.

Harlie before seeing our veterinarian. Note the collar and tags.



Harlie afterwards. A second opening was needed to drain infection fluids.



Subject: WYPD MOU
From: "Gootkin, Brian" <Brian.Gootkin@gallatin.mt.gov>
Date: Thu, January 15, 2015 4:32 pm
To: "'tim_reid@nps.gov'" <tim_reid@nps.gov>
Cc: "Ross, Tara" <tara_ross@nps.gov>, "Scott Newell"
<snewell@townofwestyellowstone.com>
Priority: Normal

COPY

Happy New Year Tim. I wanted to let you know that Chief Newell is doing an outstanding job rebuilding the West Yellowstone Police Department. He has immediately addressed both the policy and procedure issue along with training in his first couple of weeks. With Expo coming up, I was wondering if just an email with my approval of the MOU being back in place between the Park Service and WYPD would suffice? I am very comfortable with the direction of the PD. If not, I am willing to attempt to meet with you if necessary as soon as possible. Thanks for all of your assistance with this situation.

Brian M. Gootkin
Gallatin County Sheriff
615 South 16th
Bozeman, MT 59715
(406) 582-2125

Attachments

[untitled-\[2\].html](#) text/html 3.1 KiB

Received
12/15/15
ER



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 17, 2014

Town of West Yellowstone
City Council
P.O. Box 1570
West Yellowstone, MT 59758

RE: Business Licenses Permitting process, and Special Events Permitting

Dear Council Members:

I am writing this letter to express my concern with the event approval and permit process currently used by the Town. Since 2012 we have had several items fall through the cracks, because no formal process exists. Examples of past issues include: Buffalo Bar water supply permits, letter dated 9/24/12, Fall River Propane tank letters dated 3/19/13 and 4/08/13, and now the Special Event Permit for Wild Bill Octane Show.

First off, let me start by saying I am in favor and support these types of events, they bring an added boost to the economy. However these types of events are extremely taxing on local Fire, EMS, and Law Enforcement which require additional planning and staffing.

December 15th, was the first time I was made aware of what was being requested. The Special Event Permit Application was dated on 10/30/14 when the fee for the application was paid. The first department to sign off on the permit was Public Works dated November 18, 2014. The next two departments to sign off on the permit were Police and Administration, both dated November 24, 2014. The Administration put in the comments that the Fire Department needed to be consulted. The final notation on the application is TOWN COUNCIL APPROVED; NOVEMBER 5, 2014 initials ER.

It concerns me that this application has been approved without the knowledge or input from the Fire District without a cooperative meeting and plan by all agencies that will be impacted. Historically an event like this, "Snow Blast", was very taxing on Fire, EMS and Law Enforcement services.

The International Fire Code (IFC) which the Town and the District have both adopted requires that during Public Assemblages and Events such as Wild Bill Octane Show, require;

- IFC 401
 - Public Safety Plan
 - Trained Crowd Mangers
- IFC 906
 - Portable Fire Extinguishers minimum size 2A 20 BC, conspicuously located and accessible in areas of the stage, vending tents, beer gardens and food areas.
- IFC 3308 Fireworks Displays
 - Shall comply with NFPA 1123 and 1126

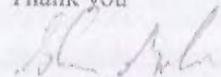
These should be part of the application process and not ignored. The permit application requests several items that potentially have a huge impact on the Fire Department.

1. Closing of Gibbon Ave from Canyon to Dunraven. If you look at the map provided, it appears that the stage and vehicles for the show will take the entire street. The Weston Motel is open for the winter. By closing the entire street we have no access to the south side of the building in case of fire or an emergency response.
 - This can be mitigated by closing the street to general public and keeping a 20 foot wide emergency access only from the curb on the north side of the street to the center line.
2. Closing the east half of Dunraven Street could create a problem for emergency access to the White Buffalo Hotel.
 - This can be mitigated if the snow is removed from the sidewalk on the west side of Dunraven.
3. Fireworks during and after the show.
 - Where are these fireworks going to be shot off from? What size fireworks are we talking about? Who is going to be shooting them off?

By sending this letter, I hope to create a platform in which we can get all departments of Town government, the Fire District and other affected agencies together in processing event planning and special event permitting. One of the ways I think we can do this is by creating a flow chart which identifies which types of permits or events can be handled by the current system and which types of permits and events need to go through a more in depth review.

I look forward to working with the council, city manager and department heads in coming up with a better way for everyone to abide with the legal requirements and have a more effective and efficient way of doing business prior to approval.

Thank you



Shane Grube
Assistant Fire Chief
Hebgen Basin Fire District

SPECIAL EVENT PERMIT APPLICATION

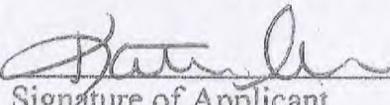
Town of West Yellowstone
Gallatin County, Montana

Event: WILD BILL OCTANE SHOW / with Snowmobile expo
 Sponsor Organization: _____
 Sponsor Address: PO Box 2002 W Y. MT 59158
 Contact Person: 406-640-0725
 Contact Phone: Kathrina Mann Fax: _____
 E-mail Address: Kmann@hibernationstation.com
 Date(s) of Event: March 13th & 14th
 Location of Event: City Park

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 ^{#4932} pd 10/30/14
 Administration Fee: \$ _____
 Total Due: \$ _____


 Signature of Applicant
10/28/14
 Date

FOR OFFICE USE ONLY

Department	Initials	Date	Comments
Pub Services	<i>[Signature]</i>	11-18-14	
Fire <small>Not as County written</small>	<i>[Signature]</i>	12/15/14	Need to set up meeting to mitigate hazards & problem
Police	<i>[Signature]</i>	11/24/14	
Administration	<i>[Signature]</i>	11/24/14	Fire dept. needs to be consulted

Notes/Conditions: _____

Approved _____ Denied _____ Town Clerk _____

 Date _____

Town Council Approval, Nov. 5, 2014 *[Signature]*

TOWN OF WEST YELLOWSTONE MONTANA

naturally interesting

January 16, 2015

Shane Grube, Assistant Fire Chief
Hebgen Basin Fire District
PO Box 1508
West Yellowstone, MT 59758

RE: Business License and Special Event Permits

Dear Shane,

I would like to take this opportunity to respond to your letter regarding the Special Event and Business license permitting processes, received by the Town 1/15/15. The Town appreciates your concern and interest in maintaining clarity and avoiding confusion when it comes to planning events. New events, especially those that bring a significant number of people to Town, are a boost to our economy but definitely have an effect on police, fire, EMS, and public works.

However, I believe you misunderstood the action taken by the Council 11/5/14 when the Special Event Permit for the Wild Bill Octane Show was presented. By ordinance, Special Event permits are approved administratively. Approved applications are frequently included in the Town Council packet as information for the council members. Considering that the proposed event will have a significant impact on all of our public services and involves use of Pioneer Park, selling alcohol on public property, closing streets, outside amplification, and fireworks, we deemed it appropriate to put the application before the Council prior to circulating it to the other affected departments for approval. The Council did move to approve the event, as noted on the bottom of the application. At that point, the staff started the established process of circulating the application to the affected departments: Public Services, Police, Administration, and Fire. The Special Event Permit for this event has not yet been issued because we have been waiting for the Fire Department to comment, sign, and return the application, which has been in your possession since 12/15/14.

The Town completely agrees that a planning meeting between the event organizers and affected departments is necessary prior to issuing the permit, and I understand that has been scheduled for next Friday, January 23, 2015.

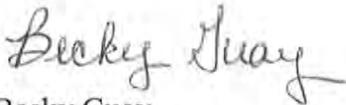


Although your letter does not specifically address the business license permitting process, please understand that the Town has no authority to require or enforce fire code compliance. All new business license applications, which include contact information, are included in the Town Council packet. The packet is posted on the Town's website and emailed directly to the Fire Chief.

In summary, the Town feels that the established processes for reviewing Special Event permit applications and Business License applications is sufficient. We look forward to maintaining a productive relationship with the Fire Department as we work through each application.

Thank you for caring about West Yellowstone.

Sincerely,

A handwritten signature in cursive script that reads "Becky Guay".

Becky Guay
Operations Manager