

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Meeting**  
**February 5, 2013**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, and Doc Stewart, Pierre Martineau, and Tom Cherhoniak

OTHERS PRESENT: Social Services Director Jack Dittmann, Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Gordon Berger

The meeting is called to order by Mayor Jerry Johnson at 7:00 PM in the Povah Community Center

Portions of the meeting are being recorded.

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

**Public Comment Period**

No public comment is received.

**ACTION TAKEN**

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- 1) Motion carried to pay the claims, which total \$233,488.32. (Schmier, Martineau)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the January 15, 2013 Town Council Meeting and January 29, 2013 Work Session. (Martineau, Cherhoniak)
- 3) Motion carried to approve the first reading of Ordinance No. 246-A, an ordinance extending the sign reimbursement program. (Martineau, Schmier)
- 4) Motion carried to approve Resolution No. 629, Support Potential Legislation to Increase Resort Tax by 1% to Fund Historical Preservation Projects. (Martineau, Stewart)

**Council Comments**

Council Member Cherhoniak says he is on the Healthcare Advisory Board and he thinks the members of that board should be invited to the meeting with CHP that is scheduled for next week.

**Public Comment Period**

Carol Leasure of the Yellowstone Historic Center reports that they received a letter this morning informing them that they have been awarded \$20,000 from the Union Pacific Foundation to use for historic preservation. They will use the money to replace the windows in the Firehole Room.

**Presentation: The Cabins at Yellowstone Development, Delaware North Companies**

Derek Zwickey of Delaware North addresses the Town Council to describe the development they are proposing for multiple lots along Grizzly Avenue. They are proposing to construct 50 individual cabin structures of different types to put on multiple lots. They are requesting a variance from the parking requirements to allow pull in parking. The Council asks Zwickey a couple questions about the development. Guay explains that they intend to contact a professional planning consultant

**DISCUSSION**

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- A) **Advisory Board Reports:** Vickie Barta of the Parks and Recreation Advisory Board addresses the Council to discuss the results of a recent survey they conducted. Surveys were mailed to residents of the community. They mailed out approximately 1200 surveys and received only 94 surveys back, which represented 224 people. Barta summarizes the results of the survey and points out that an aquatic center was suggested by the majority of respondents. Barta asks the Council to give the board some direction as to how to proceed with these results. She says they would like to pursue grants to fund the

suggested facilities, but need some feedback from the Council. Mayor Johnson suggests that they schedule a work session with the Parks and Recreation Board so they can have an in-depth discussion about future projects.

Cherhoniak briefly reports that the Downtown Improvement District is working on finalizing cost estimates for the gazebo they would like to build between the Museum and McDonalds. They are also exploring the possibility of murals in the downtown area on the businesses that are closed for the winter. Guay asks about a project they heard about to “wrap” the electrical boxes and garbage cans in the downtown area with decorative wrappings. Johnson says there is a MAP Fund application in for that project but it is actually a Chamber project.

- B) **Operations Manager Report:** Operations Manager Becky Guay reports on current issues: **Water Meter Installation** – Staff continues to install water meters, focusing on residential customers. **Town Hall Project** – Roof is on and windows are installed. Wall framing continues. **Police Sergeant Hiring Process** – The police commission, one department head and me will interview three candidates for Sergeant on Friday, February 8, beginning at 1:00 p.m. at the Povah Center. The interviews are open to the public. **Police Department Resignation** – Officer John Knapp resigned effective February 8. We have initiated the recruitment process for a police officer. **Website Development** – We still need a brief biography and a photo from each council member as soon as possible for the website. **DNC Hotel Development Proposal** – Architects for DNC have requested information about the process the Town uses to vacate a right-of-way. Staff is researching options. It may be desirable to hire a planning consultant to ensure the Town complies with the Montana Subdivision and Platting Act as well as its own Municipal Code. DNC will provide an informational presentation about the project at this evening’s meeting. **Planning Board Training** – Staff has contacted the Montana Association of Planners to inquire about training provided for planning board members. We are working to schedule training jointly with Madison County board members. **Annual Audit** – The auditors were in West Yellowstone on Friday, January 25 and completed audit activities. The audit is going well. **Sequestration** – The federal government must reach a “sequestration” deal by March 1 or federal agencies will be forced to implement a number of budget cutting measures. This could significantly impact the operation of Yellowstone National Park (faced with \$1.8 million in cuts) that would result in lower visitor numbers and corresponding impacts to the local economy (see the attached information from the Chamber of Commerce.) **Amend the Sign Ordinance** – Staff has prepared a draft ordinance (recommended for first reading this evening) to extend the date of the program to partially reimburse reader board sign owners for upgrading these signs. **Fogarty Lawsuit** – Mediation was completed on January 22, 2012 with the Mayor and Operations Manager representing the Town. MMIA reached a settlement with Mr. Fogarty.
- 4) Stewart says that if they are going to approve this then they have to be ready to get behind it and fund the effort. They will most likely need to hire a lobbyist that will carry it through the legislature. He questions whether this is their biggest priority for funding considering some of their other issues such as healthcare. Johnson says they did talk to some of the other communities in the State at the Montana League of Cities and Towns Conference about this proposal and there was not much support. Cherhoniak clarifies that the money collected through the tax could only be spent on historical preservation. Johnson says that if the legislation is worded that way, then that is how the money would have to be spent. He also says that specific legislation has a better chance of being approved. Glen Loomis addresses the Council and encourages them to support the proposed legislation. He acknowledges that they may not be able to get it through this legislative session, but believes it is a valuable purpose that should be pursued. Randy Roberson says that he agrees with Loomis and supports the legislation. He says it will improve the town for everyone. Ed Geiger of the Yellowstone Historic Center addresses the Council. He says that there are a lot of economic benefits that come to a community when money is spent on historic preservation and cites some nationwide statistics about

the positive effects. Carol Leasure says that a steady income for taking care of and preserving the UPDL buildings is such an opportunity to make sure they are preserved for generations to come. Johnson says that as a business owner, they should consider whether they are on the brink of over-taxing the tourists that come to this town. Hotels will have to charge 11% per night, which is more than any of the surrounding communities. Schmier says he thinks they need to proceed with this and ask the legislature for permission to put it before the voters. He says that any money they can free up for other projects is to their benefit. Johnson says that the supporters need to also consider whether the support for this will be here in three years. They could have an entirely different Council in three years that may not be as passionate about this cause. Loomis says its unlikely it will get through this year, but they will have to cross each bridge as they come to it. Loomis says that a couple years ago, the Povah Family had a valuable collection of buggies that they would have liked to showcase in West Yellowstone. However, they had no place to put the collection and it ultimately was donated to the Museum of the Rockies. He says they have to start somewhere and establish a plan.

The meeting is adjourned. (8:15 PM)

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Mayor

ATTEST:

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Town Clerk

## WEST YELLOWSTONE TOWN COUNCIL

### Work Session February 12, 2013

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Pierre Martineau, Tom Cherhoniak, Brad Schmier, Doc Stewart

OTHERS PRESENT: Operations Manager Becky Guay, Finance Director Lanie Gospodarek, Buck Taylor and Lander Cooney of Community Health Partners, and Cheryl Ridgely, Chief Strategy & Business Development Officer for Bozeman Deaconess Health Services

The meeting was held at 6:30 PM in the Povah Community Center.

#### **Public Comment Period**

No public comment is received.

#### **DISCUSSION**

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Mayor Johnson calls the meeting to order and introductions are made. Lander Cooney, CEO of Community Health Partners (CHP) explains that they are here tonight as a follow up to the presentation they made to the Council in December. When CHP came to West Yellowstone September of 2010 to operate the medical clinic, their board agreed to contribute up to \$25,000 to support healthcare in West Yellowstone. Their financial loss in West Yellowstone has proven to be more than they expected and that is what they need to discuss. Operations Manager Becky Guay summarizes that the Town entered into a two-year contract with CHP to operate the medical clinic, but the agreement can be renewed annually. The group looks at the Profit & Loss statements that CHP provided that date back to when CHP took over operations in September of 2010. Guay asks the representatives from CHP for further explanation about the various line items. Cooney and Taylor answer most of the questions and indicate they will get back with the answers they don't know. Guay asks specifically about the "Administrative Overhead Allocation" expense. Cooney explains that expense is broken down proportionally between all of their medical clinics and includes costs such as practitioner licensing, fund-raising efforts, administrative travel to West Yellowstone, medical director expense, and IT support. She emphasizes that they have encountered some unique issues in West Yellowstone including high employee turnover, low patient volume, and additional training for personnel. Brad Schmier asks how much of the federal subsidy CHP receives is spent in West Yellowstone. Cooney says that none of that money is allocated to West Yellowstone. Schmier asks why not and she explains that is not how that money works. She says that when they came to West Yellowstone, it was in response to the emergency situation that had been created in West Yellowstone. They believed at the time that there were federal dollars they could pursue, those grant opportunities never became available. They actually applied for grant money through the government but the grant program was never funded. Now that they have actually established a healthcare facility without federal money, there is little chance they will ever be able to compete for new federal money. She also explains that when they were approached two years ago, they could have waited until more federal money became available, but chances are they would still be waiting. John Costello asks about Cooney's earlier statement about competing with the medically underserved residents of Bozeman and Belgrade. Cooney explains that the federal money CHP receives was awarded through a competitive process, based specifically on certain census tracts, and that is where that money is spent. Buck Taylor briefly describes how CHP has gradually expanded in specific relation to census tracts. Cooney explains that one of the obstacles is that West Yellowstone is in the same census tract as Big Sky, which has three operating doctors, so therefore is not considered medically underserved and does not have a medical provider shortage. She says they know West Yellowstone does have a significant medically underserved population. Guay says that in preparing for this meeting, she met with Taylor and Cooney and recommended they are up front with what they need. She says they could nickel and dime their Profit & Loss, but it appears that they need \$100,000 per year to operate under the current model. She says the Council must consider if they want to subsidize healthcare and then how they would fund it. They could take it out of resort tax, but then must consider if they want to cut back on things such as street paving or hiring police officers. They could also look at alternate funding options such as forming a hospital district, possibly along the same boundaries as the fire district. She says they should also remember that healthcare (referring to the Affordable Care Act, commonly referred to as "Obamacare") is expected to change substantially in 2014 and perhaps

they should limp along until that goes into effect. Taylor adds that another source they should consider is local fund-raising. He says that prior to the departure of the previous Operations Manager, Jamie Greene, they did raise a notable amount by approaching three of the larger employers in Town. He says they did approach those same three donors again this year. Delaware North came through right away, but one has not responded and the other declined to donate, specifically because they knew CHP was going to be meeting with the Town and they felt that was something the Town should take on. The group discusses the general but unpredictable healthcare needs in West Yellowstone. Cooney explains that approximately 45% of their patients are not insured, so they are offered to apply for their sliding fee scale. She says that approximately 55% of their patients are not residents of the area, but that does not necessarily correspond to the percentage that is not insured. Stewart asks if they can assign a dollar amount to the amount of service they are not collecting because of the sliding fee scale. Cooney says she cannot give them an exact number but it could be as much as 40%, but she will check on that number. Stewart says he has heard of other programs in the country where a large entity such as an employer or government funds a “membership” with a medical provider where their employees can get the care they need. Cheryl Ridgely of Bozeman Deaconess Health Services answers that there are new models of that nature that are coming out in Montana this year such as insurance exchanges, but they should keep in mind that if the Town offers an insurance program they have to go through the Insurance Commissioner. Schmier says that the local clinic is operating in the red, but asks if some of their other clinics in the area are operating in the black? Cooney says they do have aspects of their other operations that are operating in the black. Schmier says he does not understand why some of the federal money that CHP receives for their operation cannot be spent in West Yellowstone, an area they serve. Cooney reiterates that the federal government believes they can adequately serve West Yellowstone from their clinics in Bozeman. She says that they are seeing a shortfall of \$75,000 to \$100,000 per year in West Yellowstone and they have to figure out how to handle that or their board will not allow them to stay in West Yellowstone past their five-year commitment. Mayor Johnson says he has lived here a couple years and has observed the same problem over and over. Whether the medical provider is public or private, they face the same issues of burnout, seasonal employees, and uninsured patients. He says they have to decide whether the Town is willing politically to do something different. He says otherwise, three years from now, CHP will pull out. Costello asks if rather than asking the Town for \$100,000, is CHP is willing to “up their game” and provide better service such as a doctor instead of just a PA (Physician’s Assistant). Ridgely says that she has worked with CHP for several years in partnership and has seen them mobilize to help the communities with their needs. Mayor Johnson adds to Costello’s comments and says that if they are going to pursue a levy they need to be able to promise improvement. Cooney says that perhaps instead of promising a doctor, maybe they just need another RN (registered nurse) or highly skilled LPN (licensed practical nurse). She says that nurses are not cheap, but they are cheaper than doctors. Stewart asks them to tell them what they need or what will work in West Yellowstone. The group discusses multiple ideas and what it would take to convince residents to stay in West Yellowstone for medical care. Costello says that he thinks it is imperative that they need an actual doctor. He says that 75% of the people in this room seek medical care outside of West Yellowstone. Cooney says that the nature of primary care is changing throughout the country and mid-level providers make up more than half of the providers in area. Mayor Johnson says they need focus on what their biggest needs are. He says they need some help from the Healthcare Services Advisory Board identifying their biggest needs. Is it being open a fifth day of the week during the shoulder seasons? He says the Council needs direction from the community. He says he is a lot more comfortable making decisions like whether to give the clinic \$100,000 if he knows there is support. He asks the Healthcare Advisory Board to work on the issue and the staff to work with CHP to determine the cost to sustain the clinic in the future.

The meeting is adjourned. (8:30 PM)

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Mayor

ATTEST:

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Town Clerk

WEST YELLOWSTONE TOWN COUNCIL  
**Work Session & Town Council Meeting**  
**February 19, 2013**

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, and Doc Stewart, Pierre Martineau, and Tom Cheroniak

OTHERS PRESENT: Finance Director Lanie Gospodarek, Public Services Superintendent James Patterson, Chief of Police Gordon Berger, MDOT Traffic Operations Engineer Danielle Bolan, Butte District Traffic Engineer Lee Alt, Executive Director for the WY Chamber of Commerce Marysue Costello, Eva Eagle

The meeting is called to order by Mayor Jerry Johnson at 6:00 PM in the Povah Community Center

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.

### **WORK SESSION**

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Danielle Bolan and Lee Alt of the Montana Department of Transportation are present to discuss the proposed changes to the intersection of Yellowstone and Canyon Street. Bolan and Alt distribute design drawings of the proposed improvements which will include a streetlight and turning lanes. Bolan describes the preliminary design and the reasons for the location of the proposed signals and turning lanes. She also explains that they received a call from Lee Sargent on behalf of the new veteran's memorial regarding the two parking spaces on the south side of Yellowstone in front of the Memorial, east of the intersection. Bolan says they have a couple options including eliminating those parking spaces, short-term parking, or restricting high-profile vehicles. Marysue Costello, Executive Director for the West Yellowstone Chamber of Commerce, says that often all that is parked in those spaces are advertising vehicles which don't move throughout the day. Alt requests that when they do decide what they want to do with the parking in that area that they do it by ordinance so it is enforceable. The group asks various questions about the proposed design. Public Services Superintendent James Patterson says that at one time they discussed installing bridges to mount the traffic signal lights and questions if that is still being considered. Bolan says that they will require less right-of-way if they just use poles with mast arms. She says that if one of the poles gets hit, it is much easier to replace a pole instead of a bridge. Bolan says that at this time the signal project is scheduled for the fall of 2014 and they expect to pave Canyon Street at the same time. However, if they acquire additional funding or need more projects, paving Canyon Street could be moved up to 2013. The group discusses the signage that will be associated with the project. Bolan and Alt describes the directional signs and guide signs that will be installed to direct traffic to Yellowstone National Park. Schmier asks how this design will affect Eagles Store and Service Station. Bolan says that they believe they can implement this install in the existing right-of-way but they will have to alter the "lay downs" which will make the approach to the outer gas pumps a little more restrictive. She explains that they think it will still be accessible for cars but they will just have to have a slightly longer approach. She says that the canopy over the pumps is in the public right-of-way and they still need to research whether there is an existing encroachment permit for that canopy. Eva Eagle asks Bolan to explain how the canopy could be affected. She says that they think they can still implement this design without affecting the canopy. If there is not an encroachment permit on file, it will most likely just be a matter of doing that proper paperwork for that permit, especially considering how long the structure has been in place. Alt explains that when they finish the final design plans and cadastral survey, they will be able to mark exactly where everything will be. Costello asks if there will be any changes in traffic patterns at Madison and Firehole for traffic that comes from the north. Alt answers that other than making the curbs ADA compliant, there will be no changes and the traffic patterns will not change. Mayor Johnson thanks Bolan and Alt for coming and indicates that they will have a work session in the near future to discuss the parking in front of the veteran's memorial and striping on South Canyon.

### **ACTION TAKEN**

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- 1) Motion carried to pay the claims, which total \$59,716.53. (Stewart, Schmier)
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the February 5, 2013 Town Council Meeting and the February 12, 2013 Work Session. (Schmier, Stewart)
- 3) Motion carried to approve the new business license application for Big Sky Distributing, LLC. (Stewart, Schmier)
- 4) Motion carried to approve the request from the Community Assessment Action Team to wrap the Town-owned trash receptacles, recycling bins, and transformers in the downtown area with decorative vinyl wraps. (Stewart, Cherhoniak)
- 5) Motion carried to approve the Marketing & Promotions Advisory Board Award Recommendations for Race, Inc. dba Rendezvous Race for \$4,862 and for the 2013 Earth Day Celebration for \$4,830. (Schmier, Stewart)
- 6) Motion carried to adopt Ordinance No. 246-A, renewal of the sign reimbursement program, on its second reading. (Stewart, Cherhoniak)
- 7) Motion carried to approve Resolution No. 630, a resolution to amend the FY 2013 budget to reflect the extension of the sign reimbursement program. (Stewart, Cherhoniak)
- 8) Motion carried to table the Mutual Aid Agreement between the Town of West Yellowstone and the Fremont County Sheriff's Department of St. Anthony, Idaho, until the appropriate changes are made, it has been reviewed by legal counsel, and they determine if there is an existing agreement in effect. (Stewart, Cherhoniak)
- 9) Motion carried to appoint Rocky Hermanson to the Library Board of Trustees. (Cherhoniak, Schmier)
- 10) Motion carried to appoint Tom Cherhoniak to serve as the Town Council Representative on the Healthcare Services Advisory Board. (Stewart, Schmier). Cherhoniak abstains.

### **Council Comments**

Stewart mentions how much he appreciates the sledding hill in Pioneer Park and says there were at least 15 kids on it the other day. He says that he and his granddaughter had a great time on it.

### **Public Comment Period**

West Yellowstone News Editor Abbie Tumbleson says that the draft Winter Environmental Impact Statement will be released this Friday at 10:30 AM at a community meeting at the Chamber.

- A) **Department Head Reports:** In the absence of the Operations Manager, the department heads briefly report on current issues. PSS James Patterson reports that they have been working on building the snow cross track in anticipation of the upcoming snowmobile expo, installing water meters, and they put a new grease interceptor in the school. COP says he has nothing new to report. FD Lanie Gospodarek reports that the audit is nearly wrapped up, they are progressing on the new Town website. Schmier asks about the Police Sergeant hiring process. Berger says they are still doing some background checks and psychological evaluations on the candidates.

- 4) Kristy Coffin addresses the Council on behalf of the Community Assessment Action Team. She explains that they are proposing to “wrap” the trash and recycle bins with decorative vinyl wraps in the downtown area to improve ambiance and community pride. The company, Clean Slate, that produces the wraps is based in Bozeman. They intend to hold a competition in the school to design the wraps for the recycle bins. They will also solicit designs from other artists for the other bins but will require that the art reflects historical activities, wildlife, or pertains to West Yellowstone. The CAAT has applied for funding for the project through the Marketing and Promotions Fund. That funding has been approved by the MAP Advisory Board but first needed to obtain permission from the Town. The wraps are guaranteed for the first year and after that it will be the responsibility of the Town to replace or repair the wraps.
- 7) Finance Director Lanie Gospodarek explains that the funding for this program is coming out of the general fund balance, meaning that they are not taking money for any other budget but they are reducing the fund balance for the general fund.
- 8) Berger explains that this agreement is based on an expired agreement from 1988. He says they do need to adjust the liability insurance requirement from \$1,000,000 to \$750,000. He explains that this agreement is based on one from 1988, but he does not know if it was actually signed. Johnson asks if legal counsel has reviewed the agreement but in the absence of the Operations Manager no one present knows. The Council opts to table the approval of the agreement until they can get answers to these questions.

The meeting is adjourned. (8:00 PM)

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Mayor

ATTEST:

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Town Clerk