

Town of West Yellowstone

WEDNESDAY, September 6, 2017

West Yellowstone Town Hall, 440 Yellowstone Avenue

TOWN COUNCIL MEETING

7:00 PM

Pledge of Allegiance

Purchase Orders: #6752 to Big Sky Fence, chain link fence, Pioneer Park, \$14,221
#6753 to Billion Dodge, 2018 2500 SLT 4 x 4, \$37,263

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **Minutes of the August 15, 2017 Town Council Meeting** ∞

Business License Applications ∞

- Blue Ribbon Bungalow
- Markov Rentals

Advisory Board Report(s)

Town Manager & Department Head Reports

Comment Period

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

NEW BUSINESS

Workforce Drug and Alcohol Testing Policy

Discussion/Action ∞

Correspondence/FYI/Meeting Reminders

- 2017 Mail Ballot Plan



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 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 8-28-2017

Ship Via 4000 - 430200 - 944

Order No. **006753**

Department Public Services

TO: Billion Dodge

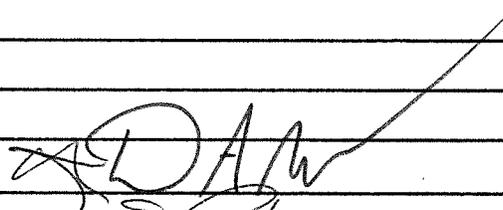
ADDRESS: 355 Automotive Ave

Bozeman MT 59718-7508

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
1	2018 2500 SLT 4x4

Estimated Cost \$ 37,263⁰⁰

Authorized By 

Requested By: 

VENDOR COPY - White OFFICE COPY - Canary

BILLION DODGE-CHRYSLER JEEP
 355 AUTOMOTIVE AVE
 BOZEMAN, MT 597187508

Priced Order Confirmation (POC)

Date Printed: 2017-08-28 10:03 AM VIN: Quantity: 01
 Estimated Ship Date: VON: 39644687 Status: BX - Good order available for scheduling
 Date Ordered: 2017-08-03 4:43 PM Ordered By: S89558B FAN 1: 00REQ Gallatin County Sheriff
 FAN 2:
 Date Modified: 2017-08-09 11:03 AM Modified By: S89558B Client Code:
 Bid Number: TB8174
 PO Number:
 Sold to: BILLION DODGE-CHRYSLER JEEP (68141) Ship to: BILLION DODGE-CHRYSLER JEEP (68141)
 355 AUTOMOTIVE AVE 355 AUTOMOTIVE AVE
 BOZEMAN, MT 597187508 BOZEMAN, MT 597187508

Vehicle: 2018 2500 SLT CREW CAB 4X4 (149 in WB 6FT 4 IN box) (DJ7H91)

	Sales Code	Description	MSRP(USD)
Model:	DJ7H91	2500 SLT CREW CAB 4X4 (149 in WB 6FT 4 IN box)	44,045
Package:	22G	Customer Preferred Package 22G	0
	ESA	6.4L Heavy Duty V8 HEMI with MDS	500
	DFP	6-Spd Automatic 66RFE Transmission	0
Paint/Seat/Trim:	PW7	Bright White Clear Coat	0
	APA	Monotone Paint	0
	*SX	Work Grade Vinyl 40/20/40 Bench Seat	195
	-X8	Black/Diesel Gray	0
Options:	AD2	Snow Chief Group	845
	CKJ	Black Vinyl Floor Covering	0
	LNJ	Fog Lamps	195
	NAS	50 State Emissions	0
	NHK	Engine Block Heater	95
	XB9	RamBox Cargo Management System	1,295
	XMF	Spray in Bedliner	495
	XXS	Upfitter Electronic Module (VSIM)	345
	YEP	Manuf Statement of Origin	0
	3AH	Price Protection - Code H	0
	4FM	Fleet Option Editor	0
	4ES	Delivery Allowance Credit	0
	2SQ	FCA Fleet Powertrain Care	0
	YG2	5.2 Additional Gallons of Gas	0
	4FT		0
	5N6	Easy Order	0
	4FT	Fleet Sales Order	0
	4EA	Sold Vehicle	0
Non Equipment:	4KA	Special Bid Handling	0
	4FA	Special Bid-Ineligible For Incentive	0
	4DH	Prepaid Holdback	0
	MAF	Fleet Purchase Incentive	0
Bid Number:	TB8174	Government Incentives	0
Destination Fees:			1,395

Total Price: 49,405

37,263

includes tonneau cover

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

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. **006752**

Department *Public Services*

TO: *Big Sky Fence*

ADDRESS: *P.O. Box 3671*

Bozeman, MT 59712

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
1	<i>Chain link fence on West & North side of Basketball court</i>

Estimated Cost \$ *14,221.⁰⁰*

Authorized By

Requested By:



VENDOR COPY - White OFFICE COPY Canary

BIG SKY FENCE
KIM WINTERS OWNER

bigskyfence@live.com
406-586-8133

WE HEREBY SUBMIT SPECIFICATIONS AND BID TO ;

James Patterson
Town Of West Yellowstone
406-640-9074

10' Chain Link Fence : Town Of West Yellowstone (Per. Walkthrough James)
2 7/8" Post Line , End , Corner
1 5/8" Top, Middle, Bottom Rail
10' Chain Link Mesh 9ga.

Concrete Pad will be Core Drilled 6" Diameter / With Post set with non- Shrinking Grout .

TOTAL \$14,221.00

HALF DOWN BALANCE ON COMPLETION . YES \$7,110.00

ACCEPTANCE OF PROPOSAL : THE ABOVE PRICES, SPECIFICATIONS ARE SATISFACTORY AND ARE ACCEPTED.
OUR WORKERS ARE FULLY COVERED BY WORKERS COMPENSATION INSURANCE AND BIG SKY FENCE CARRIES \$1,000,000.00
CONTRACTORS LIABILITY INSURANCE.

ACCEPTANCE _____ SIGNATURE _____

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 1 of 9
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43559	2575 WY Tourism Business Improvement 09/01/17 Collected August 2017	48,655.20 48,655.20		TBID	2102 411800	540	101000
43562	2845 Kasting, Kauffman & Mersen, PC 08/18/17 legal services 08/18/17 postage/copies 08/18/17 overpayment (credit) 08/18/17 travel	11,184.43 10,955.00 103.59 -80.00 205.84		LEGAL	1000 411100	352 870 352 373	101000 101000 101000 101000
43563	1089 Gallatin County Treasurer Aug 2017 08/31/17 Tech surcharge Aug 2017 08/31/17 MLEA Aug 2017 08/31/17 Public Defender Aug 2017 08/31/17 Victims Assistance	1,416.00 520.00 600.00 124.00 172.00		COURT	7458 212200 7467 212200 7468 212200 7699 212200		101000 101000 101000 101000
43566	2852 Blackfoot Communications 09/15/17 602-4908, povah center 09/15/17 646-5106, fax soc svc 09/15/17 646-5119, police station 09/15/17 646-5141, sewer plant alarm 09/15/17 646-5185, town hall alarm 09/15/17 646-7311, social services 09/15/17 646-7481, povah elevator 09/15/17 646-7511, town hall fax 09/15/17 646-7609, public works 09/15/17 646-7650, police station fax 09/15/17 646-7715, povah center 09/15/17 646-7795, town hall 09/15/17 646-7845, court clerk 09/15/17 646-9017, library 09/15/17 646-9027, sewer plant alarm 09/15/17 ethernet, library 09/15/17 ethernet, povah center 09/15/17 ethernet, police station 09/15/17 ethernet, town hall	1,645.92 5.00 1.10 1.10 1.10 46.65 1.10 1.10 32.18 1.10 31.85 234.95 12.14 41.85 1.10 280.67 310.00 361.16 280.67		POVAH SOCSRV POLICE SEWER TWNHAL SOCSRV POVAH TWNHAL SEWER POLICE POVAH TWNHAL COURT LIBRAR SEWER LIBRAR POVAH POLICE TWNHAL	1000 411255 1000 450135 1000 420100 5310 430600 1000 411250 1000 450135 1000 411255 1000 411250 5310 430600 1000 420100 1000 411255 1000 411250 1000 410360 2220 460100 5310 430600 2220 460100 1000 411255 1000 420100 1000 411250	345 345 345 345 345 345 345 345 345 345 345 345 345 345 345 345 345 345 345 345	101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000
43568	1514 Verizon Wireless 13 Smartphones 6 regular phones 3 laptops	1,651.49					
	09/20/17 640-0108, Police 09/20/17 640-0121 Laptop 09/20/17 640-0141 Street SP 09/20/17 640-1103, Operator SP 09/20/17 640-1438, SS Director	59.84 40.01 59.84 59.84 28.16		SOCSER STREET STREET STREET SOCSER	1000 420100 1000 430200 1000 420100 1000 430200 1000 450135	345 345 345 345 345	101000 101000 101000 101000 101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
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For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 2 of 9
Report ID: AP100

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	09/20/17	640-1460, Library Dir, SP	59.84		LIBRAR	2220 460100	345	101000
	09/20/17	640-1461, Facilities Tech, SP	59.84		WATER	5210 430500	345	101000
	09/20/17	640-1462, Operator, SP	59.84		WATER	5210 430500	345	101000
	09/20/17	640-1463, Deputy PSS, SP	59.84		SEWER	5310 430600	345	101000
	09/20/17	640-1472, Ops Mgr, SP	59.84		ADMIN	1000 410210	345	101000
	09/20/17	640-1676, Rec Coord, SP	59.84		REC	1000 460440	345	101000
	09/20/17	640-1754, COP, SP	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-1755, Police	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-1756, Police	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-1757, Police	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-1758, Police, SP	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-1759, Police	59.84		POLICE	1000 420100	345	101000
	09/20/17	640-7547, Facilities Tech SP	59.84		PARKS	1000 460430	345	101000
	09/20/17	640-9074, PSS, SP	59.84		SEWER	5310 430600	345	101000
	09/20/17	COP laptop	40.01		POLICE	1000 420100	345	101000
	09/20/17	683 laptop	46.21		POLICE	1000 420100	345	101000
	09/20/17	Equipment returns	0.00		STREET	1000 430200	220	101000
	09/20/17	new phone	419.99		LIB	1000 410210	212	101000
	09/20/17	640-0159 STREET SP	59.83		STREET	1000 430200	345	101000
43569		2813 Century Link	1,529.58					
	09/19/17	DSL Pub Serv Office 646-7949	0.00		BLDINS	1000 430200	345	101000
	09/19/17	Police 646-7600	334.43		POLICE	1000 420100	345	101000
	09/19/17	E911 Viper 646-5170	98.12		E911	2850 420750	345	101000
	09/19/17	E911 255-9710	998.70		E911	2850 420750	345	101000
	09/19/17	E911 255-9712	25.29		E911	2850 420750	345	101000
	09/19/17	Alarm Lines, 646-5185	73.04		TWNHAL	1000 411250	345	101000
43571		42 Fall River Electric	8,382.74					
	09/20/17	UPDH 4212041 elec service	314.02		UPDH	1000 411252	341	101000
	09/20/17	POLICE 4212008 elec service	131.35		POLICE	1000 411258	341	101000
	09/20/17	shop 4212018 elec service	79.52		STREET	1000 430200	341	101000
	09/20/17	ANIMAL 4212029 elec serv	47.84		ANIMAL	1000 440600	341	101000
	09/20/17	PARK 4212032 Elec ser	65.89		PARK	1000 411253	341	101000
	09/20/17	PARK 2901001 elec serv	226.13		PARK	1000 411253	341	101000
	09/20/17	CLORINATOR 4212030 elec serv	41.78		WATER	5210 430500	341	101000
	09/20/17	MAD ADD WATER 4212017	50.11		WATER	5210 430500	341	101000
	09/20/17	PUMP 4212005 elec serv	308.72		WATER	5210 430500	341	101000
	09/20/17	SEWER LIFT STATION 4212006	316.07		SEWER	5310 430600	341	101000
	09/20/17	SEWER PLANT 4212007 elec ser	1,487.43		SEWER	5310 430600	341	101000
	09/20/17	MAD SEWER LIFT 4212014 elec	96.00		SEWER	5310 430600	341	101000
	09/20/17	SEWER TREAT SERV 4212046 ele	2,731.45		SEWER	5310 430600	341	101000
	09/20/17	library 23 dunraven 4212054	229.04		LIBRY	1000 411259	341	101000
	09/20/17	povah comm ctr 4212001	60.19		POVAH	1000 411255	341	101000
	09/20/17	unmetered lights 4212004	1,451.25		STLITE	1000 430263	341	101000
	09/20/17	Town Hall 4212009	548.68		TWNHAL	1000 411250	341	101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 3 of 9
Report ID: AP100

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	09/20/17	Ice Rink 421010	42.60		PARKS	1000 411253	341	101000
	09/20/17	Hayden/Grouse Well 4212015	38.93		WATER	5210 430500	341	101000
	09/20/17	Electric Well 4212031	115.74		WATER	5210 430500	341	101000
43574		95 Energy West-Montana	761.32					
	08/29/17	nat gas 210361788 updl	222.90		UPDH	1000 411252	344	101000
	08/29/17	nat gas 210360293 Police	21.60		POLBLD	1000 411258	344	101000
	08/29/17	nat gas 210361746 Pub Services	55.19		STREET	1000 430200	344	101000
	08/29/17	nat gas 210361811 old firehall	19.20		PARK	1000 460430	344	101000
	08/29/17	nat gas 210363966 old bld ins	18.00		STREET	1000 430200	344	101000
	08/29/17	nat gas 210360540 library	21.60		LIBBLD	1000 411259	344	101000
	08/29/17	nat gas 210364599 Povah	184.59		POVAH	1000 411255	344	101000
	08/29/17	nat gas 210361697 Iris Lift St	30.00		PUBSVC	1000 430200	344	101000
	08/29/17	nat gas 210365425 TwN Hall	165.43		TWNHAL	1000 411250	344	101000
	08/29/17	nat gas 210361655 Mad Add Sewe	22.81		SEWER	5310 430600	344	101000
43575		3058 Lake County Justice Court	1,000.00					
	08/30/17	pass thru, Victor L. Gonzalez	1,000.00		COURT	7469 213000		101000
43576		489 MSE ANALYTICAL LABORATORY	852.75					
	1706136	08/29/17 H2O samples	139.50		WATER	5220 430530	939	101000
	170736	08/29/17 H2O samples	713.25		WATER	5220 430530	939	101000
43577		2993 Land Solutions, LLC	4,069.99					
	08/30/17	Growth Policy update, 6.75 hrs	624.37		PLAN	1000 411000	357	101000
	08/30/17	Zoning update, 1 hour	92.50		PLAN	1000 411000	357	101000
	08/30/17	Subdivisions update, 36.25 hrs	3,353.12		PLAN	1000 411000	357	101000
43578		2854 Kenco Security and Technology	82.50					
	1397118	07/01/17 alarm monitoring, Town Hall	82.50		TWNHAL	1000 411250	357	101000
43579		2925 Daniel Sabolsky	159.66					
	08/30/17	BZN 8/22 meet w Think Tank	95.23		ADMIN	1000 410210	370	101000
	08/30/17	Mammoth 8/28 meet w YNP	64.43		ADMIN	1000 410210	370	101000
43580		75 Montana League Cities/Towns	1,280.00					
	08/31/17	conf regis 2017 Roos	160.00		FINADM	1000 410510	380	101000
	08/31/17	conf regis 2017 Gospodarek	160.00		FINADM	1000 410510	380	101000
	08/31/17	conf regis 2017 L. Johnson	160.00		FINADM	1000 410510	380	101000
	08/31/17	conf regis 2017 Schmier	160.00		LEGIS	1000 410100	380	101000
	08/31/17	conf regis 2017 J. Johnson	160.00		LEGIS	1000 410100	380	101000
	08/31/17	conf regis 2017 Sabolsky	160.00		ADMIN	1000 410210	380	101000
	08/31/17	conf regis 2017 Patterson	160.00		STREET	1000 430200	380	101000
	08/31/17	conf regis 2017 Martineau	160.00		LEGIS	1000 410100	380	101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 4 of 9
Report ID: AP100

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43581		2815 Sherwin Williams Co. OE0058975A 07/10/17 street paint, 80 gall yell		1,807.20 1,807.20		STREET	2820 430200	368	101000
43582		192026-01 08/10/17 cleaners	162 House of Clean	150.26 150.26		PARKS	1000 460430	220	101000
43583		16164 08/08/17 coolant	2635 Jake's Automotive and Tire	19.95 19.95		STREET	1000 430200	361	101000
43584		1842937 08/22/17 annual maint, meter reader	471 Northwest Pipe Fittings, Inc.	850.00 850.00		WATER	5210 430500	357	101000
43585		5428 08/14/17 haul snow blower to BZN	2455 Tri State Excavating, LLC	840.00 840.00		STREET	1000 430200	398	101000
43586		AB17-1085 08/03/17 mag chloride	3059 Chemical Industries Inc.	5,146.00 5,146.00		GASTAX	2820 430243	931	101000
43587		89305419 08/07/17 6 picnic tables for pavilion	3060 ULINE	5,918.82 5,918.82		PARKS	1000 460430	212	101000
43588		ToWY 06/17/17 court recording system install	3061 Pathway AV Integration	13,003.81 10,504.75		COURT	4000 410360	945	101000
		ToWY 06/17/17 laptop + accessories		1,640.40		COURT	4000 410360	945	101000
		ToWYperdie 08/27/17 travel		858.66		COURT	4000 410360	945	101000
43589		081817/02 08/10/17 Rx	2507 Silvertip Pharmacy	212.22 30.00		HELP	7010 450135	358	101000
		081417/01 08/14/17 Rx		40.00		HELP	7010 450135	358	101000
		081717/01 08/17/17 Rx		48.00		HELP	7010 450135	358	101000
		080817/01 08/08/17 Rx		35.90		HELP	7010 450135	358	101000
		080217/02 08/02/17 Rx		20.19		HELP	7010 450135	358	101000
		080217/01 08/02/17 Rx		38.13		HELP	7010 450135	358	101000
43590		MAPVIC17-2 06/09/17 VIC support FY 16-17 MAP	547 WY Chamber of Commerce	5,273.30 5,273.30		MAP	2101 410130	398	101000
43591		INV341750 08/16/17 Kyocera 3552 color copier	29 Terrell's Office Machines Inc	10,500.00 10,500.00		FINADM	4000 410500	947	101000

09/01/17
17:39:43

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Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 5 of 9
Report ID: AP100

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43592			951 Barnes & Noble	271.74					
	3516129	08/13/17 books		127.83		LIB	2220 460100	215	101000
	3516130	08/13/17 books		143.91		LIB	2220 460100	215	101000
43593			1331 West Yellowstone Foundation	80.00					
		08/17/17 bus vouchers x 8, apr-jun 17		80.00		HELP	7010 450135	370	101000
43594			2099 Quick Print of West Yellowstone	94.99					
	9079	08/16/17 500 window envelopes		73.00		FINADM	1000 410510	220	101000
	8980	07/17/17 ink		21.99		REC	1000 460440	216	101000
43595			171 Montana Food Bank Network	688.90					
	AOR99851	08/17/17 commodities		166.00		HELP	7010 450135	220	101000
	AOR99861	08/17/17 commodities		522.90		HELP	7010 450135	220	101000
43596			999999 AMY SCHMIER	350.00					
		08/12/17 refund deposit, PCC		350.00		POVAH	2210 214001		101000
43597			379 Energy Laboratories, Inc	437.00					
	86192	06/23/17 wastewater samples		437.00		SEWER	5310 430640	354	101000
43598			1226 A-Core	5,740.00					
	287153	08/11/17 curb cuts + travel		2,005.00		SDWLKS	2820 430262	365	101000
	287099	08/04/17 saw approaches + travel		3,735.00		SDWLKS	2820 430262	365	101000
43599			764 General Distributing Co.	48.98					
	559188	07/31/17 compressed O2		48.98		STREET	1000 430200	220	101000
43600			2221 Thomson Reuters-West	216.00					
	836113980	06/26/17 MT Rules of State		216.00		COURT	1000 410360	215	101000
43601			1755 MJC & MCCA	35.00					
		08/31/17 court clerk assoc dues		35.00		COURT	1000 410360	335	101000
43602			3020 COLJ Conference Registration -	550.00					
		08/31/17 conf regis, Parker		250.00		COURT	1000 410360	335	101000
		08/31/17 conf regis, Brandis		300.00		COURT	1000 410360	335	101000
43603			2539 Montana LTAP	100.00					
		08/10/17 flagger train, Coffin-VanLeeuw		100.00		STREET	1000 430200	380	101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 6 of 9
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43604	999999 JULIO IVAN RUIZ-GALVAN 08/16/17 bond refund TK-2016-430	50.00 50.00		COURT	7469 212401		101000
43605	2751 Gallatin County Justice Court 08/14/17 pass thru: Matthew Jay Morris TK-100-2017-2478	405.00 405.00		COURT	7469 213000		101000
43606	146 Morrison-Maierle, Inc 28245 08/09/17 annual anti-virus 4/17-3/18	324.00 324.00		FINADM	1000 410510	356	101000
43607	2764 HD Supply Waterworks, Ltd. H613590 08/10/17 duralast undipped warning pla H592289 08/07/17 duralast undipped warning pla H708662 08/25/17 clamps, nippl	7,376.40 3,676.32 3,676.32 23.76		GASTAX GASTAX STREET	2820 430262 2820 430262 1000 430200	365 365 369	101000 101000 101000
43608	2866 Blue Heron Design-Build, Inc. pavilion 2 08/01/17 pavilion-labor & materials bathroom 3 08/15/17 park bathrooms exterior-la	11,828.13 4,546.13* 7,282.00*		PARKS PARKS	4000 460430 4000 460430	920 920	101000 101000
43609	3062 Olivia Gospodarek 09/01/17 Theater Week 2017	500.00 500.00*		SUMREC	1000 460449	357	101000
43610	2654 Community Health Partners 08/06/17 medical service	214.00 214.00		HELP	7010 450135	351	101000
43611	2991 West Yellowstone Star 1756 08/09/17 public hearing, budget	64.00 64.00		ADMIN	1000 410210	327	101000
43612	3028 Daniel Palmer 08/13/17 reimb travel, Billings trainin	304.64 304.64		POLICE	1000 420100	370	101000
43613	2658 Delfino Salinas 08/11/17 interpretation services	75.00 75.00		COURT	1000 410360	394	101000
43614	2484 Montana Outdoor Science School 08/11/17 Povah deposits refunds	700.00 700.00		POVAH	2210 214001		101000
43615	1140 Sagebrush Floral 647287 08/21/17 flowers	67.92 67.92		LIB	2220 460100	398	101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 7 of 9
Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43616	2977 Staples Credit Plan	668.86					
	08/11/17 office supplies	375.18		DISPAT	1000 420160	220	101000
	08/11/17 office supplies	293.68		SOCSEB	1000 450135	220	101000
43617	73 Westmart Building Center	3,571.45					
	08/27/17 Street Buildings	71.87		STREET	1000 430200	366	101000
	08/27/17 Street Supplies	166.69		STREET	1000 430200	220	101000
	08/27/17 water	132.64		WATER	5210 430500	220	101000
	08/27/17 UPDL	82.84		UPDL	1000 411252	220	101000
	08/27/17 Town Hall	68.25		TWNHL	1000 411250	366	101000
	08/27/17 Povah Center	85.16		POVAH	1000 411255	220	101000
	08/27/17 Parks Grounds	1,385.29		PARKS	1000 460430	365	101000
	08/27/17 Parks Supplies	48.47		PARKS	1000 460430	220	101000
	08/27/17 Parks Buildings	30.46		PARKS	1000 460430	366	101000
	08/27/17 Cemetery	13.28		CEMET	2240 430900	220	101000
	08/27/17 Clinic	16.13		CLINIC	1000 411251	366	101000
	08/27/17 Park Restroom	1,450.80*		RESTR	4000 460430	920	101000
	08/27/17 Mobile Stage	19.57		STAGE	1000 411040	354	101000
43618	533 Market Place	39.72					
	07/31/17 supplies	34.60		SUMREC	1000 460449	220	101000
	07/31/17 supplies	5.12		STREET	1000 430200	220	101000
43619	2921 Morgan Pavement	173,092.59					
	J007401 08/23/17 slurry seal, Mad Add	174,841.00		GASTAX	2820 430243	931	101000
	J007401 08/23/17 1% MT Contractors tax	-1,748.41		GASTAX	2820 430243	931	101000
43620	999999 OKSOUNA DYDYK	165.00					
	09/01/17 translation services, 5.5 hour	165.00		COURT	1000 410360	394	101000
43621	2733 James Patterson	12.00					
	09/01/17 jury duty 9/1/17	12.00		COURT	1000 410360	394	101000
43622	999999 LAUREN ANDERSON	12.00					
	09/01/17 jury duty 9/1/17	12.00		COURT	1000 410360	394	101000
43623	999999 RICHARD BARTLETT	12.00					
	09/01/17 jury duty 9/1/17	12.00		COURT	1000 410360	394	101000
43624	999999 TRACEY NICHOLS	12.00					
	09/01/17 jury duty 9/1/17	12.00		COURT	1000 410360	394	101000

09/01/17
17:39:43

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/17
For Pay Date: 09/01/17

Page: 8 of 9
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
43625		999999 BEATRICE HAYWARD 09/01/17 jury duty 9/1/17		12.00 12.00		COURT	1000 410360	394	101000
43626		999999 EDINE ALEXANDER 09/01/17 jury duty 9/1/17		12.00 12.00		COURT	1000 410360	394	101000
43627		2994 Joshawa Van Leeuwen 09/01/17 jury duty 9/1/17		12.00 12.00		COURT	1000 410360	394	101000
43628		999999 MARY LOUISE KENNEDY 09/01/17 jury duty 9/1/17		12.00 12.00		COURT	1000 410360	394	101000
43629		999999 BRON HANSEN 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43630		999999 JON GFELLER 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43631		999999 ALLYSON GFELLER 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43632		999999 LINDA JEHLE 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43633		999999 TIM WHITMAN 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43634		999999 DEBBIE PAISLEY 09/01/17 jury duty 9/1/17		25.00 25.00		COURT	1000 410360	394	101000
43635		2377 Kathleen Brandis 09/01/17 travel, Judge training, Missou		205.56 205.56		COURT	1000 410360	370	101000
43636		2903 Kerry Parker 09/01/17 travel, Clerk training, Missou		335.12 335.12		COURT	1000 410360	370	101000
			# of Claims	70	Total:	335,239.14			

Fund/Account	Amount
1000 General Fund	
101000 CASH	\$36,660.77
2101 Marketing & Promotions (MAP)	
101000 CASH	\$5,273.30
2102 TBID (Tourism Business Improvement	
101000 CASH	\$48,655.20
2210 Parks & Recreation	
101000 CASH	\$1,050.00
2220 Library	
101000 CASH	\$722.02
2240 Cemetery	
101000 CASH	\$13.28
2820 Gas Tax Apportionment	
101000 CASH	\$193,138.43
2850 911 Emergency	
101000 CASH	\$1,122.11
4000 Capital Projects/Equipment	
101000 CASH	\$36,782.74
5210 Water Operating Fund	
101000 CASH	\$1,657.60
5220 Water Replacement Depreciation Fund	
101000 CASH	\$852.75
5310 Sewer Operating Fund	
101000 CASH	\$5,244.82
7010 Social Services/Help Fund	
101000 CASH	\$1,195.12
7458 Court Surcharge HB176	
101000 CASH	\$520.00
7467 MT Law Enforcement Academy (MLEA)	
101000 CASH	\$600.00
7468 Public Defender Fee	
101000 CASH	\$124.00
7469 City Court - Judge Brandis	
101000 CASH	\$1,455.00
7699 Victims Assistance Program	
101000 CASH	\$172.00
Total:	\$335,239.14

WEST YELLOWSTONE TOWN COUNCIL
Town Council Meeting
August 15, 2017

COUNCIL MEMBERS PRESENT: Mayor Jerry Johnson, Brad Schmier, Pierre Martineau, Cole Parker, Greg Forsythe

OTHERS PRESENT: Town Manager Daniel Sabolsky, Finance Director Lanie Gospodarek, Assistant Public Services Superintendent David Arnado, Chief of Police Scott Newell, Social Services Director Kathi Arnado

WY Star Editor Dustin Jones, Richard and Teri Gibson, Helene Rightenour, Tanner Metizel, Denice Sabolsky, Bob Patkze, Moria Dow, Katrina Wiese, Marysue Costello, Fire Chief Shane Grube, Randy Wakefield, John Greve, Randy Wakefield

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

Portions of the meeting are being recorded.

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

ACTION TAKEN

- 1) Motion carried to approve purchase order #6750 to Terrell's Office Machines to purchase a new copier/printer for \$10,500. (Parker, Schmier)
- 2) Motion carried to approve the claims, which total \$407,840.14. (Parker, Forsythe) Forsythe abstains from #43512, Schmier abstains from #43543.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the August 1, 2017 Town Council Meeting and August 8, 2017 Town Council Work Session. (Forsythe, Parker)
- 4) Motion carried to approve the new Business License application and Conditional Use Application for MT Metal Works. (Forsythe, Parker)
- 5) Motion carried to approve the Marketing and Promotions Fund Award Applications for the Yellowstone Rendezvous Race 2018 for \$4211.50 and Yellowstone Ski Festival Advertising for \$2500.00. (Parker, Schmier)
- 6) Motion carried to join Yellowstone National Park to acquire the biosphere designation by the United Nations as a World Heritage Site. (Johnson, Parker)
- 7) Motion carried to direct Town Manager Dan Sabolsky to send a letter to Montana Department of Transportation and request crosswalk lines and possibly flashing lights at the intersections of Highway 20 with Electric Street and Dunraven. (Schmier, Johnson)
- 8) Motion carried to approve the Employee Personnel Policy Manual dated August 15, 2017. (Forsythe, Parker) See next motion.
- 9) Motion carried to approve the Employee Personnel Policy Manual dated August 15, 2017, effective August 31, 2017. (Forsythe, Parker)
- 10) Motion carried to approve Resolution No. 703, a resolution setting the mill levy for FY 2017-2018 for the Town of West Yellowstone. (Forsythe, Parker)
- 11) Motion carried to approve Resolution No. 704, a resolution adopting the FY 2017-2018 municipal budget. (Parker, Forsythe)

- 12) Motion carried to approve Resolution No. 705, a resolution notifying the Gallatin Election Administrator of the Town's desire to conduct the 2017 City General Election by mail ballot. (Parker, Forsythe) See next motion.
- 13) Secondary motion carried to approve Resolution No. 705 but change the number of days prior to election that the ballots will be mailed to electors from 15 days to 25 days. (Parker, Forsythe)

Public Comment Period

Don Perry of Black Mountain Productions reports that they hooked up the stage to the Ford F-550 that is owned by Westmart on Wednesday evening. They determined right away that the hitch was very low to the ground and they ended up welding and bracing it up to make the trip to Bozeman. He says they made it to Bozeman without issue and observed the setup and use of the stage the next day. They returned to West the next day and learned a lot about use and operation of the stage. They are planning to reinforce the hitch on the truck to make sure it pulls safely.

Penny Freppon, a summer resident, introduces herself and explains that she was an educator for many years and a teacher/educator at the University of Cincinnati. A few weeks ago, she observed some t-shirts on the street that were very obscene and offensive. She says that she and her friend, a year round resident, have made complaints to the Police Department and the Town Manager. She asks the Council to review State and Local codes and encourages the Council to not allow such behavior. Sabolsky says he has a meeting scheduled later this week with the manager of the two stores that were mentioned.

Council Comments

Council Member Parker says that he met Wyoming congressman and had a good discussion about transportation into Yellowstone and the effect on neighboring properties.

Parker says he took a call from a realtor this week who indicated that there is a hotel developer that would like to purchase historic property to build a hotel. He says that he was very concerned about losing historic property to a developer. Johnson says that he and Sabolsky did meet with a hotel developer who did ask about some historic property, but he stated that it was his opinion that it was very unlikely that the Town would sell historic property.

Forsythe asks about the meeting between Johnson and Schmier and the potential new owner of the "Moonrise Property", the 21 acres at the northwest corner of the Madison Addition that is zoned R-4, medium density. Johnson and Schmier explain that they did explain that there is a need for entry and mid-level housing. Both council members indicate that the potential owner did not reveal what his specific plans were but asked a lot of questions about development standards, easements, green space, and even putting in a pond.

Johnson asks everyone to keep Roxy McLaughlin, Clyde Whitman, and Susan Whitesides in their thoughts and prayers as they are all facing significant health issues.

PUBLIC HEARINGS

MT Metal Works, 315 Geyser Street, Conditional Use Application

Mayor Johnson opens the hearing and reads the hearing notice. The applicant is applying to operate a small metal fabrication business at 315 Geyser Street. No public comments are received.

FY 2017-2018 Municipal Budget

Mayor Johnson opens the hearing and reads the hearing notice. Finance Director Lanie Gospodarek explains an error they discovered in the Parks budget and that they added \$5000 to the buildings line of that budget, and therefore made the necessary adjustments. No public comments are received.

DISCUSSION

- 4) Prior to making the motion to approve, Forsythe asks if it is correct to require a resort tax bond for this business considering that it is just labor. The group determines that the bond is not necessary. The group briefly discusses parking and agrees that the parking that is available complies with the code and is adequate.
- 6) Mayor Johnson explains that in June, he received a call from Yellowstone Park Superintendent Dan Wenk's office about whether our community would like to receive the official Biosphere designation. Johnson says he and multiple others participated in a conference call in July to gain more understanding of the designation. He says the benefit of the designation appears to be that it will be helpful on grant applications. He says that reporting is really the only requirement and they can withdraw. Yellowstone National Park received the designation in 1978. The purpose of the designation is promote conservation of nature and scientific research in the service of man.
- 7) Sabolsky explains that there has been a request to install a crosswalk at the intersections of Electric Street and then Dunraven with Highway 20. Chief Newell made the request to Montana Department of Transportation, which was fairly responsive. Forsythe suggests that they also look at Geysers, considering that is a major crossing for school children. Moira Dow also suggests looking at Hayden, which is also a main thoroughfare from the Madison Addition. Sabolsky says that when they met with DOT, they specifically discussed the intersections with Electric and Dunraven but they can bring up those other intersections.
- 8) Sabolsky says that the manual has been reviewed and approved by the Town Attorney and Montana Municipal Interlocal Authority (MMIA). Sabolsky recommends approving the manual but acknowledging that they can still make changes. He says that he would like to get through the collective bargaining process before revisiting it in case there is anything that needs to be changed. Forsythe says that as a private employer, he thinks it is unfortunate that they gave up the excess hours for salaried employees. He says that in the private sector, there are ways to reward employees that go above and beyond, but there is really no way to do that for government employees.
- 11) Mayor Johnson points out that they decided to drill a well rather than connect to a spring, so he questions whether planning for another tank is realistic and if it should be on the Capital Improvement Plan (CIP) with a date certain. Johnson also asks about the proposed Summer Recreation building that is on the CIP a few years out. The group briefly discusses the merits of building such a building but agrees it would be discussed in more detail before actually planning the project.
- A) **Town Manager & Department Head Reports:** Town Manager Dan Sabolsky reports that the grant they applied for from the State of Montana for the Frontier Trail was unsuccessful. He met with the head of the regional Red Cross, which was looking for a place to erect an emergency shelter only in the case of an emergency. He says they would pay all utilities and costs and there is a simple agreement they will sign, but the Town always has the option of declining. He says that they are proceeding with redrawing the plans for the Little Rangers/Siegel Learning Center as well as releasing a Request for Proposal (RFP) for a developer to build the building. He attended a meeting with multiple public agencies about the solar eclipse that will occur on August 21, 2017. He says they have mowed the 80 acres west of town and plan to put a Town dumpster and port-a-potties on that area. He says they are trying not to over-react but not be caught unprepared. He says they know the hotel rooms in town are nearly sold out and all the campsites are sold. He says that the Safety Committee met last week and have already instituted some new policies such as prohibiting the use of ear buds by employees and reviewed a draft of a safety policy. He distributes a large-scale drawing of the proposed housing project for Electric Street. The developer has asked to transfer some of the connection fees that were paid previously for the neighboring lot to this project. He says

the Fire Department is also weighing in the plan to ensure emergency access is available. They will also prepare a development agreement between the Town and the developer. He responds to questions from the last meeting regarding water usage at the Days Inn. He says that he compared usage at the Days Inn from July 2016 to July 2017 and the property used 144,000 gallons less in 2017. He also mentions progress with Kelly housing project on Gibbon Avenue. He says that they anticipate having the new public water well online next summer in 2018. He says that Dyer is working on multiple issues for water and sewer capacity and they are moving forward.

Finance Director Lanie Gospodarek reports that they have been working on the final draft of the budget, reviewing the employee personnel policy manual, and handling increased traffic through the office. Kathi Arnado, Social Services Director, reports that their office is doing well. They picked up a large food order and had multiple volunteers to help unload it. She also mentions a domestic violence incident that they were involved with along with the police. Chief of Police Scott Newell reports on recent incidents, increased law enforcement that is scheduled by other agencies during the days surrounding the eclipse. He says that they are expecting issues with cell phone and internet service during to the eclipse because people will try to photograph, post, film and stream the event. Assistant Public Services Superintendent David Arnado reports that Superintendent James Patterson is out of town but the department has been working on water meter replacements, maintenance at the lagoon, and he has specifically been working on code enforcement.

- B) Town Manager Dan Sabolsky reports that the developer of the housing project on Electric Street is preparing to finalize their plans and submit plans to DEQ. He says that the Town will need to repair the sewer line and install two cross over lines to feed the property. The original plans for sewer lines in that area called for two 8" cross over lines but only one 4" line was installed. He says that the developer requested transferring some of the connection fees that were paid in 2007 for the adjacent condominium project that has not been completed to this project. Sabolsky says that he has consulted with the attorney on that request and she is going to do more research before making a recommendation. He says that the developer plans to build 24 duplexes and one 4-plex on the lot. They are starting the plans now but construction is not expected until next year. He says that duplexes are allowed under the current building moratorium, but they anticipate the moratorium will be lifted by the time they are ready to build. The group briefly discusses why the correct sewer lines were not installed originally and if there is anything they can do. A development agreement will be prepared for the project. Schmier says that he thought the original intent of the building moratorium was not to stifle any housing development as long as it wasn't for vacation rentals. The Council agrees but points out that 24 duplexes is a different matter. They agree that the development agreement will answer those questions.

The meeting is adjourned. (9:30 PM)

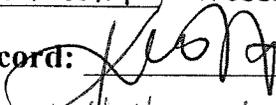
Mayor

ATTEST:

Town Clerk

Town of West Yellowstone Business License Application

Business Name: Blue Ribbon ~~Old~~ Bungalow
 Applicant: Cam + Kristy Coffin
 Contact Person: Kristy Coffin
 Mailing Address: Box 1037
 Physical Address of Business: 305 Canyon Street
 Phone Number: 406-646-7642 Fax Number: 406-646-9365
 Email Address: Coffin1k@hotmail.com Website: brf@blueribbonflies.com

Signature of Property Owner of Record: 

Subdivision: Townsite of West Yellowstone
 Block: 1 Lot: 19

Zoning District, please mark one:

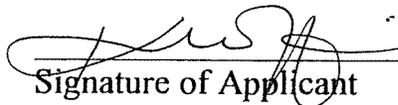
- B-3 Central Business District (Old Town)
- B-4 Expanded Business District (Grizzly Park)
- E-2 Entertainment District (Grizzly Park)
- PUD Planned Unit Development (Grizzly Park)
- Residential Districts, Home Occupations Only (Mad Add)
- New Business
- Change of Location
- Transfer of Ownership
- Name Change

- Is this business licensed by the State of Montana? Yes No
- Appropriate City/County/Health Dept approvals (if applicable) Yes No (please attach)
- If this business is located in Grizzly Park, has the business been approved by the Grizzly Park Architectural Committee (GPAC)? Yes No

Type of Business Please explain in detail the following: number of units, seating capacity, etc. Contractors should list trailers and equipment and where these items will be stored.

Apartment Monthly or Nightly Rental
 * Commercial office space to commercial Apartment or nightly Rental space.

Business License Fee: \$ 50.00 ~~25~~ (add on)
 Resort Tax Bond: \$ _____


 Signature of Applicant

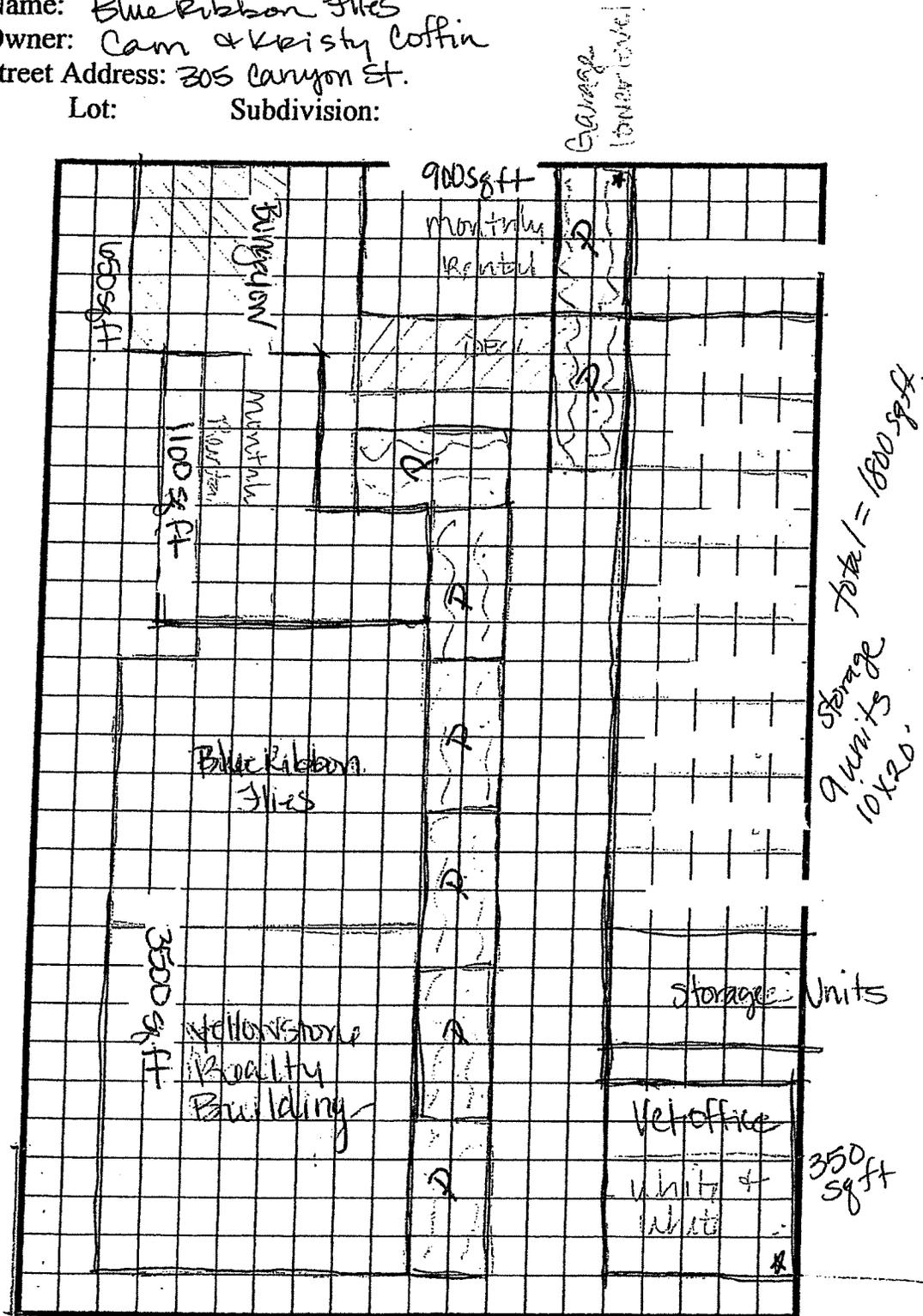
Total Amount Due: \$ _____

Signature of Applicant
10/26/2014
 Date

FOR OFFICE USE ONLY				
Date Approved by Town Council: _____				
Date _____	Check # _____	Amount \$ _____	License # _____	
SCN _____	BLP _____	STX _____	BLC _____	RDX _____

Site Plan

Business Name: *Blue Ribbon Flies*
 Business Owner: *Cam & Kristy Coffin*
 Business Street Address: *305 Canyon St.*
 Block: Lot: Subdivision:



Scale: 1 inch = 20 feet

Note: This grid represents a standard Town lot, 100 feet by 150 feet.

Cam & Kristy Coffin

Yellowstone Reality and Blue Ribbon -- 3500 sq ft

Vet office—350 sq ft

1st Monthly Rental —1.5 Parking space

2nd Monthly Rental—1.5 Parking space

Bungalow—1.075 Parking space

Reality office and Blue ribbon --3500 sq ft multiplied by parking factor of
4.5=15,750 15,750 divided by 1000= 15.75 Parking spaces

Vet office—350 sp ft multiplied by parking factor of 3.8 = 1,330

1,330 divided by 1000= 1.33 Parking space

Town of West Yellowstone Business License Application

Business Name: MARKOV RENTALS
 Applicant: ATANAS MARKOV
 Contact Person: MARITZA MARKOV
 Mailing Address: PO BOX 1079
 Physical Address of Business: 627 B Parkway / 625 B Parkway & 15 Hayden
 Phone Number: 406-646-7713 or 801-656-9363 Fax Number: 1
 Email Address: westwoodmotel@hotmail.com Website: _____

Signature of Property Owner of Record: Atanas Markov

Subdivision: B-3
 Block: 21 Lot: 4

Zoning District, please mark one:

- B-3 Central Business District (Old Town)
- B-4 Expanded Business District (Grizzly Park)
- E-2 Entertainment District (Grizzly Park)
- PUD Planned Unit Development (Grizzly Park)
- Residential Districts, Home Occupations Only (Mad Add)
- New Business
- Change of Location
- Transfer of Ownership
- Name Change

- Is this business licensed by the State of Montana? Yes No
- Appropriate City/County/Health Dept approvals (if applicable) Yes No (please attach)
- If this business is located in Grizzly Park, has the business been approved by the Grizzly Park Architectural Committee (GPAC)? Yes No

Type of Business Please explain in detail the following: number of units, seating capacity, etc. Contractors should list trailers and equipment and where these items will be stored.

w/ny 2 nightly vacation rentals on the existing Business license for monthly residential under MARKOV RENTALS. The Parkway B property consists of 6 monthly rentals. We would like to transition 2 of them to nightly... 625 & 627. We would also like to include in the monthly rentals 2 units on 15 HAYDEN. Total of 6 monthly (2 on Hayden 4 on B Parkway) & 2 nightly (on B Parkway)

Business License Fee: \$ 74.00 (pd. 468.00)
 Resort Tax Bond: \$ Request to waive

Atanas Markov
Signature of Applicant

Total Amount Due: \$ 0.00

Signature of Applicant

Date

FOR OFFICE USE ONLY

Date Approved by Town Council: _____			
Date _____	Check # _____	Amount \$ _____	License # _____
SCN _____	BLP _____	STX _____	BLC _____ RDX _____

Site Plan

Business Name:

Business Owner:

Business Street Address:

Block:

Lot:

Subdivision:

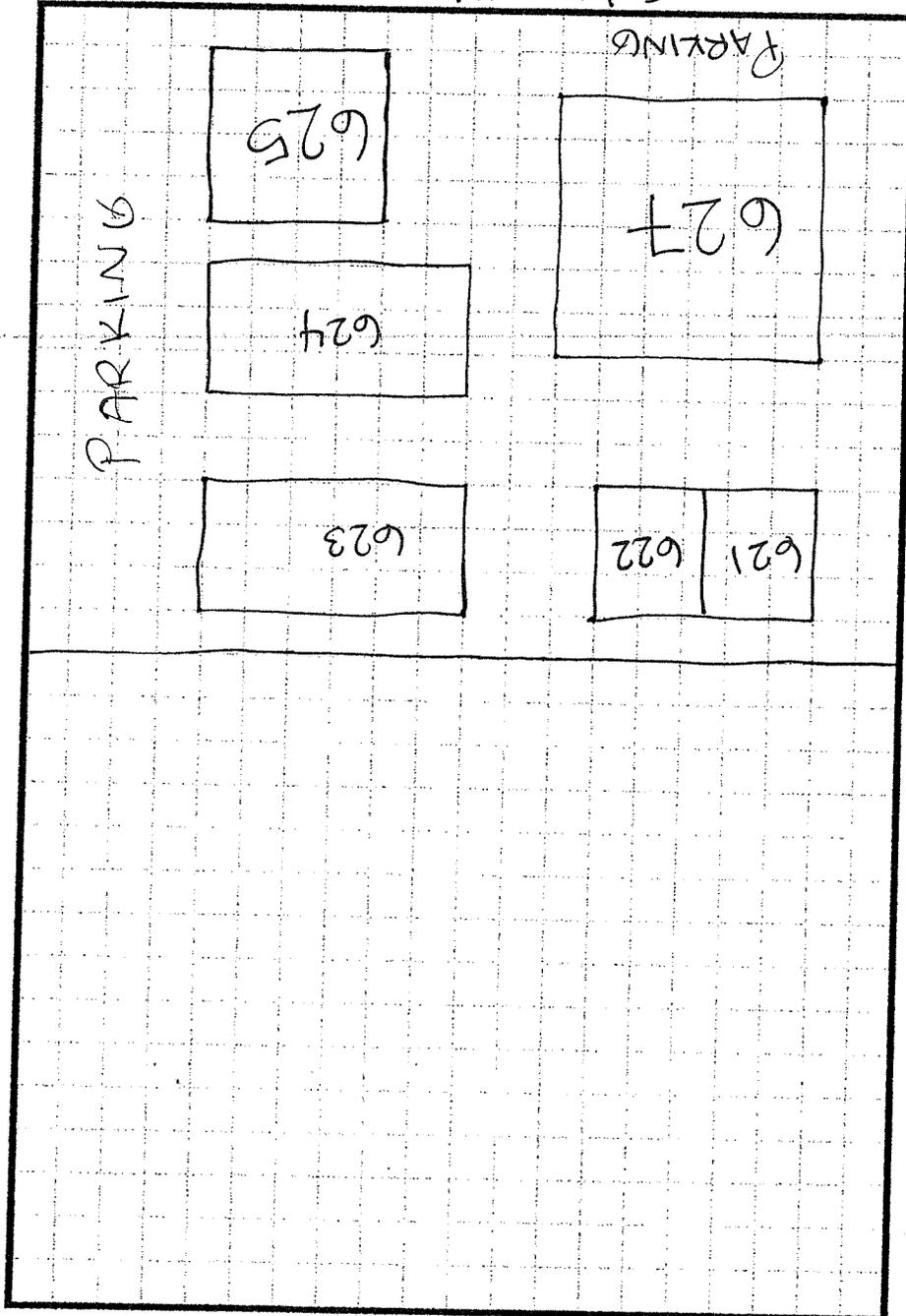
Parkway B

Hayden

PARKING

PARKING

IRIS



Scale: 1 inch = 20 feet

Note: This grid represents a standard Town lot, 100 feet by 150 feet.

Town of West Yellowstone Workforce Drug and Alcohol Testing Policy

Section 1. Purposes. The Town of West Yellowstone is committed to maintaining a safe, healthy, and productive work place that is drug and alcohol free.

- a. The use and abuse of drugs, as the term “drugs” is defined in Section 2 below, and alcohol increases the potential for accidents, absenteeism, substandard performance, and poor employee morale.
- b. Impaired judgment of employees may have serious financial consequences for the Town through increased risk of employee caused accidents resulting in injury or death and property damage, and potential liability to others not employed by the Town from accidents caused by employees under the influence of drugs or alcohol, and impaired job performance.
- c. The use and abuse of drugs and alcohol undermines the Town’s mission to provide the community with an excellent quality of life through leadership, communication, and delivery of services that are (i) responsive to its citizen’s needs, (ii) cost effective, and (iii) oriented to the future.
- d. This policy is independent of the Town’s Drug-Free Workplace Policy and is intended to cover those situations where drug or alcohol testing is permitted.
- e. This policy is also independent of any policy adopted by the Town after the date this Policy is adopted that covers the misuse of prescription or over-the-counter medications, except to the extent that a prescription drug is specifically included in the definition of “drugs” below.
- f. Questions concerning the interpretation and application of this policy may be addressed to the Town Manager.
- g. *Special Note:* This policy will not become effective until 60 days after it is adopted by the Town Council.

Section 2. Definitions. As used in this policy, the following terms having the stated meanings:

- a. “*Adulterated specimen*” is one that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance, as determined by the MRO.
- b. “*Alcohol*” means an intoxicating agent in alcoholic beverages, ethyl alcohol, also called ethanol, or the hydrated oxide of ethyl.
- c. “*Alcohol concentration*” means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath, as indicated by an evidential breath test, or the equivalent as shown by a blood or urine test.
- d. “*Confirmation test*” for alcohol is a second test that is performed after an initial test, which provides an exact measure of alcohol concentration. For controlled substances testing, the term means a second analytical procedure performed on a different aliquot of the original specimen to identify and quantify

the presence of a specific drug or drug metabolite.

e. “Drug” means marijuana and its metabolites, cocaine and its metabolites, amphetamines, phencyclidine (PCP), ~~all hallucinogens,~~ all opiates and their metabolites, and hydrocodone, hydromorphone, and oxycodone and their metabolites (including, without limitation, codeine, morphine, heroin, and opium, or any other derivative of an opiate), and opioids (including, without limitation, methadone, Percocet, Percodan, OxyContin (oxycodone), Vicodin, Loreet, Lortab (hydrocodone), Demerol (pethidine), Dilaudid (hydromorphone), Duragesic (fentanyl), or any other synthetic form of an opiate.

(i) “Drug” includes, for all purposes of this Policy, marijuana, even if an employee has obtained a registry identification card, or has been issued a written certification by a physician, pursuant to the Montana Marijuana Act (§§ 50-46-301 et seq. MCA, as amended by I-182, Nov. 8, 2016, eff. June 30, 2017, or as otherwise ordered by a Montana court of record), or a similar act of any other state. ~~Without limiting the foregoing definition, “drug” also includes any dangerous drug, as defined in 49 CFR, part 40.~~

(ii) “Drug” does not include a drug used pursuant to a valid prescription of the employee being tested unless it is used in violation of this policy. An employee or CDL employee who is taking any drug covered by this policy pursuant to a valid prescription is responsible for consulting with the health care provider prescribing the drug to determine if the drug will impair the individual’s ability to perform the essential functions of the job the individual is performing without posing a significant risk of substantial harm to the health or safety of the employee, CDL employee or others that cannot be eliminated or reduced by reasonable accommodation. This assessment must be based on the reasonable medical judgment of the health care provider. If the assessment of the health care provider is that there may be such a risk, then the individual covered by this policy must notify the individual’s supervisor of the fact of the health care provider’s judgment, and that alone; the individual does not need to disclose the underlying condition requiring treatment with the prescription drug in question. The supervisor must inform the Town Manager, who will then be responsible for initiating an interactive process to determine if the risk may be eliminated or reduced by a reasonable accommodation that does not require significant difficulty or expense on the part of the Town. As long as said employee presents a letter from the proscribing physician stating it will not affect their job performance or as a driver who is under Federal DOT Regulations 49 CGFR Part 40.

e.f. “Diluted specimen” is a specimen with creatinine and specific gravity values that are lower than expected, but are still within the physiologically producible ranges of human urine, as determined by the MRO.

g. “Employee” means, for purposes of drug and alcohol testing covered by this policy only, an individual, and only those individuals, working for the Town who are engaged in the performance, supervision, or management of work in a (i) hazardous work environment; (ii) security position; or (iii) position (A) affecting

public safety or public health; (B) in which driving a motor vehicle is necessary for any part of the individual's work duties; or (C) involving a fiduciary responsibility for the Town.

(i) For purposes of this policy, employees who are required by Montana law to obtain a commercial driver's license, as a condition of operating equipment as an essential function of the job they hold with the Town, will also be subject to the provisions of federal law regulating commercial driver's license standards and controlled substances and alcohol use and testing. (e.g., 49 CFR, Parts 382 and 383). Employees who are subject to those provisions of federal law will be referred to as "CDL employees" in this policy and any provisions of this policy explicitly applicable to them because they are referenced by that term will be applicable to them and them only, and not any other employees who are covered by the definition of "employee" set forth above. CDL employees will still be subject to the terms and conditions of this policy in addition to the federal laws applicable to them. Any conflict between the provisions of this policy applicable only to CDL employees and any other provision of this policy will be resolved by following the provisions just applicable to CDL employees.

(ii) Positions covered by the definitions of "employees" and "CDL employees" are:

1. "Employees" are persons occupying the following positions:

2. "CDL employees" are persons occupying the following positions:

3. If a position is otherwise covered by the broader definition of "employee," this policy will nevertheless apply even if the specific position is not in the above lists.

~~f.h.~~ "Hazardous work environment" includes, but is not limited to positions (a) for which controlled substance and alcohol testing is mandated by federal law, such as aviation, commercial motor carrier, railroad, pipeline, and commercial marine employees; (b) that involve the operation of or work in proximity to construction equipment, industrial machinery, or mining activities; or (c) that involve handling or proximity to flammable materials, explosives, toxic chemicals, or similar substances.

~~g.i.~~ "Medical Marijuana" means marijuana when used pursuant to the Montana Marijuana Act, as amended by L. 2013, Ch. 153, sec. 6 and Initiative No. 182 (Nov. 8, 2016), or a similar act of any other state.

~~h.j.~~ "Medical Review Officer (MRO)" means a licensed physician trained in the field of substance abuse.

~~i.k.~~ "Primary specimen" in drug testing is the urine specimen bottle that is opened and tested by the first laboratory to determine whether the employee has a drug or drug metabolite in his or her system.

~~j.l.~~ "Prospective employee" means an individual who has made a written or oral application to the Town to become an employee.

k.m. “Reasonable suspicion” means,

(i) when used as grounds for *alcohol testing*, a determination by a Town supervisor or manager, trained in at least one hour of alcohol misuse and at least one hour of drug use, that an employee’s faculties are impaired on the job as the result of alcohol consumption based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee; or,

(ii) when used as grounds for *drug testing*, a determination by a Town supervisor or manager, trained in at least one hour of alcohol misuse and at least one hour of drug use, that an employee’s faculties are impaired on the job as the result of the use of drugs based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee, including indications of the chronic and withdrawal effects of drugs (as defined in this policy).

(iii) Any training that conforms with the standards set in subsections 2.m.(i) and (ii) is sufficient to fulfill the requirements of those policies.

(iv) The person who makes the determination that reasonable suspicion exists to conduct an alcohol test must not conduct the alcohol test.

l.n. “*Rehabilitation program*” is a program established by a substance abuse professional/organization for the employee who violates this policy or voluntarily seeks treatment for drug and/or alcohol related issues, including recommendations concerning education, treatment, follow-up testing, and aftercare.

o. “*Sample*” means a urine specimen, a breath test, or oral fluid obtained in a minimally invasive manner and determined to meet the reliability and accuracy criteria accepted by laboratories for the performance of drug testing that is used to determine the presence of a drug or alcohol.

p. “*SAP*” means a substance abuse professional who evaluates employees who have or may have violated a United States Department of Transportation (“DOT”) drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

m.q. “*Stand-down*” means temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result. The employee will be paid while on stand down unless and until the MRO completes the verification process and the test is verified positive.

The plural of any of the above definitions will have the same meaning as the singular and vice versa.

Section 3. Criminal law sanctions.

a. The manufacture, distribution, possession, or use of drugs (other than pursuant to a valid prescription or as may be otherwise authorized and specifically

allowed in the work place by law) is illegal under state and federal law, and is subject to various criminal sanctions, including fines up to \$50,000 and incarceration up to life in prison. In some cases, there are mandatory minimum prison sentences. Federal sanctions are generally more severe than state sanctions.

b. The foregoing does not mean that the use of Medical Marijuana is exempt from the provisions of this Policy. The use of Medical Marijuana is not exempt from the provisions of this Policy even if an employee has obtained a registry identification card (either before or after a test), or has been issued a written certification by a physician stating that the employee used Medical Marijuana.

Section 4. Educational and drug-free awareness program. The Town will establish and maintain a program for regularly educating or providing information to employees on the health and workplace safety risks associated with the use of drugs and alcohol.

Section 5. Standards of conduct.

a. Employees are prohibited from working while impaired by the use of any drug or drugs, Medical Marijuana or alcohol..

b. The sale, possession, transfer, use, or purchase of any drug on Town property, including Medical Marijuana, while performing Town business, and while present at any Town activity (whether social, educational, or otherwise, and whether on Town property or otherwise) is prohibited.

c. The use of alcohol by employees while working, while on Town premises, while using a Town vehicle or equipment, or while using a personal vehicle for Town business is expressly prohibited.

d. No employee will report for duty or remain on duty while the employee is under the influence of, or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol use, nor will the Town permit an employee to perform job duties or continue to work, until (i) an alcohol test is administered and the employee's alcohol concentration measures less than 0.02; or, (ii) twenty-four hours have elapsed following the determination under this policy that there is reasonable suspicion to believe that the employee has violated the prohibitions in this policy concerning the use of alcohol. A test showing a breath alcohol level of .040 is considered a positive test and will result in the imposition of sanctions pursuant to Section 7 of this policy. A test showing a breath alcohol level between .002 and .039, inclusive, will result in the temporary removal of a CDL employee from performing safety-sensitive functions for 24 hours from the time of the receiving the initial report of the verified positive test result. ~~said employee shall be removed from work for 24 hours with no further consequences.~~

e. No employee will report for duty or remain on duty while the employee is under the influence of or impaired by any drug as shown by the behavioral, speech, and performance indicators of use of a drug, nor will the Town permit an employee to perform job duties or continue to work, until—

(i) a drug test is administered and the employee tests negative the MRO has completed verification of a negative test result. Upon receipt by the MRO from the laboratory performing the test of a report of a confirmed positive

test for a drug, -the employee will be placed on stand-down status by lab results. Said employee must be placed on a “Stand Down” awaiting the test results from the Lab and reviewed by the MRO; or,

(ii) twenty-four hours have elapsed following the determination under this policy that there is reasonable suspicion to believe that the employee has violated the prohibitions in this policy concerning the use of any drug, including marijuana even if an employee has obtained a registry identification card (either before or after a test), or has been issued a written certification by a physician stating that the employee used Medical Marijuana.

In the case of section 5.e.(i), the employee will be placed on stand-down status:

e.f. Nothing in this policy may be construed as:

(i) prohibiting the Town from including in any contract, a provision prohibiting the use of marijuana for a debilitating medical condition (or any other purpose); or,

(ii) permitting an employee to bring a cause of action against the Town for wrongful discharge pursuant to the Montana Wrongful Discharge from Employment Act, or for discrimination pursuant to the Montana Human Rights Act, or any other provision of municipal, state or federal law.

Section 6. Employee assistance program. Individuals wishing to utilize the Town’s employee assistance program should contact Montana Municipal Interlocal Authority prior to any “Positive Tests”. A CDL employee who is ordered to submit to a random test to be conducted pursuant to the terms and conditions of this policy, who admits to drug use and requests information about immediately initiating participation in the employee assistance program will nevertheless be required to complete the required test. A CDL employee who refuses to complete testing in such a situation will be deemed to have refused to submit to the test and will be sanctioned pursuant to the terms and conditions of this policy.

Section 7. Sanctions for policy violations. The following sanctions will apply to prospective employees and employees violating the standards of conduct or for testing positive for drugs or alcohol, as provided in this policy:

a. Sanctions applicable to prospective employees

All prospective employees will be tested for drug and alcohol in the manner prescribed in this policy only after the Town extends a conditional offer of employment to that prospective employee subject to the prospective employee passing the tests and fulfilling any other pre-hiring conditions specified in an offer of employment extended to the prospective employee. Any prospective employee who tests positive for alcohol or drugs after receiving a conditional offer of employment will be disqualified from continuing the application process for the position for which the prospective employee applied. Further, any and all prospective employees who test positive for alcohol or drugs under the foregoing circumstances will be ineligible to apply for any position with the Town for a period

of two years commencing from the date of the positive test.

b. Sanctions applicable to current employees

(i) Subject to the provisions of Subsection 7.b.(iii), employees who violate the Standards of Conduct set forth above are subject to discipline up to and including immediate dismissal.

(ii) Subject to the provisions of Subsection 7.b.(iii), employees who test positive for drugs or alcohol pursuant to the procedures set forth in this policy are subject to immediate dismissal upon the completion or waiver of all post-testing procedures.

(iii) Any employee who tests positive the first time for drugs or alcohol may be given the option to participate in a drug or alcohol rehabilitation program at the employee's expense as a condition of continued employment. DOT Drivers will follow 49 CFR Part 40 rules & Regulations concerning Post Positive Testing, SAP requirements, and additional testing requirements set by the SAP. Only those employees who have been employed by the Town for over two full years and who have not been the subject of any written disciplinary action during the preceding two-year period are eligible for this option and only if the Town Manager, in the Town Manager's sole and absolute discretion, decides the record of the employee and the circumstances surrounding the drug or alcohol use detected by testing warrants offering this option to the employee. If an employee tests positive for drugs or alcohol a second time at any time, it will result in immediate termination upon the completion or waiver of all post-testing procedures. Employees terminated pursuant to this section of this policy will be ineligible for re-hire by the Town for five years, and will be required to submit to drug and alcohol testing as a condition of re-hire for one year following re-hire. Time off to participate in a rehabilitation program will be without pay or benefits.

c. Refusal to submit to testing. Refusal by an employee to submit to testing will be deemed a positive test and will subject the employee to discipline up to and including immediate dismissal. An employee will be treated as refusing to take a drug test if the employee:

(i) Fails to appear for any test within a reasonable time after being directed to do so by the Town (does not apply to pre-employment test).

(ii) Fails to remain at the collection site until the collection process is completed (does not apply for pre-employment test).

(iii) Fails to provide a urine specimen for any drug test required under this policy (does not apply for pre-employment test).

(iv) Fails to permit the monitoring while providing a specimen, or fails to follow the observer's instructions related to the collection process.

(v) Fails to provide a sufficient amount of urine when directed, if it is

determined through a required medical evaluation that there is no adequate medical explanation for the failure.

(vi) Fails or declines to take an additional drug test or collection as directed by the collector.

(vii) Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process.

(viii) Fails to cooperate with any part of the testing process resulting in an inability to perform the required testing.

(ix) Possesses or wears a prosthetic or other device that could be used to interfere with the collection process.

(x) Admits to the collector or MRO that the employee has adulterated or substituted the specimen.

(xi) Provides test results that are verified by the MRO as adulterated or substituted.

d. Diluted specimen. If an employee's drug test is based on a diluted specimen, the following will apply:

(i) A positive test result will be treated as a verified positive test and subject the employee to the sanctions set forth above.

(ii) If an employee's negative test is based on diluted specimen, the Town will follow the MRO's direction, which may include another test (under direct supervision), which will take place as soon as the MRO informs the Town of the existence of a diluted specimen. The results of the second test will be the results on which the Town will rely. If the employee refuses to take the additional test after a result based on a diluted specimen, the employee's refusal will be treated as a refusal to test.

e. Limitation on adverse action

(i) Except as provided in Section 7.e.(ii), no adverse action, including follow-up testing, may be taken by the Town if the employee presents a reasonable explanation or medical opinion indicating that the original test results were not caused by the use of a drug or drugs or by alcohol consumption. If the employee presents such a reasonable explanation or medical opinion, the test results must be removed from the employee's record and destroyed. The MRO will determine whether the explanation or medical opinion is reasonable, and the MRO's determination will be final unless it is obviously unreasonable, in which case the Town Manager will make the determination.

(ii) Regardless of any other provision of this policy, neither the MRO nor the Town Manager may change a positive test for marijuana to negative because the employee obtained a registry identification card (either before or after the test), or has been issued a written certification by a physician stating that the employee used Medical Marijuana.

(iii) The limitation on adverse action stated in Section 7.e.(i) does not apply to an employee testing positive for Medical Marijuana.

f. Chapter IX: Employee Work Rules-Discipline. The provisions of Chapter IX of the Town of West Yellowstone Personnel Policy, June 24, 2009, as amended from time-to-time after that date, do not apply to any violation of the standards of conduct established by Section 7 of this policy.

g. Due Process Hearing. Notwithstanding any other provision of this policy, any employee subjected to sanction pursuant to this Section 7 of this policy is entitled to a due process hearing to the same extent as any employee otherwise subject to termination, as provided by any provision of Town ordinance, policy, procedure, or an applicable provision of any collective bargaining agreement covering the employee.

Section 8. Types of tests to be used. The Town will perform the following types of testing for drugs or alcohol, or both, unless otherwise stated:

a. Pre-employment testing. All candidates receiving a conditional offer of employment will be tested for drugs and alcohol.

b. Random. Random testing of all applicable employees, as follows:

(i) A random selection process, established through a scientifically valid method, will determine who will be tested on any given date during the calendar period for testing.

(ii) The calendar period for random testing will be established by the contractor retained by the Town to oversee random drug and alcohol testing.

(iii) The random testing rate for this calendar period will be established by the contractor retained by the Town to oversee random drug and alcohol testing.

(iv) The Town will obtain a signed statement from each employee that confirms that the employee has received a written description of the random selection process and will maintain the statement in the employee's personnel file.

(v) Nothing in this Section 8.c. of this policy requires the Town to otherwise provide advance notice to any employee selected for random testing to be told the employee is subject to such testing before actually informed the employee will be tested.

c. Reasonable suspicion testing. Testing is authorized by this provision only if the observations required by the definition of "reasonable suspicion" are made during, just preceding, or just after the period of the work day that the employee is required to be in compliance with this policy. A written record of the observations leading to an alcohol or drug reasonable suspicion test must be made by the person making the reasonable suspicion determination, and signed by the supervisor or manager who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or drug tests are released, whichever is earlier. ~~The~~

~~person who makes the determination that reasonable suspicion exists to conduct an alcohol or drug test must be trained in “Reasonable Suspicion for Supervisors.” The person making the reasonable suspicion determination cannot conduct the test.~~

d. Follow-up tests. The Town may require an employee to submit to follow-up tests if the employee has had a verified positive test for drugs or alcohol. The follow-up tests will be the same as the other tests described in this policy and may only be conducted for up to one year from the time that the employer first requires a follow-up test. ~~The SAP can make requests of the DOT employees out to 52 months for follow up testing.~~

e. Work-related accidents. The Town may require an employee to be tested for drugs or alcohol if a supervisor or manager has reason to believe that the employee’s act or failure to act is a direct or proximate cause of a work-related accident that caused death or personal injury to any person, or property damage in excess of \$1,500.

Section 9. List of drugs and alcohol levels to be tested.

a. The drugs for which testing will be performed under this policy are marijuana, cocaine, amphetamines, phencyclidine (PCP), all hallucinogens, all opiates (including, without limitation, codeine, morphine, heroin, and opium, or any other derivation of an opiate), and all opioids (including, without limitation, methadone, Percocet, Percodan, OxyContin (oxycodone), Vicodin, Lorcet, Lortab (hydrocodone), Demerol (pethidine), Dilaudid (hydromorphone), Duragesic (fentanyl), or any other synthetic form of an opiate, and all controlled substances as defined in 49 CFR, part 40.

b. Employees who test positive for an alcohol concentration level greater than at or above .04 will be subject to sanctions as set forth above in Section 7.b. CDL employee will also be subject to those sanctions, but may also be subject to being placed on stand-down pending the completion of verification of a positive test for alcohol by the MRO.

Section 10. Hiring policy for prospective employees who test positive.

a. Publication of policy. All position announcements and job applications for any position vacancies the Town actively seeks to fill with any individual that would be subject to the provisions of the drug and alcohol testing provisions of this policy will include a summary of the provisions of Section 7.a. of this policy in text that is underlined and bolded.

b. Failure to test. Any prospective employee who fails to report timely for a drug or alcohol test pursuant to the provisions of Section 7.a. of this policy will be subject to the same sanctions as those prescribed in Section 7.a. of this policy. All announcements, job applications, or conditional offers of employment extended to any prospective employee will also include a summary of the provisions of Section 7.a. of this policy in text that is underlined and bolded.

c. A prospective employee who tests positive for drugs or alcohol will be provided with a copy of the test results after it is reviewed and certified by the

MRO, but the prospective employee does not have the rights provided in Section 11 to employees of the Town.

Section 11. Procedures to be used to conduct testing.

a. The Town contracted with Lane and Associates to perform all testing, including the provision of a MRO. As part of that contract the Town requires Lane and Associates to conform [performance of those functions](#) with the provisions of 49 CFR, Part 40, and to use a testing methodology cleared by the United States Food and Drug Administration.

b. Lane and Associates will be responsible for performing the collection, transport, and confirmation testing of urine samples in accordance with 49 CFR, Part 40. The collection, transport, and confirmation testing of non-urine samples must be **at least** as stringent as the requirements of 49 CFR, Part 40, in requiring (i) split specimens, (ii) transport to a testing facility under the chain of custody, and (iii) confirmation of all screened positive results using mass-spectrometry technology, as ~~defined~~ [prescribed](#) by the United States Department of Health and Human Services.

c. The initial test will be at the Town's expense and employees will be paid at their regular rate, including benefits, for time attributable to the [sample taking step in the](#) testing procedure [itself](#).

d. Before the Town takes any action based on a positive test result, the Town will have the results reviewed and certified in writing by the ~~MRO~~ [MRO, except as otherwise provided in this policy](#).

e. A copy of the test results with the MRO's signed certification of review will be given to the employee.

f. The Town will also obtain, at the employee's request, an additional test of the split sample by an independent laboratory selected by the person tested. The Town will pay for the additional tests if the additional test results are negative, and the employee shall pay for the additional tests if the additional test results are positive.

g. An employee must be given the opportunity to provide notification to the MRO of any medical information that the employee or the employee's physician deems to be relevant to interpreting test results, including information concerning currently or recently used prescription or nonprescription medications. Any employee who takes advantage of the opportunity provided by this subsection must permit the MRO to ask the employee or the employee's physician reasonable follow-up questions based on the information provided

h. An employee subjected to drug or alcohol testing pursuant to this [policy for Reasonable Suspicion or Post Accident](#) will be placed on paid leave until the test results are presented to the employee with the MRO's signed certification. If the results are negative, the employee will be returned to duty absent other circumstances that warrant discipline. If the results are positive, the employee will be placed on unpaid leave pending dismissal pursuant to this policy and any other applicable policy.

Section 12. Confidential communications.

All information, interviews, reports, statements, memoranda, and test results are confidential (“confidential information”), and ~~communications that may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except as provided below; disclosed to anyone except as applicable under one or more of the following exceptions:~~

(i) The tested employee may receive confidential information directly related to any testing relating to the employee.

(ii) The Town’s “designated employer representative,” or “DER” may receive confidential information from the MRO or SAP relating to any testing of an employee or applicant tested. The DER has also been authorized to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from those covered duties, and to make required decisions in the processes authorized by the terms and conditions of this policy. The DER has also been authorized to communicate confidential information to any Town employee with strict need to know the information to carry out the employee’s job duties. Any Town employee authorized to receive confidential information is prohibited from disclosing such information to anyone not authorized to receive it. A violation of this provision of this policy may result in disciplinary action, up to and including dismissal. It may also result in an Town employee violating this provision being responsible for the employee’s own cost of defense, and any attendant liable imposed on that employee, if a testing subject commences any legal proceeding seeking any redress for a violation of this provision.

~~(ii) The representative or representatives of the Town, including the Town Manager, the members of the Town Council, the MRO, and any other person designated in writing by one of the foregoing with a business need to know the information. This means that the members of the Town Council, the Town Manager and the MRO may be informed of such communications, and each is authorized to designate in writing one or more other employees or representatives of the Town who, under the circumstances of each individual case, has a specific business need to be informed of such communications. Any individual authorized pursuant to this Section 12 to receive confidential communications, other than the MRO, is prohibited from disclosing such information to anyone.~~

(iii) Confidential information may be disclosed or used:

1. In connection with any legal or administrative claim arising out of the Town’s implementation of Sections 39-2-205 through 39-2-211 (Montana’s Workforce Drug and Alcohol Testing Act).

2. In response to inquiries relating to a workplace accident involving death, physical injury, or property damage in excess of \$1,500, when there is reason to believe that the tested employee may have caused or contributed to the accident.

3. When its disclosure or use is required by law to be reported to a state or federal licensing authority.

4. When the confidential information relates to a CDL employee and its use or

disclosure is required or permitted under any regulation of the United States Department of Transportation, including, without limitation, 49 CFR §§ 40.321 through 40.333.

(iv) Confidential information in documentary or electronic form must be kept separate from any other information relating to the employee or applicant, in a secure and confidential manner.

(v) Medical information which falls within the definition of confidential information in this section of this policy must be kept in a secure, confidential location separate from any other information relating to the employee or applicant and may not be disclosed except as permitted or required by law.

Section 13. Limitation on use of unrelated information.

Any information obtained through testing that is unrelated to the use of a drug covered by this policy or alcohol will be held in strict confidentiality by the MRO and will not be released to the Town.



Mail Ballot Written Plan, Timetable and Instructions

MUST BE RECEIVED BY SECRETARY OF STATE NO LATER THAN 60 DAYS BEFORE ELECTION DAY. COMPLETE, SAVE AND EMAIL THIS FORM TO SOSELECTIONS@MT.GOV. THIS DOCUMENT MAY BE AMENDED UNTIL THE 35TH DAY BEFORE THE ELECTION. ELECTION CAN BE CANCELLED AT ANY TIME PERMITTED BY LAW. A SEPARATE PLAN MUST BE SUBMITTED FOR EACH TYPE OF ELECTION.

Written Plan		Response
1	Legal Name of Jurisdiction	Town of West Yellowstone
2	Name of County or Counties Involved	Gallatin
3	Estimated # of Electors (including Active, Inactive, and Provisional in jurisdiction; Inactive voters are only provided ballots by request but should be included in estimate)	665
4	Type of Election (e.g., trustee/director/governing body, levy, bond, creation, etc.)	Trustee/Director/Governing Body
5	Postage to return ballot paid by: elector or election office (& if insufficient, who pays)	Elector; jurisdiction covers insufficient postage.
6	Describe procedures you will use to ensure security and transport of ballots	Ballots will be deposited in locked ballot box and secured in locked area. Any transportation of ballots will be conducted by at least two officials.
7	Ballots will be printed based on: precinct, ward, or district	District
8	For school elections, specify signature verification procedures:	Not Applicable; not a school election
Timetable		Date
1	Date applicable documents sent to the governing body <i>No date set by law, but should be no later than 60 days before election. Documents include: 1) written plan; 2) statement of decision to conduct election by mail; 3) list of reasons for decision; and 4) statement regarding right of governing body to object under 13-19-204.</i>	August 22, 2017
2	Actual date of submission of plan, timetable, and instructions to Secretary of State (Must be received by Secretary of State at least 60 days before election.)	August 22, 2017
3	Last day for governing body to opt out of mail ballot (no later than 55 days before election – if the election is on a Tuesday, the last day to opt out is a Wednesday)	September 13, 2017
4	Secretary of State approves, disapproves or recommends changes to plan	Within 5 days of SOS receipt of plan
5	County election administrator publishes notices at least 3 times in the 4 weeks before the close of regular registration specifying close of voter registration and availability of late registration (For all non-school and school elections, to be published by the county election administrator at least 3 times in the 4 weeks preceding the close of registration, once per week. School clerks running school elections will need to coordinate with the county election administrator to have the county election administrator publish the notices of close of registration. 13-2-301)	September 17, 2017 September 24, 2017 October 1, 2017
6	Publish notice of election (All non-school elections: 13-1-108, MCA; school elections: 20-20-204, MCA. For school elections, notice must be published at least once between 40 and 10 days before the election in a newspaper (if there is one in the district) and in 3 public places in the district, and for 10 days prior to the election, on the district's website, if the district has an active website)	October 8, 2017 October 15, 2017 October 22, 2017
7	Close of regular voter registration (30 days before election; move to 29 days before election when 30th day falls on a Sunday)	October 10, 2017
8	Beginning of late voter registration (applicable to all elections) (Late registration opens for all elections the day after the close of regular registration)	October 11, 2017
9	Specific date on which ballots will be mailed (No sooner than 20 days or later than 15 days before election)	October 18, 2017
10	Election Day	November 7, 2017

Additional Information (to access the sections of law below, visit <http://leg.mt.gov/bills/mca/index.html>):

List here any special requirements from applicable laws: Water/Sewer (7-13-2212; 7-13-2325), Fire (7-33-2106), Museum (7-11-1011(5)), Cemetery (7-11-1011(5)), Drainage (85-8-305), Irrigation (85-7-1710); certain Special Districts (7-11-1011(5); defined in 7-11-1002(3)(b)).

Affirmation:

By entering my name on the line below, I affirm that I will conduct the election according to the written plan and timetable for conducting the election. I understand that any undeliverable ballots must be filed securely, retained and available for electors to vote and that I must attempt to contact electors whose ballots are undeliverable. If such electors cannot be contacted otherwise, electors in **odd-year elections** will be mailed a notice and the guidelines in 13-19-313, MCA and ARM 44.3.2710 will be followed. (For school trustee elections: If a school trustee election is cancelled for any reason, I understand I must follow the deadlines and process in 20-3-313 MCA.)

Charlotte Mills

Name(s) of Election Administrator(s) Conducting Election

Complete the above plan and timetable **and the instructions below**, and save and email this form to soselections@mt.gov.

INSTRUCTIONS FOR VOTING A MAIL BALLOT – PLEASE READ CAREFULLY

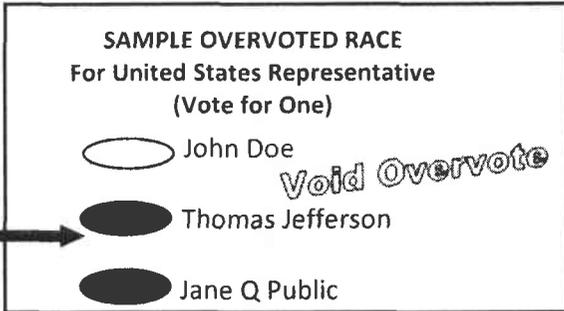
Read carefully and follow all directions

Ballots must be received by 8 p.m. on Election Day

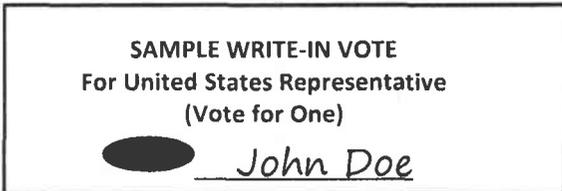
Failure to follow directions may invalidate part or all of your ballot

1. VOTE YOUR BALLOT

- As instructed on the ballot, mark the designated voting area for each race using only black or blue ink pen.
- Vote in all columns and both sides of ballot(s) as applicable. *Skipping a race will not invalidate your ballot.*
- Do not** cross out, erase, or use correction fluid.
- Do not** make any identifying marks on your ballot.
- Do not** mark more choices than allowed for each race (overvote) as that will cause that race only to not be counted.



- To write in a candidate's name, completely fill in the oval to the left of the line provided and print the name in the blank space.



- If you make a mistake or spoil your ballot, request a replacement ballot from the county election office.

2. PREPARE BALLOT FOR SUBMITTAL

- Place VOTED ballot in the **SECURITY ENVELOPE** and seal (if multiple sheets, return all sheets of the ballot).
- SIGN YOUR signature** on the voter affirmation on the back of the Signature Envelope. Failure to sign may invalidate your ballot.
- If the signature on the affirmation does not match the signature on file, the ballot may be rejected.
- Place the Security Envelope containing your voted ballot into the Signature Envelope and Seal.



3. RETURN BALLOT

- Mail your ballot; or
- Drop off ballot at county election office:



The place(s) of deposit and the days and times when ballots may be returned to the places of deposit before election day and on election day are:

- Gallatin Co. Election Office, 311 W. Main Room 210, Bozeman**
Mon. – Fri. 8am – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm
- Belgrade City Clerk's Office, 91 E. Central Ave., Belgrade**
Mon. – Fri. 8am – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm
- Bozeman City Clerk's Office, 121 N. Rouse Ave., Bozeman**
Mon. – Fri. 8am – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm
- Manhattan City Clerk's Office, 207 S. 6th St., Manhattan**
Mon. – Fri. 8:30am – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm
- Three Forks City Clerk's Office, 206 N. Main, Three Forks**
Mon. – Fri. 8am – noon, 1pm – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm
- West Yellowstone City Clerk Office, 440 Yellowstone Ave., West Yellowstone**
Mon. – Fri. 8am – 5pm through November 6th, 2017
On Election Day, November 7th, 2017 7am – 8pm

- This election is by mail ballot only – regular polling places will not be open. Ballots must be received at one of the drop locations listed above by 8 p.m. on Election Day, **November 7, 2017**. (Note: a postmark cannot be accepted so if you mail your ballot make sure there is enough time for it to reach the election office.)

DO NOT FORGET POSTAGE IF MAILING:
49 cents postage required
Prevailing First Class Postage Rate



ASSISTANCE FOR VOTERS WITH DISABILITIES: There are options for voters with disabilities. Contact your election office for information about all options.

MILITARY/OVERSEAS VOTERS: If you are an active-duty absent military voter or overseas U.S. citizen, electronic registration and voting options may be available. Contact your election office for information about all options.

IF YOU HAVE QUESTIONS CONTACT THE ELECTION OFFICE AT:

Phone: 406-582-3060
Fax: 406-582-3068
Email: elections@gallatin.mt.gov

