

# Town of West Yellowstone

Tuesday, August 6, 2019

West Yellowstone Town Hall, 440 Yellowstone Avenue

**TOWN COUNCIL MEETING**

**7:00 PM**

Pledge of Allegiance

Purchase Orders ∞

Treasurer's Report & Securities Report

Claims ∞

Consent Agenda: **Minutes of the July 16, 2019 Town Council Meeting** ∞

**Minutes of the July 23, 2019 Town Council Work Session** ∞

**Minutes of the July 30, 2019 Town Council Work Session** ∞

Business License Applications ∞

- Sweet Home Montana, nightly rental, request to waive resort tax bond (Tabled 7/2/19 and 7/23/19)
- Daley Trailer Court

Advisory Board Report(s)

Town Manager & Department Head Reports

**Comment Period**

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

## **NEW BUSINESS**

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Resolution No. 733, Renew 3% Resort Tax

Discussion/Action ∞

Resolution No. 734, 1% Infrastructure Resort Tax Option

Discussion/Action ∞

Cemetery Ordinance Revisions

Discussion ∞

Correspondence/FYI/Meeting Reminders



*If viewing the agenda electronically, click the "∞" symbol to link to the associated documentation in the Town Council Packet.*

**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](http://www.townofwestyellowstone.com). Questions about the agenda may be directed to the Town Clerk at 646-7795.
- Official minutes of Town Council meetings are prepared and kept by the Town Clerk and are reviewed and approved by the Town Council. Copies of approved minutes are available at the Town Clerk's office or on the Town's website: [www.townofwestyellowstone.com](http://www.townofwestyellowstone.com).

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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. <b>006818</b>	Department <b>1000-430200-369</b>

TO: **JD Specialty Services**

ADDRESS: **622 Madison**  
**West Yellowstone, MT**

PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
	<b>Replace starter in 2001 Freightliner CH49</b>

Estimated Cost \$ **3062.50**

Authorized By \_\_\_\_\_ Requested By: **[Signature]**

VENDOR COPY - White OFFICE COPY - ~~Canary~~



08/02/19  
13:20:37

TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 8/19

Page: 1 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
*** Claim from another period ( 7/19) ****									
45863	E	2800 RDO Equipment Co.		0.00					
	P41884	06/05/19 saddle		637.65		STREET	1000 430200	369	101000
	P41884	06/05/19 shipping		325.00		STREET	1000 430200	369	101000
		04/23/19 invoice number P41358		-962.65			1000 430200	369	101000
CI	9								
45920		183 Traveler's Lodge		224.00					
		07/12/19 Help Fund Room		224.00		HELP	7010 450135	370	101000
45921		2671 Gallatin Valley Food Bank		823.05					
	AOR165291	07/11/19 Food for WY Food Bank		823.05		HELP	7010 450135	220	101000
45922		999999 BO YAN		40.00					
		07/23/19 TK-110-2019-419 Exon Bond		40.00		COURT	7469 212401		101000
45923		3161 MT Metal Works		1,994.95					
		07/14/19 Trash Trailer Repairs		1,994.95		ROAD	1000 430200	369	101000
45924		3227 TC Plumbing		735.62					
	37	07/03/19 Plumbing Repairs Learning Ctr		735.62		LEARN	1000 411254	366	101000
45925		2788 Sabrah L. Van Leeuwen		916.21					
		09/08/19 Training vanLeeuwen Lodging		518.25		POLICE	1000 420100	370	101000
		09/08/19 Training vanLeeuwen Registr fe		397.96		POLICE	1000 420100	380	101000
45926		2833 Cold Creek Cabinets, Inc.		400.00					
		07/15/19 Laminate Service Window		400.00		BULDNG	1000 411250	366	101000
45927		29 Terrell's Office Machines Inc		490.00					
	INV377045	06/27/19 Dispatch Copier supplies		490.00		DSPTCH	1000 420160	220	101000
45928		2099 Quick Print of West Yellowstone		411.10					
	12170	07/12/19 Business card Peggy		39.67		FINANC	1000 410510	220	101000
	12170	07/12/19 Business card Diana		39.67		SOCSEK	7010 450135	220	101000
	12170	07/12/19 Business card Vely		39.66		REC	1000 460440	220	101000
	12204	07/18/19 2000 Resort Tax forms		292.10		RT	2100 410540	220	101000
45929		3061 Pathway AV Integration		30.00					
		07/16/19 Folwup on prev lev Adjust7/14		30.00		COURT	1000 410360	363	101000

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45930		2507 Silvertip Pharmacy		91.33					
	18078	07/08/19 Prescriptions		43.00		HELP	7010 450135	358	101000
	16765	06/17/19 Prescriptions		48.33		HELP	7010 450135	358	101000
45931		2815 Sherwin Williams Co.		2,599.00					
	2927-6	07/23/19 5 gal white paint for striping		2,599.00		STREET	1000 430200	368	101000
45932		1454 Bozeman Chronicle/Big Sky		1,181.00					
	619362140	06/15/19 Audit Publication Stat		13.00		ADMIN	1000 410210	327	101000
	619362140	06/21/19 Quality on tap report		1,168.00		WATER	5210 430500	327	101000
45933		3200 Yellowstone Log Chinking		7,000.00					
	47	07/10/19 Repaint Povah Center		7,000.00		POVAH	4000 460432	920	101000
45934		2845 Kastig, Kauffman & Mersen, PC		5,431.18					
	07/09/19	legal services		5,250.00		LEGAL	1000 411100	352	101000
	07/09/19	postage/copies		86.70		LEGAL	1000 411100	870	101000
	07/09/19	phone/fax		0.00		LEGAL	1000 411100	345	101000
	07/09/19	travel		94.48		LEGAL	1000 411100	373	101000
45935		3107 MarCom, LLC		838.00					
	1907065	07/15/19 Water Samples 7/15/19		308.00		WATER	5210 430500	357	101000
	1906079	07/19/19 Sewer Samples 7/19/19		185.00		SEWER	5310 430600	357	101000
	1906053	07/24/19 Sewer Samples 7/24/19		345.00		SEWER	5310 430600	357	101000
45936		3228 Fluid Power Energy		218.47					
	155598	06/13/19 Valve Repair kit		218.47		SEWER	5310 430640	357	101000
45937		2575 WY Tourism Business Improvement		41,868.11					
	073119	07/31/19 July 2019 TBID collections		41,868.11		TBID	2102 411800	540	101000
45939		2822 ClearBlu Cleaning Services		3,710.00					
	6-63019	06/30/19 Town Hall 6/1-30/19		1,000.00		TOWN	1000 411250	357	101000
	6-63019	06/30/19 Povah 6/1-30/19		450.00		POVAH	1000 411255	350	101000
	6-63019	06/30/19 Library 6/1-30/19		400.00		LIBRY	1000 411259	357	101000
	6-63019	06/30/19 Pioneer Park bthrms 6/1-30/19		500.00		PARKS	1000 411253	357	101000
	6-63019	06/30/19 Rend.Skitrlhd bthrms 6/1-30/1		260.00		TRLHD	1000 411256	350	101000
	6-63019	06/30/19 CofC bathrooms 6/1-30/19		1,100.00		CHAMBR	1000 411257	357	101000

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45940		1089 Gallatin County Treasurer		1,128.00					
	July 2019	07/31/19 Tech surcharge		510.00		COURT	7458 212200	340	101000
	July 2019	07/31/19 MLEA		520.00		COURT	7467 212200	340	101000
	July 2019	07/31/19 Public Defender		0.00		COURT	7468 212200	340	101000
	July 2019	07/31/19 Victims Assistance		98.00		COURT	7699 212200	340	101000
45941		2088 Town West Yellowstone		1,177.56					
	07/31/19	utility chrgs, Chamber, 895		115.75		BLDGS	1000 411257	340	101000
	07/31/19	utility chrgs, UPDL, 892		78.05		BLDGS	1000 411252	340	101000
	07/31/19	utility chrgs, PS Shops, 884		35.36		BLDGS	1000 411253	340	101000
	07/31/19	utility chrgs. Povah Ctr, 887		136.08		BLDGS	1000 411255	340	101000
	07/31/19	utility chrgs, Police Dept, 886		45.19		BLDGS	1000 411258	340	101000
	07/31/19	utility chrgs, City Park, 885		512.07		BLDGS	1000 411253	340	101000
	07/31/19	utility chrgs, Library, 891		42.05		LIBBLD	1000 411259	340	101000
	07/31/19	utility chrgs, Lift #1, 903		15.43		SEWER	5310 430600	340	101000
	07/31/19	utility chrgs, Twn Hall, 921		197.58		TWNHAL	1000 411250	340	101000
45943		42 Fall River Electric		18,004.04					
	07/22/19	UPDH 4212041 elec service		1,827.46		UPDH	1000 411252	341	101000
	07/22/19	POLICE 4212008 elec service		396.71		POLICE	1000 411258	341	101000
	07/22/19	shop 4212018 elec service		291.76		STREET	1000 430200	341	101000
	07/22/19	ANIMAL 4212029 elec serv		117.87		ANIMAL	1000 440600	341	101000
	07/22/19	PARK 4212032 Elec ser		293.07		PARK	1000 411253	341	101000
	07/22/19	PARK, old firehouse 2901001		422.60		PARK	1000 411253	341	101000
	07/22/19	CLORINATOR 4212030 elec serv		108.67		WATER	5210 430500	341	101000
	07/22/19	MADADD H2O Tower 4212017		104.18		WATER	5210 430500	341	101000
	07/22/19	RR Well 4212005 elec serv		380.40		WATER	5210 430500	341	101000
	07/22/19	SEWER LIFT STATION 4212006		612.74		SEWER	5310 430600	341	101000
	07/22/19	SEWER PLANT 4212007 elec ser		2,884.56		SEWER	5310 430600	341	101000
	07/22/19	MAD SEWER LIFT 4212014 elec		207.78		SEWER	5310 430600	341	101000
	07/22/19	SEWER TREAT SERV 4212046 ele		5,386.73		SEWER	5310 430600	341	101000
	07/22/19	library 23 dunraven 4212054		325.75		LIBRY	1000 411259	341	101000
	07/22/19	povah comm ctr 4212001		597.75		POVAH	1000 411255	341	101000
	07/22/19	unmetered lights 4212004		2,902.50		STLITE	1000 430263	341	101000
	07/22/19	Town Hall 4212009		908.08		TWNHAL	1000 411250	341	101000
	07/22/19	Ice Rink 421010		77.85		PARKS	1000 411253	341	101000
	07/22/19	Hayden/Grouse Well 4212015		78.73		WATER	5210 430500	341	101000
	07/22/19	Electric Well 4212031		78.85		WATER	5210 430500	341	101000

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45945	2813 Century Link	1,538.88					
	07/19/19 DSL Pub Serv Office 646-7949	0.00		BLDINS	1000 430200	345	101000
	07/19/19 Police 646-7600	334.71		POLICE	1000 420160	345	101000
	07/19/19 E911 Viper 646-5170	99.94		E911	2850 420750	345	101000
	07/19/19 E911 255-9710	1,000.52		E911	2850 420750	345	101000
	07/19/19 E911 255-9712	24.51		E911	2850 420750	345	101000
	07/19/19 Alarm Lines, 646-5185	79.20		TWNHAL	1000 411250	345	101000
45946	2546 Century Link QCC	15.06					
	1473157403 07/23/19 long dist chg 406-646-7600	15.06		DISPAT	1000 420160	345	101000
45952	2852 Blackfoot Communications	1,973.51					
	07/15/19 646-5106, fax soc svc	40.53		SOCSRV	1000 450135	345	101000
	07/15/19 646-5119, police station	40.53		POLICE	1000 420160	345	101000
	07/15/19 646-5141, sewer plant alarm	40.53		SEWER	5310 430600	345	101000
	07/15/19 646-5185, town hall alarm	40.53		TWNHAL	1000 411250	345	101000
	07/15/19 646-7311, social services	38.54		SOCSRV	1000 450135	345	101000
	07/15/19 646-7481, povah elevator	40.53		POVAH	1000 411255	345	101000
	07/15/19 646-7511, town hall fax	40.53		TWNHAL	1000 411250	345	101000
	07/15/19 646-7609, public works	21.45		PUBSVC	1000 430200	345	101000
	07/15/19 646-7650, police station fax	40.53		POLICE	1000 420160	345	101000
	07/15/19 646-7715, povah center	31.85		POVAH	1000 411255	345	101000
	07/15/19 646-7795, town hall	253.23		TWNHAL	1000 411250	345	101000
	07/15/19 646-7845, court clerk	17.95		COURT	1000 410360	345	101000
	07/15/19 646-9017, library	41.85		LIBRAR	2220 460100	345	101000
	07/15/19 646-9027, sewer plant alarm	40.53		SEWER	5310 430600	345	101000
	07/15/19 ethernet, library	300.00		LIBRAR	2220 460100	345	101000
	07/15/19 ethernet, povah center	310.00		POVAH	1000 411255	345	101000
	07/15/19 ethernet, police station	350.00		POLICE	1000 411258	345	101000
	07/15/19 ethernet, town hall	272.00		TWNHAL	1000 411250	345	101000
	07/15/19 602-4909, town hall judge	11.48		COURT	1000 410360	345	101000
	07/15/19 late fee	0.92*		FINANC	1000 410510	345	101000
45953	1514 Verizon Wireless	315.30					
	20 Smartphones						
	1 regular phone1						
	5 laptops						
	7/20/19 - Received credit from Verizon for \$814.21 due to overcharges						
	07/20/19 640-0108, Police	5.49		POLICE	1000 420100	345	101000
	07/20/19 640-0121 Laptop	40.01		STREET	1000 420100	345	101000
	07/20/19 640-0141 Street SP	5.49		STREET	1000 430200	345	101000
	07/20/19 640-0159 Street SP	5.49		STREET	1000 430200	345	101000
	07/20/19 640-1103, Operator SP	5.49		STREET	1000 430200	345	101000
	07/20/19 640-1438, SS Director	5.49		SOCSER	1000 450135	345	101000

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TOWN OF WEST YELLOWSTONE  
Claim Approval List  
For the Accounting Period: 8/19

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Report ID: AP100

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	07/20/19	640-1460,	Library Dir, SP	5.49		LIBRAR	2220 460100	345	101000
	07/20/19	640-1461,	Street, SP	5.49		WATER	5210 430500	345	101000
	07/20/19	640-1462,	Operator, SP	5.49		WATER	5210 430500	345	101000
	07/20/19	640-1463,	Deputy PSS, SP	5.49		SEWER	5310 430600	345	101000
	07/20/19	640-1472,	Ops Mgr, SP	5.49		ADMIN	1000 410210	345	101000
	07/20/19	640-1676,	Rec Coord, SP	5.49		REC	1000 460440	345	101000
	07/20/19	640-1754,	COP, SP	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-1755,	Police	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-1756,	Police	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-1757,	Police	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-1758,	Police, SP	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-1759,	Police	5.49		POLICE	1000 420100	345	101000
	07/20/19	640-7547,	Street SP	5.49		PARKS	1000 460430	345	101000
	07/20/19	640-9074,	PSS, SP	5.49		SEWER	5310 430600	345	101000
	07/20/19	683	laptop	40.01		POLICE	1000 420100	345	101000
	07/20/19	COP	laptop	40.01		POLICE	1000 420100	345	101000
	07/20/19	686	laptop	40.01		POLICE	1000 420100	345	101000
	07/20/19	681	laptop	40.01		POLICE	1000 420100	345	101000
	07/20/19	640-2354	Exec Assist	5.49		ADMIN	1000 410210	345	101000
	07/20/19	640-2629	City Judge	5.45		COURT	1000 410360	345	101000
45954		1796	Barta Electric, Inc.	1,570.09					
	5432	07/22/19	Sewer lagoon actuator	1,570.09		SEWER	5310 430600	369	101000
45956		2977	Staples Credit Plan	332.25					
	2305968541	07/12/19	Finance supplies	137.96		FINANC	1000 410510	220	101000
	2308241231	07/12/19	Jail supplies	15.19		JAIL	1000 420230	220	101000
	2308241231	07/12/19	Dispatch supplies	150.59		DSPTCH	1000 420160	220	101000
	2308305431	07/12/19	Police supplies	34.54		POLICE	1000 420100	220	101000
	2310628691	07/12/19	Dispatch supply credit	-217.33		DSPTCH	1000 420160	212	101000
	2311015571	07/12/19	Admin supplies	68.67		ADMIN	1000 410210	220	101000
	2313891261	07/12/19	Soc. Service supplies	175.18		SOCSRV	1000 450135	220	101000
	2310647601	07/12/19	Dispatch Supply credit	-32.55		DSPTCH	1000 420160	220	101000
45957		2491	MMIA	83,700.00					
	07/01/19	MMIA	Compr. Liability	58,590.00		LIABIL	1000 510330	513	101000
	07/01/19	Water	Liability Insur.	20,088.00		WATER	5310 510330	513	101000
	07/01/19	Sewer	Liability Insur.	5,022.00		SEWER	5210 510330	513	101000
45958		2264	MORNING GLORY COFFEE & TEA	33.75					
	625644	07/24/19	Dispatch Coffee	33.75		DSPTCH	1000 420160	220	101000

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TOWN OF WEST YELLOWSTONE  
Claim Approval List  
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\* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
45959	99916 Elizabeth Roos 07/26/19 Reimb Notary fee	25.00 25.00		ADMIN	1000 410210	335	101000
45960	999999 DIANNA HANSEN 07/27/19 Moving Expenses Dianna H.	2,500.00 2,500.00		ADMIN	1000 410210	870	101000
45962	471 Northwest Pipe Fittings, Inc. 3179442 07/25/19 Water/rubber meter gasket	22.48 22.48		WATER	5210 430500	369	101000
45963	2421 NAPA Auto Parts 253190 06/30/19 Vehicle parts & supplies 253190 06/30/19 late fee	5,912.38 5,804.24 108.14		STREET STREET	1000 430200 1000 430200	220 220	101000 101000
45964	547 WY Chamber of Commerce Arprt2019 07/31/19 Map Airport Campaign	7,714.00 7,714.00		MAP	2101 410130	398	101000
45965	183 Traveler's Lodge 07311901 07/31/19 Help Fund Voucher	56.00 56.00		SOCSRV	7010 450135	370	101000
45966	1 First Security Bank of BZN, Div 07/31/19 SLearnCtr #11800639 Principal 07/31/19 SLearnCtr #11800639 Interest	38,835.69 27,889.31 10,946.38		SIEGEL SIEGEL	1000 490500 1000 490500	610 620	101000 101000
45967	1 First Security Bank of BZN, Div 07/31/19 Grdr Loan 6160096 principal 07/31/19 Grdr Loan 6160096 interest	14,639.94 13,982.71 657.23		PUBWRK PUBWRK	1000 490520 1000 490520	610 620	101000 101000
45968	1 First Security Bank of BZN, Div 07/31/19 80-Acre 61600020 Principal 07/31/19 80-Acre 61600020 Interest	77,370.57 65,815.72 11,554.85		80ACRE 80ACRE	2100 490200 2100 490200	610 620	101000 101000
45969	1 First Security Bank of BZN, Div 07/31/19 GO Bond 61600087 Principal 07/31/19 GO Bond 61600087 Interest	55,629.55 46,807.12 8,822.43		GOBOND GOBOND	3050 490100 3050 490100	610 620	101000 101000
45970	2107 Department of Labor & Industry 07/31/19 Building Permit Revenues	39.75 39.75		BULDIN	1000 420531	335	101000
45971	1864 Loomis Family Limited 1011722 07/24/19 Lawnmower fuel	21.82 21.82		STREET	1000 430200	231	101000

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TOWN OF WEST YELLOWSTONE  
Claim Approval List  
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\* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
45972	999999 SOURCE REFRIGERATION 07/31/19 Refund of Duplicat Bus. Lic.	50.00 50.00		BUSLIC	1000 322020		101000
45973	73 Westmart Building Center	3,643.82					
	07/27/19 Street Buildings	75.31		BULDNG	1000 430200	366	101000
	07/27/19 Street Supplies	378.53		STREET	1000 430200	220	101000
	07/27/19 Stage Maint.	29.86		PARKS	1000 460430	369	101000
	07/27/19 Sewer Supplies	154.64		SEWER	5310 430600	220	101000
	07/27/19 Water	242.29		WATER	5210 430500	220	101000
	07/27/19 Police Supplies	9.91		POLICE	1000 420100	220	101000
	07/27/19 UPDL	19.05		UPDL	1000 411252	220	101000
	07/27/19 Parks Grounds	928.29		PARKS	1000 460430	365	101000
	07/27/19 Parks Supplies	71.06		PARKS	1000 460430	220	101000
	07/27/19 Parks Buildings	30.38		BULDNG	1000 411253	366	101000
	07/27/19 Social Services Supplies	3.32		SOCSRV	1000 450135	220	101000
	07/27/19 Sum Rec Supplies	203.11*		SUMREC	1000 460449	220	101000
	07/27/19 Learning Ctr Supplies	1,368.42*		SIEGEL	1000 411254	220	101000
	07/27/19 Recycling	78.09		PARKS	1000 460430	534	101000
	07/27/19 Waste Water Job 2	51.56		SEWER	5320 430640	934	101000
45974	3134 Coppermine Fire Suppression 4861054-IN 05/09/19 Annual inspect. 10 extingu	263.25 263.25		UPDL	1000 411252	357	101000
45975	2937 CINTAS First Aid & Safety 5014430028 07/31/19 medical kit check/refill	71.84 71.84		STREET	1000 430200	220	101000
45976	309 PJ's Plumbing & Heating 99000602 06/27/19 water line repairs UPDL	1,535.00 1,535.00		UPDL	1000 411252	357	101000
45977	2586 Waxie Sanitary Supply 78442369 07/29/19 cleaning supplies	3,262.76 3,262.76		PARKS	1000 460430	220	101000
45978	40 Jerry's Enterprises 07/29/19 fuel	369.95 369.95		STREET	1000 430200	231	101000
45979	2992 Lisa Johnson 08/02/19 travel reimburse exec asst sem	400.57 400.57		ADMIN	1000 410210	370	101000
45980	2822 ClearBlu Cleaning Services	4,320.00					
	07/31/19 July 2019 - Town Hall	1,000.00		TWNHLL	1000 411250	357	101000
	07/31/19 July 2019 - Library	400.00		LIBES	1000 411259	357	101000
	07/31/19 July 2019 - Trailhead Bldng.	260.00		TRLHED	1000 411256	350	101000
	07/31/19 July 2019 - Povah	450.00		POVAH	1000 411255	350	101000
	07/31/19 July 2019 Povah addendum	360.00		POVAH	1000 411255	350	101000

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\* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	07/31/19	July 2019 - Chamber Bldng.		1,100.00		CHAMB	1000 411257	357	101000
	07/31/19	July 2019 - Park Bathrooms		500.00		PARKS	1000 411253	357	101000
	07/31/19	July 2019-Dispatch Center		250.00		POLICE	1000 411258	398	101000
45981		1051 J & V Restaurant Supply		2,539.00					
	331561	08/01/19 fridge for Povah Center		2,539.00		POVAH	1000 411255	212	101000
45982		1085 JD Speciality Services		4,512.50					
	3427	07/29/19 dump truck joy stick		1,000.00		STREET	1000 430200	369	101000
	3428	07/26/19 dump truck, replace starter		3,062.50		STREET	1000 430200	369	101000
	3429	08/01/19 water main repair by clinic		450.00		WATER	5210 430550	369	101000
		# of Claims	54	Total:	402,526.33				

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Fund/Account	Amount
1000 General Fund	
101000 CASH	\$168,991.02
2100 Local Option Taxation-Resort Tax	
101000 CASH	\$77,662.67
2101 Marketing & Promotions (MAP)	
101000 CASH	\$7,714.00
2102 TBID (Tourism Business Improvement	
101000 CASH	\$41,868.11
2220 Library	
101000 CASH	\$347.34
2850 911 Emergency	
101000 CASH	\$1,124.97
3050 GO Bond	
101000 CASH	\$55,629.55
4000 Capital Projects/Equipment	
101000 CASH	\$7,000.00
5210 Water Operating Fund	
101000 CASH	\$7,974.58
5310 Sewer Operating Fund	
101000 CASH	\$31,760.48
5320 Sewer Replacement Depreciation Fund	
101000 CASH	\$51.56
7010 Social Services/Help Fund	
101000 CASH	\$1,234.05
7458 Court Surcharge HB176	
101000 CASH	\$510.00
7467 MT Law Enforcement Academy (MLEA)	
101000 CASH	\$520.00
7468 Public Defender Fee	
101000 CASH	\$0.00
7469 City Court - Judge Gibson	
101000 CASH	\$40.00
7699 Victims Assistance Program	
101000 CASH	\$98.00
Total:	\$402,526.33

WEST YELLOWSTONE TOWN COUNCIL  
**Town Council Work Session & Council Meeting**  
**July 16, 2019**

COUNCIL MEMBERS PRESENT: Jerry Johnson, Brad Schmier, Chris Burke, Greg Forsythe, Pierre Martineau

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

Jeff Heaney, Travis Watt, 911 Communications Manager Brenda Martin, Dispatcher Caitlyn Johnson, Heather Johnson, Bob Patzke

The meeting is called to order by Mayor Brad Schmier 6:00 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.

### **WORK SESSION**

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Mayor Schmier calls the meeting to order. The purpose of the work session is to discuss the FY 2020 budget, specifically special funding requests from outside entities and the Capital Improvement Plan/Capital Funds. Marysue Costello, Executive Director for the West Yellowstone Chamber of Commerce, addresses the Council and explains that they are requesting support at the visitors center in the amount of \$29,000, the same level as the last two years. Costello shares statistics that show visitors to the center top 187,000 people last year. The highest traffic day was 1592 in one day. They are open every day of the year save Christmas, New Years and Thanksgiving. She expresses appreciation for the support from the Town in past years and explains other funding sources they rely on including Yellowstone Country bed tax dollars and acknowledges that the Town cares for the public restrooms and support for fireworks. She explains that the \$29,000 primarily funds payroll but some is used for items like the phone service and possibly a new television setup in the conference room. Burke asks if they see a correlation between people in the visitors center and entrance counts into Yellowstone National Park. Costello answers that they do, but don't yet know how that will work out this year. Entrance into Yellowstone during June was down from last year.

Buck Taylor, Executive Director for Community Health Partners, addresses the Town Council. Taylor explains that they are seeking funding assistance to purchase a new x-ray machine for the clinic. He says that the current machine is antiquated and does not provide all the services that they need. Currently, patients are often sent to Big Sky for those services. Forsythe clarifies that the CHP usually requests \$100,000 annually for support and this request is over and above that amount. Taylor agrees and says this request is for \$50,000 and is a separate from the \$100,000 risk-share that is in the agreement with the Town. Martineau asks if they have the staffing to operate the machine. Taylor says that they have one staff member that is certified and one that is in the process of getting certified. Schmier says that the x-ray machine will cost \$100,000 and they are asking for \$50,000 from the Town, where will the rest of the funding come from? Taylor says they have received a \$5000 donation and he is in dialogue with a local foundation that is interested in donating but are waiting to see what the Town will donate. He says there are other sources he intends to approach. Taylor says that at this time, if they believe they can't get a good film on a patient, they just send the patient to Big Sky immediately. He explains that once they have a better unit, they will be able to take more films and keep more patients here. He also explains that the quote they have is good through this year. Schmier asks if the building will require modifications to install the new unit. Taylor answers that the room is not actually lead lined, which is not a requirement. He says that their staff wears radiology monitors that they send in to be checked on a monthly basis. He says they would like to bring in a physicist to evaluate the room, which may only require a modification using additional drywall other than lead. The Council asks Sabolsky about the \$100,000 risk share agreement. Forsythe says they

usually review the financials before disbursing that money. Sabolsky says CHP usually makes that request at the end of the calendar year and provides their financial statements.

Sabolsky says that the final request is to fund the West Yellowstone Foundation bus at \$25,000. He explains that the representatives were unable to make it this evening but the request is the same as previous years.

The group discusses the Capital Improvement Plan. Sabolsky explains that since the last meeting they have cut \$ 591,000. At this point the budget is fairly close, but if they decide to fund the new x-ray machine they will need to make some changes. Finance Director Lanie Gospodarek points out the changes made in the CIP in order to reduce expenditures. They discuss the reduction of funding for playground equipment. Sabolsky explains that they got a firm estimate for pouring concrete in Pioneer Park and were able to reduce that estimate. Schmier questions whether they need to budget for additional fencing and Sabolsky says he does not think so at this time. Gospodarek explains that reduced the set-aside for the radio system and remodeling in the Town Hall for the Executive Assistant and casting pond. She also explains that they have delayed the purchase of a passenger van for the recreation program until FY 2021. Schmier asks if they revised the revenue projections. Gospodarek responds that they projected a 1.5% resort tax increase. Sabolsky says they also increased the projections for summer recreation and property tax. Forsythe inquires about the new water well and says he understands that the well house is finished. Sabolsky says they are hoping to get the contractor here on Thursday of this week to discuss aspects of the project that were built differently from the specs. Forsythe asks if the casting pond project will actually get completed this year. Sabolsky says they hope so, but the supporters of the project intend to do more fundraising during the off season. Forsythe says he would like to discuss the restroom facility for the tennis courts that might serve 900 people during the year and just finishing the ice rink by completing the boards for the ice rink, which serves many more people. Schmier asks if they have a plan for the tennis courts area. Sabolsky says they have a conceptual plan. The Council considers finishing the ice rink area and delaying the restroom at the tennis courts. Sabolsky points out that the Recreation Advisory Board is very much in favor of that restroom at the tennis courts. Forsythe says that he thinks the Council should look at the CIP in January so they can plan for projects to be completed in the spring. The Council discusses that approach and how to make the most of the summer building season. Forsythe asks if they will change the budget if the additional 1% is passed in November. Sabolsky says it will and they will have to figure out which projects can be funded through that 1% and the effective date of the additional 1%. The group discusses the tennis courts area and what could possibly replace the old basketball courts. There is extensive discussion about adding pickleball lines to the tennis courts or a separate pickleball court. Sabolsky asks for direction from the Council on the CIP. Schmier says he agrees with Forsythe that they should finish the boards at the ice rink. He says he struggles with the cost of the restroom at the tennis courts. The Council considers the lighted trail from Grizzly Avenue to Yellowstone Avenue and whether they should wait for the completion of the casting pond before installing those lights, they also consider adjusting the Pioneer Park improvements. The discussion returns to the request from CHP to fund the x-ray machine. Schmier suggests that in the future, perhaps they should set aside a certain dollar amount for special requests and consider them using that criteria. Forsythe suggests that they ask management to make a recommendation to the Council about funding the x-ray machine, he suggests outlining what they would have to cut to come up with \$50,000. Schmier points out they are asking for a donation, but maybe they can't come up with the whole \$50,000. Sabolsky says they will explore the possibilities and come back with recommendations. Schmier says they should consider owning half of the x-ray machine. Sabolsky says he would be concerned about the responsibility of the Town if there is a problem with the machine. He says they could look into other options such as a lien on the equipment. Forsythe suggests they also look at a lease of the equipment or a 2-year buyout.

## **ACTION TAKEN**

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- 1) Motion carried to approve Purchase Order #6816 to CS Construction, library remodel for \$30,000. (Forsythe, Burke)
- 2) Motion carried to approve the claims, an adjusted total of \$292,913.25. (Martineau, Burke) Burke abstains from #45878 for \$32.50, Schmier abstains from claim #45888 to Jerry's Enterprises for \$454.19.
- 3) Motion carried to approve the Consent Agenda, which includes the minutes of the July 2, 2019 Work Session and Town Council Meeting and then the July 9, 2019 Special Town Council Meeting. (Martineau, Forsythe)
- 4) Motion carried to table the new business license application for Sweet Home Montana. (Martineau, Burke)

## **Public Comment Period**

No public comment is received.

## **Council Comments**

Mayor Schmier thanks the staff for the excellent 4<sup>th</sup> of July events and notes that he thinks it was the biggest parade with the most spectators we have had in years. Martineau adds that the city park the next day was completely clean and credits the staff for getting it taken care of. Patterson notes that the park was left cleaner than it ever has before, everything went well. Schmier mentions that a member of Gallatin County Search & Rescue lost a member of its crew this week and asks everyone to remember his family at this time. Forsythe reports that Little Rangers celebrated its first year anniversary tonight. Forsythe also asks questions about the recent email from District Ranger Jason Brey about no longer staffing the smokejumper base out by the airport. The Forest Service has opted not to staff the base year-round and only use the base for smokejumpers. Tankers will no longer be landed and refueled from the base.

## **DISCUSSION**

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- 1) Finance Director Lanie Gospodarek explains that the project is being paid for out of the Library Fund, so the coding on the purchase order is incorrect but the claim that is on the list is correct. Bruce McPherson, Head Librarian, has raised approximately \$28,000 through Gallatin County to fund the remodel.
- A) Town Manager & Department Head Reports: Town Manager Dan Sabolsky reports that they have finally finished helping Terry Oksa to aggregate his lots so he can build a garage! He also reports that Ventures West applied for a variance from Montana DEQ with assistance from the Town, but the variance was denied. Safety Fest will be in Butte in August and they intend to send a couple employees. The supporters of the new casting pond met this week and is working on a final plan. Ross Miller, the gentleman handling our water rights for the new water well has made a proposal to Montana Fish, Wildlife and Parks and DNRC. If that proposal is approved, they can move ahead with getting the well permitted by Montana DEQ. They are working on laying the conduit for the new water well and preparing for the expansion of the 80 acres. Sabolsky reports that he did sign the contract with the Taylor Luther Group for the resort tax election services for \$20,000. He also requested time logs from the group to document their time on the project. He says that the administration of the Yellowstone Airport and the Smokejumper Base want to meet with the Town on August 1, 2019 to discuss providing water and sewer services to their facilities. Melissa Alder contacted him about the Rails to Trails project, which would establish a trail from Ashton to West Yellowstone on the old railroad beds. The group is meeting July 26, 2019. Martineau asks if the Povah Center is being used more this year than in the past. Sabolsky says it is being used frequently and participation in Summer Rec is up, so there is a lot of use in the building.

Public Services Superintendent James Patterson reports that the 4<sup>th</sup> of July celebration went quite well. He reports that they have been working on the playground for Little Rangers at the Siegel Learning Center. He says they are striping the streets around Town and pouring concrete tomorrow. They will pave the lot west of the Union Pacific Dining Lodge in the near future but he doesn't have a set date from the paver. A sprinkler system is being installed at Little Rangers and new sod. He reports that the new recycling bin at Public Services is about half full and so far it appears to be pretty clean and no contamination.

Finance Director Lanie Gospodarek reports on working on the budget, end of the fiscal year, closing entries, water and sewer rates increase this month as do payroll wages. She reports that she attended an Excel training last week, new Finance Clerk Peggy Russell is being trained and doing well.

Social Services Director Kathi Arnado reports that new Social Services Assistant Dianna Hansen is doing well. She thanks the rest of the Town staff for supporting her office while she was out of the office last week. She mentions the Bike Rodeo that is coming up shortly, which will provide bicycle safety information for kids in the community. They have even managed to get four brand new bicycles donated from Walmart that will be given away at the event.

Chief of Police Scott Newell thanks Public Services for assistance on the 4<sup>th</sup> of July as the Park Law Enforcement was attending to a suicide three miles inside the park. He also reports that they had an individual come in to bond out his friend on the 4<sup>th</sup> of July, but was caught on camera stealing the bear carving that holds their business cards. He now has an appointment to see the Judge. Sabolsky adds that they have had several complaints about the new lines on Canyon Street and wants to point out that the Public Services Department did not put those stripes down, that was the State.

- B) Sabolsky explains that the building code establishes a Board of Appeals to provide reasonable interpretation of the code when required. The Town has tried for some time to find individuals to serve on this board but has been unsuccessful. It has been suggested that the Town Council act as the Board of Appeals, either temporarily or long-term. He says they could try to address such issues using legal counsel or engineering firm, too. The Council questions whether the council members are qualified to serve on the board. Sabolsky asks the Council Members to consider the issue and let me know their thoughts on how to proceed as soon as possible.

The meeting is adjourned. (9:00 PM)

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Mayor

ATTEST:

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Town Clerk

TOWN OF WEST YELLOWSTONE  
**Town Council Work Session**  
**July 23, 2019**

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Pierre Martineau, Chris Burke, Greg Forsythe, Jerry Johnson

OTHERS PRESENT: Town Manager Daniel Sabolsky, Public Services Superintendent James Patterson, Finance Director Lanie Gospodarek, Chief of Police Scott Newell

The meeting is called to order by Mayor Schmier at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

**Public Comment Period:** No public comment is received.

**Council Comments:** Johnson asks everyone to keep Gibson Bailey in their thoughts, he recently had a heart procedure and is recovering.

Forsythe asks about the issues Ventures West is having the Montana DEQ getting their new employee housing RV park permitted. Sabolsky explains that they have not been able to get their last 5 or 6 spaces approved due to interpretation by DEQ regarding water supply. He says that the basis of the problem is a water backup source, otherwise known as 100% redundancy, should there be a water shortage. Sabolsky says they are working with Neil Pringle of Ventures West on the issue, but don't have it worked out yet. It is complicated because the law that DEQ is referring to pertains to wells and the Town's main source is a spring. He says they are appealing DEQ's decision and offering water conservation solutions should there be a shortage.

## **DISCUSSION**

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Mayor Schmier calls the meeting to order. The topic for the work session is a discussion of the Enterprise Funds, commonly known as the water and sewer funds. The Council first discusses the Water Operating Fund. Finance Director Lanie Gospodarek explains that the major source of revenue for the water fund is user fees from the users of the system. Expenditures in the water fund are split into operations and maintenance and then replacement. She explains that they adopted a seven-year rate structure for water and sewer rates, so everyone will see an increase in their rates this month. She points out that the employees that work in the water and sewer departments are split up between both the water and sewer funds. Gospodarek explains that they did budget to purchase additional water materials, professional services, and the new public works vehicle is being partially purchased from the water fund. The vehicle was ordered in the last fiscal year, but won't be available until September of this year so they rolled that money forward into this budget. Patterson points out that they had to budget to install a hydrant in the proximity of the new water well, which is \$12,000. Gospodarek also explains that it is recommended that they allocate \$50,000 annually for future replacement and \$71,438 for depreciation expense. Forsythe asks about the different places they have budgeted funds for Forsgren Engineering services. Gospodarek and Sabolsky explain that they are completing projects that were started last year before Forsgren was selected to be the Town Engineer. Gospodarek explains that the balances in the water funds and points out that the balance of the expenses to construct the new water well are under Source of Supply & Pumping. Gospodarek explains that the Sewer Fund is set up similarly to the water funds. Salaries and benefit expenses are split between the funds. They are budgeting for sewer monitoring to gather data to support the modeling prepared by the engineer. They have set aside an additional \$40,000 for possible improvements, to be determined on an as-needed basis. Johnson questions the \$7500 to purchase a plow for the backhoe and if that is more useful than the plow for the loader, which was delayed. Patterson agrees, but explains that the plow for the loader is \$23,000. Sabolsky explains that the backhoe plow is to clear snow at the sewer lagoon and was requested by Greg Johnson to conduct sewer testing. Johnson says it is unusual to have a consultant doing some plowing. After discussion, Forsythe recommends just purchasing the plow for the loader and directing the money from the plow for the backhoe to that purpose. He recommends taking the balance out of the contingency fund. The Council agrees with Forsythe's recommendation. Gospodarek notes that they have enough in the fund to pay for the plow for the loader and they can leave the \$40,000 for other improvements. She explains that they have also planned to set aside the replacement and depreciation funds, as recommended. Johnson asks if it is just more

complicated to split employee costs between funds and maybe they should just budget an entire person in each fund. Gospodarek says that the auditors recommend against that unless that employee is assigned completely to that department. Sabolsky agrees and says that just like equipment, they are not supposed to budget the entire expenditure out of one department unless that person only works in that department. Johnson asks if they intend to fill the Water & Sewer Superintendent position this fiscal year. Sabolsky says that they do, pointing out that employee will cost close to the same as what they are paying for consulting from Forsgren and Buffalo Services. Travis Watt asks various questions about the status of the utility funds and the contract with Buffalo Services. Sabolsky explains that Buffalo Services has a two-year contract to oversee testing and sampling of the system and has also assisted with the short-term upgrades at the lagoon. He says that when they hire a Water & Sewer Superintendent, they will probably end the contract with Buffalo Services. Gospodarek also explains that the balance of the short-term upgrades project is budgeted in the Treatment and Disposal account, approximately \$429,000. Forsythe asks if they have an estimate of when the water well will be online. Sabolsky says he talked to the hydrologist today and has been in contact with Fish, Wildlife & Parks as well as DNRC. He should be able to answer that question by the next Town Council Meeting.

The meeting is adjourned, 7:20 PM.

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Mayor

ATTEST:

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Town Clerk

TOWN OF WEST YELLOWSTONE  
**Town Council Work Session**  
**July 30, 2019**

COUNCIL MEMBERS PRESENT: Mayor Brad Schmier, Pierre Martineau, Chris Burke, Greg Forsythe, Jerry Johnson

OTHERS PRESENT: Town Manager Daniel Sabolsky, Public Services Superintendent James Patterson, Finance Director Lanie Gospodarek, Chief of Police Scott Newell

The meeting is called to order by Mayor Schmier at 6:00 PM in the Town Hall, 440 Yellowstone Avenue, West Yellowstone, Montana.

**Public Comment Period & Council Comments**

No comments are received.

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Mayor Schmier calls the work session to order. The purpose of the work session is a discussion of the Capital Improvement Plan (CIP) and the budget for FY 2019-2020. Finance Director Lanie Gospodarek highlights the changes made to the CIP since the last meeting. Gospodarek points out that they move the funding up for the plow for the loader to this years budget. Forsythe asks for clarification as to what projects were cut or delayed in order to balance since the first time the CIP was discussed. She explains that originally they had to cut \$591,000 from the budget. To accomplish this, they delayed the \$125,000 to be set aside for resurfacing the streets to FY 2021, they decided to delay surfacing the Frontier Trail for \$30,000 to FY 2021, they reduced the Pioneer Park improvements for FY 2020 by \$20,000, they took \$10,000 from the casting pond project and \$5000 from the remodeling in the Town Hall project, they also reduced the cost to put new lighting in the Town buildings by \$40,000, delayed the Dunbar Park improvements for \$12,500 and the Summer Recreation vehicle for \$55,000 from FY 2020 to FY 2021. They also moved up the funding for the plow for the loader to FY 2020 for \$23,000. The net total of the changes to the CIP is roughly \$297,000. Sabolsky explains that the rest of the cuts came from the General Fund. Schmier asks about the street lights and if they should budget to replace all of the lights. Sabolsky says that if the additional 1% resort tax passes, they may use that revenue to replace the streetlights.

The Council discusses the recent changes to the General Fund. Johnson asks about the anticipated increase for Planning and Zoning fees. Gospodarek explains that is a result of the approval of projects that were on hold and pass through expenses from engineers and consultants. The group also discusses general refunds and reimbursements, summer recreation fees. The Council discusses the miscellaneous expenditures under Legislative Services, which include \$25,000 for the West Yellowstone Foundation bus, \$6000 for the 4<sup>th</sup> of July fireworks, \$29,000 to support the Visitors Information Center (VIC), and \$50,000 contingency fund. Schmier asks about the substantial increase in the training budget under Administration. Sabolsky explains that he anticipates bringing in consultants and attending more professional training this year. The group briefly discusses the appropriate amount to budget for legal services. Sabolsky explains that they always budget over \$100,000 but have been fortunate to stay well under budget the last couple of years. They have set the budget for this year at \$115,000 based on the expectation of reviewing the zoning code and subdivision regulations. Gospodarek points out that the added \$3500 for new technology equipment in the conference room at the Povah Center. They also budgeted for cleaning services in multiple town buildings. Johnson asks if his crew has been more effective now that they don't have to do the cleaning. Patterson says they have so much to do, they have barely noticed that the cleaning responsibilities have been eliminated. Gospodarek points out basic changes in the general fund and adjustments. The Council discusses salaries, employer contributions to health insurance, and overtime expense. Forsythe asks if they have included the \$50,000 in the budget that was requested by Community Health Partners to purchase a new x-ray machine. Sabolsky explains that they have not budgeted for that expenditure, but acknowledges that they could fund that from the \$50,000 contingency in the Legislative budget. Gospodarek also points out how the insurance expense is spread through out the budget in the general, water, and sewer funds.

The meeting is adjourned, 7:45 PM.

July 30, 2019  
Town Council Work Session  
Minutes, Page 2 of 2

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Mayor

ATTEST:

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Town Clerk

# Town of West Yellowstone Business License Application

Business Name: Sweet Home Montana -  
 Applicant: Steve Keene  
 Contact Person: Brandi Kadlec  
 Mailing Address: PO BOX 2108  
 Physical Address of Business: 128 Greyser St.  
 Phone Number: 406 640 0243 Fax Number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Website: \_\_\_\_\_

Signature of Property Owner of Record: 

Subdivision: \_\_\_\_\_  
 Block: 20 Lot: 1

Zoning District, please mark one:

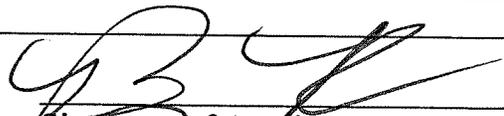
- B-3 Central Business District (Old Town)       PUD Planned Unit Development (Grizzly Park)  
 B-4 Expanded Business District (Grizzly Park)       Residential Districts, Home Occupations Only (Mad Add)  
 E-2 Entertainment District (Grizzly Park)
- New Business       Transfer of Ownership  
 Change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

1 Nightly Rental

Business License Fee: \$ 53.<sup>00</sup>  
 Resort Tax Bond: \$ 500.<sup>00</sup>

  
 Signature of Applicant

Total Amount Due: \$ 553.<sup>00</sup>

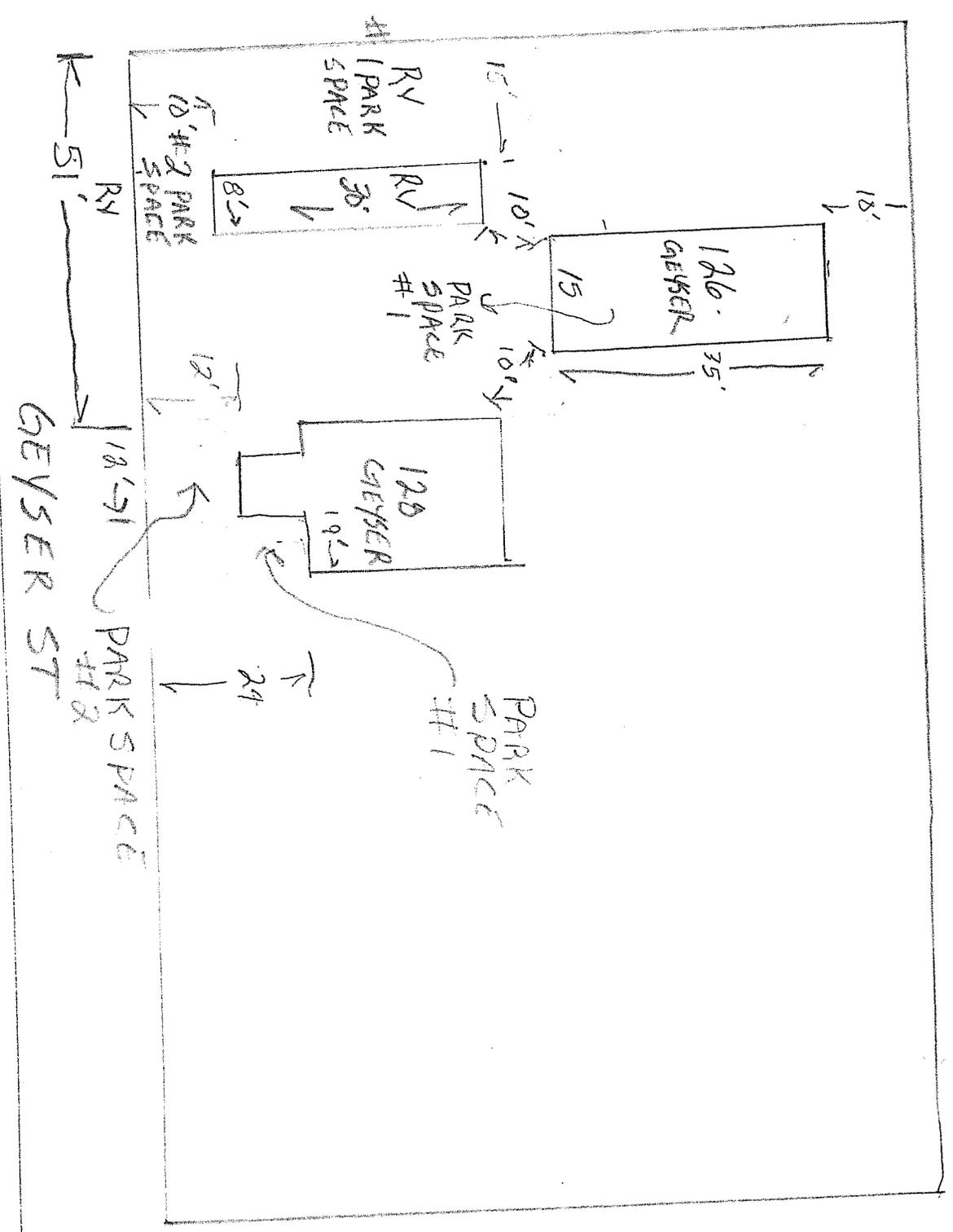
Signature of Applicant  
6/21/19  
 Date

Tabled 7-2-19 TC and 7-16-19 TC

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

7/18/19

126 GEYSER  
PARKING



7/18/19

I Steve Keene, would appreciate the waiver of the \$500 bond due to my tax history.

Thank you,

A handwritten signature in black ink that reads "Steve Keene". The signature is written in a cursive style with a long horizontal flourish at the end.

\* No tax history - ER



# Town of West Yellowstone Business License Application

Business Name: DALEY TRAILER COURT  
 Applicant: Faithful, LLC - Timothy Edward Daley, Manager  
 Contact Person: Timothy Edward Daley  
 Mailing Address: P.O. Box 644, West Yellowstone, MT 59758  
 Physical Address of Business: 119 North Faithful St., West Yellowstone  
 Phone Number: 646-7539 or 539-1339 Fax Number: 0  
 Email Address: SNOWWALKERDALEY17@GMAIL.COM Website: 0

Signature of Property Owner of Record: Timothy Edward Daley FOR Faithful, LLC

Subdivision: Old Town Block: 18 Lot: 9 & 10

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
- OTHER - SEE ATTACHED NOTE...

- Is this business licensed by the State of Montana?  Yes  No
- Appropriate Town/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.

TRAILER COURT / Campground: 9 (NINE) SPACES, LIC. # 0416  
SEE: ATTACHED SITE PLAN

Business License Fee: \$ \_\_\_\_\_  
 Resort Tax Bond: \$ \_\_\_\_\_  
 Total Amount Due: \$ \_\_\_\_\_

Faithful, LLC  
 Signature of Applicant  
Timothy Edward Daley  
 Signature of Applicant  
 MANAGER  
 Date 7/1/2019

FOR OFFICE USE ONLY				
Date Approved: _____	<input type="checkbox"/> Town Council	<input type="checkbox"/> Administration	_____	
Date _____	Check # _____	Amount \$ _____	License # _____	
SCN _____	BLP _____	STX _____	RDX _____	

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

2019 \* \* \*

CAMPGROUND/TC 1-10

\* \* \* 2019

County # 16

**2019 LICENSE**

Gallatin County

LICENSEE (OPERATOR) MAILING ADDRESS	ESTABLISHMENT LOCATION ADDRESS
FAITHFUL LLC TIMOTHY EDWARD DALEY PO BOX 644 WEST YELLOWSTONE MT 59758	DALEY TRAILER COURT  119 FAITHFUL ST WEST YELLOWSTONE MT 59758

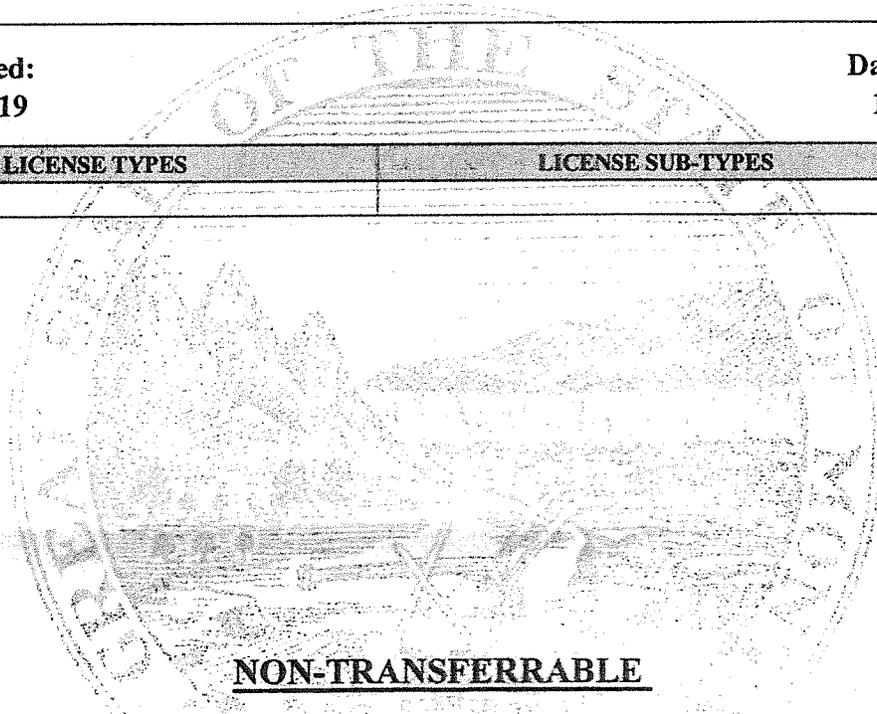
Year	Fee Received	Category	License No.
2019	\$ 40.00	CAMPGROUND/TC 1-10	0416

Conditions

Date Issued:  
01/01/2019

Date Expires:  
12/31/2019

LICENSE TYPES	LICENSE SUB-TYPES	UNITS
Trailer Court		9



**NON-TRANSFERRABLE**

Issued by the Montana Department of Public Health and Human Services, Food & Consumer Safety Section,

**APPROVED: HEALTH OFFICIAL VALIDATION**

*[Signature]*  
Local Health Authority

Gallatin

Received 12/10/2018  
Approved 12/18/2018  
County

**THIS LICENSE MUST BE PLAINLY DISPLAYED IN YOUR PLACE OF BUSINESS**

## **NOTE:**

We have been operating our trailer court / campground for 35+ years on a long-term residence only basis. As such, we were informed that no Town license was required for our operation. We have been approved by Gallatin County to operate each year (see attached County license). We are submitting this application now in response to a request from the Town office.

## **NOTE:**

As per recommendation of the DRG, the unoccupied trailer/RV space at the southeast corner of Lot 9, Block 18, as well as the trailer/RV space abutting Parkway B on Lot 9, Block 18 (second to the East of Faithful Street) have been eliminated so as to facilitate approval of this business for licensing by the Town of West Yellowstone. A comparison of the two site plans will confirm this to be true.

Parkway B

Madison Avenue

House Under Construction

Lot 9, Block 18

Lot 10, Block 18

PARK

PARK

PARK

Occupied TRAILER

Occupied TRAILER

PARK

Shed

DRIVEWAY

UNOCCUPIED TRAILER

UNOCCUPIED TRAILER

Occupied TRAILER

Occupied R.V. Space

PARK

PARK

PARK

PARK

Occupied TRAILER

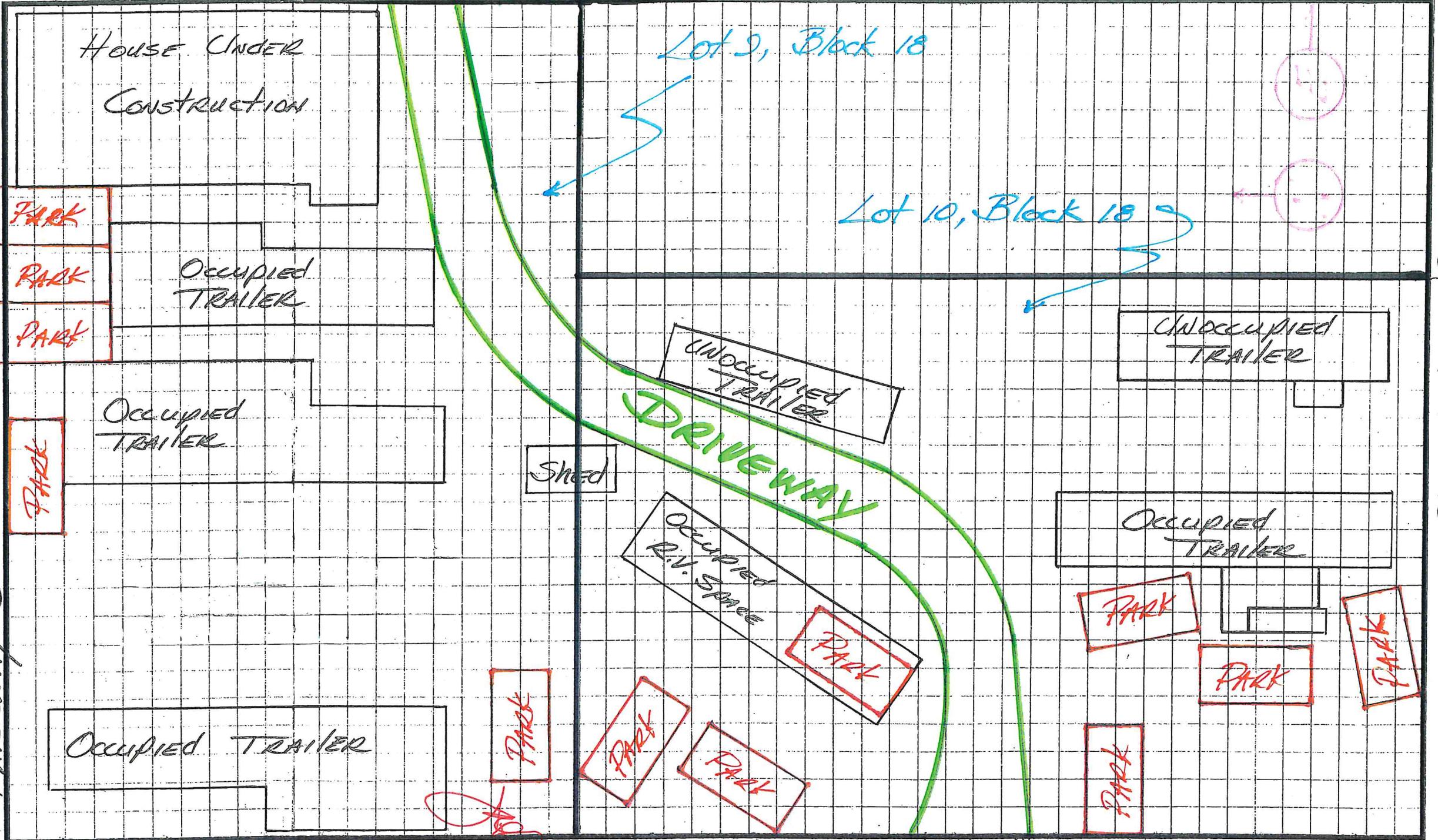
PARK

PARK

PARK

PARK

Fairfield Street



# RESOLUTION NO. 733

A RESOLUTION REFERRING TO THE ELECTORATE THE QUESTION OF WHETHER THE TOWN'S RESORT TAX, NOW SCHEDULED TO EXPIRE DECEMBER 31, 2025, SHOULD BE RENEWED FOR AN ADDITIONAL TWENTY YEARS COMMENCING ON JANUARY 1, 2026.

WHEREAS, the electorate of West Yellowstone approved a resort tax of three percent (3%) in the general election of November 5, 1985; and

WHEREAS, the electorate approved the resort tax for a period of twenty years, commencing on January 1, 1986 and expiring on December 31, 2005; and

WHEREAS, the electorate approved an extension of the 3% resort tax in the general election of November 5, 2002 for a period of twenty years, commencing on January 1, 2006 and expiring on December 31, 2025; and

WHEREAS, the Town relies on revenue from the resort tax to meet the needs of Town residents as well as the increased demands of tourists on the Town's services; and

WHEREAS, no other revenue source could replace the income from the resort tax and allow the community to continue its status as the premier tourist destination adjacent to Yellowstone National Park; and

WHEREAS, the question concerning resort tax renewal is so important to the Town's economic vitality and stability that the Town Council has determined that the electorate should vote on this question at the earliest possible date, although the resort tax will not expire until December 31, 2025.

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

1. In accordance with Section 7-6-1504, MCA, the Gallatin County election administrator shall place on the ballot at the next general election to be held in West Yellowstone, Montana on November 5, 2019, a ballot issue whereby the electors of West Yellowstone shall vote FOR or AGAINST the question of whether the Town's existing resort tax should be renewed in accordance with this Resolution.
2. The exact rate of the resort tax referred to the electorate shall be three percent (3%), which is the current resort tax rate.
3. The duration of the resort tax referred to the electorate shall be twenty (20) years.
4. The effective date of the resort tax referred to the electorate, if passed, shall be January 1, 2026. This delayed effective date is due to the existing resort tax term not expiring

until December 31, 2025. The expiration date of the resort tax referred to the electorate, if passed, shall be December 31, 2045.

5. Resort tax revenue may be used for any lawful purpose for which the Town may expend funds. For the most part, the resort tax revenue will partially fund the general operations of town government, although revenue may also be used for capital purchases or for securing debt obligations of the Town. Resort tax revenue will continue to be used each year to ensure the Town's property taxes remain low.

6. In accordance with Section 7-6-1504(6), MCA, the Town Clerk is directed to publish notice of the goods and services that will be subject to the resort tax.

7. In accordance with Sections 13-1-108 and 7-6-1504(7), MCA, the Town Clerk is directed to publish notice of the general election including information related to the rate of the resort tax, the duration of the resort tax, the effective date of the resort tax, and the purposes which may be funded by the resort tax.

8. It is the Town Council's present intention to continue administration of the resort tax in accordance with the current provisions of the West Yellowstone Municipal Code. This included, among other provisions, the right of merchants collecting and remitting the resort tax to withhold a certain percentage of resort tax revenue collected to defray their costs for administration of the tax collection.

**PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR**  
**this \_\_\_\_ day of \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Mayor Brad Schmier

\_\_\_\_\_  
Council Member Greg Forsythe

\_\_\_\_\_  
Council Member Jerry Johnson

\_\_\_\_\_  
Council Member Pierre Martineau

\_\_\_\_\_  
Council Member Chris Burke

ATTEST:



\_\_\_\_\_  
Town Clerk Elizabeth Roos

# RESOLUTION NO. 734

A RESOLUTION REFERRING TO THE ELECTORATE THE QUESTION OF WHETHER THE TOWN'S RESORT TAX SHOULD BE INCREASED BY 1% TO A TOTAL OF 4%, DEDICATING THE NEW 1% TO SPECIFIED INFRASTRUCTURE PROJECTS.

WHEREAS, the electorate of West Yellowstone approved a resort tax of three percent (3%) in the general election of November 5, 1985 for a period of twenty years, and extended the resort tax for another twenty years in the general election of November 5, 2002; and

WHEREAS, the existing 3% resort tax is currently set to expire on December 31, 2025; and

WHEREAS, the Town is seeking to extend the current 3% resort tax for an additional twenty years to expire on December 31, 2045; and

WHEREAS, the Town relies on revenue from the resort tax to meet the needs of Town residents as well as the increased demands of tourists on the Town's services; and

WHEREAS, additional revenue is needed to continue to provide services to and meet the daily needs of tourists and Town residents and allow the Town to continue to thrive with its tourism-based economy; and

WHEREAS, the Montana Legislature passed Senate Bill 241 during the 2019 Legislative Session (effective May 2, 2019) which allows for the electorate to approve an additional 1% to the resort tax to be used for specified infrastructure projects.

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

1. In accordance with Section 7-6-1504, MCA, the Gallatin County election administrator shall place on the ballot at the next general election to be held in West Yellowstone, Montana on November 5, 2019, a ballot issue whereby the electors of West Yellowstone shall vote FOR or AGAINST the question of whether the Town's resort tax should be increased by one percent (1%) for infrastructure in accordance with this Resolution.

2. The exact rate of the resort tax for infrastructure referred to the electorate shall be one percent (1%), which is in addition to the current resort tax rate of three percent (3%).

3. The duration of the additional one percent (1%) resort tax referred to the electorate shall be for the period of time it takes for the specified infrastructure debts and project costs to be paid. As soon as the debts and project costs are paid in full, the additional levy terminates. Section 7-6-1504(4)(d), MCA. Under no circumstance shall the additional one percent (1%) for infrastructure continue beyond December 31, 2045, unless again approved by the electorate.

4. The effective date of the additional one percent (1%) resort tax referred to the electorate, if passed, shall be January 1, 2020.

5. In accordance with Section 7-6-1501(2), MCA, resort tax revenue is pledged for use in the following infrastructure projects currently needed and contemplated by the Town of West Yellowstone:

- a. New Wastewater Treatment Facility
- b. Water Line Replacement
- c. Sewer Line Replacement
- d. Rebuilding of Town Streets and Sidewalks
- e. Additional Town Water Storage Tank

6. In accordance with Section 7-6-1504(6), MCA, the Town Clerk has established a list of goods and services that will be subject to the resort tax.

7. In accordance with Sections 13-1-108 and 7-6-1504(7), MCA, the Town Clerk is directed to publish notice of the general election including information related to the rate of the resort tax, the duration of the resort tax, the effective date of the resort tax, and the specified infrastructure projects which may be funded by the additional resort tax.

8. It is the Town Council's present intention to continue administration of the resort tax in accordance with the current provisions of the West Yellowstone Municipal Code with the acknowledgment that the Municipal Code will need to be updated to reflect the additional one percent (1%) for infrastructure projects.

**PASSED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR**  
**this \_\_\_\_ day of \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Mayor Brad Schmier

\_\_\_\_\_  
Council Member Greg Forsythe

\_\_\_\_\_  
Council Member Jerry Johnson

\_\_\_\_\_  
Council Member Pierre Martineau

\_\_\_\_\_  
Council Member Chris Burke

ATTEST:



\_\_\_\_\_  
Town Clerk Elizabeth Roos

**Ballot Language extending 3% Resort tax (76 words):**

Whether the Town Council of West Yellowstone, Montana, in accordance with Section 7-6-1504, Montana Code Annotated, should be authorized to renew the Town's 3% resort tax for an additional twenty years. The Town's 3% resort tax is currently scheduled to expire on December 31, 2025. Approval of this ballot measure authorizes the Town Council to extend the 3% resort tax for an additional twenty years, beginning on January 1, 2026 and ending on December 31, 2045.

**Ballot Statements of Implication extending 3% Resort Tax (16 words each):**

FOR renewal of the 3% resort tax beginning January 1, 2026 and ending December 31, 2045.

AGAINST renewal of the 3% resort tax beginning January 1, 2026 and ending December 31, 2045.

**Ballot Language increasing Resort tax 1% for infrastructure (100 words):**

Whether the Town Council of West Yellowstone, Montana, in accordance with Section 7-6-1504, Montana Code Annotated, should be authorized to increase the Town's 3% resort tax by 1% for infrastructure projects. The new 1% would pay for upgrades and replacements of: wastewater treatment facility, water lines, sewer lines, streets, sidewalks, and water storage tanks. The additional 1% would be effective January 1, 2020 and expire once debts and project costs are paid, but no later than December 31, 2045. Approving this ballot measure authorizes the Town Council to increase the 3% resort tax by 1% to fund specified infrastructure projects.

**Ballot Statements of Implication increasing Resort Tax 1% for infrastructure (24 words each):**

FOR increasing the resort tax 1% for infrastructure projects beginning January 1, 2020 and ending when project costs are paid or December 31, 2045.

AGAINST increasing the resort tax 1% for infrastructure projects beginning January 1, 2020 and ending when project costs are paid or December 31, 2045.

ORDINANCE NO. 222

**AN ORDINANCE REDUCING THE RESORT TAX COLLECTION FEE RETAINED BY MERCHANTS FROM FIVE PERCENT TO TWO AND ONE-HALF PERCENT, CREATING A MARKETING AND PROMOTION FUND, ESTABLISHING A BOARD TO OVERSEE THE MARKETING AND PROMOTION FUND, AMENDING SECTIONS 3.12.080 AND 3.12.140 OF THE WEST YELLOWSTONE MUNICIPAL CODE, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of West Yellowstone receives tax revenues from a resort tax, and the town presently allows payers of the tax to withhold five percent of the tax collected to defray the payer's costs for administration of the tax collection; and,

WHEREAS, the town council has determined that it would be in the best economic interests of the town that a fund be established for the purpose of marketing and promoting West Yellowstone, which will result in positive economic benefits for the town and the surrounding area; and,

WHEREAS, the town council has determined that the fund described above may be established and maintained by means of a reduction in the administration fee to be withheld by payers of the resort tax, since those payers, among others, may benefit from establishment and use of the fund described above;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE AS FOLLOWS:

Section 1. Section 3.12.080 of the West Yellowstone Municipal Code is amended to read as follows:

**3.12.080 Resort tax collection fee.** Each collecting merchant shall be entitled to withhold two and one-half percent of the resort taxes collected to defray costs for collecting the resort tax, providing that resort tax payments are timely made in accordance with section 3.12.060. The resort tax collection fee may be withheld by the business at the time of paying the tax to the town. Failure to withhold the fee shall constitute waiver and forfeiture of the same.

Section 2. Section 3.12.140 of the West Yellowstone Municipal Code is amended to read as follows:

**3.12.140 Use of tax monies.** A. The tax moneys derived from the resort tax may be appropriated by the town council for any activity, undertaking, or administrative service that the municipality is authorized by law to perform, including costs resulting from the imposition of the tax.

B. There is established a marketing and promotion (MAP) fund for the town. Two and one-half percent of the three percent resort tax collected by the collecting merchant shall be dedicated exclusively to the MAP fund, which fund shall be used solely for the marketing and promotion of West Yellowstone and the surrounding area, as well as the associated costs of administering the fund. The town council may appropriate additional resort tax receipts to the MAP fund.

C. The town council shall by resolution establish a board of not less than three nor more than seven qualified persons to oversee the MAP fund. At least one member of this board shall be a sitting member of the town council or the council's designee. The board shall establish policies and procedures for its operation and the general management of the fund in accordance with the council's resolution establishing the board. The board shall also select individual marketing and promotion projects and approve expenditure of funds for such projects, subject to approval by the town council.

**NEW SECTION.** Section 3. Effective date. This ordinance is effective on ~~March~~ May 1, 2007.

PASSED BY THE TOWN COUNCIL this 6 day of March, 2007.

\_\_\_\_\_  
Council Member/Mayor

Mary Phillips  
Council Member

\_\_\_\_\_  
Council Member

Robert Adams  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

By: \_\_\_\_\_

E. Rooy  
Town Clerk

## Article I. ADMINISTRATION--GENERAL PROVISIONS

### 12.28.010 Established.

Town ~~is~~ established a cemetery for the burial of the human dead to be known as the West Yellowstone Cemetery, and control thereof is assumed by the Town, and the same shall be governed, managed and controlled as provided by this Chapter. (Ord. 76 §1, 1978)

### 12.28.020 Boundaries.

The West Yellowstone cemetery shall be composed of that certain tract of land lying north of the ~~T~~town now owned, controlled and used by the ~~T~~Town for the burial of the human dead, together with such other tracts of land as the ~~T~~Town may hereafter acquire. [~~A~~ plat of the tract being attached to this ~~e~~Chapter and by this reference made an integral part of the ordinance codified in this ~~C~~Chapter.] (Ord. 76 §2, 1978)

### ~~12.28.030 Establishing separate cemetery unlawful.~~

~~It is unlawful for any person to establish and maintain a cemetery within the limits of the town or within three miles of the limits of the town. (Ord. 76 §15, 1978)~~

### 12.28.040 Deposits for ornamentation.

Any person may deposit with the ~~T~~Town ~~Clerk~~ any sum not less than one dollar for the purpose of being used and expended by the ~~B~~Board of ~~T~~Trustees or the Town in and about the care or ornamentation of the cemetery. (Ord. 76 §14, 1978)

### 12.28.050 ~~Town clerk Finance Department--Duties--Accounts.~~

It shall be the duty of the ~~town clerk Finance Department~~ to receive moneys payable to the cemetery, from whatever sources derived, ~~and the clerk shall account to the town treasurer for all moneys received and pay same over to the town treasurer at least once each month all such moneys taking a receipt for the same. (Ord. 76 §3, 1978)~~

### 12.28.060 Cemetery ~~Superintendent--Duties--Burial register.~~

It is the duty of the ~~Cemetary~~ Superintendent ~~of the cemetery and Town Clerk~~ to keep a register and make out ~~a~~burial permits, in which register and on such burial permit ~~he they~~ shall enter the date of each interment in the cemetery, the number of the grave, lot and block in which such interment is made, and when ~~he they~~ can obtain the same, the name, age, sex, time place and cause of death and the next of kin or the administrator of the estate, of the person interred. ~~He shall deliver one copy of the burial permit to the secretary of the board. (Ord. 76 §4, 1978)~~

### 12.28.070 Cemetery ~~Superintendent--~~Activity Report.~~Report to board.~~

It shall be the duty of the ~~Cemetery Superintendent superintendent of the cemetery~~, at any regular meeting of the ~~B~~board, to make a report to the Board of Trustees of the number of all interments or disinterments made in the cemetery during the time for which such report is made, and this report shall be recorded in the minutes of the meeting. (Ord. 76 §5, 1978)

**12.28.080 Purchase of lots--Application.**

Whenever any person shall desire to purchase any lot in the Town cemetery, ~~he or she~~ they shall make application therefore to the ~~Town Clerk Cemetery Superintendent superintendent of the cemetery~~, who shall, without fee or charge, forthwith deliver to such person a copy of the application stating the grave and block and that the person named in the application will be ~~intitled~~ entitled to a conveyance of such lot upon payment of the designated value of the lot within thirty (30) days ~~form from~~ the date of such application to the Town Clerk. (Ord. 76 §6, 1978)

**12.28.090 Purchase of lots--Receipts.**

Upon receipt of payment of the designated value of the cemetery lot stated in the application, the Town Clerk shall issue a receipt in duplicate. One copy of the receipt shall be retained, and the other copy shall be delivered to the person presenting such application. All collected funds shall be transmitted to the Finance Department. ~~The~~ The Town Clerk shall within thirty (30) days from the date of the above-named receipt, present a conveyance describing the grave, lot and block. ~~as shown on such receipt to the mayor of the town, who~~ The Town Clerk shall execute the same and mail to the person named on the conveyance. A separate record shall be kept on all conveyances executed stating the purchaser's name, the grave lot and block and the amount paid for the same. (Ord. 76 §7, 1978)

**Article II. FUNDS**

**12.28.100 Cemetery fund.**

~~All moneys appropriated by the Town Council to the use of the Board of Trustees, a~~ All moneys received from the sale of lots in the cemetery and all moneys received from all other sources in any manner connected with such cemetery or cemetery property, or from taxes levied for cemetery purposes, shall be paid over to the ~~Finance Department treasurer~~, and shall constitute a fund to be known as the cemetery fund. Additional funds can also be appropriated from the Town's general fund. Such fund shall not, nor any part thereof be loaned to any other fund of the Town, nor used or appropriated to any purpose whenever, other than in and about the care, management and improvement of the cemetery and cemetery property of the Town. (Ord. 76 §8, 1978)

**12.28.110 Permanent care fund--Created.**

In addition to the regular cemetery fund, there is created a fund which shall be known as the permanent care fund. (Ord. 76 §9, 1978)

**12.28.120 Permanent care fund--Use of monies moneys.**

A. The money in the permanent care fund, or ~~monies moneys~~ received from investments of the permanent care fund, shall be used for the care, ~~and maintenance~~ and expansion of the Town cemetery, and ~~then than~~ only after all other ~~monies moneys~~ in the regular cemetery fund are exhausted, and only when, in the opinion of the ~~B~~board of ~~T~~rustees it shall be necessary to so use the ~~monies moneys~~.

B. ~~Funds Moneys~~ placed in the permanent care fund shall not, nor shall any part thereof, be loaned to any other fund of the Town, nor used or appropriated to any purpose whatever other than for cemetery purposes, and then only as the Board of Trustees shall direct. (Ord. 76 §10, 1978)

**12.28.130 Permanent care fund--Deposits.**

The permanent care fund shall be made up of all ~~monies moneys~~ deposited in the fund by the Finance Department ~~treasurer~~, and the Board of Trustees are authorized to direct the Finance Department ~~treasurer~~, from time to time, to deposit in the permanent care fund such ~~funds moneys~~ as shall remain in the regular cemetery fund over and above the current needs of the Board in the operation of the cemetery. (Ord. 76 §11, 1978)

**12.28.140 Permanent care fund--Investments.**

The ~~Board of Trustees-Town~~ shall have the full right and privilege, with the approval consent of the ~~Town Council Board of Trustees~~, to invest all money in the permanent care fund ~~in any time or savings deposits~~, in any solvent financial institution ~~bank, building and loan association or savings and loan association~~ operating in the county where the Town is located. ~~At the time of the purchase the investment must be stamped in boldface type, substantially as follows: "Property of the West Yellowstone Cemetery Permanent Care Fund."~~ (Ord. 76 §12, 1978)

**12.28.150 Accounts of cemetery funds.**

It shall be the duty of the Finance Department ~~treasurer~~ of the Town of West Yellowstone ~~board of trustees~~ to keep an accurate account of the funds of the cemetery, crediting them with all ~~monies moneys~~ received and charging them with all payments made on their account. (Ord. 76 §13, 1978)

ARTICLE III. RULES AND REGULATIONS

**12.28.160 Generally.**

The rules and regulations in this Article are established for the Town of ~~government of the grounds of the~~ West Yellowstone's Cemetery ~~and interments~~. (Ord. 76 §16(part), 1978)

**12.28.170 Purpose of cemetery.**

The grounds of the Town Cemetery are ~~sacredly~~ devoted to the interment of the human dead, and a strict observance of the decorum which should characterize such a place will be required. All lots are held as burial places for the human dead and for no other purpose, and the entire cemetery, excluding roadways shall be left in a natural condition, in keeping with the surrounding environment. (Ord. 76 §16(1), 1978)

**12.28.180 Hours.**

The hours of ~~visitations and burials admission to the cemetery~~ shall be from sunrise to sunset. There may be limited access to the cemetery during the winter months. (Ord. 76 §16(2), 1978)

**12.28.190 Roadway regulations.**

A. The following shall not be allowed on the cemetery grounds: horses, snowmobiles, cross-country skiers, ATVs/UTVs and off-road motorcycles shall be on established roadways.

B. All vehicles including street legal motorcycles must not be driven at a speed exceeding ten (10) miles per hour. (Ord. 76 §16(3, 4), 1978)

**12.28.200 Dogs at large.**

No unleashed dogs ~~running at large, or persons accompanying such dogs,~~ will be allowed within the cemetery grounds. (Ord. 137 §7(part), 1989; Ord. 76 §16(5), 1978)

**12.28.210 ~~Picnics and liquors~~ Alcoholic Beverages.**

No ~~consumption of alcoholic beverages picnic refreshments or liquors~~ of any kind will be allowed within the cemetery. (Ord. 76 §16(6), 1978)

**12.28.220 Firearms.**

~~Possession or discharge of firearms Persons with firearms~~ will not be ~~permitted~~ admitted except at military funerals. (Ord. 76 §16(7), 1978)

**12.28.230 Employee gratuities prohibited.**

~~Town e~~Employees and attendants of the cemetery are not permitted to receive gratuities from visitors. (Ord. 76 §16(8), 1978)

**12.28.240 Damaging property.**

All persons are prohibited from ~~disturbing or damaging graves or gravesites, including any flowers, vegetation, or ornaments. touching any object not their own, plucking any flowers, shrubs or plants, wild or cultivated, or injuring anything upon any part of the grounds.~~ (Ord. 76 §16(9), 1978)

**12.28.250 Expulsion from grounds.**

A. The Cemetery Superintendent ~~superintendent of the cemetery or designated Town employee~~ may expel or refuse admission into the grounds ~~any~~ persons who may violate any of the rules of the cemetery.

B. ~~The superintendent is a duly appointed special policeman of the town for the maintenance of order and the arrest of trespassers and offenders on the cemetery grounds.~~ (Ord. 137 §7(part), 1989; Ord. 76 §16(10, 11), 1978)

#### 12.28.260 Right of entry.

The Board of Trustees ~~or the Town~~ shall have the right to enter in or upon any lot and make such improvements as they may deem for the best advantages of the ~~grounds~~ cemetery. Lot owners shall not change the grade of lots or interfere in any way with the general plan of ~~improvement directed by the Board~~ the cemetery. (Ord. 76 §12, 1978)

#### 12.28.270 Ornamentation, decoration and shrubbery.

A. No tree or shrub within the border of any lot or lots shall be planted, removed or destroyed without the consent of the ~~Board of Trustees~~ Town, and the ~~Board or Town~~ shall have the right at any time to enter upon any lot and cut down or remove any such tree, shrub, or parts thereof, as they may deem detrimental to the grounds, unsightly or inconvenient to the public or to the adjacent lots ~~or avenues~~.

B. ~~After the first frost,~~ flowers and plants that have become deteriorated will be removed, ~~after the first frost.~~

C. ~~Due to breakage,~~ the use of glass jars or glass vases are prohibited, ~~due to the breakage~~. Flower boxes shall also be prohibited.

D. ~~Floral Flower~~ designs or other decorations will be removed from lots as soon as they ~~flowers~~ become wilted or unsightly.

E. Artificial decorations will be permitted, but shall be removed within seven (7) days of placement in the cemetery. (Ord. 76 §16(13--17), 1978)

#### 12.28.280 Monuments.

~~If any monument, effigy, inscription or any structure be placed in or upon any lot, which shall by vote be duly taken, be determined by the board of trustees to be offensive or improper, or injurious to the surrounding grounds, the board shall have the right to correct or remove the same. (Not legal!)~~

AB. In keeping with the natural surroundings and environment, all monuments shall not exceed the ground level in height. No ~~above ground~~ vaults, crypts, or mausoleums shall be allowed.

**BC.** Before any monument, headstone, or marker is set or erected at the West Yellowstone Cemetery, a permit shall be secured from the Town Clerk office for a fee ~~as determined by a resolution of the Town Council of five dollars~~. Separate permits shall be secured for each monument, headstone or marker to be erected. Before any work commences on placement of said monument, headstone or marker, the permit must be presented for review and approval by an authorized representative of the Town government ~~or trustee of the cemetery board~~. Site location of said monument, headstone or marker must be approved and verified before placement by the Cemetery Superintendent. Cemetery personnel must be given a period of at least ~~fourty-eight (48) twenty-four~~ hours in which to verify and mark the location of the monument, headstone or marker at the West Yellowstone Cemetery.

**CD.** The head of the north/south aligned lots shall be at the north end. Monuments, headstones or markers will be placed so that a person reading the monument, headstone or marker is facing north. The head of all east/west aligned lots shall be at the west end. Monuments, headstones or markers shall be placed so that a person reading the monument, headstone or marker is facing west; except that in blocks 28 through 32 of the east/west aligned lots, monuments, headstones or markers shall be placed so that a person reading the monument, headstone or marker is facing east. Only one monument, headstone or marker will be permitted on an owner's lot and such monument, headstone or marker shall be placed at the head of the lot and centered as nearly as practicable. Each monument, headstone or marker shall not exceed a maximum of three (3) feet in length per lot; provided, however, that no more than two (2) adjoining lots may be represented by one monument, headstone or marker not exceeding in size six (6) feet long by thirty (30) inches wide; provided, further, that in cases provided for in Section 12.28.300(G), monuments, headstones or markers may be up to ~~fifty-four four feet six (54)~~ inches long and thirty (30) inches wide. All such monuments, headstones or markers shall be properly encased in a six (~~six~~) inch concrete ring so that the dimensions specified above represent the finished size of the monument. (Ord. 157 (part), 1993; Ord. 104 §1, 1984; Ord. 76 §16(18, 19, 20), 1978)

**~~12.28.290 Transmission and reception of messages.~~**

~~The cemetery will not be responsible for any mistake or error in the transmission or reception of messages by telephone. Every such message should be confirmed immediately in writing. (Ord. 76 §16(21), 1978)~~

**12.28.300 Arrangements for interments.**

A. Arrangements for an interment shall be made at least forty-eight (48) hours in advance of the time set for the funeral service, otherwise the management cannot guarantee to have the grave ready for burial. In all cases, the box or vault to enclose the casket, with specifications of its exact size, must be sent ~~at once~~ to the cemetery Town Clerk at least forty-eight (48) hours prior to interment. The time ~~hour~~ for the funeral must be so arranged that the grave may be properly filled and all surplus ground removed.

~~before five p.m. An extra charge will be made for an interment if the funeral enters the grounds after four p.m.~~

B. No interments will be permitted on any Sunday or on any legal holiday ~~as determined by the Town.~~

C. The law requires a ~~burial transit~~ burial permit if the deceased has crossed state lines or is not a resident of Montana in order to be interred. ~~permit from the board of health to be~~ This permit must be presented to the Cemetery Superintendent before interment. ~~The burial permit will be required for all interments and or~~ for the deposit of ashes of cremated bodies.

D. The purchase price of the grave being used and the cost of preparing the grave for burial must be paid in advance to the Town ~~Clerk.~~ Directions for all interments will be forwarded to the Cemetery Superintendent by the Town Clerk. ~~Directions for all interments should be given to the Cemetery Superintendent.~~

E. ~~Plot owners Proprietors~~ shall not allow interments to be made in their lots for ~~remuneration~~ renumeration.

F. All interments and disinterments shall be made only by ~~authorized representatives of the Town Cemetery Board the regular employees of the cemetery,~~ and all graves must be dug ~~four (4) not less than five~~ feet deep, except as otherwise permitted in this ~~C~~chapter.

G. No double burials will be allowed, nor two in the same grave, except in the case of a mother and infant child, two infants or two members of an immediate family when one body has been cremated.

H. The ~~Town and~~ Board of Trustees may designate particular lots or blocks in the cemetery for the exclusive interment of cremated remains. Lots and blocks so designated may contain the cremated remains of either one person or two immediate family members, but shall have only one monument, headstone, or marker in accordance with Section [12.28.280](#).

I. No disinterments shall be made except by permission granted by the ~~Board of TrusteesTown,~~ based on a request from ~~and either~~ the lot owner, ~~or~~ the next of kin of the deceased, or a Court Order.

J. Ashes of cremated bodies shall be placed in suitable containers and buried not less than two (2) feet deep. (Ord. 217 §1, 2005; Ord. 76 §16(22), 1978)

#### Article IV. BOARD OF TRUSTEES

##### 12.28.310 Established--Composition--Term--Oath--Vacancy.

A. There is created and established a Board of Trustees of the West Yellowstone Cemetery composed of the Mayor and four (4) other persons to be appointed by the Mayor and ~~approved-confirmed~~ by the Town Council. The four (4) appointed members shall be residents of School District No. 69.

B. The term of office of each Trustee of the Board shall be two (2) years, except that the members first appointed, two (2) shall be appointed for a period of one year and two (2) for a period of two years, their term commencing May 1st of the year in which they are appointed.

~~C. Before entering upon the discharge of his or her duties, each trustee of the Board shall take and subscribe the oath provided by the laws of the state for Town officials, which oath shall be filed with in the office of the Town Clerk.~~

~~D.~~ If any vacancy occurs in the Board of Trustees at any time, such vacancy shall be filled by appointment by the Mayor with the approval of the Town Council, and such other person appointed to fill a vacancy shall hold office for the unexpired term. (Ord. 157 (part), 1993; Ord. 76 §17, 1978)

#### **12.28.320 Removal from office.**

The Town Council may at any time by a vote of not less than two-thirds of all members of the Council remove from office any member of the Cemetery Board. (Ord. 76 §18, 1978)

#### **12.28.330 Election of officers--Quorum.**

The Board of Trustees of the cemetery shall organize on the second Monday in May, of each year, by electing one of their ~~members number~~, other than the Mayor, ~~as~~ president, ~~one~~ vice president, and ~~one~~ secretary, and such officers shall hold office for one (1) year and until their successors are elected and shall qualify. Three (3) members of the Board of Trustees shall constitute a quorum for the transaction of business at any special or regularly called meeting. (Ord. 76 §19, 1978)

#### **12.28.340 Meetings--Special meetings--Notice.**

A. The Cemetery Board shall hold meetings at such times as it shall by resolution or otherwise appoint.

B. Special meetings may be called by the president, and must be called ~~by him~~ upon the written request of three (3) or more members of the Board of Trustees.

C. Notice of all special meetings must be served personally upon each and every member of the Board, or by written notice, ~~which could be an including e-mail, from signed by~~ the president or secretary, directed to each member, ~~and deposited in the post office of the town~~, at least twenty-four (24) hours ~~previous prior~~ to any special meeting. Any special meeting of the Cemetery Board, organized when ~~all~~

the required number of members are present and participate in the business transacted, shall be a legal meeting of the ~~h~~Board.

D. The Board may adopt such rules to govern its deliberations and the manner of transacting its business as it shall be determined upon; and may amend, change or repeal the same in such manner as it may determine.

E. As directed by Montana Law, aAll meetings shall be open to the public. (Ord. 76 §16(20), 1978)

#### **12.28.350 Management of cemetery grounds--Records--Appointments.**

A. The Board of Trustees of the ~~C~~cemetery, subject to the control of the Town Council, shall have the full charge, control, custody, management, and supervision of the cemetery grounds and places of burial that are now or may hereafter be in any manner owned, held or controlled by the Town. Also, of all property, real, personal, and mixed which is now or may hereafter in any manner be used, occupied or possessed in connection with any such cemetery grounds or places of burial. Also, of all books, plats, records, and other papers to any such property in any manner belonging, appertaining or used in connection therewith.

B. The ~~Board Board~~ shall have power to make, subject to the approval of Town Council, such rules and regulations for the care, management, preservation and improvements of such cemetery grounds, places of burial and property as they may deem necessary and proper, and to enforce the same.

C. The Town Council or their designee ~~Board~~ shall also have the right to appoint a Cemetery Superintendent ~~town sexton with the approval of the Board Town Council~~, and such other employees as they may deem necessary, and to prescribe their duties, ~~and to remove at pleasure any employee by them appointed.~~ Also, to designate and fix, subject to the approval of the Town Council, and in conformance with any collective bargaining agreements, the compensation of all persons so employed. (Ord. 76 §16(21), 1978)

#### **12.28.360 Audits of claims.**

The ~~Board of Trustees~~ Finance Department shall audit all claims against the West Yellowstone cemetery, and such claims when allowed by the Board of Trustees, shall be given to the Town Council for appropriate action. (Ord. 76 §16(22), 1978)

#### **12.28.370 Records open to public.**

The books and papers of the Board of Trustees of the cemetery and of the secretary thereof, shall at all times be open to the examination of the Town Council, or any of its committees or any person for that purpose appointed by the Town Council. (Ord. 76 §16(23), 1978)

**12.28.380 Secretary of the board--Record of meetings.**

It shall be the duty of the secretary, under the direction of the Board, to keep ~~minutes a set of books~~ in which shall be made a full and complete record of all proceedings of such ~~B~~board, and ~~they he or she~~ shall also perform such other duties as may be required of ~~them him or her~~ by the Board. (Ord. 76 §16(24), 1978)

**12.28.390 Secretary of the board--Record of cemetery lots.**

The ~~secretary of the Board of Trustees~~ Town Clerk shall keep for each cemetery owned, held or controlled by the Town, a separate record under the proper designated name of each such cemetery, in which record ~~they he or she~~ shall enter in the proper order a description by its number of every lot in the cemetery. And whenever a conveyance of any lot shall be executed, ~~they he or~~ shall enter ~~opposite the~~ descriptions of the lot conveyed, the name of the grantee, the date of conveyance and amount paid for each lot. (Ord. 76 §16(29), 1978)

**12.28.400 Annual financial statement.**

~~The board of trustees of the cemetery shall, on the first regular town council meeting in May of each year, make and deliver to the council an annual financial statement; and, shall also on The Board of Trustees, on the first Monday in May of each year during their May meeting,~~ shall make a report to the Ccouncil of the proceedings of the ~~B~~board for the preceding year, and of the conditions of and in the cemetery, and of cemetery property in the charge of the ~~B~~board, and shall also make, and at any time may make, such recommendations as they may deem proper. (Ord. 76 §16(25), 1978)

**12.28.410 Proposed fiscal budget.**

~~In consultation with T~~the Board of ~~T~~rustees, the Finance Department shall, in accordance with the budget laws, report to the ~~T~~own Ccouncil an estimate of the receipts and the amount of money required by the Board for use in and about the care and management of the West Yellowstone Cemetery, and cemetery property, for the ensuing year. (Ord. 76 §16(26), 1978)

**12.28.420 Contracts.**

The Board shall not enter into any contract involving the expenditure of any sum of money greater than ~~one five thousand two hundred~~ dollars without first having submitted such proposed contract to the ~~Town Manager council~~ and obtained ~~their-its~~ approval thereof. (Ord. 76 §16(27), 1978)

**12.28.430 Report of lot values and conveyances.**

A. The ~~Board of Trustees of the Town~~ Town Clerk Cemetery shall annually, after November 1st and before January 1st of each year, submit to the Town Council, for approval, a report of all unsold lots ~~designating the value of each and every unsold lot~~ in the Town Cemetery, and when so approved by the

Town Council, any person may purchase any lot, ~~not to exceed one in number, in such cemetery,~~ at the price ~~so designated~~ designated by resolution at that time, ~~and the same shall be conveyed to such purchaser.~~ This report shall also be distributed to the Board for review.

B. All conveyances of any of such lots shall be executed and acknowledged by the ~~Town Manager~~ Mayor of the Town and attested by the Town Clerk; provided that no lot in the cemetery shall be conveyed until the designated value thereof is paid ~~to into the treasury of the board of trustees of the~~ Town and deposited into the Cemetery Fund by the Finance Department. ~~cemetery of the town.~~

C. All conveyances of the cemetery lots shall have the following restrictions placed on the conveyance:

This conveyance is subject to the following restrictive covenant. The land and subject of this conveyance shall not be sold by the grantee or grantees named herein to any person, firm, or corporation, other than the Town of West Yellowstone. In the event the grantee or grantees named herein desire to sell the land the subject of this conveyance then and in that event they shall notify the Cemetery Board, who shall purchase same, at the then market value at the time of the purchase as determined by the Cemetery Board in accordance with Ordinance No. 76 of the Town of West Yellowstone.

(Ord. 76 §16(28), 1978)

#### **12.28.440 File of permits for burials and disinterments.**

The ~~Town Clerk~~ secretary of the board of trustees shall keep a numerical file of a copy of all the permits issued for burials and disinterments. (Ord. 76 §16(30), 1978)

#### **12.28.450 Treasurer designated--Duties.**

A. The ~~Finance Director~~ treasurer of the ~~T~~town shall be ex officio treasurer of the ~~B~~oard of ~~T~~rustees of the West Yellowstone ~~C~~emetery.

B. The ~~Finance Director~~ treasurer of the board of trustees shall receive all ~~funds moneys~~ which may be appropriated to, or in any manner come into control or possession of, the ~~B~~oard. ~~They~~ He or she shall pay all orders drawn on ~~them~~ him or her by the ~~B~~oard, or by the Town, and all such orders shall be signed by the president, ~~and~~ the secretary, ~~or a board member~~ or by the Cemetery Superintendent. (Ord. 76 §16(31, 32), 1978)