

Town of West Yellowstone

Tuesday, September 17, 2019

West Yellowstone Town Hall, 440 Yellowstone Avenue

TOWN COUNCIL WORK SESSION & MEETING

5:30 PM

Water & Wastewater Capacity, Wastewater Moratorium Update

Discussion ∞

Snow Removal Procedures

Discussion ∞

7:00 PM

Pledge of Allegiance

Purchase Orders #6820 – Barta Electric, Inc.

Treasurer's Report & Securities Report ∞

Claims ∞

Consent Agenda: **Minutes of the September 3, 2019 Town Council Meeting** ∞

Business License Applications ∞

- Yellowstone ATV, change of location to 208 Electric Street
- Yellowstone Vacation Tours, change of location to 201 Grizzly Avenue

Advisory Board Report(s)

Town Manager & Department Head Reports

Comment Period

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

Public Hearing: Request for Variance, Reduction of Side Yard Setbacks, 500 Obsidian-Young

NEW BUSINESS

Request for Variance, Reduction of Side Yard Setbacks, 500 Obsidian-Young
Application to Maintain an Encroachment, Fence (if necessary)

Discussion/Action ∞

Police Officer Confirmation, Juan Trujillo

Discussion/Action ∞

Correspondence/FYI/Meeting Reminders



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

Chapter 12.20 SNOW REMOVAL

Sections:

- 12.20.010 Definitions.**
- 12.20.020 Snow removal required.**
- 12.20.030 Snow removal responsibility--Nuisance declaration.**
- 12.20.040 Deposit on private property.**
- 12.20.050 Removal from driveways required.**
- 12.20.060 Fire hydrant proximity.**
- 12.20.070 Removal by town--Cost--Damage to town property.**
- 12.20.080 Closure of alleys.**
- 12.20.090 Alleys to remain open.**
- 12.20.100 Violation--Arbitration.**

12.20.010 Definitions.

As used in this chapter, "streets and avenues" shall include the alleys of the town but shall exclude the interior parks of the town (except for the area designated on either side of the center line area of the interior parks bisected as the thoroughfare of the alley). It is the intent of this chapter that the interior parks may be used for the deposit or storage of snow by private property owners. Snow shall be pushed or plowed into the interior parks for storage, then stacked as needed or as required by the arbitration board. (Ord. 198 §1, 1998: Ord. 140 §2, 1989)

12.20.020 Snow removal required.

- A. The streets and avenues of the town shall at all times be kept free, clear and clean of all snow, ice, slush and other impediments to safe and convenient public travel. As used in this chapter, "snow" includes ice, slush, mud and other debris occurring as a result of the accumulation of snow.
- B. During the months of November, December, January, February and March of each year, the town shall allow snow pack to accumulate up to a depth of six inches on those streets designated by resolution of the town council to permit safe operation and travel of snowmobiles or other over-snow vehicles on said streets.
- C. The public streets and avenues of the town shall not be obstructed by snow. This shall apply to the placement or accumulation of snow by man, as with shoveling snow off of a roof, piling snow onto the street with shovel or motorized equipment, or the placement of snow which has accumulated onto a street from private property (for example, as from sliding off of a roof or other portion of a buildings, from trees on private property, or other such placements) in such quantities in the streets as to prevent the ordinary and reasonable use thereof by the public for the intended purpose of the street.
- D. It is unlawful for any person to remove snow from his private property and deposit it on a public street or avenue.
- E. It is unlawful for any person to move snow from one portion of a street or avenue to another portion of a street or avenue so that it is accumulated in the public right-of-way. (Ord. 171, 1995: Ord. 140 §1, 1989)

12.20.030 Snow removal responsibility--Nuisance declaration.

A. In the event that snow accumulates on a street, whether or not by the intention of the owner or occupant of the property (for example, as when snow slides off of a roof onto the street), it shall be the responsibility of the owner of the property, or the manager or current occupant thereof, from which the snow fell to cause the removal from the street within four hours of its accumulation, or within four hours of reasonable notice thereof.

B. Provided, however, that if in the opinion of the operations manager or the chief of police, the accumulated snow, however accumulated, presents a safety hazard, the owner or occupant of the property from which the snow came may be ordered by the operations manager to immediately remove the snow and abate the safety hazard. The town council declares that such accumulated snow constitutes a public nuisance within the meaning of this code. (Ord. 172 §6, 1995: Ord. 140 §3, 1989)

12.20.040 Deposit on private property.

The town shall not deposit any snow from streets onto private property, unless with the permission of the private property owner concerned. (Ord. 140 §4, 1989)

12.20.050 Removal from driveways required.

A. All persons shall remove snow plowed by the town away from their driveway entrance to accommodate automobile traffic.

B. In the event that on-street parking is required for private property, the snow plowed by the town into the parking lane area needed will not be removed by the town to another location, but must be removed by the property owner or occupant. (Ord. 140 §5, 1989)

12.20.060 Fire hydrant proximity.

At no time shall snow be stacked closer than ten feet to a fire hydrant. (Ord. 140 §6, 1989)

12.20.070 Removal by town--Cost--Damage to town property.

A. In the event that an owner or occupant does not remove obstructions caused by snow in violation of the provisions of this chapter, then in that event the town may cause the removal of the snow in the best practicable manner and shall charge the cost of such snow removal against the owner of the property. The amount billed to the owner shall be due and payable to the town within thirty days of billing.

B. In the event that any person damages town property either by the movement of snow or in the operation of equipment in the removal of snow, or by the sliding or other natural movement of snow from an owner's property, and the same damages town property in any manner, such person shall be billed by the town for the cost of repair and must pay the cost within thirty days of receipt of billing therefor. This section applies to the damaging to town property such as street paving, curbs and gutters, storm sewers, signs, equipment and any other personal property or fixtures owned by the town or for which the town is responsible for maintenance. (Ord. 140 §6, 1989)

12.20.080 Closure of alleys.

The town council may designate by decision certain alleys of the town that shall be closed to vehicular travel during specified months of the winter or other times of the year. Upon such designation by the town council, private property owners may use the closed alleys for the deposit or storage of snow. (Ord. 198 §2, 1998; Ord. 194 §1, 1997)

12.20.090 Alleys to remain open.

Because alleys are legal rights-of-way for public travel, they shall not be blocked by snow storage or snow removal operations conducted by either private property owners or the town unless the town council authorizes closure of a particular alley to vehicular travel in accordance with Section [12.20.080](#). Authority for emergency closure is delegated to the operations manager under emergency snowfall conditions. Emergency closure will be coordinated with the council by the operations manager. Unless closed under authority of the town council, alleys shall be plowed on either side of the center line wide enough for emergency vehicle travel (to ensure access for emergency vehicles and to allow access to underground utilities of the town). (Ord. 198 §3, 1998)

12.20.100 Violation--Arbitration.

A. Violation of this chapter is a municipal infraction subject to the provisions of Sections [7-1-4150](#) through [7-1-4152](#), MCA.

B. An arbitration board will be established under authority of the town council. The arbitration board will have authority to promulgate written snow management rules and regulations and manage their enforcement. The operations manager will coordinate arbitration board rules and regulations for the council, and all arbitration board rules and regulations are subject to council approval. (Ord. 207 §30, 2000; Ord. 198 §§4, 5, 1998)

RESOLUTION No. 547

A RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF WEST YELLOWSTONE DESIGNATING THOSE STREETS IN THE TOWN ON WHICH SNOW WILL BE ALLOWED TO ACCUMULATE FOR OVER-THE-SNOW TRAVEL

WHEREAS, the Town of West Yellowstone recognizes that the economic well being of the community in winter depends on the ability of over-the-snow vehicles to access Town streets, and

WHEREAS, Section 12.20.020, Sub B of the West Yellowstone Municipal Code authorizes the Town Council to designate those streets in the Town on which snow will be allowed to accumulate for over-the-snow travel.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of West Yellowstone, County of Gallatin, in the State of Montana that:

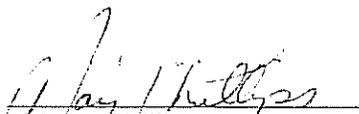
1) The Public Services Department will maintain a 3-6 inch snow pack on all of the Town's streets. After February 1, the snow pack on the streets in the Madison Addition may be maintained at a lesser depth in anticipation of spring break up.

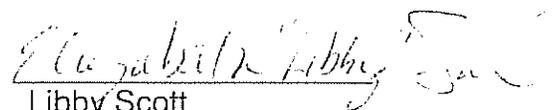
2) In the event that warm weather causes the snow pack on the streets to break up, the streets designated below will be maintained as primary over-the-snow travel routes:

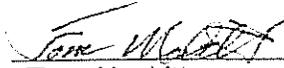
1. Boundary Street
2. Dunraven Street
3. Electric Street
4. Iris Street
5. Yellowstone Avenue
6. Madison Avenue
7. Gibbon Avenue

PASSED AND ADOPTED BY THE TOWN COUNCIL AND APPROVED BY THE MAYOR FOR THE TOWN OF WEST YELLOWSTONE THIS 18 DAY OF November, 2008.

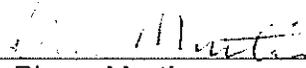

Drew Barney
Council Member/Mayor


Mary Phillips
Council Member


Libby Scott
Council Member

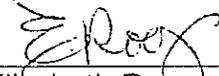


Tom Nesbitt
Council Member



Pierre Martineau
Council Member

ATTEST:



Elizabeth Roos
Town Clerk

POLICY 15 - SNOW REMOVAL

The Town Council of the Town of West Yellowstone recognizes that the economic well being of the community in winter depends on the ability of over-the-snow vehicles to access Town streets. The Town Council also recognizes that it has a responsibility to keep the streets of the Town in safe and passable condition for both wheeled vehicles and over-the-snow travel. To this end, the Town Council has adopted ordinance 12.20 as an enforcement tool and further adopts policies and procedures for snow removal. Under normal circumstances, the Town staff will adhere to the following guidelines:

1. The Town Public Services Department will begin plowing operations when snow accumulation measures three inches (3") or more, or when severe wind conditions cause significant drifting on the streets. The on duty police officer will call out the Public Services Superintendent or his designee, as needed, before 3:00 AM.
2. Plowing operations will begin at approximately 4:00 AM. Under normal conditions, the department will limit plowing and snow removal operations on heavily traveled streets between 8:00 a.m. and 10:00 AM and from 4:00 PM and 6:00 PM.
3. Snow will be plowed from the centerline to the curb unless conditions exist that prohibit this operation.
4. Madison Avenue and Dunraven Street will be plowed to the center. Yellowstone, Iris and Boundary will be plowed to the unoccupied sides of the street.
5. Under normal conditions, Public Services crews will remove snow bermed to the middle of the street on the same day it is placed there.
6. During plowing operations, intersections will be cleared to provide sight lines so that motorists can cross intersections safely. Public Services crews will also clear street corners in order to maintain clear sightlines for motorists entering intersections. In addition, streets may be temporarily closed to allow for safe and efficient street maintenance.
7. In accordance with Section 12.20.020, Sub B of the West Yellowstone Municipal Code, the Town Council will designate, by resolution, those streets in the Town on which snow will be allowed to accumulate for over-the-snow travel. Snow pack on the designated streets will be maintained at a depth of 3-6 inches, as weather conditions permit.
8. During regular snowplowing operations, the Town will not clear private driveway entrances. When possible during street snow grooming and maintenance operations, Town staff will keep primary driveway entrances free and clear of snow and ice.
9. Town staff may begin removal of snow and ice pack from streets after March 15, depending on spring thaw conditions. Over-the-snow travel may be detoured to alternate routes. The Public Services Superintendent, in consultation with the Police Chief and the Operations Manager, will determine the appropriate timing of snow and ice pack removal to ensure safe passage by wheeled

vehicles. As necessary, Town staff will remove snow from the streets and haul it to a suitable location.

10. The Public Services Department Superintendent will make the plowing priority grid available after November 1 of each year. Copies of the grid will be available at the Public Services Department, Police Department and Town Offices.

Adopted by the Town Council November 18, 2008.

A handwritten signature in black ink, appearing to be 'R. J. R.', written over a horizontal line.

Background:

Originally approved by the Town Council on September 21, 1989, and amended March 31, 2005.

Snow Plowing and Encroachment Permits

Anyone who uses Town property other than the interior “snow parks” for snow storage must have an Encroachment Permit. Permits are available at no cost, but must be approved by the Town Council and reviewed by Town staff before snow storage on town property can begin. Permits expire on April 15 of each year and must be renewed before the start of each winter season. The Town requires applicants to provide the name and contact information for the party plowing and stacking snow if the applicant is not performing the work. Snow Plowing and Encroachment Permits are intended for use by residents who are in need of snow storage during the winter months. Seasonal business owners that need convenient place to pile snow while preparing to open their businesses for the summer should use the interior parks.

In general, encroachment permits will be granted for snow plowing and storage onto undeveloped Town property only. **No one may store or stack snow on any right of way, including sidewalks, streets and parkways (alleys).** Stacked snow may not interfere in any Town activity, including but not limited to parking, street and trail maintenance, or fire hydrant access. Any damage to Town property as the result of use for snow storage will be assessed to the permit holder and must be paid before a new permit is issued. **Holders of encroachment permits must remove trash and refuse from public snow storage areas as snow melts in the spring.** The Town may impose reasonable conditions on permits to protect Town resources. Failure to honor the terms and conditions of encroachment permits may result in the revocation of the permit.

Specific conditions for particular areas are summarized below:

South Side of Yellowstone Ave: Any plowing into the Town property bordered by Yellowstone, Geysler, Obsidian and Iris must be done in such a way that the seeded area is not disrupted. The block will be governed by a master plan developed by the Public Services Superintendent and all plowing will follow this plan. No plowing will be allowed onto the landscaped areas in the vicinity of the UP Dining Lodge, the Museum (Depot) or Police Station. Plowing is restricted in the vicinity of the Povah Community Center as well. Snow stored in the Depot/Museum parking area must be pushed to the southeast corner of the parking area. Plow and stack in such a way that snow removal operations avoid newly installed railroad tracks. In addition, if stacked snow interferes with the opening of the museum, applicant will be required to assist in relocating the snow.

North Side of Obsidian: Plowing into the block bordered by Yellowstone, Geysler, Obsidian and Iris must be done in such a way that the seeded area is not disrupted. Plowing and storage must be confined to the first 25 feet of the undeveloped parkland area. No snow may be stacked or stored in areas designated for parking

Boundary Street: Plowing and stacking will be allowed in the 30 feet immediately adjacent to the east edge of Boundary. **Plowing and stacking must be done in such a way that snow is not left or stored in the dedicated street portion of the Boundary St. right of way.** Under no circumstances may snow be pushed or stacked against the west side of the Yellowstone National Park boundary fence. No snow may be pushed into or stacked in YNP. **Access to the Riverside Trail may not be blocked by stacked snow.**

City Park/Hwy 20-Canyon-Dunraven-Gibbon: Properties that face the City Park on Dunraven and Gibbon must use the interior snow parks for all snow storage. No plowing will be allowed onto the developed grass area of the City Park. Snow storage, when permitted, is only allowed on the south side of the park outside of the fenced area. Nothing in this permit shall be construed as permitting the plowing or pushing of snow across any state or federal highway.

Please contact the Town Office (646-7795 or info@townofwestyellowstone.com) to apply for a permit or to answer any questions about snow plowing onto Town property.

TOWN OF WEST YELLOWSTONE MONTANA

nationally inviting!

November 3, 2009

Dear West Yellowstone Property Owner,

We, the West Yellowstone Town Council, are writing to encourage you to keep the sidewalk in front of your business clear of snow and slush during the winter months. If you already do keep your sidewalks clean - thank you! If you do not, we would like to encourage you to do so. Some Montana municipalities address this issue by adopting an ordinance that requires property owners to clear their sidewalks. We hope that we can address this issue without having to pass a new law.

Over the last few years, changes in winter use rules in Yellowstone National Park have made it difficult to do business in West Yellowstone during the winter. At the same time, several new hotels have been built in town, including one large facility that brings visitors to town on a year-round basis. The changing times in Yellowstone National Park mean that West must make every effort to make a visitor's experience in town as positive as possible. During the last several winters, we have noticed that getting around West Yellowstone's downtown area in the winter is made difficult by deep snow that is left to block sections of sidewalk for the entire winter. Faced with these obstructions our visitors are forced to walk in the streets or stop, turn around and walk back in the direction from which they came. We would like to change that experience and make our downtown area visitor friendly all year long. With that in mind, we'd like to ask you to arrange to have your sidewalks cleared this winter. If you are unable to clear the sidewalk in front of your business yourself, here is a list of licensed contractors that you can contact for plowing services. They include:

Dawn Keat	406-641-0068	Tri-State Excavating (B&B)	406-640-0216
High Mark Rentals, Inc.	406-646-7586	War Wagon	406-646-7866
Island Park Services	208-558-7548	Westmart	406-646-9578
JD Specialty Services	406-640-9097		

We thank you for your help with this important matter. If you have any questions, please call our Operations Manager, Jamie Greene, at 406-646-7795 or email him at opsmgr@townofwestyellowstone.com.

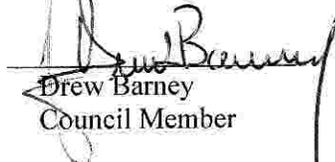
Sincerely,


Pierre Martineau, Mayor


Mary Phillips
Council Member


Libby Scott
Council Member


Tom Nesbitt
Council Member


Drew Barney
Council Member



Town of West Yellowstone

Tuesday, September 17, 2019

West Yellowstone Town Hall, 440 Yellowstone Avenue

TOWN COUNCIL WORK SESSION & MEETING

5:30 PM

Water & Wastewater Capacity, Wastewater Moratorium Update

Discussion ∞

Snow Removal Procedures

Discussion ∞

7:00 PM

Pledge of Allegiance

Purchase Orders #6820 – Barta Electric, Inc.

Treasurer's Report & Securities Report ∞

Claims ∞

Consent Agenda: **Minutes of the September 3, 2019 Town Council Meeting** ∞

Business License Applications ∞

- Yellowstone ATV, change of location to 208 Electric Street
- Yellowstone Vacation Tours, change of location to 201 Grizzly Avenue

Advisory Board Report(s)

Town Manager & Department Head Reports

Comment Period

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

Public Hearing: Request for Variance, Reduction of Side Yard Setbacks, 500 Obsidian-Young

NEW BUSINESS

Request for Variance, Reduction of Side Yard Setbacks, 500 Obsidian-Young
Application to Maintain an Encroachment, Fence (if necessary)

Discussion/Action ∞

Police Officer Confirmation, Juan Trujillo

Discussion/Action ∞

Correspondence/FYI/Meeting Reminders



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

P.O. BOX 1570

TOWN OF WEST YELLOWSTONE MONTANA

PHONE: 406-646-7795
FAX: 406-646-7511

info@townofwestyellowstone.com

PURCHASE ORDER *4000-460430-938*

Date *9-9-19*

Ship Via

Order No. *006820*

Department *Public Services*

TO: *Todd Barta / Barta Electric, Inc.*

ADDRESS:

West Yellowstone, MT

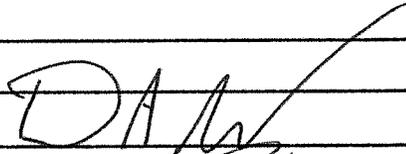
PLEASE FURNISH THE TOWN OF WEST YELLOWSTONE WITH:

Quantity	Description
<i>4</i>	<i>Light poles</i>

Estimated Cost \$

31,160.⁰⁰

Authorized By



Requested By:



Treasurer's Report August 2019

09/05/19
17:16:02

TOWN OF WEST YELLOWSTONE
Cash Report
For the Accounting Period: 8/19

Page: 1 of 3
Report ID: L160

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 General Fund						
101000 CASH	426,695.90	595,356.74	702.38	35,000.00	579,576.03	408,178.99
101100 Investments - CD's	733,998.77	873.54	0.00	0.00	0.00	734,872.31
101300 Investments - Money Market Accou	14,457.53	3.27	0.00	0.00	0.00	14,460.80
101500 Investment-STIP	634,193.28	1,603.90	0.00	0.00	0.00	635,797.18
103000 Petty Cash	50.00	0.00	0.00	0.00	0.00	50.00
103100 Town Office	50.00	0.00	0.00	0.00	0.00	50.00
103200 Petty Cash/WY Police Dept	50.00	0.00	0.00	0.00	0.00	50.00
Total Fund	1,809,495.48	597,837.45	702.38	35,000.00	579,576.03	1,793,459.28
2100 Local Option Taxation-Resort Tax						
101000 CASH	130,989.97	827,978.81	0.00	577,799.31	78,051.97	303,117.50
101300 Investments - Money Market Accou	16,131.55	3.64	0.00	0.00	0.00	16,135.19
101500 Investment-STIP	103,566.54	0.00	0.00	24,913.00	0.00	78,653.54
102215 STIP Investment-Rev Bond current	124,817.27	25,145.31	0.00	0.00	0.00	149,962.58
102225 STIP Reserve Acct Town Hall 10%	146,616.68	272.88	0.00	0.00	0.00	146,889.56
Total Fund	522,122.01	853,400.64		602,712.31	78,051.97	694,758.37
2101 Marketing & Promotions (MAP)						
101000 CASH	21,299.44	20,585.33	0.00	0.00	21,919.00	19,965.77
101300 Investments - Money Market Accou	13,969.31	3.16	0.00	0.00	0.00	13,972.47
101500 Investment-STIP	150,013.08	279.20	0.00	0.00	0.00	150,292.28
Total Fund	185,281.83	20,867.69			21,919.00	184,230.52
2102 TBID (Tourism Business Improvement District)						
101000 CASH	41,644.36	51,638.27	0.00	1,470.94	41,868.11	49,943.58
2111 Off Street Parking						
101000 CASH	17,539.72	14.36	0.00	0.00	0.00	17,554.08
101500 Investment-STIP	113,616.21	211.46	0.00	0.00	0.00	113,827.67
Total Fund	131,155.93	225.82				131,381.75
2210 Parks & Recreation						
101000 CASH	700.00	0.00	0.00	0.00	0.00	700.00
2211 Parks/Rec Donations - Teen Center						
101000 CASH	1,582.20	1.30	0.00	0.00	0.00	1,583.50
2212 Parks - Volleyball Court						
101000 CASH	5,129.10	4.20	0.00	0.00	0.00	5,133.30
2213 Community Garden						
101000 CASH	671.44	0.55	0.00	0.00	0.00	671.99
2214 Rec. Program Scholarships						
101000 CASH	12,136.00	9.93	0.00	0.00	0.00	12,145.93
2220 Library						
101000 CASH	4,064.20	36,027.19	0.00	0.00	33,818.17	6,273.22
102130 Donations for Extension Svcs Lib	671.62	0.55	0.00	0.00	0.00	672.17
Total Fund	4,735.82	36,027.74			33,818.17	6,945.39
2240 Cemetery						
101000 CASH	2,046.68	6.68	0.00	0.00	0.00	2,053.36
101500 Investment-STIP	10,516.93	19.57	0.00	0.00	0.00	10,536.50
Total Fund	12,563.61	26.25				12,589.86
2392 CDBG-Local Source						

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
101000 CASH	10,168.67	8.32	0.00	0.00	0.00	10,176.99
101300 Investments - Money Market Accou	40,289.13	9.11	0.00	0.00	0.00	40,298.24
101500 Investment-STIP	40,574.95	75.52	0.00	0.00	0.00	40,650.47
Total Fund	91,032.75	92.95				91,125.70
2701 Cemetery Perpetual Care (7050)						
101000 CASH	5,282.99	4.32	0.00	0.00	0.00	5,287.31
101500 Investment-STIP	37,880.75	70.50	0.00	0.00	0.00	37,951.25
Total Fund	43,163.74	74.82				43,238.56
2820 Gas Tax Apportionment						
101000 CASH	17,516.51	2,467.87	0.00	0.00	0.00	19,984.38
101300 Investments - Money Market Accou	10,125.64	2.29	0.00	0.00	0.00	10,127.93
101500 Investment-STIP	131.47	0.25	0.00	0.00	0.00	131.72
Total Fund	27,773.62	2,470.41				30,244.03
2821 Gas Tax BARSAA Funds						
101000 CASH	1,856.53	1.52	0.00	0.00	0.00	1,858.05
2850 911 Emergency						
101000 CASH	23,394.57	2,428.63	0.00	0.00	9,999.97	15,823.23
101300 Investments - Money Market Accou	174.59	0.04	0.00	0.00	0.00	174.63
101500 Investment-STIP	35.53	0.07	0.00	0.00	0.00	35.60
Total Fund	23,604.69	2,428.74			9,999.97	16,033.46
2917 Crime Victims Assistance						
101000 CASH	6,454.93	0.00	0.00	0.00	0.00	6,454.93
3050 GO Bond						
101000 CASH	83,317.51	3,838.09	0.00	0.00	55,629.55	31,526.05
101300 Investments - Money Market Accou	25,303.95	5.72	0.00	0.00	0.00	25,309.67
101500 Investment-STIP	154,485.76	287.53	0.00	0.00	0.00	154,773.29
Total Fund	263,107.22	4,131.34			55,629.55	211,609.01
4000 Capital Projects/Equipment						
101000 CASH	12,852.50	4.79	0.00	0.00	7,000.00	5,857.29
101300 Investments - Money Market Accou	10,024.83	2.26	0.00	0.00	0.00	10,027.09
101500 Investment-STIP	814,722.35	1,516.36	0.00	0.00	0.00	816,238.71
Total Fund	837,599.68	1,523.41			7,000.00	832,123.09
4060 Public Works Equipment Replacement						
101000 CASH	364.11	0.30	0.00	0.00	0.00	364.41
101300 Investments - Money Market Accou	21.04	0.01	0.00	0.00	0.00	21.05
101500 Investment-STIP	251.02	0.47	0.00	0.00	0.00	251.49
Total Fund	636.17	0.78				636.95
4070 Parkway Construction/Mtn						
101300 Investments - Money Market Accou	0.34	0.00	0.00	0.00	0.00	0.34
101500 Investment-STIP	7,178.54	13.36	0.00	0.00	0.00	7,191.90
Total Fund	7,178.88	13.36				7,192.24
4075 Street Construction /Maintenance						
101000 CASH	30,691.45	25.12	0.00	0.00	0.00	30,716.57
101300 Investments - Money Market Accou	20,052.08	4.53	0.00	0.00	0.00	20,056.61
101500 Investment-STIP	1,062,641.33	1,977.78	0.00	0.00	0.00	1,064,619.11
Total Fund	1,113,384.86	2,007.43				1,115,392.29

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
5210 Water Operating Fund						
101000 CASH	135,967.06	53,385.48	0.00	444.45	20,344.02	168,564.07
101300 Investments - Money Market Accou	0.38	0.00	0.00	0.00	0.00	0.38
102245 Replacement & Depreciation Ent.	143,383.42	266.86	0.00	0.00	0.00	143,650.28
Total Fund	279,350.86	53,652.34		444.45	20,344.02	312,214.73
5220 Water Replacement Depreciation Fund						
101000 CASH	113,739.51	92.95	0.00	0.00	189.75	113,642.71
101300 Investments - Money Market Accou	271.87	0.06	0.00	0.00	0.00	271.93
101500 Investment-STIP	91,877.62	171.00	0.00	0.00	0.00	92,048.62
Total Fund	205,889.00	264.01			189.75	205,963.26
5310 Sewer Operating Fund						
101000 CASH	146,855.73	94,454.09	1,274.49	0.00	33,794.16	208,790.15
101300 Investments - Money Market Accou	23,217.67	5.25	0.00	0.00	0.00	23,222.92
101500 Investment-STIP	444,263.69	596.07	0.00	0.00	0.00	444,859.76
101510 Mad Add Construction-STIP	63,780.64	118.71	0.00	0.00	0.00	63,899.35
102245 Replacement & Depreciation Ent.	136,995.26	254.98	0.00	0.00	0.00	137,250.24
Total Fund	815,112.99	95,429.10	1,274.49		33,794.16	878,022.42
5320 Sewer Replacement Depreciation Fund						
101000 CASH	18,952.41	15.47	0.00	0.00	51.56	18,916.32
101300 Investments - Money Market Accou	31,463.47	7.11	0.00	0.00	0.00	31,470.58
101500 Investment-STIP	795,797.53	1,481.13	0.00	0.00	0.00	797,278.66
Total Fund	846,213.41	1,503.71			51.56	847,665.56
7010 Social Services/Help Fund						
101000 CASH	35,252.40	613.76	0.00	0.00	2,346.23	33,519.93
101300 Investments - Money Market Accou	10,259.33	2.32	0.00	0.00	0.00	10,261.65
101500 Investment-STIP	20,973.91	39.04	0.00	0.00	0.00	21,012.95
Total Fund	66,485.64	655.12			2,346.23	64,794.53
7195 Court Collections Trust Acct						
101000 CASH	8,296.49	0.00	0.00	0.00	0.00	8,296.49
7458 Court Surcharge HB176						
101000 CASH	510.00	405.00	0.00	0.00	510.00	405.00
7467 MT Law Enforcement Academy (MLEA)						
101000 CASH	520.00	440.00	0.00	0.00	520.00	440.00
7469 City Court - Judge Gibson						
101000 CASH	11,870.00	8,610.00	18.35	6,758.35	410.00	13,330.00
7699 Victims Assistance Program						
101000 CASH	98.00	293.00	0.00	0.00	98.00	293.00
7910 Payroll Fund						
101000 CASH	-1,350.57	0.00	302,353.05	246,304.04	0.00	54,698.44
7930 Claims Fund						
101000 CASH	5,627.56	0.00	581,778.25	522,628.99	0.00	64,776.82
Totals	7,381,634.23	1,734,036.88	886,126.52	1,415,319.08	886,126.52	7,700,352.03

*** Transfers In and Transfers Out columns should match. There are a couple exceptions to this: 1) Canceled Electronic Checks and 2) Payroll Journal Vouchers that include local deductions set up with receipt accounting. Please see cash reconciliation procedure in manual or call for more details.

Glacier Bancorp, Inc.
49 Commons Loop
Kalispell, MT 59901
(406) 756-4200

REPURCHASE AGREEMENT CONFIRMATION

September 12, 2019

TOWN OF WEST YELLOWSTONE
PO BOX 1570
WEST YELLOWSTONE MT 59758

As principal, we confirm the following balance under your master repurchase agreement on file. This confirmation supersedes all prior dated confirmations. If this confirmation is not in accordance with your records, please contact your account officer immediately.

Customer Number	Trade Number	Settlement Date	Principal Balance	Maturity Date	Current Rate
xxxxxxxxxx2900	684	09/12/2019	1,804,829.25	09/13/2019	1.2900%

The following security is sold under agreement to repurchase:

Security Description	CUSIP Number	Coupon Rate	Maturity Date	Par Value	Market Value	% Of Security
FHLMC PL#QS0015	3133HMAQ2	3.000%	08/01/2029	1,813,000	1,859,050.20	12.087%

NOTICE TO MASTER REPURCHASE AGREEMENT CUSTOMERS

The Federal Deposit Insurance Corporation (FDIC) has issued a new rule that requires financial institutions to disclose to sweep customers whether swept funds are insured by the FDIC and the status of those funds if the financial institution were to fail. In accordance with our Master repurchase Agreement (the "Agreement"); funds exceeding your target balance are swept from your checking account into Securities, as that term is defined in the Agreement. Amounts in your deposit account will be insured up to the applicable FDIC insurance limit until they are swept out of the bank into the Securities. THE SECURITIES ARE NOT INSURED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) OR ANY OTHER INSURER; ARE NOT DEPOSITS OR OTHER OBLIGATIONS OF, OR GUARANTEED BY THE "BANK; AND, ARE SUBJECT TO INVESTMENT RISKS, INCLUDING POSSIBLE LOSS OF THE PRINCIPAL AMOUNT INVESTED. IN THE EVENT OF FAILURE OF THE BANK WHERE THE BANK IS NOT ACQUIRED BY ANOTHER FINANCIAL INSTITUTION AND AFTER THE TRANSFER OF FUNDS FROM YOUR DEPOSIT ACCOUNT TO THE UNDERLYING SECURITIES, YOU SHALL BECOME LEGAL OWNER OF THE UNDERLYING SECURITIES AND YOU SHALL HAVE A PERFECTED SECURITY INTEREST IN THE UNDERLYING SECURITIES.

Funds held pursuant to the repurchase agreement are not deposits and are not insured by the FDIC

09/13/19
15:20:49

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/19

Page: 1 of 10
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
46040		2575 WY Tourism Business Improvement		47,560.48					
	09/01/19	August 2019 collections		47,560.48		TBID	2102 411800	540	101000
46043		1089 Gallatin County Treasurer		1,138.00					
	Aug 2019	08/31/19 Tech surcharge		405.00		COURT	7458 212200		101000
	Aug 2019	08/31/19 MLEA		440.00		COURT	7467 212200		101000
	Aug 2019	08/31/19 Public Defender		0.00		COURT	7468 212200		101000
	Aug 2019	08/31/19 Victims Assistance		293.00		COURT	7699 212200		101000
46044		2088 Town West Yellowstone		1,361.89					
	09/01/19	utility chrgs, Chamber, 895		198.98		BLDGS	1000 411257	340	101000
	09/01/19	utility chrgs, UPDL, 892		78.68		BLDGS	1000 411252	340	101000
	09/01/19	utility chrgs, PS Shops, 884		35.36		BLDGS	1000 411253	340	101000
	09/01/19	utility chrgs. Povah Ctr, 887		142.27		BLDGS	1000 411255	340	101000
	09/01/19	utility chrgs, Police Dept, 886		45.29		BLDGS	1000 411258	340	101000
	09/01/19	utility chrgs, City Park, 885		605.10		BLDGS	1000 411253	340	101000
	09/01/19	utility chrgs, Library, 891		46.07		LIBBLD	1000 411259	340	101000
	09/01/19	utility chrgs, Lift #1, 903		15.50		SEWER	5310 430600	340	101000
	09/01/19	utility chrgs, Twn Hall, 921		194.64		TWNHAL	1000 411250	340	101000
46045		95 Energy West-Montana		815.41					
	08/28/19	nat gas 210361788 updl		229.15		UPDH	1000 411252	344	101000
	08/28/19	nat gas 210360293 Police		25.71		POLBLD	1000 411258	344	101000
	08/28/19	nat gas 210361746 Pub Services		58.46		STREET	1000 430200	344	101000
	08/28/19	nat gas 210361811 old firehall		21.43		PARK	1000 460430	344	101000
	08/28/19	nat gas 210363966 old bld ins		20.00		STREET	1000 430200	344	101000
	08/28/19	nat gas 210360540 library		22.86		LIBBLD	1000 411259	344	101000
	08/28/19	nat gas 210364599 Povah		214.27		POVAH	1000 411255	344	101000
	08/28/19	nat gas 210361697 Iris Lift St		31.40		PUBSVC	1000 430200	344	101000
	08/28/19	nat gas 210365425 Twn Hall		162.13		TWNHAL	1000 411250	344	101000
	08/28/19	nat gas 210361655 Mad Add Sewe		30.00		SEWER	5310 430600	344	101000
46047		2853 Two Seasons Recycling		500.00					
	2019606	08/31/19 monthly recycling		500.00		PARKS	1000 460430	534	101000
46048		2813 Century Link		1,600.88					
	08/28/19	DSL Pub Serv Office 646-7949		62.00		BLDINS	1000 430200	345	101000
	08/19/19	Police 646-7600		334.71		POLICE	1000 420160	345	101000
	08/19/19	E911 Viper 646-5170		99.94		E911	2850 420750	345	101000
	08/19/19	E911 255-9710		1,000.52		E911	2850 420750	345	101000
	08/19/19	E911 255-9712		24.51		E911	2850 420750	345	101000
	08/19/19	Alarm Lines, 646-5185		79.20		TWNHAL	1000 411250	345	101000

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
46054		2952 DIS Technologies		698.64					
	34867	09/05/19 Email accounts/managed IT		698.64		IT	1000 410580	355	101000
46057		2822 ClearBlu Cleaning Services		3,960.00					
	8	08/30/19 Aug 2019 - Town Hall		1,000.00		TWNHLL	1000 411250	357	101000
	8	08/30/19 Aug 2019 - Library		400.00		LIBES	1000 411259	357	101000
	8	08/30/19 Aug 2019 - Trailhead Bldng.		260.00		TRLHED	1000 411256	350	101000
	8	08/30/19 Aug 2019 - Povah		450.00		POVAH	1000 411255	350	101000
	8	08/30/19 Aug 2019 - Chamber Bldng.		1,100.00		CHAMB	1000 411257	357	101000
	8	08/30/19 Aug 2019 - Park Bathrooms		500.00		PARKS	1000 411253	357	101000
	8	08/30/19 Aug 2019-Dispatch Center		250.00		POLICE	1000 411258	398	101000
46058		2558 Hebgen Basin Fire District		274.75					
	91019	09/10/19 Zoll Pads/battery For Defibula		274.75		POLICE	1000 420100	220	101000
46074		3004 Partsmaster		333.52					
	23453055	08/16/19 safety classes (12)		147.55		STREET	1000 430200	220	101000
	23453055	08/16/19 cryobit w.flats		20.83		STREET	1000 430200	220	101000
	23453055	08/16/19 cryobit w.o flats		15.92		STREET	1000 430200	220	101000
	23453055	08/16/19 drill index		10.58		STREET	1000 430200	220	101000
	23453055	08/16/19 cryoboost drill bits		112.67		STREE	1000 430200	220	101000
	23453055	08/16/19 shipping		25.97		STREET	1000 430200	220	101000
46103		379 Energy Laboratories, Inc		105.00					
	257004	08/22/19 WhiskySpringsflorida, Nitrogen		40.00		WATER	5210 430500	357	101000
	257004	08/22/19 RR Well Fluoride metals		65.00		WATER	5210 430500	357	101000
46104		379 Energy Laboratories, Inc		240.00					
	259442	09/03/19 Water Samples		240.00		WATER	5210 430500	357	101000
46105		135 Food Roundup		182.75					
	02486606	08/01/19 Sunscreen Sum Rec		49.95*		SUMREC	1000 460449	220	101000
	02488624	08/05/19 Sunscreen Sum Rec		59.27*		SUMREC	1000 460449	220	101000
	02488662	08/05/19 General MDSE		10.28*		SUMREC	1000 460449	220	101000
	02490269	08/08/19 Sum Rec supplies		28.24*		SUMREC	1000 460449	220	101000
	05493063	08/14/19 Sum Rec Supplies		35.01*		SUMREC	1000 460449	220	101000
46106		2654 Community Health Partners		176.00					
	306009013	08/29/19 Milan TDAP Vaccine		176.00		ROAD	1000 430200	351	101000

09/13/19
15:20:49

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/19

Page: 4 of 10
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
46107		2116 DEQ/WWO		998.00					
	5I2001980	09/05/19 Community Connect fee		998.00		WATER	5210 430500	335	101000
46108		3107 MarCom, LLC		264.00					
	1908095A	09/03/19 Water Samples		264.00		WATER	5210 430500	357	101000
46109		3229 Ambient Air Solutions		12,250.00					
	20614	08/19/19 UPMuseum Heater Install		12,250.00		UPDL	1000 411252	949	101000
46110		103 H-K Contractors Inc		54,750.00					
	819149-01	08/24/19 3" of Hot Asphalt Bus Lot		53,775.00		BULDNG	4000 460460	920	101000
	819149-01	08/24/19 Mobilization		975.00		BULDNG	4000 460460	920	101000
46111		999999 ANTHONY KEARNEY		250.00					
	08/26/19	Anthony DutyBelt w/gear holste		250.00		POLICE	1000 420100	226	101000
46112	E	2673 First Bankcard		465.27					
	5340965	08/26/19 Lanie Excel class		97.00		FNANCE	1000 410510	380	101000
	08/04/19	Sum Rec Supplies		116.27*		SUMREC	1000 460449	220	101000
	08/13/19	GWDC-Sum Rec		252.00		SUMREC	1000 460449	871	101000
46113		2586 Waxie Sanitary Supply		11,993.45					
	78509024	08/26/19 Cleaning Supplies		2,686.43		PARKS	1000 460430	220	101000
	78524232	08/30/19 Cleaning Supplies		9,307.02		PARKS	1000 460430	220	101000
46114		999999 KW CORP		525.00					
	09/03/19	Restitution Disbursement		525.00		GIBSON	7469 212401		101000
46115		999999 CHERRYLL STRAIN-HALL		1,056.31					
	09/03/19	Restitution Disbursement		1,056.31		GIBSON	7469 212401		101000
46116		999999 CRYSTAL DEVITA		135.00					
	09/03/19	Summer Rec Refund		135.00		SUMREC	1000 346051		101000
46117		183 Traveler's Lodge		56.00					
	08/30/19	Help fund voucher		56.00		HELP	7010 450135	370	101000
46118		2654 Community Health Partners		46,995.00					
	West9.5.19	09/05/19 Donation for X-ray Equipme		46,995.00		LEGISL	1000 410100	870	101000

09/13/19
15:20:49

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/19

Page: 5 of 10
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
46119		999999 SINAI ZARATE		350.00					
	09/02/19	Povah deposit refund		350.00		POVAH	2210 214001		101000
46120		3101 Advanced Pump & Equipment		837.50					
	9266 09/06/19	Troubleshoot transducer+milage		837.50		SEWER	5310 430630	369	101000
46121		3066 Core & Main		411.37					
	L078521 08/22/19	PVC All weatherclear cement		22.37		WATER	5220 430530	939	101000
	L078521 08/22/19	Mini Flag qnty 10		99.00		WATER	5210 430550	220	101000
	L078521 08/22/19	5ft Hydrfinderflag/mrkr (10)		290.00		WATER	5210 430550	220	101000
46122		40 Jerry's Enterprises		387.08					
	08/28/19	Fuel charges		387.08		ROAD	1000 430200	231	101000
46123		3208 Old Castle Infrastructure		2,581.00					
	230202824 08/13/19	CHP/UPDL Parking Lot		2,581.00		UPDL	4000 460460	920	101000
46124		1226 A-Core		980.00					
	290386 08/30/19	CHP/UPDL Sidewalk		980.00		GROUND	2820 430262	365	101000
46125		2903 Kerry Parker		291.76					
	09/03/19	COLJ Clerks Conference		291.76		COURT	1000 410360	370	101000
46126		3177 Richard L. Gibson		307.76					
	09/03/19	COLJ Fall Training		307.76		COURT	1000 410360	370	101000
46127		3239 Salt Lake Wholesale Sports		1,903.00					
	54674 09/03/19	Juan-Glock 22 Gen4 GNS		1,903.00		POLICE	1000 420100	212	101000
46128		3085 Buffalo Services, LLC		3,000.00					
	82019 09/08/19	Water Consultation/Operation		1,500.00		WATER	5210 430500	354	101000
	82019 09/08/19	Waste Water Consultation/Oper		1,500.00		SEWER	5310 430600	354	101000
46129		3089 CJL Sand and Gravel		945.00					
	187 09/03/19	CHP/UPDL parking lot		945.00		UPDL	4000 460460	920	101000
46130		764 General Distributing Co.		53.94					
	00791220 08/31/19	CO2/acetylene		53.94		ROAD	1000 430200	220	101000

09/13/19
15:20:49

TOWN OF WEST YELLOWSTONE
Claim Approval List
For the Accounting Period: 9/19

Page: 6 of 10
Report ID: AP100

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
46131		3210 3D Specialties		2,497.00					
	211010	09/05/19 Traffic signal supplies		2,497.00		ROAD	1000 430200	243	101000
46132		999999 BIG SKY PHOTOGRAPHY		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46133		999999 FIREHOLE BBQ COMPANY		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46134		999999 BIG SKY ESCAPE		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46135		999999 TRAILS EDGE RETREAT		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46136		999999 OUTPOST RESTAURANT		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46138		547 WY Chamber of Commerce		1,500.00					
	09/12/19	Expo RT Bond Refund		1,500.00		RTBOND	2100 214000		101000
46139		999999 GUSHER PIZZ & SANDWICH SHOPPE		500.00					
	09/12/19	RT Bond Refund		500.00		RTBOND	2100 214000		101000
46140		1331 West Yellowstone Foundation		25,000.00					
	05/24/19	WYF Bus Funding FY20		25,000.00		LEGISL	1000 410100	870	101000
46141		1331 West Yellowstone Foundation		350.00					
	09/12/19	Happening table of 8		350.00		ADMIN	1000 410210	327	101000
46142		1514 Verizon Wireless		200.05					
		20 Smartphones							
		1 regular phone1							
5 laptops									
	09/20/19	640-0108, Police		0.00		POLICE	1000 420100	345	101000
	9836496007	08/20/19 640-0121 Laptop		40.01		STREET	1000 420100	345	101000
	09/20/19	640-0141 Street SP		0.00		STREET	1000 430200	345	101000
	09/20/19	640-0159 Street SP		0.00		STREET	1000 430200	345	101000
	09/20/19	640-1103, Operator SP		0.00		STREET	1000 430200	345	101000
	09/20/19	640-1438, SS Director		0.00		SOC SER	1000 450135	345	101000
	09/20/19	640-1460, Library Dir, SP		0.00		LIBRAR	2220 460100	345	101000
	09/20/19	640-1461, Street, SP		0.00		WATER	5210 430500	345	101000
	09/20/19	640-1462, Operator, SP		0.00		WATER	5210 430500	345	101000
	09/20/19	640-1463, Deputy PSS, SP		0.00		SEWER	5310 430600	345	101000

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
	09/20/19	640-1472, Ops Mgr, SP	0.00		ADMIN	1000 410210	345	101000
	09/20/19	640-1676, Rec Coord, SP	0.00		REC	1000 460440	345	101000
	09/20/19	640-1754, COP, SP	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-1755, Police	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-1756, Police	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-1757, Police	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-1758, Police, SP	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-1759, Police	0.00		POLICE	1000 420100	345	101000
	09/20/19	640-7547, Street SP	0.00		PARKS	1000 460430	345	101000
	09/20/19	640-9074, PSS, SP	0.00		SEWER	5310 430600	345	101000
	9836496007	08/20/19 683 laptop	40.01		POLICE	1000 420100	345	101000
	9836496007	08/20/19 COP laptop	40.01		POLICE	1000 420100	345	101000
	9836496007	08/20/19 686 laptop	40.01		POLICE	1000 420100	345	101000
	9836496007	08/20/19 681 laptop	40.01		POLICE	1000 420100	345	101000
	09/20/19	640-2354 Exec Assist	0.00		ADMIN	1000 410210	345	101000
	09/20/19	640-2629 City Judge	0.00		COURT	1000 410360	345	101000
46143		2099 Quick Print of West Yellowstone	89.25					
	7950	08/07/19 WasteWater samples	30.65		SEWER	5310 430600	311	101000
	8073	08/14/19 Water Samples	30.11		WATER	5210 430500	311	101000
	8137	08/20/19 Water Samples	28.49		WATER	5210 430500	311	101000
46144		2099 Quick Print of West Yellowstone	40.86					
	12442	08/20/19 Rubrbands/calc ribbon	9.94		FINANC	1000 410510	220	101000
	12460	08/29/19 25 file folders Greg J.	4.95		WATER	5210 430500	220	101000
	12448	08/27/19 1 ream of 11x17 paper Liz	17.99		ADMIN	1000 410210	220	101000
	12450	08/20/19 Avery Dividers (Ben) perQPStaf	7.98		WATER	5210 430500	220	101000
46145		2801 West Yellowstone Back & Neck	100.00					
	09/06/19	DOT Physical James Patterson	100.00		ROAD	1000 430200	351	101000
46146		2898 TransUnion Risk and Alternative	72.10					
	1856110-20	09/01/19 CJIN Report	72.10		POLICE	1000 420100	398	101000
46147		2421 NAPA Auto Parts	2,367.63					
	08/31/19	Napa Supplies WF Breakdown	2,367.63		STREET	1000 430200	220	101000
46148		151 Gallatin County WY TS/Compost	1,213.15					
	08/31/19	Household waster	1,213.15		PARKS	1000 460430	534	101000

09/13/19
 15:20:49

TOWN OF WEST YELLOWSTONE
 Claim Approval List
 For the Accounting Period: 9/19

Page: 8 of 10
 Report ID: AP100

* ... Over spent expenditure

Claim	Vendor #/Name/ Check Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account	
46149	2487 Yellowstone Nature Connection 09/11/19 Sum Rec Programs 4 total @\$250	1,000.00 1,000.00		SUMREC	1000 460449	871	101000	
46150	999999 JAMES ANTHONY CUNNINGHAM 09/09/19 Exonerated Bond	250.00 250.00		COURT	7469 212401		101000	
46151	2099 Quick Print of West Yellowstone 12432 08/09/19 18 sheets pastel paper Libr	1.80 1.80		LIBRY	2220 460100	220	101000	
46152	E 2673 First Bankcard 08/29/19 Stencil Ease	259.00 259.00		STREET	1000 430200	243	101000	
46153	E 2673 First Bankcard 08/21/09 Staples Supplies WF Breakdown	1,262.30 1,262.30		POLICE	1000 420100	220	101000	
46154	E 2964 CITI CARDS 19-11794 08/06/19 Clerk & Recorder-survey 80 a 7461229255 08/06/19 Kelly Inn Billings-Sabolsk 17829 05/20/19 Custom Logo-uniforms 2019MNTNRB 08/06/19 Arb. & Labor Conf. Johnson 000000016 08/09/19 Montana Whitewater 840-559002 08/14/19 US Post Office 3362244 08/16/19 Spire Climbing & Fitness 1007 08/21/19 Trout & Company 985077 08/21/19 BestNest 65647 09/03/19 Pete's Rocky Mtn. Pizza 21460G 09/03/19 Market Place 8013177964 08/16/19 Costco - Office Chair Handy 09/03/19 Wayfair - desk 1008 09/04/19 Trout & Company 111-772099 09/03/19 Amazon - Roller Ball Pens 08/2019 09/05/19 Late & Interest Fees	3,002.17 2.00 202.40 286.30* 250.00 883.50 7.85 528.00 52.56 46.94 107.38 42.40 114.99 319.98 52.56 16.55 88.76		ADMIN ADMIN RECREA ADMIN RECREA COURT RECREA LIBES LIBES LEGIS LEGIS FINANC LIBES LIBES ADMIN ADMIN	1000 1000 1000 1000 1000 1000 1000 2220 2220 1000 1000 1000 2220 2220 1000 1000	410210 410210 460449 410210 460449 410360 460449 460100 460100 410100 410100 410510 460100 460100 410210 410210	870 370 226 380 871 311 871 220 220 220 212 220 220 220 870	101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000 101000
46155	2725 Bozeman Municipal Court 09/12/19 Pass through for warrant 09/12/19 Pass through for warrant	2,175.00 1,090.00 1,085.00		COURT COURT	7469 213000 7469 213000		101000 101000	
	# of Claims	66	Total:	303,355.95				
	Total Electronic Claims	4,988.74	Total Non-Electronic Claims	298367.21				

09/13/19
15:20:49

TOWN OF WEST YELLOWSTONE
Claim from Another Period Cancelled in this Period
For the Accounting Period: 9/19

Page: 9 of 10
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
*** Cancelled in 9/19 **** *** Claim from another period (8/19) ****									
46004		2671 Gallatin Valley Food Bank		823.05					
	16529-1	07/11/19 Food Bank Supplies		823.05		HLPFND	7010 450135	220	101000
		# of Claims	1	Total:	823.05				

Fund/Account	Amount
1000 General Fund	
101000 CASH	\$178,750.21
2100 Local Option Taxation-Resort Tax	
101000 CASH	\$4,500.00
2102 TBID (Tourism Business Improvement	
101000 CASH	\$47,560.48
2210 Parks & Recreation	
101000 CASH	\$350.00
2220 Library	
101000 CASH	\$473.84
2820 Gas Tax Apportionment	
101000 CASH	\$980.00
2850 911 Emergency	
101000 CASH	\$1,124.97
4000 Capital Projects/Equipment	
101000 CASH	\$58,276.00
5210 Water Operating Fund	
101000 CASH	\$3,635.82
5220 Water Replacement Depreciation Fund	
101000 CASH	\$22.37
5310 Sewer Operating Fund	
101000 CASH	\$2,481.95
7010 Social Services/Help Fund	
101000 CASH	\$-767.05
7458 Court Surcharge HB176	
101000 CASH	\$405.00
7467 MT Law Enforcement Academy (MLEA)	
101000 CASH	\$440.00
7468 Public Defender Fee	
101000 CASH	\$0.00
7469 City Court - Judge Gibson	
101000 CASH	\$4,006.31
7699 Victims Assistance Program	
101000 CASH	\$293.00
Total:	\$302,532.90

WEST YELLOWSTONE TOWN COUNCIL
Town Council Work Session & Meeting
September 3, 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, Town Engineer Dave Noel, Water Rights Attorney Ross Miller, Town Attorney Jane Mersen, Richard & Teri Gibson, Cole Parker & personal attorney, Terry Marsden, Dan Sharp, John & Marysue Costello, Greg Johnson, Rob Klatt, Grant Jackson, Jeff Kadlec, Heather Johnson, Caitlyn Johnson, Fire Chief Shane Grube, Denise Sabolsky, Grant Jackson, Bob Patzke, Travis Watt, Jeff Mathews, Laurice Bittner, District Ranger Jason Brey, John Koehler, various other community members, Finance Director Lanie Gospodarek, Social Services Director Kathi Arnado

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

Portions of the meeting are being recorded.

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

WORK SESSION

Mayor Brad Schmier calls the meeting to order and introduces Town Engineer Dave Noel and Water Rights Attorney Ross Miller. Noel takes the lead and explains through a presentation that the Town has limited water supply that is monitored by Montana Department of Environmental Quality (DEQ). Noel explains that the Town was unable to provide firm capacity to DEQ, which became a problem when they started to drill the new well a year ago. At the time, a water moratorium was in effect so no new connections were allowed. He explains that DEQ has agreed to a new system that would allow new water connections through evaluation by DEQ on a case by case basis. Johnson clarifies that if a person wants to build a house, they must petition DEQ for permission to connect to the water supply. Noel confirms that is correct. He says that this problem came to light when Ventures West expanded its RV park and this is what they have worked out since then. Noel says that the good news is that as soon as the new well is brought online and the water rights are worked out, this issue will go away. He explains that to calculate the firm capacity, they look at all the water sources for the Town, which is a combination of Whiskey Springs and various wells. They then compare the sources from largest output to smallest output and then remove the largest one. They then have to determine whether they can meet the needs of the Town using the other sources should the largest source be removed. Ross Miller explains that a year ago last spring, a change application was filed to move water rights from other wells to the new well. Miller explains that the change application went through DNRC analysis and there was an issue in one month of the year (March) that affected the water flow in the Southfork of the Madison River. DNRC informed the Town that they would have to recommend denial of the process. Miller explains that he was retained that fall and they brought in Hydro Solutions, a hydro geologist firm. He explains that when the application was filed, they did not include Hydro Solutions as part of the team and if they had, they would have likely found the problem prior to submittal. He explains that they determined that they needed their own groundwater scientist, which was accomplished through Hydro Solutions once they conducted their own study. He says that DNRC recommended reducing the permit for Whiskey Springs for March. The problem is that Fish, Wildlife and Parks (FWP) owns an instream flow right that would likely contest. FWP objected to mitigating the depletion with a permit that is junior to the instream flow right. He says that the way they anticipate addressing the depletion problem is by amending the water reservation right for just the month of March. He says that is something that has never been done, but they have received indication from DNRC that they will approve the request. They now have to negotiate with FWP, but the two agencies calculate flow rates differently. FWP calculates flow based on a daily rate, but DNRC only looks at a monthly average. Miller explains that FWP's proposal is that the Town terminate the existing permit and extend the depletion period from October to April. He explains that they are really talking about a very small quantity of water, approximately 45 gallons per minute. He says FWP also wants to

be able to call the Whiskey Springs permit if the inflow drops during the summer months. Miller says the Whiskey Springs permit was already in place before they ever applied for a reservation, which is to plan for future growth. Miller says he thinks the Town should hold firm on the permit as that water can be used in the future. He says that FWP has a permit with a one year senior priority date, so they could call on the Town's permit, in the unlikely event that ever happens. He says the Town should hold on to the permit and also recommends that they do not agree to the proposal from FWP to give them the right to call on the water any month of the year. He mentions that the data that all this analysis is based on is from the 1980s. Schmier summarizes that they are playing "hardball" to retain 45 gallons per minute. Miller also explains that this process came out of the 1972 Montana Constitution and water rights were established to maintain water rights from downstream states. He says that all the water rights that were established were dated and time stamped at the exact same time, but there is a clause that gives municipal water uses priority. Miller says they should present a counter-proposal to FWP within the next couple of weeks that FWP will hopefully agree to. Once that is accomplished, then they can proceed with the change application that is already on file with DNRC. He says this could be finished within a couple months, assuming FWP agrees to the counter proposal. Forsythe asks how long it will be before the well is complete and ready for operation. Noel says there are still some minor construction issues that need to be completed and then Dick Dyer will have to submit final record drawings to finalize. He says there are some minor issues such as pressure testing and bacteria testing that needs to be completed. Miller says he envisions that sometime this fall, they will have to have a meeting to work this out with FWP, but he anticipates that can be accomplished.

Noel proceeds to describe the current status of the wastewater system. He explains that the green line on his chart, which represents the Town's capacity limit of 635,000 gallons per day. He says that with the approval of DEQ earlier this summer, they installed four evaporators at the wastewater treatment facility that are operating as intended, evaporating approximately 95,000 gallons per day. He explains that in July 2019, they definitely peaked and exceeded the amount allowed by the permit. He says that they did calibrate their equipment and install new flow meters, which may have contributed to the higher numbers. He says that the new development in town would not create that much use, so they're not sure why the flow got so high. However, he says that the Town is in a unique position because they have a lagoon system and only are required to report every 90 days instead of monthly. He says that from an engineering standpoint, it is reasonable to average the flows over the quarters they are required to report. He says that when they average the flows over the reporting period, the flow numbers stay under the amount allowed by the permit. He says that if DEQ will agree to analyzing the data over the course of the reporting period, there is a very small amount of capacity available, approximately 6000 gallons per day. Forsythe asks if they installed another evaporator, would that give them more gallons per day capacity. Noel responds that the evaporators just take care of the water and don't address the bigger issue which is biologic loading. More evaporators don't change how the treatment plant operates for that same reason. Noel says he is leery to add more evaporators on that side of the lagoon because of the effectiveness. Forsythe asks if putting another evaporator in another location would work and if the aeration system is working effectively. Noel says the aeration units are not yet working at 100%, but they are working towards that. The Council asks various questions about the operation and efficiency of the aerators. Noel says that they are still on the timeline that was proposed earlier this year. The facility planning study should be wrapped up this summer and they will present options for a long-term solution later this fall. Noel explains that over the last couple months, they have been installing flow meters throughout town to isolate and determine average use by single family homes, nightly rentals, and hotels. He says that the data so far indicates that they are underestimating the impact of nightly units as opposed to residences. Noel emphasizes that the numbers presented are based on real flow data, meaning they are only measuring actual usage. The Council discusses the potential impact of properties in Town that have not been in operation but continued to pay for their connections. Noel emphasizes that if they continue to evaluate and report to DEQ as they have been, they do not have 6000 gallons available capacity. Noel says that in the facility planning study, they will make a recommendation as to the type of plant that the Town should build. Mayor Schmier opens the meeting to questions from the public. Brianne Johnson, an attorney representing Cole Parker, addresses the Council regarding existing connections that are not currently active,

referring to Parker's property at 649 Parkway D. Town Attorney Jane Mersen cautions the Council to address a specific case this evening and says she would be happy to guide the Council through answering questions about specific situations. Ms. Johnson indicates that she will forward letters to the Council requesting an answer to her client's specific situation. Dan Sharp, an architect that works in Town, asks Noel if they have compared the Town's wastewater use to other communities. Noel says they based their calculations based on average use. He says that in lieu of calculating how much is being used by users of the system, they are looking at flow into the lagoon. Teri Gibson says that the Town should figure out how much could be used by properties that are already connected and determine the potential usage. Jason Howell suggests some education and incentivizing the older motels to use low-flow toilets and other water saving devices to reduce the number of gallons used per day.

The work session is adjourned, 7:00 PM. The Regular meeting convenes at 7:15 PM.

ACTION TAKEN

- 1) Motion carried to approve the claims, which total \$100,751.33. (Burke, Martineau)
Burke abstains from #46093 to Morning Glory Coffee & Tea for \$33.75, Forsythe abstains from #46100 to Westmart Building Center for \$2642.67 and #46102 to Westmart Building Center for \$1500.00.
- 2) Motion carried to approve the Consent Agenda, which includes the minutes of the August 20, 2019 Town Council Meeting, as amended. (Martineau, Forsythe)
- 3) Motion carried to table the business license application for The Adventure Inn, pending more information. (Burke, Martineau)
- A) **Advisory Board Reports:** Mayor Schmier reports that the Cemetery Advisory Board met last week. The board is working on amending the ordinance and then the policies and procedures for selling and administering cemetery sales.
- B) **Town Manager & Department Head Reports: Town Manager** Dan Sabolsky reports that the staff is working on Planning and Zoning regulation updates. He also reports that the Cemetery Board is working on updating the cemetery ordinance and information for the public. They have also been in contact with Jessie Luther of the Taylor Luther Group to work on the campaign for renewing the 3% resort tax and the addition of a 1% infrastructure tax. He reports that he and James Patterson have been working to address the issues with the new garage that is being constructed by Merrick Young and he did receive a letter from Young's attorney today. The Recreation Program is starting up flag football and soccer programs. They are recruiting to fill two positions in dispatch, a police officer, equipment operator, and water/wastewater superintendent. Burke asks if anything has been mentioned about the roof joists, trusses, and trailer that are on Town property in association with the Young garage project. Sabolsky indicates he will look into it.

Public Services Superintendent James Patterson reports on repairing sidewalks and removal of dead trees in the interior parks. The conduit for the new water well is almost completely installed. The six new recycling cans were put out today. He says they would like to schedule a snow plowing meeting for mid-October. The Council also briefly discusses a work session to discuss clearing sidewalks during the winter season. They also discuss reconvening the Snow Arbitration Board.

Finance Director Lanie Gospodarek reports that they have scheduled resort tax audits and thanks Lisa Johnson for her assistance training Finance Clerk Peggy Russell.

Kathi Arnado, **Social Services** Director, reports on traffic through her office, strong volunteer support, and a training opportunity.

Public Comment Period

Drew Barney addresses the Council on behalf of the West Yellowstone Ski Education Foundation. Barney encourages the Town Council to not approve a variance nor an encroachment in regards to the garage being constructed on Merrick and Stephanie Young's property adjacent to the trailhead for the Rendezvous Ski Trails.

Travis Watt distributes copies of his written comments expressing complaints about the new cosmetics store, AGORA, that opened up this summer on Yellowstone Avenue. Town Manager Dan Sabolsky responds that they have had several complaints about the business approach and they have been monitoring it, but unless the employees breach the threshold of the business and approach people on the sidewalk, there is not much they can do. Mayor Schmier notes he does not agree with their approach, but points out that the Playmill Theater does much the same thing throughout town.

Marc Shepherd, board member of the West Yellowstone Ski Education Foundation, addresses the Council. Shepherd echoes Barney's earlier comments regarding the garage that the Youngs are building and encourages the Council to consider the impact and effect of a 25' or taller building on the edge of the ski trails.

Council Comments

Council Member Martineau reports that Steve Larson of Energy West has a contact in Billings that collects packages of wild game meat and distributes to veterans. He says that if anyone has wild game they do not want, to let him or Larson know and they'll pick it up.

Council Member Forsythe asks Town Engineer Dave Noel to address the efficiency and success of the short-term solutions at the lagoon. Noel says the project has gone well, Greg Johnson has been keeping up with the testing and recording as needed. The Town staff was able to do a lot of the installation of the evaporators and DEQ has not raised any concerns.

Council Member Jerry Johnson thanks the citizens that came tonight and understands that is difficult to get the information out to the community.

Council Member Burke thanks Patterson for acknowledging the need for a snow meeting. He also hopes to address public safety, liability, and the Town's responsibility for snow removal.

Council Member Forsythe requests that any new information that comes in regarding the Young garage project be shared with the Council as soon as it comes in.

Presentation: Jeff Kadlec, Yellowstone Airport Expansion

Travis Eickman of Morrison Maierle addresses the Town Council on behalf of the Montana Department of Aeronautics. He reports that in April, Morrison Maierle completed a plan for the expansion of the Yellowstone Airport. He explains that the preferred alternative from that plan is to pursue the building of a new terminal and extension of utilities to the Town of West Yellowstone. He explains that they have proceeded on to the environmental assessment portion of the plan and a public meeting is scheduled for September 16, 2019 at the airport. He displays pictures of a proposed new terminal and improvements on the site. He explains that the preferred alternative is to connect the sewer system from the terminal to the Town's wastewater treatment system, downgrade approximately 2 miles. The water system, in conjunction with the Forest Service, is proposed to create a loop that ties into the Town mainlines. He explains that the proposed alternatives will maximize use of existing corridors. He says that benefits of the plan include the elimination of the arsenic removal system at the airport and improve fire suppression capabilities. He points out that fire suppression surrounding the Madison Addition would be improved as well as water pressure due to the looping. He also addresses a possible negotiation regarding the lease of the wastewater treatment facility land. He says that the project is eligible for funding from the Federal Aviation Administration (FAA) for infrastructure related to the airport. The portions of the project that assist the Town and Forest Service would be funded through cost sharing. Eickman explains that the earliest they anticipate starting the project is 2022, which should line up fairly well with the expansion of the wastewater treatment

plant. Forsythe asks how many passengers pass through the airport per year. Jeff Kadlec answers that they had approximately 20,000 last year. Johnson says he would still like to have a work session to discuss the proposal, Burke agrees. Schmier says that with the lifting of the deed restrictions at the airport, the Town would need to know what the scope of the project they are talking about. Eickman explains that at this time, only airport related improvements are being discussed. Anything past that would be conditioned on the availability of services and environmental assessment.

Sabolsky adds that at this time, there is no commitment from the Town on this project. The Aeronautics Division is starting the Environmental Assessment process to determine whether the preferred alternatives are even feasible.

- 4) The Council discusses a draft of Resolution No. 738, a resolution that was drafted for consideration by the Council to amend the moratorium on wastewater connections. Schmier says that based on the information that has been presented, he doesn't think they can pass this resolution. Johnson asks multiple questions about the impact of amending Resolution No. 727, the resolution in effect that prohibits new connections and new uses to the system. Noel says that they essentially cannot bring any new significant connections to the system before the new treatment facility is in operation in 2022. Noel says he needs direction from the Council. He says he is willing to approach DEQ and request that they accept 90 day flow data rather than the 30 day data they have been submitting. Forsythe says that when they lifted the water moratorium in May, they should have considered the impact on residential. Mersen advises that it may be premature to consider this resolution before Noel can contact DEQ and determine whether they will accept the alternative reporting. Schmier asks if there are any comments from the public. Gibson says that one of the priorities moving forward should be the dormant properties that want to move forward. Patterson says that they should keep the homebuilders in mind, they employ people and keep the economy moving. He says that they need to give Noel the chance to find out if DEQ will allow them to take on more connections. Forsythe agrees but they also have to decide how to handle the dormant properties.
- 4) Motion made to adopt Resolution No. 738, a resolution modifying Resolution No. 727 which modifies the moratorium on connections to or new uses of the Town's wastewater treatment system. (Forsythe, Johnson) Johnson is in favor, Schmier, Martineau, Burke and Forsythe are opposed. Motion fails.
- 5) Motion carried to approve the donation of up to \$50,000 to Community Health Partners for the purchase of a new x-ray unit for the West Yellowstone Clinic. (Johnson, Burke)
- 5) Forsythe expresses concerns about the fact that most of the business at CHP ultimately goes to Bozeman Health. He says that everyone that gets x-rays, typically has to seek medical care from other sources anyway. He says that there is no funding for this project from Bozeman Health or any of the other entities that will receive those patients. Burke says they have heard complaints for years about getting an x-ray machine in West Yellowstone and its time to bit the bullet and buy one. Forsythe says that Bozeman Health is investing \$8 million in a new clinic in Belgrade and they clearly don't care about investing in West Yellowstone. Buck Taylor, Executive Director for CHP, explains that their last x-ray machine came from Bozeman Health. They did approach Bozeman Health about funding for the new machine. Bozeman Health offered a used machine for \$12,000 and they opted not to go that route again. Taylor also outlines the annual costs CHP incurs to operate and maintain an x-ray machine and training for staff members to take and read x-rays. Schmier also adds that CHP will be responsible for all remodeling costs for the new machine. Schmier asks if there has been any discussion about the ownership of the machine. Sabolsky responds that CHP will own the x-ray machine but it will become a permanent part of the building, a leaseholder improvement, and will remain in the building should CHP no longer operate in the building. Forsythe

clarifies that the \$50,000 is in the budget. Finance Director Lanie Gospodarek confirms it is a budgeted expenditure.

The meeting is adjourned. (9:05 PM)

Mayor

ATTEST:

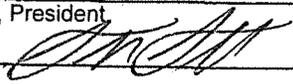
Town Clerk

Town of West Yellowstone Business License Application

DK
9-13-19

Business Name: Yellowstone Vacation Tours
Applicant: DNC Parks & Resorts Yellowstone Adventures, Inc.
Contact Person: Jason Fatouros (406-586-7593) Martha Fischer (Licensing 716-858-5055)
Mailing Address: 250 Delaware Avenue, 12th Floor Licensing, Buffalo, NY 14202
Physical Address of Business: 201 Grizzly Ave, West Yellowstone, MT
Phone Number: 406-586-7593 Fax Number: 716-858-5056
Email Address: Licensing: MFischer@delawarenorth.com Website: _____
On-site: JFatorous@delawarenorth.com

Signature of Property Owner of Record: DNC Parks & Resorts at Gray Wolf and Yellowstone Park, Inc.
by Scott P. Socha, President

Subdivision: Grizzly Park Add PH 2 x 
Block: #2 Lot: 8

Zoning District, please mark one:

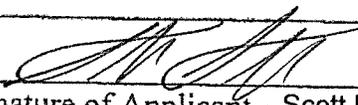
- B-3 Central Business District (Old Town) PUD Planned Unit Development (Grizzly Park)
 B-4 Expanded Business District (Grizzly Park) Residential Districts, Home Occupations Only (Mad Add)
 E-2 Entertainment District (Grizzly Park)
- New Business Transfer of Ownership
 Change of Location Name Change

- 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 N/A

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.

Scenic tours - see further information on attached parking plan

Business License Fee: \$ 50.00
Resort Tax Bond: \$ Request waiver
Total Amount Due: \$ 50.00


Signature of Applicant - Scott P. Socha

Signature of Applicant

Date 8/26/2019

FOR OFFICE USE ONLY

Date Approved by Town Council: _____

Date _____ Check # _____ Amount \$ _____ License # _____

SCN _____ BLP _____ STX _____ BLC _____ RDX _____

TARLOW
STONECIPHER
WEAMER & KELLY PLLC

1705 WEST COLLEGE STREET
BOZEMAN, MT 59715-4913

PHONE (406) 541-0111
FAX (406) 541-0107
www.LawMT.com

ATTORNEYS

September 10, 2019

James Patterson
Superintendent of Public Services
440 Yellowstone Ave
P.O. Box 1570
West Yellowstone, MT 59758

Via Email

jpatterson@townofwestyellowstone.com
Original to Follow by Mail

RE: Business Application

Dear James:

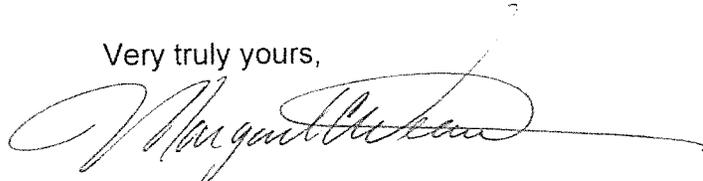
Thank you for the opportunity to provide additional information in support of DNC Parks & Resorts Yellowstone Adventures, Inc. d/b/a Yellowstone Vacation Tours's ("YVT") Business License Application (the "Application"). YVT looks forward to the continued opportunity to be a part of West's vibrant business community.

YVT is in the process of purchasing Two Top's business which includes its snow coach operations. To accommodate the parking necessary to comply with Section 17.42.090 of the West Yellowstone Municipal Code (the "Code"), YVT will utilize the Yellowstone Park Hotel as the location to stage the snow coach operations. The Yellowstone Park Hotel is closed during the winter, so the snow coach use will not overlap with the hotel's use of off-street parking.

Because the hotel and the snow coach operations will be seasonal and opposite of each other, YVT will also be in compliance with Section 17.42.070 of the Code which permits seasonally staggered uses of off-street parking.

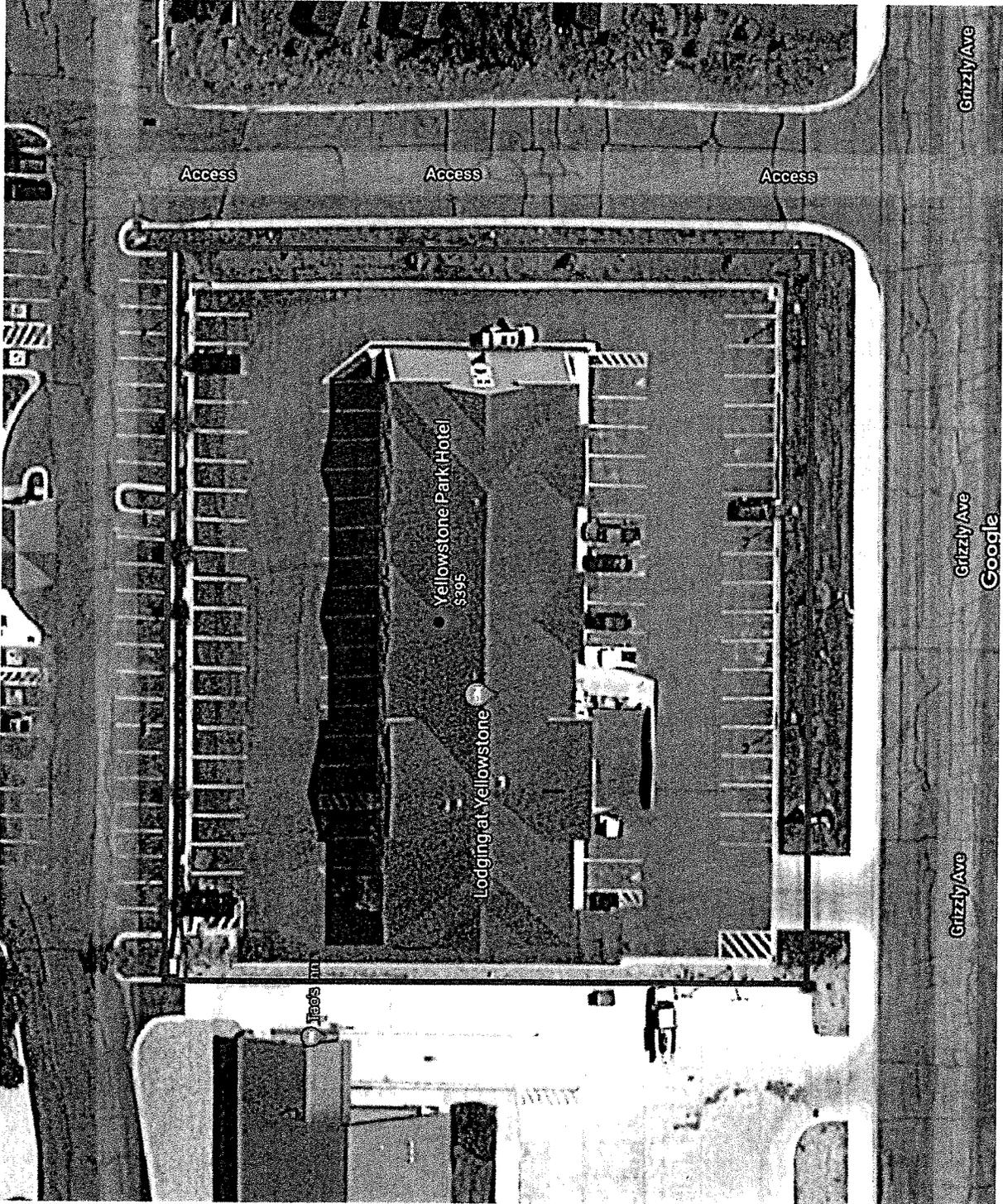
Please do not hesitate to give me a call if you have any further questions or would like more information.

Very truly yours,



Margaret C. Weamer

MCW/asm



Yellowstone Vacation Tours at Yellowstone Park Hotel - Parking Plan

68 parking spaces available
13 snow coaches x 5 spaces/coach = 65 spaces required
Snow will be hauled off site if needed.

17.42.070 Mixed and shared uses.

Where two or more uses are combined in one development, the total parking spaces shall be the sum total of the spaces required for each individual use, unless it is determined by the town council that a smaller number of spaces is adequate because of staggered use during the day and night hours or seasonal changes in use during the year. If a building has seasonal changes of use, the use that generates the most required off-street parking space shall apply. Off-street parking for one use, unless seasonal, shall not be considered for joint use as hereinafter specified. (Ord. 164 (part), 1994)



250 Delaware Avenue
Buffalo, New York 14202
T 716 858 5000
www.delawarenorth.com

August 27, 2019

Town Council
Town of West Yellowstone
440 Yellowstone Avenue
West Yellowstone, MT 59758

Re: Request for Waiver of Resort Tax Bond

Dear Sir or Madam:

Please accept this correspondence as our request to waive the \$500.00 resort tax bond with regard to our application for a Business License covering our operations with DNC Parks & Resorts Yellowstone Adventures, Inc. As you are aware, we own and operate several businesses in West Yellowstone including the West Yellowstone Holiday Inn, Gray Wolf Inn & Suites, Hideaway RV Park and the Yellowstone Park Hotel. We have a good payment history of paying the resort taxes on time for each of these locations.

If you have any questions or require any additional information, please contact me at (716) 858-5055 or via e-mail at mfischer@delawarenorth.com. Thank you.

Very truly yours,

DNC Parks & Resorts Yellowstone Adventures, Inc.

A handwritten signature in cursive script that reads "Martha S. Fischer".

Martha S. Fischer
Licensing Administrator

cc: Jason Fatourous

Town of West Yellowstone Business License Application

Business Name: Yellowstone ATV
 Applicant: Robert R Quattlebaum
 Contact Person: Robert Quattlebaum
 Mailing Address: PO Box 391
 Physical Address of Business: 208 Electric St
 Phone Number: 406-640-2643 Fax Number: _____
 Email Address: russ.yellowstoneatv@gmail.com Website: www.yellowstoneatv.com

Signature of Property Owner of Record: Yellowstone Arctic Yards Inc. Annual

Subdivision: _____
 Block: _____ Lot: _____

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
- 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.

ATV/UTV Rentals - mixed & shared uses
8 units

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

Robert R. Quattlebaum
 Signature of Applicant

 Signature of Applicant
9-4-19
 Date

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

TOWN OF WEST YELLOWSTONE

PUBLIC HEARING Variance Request Reduction of Side Yard Setbacks

NOTICE IS HEREBY GIVEN that the West Yellowstone Town Council, serving as the Board of Adjustments, will conduct a Public Hearing **September 17, 2019** at the West Yellowstone Town Hall. The purpose of the public hearing will be to consider a variance request from Section 17.22.050 of the West Yellowstone Municipal Code made by Merrick and Stephanie Young at 500 Obsidian Street. The property is located in the B-3, Central Business District, of the original townsite for the Town of West Yellowstone. The request is to allow a variance to the required side yard setbacks from the property line for the construction of a two-story garage.

The public hearing will be held during the regular Town Council Meeting which begins at 7:00 PM. The meeting will take place in the West Yellowstone Town Hall, in West Yellowstone, MT, at which time oral testimony will be taken from the public. Written testimony may be submitted until 5:00 PM on the date of the hearing to the Town Clerk at the Town Hall, 440 Yellowstone Avenue, by mail to PO Box 1570, West Yellowstone, MT 59758, or by email to info@townofwestyellowstone.com. For further information contact the Town Clerk at (406) 646-7795.

Elizabeth Roos
Town Clerk





REQUEST FOR VARIANCE

Town of West Yellowstone
Gallatin County, Montana

DATE: 8/28/19
APPLICANT: Merrick & Stephanie Young
ADDRESS: 500 Obsidian
PHONE: (406) 640-1704
INTEREST IN PROPERTY: Owners

PROPERTY OWNER OF RECORD'S SIGNATURE: *Merrick & Stephanie Young*

1. LEGAL DESCRIPTION:
Subdivision: Old Town
Block: 30 Lot: 1
Zoning District Number: B-3

2. Section, Part, and Paragraph of the West Yellowstone Municipal Code that the variance request applies to: WYMC 17.22.050

3. Request for Variance is related to: Yard _____
Height _____
(Mark All that Apply) Use _____
Parking _____
Other _____

4. Please state specifically the change(s) proposed and the reason(s) such changes are necessary Reduction in setbacks

5. Application Fee: \$75.00 Paid _____ Date _____

Merrick & Stephanie Young
Signature of Applicant
9-4-19
DATE

For Office Use Only:
DECISION BY TOWN COUNCIL
Approved _____ Disapproved _____

Mayor/Town Manager

DATE

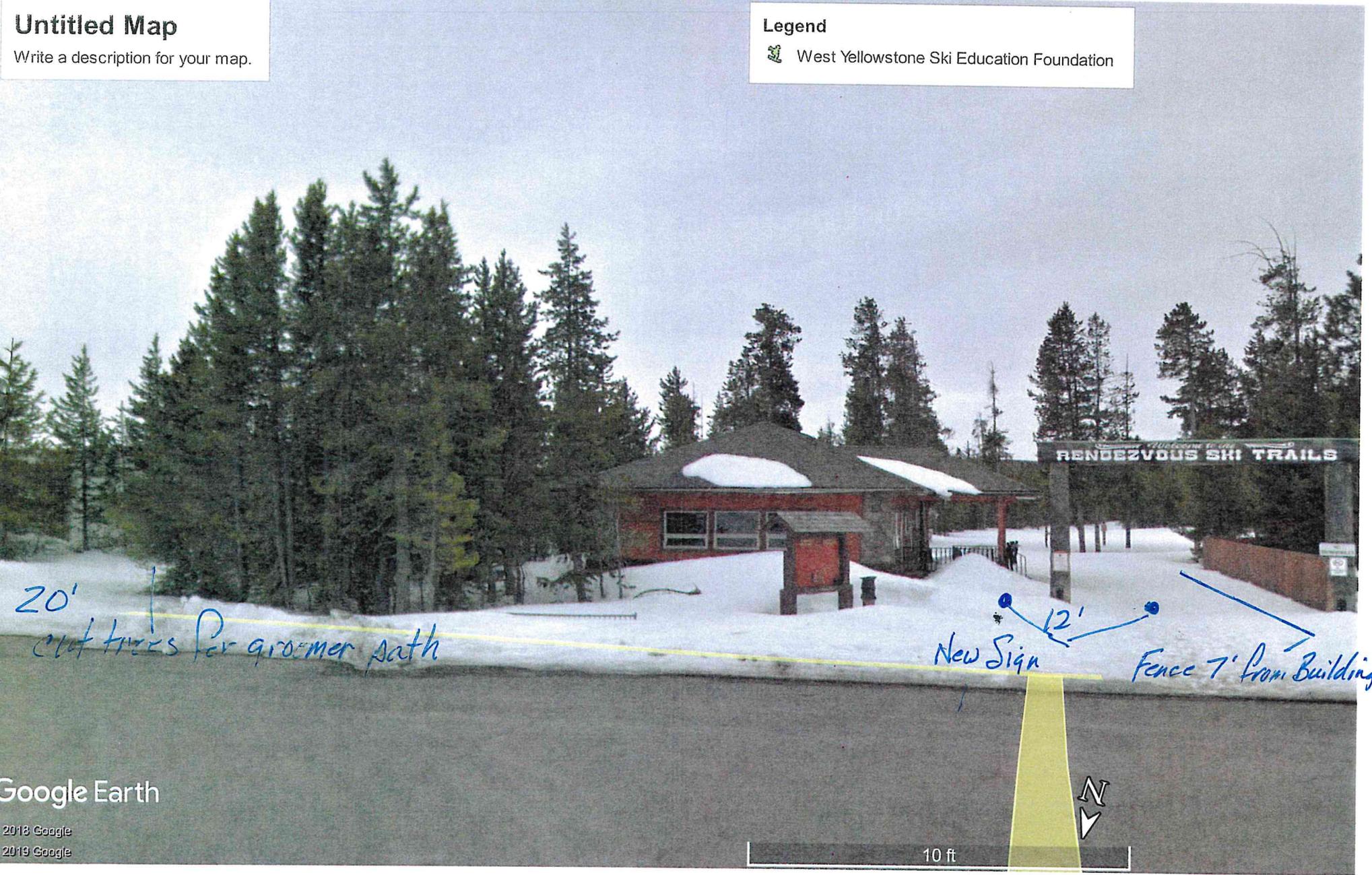
Possible Solution

Untitled Map

Write a description for your map.

Legend

 West Yellowstone Ski Education Foundation



20'
cut trees for groomer path

12'
New Sign

Fence 7' from Building

Google Earth

2018 Google
2019 Google

10 ft



Possible Solution

Groomer path

12th Entrance to Ski Trails

New fence 7 to 8' from Building

Untitled Map
Write a description for your map.

Legend

-  West Yellowstone City Offices
-  West Yellowstone Ski Education Foundation



Brian K. Gallik
Jecyn N. Bremer
James P. Molloy

GALLIK, BREMER & MOLLOY, P.C.

Attorneys at Law
777 East Main Street, Suite 203
Post Office Box 70
Bozeman, Montana 59771-0070
(406) 404-1728

September 3, 2019

Brad Schmier, Mayor	bschmier@townofwestyellowstone.com
Greg Forsythe, Deputy Mayor	gforsythe@townofwestyellowstone.com
Jerry Johnson	jjohnson@townofwestyellowstone.com
Chris Burke	cburke@townofwestyellowstone.com
Pierre Martineau	pmartineau@townofwestyellowstone.com
Town of West Yellowstone	
West Yellowstone, Montana	<i>BY EMAIL ONLY</i>

RE: Stephanie and Merrick Young: *Demand to Reinstate Building Permit.*

Honorable Members of the West Yellowstone Town Council, as Members of the Town Council and Members of the Board of Adjustment:

Stephanie and Merrick Young have retained this firm to represent their interests with respect to a building permit issued by the Town of West Yellowstone, and their substantial, good faith change in position in reliance upon the Town's issuance of that permit.

As you know, Ms. Young owns property in the Town of West Yellowstone, adjacent to the Rendezvous Ski and Biking trails. The property is zoned B-3. Earlier this year, Ms. Young submitted an application for a building permit to the Town, including plans and specifications for a structure to be built on her property. She paid a fee to the Town for that review.

The Town reviewed that application. Based upon the Town's review of the plans and specifications, it issued a building permit to Ms. Young, approving the construction of a building with a zero lot-line on that site.

In good faith reliance upon that permit, Ms. Young began construction of a garage, with a bonus room above the garage, in accordance with the plans and the permit issued by the Town. This includes site work, a concrete foundation,

installation of utilities, and construction of walls, all at considerable financial cost to her and her husband. She thus acquired a vested property right.

Recently, apparently in response to complaints by members of the community, or a non-profit organization, a stop work order was improperly issued by the Town, even though the improvements made by the Youngs, conform to the plans and specifications reviewed and approved by the Town. It now demands they make application for a variance (where there are no discernable standards to guide the discretion of the Board of Adjustment, which is another fundamental problem), which the Youngs will do to mitigate damages, but under protest and without waiving their demand that the Town reinstate their building permit, regardless of the demand made by the Town to submit a variance application.

Under the common law, Ms. Young acquired a vested property right based the Town's issuance of a building permit and her construction of a structure in good faith reliance upon the permit. *See Cmty. Ass'n for N. Shore Conservation, Inc. v. Flathead Cty*, 2019 MT 147, ¶ 60, 39 6 Mont. 194, ___ P.3d ___ (Rice, J., dissenting) (citing *Commonwealth, Dep't of Env'tl. Res. v. Flynn*, 21 Pa. Commw. 264, 344 A.2d 720, 724-25 (Pa. Commw. Ct. 1975) ("the owner's good faith reliance on the permit should afford him a vested right to complete the work, albeit the permit was issued in error."); *Browning-Ferris Indus. v. Wake Cnty.*, 905 F. Supp. 312, 318 (E.D.N.C. 1995) ("[t]he inquiry as to whether a party has acquired a vested property right under the common law of North Carolina centers on the party's reliance on a permit, the exercise of good faith, and the incurring of substantial expenditures prior to the revocation of a permit or the amendment to an ordinance."); *Jordan-Arapahoe, Ltd. Liab. P'ship v. Bd. of Cnty. Comm'rs*, 633 F.3d 1022, 1024 (10th Cir. 2011) ("Under Colorado law a property owner does not obtain a vested property right absent (1) the approval of a site specific development plan, or (2) the landowner's substantial and detrimental reliance on representations and affirmative actions by the local government."); *cf. Kiely Constr. L.L.C. v. City of Red Lodge*, 2002 MT 241, ¶ 45, 312 Mont. 52, 57 P.3d 836 ("Arguably, Kiely could have established a property interest upon application for final approval . . ."); *Seven Up Pete Venture v. Montana*, 2005 MT 146, ¶ 32, 327 Mont. 306, 114 P.3d 1009 ("the . . . 'opportunity' to seek a permit . . . did not constitute a property right."))” *See also, Town Pump v. Board of Adjustment*, 1998 MT 294, ¶ 27, 292 Mont. 6, 971 P.2d 349 (“courts have declined to apply a new zoning rule to an application made under existing zoning provisions when the applicant has substantially changed position in reliance on the existing zoning, or on the probability of a permit being issued. *See, e.g., Morris v. Postma* (N.J. 1964), 41 N.J. 354, 196 A.2d 792; *Sagittarius, Inc. v. Village of Arlington Heights* (Ill. App.

Ct. 1980), 90 Ill. App. 3d 401, 413 N.E.2d 90, 45 Ill. Dec. 757; *Board of Supervisors v. Medical Structures, Inc.* (Va. 1972), 213 Va. 355, 192 S.E.2d 799.”) *See also*, Ziegler, 4 *The Law of Zoning and Planning*, § 70:28 at 70-86 (2019 ed) (“Consideration of the equities involved, more nearly resembling the classical requirements for equitable estoppel, has led to a finding of vested rights to continue construction in cases in which there was good faith reliance upon assurances and approvals by municipal officials as a result of which a landowner had materially changed his position to his determinant.”) (footnotes omitted).

In this case we have (1) the issuance of a building permit by the Town; (2) good faith reliance upon the permit by Ms. Young; and (3) her change in position in reliance upon that permit, as evidenced by the substantial investment of money, time and other resources in the construction of the existing structure. Her structure conforms in to the plans submitted to and approved by the Town, and the building permit issued by the Town. Accordingly, she has a vested property right.

This Commission, or the Building Department, is respectfully advised to immediately reinstate the building permit and forego any discussion of the unlawful variance request. If the Town proceeds to entertain the variance request, made under protest, and the variance application is denied, the Youngs will seek all available remedies in State district court, pursuant to § 17.50.080 of the Town’s Municipal Code, including reinstatement of the building permit, damages and attorneys’ fees. *See, e.g.*, 42 U.S.C § 1983.

Sincerely,

GALLIK, BREMER & MOLLOY, P.C.

Brian K. Gallik

C Dan Sabolsky (dsabolsky@townofwestyellowstone.com)
James Patterson (jpatterson@townofwestyellowstone.com)
Town Attorney (jmersen@kkmlaw.net)
Stephanie & Merrick Young



13 September 2019

West Yellowstone Town Council

Town of West Yellowstone

PO Box 1570

West Yellowstone, MT 59758

RE: New construction adjacent to Rendezvous Trails Trailhead Building and Access Point

Dear Councilmen:

The Rendezvous Trails' iconic archway at the south end of Geyser Street has been a fixture in West Yellowstone for over 30 years. Access to the Trails has been through this Town right-of-way for over 40 years. Since 2004 the Town's trailhead building, made possible through grants and donations secured by the West Yellowstone Ski Education Foundation (WYSEF), combined with contributions from the Town, has welcomed Winter and Summer visitors to this valuable community resource. Placement and construction of this building was done at the direction of the Town and to facilitate user-access and grooming efficiency in Winter.

The Young property is immediately adjacent to this right-of-way on the West. Construction was initiated on the Young property under a permit which does not meet setback requirements in the Town Code. Proximity of this construction to a public right of way creates a potential hazard for trail users and negatively impacts the aesthetic qualities of the Trailhead. Proper review of submittals for this project by Town staff and the Planning Advisory Board might have helped to alleviate these issues or at least develop a dialog with the applicant about the advisability of constructing a 2-storey building with limited setback, immediately upwind of a pedestrian right-of-way utilized by tens of thousands of visitors and locals annually. Had the setback requirement been enforced, our public property access and safety might have been maintained.

Rather than moving the construction to comply with required setbacks, Town Staff have proposed a plan which will grant a variance for the setback requirement and further grant an encroachment onto Town property. In addition to what amounts to the donation of public land to private use, this plan will require a change in access to the trail system, an increase in trail grooming complexity (and cost), capital improvements by the Town, and new plowing responsibilities for the Town.



WYSEF is not in favor of the granting of a variance or an encroachment and request that the Council does not approve either. We encourage the Council to consider in their decision both the immediate and long term negative impacts in terms of cost, logistics, degradation of a Town resource, and public access to public property.

Thank you for your consideration in this matter.

WYSEF

President: Drew Barney Vice President: Marc Sheppard

Secretary: Brenda Holland Treasurer: Jenny Jordan

Board Members: Michael Keator, Jack Hart, Kelli Hart, Rachel Spence, Molly Moore

Program Director: Toni Brey



File Code: 2300
Date: September 13, 2019

West Yellowstone Town Council
Town of West Yellowstone
PO Box 1570
West Yellowstone, MT 59758

Dear Councilmen:

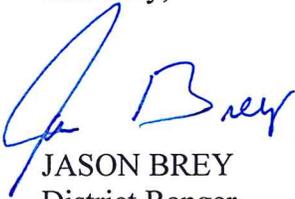
As you are aware, the Forest Service has been working with the Town Manager, Chamber of Commerce and West Yellowstone Ski Education Foundation to try and find an equitable solution to the issue surrounding access to the Rendezvous Ski Trails and the adjoining Young property.

While National Forest System land is not directly affected by the encroachment created by the location of Young's garage, it does create liability concerns for the Forest Service. The trailhead and associated facilities serve as the dedicated access point to the Rendezvous Trails and as such, over 40,000 users access the National Forest via this trailhead. The vast majority of these users access the trailhead during the winter months.

Placement of Young's 2-story garage in its current location raises the risk of snow cornices breaking off and injuring users of the trailhead facility, creating liability concerns for the Forest Service and its partners. I believe that any solution to the situation needs to not only address the current liability concerns but also needs to consider the long term impacts of costs, logistics, access and aesthetics to the trailhead on all of the partners, including the Town of West Yellowstone.

I personally value the various projects that the Forest Service has been able to work on with the Town, and believe that we can find a solution to this current issue. I will continue to work directly with the Town Manager and other affected parties to seek the best outcome for all.

Sincerely,



JASON BREY
District Ranger



Montana Code Annotated 2017

TITLE 7. LOCAL GOVERNMENT

CHAPTER 32. LAW ENFORCEMENT

Part 41. Municipal Police Force

Probationary Period And Confirmation Of Appointment

7-32-4113. Probationary period and confirmation of appointment. (1) Every applicant who has passed the examination and received the certificate referred to in **7-32-4108** must first serve for a probationary term of not more than 1 year. At any time before the end of such probationary term, the mayor, or the manager in those cities operating under the commission-manager plan, may revoke such appointment.

(2) After the end of such probationary period and within 30 days thereafter, the appointment of such applicant must be submitted to the city council or commission, and if such appointment is confirmed by the city council or commission, such applicant becomes a member of the police force and shall hold such position during good behavior unless suspended or discharged as provided by law.

History: En. Sec. 3, Ch. 136, L. 1907; Sec. 3306, Rev. C. 1907; amd. Sec. 1, Ch. 198, L. 1921; re-en. Sec. 5097, R.C.M. 1921; amd. Sec. 2, Ch. 119, L. 1923; re-en. Sec. 5097, R.C.M. 1935; amd. Sec. 3, Ch. 152, L. 1947; amd. Sec. 1, Ch. 160, L. 1973; R.C.M. 1947, 11-1803(part).