

**** Page 1** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, DECEMBER 10TH, 2024**

DECEMBER 10TH, 2024, The Three Forks City Council met at the Three Forks City Hall (Council Chambers), 206 Main Street and via Zoom. (Zoom is a virtual meeting tool which the City began using due to COVID-19 and social distancing guidelines and continues to use to encourage participation from the safety of one's home.) The meeting was presided over by Mayor Johnston. Mayor Johnston called the meeting to order at 6:00 P.M.

ROLL CALL: City Council members George Chancellor, Gene Townsend, (Warren) Garret Buchanan, Ed Tharp, Roxi McDermott, and Reagan Hooton. City Treasurer Kelly Smith and City Clerk Crystal Turner, City Engineer Jeremiah Theys, and City Attorney Susan Swimley were present at City Hall; City Engineer Susan Hayes and Impact Fee/Planning Consultant Lee Nellis attended via Zoom.

The record reflected a quorum with the attendance of six (6) Council members and the meeting was held.

The **Pledge of Allegiance** to the American Flag was led by Mayor Johnston. Mayor Johnston reminded the audience this meeting was audio and video recorded and may be streamed via Zoom and on our Facebook page. The Mayor also reminded all to familiarize themselves with the policy of conduct for this public meeting on the back of their agenda.

GUESTS: Gloria Howland, Casey Elmore, Mike Stenberg, and Peter Furman.

PUBLIC COMMENTS/CONCERNS (For items not on the agenda)

There were no public comments on items not on the agenda. The Mayor specifically asked, "Can't you think of anything Gloria?" Then Gloria Howland asked where the Christmas decorations were on Main Street. Roxi McDermott answered on behalf of the Chamber (as the stroll and downtown decorations is a Chamber function), that they were waiting for Northwestern Energy to help install them. They are up now.

CONSENT AGENDA

Mayor Johnston read the Consent Agenda into the record as follows:

- a. City Claims Paid due to Timeliness on 11/27/2024 Totaling \$192,830.68
- b. City Claims to be Paid
- c. Three Forks Rodeo Arena Board Claims due to Timeliness on 11/27/2024 Totaling \$738.40
- d. Three Forks Rodeo Arena Board Claims to be Paid
- e. Council Minutes of 11/12/2024
- f. Zoning and Planning Board Minutes from 10/1/2024

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- g. Zoning and Planning Board Minutes from 10/17/2024
- h. Service Agreement with Fregien Roofing, Inc. to Reroof Library (\$50,003.30)
- i. Service Agreement with Kolberg Concrete, Inc. to Redo ADA Ramp and Landing at Library (\$23,914.00)
- j. Task Order #15, Amendment #1 with Great West Engineering for Final Design and Bidding Services of the Jefferson River Floodplain Mitigation Project (\$558,600.00)
- k. Service Agreement with McKenzie Enterprises for a Storage Container for City Hall's Furniture during Construction (Signed 12/5/2024 to Reserve Container) (\$150/month)
- l. Record Destruction Request #29 (RM88) for Various Court Records Spanning 1977-2017, and Police Activity Report Spanning 1987-1988, City Records including Chip Seal Projects, Various affidavits, and Bank Statements prior to 2018
- m. Change Order Request by Lee Nellis for Impact Fee Update Completion (\$3,000)

There were no Council questions on any items on the consent agenda. Councilman Townsend moved to approve the Consent Agenda. Councilman Chancellor seconded the motion. There was no public comment on the consent agenda items.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing and Decision on a Resolution Moving Public Meetings in January, February and March 2025 due to Construction at City Hall

Mayor Johnston read what would be Resolution #434-2024 upon adoption, into the record in its entirety.

Mayor Johnston thanked the City staff for getting us all lined up, and the Library for letting us use their building.

Councilman Chancellor moved to approve Resolution #434-2024, a resolution of the Three Forks City Council moving public meetings in January, February and March 2025 due to construction at City Hall. Councilwoman McDermott seconded the motion.

There was no public comment.

Motion Passed Unanimously.

Public Hearing and Decision on a Resolution Closing City Departments over the Christmas Holiday 2024

Mayor Johnston read the resolution, which would be #435-2024 if approved, into the record in its entirety.

There were no Council questions.

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Councilman Townsend moved to approve Resolution #435-2024, a resolution of the Three Forks City Council closing City Departments over the Christmas holiday. Councilwoman Hooton seconded the motion. There was no public comment nor questions.

Motion Passed Unanimously.

REPORT OF OFFICERS

City Treasurer Kelly Smith reported we have switched over the cellular phones and tablets to AT&T's FirstNet, which provides us better service and better pricing. "As you can see by the record retention schedule request, we do not want to pack up and move documents we do not wish to move. We have our carpet samples out on the floor if there is anything the Council prefers. And you can tell that City Hall is not setup well for meetings because none of the public can see the screen," she noted. Kelly also said that, "I have a lot of updates to send to FEMA that I have been working on, for items they already have, but somehow their review has missed," Kelly reported frustratedly.

City Clerk Crystal Turner asked the Council members if any of them wished to mix up the Council Committees. If so, please get those requests to her or we can just keep them as is and distribute a next meeting.

City Attorney Susan Swimley did not have a report.

REPORT OF COUNCIL COMMITTEES (if any)

Streets and Alleys Committee - Garret Buchanan reported they met last week to discuss Steve Johnston's request for additional signage near the carwash on 2nd Avenue West and West Elm Street where it difficult to see around the building and across the street where a tall hedge stands; and then also on 2nd Avenue West and West Grove where numerous complaints have been noted, in which Steve recommended YIELD signs to begin bringing awareness to drivers to take caution. He asked that the public please watch out for these upcoming changes.

Mayor Johnston asked if anyone had noticed the new speed signs coming into town and he thanked the Public Works staff for installing those.

UNFINISHED BUSINESS

Water Project - Susan Hayes reported first with an update on the "Lead service line" requirements from Department of Environmental Quality (DEQ) and the Environmental Protection Agency (EPA). "Within the existing water distribution project area there is one known lead line, some unknowns and some galvanized lines which also require replacement. We are looking at adding bid items for those specifically and talking to SRF [state revolving fund] for lead service line replacement. One of the things that

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came out with the new lead rule, we can't just replace a partial. Normally we would do it from the main to the meter. Since the City is going to be digging up the roads in that part of town anyway, you may as well dig up and replace the one known lead service line, the known galvanized lines, and do the inventory to determine the unknowns. Jessica and I are looking into funding sources. Within the next decade all those lines will be required to be replaced," Susan reported.

NOTE: The EPA requires that all lead and galvanized lines, including pigtailed and all other connectors, be replaced in ten years starting 1/1/2028. Three Forks has already conducted inventory on all existing service lines. Those property owners who did not respond to the inventory inquiries were then inspected as best possible by Public Works' staff. 2 are lead lines, 62 are galvanized, and the remaining "unknowns" total 80. Both property owners (and tenants if properties were rentals) were mailed notices of determination of the known lead and galvanized lines, and the unknowns were also notified with another inventory questionnaire. To date, 7 property owners have provided a status of change and/or actual inventory. Public Works and City Hall will work with the Water/Sewer Committee and the City Engineers to formulate a replacement plan and submit that information to DEQ no later than 11/1/2027 as required, but more likely have some of these planned for replacement prior to that date. The EPA requires 10% of all lead/galvanized lines be replaced annually in order to meet the 10-year requirement. DEQ will require a sampling/monitoring and testing of the known lead sites effective 1/1/2028, and that the City provide water filtration pitchers to known lead and galvanized line recipients.

Susan continued, "We are also continuing investigation the new redundant main from the tank to the edge of the proposed new subdivision, and then crossing the railroad tracks, so that there are two mains coming into town."

Regarding the Water Supply portion of the project, "We finally got O'Keefe to drill the public water supply well for Well 2C (test well was done earlier this year, but after a test well you drill the supply well). We have the water quality analysis back and are getting 200 gallons per minute (gpm) with good quality! This is super exciting for what we normally get in the area. The gross alpha and uranium results were also good! We will start on the design to connect the infrastructure to the new well and well house, and add a backup generator," Susan stated. She will have a contract amendment for the Council's approval at the January meeting.

Gene Townsend asked if the well was put in because of the subdivision? Susan replied, "No, it was a desired location due to the user area, the location to existing mains, and to be able to connect without having to establish a lot of new [main] lines. These were goals that were outlined

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in the 2020 PER to meet the demand of the future service. But it was nice that they were willing to give us easements to drill wells in various locations. We wanted to be away from arsenic of course, so farther away from the existing Well 2." Gene asked if any arsenic was found in this well? Susan answered yes, but very low (she believed 3ppm and the tolerance is 10ppm). Gene asked if that means if Well 2 goes down this will help us? Susan said yes, but it will now be the largest [producing] well so we will have to look at if Well 2C goes down now, which would leave the City with about 500gpm total.

Flood Project - Jeremiah Theys introduced himself as there were Council members who had not met him since his last physical appearance at a Council meeting. "I represent your natural resource engineer with Great West," Jeremiah said. He has been helping the City since August 2020 starting with the feasibility study of the floodplain mitigation. "We had an amendment to our task order [on tonight's Consent Agenda] for the final design and bidding of the project. You have finally got to the point of having secured funding. The City has been awarded a Flood Mitigation Assistance grant through FEMA, the award came out in October, after officially learning the City was selected in 2022. It's been a long process. The wait may have been a blessing in disguise. Since that time, the State Legislature set aside Community Resiliency Funds which are made to match FEMA grants. The State matched the other 25% so essentially you have \$5.5 million in grant funding! Now we are ready to move forward with next steps.

"It took me about 6 weeks to coordinate a meeting with MDT and all parties involved there to discuss the steps. I wanted all of them there because we have to cross their highway and they have several divisions in MDT which will want to weigh in on design. We'll encroach into their wetland mitigation; we had to do the biological assessment for the Utes Ladies Tresses. We are done with the environmental processes. I met with MDT the week of Thanksgiving. We'll meet their guidelines, but it will be the City's project. I encouraged they accelerate the standard MDT processing - theirs' is 2-year standard - and we would like to get there a lot quicker. All their requests [from that meeting] were included in the scope of work in the amendment task order approved tonight.

"It will be challenging on the wetland side of things but nothing that would be a showstopper. We are basically starting Phase 2 now. Late fall 2025, hoping to do construction but realistically it will probably be 2026. We have utilities to be approved, easements with private property landowners to negotiate. We will be submitting to FEMA a CLOMR (Conditional Letter of Map Revision)- we want FEMA to buy off on the project before we ever build it to ensure we will substantially reduce the floodplain and eliminate the floodway from the Jefferson River floodplain. It's a huge impact on the community once we complete this project:

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reduction in flood insurance premiums, allowing potential growth areas which now are currently allowed," Jeremiah concluded.

The Mayor and Council thanked Jeremiah for all his work, and Gene wished him good luck when working with MDT.

NEW BUSINESS

Annual Three Forks Rodeo Arena Report

Three Forks Rodeo Arena Board Chairman Casey Elmore introduced himself to the City Council members. He then reported that he has been on the Board since 2016, President since 2021. He thanked his board volunteers, his two secretaries Crystal Turner and Christina Kamps (Marketing Director), Whobee Hughes who runs the arena, as well as everyone else that volunteers. "We started out the year with probably the best High School rodeo ever. We had over 125 contestants and barely had enough places to put everyone. The event went smooth too," Casey stated.

"For the NRA Rodeo in July, we were down in attendance with 2,400, and 2,700, Friday and Saturday nights. Last year those numbers were 3,400 and 3,200 respectively. It was more manageable for us though, but we had a lot of competition that same weekend: Gallatin County Fair, rodeo in Whitehall, big concert at Bridger Brewing. We increased the beer prices and some of the concessions, so we made money."

For upcoming projects, Casey reported the Board is seeking to add additional power on the west end where the food trucks and big TV screen are. "We signed the contract, almost two years we started with N.W.E. 400amp service expandable up to 800amp. New PA system which will be fully outdoor and mounted outside. We have one but it's super old and we want to update it rather than have everyone rent or bring their own.

The end of the year we picked up another high school rodeo in September. There is more parking, they like it better. We don't do much other than run the cookshack which helps us get rid of any leftover food.

We are still looking at adding another set of bleachers on each end, but still in the investigation stage. We are pretty strong with money in the bank. If we keep getting the growth we will look at adding another couple sections onto that.

No Council questions.

Mayor thanked him for all work.

Annual Headwaters Trail Report

Gene Townsend, introduced himself as the Chairman of the Trails. He reported, "In December 2023 and January 2024, I applied for grants for trail maintenance and expansion. In April 2024 I received notice we were

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successful in one grant, for \$87,000. We were unsuccessful in one grant last year because we did not have the encroachment permit with the MDT. However, also in April 2024 we applied to Gallatin County's Open Space program for a \$100,000 grant which was successful. So we received, \$187,000 in grant funding, plus the match money, that was used on trail maintenance. So, in July we began the bidding process for all the trail maintenance. We redid the trail from the Droulliard fishing access to Kansas Street - just about 2 miles of trail. Crack seal and overlay, dug out bad spots and replaced. We also crack sealed and repaired the trail from Hickory Street to Magris' ball parks. And we did the maintenance from the Madison River bridge east to the new construction project towards Logan. The weeds just eat up the trail so performing more weed management now.

"We will not put in grant applications for the extension from Rae Creek to Carpenter Lane; there are complications with the line layers out there installing fiber and I don't want to get involved with those disputes. MDT said our proposed bridge design was not good enough (the bridges must have complete coverage over all water) so the bridges will need to be designed at 60-70 feet long."

Gene continued, "I have been working with Buck Buchanan with the Manhattan Trails group. We've walked it a lot and met to talk about the feasibility of connecting our trails. We recently got a grant to do a feasibility study and Gallatin County will help administer that."

"In July we also held our Headwaters Bank Run. There were 80 runners which is down from previous years. There were four runs just in the Gallatin Valley (Bridger Trails, one in Bozeman and big marathon heads all the way to Ennis) so a lot of local competition." Gene thanked the bank sponsors for that annual race, and said he will work on trying to get more runners. "In August we held a fundraiser at the Farmer's Market and served more people food than runners in the run: over 100 people attended for bacon cheeseburgers and brats," Gene said. The Council laughed.

Gene said that after receiving word about the bridges to get over Rae Creek, he would like to focus his attention on building more trails in Three Forks' west and southwest end. "There's not much there. One trail now goes out to airport, if we could expand and cut across town, basically have the system would circulate all throughout town. I am going to meet with the engineer tomorrow to brainstorm how to switch my grant writing to another location, like Ivy or Hickory Street. If the subdivision [south of town] comes to fruition, we will definitely be talking to those people about building trails to include those people on the hill to be able to use a trail to get into town. And I think I'm still overdrawn, right Kelly?" Gene asked. Kelly replied yes. "I really appreciate the support from the people of this town. One aspect which does not get a lot of

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credit, are the trail users. It makes you feel good to see people out walking their dogs, or themselves, or riding their bikes.

"I received a free gift of a bicycle maintenance station - you can repair your bike, tires, minor fixes. We'll add that out to the Bellach Park area, and a couple more benches this year. There are no benches towards Droulliard, so I would like to add one there and another along the trail east of the Madison bridge. I'd like to put a bench there and a sign explaining the old telegraph pole still up there." Gene thanked all the City crew for its help.

Mayor Johnston asked how many miles of trail are there? Gene answered about 12 miles of paved trails. Gloria Howland asked if a bench could be dedicated to memorialize Jim Phillips. Gene answered the one bench he just mentioned to be added on the east side, he has spoken with Diane [Phillips] about. George Chancellor asked how much a bench costs to install. Gene replied about \$600 for the concrete to have enough space for a wheelchair. "We use Trex decking and concrete legs, and pour a concrete pad," Gene added. Gloria offered to help fundraise.

Decision on an Additional Dog Permit Requested by Peter Furman and Amber Castle Located at Lot 6, Block 5 of Buttelman's Addition, More Commonly Referred to as 324 W. Front Street

Mayor Johnston read the applicant's letter into the record. He brought everyone's attention to the fourth paragraph of the Public Notice which the ordinance required to be sent to everyone neighbor within 300-feet (and he mentioned he counted the number of notices mailed was 40). He asked Crystal Turner if any complaints had been received. Crystal said no, and there had not even been any inquiries. Mayor Johnston then read Dep. Greydanus' inspection report. The report said the animals were well cared for, had plenty of room, clean, access to food and water, no smell or indication that the animals live in a hazardous environment. The report further added that there have been no calls or complaints of record with the Gallatin County Sheriff Office. All dogs are current on rabies vaccination. Dep. Greydanus recommended approval.

Applicant presentation: Peter Furman said, "We are very responsible dog owners and would like to obtain the permit so they can keep their four existing dogs."

Susan Swimley stated for the record, the applicants are not the owners of the home but were informed of this permit process by the property owner and encouraged them to apply.

Councilman Buchana moved to approve the additional dog permit. Councilman Tharp seconded.

There was no public comment.

Motion Passed Unanimously.

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**Distribution of Recommended Impact Fees (Review and Digest until
1/28/2025)**

Mayor Johnston asked if copies were available in the Council's packets. Crystal Turner replied they were emailed out with the packet last week. Kelly Smith said that Lee was online if the Council had any questions, as was Mike Stenberg who is on the Impact Fee Advisory Committee.

The Mayor encouraged that if there are any questions or comments, to submit them via email so that staff can share them with the committee and Lee Nellis, who could have a Q&A response provided at the 1/28/2025 Council meeting.

Board Appointments to the Zoning & Planning Board

Mayor Johnston read the Board Appointment memo into the record.

There were no Council questions regarding the continuation of these board members.

Councilman Chancellor moved to approve appointments of Kelly Smith and Niki Griffis. Councilwoman Hooton seconded the motion. There was no public comment.

Motion Passed Unanimously.

Arbor Day Proclamation for 2025

Mayor Johnston read the proclamation into the record. He added that he would be planting more trees this year at his personal residence. He planted bare roots about 20 years ago and they are huge now. "As mayor, I should be more involved with tree planting in the City, but it never seems to work out for our schedules when the City does the tree planting. We usually hold something around Earth Day as well which I participate in, even our attorney came and helped clean up our earth with us last year!"

Councilman Townsend moved to approve the Arbor Day Proclamation for 2025. Councilman Chancellor seconded the motion.

Motion Passed Unanimously.

PUBLIC COMMENTS/CONCERNS (for items not on the agenda)

There was no public comment for items not on the agenda.

MAYOR & COUNCIL ANNOUNCEMENTS

Mayor Johnston thanked the City staff for all the hard work for him this past year, "Including all they do to prepare me for these meetings. And I thank the Council members. I hear about other towns, and we are very fortunate to have those we work with," he said.

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Kelly Smith said that if anyone is wondering about the cake in front of Randy tonight it is to celebrate his birthday. If anyone wanted to have a piece of cake, she encouraged them to stay after the meeting.

AGENDA ITEMS FOR NEXT COUNCIL MEETING: 1/14/2025

- 5PM Joint meeting with TF Rural Fire District @ Ambulance Barn
- 6PM Council Meeting @ Ambulance Barn

ADJOURNMENT

Motion to adjourn the meeting was made by Councilman Townsend, seconded by Councilman Tharp. **Motion Passed Unanimously.** The meeting was adjourned by acclamation at 7:16P.M.

Randy Johnston, Mayor

Crystal Turner, City Clerk

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