

**** Page 1** A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING
CITY OF THREE FORKS, MONTANA, OCTOBER 14TH, 2025**

OCTOBER 14TH, 2025, The Three Forks City Council met at the Three Forks City Hall at 206 S. 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 chaired by Mayor Randy Johnston, who called the meeting to order at 6:00 P.M.

ROLL CALL: City Council members Ed Tharp, Gene Townsend, George Chancellor, Roxi McDermott, Reagan Hooton, and (Warren) Garret Buchanan were present. City Treasurer Kelly Smith, City Clerk Crystal Turner and Sgt. Doonan of the Gallatin County Sheriff Office were present at City Hall. City Attorney Susan Swimley and City Engineer Susan Hayes 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 that this meeting was audio and video recorded and may be streamed via Zoom and on our Facebook page.

GUESTS: Alex Blackburn, Ken Allen, Trevor Walter (Candidate for HD69), Robert Buchholz, Matt and Kelly Bugland, Gloria Howland, Ron and Mickie Imberi, and Lindsie Diebold.

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

There were no public comments or concerns for items not on the agenda.

CONSENT AGENDA

- a. Three Forks Rodeo Arena Board Claim Paid Automatically on 8/15/2025 but Forgot to Put into Accounting for the Bleacher Loan (\$19,844.85)
- b. Three Forks Rodeo Arena Board Claims Paid 9/17/2025 due to Timeliness Totaling \$1,366.88
- c. City Claims Paid on 9/17/2025 due to Timeliness Totaling \$21,326.91
- d. City Claims Paid on 9/30/2025 due to Timeliness and to Mail Utility Bills Totaling \$464,432.86
- e. Three Forks Rodeo Arena Board Claims to be Paid
- f. City Claims to be Paid
- g. Pledged Securities with Glacier Bank through 9/30/2025
- h. Council Minutes of 8/26/2025, 9/9/2025
- i. Zoning & Planning Board Minutes of 8/27/2025
- j. CDBG Grant Application for a Long-Range Transportation Plan Grant (\$40,000) signed by Mayor on 9/9/2025

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- k. Contract with Gallatin County for Library Services for FY2025-2026 (\$89,660)
- l. Contract Amendment #8 to Task Order #9 with Great West Engineering for the Public Water Supply Project (\$35,625)
- m. Change Order #3 with O'Keefe Drilling for Public Water Supply Project (\$15,906, within budget, verbal approval given to O'Keefe on 9/24/2025 by Engineer while O'Keefe was onsite)
- n. Service Agreement with Zak Tesoro Masonry to Perform Mason Work on the Well House for Wells #12 and #13 (\$14,775) signed by Mayor on 9/23/2025
- o. Service Agreement with River Oaks Communications Corporation to Draft an Ordinance Related to Telecommunications Right-of-Way and Small Wireless Facilities Regulations (up to \$10,000) signed by Mayor on 9/15/2025
- p. Service Agreement for 3-years with Hach Service for UV Maintenance at the Wastewater Treatment Plant (\$3,530.53)
- q. Draw Packet #35 for the Water Distribution Project in the Amount of \$605,276.38: ARPA Competitive #12 for \$398,502.79, ARPA Minimum Allocation Grant #19 for \$157,830.59, and MCEP #4 for \$48,943

Councilwoman McDermott moved to approve the Consent Agenda. Councilman Tharp seconded the motion. There were no public questions.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing and Decision on a Resolution Noting the Assessment List of Delinquent Fees for Weed Removal, Administrative Fees and Penalty

Mayor Johnston read the resolution into the record, noting it would be #458-2025 if approved.

Reagan Hooton asked if this process is something the City does every year. Crystal Turner answered yes. Reagan asked if the property numbers given in the resolution are the number of letters sent. Crystal replied yes, there was a total number of letters sent and those that never replied, the City took care of the issue and the property owner still has not acknowledged the bill.

Councilman Buchanan moved to approve Resolution #458-2025, a resolution noting the assessment list of delinquent fees for weed removal, administrative fees and penalty. Councilman Tharp seconded the motion.

Public Comment: Mickie Imberi asked if the City is willing to get paid on a longer timeline, what is the enforcement, how many letters are actually sent out on a basis and how often? Crystal Turner replied 211 letters were sent out over the months of June, July and August, as was read in the resolution. Mayor Johnston also said at the same time, "This is what I just read in the resolution." Crystal continued, "All of those other [210

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properties] have addressed whatever issue was in their letter, and this is the only property who did not, has not acknowledged the bill and now it's 30 days past the deadline of 10 days past due." Mickie asked if the City goes out and mows the weeds, and then send the bill to the property owner, and if the property owner does not pay the City puts a lien on their property. Crystal said, "Yes, it's about 45 days after the second notice. This property's second letter went out on July 30th, saying the work has been done and you have 30 days to pay. It is highlighted in the letter that if left unpaid a \$10 late fee each month will be added, and anything left unpaid can be liened on the property. It states how much it will be. This letter went out on July 30th, as of about August 10th we look to see if the property owner has performed the work and if not we ask Public Works to take care of it or hire it out. Once the work is done, we send this invoice. I did not draft this resolution until mid-September, and they could have come in any time up until this meeting to pay their bill." Mickie asked if this was for all 211 properties? Crystal said no, just the one that did not comply. Matt Bugland asked if it is a lien or a special tax assessment. Crystal answered that it is a lien filed on the property, but it also gets sent to the County Treasurer to be added as a special assessment to the upcoming property tax bill. Matt also asked what defines who get sent out to mow? Crystal Turner answered that we ask Public Works employees first, and depending on their schedule, we may hire out, but we did not hire out any companies this year to her knowledge. Matt asked if the fee is the same for when City employees versus hired contractors do the work. Crystal replied the cost is the same because it is set by the Council in resolution, which was mentioned within the resolution read tonight. The current fees were set in 2022.

Motion Passed Unanimously.

Public Hearing and Decision on a Resolution Amending the Total Number of Permits for Residential Chickens

Mayor Johnston read the resolution into the record, noting it would be #459-2025 if approved.

Reagan Hooton questioned how the City knew to increase the chicken permit number, "Is there a waiting list?" Kelly Smith replied, "Yes, there is but a member of the public specifically requested increasing the total so people did not have to wait on a list." Garret Buchanan asked how the applicants know what to do in order to comply. Kelly answered there are rules detailed in an ordinance, which are also copied on the application and they often have to apply for a Zoning Permit as well.

Councilwoman McDermott moved to approve Resolution #459-2025, a resolution amending the total number of permits for residential chickens.

Councilwoman Hooton seconded the motion.

There was no public comment.

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Motion tied 3:3 with Councilmen Townsend, Chancellor and Buchanan votes in opposition. Mayor Johnston broke the tie, by voting in support. **Motion passed 4:3.**

Public Hearing and Decision on a Resolution Changing the City Council Meeting Held on November 11, to an Alternate Date due to it Falling on Veteran's Day, Which is a Legal Holiday and City Departments Would be Closed During Regular Business Hours

Mayor Johnston read the resolution into the record, noting it would be #460-2025 if approved.

Gene Townsend suggested 11/12/2025 as the date for the next Council meeting. Roxi McDermott preferred 11/13. After some discussion, that date worked for everyone else.

Councilman Buchanan moved to approve Resolution #460-2025, a resolution changing the City Council meeting held on November 11 to an alternate date of November 13, 2025, a Thursday, due to it falling on Veteran's Day. Councilmen Townsend and Tharp seconded the motion in unison.

There was no public comment.

Motion passed unanimously.

Public Hearing and Decision on a Resolution Amending the Existing Unwritten Policy of Accepting Deposits on Water/Sewer Accounts for those in Tenant Names, and Sending Copies of Late/Disconnect Notices to Property Owners to a New Policy Effective 1/1/2026 to no Longer Accept Deposits on Tenant Accounts

Mayor Johnston read the resolution into the record, noting it would be #461-2025 if approved.

Crystal Turner suggested the Council address the highlighted sections of the resolution, such as "property manager versus property owner" like Matt Bugland had brought up at the Ordinance Committee. "On page 2, #3 - three ordinance committee members recommended but not the whole Council so you can hash that out or edit as needed. Kelly's recommendation had suggested the change take effect 1/1/2027 but that wasn't anything the Committee had made a decision or recommendation on. I went with 1/1/2026 but technically you guys need to decide an effective date," Crystal explained. Kelly Smith said she would recommend continuing to send the notices to all, "I know that's more work for us here, but if they are ultimately responsible for the bill if they don't get notices, I feel this could even be a compromise." Kelly recommends no longer collecting deposits and applying all the City currently is holding in January, and putting the accounts in the owner's name in the future. She said, "Anyone who is not paying the bill on time would go back into the landowner's name when/if they get two disconnect notices."

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Mayor Johnston asked if he rented a place from the Imberi's, and the bill stayed in their name, "Can I pay it?" Yes. Then if I'm late they get the bill? Kelly explained that right now the account can be in the tenant's name. If they are late, we send late letter and a copy of the late letter to the owner/property manager. If the tenant gets a disconnect notice, a copy gets sent to the owner. "I know it's been done this way for at least 20 years when I was a tenant. Anyone can pay on anyone's bill; we don't stop anyone from paying a bill," Kelly said. Mayor Johnston said that Public Works, like Northwestern Energy, deliver door hangers stating the same thing that is on the delinquent notice, "So we put hangers on the doors that gives notice you haven't paid your bill and we send letters out." Roxi McDermott asked if Public Works will continue this process. The Mayor said he and the City Clerk discussed posting the door hangers earlier than the end of the month, so the actual shut off aligns closer to the letter's disconnect date. Crystal Turner stated that City Hall gives the door hangers to Public Works, but that does not mean they posted on the door immediately. "Sometimes they are busy doing other jobs, sometimes the letters get buried under other paperwork when they pick up stuff from City Hall and so it may be a couple days later that they post them," she said.

Public Comment: Mickie Imberi asked for clarification about posting notices on doors. "When you send a late notice, you also go post it on the door?" she asked. Crystal answered no, we save a copy of the disconnect letters and after the 30th of the month, those who have not paid get the copied letter as a reminder posted on their door. "Usually that eliminates half of those still delinquent," she explained. "What the Mayor and I discussed expediting that by mailing and posting the same day for those who do not get their mail for a week or more. So sometimes that does happen five days after we said we were going to shut them off. Sometimes it is a Friday, and they don't like turn people off on a Friday because there is no one around to know they paid, and minimal staff to actually turn them back on," Crystal stated. Mickie stated she did not realize the City additionally posted a notice on the door.

Garret Buchanan asked for direction on how to amend what is drafted? "Such as taking off the cessation of sending copies of late or disconnect notices, we could amend that? And to do that amendment, would that just be in the motion?" Crystal Turner answered yes. Kelly Smith asked if the Council wanted to consider the first track change comment regarding Property Managers. Garrett asked if the property manager or property owner should be picked but was unsure if the City would notice all? Crystal said property managers are typically acting on the behalf of the owner because the owner does not want to do the management of the property, so she would think the City allow [for accounts to be in] property manager's names the same as an owner. Garret thinks we should leave it in. Reagan Hooton agrees. Roxi McDermott shook her head in agreement.

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Councilman Buchanan moved to accept Resolution #461-2025, with the amendment of removing #5 so the City still continues to send out copies of late and disconnect notices, so other than that Resolution #461-2025 a resolution of the City Council amend the existing unwritten policy of accepting deposits on water/sewer accounts for those in tenant names, (striking highlighted portion that states "and ceasing to send additional copies to property owners when tenants receive late/disconnect notices;) setting a new policy effective 1/1/2026 any new accounts will no longer be placed in tenants' name, and any deposits on record will be applied.
Councilwoman Hooton seconded the motion.

Public Comment: Matt Bugland asked if anyone had rentals on the Council? No one replied that they did. Anyone rent on the Council? Roxi McDermott said yes. "With not having a working process written by Property Manager's, you are basically listening to the action arm about how to do this rather than the working arm: the people that have that knowledge. I am not a property manager, but am an owner of property and have a contract with my wife who is a property manager, to manage my properties. I have to have a written contract giving her power of attorney to do a lot of those things, so that is a great move (keeping accounts in the property manager's names) giving that as an option. But my property manager is not a utility though so they can't turn off the water when someone isn't paying the bill. The onus is on me. Like the lawn maintenance, if my tenant doesn't pay it, and my property manager doesn't pay it, they can put a lien on my property. City staff is paid to manage this utility; if the hours are too much and don't meet the timeline...just like charging someone getting paid \$125 an hour for mowing their lawn when it doesn't cost the City that much to do the work. I cannot turn off the water if I don't get paid, so if I can't get the City to turn it off when it's in my name and the tenant makes a payment - that should be turned off. [Reagan Hooton asked a clarifying question if the City is asking the property owners or managers to turn water off. The answer is no. This turned into comments by Ken Allen asking who turns off the water.]" Matt continued that if he does not pay the water it would get turned off, "But if I'm not getting the rent to pay it, and they aren't paying it, but no one is going out there and turning it off like I'm told it is going to be. I'm asking the utility company to manage the utility. I can't count on my tenants getting an email and paying. I can't risk my property being lost due to not paying. We are just driving up the cost of living in town." He recommended the City manage fee schedules and let the utility fees cover the administration of the property. George Chancellor interrupted that the City manages the water, we send out the bills, "And you have the choice to ask to have a particular address turned off due to nonpayment. It's your property, you're responsible." Matt rebutted, "And that hasn't happened. So, I can ask and the answer I'm going to get is *Sure, that won't happen*. So as a property manager, I'm going to have to cover the cost of water and included in bill. Just like free wifi, free long distance - if you aren't seeing the actual bill, you will start using it

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up." George argued the tenant can still get an email bill he believed. Matt argued he will not be paying a late fee for bills that were not paid on time by the tenant. George said, "It's already your responsibility. The onus is placed on the property owner." Matt retorted, "So, if it's my responsibility I'm going to pay it but I'm going to charge a flat fee, which will be the most expensive in the event I can cover the cost of overall use." Matt continued trying to compare this with the cost of mowing lawns the City did earlier in a resolution tonight, and stated the cost of living goes up exponentially in this town if water and sewer is included in rent. He will charge the highest amount of water used on each property each month, which will drive rents up and insinuated that would be the City's fault. He said, "Are you a property manager, do you own a rental?" George replied, "No." Matt said, "It doesn't affect you so you aren't thinking about it the same way a property manager is." George rebutted, "I pay my bill." Garret Buchanan interrupted to ensure others had a time to speak (Mr. Bugland had been speaking for 8.5 minutes).

Kelly Smith said she owns a rental. Mr. Bugland interrupted and asked if her rental was in Three Forks. Kelly answered no, then continued, "My point is that I do not increase the rent. The bill remains in my name but I have my tenant pay it monthly." Matt Bugland interrupted again shouting out, "Are we in Bozeman? Everybody moves here because they don't want to do things the way Bozeman does them." Kelly said, "Let me finish my point. This same process works in Bozeman. They get the bill, if they don't pay it, even in my name, the water gets turned off for lack of payment." Matt Bugland said, "As a City person, you manage how many bills? You have one tenant to deal with, you don't want to deal with late notices..." and trailed off when the Mayor asked Mr. Bugland to sit down.

Ken Allen wrote a letter to the Ordinance Committee in September, and spoke tonight saying he has lived here for 16 years. He owns a mobile home, but is a renter of the land. His lot rent has increased 300% in those 16 years. "If you don't allow a tenant to pay their bill, you are violating Federal Fair Housing laws." He has spoken with a lot of attorneys and done a lot of background checks, "All of you are homeowners and no one is holding your feet to the fire to pay your water bill." George Chancellor replied that he is held to the same standard that if he does not pay his bill, the City will shut him off. The Mayor corrected that the proposal is to leave it as is for the existing tenants, unless they get two disconnects, then it would switch over to the property owner, and any new tenants the account will stay in the property owner's name. Kelly Smith re-read the proposed #1 of the resolution into the record: **Effective 11/1/2025, any tenant mowing out, that water/sewer account will have its deposit applied to the outstanding balance, and the account will be returned to the property owner's name.** "It does not say anything about the existing tenants being changed," Kelly said.

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Crystal Turner read Kim Kanta's letter of opposition which also posed three questions:

1. The City Council members are hired to listen to the concerns and also represent the citizens of Three Forks. Please remember how many have opposed this and be our voice. Thank you for your service.
2. How often does the city follow the rule of disconnecting after 2 times of being late?
3. Is the late fee accounted for in a separate income account?

The Council asked Crystal to answer Ms. Kanta's questions. She replied:

1. Nothing to answer, you know who you work for.
2. Last time we had this much opposition was probably the RV Park, which was still approved but had conditions placed on it. Before that, probably chickens, then prior to that medical marijuana, and prior to that semi-trucks being parked in the residential zone. All were approved by listening to both sides and finding concessions on each to come up with a compromise: chickens made it through with limitations, semi-trucks can park in the neighborhoods as long as they don't idle.
3. We don't keep records of this, but I remember three were turned off this month and four the previous month were turned off. All but one have paid and were turned back on.
 - a. Regarding a late fee - it is not kept in a separate fund but is kept in a separate account. The \$40 disconnect fee is also tracked this way.

Ken Allen spoke again, "Returned to Three Forks in 1990. It's a community where we all take care of each other. In the last few years, with the influx of people from other areas, that is changing and I don't want to see it happen. This isn't "Bozeangles", we are Three Forks, MT and take care of our own and look out for each other."

Mickie Imberi spoke in opposition and said she is very passionate about leaving this in the tenant's name, "And to help me not get off track, I printed packets that were given to the Ordinance Committee." She distributed 5 copies. Then she distributed her additional "2 cents" (see packet with yellow highlights). "You the City are a utility provider. Don't make us landlords handle it. You are trying to remove tenants from our town. I, as a property owner, if these are put in my name and I have to handle on their behalf, I will charge them. The average water bill is \$116-124 a month, my flat fee will be \$150 then. On your website it says *Three Forks is a Great Place to Live* and this is not helping it. You will lose who lives in your town, and you will not know who is in my properties. Like Matt said, when they don't pay for their own water, they don't care how much they use. This is being sold as a small administrative change. I don't think it's just that. If it truly takes six hours to pull the basic data, I asked a good number of questions that I needed for the committee meeting so I had a good basis. This information is what I was given. I was told it took the City Office for

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the City to compile. I got information that was unhelpful. I paid \$180 for that data, and I don't think it looks like six hours of work." She continued that the City should give grace to the tenants. She echoed what Mayor Johnston said earlier about not wanting to shut someone off on a Friday. "Whereas the ordinance says if they get two disconnect notices they'll be shut off, so that means if you don't like someone you can shut them off. This doesn't have guidelines. Put up some rails and use what you already have. Ordinance #9-1-1 through 3, which is already established allows you to recoup your time with late fees and interest penalty. It covers the office staff, it may not cover the guys shutting off the water. 9-2-2 says the City Clerk has the power to turn off water. I don't want to start a fight, but the City Clerk has the right to say turn the water on or off. In the packet I gave you there is a section that shows how many accounts are in the tenants name. I think the public opposition is being ignored and this is a staff thing. So if the tenant doesn't pay, shut the water off. Define your timeline for the two disconnect notices. I gave you the link to the Montana Tenant Law. Like Mr. Allen said, this is a small little town, let's keep the personal responsibility where it lays and that is with the person using the water."

Matt Bugland spoke again and brought up that the Ordinance Committee left the meeting without any direction for the staff or us. They did not vote yes or no or tabled. George Chancellor replied that is because the Council makes a decision/vote on changes. Matt spoke regarding they felt the communication at that Ordinance Committee meeting was a solid solution for all sides, and he would have attended the Council meeting on September 9th if he knew that was when the Council would "magically vote" on the recommendation. George said Matt came across garbled in that meeting, to which Mickie Imberi and Crystal Turner said he did not. The Mayor hit his gavel and moved on to more public comment. He said he would allow Kelly Bugland 5 minutes.

Kelly Bugland compiled the copies of late letters she received in 2024 and 2025 from all her tenant's files, noting the stack was much larger for 2025 and she did not know why that would be because she has not decreased or increased tenant numbers. She said the stack includes Northwestern Energy disconnect letters. (Northwestern Energy does not send late notices, only disconnect notices whereas the City sends both. This could attribute to a larger stack of letters if her tenants were not paying the City or Northwestern Energy timely.) She said, "I used to come to the Council meetings all the time, until I realized it's a waste of my time. Just like now, I used to believe you had a voice, that what the community wanted, you were heard. That is not the case. This was brought forward by the staff, and a majority of the people spoke against it. I am fiercely opposed to this resolution," Mrs. Bugland said. Like most things, this could be updated. She thinks one solution could be to increase the [water] security deposits. She recommended increasing signup fees to cover the costs; she recommended pro-ration, and aligning meter readings with the

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end of the month rather than around the 20th so they align with most move out dates. "Can we all agree that water is a utility just like power is? Should I, as a landlord, be financially responsible for someone's power or gas? Then why should I be for water usage? If you didn't have to pay your power bill, would you be as conservative? Are you conservative in a hotel room, or do you leave the lights on when you go to dinner? If the power bill is not being paid, the power gets shut off. Why is that not the same for water? As a licensed property manager, I can't choose to disconnect it for nonpayment," Mrs. Bugland said. Regarding late fees, she said she has gone through and pulled all the notices sent to her in both 2024 and 2025, sat down and calculated the late fees collected by the City of Three Forks. "When this is talked about costs to the city, have you even considered the late fees collected? These fees are actually benefitting the City. Do you know how much the City has collected in late fees each year? Why don't you know that? It's data you should know." She continued with other late fee comments. Mrs. Bugland then said if the City is looking to save money, how about it hires someone to investigate the efficiency of the City Office staff, turnover in other departments, why the Library is going through so many directors? "On Committee meeting nights, do the staff get to go home early to save their hours and overtime? Why do they all have to take lunch at the same time? If the staff has so much work to do why did they rush to draft a resolution and create more work? Just like the U-turns on Main Street, why wasn't the recommendation just to leave it as is? I have several tenants who do not have emails and some even who do not have post office boxes. Not my problem, I don't know why they don't but I can't control that. Will this apply to commercial as well?" Mrs. Bugland asked and then said if she knew the Committee was going to make the recommendation at the 9/9 meeting, they would have attended.

George Chancellor said to both property managers here tonight that they both have ignored the recommended Option #3 that says when tenants move out, your accounts will return to the property owner. Matt Bugland interrupted again, and George retorted, "You are making the choice to charge your tenants the rest of the money." Matt Bugland rudely said, "Whatever you guys gotta do to justify it." Mickie Imberi said the resolution says all accounts eventually will be placed in the owner's name by 1/1/2027, giving us a chance to amend their leases. Kelly Smith explained the 1/1/27 was an option given, but the Council did not recommend doing that. Mickie asked, "Am I understanding that you will put Mr. Allen's bill in my name?" Kelly Smith said "No, not until he moves out. As written, this resolution says *as tenants move out*. It was an option and that was not selected by the Council. Anyone right now that is a renter, their billing will not change unless they get disconnect notices."

Garret Buchanan said the City and staff had a goal, and there are now a bunch of unintended consequences and repercussions of those actions. He

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said there seems to be a whole lot more to this than making the City more efficient.

Councilman Buchanan withdrew his original motion.
Councilwoman Hooton agreed to withdraw the second.

Councilman Buchanan moved that this ordinance gets tabled. It needs some work. We have a goal we are trying to reach and this resolution is not going to meet that goal. Table this ordinance until we get a rewrite and bring it up again, and have everyone else take a peek at it. Councilwoman Hooton asked what the next step would be, who would draft the revised resolution, will there be another Ordinance Committee meeting? Crystal Turner said she did not think she or other staff should draft it, "I already did and there are several unanswered questions in that draft that the Council still has not addressed, so perhaps the Committee does need to meet again?" Councilman Buchanan asked if the discussion should be held at the next Council meeting? He would like to be involved but is not on the Ordinance Committee. The Council agreed to hold a work session of the full Council.

Councilwoman McDermott seconded the motion.

Matt Bugland asked if there could be a sit-down lunch or evening meeting with everyone so there is not anyone feeling attacked. Kelly Bugland added, "Constructive."

Susan Swimley said, "Excuse me, this is not a town hall, so all the chatter needs to cease. The motion was to table this and asked for direction, which the direction should come from the Council - so set up a separate meeting that is a work meeting and sit down with the people raising their concerns. Don't do it at a Council meeting night. I don't care if that meeting over lunch, as long as Matt Bugland is offering to pay for lunch [Matt Bugland talked during Susan's comments saying *I'll provide City of Three Forks water.*], or a special Council work session where no decisions would be made."

Motion Passed Unanimously.

Kelly Bugland snottily stated she would love to have an invite to that meeting.

Public Hearing and Decision on a Resolution Amending the Established Mills to be Levied for FY2025-2026 (Original Resolution #453-2025 on 8/26/2025)

Mayor Johnston read the resolution into the record in its entirety and stated it would be #462-2025 if approved.

Councilwoman Hooton moved to approve Resolution #462-2025, a resolution of the Three Forks City Council amending Resolution #453-2025, which established the mills to be levied for the fiscal year beginning July 1,

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2025, and ending June 30, 2026. Councilman Chancellor seconded the motion.

There was no public comment.

Motion Passed Unanimously.

**Public Hearing and Decision on a First Reading of an Ordinance Adopting
Title 11 Zoning Regulations, Chapter 1: Purpose - Authority - Jurisdiction
- Basic Principles**

Mayor Johnston explained a synopsis of these ordinances to be read.

"Three Forks Council normally reads each ordinance word for word into the record. The reading of the ordinance into the record is not required by law. As the Council has five zoning ordinances scheduled for first reading tonight, instead of reading each ordinance word for word, staff has prepared a summary of each ordinance. Of the five chapters, all are procedural. I will read the summary and if the Council then wants the ordinance read in full, a member can make a motion to read it in full.

"We are now considering agenda item #VII.f - Ordinance #407-2025, which is for Zoning Chapter 1 - Purpose - Authority - Jurisdiction - Basic Principals. This ordinance, if enacted, sets out the statutory purpose and authority for enacting zoning which includes implementation of the growth policy. The zoning regulations, if enacted will apply to land within the municipal boundaries of the City of Three Forks. This Chapter sets out the principles such acknowledgment that other regulation may also apply to the property, the obligation for reading, understanding and meeting the burden of proof is on the applicant. All applicant representations are binding and the applicant must be present at the hearing on the application. Finally, zoning permits are valid for 1 year and may be extended under certain circumstances. These regulations will be included in Title 11 with chapter numbers.

Does any member of the Council want this Zoning Chapter 1 ordinance read in full? No one requested it be read word for word. The Mayor asked if Lee or Randy was present to speak. Susan Swimley replied that Randy Carpenter is not in attendance, and that Lee Nellis was but due to the time change and this meeting already running so late. "I suggested that between Crystal, Kelly or I we could handle it for him, and so I let him go so he could catch a plane at 4AM tomorrow to travel to Montana," Susan said.

Garret Buchanan asked if the applicant, which this chapter states must be present, could attend via zoom or has to physically be present, or have a legal representative present? Kelly Smith responded yes, they could attend virtually.

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Councilwoman Hooton asked when the second reading would be? Crystal Turner explained that ordinances are required to have two readings, at least 15 days apart, and we do not have a second meeting scheduled yet. "There are so many chapters going to be trickled down to you from the Zoning Board that we may wait to have all the second readings the same night so that there is no overlap of zoning regulations conflicting each other," she said. The Mayor asked how many chapters there are. Kelly Smith answered there are 26.

Councilman Tharp moved to pass the reading of the ordinances.

Councilwoman Hooton seconded the motion.

Public comment: Mickie Imberi stated she had not read any of them yet, "So apparently I need to." The Mayor said it would take you five hours.

Crystal Turner and Reagan Hooton argued it would not, as these are basic establishing principal chapters at this time. Mickie asked on this agenda, what the ordinance # it was and that she needed to read up on them.

Crystal Turner answered VII.f starts with ordinance #407-2025, and they will be sequential after that. Kelly Smith added they are all on the City's website to read as well. Reagan Hooton clarified this motion is only for #407-2025, which it was.

Motion Passed Unanimously.

**Public Hearing and Decision on a First Reading of an Ordinance Adopting
Title 11 Zoning Regulations, Chapter 2: Vested Rights - Nonconforming
Lots, Uses, Structures**

Mayor Johnston said, "We are now considering agenda item VII.g - Ordinance #408-2025, which is Zoning Chapter 2 - Vested Rights, Nonconforming Lots, Uses and Structures. This ordinance, if enacted addresses the transition from the previous zoning regulations to the amended zoning regulations. When enacted, this chapter assuring the protection of property rights vested and explaining how those rights are addressed in the circumstances when use or structure does not now conform with the new zoning regulations. It provides for how non-conforming vacant lots, uses, buildings and structures continue to function after the new zoning regulations are enacted. Does any member of the Council want this Zoning Chapter 2 ordinance read in full?" No one requested a full reading. There were no Board questions.

Councilwoman Hooton moved to approve Ordinance #408-2025, an ordinance of the Three Forks City Council, adopting the rewritten Title 11 Zoning Regulations, Chapter 2: Vested Rights - Nonconforming Lots, Uses and Structures. Councilman Buchanan seconded the motion.

There was no public comment.

Motion Passed Unanimously.

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**Public Hearing and Decision on a First Reading of an Ordinance Adopting
Title 11 Zoning Regulations, Chapter 3: Actors in the Administration of
these Regulations**

Mayor Johnston said, "We are now considering agenda item VII.h – Ordinance #409-2025, which is Zoning Chapter 3, which addresses the various roles of administration and hearing authority. This ordinance, if enacted, recites the public process used by Three Forks to commence, give public notice and proceed with zoning regulation updates and amendments. This Chapter instructs the applicant to be the owner of record or a designated representative and establishes the process for accepting an application. The Planning Board role is recognized as established by law and sets out the requirements for the Planning Board. It also recognizes as established by law the Board of Adjustments and sets out the requirements. Section 11-3-7 establishes the rules of conduct for the application, applicant, and boards as to civil and orderly conduct as well as provides rules to address ex parte contact." He asked if any member of the Council want this Zoning Chapter 2 ordinance read in full?" No one requested a full reading. There were no Board questions.

Councilman Chancellor moved to accept Ordinance #409-2025, an ordinance adopting the rewritten Title 11 Zoning Regulations, Chapter 3: Actors in the Administration of these regulations. Councilwoman McDermott seconded the motion.

Motion Passed Unanimously.

**Public Hearing and Decision on a First Reading of an Ordinance Adopting
Title 11 Zoning Regulations, Chapter 5: Zoning Permit Procedures**

Mayor Johnston said, "We are now considering agenda item VII.i – Ordinance #410-2025, which is Zoning Chapter 5, Zoning Permit Procedures. This ordinance, if enacted, establishes the requirements, review process and appeal process for zoning permits. It also establishes the expiration of zoning permits and a process to address changes in approved plans. This Chapter 5 also describes the certificate of compliance documenting full and complete compliance with the regulations. Does any member of the Council want this Zoning Chapter 5 ordinance read in full?" No one wished for it to be read in full. The Mayor asked if there were any questions. No one had any.

Councilman Townsend moved to approve Ordinance #410-2025, an ordinance adopting the rewritten Title 11 Zoning Regulations, Chapter 5: Zoning Permit Procedures. Councilwoman Hooton seconded the motion.

Motion Passed Unanimously.

**Public Hearing and Decision on a First Reading of an Ordinance Adopting
Title 11 Zoning Regulations, Chapter 7: Appeals and Variance Procedures**

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Mayor Johnston stated, "We are now considering agenda item VII.j- Ordinance #411-2025, which is Zoning Chapter 7, Appeal and Variance Procedures. This ordinance, if enacted, establishes the requirements and review process for appeals from decisions and variance from the zoning regulations. The purpose of this Chapter is to comply with the enacted laws and ensure due process and procedures are properly enacted and enforced. Does any member of the Council want this Zoning Chapter 7 ordinance read in full?" No one wished for it be read in full. The Mayor asked if there were any questions? There were not.

Councilwoman McDermott moved to approve Ordinance #411-2025, an ordinance adopting Title 11 Zoning Regulations, Chapter 7: Appeals and Variance Procedures. Councilman Buchanan seconded the motion.

There were not any comments or discussion.

Motion Passed Unanimously.

Public Hearing and Decision on a First Reading of an Ordinance Amending Title 6 Police Regulations, Chapter 4.A Animal Control, Dogs, Section 3 to Reduce the Required Neighbor Notice from 300-feet to 150-feet

Mayor Johnston read this ordinance into the record in its entirety, noting it would be Ordinance #412-2025.

There were no Council comments or questions.

Councilman Townsend moved to approve Ordinance #412-2025, an ordinance amending Title 6 Police Regulations, Chapter 4 Animal Control, Article A: Dogs, of the Three Forks Code to reduce the distance of required neighbor notice in 6-4A-3.2.A from 300-feet to 150-feet. Councilwoman Hooton seconded the motion.

Public Comment: Mickie Imberi clarified that the only change is to reduce the distance of notification of an application? Crystal Turner answered yes. Mrs. Imberi added, "I am not necessarily a fan [of that reduction] because you can still hear dogs barking for more than 150-feet."

Gloria Howland asked how many additional dog permits can one house have? Crystal Turner answered only one per household, "Each application may be different, some have applied for 5 [dogs] at one time and were approved. Some folks may have more than 4 dogs but they may have been permitted a 'kennel license' before this ordinance took effect."

Motion Passed Unanimously.

REPORT OF OFFICERS

Sgt. Doonan reported the calls for service numbers: October already has 144, and September had 186 total.

City Clerk Crystal Turner said she was not planning on reporting tonight, but Mrs. Bugland's comment that *she would love to get an invite to a*

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meeting she takes personally. "I don't think the Council or public know how much goes on in here about the City Clerk and her responsibilities, or the City Treasurer and her responsibilities. You guys sign us up for projects all the time like a Wastewater PER, the Long Range Transportation Plan, the Water Project, which has three phases now so we are managing our own construction in order to keep grant funding, patching streets, paving alleys, impact fees and rewriting that ordinance. You don't attend those meetings, we do. When we ask to reduce our time, that is because we are going to all sorts of meetings on your behalf to report back on these. A lot of times I don't report because no one has questions or comments on the status of anything. But years ago, Council members attended meetings about daily project status updates with staff, or held their own meetings. There are ongoing Tuesday meetings for the Zoning Rewrite, as well as making sure that the day to day things still get done. The fact that Mrs. Bugland said *she would love to get an invite* really pissed me off because we go above and beyond to keep the public informed: I sent everyone that sent an email in opposition [on the water/sewer topic] of the status of the committee's minutes, where to find a drafted resolution when it would be ready, where to find our calendar of events so they could keep in the loop.

"After any committee, on every Council agenda there is a time for committee reports, so every Council meeting ALWAYS has an update on what happened at a committee meeting between the last Council meeting. I don't feel I have to, or anyone in the City, notify more than what we are already offering. When is it the public's job to keep apprised of what is going on? In every resolution or ordinance, there is a *WHEREAS* that says *Pursuant to 7-1-4127, MCA the City Clerk advertised this at...* We advertise in three newspapers twice, when we are only required to advertise in one newspaper twice. We don't know what newspaper you read so we advertise in all three to provide more notice. You can follow us on Facebook. For those who aren't on social media, we have an option for you to sign up for email alerts and news from our website. For those that don't do anything electronic, everything we do is posted physically around town so you can find it at your bank, or at the PO when you pick up your mail, and on our window. People have an opportunity to be a part of the government. It's on you to keep in the loop. I don't know what else to say, it's going to be hard to give *service with a smile* today, but I try to every day.

"I'm sorry Mickie that you think that information was useless. There is so much that we have to redact and it is not easy to pull the data you wanted without putting it in an excel spreadsheet and taking out what is not public. So, it did take six hours. I apologize if it wasn't useful, but if you want to sit down we can help you compile it or tally it, but you haven't asked for that or responded to any of the emails I sent about this topic.

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"I don't report a lot of what we should be doing: like the 941 report was submitted, or payroll was completed on time, or that we do not have any violations on anything, or were audited by DEQ or the Department of Labor. So I take offense that we should now take our safety in our hands and take lunches separately and leave one person in here by ourselves, which is the only time when I had to pull the panic button once. I took offense that you said we did not provide for you, or were not listening to you." Crystal got emotional and stopped talking. The Council members applauded.

City Treasurer Kelly Smith added that what goes on with the Library is dictated by the Library Board's control. "We do payroll for them, but we don't hire or fire, the Council doesn't hire or fire down there. Yes, there may be issues down there, but we try to keep them on the legal side by following policies, but it is out of our control how the Board follows that. They have their own MCAs they can follow," Kelly said. She echoed Crystal's comments regarding providing the data Mickie requested. Kelly said, "For those who think we're sitting here on our butts all day, come in and spend a day and see how many times that phone rings and you're doing one thing and you get interrupted. When I did that work for Mickie, I tried to dedicate my time and not be interrupted by anyone, so these guys took care of all the customers and phone calls and emails that came in. I could not give addresses, I could not give names, that is not public information, so it needed to be redacted. But it was a short timeframe to get you that information, so I tried to get you everything you requested in the timeframe for the meeting. I don't think that people understand everything that goes on in here on a daily basis."

George Chancellor stated that the Library cut the City out completely of all their projects (meaning on the HB355 grant project to replace the doors and roof, which he volunteered to serve as the Project Manager).

Mayor Johnston thanked Kelly and Crystal saying, "I appreciate all you do, and I see it every day."

REPORTS FROM COUNCIL COMMITTEES (if any)

There were no Council Committee reports.

UNFINISHED BUSINESS

Flood Mitigation Project Update

Kelly Smith reported that the new maps are in the process of being approved and adopted. "We held the first required [by FEMA] meeting on October 1st. It can take up to one year to completely adopt the maps. We know the County needs to approve the new maps before the City can say *here is our solution to our new maps*, because our project is in the County's mapped areas. Be prepared, for anyone in the new floodplain or floodway, that you may be required by mortgage companies to obtain flood insurance.

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There is an old standing, if you have FEMA NFIP insurance, and within a year you prove you are out of the floodplain, that you could get a refund. FEMA has "NFIP 2.0" now so I have asked DNRC to speak with FEMA if that will still be in effect. They have also talked about a monthly premium," Kelly explained.

Once the City is at 90% completion of the design, Great West Engineering and the City will have a map that will show what remaining properties are left in the Madison River Floodplain.

Water Project

Susan Hayes reported the Water distribution line portion of the overall water project is complete. "Emerine Construction was really good with communication to the property owners, fixing sprinkler lines they hit, replacing fencing, gravel and concrete. They have completed their punch list. We will have a warranty walk-through next August. Finishing up that project we expended the ARPA Competitive grant which was due by the end of the year, on the consent agenda we closed that project out," she said. Gene Townsend asked Susan, "As an engineer, would you recommend that we chipseal those areas that were tore up and repaved?" Susan Hayes replied she is not that kind of engineer, she would as Karl [Yakawich] in the Helena office, but she would think it would add cohesiveness to prevent water from getting in there, so yes it would be a good idea.

Regarding the Supply/Well part of the project, "The pipeline has been installed between the wells and the new wellhouse, which is being built by staff. Well 11 at the [storage] tank still needs a pitless adapter installed. Well 13 is the one south of the wellhouse. We ran into a little issue developing the well. We originally thought it had 150 gpm, but during development, that was greatly reduced and some additional development has improved it but it is estimated at 90-100gpm. Not as productive as we were hoping, but still helps the City with supply, even with the reduced capacity anticipated, the City is still in the planning/growth area for numbers which is over 4,000 residents in 20 years. Sitting very well in terms of source of supply. Once Well 13 is online, we should be able to reduce the lines on Wells 9 & 10 which have lower water quality and then eventually possibly cease using Well 2 and disengage the arsenic treatment plant."

Susan had questions about funding sources for the Council. "The City was lucky to get a lot of ARPA funding. But now we have to expend all ARPA funds by end of year. We just closed out the ARPA Competitive grant. Next would be to draw down the MCEP grant, which was \$625,000. They will not grant an extension because it was funded by ARPA originally, and all those must be spent by 12/31/2025, so we have been looking at what ARPA grants can be expended on. So far, they have shot down all our suggestions. The City raised rates to get the full grant funds. We had original designed the wellhouse for propane, but a natural gas line could

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be paid by MCEP funds and happen this year. Currently, we are getting quotes from electricians for the telemetry of the new wellhouses, and I think we can ask the suppliers to break out the cost of the control panels and do a subcontract through O'Keefe, and let them run the MCEP money. If you have questions or direction on that, I would appreciate it." Gene Townsend asked if MCEP funds could be used for paving? Susan answered no. Gene said he was thinking about access to the well sites. Garret Buchanan asked if the Water/Sewer Committee needs to meet and make some direction? Susan replied they certainly could and provide her with their suggestions.

Susan continued her report saying that ARPA MAG (minimum allocation grant) funds and LFR (local fiscal recovery) funds, there is \$100,000 left. She would like feedback from the Council on what design they prefer for the Ridgeview loop. "We are completing the construction of the wellhouse - right now it's City funds and impact fees. But you could use MAG funds. We could purchase the generators at Well 12 and 6A with MAG funds. Perhaps the integration programming done by AE2S could be paid by MAG funds. We have also thought of pre-purchasing pipe for the redundant transmission main from Ridgeview down to town," Susan explained. Gene Townsend recommended meeting with the Water/Sewer Committee. It was agreed on 10/20/2025 at 6:30PM.

NEW BUSINESS

Awarding the FY2026-FY2028 Audit Contract to Rudd & Company \$112,500)

Mayor Johnston reported that the City received just one bid, from Rudd & Company who has been the City's auditors for quite a few years now. Councilman Townsend verified it was a three-year contract, and how much it increased over the last one. Kelly Smith answered yes, and that she believed it started \$5,000 more [on the first year] than the last three-year contract. Crystal Turner said we printed and mailed the RFP to several CPA firms in Helena and Bozeman since we do not know who reads the legals section of the newspapers.

Councilman Townsend moved that the City accept the bid from Rudd & Company for our audit for the fiscal year 2026-2028. Councilman Chancellor seconded the motion.

Motion Passed Unanimously.

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

There were no public comments for items not on the agenda.

MAYOR AND COUNCIL ANNOUNCEMENTS

Mayor Johnston reported the alley apron paving and some street patching is underway.

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The next meeting will be on November 13, 2025, and will have the following items:

- Second Reading of Ordinance #412-2025 an ordinance amending Title 6 Police Regulations, Chapter 4.A Animal Control, Dogs, Section 3 to Reduce the Required Neighbor Notice from 300-feet to 150-feet
- Headwaters Trail system permission to apply for grants.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilman Tharp, seconded by Councilwoman Hooton. The meeting was adjourned without a vote taken by the Mayor's gavel at 8:44P.M.

Randy Johnston, Mayor

Crystal Turner, City Clerk