A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING CITY OF THREE FORKS, MONTANA, NOVEMBER 13TH, 2025

NOVEMBER 13TH, 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, Roxi McDermott, Reagan Hooton, and (Warren) Garret Buchanan were present. George Chancellor resigned. City Treasurer Kelly Smith and City Clerk Crystal Turner 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 five (5) 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, Matt and Kelly Bugland, Gloria Howland, and Mickie Imberi. Lindsie Diebold arrived about 6:10PM. Jacob Klatt arrived around 6:20PM.

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 Claims 10/31/2025 due to Timeliness $559.42
b. City Claims Paid on 10/31/2025 due to Timeliness and to Mail Utility Bills Totaling $197,202.25
c. Three Forks Rodeo Arena Board Claims to be Paid
d. City Claims to be Paid
e. Pledged Securities with Manhattan Bank through 9/30/2025
f. Council Minutes of 10/14/2025
g. Zoning & Planning Board Minutes of 9/18/2025
h. Journal Vouchers, Revenue Vouchers (8/25-10/25) and Cash Report
i. Draw #5 for the Jefferson River Flood Mitigation Project to Reimburse City Expenses ($15,960.55, Signed to Submit to FMA on 10/15/2025)
j. Draw #6 for the Jefferson River Flood Mitigation Project to Reimburse City Expenses $17,112.95
k. Draw Packet #36 for the Water Project: Draw #5 from MCEP in the amount of $123,363.82

1. CLOMR Application for the Jefferson River Flood Mitigation Project

Crystal Turner pulled Item #K and said that it is not all MCEP as stated on the agenda, "The total is the same, but it is not all MCEP. $96,648.03 will be from MCEP and $26,715.79 from MAG," Crystal explained.

Councilman Townsend moved to approve the Consent Agenda [as amended]. Councilman Tharp seconded the motion. There were no public questions.
Motion Passed Unanimously.

PUBLIC HEARINGS
Public Hearing and Decision on a Second 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 Ordinance #412-2025 into the record for a second time.

Councilwoman McDermott motioned to approve Ordinance #412-2025, an ordinance of the Three Forks City Council 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. Councilman Buchanan seconded the motion.
Motion Passed Unanimously.

REPORT OF OFFICERS
City Clerk Crystal Turner did not have a report tonight.

City Treasurer Kelly Smith said that she should have reported this in October, "But we have a large FEMA audit to ensure we are following FEMA requirements. Annually, they review our elevation certificates, to verify we are following City and State standards. Every five years there is a bigger audit. We remained Class 8; 7 is the best we can get for not being a coastal state. NFIP insurance policy holders get a 10% premium discount because of our rating at an 8. If we get higher than a 10 rating, NFIP ceases to sell insurance in the area," she reported.

Gene Townsend questioned, "If our project is completed as planned, and 5 years from now when they redo the [FEMA] audit, would we drop down farther?" Kelly replied that she doubts it, "We will have less people in the floodplain, and so we would get fewer points. It's kind of a skewed system – if you aren't on a coastline, you can't get better than an 8."

REPORTS FROM COUNCIL COMMITTEES (if any)
Update from City Council Work Session on Water/Sewer Accounts and Tenant/Property Owner Process, And Provide Direction as Needed

Garret Buchanan read a letter from Kelly Bugland into the record, as public comment from 4:23PM 11/13/2025. Garret commented that based on Kelly's letter, there appears to be a common place to start. "Perhaps we can make some changes, some recommended, and other changes not brought up yet."

Public Comment: Mickie Imberi (10769 Hwy 287, Three Forks) stated she owns several properties in Three Forks. "What is the purpose of the change? We were originally told it was to save 5-7 staff hours and liability of the City to hold water deposits. But what really is the purpose? The City Attorney told me those are outcomes or benefits, not a purpose. This has financial consequences for renters and property owners." She agrees the deposits could probably go away [on the City's side of things], but wants to know why the City wants to cut out the tenants from the billing structure? "We are still willing to participate. What are we working towards? If the City moves forward with billing these to the property owner, we've made a business decision to add a flat fee to our rents. I'm not going to take the chance that my tenant will get that email and may or may not pay it. I don't want to hire staff to call the City on the 20th of every month to find out if the tenant paid this or that bill. We will just pay it, and effectively change the rent. Per much of the discussion, we were told the average bill is about $124 bucks. I know that my current bills are less than that, but I do have one tenant that the bill has been put in my name and I charge a flat $150 to manage that bill for him," Mickie said.

Gene Townsend asked if Mickie charges a rental deposit? Mickie replied yes. Gene asked, "What does that security deposit entail, or cover?" Mickie replied it covers damages and unpaid bills. Gene replied, "So you get first month, last month, and deposit?" Mickie answered, "No, first month rent and deposit. If you moved in on 12/1, I get 12/2025 rent and security deposit. That covers damages, late fees, if you move out and leave something unpaid." She continued by saying that communication goes a long way; life happens and sometimes it sucks. "If you communicate with me that you're having a hard time, I will work with you," she said. Gene asked Mickie, "For the power bill – is the tenant responsible for the power bill?" Mickie answered yes. Gene continued, "If he doesn't pay, and it gets turned off, he moves out, and it freezes up, what happens?" Mickie explained that Northwestern Energy sends a notice that the tenant did not pay. "They get a late, then at two months' late I get a potential disconnect notice from Northwestern. I send out my notifications. I send out text messages. I will knock on doors. If the tenant is not there, by law I have to give them 24-hours notice before coming in, optimistically it's not 30-below, but I'll go in and turn the furnace on after that 24-hour period. I have a continuing service agreement with Northwestern to turn the power back on in my name if they are going to turn it off. It comes back to me just like they are proposing here," Mickie explained. Gene asked, "If you have time to do that with the power bill, why can't

you with the water bill?" Mickie said, "As it currently is, my tenant gets the little paper bill, and if they don't pay by the 20th, the City sends me a notification if the bill is not paid. I will chase them down if that's the case." Mickie explained an example where a tenant did not pay water bill, nor the energy bill – Montana Code has a *same or similar violation in a six month timeframe,* I can change the lease and ask the tenant to leave. Both utilities could be used as a second violation and help her begin the eviction process. Gene Townsend asked her what changes now if you are going to be responsible for the water bill, do you charge more for your tenants that you have to administer their energy bill? Mickie replied that she does not have a tenant that she administers the energy bill for. Reagan Hooton said, "You say you would have to call the City to see if they paid for their water and sewer, but the City sends notices to you when they are not paid so why would you need to do that?" Mickie replied it is based on timing. Crystal Turner added that if the City ceased sending copies to land/property owners, they would not get a notice. Mickie said she is unwilling to take on the additional fees if the bill was paid late.

Kelly Smith corrected that the average residential bill is $105; the average bill of $124 includes commercial users. Crystal Turner reminded all that Northwestern Energy's bills follow the user, "So if you rent from Mickie in Three Forks and move to Pony or Bozeman, that bill follows you. Our bill stays with the property. If I don't pay my bill in Three Forks and move to Bozeman, how can Bozeman collect money I owe Three Forks? That is a major difference for the water/sewer charges and the energy bill. Our charges stay with the property." Kelly Smith added that Northwestern Energy reports to credit agencies, and Three Forks does not.

Garret Buchanan said, "We've been asked by the public and clerks for direction to move forward. I know we will not make everyone completely happy. But I do see we can make some recommendations, the first being that we stop taking deposits at City and apply those on active tenant bills. I think it is very important the City staff continue to send copies to owners with accounts in the tenant's name we were asked at the last discussion, those two I have firm opinions on. I am willing to meet again to hash out the remaining solutions. There were recommendations, and additional letters, both for and against, which I thought were interesting that we could work on. I don't really want to meet again, but am willing to."

Matt Bugland said, "It sounds like you are willing to make those 2 recommendations. And continue trying to refine the rest?" Kelly Bugland added, "As a resolution, right?" Garret said yes. Reagan said so do one resolution for those two things and then another resolution for the outstanding items? Kelly Bugland said that would be a Crystal question. Crystal Turner replied that she would prefer to write one resolution. Matt Bugland asked if this could go back to the Committee to hash out the

remaining items. "I know Crystal said anytime there is more than two she has to advertise," Matt said. Crystal Turner explained the City's policy is to advertise all meetings – we provide the opportunity for the public to attend all. If there is a quorum of the Council (4 or more), it is a considered a "public hearing" per state statute it requires public notice, and she must attend to take minutes, there must be an agenda, etc. "When I was on the Council, committees met outside of City Hall, at various members' houses, and came back to the City Council meeting and reported our recommendation at the public hearing. But you asked for a Council work session, outside of a regular meeting, and the full Council agreed to attend so it became a public hearing. Same rules apply if one person shows up for 10,000 public show up," Crystal said. Mickie asked what happens if there were only three members in attendance and more showed up, then what happens? Crystal explained that if a Committee meeting is held, and Reagan shows up to give her input, it becomes a public meeting so that is why we advertise everything.

Garret Buchanan noted that Mickie had originally asked what the purpose of the change was, so we would need to address that. "I thought the purpose was to streamline a clunky and cluttered process to make it easier for staff and to have less liability for the City (deposits). That's what I thought the purpose was, not sure why Susan would tell you otherwise," He said. City Attorney Susan Swimley said, "If you look at my email to Mickie, I was responding to, it was articulated that the purpose was to save 5-7 hours. That wasn't the purpose. From my standpoint, I like the term *streamline* because we don't have any policies telling the staff what to do, so get that in place and identify how it works and why it functions. Reducing 5-7 hours wasn't ever the purpose. It was to set a policy and reduce the City's liability." Garret Buchanan clarified, "The purpose was to add a policy where none existed, streamline the functioning of the city office and reduce the town's liability.

Gene Townsend motioned to direct the staff and the City Attorney to create a resolution with all the changes that were noted in the original document, and my idea here is once we get a resolution to where we can vote on it, I think it would be easier to make changes to that resolution when we are voting on it the next time. Get it on the agenda, talk about it, look at it – incorporate all the comments and look at a document that we are actually looking at to make a decision on. And if we don't agree with the something in that resolution, we amend it then. I think it should have what the City staff thinks would resolve this and we can amend it from there. Councilman Tharp seconded the motion.

Public Cooper: Kelly Bugland (Pony, MT) asked the Council to table this. She said there are two Council seat changes coming up, one Councilmember that has already resigned, several unanswered questions still, City staff that says they do not want to draft anything until you provide them

direction. She asked if the committee members would be changed since George Chancellor has resigned. "If there isn't a fire, let's not put any fires out," she said.

Mickie Imberi agreed with Kelly Bugland's comment.

Alex Blackburn agreed with Councilman Buchanan's recommendation to clarify language, "And perhaps a motion to approve two items. Maybe it is moved to approve as is, or maybe it is a move to approve with changes. I do not feel that you have found the language yet that addresses all the issues."

Garret Buchanan asked when this would be heard. Crystal Turner reported she has already noticed a resolution to be heard on 11/25/2025. Reagan Hooton asked if there was need for a Committee meeting to clarify items 3 and 4, and if that would need to occur before the next meeting. Kelly Bugland asked if the committees would be reappointed before that meeting since George Chancellor was on that Committee?
Vote: Motion passed 3:2 (Hooton and McDermott opposed).

UNFINISHED BUSINESS
Flood Mitigation Project Update
Kelly Smith reported the drawings are 90% complete for the mitigation channel, and the City will submit a CLOMR application. Now that the Federal government has reopened, that is a good thing so hopefully they will not be too back logged to review that. Then we will need to submit a floodplain permit application to Gallatin County. According to the engineers, we should be able to go out to bid for a spring construction, assuming our permits are all approved shortly. There will be a Budget Committee on 11/17 at 5:30PM to discuss easements.

Water Project
Mayor Johnston reported Steve Johnston has completed the installation of the 4-inch lines from the wells to the wellhouse, and that construction continues. Gene Townsend questioned why the main line is not 8-inches? Kelly Smith said the smaller line is just from Wells 12 and 13 to the wellhouse. Gene asked what water quality was. Mayor Johnston said the quality is good and the pump test determined Well 12 is getting 250 gallons/minute (gpm), Well 13 about 80gpm and the well at the tank is 70-80gpm.

NEW BUSINESS
There was no new business.

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 Wally Ziegler, the Code Enforcement and City Office Assistant, has resigned. We will look at rehiring in the future.

Roxi McDermott commented for the Chamber of Commerce that they are looking for someone to help hang Christmas decorations, "So if anyone knows anyone who has a lift, we need assistance with that." The Christmas Stroll is 12/13/2025 from 1-5. "At 5 we will have a parade and after that fireworks if it is not windy," she reported. On 12/4/2025, the Chamber will have a ribbon cutting at Kennedy Financial which is next door to the Saddlery.

Reagan Hooton reported that she attend the Drought & Deluge Adaptive Management Plan and she spoke at that conference on the City's mitigation project. They also identify other projects. The Mayor asked when and where the next meeting would be held. She believed the next one will be at Belgrade Library in January. Mayor Johnston wants to attend.

Gene Townsend is on the committee appointed by County Commissioner Zach Brown, which is comprised of County and City officials all over the county regarding the ambulance situation in Gallatin County. Big Sky or West Yellowstone are not included in these since they are so far from the hospital in Bozeman, but Bozeman Deaconess Health is on the committee too. The concern is that if something were to happen with AMR, what would happen? Bozeman Deaconess is thinking of having its own ambulance since calls are taking longer. Mayor Johnston asked when the next meeting was, as he may want to attend. Gene said when he knows the next schedule he will relay that to the Mayor.

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

- Resolution on the Water/Sewer Tenant/Property Owner policy
- Bid Award for the Electrical Portion of the Municipal Wells
- Appointment of the Vacant City Council Seat
- Headwaters Trail System Permission to Apply for Grants

ADJOURNMENT

Motion to adjourn the meeting was made by Councilman Tharp. The meeting was adjourned without a vote taken by the Mayor's gavel at 7:08P.M.

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Randy Johnston, Mayor Crystal Turner, City Clerk