

**CITY OF THREE FORKS, MONTANA**

**RESOLUTION # 413 -2024**

**A RESOLUTION NAMING REPAIR AND MAINTENANCE PROJECTS PURSUANT TO STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT (HB 355) FUNDING**

**WHEREAS**, the 2023 Montana State Legislature passed the State-Local Infrastructure Partnership Act of 2023 (“SLIPA”) which appropriated \$20,000,000 from the state general fund to the Montana Department of Commerce to be distributed to incorporated cities and towns as grants based on repair and maintenance of infrastructure.

**WHEREAS**, the City of Three Forks held a public hearing on December 12, 2023, at its regularly scheduled meeting. On the agenda was the discussion and decision to create a list of potential projects. The Council requested staff and the public ideas for repair and maintenance projects. During said meeting staff explained which recommendations and ideas could possibly become eligible projects, or have preference using SLIPA funding.

**WHEREAS**, pursuant to §7-1-4127, MCA, the City Clerk advertised the date, time and location of the City Council public hearing in the Bozeman Daily Chronicle on January 17, 2024; in the Belgrade News on January 18, 2024, and in the Three Forks Voice on January 17, 2024, as well as posted this notice on the City’s website and Facebook page, on the City Hall window, at the Post Office, and at the three local banks.

**NOW THEREFORE BE IT RESOLVED** by the Three Forks City Council that it hereby adopts the attached list of projects, labeled Exhibit A; the agenda and minutes of the 12/12/2023 (see page 9 of this document; page 6 of the 12/12/2023 minutes) initial Council meeting to accept and discuss initial project list as Exhibit B; the affidavits of publication for this hearing and a table detailing various public engagement efforts labeled Exhibit C; agenda of 1/23/2024 agenda and minutes (which will be finalized prior to submitting to the Montana Department of Commerce) labeled Exhibit D; and their accompanying project applications all labeled as Exhibit E. The Council further directs the City Clerk and/or City Treasurer to submit this entire packet of documentation under SLIPA funding as specified in the application instructions.

**PASSED AND ADOPTED** this 23<sup>rd</sup> day of January 2024.

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Randy Johnston, Mayor

ATTEST:

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Crystal Turner, City Clerk

# CITY OF THREE FORKS, MONTANA

## Exhibit A

| Projects in order of Priority  | Address   |
|--|---|
| Water Supply System – Well Maintenance   | Well Houses #5, #6, #9 and #10, Three Forks, MT 59752   |
| Replacement of Non-functioning fire hydrants   | <ul style="list-style-type: none"><li>• Est. 1908-1912 located at W. Birch Street and Railway Avenue</li><li>• 1993 located at N. 5<sup>th</sup> Avenue and Oak Street</li><li>• 1976 located at 6<sup>th</sup> Avenue E. and Oak Street</li><li>• 1968 located at 4<sup>th</sup> Avenue E. and Oak Street</li><li>• 1994 located at 1<sup>st</sup> Avenue E. and Neal Street</li></ul> |
| Fire Hall Remodel to Add Second Bathroom and a Shower Stall in One   | 13 E. Date Street, Three Forks, MT 59752  |
| Fire Hall Fire Suppression   | 13 E. Date Street, Three Forks, MT 59752  |
| Library ADA Automatic Door Replacement from Double Set of Doors to Safer and Wider Single Set of ADA Automatic Doors | 607 S. Main Street, Three Forks, MT 59752   |
| Library Lighting Replacements  | 607 S. Main Street, Three Forks, MT 59752   |
| Library Fire Suppression   | 607 S. Main Street, Three Forks, MT 59752   |
| City Hall Remodel to Accommodate Three Staff Members and Additional Physical Attendance in Public Hearings           | 206 S. Main Street, Three Forks, MT 59752   |
| City Hall Fire Suppression   | 206 S. Main Street, Three Forks, MT 59752   |

# CITY OF THREE FORKS, MONTANA

## Exhibit B

### AGENDA FOR COUNCIL MEETING CITY OF THREE FORKS

The Three Forks City Council will meet **Tuesday**, at **6:00PM**  
**January 9, 2024**, in the City Hall Council Chambers, 206 Main Street.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- IV. REMINDER TO ALL THE MEETING IS AUDIO RECORDED**
- V. PUBLIC COMMENT (for items not on the agenda)**  
(The Council cannot enter into a discussion/decision during Public Comment.)
- VI. CONSENT AGENDA – approval of the following:**
  - a. Claims Paid due to Timeliness on 12/19/2023 Totaling \$17,524.29
  - b. Claim Paid due to Timeliness to Mail Utility Bills and Others on 12/29/2023 in the Amount of \$52,764.11
  - c. City Claims to be Paid
  - d. Three Forks Rodeo Arena Board Claims to be Paid
  - e. Council Minutes of 12/12/2023
- VII. PUBLIC HEARINGS**
  - a. Public Hearing and Decision on a First Reading of an Ordinance Amending Title 6 Police Regulations, Chapter 4A Animal Control to Clarify the Definition of "Kennel", adding a Definition of "Additional Dog Permit" and "Doggy Day Care", and Edit the Requirements to Obtain an Additional Dog Permit
- VIII. REPORT OF OFFICERS**
  - a. Three Forks Library Director Annual Report
  - b. City Attorney Report on Prayer During Public Meetings
- IX. REPORTS FROM COUNCIL COMMITTEES (if any)**
- X. UNFINISHED BUSINESS**
  - a. Flood Mitigation Project Update (if anything to report)
  - b. Water Project Update (if anything to report)
- XI. NEW BUSINESS**
  - a. Election of Council President for 2-Year Term per Resolution #360-2022
  - b. Board Appointments:
    - i. Board of Adjustments & Appeals
    - ii. Zoning & Planning Board
- XII. PUBLIC COMMENTS/CONCERNS (for items not on the agenda)**  
(The Council cannot enter into a discussion/decision during Public Comment.)
- XIII. MAYOR & COUNCIL ANNOUNCEMENTS**
- XIV. AGENDA ITEMS FOR NEXT COUNCIL MEETING:**
  - a. **1/23/2024:**
    - i. Advisement of Decision on the Three Rivers Development, LLC's Application Exempt from Subdivision Review Pursuant to 76-3-203, MCA, for the "Headwaters South Condos" Conversion to "Headwaters South Townhomes"
    - ii. Public Hearing and Decision on a Resolution Naming Repair and Maintenance Projects Pursuant to State-Local Infrastructure Partnership ACT (HB 355) Funding
- XV. ADJOURNMENT**

# CITY OF THREE FORKS, MONTANA

**\*\* Page 1\*\* A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING**

**CITY OF THREE FORKS, MONTANA, DECEMBER 12<sup>TH</sup>, 2023**

DECEMBER 12<sup>TH</sup>, 2023, 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 Council President Gene Townsend. President Townsend called the meeting to order at 6:01 P.M.

**ROLL CALL:** City Council members George Chancellor, Roxi McDermott, Nancy Todd (via Zoom), Gene Townsend, and Ed Tharp. Brooke McLees was absent due to illness. City Treasurer Kelly Smith and City Clerk Crystal Turner were present at City Hall. City Attorney Susan Swimley, as well as City Engineers Susan Hayes and Jessica Salo, 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 President Townsend. President Townsend reminded the audience this meeting was recorded and may be streamed via Zoom and on our Facebook page.

**GUESTS:** Mike Stenberg, Jamie Nimmick, Casey Elmore, Lindsie Diebold, Garret Buchanan, Reagan Hooton, Gloria Howland, Alex Blackburn, Aly Fendler, Amy Laban were all present at City Hall. Racheal Tollison and Lee Nellis (consultant on the Impact Fees) attended via Zoom.

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

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

## **CONSENT AGENDA**

Council President Townsend read the Consent Agenda into the record as follows:

- a. City Claim Paid Electronically on 11/27/2023 in the Amount of \$2,089.84
- b. Claim Paid due to Timeliness to Mail Utility Bills on 11/30/2023 in the Amount of
- c. \$197.93
- d. Claims for Approval
- e. Three Forks Rodeo Arena Board Claims for Approval
- f. Council Minutes of 11/14/2023
- g. Draw #14 for the Water Project Signed on 11/28/2023 due to Timeliness
- h. Requesting \$27,816.18 of the City's ARPA Local Fiscal Recovery (LFR) funds and \$23,465.00 from the City's ARPA Competitive Grant funds

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President Townsend asked if there were any public or Council wishing to pull and discuss any consent agenda items. There were none.

Councilman Chancellor moved to approve the consent agenda. Councilwoman McDermott seconded the motion.  
**Motion Passed Unanimously.**

## **PUBLIC HEARINGS**

**Public Hearing and Decision on a Resolution Amending \$401-2023 (Approved on 6/27/2023) Item #7 which Incorrectly State 3,000 Square Feet but was Actually 6,000 Square Feet**

City Clerk Crystal Turner read the resolution into the record entirely, which would be #415-2023.

There was no public comment nor Council discussion.

Councilwoman McDermott moved to approve Resolution #414-2023, a resolution amending \$401-2023 Item #7 which incorrectly stated 3,000 square feet but was actually 6,000 square feet. Councilman Tharp seconded the motion.  
There was no further comment.  
**Motion Passed 5:0.**

**Public Hearing and Decision on a Resolution Providing for Appointment of Gallatin County Sheriff Deputies to be Cross Deputized to force Three Forks Municipal Ordinances**

President Townsend read the resolution into the record entirely, which would be #416-2023.

There was no public comment on this resolution.  
There were no Council comments or questions on this resolution.

Councilman Chancellor moved to approve #415-2023. Councilman Tharp seconded the motion.  
**Motion Passed 5:0.**

## **REPORT OF OFFICERS**

**Three Forks Rodeo Arena Board of Directors' Annual Report** - Casey Elmore introduced himself. He reported that that July rodeo was good and about the same as last year. 6,000 attended: roughly 3,400 on Friday and 3,200 on Saturday. "I feel we can get more local people in there, we are doing exploratory work with the engineers on the expansion of the bleachers to get a wing on each end. We want to see what it costs, get through another rodeo, and hopefully next fall could do the construction. We do have quite a bit of money in the bank - right now we put that in CDs to cover our note's interest rate increase."

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He continued, "We did some maintenance, and replaced our groomer. We put in a lot of sand (every 2-3 years we have to do this). We hired a second secretary - she [Crystal Turner] made it through a year and hasn't quit yet," Casey joked. "We are trying to install a power pole on the west end. We are going to put a 400 amp service on the west end. We just have too many vendors and they run generators. That's ok but it gets loud and annoying. We are on hold due to Northwestern Energy." Casey said that he believes this was the busiest year since he has been on the board, and added the arena was booked all summer and they even picked up another youth rodeo which was held in the fall.

George Chancellor thanked Casey and Ed Tharp told Casey, and to relay to the Board, "Good job." Gene Townsend said he wanted to give a lot of credit to Casey, "He's done a really great job and works very hard. It's been challenging with all the people we have coming in (attendance-wise during rodeo). One year we were still selling tickets at 9PM and the rodeo is usually over by 9:30PM. We cut it off this year (about 7:30PM) which caused some hard feelings. But we had to worry about parking, getting out in an emergency. Anyway, you've done a great job and I want you to know that."

City Clerk Crystal Turner reported on the Business Licenses for 2022-2023 and 2023-2024 (see packet for full detail). She asked the Council if it wished for her to turn over those remaining ten unlicensed businesses to the Gallatin County Sheriff, and the Council said yes. She also reported on the support letter for the southern end of Broadwater County's EMS building. "If no one else has any comments, I will pass it around for signature tonight." There were no other edits so Crystal printed the letter for the Council's signature (those not present tonight can sign another day). Last, she reported that she attended a Regional Housing Coalition meeting for the Mayor on 11/17/2023. "The biggest info I learned is that Belgrade's population was anticipated to be about 12,000 at the 2020 census and it ended up being just over 14,000. Belgrade already has just over 5,000 lots/townhomes approved and platted within the City limits. Once all those are built, estimated 2.5 people per household, it would add another 14,000 to Belgrade - so Belgrade will be over 28,000 in population in the near future. The growth is coming and we will feel it very soon as well so it's good we are working on our CIP and Impact Fees, and the our zoning code."

City Treasurer Kelly Smith reported we have been talking about moving the safes to the courtroom so we can move Wally Ziegler out here to learn more of the city hall tasks. "If we could move the safes to the back, we could have all three of our desks out here. We finally got someone to quote us - they require a waiver signed regarding the safe falling through the floor though. The quote was \$2,000." George and Gene think we can move it instead using a borrowed pallet jack, some muscle, Public Works using the loader to move the safe around back. "Let's talk about it some more," Gene said and added the crew at the Three Forks Historical Society moved a



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2,450-pound safe into the museum. "It was also over a wood floor. All we did was put it on plywood and move it to the center of the building. We did have a lot of volunteers lined up."

**Headwaters Trails System Annual Report** - Gene Townsend reported that his first grant applied for last year was the Recreation Trails grant, which had a 25% local match. "In February we submitted a AARP challenge grant for exercise equipment at the ponds. We requested \$13,099 to cover the equipment and plastic borders. In March, Gallatin County Open Space grant was applied for: \$100,000 for trail maintenance. We were awarded that in April. The AARP also awarded us the \$13,099 - equipment was ordered and is still pending to be shipped. In July we hosted the Headwaters Bank Run, with over 100 runners this year. We did not hold a food night at the Farmer's Market due to a scheduling conflict with the Chamber this summer."

Gene continued that there was a lot of maintenance along Frontage Road and to the Headwaters State Park was done. "We did not do the extension towards Logan because MDT wouldn't grant an encroachment permit. That was overturned but the engineer recommended waiting for better weather to go out to bid. We will extend to Ray Creek - and maybe gravel even further. We are working east and working with the Manhattan Trail System to eventually connect. Buchanan has done a tremendous amount of work with Cenex Harvest States. We have a grant request submitted for a feasibility study for this project - once done that will allow us to put in more grant applications with the Highway Department and Federal Highway Departments."

Gene said this past year the trail signage and crosswalk at the grain elevator was completed, and a couple bike racks and benches were also installed. He thanked Magris Talc for always providing the local match for these grants. He thanked the local banks for their sponsorships for the annual run. "It's a great fundraiser for us and without their help it wouldn't be as profitable event as it is. I'd like to thank Kelly Smith, Crystal Turner and the city crew for helping me scan documents and all the things they help us do. I'd like to thank all the donors, volunteers, trail users - those who mow, plow snow, spray weeds, the citizens really accepted and continued support the trail system. He thanked Pat [his wife] for all her help and support in all the things she does to help him administer the trail system. "We plan on doing the same thing with grant submittals this year."

George Chancellor thanked Gene for all his work, "Three Forks is outstanding because of the trails, it's just one more reason that Three Forks is a great place," he said.

City Attorney Susan Swimley did not have anything to report.

**REPORT OF COUNCIL COMMITTEES (if any)**

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Public Safety Committee - Gene Townsend reported that he and George Chancellor met with Susan Swimley and several Gallatin County Sheriff deputies/captains to discuss the Code Enforcement process and try to streamline it. They all left with action items and we plan to meet again to follow up.

Water/Sewer Committee - Gene Townsend reported that he, Ed Tharp and Susan Hayes met a couple weeks ago about the well project. "We know the gallons/minute and quality of water we are going to get. One is 100-125 gallons per minute (gpm) and the other is 75-100gpm which together would give us about 200gpm more for the City. Susan asked us what our recommendation was, and we gave her the go ahead to continue going forward."

Susan Hayes updated that she is still working with O'Keefe to get them on the schedule for 2024, so they do not get too busy with other bids and jobs and forget to get us back on the schedule. Uranium and gross Alpha tests came back as good. She met with Dana Pepper, the City's water rights attorney, about any wells drilled in the future. She gave me the go ahead to keep moving forward like we did with Well 6A to ensure the City was moving the same direction as the Water Court has been recommending.

Ed Tharp added the originally planned water main line is right against the Magris Talc plant property boundary. We recommended moving farther south and closer to Bench Road as well. Susan added that with the distribution side of the water project there will some cast iron replacement and looping.

Councilman Chancellor moved that we continue the progress on the water wells. Councilwoman McDermott seconded the motion.

Public Comment: Mike Stenberg, Hyalite Engineers, thanked Susan Hayes for moving the mains' locations in order for the potential development to utilize the same and share funding. Susan Hayes said with the limited length, dewatering will probably be needed. We will consider when we put the contract documents together. That is more of a constructability rather than a routing issue.

**Motion Passed 5:0.**

George Chancellor provided the Three Forks Area Ambulance updates for October and November (see packet for TFAA's printed reports).

## **NEW BUSINESS**

**Discussion and Decision on Creating a List of Potential City Repair and Maintenance Projects for FY23/24 Pursuant to HB355**

President Townsend attempted to explain what House Bill 355 is, "As I understand it we need to come up with a list of potential ideas, or if you



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had ideas you were to send those to Kelly. I think that is what this spreadsheet she has created is for."

Gene suggested replacing the furnace and A/C unit at City Hall. He also recommended looking into more efficient lighting for City Hall.

Crystal explained HB355, "This was passed in the last Legislature and is funding from the State for municipal infrastructure repairs and maintenance only." Kelly Smith added once the City submits its list to the State, the State still has a priority level and has to approve whatever we submit. "But the State has set aside \$172,000 and does require a 25% local match." Kelly said the spreadsheet is a snapshot of potential projects from the draft CIP Jessica Salo is working on. "Some of those projects are new and not repair and maintenance, so will not be eligible," she said. Kelly would like to add ADA access improvements to the Library to the list, fire suppression for either City Hall, Fire Hall and/or Library (one/two, or all), remodel of cook shack at the rodeo grounds, chip seal repairs could be eligible. Crystal Turner highlighted the eligible projects on the spreadsheet in orange in the packet as follows:

- Water Treatment Plant Chemical Feed Pumps and Valves (parts for the feed pumps, check valves and injectors would be eligible)
- Replacement of the fire hydrant at N. 5<sup>th</sup> Ave. E. and Oak Street
- Replacement of the fire hydrant at W. Birch Street and Railway Ave.
- Lift Station cleaning
- Sewer jetting
- Fire Hall fire suppression
- Fire Hall remodeling to have a second bathroom, and added shower
- City Hall fire suppression
- City Hall roof repair
- City Hall move wall further back and technology upgrades (for better space during Council meetings and for virtual meetings)
- Library ADA automatic door replacement from double to single
- Library fire suppression

Public Comment: Amy Laban said that City Hall is small, cramped and getting uncomfortable in here. She would move any City Hall remodel or rearrangement up the list.

George Chancellor asked if there are any improvements needed at the Cook Shack at the rodeo grounds. Gene replied that the Board has replaced the cook stove, the swamp cooler, the freezers, and so they are doing pretty good. May as well put it on the list though Kelly said since the State will ultimately rank the projects. She also said we have been working to get quotes on the boiler change to a furnace, the least expensive was \$14,000. George also asked if a work truck replacement would apply. Kelly said no. He also asked if anything on the Floodplain Mitigation Project would apply. Kelly said no. Gene asked if the safe falls through

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the floor when we move it, if that would qualify. Everyone laughed, but agreed it would be a repair. Amy Laban asked if you could upgrade technology like for better cameras, microphones? "Virtual meetings have been a struggle," she said. George asked if any Streets and Road Maintenance could be specified in the list. Kelly said she would find out from Steve Johnston if there is anything specific to include in this list for HB355. The Council did not have any other projects to add to the list.

### **Appointment of Two Vacant City Council Seats and Administering the Oath(s) of Office (Terms to Expire 12/31/2025)**

President Townsend said we have three letters of interest for two vacant council seats. The Council has two vacancies because Nancy Todd has decided not to run again and no one else filed for that seat, and Roxi McDermott does wish to run again but did not submit her election filing paperwork in time. He opened the floor first to Garret Buchanan.

(Warren) Garret introduced himself and said he has lived here for about five years and grew up in another Montana town. Gene Townsend asked if he had any feelings on how the City should look at growth. "With what is happening in the valley right now, it is growing, even north of us in Broadwater County it is growing." Gene clarified, "Do you think it should continue or are you the type of person who thinks it shouldn't grow?" Garret replied, "It's hard to argue with an avalanche. Looking toward the future will make those growing pains a lot less, trying to do our best to support the way of life and reasons we live in Three Forks. Even with a bunch more people in it, we don't have to lose our sense of community."

Reagan Hooton introduced herself and said she is fairly new to Three Forks. She was born and raised in Bozeman, left for many years and is back in Montana now. "I think Three Forks is a great place and has been very welcoming. I am interested in development, zoning, trails, I would like to see green spaces and preserving nature. I am a bookkeeper for work, have done some volunteering on nonprofit projects and boards." The Council asked the same question to Reagan as it had Garret about growth. "It's going to happen. I definitely used to be, growing up in Bozeman and seeing the changes over the years, you wish they wouldn't come but it happens. I like that Bozeman is talking about more density rather than more sprawl. I don't like density, but it makes sense to me now and especially since I want to see more green spaces. I want others to feel welcomed here like I was welcomed back."

Roxi McDermott introduced herself to those who did not know her. She is the branch manager of First Security Bank in Three Forks, has a daughter who works at the clinic and one still in high school. "I love being involved in the community and I feel like I've joined more in that the last six months, but I want to continue it. I think growth in this community is inevitable. I think it's good and bad. As a city, and I've learned so much since joining the City Council, the more people we have in the city limits is good rather than sprawled outside of town. There are a

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lot of people moving outside the city limits and that affects the city greatly, so I think with all the growth we have had around we still have a lot to fix. But I know we can do it."

There was no public comment.

Councilman Chancellor moved to nominate Roxi McDermott and Garret Buchanan. Councilwoman Todd seconded the motion.

Susan Swimley recommended nominating one for one seat and stating why, and that Roxi should not vote for her own nomination.

President Townsend clarified that the Council will first consider the nomination of Roxi McDermott. Board Discussion: Gene added, "I would vote for her and have had the pleasure of working with her for the past six months. She has shown a lot of interest, wanting to learn what we are doing down here. Believe it or not, a lot of times it is very mysterious what City Council does and we don't stop and take the time to explain to new council people why or what we are doing. She has always asked us to slow down and explain why we are doing this or that." Ed Tharp said she has done a really good job in the last six months, and I would like to see her not leave. George Chancellor said Roxi has worked with him on several committees and is very attentive to her duties. Nancy Todd said she would support Roxi as well. She has enjoyed working with her. (That was the "roll call" style vote and reason why.) **motion Passed 4:0.**

President Townsend stated we are open for one more Council position. "That is between Garret and Reagan. We now have five people voting and still have to have four in the affirmative per the Charter. Anyone want to make a motion on the next position available?"

Councilman Chancellor moved to nominate and vote for Garret who is a local artisan and shows good interest in the City. Councilwoman Todd seconded the motion. Board Discussion: Roxi McDermott said she also supports and would vote for Garret, it seems he is very interested in the community and I would like to see what he can do. Ed Tharp said he would vote for Garret and felt he would be a great asset to the Council. Gene would vote for Garret but things need to be said. "I actually think between the two, actually all three of them, this is one of the better slates of candidates I have seen with people expressing interest in being on the Council. One thing that bothers me, is that I really get unhappy when we don't use the process we should be - which is filing for a council seat and going through the election process. I don't think we can go wrong with whomever we pick, but I would like to stress that I don't want to discourage Reagan to participate in meetings nor file to run for a seat at the next election. We will have five seats up for election next time. I will vote for Garret." (George Chancellor nor Nancy Todd added any comments.) **Motion Passed 5:0.**

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City Clerk Crystal Turner administered the oath to both Roxi McDermott and Garret Buchanan for the term beginning 1-1-2024. She explained that the Oaths must be on file with the County Clerk and Recorder prior to their first meeting. The originals will be mailed to the Clerk & Recorder, and a file kept here at City Hall. She added she will do an orientation with Garret prior to the January meeting.

Nancy Todd said, as this was her last meeting on the City Council, "It has been an honor to serve on the Council and represent Three Forks. I really enjoyed working along dedicated individuals committed to maintaining and improving the quality of life in our little town. I want to wish the Council continued success in serving our community.

President Townsend reciprocated Nancy, and read a certificate of appreciation to her. He said she could pick it up when she was feeling better and visited City Hall.

## **Arbor Day Proclamation for April 26, 2024**

City Treasurer Kelly Smith read the proclamation into the record.

Councilman Chancellor moved to approve the Arbor Day Proclamation.  
Councilman Tharp seconded the motion. There were no other comments.

**Motion Passed 5:0.**

## **Discussion and Decision on a Kennel License Application Requested by Jamie and Robert Nimmick Pursuant to Ordinance #4-6A**

President Townsend read the Nimmick's application letter. He then read Deputy Joh's inspection report.

He asked if there was any public comment.

Jamie Nimmick introduced herself and said she would answer any questions of her. Ed Tharp asked if her dogs bark much? Jamie answered, "No, when they are outside and someone walks by if they bark I call the dogs back in because I wouldn't want to hear them barking if I was the neighbor. They are inside dogs most of the time."

Councilman Chancellor moved to give Jamie and Robert Nimmick a kennel license for four dogs with the condition that if any dogs pass away that they not replace it. Councilman Tharp seconded the motion.

Board Discussion: Mr. Tharp said (to Mrs. Nimmick) that he would like to add that if anything down the road becomes a nuisance to the neighbors, that we will be speaking with you directly. "I want you know that since we had recent issues with other kennel licenses, so I want you to be aware of that." Mrs. Nimmick acknowledged Mr. Tharp's comment.

**Motion passed 5:0.**

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## **Discussion on Ordinance Committee Recommendations to Dog Licensing and Kennel License Ordinance; Answering staff Questions in Order to Proceed to First Reading Draft**

Crystal Turner said the Ordinance Committee met in mid-November to review/edit the Animal Control "Dog" ordinance to specifically address kennels not being commercial and to hopefully address nuisances. However, after that meeting Crystal drafted what she believed the Committee's recommendations were but there are still a few outstanding questions before presenting a first reading of a draft ordinance. (See packet for full report.) With the recommendations agreed upon by the Council tonight, Crystal will edit the draft and notice a first reading to be scheduled on January 9<sup>th</sup>.

## **Mayor Appointment, or Council election. Of Council Representative as the Council Member on the Public Safety Committee Pursuant to Article V.A.4 of the Interlocal Agreement with the Gallatin County Sheriff Office**

Ed Tharp volunteered to serve on this committee. George Chancellor also volunteered. Ed withdrew his name.

President Townsend moved to appoint George Chancellor on the Public Safety Committee pursuant to Article V.A.4 of the Interlocal Agreement.

Councilwoman McDermott seconded the motion. No public.

**Motion Passed 4:0. George Chancellor abstained.**

## **UNFINISHED BUSINESS**

### **Flood Mitigation Project Update (as applicable)**

Kelly Smith reported that as of 12/7/2023, Fish, Wildlife & Parks (FWP) requested the biological assessment, which used Utes' Ladies Tresses (a rare orchid known in the vicinity of the DeLaittre Park pond) 2022 survey data, to be updated in our assessment using 2023 data. Jeremiah Theys said he would get this information updated and back to FWP.

### **Water Project Update (as applicable)**

No more to report.

## **Presentation and Public Comment on Update of Buildout Analysis and Impact Fees**

Lee Nellis said that everyone should have the copy of the buildout analysis he sent. "With assistance from Randy [Carpenter], Crystal and Kelly, we have picked the land base of the City of Three Forks apart. We have come to a reasonable conclusion on how much land can be developed. This includes the potential density of residential development given the terrain restrictions. The report concludes with an analysis for the City's next steps. Most important is to have everyone read the full document, think it through, and decide how they feel about the amount of growth projected in planning for future infrastructure." Lee would like to tentatively schedule an Impact Fee Advisory Committee meeting in January.

## CITY OF THREE FORKS, MONTANA

**\*\* Page 11\*\* A SUMMARY OF PROCEEDINGS OF THE CITY COUNCIL MEETING**

**CITY OF THREE FORKS, MONTANA, DECEMBER 12<sup>TH</sup>, 2023**

Gene Townsend stated he read the full document today and likes how the population is posed. "You just said *it seems like every time the projected growth in GC or Bozeman, it's been low.* I think doing a document like this, I think would be better off to err on the side of a higher population estimate. I think if Three Forks has a property available that is out of the floodplain, has access to City sewer and water, that we are going to see some pretty robust building in Three Forks. I appreciate what you presented here."

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

Reagan Hooton questioned the demolition of the trailer near the recycle bins and asked when they are going to finish that, as garbage is being blown away from the site. Kelly Smith said the owner is out of town, but employees are working on it, and she will get ahold of someone tomorrow to follow up.

Gloria Howland asked if Gene has ever considered any plaque for Jim Phillips for all his walking, View from the Trails books, and all he did to support the trails. Gene said he had not thought of that, and Jim was a good friend but he was a very private person and may not like such acknowledgement. "I'll talk with Diane (Jim's widow) about it after the holidays," he said.

### **MAYOR & COUNCIL ANNOUNCEMENTS**


There were no Council announcements. Everyone was wished a Merry Christmas.

### **AGENDA ITEMS FOR NEXT COUNCIL MEETING: January 9, 2024**

Joint Rural Fire District meeting at 5PM, and then followed by Council meeting at 6PM with Library Director's Annual Report on the agenda so far.

### **ADJOURNMENT**

The meeting was adjourned at 8:35PM by President Townsend's gavel hitting the table.

  
Eugene Townsend, Council President

  
Crystal Turner, City Clerk



## CITY OF THREE FORKS, MONTANA

### Exhibit C

(Insert jpeg of the affidavits once received)

| Date       | Action Taken of Public Notice  |
|------------|--|
| 11/2/2023  | Posted the Notice of Public Hearing on the City's website of <a href="http://www.threeforksmontana.us">www.threeforksmontana.us</a> for 12/12/23 City Council meeting, stating resolution would be heard. (Remained posted through 1/24/2024. Was edited to change hearing dates as discussion was continued.) |
| 11/14/2023 | Kelly Smith reported to City Council of HB 355 webinar attended to learn more.   |
| 11/15/2023 | 11/2/2023 public notice of website remained posted.  |
| 11/16/2023 | 11/2/2023 public notice of website remained posted.  |
| 12/1/2023  | Kelly Smith's verbal report at 11/14/2023 was in the minutes and the minutes were posted on the City website on 12/1/23  |
| 12/7/2023  | Agenda for 12/12/2023 City Council meeting posted around town, on the City website and Facebook pages per policy.  |
| 12/8/2023  | Packet for 12/12/2023 Council meeting, with discussion items for HB355 posted on website.  |
| 12/8/2023  | MailChimp email sent to 300 subscribers who wish to receive City news.   |
| 12/9/2023  | Agenda posted in events page of City website.  |
| 12/12/2023 | City Council Meeting held to discuss potential projects for HB 355 funding.  |
| 12/21/2023 | Minutes of 12/12/23 City Council meeting posted on City website.   |
| 1/15/2024  | Facebook reminder of Public Notice linking viewers back to the City website.   |
| 1/17/2024  | Legal notice published in Bozeman Daily Chronicle.   |
| 1/17/2024  | Facebook reminder of Public Notice linking viewers back to the City website.   |
| 1/18/2024  | Legal Notice published in Belgrade News.   |
| 1/18/2024  | Agenda for 1/23/2024 City Council meeting posted around town, on the City website and Facebook pages per policy.   |
| 1/19/2024  | MailChimp email sent to 300 subscribers who wish to receive City news.   |
| 1/23/2024  | City Council Meeting held to finalize and prioritize projects for HB 355 funding.  |

# CITY OF THREE FORKS, MONTANA

## Exhibit D

### AGENDA FOR COUNCIL MEETING CITY OF THREE FORKS

The Three Forks City Council will meet **Tuesday**, at **6:00PM**  
**January 23 2024**, in the City Hall Council Chambers, 206 Main Street.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- IV. REMINDER TO ALL THE MEETING IS AUDIO RECORDED**
- V. PUBLIC COMMENT (for items not on the agenda)**  
(The Council cannot enter into a discussion/decision during Public Comment.)
- VI. CONSENT AGENDA – approval of the following:**
  - a. City Claims to be Paid
  - b. Three Forks Rodeo Arena Board Claims to be Paid
  - c. Joint City Council and Three Forks Rural Fire District Minutes of 1/9/2024
  - d. Council Minutes of 1/9/2024
  - e. Advisement of Decision on the Three Rivers Development, LLC's Application Exempt from Subdivision Review Pursuant to 76-3-203, MCA, for the "Headwaters South Condos" Conversion to "Headwaters South Townhomes"
  - f. Pledged Security Report from Glacier Bank as of 12/5/2023 and 12/29/2023
  - g. Pledged Security Report from Manhattan Bank as of 12/31/2023
- VII. PUBLIC HEARINGS**
  - a. Public Hearing and Decision on a Resolution Naming Repair and Maintenance Projects Pursuant to State-Local Infrastructure Partnership ACT (HB 355) Funding
- VIII. REPORT OF OFFICERS**
- IX. REPORTS FROM COUNCIL COMMITTEES (if any)**
  - a. Budget Committee mid-year report
- X. UNFINISHED BUSINESS**
  - a. Flood Mitigation Project Update (if anything to report)
  - b. Water Project Update (if anything to report)
- XI. NEW BUSINESS**
- XII. PUBLIC COMMENTS/CONCERNS (for items not on the agenda)**  
(The Council cannot enter into a discussion/decision during Public Comment.)
- XIII. MAYOR & COUNCIL ANNOUNCEMENTS**
- XIV. AGENDA ITEMS FOR NEXT COUNCIL MEETING: 2/13/2024**
  - a. Public Hearing and Decision on the Zoning & Planning Board's Recommendation on the Request for Zone Map Amendment from Residential Zoning to Central Business District by Matt and Kelly Bugland and Jade Benjamin for the Properties Located at Lots 1-12, Block 54 of the Milwaukee Land Company's 2<sup>nd</sup> Addition, Commonly Referred to 604, 608, 618 and 622 S. Main Street
  - b. Public Hearing and Decision on a Second Reading of an Ordinance Amending Title 6 Police Regulations, Chapter 4A Animal Control to Clarify the Definition of "Kennel", adding a Definition of "Additional Dog Permit" and "Doggy Day Care", and Edit the Requirements to Obtain an Additional Dog Permit
  - c. Public Hearing and Decision on a Resolution Pursuant to 7-3-173, MCA Stating the City of Three Forks' Call for Election to the Voters for the Local Government Review and Study Commission

**CITY OF THREE FORKS, MONTANA**

**(Insert jpeg of 1/23/2024 minutes once finalized)**

DRAFT

**CITY OF THREE FORKS, MONTANA**

**Exhibit E**

**(Insert all project applications once complete)**

DRAFT