



## Board of Health Agenda

Tuesday - April 14, 2020 5:30 PM

Community Room, City County Complex, 414 E Callender Street, Livingston, MT

### BOH ADMIN

Call to Order/Roll Call

Conflict of Interest

Public comment for Items not on the agenda (5 minutes)

Approve minutes from the January 14, 2020 Regular BOH meeting  
[01.14.2020 REGULARBOH .docx](#)

Approve minutes from the March 25, 2020 BOH Special meeting.  
[03.25.2020 BOH Special Meeting.docx](#)

Approve minutes from the March 27, 2020 BOH Emergency meeting.  
[03.27.2020 BOH Emergency meeting Friday .docx](#)

Approve minutes from the April 1, 2020 BOH Emergency meeting.  
[04.01.20 BOH Emg Meeting.docx](#)

Approve minutes from the April 7, 2020 BOH Emergency Meeting  
[04.07.2020 PC BOH Emergency Meeting.docx](#)

### OLD BUSINESS

Approval of Mary Beebe BOH Application from City Of Livingston  
[Beebe application 2020\\_03\\_06.pdf](#)  
[3.17.2020 City Agenda Commission Meeting Packet Document.pdf](#)  
[CITY 3.17.2020 Minutes.pdf](#)

### NEW BUSINESS

Variance request for Aiken  
[Aiken1\\_WWTSApplication\\_03.12.20-draft.pdf](#)  
[AikenVarianceApp2\\_2020.03.12-draft.pdf](#)

Variance request for Waldron  
[Waldron2020.pdf](#)



## REPORTS

Environmental Department-(Kaleb Pearson)  
**Suggested Action: Department Updates**

Health Officer-(Dr. Desnick)  
**Suggested Action: Update on the Covid-19 situation**  
**WIC update-Hiring situation**  
**Department Budget**

Health Department Director-(Julie Anderson)  
**Suggested Action: Department Updates**

Animal Control-(Judy Roy)

## BOH CLOSING

Public Comments ( 5 Minutes)

Adjourn



## Board of Health Meeting

Tuesday January 14<sup>th</sup> 2020

Community Room City County Complex, 414 E. Callender St. Livingston, MT

Attendance: BOH Members-Caleb Minnick, Marjorie Shinn, Mike Inman and Kristine Pierson. Judy Roy; Code Enforcement Officer. Bill Berg; County Commissioner. Quentin Schwarz; City Commissioner. Kaleb Pearson; Lead Sanitarian Health Dept. Trish Fievet; Health Dept. Admin. Dr. Desnick; Health Officer. Julie Anderson; Director of Health Dept.

No Chair or Vice-Chair was available for this meeting. Bill Berg motioned to temporary put Marj in charge of the meeting. Mike seconded the motion. Motions passed.

Call to order: 5:30 P.M.

Public Comments: None

Approval of Minutes: Mike motioned to approve the October 8, 2019 minutes. Bill B seconded the motion. Minutes approved.

Minutes from the October 23, 2019 Special BOH meeting. Mike motioned to approve the minutes. Bill B seconded the motion. Minutes approved.

Minutes from the November 4 2019 BOH Meeting. Mike motioned to approve the minutes. Bill B Seconded the motion. Minutes Approved.

Old Business: None

New Business: Election of Officers-Bill B motioned to appoint Mike Inman at Chair and Marj Shinn as Vice Chair. Caleb M seconded the motion. Motioned passed.

They board discussed several different things needing done:

Updating the bylaws for how many members to have on the board also taking a good look at what needs to be changed.

Advertising for new members.

Mike made recommendation on using Granicus software for live streaming future meetings.  
Board agreed date and times of the meetings are working for everyone.  
Board talked about additional training for board members.  
Talk with Tara Depuy about training for the board.

## Reports:

Judy Roy-Animal patrol. Lots of cats being dumped around town. Bear, goat, sheep, horse and deer issues. 3 cat bites. 7 dog bites. A stray dog was running around town for about a month. Finally, able to catch him and was able to get him adopted out to a good family.

Kaleb- Talked about the vacant position in the Environmental health dept. No one interested so they are thinking of just subcontracting out during the busy months of the year to do inspections. If they did get an applicant interested in the position Kaleb would like for them to be experienced. He doesn't have a lot of time to train with his work load.  
The department is staying busy people with everything. People still pulling septic permits, new business opening and working on subdivision reviews.

Julie-Talked about one of the newest employees to the department Ruby Ensing. She will be the breastfeeding coordinator. Julie let the board know the details of her position.

Went over each department and how they are doing. Talked about the few grants she has applied for. Julie and Dr. Desnick both described the connect program and the grant for the program.

She also talked about what going on with different grants the department has recently applied for.

Talked about Ellen and all the new things she is participating with the Tobacco program.

Julie is working with Warren Newhouse and Greg Coleman on proper and safe disposal of sharps containers and where people can take their sharps containers.

Working with Erika with Rotary with where is your rock boxes. they want to put these boxes around the community. These are for people who want or need help. Lots of different resources listed in the box the person may need.

Live Well 49 program is making coasters for all the bars.

Julie shared what the Drug Court program is.

Laurel talked about Trish helping people sign up for Medicaid.

Dr. Desnick- Talked about the board training and how she is getting information from other counties how the health officer delegates to the staff of the HD to be responsible for different activities in the HD.

She talked about the restructuring of the dept.

Working on a new mission statement for the HD-Asked board if they had any opinions on a mission statement. She would like for everyone, the board and HD to have a buy into the mission statement. The board would like to discuss the mission statement more at the April BOH meeting.

Public Comments: None

Adjourn: 6:50 P.M.



## Board of Health Special Meeting

Wednesday March 25, 2020

Community Room, City County Complex, 414 E. Callender Street, Livingston, MT

**Attendance:** BOH members- Kaleb Pearson; County sanitarian, Dr. Desnick; Health officer, Julie Anderson; HD Director, Trish Fievet; HD, Via Phone call in-Bill Berg; County Commissioner, Mike Inman, Marj Shinn, Kris Pierson and Mary Beebe.

**Call to Order:** 5:30 P.M.

**Conflict of Interest:** None

**Public Comment:** None

**New Business:** Update on COVID-19 pandemic at the county update.

Laurel – Implemented incident command starting last Monday, multi-agency approach to managing a large scale emergency that is now bigger than the Health Department

Laurel expanded on the role and who all is involved in the ICS

They implemented the unified health command which comprises all the health care providers in the county, including the Health Dept.

Their job is to come up with solutions to problems and foresee future problems

Update on the Gallatin County situation, has the most number of cases

Mike wanted to discuss what the Health Dept.'s role is in possibly shutting down businesses, YNP, other public places where people meet

Laurel – Explained that getting travelers out of the mix was priority, currently all Gallatin cases are travel related, currently does not recommend going to essential services only, but explained that we do have the paperwork ready if we need to implement that as soon as possible

Caleb M – What would this procedure look like? How could we set up a meeting with email, etc., other options to keep the BOH in the loop without having to schedule a meeting?

Laurel answer, explained the shutdown/governor's orders. The Health Dept. have gotten lists together, explained we have a potential list for Park ready to go (details in the audio recording)

Caleb – Does the essential services order pose a shelter in place/curfew order?

Laurel, no that type of order is a separate order

Bill – This would need a trigger with documents showing data backing up the decision, noted Gallatin closed tattoos, salon parlors, etc.

Mike – The 1-week notice can be waived but the 48 hours' public notice cannot, no email contact with board members can count as a meeting

Laurel – According the Shannan P (PC attorney) the 48 rules can be waived during emergency situations.

Bill – BOH needs to be agile and make decisions for the county while maintaining proper paper trails.

Laurel – Should we match what Gallatin county does?

Kris – Supports

Bill – Supports

Mary – Supports

Caleb – Supports

Laurel – We could have meeting really quick if all board members have email

Caleb – email works

Marj – Text or email

Kris – email

Bill – all of the above

Mike – Does work but concerned then the public would not be able to weigh in

Laurel – we have had lots of public response, Facebook, emails, calls, website, etc. Hot line is open and the Dept. will be staffing it with nurses and volunteers

Mike – still expressed concern about public comment in meetings

Bill – being able to move quickly is important

Mike – if we do follow suit with other jurisdictions it seems like that would be an easy decision to make which could be done by the HD, but maybe the BOH would get involved when we come across issues that are specific to Park County

Kris – Agreed with Mike’s opinion, so did Mary and Bill

Laurel – We will follow up with the PC attorney, send more frequent updates to the board.

Caleb – Nice to be patched into information flow.

Laurel – Is everyone getting website updates? Yes – all

Mike – Already involved with ICS, can coordinate regular with the HD and the Board

Bill – Thank you for working with the attorney’s office

Laurel – overall we are making good progress with the staff that we have available, to board let us know what you hear in the community

Mike – sometimes we hear contradicting things in the community regarding getting sick, staying home etc.

Laurel – we do eventually want people to gain immunity to COVID19 either naturally or through a vaccine, antibody tests are in the pipeline to test people who are in the community, there are certain events that can trigger actions like shutting down non-essentials, Montana should peak in the next 2-4 weeks, then calming down after that.

Adjourned: 6:10 P.M.





## Board of Health Emergency Meeting

FRIDAY MARCH 27, 2020 1300 MST

**Rolecall:** BOH Members Caleb Minnick, Marj Shinn; Vice Chair, Kris Pierson, Mike Inman; Chair, Juanita Bueter; HD Nurse, Shannan Piccolo; PC Attorney, Julie Anderson; HD director, Dr. Laurel Desnick; PC Health Officer, Bill Berg; PC Commissioner present.

Adopt the draft provision similar to the governor's directive specific for Park County to allow for local enforcement.

1. Shannan – Emergency health rule encompasses restaurants, etc., tattoo parlors etc. Shannan explained the purpose of the park county specific emergency health rule, see draft rule EHR2020-01, it allows the county to enforce declaration and provide the ability to cite non-compliers with associated penalties
2. Mike – Explained this applies to the entire county including town of Livingston and Clyde Park etc.
3. Mary Beebe motioned to approve the EHR2020-01
4. Marj seconded the motion
5. All members approved motion

Adjourned: 1:10 P.M.



## BOH Emergency Meeting April 1, 2020 12:00pm MST

Role Call: BOH members- Bill Berg; PC Commissioner, Marj Shinn, Mike Inman, Mary Beebe, Kaleb Pearson; PC Environmental Health Dept., Dr. Laurel Desnick; PC Health Officer, Shannan Piccolo; PC County Attorney.

Discuss/Approve the EMERGENCY HEALTH RULE/ORDER RELATING TO COVID-19  
EHR2020-20

Mike Inman explained the background and purpose of the proposed rule

Bill Berg commented he believe this will provide clarity for community members

Mike Inman motioned to approve EHR 2020-02

Marj Shinn seconded the motion

All present members voted to approve HER 2020-02

Mary Beebe motioned to adjourn meeting

Mike Inman seconded the motion

All present members voted to adjourn

Adjourn: 12:06 pm MST



## Park County BOH Emergency Meeting

Wednesday April 7, 2020 12:00PM

Rolecall: Caleb Pearson; PC Environmental HD, Mike Inman; Chair, Marj Shinn; Vice Chair, Bill Berg; County Commissioner, Kris Pearson and Dr. Desnick; PC Health Officer.

### Emergency Health Rule/Order relating to Covid-19 HER 2020-03

Mike Motioned to approved the extending rule order EHR 2020-003.

Kris Pierson seconded the motion.

All present members voted to approve the extending rule.

Dr. Desnick commented about what the Board would like to hear at the next meeting on April 14<sup>th</sup>.

Bill commented he would like to hear about what the Health Department has been doing during the COVID 19 at the next meeting.

Adjourned: 12:06pm

**City of Livingston**  
**Application for Appointed Office**  
(Revised 3/17/03)

**Appointed Position Seeking: City/County Board of Health**

**Date of Application: Received 3/6/2020**

Name: Mary Beebe  
Address: 219 South E Street  
Telephone: daytime 406-223-0885  
Fax Number: \_\_\_\_\_

Signed: Mary E Beebe  
after 5:00 p.m.: same  
e-mail address: mbeebe@thehrdc.org

1. Are you a resident of the City of Livingston? yes
2. Are you a registered voter? yes
3. Will you be at least 18 years of age at the time of the appointment? yes

4. Describe the reasons you are interested in this appointment: My professional work @ HRDC Senior Programs intersects with BOTH areas of concern My location of Spay/Neuter Project is directly related to public health & animal control.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment: HRDC

A. Occupation: Coordinator for Homemaker Program Senior Programs  
B. Education: Masters: Applied Social Anthropology  
C. Experience: previous and present BOH member

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? yes  
current BOH - since 2008? Angel Line - two years with idea -  
Livingston City Commission 2004-2018 current

7. Are you currently serving on any Community Boards? No  
A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? Human Resource Development Council, Senior Programs

9. Are you available for night meetings? yes  
10. Are you available for daytime meetings? yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? no

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? None myself after legal clarification.



# Livingston City Commission Agenda

March 17, 2020

5:30 PM

City – County Complex, Community Room

- 1. Call to Order
- 2. Roll Call
- 3. Moment of Silence
- 4. Pledge of Allegiance

**Due to the World Health Organization’s declaration of a global pandemic of Coronavirus Disease (COVID-19) and the City’s efforts to mitigate the imminent risk of exposure and infection to others.**

**This agenda was modified to approve consent items, 1<sup>st</sup> Reading of Ord. No. 2087, added Resolution No. 4893 (starting on pg. 87). Remaining items will be moved to a future agenda.**

- 5. Public Comment  
*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

6. Consent Items

- A. RATIFY CLAIMS PAID FROM 03/01/2020-03/15/2020. PG. 5**
- B. APPROVE MINUTES FROM 3/3/2020 CITY COMMISSION MEETING. PG. 16**
- C. APPROVE MARY BEEBE’S APPLICATION FOR CITY-COUNTY HEALTH BOARD. PG. 20**
- D. APPROVE SPECIAL PARKING APPLICATION FROM PHILLIP BURG. PG. 22**

7. Proclamations

8. Scheduled Public Comment

- ~~**A. ALEXIS VAN PERNIS ENERGY CORPS INTERN, PRESENTATION TO LIVINGSTON CITY COMMISSION.**~~
- ~~**B. RUSSELL LEWIS OF THE SHANE LALANI CENTER WITH PRESENTATION REGARDING UPCOMING CAPITAL IMPROVEMENT PROJECT. PG. 26**~~

9. Public Hearings

10. Ordinances

- A. ORDINANCE NO. 2087: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY. PG. 38**

11. Resolutions

- A. RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACKNOWLEDGING AND DEFINING THE CITY MANAGER’S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER’S EXERCISE OF THAT AUTHORITY. PG. 87**

12. Action Items

- A. DISCUSS: LAUREL RHODES, DVM, REQUEST FOR A FEE WAIVER FOR THE USE OF THE CIVIC CENTER ON APRIL 4 AND MAY 2, 2020. TO PROVIDE A LOW COST COMMUNITY CANINE AND FELINE VACCINATION AND MICROCHIP CLINIC. PG. 52**
- B. SHANE CENTER REQUEST FOR RELIEF FROM BUILDING PERMIT FEES FOR ACT II CAPITAL IMPROVEMENT PROJECT. PG. 63**
- C. ACTION: DISCUSS UPCOMING PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR LIVINGSTON CITY COMMISSIONERS. PG. 65**
- D. CITY COMMISSION TO DISCUSS AND PROVIDE FOCUSED DIRECTIVE TO CITY CONSERVATION BOARD.**
- E. ACTION: DISCUSS RAILROAD CROSSING OPTIONS PG. 83**

- 13. City Manager Comment
- 14. City Commission Comments
- 15. Adjournment

Calendar of Events

# APRIL 2020

CALENDAR MONTH APRIL  
CALENDAR YEAR 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6 Zoning Commission Work Session 5:30-7:30	7 City Commission Meeting 5:30 p.m.	8 Quarterly City-County Board of Health Meeting 5:30 p.m.	9	10	11 Commissioner Listening Session Livingston Home Outfitters 9-11am
12	13	14 Historic Preservation Committee mtg. 3:30 p.m. Zoning Commission Meeting 5:30pm	15	16 Tree Board Meeting Noon City Manager Annual Evaluation 5:30 pm	17	18
19	20	21 City Commission Meeting 5:30 p.m.	22 Library Board Mtg. 4PM Conservation Board 5:00 PM Planning Board mtg 5:30PM Sister City Board.Mtg. 7PM	23	24	25
26	27	28 Commissioners MT Healthy Communities Conference- Helena 4/28-4/30	29 Parks and Trails Committee Meeting 6:00pm	30	1	2

# Supplemental Material

## Notice

- **Public Comment:** The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).
- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- **Special Accommodation:** If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

**Item Attachment Documents:**

- A. RATIFY CLAIMS PAID FROM 03/01/2020-03/15/2020.**



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>AAA CLEANING, LLC</b>							
3727	AAA CLEANING, LLC	2020 FEB	PW Cleaning	02/29/2020	500.00	500.00	03/04/2020
3727	AAA CLEANING, LLC	2020_01_31	PW Cleaning	01/31/2020	500.00	500.00	03/04/2020
3727	AAA CLEANING, LLC	2020_02_29	B St. Cleaning	02/29/2020	240.00	240.00	03/04/2020
Total AAA CLEANING, LLC:					1,240.00	1,240.00	
<b>ADVANCED ENGINEERING &amp;</b>							
3605	ADVANCED ENGINEERING &	64792	August WRF Construction	09/10/2019	15,242.66	15,242.66	03/11/2020
3605	ADVANCED ENGINEERING &	67041	January WRF Construction	02/11/2020	18,116.02	18,116.02	03/11/2020
Total ADVANCED ENGINEERING &:					33,358.68	33,358.68	
<b>ALL SERVICE TIRE &amp; ALIGNMENT</b>							
22	ALL SERVICE TIRE & ALIGNME	58783	Tire Repair	02/27/2020	15.00	15.00	03/11/2020
22	ALL SERVICE TIRE & ALIGNME	58792	Tire Repair	03/02/2020	15.00	15.00	03/11/2020
22	ALL SERVICE TIRE & ALIGNME	58796	Tire Repair	03/02/2020	15.00	15.00	03/11/2020
22	ALL SERVICE TIRE & ALIGNME	58804	Flat repair	03/03/2020	15.00	15.00	03/11/2020
Total ALL SERVICE TIRE & ALIGNMENT:					60.00	60.00	
<b>AMERICAN AUTOMOTIVE</b>							
3378	AMERICAN AUTOMOTIVE	151	2002 CHEVY SILVERADO	02/12/2020	692.98	692.98	03/04/2020
Total AMERICAN AUTOMOTIVE:					692.98	692.98	
<b>ATS FACILITY SYSTEMS</b>							
10000	ATS FACILITY SYSTEMS	S003893	WWTP MONITORING 1/31/20-1/3	01/28/2020	360.00	360.00	03/11/2020
Total ATS FACILITY SYSTEMS:					360.00	360.00	
<b>BALCO UNIFORM COMPANY, INC.</b>							
3371	BALCO UNIFORM COMPANY, IN	573051	LPD	02/27/2020	479.38	479.38	03/11/2020
Total BALCO UNIFORM COMPANY, INC.:					479.38	479.38	
<b>BAREFOOT CLEANING AND RESTORATION</b>							
3753	BAREFOOT CLEANING AND RE	1677	Carpet cleaning	02/15/2020	100.00	100.00	03/04/2020
Total BAREFOOT CLEANING AND RESTORATION:					100.00	100.00	
<b>BERG'S OVERHEAD DOOR LLC</b>							
3223	BERG'S OVERHEAD DOOR LLC	3424-1	COMMERCIAL DOOR	12/31/2019	10,051.00	10,051.00	03/04/2020
Total BERG'S OVERHEAD DOOR LLC:					10,051.00	10,051.00	
<b>BIG SKY STRUCTURAL SOLUTIONS PCCL</b>							
3686	BIG SKY STRUCTURAL SOLUTI	19-009-2	INSPECTION	03/02/2020	256.00	256.00	03/11/2020
3686	BIG SKY STRUCTURAL SOLUTI	20-012	ENGINEERING	03/02/2020	180.00	180.00	03/11/2020
Total BIG SKY STRUCTURAL SOLUTIONS PCCL:					436.00	436.00	
<b>BOUND TREE MEDICAL, LLC</b>							
2662	BOUND TREE MEDICAL, LLC	83521079	Pt Supplies	02/26/2020	71.07	71.07	03/04/2020
Total BOUND TREE MEDICAL, LLC:					71.07	71.07	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>CARQUEST AUTO PARTS</b>							
23	CARQUEST AUTO PARTS	1912-464610	Washer fluid	01/27/2020	2.75	2.75	03/11/2020
23	CARQUEST AUTO PARTS	1912-466121	Lube	02/13/2020	4.04	4.04	03/11/2020
23	CARQUEST AUTO PARTS	1912-466142	Air	02/13/2020	87.48	87.48	03/11/2020
23	CARQUEST AUTO PARTS	1912-466729	Air	02/21/2020	20.82	20.82	03/11/2020
23	CARQUEST AUTO PARTS	1912-466895	OIL FILTER	02/24/2020	11.64	11.64	03/11/2020
23	CARQUEST AUTO PARTS	1912-467005	PARTS	02/25/2020	8.27	8.27	03/04/2020
23	CARQUEST AUTO PARTS	1912-467186	LUBE	02/27/2020	17.14	17.14	03/04/2020
23	CARQUEST AUTO PARTS	1912-467226	Air filter	02/27/2020	60.53	60.53	03/11/2020
23	CARQUEST AUTO PARTS	1912-467503	AIR FILTER	03/02/2020	37.80	37.80	03/11/2020
Total CARQUEST AUTO PARTS:					250.47	250.47	
<b>CASELLE</b>							
3763	CASELLE	101056	APPLICATION SOFTWARE	03/01/2020	3,566.00	3,566.00	03/11/2020
Total CASELLE:					3,566.00	3,566.00	
<b>CENTER FOR EDUCATION AND</b>							
3646	CENTER FOR EDUCATION AND	O7242557	Public employment	05/10/2019	124.95	124.95	03/11/2020
Total CENTER FOR EDUCATION AND:					124.95	124.95	
<b>CHAPPELL'S BODY SHOP, INC.</b>							
294	CHAPPELL'S BODY SHOP, INC.	448	Car wash cards	02/24/2020	40.00	40.00	03/11/2020
Total CHAPPELL'S BODY SHOP, INC.:					40.00	40.00	
<b>CITY OF LIVINGSTON</b>							
131	CITY OF LIVINGSTON	TK2020-0057	Bond Conversion - S. Beasley	03/03/2020	1,085.00	1,085.00	03/05/2020
Total CITY OF LIVINGSTON:					1,085.00	1,085.00	
<b>COLJ CONFERENCE REGISTRATION</b>							
2660	COLJ CONFERENCE REGISTRA	2020_03_05	Spring 2020 Conference	03/05/2020	300.00	300.00	03/11/2020
Total COLJ CONFERENCE REGISTRATION:					300.00	300.00	
<b>COMDATA</b>							
2671	COMDATA	20332459	CG72T-FIRE EMS	03/01/2020	2,223.12	2,223.12	03/11/2020
2671	COMDATA	20332462	AGI78 - Code Enforcement	03/01/2020	2,070.62	2,070.62	03/11/2020
2671	COMDATA	20332463	AGI16P-POLICE	03/01/2020	1,273.88	1,273.88	03/11/2020
Total COMDATA:					5,567.62	5,567.62	
<b>COMPUNET, INC.</b>							
3561	COMPUNET, INC.	143663	Cisco Aironet	02/28/2020	1,404.48	1,404.48	03/11/2020
Total COMPUNET, INC.:					1,404.48	1,404.48	
<b>COURTNEY LAWELLIN, PC</b>							
10001	COURTNEY LAWELLIN, PC	2020_02_04	OFFICE SUPPLIES	02/04/2020	16.79	16.79	03/04/2020
10001	COURTNEY LAWELLIN, PC	2020_02_20	OFFICE SUPPLIES	02/20/2020	18.92	18.92	03/04/2020
10001	COURTNEY LAWELLIN, PC	5460	LEGAL	03/06/2020	1,121.00	1,121.00	03/11/2020
Total COURTNEY LAWELLIN, PC:					1,156.71	1,156.71	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>DELL MARKETING L.P.</b>							
745	DELL MARKETING L.P.	10377850616	FAITH COMPUTER	02/29/2020	1,052.10	1,052.10	03/11/2020
Total DELL MARKETING L.P.:					1,052.10	1,052.10	
<b>DEPARTMENT OF REVENUE</b>							
122	DEPARTMENT OF REVENUE	WESTERN 3	1% gross receipts tax- Western M	02/25/2020	211.73	211.73	03/04/2020
Total DEPARTMENT OF REVENUE:					211.73	211.73	
<b>ENERGY LABORATORIES, INC.</b>							
424	ENERGY LABORATORIES, INC.	297341	Effluent	02/20/2020	161.00	161.00	03/04/2020
424	ENERGY LABORATORIES, INC.	297661	Effluent	02/21/2020	236.00	236.00	03/04/2020
424	ENERGY LABORATORIES, INC.	298240	Effluent composite	02/25/2020	1,124.00	1,124.00	03/04/2020
424	ENERGY LABORATORIES, INC.	298916	Effluent composite	02/27/2020	122.00	122.00	03/04/2020
Total ENERGY LABORATORIES, INC.:					1,643.00	1,643.00	
<b>EXEC U CARE SERVICES, INC.</b>							
3298	EXEC U CARE SERVICES, INC.	1630	Janitorial Services	08/31/2018	1,780.00	1,780.00	03/04/2020
3298	EXEC U CARE SERVICES, INC.	2138	Janitorial Services	01/30/2020	1,635.00	1,635.00	03/04/2020
3298	EXEC U CARE SERVICES, INC.	2175	Janitorial Services	02/27/2020	1,754.02	1,754.02	03/04/2020
Total EXEC U CARE SERVICES, INC.:					5,169.02	5,169.02	
<b>FISHER SAND AND GRAVEL</b>							
2904	FISHER SAND AND GRAVEL	9488	SANDING MAT	02/15/2020	3,687.61	3,687.61	03/04/2020
Total FISHER SAND AND GRAVEL:					3,687.61	3,687.61	
<b>FLOYD'S TRUCK CENTER</b>							
10000	FLOYD'S TRUCK CENTER	X40113942301	LUMEN LIGHT	02/25/2020	93.20	93.20	03/11/2020
Total FLOYD'S TRUCK CENTER:					93.20	93.20	
<b>FOUR CORNERS RECYCLING, LLC</b>							
2919	FOUR CORNERS RECYCLING,	2308	Pull fees	01/28/2020	4,229.95	4,229.95	03/04/2020
2919	FOUR CORNERS RECYCLING,	2308CM	Credit Memo	01/28/2020	360.60-	360.60-	03/04/2020
Total FOUR CORNERS RECYCLING, LLC:					3,869.35	3,869.35	
<b>FRONTLINE AG SOLUTIONS, LLC</b>							
2516	FRONTLINE AG SOLUTIONS, LL	712684	Bolts & Nuts	01/31/2020	17.52	17.52	03/11/2020
Total FRONTLINE AG SOLUTIONS, LLC:					17.52	17.52	
<b>GATEWAY OFFICE SUPPLY</b>							
54	GATEWAY OFFICE SUPPLY	47592	Office Supplies	02/24/2020	56.10	56.10	03/04/2020
54	GATEWAY OFFICE SUPPLY	47640	Office Supplies	02/27/2020	11.75	11.75	03/04/2020
54	GATEWAY OFFICE SUPPLY	47660	UPS	03/03/2020	12.28	12.28	03/11/2020
54	GATEWAY OFFICE SUPPLY	47700	Office Supplies	03/05/2020	13.40	13.40	03/11/2020
Total GATEWAY OFFICE SUPPLY:					93.53	93.53	
<b>GENERAL DISTRIBUTING COMPANY</b>							
1845	GENERAL DISTRIBUTING COM	845911	Oxygen	02/18/2020	155.44	155.44	03/04/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total GENERAL DISTRIBUTING COMPANY:					155.44	155.44	
<b>HARRIS, JOSEPH E.</b>							
1901	HARRIS, JOSEPH E.	2020_02	Negotiated Agreement	02/25/2020	18,546.00	18,546.00	03/05/2020
Total HARRIS, JOSEPH E.:					18,546.00	18,546.00	
<b>HOUSE OF CLEAN</b>							
63	HOUSE OF CLEAN	251663	Janitorial supplies	02/24/2020	281.34	281.34	03/04/2020
Total HOUSE OF CLEAN:					281.34	281.34	
<b>INDUSTRIAL TOWEL</b>							
102	INDUSTRIAL TOWEL	19331	330 bennett	02/21/2020	44.39	44.39	03/04/2020
102	INDUSTRIAL TOWEL	19794-00	Civic Center Mats	02/27/2020	123.11	123.11	03/11/2020
102	INDUSTRIAL TOWEL	19815	Towel Service	02/27/2020	36.00	36.00	03/04/2020
102	INDUSTRIAL TOWEL	20798	Bennett Street	03/06/2020	44.39	44.39	03/11/2020
102	INDUSTRIAL TOWEL	4367	Civic Center Mats	02/28/2020	.00	.00	
102	INDUSTRIAL TOWEL	S1828900	Civic Center Mats	02/28/2020	123.11	123.11	03/11/2020
Total INDUSTRIAL TOWEL:					371.00	371.00	
<b>J &amp; H OFFICE EQUIPMENT</b>							
1783	J & H OFFICE EQUIPMENT	26560555	Canon Image Runner Advance 65	02/25/2020	270.73	270.73	03/04/2020
Total J & H OFFICE EQUIPMENT:					270.73	270.73	
<b>J &amp; H, Inc.</b>							
3387	J & H, Inc.	579150	SERVICE CALL	02/25/2020	53.50	53.50	03/04/2020
3387	J & H, Inc.	580002	Fire & Rescue Copier	03/04/2020	6.59	6.59	03/11/2020
3387	J & H, Inc.	580338	Civic Center copier	03/09/2020	91.15	91.15	03/11/2020
Total J & H, Inc.:					151.24	151.24	
<b>JOHNSTON ELECTRIC, LLC</b>							
3037	JOHNSTON ELECTRIC, LLC	7570	Building Repair	02/27/2020	535.00	535.00	03/11/2020
Total JOHNSTON ELECTRIC, LLC:					535.00	535.00	
<b>KELLEY CONNECT</b>							
10001	KELLEY CONNECT	647961	INK CARTRIDGE	03/02/2020	159.49	159.49	03/11/2020
Total KELLEY CONNECT:					159.49	159.49	
<b>KELLEY, DARREN</b>							
3585	KELLEY, DARREN	2020_02_12	STEMI CONFERENCE	02/13/2020	282.14	282.14	03/04/2020
Total KELLEY, DARREN:					282.14	282.14	
<b>KEN'S EQUIPMENT REPAIR, INC</b>							
1390	KEN'S EQUIPMENT REPAIR, IN	54819	Repairs VAC Truck	01/31/2020	202.80	202.80	03/11/2020
1390	KEN'S EQUIPMENT REPAIR, IN	54826	Repairs G1	01/31/2020	230.00	230.00	03/11/2020
1390	KEN'S EQUIPMENT REPAIR, IN	54863	Repplace swtich	02/07/2020	68.10	68.10	03/11/2020
1390	KEN'S EQUIPMENT REPAIR, IN	54872	Repairs G1	02/12/2020	535.00	535.00	03/11/2020
1390	KEN'S EQUIPMENT REPAIR, IN	54874	SANDOR	02/11/2020	1,331.80	1,331.80	03/11/2020
1390	KEN'S EQUIPMENT REPAIR, IN	54882	OIL FILTER	02/12/2020	216.00	216.00	03/11/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1390	KEN'S EQUIPMENT REPAIR, IN	54933	NEW ROLLOFF	02/21/2020	1,995.60	1,995.60	03/11/2020
Total KEN'S EQUIPMENT REPAIR, INC:					4,579.30	4,579.30	
<b>KENYON NOBLE</b>							
776	KENYON NOBLE	7565845	KITCHEN REPAIRS	02/24/2020	47.60	47.60	03/04/2020
776	KENYON NOBLE	7570158	Supplies for West Room TV	02/27/2020	60.78	60.78	03/11/2020
776	KENYON NOBLE	7571274	TREATED CA/ACQ BROWNTON	02/27/2020	32.64	32.64	03/11/2020
776	KENYON NOBLE	7572444	Premix Concrete	02/28/2020	22.74	22.74	03/11/2020
Total KENYON NOBLE:					163.76	163.76	
<b>KIMBALL MIDWEST</b>							
2863	KIMBALL MIDWEST	7765830	Supplies	02/26/2020	198.58	198.58	03/11/2020
2863	KIMBALL MIDWEST	7786294	Supplies	03/05/2020	41.98	41.98	03/11/2020
Total KIMBALL MIDWEST:					240.56	240.56	
<b>LEHRKIND'S COCA-COLA</b>							
2830	LEHRKIND'S COCA-COLA	1726721	5 gal big spring	02/26/2020	25.55	25.55	03/04/2020
2830	LEHRKIND'S COCA-COLA	1726722	5 gal big spring	02/26/2020	33.00	33.00	03/04/2020
Total LEHRKIND'S COCA-COLA:					58.55	58.55	
<b>LIVINGSTON ACE HARDWARE - #122005</b>							
26	LIVINGSTON ACE HARDWARE -	G02900	chainsaw parts	01/28/2020	19.99	19.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G03446	parts	01/30/2020	8.59	8.59	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G03841	Parts	01/31/2020	38.31	38.31	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G03846	Parts	01/31/2020	21.54	21.54	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G03853	Parts	01/31/2020	26.55	26.55	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G03946	Parts	01/31/2020	48.54	48.54	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G04074	Supplies	01/31/2020	19.99	19.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G05459	MILK HOUSE UTILITY HEATER	02/04/2020	49.99	49.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G06733	Parts	02/07/2020	27.77	27.77	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G06740	Parts	02/07/2020	7.79	7.79	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G07311	Parts	02/09/2020	6.99	6.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G07348	Parts	02/09/2020	19.99	19.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G07640	Parts	02/10/2020	41.98	41.98	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G08773	Parts	02/13/2020	27.33	27.33	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G10481	oil	02/18/2020	16.98	16.98	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G10718	Parts Splash Park	02/18/2020	11.96	11.96	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G11671	SPARK PLUG AIR FILTER	02/21/2020	32.09	32.09	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G11728	BLOWER SERVICE KIT	02/12/2020	19.95	19.95	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G11854	Supplies	01/21/2020	25.98	25.98	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G12946	TOOLS	02/24/2020	8.99	8.99	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G13105	Parts	02/24/2020	4.48	4.48	03/04/2020
26	LIVINGSTON ACE HARDWARE -	G13337	Parts	02/25/2020	55.74	55.74	03/04/2020
26	LIVINGSTON ACE HARDWARE -	X35284	Parts	01/30/2020	43.95	43.95	03/04/2020
26	LIVINGSTON ACE HARDWARE -	X35319	Parts	01/30/2020	12.38	12.38	03/04/2020
26	LIVINGSTON ACE HARDWARE -	X35733	Parts	02/13/2020	36.76	36.76	03/04/2020
26	LIVINGSTON ACE HARDWARE -	X35856	Parts	02/21/2020	81.97	81.97	03/04/2020
Total LIVINGSTON ACE HARDWARE - #122005:					716.58	716.58	
<b>LIVINGSTON ENTERPRISE</b>							
146	LIVINGSTON ENTERPRISE	162859	NOTICE OF WORK SESSION	12/06/2019	66.00	66.00	03/04/2020
146	LIVINGSTON ENTERPRISE	164096	GROWTH POLICY MEETING	01/28/2020	22.75	22.75	03/04/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
146	LIVINGSTON ENTERPRISE	164219	Notice of listening session	01/31/2020	35.75	35.75	03/04/2020
146	LIVINGSTON ENTERPRISE	164220	NOTICE OF VACANY PLANNING	01/31/2020	322.00	322.00	03/04/2020
146	LIVINGSTON ENTERPRISE	164229	SECOND READING OF ORDINA	02/03/2020	84.00	84.00	03/04/2020
146	LIVINGSTON ENTERPRISE	164420	NOTICE OF WORK SESSION FO	02/27/2020	29.25	29.25	03/04/2020
146	LIVINGSTON ENTERPRISE	164483	NOTICE OF MEETING FOR CITY	02/11/2020	126.75	126.75	03/04/2020
146	LIVINGSTON ENTERPRISE	164564	PROPOSALS FOR CVB	02/14/2020	300.00	300.00	03/04/2020
146	LIVINGSTON ENTERPRISE	164565	PUBLIC NOTICE ORDIANCE	02/14/2020	102.00	102.00	03/04/2020
146	LIVINGSTON ENTERPRISE	164619	NOTICE OF WORK SESSION	02/20/2020	22.75	22.75	03/04/2020
146	LIVINGSTON ENTERPRISE	164781	NOTICE OF PUBLIC HEARING	02/24/2020	32.50	32.50	03/04/2020
146	LIVINGSTON ENTERPRISE	164787	PUBLIC NOTICE ORDIANCE	02/25/2020	84.00	84.00	03/04/2020
Total LIVINGSTON ENTERPRISE:					1,227.75	1,227.75	
<b>LIVINGSTON FIRE SERVICE, INC</b>							
468	LIVINGSTON FIRE SERVICE, IN	166	Extinguisher Annual Maint.	01/13/2020	142.35	142.35	03/04/2020
468	LIVINGSTON FIRE SERVICE, IN	AR000239	Annual extinguisher	02/12/2020	74.65	74.65	03/11/2020
Total LIVINGSTON FIRE SERVICE, INC:					217.00	217.00	
<b>LIVINGSTON HEALTH CARE</b>							
55	LIVINGSTON HEALTH CARE	200050039	770117655 LAB TEST	02/28/2020	29.10	29.10	03/11/2020
55	LIVINGSTON HEALTH CARE	200050040	770088432 LAB TEST	02/28/2020	29.10	29.10	03/11/2020
55	LIVINGSTON HEALTH CARE	200050041	770117911 LAB TEST	02/28/2020	29.10	29.10	03/11/2020
55	LIVINGSTON HEALTH CARE	200050042	770046911 LAB TEST	02/28/2020	28.00	28.00	03/11/2020
55	LIVINGSTON HEALTH CARE	4177679 2020	PT SUPPLIES	02/24/2020	3.96	3.96	03/04/2020
55	LIVINGSTON HEALTH CARE	4183305	PT SUPPLIES	03/02/2020	67.10	67.10	03/11/2020
Total LIVINGSTON HEALTH CARE:					186.36	186.36	
<b>MARCOM</b>							
3740	MARCOM	2002086	Colicorm	02/26/2020	176.00	176.00	03/11/2020
Total MARCOM:					176.00	176.00	
<b>MEYER ELECTRIC AND GROUNDS REPAIR, LLC</b>							
3812	MEYER ELECTRIC AND GROUN	372	WATTSTOPPER REPAIRS	03/01/2020	990.42	990.42	03/11/2020
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					990.42	990.42	
<b>MIDWAY RENTAL, INC.</b>							
3040	MIDWAY RENTAL, INC.	5-1161039	JACK PALLET	02/27/2020	24.48	24.48	03/11/2020
Total MIDWAY RENTAL, INC.:					24.48	24.48	
<b>MISC</b>							
99999	MISC	1503200	Overpayment on Account	03/10/2020	68.02	68.02	03/11/2020
99999	MISC	4018900	SEWER REFUND	02/28/2020	1,411.74	1,411.74	03/04/2020
99999	MISC	TK2017-0382	Restitution - S. Scott	11/12/2019	27.28	27.28	03/11/2020
Total MISC:					1,507.04	1,507.04	
<b>MONTANA DEPT OF ENVIRONMENTAL</b>							
2346	MONTANA DEPT OF ENVIRONM	5L2001404	2019-MT0020435 ANNUAL INVOI	03/01/2020	3,000.00	3,000.00	03/11/2020
Total MONTANA DEPT OF ENVIRONMENTAL:					3,000.00	3,000.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>MOUNTAIN AIR SPORTS</b>							
34	MOUNTAIN AIR SPORTS	10053	ADULT BBALL	02/26/2020	160.00	160.00	03/04/2020
Total MOUNTAIN AIR SPORTS:					160.00	160.00	
<b>NEVIN'S GLASS &amp; WINDOWS</b>							
490	NEVIN'S GLASS & WINDOWS	11664	Fix FRONT dOOR	02/29/2020	230.00	230.00	03/11/2020
Total NEVIN'S GLASS & WINDOWS:					230.00	230.00	
<b>NORTHWESTERN ENERGY</b>							
151	NORTHWESTERN ENERGY	0708370-2 202	8th & Park Sprinklers	02/13/2020	6.48	6.48	
151	NORTHWESTERN ENERGY	0709877-5 202	200 E Reservoir (north side hill)	02/06/2020	551.05	551.05	
151	NORTHWESTERN ENERGY	0709880-9 202	200 River Drive - Pool	02/14/2020	106.98	106.98	
151	NORTHWESTERN ENERGY	0709881-7 202	229 River Drive - Civic Center	02/10/2020	1,528.50	1,528.50	
151	NORTHWESTERN ENERGY	0709882-5 202	229 River Drive - Pump Civic Cent	02/13/2020	13.52	13.52	
151	NORTHWESTERN ENERGY	0719271-9 202	601 Robin Lane - Well	02/10/2020	890.08	890.08	
151	NORTHWESTERN ENERGY	0719272-7 202	4 Billman Lane - Well	02/07/2020	2,234.84	2,234.84	
151	NORTHWESTERN ENERGY	0719358-4 202	Street Lights - Livingston	02/14/2020	3,690.07	3,690.07	
151	NORTHWESTERN ENERGY	0719373-3 202	229 River Drive	02/13/2020	8.92	8.92	
151	NORTHWESTERN ENERGY	0720113-0 202	229 River Drive - CC Building	02/10/2020	201.35	201.35	
151	NORTHWESTERN ENERGY	0720122-1 202	400 North M	02/13/2020	13.01	13.01	
151	NORTHWESTERN ENERGY	0802599-1 202	608 W Chinook	02/13/2020	65.57	65.57	
151	NORTHWESTERN ENERGY	0933715-5 202	710 W Callender	02/13/2020	61.32	61.32	
Total NORTHWESTERN ENERGY:					9,371.69	9,371.69	
<b>OPPORTUNITY BANK OF MONTANA</b>							
3519	OPPORTUNITY BANK OF MONT	2020_03	Office Rent	03/01/2020	1,775.00	1,775.00	03/09/2020
Total OPPORTUNITY BANK OF MONTANA:					1,775.00	1,775.00	
<b>O'REILLY AUTOMOTIVE, INC</b>							
2437	O'REILLY AUTOMOTIVE, INC	1558-194819	impact driver	02/24/2020	15.99	15.99	03/04/2020
2437	O'REILLY AUTOMOTIVE, INC	1558-195438	Parts	03/03/2020	25.96	25.96	03/11/2020
2437	O'REILLY AUTOMOTIVE, INC	1558-195520	PARTS	03/03/2020	13.92	13.92	03/11/2020
Total O'REILLY AUTOMOTIVE, INC:					55.87	55.87	
<b>PARK COUNTY</b>							
272	PARK COUNTY	1	Paper Recycling- Jan- 37%	02/08/2820	46.25	46.25	03/11/2020
272	PARK COUNTY	1_751458	Remote Server Monitor-50%	02/08/2820	200.84	200.84	03/11/2020
272	PARK COUNTY	16793	Qrtly Maint HVAC Units- 37%	02/08/2820	83.58	83.58	03/11/2020
272	PARK COUNTY	18485	Svc Contract- Video Equip- City C	02/08/2820	521.00	521.00	03/11/2020
272	PARK COUNTY	20107	NAME PLATES x2	02/08/2820	8.88	8.88	03/11/2020
272	PARK COUNTY	20-Feb	COL Ph/Int Oth Sites-Feb-20	02/08/2820	4,253.36	4,253.36	03/11/2020
272	PARK COUNTY	20-Jan	Jan-Power Bill	02/08/2820	2,729.60	2,729.60	03/11/2020
272	PARK COUNTY	2162	Janitorial Svc & Sply City-37%	02/08/2820	2,063.34	2,063.34	03/11/2020
272	PARK COUNTY	4118414	LED DIMMER SWITCHES- 37%	02/08/2820	185.02	185.02	03/11/2020
272	PARK COUNTY	42132	COL Credit	02/25/2020	15.16-	15.16-	03/11/2020
272	PARK COUNTY	7505611	FASTENERS- 37%	02/08/2820	2.04	2.04	03/11/2020
272	PARK COUNTY	7546	Install 4 LED Fixtures L.E. Area 3	02/08/2820	281.20	281.20	03/11/2020
272	PARK COUNTY	7547	Install 4 LED Fixtures L.E. Area 3	02/08/2820	281.20	281.20	03/11/2020
272	PARK COUNTY	7548	Install 3 LED Fixtures- Restrm 37	02/08/2820	218.30	218.30	03/11/2020
272	PARK COUNTY	B11222889	Office Pro Plus 2019 - 50%	02/08/2820	192.06	192.06	03/11/2020
272	PARK COUNTY	F91382	Torch Kit, Drain Cleaner- 37%	02/08/2820	21.52	21.52	03/11/2020
272	PARK COUNTY	F91383	SILICONE- 37 %	02/08/2820	3.18	3.18	03/11/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	F94129	Mouse Traps/Bait, Switch- 37%	02/08/2820	18.61	18.61	03/11/2020
272	PARK COUNTY	FEB20-GT	COL G-TAC SERVICE - FEB	02/08/2820	493.43	493.43	03/11/2020
272	PARK COUNTY	Inv_3532	On Call Support- Jan 50%	02/08/2820	108.92	108.92	03/11/2020
272	PARK COUNTY	Inv_3559	On Call Support- Jan 50%	02/08/2820	19.52	19.52	03/11/2020
272	PARK COUNTY	ITSD- Park- Ja	IT CITY PORTION- JAN	02/08/2820	355.41	355.41	03/11/2020
272	PARK COUNTY	Jan-20-CC	Batteries	02/08/2820	32.66	32.66	03/11/2020
272	PARK COUNTY	JAN20-GT	COL G-TAC SERVICE - JAN	02/08/2820	493.43	493.43	03/11/2020
272	PARK COUNTY	MAIN JAN20	Analog Line- Lobby Elevator- Jan	02/08/2820	7.64	7.64	03/11/2020
272	PARK COUNTY	X34564	LED Bulbs, Fasteners- 37 %	02/08/2820	39.49	39.49	03/11/2020
Total PARK COUNTY:					12,645.32	12,645.32	
<b>PROCESS TECHNOLOGY INC.</b>							
3752	PROCESS TECHNOLOGY INC.	5157096	O2 sensor replaceme	02/25/2020	586.75	586.75	03/11/2020
Total PROCESS TECHNOLOGY INC.:					586.75	586.75	
<b>RAYMOND, CHARLES</b>							
10001	RAYMOND, CHARLES	2020_03_05	WASTERWATER SCHOOL	03/10/2020	198.80	198.80	03/11/2020
Total RAYMOND, CHARLES:					198.80	198.80	
<b>REDSTONE LEASING</b>							
3842	REDSTONE LEASING	2020_03_01	Copier Lease pymt 18 of 60	03/01/2020	203.07	203.07	03/04/2020
Total REDSTONE LEASING:					203.07	203.07	
<b>RIOS, ABEL</b>							
10001	RIOS, ABEL	2020_02_19	TRAINING INSTRUCTOR	02/19/2020	173.10	173.10	03/11/2020
Total RIOS, ABEL:					173.10	173.10	
<b>RIVERSIDE HARDWARE LLC</b>							
3659	RIVERSIDE HARDWARE LLC	93176	PARTTS	02/12/2020	7.99	7.99	03/11/2020
3659	RIVERSIDE HARDWARE LLC	93276	STATION SUPPLIES	02/13/2020	56.37	56.37	03/04/2020
Total RIVERSIDE HARDWARE LLC:					64.36	64.36	
<b>ROEHL, BLAKE</b>							
10001	ROEHL, BLAKE	2020_02_12	STEMI CONFERENCE	02/13/2020	29.00	29.00	03/04/2020
Total ROEHL, BLAKE:					29.00	29.00	
<b>SAFETRAC</b>							
3143	SAFETRAC	28713	CDL Services - Augus- Feb	02/01/2020	360.95	360.95	03/11/2020
3143	SAFETRAC	28925	CDL Sevices - March	03/01/2020	465.00	465.00	03/11/2020
Total SAFETRAC:					825.95	825.95	
<b>SHI INTERNATIONAL CORP.</b>							
2907	SHI INTERNATIONAL CORP.	B11400692	TREATMENT PLANT	02/27/2020	383.25	383.25	03/11/2020
2907	SHI INTERNATIONAL CORP.	B11401220	ROY AND POE	02/27/2020	768.26	768.26	03/11/2020
2907	SHI INTERNATIONAL CORP.	B11401971	CITY LAPTOP	02/27/2020	127.75	127.75	03/11/2020
2907	SHI INTERNATIONAL CORP.	B11410813	ERIC SCHNEIDER	02/28/2020	127.75	127.75	03/11/2020
Total SHI INTERNATIONAL CORP.:					1,407.01	1,407.01	



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>SISTER CITIES INTERNATIONAL</b>							
515	SISTER CITIES INTERNA	201912120014	2020 Membership	12/12/2019	310.00	310.00	03/11/2020
Total SISTER CITIES INTERNATIONAL:					310.00	310.00	
<b>SLEEPING GIANT ANIMAL CLINIC</b>							
3645	SLEEPING GIANT ANIMAL CLINI	23640	Kent Kittens	02/03/2020	244.21	244.21	03/04/2020
Total SLEEPING GIANT ANIMAL CLINIC:					244.21	244.21	
<b>STORY DISTRIBUTING</b>							
3353	STORY DISTRIBUTING	056543	Diesel 130G	02/27/2020	285.99	285.99	03/04/2020
3353	STORY DISTRIBUTING	55054	Diesel 602G	02/07/2020	1,327.99	1,327.99	03/04/2020
3353	STORY DISTRIBUTING	56543	Diesel 130G	02/27/2020	285.99	285.99	03/11/2020
3353	STORY DISTRIBUTING	89144	Diesel 300g	02/24/2020	664.62	664.62	03/04/2020
3353	STORY DISTRIBUTING	CREDIT INVOI	CREDIT	03/03/2020	1,027.80-	1,027.80-	03/04/2020
Total STORY DISTRIBUTING:					1,536.79	1,536.79	
<b>TARR, MARGARET</b>							
3586	TARR, MARGARET	2020_02_20	CONCESSIONS	02/20/2020	132.17	132.17	03/04/2020
Total TARR, MARGARET:					132.17	132.17	
<b>TD&amp;H ENGINEERING, INC</b>							
3390	TD&H ENGINEERING, INC	20310	051 CIP Phase III & IV	02/14/2020	688.00	688.00	03/04/2020
3390	TD&H ENGINEERING, INC	20312	051 CIP Phase III & IV	02/14/2020	3,540.35	3,540.35	03/04/2020
Total TD&H ENGINEERING, INC:					4,228.35	4,228.35	
<b>TEAR IT UP L.L.C.</b>							
2999	TEAR IT UP L.L.C.	43292	266# Dispatch	01/29/2020	78.08	78.08	03/04/2020
Total TEAR IT UP L.L.C.:					78.08	78.08	
<b>TITAN MACHINERY</b>							
2991	TITAN MACHINERY	13606000	SEAT	02/16/2020	1,114.91	1,114.91	03/04/2020
Total TITAN MACHINERY:					1,114.91	1,114.91	
<b>TRANSUNION RISK &amp; ALTERNATIVE</b>							
3376	TRANSUNION RISK & ALTERNA	380349-20200	investigative research	03/01/2020	50.00	50.00	03/11/2020
Total TRANSUNION RISK & ALTERNATIVE:					50.00	50.00	
<b>TRI-COUNTY HEATING &amp; COOLING</b>							
757	TRI-COUNTY HEATING & COOLI	143378	Shop Tube Heater	02/14/2020	985.26	985.26	03/04/2020
Total TRI-COUNTY HEATING & COOLING:					985.26	985.26	
<b>UTILITIES UNDERGROUND LOCATION</b>							
3472	UTILITIES UNDERGROUND LO	25088	Excavation Notifications	02/29/2020	54.95	54.95	03/11/2020
Total UTILITIES UNDERGROUND LOCATION:					54.95	54.95	
<b>WESTERN MUNICIPAL CONSTRUCTION, INC.</b>							
10000	WESTERN MUNICIPAL CONSTR	3	PARK STREET PAY APP #3	07/11/2019	20,960.93	20,960.93	03/04/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total WESTERN MUNICIPAL CONSTRUCTION, INC.:					20,960.93	20,960.93	
<b>WHISTLER TOWING, LLC</b>							
3237	WHISTLER TOWING, LLC	4169	SIREN REPAIR	02/19/2020	90.95	90.95	03/04/2020
Total WHISTLER TOWING, LLC:					90.95	90.95	
<b>WISPWEST.NET</b>							
2087	WISPWEST.NET	544766	Civic Center	03/01/2020	40.17	40.17	03/11/2020
Total WISPWEST.NET:					40.17	40.17	
<b>WOLFE, CHEYENNE</b>							
3791	WOLFE, CHEYENNE	2020_02_12	STEMI CONFERENCE	02/13/2020	30.50	30.50	03/04/2020
Total WOLFE, CHEYENNE:					30.50	30.50	
Grand Totals:					167,604.77	167,604.77	

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_

**Item Attachment Documents:**

**B. APPROVE MINUTES FROM 3/3/2020 CITY COMMISSION MEETING.**

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, February 18, 2020, 5:30 pm  
City-County Complex, Community Room

**1 Call to Order**

**2 Roll Call**

\* Hoglund, Schwarz, Friedman, Mabie and Nootz were present.

**3 Moment of Silence**

**4 Pledge of Allegiance**

**5 Public Comments (00:01:37)**

\* Leslie Fiegle made comments

**6 Consent Items (00:06:07)**

- \* Nootz motioned to approve A through E and to pull F for discussion, seconded by Mabie.
- \* All in favor, motion passed 5-0.
- \* Nootz asked for Mr. Kardoos to provide status update regarding new development on City Planning board member resignation.
- \* Mabie made comments (00:08:50)
- \* Kardoos made comments
- \* Nootz made comments (00:10:20)
- \* Brian Konkel made comments (00:12:04)
- \* Schwarz made sub-motion 1 to approve Stacy Jovick to City Planning Board, Mabie seconded All in favor, motion passed 5-0.
- \* Schwarz made sub-motion 2 to nominate Jessie Wilcox to City Planning Board, to fill new vacancy. Mabie seconded. All in favor, motion passed 5-0.

**7 Proclamations**

**8 Scheduled Public Comment**

- A. Alexis Van Pernis Energy Corp Intern, Presentation to Commission.
  - \* Cancelled due to State training, will present 3/17/2020.

**9 Public Hearings (00:16:13)**

- A. Ordinance No. 2086: An Ordinance of the City Commission of the City of Livingston, Montana to review and propose amendments to a self government charter or adopted alternative form of government by 1 submission of the questions to the electors as set forth in section 7-3-149 and 7-3-103 of the Montana Code Annotated.
  - \* Kardoos gave opening statement
  - \* Patricia Grabow made public comment (00:17:17)
  - \* Hoglund made comment (00:21:44)
  - \* Nootz motioned, Schwarz seconded. All in favor, motion passed 5-0.

**10 Ordinances**

**11 Resolutions (00:22:20)**

- A. Resolution No. 4890: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign an agreement with the Montana Historic Preservation Office for local historic preservation period of 04/01/2020-03/31/2021.

- \* Kardoos gave opening statement
  - \* Schwarz made comment (00:23:23)
  - \* Schwarz motioned, Friedman seconded.
- All in favor, motion passed 5-0.

#### 12 Action Items (00:24:47)

A. Discuss: City Commission to direct City Zoning Commission to develop and draft an ordinance based on the Zoning Commissions recommendation to develop and adopt an ordinance to allow accessory dwelling units (ADU's) within the jurisdiction of the City.

- \* Kardoos gave opening statement
  - \* Jim Baerg made public comment (00:27:44)
  - \* Johnathan Hettinger made public comment (00:32:00)
  - \* Mabie made comments (00:33:11)
  - \* Schwarz made comments (00:35:07)
  - \* Nootz made comments (00:36:07)
  - \* Hogle made comments (00:37:03)
  - \* Discussed Zoning Commission focusing on the Large Format Retail work and prioritizing that work prior and receiving clarifying details from City Staff prior to beginning work on ADU's.
  - \* Mabie motioned to return to the ADU draft back to the Zoning Commission for development and implement the Large Format Retail work first, Friedman seconded.
- All in favor, motion passed.

#### 13 City Manager Comments (00:43:00)

- \* Addressed letter to City Commission regarding the WET, LRG project

#### 14 City Commissioner Comments (00:46:00)

- \* Nootz yield
  - \* Mabie yield
  - \* Friedman yield
  - \* Schwarz made comments (00:46:10)
  - \* Hogle made comments (00:49:50)
- Reported to have conflict with Strategic Planning meeting scheduled for 3/10/2020, meeting moved to 5:00pm. Will publically notice.

#### 15 Adjournment (00:51:02) 6:23 p.m.

LIVINGSTON CITY COMMISSION

Public Comment Sign-in

DATE: 03/03/2020

If you would like to speak to the Commission, please print your name and address before speaking. This document is an official public record. Your name and address should be printed legibly. Thank you!

**PRINTED NAME/ADDRESS**

**AGENDA SECTION**

- 1. Loslie Feigel Chamber
- 2. Brian Karkov 309 S. Yellowstone St
- 3. Patricia Grabow 204 E. Callender St.
- 4. Jim Baery 223 S. 5th St
- 5. Johnathan Hettinger 126 S. 8th St.
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_
- 11. \_\_\_\_\_
- 12. \_\_\_\_\_
- 13. \_\_\_\_\_
- 14. \_\_\_\_\_
- 15. \_\_\_\_\_
- 16. \_\_\_\_\_
- 17. \_\_\_\_\_
- 18. \_\_\_\_\_
- 19. \_\_\_\_\_
- 20. \_\_\_\_\_

**Item Attachment Documents:**

**C. APPROVE MARY BEEBE'S APPLICATION FOR CITY-COUNTY HEALTH BOARD.**

City of Livingston  
Application for Appointed Office  
(Revised 3/17/03)

Appointed Position Seeking: City/County Board of Health

Date of Application: Received 3/6/2020

Name: Mary Beebe  
Address: 219 South E Street  
Telephone: daytime 406-223-0885  
Fax Number: \_\_\_\_\_

Signed: Mary E Beebe  
after 5:00 p.m.: same  
e-mail address: mbeebe@thehrdc.org

- 1. Are you a resident of the City of Livingston? yes
- 2. Are you a registered voter? yes
- 3. Will you be at least 18 years of age at the time of the appointment? yes

4. Describe the reasons you are interested in this appointment: My professional work @ HRDC Senior Programs intersects with both areas of concern My advocacy of Spay Neuter Project is directly related to public health & animal control.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment: HRDC

- A. Occupation: Coordinator for Homemakers Program Senior Programs
- B. Education: Masters: Applied Social Anthropology
- C. Experience: previous and present BOH member

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? yes  
currently BOH - since 2008? Angel Line - two years with idea - current  
Livingston City Commission 2004-2018

7. Are you currently serving on any Community Boards? No  
A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? Human Resource Development Council, Senior Programs

9. Are you available for night meetings? yes

10. Are you available for daytime meetings? yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? no

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? None myself after legal clarification.



**Item Attachment Documents:**

**D. APPROVE SPECIAL PARKING APPLICATION FROM PHILLIP BURG.**

*City of Livingston*  
**Application for Special Parking Spaces**  
**Reserved for Disabled Persons On a Public Street**  
*(Please note this process may take up to 90 days from date of submission)*

\*\*\*\*\*

Name of Applicant: Phillip Burg  
Address: 328 South 2<sup>nd</sup> Street Phone: 406-220-3411

Type of Special Parking Space Requested:

General Public Use  Reserved for Personal Use of a Disabled Person. (\$50 fee)

Specific Location of the Requested Space: 328 South 2<sup>nd</sup> Street

Reason for the Request:

So many cars I have to park on third and walk around the block to get home On Back

\*\*\*\*\*

If requesting a "special parking space" reserved for personal use in a residential area, please answer the following questions:

1. Do you operate a vehicle displaying a specialty inscribed license plate issued by the state of Montana to disabled persons and displaying a wheelchair symbol, or the letters "DV" issued to disabled veteran's, or do you possess a special parking permit issued by the State of Montana to persons with a disability?  
*(Please provide a copy of the vehicle registration).* Yes  No
2. Is the requested parking space adjacent to your permanent residence? Yes  No
3. Does reasonably accessible and practicable off street parking exist? Yes  No
4. License plate number of vehicle(s) designated to use the space: B8962 BXY860
5. Are the designated vehicles operated by you? Yes  No

**Administrative Use Only**

Date application received: 3-2-20 Reviewed by: Craig Hahn

Does request meet criteria? Yes  No

Comments \_\_\_\_\_

City Commission Action:  Approved  Denied Date: \_\_\_\_\_

\*\*\*\*\*

Installation of Sign:

Sign installed by: \_\_\_\_\_ Date: \_\_\_\_\_

Amount Collected: \_\_\_\_\_ Check no. \_\_\_\_\_

Removal of Sign

Sign removed by: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for Removal: \_\_\_\_\_

I have No Cartilage in my Right Ankle  
and Plates in Both.

I wear a Laceup Cast on My Right

**Montana Vehicle Registration**

Valid Through Date **04/30/2015**

Renewal Cust Nbr **78145**

County	<b>Park</b>	Issue Date	<b>03/31/2014</b>	Tab Nbr	<b>9025V041502</b>
Usage	<b>Regular</b>	User	<b>pj4906</b>	Plate Nbr	<b>9025V</b>
Reg Usage	<b>Regular</b>	Fleet Nbr		Plate Type	<b>Ex-Prisoner of War (PC)</b>
Reg Type		OTN			

**Owners / Lessors**

**Leonard Thomas Burg  
Kay Bryan Burg  
219 S Yellowstone St  
Livingston, MT 590473018**

VIN	<b>1GKKVRED6CJ265180</b>	Year	<b>2012</b>	Make	<b>Gmc</b>	Model	<b>Acadia Sit-1</b>
Veh Type	<b>Rugged Terrain (LL)</b>	Style	<b>LL</b>	Color	<b>Brown</b>	Ext Model	
Weight	<b>4900</b>	Ton Code				Veh Nbr	<b>3036557</b>
Decl GVW		GVW Class		GVW Beg		GVW End	

**Leonard Thomas Burg  
219 S Yellowstone St  
Livingston, MT 590473018**



PEEL HERE  
INSTRUCTIONS:  
1) Remove decal by bending paper along dotted line.  
2) Lift edge of decal and slowly peel.

By Registering this vehicle the applicant acknowledges having knowledge of the FMCSR and FHMR, if applicable.

**IMPORTANT: REMOVE BEFORE DRIVING VEHICLE**

**0416551**

Any Alteration Voids Permit

**Disabled Persons Parking Identification Permit**

YEAR	EXPIRES	MONTH
18		JAN
19		FEB
20		MAR
21		APR
22		MAY
23		JUN
24		JUL
25		AUG
26		SEP
27		OCT
28		NOV
29		DEC

ILLEGAL TO DUPLICATE THIS PERMIT

P.T.B.

DOJ/MVD



**Item Attachment Documents:**

- B. RUSSELL LEWIS OF THE SHANE LALANI CENTER WITH PRESENTATION REGARDING UPCOMING CAPITAL IMPROVEMENT PROJECT.**



**SHANE  
LALANI  
CENTER FOR  
THE ARTS**

**2020** **ACT 2** **39**

# ACT I

## INITIAL IMPROVEMENTS COMPLETE

THE SHANE CENTER PROVIDES OPPORTUNITIES FOR COMMUNITY MEMBERS TO CONNECT AND COLLABORATE, STRENGTHENING THE COMMUNITY THROUGH PARTICIPATION IN THE ARTS.

## \$2 MILLION RAISED

### ✓ INITIAL RENOVATIONS COMPLETED

The Shane Lalani Center for the Arts began fundraising for our infrastructure improvements in 2009 with Act I updates completed in 2013.

- 200-seat theatre
- New addition for stage scenery
- Workrooms and offices renovated



Boston's Muir String Quartet performing at The Shane Center



In Act I, we established dozens of partnerships with other artists and arts organizations including:



### TIMELINE | 2009 – 2019

#### ACT I

#### ACT II BEGINS

2009

2010

2013

2019

City of Livingston donates the old East Side School property

Act I renovations begin on the east side of the building, and the annex is converted into a 200-seat theatre which opened in October 2010

After years of renovation work alongside a full production schedule, the fully-functional community arts center opens to the public

Fundraising begins to complete facility improvements





# THE CAST AND SETTING

## THE SHANE LALANI CENTER FOR THE ARTS

Since its inception in 2010, The Shane Center has been a gathering-space for theatregoers and music-lovers, for artists, actors, dancers, musicians, and creatives of all ages, for neighborhood happenings and memorable events.

With the growth of our community and our continued success, last year we saw a 16% increase in total visits to The Shane Center, totaling more than 8,000 additional visitors from the previous year. Our community theatre performances had a 17% increase of attendees, up over 1,700 people from the previous season. The historic East Side School building completed in 1902 needs improvements to keep pace with this growth and the community's needs.

The Shane Center has worked hard to thrive within the constraints of our building. But our vision is bigger: greater excellence in programming, and a more inclusive environment for all.

### EXCELLENCE AND INCLUSIVITY: *The Shane Center's Core Values*

**EXCELLENCE:** High-caliber innovative programming, and visionary opportunities to perform and experience the arts.

**INCLUSIVITY:** Elevating human dignity and connection, by engaging and celebrating diverse perspectives, backgrounds, voices, and capabilities.



144 kids at the 2018 Young Actors' Workshop

## CREATIVE HUB WITH ECONOMIC IMPACT OUR SUCCESS THUS FAR (2009–2019):

- ★ **250,000+ TOTAL VISITORS,**  
WITH ~56,000 IN THE 2018–2019 SEASON
- ★ **450+ TOTAL COMMUNITY THEATRE PERFORMANCES,**  
WITH 54 IN THE 2018–2019 SEASON
- ★ **1400+ TOTAL EVENTS AT THE SHANE CENTER,**  
WITH 458 IN THE 2018–2019 SEASON
- ★ **45,000+ TOTAL THEATRE ATTENDEES,**  
WITH 7,424 IN THE 2018–2019 SEASON
- ★ **60+ TOTAL EDUCATION PROGRAMS WITH 25,000+ PARTICIPANTS,**  
WITH 4,588 PARTICIPANTS IN THE 2018–2019 SEASON
- ★ **\$2,900,000+ OPERATIONAL INCOME GENERATED,**  
WITH ~\$500,000 IN THE 2018–2019 SEASON



*A Gentleman's Guide to Love and Murder, Fall 2018*



THESHANECENTER.ORG  
INFO@THESHANECENTER.ORG  
(406) 222-1420



415 E. LEWIS ST.  
PO BOX 58 | LIVINGSTON, MT 59047

**WE ARE A 501(C)(3) NON-PROFIT ORGANIZATION.**  
EIN# 45-0490660.

## THE GOAL

*An inclusive community arts building providing a commitment to excellence in both our programming and physical space.*

## THE CHALLENGE

*Our current building's insufficient capacity and accessibility to cope with growing demand.*

## YOU CAN HELP

*by donating to fund critical renovations and capacity needs.*

The Shane Lalani Center for the Arts is a vibrant creative hub in the Livingston community. Currently, our facility has insufficient seating in the theatre and the entire building is not handicap accessible, which does not reflect the organization's values of inclusivity and excellence.

Act II of The Shane Center's renovations will completely fund infrastructural improvements and help us fulfill our community needs.

# ACT II

## SCENE 1 AND SCENE 2 IMPROVEMENTS



Artistic Director, Russell Lewis – Education Outreach

### SCENE 1 (FIRST PHASE OF RENOVATIONS)

#### COMMUNITY ACCESS ELEVATOR

The shining star of the production, supporting access to the arts for all!

#### DULCIE THEATRE LOBBY, BOX OFFICE, CONCESSIONS AREA, AND ATRIUM

Expanded open space with improved guest traffic flow. This will create infrastructure for additional seating capacity in Scene 2.

#### LOBBY RESTROOMS

Additional women's restrooms for the Dulcie Theatre, necessary for current and future levels of attendance.

#### VERANDA

Covered balcony and additional workspace with views of Livingston Peak and the Absaroka Range.

#### ROOFTOP TERRACE

A new outdoor event rental space that will create additional income.

#### SOLAR PROJECT

50 kW solar PV system to reduce our annual utility costs by up to 50% and provide educational opportunities about renewable energy.

#### ARTISTIC DIRECTOR'S OFFICE

To be located near the theatre.

### SCENE 2 (SECOND PHASE OF RENOVATIONS)

#### DULCIE THEATRE MEZZANINE

The star of Act II! As events continue to reach and exceed seating capacity, the addition of 100 new seats will open up opportunities to host touring performances, and diversify event offerings and programming.

#### E STREET ARTIST'S SUITES 1 & 2

Long-term rental spaces for creators to gather and work in a flourishing arts environment accessible to all, generating sustainable operational revenue.

#### FLY GALLERY

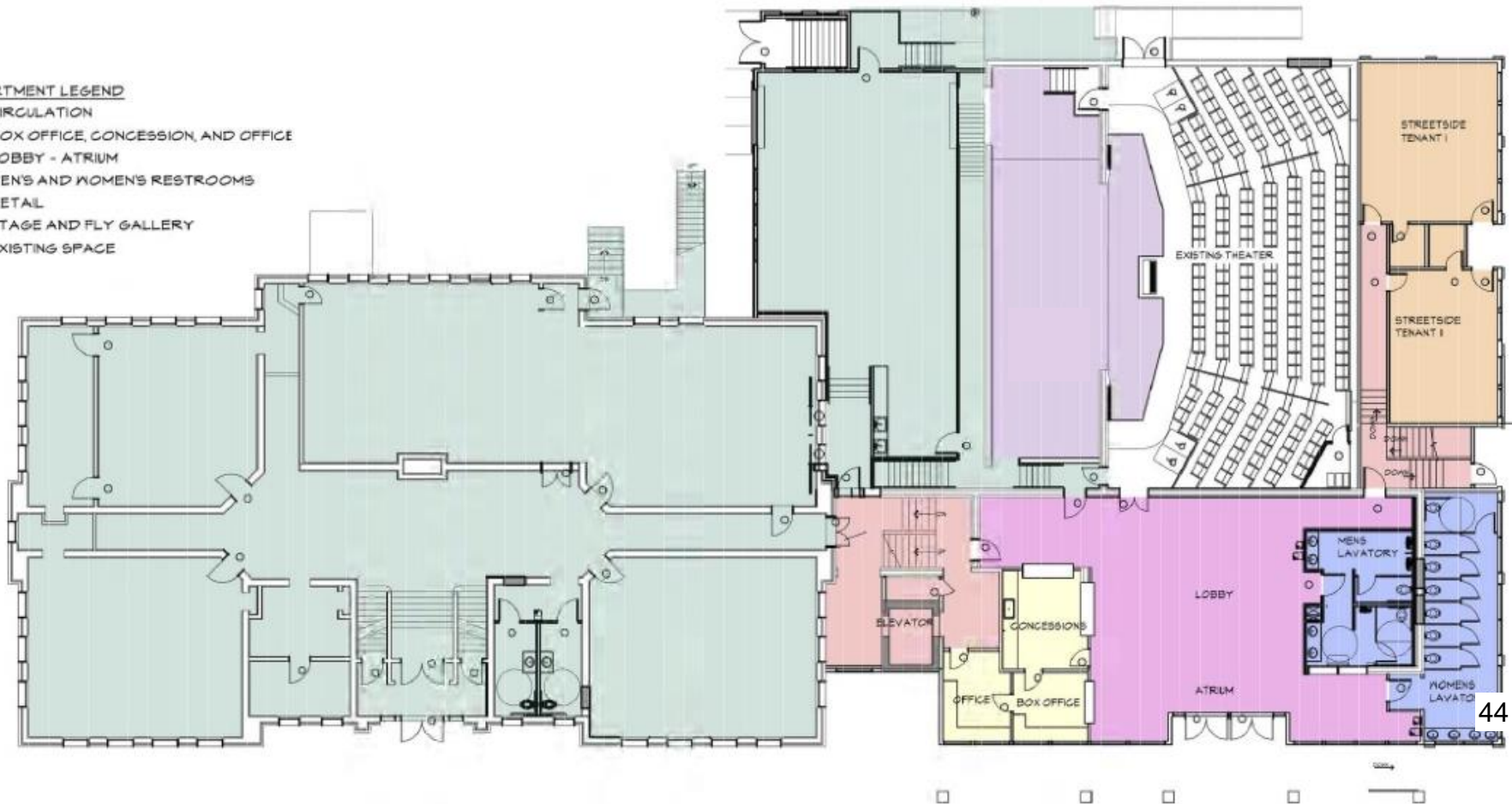
A behind-the-scenes system of rope lines, blocks, counterweights, and equipment that enables stage crews to fly (raise) theatrical components such as curtains, lights, scenery, effects, and sometimes people, quickly, quietly, and safely furthering our core value of excellence.

# FACILITY IMPROVEMENTS

## MAIN FLOOR PLAN

### DEPARTMENT LEGEND

- CIRCULATION
- BOX OFFICE, CONCESSION, AND OFFICE
- LOBBY - ATRIUM
- MEN'S AND WOMEN'S RESTROOMS
- RETAIL
- STAGE AND FLY GALLERY
- EXISTING SPACE

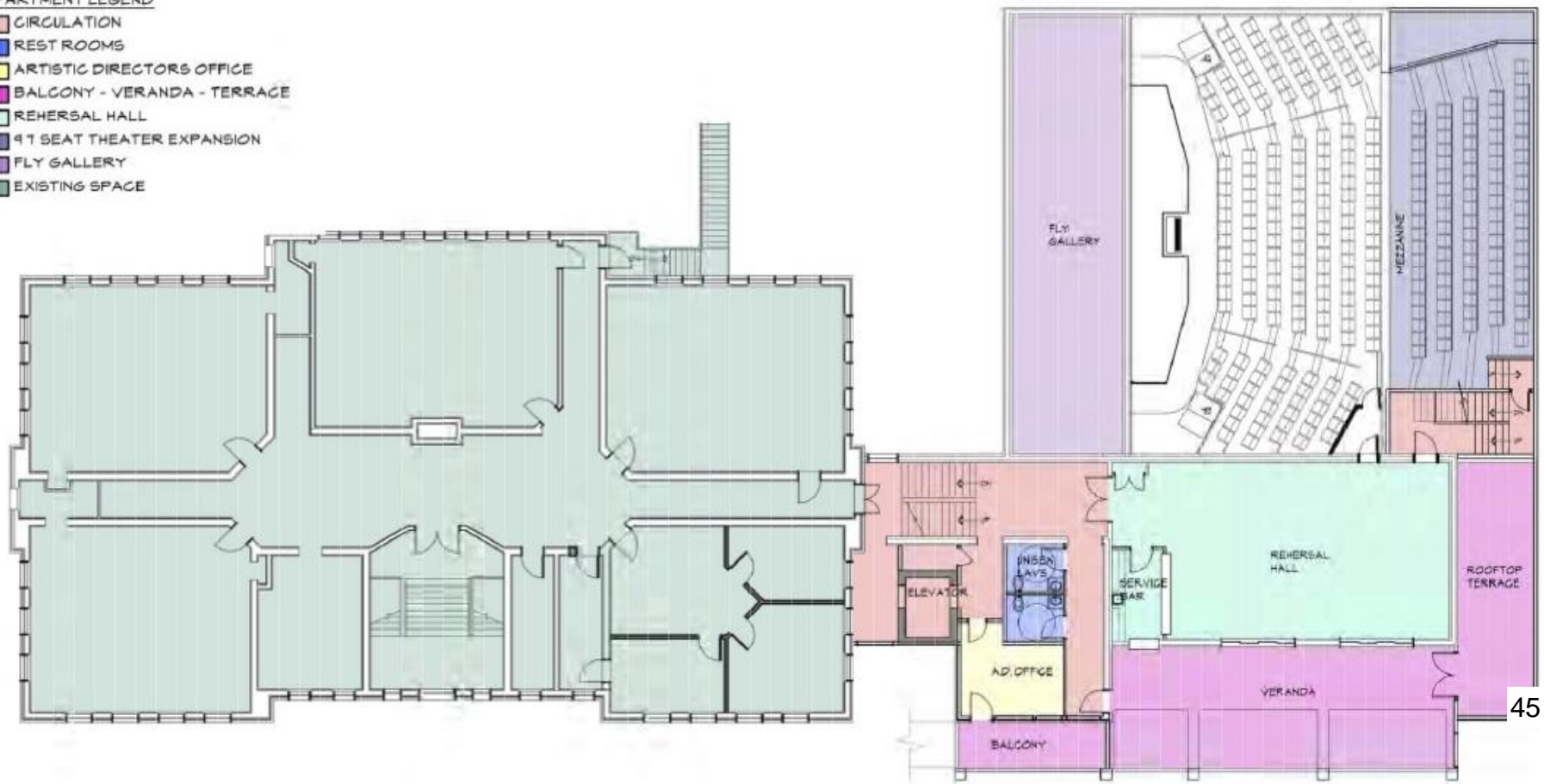


# FACILITY IMPROVEMENTS

## UPPER FLOOR PLAN

### DEPARTMENT LEGEND

- CIRCULATION
- REST ROOMS
- ARTISTIC DIRECTORS OFFICE
- BALCONY - VERANDA - TERRACE
- REHERSAL HALL
- 41 SEAT THEATER EXPANSION
- FLY GALLERY
- EXISTING SPACE



# ACT II FUNDRAISING

\$2.5 MILLION GOAL

*We are raising money for facility updates that will allow us to do MORE for our community. The goal is within reach — with your help!*

\$2.5M

## WHAT WILL \$2.5 MILLION IN FACILITY IMPROVEMENTS MEAN FOR THE SHANE CENTER AND THE ARTS COMMUNITY?

WE PROJECT THAT OVER THE NEXT 4 YEARS WE WILL SEE UPWARDS OF 27% GROWTH IN OUR OPERATIONS DUE TO THE ACT II CAPITAL PROJECT AND THESE CRUCIAL IMPROVEMENTS WILL ALLOW US TO:

- Entertain **2,000+** more Community Theatre audience members
  - Captivating **≈10,000** audience members each season.
- Inspire **100+** more education participants
  - Instructing and working with **≈500** students every year.
- Delight **1,000+** more education audience members
  - Engaging **≈5,500** parents and supporters each year.
- Facilitate **120+** more events
  - Providing a gathering-space for **≈600** events each year.
- Serve **15,000+** more community members
  - Impacting **≈70,000** visitors each year.

### YOUR SUPPORT WILL:



Provide greater capacity for larger performances and more programming



Create infrastructure for the continued growth of our community



Offer additional venue rentals that will create sustainable operational revenue



Help reduce our impact on the environment by implementing solar panels



Create much needed long-term rental spaces, furthering our economic impact

**THE IMPACT OF THE SHANE LALANI CENTER FOR THE ARTS  
GOES DEEPER THAN INSPIRATIONAL INTANGIBLES.**

Measurable contributions to the economy, consistent job creation, brick-and-mortar business locations, and increased area visitors brought in by events all speak to The Shane Center's importance as an economic contributor, as well as a local cultural powerhouse. According to an analysis prepared by the Northern Rocky Mountain Economic Development District, The Shane Center helps generate approximately \$3.5 million in annual gross economic output in the greater Park County area.

Prepared by:  
The Northern Rocky Mountain EDD  
January 2019



WITH THE ACT II CAPITAL PROJECT, WE WILL HAVE AN EXPECTED YEARLY ECONOMIC IMPACT OF **\$4.5 MILLION** IN ANNUAL GROSS ECONOMIC OUTPUT IN THE GREATER PARK COUNTY AREA.

THIS REPRESENTS A DIRECT BENEFIT TO THE LOCAL COMMUNITY THROUGH LABOR, VENDOR REVENUE, AND VISITOR SPENDING.



# ACT II CAPITAL PROJECT

## Budget

EXPENSE	
SCENE 1	
<b>CONSTRUCTION</b>	
DIVISIONAL TOTAL	\$1,350,000
IN-HOUSE	\$15,000
<b>TOTAL CONSTRUCTION</b>	<b>\$1,365,000</b>
<b>ADDITIONAL EXPENSE</b>	
ARCHITECTURE & ENGINEERING	\$108,000
CONSTRUCTION FEES	\$13,500
INSURANCE	\$13,500
EQUIPMENT & FURNISHINGS	\$15,000
DONOR DEVELOPMENT	\$10,000
SOLAR PROJECT	\$75,000
<b>TOTAL ADDITIONAL EXPENSE</b>	<b>\$235,000</b>
<b>TOTAL SCENE 1</b>	<b>\$1,600,000</b>

EXPENSE	
SCENE 2	
<b>CONSTRUCTION</b>	
DIVISIONAL TOTAL	\$750,000
IN-HOUSE	\$15,000
<b>TOTAL CONSTRUCTION</b>	<b>\$765,000</b>
<b>ADDITIONAL EXPENSE</b>	
ARCHITECTURE & ENGINEERING	\$52,500
CONSTRUCTION FEES	\$7,500
INSURANCE	\$7,500
EQUIPMENT & FURNISHINGS	\$47,500
DONOR RECOGNITION	\$20,000
<b>TOTAL ADDITIONAL EXPENSE</b>	<b>\$135,000</b>
<b>TOTAL SCENE 2</b>	<b>\$900,000</b>

INCOME	
SCENE 1	
MAJOR GIFTS CAMPAIGN	\$1,450,000
<b>ADDITIONAL INCOME</b>	
SOLAR PROJECT GRANTS	\$75,000
OTHER GRANTS	\$75,000
<b>ADDITIONAL INCOME TOTAL</b>	<b>\$150,000</b>
<b>TOTAL SCENE 1</b>	<b>\$1,600,000</b>
SCENE 2	
MAJOR GIFTS CAMPAIGN	\$550,000
PUBLIC CAMPAIGN	\$300,000
<b>ADDITIONAL INCOME</b>	
THEATRE SEAT SPONSORSHIP	\$50,000
<b>TOTAL ADDITIONAL INCOME</b>	<b>\$50,000</b>
<b>TOTAL SCENE 2</b>	<b>\$900,000</b>
<b>TOTAL INCOME</b>	<b>\$2,500,000</b>

**TOTAL EXPENSE: \$2,500,000**

**NET INCOME \$0**



SHANE  
LALANI  
CENTER FOR  
THE ARTS

2020 ACT  
**2**



**OUR STAGE IS AN OLD  
BRICK SCHOOLHOUSE.  
OUR DREAM IS A  
STRONGER COMMUNITY  
THROUGH THE ARTS.**

Photos courtesy of Larry Stanley Photography and Erik Peterson Photography



# Thank You!

*Let's continue  
to strengthen  
community  
through  
participation in  
the arts.*

**FUNDING FACILITY IMPROVEMENTS  
FOR A THRIVING + ACCESSIBLE ARTS COMMUNITY**

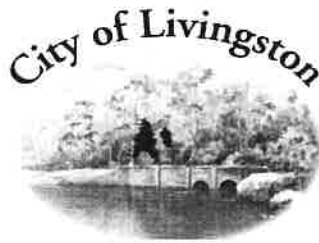
**T** THESHANECENTER.ORG | **E** INFO@THESHANECENTER.ORG | (406) 222-1420  
**L** 415 E. LEWIS ST. | PO BOX 58 | LIVINGSTON, MT 59047

**WE ARE A 501(C)(3)  
NON-PROFIT ORGANIZATION.  
EIN# 45-0490660.**

**Item Attachment Documents:**

- A. ORDINANCE NO. 2087: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

**Michael Kardoes**  
City Manager  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)  
(406) 823-6000 Phone



**Chair**  
*Dorel Hoglund*  
**Vice Chair**  
*Quentin Schwarz*  
**Commissioners**  
*Mel Friedman*  
*Warren Mabie*  
*Melissa Nootz*

39

March 11, 2020

City Manager  
414 East Callender Street  
Livingston, MT 59047

The City Zoning Commission makes the following recommendation to the City Commission:

Recommend the designation of Green Acres Subdivision as Medium Density Residential (R2) and Green Acres Park as Public (P).

The Staff Report upon which this recommendation is based is attached.

Sincerely,

A handwritten signature in cursive script that reads "Jim Woodhull".

Jim Woodhull  
Directory of Building/Planning

Michael Kardoes  
City Manager  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)  
(406) 823-6000 Phone



Chair  
Dorel Hoglund  
Vice Chair  
Quentin Schwarz  
Commissioners  
Mel Friedman  
Warren Mabie  
Melissa Nootz

February 28, 2020

**STAFF REPORT**  
**ZONING RECOMMENDATION – GREEN ACRES SUBDIVISION**

**Background**

By Resolution 4891 (attached), the Livingston City Commission annexed the Green Acres Subdivision. These properties are located on northeast edge of the City and are depicted on the attached map.

**Findings of Fact**

The County currently has no zoning. In years past, when the County did zone, this area was zoned Residential Single Family (RII) under the County zoning plan. That zone was described as: "A zone intended to promote a residential environment that is served by either central water or sewer or both". This zone allowed for one dwelling unit per 20,000 square with central water or sewer and one dwelling unit per 7,500 square feet with both central water and sewer.

This neighborhood has developed, with City water, as mostly single family homes on lots roughly averaging about 9,500 square feet in size. Once City sewer is made available to the subdivision, the vast majority of the lots would comply with the density requirements of RII City zoning.

The City's RII zoning designation would accommodate the exiting pattern of development while allowing many of the existing lots to add an additional dwelling unit if desired. City RII zoning allows up to two units per lot provided that the lot is at least 7,000 square feet in size.

**Recommendation**

Giving consideration to the current uses within the Green Acres Subdivision, as well as the lot sizes, staff recommends that the City designate Green Acres park as **Public (P)** and the rest of the subdivision as **RII Residential**.

  
\_\_\_\_\_  
Jim Woodhull  
City Planner

**Attachments**

- Attachment I ..... Resolution 4891
- Attachment II ..... Site Map

**RESOLUTION NO. 4891**

**A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, TO ANNEX CERTAIN LAND WHICH IS CONTIGUOUS TO THE CITY OF LIVINGSTON AND IS DESCRIBED AS THE GREEN ACRES SUBDIVISION IN PARK COUNTY, MONTANA.**

**WHEREAS**, Section Title 7 Chapter 2 Part 43, Montana Code Annotated, authorizes annexation of contiguous land; and

**WHEREAS**, the City Commission of the City of Livingston, Montana, has determined that it is in the best interest of the City and the inhabitants of the Green Acres Subdivision that the boundaries of the City of Livingston be extended to include the Green Acres Subdivision within the corporate limits of the City; and

**WHEREAS**, the above described real property is mapped and contained in the City of Livingston's Growth Policy identified for future zoning, and the property's location falls within the City Services Growth Area as set forth in the City's Annexation Plan.

**WHEREAS**, upon annexation of the above-described property, the boundaries of the City of Livingston will be increased to include said property; and

**WHEREAS**, the City of Livingston has the plan required by 7-2-4305 MCA to provide services to said property and the attached Report on Extension of Services outlines how the City will provide municipal services to the annexed property; and

**WHEREAS**, the City of Livingston and the Green Acres Homeowners have a longstanding agreement for the City to provide water to Green Acres and the association entered into an agreement in 2017 for the looping of City water services which contemplated the annexation of Green Acres.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Commission of the City of Livingston, Montana, as follows:

the City Commission now annexes contiguous land known as the Green Acres Subdivision and further described as:

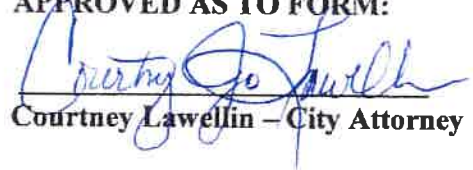
Lots 2-15 inclusive in Block 1, Lots 1-12 inclusive in Block 2, Lots 1-12 inclusive in Block 3, Lots 1-14 inclusive in Block 4, Lots 1-16 inclusive in Block 5, Lots 1-12 inclusive in Block 6, Lots 1-12 inclusive in Block 7 and Lots 1-6 inclusive, Lot 7A, Lot 8, Lot 9A and Lots 11-16 inclusive in Block 8. Including Green Acres Park and the following public roads: Maple Street, Tana Lane, Pine Street W., Ash Lane, Willow Street, Spruce Lane, N. Park Drive, S. Park Drive, Elm Lane, Pine Street E., and Chestnut Lane. All as depicted on Plat 12 and modified by S/D 115 and S/D 121, on file with the Park County Clerk and Recorder.

**BE IT FURTHER RESOLVED**, that the Recording Secretary will promptly make and certify under the seal of the City of Livingston a copy of this Resolution and it shall be filed with the Clerk and Recorder of Park County, Montana.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this 4<sup>th</sup> day of February, 2020.

  
\_\_\_\_\_  
**DOREL HØGLUND – Chair**

**ATTEST:**  
  
\_\_\_\_\_  
**FAITH KINNICK – Recording Secretary**

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
**Courtney Lawellin – City Attorney**



# Green Acres Subdivision

Livingston, Montana



This map is for informational purposes only and not for legal, engineering or surveying purpose 56. The City of Livingston assumes no legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.



## Livingston Zoning Commission

March 11, 2020

To: The Livingston City Commission:

RE: Motion to apply a Zoning designation to the Green Acres Subdivision

Per a request from the Livingston City Commission, the Zoning Commission reviewed and assigned a Zoning category to the Green Acres Subdivision at its March 10, 2020 meeting.

After a public reading of the staff report, a viewing of all relevant Zoning regulations (Section 30), a thorough discussion with attending residents and a further Zoning Commission discussion, the Livingston Zoning Commission voted unanimously to apply the R-II (Medium Density Residential) designation to the Green Acres Subdivision and the P (Public) designation to the Green Acres park.

3 members of the Green Acres community attended the meeting and were encouraged to state their concerns and ask questions. Their main concern was to preserve the density of the neighborhood by not allowing the construction of apartment buildings as would be allowed with a R-III zoning designation.

An audio recording of the meeting has been given to Faith Kinnick and is available for listening. Written minutes are also available.



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Signed: Jim Baerg, Chairman

March 11, 2020

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Date:

**City of Livingston Zoning Commission  
Meeting Minutes**

**Date: 3.10.2020**

**Opening**

The regular meeting of the Zoning Commission was called to order at Tuesday, March 10, 2020 at 5:30 in the Community Room of the, City County Complex by Jim Baerg.

**Present**

Jim Baerg, Sean Mascia, Wendy Weaver, Michael Wojdylak, Michal DeChellis, Jim Woodhull

**Approval of Minutes [Time stamp 00:02:30]**

Sean Mascia moved to accept the minutes as written, Michal DeChellis 2nd, approved unanimously

**Public Comments**

None

**Guest Speaker [Time stamp 00:00:00]**

Jim Woodhull to offer technical expertise to the Zoning motion

**Old Business [Time stamp 00:00:00]**

None

**New Business [Time stamp 00:05:35]**

A hearing to determine a Zoning Designation for the recently annexed Green Acres subdivision: Jim Woodhull read the staff report which included the Liv City Commission's resolution. City Zoning Map was shown and discussed. Lot sizes in Green Acres were discussed. Current septic issues were discussed. The current Livingston Municipal Zoning Code was put up on the big screens to show how the various Residential Zones affected allowable uses, allowable number of units on a lot, setbacks, building heights. Jim Woodhull stated that a R-I designation would place restrictions on future building options because most of the lots are under 9,600 sqft. R-III would allow apartments. The 3 guests voiced their opposition to allowing apartments. The HOA covenants will still be in force with annexation but would have to be enforced by the HOA. The guests asked about fences, park curfews and dogs, and about existing small businesses. The city allows small businesses that don't affect the neighborhood. The HOA should deal with existing businesses now because they would be grandfathered in.

**Board Member Comments [Time stamp 00:35:15]**

There was a general agreement that R-II was the best fit for the existing conditions and wishes of the residents. R-II would allow for duplexes but the available lots were small.

Agendas are due to Faith, no later than one week prior desired publication of the agenda. Draft meeting minutes are due to Faith within three business days of the meeting to post on the City's webpage. Email agendas and minutes here.

**City of Livingston Zoning Commission  
Meeting Minutes**

The Commission discussed the Brookstone development and the mobile home park in the neighborhood and the condition of water and sewer service to those areas. A short discussion of the effect of an ADU ordinance took place with a consensus developing that a distinction should be made between unified and subdivided lots relative to hookups. Parking might be a problem because there aren't any alleys. Jim Woodhull recommended that we send our meeting minutes to him or Faith and that they would be included in the package sent to the City Commission. Michael Wojdylak moved and Sean Mascia seconded that the Livingston Zoning Commission recommend that the city assign a R-II designation to the Green Acres Subdivision and that the Green Acres Park be assigned a P Zoning classification. This motion was passed unanimously. After this matter was completed, the Zoning Commission had a discussion about revising an interim report on a Large Format Retail Ordinance to be sent to Mike Kardoes, Shannon Holmes and Jim Woodhull for their feedback.

**Recommended items on Agenda for Next Meeting [Time stamp 01:30:00]**

The interim document on the Large Format Retail Ordinance will be placed on Google Docs for input by members of the Zoning Commission. The finalized report will be forwarded to the city in a week. We scheduled a working session to work on the LFR document for April 6th at 5:30. Our next regular Zoning Commission meeting is April 14, 2020. We hope to finalize the LFR ordinance then and submit it to the City Commission for their April 21st meeting.

**Adjournment [Time stamp 01:39:56]**

Meeting was adjourned at 7:10 pm.

The next regular meeting will occur on 4/14/2020, Choose an item. at the regular time and place.

These draft minutes were approved for submission on 3/12/2020

**ORDINANCE NO. 2087**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

**Purpose**

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes.

**WHEREAS**, the City Commission of the City of Livingston, Montana annexed the Green Acres Subdivision by passing Resolution 4891 on February 4, 2020; and

**WHEREAS**, being within the jurisdiction of the City, the Green Acres Subdivision is required by the City’s Zoning Ordinance to be given a zoning designation; and

**WHEREAS**, The Livingston Zoning Commission has reviewed the proposed zoning designation; and

**WHEREAS**, the Zoning Commission, after a public hearing, has recommended to the City Commission that the Green Acres Subdivision be zoned Medium Density Residential (R2) and that the Green Acres Park be zoned Public (P).

**ORDINANCE NO. 2087 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

**NOW THEREFORE, BE IT ORDAINED** by the Livingston City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, be and the same is hereby amended as follows:

**SECTION 1**

**Zoning of Green Acres Subdivision Medium Density Residential (R2) and Green Acres Park Public (P):**

That Lots 2-15 inclusive in Block 1, Lots 1-12 inclusive in Block 2, Lots 1-12 inclusive in Block 3, Lots 1-14 inclusive in Block 4, Lots 1-16 inclusive in Block 5, Lots 1-12 inclusive in Block 6, Lots 1-12 inclusive in Block 7 and Lots 1-6 inclusive, Lot 7A, Lot 8, Lot 9A and Lots 11-16 inclusive in Block 8, as depicted on Plat 12 and modified by S/D 115 and S/D 121, on file with the Park County Clerk and Recorder, be zoned Medium Density Residential (R2).

That Green Acres Park, as depicted on Plat 12 and modified by S/D 115 and S/D 121, on file with the Park County Clerk and Recorder, be zoned Public (P).

**SECTION 2**

**Statutory Interpretation and Repealer:**

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

**SECTION 3**

**Severability:**

**ORDINANCE NO. 2087 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court having competent jurisdiction, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 4**

**Savings provision:**

This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

**SECTION 5**

**Effective date:**

This ordinance will become effective 30 days after the second reading and final adoption.

**PASSED** by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the \_\_\_\_\_ day of March, 2020.

\_\_\_\_\_  
**DOREL HOGLUND – Chair**

**ATTEST:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

**ORDINANCE NO. 2087 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

\*\*\*\*\*

**PASSED ADOPTED, AND APPROVED** by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the \_\_\_\_\_ day of April, 2020.

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**DOREL HOGLUND – Chair**

**ATTEST:**

**APPROVED AS TO FORM:**

---

**FAITH KINNICK**  
Recording Secretary

---

**COURTNEY JO LAWELLIN**  
City Attorney

**ORDINANCE NO. 2087 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY.**

**Item Attachment Documents:**

- A. DISCUSS: LAUREL RHODES, DVM, REQUEST FOR A FEE WAIVER FOR THE USE OF THE CIVIC CENTER ON APRIL 4 AND MAY 2, 2020. TO PROVIDE A LOW COST COMMUNITY CANINE AND FELINE VACCINATION AND MICROCHIP CLINIC.**



Laurel Rhodes  
117 S Main St. Apt B2  
Livingston, MT 59047

February 14, 2020

Livingston City Commission  
414 East Callender St.  
Livingston, MT 59047

Dear City Commissioners,

I am writing to you to request a fee waiver for use of the Civic Center to offer a canine and feline vaccination and microchip clinic with the support of the Spay Neuter Project on April 4 and May 2, 2020. I am a self-employed veterinarian licensed in Montana and Hawaii who has practiced veterinary medicine in non-profit settings for most of my 25 year career.

In 2018, I petitioned the City Commission for use of the Civic Center to hold a Rattlesnake vaccination clinic for dogs because rattlesnake vaccine is less well known than many core and optional dog vaccines. Adverse clinical signs from venomous snake bites are milder in vaccinated dogs. Below please find information about Red Rock Biologics rattlesnake vaccine use and benefit as well as rattlesnake education and tips for avoidance.

Spay Neuter Project approached me to offer core rabies and distemper vaccinations in addition to rattlesnake because they see a community need among low income residents. I will also offer very low-cost Home Again Microchips as a fund raiser for Spay Neuter Project. Home Again Microchips include lifetime registration at no additional cost to the pet owner.

I view a dog and cat vaccination clinic as beneficial to the local community as well as supportive of the Spay Neuter Project's goals and funding

Thank you for your consideration.

Sincerely,

Laurel Rhodes, DVM

## **Rattlesnake vaccine FAQ**

### **Q. Which dogs should receive Rattlesnake Vaccine?**

**A.** Any dog over four months of age that is exposed to rattlesnakes whether at home, walking, hiking, camping, hunting, or elsewhere might be a good candidate for rattlesnake vaccine.

### **Q. How dangerous are rattlesnake bites to dogs?**

**A.** Rattlesnake bites are about 25 times more fatal in dogs than in humans. Even dogs that survive the bite can be permanently damaged.

### **Q. How safe is rattlesnake vaccine for pets?**

**A.** Rattlesnake vaccine is laboratory tested, government approved, and has been used in over one hundred thousand dogs over many years. Thousands of veterinary clinics nationwide recommend this vaccine for dogs at risk. The side effects are rare and typically very mild. About 1% of dogs may get a temporary lump at the injection site that doesn't bother the dog and goes away by its self in a few weeks. Temporary flu like symptoms are reported in about one in 3,000 vaccinations and other miscellaneous symptoms are reported in fewer than one in 15,000 vaccinations. These systemic symptoms are rare, and don't appear to have any pattern, so it is possible that many are coincidental and unrelated to the vaccine use. Even the most severe side effect reasonably attributable to the vaccine is likely to be much easier for a veterinarian to treat than a moderate rattlesnake bite.

### **Q. How is rattlesnake vaccine different from antivenin (anti-venom)?**

**A.** Rattlesnake vaccine is a preventative whereas antivenin is a treatment for rattlesnake bites. The vaccine stimulates a dog to create his own antibodies to rattlesnake venom that will protect him from bites that happen in the future.

Antivenin is antibodies made from another animal (usually a horse or sheep) that are injected into a dog after he is bitten by a venomous snake.

### **Q. How often should a dog get booster vaccinations, how long does it last?**

**A.** A dog should get at least two doses about 30 days apart in the initial vaccination sequence. If the dog is exposed to rattlesnakes about six months per year, he will only need one booster per year about 30 days before the beginning of that exposure season. If the dog is exposed to much longer rattlesnake seasons or year around risks, he should be given a booster dose every six months.

**Q. Should small dogs get this vaccine even if they don't produce as many total antibodies as large dogs?**

**A.** Yes. A smaller dog is always going to have a harder time fighting off the same amount of venom as a larger dog and will need all the help he can get. The protection that the rattlesnake vaccine gives to a smaller dog may be enough to help save his life or help him recover more quickly. Red Rock Biologics recommends dogs weighing less than 25 receive an initial series of 3 vaccines, then booster normally..

**Q. If a dog is exposed to rattlesnakes from about April through about October, gets his first vaccine shot in July and his second rattlesnake vaccine in August, when should he get his next regular booster?**

**A.** March, or about 30 days before the beginning of his next expected exposure season to rattlesnakes. Protection from vaccination boosters last about six months.

**Q. Can a dog receive the vaccine if he has already been bitten by a rattlesnake and had antivenin (anti-venom)?**

**A.** Yes. Since there are no horse or sheep proteins in rattlesnake vaccine, there it can be safely used in dogs that have been bitten by rattlesnakes and had antivenin (anti-venom) before. Red Rock Biologics recommends waiting at least 30 days after the dog has recovered from any previous snake bite before starting or continuing vaccination.

## **RATTLESNAKE VACCINE FOR DOGS**

Rattlesnakes are venomous serpents that are found throughout North America and elsewhere. They can live in most climates and are present in Montana.

### **Rattlesnake Facts**

Rattlesnakes are pit vipers, which means that they have a small indentation, or pit, between their eye and nostril. This is a sensory organ that detects the heat of the

rattlesnake's prey. Rattlesnakes live in dens, which may be holes in the ground, crevices in rocks, or hollowed logs. In cooler climates, they hibernate during the fall and winter seasons. They are not nocturnal, but in hot weather, they are often more active at night. A rattlesnake's venom is meant to kill its prey. Most rattlesnakes' venom is hemotoxic. This means that it disrupts the integrity of the victim's blood vessels, resulting in pain, tissue damage, and internal bleeding. If the bite is on the throat or face, the resultant swelling can cause death due to airway closure, as well. Some rattlesnakes have neurotoxic venom, which attacks the nervous system and results in paralysis.

### **Rattlesnake Bites in Dogs**

Dogs are especially prone to rattlesnake bites because they are curious, often nosing around in logs, under rocks and leaves, and in holes in the ground. They may also feel protective of their humans if they come across a rattlesnake during a hike and attack it in defense of their person.

### **Rattlesnake Treatment in Dogs**

The treatment of rattlesnake bite in dogs includes the following:

Hospitalization

Administration of antivenin : this can cost close to \$1000 at local veterinary hospitals

Antibiotics

Intravenous fluids

Pain medications

Many dogs die each year from rattlesnake bites, and many more are permanently injured.

### **How is Rattlesnake Vaccine different from antivenin (anti-venom)**

Rattlesnake vaccine provides preventative immunity whereas antivenin is a treatment for rattlesnake bites. The vaccine stimulates a dog to create his own antibodies to rattlesnake venom that will protect him from bites that happen in the future.

Antivenin is antibodies made from another animal (usually a horse or sheep) that are injected into a dog after he is bitten by a venomous snake.

### **Rattlesnake Vaccine for Dogs**

Red Rock Biologics provides a rattlesnake vaccine for dogs. It was approved by the USDA in 2004. This vaccine is designed to help the dog develop antibodies in response to the appearance of rattlesnake venom in the body. These antibodies can result in

less pain and tissue damage in the area of the bite, more time to get to a veterinary clinic after a bite, and potentially less need for antivenin and other treatment.

This vaccine protects against the venom of the Western Diamondback rattlesnake. It may provide some degree of cross-protection for the venom of several related rattlesnakes, such as:

Western rattlesnake

Sidewinder

Timber rattlesnake

Massasauga rattlesnake

Copperhead

Eastern Diamondback rattlesnake

This vaccine does not protect against the venom of the water moccasin, Mojave rattlesnake, or Coral snake (Red RockBiologics).

### **How Well Does the Rattlesnake Vaccine for Dogs Work?**

The vaccine is not fully-protective; it will not completely mitigate the effects of a rattlesnake bite. How well it works for a dog that is bitten by a rattlesnake depends on the type of snake, the amount of venom delivered during the bite, the size of the dog, the size and age of the snake, and the location of the bite. However, dogs that are bitten by the types of rattlesnakes listed above often experience less pain and swelling, and have a faster recovery when they have been previously vaccinated.

- ★ Snakebite is always an emergency, even if your dog has received the rattlesnake vaccine. You should take your dog to the veterinarian immediately if he is bitten by a snake of any kind. Your veterinarian will determine whether your dog needs antivenin or any other additional treatment.

### **Getting the Best Response from Your Dog's Rattlesnake Vaccine**

The effectiveness of the rattlesnake vaccine can be increased by adhering to the following guidelines:

A dog's first dose of rattlesnake vaccine should be given no sooner than four months of age. This is because the safety of the vaccine hasn't been evaluated in puppies younger than that.

The first time your dog is given the rattlesnake vaccine, it needs to be re-administered, or boosted, in one month. Very small and very large dogs may require a third booster in this initial sequence.

The vaccine is most protective about four to six weeks following its administration. Its effectiveness slowly declines after that.

In areas of the country where rattlesnakes are active for only part of the year, a single vaccine given about one month before the start of the "rattlesnake season" is probably sufficient. This is usually early spring. In areas where rattlesnakes are active all year, your veterinarian may recommend boosters every four to six months.

Consider the vaccine even if you do not live in a rattlesnake-endemic area if you plan to take your dog to such an area for a visit or to spend part of the year.

### **Safety of the Rattlesnake Vaccine in Dogs**

This vaccine is licensed for use in dogs in the US. There is a different vaccine licensed for horses. There have not been many side effects reported in conjunction with this vaccine, according to Red Rock Biologics. They report the following side effects:

Mild swelling at the site of the vaccine injection is possible and resolves on its own.

More serious allergic reactions resulting in vomiting, diarrhea, and lethargy are even rarer.

Very serious allergic reactions including anaphylaxis have only been reported in between one and three dogs per million vaccines given.

The rattlesnake vaccine should only be given to healthy dogs. Your veterinarian is best-suited to evaluate whether your dog should receive the vaccine, how many initial boosters he needs, and how often the vaccine should be boosted after that.

### **Tips for Avoiding Rattlesnake Bites in Dogs**

A rattlesnake bite is an emergency, whether or not your dog has been vaccinated. Below are some tips to help you avoid rattlesnake bites in your dog:

Keep your dog on a leash when hiking.

Avoid areas of tall grass.

If you come upon a rattlesnake, stay calm and back away slowly with your dog.

Don't allow your dog to root around in holes in the ground, crevices in rocks, or under brush piles.

Don't allow your dog to investigate a dead snake. Newly-dead snakes can have muscle reactions that result in bites.

Don't walk in rattlesnake areas at dusk. In the summertime, snakes are more active just after the sun goes down and at night.

#### References

Red Rock Biologics. (n.d.). Rattlesnake Vaccine for Dogs. Retrieved from [redrockbiologics.com](http://redrockbiologics.com):  
[www.redrockbiologics.com/rattlesnake\\_vaccine\\_faq.php](http://www.redrockbiologics.com/rattlesnake_vaccine_faq.php)

**Instructions for storage and use: Keep refrigerated at 35-45F. Do not freeze the vaccine. Shake well before using. Each dose is 1cc, given subcutaneously, off the midline. This product is intended for use in healthy dogs only, at least 4 months old, as an aid in the reduction of morbidity and mortality due to intoxication with Crotalus Atrox venom. Administration should be by or under the supervision of a licensed veterinarian only. The expiration date is two years from date of manufacture.**

**Initially, two doses are recommended, spaced one month apart, administered in different locations (do not "stack" vaccine doses); the majority of our studies in dogs used the side of the neck as the vaccination site. Typically, protection from boosters last about 6 months. Dogs should get at least one booster per year approximately one month before the beginning of rattlesnake exposure. Dogs exposed to rattlesnakes longer than about 6 months, or dogs at higher risk, should get a booster every 6 months. Dogs over 100 Lbs or under 25 Lbs should get an additional booster shot 30 days after the second booster shot in the initial vaccination sequence (three injections total) and then booster normally.**

City of Livingston Recreation Department  
 229 River Drive  
 Livingston, MT 59047  
 406-223-2233  
 rec@livingstonmontana.org  
 http://www.livingstonmontana.org/



**Registration/Payment Receipt 20114409**

02/14/2020 01:59 PM

**Account Information**

Laurel Rhodes  
 117 S Main Street #B2  
 Livingston, MT 59047

**Received By**

Rikki Earle at Civic Center

Item	Balance Amount	
	Due	Paid
Civic Center Civic Center Gym Apr 4, 2020 7:00 AM-2:00 PM - Half Day Special Event - Resident -: \$130/Block - PERMIT #2609	\$130.00	\$0.00
Non-Profit Rate	(\$26.00)	\$0.00
Civic Center Civic Center Gym May 2, 2020 7:00 AM-2:00 PM - Half Day Special Event - Resident -: \$130/Block - PERMIT #2609	\$130.00	\$0.00
Non-Profit Rate	(\$26.00)	\$0.00
<b>Change in Balance</b>		<b>\$208.00</b>
<b>Account Balance</b>		<b>\$208.00</b>
<i>(As of 02/14/2020 01:59 PM)</i>		

**Facility Notes**

**Civic Center Civic Center Gym**

**Livingston Civic Center Rules:**

1. Absolutely NO use of TAPE on gym floors
2. No use of nails or tacks on walls without the permission of the Rec Department Manager
3. No Helium Balloons (they get stuck in the fans)
4. No personal wheels (bikes, scooters, skateboards, roller blades) *Only approved Roller Skates may be used when checked by Rec Staff during skate parties only (roller skater still must have a waiver signed)*
5. No Climbing ON or BEHIND bleachers
6. All Food and Drink to remain in area Rec Staff designates
7. Please LIFT all tables and chairs, do not drag
8. No GUM or sticky candies on gym floor



9. Inflatables are allowed – host must purchase proof of additional liability insurance from provider

10. No Glass

\*IF any of the above rules are broken - facility deposit will be forfeited and additional charges may apply.

Please direct any questions to [rec@livingstonmontana.org](mailto:rec@livingstonmontana.org)

---

Thank you for reserving a facility with the City of Livingston

**Reservation Status:** A reservation is considered binding after The Facility Rental Agreement has been established and approved by City Personnel.

**If a Special Event Application is required, the reservation is not considered binding until after all City departments have approved the Special Event Application.** Rental applicants may not advertise until after this time.

**Cancellation Policy:** Deadline for cancellation is 7 days prior to your event. We cannot give refunds after the deadline. The City of Livingston will not be held responsible for emergencies that may arise that require the Civic Center, Band Shell or Gazebo area to be closed, i.e. floods, electrical outages, sewer backups, or any other unavoidable emergency situations. Should this occur, the rental fee and deposit will be refunded, unless the renter is able to reschedule the event. Notification of any emergency situation will be given to the renter as soon as possible.

**Problems:** If you encounter a problem during your rental, please call The Recreation Department Office at 223-2233, or Recreation Manager at 222-8155 **only** if you cannot get in contact with the Recreation Department staff. If it is an emergency and you cannot reach any of the listed contacts, please call 222-2050 and ask for the person on call for Public Works.

*The City of Livingston does not deny access to the facility to anyone on the basis of race, sex, religion, creed, national origin, or political views. Further, permitting any group to use the facility does not imply the endorsement of any views by the City of Livingston. The City of Livingston reserves the right to refuse application for good cause or to revoke the rental applicant's permit privileges.*

**Community low-cost vaccination clinic**

	Community Clinic	Sample #1	Individual	Sample #2	Individual	Sample #3	Individual
Injection	Cost to pet parent	Vet Office	Savings	Vet Office	Savings	Vet Office	Savings
Rabies	\$12.00	\$20.75	\$8.75	\$ 26.50	\$ 14.50	\$ 24.00	\$12.00
Distemper (F)	\$16.00	\$20.75	\$4.75	\$ 28.00	\$ 12.00	\$ 30.00	\$14.00
Distemper (C)	\$16.00	\$22.75	\$6.75	\$ 22.00	\$ 6.00	\$ 26.00	\$10.00
Rattlesnake	\$17.00	\$20.75	\$3.75	\$ 19.00	\$ 2.00	\$ 18.00	\$1.00
Microchip	\$20.00	\$75.00	\$55.00	\$ 61.00	\$ 41.00	\$ 60.00	\$40.00
					\$ -		\$0.00
New PT exam	\$0.00	\$65.00	\$65.00	\$ 68.00	\$ 68.00	\$ 48.00	\$48.00
<b>Totals</b>	<b>\$81.00</b>	<b>\$225.00</b>	<b>\$144.00</b>	<b>\$ 224.50</b>	<b>\$ 143.50</b>	<b>\$ 206.00</b>	<b>\$125.00</b>

**Item Attachment Documents:**

- B. SHANE CENTER REQUEST FOR RELIEF FROM BUILDING PERMIT FEES FOR ACT II CAPITAL IMPROVEMENT PROJECT.**



March 10, 2020

City of Livingston  
Attn: City Commission  
Livingston, MT 59047

Dear Livingston City Commissioners,

Since the fall of 2010, when The Shane Lalani Center for the Arts officially opened, we have had more than 250,000 visitors come through our doors. We have produced more than 450 community theatre performances and hosted more than 1,400 events. In addition, we have had more than 45,000 theatre attendees, more than 25,000 education program participants, and generated almost in \$3 million in operational revenue. The Shane Lalani Center for the Arts has become a significant contributor, not only to Livingston’s cultural esteem but, an economic engine generating approximately \$3.5 million annually of gross economic output according to an analysis prepared by the Northern Rocky Mountain Economic Development District. This success has lead us to the point where we are engaged in the Act II Capital Campaign, a \$2.5 million campaign, generating resources to further improve our facility, which the City of Livingston generously donated to our organization in the summer of 2009. We currently have raised \$1.4 million for the Act II Capital Project and will commence with the first phase of construction in the spring of 2020.

In consideration of the City’s past support of The Shane Center, our status as a non-profit organization serving the citizens of Livingston and economic leader in this community, we ask the City of Livingston Commission to waive the Building Permit Fees associated with the upcoming capital improvement project.

Thank you for your consideration of this request.

Best Regards,

Russell Lewis  
Executive Artistic Director



PO Box 58 Livingston, MT 59047



(406) 222-1420



[www.theshanecenter.org](http://www.theshanecenter.org)

*“Strengthening community through participation in the arts”*

**Item Attachment Documents:**

- C. ACTION: DISCUSS UPCOMING PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR LIVINGSTON CITY COMMISSIONERS.**

## Montana Healthy Communities

Registration Now Open!

# MONTANA HEALTHY COMMUNITIES CONFERENCE

**Bridging the Gap Between Economic Vitality and Health**



April 28-30, 2020



Great Northern Hotel  
Helena, MT



**Conference Registration  
is Now Open!**



**"What Works"  
Poster Application**

### About the Conference

The Montana Healthy Communities Conference April 28-30, 2020 in Helena will be the first statewide gathering to *intentionally* connect the healthcare and public health fields with the economic development, planning, research, local government, business, historic preservation and community development fields.

With the help of [Do Tank](#), we will spend over 2 hours doing real strategic planning that will directly improve the work that you do with your partners and community. This isn't abstract training; it is true strategic consulting at scale. Attendees will leave with a deeper understanding of their current state, the resources at their disposal, vision for the future, and critical next steps. This is money in the bank for your community.

### Who Should Attend & Why

"Bridging the gap" will *intentionally* connect the healthcare and public health fields with professionals in economic development, research, planning, local government, business, historic preservation and community development.

You and your community will walk away with a vision and plan for the future including how to leverage funds, skills and expertise for maximum impact.

Attendees are **strongly** encouraged to invite others from their community—especially those outside of your industry or community sector. For example, if you work in public health, encourage your local clerk, commissioner, planner, engineer, business leader, historian, developer *and* legislator to attend (we have [scholarships](#) for all elected officials and clerks!). If you need assistance identifying cross-sector associates, email [chelsea.culpon@montana.edu](mailto:chelsea.culpon@montana.edu)

We encourage you to [submit a poster](#) presentation highlighting a successful project, initiative or research in your community.

### Conference Agenda

An expansive agenda covering the wide range of topics that impact local communities delivered by experts and locals.

[View Agenda](#)

## Cost & Scholarships

Thanks to our generous sponsors and partners, we are able to offer a low registration fee of **\$50**. Scholarships are available.

[Scholarship Information](#)

## Great Northern Hotel

Limited rooms are available in the "MT Healthy Communities" group block for \$145.  
Call 800-829-4047 to reserve a room.

[Hotel Website](#)

## Other Accommodations

More hotels are located near the conference hotel.

[List of Nearby Hotels](#)

## Speaker Biographies

Check out the biographies for the conference speakers and presenters.

[Speaker Bios](#)

## Do Tank Strategic Planning

Learn more about our guest facilitators.

[What is Do Tank?](#)

## What is Montana Healthy Communities?

There is more to health than health care. Affordable housing, fresh produce, safe places to exercise, quality early child care, and good jobs are all critically important when it comes to the health of Montana's residents.

Economic Vitality = Healthy Communities

Montana Healthy Communities is a grassroots collaboration of various organizations committed to raising awareness in Montana about the relationship between the physical and mental health of its citizens and the economic vitality of the community. This includes the coordinated discussion, planning and funding for quality

# Montana Healthy Communities

New Knowledge. New Partners. Better Solutions.

## Hosts & Sponsors



Hosted by the Federal Reserve Bank of Minneapolis, the Montana Healthcare Foundation, and the Montana Office of Rural Health and Area Health Education Center at Montana State University.



Educational partners and sponsors include: Center for American Indian and Rural Health Equity (CAIRHE), MoFi, Montana Health CO-OP, Montana Hospital Association, Montana InBRE-the IDeA Network of Biomedical Research Excellence, Montana Primary Care Association, Blue Cross and Blue Shield of Montana, Montana Department of Commerce, Montana Department of Public Health and Human Services, Montana State University Extension, Mountain-Pacific Quality Health, Northwest Area Foundation, O.P. and W.E. Edwards Foundation, PacificSource Health Plans and the University of Montana Rural Institute for Inclusive Communities.

## Montana Healthy Communities Archive



2017 Conference



2016 Mini Grants



2016 Webinars





**2015 Conference**

# Montana Healthy Communities: Bridging the gap between economic vitality and health

Best Western Premier Helena Great Northern

AGENDA | Tuesday, April 28, 2020

#MTHC2020

9 am to 2 pm

## PRE-CONFERENCE COLLABORATIONS - Scheduled Association and Non-Profit Meetings

### 9:00 - 11:00 am Eat Right Montana / Action For Healthy Kids Member Meeting

Participation is open to anyone interested in learning more about the organization as well as current ERM-AFHK members. This meeting is hosted by Eat Right Montana. RSVP with Jane Gillette at [drgillette@sproutoralhealth.org](mailto:drgillette@sproutoralhealth.org).

### 11:00 am – 2:00 pm Montana Farm to School Leadership Meeting

Participation is by invitation only. Hosted by Montana Farm to School. Contact Aubree Roth to attend.

12:00 to 5:30 pm

## REGISTRATION

Registration and Check-In available from Noon to 5:30 p.m.

12:00 to 2:00

## PRE-CONFERENCE SESSION

### Montana Public Health Research

Interactive opportunity for community participants, providers, other public health stakeholders, and health researchers to discuss community-based research needs and challenges. Hear about current community-based participatory research efforts in Montana from the researchers themselves, then weigh in with your ideas and questions. Moderated by Alexandra Adams, M.D., Ph.D. Light snacks provided.

Hosted by the Center for American Indian and Rural Health Equity (CAIRHE) and Montana INBRE.

2:00 pm

## WELCOME – Great Northern Ballroom

### Opening Remarks

Aaron Wernham, Chief Executive Officer, Montana Healthcare Foundation

Kristin Juliar, Director, Montana Office of Rural Health/Area Health Education Center

## OPENING PLENARY

2:10 to 3:40 pm

### Rural Brain Gain and Rewriting the Rural Narrative

Benjamin Winchester, Research Fellow, Extension Center for Community Vitality, University of Minnesota and full-time resident of small town, rural Minnesota

3:40 to 4:10

### 21<sup>st</sup> Century Planning: Why and how the planning profession should include public health

Chris Danley, Planner, Owner of Vitruvian Planning, and former Boise Planning & Zoning Commissioner

- 4:10 - 4:20      **Question and Answer with Ben and Chris**
- 4:30 – 5:20      **Walking Through the Looking Glass, an Inclusive Walk Audit\*** with Chris Danley  
This hands-on pedestrian experience will expose participants to a contextual technical walking and rolling environment. Facilitated with local active living and built environment expert Cathy Costakis, Meg Ann Traci and state disability advisors Chris Siller and Liz Ann Kudrna.  
\*\*Must register for this; first come, first served. SPACE LIMITED.
- 4:30-5:30      **BREAK**  
For those who don't have a spot in the Walk Audit, you have free time before the Poster Showcase and Networking Reception.
- 5:30 to 7:00 pm      **NETWORKING RECEPTION and WHAT WORKS IN MONTANA POSTER SHOWCASE**  
Join us for appetizers, drinks, and discussion!
- Why businesses should invest in health? Making the business case for investments in population health**  
Ela Rausch, Senior Scientist, Robert Wood Johnson Foundation, Interdisciplinary Research Leader Center
- What Works in Montana Poster Showcase**  
**Community Success Posters:** Posters spotlighting cross-sector engagement through coordination, cooperation and collaboration, guided by proven practices, policies and smart investments, and overcoming barriers of time, trust and turf.  
**Research for Healthy Communities:** Posters spotlighting community based participatory research that links Montana communities to the researchers in Montana universities.
- Learn what it would take to replicate these initiatives and research efforts in your community. Project representatives will be available to share their recommendations and ingredients for success.
- AGENDA | Wednesday, April 29, 2020**
- 7:45 to 8:15 am      **Check-In & Networking Breakfast**
- MORNING PLENARY**
- 8:20                      **Welcome and Opening Remarks**  
Casey Lozar, Assistant Vice President, Federal Reserve Bank of Minneapolis Helena Branch
- 8:30                      **Building a Community that is Economically Vital and Healthy**  
Tash Wisemiller, Community & Economic Vitality Program Manager, Montana Main Street Program Coordinator, Montana Department of Commerce
- DO TANK DESIGN THINKING SESSION**
- 9:25                      **Activity 1: Community Context Assessment**

\*Start and end times are estimates. They may change by up to 15 minutes.

During the first activity, we will look at your community's needs and the external context in which it's situated. This assessment will underpin the strategic plan you develop in the final activity.

10:10 **BREAK**

10:25 **Montana Economic Outlook**

Barbara Wagner, Montana Chief Economist, Montanan Department of Labor and Industry

10:40 **What's FWP got to do with it? How Montana Fish, Wildlife and Parks improves communities**

Beth Shumate, Parks Division Administrator, Montana Fish, Wildlife and Parks

10:45 **Question and Answer with Barbara and Beth**

**PANEL**

10:55 **What's Business Got To Do With It? How economic development, community prosperity and health are interwoven**

Sarah Calhoun, Owner/Creator, Red Ants Pants in White Sulphur Springs

Rebekah Nelson, Director of Employee Benefits Outreach, Zoot Enterprises

Amy Hyfield, Executive Director, O.P. and W.E. Edwards Foundation, Funders for Montana's Children  
TBD

11:50 **DO TANK DESIGN THINKING SESSION**

**Activity 2: Vision for the Future**

We will create a compelling future state that is inspiring and that resonates with the needs of the people that you serve. When imagining your vision for the future, you will consider specific metrics and measurable outcomes you want to achieve.

12:40 pm **AWARDS LUNCH**

**Presentation of the annual Health Hero Awards from Eat Right Montana and Action for Healthy Kids**

Steve Bullock, Governor of Montana (Invited)

**Presentation of the Andrew Nichols Rural Health Advocate Award from the National Organization of State Offices of Rural Health**

Kristin Juliar, Director, Montana Office of Rural Health/Area Health Education Center, Montana State University

**Call to Action**

Rich Rasmussen, President/CEO, Montana Hospital Association

Steve Bullock, Governor of Montana (Invited)

1:20 **STRETCH BREAK**

1:35 **PANEL**  
**Big Ideas, Practical Application: how healthcare is working upstream, breaking down industry barriers and linking for success**

Christopher Coburn, MPH, CHES, System Manager of Community Health Improvement & Partnership, Bozeman Health

Kenny Smoker, Fort Peck Assiniboine & Sioux Tribes, Health Promotion Disease Prevention (HPDP) which administers School Based Health Clinic and Tribal Health Improvement Program

Critical Access Hospitals, Community Access to Mental Health First Aid Resources, Rural Hospital Flexibility Program, speaker TBD.

Montana Health Justice Partnership, speaker TBD.

2:30 **Office Hours on housing, jobs, transportation, infrastructure, recreation, early education and community research partnerships**

Hosted by experts, each office hour will provide a very brief overview of the topic including review of resources available followed by small group discussion, question and answer.

Attendees will disperse to one of the 7 office hour options, for 3 rotations.

**Housing**

- Katie Biggs, Marketing and Resource Development Manager, Neighbor Works Montana
- Cheryl Cohen, Operations Manager, Montana Housing, Montana Department of Commerce

**Jobs**

- TBD
- TBD

**Transportation**

- Dave Holien, Transportation Alternatives Engineer, Montana Dept. of Transportation
- TBD

**Infrastructure**

- Elisa Fiaschetti, Rural Community Development Manager, Main Street Montana—Rural Partners, Governor's Office of Economic Development, State of Montana

- TBD
- 

**Recreation**

- TBD
- TBD

**Early Childhood**

- Pam Ponich-Hunthausen, "PAX Good Behavior Game", Family Behavioral Health Program Manager/Liaison, Addictive and Mental Disorders Division, Montana Department of Public Health and Human Services
- TBD

Community Research Partnerships: Discussion and Q&A about best practices in partnership-building among communities, providers, and university health researchers.

\*Start and end times are estimates. They may change by up to 15 minutes.

- Alex Adams, Director and Principal Investigator, Center for American Indian and Rural Health Equity
- Ann Bertagnolli, Program Coordinator, Montana IDEa Network of Biomedical Research Excellence (INBRE)

3:30 **BREAK**

3:45 **DO TANK DESIGN THINKING SESSION**

**Activity 3: Resource Mapping**

During this session, you will build on the context you analyzed earlier and choose which community need(s) you want to improve. Then you will consider what resources are available to you and the resources that don't exist that need to be created. After the activity, you will network with other attendees to determine whether there are any resources that you did not know existed.

4:30 **Recap of Day, Encourage groups to plan meals together**

4:50 **Dismiss**

Consider having dinner with others from your community to continue conversations.

**AGENDA | Thursday, April 30, 2020**

7:45 to 8:15 am **Check-In & Networking Breakfast**

8:20 **Welcome**

8:35 **PANEL**

**How Did They Do It? A close look at communities that collaborated across industry sectors to plan and fund a brighter future.**

Amber Martinsen-Blake, MSW, Sweet Grass County Community Mental Health Coordinator, Sweet Grass County Community Health Worker Project

Kayla Sanders, Project Director of the Healthy Granite County Network

Katharine King, MPA, CEcD, Assistant Director, Community and Economic Development, City of Kalispell, Kalispell Core and Rail Redevelopment Project

Kimberly Morisaki, CEcD, Business Development & Marketing Director, Montana West Economic Development, Kalispell Core and Rail Redevelopment Project

9:30 **BREAK**

**PANEL**

9:45 **Time, Trust and Turf: what investors want to see in a potential project**

Karla Miller, Program Director, Northwest Area Foundation  
MoFi, speaker TBD.  
TBD  
TBD

10:45

**DO TANK DESIGN THINKING SESSION**

**Activity 4: Strategic Planning**

We will build a plan for HOW we hope to achieve the vision that we have designed. We want to clearly articulate the critical next steps that will drive this work to action so you know exactly what needs to get done when you return to your community.

11:45

**CLOSING and ADJOURNMENT**

Drawings for attendance gift cards ~ must be present to win!

DRAFT

- [MSU Extension](#)
- [Local Government Center](#)
- [Offered Trainings](#)
- Montana Municipal Institute Agenda and Registration Information

# Montana Municipal Institute Agenda and Registration Information

## 2020 Montana Municipal Institute Information

### [Registration Information](#)

#### [Benefits of Municipal Institute](#)

#### [Tuition/Registration Fees](#)

#### [Accomodations](#)

#### [Certification](#)

### [Draft Agenda](#)

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## Registration Information

### Benefits of the Institute

#### Credit Opportunities

This Institute offers 30 hours of instruction. Participants who attend 4 complete years of Institute training (120 hours) will meet the education requirements for the following certification tracks: IIMC Track (Certified Municipal Clerk), APT Track (Certified Public Finance Administrator) and the Montana Track(Certified Montana Municipal Clerk) Up-to Date learning opportunities.

Municipal Institute provides attendees the opportunity to remain up to date with current and effective methods for meeting the responsibilities and challenges of their office. The coursework is designed to help you best manage your positions with combining hands-on learning, group discussion and exercises that test your knowledge and understanding.

#### Professional Growth

Here is the chance to network with your colleagues in an atmosphere that supports both formal and informal participation. It also gives you access to presenters and organizations that can share valuable information and be an option for future resources.



## Tuition

### Registration Fees:

Registration fees cover the sessions (30 hours of instruction), training materials, breakfasts, lunches and 1 ticket to the Thursday lunch banquet.

- 4-day Institute \$415
- 2.5-day Institute \$275
- Individual Days \$105

### Additional Fee:

- Non-member \$100

This fee is for attendees who are not members of MMCT&FOA. If you are unsure of your MMCT&FOA membership status, please confirm with association treasurer (Jennifer Robley) at [townoffp@nemont.net](mailto:townoffp@nemont.net). We encourage all non-members to join prior to registering.

### Payment information:

Please pay your registration fee by check, payable to MSU Local Government Center:  
PO Box 170535, Bozeman, MT 59717

### Late Fee & cancellation policy

The registration deadline is **April 17th, 2020**.

After April 17th, a **\$50 additional fee** will be added to the registration cost.

If a written registration cancellation and refund request is received before April 17th, a full refund is given, minus a \$50 processing fee.

**After April 17th there will be no refunds given.**

## Accommodations

**Best Western Plus GranTreeInn**  
1325 N 7thAve, Bozeman, MT 59715  
(406)587-5261

A block of rooms reserved at the state rate and is under **MT Municipal Clerks Treasurers**

**Comfort Inn**  
1370 N. 7thAve, Bozeman, MT 59715  
(406)587-2322

A block of rooms is also reserved at the Comfort Inn at the state rate under the group name **Municipal Institute 2020**.

## **After Hour Events**

Dinner hosted by Pay.Gov

Monday, May 4th at 6pm

Location: TBD

Sponsored User Meeting hosted by Black Mountain Software

Tuesday, May 5th at 6pm

Location TBD

Dinner hosted by MMIA Employee Benefits, Allegiance, and Delta Dental

Wednesday, May 6th

Location: TBD

Banquet & Celebration

Hosted by MSU Local Government Center and MMCT&FOA

Location: Best Western Plus GranTree Inn on Thursday, May 7th

Time: Noon- 1:30pm

Participants are welcome to purchase guest tickets for this banquet where graduating clerks/treasurers will be honored. Guest tickets can be purchased from Local Government Center staff for \$25 per person.

## **Certification**

The International Institute of Municipal Clerks (IIMC), the Association of Public Treasurers of the United States and Canada (APT US&C) and MMCTFOA accredit the Montana Municipal Institute.

We offer other credited educational opportunities throughout the year.

The certification requirements are:

1. Certified Education Hours
2. Experience Hours
3. Association Membership
4. Track selection aligned with occupation and professional goals

## Certification Tracks

### IIMC Track-Certified Municipal Clerk

- 120 education hours
- 50 experience points
- IIMC member for 2 years

### APT Track-Certified Public Finance Administrator

- 120 certified education hours
- 50 experience points
- APT US&C member for 2 years

### Montana Track-Certified Montana Municipal Clerk

- 100 certified education hours
- 50 experience points
- MMCT&FOA member for 2 years

### Optional Continuing Education Units

- Available for 4-day and 2.5-day registrants through MSU Extended University.
- Attendance is required to earn CEU's but not necessary for certification.
- There is an additional fee.

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## Draft Agenda

<b>Draft</b>	<b>Session Title</b>	<b>Speaker</b>
<b>Agenda</b>		
<b>Sunday</b>		
<b>9:00 am -</b>	Athenian Dialogue (book title will be announced in early spring 2020)	Ashley Kent, MSU Local Government Center
<b>3:30 pm</b>		
<b>3:00 pm -</b>	Registration	
<b>4:30 pm</b>		
<b>4:30 pm -</b>	Welcome and Orientation for First-Year Clerks	MSU Local Government Center
<b>5:00 pm</b>		
<b>5:00 pm -</b>	Welcome to all attendees	MSU Local Government Center
<b>6:00 pm</b>		
<b>Monday</b>		
<b>7:00 am -</b>	Breakfast	
<b>8:00 am</b>		

Draft	Session Title	Speaker
<b>Agenda</b>		
<b>8:00 am -</b>	Introduction to Local Government in Montana	Dan Clark, MSU Local Government Center
<b>8:50 am</b>		
<b>9:00 am -</b>	Government Fund Accounting	Agnes Fowler, City of Conrad and Jodi Rogers, City of Choteau
<b>9:55 am</b>		
<b>9:55 am -</b>	Break	
<b>10:10 am</b>		
<b>10:10 am -</b>	Fundamentals of Municipal Budgeting	Tod Kasten, Stockman Bank
<b>noon</b>	(sponsored by Stockman Bank)	
<b>noon -</b>	Lunch	
<b>1:00 pm</b>		
<b>1:00 pm -</b>	Utilizing Resources for Clerk Duties:	Liz Roos, Town of West Yellowstone
<b>1:55 pm</b>	A review of the clerk's procedure manual	Ellen Harne
<b>2:10 pm -</b>	Preventing Damaged Records	
<b>3:00 pm -</b>	OR	OR
<b>3:00 pm</b>		
<b>3:00 pm -</b>	The Procurement Process	TBD
<b>3:00 pm -</b>	Break	
<b>3:15 pm</b>		
<b>3:15 pm -</b>	Creative Problem Solving	Nikki Brummond, City of Lewistown and
<b>5:00 pm</b>		Ashley Kent, MSU Local Government Center
<b>6:00 pm</b>	Dinner hosted by Pay.Gov	Details TBD
<b>Tuesday</b>		
<b>7:00 am -</b>	Breakfast	
<b>8:00 am</b>		
<b>8:00 am -</b>	The Importance of Public Trust	Dan Clark, MSU Local Government Center
<b>8:50 am</b>		
<b>9:00 am -</b>	Parliamentary Procedure in Municipal Government	Dan Clark and Ashley Kent, MSU Local Government Center
<b>9:55 am</b>		
<b>10:10 am -</b>	Creative Strategies to Recruit and Retain	Anna Kasmierowski, Adroit Employment
<b>noon</b>	Municipal Employees	
<b>noon -</b>	Lunch	
<b>1:00 pm</b>		
<b>1:00 pm -</b>	High-Risk, High Reward: Dealing with difficult conversations	Ashley Kent, MSU Local Government Center
<b>2:50 pm</b>		
<b>2:50 pm -</b>	Break	
<b>3:05 pm</b>		

Draft	Session Title	Speaker
<b>Agenda</b>		
<b>3:05 pm -</b>	Clerk/Treasurer to Clerk/Treasurer	
<b>5:00 pm</b>		
<b>6:00 pm</b>	Black Mountain Software User Meeting (register on BMS website)	
<b>Wednesday</b>		
<b>7:00 am -</b>	Breakfast	
<b>8:00 am</b>		
<b>8:00 am -</b>	Annual Financial Report and GASB Update OR	Darla Erickson, MT DoA Local Government Services
<b>10:00 am</b>	HR Policy to Action	OR Angela Simonson, MMIA
<b>10:00 am -</b>	Break	
<b>10:15 am</b>		
<b>10:15 am -</b>	The Check Isn't in the Mail: Utilizing electronic transactions for municipal business OR	Panel of clerks OR
<b>11:45 am</b>	Building Resilient Communities: Partnering with MCF, MNA, & MEDA	MCF, MNA, MEDA
<b>11:45 am -</b>	Lunch and MMCTFOA Association Meeting	
<b>1:00 pm</b>		
<b>1:00 pm -</b>	Mental Health First Aid	Jane MacDonald, MSU Local Government Center
<b>2:50 pm</b>		
<b>2:50 pm -</b>	Break	
<b>3:05 pm</b>		
<b>3:05 pm -</b>	Proper Workplace Ergonomics and Avoiding Workplace Fatigue	Britani Laughery, MMIA
<b>3:55 pm</b>		
<b>4:05 pm -</b>	Preventing Harrassemnt and Violence in the Workplace	Emily Stark, MSU Office of Institutional Equity
<b>5:00 pm</b>		
<b>6:00 pm</b>	Clerks Appreciation Dinner Hosted by MMIA Employee Benefits, Allegiance, and Delta Dental	
<b>Thursday</b>		
<b>7:00 am -</b>	Breakfast	
<b>8:00 am</b>		
<b>8:00 am -</b>	Cash Reconciliation OR	Nikki Brummond, City of Lewistown OR
<b>8:55 am</b>	MLCT Update	MLCT
<b>9:05 am -</b>	Leading from Where You Are in an Organization	Tara Mastel, MSU Local Government Center and Katie Weaver, Park County MSU Extension
<b>9:50 am</b>		

<b>Draft</b>	<b>Session Title</b>	<b>Speaker</b>
<b>Agenda</b>		
<b>9:50 am -</b>	Break	
<b>10:05 am</b>		
<b>10:05 am</b>		
<b>-</b>	First Amendment Audit	John MacDonald
<b>noon</b>		
<b>Noon -</b>	Awards Banquet	
<b>1:30 pm</b>		
<b>1:30 pm -</b>	All the Queen's Horses - Video and Fraud Awareness in Municipal Government Discussion	MMIA and MT DoJ
<b>5:00 pm</b>		

[Back to Top](#)

**Item Attachment Documents:**

**E. ACTION: DISCUSS RAILROAD CROSSING OPTIONS**

	<b>Total Project Cost (With Interest)</b>	<b>SID % of Total Cost</b>	<b>Mill Levy % of Total Cost</b>
	\$15,000,000	0%	100%
		\$0	\$15,000,000
<b>House Value</b>	<b>Levy Only Cost (Outside SID)</b>	<b>SID Size (Properties Included)</b>	<b>SID COST</b>
\$200,000	\$158.18	Large	\$ -
\$300,000	\$237.27		
\$400,000	\$316.36		
	<b>SID &amp; Levy Cost (Inside SID)</b>		
\$200,000	\$158.18		
\$300,000	\$237.27		
\$400,000	\$316.36		

For demonstration purposes only



**Analysis 1: Voter Type Support**

Opposed All Cases	Opposed Star Rd	Opposed PFL	Opposed with SID	Opposed No SID	Opposed Over	Opposed Under

	Star Rd		PFL	
	Overpass	Underpass	Overpass	Underpass
SID	100%	100%	100%	100%
No SID	100%	100%	100%	100%

**Analysis 2: District Support**

**EXAMPLES**

Ambulance Mill Levy	59%	64%	68%	72%	71%
EMS Mill Levy	47%	48%	57%	56%	55%
	<b>60CL</b>	<b>60DL</b>	<b>60EL</b>	<b>60FL</b>	<b>60GL</b>

For demonstration purposes only

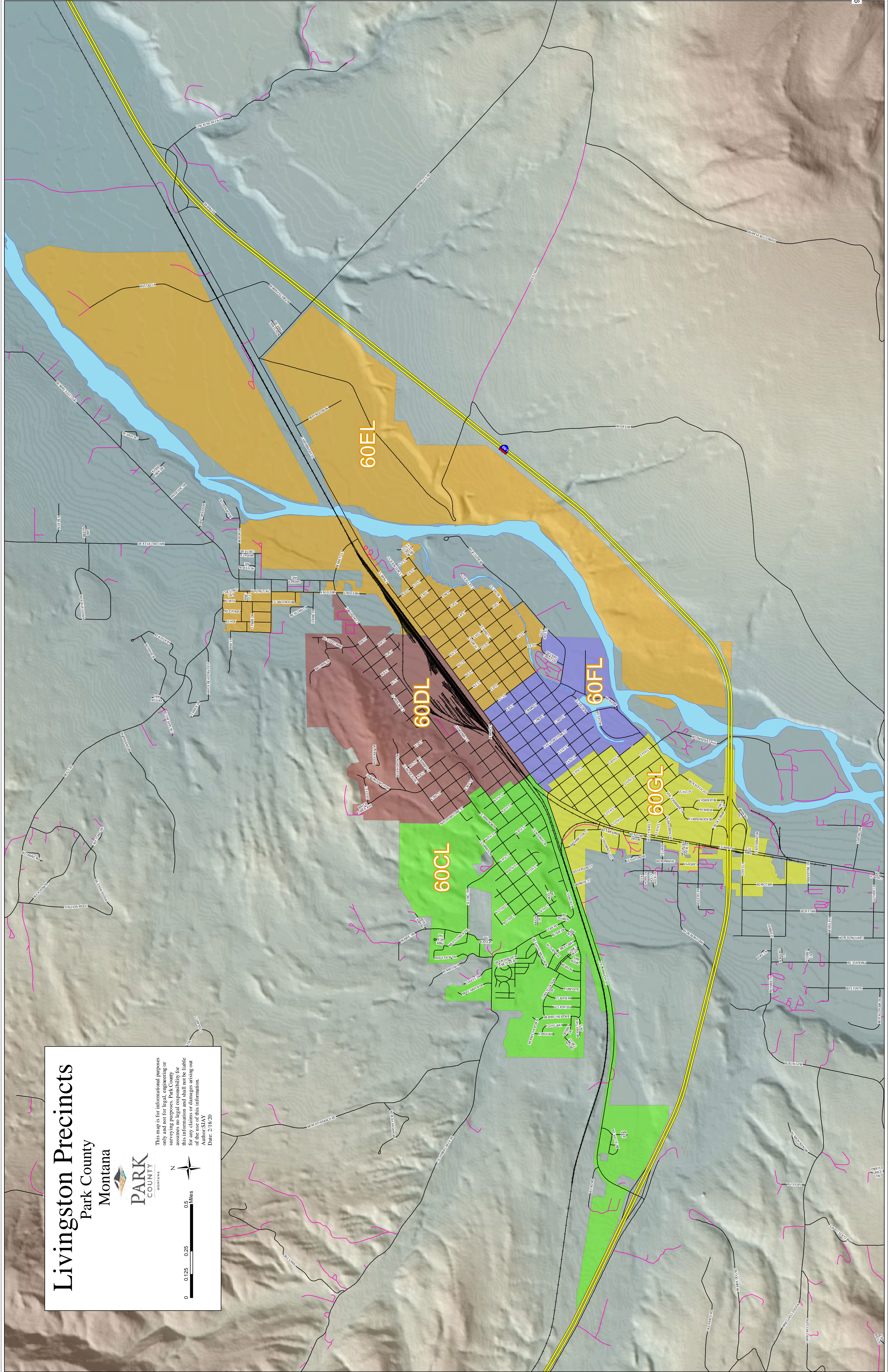
Overall Support: 0.00%

# Livingston Precincts

Park County  
Montana



This map is for informational purposes only and not for legal, engineering or surveying purposes. The author assumes legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.  
Author: SJAY  
Date: 2/18/20



**RESOLUTION NO. 4893**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER'S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER'S EXERCISE OF THAT AUTHORITY.**

\*\*\*\*\*

**WHEREAS**, an epidemic of the Coronavirus Disease ("COVID-19") has occurred across the United States;

**WHEREAS**, the World Health Organization has declared COVID-19 a global pandemic that is controllable via precautionary measures to stop the spread of the disease;

**WHEREAS**, the City faces an imminent threat to life and public health resulting from COVID-19;

**WHEREAS**, MCA 10-3-402 provides for the principal executive officer of a political subdivision to declare a local emergency or disaster and the City Manager is the principal executive officer for the City of Livingston;

**WHEREAS**, the City will commit available resources, and will take action to combat and to alleviate the situation, local resources may not be adequate to cope with the situation; and

**WHEREAS**, it appears the City Manager may declare an emergency in the City of Livingston in the near future.

**NOW, THEREFORE, The City Commission resolves and acknowledges:**

**Section 1.** The authority of the City Manager to declare an emergency based on MCA 10-3-402 is reaffirmed.

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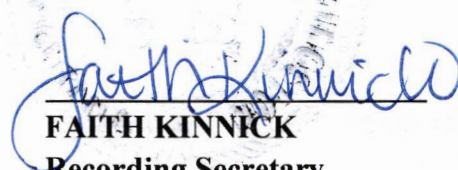
possess and exercise the following powers:

- a. To approve all claims, payroll, and other financial responsibilities “nunc pro tunc” and bring them before the Commission for ratification after the emergency is terminated.
- b. To use the City of Livingston Revolving Loan Fund in any manner reasonable and necessary to support the businesses of the City of Livingston.
- c. To waive the ordinances of the City of Livingston as necessary to effectively address the emergency.
- d. To impose any reasonable restrictions on travel, parking, or congregating as necessary to address the emergency and in accordance with MCA 10-3-406.
- e. To execute all contracts for the City for \$50,000.00 or less, consistent with applicable state law and bid requirements.

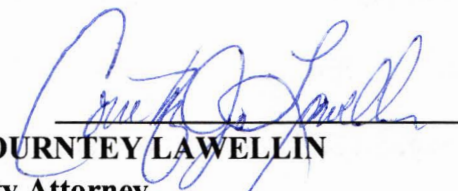
**PASSED AND ADOPTED**, by the City Commission of the City of Livingston, Montana, this 17<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
**DOREL HOGLUND, CHAIR**

**ATTEST:**

  
\_\_\_\_\_  
**FAITH KINNICK**  
Recording Secretary

**APPROVED TO AS FORM:**

  
\_\_\_\_\_  
**COURTNEY LAWELLIN**  
City Attorney

RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER'S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER'S EXERCISE OF THAT AUTHORITY.

# Montana Code Annotated 2019

TITLE 10. MILITARY AFFAIRS AND DISASTER AND EMERGENCY SERVICES

CHAPTER 3. DISASTER AND EMERGENCY SERVICES

Part 4. Local and Interjurisdictional Planning and Execution

## Local And Interjurisdictional Disaster And Emergency Plan -- Distribution

**10-3-401. Local and interjurisdictional disaster and emergency plan -- distribution.** (1) Each political subdivision eligible to receive funds under this chapter shall prepare a local or interjurisdictional disaster and emergency plan and program covering the area for which that political subdivision is responsible. This plan shall be in accordance with and in support of the state disaster and emergency plan and program.

(2) The political subdivision shall prepare and distribute on behalf of the principal executive officers, in written form, a clear and complete statement of:

- (a) the emergency responsibilities of all local agencies, if any, and officials;
- (b) the disaster and emergency chain of command;
- (c) local evacuation authority and responsibility; and
- (d) local authority and responsibility for control of ingress and egress to and from an emergency or disaster area.

**History:** En. 77-2307.1 by Sec. 8, Ch. 335, L. 1977; R.C.M. 1947, 77-2307.1(5), (6); amd. Sec. 9, Ch. 430, L. 1983; amd. Sec. 4, Ch. 71, L. 1987.

# Montana Code Annotated 2019

TITLE 10. MILITARY AFFAIRS AND DISASTER AND EMERGENCY SERVICES

CHAPTER 3. DISASTER AND EMERGENCY SERVICES

Part 4. Local and Interjurisdictional Planning and Execution

## Contents Of Order -- Effect

**10-3-404. Contents of order -- effect.** (1) An order or resolution declaring or terminating a state of emergency or disaster shall indicate the nature of the emergency or disaster, the area threatened, and the conditions which have brought about the proclamation or declaration or which make possible termination of the state of emergency or disaster. Such order or resolution shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and shall be filed promptly with the division and the agency charged with recording the official records of the political subdivision.

(2) The effect of an emergency proclamation or a disaster declaration is to activate applicable parts of the local or interjurisdictional disaster and emergency plan and program and to authorize the furnishing of aid and assistance in accordance with such plans and programs.

**History:** En. 77-2307.2 by Sec. 9, Ch. 335, L. 1977; R.C.M. 1947, 77-2307.2(4), (5); amd. Sec. 10, Ch. 430, L. 1983.

# Montana Code Annotated 2019

TITLE 10. MILITARY AFFAIRS AND DISASTER AND EMERGENCY SERVICES

CHAPTER 3. DISASTER AND EMERGENCY SERVICES

Part 4. Local and Interjurisdictional Planning and Execution

## Levying Emergency Tax -- Disposition Of Surplus

**10-3-405. Levying emergency tax -- disposition of surplus.** (1) The governing body of the city or town or the governing body of the county, or both, shall estimate expenditures and levy an emergency millage to cover the expenditures. The millage levied by the governing body of the city or town shall not exceed 2 mills on the municipality's taxable valuation. The millage levied by the governing body of the county shall not exceed 2 mills on the taxable valuation of the county outside the municipalities.

(2) No expenditure of revenue received from the millage shall be made without approval of the appropriate levying body.

(3) An additional levy or levies may be made by the appropriate levying body, providing that the sum of the levies for emergencies as set forth in this section shall not exceed 2 mills in any one year.

(4) All levies under this section may be passed only by a unanimous vote of the appropriate body.

(5) Funds levied for an emergency and remaining when no further expenditures are necessary shall remain in a separate emergency fund and shall be used only for expenditures arising from future emergencies.

**History:** (1) thru (4)En. Sec. 5, Ch. 97, L. 1967; Sec. 11-4305, R.C.M. 1947; (5)En. Sec. 6, Ch. 97, L. 1967; Sec. 11-4306, R.C.M. 1947; R.C.M. 1947, 11-4305(1) thru (4), 11-4306; amd. Sec. 2, Ch. 216, L. 1981.

# Montana Code Annotated 2019

TITLE 10. MILITARY AFFAIRS AND DISASTER AND EMERGENCY SERVICES

CHAPTER 3. DISASTER AND EMERGENCY SERVICES

Part 4. Local and Interjurisdictional Planning and Execution

## Authority Of Principal Executive Officer

**10-3-406. Authority of principal executive officer.** (1) Upon the declaration of an emergency or disaster under **10-3-402** or **10-3-403** and the issuance of an order as required by **10-3-404**, the principal executive officer may:

(a) direct and compel the evacuation of all or part of the population from an incident or emergency or disaster area within that political subdivision when necessary for the preservation of life or other disaster mitigation, response, or recovery; and

(b) control the ingress and egress to and from an incident or emergency or disaster area and the movement of persons within the area.

(2) Subject to **7-33-2212(4)(a)**, the authority to control ingress and egress, as provided in subsection (1)(b), includes the authority to close wildland areas to access during periods of extreme fire danger.

**History:** En. Sec. 5, Ch. 71, L. 1987; amd. Sec. 5, Ch. 595, L. 1989; amd. Sec. 2, Ch. 450, L. 2007.



**LIVINGSTON CITY COMMISSION MINUTES**

**Tuesday, March 17, 2020, 5:30 pm**

**City-County Complex, Community Room**

**1 Call to Order**

**2 Roll Call**

**\* Hoglund, Mabie and Nootz were present. Schwarz participated by phone, Friedman absent.**

**3 Moment of Silence**

**4 Pledge of Allegiance**

**5 Public Comments**

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) The CDC & MT DPPHS issued a recommendation of limiting council meetings to essential business only.

In an effort to mitigate the imminent risk of exposure and infection to others, the City modified it's published agenda to approval of consent items, 1st Reading of Ord. No. 2087, added Resolution No. 4893. Non-essential items will be moved to a future agenda.

**6 Consent Items (00:03:19)**

**\* Mabie motioned to approve A through D, seconded by Nootz.**

**\* All in favor, motion passed 4-0.**

**7 Proclamations**

**8 Scheduled Public Comments (cancelled)**

**9 Public Hearings**

**10 Ordinances (00:03:50)**

**A. Ordinance No. 2087: An Ordinance of the City Commission of the City of Livingston, Montana amending section 30.13 of the Livingston Municipal Code entitled Official Zoning Map of the City of Livingston by zoning the Green Acres Subdivision and Green Acres Park Medium Density Residential (R2) and Public (P) respectively.**

**\* Kardoes gave opening statement**

**\* Nootz made comments (00:06:16)**

**\* Mabie made comments (00:07:13)**

**\* Nootz motioned, Mabie seconded.**

**All in favor, motion passed 4-0.**

**11 Action Items (Pulled)**

**\* Kardoes gave statement about status of each item, rescheduling.**

**\* Nootz requested Kardoes reiterate disclaimer that the City is following the CDC, State, and County Health Department to only conduct necessary business items only. (00:10:20)**

**12 City Manager Comments (00:10:44)**

**\* Kardoes gave update regarding current actions City is taking to address COVID-19 outbreak, present emergency resolution to commission, and discuss how to move forward with city board/committee meetings.**

**\* All City offices closed to public, remain open for operations, for 8 weeks per CDC recommendations or until further order from Governor.**

**\* County is looking at declaring an emergency possibly Thursday.**

**\* City created new web page to update the Community on the Coronavirus updates. Good, factual information throughout Montana, provides resources for impacted individuals, showing real-time daily confirmed case listed current closures in Park County, other closures, basic information what to do if you feel ill, how to stop the spread, how to do social**

distancing, links to reliable scientific information, CDC website, DPHHS, St. Johns Hospital app, real-time information.

- \* Kardoes provided Commissioners with MCA 2019 10.3.402-406 Who can declare an emergency. How to recover FEMA funds, how to initiate the Park CO. Emergency Operations Plan, to direct and compile an evacuation and to control the ingress and egress from emergency areas. Commission can approve additional 2 mills per local emergency. (00:16:16)
  
- \* Kardoes provided Commissioners with emergency Res. No. 4893: Acknowledging and defining the City Manager's Power to declare an emergency and the City Manager's exercise of that authority. (00:19:58)
  - \* Mabie made comments (00:27:09)
  - \* Nootz asked clarifying questions (00: 27:54)
  - \* Hogle asked clarifying questions (00:37:00)
  - \* Schwarz made comments (00:43:37)
  - \* Mabie motioned, Schwarz seconded
  - All in favor, motion passed 4-0.
  
- \* Kardoes advised following the authorities recommendations to not hold any regular scheduled meetings unless there is a legal need to do so for 8 weeks and suspending all City Commission & City Boards & Committee meetings except April 7 unless there is a legal reason to meet or until further order.
  - \* Hogle concurred (00:47:25)
  - \* Mabie suggested cancelling commission listening sessions
  - \* Schwarz concurred
  - \* Nootz made comments (00:50:27)
  - \* Kardoes made clarifying comments (00:56:02)
  - \* Lawellin made comments (00:57:34)

**13 City Commissioner Comments (01:03:11)**

- \* Nootz made comments (01:03:12)
- \* Mabie made comments (01:05:44)
- \* Schwarz made comments (01:07:32)
- \* Hogle made comments (01:09:06)

**14 Adjournment (01:12:14) 6:45 p.m.**



# Livingston City Commission Agenda

March 17, 2020

5:30 PM

City – County Complex, Community Room

## MODIFIED AGENDA DUE TO COVID-19

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. Public Comment

*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

6. Consent Items

- A. RATIFY CLAIMS PAID FROM 03/01/2020-03/15/2020. PG. 5**
- B. APPROVE MINUTES FROM 3/3/2020 CITY COMMISSION MEETING. PG. 16**
- C. APPROVE MARY BEEBE'S APPLICATION FOR CITY-COUNTY HEALTH BOARD. PG. 20**
- D. APPROVE SPECIAL PARKING APPLICATION FROM PHILLIP BURG. PG. 22**

7. Proclamations

8. Scheduled Public Comment

- ~~**A. ALEXIS VAN PERNIS ENERGY CORPS INTERN, PRESENTATION TO LIVINGSTON CITY COMMISSION.**~~
- ~~**B. RUSSELL LEWIS OF THE SHANE LALANI CENTER WITH PRESENTATION REGARDING UPCOMING CAPITAL IMPROVEMENT PROJECT. PG. 26**~~

9. Public Hearings

10. Ordinances

- A. ORDINANCE NO. 2087: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY. PG. 38**

11. Resolutions

- A. RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACKNOWLEDGING AND DEFINING THE CITY MANAGER'S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER'S EXERCISE OF THAT AUTHORITY. PG. 87**

12. Action Items

- ~~A. DISCUSS: LAUREL RHODES, DVM, REQUEST FOR A FEE WAIVER FOR THE USE OF THE CIVIC CENTER ON APRIL 4 AND MAY 2, 2020. TO PROVIDE A LOW COST COMMUNITY CANINE AND FELINE VACCINATION AND MICROCHIP CLINIC. PG. 52~~
- ~~B. SHANE CENTER REQUEST FOR RELIEF FROM BUILDING PERMIT FEES FOR ACT II CAPITAL IMPROVEMENT PROJECT. PG. 63~~
- ~~C. ACTION: DISCUSS UPCOMING PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR LIVINGSTON CITY COMMISSIONERS. PG. 65~~
- ~~D. CITY COMMISSION TO DISCUSS AND PROVIDE FOCUSED DIRECTIVE TO CITY CONSERVATION BOARD. PG. 83~~
- ~~E. ACTION: DISCUSS RAILROAD CROSSING OPTIONS PG. 83~~

- 13. City Manager Comment
- 14. City Commission Comments
- 15. Adjournment

Calendar of Events

# APRIL 2020

CALENDAR MONTH APRIL  
CALENDAR YEAR 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6 Zoning Commission Work Session 5:30-7:30	7 City Commission Meeting 5:30 p.m.	8 Quarterly City-County Board of Health Meeting 5:30 p.m.	9	10	11 Commissioner Listening Session Livingston Home Outfitters 9-11am
12	13	14 Historic Preservation Committee mtg. 3:30 p.m. Zoning Commission Meeting 5:30pm	15	16 Tree Board Meeting Noon City Manager Annual Evaluation 5:30 pm	17	18
19	20	21 City Commission Meeting 5:30 p.m.	22 Library Board Mtg. 4PM Conservation Board 5:00 PM Planning Board mtg 5:30PM Sister City Board.Mtg. 7PM	23	24	25
26	27	28 Commissioners MT Healthy Communities Conference- Helena 4/28-4/30	29 Parks and Trails Committee Meeting 6:00pm	30	1	2

**RESOLUTION NO. 4893**

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- d. To impose any reasonable restrictions on travel, parking, or congregating as necessary to address the emergency and in accordance with MCA 10-3-406.
- e. To execute all contracts for the City for \$50,000.00 or less, consistent with applicable state law and bid requirements.

**PASSED AND ADOPTED**, by the City Commission of the City of Livingston, Montana, this \_\_\_\_\_ day of March, 2020.

---

**DOREL HOGLUND, CHAIR**

**ATTEST:**

**APPROVED TO AS FORM:**

---

**FAITH KINNICK**  
**Recording Secretary**

---

**COURNTEY LAWELLIN**  
**City Attorney**

RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER’S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER’S EXERCISE OF THAT AUTHORITY.



## Onsite Wastewater Treatment System Permit Application

Park County Environmental Health  
 Phone: (406) 222-4145 Fax: (406) 222-4763  
 414 E. Callender Street  
 Livingston, MT 59047

For office use only:

Permit Number \_\_\_\_\_  
 Application Fee \$ \_\_\_\_\_  
 Receipt # \_\_\_\_\_  
 Check # \_\_\_\_\_  
 Paid by \_\_\_\_\_  
 Tax ID # \_\_\_\_\_

### Owner information

Property owner Charlie Aiken Phone 502-939-1596  
 Mailing address 3141 Clify Drive City, State Madison, IN Zip 47250

### Statement of Accuracy and Permission to Inspect:

As the owner of the parcel of land described within the permit application, my signature below declares the information provided here is to the best of my knowledge. I acknowledge that the County Sanitarian and/or members of the Park County Board of Health are hereby empowered and authorized to enter upon my private property for the purpose of inspection and investigation concerning the onsite wastewater treatment system that treats, discharges, or disposes of wastewater to determine compliance with Park County and the State of Montana regulations.

Property owner signature (required) \_\_\_\_\_ Date \_\_\_\_\_

### Property information

Site Address/Location 19 Bannock Trail Rd Town/City Cooke City  
 Section 33 Township 9S Range 14E  COSA  COS # 108  
 Name of Subdivision (if applicable) \_\_\_\_\_ Tract/Lot # 34  
 Directions to site Located in Silver Gate, Montana off of Monument Ave.

### Permit information (Check all that apply)

System to be installed by Matt Asplund - Asplund Enterprises  
Park County licensed installer

New  Repair/Replacement System  Upgrade/Expansion  Connect to Existing  
 Permit # 13-071

Residential system  Seasonal residence  Full-time residence

Number of living units 1 \*Living unit means the area under one roof that can be used for one residential unit and which has facilities for sleeping, cooking, and sanitation. A duplex is considered two living units.

Number of bedrooms in each living unit (including unfinished basements) 3

Commercial system  Private (serving <24 or more people <60 days per year)  Public (serving >24 or more people >60 days per year)

Number of commercial units NA

\*Public systems require Montana DEQ approval

Daily design flow (gpd) 300 Rationale for design flow (include calculations) DEQ-4

**System design and specifications\***

Septic tank size 1000 Pump chamber size 500  Concrete  Fiberglass  Other \_\_\_\_\_

Drainfield components Three 50' gravelless chambers

\*On-site Wastewater treatment systems shall be designed and constructed in accordance with the requirements described in ARM Title 17, Chapter 36, Subchapters 1-8, Subdivision Rules, and ARM Title 17, Chapter 36, Subchapter 9, On-site Subsurface Wastewater Treatment, and Montana Department of Environmental Quality Circular DEQ 4, 2013 edition, Park County Onsite Wastewater Treatment Regulations, and "How to Perform a Non-degradation Analysis for Subsurface Wastewater Treatment Systems Under the Subdivision Review Process", Revised October 2015, or most recent editions.

**Site evaluation report** (if applicable, submit additional documents as necessary)

Date of soils test \_\_\_\_\_ Weather conditions \_\_\_\_\_

Horizon/Depth	Soil Description (include type, texture, structure, mottles, limiting layers, etc.)

Application rate according to Table 2.1-1 Montana DEQ Circular 4 0.5 ft<sup>2</sup>/gpd

Comments/Unusual site features This permit application is in response to approved permit 19-076 which was subsequently denied

Non-degradation analysis included:  Yes  No, this property meets the requirements of categorical exemption # \_\_\_\_\_

If no, provide further details \_\_\_\_\_

**Please submit all applicable documentation with this application-** including but not limited to: flood plain maps, proposed lot layout, septic layout, pump requirements, well and water line locations, surface water locations, ground water monitoring results, etc.

**A permit will not be issued until all necessary documentation has been received and approved by this office**

As a Park County licensed site evaluator, my signature verifies that I have addressed the above parameters for this site. I have completed the site evaluation according to all applicable rules and regulations and the documentation provided above accurately reflects the conditions at this site. All information herein provided is true, complete, and correct to the best of my ability and knowledge.

\_\_\_\_\_  
Signature of site evaluator

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Date



## **TABLE OF CONTENTS:**

1. INTRODUCTION
2. WATER SUPPLY
3. SOILS
4. WASTEWATER SYSTEM OVERVIEW
5. FLOODPLAIN
6. WASTEWATER SYSTEM SIZING
7. NON-DEGRADATION ANALYSIS
8. TABLE OF CONTENTS FOR ATTACHED SUPPLEMENTAL INFORMATION



## **I. INTRODUCTION**

This report presents Allied Engineering's wastewater system evaluation for the Aiken property located at 19 Bannock Trail in Silver Gate, Montana. Per Montana Cadastral, the property is Parcel 34, PC IN LT 1 IN SESE, REF PLAT 583 within Section 33, Township 9 South, Range 14 East, C.O.S. 108. The subject property is 0.587 acres. The property is located within Park County, Montana.

Currently there is an existing cabin on the property, built in 1940, which consists of 1 bedroom per Montana Cadastral. The owner of the property is planning to construct a 2-bedroom addition to the existing cabin, as shown on the attached site plan. The total number of proposed bedrooms is 3.

It is our understanding that the existing cabin is served by a septic permit issued on September 6, 2013 which serves up to 2 bedrooms. That permit is attached. On July 15, 2019 the property received approval for a new septic permit (#19-076). This permit was subsequently denied on November 26, 2019, so that the adjacent floodplain could be addressed along with the lot size and planning. A variance to build a drainfield within 100 feet of the FEMA floodplain is addressed in a separate report.

The enclosed application is seeking approval for an on-site wastewater system to serve one (1) single family home with up to 3-bedrooms, with a daily flow of 300 GPD - according to the DEQ-4 Circular.

Vicinity maps, soils information, non-degradation analysis, wastewater sizing, etc. has been included in this report.

## **II. WATER SUPPLY**

The subject property currently has an on-site well used for water supply. It is our understanding that the well is GWIC #199496. The well log is attached to this application. A water sample was taken from a spigot in between the home and the well and this data is also included in the report. The well is located in the southwest corner of the property, approximately 138 feet from the corner of the existing cabin per the site plan for the 2019 septic permit. Area well logs represent enough water supply in the aquifer.

The well was visited by the MBMG of September 9, 2014 and a nitrates test resulted in 0 mg/liter. Groundwater was measured in the well at 18.2 feet by MBMG. We also considered recent nitrate samples from the Cooke City Water District via the Drinking Water Watch website, the most recent of which tested nitrates at 0.04 mg/liter on December 19, 2019.

## **III. SOILS**

The Aiken well log notes that soils are “sand gravel clay” from 1 to 21 feet deep. Nearby well logs note similar soil conditions being potential alluvial sandy gravel soils. NRCS Soils information is not available for the area. The Tatchick permit notes sandy loam soils with a percolation rate of 6 minutes per inch. The Larry Bunn permit notes sandy clayey loam soils with a percolation rate of 5.5 minutes per inch. Based on the available information and per DEQ-4 regulations, an application rate of 0.6 gpd/ft<sup>2</sup> would be adequate for the system. However, we have conservatively over-sized the system for an application rate of 0.5 gpd/ft<sup>2</sup>. This conservative application rate (0.5 gpd/ft<sup>2</sup>) is being proposed in part because of the lack of soil (NRCS) data for the area for the subject property.

#### IV. WASTEWATER SYSTEM OVERVIEW

The proposed wastewater system is planned to serve one cabin with up to 3-bedrooms. The system is proposed to consist of one (1) 1,500-gallon double compartment combination concrete septic/dose tank with effluent filter and a subsurface pressure-dosed drainfield with gravelless chambers.

#### V. FLOODPLAIN

The subject property is located within a printed Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map (FIRM) panel (Map Panel 30067C1750C). The northern most portion of the property is shown to be within Zone A (without Base Flood Elevations). Based on available elevation data and recent survey data, along with a Letter of Map Amendment for the adjacent property (to the east) it is apparent that the currently mapped floodplain is incorrect, and that flooding would not impact the property. See the floodplain variance application for additional information.

#### VI. Wastewater System Sizing

A site plan has been provided for the proposed wastewater treatment system. We have provided general sizing criteria as well as a hydraulic analysis, pump sizing, and pump operation.

**Wastewater Flow.** According to Circular DEQ-4, the design wastewater flow for a 3-bedroom home is 300-gallons per day.

**Primary Treatment (Septic Tank Size).** According to DEQ-4, the 3-bedroom home requires a 1,000-gallon septic tank.

**Effluent Filter.** All septic tank effluent must pass through an effluent filter; thus, an effluent filter will be installed in the septic tank. According to a standard maintenance frequency of 5-years, a 4” Biotube effluent filter is sufficient. A high-level alarm is recommended to be installed in the septic tank.

**Secondary Treatment (Drainfield Size).** The proposed absorption area will consist of a pressure-dosed drainfield. The following sizing has been provided:

Anticipated Wastewater Flow	= 300-gpd
Application Rate Used	= 0.5-gpd/ft <sup>2</sup>
Absorption Area (300-gpd ÷ 0.5-gpd/ft <sup>2</sup> )	= 600 ft <sup>2</sup>
Reduction for Gravelless Chambers (600 x 75%)	= 450 ft <sup>2</sup>
Required Lineal Feet of Trench (450 ft <sup>2</sup> ÷ 3 ft)	= 150 lf
Three Drainfield Laterals (150 lf / 3 laterals)	= 50 lf/lateral

Required Drainfield Dimensions	= 17-ft wide x 50-ft long
Recommended Drainfield Dimensions	= 17-ft wide x 50-ft long
100% Replacement Area Size	= 600-ft <sup>2</sup>

**Sewage Force Main and Pressure Distribution Design for the Main Home:** The sewage is planned to be conveyed from the dose tank to the drainfield manifold via a 2.0-inch diameter Schedule 40 PVC solid sewer forcemain pipe. The forcemain shall maintain constant grade (i.e. no humps or bellies) from the dose tank to the distribution valve to order to allow for proper drainage, which will minimize the potential for freezing of the effluent in the pipe.

The laterals for the proposed drainfield will have 5/32-inch orifices spaced every five feet (5') on-center totaling 10 orifices per 50-ft long lateral. The dose volume of the pressure distribution system must be equal to the drained volume of the discharge pipe (force main) and manifold, plus a volume that should be 5 to 10 times the net volume of the distribution pipe in the distribution system (drainfield). Using a dose volume of 100-gallons, the system provides ~3 doses per day (300-gpd ÷ 100-gallons per dose).

**Dosing Tank.** A 500-gallon dosing chamber, with a submersible effluent pump is proposed.

**Pump.** Based on our calculations the pump will need to overcome 13.5 feet of head at a flow rate of 29.3 gallons per minute. These values are approximate and should be checked by the pump supplier. We recommend a PFEF40 pump or equivalent. Float settings should be set to ensure a dose volume of 100 gallons per day.

## VII. Non-degradation Analysis

Based on our analysis, the new wastewater system improvements will have a non-significant impact on surface and ground water supplies. The nitrate concentration at the end of the proposed 100-foot mixing zone will be 1.03-mg/l. Based on a distance to the nearest surface water in the direction of groundwater flow of 340-feet, the time for phosphorous breakthrough will be 100 years. Each of these values satisfies the non-degradation requirements of 5.0-mg/L for nitrate (maximum) and 50-year breakthrough for phosphorous (minimum). Besides the constant values that are accepted as input for all analyses and the dimensions of our drainfield area, a few site-specific parameters had to be entered. A summary of the variables we selected and our reasoning is listed as follows:

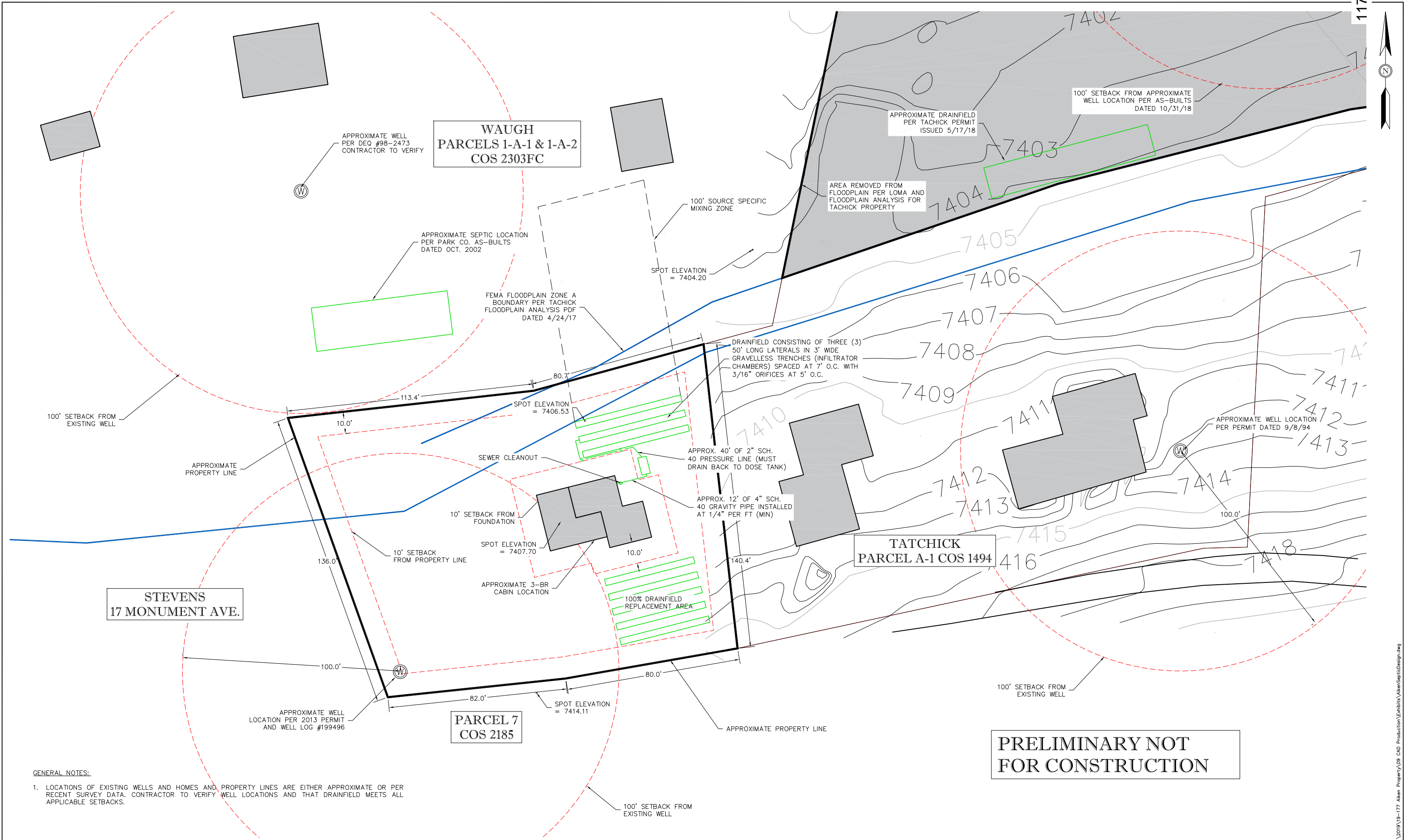
- Hydraulic Conductivity = 65.1-ft/day  
We arrived at this value by entering well log information from wells, located on nearby properties, into a spreadsheet that computes the average conductivity in accordance with the Razack and Huntley Equation.
- Hydraulic Gradient = 0.02-ft/ft  
Hydraulic gradient and direction were determined utilizing one-third regional slope method.
- Mixing Zone Length = 100-ft  
The acceptable mixing zone length based on the property size is 100-ft.
- Background Nitrate = 0.04-mg/L

Based upon the recent water sample taken from the Cooke City Water District via the Drinking Water Watch. A previous sample taken from the Aiken well resulted in 0 mg/liter nitrates.

- Precipitation = 34-in/year
- Depth to limiting layer = 6.0-ft  
Per the site well log and groundwater monitoring measurements taken at the well by the MBMG, groundwater depth is greater than 10 feet and there is no bedrock or soil limiting layer. Consequently we have proposed a conservative value of 6 feet.
- Distance to Surface Water = 340-ft  
Distance measured on topographic quadrangle map between the drainfield and nearest surface water (Soda Butte Creek) in the direction of groundwater per the estimated groundwater flow direction.

### **VIII. Table of Contents for Attached Supplemental Information**

- Wastewater Layout and Details
- Well Information
  - Well Log – Aiken
  - Well Inspection Report – Aiken
- Nitrate Sample Results
- Floodplain Information
  - FEMA Floodplain Map
  - 23 Bannock Trail Floodplain Analysis
- Approved 2019 Septic Permit
- Denial of 2019 Septic Permit
- Survey Info
  - Certificate of Survey
  - Plat
  - Montana Cadastral Information
- Non-Degradation Calculations
  - Hydraulic Conductivity
  - Nitrate Sensitivity
  - Phosphorous Breakthrough

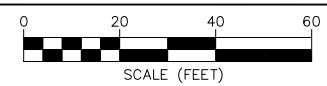


**PRELIMINARY NOT FOR CONSTRUCTION**

**GENERAL NOTES:**  
1. LOCATIONS OF EXISTING WELLS AND HOMES AND PROPERTY LINES ARE EITHER APPROXIMATE OR PER RECENT SURVEY DATA. CONTRACTOR TO VERIFY WELL LOCATIONS AND THAT DRAINFIELD MEETS ALL APPLICABLE SETBACKS.

NO.	REVISIONS	DRAWN BY	DATE

PROJECT ENGINEER: GDF		DRAWN BY: GDF	
DESIGNED BY: GDF		REVIEWED BY:	



**19 BANNOCK TRAIL - AIKEN PROPERTY  
WASTEWATER SYSTEM LAYOUT  
SILVER GATE, MONTANA**

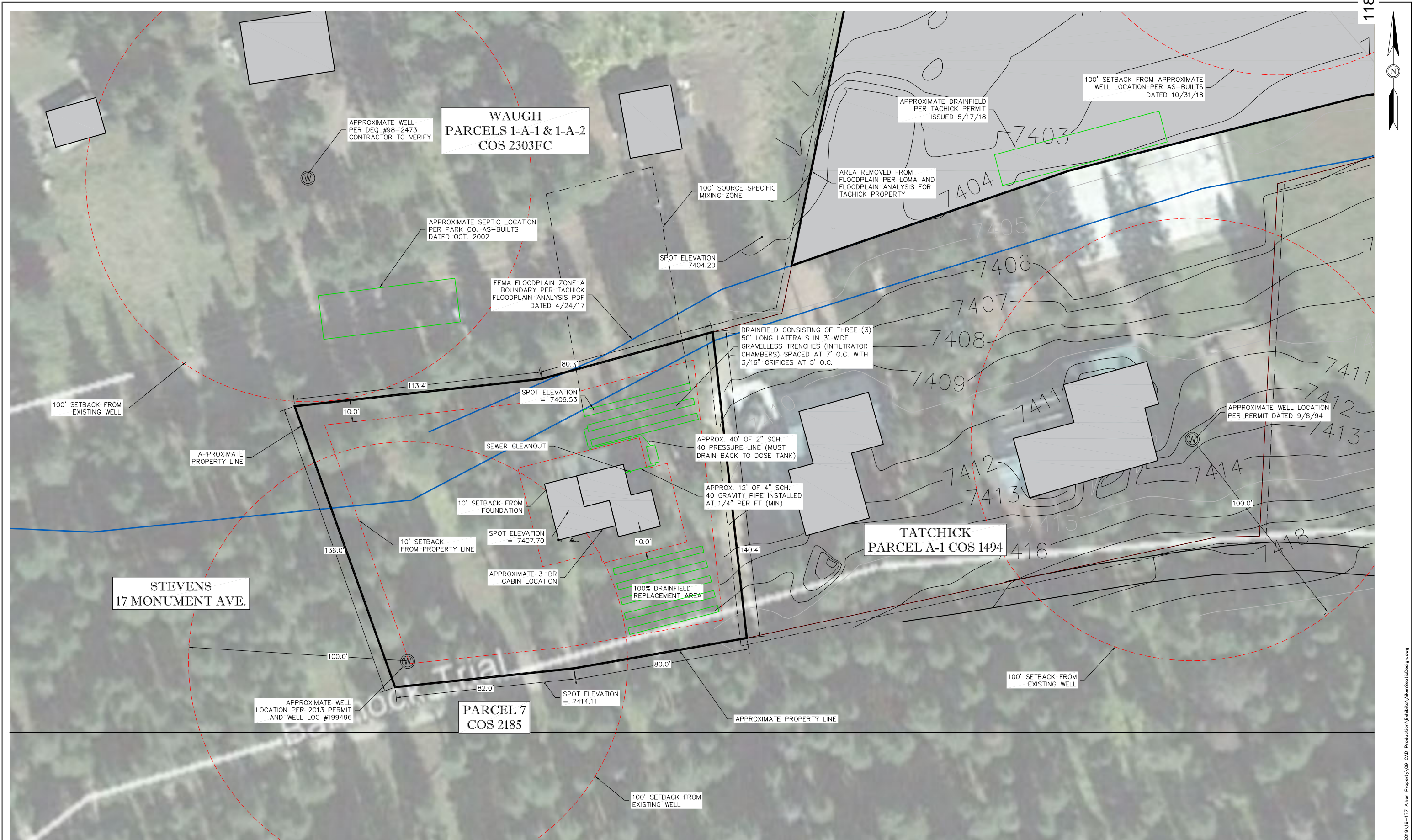
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Geotechnical Engineering  
Land Surveying**



PROJECT # 19-177	SHEET W1
DATE: 03/11/2020	
WASTEWATER	
19 BANNOCK TRAIL	

F:\2019\19-177 Aiken Property\09 CAD Production\Exhibits\AikenSepticDesign.dwg



NO.	REVISIONS	DRAWN BY	DATE

<p>SCALE (FEET)</p>	
PROJECT ENGINEER: GDF	DRAWN BY: GDF
DESIGNED BY: GDF	REVIEWED BY:

**19 BANNOCK TRAIL - AIKEN PROPERTY**  
**WASTEWATER SYSTEM LAYOUT**  
**SILVER GATE, MONTANA**

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PROJECT # 19-177	SHEET <b>W1a</b>
DATE: 03/05/2020	
WASTEWATER	
19 BANNOCK TRAIL	

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**GENERAL NOTES:**

1. WORK SHALL BE PERFORMED IN ACCORDANCE WITH CIRCULAR DEQ 4, AND PARK COUNTY REGULATIONS.
2. CONTRACTOR SHALL BE LICENSED AND QUALIFIED TO INSTALL WASTEWATER TREATMENT SYSTEMS IN PARK COUNTY, MONTANA.
3. NO WELLS OR SURFACE WATER EXIST WITHIN 100 FEET OF PRIMARY DRAINFIELD OR 100% REPLACEMENT AREA.
4. NO WELLS OR SURFACE WATER EXIST WITHIN 50 FEET OF WASTEWATER TREATMENT SYSTEM'S SEALED COMPONENTS.
5. REBAR SHALL BE PLACED AT THE ENDS OF DRAINFIELD LATERALS.
6. WE RECOMMEND THE USE OF A HIGH LEVEL ALARM.

**NOTES TO INSTALLER:**

1. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.
2. CONTRACTOR TO VERIFY SEWER STUB LOCATIONS AND ALL EXISTING WASTEWATER TREATMENT COMPONENTS PRIOR TO INSTALLATION OF WASTEWATER TREATMENT SYSTEM.
3. CONTRACTOR TO FIELD VERIFY ALL APPLICABLE SETBACKS PRIOR TO INSTALLATION OF WASTEWATER TREATMENT SYSTEM. IF ANY DISCREPANCIES ARE DETERMINED BY CONTRACTOR, ENGINEER SHALL BE NOTIFIED IMMEDIATELY IN WRITING.
4. ALL LATERALS ARE TO BE LAID LEVEL.
5. 10 FEET (MIN.) SEPARATION BETWEEN WATER AND SEWER LINES SHALL BE MAINTAINED.
6. ANY DESIGN CHANGES WITH RESPECT TO ORIENTATION, LAYOUT, MATERIALS, ETC. MUST BE APPROVED BY ENGINEER.
7. IF TANK IS INSTALLED IN GROUNDWATER, BALLASTING MAY BE REQUIRED. CONTACT ENGINEER IF BALLASTING IS REQUIRED.

\*INSTALL SAFETY GRATES AT ALL SEPTIC TANK/DOSING TANK OPENINGS. CUT TO FIT AROUND EFFLUENT FILTER HANDLE AND PUMP DISCHARGE PIPING (IF NECESSARY).

ALTERNATE  
\*OWNER MAY INSTALL FIBERGLASS RISERS AND LIDS IN LIEU OF CONCRETE. RISERS AND LIDS (TYPICAL ALL TANKS)

\*PRIOR TO PLACEMENT OF TANKS CONTACT ENGINEER IF TANK DEPTHS ARE ANTICIPATED TO EXCEED 2' BURY DEPTH.

**MDEQ4 7.2.4:**

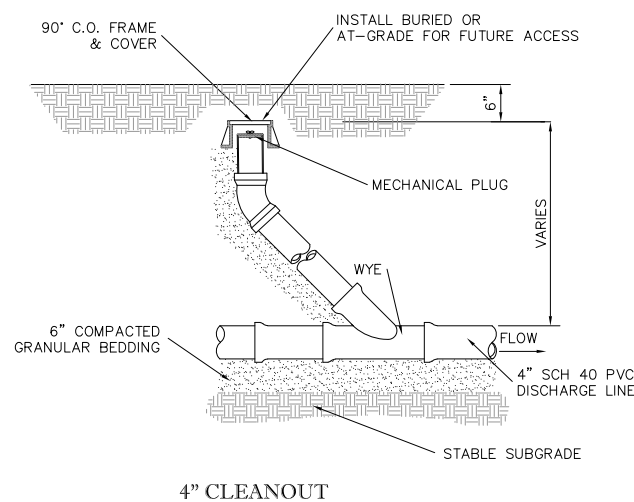
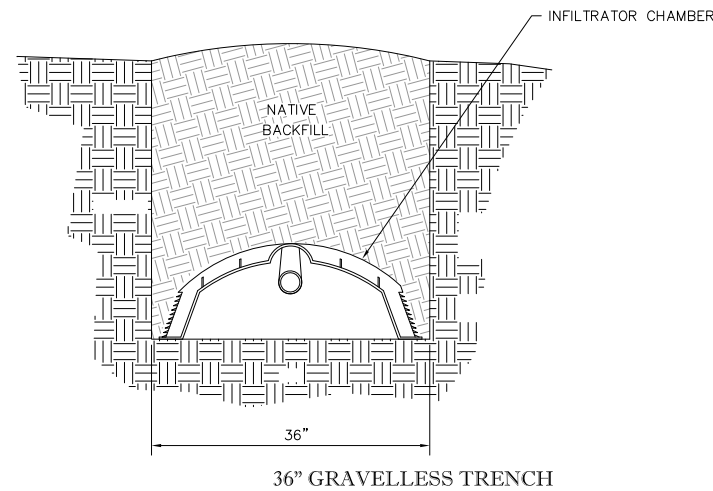
LIQUID CONNECTION BETWEEN COMPARTMENTS SHALL CONSIST OF A SINGLE OPENING COMPLETELY ACROSS THE COMPARTMENT WALL OR TWO OR MORE OPENINGS EQUALLY SPACED ACROSS THE WALL. THE TOTAL AREA OF THE OPENINGS SHALL BE AT LEAST THREE TIMES THE AREA OF THE INLET PIPE.

ALL SEPTIC AND DOSING TANKS MUST BE TESTED IN ACCORDANCE WITH MDEQ4 SECTION 7.3 FOR WATERTIGHTNESS.

MDEQ4 7.3.1: WATER TESTING MUST BE CONDUCTED BY SEALING THE OUTLETS, FILLING THE SEPTIC TANK TO ITS OPERATIONAL LEVEL, AND ALLOWING THE TANK TO STAND FOR AT LEAST 8 HOURS. IF THERE IS A MEASURABLE LOSS (2 INCHES OR MORE), REFILL THE TANK AND LET STAND FOR ANOTHER 8 HOURS. IF THERE IS AGAIN A MEASURABLE LOSS, THE TANK MUST BE REJECTED.

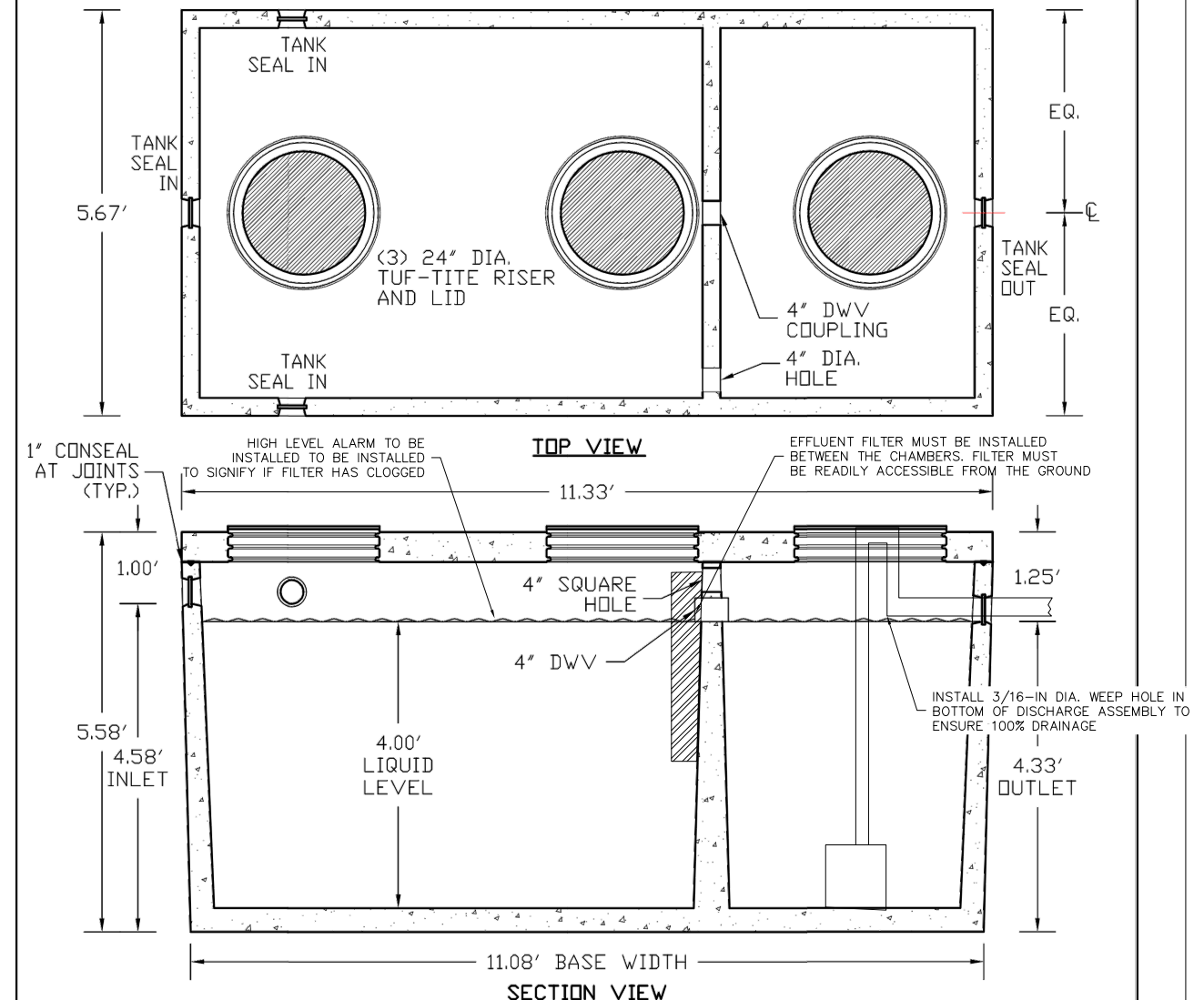
OR

MDEQ4 7.3.2: VACUUM TESTING MUST BE CONDUCTED BY SEALING ALL INLETS, OUTLETS, AND ACCESSES, THEN INTRODUCING A VACUUM OF 4 INCHES OF MERCURY, IF THE VACUUM DROPS IN THE FIRST 5 MINUTES IT MUST BE BROUGHT BACK TO 4 INCHES OF MERCURY. IF THE SEPTIC TANK FAILS TO HOLD THE VACUUM AT 5 INCHES OF MERCURY FOR 5 MINUTES, THE TANK MUST BE REJECTED.



**ANDERSON**  
PRECAST & SUPPLY INC.  
Montana's Precast Solution  
Ph: (406) 388-2413 • Fx: (406) 388-2436  
80 East Valley Center Road • Bozeman, Montana 59718  
www.andersonprecast.com

CONCRETE IS 5000 PSI @ 28 DAYS. 5% +/- 1% AIR ENTRAINMENT. CEMENT IS TYPE V, WITH MAX C3A OF 8%, PER MT DEQ-4. NORMALLY SET IN ONE PIECE. BOTTOM SEGMENT OF TANK IS POURED MONOLITHICALLY W/TOP SET IN PLACE W/CONSEAL. WEIGHT OF TANK IS APPROXIMATELY 15,000 LBS. REINFORCEMENT: AS PER ENGINEER REQ. MAXIMUM EARTH COVER IS 6' - 0". THIS TANK MUST BE PLACED ON COMPACTED 3/4" ROAD-BASE OR SIMILAR MATERIAL. MINIMUM RELATIVE COMPACTION IS 95%. DO NOT USE FLOWABLE BACKFILL MATERIALS SUCH AS 3/4" WASHED GRAVELS. TANK MUST BE BACKFILLED TO TOP BEFORE WATERTESTING. WALL THICKNESS IS 4" AT BOTTOM AND 3" AT TOP. TOP THICKNESS IS 5" & BASE THICKNESS IS 4".



1000/500 GALLON PUMP STATION NON-TRAFFIC RATED		NTS
PROJECT	ENGINEER	
DRAWING	CONTRACTOR	
COMBO SEPTIC / DOSE PUMP STATION 1,000 GALLON SEPTIC W/ 500 GALLON DOSE N/T		
SPT-100/5001PC		SUBRELEASEREV616

**PRELIMINARY NOT FOR CONSTRUCTION**

NO.	REVISIONS	DRAWN BY	DATE

PROJECT ENGINEER: GDF	DRAWN BY: GDF
DESIGNED BY: GDF	REVIEWED BY:

**19 BANNOCK TRAIL - AIKEN PROPERTY  
WASTEWATER DETAILS  
SILVER GATE, MONTANA**

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PROJECT #:	19-177	SHEET	W2
DATE:	03/11/2020		
	WASTEWATER		
19 BANNOCK TRAIL			





The following table summarizes the parameters collected during the field visit performed at this site on the date reported below.

<b>GWIC Id</b>	199496
<b>Site Name</b>	AIKEN, CHARLES
<b>Site Type</b>	WELL
<b>Lat/Lon</b>	45.0052, -109.98628 (NAV-GPS, NAD83)
<b>Location</b>	09S 14E 33 ADCD
<b>Ground Surface Altitude</b>	7400 ft amsl
<b>Investigator</b>	MASON DON
<b>Agency</b>	MBMG
<b>Date Visited</b>	9/9/2014 10:59:00 AM
<b>Total Depth</b>	40 measured by REPORTED
<b>Static Water Level from Ground</b>	18.2 measured by SOUNDER
<b>Pumping Water Level</b>	21.4 measured by SONIC SWL METER
<b>System Discharge (gpm)</b>	8.11 measured by VOLUMETRIC
<b>Test Hours</b>	0.4
<b>Water Temperature (°C)</b>	3.8
<b>Field S.C.</b>	257
<b>Field pH</b>	7.96
<b>Field Redox (mV)</b>	223.7
<b>Field Dissolved Oxygen (mg/L)</b>	5.92
<b>Field Nitrate (mg/L)</b>	0
<b>Water Condition</b>	CLEAR
<b>Well Condition</b>	GOOD
<b>MBMG Project</b>	YNPINV
<b>Inventory Notes</b>	6 IN STEEL CASING WITH HILLMAN DRILLING CAP. SUB PUMP. PRES TANK. SERVICES SMALL CABIN. WRITING ON INSIDE OF CAP VERIFIES WELL ID.
<b>Sampling Point Description</b>	HYDRANT 40 FT OFF W WALL OF CABIN.

During the process of the field visit the following aquifer codes were assigned to this site.

Aquifer Code	Description	Priority
112SNGR	SAND AND GRAVEL (PLEISTOCENE)	1

The following measuring point records have been assigned to this site.

Date Measured	Date Applies	MP	Description	Method	Datum
9/9/2014	9/9/2014	7402.45	TOP OF WELL CASING	MAP	NGVD29

The preceding materials represent the contents of the GWIC databases at the Montana Bureau of Mines and Geology at the time and date of the retrieval. The information is considered unpublished and is subject to correction and review on a daily basis. The Bureau warrants the accurate transmission of the data to the original end user at the time and date [3/2/2020 3:19:12 PM] of the retrieval. Retransmission of the data to other users is discouraged and the Bureau claims no responsibility if the material is retransmitted. There may be wells in the request area that are not recorded at the Information Center.

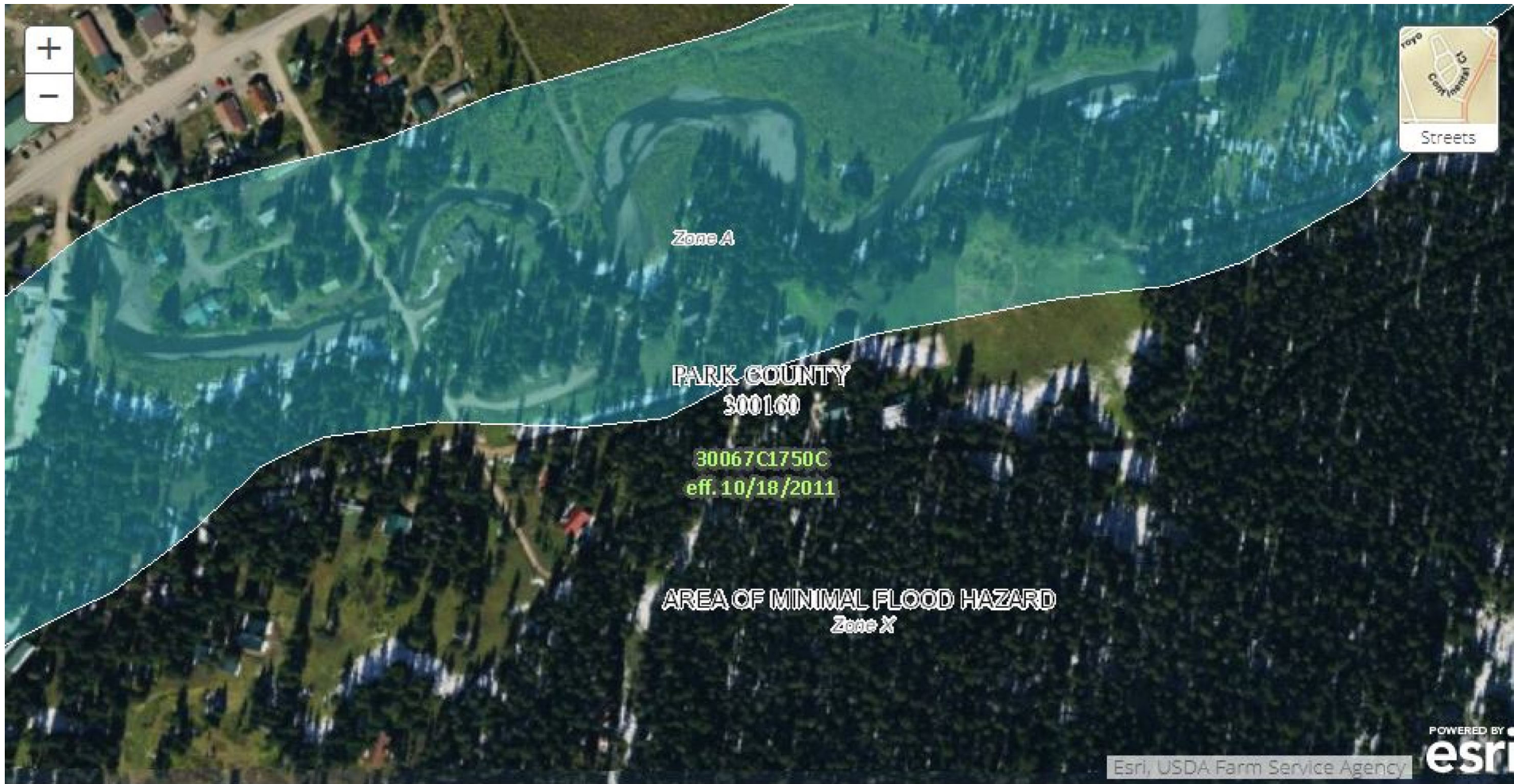
## Drinking Water Branch

### Chem/Rad Sample Results

Water System No. :	MT0000187	Federal Type :	C
Water System Name :	COOKE CITY WATER DISTRICT	State Type :	C
Principal County Served :	PARK	Primary Source :	GW
Status :	A	Activity Date :	02-14-2000
Lab Sample No. :	B19121871-001C	Collection Date :	12-19-2019

This list displays sample/results of all non-microbial analytes (TSAANLYT.TYPE\_CODE <> MOR) associated to the selected sample. Results for Microbial Analytes are not included.

Analyte Code	Analyte Name	Method Code	Less than Indicator	Level Type	Reporting Level	Concentration level	Monitoring Period Begin Date	Monitoring Period End Date
1038	NITRATE-NITRITE	353.2	N	MRL	.01 MG/L	0.04 MG/L	01-01-2019	12-31-2019



Zone A

PARK COUNTY  
3001.60

30067C1750C  
eff. 10/18/2011

AREA OF MINIMAL FLOOD HAZARD  
Zone X

POWERED BY  
Esri, USDA Farm Service Agency

- PIN**
- Approximate location based on user input and does not represent an authoritative property location
- MAP PANELS**
- Selected FloodMap Boundary
  - Digital Data Available
  - No Digital Data Available
  - Unmapped
- FLOOD HAZARD AREAS**
- Area of Minimal Flood Hazard Zone X
  - Effective LOMRs
  - Area of Undetermined Flood Hazard Zone D
  - Otherwise Protected Area
  - Coastal Barrier Resource System Area

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE) Zone A, V, A99
  - With BFE or Depth
  - Regulatory Floodway Zone AE, AO, AH, VE, AR
- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee Zone D

- OTHER FEATURES**
- Cross Sections with 1% Annual Chance Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall

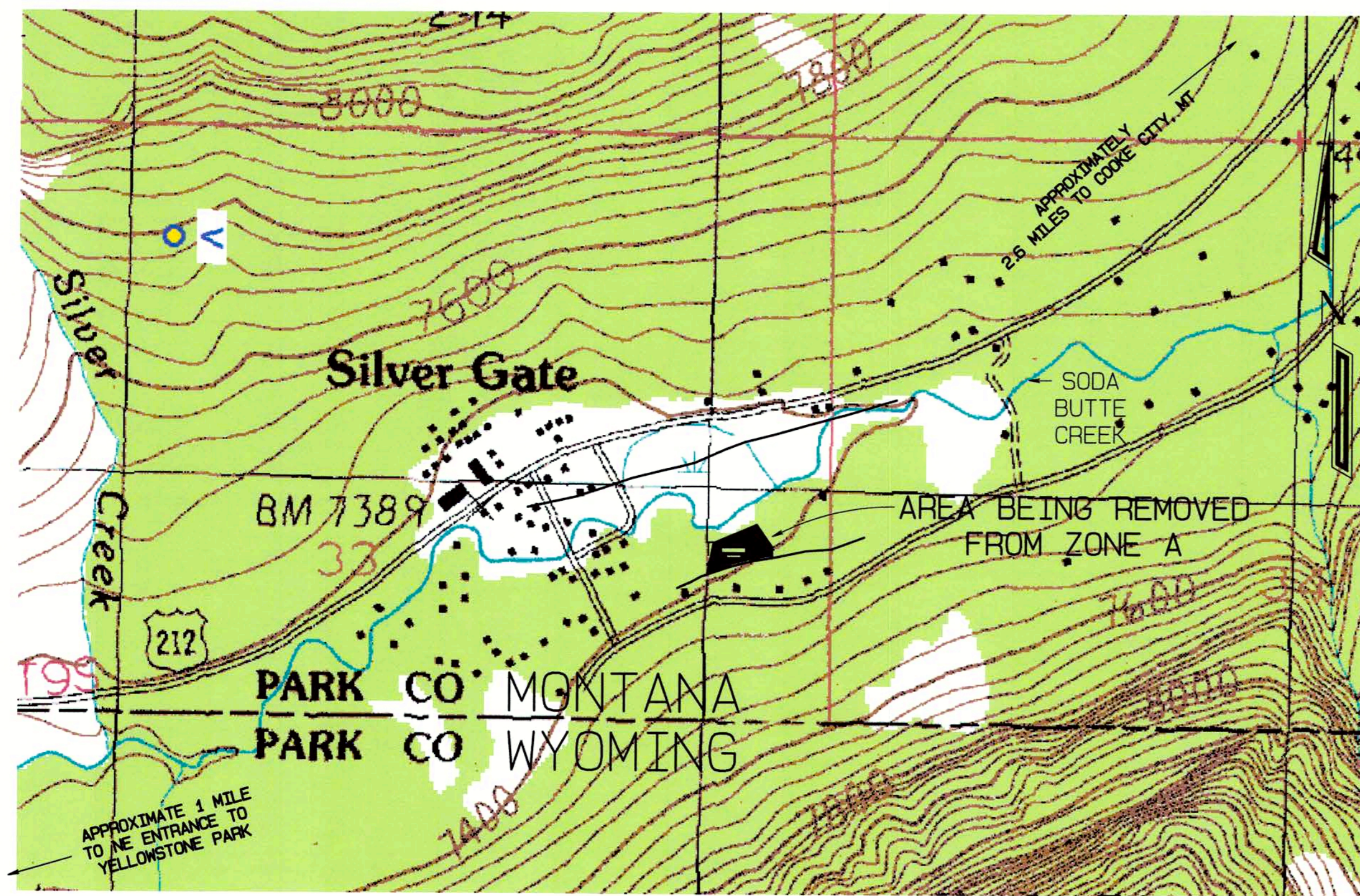
# FLOOD PLAIN ANALYSIS

FOR

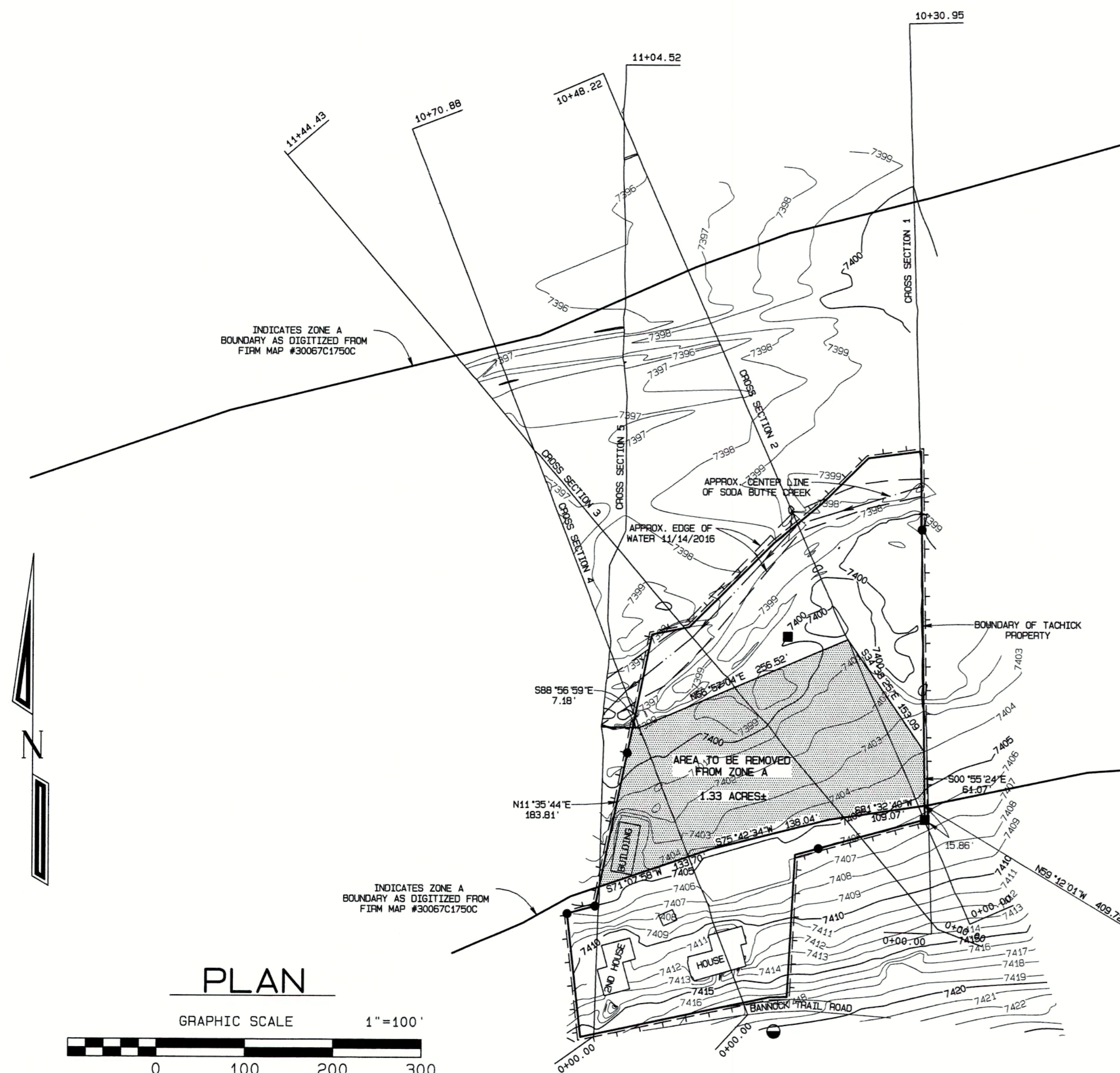
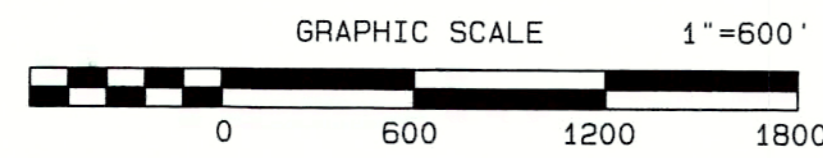
A PARCEL OF LAND (JEROME F. & ARDENE L. TACHICK) LOCATED WITHIN THE SE1/4NE1/4 AND LOT 1 OF SECTION 33, T.9S, R.14E., OF THE P.M.M., PARK COUNTY, MONTANA ACCORDING TO THE GOVERNMENT SURVEY

## NOTES

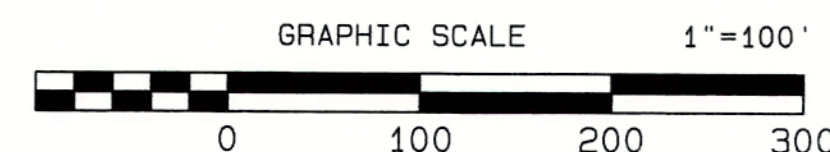
1. THE 100 YEAR FLOOD EVENT QUANTITY USED TO CALCULATE BASE FLOOD ELEVATIONS (BFE) SHOWN HEREON CAME FROM REGRESSION CALCULATIONS BASED ON RECORDED DATA FROM UNITED STATES GEOLOGICAL SURVEY'S GAGE STATION (SODA BUTTE CREEK AT PARK BOUNDARY AT SILVER GATE #06187915, AND SODA BUTTE CREEK AT SILVER GATE #06187910). ADDITIONAL PARAMETERS FOR THE REGRESSION EQUATIONS CAME FROM USGS GIS PROGRAM STREAMSTATS 4.0 FOR THIS DRAINAGE. THE 100 YEAR FLOOD EVENT FLOW CALCULATED FOR THIS FLOOD PLAIN ANALYSIS IS 2,060 CFS (CUBIC FEET PER SECOND)
2. SURVEY DATA SHOWN HEREON WAS COLLECTED ON NOVEMBER 14, 2016 AND HAS NOT SUBSTANTIALLY CHANGED SINCE.
3. ELEVATIONS SHOWN HEREON ARE BASED ON A GPS OPUS CORRECTED SOLUTION WITH BASE LOCATED AT LATITUDE: N45°00'20.99896", LONGITUDE: W109°59'05.28360", AND ORTHOMETRIC HEIGHT OF 7403.246FT BASED ON GEI00 12B. (REF FRAME: NAD\_83 (2011) EPOCH:2010.00000).
4. BASE FLOOD ELEVATION OR FLOOD BOUNDARY TO BE REMOVED FROM SPECIAL FLOOD HAZARD ZONE A DOES NOT TAKE INTO ACCOUNT ANY DEBRIS OR BLOCKAGE THAT CAN ALTER THE FLOW OF WATER AND CHANGE ITS COURSE.
5. APPROXIMATE CENTER OF THE AREA TO BE REMOVED FROM ZONE A IS LOCATED AT LATITUDE OF N45°00'21.78722", LONGITUDE OF W109°59'05.88894" (NAD83 (2011))
6. BASIS OF BEARINGS IS TRUE NORTH FROM A GPS BASE (OPUS NAD83 (2011) (EPOCH: 2010) POINT AT LATITUDE: N45°00'20.99896", LONGITUDE: W109°59'05.28360", WITH A COMBINED SCALE FACTOR OF 1.0003530413.
7. THE LOW LOT ELEVATION (LLE) SHOWN ON THE CROSS SECTIONS IS THE LOWEST ELEVATION AT THAT CROSS SECTION ON THE AREA REQUESTED FOR REMOVAL FROM ZONE A. THE AREA REQUESTED FOR REMOVAL IS DESCRIBED BY METES AND BOUNDS IN THE APPLICATION PACKAGE AND SHOWN ON THE PLAN BELOW AT A SCALE OF 1"=100'.



VICINITY MAP



PLAN



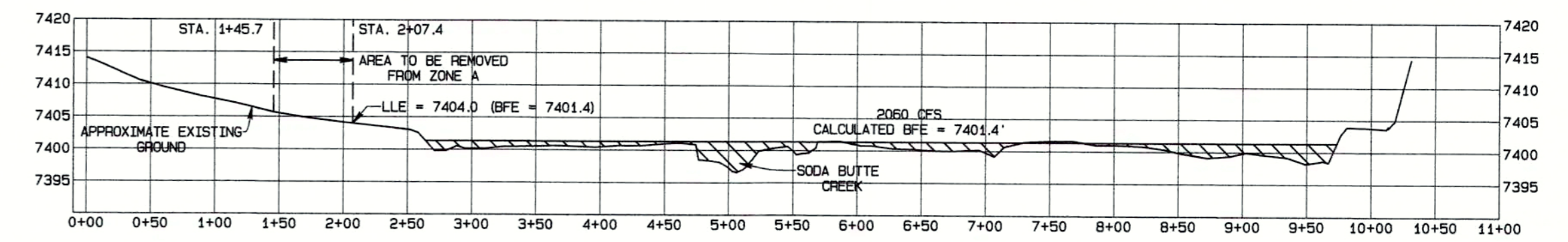
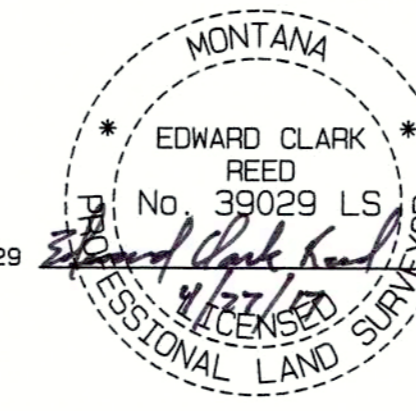
## LEGEND

- REBAR FOUND
- REBAR WITH ALUM. CAP FOUND
- 1 1/2" IRON PIPE FOUND
- INDICATES LAND TO BE REMOVED FROM ZONE A

## CERTIFICATE OF SURVEYOR

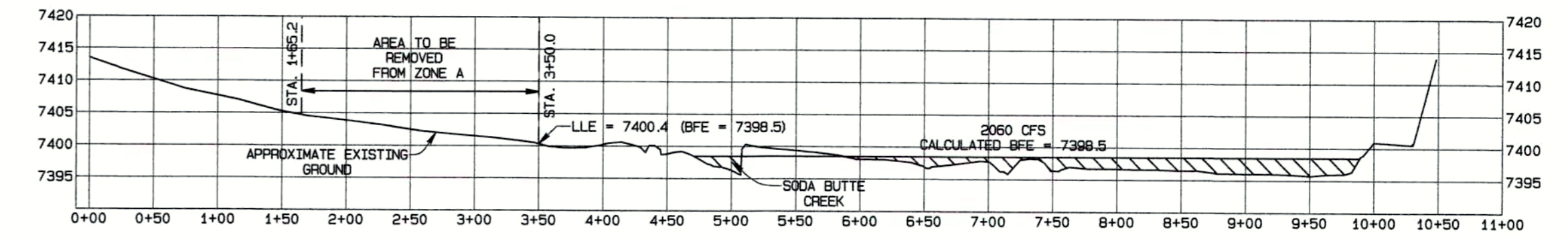
STATE OF WYOMING } ss  
 COUNTY OF PARK }  
 I, EDWARD C. REED ON BEHALF OF MORRISON MAIERLE OF CODY, WYOMING DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM FIELD NOTES TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECTION ON NOVEMBER 14, 2016, AND FROM FEMA FIRMAP NO. 30067C1750C THAT THIS MAP CORRECTLY SHOWS THE RESULTS OF SAID SURVEY AND THAT THE MONUMENTS FOUND AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MONTANA L.S. REGISTRATION NO. 39029  
 MORRISON MAIERLE  
 BY: EDWARD C. REED (AGENT)



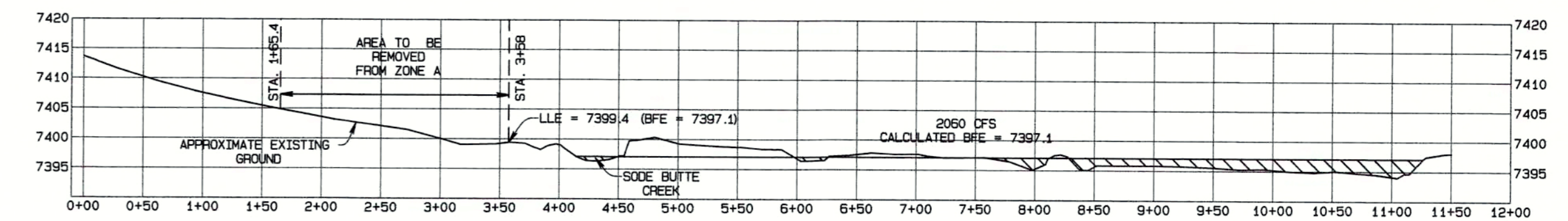
CROSS SECTION 1

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



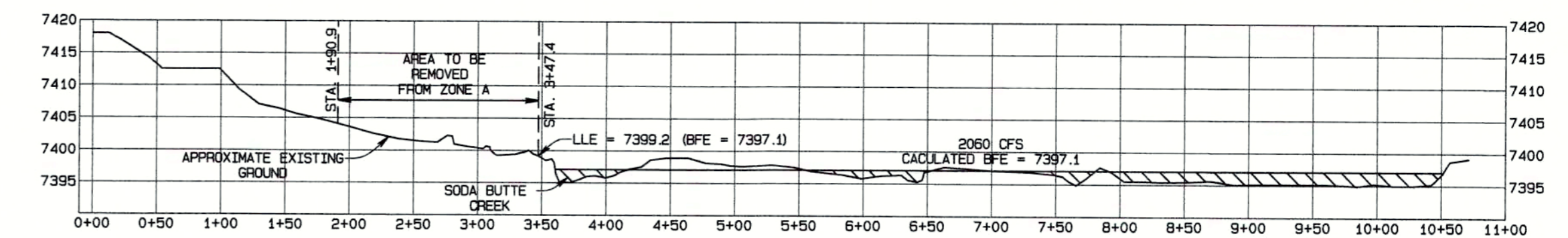
CROSS SECTION 2

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



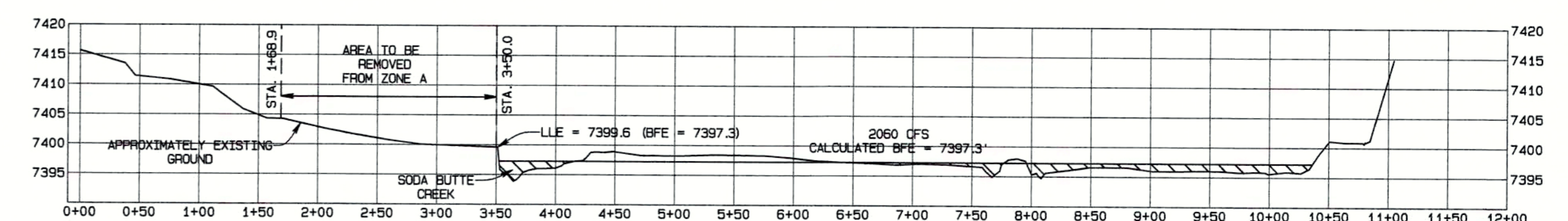
CROSS SECTION 3

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



CROSS SECTION 4

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



CROSS SECTION 5

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'

<b>Morrison Maierle</b> engineers - surveyors - planners - scientists 1402 Stampede Avenue Cody, WY 82414 Phone: 307.587.6281 Fax: 307.587.6282	1/4 SEC.	SECTION	TOWNSHIP	RANGE
	NE 1/4	33	9S	14E
FIELD WORK: JMM, ECR DRAWN BY: ECR, DJR CHECKED BY: RRH	DATE: REVISED: 04/24/2017 SCALE: 1"=100' PROJ. #: 5840.001	P.M.M. COUNTY, MONTANA CLIENT: JERRY TACHICK Plotted: Apr 24, 2017		

Owner: Charles Aiken Jr Location: 19 Bannock Trl, Cooke City Permit Number: 19-076  
Permit Status:

Approved  Denied \_\_\_\_\_

Need more information \_\_\_\_\_

Wastewater design flow 225 gpd Bedrooms 2 Tank(s) Required (1) 1000 gallon with filter

Drainfield components 3 laterals, 44ft long, 2ft wide, max 3 ft deep, 7ft O.C. min. of gravelles chambers,

dug level, connected to a water tested, leveled, d'box and installed according to the

Park County APPROVED lot layout and design. Must maintain 100ft setback from floodplain.

Approved by *Kaleb Lemmon* 7/15/19 Permit valid until: 7/15/21  
Park County Sanitarian



**ONSITE WASTEWATER PERMIT**

This is a permit to install a septic system. The Park County Sanitarian must be contacted 24 hours in advance to schedule an inspection before the system can be backfilled. After the system is approved, this becomes the permit to operate the septic system. No changes can be made to the approved plans and specifications without approval from the Park County Sanitarian.



# PARK COUNTY ENVIRONMENTAL HEALTH

414 East Callender Street, Livingston, MT 59047  
406-222-4145 parkcounty.org

---

November 26, 2019

Charles W. Aiken, Jr.  
1119 Red Fox Rd  
Louisville, KY 40205

**RE: Voiding of Septic Permit #19-076  
19 Bannock Trail  
Silver Gate, MT 59081**

Dear Mr. Aiken,

The Park County Health Department has determined that the septic permit issued to you on July 15, 2019 for your property reference above has been voided as of the date of this letter because it is not in compliance with Montana State Law and Park County regulations and did not contain accurate information. Specifically:

1. Park County septic permit applications request that an applicant and/or their Site Evaluator provide adequate information demonstrating that a proposed drainfield is in compliance with any floodplain location, however, your permit application was submitted without mention of the floodplain boundary relative to the proposed drainfield. The proposed drainfield does not meet the required 100-foot horizontal setback from the drainfield to the floodplain boundary. As set forth above, your permit application incorrectly failed to indicate that part of your property was located within the floodplain which resulted in the minimum setbacks not being applied to your proposed drainfield. ***[ARM 17.36.918(1)] Minimum horizontal setback distances***
2. The proposal does not meet the requirements of the Cooke City/Silver Gate/Colter Pass Zoning District and Regulations. As per the letter dated August 22, 2019 from the Park County Planning office, The Residential 2 (R-2) district in which your property is located requires a minimum of 1 acre per single family residence. Your lot and current residential structure do not meet the minimum lot size threshold and are currently grandfathered as a non-conforming use. No non-conforming use may be enlarged or increased, nor extended to

occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance. *[Chapter V (3)(A)]*

Until it has been shown that the proposed onsite wastewater treatment system and building project conforms to all applicable State and Local regulations, the septic permit #19-076 has been voided in accordance in Park County Onsite Wastewater Treatment Regulations §9.2 Misrepresentation:

*Any Permit or approval granted under these regulations which is based upon or is granted in reliance upon any misrepresentation, or failure to make a material fact or circumstances known or should have been known, by the Applicant or his agent, shall be void. Any construction, Alteration, repair or use of a Sewage treatment system after the Permit for said system has been voided shall constitute a violation.*

**Please be aware that all construction of the septic system must stop and any construction activity after the septic permit is voided is a violation.** The penalty for violation of these rules shall not exceed \$500 per violation and each day of violation may be considered a separate offense.

In order to re-apply for an approved septic permit, a completed application must be submitted to this office, along with all required documentation regarding the floodplain setback distance mentioned above. In addition, the circumstance of the property being located less than 100-feet away from the regulated floodplain will have to be addressed through the Park County Floodplain Regulations and will also require a variance granted by the Park County Board of Health. Variance requests are an additional \$50.00, variances are not guaranteed, and the requirements of the Board of Health responsibilities when considering variances can be found in ARM 17.36.922 Local Variances.

Regards,



Kaleb Pearson, MS, REHS/RS  
Park County  
Environmental Health Department

Cc: Certified Letter  
Planning Department  
Park County Attorney  
Matt Asplund, Asplund Enterprises





621

122012

PLAT

Boundary Rectangular 7-8-71

8<sup>th</sup> day of  
 September A.D. 1971  
 1:35 o'clock P.M.  
 Margaret Donald  
 County Clerk and Recorder

TRACTS OF LAND IN THE SE 1/4 AND LOT 1 SEC 33,  
 T 9 S, R 14 E, P.M.M., BEING A DEPENDENT RESURVEY  
 OF THE TRACT DESCRIBED IN BOOK OF DEEDS, VOL 69,  
 PAGE 465 AND THE DIVISION OF SAID TRACT TO CREATE  
 TRACTS "A" AND "B"

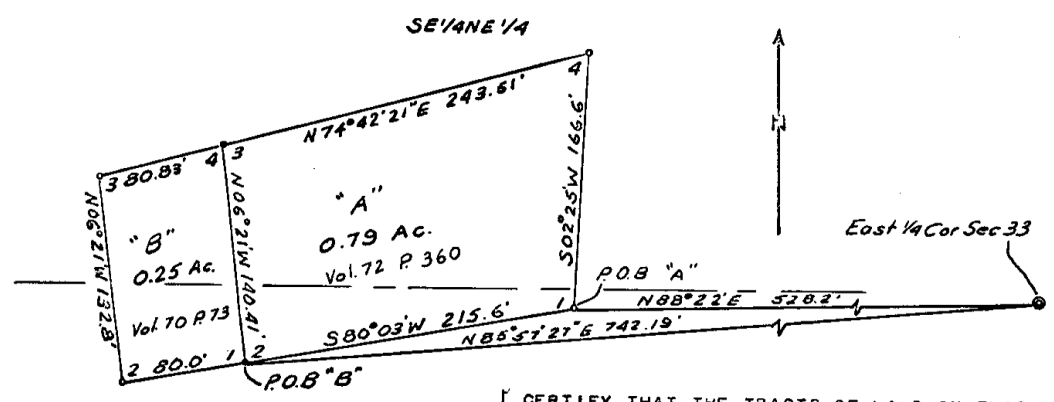
SCALE: 1" = 100'

SURVEY REQUESTED BY PERL COOMBS

REFERENCES: BOOK OF DEEDS Vol 69 Pg 465  
 " " " Vol 70 Pg 73  
 " " " Vol 72 Pg 360  
 " " " Vol 110 Pg 223  
 SURVEY MAP No. 432A

APPROVED THIS 15<sup>th</sup> DAY OF JULY 1971  
 Raymond L. H. [Signature]  
 CHAIRMAN OF BOARD  
 ATTEST Margaret Donald

BASIS OF BEARINGS IS S 80° 03' W ALONG THE SOUTH LINE OF THE TRACT  
 DESIGNATED VOL 69 P465 PN MAP No. 432A AND ASSUMED TO BE CORRECT.



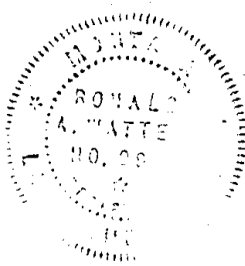
I CERTIFY THAT THE TRACTS OF LAND ON THIS  
 LOT 1 PLAT ARE THE SAME AS THOSE TRACTS DESCRIBED  
 BY THE DEEDS REFERRED TO ON SAID PLAT.

Ronald A. Watters

POINTS INDICATED WITH A SMALL CIRCLE HAVE BEEN ESTABLISHED BY AN  
 ADJACENT SURVEY AND ARE MARKED WITH A 2 1/2" BRASS CAP.  
 POINTS INDICATED WITH A DOT ARE ESTABLISHED BY THIS SURVEY AND ARE  
 MARKED WITH A 1 1/2" ALUMINUM CAP.

DESCRIPTION OF SURVEY TRACT "A"  
 BEGINNING AT A POINT FROM WHICH THE EAST  
 1/4 COR. OF SEC 33, T 9 S, R 14 E, P.M.M.,  
 LIES N 85° 22' E A DISTANCE OF 528.2 FEET,  
 SAID POINT BEING COR. NO. 1 OF THIS  
 SURVEY, THENCE:  
 COURSE BEARING DISTANCE  
 1-2 S 80° 03' W 80.0 FEET  
 2-3 N 06° 21' W 140.41 "  
 3-4 N 74° 42' 21" E 243.51 "  
 4-1 S 02° 25' W 166.6 " TO  
 THE POINT OF BEGINNING AND CONTAINING  
 0.79 ACRES AS SURVEYED AND MONUMENTED  
 ACCORDING TO THE ANNEXED PLAT.

DESCRIPTION OF SURVEY TRACT "B"  
 BEGINNING AT A POINT FROM WHICH THE EAST  
 1/4 COR. OF SEC 33, T 9 S, R 14 E, P.M.M.,  
 LIES N 85° 57' 27" E A DISTANCE OF 742.19  
 FEET, SAID POINT BEING COR. NO. 1 OF THIS  
 SURVEY, THENCE:  
 COURSE BEARING DISTANCE  
 1-2 S 80° 03' W 80.0 FEET  
 2-3 N 06° 21' W 132.8 "  
 3-4 N 74° 42' 21" E 80.83 "  
 4-1 S 06° 21' E 140.41 " TO  
 THE POINT OF BEGINNING AND CONTAINING  
 0.25 ACRES AS SURVEYED AND MONUMENTED  
 ACCORDING TO THE ANNEXED PLAT.



STATE OF MONTANA)  
 COUNTY OF PARK ) SS.

RONALD A. WATTERS, REGISTERED LAND SURVEYOR, STATE OF MONTANA, REGISTRATION NO. 9988, DO HEREBY CERTIFY THAT ON JULY 17, 1971 I SURVEYED THE TRACTS OF LAND DESCRIBED ON THE ACCOMPANYING PLAT AND SAID PLAT CORRECTLY SHOWS THE POSITION OF SAID TRACTS TOGETHER WITH THE COURSES AND DISTANCES OF THE BOUNDARIES.

DATED THIS 17TH DAY OF JULY, 1971.

Ronald A. Watters  
 RONALD A. WATTERS, LAND SURVEYOR

Plat 583

# Property Record Card

## Summary

### Primary Information

**Property Category:** RP **Subcategory:** Residential Property  
**Geocode:** 49-0181-33-1-05-01-0000 **Assessment Code:** 0005402000  
**Primary Owner:** AIKEN CHARLES W **PropertyAddress:** 19 BANNOCK TRL  
 1119 RED FOX RD COOKE CITY, MT 59081  
 LOUISVILLE, KY 40205-1740 **COS Parcel:** 34  
*NOTE: See the Owner tab for all owner information*

**Certificate of Survey:** 108

**Subdivision:**

**Legal Description:**

S33, T09 S, R14 E, C.O.S. 108, PARCEL 34, PC IN LT 1 IN SESE, REF PLAT 583

**Last Modified:** 10/15/2019 5:22:28 PM

### General Property Information

**Neighborhood:** 249.550 **Property Type:** IMP\_R - Improved Property - Rural  
**Living Units:** 1 **Levy District:** 49-2617-9OUT/CCF  
**Zoning:** 2 **Ownership %:** 100

**Linked Property:**

No linked properties exist for this property

**Exemptions:**

No exemptions exist for this property

**Condo Ownership:**

**General:** 0 **Limited:** 0

### Property Factors

**Topography:** **Fronting:**  
**Utilities:** **Parking Type:**  
**Access:** 2 **Parking Quantity:**  
**Location:** **Parking Proximity:**

### Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
<b>Total Ag Land</b>	<b>0.000</b>	<b>00.00</b>
<b>Total Forest Land</b>	<b>0.000</b>	<b>00.00</b>
<b>Total Market Land</b>	<b>0.587</b>	<b>113,202.00</b>

### Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
9/23/2013			9/23/2013	D378854	Warranty Deed
10/15/1990	R-78	40			

## Owners

Party #1

**Default Information:** AIKEN CHARLES W  
 1119 RED FOX RD

**Ownership %:** 100

**Primary Owner:** "Yes"

**Interest Type:** Conversion

**Last Modified:** 9/26/2013 9:21:36 AM

Other Names

Other Addresses

Name

Type

**Appraisals**

**Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2019	113202	155698	268900	MKT
2018	116847	109253	226100	MKT
2017	116847	109253	226100	MKT

**Market Land**

Market Land Item #1

**Method:** [Acre](#) **Type:** [Primary Site](#)  
**Width:** **Depth:**  
**Square Feet:** 00 **Acres:** 0.587  
 Valuation  
**Class Code:** 2101 **Value:** 113202

**Dwellings**

**Existing Dwellings**

Dwelling Type	Style	Year Built
SFR	11 - Log	1940

Dwelling Information

**Residential Type:** [SFR](#) **Style:** [11 - Log](#)  
**Year Built:** 1940 **Roof Material:** [5 - Metal](#)  
**Effective Year:** 1975 **Roof Type:** [3 - Gable](#)  
**Story Height:** 1.0 **Attic Type:** 0  
**Grade:** 5 **Exterior Walls:** [4 - Log \(not log over frame\)](#)  
**Class Code:** 3301 **Exterior Wall Finish:** [0 - Other](#)  
**Year Remodeled:** 0 **Degree Remodeled:**

Mobile Home Details

**Manufacturer:** **Serial #:** **Width:** 0  
**Model:** **Length:** 0

Basement Information

**Foundation:** [2 - Concrete](#) **Finished Area:** 0 **Daylight:** [N](#)  
**Basement Type:** [0 - None](#) **Quality:**

Heating/Cooling Information

**Type:** [Non-Central](#) **System Type:** [7 - Electric Baseboard/Electric Radiant](#)  
**Fuel Type:** [4 - Electricity](#) **Heated Area:** 0

Living Accomodations

**Bedrooms:** 1 **Full Baths:** 1 **Addl Fixtures:** 2  
**Family Rooms:** 0 **Half Baths:** 0

Additional Information

**Fireplaces:** **Stacks:** 0 **Stories:**  
**Garage Capacity:** 0 **Openings:** 0 **Prefab/Stove:** 1  
**% Complete:** 0 **Cost & Design:** 0 **Flat Add:** 0  
**Description:** **Description:**

Dwelling Amenities

**View:** **Access:**

Area Used In Cost

**Basement:** 0 **Additional Floors:** 0 **Attic:** 0  
**First Floor:** 797 **Half Story:** 0 **Unfinished Area:** 0  
**Second Floor:** 0 **SFLA:** 797

Depreciation Information

**CDU:** **Physical Condition:** [Good \(8\)](#) **Utility:** [Fair \(6\)](#)  
**Desirability:** **Property:** [Fair \(6\)](#)  
**Location:** [Average \(7\)](#)

Depreciation Calculation

**Age:** 43 **Pct Good:** 0.65 **RCNLD:** 90190

Additions / Other Features

[There are no additions for this dwelling](#)  
[There are no other features for this dwelling](#)

**Other Buildings/Improvements**

Outbuilding/Yard Improvement #1

**Type:** [Residential](#) **Description:** [RRS1 - Shed, Frame](#)

<b>Quantity:</b> 1	<b>Year Built:</b> 1950	<b>Grade:</b> A
<b>Condition:</b>	<b>Functional:</b>	<b>Class Code:</b> 3301
Dimensions		
<b>Width/Diameter:</b>	<b>Length:</b>	<b>Size/Area:</b> 64
<b>Height:</b>	<b>Bushels:</b>	<b>Circumference:</b>

**Commercial**

**Existing Commercial Buildings**

No commercial buildings exist for this parcel

**Ag/Forest Land**

Ag/Forest Land

No ag/forest land exists for this parcel

### HYDRAULIC CONDUCTIVITY ANALYSIS

**Project:** 19 Bannock Trail - Aiken  
**Project Number:** 19-177  
**Location:** PARK COUNTY, MONTANA



#### MODIFIED COOPER JACOBS METHOD

requires user input

Coefficient: 1500 (Enter 1500 for unconfined, 2000 for confined aquifer)

Well Owner Name	GWIC ID	Well Location	Bottom of Well Casing (ft)	Water Level After Pumping (ft)	Static Water Level Before Pumping (ft)	Yield (gpm)	Length of Test (hours)	Length of Perforated Casing (ft)	Drawdown s (ft)	Transmissivity T (gpd/ft)	b <sup>1</sup>	Hydraulic Conductivity (ft/day)
<del>Folmacheva</del>	<del>251734</del>	<del>Sec. 33 T 09S R 14E</del>	<del>60</del>	<del>9.1</del>	<del>9</del>	<del>35</del>	<del>4</del>	<del>0</del>	<del>0.1</del>	<del>525000</del>	<del>40</del>	<del>7018.7</del>
Bateman	106035	Sec. 33 T 09S R 14E	62	7	4	20	6	7	3	10000	7	191.0
Woletz	142918	Sec. 33 T 09S R 14E	80	75	22	20	1	0	53	566	10	7.6
Alley	144523	Sec. 33 T 09S R 14E	70	65	45	8	2	3	20	600	3	26.7
Aiken	199496	Sec. 33 T 09S R 14E	40	40	10	50	1	10	30	2500	10	33.42
Thayne	193048	Sec. 33 T 09S R 14E	20	19	10	30	1.5	0	9	5000	10	66.8
<del>Miller</del>	<del>106039</del>	<del>Sec. 33 T 09S R 14E</del>	<del>78</del>	<del>21</del>	<del>20</del>	<del>50</del>	<del>4</del>	<del>0</del>	<del>4</del>	<del>75000</del>	<del>40</del>	<del>1002.7</del>

**Average 65.1**

<sup>1</sup> Aquifer thickness (b) = static water level - bottom of well casing  
 If well is perforated, b = depth of perforations  
 For short duration pump tests (appx 1 hour) in non-screened/perforated wells, b = 10 ft

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
NITRATE SENSITIVITY ANALYSIS**



**Project:** 19 Bannock Trail - Aiken  
**Project Number:** 19-177  
**Location:** PARK COUNTY, MONTANA

<u>VARIABLES</u>	<u>DESCRIPTION</u>	<u>VALUE</u>	<u>UNITS</u>
K	Hydraulic Conductivity	65.11	ft/day
I	Hydraulic Gradient	0.0200	ft/ft
D	Mixing Zone Thickness (usually constant)	15.0	ft
L	Mixing Zone Length (see ARM 17.30.517(1)(d)(viii))	100	ft
Y	Width of Drainfield Perpendicular to Ground Water Flow	50.0	ft
Ng	Background Nitrate (as Nitrogen) Concentration	0.040	mg/L
Nr	Nitrate (as Nitrogen) Concentration in Precipitation (usually constant)	1.0	mg/L
Ne	Nitrate (as Nitrogen) Concentration in Effluent	50.00	mg/L
#I	Number of Single Family Homes on the Drainfield	1.00	
QI	Quantity of Effluent per Single Family Home	26.70	ft <sup>3</sup> /day
P	Precipitation	34.0	in/year
V	Percent of Precipitation Recharging Ground Water (usually constant)	0.2	

**EQUATIONS**

W	Width of Mixing Zone Perpendicular to Ground Water Flow = (0.175)(L)+(Y)	67.5	ft
Am	Cross Sectional Area of Aquifer Mixing Zone = (D)(W)	1012.5	ft <sup>2</sup>
As	Surface Area of Mixing Zone = (L)(W)	6750	ft <sup>2</sup>
Qg	Ground Water Flow Rate = (K)(I)(Am)	1318.511	ft <sup>3</sup> /day
Qr	Recharge Flow Rate = (As)(P/12/365)(V)	10.47945	ft <sup>3</sup> /day
Qe	Effluent Flow Rate = (#I)(QI)	26.7	ft <sup>3</sup> /day

**SOLUTION**

Nt	Nitrate (as Nitrogen) Concentration at End of Mixing Zone = ((Ng)(Qg)+(Nr)(Qr)+(Ne)(Qe)) / ((Qg)+(Qr)+(Qe))	<b>1.03</b>	mg/L
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**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY  
PHOSPHOROUS BREAKTHROUGH ANALYSIS**

**Project:** 19 Bannock Trail - Aiken  
**Project Number:** 19-177  
**Location:** PARK COUNTY, MONTANA



<u>VARIABLES</u>	<u>DESCRIPTION</u>	<u>VALUE</u>	<u>UNITS</u>
Lg	Length of Primary Drainfield as Measured Perpendicular to Ground Water Flow	50.0	ft
L	Length of Primary Drainfield's Long Axis	50.0	ft
W	Width of Primary Drainfield's Short Axis	17.0	ft
B	Depth to Limiting Layer from Bottom of Drainfield Laterals*	6.0	ft
D	Distance from Drainfield to Surface Water	340.0	ft
T	Phosphorous Mixing Depth in Ground Water (0.5 ft for coarse soils, 1.0 ft for fine soils)**	1.0	ft
Ne			
Sw	Soil Weight (usually constant)	100.0	lb/ft3
Pa	Phosphorous Adsorption Capacity of Soil (usually constant)	200.0	ppm
#	Number of Single Family Homes on the Drainfield	1.00	
<b><u>CONSTANTS</u></b>			
PI	Phosphorous Load per Single Family Home (constant)	6.44	lbs/yr
X	Conversion Factor for ppm to percentage (constant)	1.0E+06	
<b><u>EQUATIONS</u></b>			
Pt	Total Phosphorous Load = (PI)(#)	6.44	lbs/yr
W1	Soil Weight under Drainfield = (L)(W)(B)(Sw)	510000.0	lbs
W2	Soil Weight from Drainfield to Surface Water = [(Lg)(D) + (0.0875)(D)(D)] (T)(Sw)	2711500.0	lbs
P	Total Phosphorous Adsorption by Soils = (W1 + W2)[(Pa)/(X)]	644.3	lbs
<b><u>SOLUTION</u></b>			
BT	Breakthrough Time to Surface Water = P / Pt	<b>100.0</b>	<b>years</b>

BY:  
DATE: March 12, 2020

**NOTES:** \* Depth to limiting layer is typically based on depth to a limiting layer (such as clay, bedrock or water) in a test pit or bottom of a dry test pit minus two feet to account for burial depth of standard drainfield laterals.  
\*\* Material type is usually based on test pit. A soil that can be described as loam (e.g. gravelly loam, sandy loam, etc.) or finer according to the USDA soil texture classification system is considered a "fine" soil.

REV. 12/2007



March 12, 2020

Park County Health Department  
c/o: Kaleb Pearson, M.S., REHS/R.S.  
414 E. Callendar St.  
Livingston, MT 59047

**RE: Variance Application for Drainfield Setback to 100-Year Floodplain  
Aiken Property – 19 Bannock Trail Rd. - Silver Gate  
Park County, Montana**

Dear Mr. Pearson:

Please find the enclosed our Variance Application for the above referenced project. This Variance Application is intended to address the standard 100-foot setback between a floodplain and a drainfield (ARM 17.36.323). The project site is in Silver Gate, Montana at 19 Bannock Trail Road. Per Montana Cadastral, an existing 1-bedroom cabin was built at the site in 1940. The Owner would like to build a 2-bedroom addition to the existing cabin (3-bedrooms total), which requires an updated septic permit.

The effective FEMA FIRM map (Community-Panel #30067C1750C) for the area shows the north end of the subject property to be within flood Zone A. Floodplain Zone A means "Without Base Flood Elevation." The floodplain mapping appears to be arbitrary/rough as it does not align well with the existing stream channel (Soda Butte Creek) and a detailed flood study of this portion of Soda Butte Creek has not been completed. Due to the width of the subject property, a 100-foot setback from the mapped floodplain encompasses nearly the entire lot. Consequently, an on-site drainfield cannot meet the 100-foot setback from the current FEMA floodplain boundary.

A FEMA Letter of Map Amendment (LOMA) was approved for the neighboring property to the east (23 Bannock Trail Rd.) circa 2017. We have referenced this LOMA and the supporting data (survey information) in this application. This LOMA established Base Flood Elevations (BFEs) for the neighboring property, including one BFE near the common property line. We interpolated these BFEs downstream (west) through the subject (Aiken) property to establish an approximate BFE for the Aiken property. Morrison Maeirle also conducted recent survey specific to the Aiken property (they also surveyed for the LOMA at 23 Bannock Trail). Evaluation of this elevation data shows that the actual Soda Butte floodplain is much lower in elevation compared to the Aiken property (10+ feet). It also suggests that the actual floodplain inundation extents are 100+ feet from the Aiken property. Nevertheless, the effective FEMA map (#30067C1750C) is controlling and this application seeks a variance from the 100-foot floodplain setback.

A response to the Local Variance Criteria found in ARM 17.36.922 is attached along with supplemental information and the proposed site plan for the wastewater treatment system.



If you have any questions or comments, please contact the undersigned.

Thank you.

**Allied Engineering Services, Inc.**

---

Gary Fox, PE  
Civil Engineer

Enc: Variance Criteria Form – Responses  
Wastewater Site Plan “W1”  
Exhibit “EX1”  
Floodplain Analysis for 23 Bannock Trail  
Google Earth Isometric Cross Section  
Snip from FEMA Floodplain Map  
Approval for 2019 Septic  
Denial of 2019 Septic  
Montana Cadastral Information

cc: Charlie Aiken (Owner)

## Variance Criteria Form – Responses

Allied Engineering Service, Inc. has addressed the criteria outlined in ARM 17.36.922 Local Variances. To specifically address each item, we have provided each criterion below, with our responses in **bold**.

### 17.36.922 LOCAL VARIANCES

*(1) As provided in this rule, a local board of health, as defined in 50-2-101, MCA, may grant variances from the requirements in this subchapter and in Department Circular DEQ-4, except for requirements established by statute*

The cabin site is located about 350 feet away from Soda Butte Creek and about 17 feet higher in elevation than Soda Butte Creek. Per the calculated Base Flood Elevations for the neighboring property, and a conservative interpolation of this data through the Aiken property, the Aiken property and drainfield sites are about 12 feet higher in elevation than the floodplain elevation (see attached sheet "EX1"). Based on existing elevation data, it is also likely that the actual floodplain inundation extents are 100+ feet away from the proposed drainfield. A summary of the elevation data is as follows:

- Calculated Base Flood Elevation (BFE) of cross section (Cross Section 5 per attached exhibit EX1) near east side of Aiken property per LOMA for 23 Bannock Trail = 7397.3
- Average slope of Soda Butte Creek near the property = 0.7%
- Approximate length of channel between Cross Section 5 and an interpolated cross section through the home site = 450'
- BFE elevation assumed to change at a similar rate as the average slope of the creek.
- Consequently, BFE at the home site =  $7397.3 - 0.007 * 450 = 7394.15$
- Surveyed ground elevation near home and drainfield sites = 7407.10
- Elevation difference between home site and BFE = 12.95'
- Location of BFE per neighboring LOMA suggests flooding is 100'+ from the site.
- See attached exhibit "EX1"

The proposed pressure-dosed drainfield location maximizes the horizontal distance to the 100-year floodplain and maximizes the vertical separation between the drainfield infiltrative surface and the base flood elevations.

*(2) The local board of health may grant a variance from a requirement only if it finds that all the following criteria are met:*

*(2)(a) Granting of the variance will not:*

*(2)(a)(i) contaminate any actual or potential drinking water supply;*

A proposed 100-ft mixing zone accompanied by a non-degradation analysis shows both phosphorous and nitrate levels are acceptable for the cabin, and the degradation will be non-significant per State standards. The nearest well is located approximately 130 feet southwest (upgradient) of the

**proposed drainfield location. The proposed absorption system area satisfies minimum setbacks from the proposed on-site water supply well.**

*(2)(a)(ii) cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans;*

**The proposed wastewater treatment system is a standard wastewater absorption system that will consist of a septic and dose tank, and a pressure-dosed drainfield. All components of the proposed wastewater treatment system will be installed in accordance with Circular DEQ-4 and Park County Regulations. The proposed wastewater treatment system is not anticipated to cause a health hazard due to access to insects, rodents, or other possible carriers of disease to humans.**

*(2)(a)(ii) cause a public health hazard being accessible to persons or animals;*

**All components of the proposed wastewater treatment system will be installed in accordance with Circular DEQ-4 and Park County Regulations. The proposed wastewater treatment system is not anticipated to cause a health hazard due to accessibility to persons or animals. For this application, we anticipate fiberglass risers and lids, and we have recommended that safety grates shall be installed inside all septic tank access risers.**

*(2)(a)(iv) violate any law or regulation governing water pollution or wastewater treatment and disposal, including the rules contained in this subchapter except for the rule that the variance is requested from;*

**This project does not propose an experimental system. All components of the proposed wastewater treatment system will be installed in accordance with Circular DEQ-4 and Park County Regulations. The proposed improvements are located well outside and above the 100-year floodplain.**

*(2)(a)(v) pollute or contaminate state waters, in violation of 75-5-605, MCA;*

**A proposed 100-ft mixing zone accompanied by a non-degradation analysis shows both phosphorous and nitrate concentrations are acceptable and will not be exceeded with the proposed on-site wastewater system. The cabin is a seasonal residence that generally is not used for more than 10 days per year by the Owner and the Owner's family. Therefore, the actual generated wastewater effluent will be much less than what has been designed for. Nitrate levels were found to be 0 mg/liter when tested at the site well by the Montana Bureau of Mines and Geology in 2014.**

*(2)(a)(vi) degrade state waters unless authorized pursuant to 75-5-303, MCA;*

**As noted in (2)(a)(v), above, the non-degradation analysis shows both phosphorous and nitrates are acceptable and will not be exceeded with the proposed on-site wastewater system.**

*(2)(a)(vii) cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration;*

**All components of the proposed wastewater treatment system will be installed in accordance with Circular DEQ-4 and Park County Regulations. The proposed wastewater treatment system will be**

**planted with shallow rooted vegetation that will blend in with existing vegetation, and maintained appropriately, including removal of any noxious weeds.**

*(2)(b) compliance with the requirement from which the variance is requested would result in undue hardship to the applicant;*

**The Owner (Charlie Aiken) was issued an approved Park County septic permit for the project on July 15, 2019. After the approval, the Owner moved forward with purchasing equipment, materials, and a significant amount of time for the project. The septic permit was then denied on November 26, 2019 and it was made clear that the Owner needed to address the drainfield's proximity to the floodplain and Planning district requirements (which are being addressed by a separate application). This Variance Application and supporting documents address the floodplain in that 1) the current FEMA floodplain incorrectly maps the area (an actual flood study has not been conducted for Soda Butte Creek), 2) the project site is 10+ feet above the creek elevation and therefore does not become inundated by flooding, 3) the adjacent property removed a large area from the FEMA floodplain in 2017 and a conservative interpolation of this data shows that the Aiken property is also well outside of the floodplain.**

**Based on the evaluation of the property, the drainfield location is well above the floodplain level, and is likely 100+ feet from the actual floodplain boundary. Several properties exist between the subject property and Soda Butte Creek, which also have on-site septic systems.**

*(2)(c) the variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented;*

**This application is seeking approval for a variance between the drainfield and the floodplain due to the crude nature of the current Zone A floodplain mapping which approximates the floodplain for Soda Butte Creek and incorrectly shows the floodplain at the project site. Site specific data is needed to accurately map the actual floodplain. Site specific survey data for the adjacent parcel, along with recent site-specific survey data for the Aiken property, show that the actual floodplain is well away from, and much lower than, the proposed drainfield location.**

**This variance application is per the recommendation of Park County and is being submitted because the July 15, 2019 approved septic permit application was subsequently denied on November 26, 2019 with the request that the floodplain be addressed.**

**A LOMA application to remove a portion of the area from the FEMA floodplain is not considered a viable option because the area that would need to be removed is privately owned by another person. Survey and analysis required to complete the LOMA may not be possible because it is private property and significant (4'+) snow makes survey very difficult or impossible in the winter.**

*(2)(d) no alternatives that comply with the requirement are reasonably feasible;*

**The proposed drainfield location is the preferred and best location due to setbacks from the on-site well, the cabin foundation, and the property lines. Nearly the entire property is within what would be**

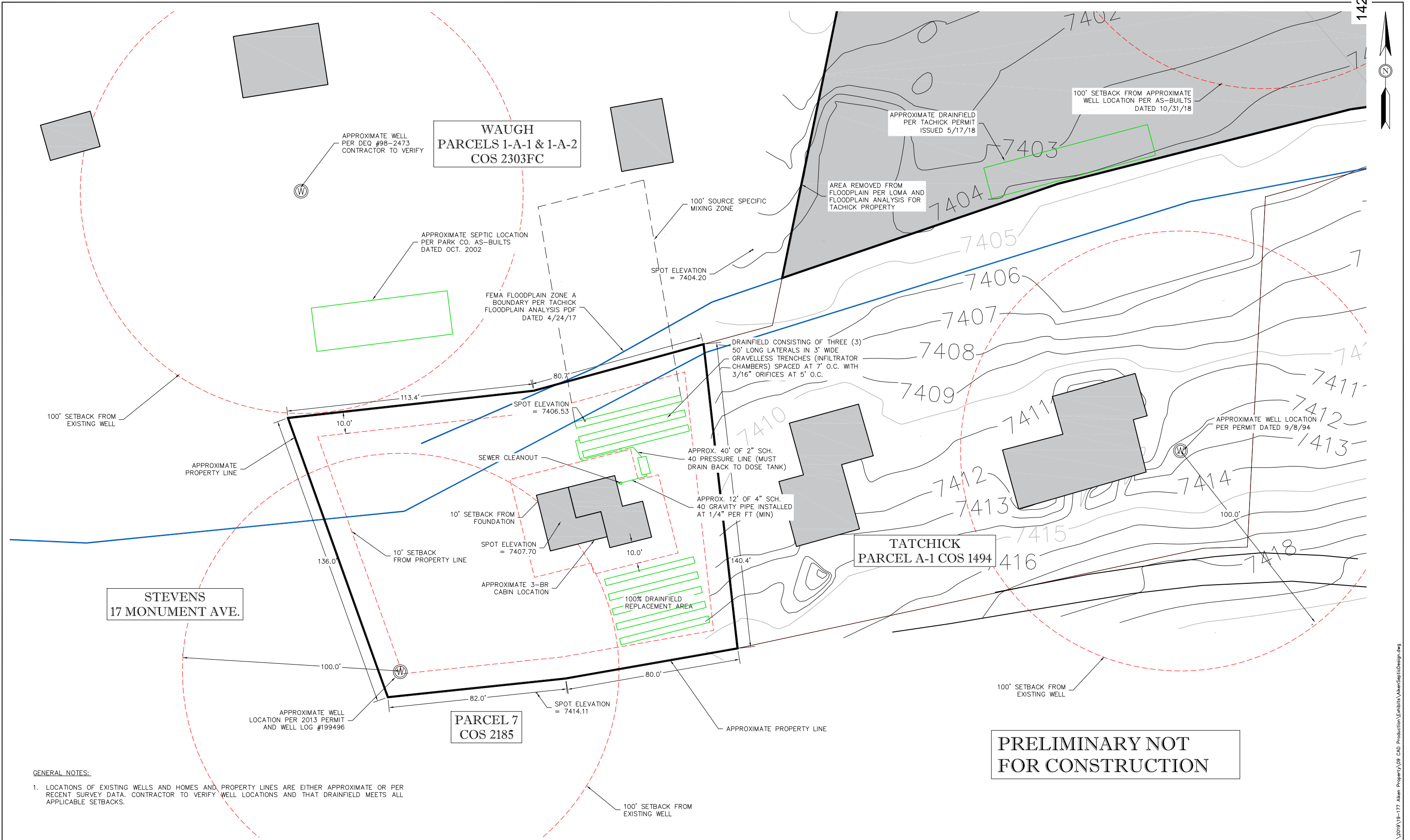
**the 100-foot setback from the current FEMA mapping and therefore the 100-foot setback from the FEMA floodplain mapping cannot be met on-site. The existing septic system does not meet the 100-foot setback. This Variance application corresponds to a new, pressure-dosed drainfield, which will be superior to the existing system, and will be located further away from the floodplain compared to the existing system. In our opinion, the proposed drainfield and replacement area locations are the only viable areas.**

*(2)(e) the variance requested is not more than the minimum needed to address the extraordinary conditions;*

**All setbacks have been maintained, except that the proposed drainfield is less than 100 feet from the current FEMA 100-year floodplain boundary. Regulations specifically allow for a variance from the 100-foot setback from a 100-year floodplain, such that the bottom of the absorption area is a minimum of 2 ft above the 100-year base flood elevation, which is the case for this project.**

*(3) The local board of health's decision regarding a variance of a requirement in this subchapter or in Department Circular DEQ-4 may be appealed to the department pursuant to ARM 17.36.924;*

**Acknowledged.**



**WAUGH  
PARCELS 1-A-1 & 1-A-2  
COS 2303FC**

**TATCHICK  
PARCEL A-1 COS 1494**

**PARCEL 7  
COS 2185**

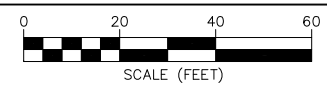
**STEVENS  
17 MONUMENT AVE.**

**PRELIMINARY NOT  
FOR CONSTRUCTION**

**GENERAL NOTES:**  
1. LOCATIONS OF EXISTING WELLS AND HOMES AND PROPERTY LINES ARE EITHER APPROXIMATE OR PER RECENT SURVEY DATA. CONTRACTOR TO VERIFY WELL LOCATIONS AND THAT DRAINFIELD MEETS ALL APPLICABLE SETBACKS.

NO.	REVISIONS	DRAWN BY	DATE

PROJECT ENGINEER: GDF		DRAWN BY: GDF	
DESIGNED BY: GDF		REVIEWED BY:	



**19 BANNOCK TRAIL - AIKEN PROPERTY  
WASTEWATER SYSTEM LAYOUT  
SILVER GATE, MONTANA**

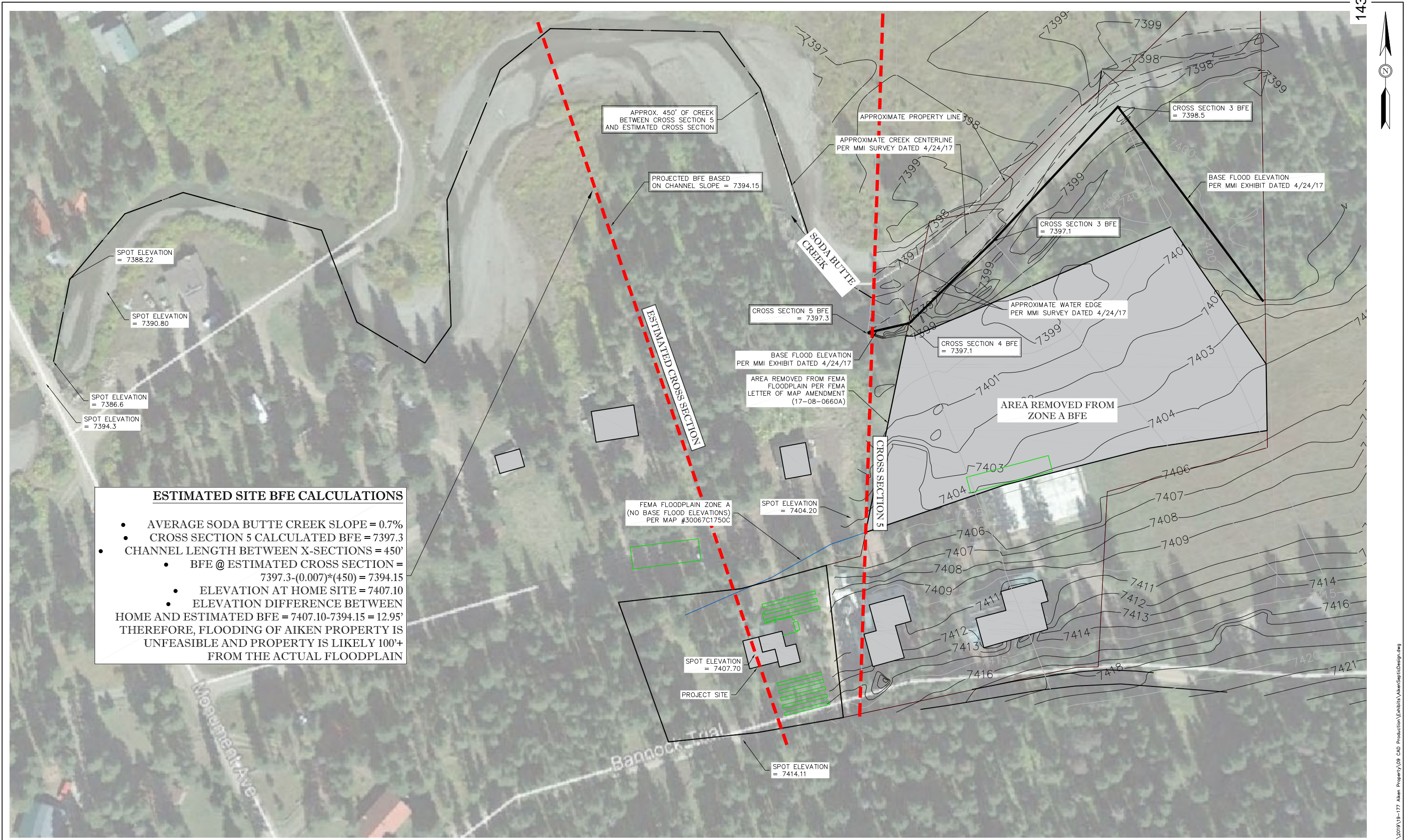
32 DISCOVERY DRIVE  
BOZEMAN, MT 59718  
PHONE (406) 582-0221  
FAX (406) 582-5770  
www.alliedengineering.com

**Civil Engineering  
Geotechnical Engineering  
Land Surveying**



PROJECT # 19-177	SHEET
DATE: 03/11/2020	W1
WASTEWATER	
19 BANNOCK TRAIL	

P:\2019\19-177 Aiken Property\09 CAD Production\Exhibits\AikenSepticDesign.dwg



**ESTIMATED SITE BFE CALCULATIONS**

- AVERAGE SODA BUTTE CREEK SLOPE = 0.7%
- CROSS SECTION 5 CALCULATED BFE = 7397.3
- CHANNEL LENGTH BETWEEN X-SECTIONS = 450'
  - BFE @ ESTIMATED CROSS SECTION =  $7397.3 - (0.007) * (450) = 7394.15$
  - ELEVATION AT HOME SITE = 7407.10
  - ELEVATION DIFFERENCE BETWEEN HOME AND ESTIMATED BFE =  $7407.10 - 7394.15 = 12.95'$

THEREFORE, FLOODING OF AIKEN PROPERTY IS UNFEASIBLE AND PROPERTY IS LIKELY 100'+ FROM THE ACTUAL FLOODPLAIN

NO.	REVISIONS	DRAWN BY	DATE

<p>SCALE (FEET)</p>	
PROJECT ENGINEER: GDF	DRAWN BY: GDF
DESIGNED BY: GDF	REVIEWED BY:

**19 BANNOCK TRAIL - AIKEN PROPERTY  
FLOODPLAIN EXHIBIT  
SILVER GATE, MONTANA**

32 DISCOVERY DRIVE  
BOZEMAN, MT 59718  
PHONE (406) 582-0221  
FAX (406) 582-5770  
www.alliedengineering.com

**Civil Engineering  
Geotechnical Engineering  
Land Surveying**



PROJECT # 19-177	SHEET EX1
DATE: 03/05/2020	
WASTEWATER	
19 BANNOCK TRAIL	

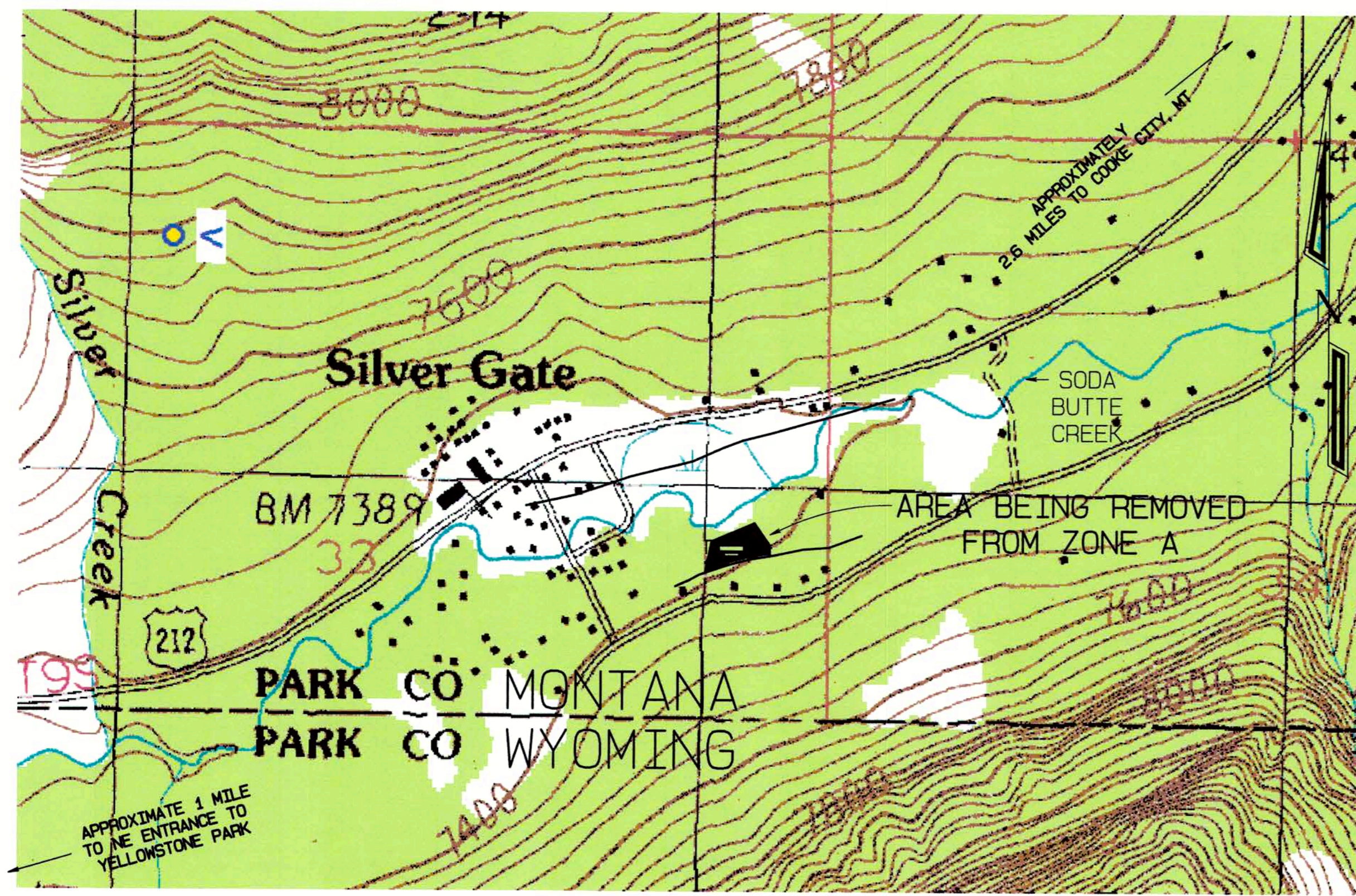
# FLOOD PLAIN ANALYSIS

FOR

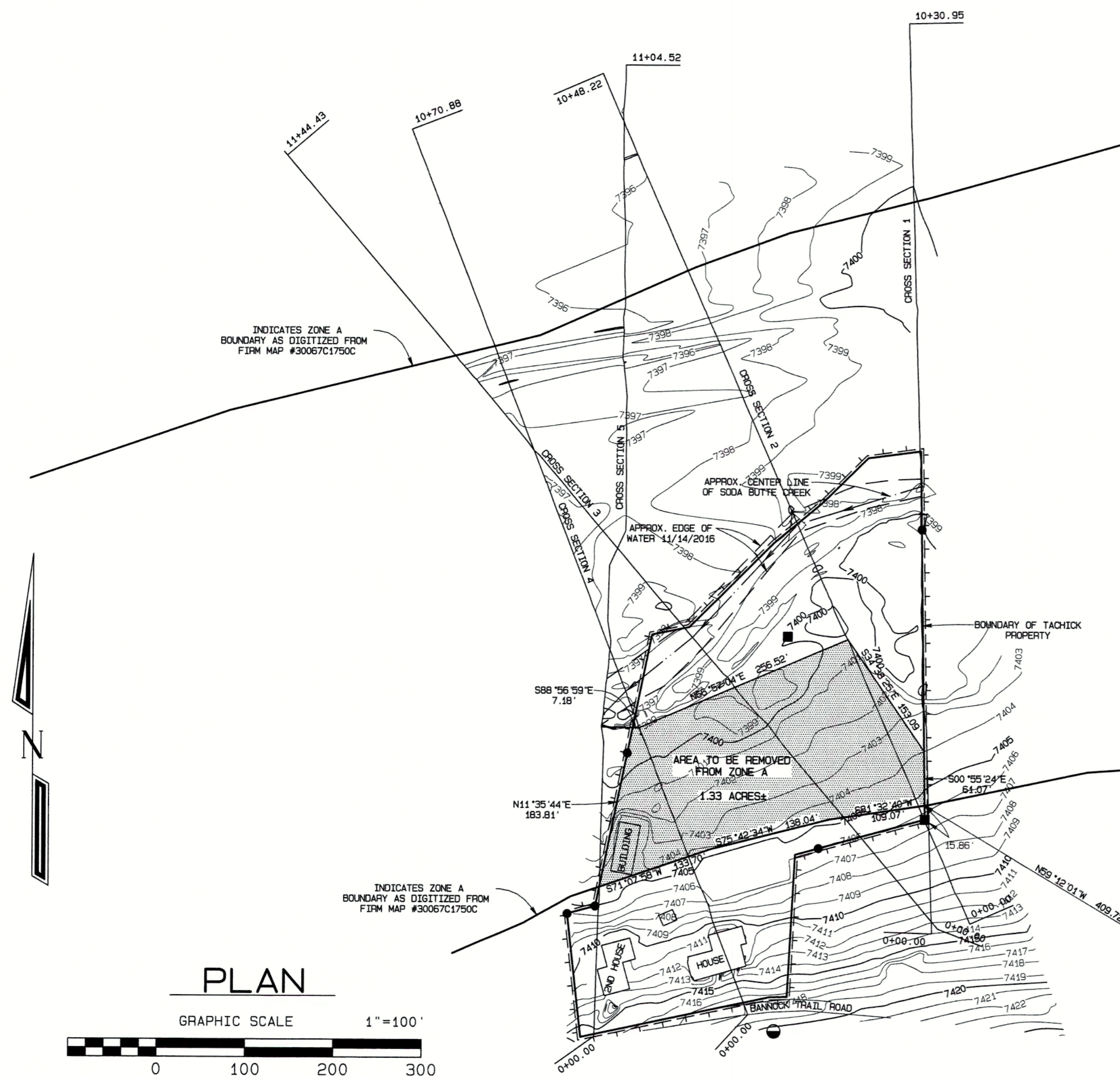
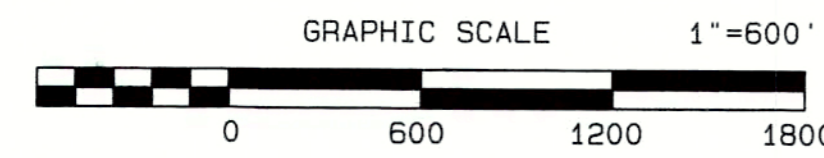
A PARCEL OF LAND (JEROME F. & ARDENE L. TACHICK) LOCATED WITHIN THE SE1/4NE1/4 AND LOT 1 OF SECTION 33, T.9S, R.14E., OF THE P.M.M., PARK COUNTY, MONTANA ACCORDING TO THE GOVERNMENT SURVEY

## NOTES

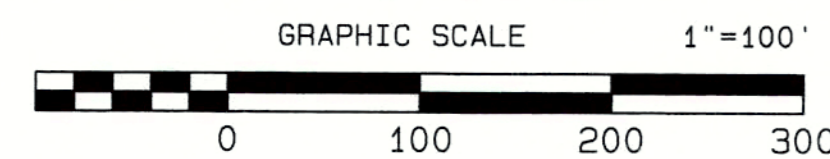
1. THE 100 YEAR FLOOD EVENT QUANTITY USED TO CALCULATE BASE FLOOD ELEVATIONS (BFE) SHOWN HEREON CAME FROM REGRESSION CALCULATIONS BASED ON RECORDED DATA FROM UNITED STATES GEOLOGICAL SURVEY'S GAGE STATION (SODA BUTTE CREEK AT PARK BOUNDARY AT SILVER GATE #06187915, AND SODA BUTTE CREEK AT SILVER GATE #06187910). ADDITIONAL PARAMETERS FOR THE REGRESSION EQUATIONS CAME FROM USGS GIS PROGRAM STREAMSTATS 4.0 FOR THIS DRAINAGE. THE 100 YEAR FLOOD EVENT FLOW CALCULATED FOR THIS FLOOD PLAIN ANALYSIS IS 2,060 CFS (CUBIC FEET PER SECOND)
2. SURVEY DATA SHOWN HEREON WAS COLLECTED ON NOVEMBER 14, 2016 AND HAS NOT SUBSTANTIALLY CHANGED SINCE.
3. ELEVATIONS SHOWN HEREON ARE BASED ON A GPS OPUS CORRECTED SOLUTION WITH BASE LOCATED AT LATITUDE: N45°00'20.99896", LONGITUDE: W109°59'05.28360", AND ORTHOMETRIC HEIGHT OF 7403.246FT BASED ON GEI00 12B. (REF FRAME: NAD\_83 (2011) EPOCH:2010.00000).
4. BASE FLOOD ELEVATION OR FLOOD BOUNDARY TO BE REMOVED FROM SPECIAL FLOOD HAZARD ZONE A DOES NOT TAKE INTO ACCOUNT ANY DEBRIS OR BLOCKAGE THAT CAN ALTER THE FLOW OF WATER AND CHANGE ITS COURSE.
5. APPROXIMATE CENTER OF THE AREA TO BE REMOVED FROM ZONE A IS LOCATED AT LATITUDE OF N45°00'21.78722", LONGITUDE OF W109°59'05.88894" (NAD83 (2011))
6. BASIS OF BEARINGS IS TRUE NORTH FROM A GPS BASE (OPUS NAD83 (2011) EPOCH: 2010) POINT AT LATITUDE: N45°00'20.99896", LONGITUDE: W109°59'05.28360", WITH A COMBINED SCALE FACTOR OF 1.0003530413.
7. THE LOW LOT ELEVATION (LLE) SHOWN ON THE CROSS SECTIONS IS THE LOWEST ELEVATION AT THAT CROSS SECTION ON THE AREA REQUESTED FOR REMOVAL FROM ZONE A. THE AREA REQUESTED FOR REMOVAL IS DESCRIBED BY METES AND BOUNDS IN THE APPLICATION PACKAGE AND SHOWN ON THE PLAN BELOW AT A SCALE OF 1"=100'.



VICINITY MAP



PLAN

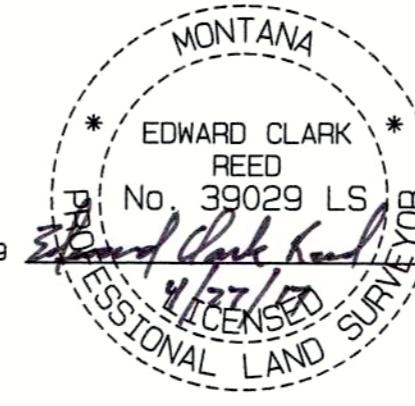


## LEGEND

- REBAR FOUND
- REBAR WITH ALUM. CAP FOUND
- 1 1/2" IRON PIPE FOUND
- INDICATES LAND TO BE REMOVED FROM ZONE A

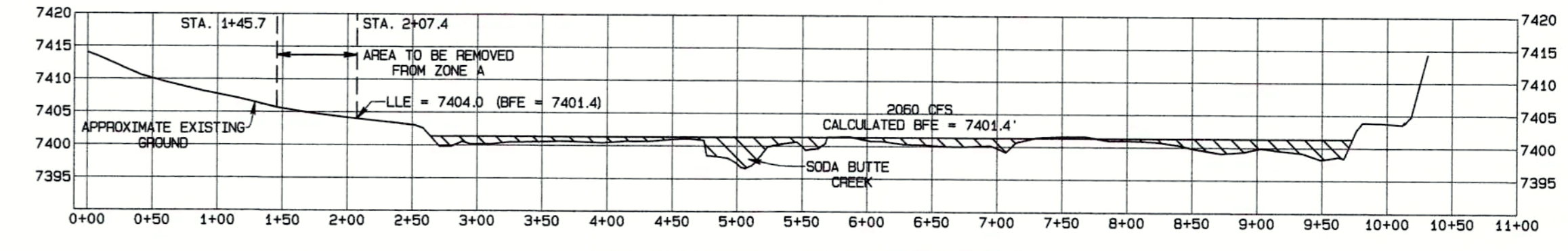
## CERTIFICATE OF SURVEYOR

STATE OF WYOMING } ss  
 COUNTY OF PARK }  
 I, EDWARD C. REED ON BEHALF OF MORRISON MAIERLE OF CODY, WYOMING DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM FIELD NOTES TAKEN DURING AN ACTUAL SURVEY MADE UNDER MY DIRECTION ON NOVEMBER 14, 2016, AND FROM FEMA FIRMAP NO. 30067C1750C THAT THIS MAP CORRECTLY SHOWS THE RESULTS OF SAID SURVEY AND THAT THE MONUMENTS FOUND AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



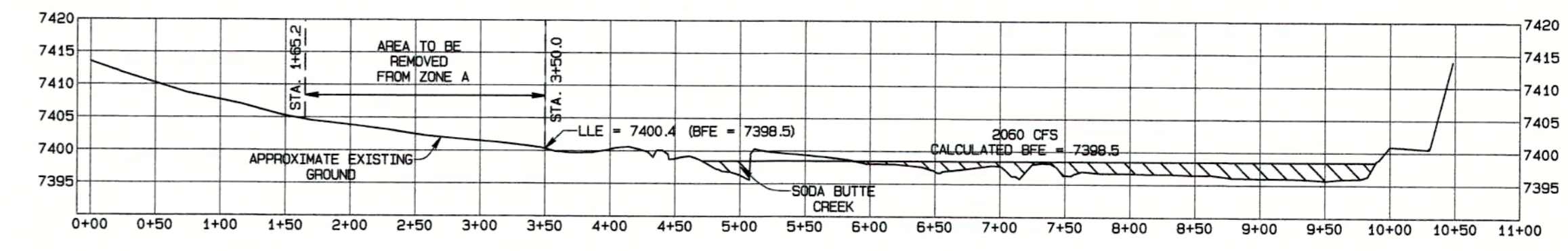
MONTANA L.S. REGISTRATION NO. 39029  
 MORRISON MAIERLE  
 BY: EDWARD C. REED (AGENT)

EDWARD CLARK REED  
 No. 39029 LS  
 PROFESSIONAL LAND SURVEYOR



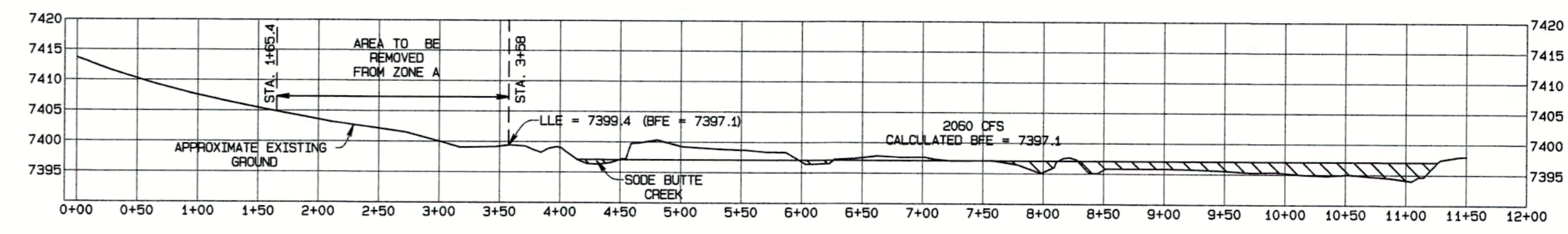
CROSS SECTION 1

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



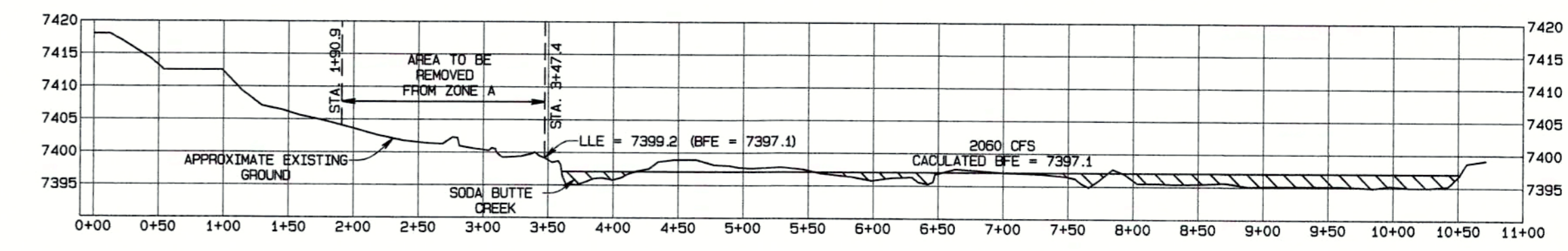
CROSS SECTION 2

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



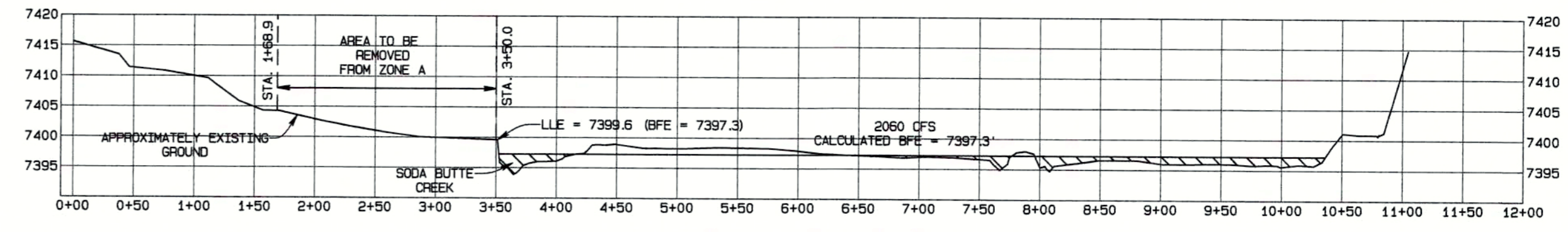
CROSS SECTION 3

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'



CROSS SECTION 4

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'

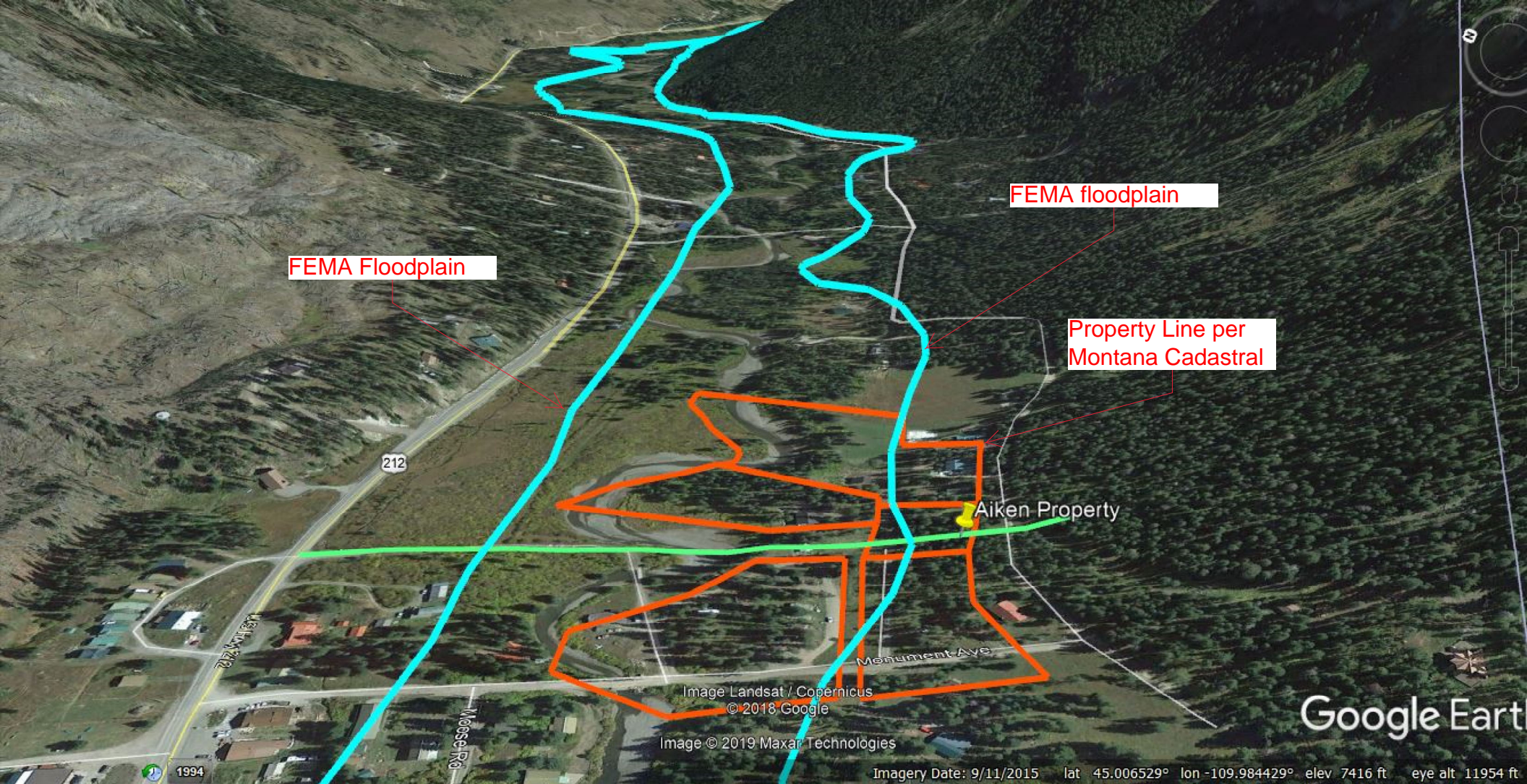


CROSS SECTION 5

HORIZONTAL SCALE: 1" = 100'  
 VERTICAL SCALE: 1" = 20'

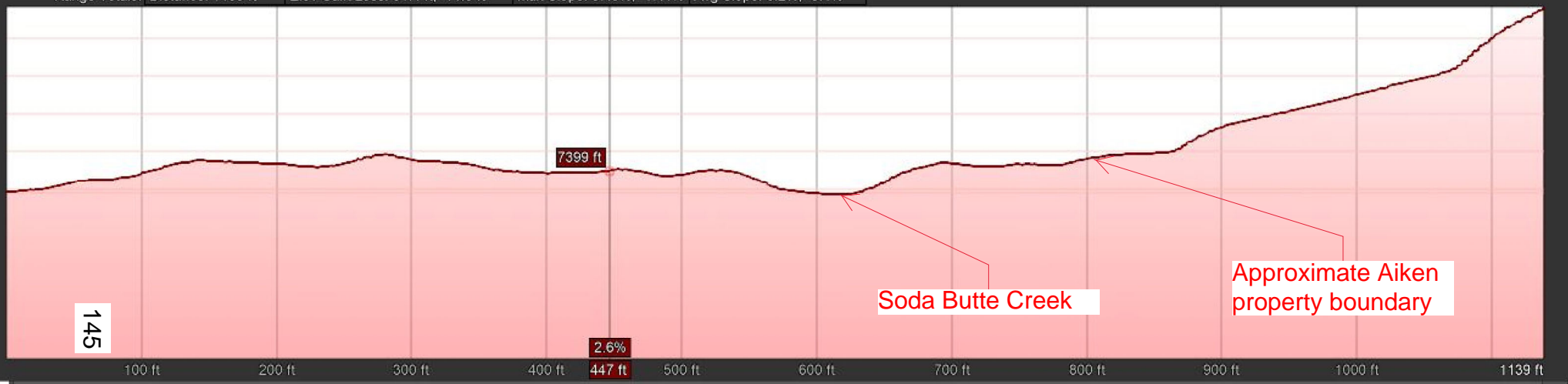
<b>Morrison Maierle</b> engineers - surveyors - planners - scientists 1402 Stampede Avenue Cody, WY 82414 Phone: 307.587.6281 Fax: 307.587.6282	1/4 SEC.	SECTION	TOWNSHIP	RANGE
	NE 1/4	33	9S	14E
FIELD WORK: JIM, ECR DRAWN BY: ECR, DJR CHECKED BY: RRH	DATE: REVISED: 04/24/2017 SCALE: 1"=100' PROJ. #: 5840.001	P.M.M. PARK COUNTY, MONTANA CLIENT: JERRY TACHICK Plotted: Apr 24, 2017	SHEET 1 OF 1	

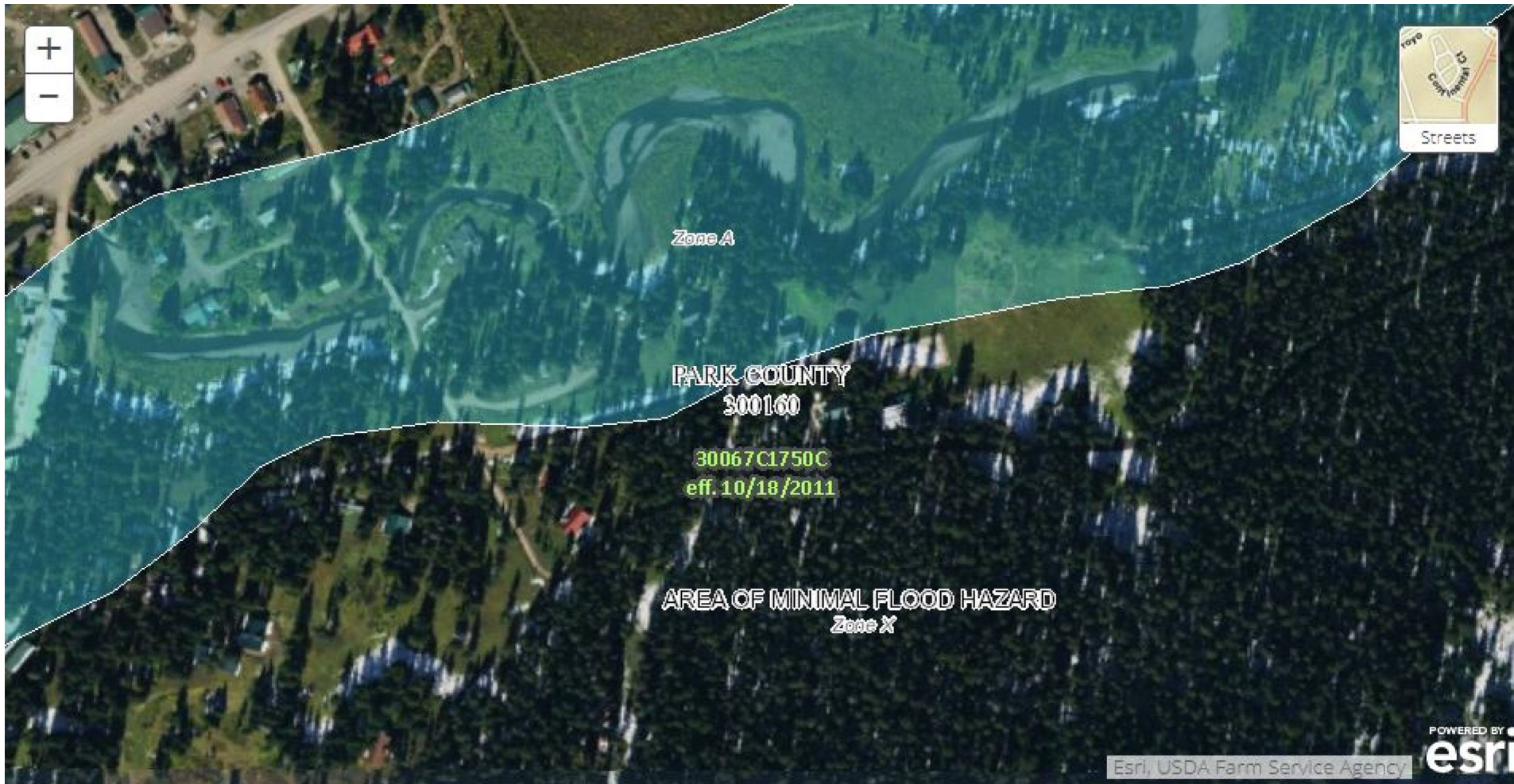




Graph: Min, Avg, Max Elevation: 7394, 7403, 7431 ft

Range Totals: Distance: 1139 ft Elev Gain/Loss: 51.4 ft, -14.6 ft Max Slope: 37.5%, -17.4% Avg Slope: 6.2%, -3.4%





Zone A

PARK COUNTY  
3001.60

30067C1750C  
eff. 10/18/2011

AREA OF MINIMAL FLOOD HAZARD  
Zone X

POWERED BY  
Esri, USDA Farm Service Agency

<p><b>PIN</b></p> <ul style="list-style-type: none"> <li> Approximate location based on user input and does not represent an authoritative property location</li> </ul>	<p><b>SPECIAL FLOOD HAZARD AREAS</b></p> <ul style="list-style-type: none"> <li> Without Base Flood Elevation (BFE) Zone A, V, A99</li> <li> With BFE or Depth</li> <li> Regulatory Floodway Zone AE, AO, AH, VE, AR</li> </ul>	<p><b>OTHER AREAS OF FLOOD HAZARD</b></p> <ul style="list-style-type: none"> <li> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X</li> <li> Future Conditions 1% Annual Chance Flood Hazard Zone X</li> <li> Area with Reduced Flood Risk due to Levee. See Notes. Zone X</li> <li> Area with Flood Risk due to Levee Zone D</li> </ul>	<p><b>OTHER FEATURES</b></p> <ul style="list-style-type: none"> <li> Cross Sections with 1% Annual Chance Water Surface Elevation</li> <li> Coastal Transect</li> <li> Base Flood Elevation Line (BFE)</li> <li> Limit of Study</li> <li> Jurisdiction Boundary</li> <li> Coastal Transect Baseline</li> <li> Profile Baseline</li> <li> Hydrographic Feature</li> </ul>
<p><b>MAP PANELS</b></p> <ul style="list-style-type: none"> <li> Selected FloodMap Boundary</li> <li> Digital Data Available</li> <li> No Digital Data Available</li> <li> Unmapped</li> </ul>	<p><b>GENERAL STRUCTURES</b></p> <ul style="list-style-type: none"> <li> Channel, Culvert, or Storm Sewer</li> <li> Levee, Dike, or Floodwall</li> </ul>		
<p><b>OTHER AREAS</b></p> <ul style="list-style-type: none"> <li> Area of Minimal Flood Hazard Zone X</li> <li> Effective LOMRs</li> <li> Area of Undetermined Flood Hazard Zone D</li> <li> Otherwise Protected Area</li> <li> Coastal Barrier Resource System Area</li> </ul>			

Owner: Charles Aiken Jr Location: 19 Bannock Trl, Cooke City Permit Number: 19-076  
Permit Status:

Approved  Denied \_\_\_\_\_

Need more information \_\_\_\_\_

Wastewater design flow 225 gpd Bedrooms 2 Tank(s) Required (1) 1000 gallon with filter

Drainfield components 3 laterals, 44ft long, 2ft wide, max 3 ft deep, 7ft O.C. min. of gravelles chambers,

dug level, connected to a water tested, leveled, d'box and installed according to the

Park County APPROVED lot layout and design. Must maintain 100ft setback from floodplain.

Approved by *Kaleb Lemmy* 7/15/19 Permit valid until: 7/15/21  
Park County Sanitarian



**ONSITE WASTEWATER PERMIT**

This is a permit to install a septic system. The Park County Sanitarian must be contacted 24 hours in advance to schedule an inspection before the system can be backfilled. After the system is approved, this becomes the permit to operate the septic system. No changes can be made to the approved plans and specifications without approval from the Park County Sanitarian.



# PARK COUNTY ENVIRONMENTAL HEALTH

414 East Callender Street, Livingston, MT 59047  
406-222-4145 parkcounty.org

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November 26, 2019

Charles W. Aiken, Jr.  
1119 Red Fox Rd  
Louisville, KY 40205

**RE: Voiding of Septic Permit #19-076  
19 Bannock Trail  
Silver Gate, MT 59081**

Dear Mr. Aiken,

The Park County Health Department has determined that the septic permit issued to you on July 15, 2019 for your property reference above has been voided as of the date of this letter because it is not in compliance with Montana State Law and Park County regulations and did not contain accurate information. Specifically:

1. Park County septic permit applications request that an applicant and/or their Site Evaluator provide adequate information demonstrating that a proposed drainfield is in compliance with any floodplain location, however, your permit application was submitted without mention of the floodplain boundary relative to the proposed drainfield. The proposed drainfield does not meet the required 100-foot horizontal setback from the drainfield to the floodplain boundary. As set forth above, your permit application incorrectly failed to indicate that part of your property was located within the floodplain which resulted in the minimum setbacks not being applied to your proposed drainfield. ***[ARM 17.36.918(1)] Minimum horizontal setback distances***
2. The proposal does not meet the requirements of the Cooke City/Silver Gate/Colter Pass Zoning District and Regulations. As per the letter dated August 22, 2019 from the Park County Planning office, The Residential 2 (R-2) district in which your property is located requires a minimum of 1 acre per single family residence. Your lot and current residential structure do not meet the minimum lot size threshold and are currently grandfathered as a non-conforming use. No non-conforming use may be enlarged or increased, nor extended to

occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance. *[Chapter V (3)(A)]*

Until it has been shown that the proposed onsite wastewater treatment system and building project conforms to all applicable State and Local regulations, the septic permit #19-076 has been voided in accordance in Park County Onsite Wastewater Treatment Regulations §9.2 Misrepresentation:

*Any Permit or approval granted under these regulations which is based upon or is granted in reliance upon any misrepresentation, or failure to make a material fact or circumstances known or should have been known, by the Applicant or his agent, shall be void. Any construction, Alteration, repair or use of a Sewage treatment system after the Permit for said system has been voided shall constitute a violation.*

**Please be aware that all construction of the septic system must stop and any construction activity after the septic permit is voided is a violation.** The penalty for violation of these rules shall not exceed \$500 per violation and each day of violation may be considered a separate offense.

In order to re-apply for an approved septic permit, a completed application must be submitted to this office, along with all required documentation regarding the floodplain setback distance mentioned above. In addition, the circumstance of the property being located less than 100-feet away from the regulated floodplain will have to be addressed through the Park County Floodplain Regulations and will also require a variance granted by the Park County Board of Health. Variance requests are an additional \$50.00, variances are not guaranteed, and the requirements of the Board of Health responsibilities when considering variances can be found in ARM 17.36.922 Local Variances.

Regards,



Kaleb Pearson, MS, REHS/RS  
Park County  
Environmental Health Department

Cc: Certified Letter  
Planning Department  
Park County Attorney  
Matt Asplund, Asplund Enterprises

# Property Record Card

## Summary

### Primary Information

**Property Category:** RP **Subcategory:** Residential Property  
**Geocode:** 49-0181-33-1-05-01-0000 **Assessment Code:** 0005402000  
**Primary Owner:** AIKEN CHARLES W **PropertyAddress:** 19 BANNOCK TRL  
 1119 RED FOX RD COOKE CITY, MT 59081  
 LOUISVILLE, KY 40205-1740 **COS Parcel:** 34  
*NOTE: See the Owner tab for all owner information*

**Certificate of Survey:** 108

**Subdivision:**

**Legal Description:**

S33, T09 S, R14 E, C.O.S. 108, PARCEL 34, PC IN LT 1 IN SESE, REF PLAT 583

**Last Modified:** 10/15/2019 5:22:28 PM

### General Property Information

**Neighborhood:** 249.550 **Property Type:** IMP\_R - Improved Property - Rural  
**Living Units:** 1 **Levy District:** 49-2617-9OUT/CCF  
**Zoning:** 2 **Ownership %:** 100

**Linked Property:**

No linked properties exist for this property

**Exemptions:**

No exemptions exist for this property

**Condo Ownership:**

**General:** 0 **Limited:** 0

### Property Factors

**Topography:** **Fronting:**  
**Utilities:** **Parking Type:**  
**Access:** 2 **Parking Quantity:**  
**Location:** **Parking Proximity:**

### Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.587	113,202.00

### Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
9/23/2013	R-78	40	9/23/2013	D378854	Warranty Deed
10/15/1990					

## Owners

Party #1

**Default Information:** AIKEN CHARLES W  
 1119 RED FOX RD

**Ownership %:** 100

**Primary Owner:** "Yes"

**Interest Type:** Conversion

**Last Modified:** 9/26/2013 9:21:36 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2019	113202	155698	268900	MKT
2018	116847	109253	226100	MKT
2017	116847	109253	226100	MKT

Market Land

Market Land Item #1

Method: [Acre](#) Type: [Primary Site](#)  
 Width: Depth:  
 Square Feet: 00 Acres: [0.587](#)  
 Valuation  
 Class Code: [2101](#) Value: [113202](#)

Dwellings

Existing Dwellings

Dwelling Type	Style	Year Built
<a href="#">SFR</a>	<a href="#">11 - Log</a>	<a href="#">1940</a>

Dwelling Information

Residential Type: [SFR](#) Style: [11 - Log](#)  
 Year Built: [1940](#) Roof Material: [5 - Metal](#)  
 Effective Year: [1975](#) Roof Type: [3 - Gable](#)  
 Story Height: [1.0](#) Attic Type: [0](#)  
 Grade: [5](#) Exterior Walls: [4 - Log \(not log over frame\)](#)  
 Class Code: [3301](#) Exterior Wall Finish: [0 - Other](#)  
 Year Remodeled: [0](#) Degree Remodeled:

Mobile Home Details

Manufacturer: Serial #: Width: [0](#)  
 Model: Length: [0](#)

Basement Information

Foundation: [2 - Concrete](#) Finished Area: [0](#) Daylight: [N](#)  
 Basement Type: [0 - None](#) Quality:

Heating/Cooling Information

Type: [Non-Central](#) System Type: [7 - Electric Baseboard/Electric Radiant](#)  
 Fuel Type: [4 - Electricity](#) Heated Area: [0](#)

Living Accomodations

Bedrooms: [1](#) Full Baths: [1](#) Addl Fixtures: [2](#)  
 Family Rooms: [0](#) Half Baths: [0](#)

Additional Information

Fireplaces: Stacks: [0](#) Stories:  
 Openings: [0](#) Prefab/Stove: [1](#)  
 Garage Capacity: [0](#) Cost & Design: [0](#) Flat Add: [0](#)  
 % Complete: [0](#) Description: Description:

Dwelling Amenities

View: Access:

Area Used In Cost

Basement: [0](#) Additional Floors: [0](#) Attic: [0](#)  
 First Floor: [797](#) Half Story: [0](#) Unfinished Area: [0](#)  
 Second Floor: [0](#) SFLA: [797](#)

Depreciation Information

CDU: Physical Condition: [Good \(8\)](#) Utility: [Fair \(6\)](#)  
 Desirability: Property: [Fair \(6\)](#)  
 Location: [Average \(7\)](#)

Depreciation Calculation

Age: [43](#) Pct Good: [0.65](#) RCNLD: [90190](#)

Additions / Other Features

[There are no additions for this dwelling](#)  
[There are no other features for this dwelling](#)

Other Buildings/Improvements

Outbuilding/Yard Improvement #1

Type: [Residential](#) Description: [RRS1 - Shed, Frame](#)

Quantity: 1

Year Built: 1950

Grade: A

Condition:

Functional:

Class Code: 3301

Dimensions

Width/Diameter:

Length:

Size/Area: 64

Height:

Bushels:

Circumference:

**Commercial**

**Existing Commercial Buildings**

No commercial buildings exist for this parcel

**Ag/Forest Land**

Ag/Forest Land

No ag/forest land exists for this parcel



Memorandum

V# 1174  
3/30/20  
RBK Consulting

March 26, 2020

To: Kaleb Pearson, RS and Park County Board of Health

From: Barbara Kingery, PE RBK Consulting, LLC

Re: Variance Request of Corey Waldron

Legal Description of Property: S35, T02 S, R09 E, C.O.S. 1700, Parcel A

Address: 5164 US Hwy 89 S, Livingston

Introduction

The applicant, Corey Waldron, is requesting two variances from the Board of Health that, if granted, would allow the construction of a replacement onsite wastewater treatment absorption system with less than 4-feet of natural soil below the bottom of the trench [ARM 17.36.914 (3)] and within a designated Federal Emergency Management Agency (FEMA) 100-year floodplain [ARM 17.36.918].

Background

Parcel A (1.638 acres) was created through COS 1270 in 1993 by a court ordered action and is not subject to the Sanitation in Subdivision Act or DEQ review. It has a 2-bedroom home built in 1956 with a well in the southeast corner of the house and a 2.5 ft berm around the perimeter of the backyard. On March 24, the unpermitted onsite septic system in the backyard failed with sewage backing up into the house.

An onsite soil profile was dug on 3/24/20 showing signs of a seasonally high groundwater table at 41 inches. On the day of the site evaluation, groundwater was at 7 feet.

This lot is located 100 % within a floodplain and will require a floodplain permit for any new facilities.

**We would like to request a variance from ARM 17.36.914 and ARM 17.36.918:**

1. ARM 17.36.914 WASTEWATER TREATMENT SYSTEMS - TECHNICAL REQUIREMENTS

(3) Wastewater treatment systems must be located to maximize the vertical separation distance from the bottom of the absorption trench to the seasonally high ground water level, bedrock, or other limiting layer, but under no circumstances may this vertical separation be less than four feet of natural soil.

Discussion: This site has had a 2-bedroom house since 1956. The existing failed seepage pit predated permitting requirements and a replacement elevated sand mound is proposed. An onsite soil profile in the area for the mound showed seasonally high groundwater may reach 41 inches below ground level. To meet the intent of the rule, additional sand will be placed in the base of the mound to

establish a vertical separation distance from the bottom of the absorption trench to the seasonally high ground water at 65 inches (5.4 ft).

2. 17.36.918 HORIZONTAL SETBACKS, FLOODPLAINS  
 (1) Minimum horizontal setback distances (in feet) are as follows:

TABLE 1  
 SETBACK DISTANCES  
 (in feet)

From	To Sealed components (1) and other components (2)	To Absorption systems (3)
Public or multiple-user drinking water wells/springs	100	100
Individual and shared drinking water supply wells	50	100
Other wells (4)	50	100
Suction lines	50	100
Cisterns	25	50
Roadcuts, escarpments	10 (5)	25
Slopes > 35 percent (6)	10 (5)	25
Property boundaries (7)	10	10
Subsurface drains	10	10
Water mains (8)	10	10
Drainfields/sand mounds (3)	10	-
Foundation walls	10	10
Surface water, springs	50	100
Floodplains	--Sealed components - no setbacks (1) Other components - 100 (2)	100

(1) Sealed components include holding tanks, sealed pit privies, and the components addressed in Department Circular DEQ-4, Chapters 4 and 5. Holding tanks and sealed pit privies must be located at least ten feet outside the floodplain or any openings must be at least two feet above the floodplain elevation.

(2) Other components include the components addressed in Department Circular DEQ-4, Chapter 7.

(3) Absorption systems include the systems addressed in Department Circular DEQ-4, Chapters 6 and 8 subject to the limitations in ARM 17.36.916.

(4) Other wells include, but are not limited to, irrigation and stock watering, but do not include observation wells as addressed in Department Circular DEQ-4.

(5) Sewer lines and sewer mains may be located in roadways and on steep slopes if the lines and mains are safeguarded against damage.

(6) Down-gradient of the sealed component, other component, or drainfield/sand mound.

(7) Easements may be used to satisfy the setback to property boundaries.

(8) Sewer mains that cross water mains must be laid with a minimum vertical separation distance of 18 inches between the mains.

Discussion: The proposed onsite septic system will consist of a 1,000-gal septic tank, 500-gal dose tank and an elevated sand mound located within the regulated 100-year floodplain. These system components do not meet the required 100-foot horizontal setback from the drainfield to the floodplain boundary. The entire lot is in the floodplain and no place on the parcel that complies with this regulation. To meet the intent of the rule, the onsite septic system will request a Park County Floodplain permit and be constructed in accordance with Circular DEQ 4 with a design that also includes:

1. the concrete septic tank and dose tank will include extra weights to counteract buoyant forces of high groundwater with all risers/lids gasketed and sealed
2. Electrical equipment will be installed for wet environments

#### Variance Criteria

The board of health may grant a variance from a requirement only if it finds that all the criteria of ARM 17.36.922 are met.

The applicant offers comments on the following criteria:

(a) granting the variance will not:

- (i) contaminate any actual or potential drinking water supply;
  - Comment: There are no existing or previously approved wells downgradient from the the septic system. All tanks will be sealed and effluent from the mound should not contaminate drinking water supplies.
- (ii) cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans;
  - Comment: The onsite septic system will be constructed in accordance with Circular DEQ 4 with sealed lcomponents and should not cause a public health hazard as a result of access to insects, rodents, or other possible carriers of disease to humans
- (iii) cause a public health hazard by being accessible to persons or animals;
  - Comment: The onsite septic system will be constructed in accordance with Circular DEQ 4 requirements with sealed components and should not cause a public health hazard by being accessible to persons or animals;
- (iv) violate any law or regulation governing water pollution or wastewater treatment and disposal, including the rules contained in this subchapter except for the rule that the variance is requested from;
  - Comment: The onsite septic system will be constructed in accordance with Park County Septic Permitting Requirements and will not violate any law or regulation governing water pollution or wastewater treatment and disposal except for the rule that the variances are requested from
- (v) pollute or contaminate state waters, in violation of 75-5-605, MCA;

- Comment: The proposed system improves effluent treatment on site and will not pollute or contaminate state waters in violation of 75-5-605 MCA.
- (vi) degrade state waters unless authorized pursuant to 75-5-303, MCA; or
- Comment: The onsite septic system meets the standards of the Water Quality Act and will not degrade state waters pursuant to 75-5-303 MCA
- (vii) cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration;
- Comment: The onsite septic system will be constructed in accordance with Circular DEQ 4, will be sealed and operated so as to not cause a nuisance due to odor, unsightly appearance, or other aesthetic consideration.
- (b) compliance with the requirement from which the variance is requested would result in undue hardship to the applicant;
- Comment: The physical parameters of the parcel with groundwater less than 4 feet deep and a designated floodplain that encompasses the entire lot, prohibit compliance with the two requested variances. Compliance with the regulations is not possible at this site without removal of the house - an undue hardship.
- (c) the variance is necessary to address extraordinary conditions that the applicant could not reasonably have prevented;
- Comment: The Yellowstone River Floodplain and depth to seasonally high groundwater on this lot are forces of nature that are beyond the control of the lot owner. Failure of the existing 64-year-old onsite septic system created the extraordinary conditions to request these variances for a replacement system.
- (d) no alternatives that comply with the requirement are reasonably feasible, and;
- Comment: The existing house is occupied year-around and no alternatives that comply with the requirement are reasonably feasible
- (e) the variance requested is not more than the minimum needed to address the extraordinary conditions
- Comment: The two variance requests are not more than the minimum needed to address the extraordinary conditions.

### Conclusion

The existing house at 5164 US Hwy 89 S, Livingston has a failed septic system. The old system was an unpermitted seepage pit but the owners would like to permit a new system that will provide better treatment for effluent for the protection of public health and the environment. The proposed onsite septic system, including an elevated sand mound, provides the only year-round option for a residence at this location.



### Onsite Wastewater Treatment System Permit Application

Park County Environmental Health  
 Phone: (406) 222-4145 Fax: (406) 222-4763  
 414 E. Callender Street  
 Livingston, MT 59047

For office use only:

Permit Number 20-022  
 Application Fee \$ 200-  
 Receipt # 853481  
 Check # 1264  
 Paid by PBK Consulting  
 Tax ID # 36570

#### Owner information

Property owner Corey Waldron Phone 1-406-222-5358

Mailing address 220 Wineglass Loop City, State Livingston, MT Zip 59047

#### Statement of Accuracy and Permission to Inspect:

As the owner of the parcel of land described within the permit application, my signature below declares the information provided here is to the best of my knowledge. I acknowledge that the County Sanitarian and/or members of the Park County Board of Health are hereby empowered and authorized to enter upon my private property for the purpose of inspection and investigation concerning the onsite wastewater treatment system that treats, discharges, or disposes of wastewater to determine compliance with Park County and the State of Montana regulations.

Property owner signature (required) [Signature] Date \_\_\_\_\_

#### Property information

Site Address/Location 5164 US HWY 89 South Town/City Livingston

Section 35 Township 2S Range 9E  COSA  COS # 1700

Name of Subdivision (if applicable) \_\_\_\_\_ Tract/Lot # Parcel A Acres \_\_\_\_\_

Directions to site South of Livingston on US 89 for approx. 1.5 miles from I-90

#### Permit information (Check all that apply)

System to be installed by \_\_\_\_\_  
Park County licensed installer

New  Repair/Replacement System  Upgrade/Expansion  Connect to Existing Permit # \_\_\_\_\_

Residential system  Seasonal residence  Full-time residence

Number of living units 1 \*Living unit means the area under one roof that can be used for one residential unit and which has facilities for sleeping, cooking, and sanitation. A duplex is considered two living units.

Number of bedrooms in each living unit (including unfinished basements) 2

Commercial system  Private (serving ≤24 or more people <60 days per year daily)  Public (serving 25 or more people ≥60 days per year daily)  
\*Public systems require Montana DEQ approval

Number of commercial units \_\_\_\_\_

**System design and specifications\***

Septic tank size 1,000 Pump chamber size 500  Concrete  Fiberglass  Other \_\_\_\_\_

Drainfield components 34' x 61' Elevated Sand Mound with 2 ft of sand below two (2) 36' chambers

\*On-site Wastewater treatment systems shall be designed and constructed in accordance with the requirements described in ARM Title 17, Chapter 36, Subchapters 1-8, Subdivision Rules, and ARM Title 17, Chapter 36, Subchapter 9, On-site Subsurface Wastewater Treatment, and Montana Department of Environmental Quality Circular DEQ 4, 2013 edition, Park County Onsite Wastewater Treatment Regulations, and "How to Perform a Non-degradation Analysis for Subsurface Wastewater Treatment Systems Under the Subdivision Review Process", Revised October 2015, or most recent editions.

**Site evaluation report** (if applicable, submit additional documents as necessary)

Date of soils test 3/24/20 Weather conditions Dry

Horizon/Depth	Soil Description (include type, texture, structure, mottles, limiting layers, etc.)
A1/0-41 inch	Silt Loam, granular structure, 10yr 3/3 brown, <10% gravels, no mottling or redox features
A2/ 41-84 in	Silt Loam, granular structure, 10yr 3/3 brown, appx 25 % gravels, est. depth of seasonal groundwater
84 in	<b>Groundwater</b>

Application rate according to Table 2.1-1 Montana DEQ Circular 4 0.8 gpd/ft<sup>2</sup>

Comments/Unusual site features This site has less than 4 feet to seasonally high groundwater and is in a floodplain  
It will need a variance from ARM 17.36.914(3) and ARM 17.36.918

Non-degradation analysis included:  Yes  No, this property meets the requirements of categorical exemption # \_\_\_\_\_

If no, provide further details The house was in existence since 1956 - Pre 1993 source

**Please submit all applicable documentation with this application-** including but not limited to: flood plain maps, proposed lot layout, septic layout, pump requirements, well and water line locations, surface water locations, ground water monitoring results, etc.

**A permit will not be issued until all necessary documentation has been received and approved by this office**

As a Park County licensed site evaluator, my signature verifies that I have addressed the above parameters for this site. I have completed the site evaluation according to all applicable rules and regulations and the documentation provided above accurately reflects the conditions at this site. All information herein provided is true, complete, and correct to the best of my ability and knowledge.

Barbara Kingery  
 Signature of site evaluator \_\_\_\_\_

Barbara Kingery \_\_\_\_\_ 3/26/20 158  
 Printed name Date

## SEPTIC PERMIT REPORT

Project Name 5164 S US-89 – Waldron Replacement Permit

### Project Synopsis

This design is for an elevated sand mound to be used at 5164 US Hwy 89 S, Livingston. The parcel is 1.638 acres in size. It has a 2-bedroom home built in 1956 with a well in the southeast corner of the house and a 2.5 ft berm around the perimeter of the backyard. On March 24, the unpermitted onsite septic system in the backyard failed with sewage backing up into the house.

An onsite soil profile was dug on 2/24/20 showing signs of a seasonally high groundwater table at 41 inches. On the day of the site evaluation, groundwater was at 7 feet. The entire lot is located in the floodplain and a variance request from the requirements of ARM 17.36.914 and ARM 17.369.918 have been requested from the Board of Health.

The proposed wastewater treatment system includes a cleanout at the house, a combination 1,500-gallon septic/dose tank with ballast and an elevated sand mound (ESM).

This is a replacement wastewater treatment system. It is not a new or increased source beyond historic levels or located closer to sensitive receptors than the original system. The onsite septic system is not subject to non-degradation requirements.

Septic Tank 1,000 gal

Dose Tank 500 gal

### Setbacks

- ESM located in a 100 ft from FEMA mapped floodplain (variance needed)
- ESM less than 4 feet from seasonally high groundwater (variance needed)
- ESM > 100 ft from surface water
- ESM > 10 ft from lot boundaries and foundations
- ESM > 25 ft from road cuts, steep slope and stormwater ponds
- ESM > 100 ft from well
- Septic Tank > 50 ft from well

### ESM Design Parameters

2-bedroom house 225 gpd

Land slope: <3%

Underlying Soils Loading Rate: 0.4 gpd/ft<sup>2</sup> (Silt Loam)

Sand loading Rate: 0.8 gpd/ft<sup>2</sup>

Bed size based on sand loading:  $225 \text{ gpd} / 0.8 \text{ gpd/ft}^2 = 281.25 \text{ ft}^2$

Required minimum basal area based on soil loading rate =  $225 / 0.4 \text{ gpd/ft}^2 = 562.5 \text{ ft}^2$

### Bed Design

Width and Length:

281.25 sf of bed required

3:1 length to width recommended

Width = 9.6825 ft Length = 29 ft

Round Width to 9 ft and Length to 36 ft (for 4-ft long chambers)

Height:

24 in sand below trenches + 12 in chamber height + 12 in soil cap = 42 in = 4 ft

### Check Basil Area Requirements

3:1 side slopes = 12 ft each side

Overall width of mound = 12 ft + 2 ft + 9 ft + 2 ft + 12 ft = 37 ft

Overall length of mound = 12 ft + 2 ft + 36 ft + 2 ft + 12 ft = 64 ft

37 ft x 64 ft = 2,368 ft<sup>2</sup> designed >562 ft<sup>2</sup> required basil area ok

### Trench Design

281.25 ft<sup>2</sup>/3 ft wide trenches = 94 lineal ft x 0.75 for use of chambers = 71 lineal ft

Two (2) trenches (6 ft on center) each 36 ft long = 72 lineal ft

### Buoyancy Calculations

Assume 1,500-gal combination 1,000-gal septic/500-gal dose tank is completely submerged in water

Tank = 5.75 ft wide x 12.25 ft long x 5.42 ft deep x 0.25 ft thick walls (Per Morkel Precast)

Volume = 382 cf

Surface area of Lid = 70.4 sf

Weight = 14,000 lbs

Buoyancy Force: 62.4 lb/cf (density of water) x 382 cf (volume of tank) = 23,837 lbs

Weight of dry soil above: 1.5 ft (depth to groundwater) x 80 lb/cf (density of dry Loam) x

70.4 sf (surface area of lid) = 8,448 lbs

Resistive Force: 14,000 lbs (weight of tank) + 8,448 lbs (weight of soil) = 22,448 lbs

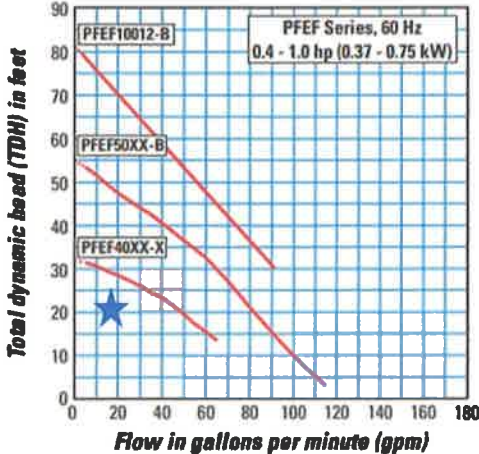
Ballast needed: [23,837 lbs (buoyancy force) – 22,448 lbs (resistive force)] x 2 (factor of safety) = 2,778 lbs

Add 3,000 lbs of ballast to tank



Size of concrete blocks: 150 lb/cf (density of concrete) = 20 cf of concrete total or 10 cf of concrete each side of tank.

Pump Design: 20 gpm and 20 ft of head  
PEF 40 or Equivalent



Pipe Volume Calculations

Transport Pipe	2 (inches)
Pipe Diameter	75 (feet)
Pipe Length	12.2 (gallons)
Pipe Volume	

Manifold Pipe

Pipe Diameter	2 (inches)
Pipe Length	6 (feet)
Pipe Volume	1.0 (gallons)

Laterals

Pipe Diameter	1.61 (inches)
Pipe Length	3.6 (feet)
Pipe Volume	3.8 (gallons)
# of Laterals	2
Total Lateral Volume	7.6 (gallons)

Total Volume 7.68052 gal/ft3 20.8 (gallons)

Head Loss and Pump Sizing Calculations

$$q = C(2gh)^{1/2}$$

$$g = 32.2 \text{ (ft/s}^2\text{)}$$

$$C = 0.6 \text{ (openings with square edges)}$$

$$h = 5 \text{ (desired head loss in feet)}$$

Must be 5' if Office opening is <math>\leq 7/16, 2.3\text{'}\text{ otherwise}</math>

Flow in Laterals  
# of Laterals 4  
Office Spacing 9  
Diameter of opening 5 (feet)  
Manifold to 1st Office 1/8 (inches)  
Office Area 0.000085 sq. ft.

$$H = \frac{(4.73)^2 \times (L) \times (q)^{1.85}}{(D)^{4.97} \times (C)^{1.85}}$$

- L 100 (feet, length of lateral - Between Offices)
- D 0.13416667 (feet, inside diameter of pipe)
- C 150 (roughness coefficient, use 150 for plastic pipe)

Head Loss (Lateral) 0.0203  
Head Loss (Manifold-arterial) 0.0016  
Total Head Loss (Lateral) 0.0219

Dose Volume using Floats

Minimum Volume	51.3 (gallons)
Recommended	89.4 (gallons)
Proposed Volume	75 (gallons)

Dose Tank Volume Sizing

Daily Flow	225 (gpd)
Minimum Volume	107.5 (gallons)
Proposed Volume	500 (gallons)

Dose Volume using Striker

Minimum Volume	28.4 (gallons)
Recommended	88.4 (gallons)
Proposed Volume	20 (gallons)

Dose Tank Volume Sizing  
Daily Flow 225 (gpd)  
Minimum Volume 84.7 (gallons)  
Proposed Volume 126.25 (gallons)

Flow Calc

Design Flow	20,000 (gpm)
Time	3.75 (mins)
Variation	0.95 (%)

Dose Tank Dimensions

Usable Volume	500 (gallons)
Gallons/foot	125 (gal/ft)
Gallons/ftch	10,416.67 (gal/ftch)
Pump On	26 (inches)
Pump Off	18 (inches)
Volume of Dose	75 (gallons)
Outlet	48 (inches)
High Level Alarm	33 (inches)
Reserve Storage	156 (gallons)

Septic Tank Sizing  
Min. Septic Tank Size 1000 (gallons)  
Proposed Size 1000 (gallons)

Calculated Head Loss

Required Head	5
Laterals	0.02
Manifold	0.03
Force Main	0.54
Elevation	15
Discharge Assembly	1
Total Required Head	21.59 (feet)
Design Flow	18.13 (gpm)

Flow in Manifold

Quantity	0.013 (cfs)
Length	21 (feet)
# of T's	0
# of 90° Bends	2
Effective Length	29 (feet)
Head Loss	0.0275 (feet)

Flow in Force Main

Quantity	0.040 (cfs)	gpm	18.1334309	ft/sec	1.851985788
Length	75 (feet)				
# of T's	0				
# of 90° Bends	0				
Effective Length	75 (feet)				
Head Loss	0.5437 (feet)				

Office	Loss (feet)	Flow/Office (gpm)	Total Flow (gpm)	Flow/Office (cfs)	Total Flow (cfs)	Head Loss (feet)	Total Head Loss (feet)
1	5.0000	0.4118	0.4118	0.0009	0.0009	0.0001	0.0001
2	5.0001	0.4118	0.8236	0.0009	0.0018	0.0003	0.0004
3	5.0004	0.4118	1.2354	0.0009	0.0028	0.0007	0.0012
4	5.0012	0.4118	1.6472	0.0009	0.0037	0.0012	0.0024
5	5.0024	0.4119	2.0591	0.0009	0.0046	0.0019	0.0043
6	5.0043	0.4120	2.4711	0.0009	0.0055	0.0026	0.0069
7	5.0069	0.4121	2.8832	0.0009	0.0064	0.0035	0.0103
8	5.0103	0.4122	3.2954	0.0009	0.0073	0.0044	0.0146
9	5.0148	0.4124	3.7078	0.0009	0.0083	0.0055	0.0203
10	5.0203	0.4126	4.1204	0.0009	0.0092	0.0067	0.0270
11	5.0270	0.4129	4.5333	0.0009	0.0101	0.0080	0.0351
12	5.0351	0.4132	4.9466	0.0009	0.0110	0.0094	0.0445
13	5.0445	0.4136	5.3602	0.0009	0.0119	0.0109	0.0554
14	5.0554	0.4141	5.7743	0.0009	0.0129	0.0125	0.0680
15	5.0680	0.4146	6.1888	0.0009	0.0138	0.0143	0.0822
16	5.0822	0.4152	6.6040	0.0009	0.0147	0.0161	0.0983
17	5.0983	0.4158	7.0198	0.0009	0.0156	0.0180	0.1163
18	5.1163	0.4166	7.4364	0.0009	0.0166	0.0200	0.1364
19	5.1364	0.4174	7.8538	0.0009	0.0175	0.0222	0.1585
20	5.1585	0.4184	8.2720	0.0009	0.0184	0.0244	0.1829
21	5.1829	0.4193	8.6913	0.0009	0.0194	0.0267	0.2097



S35, T02 S, R09 E  
 Geocode: 49-0802-35-4-01-35-0000  
 Assessment Code: 0000036570

FIGURE NO.  
 1

5164 S US-89 - Waldron Replacement Permit  
 Vicinity Map



B. Kingery  
 RBK Consulting, LLC  
 PO Box 1792  
 Helena, MT 59624  
 406.417.1281

S 35, T 2 S, R 9 E  
PARK COUNTY



Proposed 1,500 gal combination septic/dose tank with 37' x 64' Elevated Sand Mound

PARCEL A  
1.638 AC

SLOPE < 3%

100 ft well isolation zone

50 ft well setback

GROUNDWATER FLOW DIRECTION

ZONE AE FLOOD BOUNDARY

YELLOWSTONE RIVER

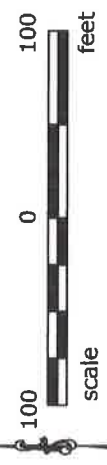
HWY US-89

1. Parcel A is located in the Zone AE Floodplain
2. Elevated Sand Mound Replacement Area on same footprint
3. System must meet all Park County Regulations
4. This is a replacement for a pre-1993 wastewater source and impacts to state ground and surface water non-significant

FIGURE NO.  
2

5164 South US 89 Livingston - Waldron Replacement

Lot Layout



B. Kingery  
RBK Consulting, LLC  
PO Box 1792  
Helena, MT 59624  
406.417.1281

MUST BE CONSTRUCTED IN ACCORDANCE WITH CIRCULAR  
DEQ 4 AND PARK COUNTY REGULATIONS

ALL ELECTRONIC COMPONENTS MUST BE INSTALLED FOR  
WET CONDITIONS

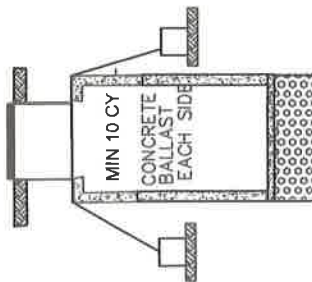
**Sand Mound Material Specifications:**

Sand must be washed free of silt and clay.  
The 3-phase 60 material must meet one of the following specifications:

- A. ASTM C-33 for fine aggregate, with a maximum of 2 percent passing the No. 100 sieve, or
- B. Fit within the following particle size distribution:
 

Sieve	Particle Size (mm)	Percent Passing
No. 4	4.75	100
No. 8	2.36	95 to 100
No. 16	1.18	80 to 100
No. 30	0.60	45 to 85
No. 60	0.30	20 to 60
No. 100	0.15	10 to 30
No. 200	0.075	0 to 2
- C. None on effective size (D10) of 0.15 mm with a Uniformity Coefficient (D60/D10) of 4 to 6, with a maximum of 3 percent passing the No. 100 sieve.  
Drain rock must be washed and range in size from 0.1 to 2-1/2 inches.

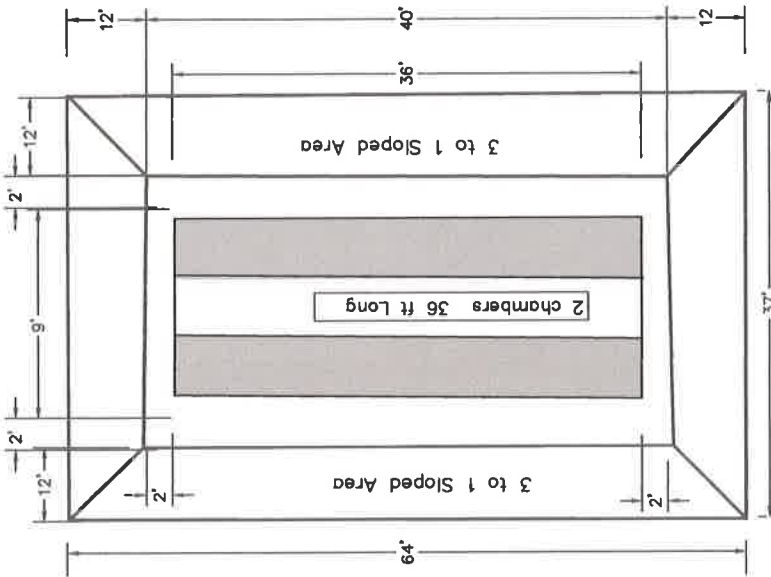
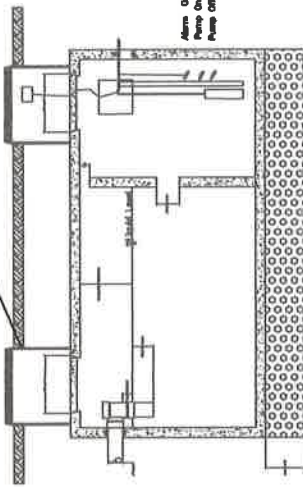
EYE BOLTS EVERY 2'  
1/2 IN CABLE W/  
TURNBUCKLE  
TIGHTEN OVER TANK



Tank End View

1,500 GAL CONCRETE COMBINATION TANK  
1,000 GAL SEPTIC AND 500 GAL DOSE

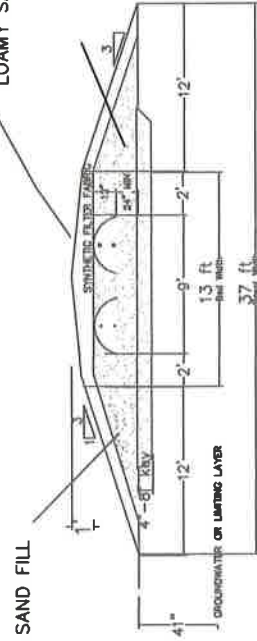
ALL RISERS AND LIDS MUST HAVE GASKETS AND  
BE SEALED



PLAN VIEW

ESTABLISH VEGETATIVE COVER  
MOUND CAP: SANDY LOAM;  
LOAMY SAND or SILT LOAM

2 FT SAND  
BTWN NATURAL GROUND  
AND BOTTOM  
OF CHAMBER



PROFILE VIEW

B. Kingery  
RBK Consulting, LLC  
PO Box 1792  
Helena, MT 59624  
406.417.1281



Not to Scale

5164 S US-89 - Replacement System Permit

Elevated Sand Mound

FIGURE NO.

3

# National Flood Hazard Layer FIRMette



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<b>SPECIAL FLOOD HAZARD AREAS</b>	Without Base Flood Elevation (BFE) Zone A, V, AE, AH, AR With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
-----------------------------------	---

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X	
Future Conditions 1% Annual Chance Flood Hazard Zone X	
Area with Reduced Flood Risk due to Levee, See Notes, Zone X	
Area with Flood Risk due to Levee Zone D	

<b>OTHER AREAS OF FLOOD HAZARD</b>	NO SCREEN Area of Minimal Flood Hazard Zone X
<b>OTHER AREAS</b>	Effective LOMRS Area of Undetermined Flood Hazard Zone D
<b>GENERAL STRUCTURES</b>	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall

<b>OTHER FEATURES</b>	20.2 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
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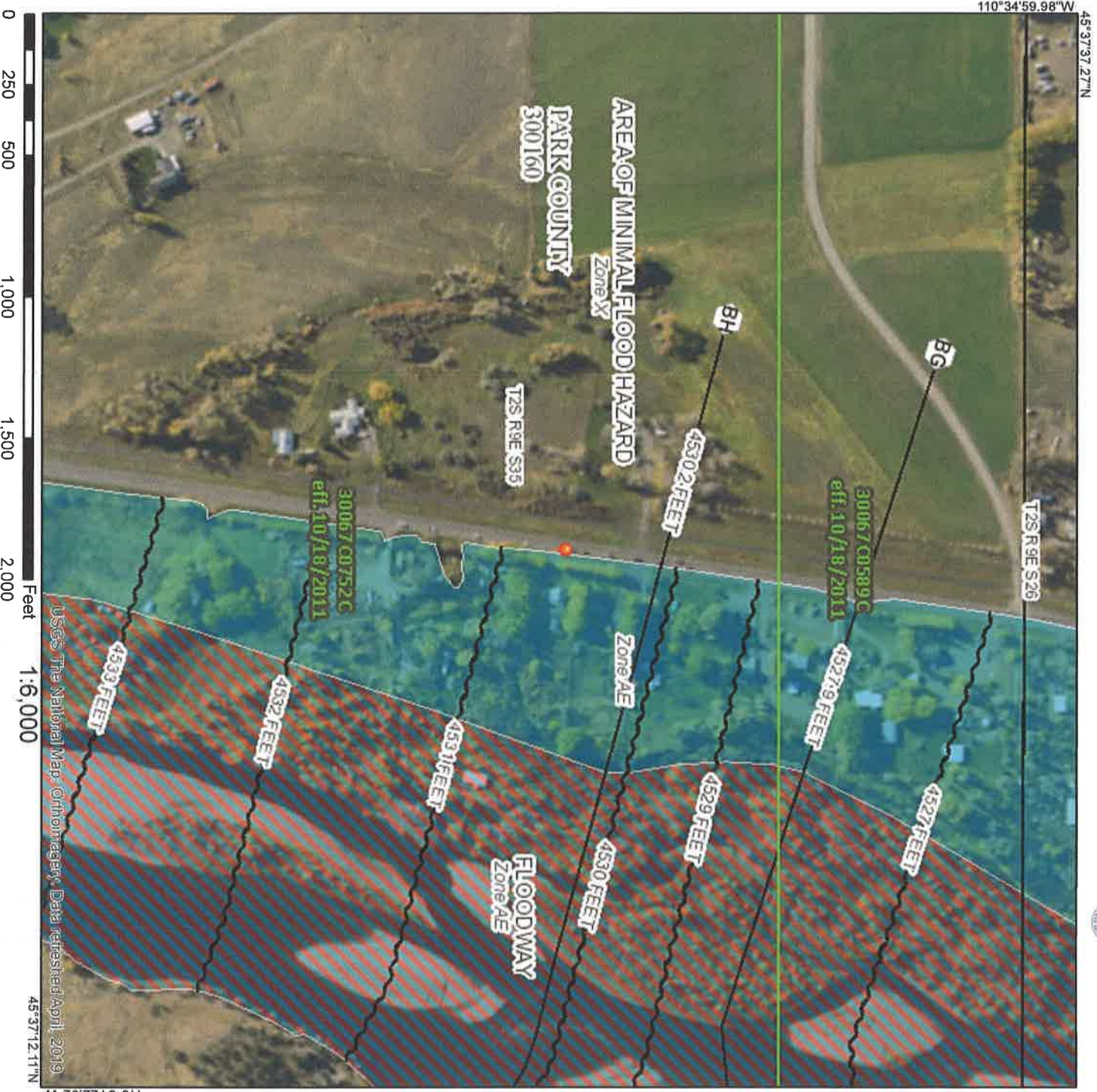
<b>MAP PANELS</b>	Digital Data Available No Digital Data Available Unmapped
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps. If it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/25/2020 at 10:33:34 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and undomesticated areas cannot be used for regulatory purposes.



USGS The National Map of Imagery Data refreshed April 2019

# Property Record Card

## Summary

### Primary Information

**Property Category:** RP **Subcategory:** Residential Property  
**Geocode:** 49-0802-35-4-01-35-0000 **Assessment Code:** 0000036570  
**Primary Owner:** WINDRIDGE LAND MANAGEMENT LLC **PropertyAddress:** 5164 US HIGHWAY 89 S  
 220 WINEGLASS LOOP N LIVINGSTON, MT 59047  
 LIVINGSTON, MT 59047-8986 **COS Parcel:** A  
*NOTE: See the Owner tab for all owner information*

**Certificate of Survey:** 1700

**Subdivision:**

### Legal Description:

S35, T02 S, R09 E, C.O.S. 1700, PARCEL A, AREA DELETED FROM MURPHY ADDITION TRACT OF COS 676 AS SHOWN ON COS 1270.

**Last Modified:** 10/15/2019 5:22:28 PM

### General Property Information

**Neighborhood:** 249.150 **Property Type:** IMP\_R - Improved Property - Rural  
**Living Units:** 1 **Levy District:** 49-5612-4OUT MRF  
**Zoning:** 2 **Ownership %:** 100

**Linked Property:**

No linked properties exist for this property

**Exemptions:**

No exemptions exist for this property

**Condo Ownership:**

**General:** 0 **Limited:** 0

### Property Factors

**Topography:** **Fronting:**  
**Utilities:** **Parking Type:**  
**Access:** 2 **Parking Quantity:**  
**Location:** **Parking Proximity:**

### Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	1.638	66,331.00

### Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
2/26/2018			2/26/2018	D402484	Warranty Deed
9/22/2017			9/22/2017	D400340	Special Warranty Deed

1/31/2017		1/31/2017	D396137 D396137	Marshall's Deed Marshall's Deed
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## Owners

Party #1

**Default Information:** WINDRIDGE LAND MANAGEMENT LLC  
220 WINEGLASS LOOP N

**Ownership %:** 100

**Primary Owner:** "Yes"

**Interest Type:** Fee Simple

**Last Modified:** 1/17/2012 2:44:27 PM

Other Names

Other Addresses

**Name**

**Type**

## Appraisals

### Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2019	66331	163069	229400	MKT
2018	59734	69760	129494	COST

## Market Land

Market Land Item #1

**Method:** Acre

**Type:** Primary Site

**Width:**

**Depth:**

**Square Feet:** 00

**Acres:** 1.638

Valuation

**Class Code:** 2101

**Value:** 66331

## Dwellings

### Existing Dwellings

Dwelling Type	Style	Year Built
SFR	08 - Conventional	1956

Dwelling Information

**Residential Type:** SFR

**Style:** 08 - Conventional

**Year Built:** 1956

**Roof Material:** 5 - Metal

**Effective Year:** 1975

**Roof Type:** 3 - Gable

**Story Height:** 1.0

**Attic Type:** 2

**Grade:** 4

**Exterior Walls:** 1 - Frame

**Class Code:** 3301

**Exterior Wall Finish:** 3 - Masonite

**Year Remodeled:** 0

**Degree Remodeled:**

Mobile Home Details

**Manufacturer:**

**Serial #:**

**Width:** 0

**Model:**

**Length:** 0

Basement Information

**Foundation:** 2 - Concrete

**Finished Area:** 0

**Daylight:** N

**Basement Type:** 0 - None

**Quality:**

Heating/Cooling Information

**Type:** Central

**System Type:** 5 - Forced Air

**Fuel Type:** 3 - Gas

**Heated Area:** 0



Living Accommodations

**Bedrooms:** 2                      **Full Baths:** 1                      **Addl Fixtures:** 4  
**Family Rooms:** 0                      **Half Baths:** 0

Additional Information

**Fireplaces:**                      **Stacks:** 0                      **Stories:**  
**Garage Capacity:** 0                      **Openings:** 0                      **Prefab/Stove:** 0  
**% Complete:** 0                      **Cost & Design:** 0                      **Flat Add:** 0  
**Description:**                      **Description:**

Dwelling Amenities

**View:**                      **Access:**

Area Used In Cost

**Basement:** 0                      **Additional Floors:** 0                      **Attic:** 174  
**First Floor:** 1252                      **Half Story:** 0                      **Unfinished Area:** 0  
**Second Floor:** 0                      **SFLA:** 1426

Depreciation Information

**CDU:**                      **Physical Condition:** Poor (5)                      **Utility:** Fair (6)  
**Desirability:**                      **Property:** Poor (5)  
**Location:** Fair (6)

Depreciation Calculation

**Age:** 43                      **Pct Good:** 0.55                      **RCNLD:** 87150

Additions / Other Features

Additions

Lower	First	Second	Third	Area	Year	Cost
	14 - Porch, Frame, Enclosed			36	0	1686

There are no other features for this dwelling

**Other Buildings/Improvements**

Outbuilding/Yard Improvement #1

**Type:** Residential                      **Description:** RPA2 - Concrete  
**Quantity:** 1                      **Year Built:** 1956                      **Grade:** A  
**Condition:**                      **Functional:**                      **Class Code:** 3301

Dimensions

**Width/Diameter:**                      **Length:**                      **Size/Area:** 600  
**Height:**                      **Bushels:**                      **Circumference:**

Outbuilding/Yard Improvement #2

**Type:** Residential                      **Description:** RPA1 - Asphalt  
**Quantity:** 1                      **Year Built:** 2018                      **Grade:** C  
**Condition:**                      **Functional:**                      **Class Code:** 3301

Dimensions

**Width/Diameter:**                      **Length:**                      **Size/Area:** 1900  
**Height:**                      **Bushels:**                      **Circumference:**

Outbuilding/Yard Improvement #3

**Type:** Residential                      **Description:** RRS2 - Shed, residential, metal  
**Quantity:** 1                      **Year Built:** 2018                      **Grade:** G  
**Condition:**                      **Functional:**                      **Class Code:** 3301

Dimensions

**Width/Diameter:** 12                      **Length:** 26                      **Size/Area:**  
**Height:**                      **Bushels:**                      **Circumference:**

## **Commercial**

### **Existing Commercial Buildings**

No commercial buildings exist for this parcel

## **Ag/Forest Land**

### **Ag/Forest Land**

No ag/forest land exists for this parcel





NOTE on Dominik lands: This survey does not determine the north, south, or west boundaries of Deeds V112, P416. (It only addresses the boundary between Donald & Angela Charvat and Anton & Heiga Dominik. In addition to interpretation of the location of the "west bank of the Old Montana Power Canal" (which this action resolves relative to the Charvat/Dominik line), there are a number of other questions raised by the deed description (as related to the actual lands occupied... evidence of which is shown on the face of this certificate):

- 1) The deed calls (in three places) for the westerly boundary to be the "east side of the Northern Pacific right-of-way", which calls into question where one starts in measuring the north and south lines.
- 2) The north and south lines are called to parallel the section line, and obviously the use lines do not do that.
- 3) The deed calls both for a 164-foot width (assumed to be what is meant on the east side) and a 164 measurement along the west line (which is not the same separation as called for on the east side). Neither of these calls are met by the current claimed occupancy.
- 4) There is a bend in the claimed occupancy line on the north, which is not reflected in the deed description.

DESCRIPTION  
Amended MURPHY ADDITION TRACT

A tract of land in the NE 1/4 of Section 35, T2S, R9E, MP1, Park County, Montana, to be added to the tract shown and described on Park County Plat No. 644 (Plat 644).

From the southwest corner of Park County Plat No. 644, which point is marked with a Surv Kap, the Point of Beginning is N 11° 10' 1" W a distance of 168.38 feet. From this point, a Surv Kap set as a witness corner is S 73° 17' 2" E a distance of 63.42 feet.

Thence following the bank of a water course which has previously been accepted to be the "west bank of the Old Montana Power Canal" in a northeasterly direction a distance of 143.0 feet, more or less, to a point which is witnessed by a Surv Kap which is N 87° 21' 5" W a distance of 8.46 feet from the true point.

Thence S 87° 21' 5" E a distance of 29.98 feet to a point on the center line of a watercourse which has previously been referred to as "the Old Montana Power Canal". (From this point, a Surv Kap set as a witness corner is N 87° 21' 5" W a distance of 21.52 feet.)

Thence following said watercourse centerline in a northeasterly direction, a distance of 286.10 feet, more or less.

Thence S 19° 48' 3" W a distance of 70.05 feet to a point marked with a Surv Kap.

Thence S 8° 59' 0" W a distance of 184.72 feet to a point marked with a Surv Kap as corner 4 of Plat 644.

Thence N 68° 54' 5" W along the northerly boundary of Plat 644, a distance of 53.11 feet to a point marked with a Surv Kap as corner 5 of Plat 644.

Thence N 18° 25' 5" E along the northerly boundary of Plat 644, a distance of 15.82 feet to a point marked with a Surv Kap as corner 6 of Plat 644.

Thence N 74° 42' 5" W along the northerly boundary of Plat 644, a distance of 86.17 feet to a point marked with a Surv Kap as corner 7 of Plat 644.

Thence S 34° 17' 5" W along the northerly boundary of Plat 644, a distance of 62.47 feet to a point marked with a Surv Kap as corner 8 of Plat 644.

Thence N 73° 17' 2" W along the northerly boundary of Plat 644, a distance of 151.32 feet to the point of beginning.

The above-described tract contains 1.10 acres, more or less.



LOCATION

PARK COUNTY PLANNING BOARD

Examined and recommended for approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

Chairman

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

I, the Chairman of the Board of County Commissioners, do hereby certify that the exemption claimed on the accompanying Certificate of Survey has been duly reviewed, and has been found to conform to the requirements of the Subdivision and Platting Act, Section 76-3-101 M.C.A. and the Park County Subdivision Regulations.

Dated this 15 day of Nov, 1992

Chairman  
Board of County Commissioners

CERTIFICATE OF COUNTY TREASURER

I, \_\_\_\_\_, Treasurer of Park County, Montana, do hereby certify that the accompanying Certificate of Survey has been duly examined and that no real property taxes assessed and levied on the land to be divided are delinquent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

County Treasurer

CERTIFICATE OF EXEMPTION

This survey is to amend the Murphy Addition Tract, Park County Certificate of Survey No. 676, to bring the property line into conformance with a Court Order in Cause No. 92-29 (Montana Sixth Judicial District Court, Park County), signed by Judge John Warner on January 27, 1993. This survey is exempt from review in that it is a revision of a "division of land which is created by order of any court of record in this state". (Subdivision & Platting Act, Section 76-3-201(1) and Montana DMS Subdivision Regulations, Section 16.16.605 (1a)).

Henry A. John, RLS

STATE OF Montana County

On this 15th day of Nov, 1992, before me, a Notary Public for the State of Montana, personally appeared Henry A. John, known to me to be the person whose name is subscribed to the Certificate of Exemption above, and acknowledged to me that he executed the same.

*Henry A. John*  
Notary Public for the State of Montana  
Residing at 1111 1/2 N. 1st St. Helena, MT 59601  
My commission expires 12/31/97