

**MEETING MINUTES**  
**Community & Infrastructure Solution Group**  
**Monday, November 22, 2004**

**In attendance:** Kate Wilson, Peter Mroczkiewicz, Julie Pflugst, Kay Reeves, Jack Eakman, David O'Connor, Dave Leverett, Steve Johnson, Dick Fast.

**Guest:** Carol Pranka

The meeting was called to order at 5:11pm.

Dick Fast made a motion to approve the last meeting's minutes and Steve Johnson seconded. Motion approved.

Interview results continued from last meeting.

Carol Collins interviewed herself as the Chairperson of the **Big Sky Resort Area Tax District**. Her notes were read in her absence.

**Role:** Collect and distribute resort tax for Big Sky area and enforcement of the Resort Tax Ordinance.

**Relationship with the County:** From 1992 when the Resort Tax was voted in until 1998 the counties oversaw the collection and distribution of the tax. The county appointed an advisory board to advise the county on distribution of the funds. Currently the Resort Tax is autonomous with an elected board of Big Sky residents.

**Successes:** The original committee should get the credit for getting state law changed to allow for an unincorporated area to have the ability to implement a resort tax. Big Sky has benefited tremendously from the taxes collected since 1992. The Resort Tax has helped to fund many capital improvements in infrastructure as well as fund some smaller projects that benefit the area such as the trails, arts and parks.

**Challenges:** Continuing the Resort Tax is the major challenge that I see. The State has been trying to pass a statewide sales tax, which could affect the resort tax areas. With this issue at the forefront of the legislators' agendas, the Resort Area District Board has retained a lobbyist to monitor any bill that is introduced. Last session, a bill, which could have affected resort tax, was introduced and changed to allow the continuation of the resort tax if a sales tax was implemented in the state. The sales tax bill did not pass.

**Ability to improve service to community:** If there was a way to make the ordinance clearer and more definitive as to what is taxed and what can be funded, that would better serve the community. It is very difficult to be specific on taxing and funding as there are many grey areas. The board continues to rewrite the ordinance and application for funds to make the process easier.

**Infrastructure Group to help:** The Community and Infrastructure group could contribute by giving the Resort Tax Board information on what research has been done by the group and addressing some needs of the community. The group should attend the allocation meetings in the spring to participate in the discussion.

**Who else might we speak with?** Recipients of the funds including: Fire Department, Water and Sewer District, Chamber of Commerce, Transportation District, Big Sky

Owners Association and Big Sky Association for the Arts. Resort Tax Board includes: Carol Collins, Jim Muscat, Renae Schumacher, Lance Child and Al Malinowski, Sarah Oullette is the administrator.

Dave O'Connor and Dave Leverett both spoke with members of the **Transportation District**.

**Role:** They are a volunteer board that handles the public transportation within the community of Big Sky. They have the ability to tax but thus far have not exercised it because they are able to get funding through the Resort Tax.

**Relationship with the County:** They do not work with the county.

**Successes:** They have recently applied for a federal grant that could potentially give them \$270,000. They're current operating budget is \$325,000. If they win this grant, it will be a huge success. One of the contingencies for the grant may be providing year-round transportation.

**Challenges:** Balancing limited funds with efficient stop areas and times for all area businesses. The question was brought up about Big Sky businesses funding the bus if resort tax did not. It was thought that some businesses would definitely contribute but all at the meeting agreed that this service is a service geared more towards tourists, which is a perfect use of the resort tax.

**Ability to improve service to community:** The board feels that with continued public input they could increase their service and get closer to what the community members need.

**Infrastructure Group to help:** They would like us to keep them posted as to what we are working on in case we can work together. Another goal of theirs is to get a shuttle from Bozeman to Big Sky.

Jack Eakman interviewed the **BSOA**.

**Role:** The BSOA was founded in 1972 as a homeowners assoc. to govern Big Sky properties and provide community services. Their mission is to protect, maintain and enhance the quality of life for the membership, as well as property values. Approximately 2000 members, 9-member elected board and full-time staff of 4.

**Relationship with the County:** BSOA works with all levels of the gov't, including federal, state, county and local depending upon the issue.

**Success:** The recent Parks and Trails efforts, including the Ousel Falls Trail and public park, the historic Crail Ranch as a community museum, the Meadow Village trail system, the Meadow Ponds and the children's playground and picnic pavilion. The efforts of the Architectural Review Committee was also noted as a success.

**Challenges:** Rapid growth both within BSOA and outside, balanced by their continued effort to serve as stewards to the Big Sky area serve as key challenges. Additional challenges include strategic planning and defining their role in the growing community as well as the continued development and ultimate fate of the Big Sky Parks & Trails.

**Ability to improve service to community:** BSOA is working with Gallatin County to clarify current laws regarding formation and operation of Park Districts within the state of MT. As the effort to expand local parks and trails continues, the initiative to form a Gallatin County Parks District will aid in the long term maintenance and support of our parks and trails as well as grow more actively involved community stakeholders.

**Infrastructure Group to help:** Implementation of a municipal infrastructure would alter much of the day-to-day activities of the BSOA. They believe that a continued strengthening of community as well as development of a more formal infrastructure would serve both their members and the great Big Sky community by working to protect, maintain, and enhance the quality of life and property values.

**Who else should we talk to:** Mary Jane McGarity, the new Executive Director for the BSOA.

Carol Pranka spoke as a representative for **Weed Control**.

**Role:** Last year, the BSOA noted that their biggest complaint from members was noxious weeds. The BSOA board approved some expenditures for noxious weed management and control, but it soon became apparent that it was affecting the entire community, not just BSOA members.

**Relationship with the County:** The Gallatin Canyon / Big Sky Weed Mgmt. Area has been formed as the official district working with Gallatin and Madison Counties on weed control in our area. The Northern Rockies Resource Conservations & Development Group has also played a key role in getting things rolling for weed control in Big Sky.

**Successes:** The weeds in Big Sky have been mapped. They have been submitting grant applications through a few different agencies, including MSU, and if funds are granted, they will be researching alternative options for weed control and management as well as educating the public.

**Challenges:** A challenge, which has rung through in other discussions, is that we pay taxes to the county but don't get much in return for Big Sky specifically. Because the county's funds are very limited, the Weed Control District is trying to be proactive by searching for other sources of funding. They have been asking developers, builders and homeowners who have weeds on their property to contribute. The district is afraid that if we wait for county funding we'll be way behind and it will be even more difficult to tackle. Another challenge has been knowing whom to contact at different businesses, organizations, etc. for information, guidance and help. Having a representative in the community to be able to go to for direction would be helpful.

**Ability to improve service to community:** The BSOA hopes that since it has the ability to fine people that they will be able to enforce some weed control guidelines.

**Infrastructure Group to help:** The BSOA would like to be kept informed of what our group is doing and work together.

A comment was made about how well each district is functioning considering the current lack of infrastructure within the community. It seems as though the districts could use help, but that they're all doing a good job of getting things done in the face of these challenges.

Steve Johnson discussed his meeting with The League of Montana Cities and Towns. They met in Helena on Nov. 19, 2004. In attendance were: Larry J. Bonderud, Mayor of Shelby, Montana and Immediate Past President of MLCT; Alec N. Hansen, Executive Director, MLCT; and John Leeper, personal friend of Larry Bonderud.

Key points from the discussion:

- One of the primary functions of MLCT is to assist local governments in dealing with the state legislature, to get action on essential legislation.
- If Big Sky should decide to pursue a governance structure by incorporating, it will need legislative action to allow exceptions to current provisions in Montana Code and MLCT can assist in that process.
- Two models of towns that successfully dealt with exceptions to enable their incorporation are Fort Peck and Colstrip.
- If the group does decide to pursue incorporation, these recommendations were made:
  - Approach in logical steps, focusing on what's do-able. For example, incorporating the meadow village was seen as much more approachable than dealing across county lines.
  - Provide logical reasons to the state legislature for them to grant the exceptions needed. Economics (Big Sky is economically important to the state), and self-determination (people here wish to control their own destiny) were identified as the strongest arguments to make.
  - It is also desirable to ask the state legislature for an exception that will apply in your case and *only* your case. Granting exceptions that create precedents for other cases is something the legislature prefers to avoid.
  - Whatever is proposed to the state legislature must be simply framed and understood. State legislators meet only every two years, many are new, and they are often faced with thousands of issues in a session. As a result, they tend to deal with things they can readily understand.
  - Develop specific details of what you propose to do (boundaries, population, registered voters, tax base, structure, etc.), the impact of doing that to the community (for example, costs and taxes), and what you need from the legislature to accomplish that.
  - Build broad, and verifiable local consensus for your proposal through a combination of community involvement, communication with the community, and any other way possible.
  - Build close working relationships with your state legislature representative and senator, so they will be ready and willing to represent your case when that time comes.

The MLCT representatives also made some important observations:

- The charter form of local government (reference MSU publication Governing Montana at the Grass Roots) is by far the superior choice of the available alternatives.
- The Local Government Center at MSU is a great resource to use in this process.
- A bed tax study was done some time ago by the state Department of Commerce. While now out of date, it may provide a useful framework for making an economic case for the importance of Big Sky to the state.
- There are a number of key issues regarding the cost impact to Big Sky residents and taxpayers:

- Once a town incorporates, the county mill rate levy for that area decreases by 15 mils. As a result, if you can budget for town operations costs within that 15 mils levy, it would be cost neutral to affected taxpayers.
- A key matter to resolve up front will be what happens to resort tax revenues in the affected area. Ideally, the new municipal government would gain control of those revenues, and that could also address cost concerns from taxpayers. Whitefish and West Yellowstone were identified as two models to review in this area.
- Forget about redrawing county boundaries. It's far too big a deal, and will just become a distraction. Get your foot in the door with a reasonable first step, and then go from there.
- Introducing any matter in the 2005 current legislative session is at this point practically impossible. Think in terms of a plan that builds solid preparation for the next legislative session in 2007.

At the close of the meeting, the MLCT representatives stated that they would be happy to assist us in any way they can in the future. There is no charge for their services, although at some point Big Sky may be expected to become a member of MLCT.

The date for the next meeting was determined at Dec. 8<sup>th</sup> from 5-7pm, location to be announced. The meeting was adjourned at 7:05 pm.