



BIG SKY COUNTY WATER & SEWER DISTRICT No. 363

PO BOX 160670 - BIG SKY, MT 59716 - 406-995-2660 - FAX 406-995-3053 - EMAIL OFFICE@WSD363.COM

BOARD OF DIRECTORS – REGULAR MEETING AGENDA

Tuesday, June 20, 2023 8:00 AM

Public Participation Online or In Person:

From a computer, tablet or smartphone:

<https://us02web.zoom.us/j/4069952660>

From a phone dial 1-669-900-9128 then access code 406-995-2660, or dial 1-346-248-7799 then access code 406-995-2660



- I. Rate Hearing (8:00 AM In Person Only)**
 - A. Call Rate Hearing to Order
 - B. Public Comment on Proposed FY 2023-24 Budget & Rates
 - C. Budget & Rate Presentation Terry Smith, Finance Officer
 - D. Public Comment
 - E. Close Hearing
- II. Regular Board Meeting Public Forum (9:00 AM In Person & Zoom)**
 - A. Call Regular Meeting to Order
 - B. Public Comment on Non-agenda Items
 - C. Conflict of Interest Declarations
- III. Consent Agenda****
 - A. Minutes: May 15, 2023**
 - B. Financial Reports: May**
 - C. Sewer & Water Operator’s Reports**
- IV. Committee Reports**
 - A. BSOA Pond Committee
 - B. Spanish Peaks Committee
 - C. Pre-treatment Committee
 - D. District/Canyon Project Committee
 - E. Succession Planning Committee
 - F. Flat Iron Committee
- V. Business Action Items**
 - A. BSOA Pond Project Agreement**
 - B. Approve FY 2023-24 Budget & Rates (Resolution 23-01)**
- VI. Old Business**
 - A. Capital Improvements Plan Projects
 - 1. WRRF Project UpdateScott Buecker, AE2S
 - B. Developments and Subdivisions
 - 1. Flat Iron
 - C. Employee Succession Planning
 - D. Legal
 - E. Resort Tax
- VII. New Business**
 - A. New Developments & Subdivisions
 - B. Sewer & Water Connection Permits
 - C. General Correspondence
- VIII. Next Meeting Date**
 - A. Regular Meeting, Tuesday, July 18, 2023 (Tentative)
- IX. Any Other Business Which May Properly Come Before the Board**
- X. Adjournment**

Ron Edwards, General Manager

** Agenda Items for Board Action

STAFF REPORTS: GENERAL MANAGER'S REPORT

**GENERAL MANAGER’S REPORT
BIG SKY COUNTY WATER & SEWER DISTRICT
Board of Directors Meeting
June 20, 2023**

I. RATE HEARING (8:00 AM)

We will start off our meeting with the scheduled rate hearing. The rate hearing was noticed as in person hearing in the EBS and Chronicle newspapers and was mailed out to our customers and owners (~2,400). As of Friday, Terry had received one email which is in the packet.

Terry will present an overview of the budget and proposed rates. I have public comment on the agenda before and after Terry’s presentation. Copies of the draft budget, rate sheet, the notices that were published and mailed, and correspondence are in the packet under this section. Al Malinowski will not be at our meeting but he participated in two budget committee meetings. Peter Manka also participated and he will be at the meeting if there are questions for our budget committee.

If we finish before 9:00 AM we will need to wait until 9 to start our regular meeting since it is on our agenda. The regular meeting will be on Zoom.

II. REGULAR BOARD MEETING PUBLIC FORUM (9:00 AM)

III. CONSENT AGENDA

A. Minutes: Regular Meetings May 15, 2023

B. Financial Report

The table below summary of the District’s finances updated through the end of May.

BUDGET OPERATING SUMMARY		
May-23		
Category	Dollars	Percent of Budget
Year To Date Total Operating Revenue	\$ 3,797,427	93.23%
Year To Date Total Operating Expenses	\$ (4,399,740)	103.50%
Unrestricted Cash On Hand	\$ 445,118	
Sewer	\$ 150,356	
Water	\$ 78,770	
Admin	\$ 215,992	
Restricted Operating Reserve	\$ 473,114	
Sewer	\$ 271,212	
Water	\$ 201,902	
Asset Replacement Fund	\$ 6,859,648	
Sewer	\$ 5,626,753	
Water	\$ 1,232,895	
Plant Investment Funds Water & Sewer	\$ 3,161,557	

C. Sewer Operator’s Report

Adam’s report is in the packet. Adam noted that May 2023 was up 16.8% as compared to May 2022, and 15.9% for June 2023 compared to this time last year. The summary tables for plant flow, storage pond depth and YC/SP pumping follow:

Comparison Flows from 2020 through March 2023

The comparison flows for 2020 through 2023 are shown in table on the next page. Plant flows are up 5.7% from 2022 plant flow data for January through May.

2020-2023

MONTHS	2020		2021		2022		2023		% Diff 2020-2021	% Diff 2021-2022	% Diff 2022-2023
	Comparison Flows	Average of MEADOW FLOWS	Comparison Flows	Average of MEADOW FLOWS	Comparison Flows	Average of MEADOW FLOWS	Comparison Flows	Average of MEADOW FLOWS			
JAN	15,413,000	497,194	16,406,000	529,226	16,524,000	533,032	16,335,000	526,935	6.4%	0.7%	-1.1%
FEB	15,670,000	540,345	16,872,000	602,571	16,958,000	605,643	15,560,000	555,714	7.7%	0.5%	-8.2%
MAR	13,556,000	437,290	19,505,000	629,194	17,371,000	560,355	17,560,000	566,452	43.9%	-10.9%	1.1%
APR	11,050,000	368,333	16,388,000	546,267	13,341,000	444,700	15,768,000	525,600	48.3%	-18.6%	18.2%
MAY	18,832,000	607,484	17,954,000	579,161	16,699,000	538,677	20,294,000	654,645	-4.7%	-7.0%	21.5%
JUN	16,317,000	543,900	15,725,000	524,167	16,067,900	535,597			-3.6%	2.2%	
JUL	17,128,000	552,516	15,089,000	486,742	16,087,000	518,935			-11.9%	6.6%	
AUG	15,681,000	505,839	13,602,000	438,774	13,424,000	433,032			-13.3%	-1.3%	
SEP	13,850,000	461,667	10,691,000	356,367	11,738,020	391,267			-22.8%	9.8%	
OCT	9,480,000	305,806	9,384,000	302,710	11,460,000	369,677			-1.0%	22.1%	
NOV	9,610,000	320,333	9,709,000	323,633	9,053,000	301,767			1.0%	-6.8%	
DEC	14,734,000	475,290	15,203,000	490,419	15,097,000	487,000			3.2%	-0.7%	
Grand Total	171,321,000	468,090	176,528,000	483,638	173,819,920	476,219	92,330,000	566,442	3.0%	-1.5%	5.7%
							AVERAGE DIFFERENCES		APR-OCT	-1.3%	2.0%
									JUN-OCT	-10.5%	7.9%
									JAN-DEC	4.4%	-0.3%

Storage Pond 1 Comparison Levels for April 2023

From the table below, our levels for May in ponds 1 and 3 remain favorable.

STORAGE POND 1 DEPTH COMPARISONS: MAY

Year	Measurements	Average of Depth	Max of Depth	Min of Depth
2013	2	16.95	17.10	16.80
2014	6	19.36	19.69	19.05
2015	3	19.73	19.80	19.65
2016	2	18.29	18.74	17.83
2017	5	18.02	18.38	17.28
2018	31	18.29	19.83	16.86
2019	31	18.32	18.50	18.06
2020	7	19.63	20.90	17.97
2021	7	16.70	17.23	16.04
2022	5	18.72	19.12	18.17
2023	6	12.57	14.16	10.65
Averages	105	18.04	20.90	10.65

Storage Pond 1 Pumping to Yellowstone Club and Spanish Peaks for May 2023

Pumping to the YC storage pond began on February 7, 2023.

Year 2023

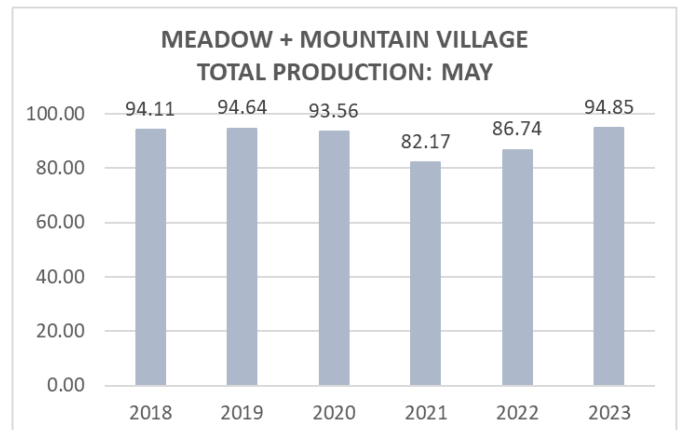
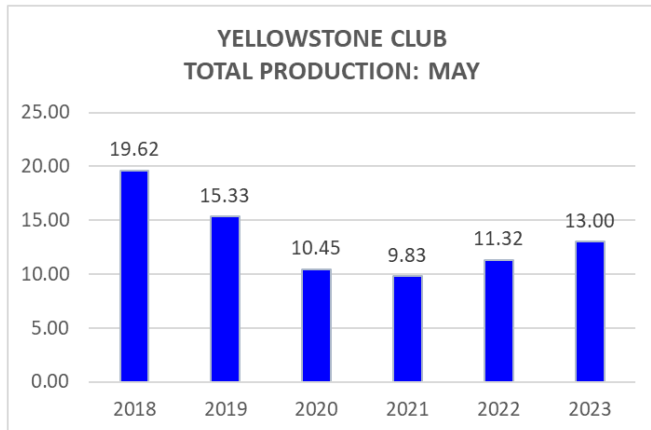
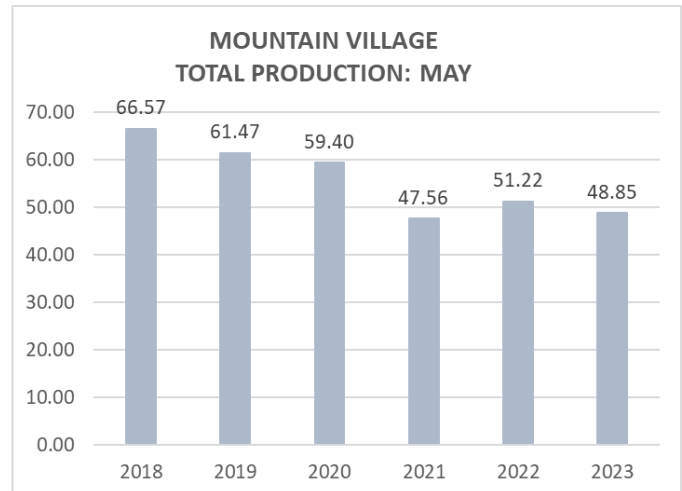
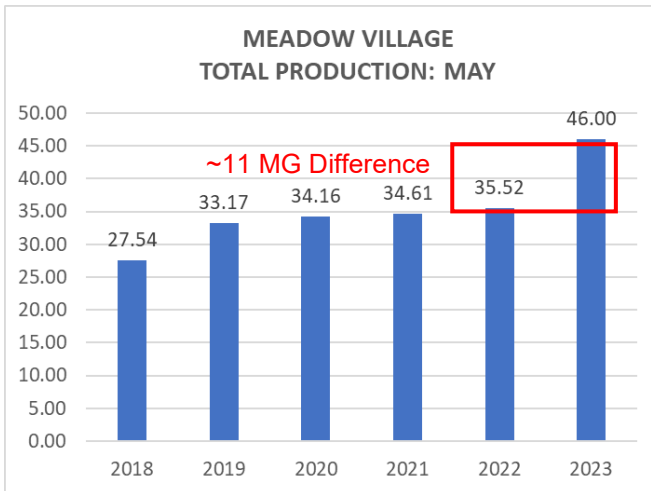
Month	Days Pumped to YC	YC Total (Gals)	YC Average (Gals/Day)	Days Pumped to SP	SP Total (Gals)	SP Average (Gals/Day)
1	0	0	0	0	0	0
2	22	10,857,000	493,500	0	0	0
3	31	16,365,000	527,903	0	0	0
4	30	12,528,000	417,600	0	0	0
5	31	12,286,000	396,323	0	0	0
6	1	223,000	223,000	0	0	0
Totals	115	52,259,000	454,426	0	0	0

Totals	115	52,259,000	454,426	0	0	0
				Total Days to YC		115
				Total Gallons to YC		52,259,000
				Total Days to SP		0
				Total Gallons to SP		0
				Total Days Pumped		115

Total Gallons Pumped 52,259,000

D. Water Operator’s Report

Jim’s monthly operator’s report and well production report are in the packet. The graphs below show the comparisons for the years 2018-23 through the month of May for the Meadow Village, Mountain Village, Yellowstone Club and a combined total for the Meadow and Mountain. Meadow production is now 11 million gallons higher from 2022. We repaired a couple of significant leaks in Broadwater and in Sweetgrass Hills on a water main.



This picture is a water main break in Asbestos Cement (AC or Transite) pipe in Sweetgrass Hills. WE had the good luck of a resident who was walking his dog and saw the water coming our of the ground and called our office immediately.

It is a circular break around the entire main circumference. We have seen this a couple of times before in AC water mains only. Jim thinks pipe broke and the repair was made within a day or two since we did not see our tank drop or the well runtimes rocket up to keep up with the break.



IV. COMMITTEE REPORTS

Our agenda has the following committee reports: BSOA Pond Committee (Brian, Dick and Al); Spanish Peaks Committee (Brian, Bill and Dick); Pre-treatment Committee (Al and Peter); District/Canyon Project Committee (Al and Mike D); Succession Planning Committee (Brian and Mike W) and Flat Iron Committee (Brian, Dick and Mike W).

V. BUSINESS ACTION ITEM

A. BSOA Pond Project

There is a new draft Little Coyote Pond Agreement in the packet that I received from Susan Swimley. There is also a redlined version of the same agreement in the packet. It is my understanding that the redlining are the edits from the BSOA's attorney. Also included in the board packet is correspondence related to the pond agreement. I had Susan Swimley draft the final motion that was approved by our board at the May meeting and sent it to the BSOA on May 23rd. For ease of reference I have included it as follows:

I move to approve obtaining a new agreement with BSOA to the exchange of 7.15 acre feet of fishery water from the District's water right, which shall be held in escrow until substantial completion of the Pond Project is completed and the terms new agreement are met, and provide BSOA with a written access agreement over and across the District's H-20, for access to BSOA's Tract D of Sweetgrass Hills in exchange for the consideration of the easement for access, use and operation of the Pond headgate, works and storage associated with the Pond, access for ingress, egress, underground water lines, underground electrical and underground telemetry infrastructure over, across and under the BSOA Tract D in the location of the 30 foot access easement from the District's H-20 to the Northwestern Energy/Montana Power tract for a future 1,000,000 gallon water storage tank together with a temporary license of up to two (2) acres of area for construction, which shall include restoration for disturbance, of the future 1,000,000 gallon water storage tank and in the event that the District requires additional acreage for the future 1,000,000 gallon storage tank the additional acreage will be added from the District's H-20 to the BSOA Tract D and the same acreage will

then be added from the BSOA Tract D to the Northwestern Energy/Montana Power tract for a net 0 change of acreage for Tract D and BSOA will acknowledge the Sweetgrass covenant for Northwestern Energy/Montana Power tract will be amended to allow for the future 1,000,000 gallon water storage tank. Further, if the existing water storage tank on the District’s H-20 tract is abandoned, it will be removed.

B. Approve FY 2023-2024 Budget and Rate Resolution 23-01

I have this on our agenda for the board to take action on the budget and rates that were presented during the hearing. The board can approve the budget as is or amend it before approving it. The board can also decide to take no action on it. Our bylaws call for budget adoption before July 1st. If no action is taken then a special meeting can be called to adopt it before July 1st.

I also have Resolution 23-01 in the board packet for the final rate adoption. The board has the same options, approve, amend or table available.

VI. OLD BUSINESS

A. Capital Improvements Plan Projects

1. WRRF Project Update

Scott’s monthly report is in the board packet. Scott is planning to attend. The updated construction schedule and most recent progress meeting minutes are in the packet. The latest photos are online at the links below.



- [Link for Online Construction Photos: May 15 – June 15, 2023](#)
- [Link for YouTube Live Stream](#)

WRRF Project Contract Summary

The contracts summary table through May as follows:

WWTP Contract Summary - Sewer Project

May-23						
Construction Contracts Summary	Original Contract	Change Orders	Total Contract	Paid to Date	% of Contract	Contract Balance
Advanced Engineering And Env.Serv.Constr. Admin	\$ 3,228,886	\$ -	\$ 3,228,886	\$ 1,911,168	59.2%	\$ 1,317,718
Advanced Engineering And Env.Serv.Inc Org. Review	\$ 54,500	\$ -	\$ 54,500	\$ 38,299	70.3%	\$ 16,201
Advanced Engineering And Env.Serv.Inc IP Reuse	\$ 153,500	\$ -	\$ 153,500	\$ 130,082	84.7%	\$ 23,418
Advanced Engineering And Env.Serv.Inc WRRF	\$ 671,580	\$ 2,196,888	\$ 2,868,468	\$ 2,850,690	99.4%	\$ 17,778
Advanced Engineering And Env.Serv.Inc Firelight	\$ 84,500	\$ -	\$ 84,500	\$ 39,319	46.5%	\$ 45,181
Advanced Engineering And Env.Serv.Inc General	\$ 100,000	\$ 250,000	\$ 350,000	\$ 376,567	107.6%	\$ (26,567)
Advanced Engineering And Env.Serv.Inc PWS Impr	\$ 96,000	\$ -	\$ 96,000	\$ 86,431	90.0%	\$ 9,569
Advanced Engineering And Env.Serv.Inc Reuse Management Plan	\$ 41,000	\$ -	\$ 41,000	\$ 40,987	100.0%	\$ 13
Advanced Engineering And Env.Serv.Inc Wastewater Model	\$ 88,688	\$ -	\$ 88,688	\$ 34,243	38.6%	\$ 54,445
Advanced Engineering And Env.Serv.Inc New Booster Station	\$ 62,000	\$ -	\$ 62,000	\$ 62,000	100.0%	\$ -
TD & H Engineering B21-067	\$ 229,036	\$ -	\$ 229,036	\$ 121,211	52.9%	\$ 107,825
TD & H Engineering	\$ 64,500	\$ -	\$ 64,500	\$ 8,400	13.0%	\$ 56,100
TOTALS	\$ 1,590,804	\$ 2,446,888	\$ 4,037,692	\$ 3,749,929	92.9%	\$ 287,763

RSCI's WRRF Contract Summary

WWTP Plan Contract Summary - Sewer Project

May-23

Construction Contracts Summary	Original Contract	Change Orders	Total Contract	Paid to Date	% of Contract	Contract Balance
RSCI	\$ 41,801,849	\$ 7,461,638	\$ 49,263,487	\$ 31,867,513	64.7%	\$ 17,395,974
CO1 - Med Voltage Changes		(\$8,720.00)	\$ 41,793,129			
CO2 - Schedule Extension		\$0.00	\$ 41,793,129			
CO3 - Backflow Preventor Vault Drain		\$13,820.00	\$ 41,806,949			
CO4 - TPB Drain Ext and Mud Valve		\$9,840.00	\$ 41,816,789			
CO5 - Includes 5.1-5.9		\$163,692.00	\$ 41,980,481			
CO6 - Filtrate Bypass To Effluent FM		in progress				
CO7* - Aeration Pond Sludge Removal(4)		\$537,000.00	\$ 42,517,481			
CO8 - Bid Alternate 2, Phase 2 Concrete		\$6,398,000.00	\$ 48,915,481			
CO9* - Aeration Pond Sludge Removal Final		\$297,000.00	\$ 49,212,481			
CO10 - PCO 16,17,19,21,22		\$51,006.00	\$ 49,263,487			
TOTALS	\$ 41,801,849	\$ 7,461,638				

The aerial picture below shows that the first phase tank exterior walls are complete. RSCI is working on the interior vertical concrete baffle walls.





WRRF Schedule

There are no changes to the project schedules that we presented at the May meeting.

Project Task/Milestone	Date or Date Range
Bid Award	April 28 th
Notice to Proceed	June 7th 2021
Construction	June 2021 – December 2023 October 18, 2024
Substantial Completion of Liquids Treatment Facilities	May 22, 2023 – October November 2023 March 5, 2024
Substantial Completion of Equalization and Solids Facilities	February 1, 2024 April May 2024 September 18, 2024
Final Completion	March 7, 2024 May June 2024 October 18, 2024

RSCI’s best and worst-case schedule estimates:

Milestone	Estimated Best Case Completion Date	Estimated Worst Case Completion Date
Phase 1 Building Substantial Completion	7/28/2023	8/31/2023
Phase 2 Concrete Tanks	12/31/2023	3/5/2024
Milestone 2 - Liquid Startup	12/31/2023	3/5/2024
Substantial Completion - Solids Startup	6/20/2024	9/18/2024
Final Completion	7/20/2024	10/18/2024

B. Developments & Subdivisions

1. Yellowtail Condominiums

The contractor for the sewer and water mainline extension work have been making good progress. We estimate that their work will be done in a couple of weeks.

2. Riverview

The contractor for Riverview has made some progress with their site work and foundation excavations. The have not started working on the sewer and water mainlines yet.

3. Flatiron

There are a few emails in the board packet. No meeting has been scheduled yet. My list from the May meeting is unchanged as follows:

1. District commits to servicing the Lone Moose development area in Gallatin County (850+/- SFE’s) with water, contingent on additional well pump tests. Flat Iron also wants the 850 SFEs available to the Gallatin and Madison County property they own.
2. Flat Iron gives the District their ~~two~~ three wells. All wells will become the District’s if the pump tests validate these wells.
3. Flat Iron grants access to complete drilling test #9. This well was stopped last year after drilling 140 feet. Flat Iron reserves this depending on the outcome of the overall agreement. (Jim made this part of the overall well testing project).
4. ~~Any water developed from the three wells will be the District’s.~~

5. Flat Iron agrees to pay any treatment costs for their share of water. They have questioned this requirement per Michael Schreiner’s email.
6. Flat Iron will perfect easements to test well #9 and the two existing wells, and any structures and piping for future treatment equipment if required.
7. Perfect the easement for the sewer and water pipeline in the “poop chute” corridor.
8. Flat Iron agrees to allow access and easements for future well drilling. Depends on the outcome of the overall agreement.
9. Flat Iron indicates that they intend to pursuit work force housing SFEs and requests commitment to service those if they are successful.

C. Employee Succession Planning

Ryan Graf sent more salary information for from Park City, Lake Tahoe, Eagle River, and the American Water Works Association Surveys which are in the board packet. We also have another interview scheduled for a general manager candidate on June 22nd and 23rd.

D. Legal

District Court Judge Peter Ohman ruled in our favor. There are copies of two Orders (Denying the Preliminary Injunction and Dismissing All Claims Against the District) from the Judge in the board packet. I believe our response brief for the 9th Circuit Cour of Appeals is due next week so there is no decision yet.

E. Resort Tax

Good news. On June 8th, the BSRAD board approved a motion to fund the new centrifuge sludge unit for \$500,000 and \$60,000 for the water tank. The list of requests and allocations for Public Works:

Public Works \$8,402,604			
PROJECT	SPONSOR	REQUEST	AWARD
WRRF Phase 1	BSWSD-Big Sky County Water & Sewer District No. 363	\$ 2,995,335	\$ 2,995,335
Centrifuge Sludge Press	BSWSD-Big Sky County Water & Sewer District No. 363	\$ 1,300,000	\$ 500,000
BSTD – Operations	BSTD-Big Sky Transportation District	\$ 1,175,000	\$ 1,175,000
Canyon Pipeline Feasability	BSWSD-Big Sky County Water & Sewer District No. 363	\$ 380,000	\$ 380,000
Town Center Public Bathrooms	VBS-Visit Big Sky	\$ 370,000	\$ 370,000
Wayfinding Signage Project	VBS-Visit Big Sky	\$ 100,000	\$ 100,000
GCWSD – Operations	GCWSD-Gallatin Canyon Water & Sewer District	\$ 200,000	\$ 200,000
Big Sky Community Library Operations	FOL-Friends of the Big Sky Community Library	\$ 79,500	\$ 71,500
Library Programming and Services	FOL-Friends of the Big Sky Community Library	\$ 76,000	\$ 67,000

Water Tank Land Acquisition	BSWSD-Big Sky County Water & Sewer District No. 363	\$ 60,000	\$ 60,000
Library District Preparation and Ballot	FOL-Friends of the Big Sky Community Library	\$ 45,000	\$ 45,000

I also put a copy of the booklet the BSRAD published for the funding cycle in the board packet. For a full list of all the requests and allocations go to:

[Resort Tax Allocations](#)

VII. NEW BUSINESS

A. New Developments & Subdivisions

There are no new developments for this meeting.

B. Sewer and Water Permits Correspondence

They new permit applications for the month are in the board packet. The new summary total is now at 89.63 SFEs.

SFEs AVAILABLE FOR PERMITTING				
SFEs AVAILABLE		SFE's PERMITTED		
Board Action	Available SFEs	Year	SFEs Used	
Ordinance No. 96-1002	200	1996	58.07	
Ordinance No. 98-1001	200	1997	130.68	
Ordinance No. 98-1002	125	1998	296.75	
Ordinance No. 99-1003	100	1999	80.28	
Ordinance No. 00-1001	200	2000	90.64	
Ordinance No. 01-1003	100	2001	156.71	
Ordinance No. 02-1002	75	2002	125.76	
Ordinance No. 03-1001	150	2003	91.89	
Ordinance No. 04-1002	150	2004	303.67	
Ordinance No. 04-1003	200	2005	301.80	
Ordinance No. 05-1001	200	2006	329.02	
Ordinance No. 06-1001	300	2007	96.36	
Ordinance No. 06-1003	300	2008	39.36	
Ordinance No. 13-1001	100	2009	23.83	
Ordinance No. 14-1001	100	2010	12.87	
Ordinance No. 15-1001	100	2011	26.95	
Ordinance No. 16-1001	400	2012	32.33	
Ordinance No. 16-1002	100	2013	75.40	
Ordinance No. 17-1001	400	2014	124.87	
Ordinance No. 18-1001	100	2015	145.38	
Ordinance No. 19-1001	200	2016	510.30	
Ordinance No. 19-1002	400	2018	138.02	
Ordinance No. 21-1001	300	2019	339.74	
Resolution 22-02	200	2020	183.92	
		2021	352.50	
		2022	146.86	
		2023	74.79	
	4700.00		4610.37	
SFEs REMAINING FOR NEW PERMITS:			89.63	

The permit activity since January 1, 2023 is listed below.

RECENT PERMIT ACTIVITY

Date Applied	Name of Applicant	Subdivision	Condo	Phase	Lot	Type	SFEs
04/05/23	Henrichon, Jeremy	South Fork	Henrichon Duplex	6&7	23	NEW	3.76
04/06/23	SP Cabins Owners LLC/Lone Mtn Le	Spanish Peaks Resort	Branded Residences	3C	1A	NEW	18.24
04/24/23	Lubin, Brian	North Fork Creek	-	-	3	NEW	TBD
04/28/23	Big Sky Resort	Section 30--Unsubdivided Lar	Levinski Emp Housir	-	-	NEW	50.06
05/05/23	Overton, Todd	Meadow Village	-	-	22	REMODEL	0.07
05/30/23	Big Sky Resort	Section 30--Unsubdivided Lar	Snowsports Lockers	-	-	NEW	
05/30/23	Hill, Stephen	Spanish Peaks Resort	-	3A/3B	16	REMODEL	
06/14/23	Hofmeister, Joseph & Marietta	Cascade	-	-	201A	NEW	2.66
Total SFEs							74.79

RECENT PERMIT ACTIVITY

Permit Type	SFEs
NEW	74.72
REMODEL	0.07
AMENDMENTS	0.00
Total SFEs	74.79

C. General Correspondence

1. Snowpack Report

The snow water equivalent for the Gallatin Basin continued to decrease to 96% in Gallatin County and 104% in Madison County. May was only 43% and 56% of normal respectively.

2. Upcoming Events (None for this meeting)

3. News Articles (None for this meeting)

VIII. NEXT MEETING DATE

Tentative for Tuesday, July 18, 2023

IX. OTHER BUSINESS

X. ADJOURN REGULAR MEETING

RATE HEARING

- **Draft Budget FY 2023-2024**
 - **Proposed Rates FY 2023-2024**
 - **Rate Hearing Notices**
-

DRAFT BUDGET
FY 2023-2024



Budget Notes for 2023-2024 Fiscal Year Budget

Budget Committee met on 5-17-2023, 5/23/2023

Proposed Budget Highlights

1. The sewer capital budget includes WRRF sewer plant expansion upgrade costs (\$15.0M), other miscellaneous items amounting to (\$390.K). The water capital budget includes (\$75K) Mountain Well Exploration, (\$60K) Land Acquisition Costs, (\$100K) for the Chief Joseph Main Ext. and PRV, (\$50K) Backup Generator Hill & Cascade Booster, (\$96K) for Cascade Mountain Village Improvements and miscellaneous items amounting to (\$793K). See the capital budget table for the list of miscellaneous items.
2. Operating revenues are based on the proposed 15% rate increase for water and sewer rates. The budget will be amended for any subsequent change to the rates.
3. There are four new employees in the budget. A full year for a new general manager and administrative assistant. Two new sewer operators for the full year. The new positions represent approximately \$600,000 in salary and benefit costs in the 2023-2024 budget. In both the water and sewer departments there is a small amount for part-time help. Current staff salaries are proposed to be adjusted by 10% to meet current market conditions.
4. Health insurance rates have an increase of 7.12% from fiscal 2022-2023. The employee health reimbursement account is proposed to be increased from \$2,500 to \$4,500. The health reimbursement amount has not been adjusted since 2005 when the deductibles and out of pocket expenses were less than half what the current plan provides. The amount paid to employees who opt out of the District health plan is proposed to be increased from \$350 a month to \$400.



BIG SKY COUNTY WATER & SEWER DISTRICT No. 363

PO BOX 160670 • 561 LITTLE COYOTE RD • BIG SKY, MT 59716 • 406-995-2660 • FAX 406-995-3053 • Email - wdsbills@gmail.com

5. Inflation rate assumed at 5%-8% for 2023-2024 budget line items. Line items were adjusted according to prior year experience and future expectations of staff.
6. Mill rates will be based on actual loan payments. Four of the existing general obligation bond loans will be paid off on 7-1-2023. The remaining water loan will be paid off 7-1-2027 and is the only remaining general obligation loan. The final mill rates will be before the board at the August 2023 meeting. The estimated mill rate for the last general obligation loan is 9.14 mills. Last fiscal year the final mill rate for all five water and sewer loans was 35.95 mills.
7. Plant investment fees are based on the prior year experience and future expectation for construction.
8. The budget shows an operating deficit for 2023-2024. The sewer operating budget deficit is expected to be \$237,437 and the water operating budget is expected to be \$421,172. The overall budget including the non-operating revenues projects Net Income of \$2,706,853.

**PRELIMINARY OPERATING BUDGET
BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363
2023/2024 Proposed Annual Budget**

July 1, 2023 through June 30, 2024

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The undersigned, Dick Fast, hereby certifies that I am the Secretary of the Big Sky County Water District No. 363 and that the foregoing budget was duly adopted by the Board of Directors of the District at a regular meeting on June 21, 2022

Dick Fast, Secretary

**BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363
2023/2024 BUDGET**

A

BUDGET SUMMARY

SEWER OPERATIONS

OPERATING REVENUE	2,797,500
NON-OPERATING REVENUE	4,135,435
TOTAL REVENUE	6,932,935
1/2 GENERAL & ADMIN EX	774,609
SEWER OPERATING EX	2,260,327
NON-OPERATING EXPENSES	1,399,793
TOTAL EXPENSES	4,434,730
NET REVENUES	2,498,205
LESS PRIN PMT-SRF LOANS	(543,007)
LESS CAPITAL PAYMENTS	(15,390,000)
NON-CASH DEPRECIATION	725,000
NET TO SWR RESERVES	(12,709,802)

Proposed Monthly User Rates		
Dept	2023-2024	Commercial
Sewer SFE	33.96	33.96
Water SFE	24.82	24.82
Sewer Meter	35.78(B)-8.72(V) *	35.78(B)-9.14(V)
Water Meter	22.29(B)-Tierd(V) *	22.29(B)-Tierd(V)
Water Tiers	Water	Water
0-20,000/0-30,000	3.78	3.78
20K - 40K/30K -60K	5.66	5.66
40K - 60K/60K - 80K	7.94	7.94
* >60K/ >80k	11.11	11.11
* IRRIGATION	Water	Water
0-20,000	5.66	5.66
20K - 40K	7.94	7.94
>40K	11.11	11.11

V=Variable Charge Per 1000 gallons used.

Unimproved Lots	
Sewer	380
Water	295
Vacant Lot Charge	28.53

Meters	
Metered Accts	3,341

WATER OPERATIONS

OPERATING REVENUE	1,960,500
NON-OPERATING REVENUE	507,000
TOTAL REVENUE	2,467,500
1/2 GENERAL & ADMIN EX	774,609
OPERATING EXPENSES	1,607,063
NON-OPERATING EXPENSES	27,180
TOTAL EXPENSES	2,408,852
NET REVENUES	58,648
LESS PRIN PMT-SRF LOANS	(298,000)
LESS CAPITAL PAYMENTS	(803,000)
NON-CASH DEPRECIATION	485,000
NET TO WTR RESERVES	(557,352)
NET TO RESERVES	(13,267,154)

B CAPITAL BUDGET 2023 - 2024

SEWER OPERATIONS - Capital Items	Est Cost
Chief Joseph East Side Sewer Main Replacement	\$ 175,000
Manhole Monitoring Devices	-
Additional Booster Station Engineering	-
FOG Design Engineering	-
New Plant Project	15,000,000
New Sewer Truck	65,000
Computers	0
Sewer Mains	100,000
Sewer Collection System Modeling	50,000
TOTALS	\$ 15,390,000

Sources Funding for the Sewer Capital Projects and Items	Amounts
FSB Loan	\$ 18,500,000
Plant Investment Charges Through 6/30/2023	\$ 1,797,327
Sewer Asset Replacement Fund	5,626,753
Projected Asset Replacement Additon 23-24	725,000
Sewer Restricted Operating Reserves	271,212
Plant Investment Charges 2023-2024	400,000
	0
Sewer Capital Projects and listed Items	(15,390,000)
Balance Remaining to Sewer Capital Items	\$ 11,530,291

WATER OPERATIONS - Capital Items	Est Cost
Chief Joseph Water Main Ext with new PRV	\$ 100,000
Back up Generator Hill & Cascade Booster Stations	50,000
Mueler Leak Detection	80,000
Land for New Water Tank	60,000
Additional Funds Well Project	65,000
New PRV - Mountain/Meadow Water Line	120,000
Stillwater Services with Pits	62,000
Production Well Meters: Cascade 6, Meadow 1 & 3, Sweetgrass Booster, & Mountain 2	70,000
	0
Mountain Well Exploration	75,000
Fire Hydrant Replacements (5)	25,000
Cascade Mtn Village Improvements	96,000
TOTALS	\$ 803,000

Sources Funding for the Water Capital Projects and Items	Amounts
System Investment Charges 6-30-2023	\$ 234,397
Water Asset Replacement Fund	\$ 1,232,895
Projected Asset Replacement Additon 2023-2024	485,000
Water Restricted Operating Reserves	201,902
System Investment Charges 2023-2024	150,000
	0
Water Capital Projects and listed Items	(803,000)
Balance Remaining to Water Capital Items	\$ 1,351,195

#

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

C

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
REVENUES							
OPERATING REVENUES							
3020 · Sewer Wastewater User Charges	2,355,000	2,166,098	2,363,016	2,775,000	100.34%	117.83%	117.43%
3025 · Water User Charges	1,760,000	1,469,533	1,603,126	1,800,000	91.09%	102.27%	112.28%
3030 · Late Payment Fees	1,000	0	0	1,000	0.00%	100.00%	-
3035 · Sewer Connection/Insp Fees	15,000	4,550	4,964	12,000	33.09%	80.00%	241.76%
3040 · Water Connection/Insp Fees	15,000	3,700	4,036	12,000	26.91%	80.00%	297.30%
3042 · Water Meters Issued	110,000	37,508	40,918	45,000	37.20%	40.91%	109.98%
3045 · Sewer Miscellaneous Income	35,000	33,345	36,376	10,000	103.93%	28.57%	27.49%
3046 · Water Misc. Inc/ Yellowstone Club Inc	152,250	82,693	90,210	103,000	59.25%	67.65%	114.18%
TOTAL OPERATING REVENUE	4,443,250	3,797,427	4,142,647	4,758,000	93.23%	107.08%	114.85%
EXPENSES							
OFFICE - GEN & ADM EXPENSES							
DIRECTORS							
5001 · Meeting Expenses	1,925	604	658	1,925	34.20%	100.00%	292.37%
5002 · Directors Reimbursable Ex. *	6,720	8,200	8,946	6,720	133.12%	100.00%	75.12%
TOTAL	8,645	8,804	9,604	8,645	111.10%	100.00%	90.01%
* Per MCA 7-13-2273 - \$80 per month per director.							
ADMIN PERSONNEL							
5010 · Salaries	456,430	323,099	352,471	653,572	77.22%	143.10%	185.43%
5015 · Workers' Compensation Ins	3,059	1,932	2,108	2,931	68.90%	95.81%	139.06%
5020 · Employer P/R Medicare/457 Match	35,738	25,777	28,120	49,850	78.68%	139.48%	177.27%
5025 · Public Emp Ret Sys - Employer	42,475	31,910	34,811	60,748	81.96%	143.02%	174.51%
5030 · Employee Health Ins	77,857	74,138	80,877	132,660	103.88%	170.39%	164.03%
5031 · Long-Term, Short-Term Insurance	10,114	7,072	7,715	11,564	76.28%	114.33%	149.89%
5035 · Employee Education Ex	8,000	2,312	2,522	8,000	31.52%	100.00%	317.23%
5040 · Lucheons, Meetings, Etc.	1,500	1,992	2,173	1,500	144.90%	100.00%	69.02%
TOTAL	635,173	468,231	510,797	920,825	80.42%	144.97%	180.27%
OFFICE							
5130 · Utilities - New Off-AmGas/N.W.E	6,000	6,412	6,995	6,250	116.58%	104.17%	89.35%
5135 · Janitorial	3,000	3,390	3,698	4,000	123.33%	133.33%	108.16%
5136 · Carpet Service - Am Linen	725	432	471	725	65.01%	100.00%	153.83%
5141 · Off Supplies/Copier Etc.	5,700	3,905	4,260	4,250	74.74%	74.56%	99.77%
5142 · Office Furn & Equipment	900	1,717	1,873	1,200	208.12%	133.33%	64.07%
5143 · Computer Software/Hdware	6,250	9,281	10,125	6,250	161.99%	100.00%	61.73%
5144 · Web Design/CC Web Payments	5,000	12,922	14,097	5,000	281.93%	100.00%	35.47%
5145 · Telephone	7,200	6,057	6,608	7,200	91.77%	100.00%	108.96%
5150 · Printing	250	0	0	250	0.00%	100.00%	-
5155 · Postage - Shipping	2,100	1,502	1,638	2,100	78.02%	100.00%	128.17%
5160 · Advertising	600	150	164	600	27.27%	100.00%	366.67%
5165 · Insurance- PPE Both Water & Sewer	156,400	146,784	160,128	191,423	102.38%	122.39%	119.54%
5175 · Dues & Subscriptions	3,200	2,098	2,289	3,200	71.52%	100.00%	139.82%
5185 · Election Expenses	250	0	0	1,000	0.00%	400.00%	-
5190 · Stmt Mailing-Postage, Forms etc	13,500	12,225	13,337	14,250	98.79%	105.56%	106.85%
TOTAL	211,075	206,875	225,682	247,698	106.92%	117.35%	109.76%
VEHICLE							
5210 · Vehicle Gas & Oil	3,250	3,443	3,756	4,100	115.56%	126.15%	109.17%
5215 · Vehicle Repair & Maint	1,800	2,245	2,450	3,500	136.09%	194.44%	142.88%
5220 · Vehicle Insurance	3,815	2,310	2,520	4,200	66.06%	110.09%	166.67%
TOTAL	8,865	7,998	8,725	11,800	98.42%	133.11%	135.24%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
PROFESSIONAL SERVICES							
5310 · Legal Fees Associated Costs	10,000	13,112	14,304	10,000	143.04%	100.00%	69.91%
5311 · Legal Fees Attorney	200,000	377,706	412,043	200,000	206.02%	100.00%	48.54%
5315 · Computer/Telephone Maintenance	33,540	31,812	34,704	25,000	103.47%	74.54%	72.04%
5325 · Audit Ex	10,500	8,500	8,500	10,500	80.95%	100.00%	123.53%
5330 · GIS Mapping Ex	2,000	0	0	5,000	0.00%	250.00%	-
5332 · Other Consulting Fees	100,000	50,474	55,063	100,000	55.06%	100.00%	181.61%
TOTAL	356,040	481,604	524,613	350,500	147.35%	98.44%	66.81%
OTHER EXPENSES							
5415 · Bank Service Charges	150	218	238	250	158.76%	166.67%	104.98%
5420 · State Annual Audit Filing Fee	2,500	1,700	1,855	2,500	74.18%	100.00%	134.80%
5430 · Miscellaneous	2,000	1,783	1,945	2,000	97.23%	100.00%	102.85%
5445 · Office Bldg - Repair & Maint	3,500	5,626	6,138	5,000	175.36%	142.86%	81.47%
TOTAL	8,150	9,327	10,175	9,750	124.84%	119.63%	95.82%
5495 · Annual Pension Expense	1	0	0	1	0.00%	100.00%	-
TOTAL OFFICE GENERAL & ADM. EX	1,227,949	1,182,839	1,289,597	1,549,219	105.02%	126.16%	120.13%
D SEWER - GEN & ADM EXPENSES							
PERSONNEL							
6010 · Salaries	326,022	227,640	248,335	454,124	76.17%	139.30%	182.87%
6015 · Wages - Labor - Part Time	0	0	0	15,000	-	0.00%	-
6020 · Workers' Compensation Ins Ex	5,880	3,725	4,064	16,571	69.12%	281.82%	407.75%
6025 · Employer P/R Medicare/457 Match	25,278	17,481	19,070	34,073	75.44%	134.79%	178.67%
6030 · Public Emp Ret Sys Ex	30,067	21,620	23,586	41,549	78.44%	138.19%	176.16%
6031 · Long-Term, Short Term Insurance	4,688	1,842	2,010	5,905	42.88%	125.98%	293.82%
6035 · Employee Health Ins Ex	76,672	71,768	78,293	138,584	102.11%	180.75%	177.01%
6040 · Employee Education Ex	5,000	2,390	2,607	5,000	52.14%	100.00%	191.80%
TOTAL	473,607	346,468	377,965	710,807	79.81%	150.08%	188.06%
GENERAL							
6110 · Dues & Subscription Ex	800	790	862	800	107.78%	100.00%	92.78%
6115 · Telephone	5,800	4,496	4,905	5,800	84.56%	100.00%	118.25%
6130 · Office Supplies & Equip	1,000	595	649	1,000	64.86%	100.00%	154.18%
6132 · Publications-Swr	400	0	0	400	0.00%	100.00%	-
TOTAL	8,000	5,881	6,415	8,000	80.19%	100.00%	124.70%
TOTAL SEWER GENERAL & ADM. EX	481,607	352,348	384,380	718,807	79.81%	149.25%	187.00%
E SEWER PLANT OPERATIONS							
VEHICLE							
8110 · Fuel / Vehicles & Equip	12,500	8,968	9,784	10,000	78.27%	80.00%	102.21%
8115 · Vehicles - Repair/Maint	8,000	16,091	17,554	12,000	219.43%	150.00%	68.36%
8120 · Vehicle & Equip Insurance	6,865	4,158	4,536	7,170	66.07%	104.44%	158.07%
8125 · Fuel Backup Generators	100	0	0	100	0.00%	100.00%	-
8130 · Fuel - Backhoe & Equip	1,200	3,150	3,436	2,200	286.33%	183.33%	64.03%
TOTAL	28,665	32,367	35,310	31,470	123.18%	109.79%	89.13%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
<u>OPERATING EXPENSES</u>							
8209 · Treatment Plant-Propane	22,500	45,277	49,393	34,000	219.53%	151.11%	68.84%
8210 · Filter Building - Propane Heat	16,000	28,381	30,961	32,000	193.51%	200.00%	103.36%
8211 · Maintenance Bldg - Propane Heat	0	0	0	0	-	-	-
8212 · Maint.Bld Blwrs-Recirc NWE	24,000	18,056	19,697	24,000	82.07%	100.00%	121.85%
8213 · Treatment Plant-NWE	75,000	98,614	107,578	75,000	143.44%	100.00%	69.72%
8214 · YMC Pump Stations NWE	90,000	98,300	107,236	110,000	119.15%	122.22%	102.58%
8215 · Filter Bld - NWE	42,000	31,935	34,838	42,000	82.95%	100.00%	120.56%
8230 · Chemicals-SBR	2,000	0	0	500	0.00%	25.00%	-
8231 · Chemicals Chlorine Gas Filter Bld	51,000	24,544	26,775	35,000	52.50%	68.63%	130.72%
8235 · Chlorine Maintenance	1,000	157	172	1,000	17.16%	100.00%	582.60%
8240 · Chemicals-Aqua Hawk	47,000	20,995	22,904	21,000	48.73%	44.68%	91.69%
8245 · Chemicals Misc	1	0	0	250	0.00%	25000.00%	-
8246 · Chemicals: YC/SPR Pond Chlorination	9,500	10,070	10,985	9,500	115.63%	100.00%	86.48%
8250 · Chemical-Other	20,000	0	0	500	0.00%	2.50%	-
8255 · SBR Lab Sampling Supplies	750	0	0	750	0.00%	100.00%	-
8256 · WW Testing Pipeline Baseline	800	0	0	800	0.00%	100.00%	-
8257 · Lab Fees Wastewater Monitoring/GLWQD	60,000	57,345	62,558	65,000	104.26%	108.33%	103.90%
8260 · Lab Testing Equipment	2,000	4,869	5,311	4,000	265.57%	200.00%	75.31%
8265 · Compost Supplies	4,500	2,854	3,113	4,500	69.19%	100.00%	144.53%
8270 · Safety Equipment	1,500	1,498	1,634	1,500	108.93%	100.00%	91.80%
8275 · Operating Supplies	750	1,169	1,275	750	170.03%	100.00%	58.81%
8280 · MDEQ Discharge Permit Fees	0	0	0	0	-	-	-
TOTAL	470,301	444,063	484,432	462,050	103.00%	98.25%	95.38%
<u>REPAIRS & MAINTENANCE</u>							
8310 · Welding & Welding Supplies Sewer	500	31	34	500	6.76%	100.00%	1478.97%
8311 · Sewer Repairs/Maintenance	50,000	77,608	84,664	65,000	169.33%	130.00%	76.77%
8312 · Recirc Building Maintenance	4,000	0	0	4,000	0.00%	100.00%	-
8313 · Treatment Plant Repair/Maint.	15,000	28,776	31,393	15,000	209.28%	100.00%	47.78%
8315 · Filter Building Repair/Maint	10,000	23,359	25,483	20,000	254.83%	200.00%	78.48%
8316 · YC Pump Station/FM Maintenance	20,000	11,686	12,749	10,000	63.74%	50.00%	78.44%
8320 · Pond Maintenance/Inspection	3,500	32	35	6,000	1.01%	171.43%	17001.55%
8322 · Pond Blowers/Pond Maintenance	7,500	16,531	18,034	12,000	240.46%	160.00%	66.54%
8325 · Irrigation Maintenance	15,000	26,841	29,282	30,000	195.21%	200.00%	102.45%
8330 · Trash Pickup	4,000	3,945	4,304	5,500	107.59%	137.50%	127.80%
8332 · Weed Control/Grounds Maint	3,500	0	0	3,500	0.00%	100.00%	-
8335 · Tools & Tool Maintenance	3,500	5,484	5,983	4,500	170.93%	128.57%	75.22%
8340 · Equipment Rental-Other	500	0	0	500	0.00%	100.00%	-
8345 · Cleaning - Sewer Lines	26,500	28,629	31,231	30,000	117.85%	113.21%	96.06%
8350 · Video Taping - Sewer Lines	500	0	0	15,000	0.00%	3000.00%	-
TOTAL	164,000	222,924	243,190	221,500	48.29%	135.06%	91.08%
<u>PROFESSIONAL SERVICES</u>							
8354 · Safety Training	500	0	0	500	0.00%	100.00%	-
8355 · Engineering	25,000	118,182	128,926	100,000	515.70%	400.00%	77.56%
TOTAL	25,500	118,182	128,926	100,500	505.59%	394.12%	77.95%
<u>MISCELLANEOUS</u>							
8410 · Sewer Miscellaneous Ex.	750	27	30	750	3.98%	100.00%	2512.79%
TOTAL	750	27	30	750	3.98%	100.00%	2512.79%
<u>ASSET DEPRECIATION</u>							
8595 · Depreciation - Sewer Assets	725,000	664,587	725,004	725,000	100.00%	100.00%	100.00%
TOTAL	725,000	664,587	725,004	725,000	100.00%	100.00%	100.00%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

SPECIAL PROJECTS

8650 · Special Projects

TOTAL

F TOTAL SEWER PLANT OPERATIONS EX

TOTAL SEWER OPERATION EXPENSES

WATER - GEN & ADM EXPENSES

OPERATIONS PERSONNEL

7010 · Salaries
7015 · Wages
7020 · Part Time Labor
7025 · Worker's Comp Ins
7030 · Employer P/R Medicare/457 Match
7031 · Long Term, Short Term Insurance
7035 · Public Emp Ret Sys Exp
7040 · Employee Health Ins Exp
7045 · Employee Educ. Exp

TOTAL

OPERATIONS GENERAL

7110 · Dues & Subscriptions Exp
7115 · Telephone
7130 · Publications - Wtr
7135 · Office Supplies & Equip
7140 · P Wtr Sup Fees-MV SDW02384-01

TOTAL

G TOTAL WATER GENERAL & ADM. EX

H WATER PLANT OPERATIONS

VEHICLES

9110 · Fuel - Vehicles
9115 · Auto Repair & Maint
9120 · Vehicle Insurance Ex.
9125 · Fuel Booster St-Gen/Equip
9130 · Fuel - Backhoe & Equipment

TOTAL

WATER SYSTEM OPERATING EXPENSES

9211 · Utilities - NWE & Other
9215 · Chemicals
9220 · Lab Fees - Water Samples
9230 · Lab Testing Equip
9235 · Equip Purchases
9245 · Safety Equipment Ex
9247 · Garbage Pickup
9253 · Water Meter Repairs/Testing

TOTAL

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
8650 · Special Projects	250	20,000	21,818	250	8727.27%	100.00%	1.15%
TOTAL	250	20,000	21,818	250	8727.27%	100.00%	1.15%
F TOTAL SEWER PLANT OPERATIONS EX	1,414,466	1,502,151	1,638,710	1,541,520	115.85%	108.98%	94.07%
TOTAL SEWER OPERATION EXPENSES	1,896,073	1,854,499	2,023,090	2,260,327	106.70%	119.21%	111.73%
WATER - GEN & ADM EXPENSES							
OPERATIONS PERSONNEL							
7010 · Salaries	353,504	317,673	346,552	395,856	98.03%	111.98%	114.23%
7015 · Wages	25,000	0	0	15,000	0.00%	60.00%	-
7020 · Part Time Labor	5,000	0	0	5,000	0.00%	100.00%	-
7025 · Worker's Comp Ins	6,457	5,484	5,982	14,807	92.65%	229.32%	247.51%
7030 · Employer P/R Medicare/457 Match	27,499	25,292	27,592	29,848	100.34%	108.54%	108.18%
7031 · Long Term, Short Term Insurance	4,736	4,659	5,082	4,736	107.31%	100.00%	93.19%
7035 · Public Emp Ret Sys Exp	32,682	30,246	32,996	36,373	100.96%	111.29%	110.23%
7040 · Employee Health Ins Exp	75,366	69,091	75,372	104,289	100.01%	138.38%	138.37%
7045 · Employee Educ. Exp	8,000	3,227	3,521	8,000	44.01%	100.00%	227.23%
TOTAL	538,244	455,672	497,097	613,908	92.36%	114.06%	123.50%
OPERATIONS GENERAL							
7110 · Dues & Subscriptions Exp	2,200	2,210	2,411	2,200	109.59%	100.00%	91.25%
7115 · Telephone	8,700	6,556	7,152	8,700	82.20%	100.00%	121.65%
7130 · Publications - Wtr	300	0	0	300	0.00%	100.00%	-
7135 · Office Supplies & Equip	1,500	0	0	1,500	0.00%	100.00%	-
7140 · P Wtr Sup Fees-MV SDW02384-01	4,700	4,876	4,876	4,700	103.74%	100.00%	96.39%
TOTAL	17,400	13,642	14,439	17,400	82.98%	100.00%	120.51%
G TOTAL WATER GENERAL & ADM. EX	555,644	469,314	511,535	631,308	92.06%	113.62%	123.41%
H WATER PLANT OPERATIONS							
VEHICLES							
9110 · Fuel - Vehicles	15,000	15,305	16,697	18,000	111.31%	120.00%	107.81%
9115 · Auto Repair & Maint	8,500	11,726	12,791	12,000	150.49%	141.18%	93.81%
9120 · Vehicle Insurance Ex.	5,112	4,686	5,112	9,555	100.00%	186.91%	186.91%
9125 · Fuel Booster St-Gen/Equip	3,000	1,207	1,316	3,000	43.88%	100.00%	227.88%
9130 · Fuel - Backhoe & Equipment	1,000	12	13	1,000	1.32%	100.00%	7600.88%
TOTAL	32,612	32,936	35,930	43,555	110.17%	133.56%	121.22%
WATER SYSTEM OPERATING EXPENSES							
9211 · Utilities - NWE & Other	171,000	144,023	157,116	165,000	91.88%	96.49%	105.02%
9215 · Chemicals	750	499	544	750	72.51%	100.00%	137.91%
9220 · Lab Fees - Water Samples	3,500	7,711	8,412	7,000	240.33%	200.00%	83.22%
9230 · Lab Testing Equip	750	0	0	750	0.00%	100.00%	-
9235 · Equip Purchases	750	79	86	750	11.43%	100.00%	875.24%
9245 · Safety Equipment Ex	1,500	816	890	1,500	59.34%	100.00%	168.52%
9247 · Garbage Pickup	4,000	4,213	4,596	5,500	114.90%	137.50%	119.67%
9253 · Water Meter Repairs/Testing	250	0	0	250	0.00%	100.00%	-
TOTAL	182,500	157,339	171,643	181,500	94.05%	99.45%	105.74%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
REPAIRS & MAINTENANCE							
9301 · Repairs - Distribution System	130,000	88,883	96,963	130,000	74.59%	100.00%	134.07%
9302 · Repairs - Wells	15,000	20,382	22,235	22,000	148.23%	146.67%	98.94%
9303 · Repairs - Booster Stations	10,000	1,486	1,621	10,000	16.21%	100.00%	616.76%
9304 · Repairs - Water Tanks	2,500	3,898	4,252	2,500	170.09%	100.00%	58.79%
9305 · Repairs - Telemetry	2,000	3,002	3,275	2,000	163.75%	100.00%	61.07%
9306 · Repairs - SPR	250	0	0	250	0.00%	100.00%	-
9316 · Maint Bldg-Repairs & Maint	2,250	3,719	4,057	3,250	180.33%	144.44%	80.10%
9324 · Generator Semi Annual Check-Up	7,000	4,817	5,255	7,000	75.08%	100.00%	133.20%
9325 · Hydrants & Hydrant Maint	750	25,773	28,116	750	3748.86%	100.00%	2.67%
9330 · Tools & Tool Maint	5,500	8,545	9,322	5,500	169.49%	100.00%	59.00%
9335 · Equipment Rental	1,000	0	0	1,000	0.00%	100.00%	-
TOTAL	176,250	160,507	175,098	184,250	99.35%	104.54%	105.23%
PROFESSIONAL SERVICES							
9311 · Leak Detection	550	0	0	550	0.00%	100.00%	-
9320 · Tank Inspection/Cleaning	3,650	0	0	3,650	0.00%	100.00%	-
9416 · Water Rights-Legal	5,500	200	218	5,500	3.97%	100.00%	2520.83%
9417 · Engineering	40,000	19,673	21,461	40,000	53.65%	100.00%	186.38%
9430 · Water Modeling	1,000	0	0	1,000	0.00%	100.00%	-
9435 · Water Meter Sensus Support	29,500	9,033	9,854	29,500	33.40%	100.00%	299.37%
TOTAL	80,200	28,906	31,534	80,200	39.32%	100.00%	254.33%
SPECIAL PROJECTS							
9415 · Special Projects - Other	500	69,488	75,805	500	15161.02%	100.00%	0.66%
TOTAL	500	69,488	75,805	500	15161.02%	100.00%	0.66%
MISCELLANEOUS							
9410 · Misc Expense - Water	750	541	590	750	78.68%	100.00%	127.10%
TOTAL	750	541	590	750	78.68%	100.00%	127.10%
ASSET DEPRECIATION							
9595 · Depreciation - Water Assets	485,000	444,587	485,004	485,000	100.00%	100.00%	100.00%
TOTAL	485,000	444,587	485,004	485,000	100.00%	100.00%	100.00%
I	957,812	894,303	975,604	975,755	101.86%	101.87%	100.02%
TOTAL WATER PLANT OPERATIONS_EX							
J	1,513,456	1,363,617	1,487,139	1,607,063	98.26%	106.18%	108.06%
TOTAL WATER OPERATING EXPENSES							
7745 · (Gain)/Loss-Dispostion - Assets	0	(1,215)	(1,325)				
7746 · (Gain)/Loss - Other	0	0	0				
TOTAL	0	(1,215)	(1,325)				
K	4,637,479	4,399,740	4,798,501	5,416,609	103.47%	116.80%	112.88%
TOTAL OPERATING EXPENSES							
L							
NON-OPERATING REVENUES							
REVENUES - SEWER							
4010 · Resort Tax Bond Payment	2,852,719	2,852,719	3,112,057	2,995,335	109.09%	105.00%	96.25%
4012 · Resort Tax Other	60,000	0	0	560,000	0.00%	933.33%	-
4013 · Madison Co. Tax Receipts Sewer Bonds	434,400	317,813	346,705	0	79.81%	0.00%	0.00%
4014 · Gallatin Co. Tax Receipts Sewer Bonds	433,100	326,883	356,599	0	82.34%	0.00%	0.00%
4015 · Snow Making Pilot Project	0	0	0	0	-	-	-
4020 · Sewer Int Income RESTRICTED	20,000	169,007	184,371	150,000	921.86%	750.00%	81.36%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

	BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
4025 · Sewer Int Income-UNRESTRICTED	30,000	31,819	34,711	30,000	115.70%	100.00%	86.43%
4030 · Sewer Plant Investment Fees	400,000	258,155	281,624	400,000	70.41%	100.00%	142.03%
4031 · Spanish Peaks PIC Fees	0	0	0	0	-	-	-
4035 · Boyne Settlement Funds	0	0	0	0	-	-	-
4040 · Non-Oper Inc Sewer - Other	100	1,593,836	0	100	0.00%	100.00%	-
TOTAL	4,230,319	5,550,231	4,316,068	4,135,435	102.03%	97.76%	95.81%
REVENUES - WATER							
4110 · Resort Tax Bond Payment	0	0	0	0	-	-	-
4112 · Resort Tax Other	0	0	0	0	-	-	-
4113 · Madison Co. Tax Receipts Water Bonds	220,000	158,942	173,392	143,000	78.81%	65.00%	82.47%
4114 · Gallatin Co. Tax Receipts Water Bonds	265,000	192,419	209,912	181,000	79.21%	68.30%	86.23%
4120 · Water Int Income RESTRICTED	4,000	34,298	37,416	30,000	935.40%	750.00%	80.18%
4125 · Water Int Income-UNRESTRICTED	1,200	789	861	1,000	71.71%	83.33%	116.20%
4130 · Water System Investment Fees	150,000	67,894	74,066	150,000	49.38%	100.00%	202.52%
4135 · Non-Oper Inc Water-Other	2,000	44,536	48,584	2,000	2429.22%	100.00%	4.12%
TOTAL	642,200	498,878	544,231	507,000	84.74%	78.95%	93.16%
TOTAL NON-OPER. REVENUE	4,872,519	6,049,109	4,860,299	4,642,435	99.75%	95.28%	95.52%
DONATED CAPITAL ASSETS							
4045 · Donated Capital Assets Sewer	75,000	267,940	267,940	75,000	357.25%	100.00%	-72.01%
4145 · Donated Capital Assets Water	75,000	0	0	75,000	0.00%	100.00%	-
TOTAL DONATED CAPITAL ASSETS	150,000	267,940	267,940	150,000	178.63%	100.00%	-44.02%
<i>New water & sewer extensions from developers</i>							
NON-OPERATING EXPENSES							
EXPENSES SEWER							
4210 · SRF - Interest Expense	49,000	44,924	49,008	23,913	100.02%	48.80%	48.79%
4211 · FSB Int Exp	0	259,412	282,994	1,311,380	-	-	463.39%
4215 · Resort Tax - Other	60,000	0	0	60,000	0.00%	100.00%	-
4220 · Misc Non Operating Exp	4,500	0	0	4,500	0.00%	100.00%	-
4226 · Canyon Study Dist Contribution	0	0	0	0	-	-	-
TOTAL	113,500	304,336	332,002	1,399,793	292.51%	1233.30%	421.62%
EXPENSES - WATER							
4310 · SRF Interest Expense	40,000	36,674	40,008	22,680	100.02%	56.70%	56.69%
4311 · DEQ - Wtr Quality Study	0	0	0	0	-	-	-
4312 · Misc Non Operating Exp	4,500	50,270	54,839	4,500	1218.65%	100.00%	8.21%
4313 · Water Metering Ex.	0	0	0	0	-	-	-
TOTAL	44,500	86,944	94,847	27,180	213.14%	61.08%	28.66%
TOTAL NON-OPERATING EXPENSES	158,000	391,279	426,850	1,426,973	270.16%	903.15%	334.30%

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**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
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SUMMARY - OPERATING AND NON-OPERATING REVENUES AND EXPENSES

OPERATING REVENUES	4,443,250	3,797,427	4,142,647	4,758,000	93.23%	107.08%	114.85%
OPERATING EXPENSES	(4,637,479)	(4,399,740)	(4,798,501)	(5,416,609)	103.47%	116.80%	112.88%
OPERATING RESERVES	0	0	0	0	0.00%	0.00%	0.00%
NET OPERATING REV	(194,229)	(602,314)	(655,853)	(658,609)	337.67%	339.09%	100.42%

NON-OPERATING SUMMARY

NON-OPERATING REV	4,872,519	6,049,109	4,860,299	4,642,435	99.75%	95.28%	95.52%
NON-OPER EXPENSE	(158,000)	(391,279)	(426,850)	(1,426,973)	270.16%	903.15%	334.30%
NET NON-OPERATING REV	4,714,519	5,657,830	4,433,449	3,215,462	94.04%	68.20%	72.53%

SUMMARY - TOTAL REVENUES AND EXPENSES

TOTAL REVENUES	9,315,769	9,846,536	9,002,946	9,400,435	96.64%	100.91%	104.42%
TOTAL EXPENSES	(4,795,479)	(4,791,019)	(5,225,350)	(6,843,582)	108.96%	142.71%	130.97%
TOTAL NET REVENUES	4,520,290	5,055,517	3,777,595	2,556,853	83.57%	56.56%	67.68%
TOTAL CAPITAL CONTRIBUTIONS	150,000	267,940	267,940	150,000	178.63%	100.00%	55.98%
NET INCOME	4,670,290	5,323,457	4,045,535	2,706,853	86.62%	57.96%	66.91%

**BIG SKY WATER & SEWER #363
2023 - 2024 BUDGET**

June 16, 2023

BUDGET LAST YEAR 2022-2023 [A]	ACTUAL YEAR TO DATE Actual [B]	PROJECTED ACTUAL TO 6/30/2023 [C]	BUDGET 2023-2024 [D]	PROJECTED ACTUAL TO 22/23 Budget [C] ÷ [A]	23/24 BUDGET TO 22/23 BUDGET [D] ÷ [A]	23/24 BUDGET To 6/30/2023 Projected Actual [D] ÷ [C]
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SUMMARY - GEN & ADM, SEWER, WATER, OPERATIONS

SEWER - OPERATING REVENUE	2,405,500	2,203,993	2,404,356	2,797,500	99.95%	116.30%	116.35%
OFFICE GEN & ADM EX 1/2	(613,975)	(591,419)	(644,798)	(774,609)	105.02%	126.16%	120.13%
SEWER GEN & ADM EX	(481,607)	(352,348)	(384,380)	(718,807)	79.81%	149.25%	187.00%
SEWER PLANT OPER EX	(1,414,466)	(1,502,151)	(1,638,710)	(1,541,520)	115.85%	108.98%	94.07%
GAIN/(LOSS) ASSETS	0	1,215	1,325	0			
NET SEWER OPER REV	(104,548)	(240,710)	(262,207)	(237,437)	250.80%	-227.11%	90.55%
WATER - OPERATING REVENUE	2,037,750	1,593,433	1,738,291	1,960,500	85.30%	96.21%	112.78%
OFFICE GEN & ADM EX 1/2	(613,975)	(591,419)	(644,798)	(774,609)	105.02%	126.16%	120.13%
WATER GEN & ADM EX	(555,644)	(469,314)	(511,535)	(631,308)	92.06%	113.62%	123.41%
WATER PLANT OPER EX	(957,812)	(894,303)	(975,604)	(975,755)	101.86%	101.87%	100.02%
NET WATER OPER REV	(89,681)	(361,603)	(393,647)	(421,172)	-438.94%	-469.63%	106.99%

PROPOSED RATES
FY 2023-2024

**BIG SKY COUNTY WATER & SEWER DISTRICT No. 363
SUMMARY OF RATES, FEES & CHARGES**

Effective: July 1, 2023

I. HOOKUP FEES

A. WASTEWATER CONNECTION INSPECTION CHARGES:	
Type of Improvement	Inspection Charge ^[1]
• Remodeling or change in use that changes SFEs	\$50
• Single Family Residence	\$200
• Two (2) through Four (4) units of improvement	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250

^[1] For wastewater permitted projects on Westland/TM land in Section 1 the inspection fee shall be 50% of the applicable inspection fee.

B. WASTEWATER PLANT INVESTMENT CHARGE (PIC)	
The PIC shall be five thousand four hundred ten dollars (\$5,410) per Single Family Equivalent (SFE) for new connections that have paid the sewer mill levy prior to December 31, 2020.	\$5,410 Per SFE ^{[1][2]}
The PIC shall be six thousand one hundred seventy dollars (\$6,170) per Single Family Equivalent (SFE) new property that have <u>NOT</u> paid the sewer mill levy prior to December 31, 2020.	\$6,170 Per SFE ^{[1][2]}

^[1] Plant Investment Charge (PIC): For Boyne owned lots (i.e. Cascade, Mountain Village, etc.) as of July 25, 1997, are subject to an additional \$3,500 surcharge per SFE as itemized on permit.

^[2] Westland /TM land in Section 1 of the Meadow Village, and Westfork Meadows are exempt from Wastewater PIC charges from prior agreements.

C. WATER CONNECTION INSPECTION CHARGES:	
Type of Improvement	Inspection Charge
• Remodeling or change in use that changes SFEs	\$50
• Single Family Residence	\$200
• Two (2) through Four (4) units of improvement	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250

D. WATER SYSTEM INVESTMENT CHARGE (SIC)		
The SIC shall be one thousand eight hundred twenty eight dollars (\$1,828) per Single Family Equivalent (SFE) for new domestic use connections that have paid the water mill levy prior to December 31, 2020.		\$1,828 Per SFE
The SIC shall be two thousand one hundred sixty dollars (\$2,160) per Single Family Equivalent (SFE) for new domestic use connections that have <u>NOT</u> paid the water mill levy prior to December 31, 2020.		\$2,160 Per SFE
The SIC for all new irrigation use connections serving non-single family residential connections shall be based on meter size. For meter sizes above 4" the SIC shall be determined on a case by case basis. The SIC charge for meter sizes shall be:	3/4" or less 1" 1 1/2" 2" 3" 4"	\$4,382 \$7,429 \$14,859 \$23,774 \$47,549 \$74,295

E. Water Meter Equipment Charge	
For new commercial, single residential, and multiple residential unit water connection permits where meters are required, the District sells meter horns, water meters, and remote read devices to the permit applicant as part of the connection permit fee. All water meters and appurtenant metering equipment shall be sold at the District's cost plus five (5%).	District Cost + 5%

II. MONTHLY USER CHARGES

A. Wastewater User Charges	
Type of Rate	2023-24
• Base Rate Commercial	\$35.78 per month (\$107.34/Qtr)
• Base Rate Residential	\$35.78 per month (\$107.34/Qtr)
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.	\$9.14 Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.	\$8.72 Per 1,000 Gals.

^[1] (For single family homes the 2nd & 3rd quarter sewer charges based on winter average use for the period Oct. 1 - March 30 from the preceding year.)

B. Water User Charges		
Type of Rate	2023-24	
• Base Rate Commercial	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Residential	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Irrigation	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Reuse (Current Volume Charge \$0.00)	\$22.29 per month (\$66.87/Qtr)	
• Variable Rate Wholesale Customers All Usage	\$4.36	Per 1,000 Gals.
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.		
Tier 1: 0 to 30,000 Gallons	\$3.78	Per 1,000 Gals.
Tier 2: 30,000 to 60,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 60,000 to 80,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 80,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.		
Tier 1: 0 to 20,000 Gallons	\$3.78	Per 1,000 Gals.
Tier 2: 20,000 to 40,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 40,000 to 60,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 60,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Irrigation per 1,000 gallons of water use.		
Tier 1: 0 Gallons	\$0.00	Per 1,000 Gals.
Tier 2: 0 to 20,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 20,000 to 40,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 40,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Reuse per 1,000 gallons of water use.		
Tier 1: 0 Gallons	\$0.00	Per 1,000 Gals.
Tier 2: 0 to 90,000 Gallons	\$1.00	Per 1,000 Gals.
Tier 3: 90,000 to 120,000 Gallons	\$1.00	Per 1,000 Gals.
Tier 4: > than 120,000 Gallons	\$1.00	Per 1,000 Gals.

^[1] (Variable charges are calculated on actual use per quarter.)

C. Flat Rate Water & Sewer Rates		
Type of Rate	2023-24	
• Sewer SFE Rate Charge	\$33.96 per month (\$101.88/Qtr)	
• Water SFE Rate Charge	\$24.82 per month (\$74.46/Qtr)	

D. Vacant Lots		
Type of Rate	2023-24	
• Sewer Availability	\$9.51 per month (\$28.53/Qtr)	
• Water Availability	\$9.51 per month (\$28.53/Qtr)	

III. PLANT & SYSTEM INVESTMENT CHARGES^[1]- SFEs PER 1,000 SQUARE FEET

A. Single Family Homes & Single Condos		
Type of Rate		SFEs / 1,000 Sq. Ft.
• Rate 1	< 2,000 Sq. Ft.	0.85
• Rate 2	2,001 to 3,000 Sq. Ft.	0.65
• Rate 3	3,001 to 4,000 Sq. Ft.	0.55
• Rate 4	> 4,000 Sq. Ft.	0.45

^[1] Plant Investment Charge (PIC): For Boyne owned lots (i.e. Cascade, Mountain Village, etc) as of July 25, 1997, the PIC charge is \$8,910 per SFE (\$5,410 PIC and \$3,500 surcharge) as itemized on permit.

B. Multiple Unit Condominiums		
Type of Rate	Condo Size	SFEs / 1,000 Sq. Ft.
• Rate 1	< 1,000 Sq. Ft.	0.95
• Rate 2	1,001 to 2,000 Sq. Ft.	0.85
• Rate 3	2,001 to 2,300 Sq. Ft.	0.75
• Rate 4	> 2,300 Sq. Ft.	0.65

C. Employee Housing Projects and Accessory Dwelling Units		
Type of Rate	Unit Size	SFEs / 1,000 Sq. Ft.
• Rate 1	> 0 Sq. Ft.	1.20

Plant Investment Charges (PIC) calculation for all work force/employee housing projects as apartments or condominiums. All ADU's will also be calculated using this rate.

IV. BULK WATER RATES

A. Bulk Water User Charges	
Type of Rate	Charge
• Hydrant Use Permit Fee	\$50
• Bulk Water Rate- Fills < 1,000 Gallons	\$15
• Bulk Water Rate- Fills > 1,000 Gallons	\$15 per 1,000 gals

V. OTHER FEES

A. Delinquent Accounts	
Type of Rate	Charge
Delinquent accounts that are transferred to Gallatin or Madison County for collection through the tax role	\$100

B. Property Transfers	
Type of Rate	Charge
Title Company requests for current billing information for property transfers, or change of ownership.	\$50

C. Permit Reimbursements	
Type of Rate	Charge
Retained connection permit fees for projects not constructed	\$100

D. Reactivation Charge	
Type of Rate	Charge
Reactivate water service by turning curbstop back on after it has been shut off.	\$100

E. Fire Hydrant Flow Test	
Type of Rate	Charge
Fire hydrant flow test cost per hydrant test	\$150

F. Penalties	
Type of Fine	Charge

A. Billing & Permitting Fines	
Sewer and/or water connection inspection permit changes after issuance. The penalty for an unapproved increase that exceeds one (1) SFE shall be calculated by prorate.	\$500 Minimum
Late payments for sewer and water charges and accrued penalties that are not paid by February 15, May 15, August 15, and November 15 of each year.	1% per Month 12% per Annum

B. General Fines	
Minor Fines & Penalties For Violation.	\$500
Major Fines & Penalties For Violation. For violations relating to local or federal wastewater pretreatment standards implemented in the Federal Water Pollution Control Act, 33 USC1251 through 1387	\$1,000

C. Sewer System Fines	
Pulling a sewer plug on a main line: plus the cost of sewer jetting	\$5,000
Exposing a sewer lateral without the District's knowledge or permission:	\$2,000
Exposing a sewer main without the District's knowledge or permission:	\$3,000

D. Water System Fines	
Exposing a water lateral without the District's knowledge or permission	\$3,000
Exposing a water main without the District's knowledge or permission	\$5,000
Operating a curb stop in a non-emergency situation without the District's knowledge or permission	\$2,000
Operating a main line valve without the District's knowledge or permission	\$5,000
Operating a fire hydrant without the District's knowledge or permission	\$5,000

**BIG SKY COUNTY WATER & SEWER DISTRICT No. 363
SUMMARY OF RATES, FEES & CHARGES**

Effective: July 1, 2023

I. HOOKUP FEES

A. WASTEWATER CONNECTION INSPECTION CHARGES: Type of Improvement	2023-2024	2022-2023
	Inspection Charge ^[1]	Inspection Charge ^[1]
• Remodeling or change in use that changes SFEs	\$50	\$50
• Single Family Residence	\$200	\$200
• Two (2) through Four (4) units of improvement	\$350	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250	\$1,250

^[1] For wastewater permitted projects on Westland/TM land in Section 1 the inspection fee shall be 50% of the applicable inspection fee.

B. WASTEWATER PLANT INVESTMENT CHARGE (PIC)		2023-2024	2022-2023
The PIC shall be five thousand four hundred ten dollars (\$5,410) per Single Family Equivalent (SFE) for new connections that have paid the sewer mill levy prior to December 31, 2020.		\$5,410 Per SFE ^{[1][2]}	\$5,410 Per SFE ^{[1][2]}
The PIC shall be six thousand one hundred seventy dollars (\$6,170) per Single Family Equivalent (SFE) new property that have <u>NOT</u> paid the sewer mill levy prior to December 31, 2020.		\$6,170 Per SFE ^{[1][2]}	\$6,170 Per SFE ^{[1][2]}

^[1] Plant Investment Charge (PIC): For Boyne owned lots (i.e. Cascade, Mountain Village, etc.) as of July 25, 1997, are subject to an additional \$3,500 surcharge per SFE as itemized on permit.

^[2] Westland /TM land in Section 1 of the Meadow Village, and Westfork Meadows are exempt from Wastewater PIC charges from prior agreements.

C. WATER CONNECTION INSPECTION CHARGES: Type of Improvement	2023-2024	2022-2023
	Inspection Charge	Inspection Charge
• Remodeling or change in use that changes SFEs	\$50	\$50
• Single Family Residence	\$200	\$200
• Two (2) through Four (4) units of improvement	\$350	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250	\$1,250

D. WATER SYSTEM INVESTMENT CHARGE (SIC)		2023-2024	2022-2023	
The SIC shall be one thousand eight hundred twenty eight dollars (\$1,828) per Single Family Equivalent (SFE) for new domestic use connections that have paid the water mill levy prior to December 31, 2020.		\$1,828 Per SFE	\$1,828 Per SFE	
The SIC shall be two thousand one hundred sixty dollars (\$2,160) per Single Family Equivalent (SFE) for new domestic use connections that have <u>NOT</u> paid the water mill levy prior to December 31, 2020.		\$2,160 Per SFE	\$2,160 Per SFE	
The SIC for all new irrigation use connections serving non-single family residential connections shall be based on meter size. For meter sizes above 4" the SIC shall be determined on a case by case basis. The SIC charge for meter sizes shall be:				
	3/4" or less	\$4,382	3/4" or less	\$4,382
	1"	\$7,429	1"	\$7,429
	1 1/2"	\$14,859	1 1/2"	\$14,859
	2"	\$23,774	2"	\$23,774
	3"	\$47,549	3"	\$47,549
	4"	\$74,295	4"	\$74,295

E. Water Meter Equipment Charge	2023-2024	2022-2023
For new commercial, single residential, and multiple residential unit water connection permits where meters are required, the District sells meter horns, water meters, and remote read devices to the permit applicant as part of the connection permit fee. All water meters and appurtenant metering equipment shall be sold at the District's cost plus five (5%).	District Cost + 5%	District Cost + 5%

II. MONTHLY USER CHARGES

A. Wastewater User Charges	2023-24	2022-23
Type of Rate		
• Base Rate Commercial	\$35.78 Per month (\$107.34/Qtr)	\$31.11 per month (\$93.33/Qtr)
• Base Rate Residential	\$35.78 Per month (\$107.34/Qtr)	\$31.11 per month (\$93.33/Qtr)
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.	\$9.14 Per 1,000 Gals.	\$7.95 Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.	\$8.72 Per 1,000 Gals.	\$7.58 Per 1,000 Gals.

^[1] (For single family homes the 2nd & 3rd quarter sewer charges based on winter average use for the period Oct. 1 - March 30 from the preceding year.)

B. Water User Charges	2023-24	2022-23
Type of Rate		
• Base Rate Commercial	\$22.29 Per month (\$66.87/Qtr)	\$19.38 per month (\$58.14/Qtr)
• Base Rate Residential	\$22.29 Per month (\$66.87/Qtr)	\$19.38 per month (\$58.14/Qtr)
• Base Rate Irrigation	\$22.29 Per month (\$66.87/Qtr)	\$19.38 per month (\$58.14/Qtr)
• Base Rate Reuse (Current Volume Charge \$0.00)	\$22.29 Per month (\$66.87/Qtr)	\$19.38 per month (\$58.14/Qtr)
• Variable Rate Wholesale Customers All Usage	\$4.36 Per 1,000 Gals.	\$3.79 Per 1,000 Gals.
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.		
Tier 1: 0 to 30,000 Gallons	\$3.78 Per 1,000 Gals.	\$3.29 Per 1,000 Gals.
Tier 2: 30,000 to 60,000 Gallons	\$5.66 Per 1,000 Gals.	\$4.92 Per 1,000 Gals.
Tier 3: 60,000 to 80,000 Gallons	\$7.94 Per 1,000 Gals.	\$6.90 Per 1,000 Gals.
Tier 4: > than 80,000 Gallons	\$11.11 Per 1,000 Gals.	\$9.66 Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.		
Tier 1: 0 to 20,000 Gallons	\$3.78 Per 1,000 Gals.	\$3.29 Per 1,000 Gals.
Tier 2: 20,000 to 40,000 Gallons	\$5.66 Per 1,000 Gals.	\$4.92 Per 1,000 Gals.
Tier 3: 40,000 to 60,000 Gallons	\$7.94 Per 1,000 Gals.	\$6.90 Per 1,000 Gals.
Tier 4: > than 60,000 Gallons	\$11.11 Per 1,000 Gals.	\$9.66 Per 1,000 Gals.

<ul style="list-style-type: none"> • Variable Rate^[1] Irrigation per 1,000 gallons of water use. <ul style="list-style-type: none"> Tier 1: 0 Gallons Tier 2: 0 to 20,000 Gallons Tier 3: 20,000 to 40,000 Gallons Tier 4: > than 40,000 Gallons 	\$0.00	Per 1,000 Gals.	\$0.00	Per 1,000 Gals.
	\$5.66	Per 1,000 Gals.	\$4.92	Per 1,000 Gals.
	\$7.94	Per 1,000 Gals.	\$6.90	Per 1,000 Gals.
	\$11.11	Per 1,000 Gals.	\$9.66	Per 1,000 Gals.
<ul style="list-style-type: none"> • Variable Rate^{[1] [2]} Reuse per 1,000 gallons of water use. <ul style="list-style-type: none"> Tier 1: 0 Gallons Tier 2: 0 to 90,000 Gallons Tier 3: 90,000 to 120,000 Gallons Tier 4: > than 120,000 Gallons 	\$0.00	Per 1,000 Gals.	\$0.00	Per 1,000 Gals.
	\$1.00	Per 1,000 Gals.	\$0.00	Per 1,000 Gals.
	\$1.00	Per 1,000 Gals.	\$0.00	Per 1,000 Gals.
	\$1.00	Per 1,000 Gals.	\$0.00	Per 1,000 Gals.

^[1] Variable charges are calculated on actual use per quarter.

^[2] Variable charges do not apply to reuse water for large irrigator agreements: Big Sky Meadow Village Golf Course, Spanish Peaks or Yellowstone Club

C. Flat Rate Water & Sewer Rates		
Type of Rate	2023-24	2022-23
• Sewer SFE Rate Charge	\$33.96 Per month (\$101.88/Qtr)	\$29.53 per month (\$88.59/Qtr)
• Water SFE Rate Charge	\$24.82 Per month (\$74.46/Qtr)	\$21.58 per month (\$64.74/Qtr)

D. Vacant Lots		
Type of Rate	2023-24	2022-23
• Sewer Availability	\$9.51 Per month (\$28.53/Qtr)	\$8.27 per month (\$24.81/Qtr)
• Water Availability	\$9.51 Per month (\$28.53/Qtr)	\$7.88 per month (\$23.64/Qtr)

III. PLANT & SYSTEM INVESTMENT CHARGES^[1] - SFEs PER 1,000 SQUARE FEET

A. Single Family Homes & Single Condos				
Type of Rate		SFEs / 1,000 Sq. Ft.		SFEs / 1,000 Sq. Ft.
• Rate 1	< 2,000 Sq. Ft.	0.85	< 2,000 Sq. Ft.	0.85
• Rate 2	2,001 to 3,000 Sq. Ft.	0.65	2,001 to 3,000 Sq. Ft.	0.65
• Rate 3	3,001 to 4,000 Sq. Ft.	0.55	3,001 to 4,000 Sq. Ft.	0.55
• Rate 4	> 4,000 Sq. Ft.	0.45	> 4,000 Sq. Ft.	0.45

^[1] Plant Investment Charge (PIC) : For Boyne owned lots (i.e. Cascade, Mountain Village, etc) as of July 25, 1997, the PIC charge is \$8,910 per SFE (\$5,410 PIC and \$3,500 surcharge) as itemized on permit.

B. Multiple Unit Condominiums				
Type of Rate	Condo Size	SFEs / 1,000 Sq. Ft.	Condo Size	SFEs / 1,000 Sq. Ft.
• Rate 1	< 1,000 Sq. Ft.	0.95	< 1,000 Sq. Ft.	0.95
• Rate 2	1,001 to 2,000 Sq. Ft.	0.85	1,001 to 2,000 Sq. Ft.	0.85
• Rate 3	2,001 to 2,300 Sq. Ft.	0.75	2,001 to 2,300 Sq. Ft.	0.75
• Rate 4	> 2,300 Sq. Ft.	0.65	> 2,300 Sq. Ft.	0.65

C. Employee Housing Projects and Accessory Dwelling Units				
Type of Rate	Unit Size	SFEs / 1,000 Sq. Ft.	Unit Size	SFEs / 1,000 Sq. Ft.
• Rate 1	> 0 Sq. Ft.	1.20	> 0 Sq. Ft.	1.20

Plant Investment Charges (PIC) calculation for all work force/employee housing projects as apartments or condominiums. All ADU's will also be calculated using this rate.

IV. BULK WATER RATES

A. Bulk Water User Charges				
Type of Rate		Charge		Charge
• Hydrant Use Permit Fee		\$50		\$50
• Bulk Water Rate- Fills < 1,000 Gallons		\$15		\$10
• Bulk Water Rate- Fills > 1,000 Gallons		\$15 per 1,000 gals		\$10 per 1,000 gals

V. OTHER FEES

A. Delinquent Accounts		
Type of Rate	Charge	Charge
Delinquent accounts that are transferred to Gallatin or Madison County for collection through the tax role	\$100	\$100

B. Property Transfers		
Type of Rate	Charge	Charge
Title Company requests for current billing information for property transfers, or change of ownership.	\$50	\$50

C. Permit Reimbursements		
Type of Rate	Charge	Charge
Retained connection permit fees for projects not constructed	\$100	\$100

D. Reactivation Charge		
Type of Rate	Charge	Charge
Reactivate water service by turning curbstop back on after it has been shut off.	\$100	\$100

E. Fire Hydrant Flow Test		
Type of Rate	Charge	Charge
Fire hydrant flow test cost per hydrant test	\$150	\$150

F. Penalties		
Type of Fine	Charge	Charge
A. Billing & Permitting Fines		
Sewer and/or water connection inspection permit changes after issuance. The penalty for an unapproved increase that exceeds one (1) SFE shall be calculated by prorate.	\$500 Minimum	\$500 Minimum
Late payments for sewer and water charges and accrued penalties that are not paid by February 15, May 15, August 15, and November 15 of each year.	1% per Month 12% per Annum	1% per Month 12% per Annum
B. General Fines		
Minor Fines & Penalties For Violation.	\$500	\$500
Major Fines & Penalties For Violation. For violations relating to local or federal wastewater pretreatment standards implemented in the Federal Water Pollution Control Act, 33 USC1251 through 1387	\$1,000	\$1,000
C. Sewer System Fines		
Pulling a sewer plug on a main line: plus the cost of sewer jetting	\$5,000	\$5,000
Exposing a sewer lateral without the District's knowledge or permission:	\$2,000	\$2,000
Exposing a sewer main without the District's knowledge or permission:	\$3,000	\$3,000
D. Water System Fines		
Exposing a water lateral without the District's knowledge or permission	\$3,000	\$3,000
Exposing a water main without the District's knowledge or permission	\$5,000	\$5,000
Operating a curb stop in a non-emergency situation without the District's knowledge or permission	\$2,000	\$2,000
Operating a main line valve without the District's knowledge or permission	\$5,000	\$5,000
Operating a fire hydrant without the District's knowledge or permission	\$5,000	\$5,000

RATE HEARING NOTICES



BIG SKY COUNTY WATER & SEWER DISTRICT No. 363

PO BOX 160670 - BIG SKY, MT 59716 - 406-995-2660 – EMAIL: OFFICE@WSD363.COM

NOTICE OF PUBLIC RATE HEARING Tuesday, June 20, 2023, 8:00 AM

Date: May 30, 2023

To: All Big Sky County Water and Sewer District Customers and Owners

Re: Notice of Rate Hearing for Water and Sewer Rate Increases for 2023-2024

This letter is a notice that the District will conduct a public hearing on proposed water and sewer rates. The public hearing will be held at the District office at **561 Little Coyote Road** on **Tuesday, June 20, 8:00 AM**. The hearing will be held from 8:00 am to 9:00 am and will be conducted as an in-person meeting. The District will then go into their regular meeting at 9:00. The hearing is for new rates that will go into effect July 1, 2023, if they are adopted by the District Board of Directors subsequent to the rate hearing.

WATER RATES

For standard potable water use, the rate structure includes volumetric rate tiers designed to incent conservation as well as better match tiers to basic water use. They include separate tiers for residential and condominium use, irrigation use, and commercial/other use as follows:

RESIDENTIAL TIERS	COMMERCIAL TIERS	IRRIGATION TIERS	REUSE
TIER 1: 0-20,000 GALS	TIER 1: 0-30,000 GALS	NO FLOW	NO FLOW
TIER 2: 20,000-40,000 GALS	TIER 2: 30,000-60,000 GALS	TIER 2: 0-20,000 GALS	TIER 2: 0-90,000 GALS
TIER 3: 40,000-60,000 GALS	TIER 3: 60,000-80,000 GALS	TIER 3: 20,000-40,000 GALS	TIER 3: 90,000-120,000 GALS
TIER 4: > 60,000 GALS	TIER 4: > 80,000 GALS	TIER 4: > 40,000 GALS	TIER 4: > 120,000 GALS

The following volume rates will be applied to water at the various tiers across all user classes on a per thousand-gallon basis for all usage within that tier as follows:

EXISTING TIERS	2022-23 CHARGE	2023-24 CHARGE
TIER 1	\$3.29	\$3.78
TIER 2	\$4.92	\$5.66
TIER 3	\$6.90	\$7.94
TIER 4	\$9.66	\$11.11
Reuse/Other Volumetric Charge (per 1,000 Gallons)	\$0.00	\$1.00

While not potable water, “Reuse water” from the wastewater treatment facility will be considered a service of the water utility. The base rate for all reuse accounts will be set consistent with the standard base rate for potable water. Meters will be read for these accounts with usage shown on quarterly billing, however, the volumetric rate charged for this service will be set at \$1.00 per thousand gallons for all usage.

Water Base Charge. In addition to the adjustment to the volumetric water rates, the quarterly fixed charge applied to all users will be increased by fifteen percent (15%). The current quarterly fixed charge of \$58.14 will be increased to \$66.87.



Wholesale/Bulk Water. The Wholesale rate will increase 15% to \$4.36 per thousand gallons. Bulk water drawn from the fire hydrant in front of the District office will increase from \$10.00 per thousand gallons to \$15.00 per thousand gallons.

SEWER RATES

Sewer Base Charge. In addition to the adjustment to the volumetric sewer rate, the quarterly fixed charge applied to all users will be increased by 15%. The current quarterly fixed charge of \$93.33 will be increased to \$107.34. The variable charge for residential/condominiums from \$7.58 to \$8.72, and commercial from \$7.95 to \$9.14.

EXISTING TIERS	2022-23 CHARGE	2023-24 CHARGE
Fixed Base Charge (per Quarter)	\$93.33	\$107.34
Residential/Condo Volumetric Charge (per 1,000 Gallons)	\$7.58	\$8.72
Commercial/Other Volumetric Charge (per 1,000 Gallons)	\$7.95	\$9.14

Flat Rate Sewer Charge. The current Sewer Single Family Equivalent (SFE) Flat Rate is \$88.59 per SFE the rate will increase by 15% to \$101.88.

VACANT LOT CHARGES

Both the quarterly water vacant lot charge and sewer vacant lot charges will also increase 15% from \$24.81 to \$28.53 per quarter.

TAX STATEMENTS FOR 2023

The District funded prior water and sewer projects with general obligation bonds. The debt service on those bonds was paid from taxes collected on your annual property tax statements. The taxes were Water Bond #306 and Sewer Bond #307. The Sewer Bond #307 will be paid off on July 1, 2023. As a result, there will be no more Sewer Bond #307 and a small mill levy in the range of 10 mills for the remaining water debt. In 2022 the District levied \$1,351,405 for both water and sewer debt service. In 2023 the District will levy \$324,033 for the remaining water debt service which is a \$1,027,373 reduction in taxes overall. The remaining water debt service will appear on your tax bill as Water Bond #306 which is scheduled to be paid off in 2027. The proposed increase in sewer and water user rates is budgeted to increase operating revenues by approximately \$460,000.

The debt incurred for the new Treatment Plant is funded by revenue bonds. As a result, the District will be paying the new debt service through user rates. The Big Sky Area Resort Tax District will be contributing a total of \$27,000,000 which will cover the annual debt service through 2029. Beginning 2030, District rates will need to cover the revenue bond payments.

MORE INFORMATION

For more information about the District, including rates and charges please visit our website at www.bigskywatersewer.com. Please submit any written comments to billing@wsd363.com with the subject line "Rate Hearing Comments" in it. Letters can be sent to PO Box 160670, Big Sky, MT 59716.

Water in Big Sky

Big Sky's primary water source is snow. Accumulating over winter, slow melting in spring and early summer supplies our groundwater. With shorter winters, less snow, and hotter summers on the rise - water conservation is a priority to keep our community safe and healthy, and the Gallatin River flowing strong. By saving water, you are helping to protect:

- Your drinking water supply
- Healthy streamflows in the Gallatin
- Fish habitat
- Big Sky's wildfire defense



Easy Ways to Save

- Tracking your water use with the District's WaterSmart portal
- Utilize water-wise and drought-tolerant plants in your landscape
- Upgrade outdated water-using fixtures to WaterSense models
- Regularly check for and repair leaks on both indoor and outdoor plumbing fixtures
- Only run the dishwashers and laundry machines when full
- Limit irrigation to less than 3x a week, and irrigate at dawn when it is cool

About Us

The Gallatin River Task Force is a nonprofit whose mission is *to partner with our community to lead conservation and inspire stewardship of the Gallatin River Watershed.*

The Big Sky Water Conservation Program was launched in 2016 in response to a growing community, increased demand for water, and threats of drought. Our goal is to protect Big Sky's limited water supply through program initiatives such as: indoor and outdoor rebates, drought response, education and outreach, and community partnerships.



1700 Lone Mountain Trail | PO Box 160513
Big Sky, MT 59716

www.gallatinrivertaskforce.org | 406-993-2519

Thank you to our funding partners!



Water Rates Going Up?



Lower Your Bill with the Big Sky Water Conservation Program



Helping residents, businesses and homeowners associations save water and money!

Indoor Rebates

When it's time to make indoor upgrades, we'll give you cash back for your commitment to saving water.

Toilets

Built Pre-1996: \$100
Built Post-1996 or New Build: \$50



Flush-o-Meter Toilets

Built Pre-1996: \$200
Built Post-1996 or New Build: \$100

Urinals

Built Pre-1996: \$200
Built Post-1996 or New Build: \$100

Clothes Washer

\$150 retrofit
\$75 new build

Showerheads

\$25 retrofit/new build



Bathroom Faucet

\$20 retrofit/new build

When replacing fixtures,
Look for the Energy Star &
WaterSense logos!



Resources

The Big Sky Water Conservation Program makes saving water easy. Let us help you reduce your water footprint!

Free Products

We offer free low-flow fixtures, contact us or stop by our office!

- Showerheads
- Kitchen aerators
- Bathroom aerators

Water-Wise Landscapes

Pick up or download our guide to optimizing water use for an attractive, cost effective, and low maintenance landscape.

BIG SKY WATER WISE
LANDSCAPE GUIDE



Track Your Water



District customers can sign up to track water usage, get leak detection alerts & more!

Apply for free products, rebates, and learn more:
gallatinrivertaskforce.org/water-conservation

For questions or help getting started, contact Jess Olson
(406) 993-2519 | jessica@gallatinrivertaskforce.org

Outdoor Rebates

Water use increases 160% in the summer due to landscape irrigation. Save with water-efficient irrigation equipment and water-smart plants.

Turf Replacement

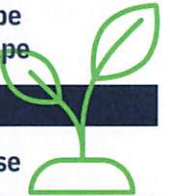
\$1 per square foot converted

Irrigation Audits

Residential: \$100 per landscape
Commercial: \$200 per landscape

Water-Wise Plants

Rebate: 50% of retail purchase



MSMT Nozzles

Rebate: \$5 per nozzle retrofit
\$3 per nozzle new build

Drip Irrigation Equipment

Rebate: 50% of retail purchase

Smart Controllers

Rebate: \$250 Retrofit | \$150 New Build

Rain Sensors

Rebate: 50% off retail up to:
\$50 Retrofit \$30 New Build

Sprinkler Spray Bodies

Rebate: \$1 per spray body

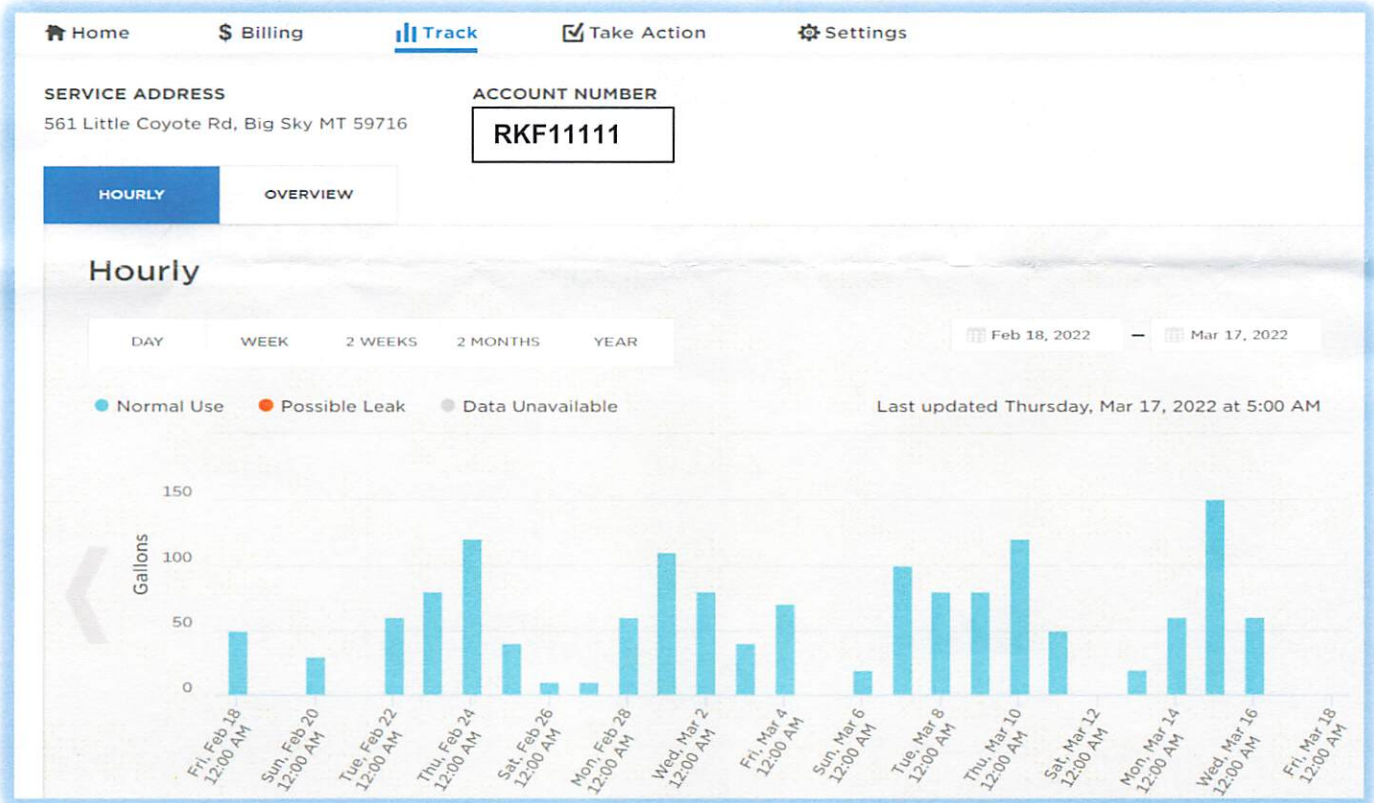


WHAT CAN YOU DO IN YOUR WATERSMART CUSTOMER PORTAL ACCOUNT

Do you have a WaterSmart Customer Portal Account? Creating an online WaterSmart Customer Portal Account is easy and available to all customers. A Customer Portal Account allows you to monitor and manage your account 24/7. With WaterSmart you can:

- ➔ Enroll in paperless billing
- ➔ See previous bills
- ➔ Set up automatic payments
- ➔ Track water use
- ➔ Set leak alerts
- ➔ Set continuous use alerts

Visit bigskywatersewer.com to learn more, or log on to wsd363.watersmart.com.



Account Settings

- My Account
- Additional Accounts
- Additional Users
- Communication Preferences**
- Leak Alerts
- High Use Notifications
- Bill Forecast Notifications
- Unplanned Use Notifications

Communication Preferences

Leak Alerts

You will be notified if we think you have a leak. If your property uses water continuously, tell us [how much](#).

Email

Text Message

Voice Message

High Use Notifications

You will be notified when your daily use is over **2X** times your normal seasonal use.

1X 3X 5X

*Typical Seasonal Use: 59 GPD

Email

Text Message

Voice Message



TO: Explore Big Sky
FROM: Ron Edwards, General Manager
DATE: 6-1-2023
SUBJECT: Publish as "Legal Notice"
PUBLICATION DATES: 6-15-2023

PROOF OF PUBLICATION: Required, please mail invoice and the "Affidavit of Publication" and copy of legal ad to the Big Sky County Water & Sewer District, PO Box 160670, Big Sky, MT 59716

BUDGET AND RATES HEARING NOTICE

The Directors of Big Sky County Water & Sewer District No.363 will meet at the District office located at **561 Little Coyote Road, Big Sky, MT at 8:00 am on Tuesday June 20, 2023** for the purpose of public comment on the proposed rates for the 2023-2024 fiscal year; the proposed rate increases are for both water and sewer user charges. The proposed rate increase is %15.00 for user rates. The water rate increase proposed is 15% for both the base rate and all variable rate user tiers. The rate increase for sewer is 15% for both the base rate and the variable use rate. The Quarterly (calendar year quarter) sewer SFE flat rate is \$88.59 a 15% increase to \$101.88 is proposed. The Quarterly vacant lot charges \$24.81 for water and \$24.81 for sewer the proposal is to increase 15% to \$28.53 for both water and sewer vacant lot charges. The proposed water base charge is \$22.29 or \$66.87 a Quarter. Please see the District's website for the 15% increase in all water tier rates. The proposed sewer base charge is \$35.78 or \$107.34 a Quarter and usage charge of \$8.72 for residential and \$9.14 for commercial for each thousand gallons metered. The wholesale user rate will go from \$3.79 to \$4.36. The Bulk user rate for water hydrant fill will go from \$10.00 per thousand to \$15.00 per thousand gallons used. The District will also implement a \$1.00 per thousand gallons for reuse water for irrigation. The annual user fee cost for a two bedroom two bath residence using three thousand gallons a month is estimated to be \$743.28 for sewer, and \$403.56 for water. Copies of the rate schedule are available at the District office from 8:00 am to 5:00 pm Monday through Friday, or online at www.bigskywatersewer.com. For written comments please send letters to PO Box 160670, Big Sky, MT 59716; or by email to billing@wsd363.com.

For more information, please call Terry Smith at 406-995-2660.

TO: Bozeman Chronicle
FROM: Ron Edwards, General Manager
DATE: 6-1-2023
SUBJECT: Publish as "Legal Notice"
PUBLICATION DATES: 6-6-2023 and 6-13-2023

PROOF OF PUBLICATION: Required, please mail invoice and the "Affidavit of Publication" and copy of legal ad to the Big Sky County Water & Sewer District, PO Box 160670, Big Sky, MT 59716

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For more information, please call Terry Smith at 406-995-2660.

CORRESPONDENCE

Terry Smith

From: Greg Adams <gadams@tdpiventures.com>
Sent: Wednesday, June 14, 2023 10:29 AM
To: Billing
Subject: Rate Hearing Comments

To whom it may concern:

Thank you for notification with respect to proposed water/sewer rates in Big Sky.

We can appreciate the pressures to insure water and sewer services for the growing Big Sky Community.

At the same time, I'm not sure that it's fair to saddle existing property owners with costs necessary to keep up with growth. It's not clear by the provided breakdown what the root cause of these increases are, but it might be worth considering substantially increasing tap fees to help cover infrastructure enhancements moving forward since increased capacity (and related capital improvements) are due primarily to meeting capacity.

In the same vein, you may consider 'flattening' the rate structure so that larger demand users disproportionately pay more for water/sewer since they are prime drivers for capital improvements.

Your work at Big Sky is appreciated. Thank you for listening.

-Greg Adams
3 Manitou Loop
Big Sky, MT

740-255-0231

Greg Adams, CEO | Triad Labs
22 West Main Str. P.O. Box 8
New Concord, OH 43762
Ph: 740-261-1048 Ext. 138 Txt: 740-255-0231

Email: gadams@triadlabs.com

CONSENT AGENDA

- **Minutes**
 - **Financial Reports**
 - **Sewer Operator's Report**
 - **Water Operator's Report**
-

MINUTES

BIG SKY COUNTY WATER & SEWER DISTRICT
Regular Meeting Minutes - In Person & Virtual Zoom Meeting - May 15, 2023

Audio file available at:

http://www.bigskywatersewer.com/meetings/2023-05-15.Board_Meeting_Audio.mp3

Board members present:

Mike Ducuennois, Dick Fast (A), Al Malinowski, Peter Manka, Bill Shropshire (R), Brian Wheeler & Mike Wilcynski

WSD Staff present:

Peter Bedell (A), Ron Edwards, Marlene Kennedy, Jim Muscat (R), Jake Porter (R), Adam Rutz & Terry Smith

(A) Absent (R) Remote participation

Others present in person

Jack Buban, Scott Buecker, Mary Ann Comstock, Trent Dyksterhouse, Kristin Gardner, Steve Johnson, Deb Kozisek, Chris Leonard, Jack Rainey, Michael Schreiner, Susan Swimley & Caleb Teigen

Others present via Zoom

Guy Alsentzer, Jim Bruder, Brian (Gallik), Tim Kent, Becca Pape & Matt Williams

	Time	Duration HH:MM:SS
I. Regular Board Meeting Public Forum	02:00:00 PM	[00:00:55]
A. Call Regular Meeting to Order	02:00:00 PM	(00:00:00)
B. Public Comment on Non-agenda Items	02:00:03 PM	(00:00:19)
C. Conflict of Interest Declarations	02:00:22 PM	(00:00:33)
II. Consent Agenda**	02:00:55 PM	[00:01:05]
A. Minutes: April 18, 2023**		
B. Financial Reports: April**		
C. Sewer & Water Operator's Reports**		
<i>Motion made by Peter Manka seconded by Mike Wilcynski. To approve the consent agenda which include the minutes, finance reports and operator reports. 6-0 approval.</i>	02:01:04 PM	(00:00:56)
III. Committee Reports	02:02:00 PM	[00:24:22]
A. BSOA Pond Committee (Mike Wilcynski)	02:02:20 PM	(00:00:20)
<i>Motion made by Mike Ducuennois seconded by Al Malinowski". To approve obtaining a new agreement with BSOA to the exchange of 7.15 acre feet of fishery water from the District's water right, which shall be held in escrow until substantial completion of the Pond Project is completed and the terms new agreement are met, and provide BSOA with a written access agreement over and across the District's H-20, for access to BSOA's Tract D of Sweetgrass Hills in exchange for the consideration of the easement for access, use and operation of the Pond headgate, works and storage associated with the Pond, access for ingress, egress, underground water lines, underground electrical and underground telemetry infrastructure over, across and under the BSOA Tract D in the location of the 30 foot access easement from the District's H-20 to the Northwestern Energy/Montana Power tract for a future 1,000,000 gallon water storage tank together with a temporary license of up to two (2) acres of area for construction, which shall include restoration for disturbance, of the future 1,000,000 gallon water storage tank and in the event that the District requires additional acreage for the future 1,000,000 gallon storage tank the additional acreage will be added from the District's H-20 to the BSOA Tract D and the same acreage will then be added from the BSOA Tract D to the Northwestern Energy/Montana Power tract for a net 0 change of acreage for Tract D and BSOA will acknowledge the Sweetgrass covenant for Northwestern Energy/Montana Power tract will be amended to allow for the future 1,000,000 gallon water storage tank. Further, if the existing water storage tank on the District's H-20 tract is abandoned, it will be removed. 6-0 approval.</i>	02:13:09 PM	(00:05:15)

B. Spanish Peaks Committee (Brian Wheeler)	02:18:24 PM	(00:00:59)
C. Pre-treatment Committee (Peter Manka)	02:19:23 PM	(00:00:41)
D. District/Canyon Project Committee (Mike Ducuennois)	02:20:04 PM	(00:04:32)
E. Succession Plan Committee (Mike Wilcynski)	02:24:36 PM	(00:01:04)
F. Flat Iron Committee (Brian Wheeler)	02:25:40 PM	(00:00:42)
IV. Business Action Items	02:26:22 PM	[00:10:25]
A. BSOA Pond Agreement**	02:26:23 PM	(00:00:00)
<i>This agenda item was covered during the BSOA Pond Committee report.</i>	02:26:23 PM	(00:00:04)
B. Sewer Permit- Boyne Levinsky Employee Housing Buildings B & C 50.06 SFEs**	02:26:27 PM	(00:06:33)
<i>Motion made by Al Malinowski seconded by Mike Wilcynski. To approve the Lake Levinski Employee Employee Housing permit for buildings B & C 50.06 SFEs. 6-0 approval.</i>	02:33:00 PM	(00:03:47)
V. Old Business	02:36:47 PM	[01:14:03]
A. Capital Improvements Plan Projects	02:36:48 PM	(00:02:41)
1. WRRF Project Update (Scott Buecker, AE2S & Trent Dyksterhouse, RSCI)	02:39:29 PM	(00:20:46)
<i>Motion made by Mike Wilcynski seconded by Al Malinowski. To approve a no cost change order for a new completion date October 18, 2024. 6-0 approval.</i>	03:00:15 PM	(00:09:12)
<i>Guy Alsentzer, Upper Missouri Waterkeeper commets on TMDL study work and impact to the Canyon District.</i>	03:09:27 PM	(00:04:01)
2. AE2S Engineering Task Order 6 for Legal Support	03:13:28 PM	(00:04:23)
<i>Motion made by Peter Manka seconded by Mike Ducennois. To approve Task Order No. 6. 6-0 approval.</i>	03:17:51 PM	(00:02:45)
B. Developments and Subdivisions	03:20:36 PM	(00:00:06)
1. Yellowtail Condominiums	03:20:42 PM	(00:03:19)
2. Riverview	03:23:35 PM	(00:13:38)
3. Flat Iron	03:24:01 PM	(00:13:47)
C. Employee Succession Planning (Ryan Graf, AE2S)	03:37:13 PM	(00:00:35)
D. Legal	03:37:48 PM	(00:08:54)
E. Resort Tax	03:46:42 PM	(00:04:08)
VI. New Business	03:50:50 PM	[00:05:45]
A. New Developments & Subdivisions	03:50:50 PM	(00:00:40)
B. Sewer & Water Connection Permits	03:51:30 PM	(00:00:22)
C. General Correspondence	03:51:52 PM	(00:04:43)
VII.. Next Meeting Date	03:56:35 PM	[00:03:31]
A. Regular Meeting, Tuesday, June 20, 2023 (Tentative)		
VIII. Any Other Business Which May Properly Come Before the Board		
IX. Adjourn Open Meeting	04:00:06 PM	
<i>Motion made by Mike Ducennois to adjourn the meeting. Unanimous approval</i>		
	End meeting at:	04:00:08 PM

Dick Fast, Secretary

05-15-2023.min

STAFF REPORTS: FINANCIAL OFFICER'S REPORT



Financial Reports for the meeting on June 20, 2023

1. Financial Report May 2023

a. Budget Versus Actual Income & Expenses

b. Statement of Condition

c. Statement of Cash Flows

2. Report of Pledged Collateral

3. Accounts Receivable Aging Report

4. Proposed Budget 2023-2024

1. Through May 31, 2023, booked operating expenses exceed estimated operating revenues by approximately six hundred and two thousand dollars.
2. Proposed Budget 2023-2024 Budget. The Budget Committee worked through the final budget proposals on May 17,2023 and May 23,2023. Al Malinowski and Peter Manka were the two board members working on the budget. Al Malinowski will not be at the meeting on June 20,2023; however, he supports the budget as presented.

BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363**Budget Versus Actual Expenses 2022-2023****May/2023****SUMMARY****Year To Date**

Actual	Budget
Jul '22 - May 23	Jul '22 - May 23

TOTAL OPERATING REVENUE

\$3,797,427	\$4,072,979
--------------------	--------------------

OFFICE GENERAL & ADMINISTRATIVE EX.TOTAL OFFICE GENERAL & ADM EX

\$1,182,839	\$1,125,620
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SEWERTOTAL SEWER GENERAL & ADM EX

\$352,348	\$441,473
------------------	------------------

TOTAL SEWER PLANT OPERATIONS EX

\$1,502,151	\$1,296,594
--------------------	--------------------

WATERTOTAL WATER GENERAL & ADM EX

\$469,314	\$509,341
------------------	------------------

TOTAL WATER PLANT OPERATIONS EX

\$894,303	\$877,994
------------------	------------------

TOTAL OPERATING EX

\$4,399,740	\$4,251,022
--------------------	--------------------

NET OPERATING REVENUE

-\$602,314	-\$178,043
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NON-OPERATING REVENUES

\$6,049,109	\$4,466,476
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NON-OPERATING EXPENSESEXPENSES SEWER

\$304,336	\$104,042
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EXPENSES WATER

\$86,944	\$40,792
-----------------	-----------------

NET NON-OPERATING REVENUE

\$5,657,830	\$4,321,642
--------------------	--------------------

TOTAL NET REVENUES

\$5,055,517	\$4,143,599
--------------------	--------------------

DONATED CAPITAL ASSETS

\$267,940	\$137,500
------------------	------------------

NET INCOME

\$5,323,457	\$4,281,099
--------------------	--------------------

BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363
Budget Versus Actual Expenses 2022-2023
May/2023

O=On Target
F=Favorable
U=Unfavorable

6/14/2023 14:59

6/14/2023 14:59

Big Sky County Water & Sewer District No. 363 ----- Budget Versus Actual

	Monthly		Year To Date		Annual Budget 2022-2023	Percent of Budget
	Actual	Budget	Actual	Budget		
	May-23	May-23	Jul '22 - May 23	Jul '22 - May 23		
OPERATING REVENUES						
OPERATING REVENUES						
3020 · Sewer Wastewater User Charges	204,307	196,250	2,166,098	2,158,750	2,355,000	100.34% O
3025 · Water User Charges	104,441	146,667	1,469,533	1,613,333	1,760,000	91.09% U
3030 · Late Payment Fees	0	83	0	917	1,000	0.00% U
3035 · Sewer Connection/Insp Fees	50	1,250	4,550	13,750	15,000	33.09% U
3040 · Water Connection/Insp Fees	50	1,250	3,700	13,750	15,000	26.91% U
3042 · Water Meters Issued	2,365	9,167	37,508	100,833	110,000	37.20% U
3045 · Sewer Miscellaneous Income	25,522	2,917	33,345	32,083	35,000	103.93% O
3046 · Water Miscellaneous Income	1,663	12,688	82,693	139,563	152,250	59.25% U
TOTAL OPERATING REV	338,397	370,271	3,797,427	4,072,979	4,443,250	93.23% U
OPERATING EXPENSES						
OFFICE GENERAL & ADMINISTRATIVE EX.						
DIRECTORS						
5001 · Meeting Expenses	22	160	604	1,765	1,925	34.20% F
5002 · Directors Reimbursable Ex.	0	560	8,200	6,160	6,720	133.12% U
TOTAL	22	720	8,804	7,925	8,645	111.10% U
ADMIN PERSONNEL						
5010 · Salaries	29,483	38,036	323,099	418,394	456,430	77.22% F
5015 · Workers' Compensation Ins	471	255	1,932	2,804	3,059	68.90% F
5020 · Employer Med Tax/457 Ret.Plan	2,264	2,978	25,777	32,760	35,738	78.68% F
5025 · Public Emp Ret Sys - Employer	2,931	3,540	31,910	38,935	42,475	81.96% F
5030 · Employee Health Ins	5,343	6,488	74,138	71,369	77,857	103.88% O
5031 · Long-Term, Short-Term Insurance (L-T, S-T Disabi	646	843	7,072	9,271	10,114	76.28% F
5035 · Employee Education Ex	938	667	2,312	7,333	8,000	31.52% F
5040 · Lucheons, Meetings, Etc.	126	125	1,992	1,375	1,500	144.90% U
TOTAL	42,202	52,931	468,231	582,242	635,173	80.42% F
OFFICE						
5130 · Utilities - New Off-MEA/NWE	1,059	500	6,412	5,500	6,000	116.58% U
5135 · Janitorial	150	250	3,390	2,750	3,000	123.27% U
5136 · Carpet Service - Am Linen	37	60	432	665	725	65.01% F
5141 · Off Supplies/Copier Etc.	366	475	3,905	5,225	5,700	74.74% F
5142 · Office Furn & Equipment	0	75	1,717	825	900	208.12% U
5143 · Computer Software/Hdware	431	521	9,281	5,729	6,250	161.99% U
5144 · Website Design/CC Web Payments	841	417	12,922	4,583	5,000	281.93% U
5145 · Telephone	437	600	6,057	6,600	7,200	91.77% F
5150 · Printing	0	21	0	229	250	0.00% F
5155 · Postage - Shipping	0	175	1,502	1,925	2,100	78.02% F
5160 · Advertising	0	50	150	550	600	27.27% F
5165 · Insurance	13,344	13,033	146,784	143,367	156,400	102.38% O
5175 · Dues & Subscriptions	379	267	2,098	2,933	3,200	71.52% F
5185 · Election Expenses	0	21	0	229	250	0.00% F
5190 · Stmt Mailing-Postage, Forms etc	269	1,125	12,225	12,375	13,500	98.79% O
TOTAL	17,314	17,590	206,875	193,485	211,075	106.92% U
VEHICLE						
5210 · Vehicle Gas & Oil	294	271	3,443	2,979	3,250	115.56% U
5215 · Vehicle Repair & Maint	0	150	2,245	1,650	1,800	136.09% U
5220 · Vehicle Insurance	210	318	2,310	3,497	3,815	66.06% F
TOTAL	504	739	7,998	8,126	8,865	98.42% O
PROFESSIONAL SERVICES						
5310 · Legal Fees	10,541	833	13,112	9,167	10,000	143.04% U
5311 · Legal Fees ATT (Legal Fees)	73,507	16,667	377,706	183,333	200,000	206.02% U
5315 · Computer/Telephone Maintenance	2,795	2,795	31,812	30,745	33,540	103.47% O
5325 · Audit Ex	0	875	8,500	9,625	10,500	88.31% F
5330 · GIS Mapping Ex	0	167	0	1,833	2,000	0.00% F
5332 · Other Consulting Fees	6,600	8,333	50,474	91,667	100,000	55.06% F
TOTAL	93,443	29,670	481,604	326,370	356,040	147.56% U
OTHER EXPENSES						
5415 · Bank Service Charges	0	13	218	138	150	158.76% U
5420 · State Annual Audit Filing Fee (Fee is based on anr	0	208	1,700	2,292	2,500	74.18% F
5430 · Miscellaneous	114	167	1,783	1,833	2,000	97.23% O
5445 · Office Bldg - Repair & Maint	0	292	5,626	3,208	3,500	175.36% U
TOTAL	114	679	9,327	7,471	8,150	124.84% U
PENSION EXPENSE						
5495 · Annual Pension Expense (Account for annual pens	0	0	0	1	1	0.00% F
TOTAL	0	0	0	1	1	0.00% F
TOTAL OFFICE GENERAL & ADM EX	153,598	102,329	1,182,839	1,125,620	1,227,949	105.08% U

	Monthly		Year To Date		Annual Budget 2022-2023	Percent of Budget
	Actual	Budget	Actual	Budget		
	May-23	May-23	Jul '22 - May 23	Jul '22 - May 23		
SEWER GENERAL & ADM EX						
PERSONNEL						
6010 · Salaries	22,418	27,169	227,640	298,854	326,022	76.17% F
6015 · Wages - Labor - Part Time	0	0	0	0	0	#DIV/0! #
6020 · Workers' Compensation Ins Ex	1,029	490	3,725	5,390	5,880	69.12% F
6025 · Employer Med Taxes/457 Ret.Plan	1,667	2,106	17,481	23,171	25,278	75.44% F
6030 · Public Emp Ret Sys Ex	2,130	2,506	21,620	27,562	30,067	78.44% F
6031 · Lont-Term, Short Term Insurance (L-T, S-T Disabili	169	391	1,842	4,297	4,688	42.88% F
6035 · Employee Health Ins Ex	6,389	6,389	71,768	70,283	76,672	102.11% O
6040 · Employee Education Ex	688	417	2,390	4,583	5,000	52.14% F
TOTAL	34,490	39,467	346,468	434,140	473,607	79.81% F
GENERAL						
6110 · Dues & Subscription Ex	325	67	790	733	800	107.78% U
6115 · Telephone	222	483	4,496	5,317	5,800	84.56% F
6130 · Office Supplies & Equip	97	83	595	917	1,000	64.86% F
6132 · Publications-Swr	0	33	0	367	400	0.00% F
TOTAL	645	667	5,881	7,333	8,000	80.19% F
6495 · Annual Pension Exp (Account for annual pension a	0	0	0	0	0	#DIV/0! #
TOTAL	0	0	0	0	0	#DIV/0! #
TOTAL SEWER GENERAL & ADM EX	35,134	40,134	352,348	441,473	481,607	79.81% F
SEWER PLANT OPERATIONS						
VEHICLES						
8110 · Fuel / Vehicles & Equip	1,193	1,042	8,968	11,458	12,500	78.27% F
8115 · Vehicles - Repair/Maint	2,466	667	16,091	7,333	8,000	219.43% U
8120 · Vehicle & Equip Insurance	378	572	4,158	6,293	6,865	66.07% F
8125 · Fuel Backup Generators	0	8	0	92	100	0.00% F
8130 · Fuel - Backhoe & Equip	0	100	3,150	1,100	1,200	286.33% U
TOTAL	4,037	2,389	32,367	26,276	28,665	123.18% U
OPERATING EXPENSES						
8209 · Treatment Plant-Propane	3,253	1,875	45,277	20,625	22,500	219.53% U
8210 · Filter Building - Propane Heat	1,188	1,333	28,381	14,667	16,000	193.51% U
8211 · Force Main Pump Station Repairs (Repairs and Ma	0	0	0	0	0	#DIV/0! #
8212 · Maint.Bld Blwrs-Recirc NWE	0	2,000	18,056	22,000	24,000	82.07% F
8213 · Treatment Plant-NWE	-15,000	6,250	98,614	68,750	75,000	143.44% U
8214 · YMC Pump Stations NWE (Pumping Cost for the Y	-15,000	7,500	98,300	82,500	90,000	119.15% U
8215 · Filter Bld - NWE	0	3,500	31,935	38,500	42,000	82.95% F
8230 · Chemicals-SBR	0	167	0	1,833	2,000	0.00% F
8231 · Chemicals Chlorine Gas (Chlorine Gas Filter Buildi	0	4,250	24,544	46,750	51,000	52.50% F
8235 · Chlorine Maintenance	0	83	157	917	1,000	17.16% F
8240 · Chemicals-Aqua Hawk	4,344	3,917	20,995	43,083	47,000	48.73% F
8245 · Chemicals Misc	0	0	0	1	1	0.00% F
8246 · Chemicals YC/SPR Pond CL (Chlorine Injection Sy	6,849	792	10,070	8,708	9,500	115.63% U
8250 · Chemical-Other	0	1,667	0	18,333	20,000	0.00% F
8255 · SBR Lab Sampling Supplies	0	63	0	688	750	0.00% F
8256 · WW Testing Pipeline Baseline	0	67	0	733	800	0.00% F
8257 · Lab Fees Wastewater Monitoring	4,053	5,000	57,345	55,000	60,000	104.26% O
8260 · Lab Testing Equipment	0	167	4,869	1,833	2,000	265.57% U
8265 · Compost Supplies	0	375	2,854	4,125	4,500	69.19% F
8270 · Safety Equipment	0	125	1,498	1,375	1,500	108.93% U
8275 · Operating Supplies	285	63	1,169	688	750	170.03% U
8280 · MDEQ Discharge Permit Fees (MDEQ Discharge F	0	0	0	0	0	#DIV/0! #
TOTAL	-10,028	39,192	444,063	431,109	470,301	103.00% O
REPAIRS & MAINTENANCE						
8310 · Welding & Welding Supplies Sewe	0	42	31	458	500	6.76% F
8311 · Sewer Repairs/Maintenance	4,767	4,167	77,608	45,833	50,000	169.33% U
8312 · Recir Building Maintenance	0	333	0	3,667	4,000	0.00% F
8313 · Treatment Plant Repair/Maint.	3,618	1,250	28,776	13,750	15,000	209.28% U
8315 · Filter Building Repair/Maint	0	833	23,359	9,167	10,000	254.83% U
8316 · YC Pump Station/FM Maintenance	88	1,667	11,686	18,333	20,000	63.74% F
8320 · Pond Maintenance/Inspections	32	292	32	3,208	3,500	1.01% F
8322 · Pond Blowers/Pond Maintenance	3,966	625	16,531	6,875	7,500	240.46% U
8325 · Irrigation Maintenance	102	1,250	26,841	13,750	15,000	195.21% U
8330 · Trash Pickup	173	333	3,945	3,667	4,000	107.59% U
8332 · Weed Control/Grounds Maint	0	292	0	3,208	3,500	0.00% F
8335 · Tools & Tool Maintenance	604	292	5,484	3,208	3,500	170.93% U
8340 · Equipment Rental-Other	0	42	0	458	500	0.00% F
8345 · Cleaning - Sewer Lines	0	2,208	28,629	24,292	26,500	117.85% U
8350 · Video Taping - Sewer Lines	0	42	0	458	500	0.00% F
TOTAL	13,351	13,667	222,924	150,333	164,000	148.29% U
PROFESSIONAL SERVICIES						
8354 · Safety Training	0	42	0	458	500	0.00% F
8355 · Engineering	28,616	2,083	118,182	22,917	25,000	515.70% U
TOTAL	28,616	2,125	118,182	23,375	25,500	505.59% U
MISCELLANEOUS						
8410 · Sewer Miscellaneous Ex.	0	63	27	688	750	3.98% F
TOTAL	0	63	27	688	750	3.98% F

	Monthly		Year To Date		Annual Budget 2022-2023	Percent of Budget
	Actual	Budget	Actual	Budget		
	May-23	May-23	Jul '22 - May 23	Jul '22 - May 23		
ASSET REPLACEMENT & DEPRECIATION						
8595 · Depreciation - Sewer Assets	60,417	60,417	664,587	664,583	725,000	100.00% O
TOTAL	60,417	60,417	664,587	664,583	725,000	100.00% O
SPECIAL PROJECTS						
8650 · Special Projects	0	21	20,000	229	250	8727.27% U
TOTAL	0	21	20,000	229	250	8727.27% U
TOTAL SEWER PLANT OPERATIONS EX						
	96,392	117,872	1,502,151	1,296,594	1,414,466	115.85% U
TOTAL SEWER OPERATIONS EXPENSE						
	131,527	158,006	1,854,499	1,738,067	1,896,073	106.70% U
WATER GENERAL & ADM EX						
PERSONNEL						
7010 · Salaries	29,278	29,459	317,673	324,046	353,504	98.03% O
7015 · Wages - Water	0	2,083	0	22,917	25,000	0.00% F
7020 · Part Time Labor	0	417	0	4,583	5,000	0.00% F
7025 · Worker's Comp Ins	1,338	538	5,484	5,919	6,457	92.65% F
7030 · Employer Med Taxes/457 Ret.Plan	2,225	2,292	25,292	25,207	27,499	100.34% O
7031 · Long Term, Short Term Insurance (L-T, S-T Disabil	427	395	4,659	4,341	4,736	107.31% U
7035 · Public Emp Ret Sys Exp	2,785	2,724	30,246	29,959	32,682	100.96% O
7040 · Employee Health Ins Exp	6,281	6,281	69,091	69,086	75,366	100.01% O
7045 · Employee Educ. Exp	0	667	3,227	7,333	8,000	44.01% F
TOTAL	42,334	44,854	455,672	493,391	538,244	92.36% F
GENERAL						
7110 · Dues & Subscriptions Exp	180	183	2,210	2,017	2,200	109.59% U
7115 · Telephone	355	725	6,556	7,975	8,700	82.20% F
7130 · Publications - Wtr	0	25	0	275	300	0.00% F
7135 · Office Supplies & Equip	0	125	0	1,375	1,500	0.00% F
7145 · P Wtr Sup Fees BSW SDW02385-01	0	392	4,876	4,308	4,700	113.18% U
TOTAL	535	1,450	13,642	15,950	17,400	85.53% F
7495 · Annual Pension Exp (Account for annual pension a	0	0	0	0	0	#DIV/0! #
TOTAL	0	0	0	0	0	#DIV/0! #
TOTAL WATER GENERAL & ADM EX						
	42,869	46,304	469,314	509,341	555,644	92.14% F
WATER PLANT OPERATIONS						
VEHICLES						
9110 · Fuel - Vehicles	1,294	1,250	15,305	13,750	15,000	111.31% U
9115 · Auto Repair & Maint	1,190	708	11,726	7,792	8,500	150.49% U
9120 · Vehicle Insurance Ex.	426	426	4,686	4,686	5,112	100.00% O
9125 · Fuel Booster St-Gen/Equip	0	250	1,207	2,750	3,000	43.88% F
9130 · Fuel - Backhoe & Equipment (Fuel for Backhoe anc	0	83	12	917	1,000	1.32% F
TOTAL	2,910	2,718	32,936	29,894	32,612	110.17% U
WATER SYSTEM OPERATING EXPENSES						
9211 · Utilities - NWE Other	495	14,250	144,023	156,750	171,000	91.88% F
9215 · Chemicals	0	63	499	688	750	72.51% F
9220 · Lab Fees - Water Samples	0	292	7,711	3,208	3,500	240.33% U
9230 · Lab Testing Equip	0	63	0	688	750	0.00% F
9235 · Equip Purchases	0	63	79	688	750	11.43% F
9245 · Safety Equipment Exp	0	125	816	1,375	1,500	59.34% F
9247 · Garbage Pickup	223	333	4,213	3,667	4,000	114.90% U
9253 · Water Meter Repairs	0	21	0	229	250	0.00% F
TOTAL	718	15,208	157,339	167,292	182,500	94.05% F
REPAIRS & MAINTENANCE						
9301 · Repairs - Distribution System	(17,539)	10,833	88,883	119,167	130,000	74.59% F
9302 · Repairs - Wells	0	1,250	20,382	13,750	15,000	148.23% U
9303 · Repairs - Booster Stations	390	833	1,486	9,167	10,000	16.21% F
9304 · Repairs - Water Tanks	0	208	3,898	2,292	2,500	170.09% U
9305 · Repairs - Telemetry	3,002	167	3,002	1,833	2,000	163.75% U
9306 · SPR Repairs Distribution (Spanish Peaks Resort D	0	21	0	229	250	0.00% F
9316 · Maint Bldg-Repairs & Maint	33	188	3,719	2,063	2,250	180.33% U
9324 · Generator Semi Annual Check-Up (Generator Che	0	583	4,817	6,417	7,000	75.08% F
9325 · PRV Maintenance	0	63	25,773	688	750	3748.86% U
9330 · Tools & Tool Maint	90	458	8,545	5,042	5,500	169.49% U
9335 · Equipment Rental	0	83	0	917	1,000	0.00% F
TOTAL	-14,024	14,688	160,507	161,563	176,250	99.35% O
PROFESSIONAL SERVICES						
9311 · Leak Detection	0	46	0	504	550	0.00% F
9320 · Tank Inspection/Cleaning	0	304	0	3,346	3,650	0.00% F
9416 · Water Rights-Legal	0	458	200	5,042	5,500	3.97% F
9417 · Engineering	0	3,333	19,673	36,667	40,000	53.65% F
9430 · Water Modeling	0	83	0	917	1,000	0.00% F
9435 · Water Metering Sensus Support (Annual Contract f	51	2,458	9,033	27,042	29,500	33.40% F
TOTAL	51	6,683	28,906	73,517	80,200	39.32% F

	Monthly		Year To Date		Annual Budget 2022-2023	Percent of Budget
	Actual	Budget	Actual	Budget		
	May-23	May-23	Jul '22 - May 23	Jul '22 - May 23		
SPECIAL PROJECTS						
9415 · Special Projects - Other	0	42	69,488	458	500	15161.02% U
TOTAL	0	42	69,488	458	500	15161.02% U
MISCELLANEOUS						
9410 · Misc Expense - Water	0	63	541	688	750	78.68% F
TOTAL	0	63	541	688	750	78.68% F
ASSET REPLACEMENT & DEPRECIATION						
9595 · Depreciation - Water Assets	40,417	40,417	444,587	444,583	485,000	100.00% O
TOTAL	40,417	40,417	444,587	444,583	485,000	100.00% O
TOTAL WATER PLANT OPERATIONS EX	30,072	79,818	894,303	877,994	957,812	101.86% O
TOTAL WATER OPERATIONS EXPENSE	72,941	126,121	1,363,617	1,387,335	1,513,456	98.29% O
7745 · (Gain)/Loss-Disposition - Assets	(715)		(1,215)			
7746 · (Gain)/Loss - Other	0		0			
TOTAL	(715)	0	(1,215)	0	0	
TOTAL OPERATING EX	357,350	386,457	4,399,740	4,251,022	4,637,479	103.50% O
NON-OPERATING REVENUES						
REVENUES - SEWER						
4010 · Resort Tax Bond Payment	0	237,727	2,852,719	2,614,992	2,852,719	109.09% F
4012 · Resort Tax Other	0	5,000	0	55,000	60,000	0.00% U
4013 · Madison Co. Tax Receipts Sewer (Madison Co. Ta	9,472	36,200	317,813	398,200	434,400	79.81% U
4014 · Gallatin Co. Tax Receipts Sewer (Gallatin Co. Tax	0	36,092	326,883	397,008	433,100	82.34% U
4015 · Snowmaking Pilot Sewer Study	0	0	0	0	0	#DIV/0! #
4020 · Sewer Int Income RESTRICTED	26,759	1,667	169,007	18,333	20,000	921.86% F
4025 · Sewer Int Income-UNRESTRICTED	6,428	2,500	31,819	27,500	30,000	115.70% F
4030 · Sewer Plant Investment Fees	379	33,333	258,155	366,667	400,000	70.41% U
4031 · Spanish Peaks PIC Fees (Spanish Peaks PIC Fees	0	0	0	0	0	#DIV/0! #
4035 · Boyne Settlement Funds (12 payments of \$250,00	0	0	0	0	0	#DIV/0! #
4040 · Non-Oper Inc Sewer - Other	0	8	1,593,836	92	100	1738729.92% F
TOTAL	43,037	352,527	5,550,231	3,877,792	4,230,319	143.13% F
REVENUES - WATER						
4110 · Resort Tax Bond Payment	0	0	0	0	0	#DIV/0! #
4112 · Resort Tax Other	0	0	0	0	0	#DIV/0! #
4113 · Madison Co. Tax Receipts Water (Madison Co. Ta	5,425	18,333	158,942	201,667	220,000	78.81% U
4114 · Gallatin Co. Tax Receipts Water (Gallatin Co. Tax	0	22,083	192,419	242,917	265,000	79.21% U
4115 · Resort Tax-MV Wtr Facility Imp	0	0	0	0	0	#DIV/0! #
4117 · Resort Tax - Water Metering	0	0	0	0	0	#DIV/0! #
4120 · Water Int Income RESTRICTED	5,312	333	34,298	3,667	4,000	935.40% F
4125 · Water Int Income-UNRESTRICTED	79	100	789	1,100	1,200	71.71% U
4130 · Water System Investment Fees	128	12,500	67,894	137,500	150,000	49.38% F
4135 · Non-Oper Inc Water-Other	30,400	167	44,536	1,833	2,000	2429.22% F
TOTAL	41,344	53,517	498,878	588,683	642,200	84.74% U
TOTAL NON-OPERATING REVENUES	84,381	406,043	6,049,109	4,466,476	4,872,519	135.43% F
DONATED CAPITAL ASSETS						
4045 · Donated Capital Assets Sewer	500	6,250	267,940	68,750	75,000	389.73% F
4145 · Donated Capital Assets Water	0	6,250	0	68,750	75,000	0.00% U
TOTAL DONATED CAPITAL ASSETS	500	12,500	267,940	137,500	150,000	194.87% F
NON-OPERATING EXPENSES						
EXPENSES SEWER						
4210 · SRF - Interest Expense	4,084	4,083	44,924	44,917	49,000	100.02% O
4211 · FSB Interest Expense/Loan Costs (FSB Int Cost/Lc	45,136	0	259,412	0	0	#DIV/0! #
4215 · Resort Tax - Other	0	5,000	0	55,000	60,000	0.00% F
4220 · Misc. Non Operating Ex	0	0	0	4,125	4,500	0.00% F
4226 · Canyon Study Dist Contribution	0	0	0	0	0	#DIV/0! #
TOTAL	49,220	9,083	304,336	104,042	113,500	292.51% U
EXPENSES WATER						
4310 · SRF Interest Expense	3,334	3,333	36,674	36,667	40,000	100.02% O
4311 · DEQ - Wtr Quality Study	0	0	0	0	0	#DIV/0! #
4312 · Misc. Non Operating Exp	0	375	50,270	4,125	4,500	1218.65% U
4313 · Water Metering Ex.	0	0	0	0	0	#DIV/0! #
TOTAL	3,334	3,708	86,944	40,792	44,500	213.14% U
TOTAL NON-OPERATING EXPENSES	52,554	12,792	391,279	144,833	158,000	270.16% U

	Monthly		Year To Date		Annual Budget 2022-2023	Percent of Budget
	Actual	Budget	Actual	Budget		
	May-23	May-23	Jul '22 - May 23	Jul '22 - May 23		
OPERATING SUMMARY						
OPERATING REVENUES	338,397	370,271	3,797,427	4,072,979	4,443,250	93.23% U
OPERATING EXPENSES	(357,350)	(386,457)	(4,399,740)	(4,251,022)	(4,637,479)	103.50% O
NET OPERATING REV	(18,953)	(16,186)	(602,314)	(178,043)	(194,229)	338.30% U
NON-OPERATING SUMMARY						
NON-OPERATING REV	84,381	406,043	6,049,109	4,466,476	4,872,519	135.43% F
NON-OPERATING EX	(52,554)	(12,792)	(391,279)	(144,833)	(158,000)	270.16% U
NET NON-OPERATING REV	31,827	393,252	5,657,830	4,321,642	4,714,519	130.92% F
GROSS REVENUE & EXPENSE SUMMARY						
TOTAL REVENUES	422,778	776,314	9,846,536	8,539,455	9,315,769	115.31% F
TOTAL EXPENSES	(409,904)	(399,248)	(4,791,019)	(4,395,856)	(4,795,479)	108.99% U
TOTAL NET REVENUES	12,875	377,066	5,055,517	4,143,599	4,520,290	122.01% F
TOTAL CONTRIBUTED CAPITAL	500	12,500	267,940	137,500	150,000	194.87% F
NET INCOME	13,375	389,566	5,323,457	4,281,099	4,670,290	124.35% F

Big Sky County Water & Sewer District No. 363
PO Box 160670, Big Sky, MT 59716
Statement Of Condition
31-May-23

Summary

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ASSETS

TOTAL UNRESTRICTED FUNDS	\$445,118
TOTAL RESTRICTED FUNDS	\$15,927,770
TOTAL RESTRICTED AND UNRESTRICTED FUNDS	\$16,372,888
TOTAL ACCOUNTS RECEIVABLE	\$21,029,917
TOTAL OTHER ASSETS	\$742,979
TOTAL NOTES RECEIVABLE	\$0
NET FIXED ASSETS - SEWER OPERATION	\$63,250,632
NET FIXED ASSETS - WATER OPERATION	\$15,894,668
TOTAL ASSETS	\$117,291,084

LIABILITIES & EQUITY

TOTAL ACCOUNTS PAYABLE	\$244,561
TOTAL ACCRUED EXPENSES	\$241,991
TOTAL DEVELOPER BOND DEPOSIT LIABILITIES	\$3,165,332
TOTAL RETAINAGE PAYABLE	\$1,549,975
NET PENSION LIABILITY	\$224,637
TOTAL NOTES PAYABLE	\$23,066,869
TOTAL DEFERRED INFLOWS	\$20,373,795
TOTAL EQUITY	\$68,423,926
TOTAL LIABILITIES & EQUITY	\$117,291,084

Big Sky County Water & Sewer District No. 363
PO Box 160670, Big Sky, MT 59716
Statement Of Condition
31-May-23

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ASSETS

UNRESTRICTED FUNDS

Unrestricted General Operating Fund- Administration

1010 Big Sky Western Bank Checking Acct.	\$	134,246.31
1005 Petty Cash		200.00
1009 American Bank Checking		5,170.66
1016-17 Operating Fund Big Sky Western Bank MMA		76,375.26
Total Unrestricted General Operating Fund- Admin	\$	215,992.23

Unrestricted Operating Reserve Fund- Water

1016 Operating Fund Big Sky Western Bank MMA	\$	78,769.55
Total Unrestricted Operating Fund- Water	\$	78,769.55

Unrestricted Operating Reserve Fund- Sewer

1017 Operating Fund Big Sky Western Bank MMA	\$	150,356.22
Total Unrestricted Operating Fund- Sewer	\$	150,356.22

TOTAL UNRESTRICTED FUNDS	\$	445,117.99
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RESTRICTED CASH & EQUIVALENTS

Restricted Developer Bonds/Retainage

1019 · Boyne Employee HS LK LV Ext (Warranty Security Montar		16,322.83
1020 · Well # 7 Repair Fund	\$	27,836.07
1028 · SPR Phase 3C 9/30/20 (SPR Phase 3C 9//30/20)		14,953.41
1030 · BSTC 4 Warranties 10/22 (Warranty Deposit due 4/1/2010		-
1031 · Maus Alp Cntr Bond 12/04 (Maus Alp Cntr Bond 11/05 Ret		6,016.93
1032 · BSCWSD363 Acct (Boyne Powder Ridge III 12/04 Change		532.63
1033 · Mountain Lake Condos 12/2017 (Warranty Deposit Mtn La		10,132.32
1034 · Spanish Peaks PIC Fund (Spanish Peaks PIC Fund)		1,649,242.18
1035 · SRF Loan Funds 6-21 (Punch List Deposit, Changed to SF		74.08
1036 · Yellowstone Club PIC Agmt Fund (Yellowstone PIC Funds		1,430,724.76
1037 · Montage Conveyance 11/23 (Developer Deposit Cronin Sc		10,103.26
Total Restricted Developer Bonds	\$	3,165,938.47

Restricted Plant Investment Funds Water & Sewer

1026 · Water Plant Investment Fees	\$	123,419.43
1027 · Plant Investment Charges		1,112,914.41
1048 · Sewer Plant Investment Fund (Changed from Boyne PIC t		684,412.48
1090 · Water PIC Fund		110,977.88
1162 · Sewer PIC Funds		719,303.42
1163 · Water PIC System Charges		410,529.15
Total PIC Funds	\$	3,161,556.77

Restricted Operating Reserve & Asset Replacement Funds
Sewer

1041 · Restricted Swr Ops Fund (Restricted Sewer Operations)	\$	271,211.92
1025 · Sewer Asset Replacement Fund BSWB		344,464.47
1450 · Sewer Asset Replacement Fund		191,804.10
1161 · Sewer - Asset Replacement (Sewer Asset Replacement)		4,930,749.56
1402 · Sewer Restrict Fund Asset Rplc (50K transfered Asset Re		159,734.44
	Subtotal	\$ 5,897,964.49
Water		
1040 · Restricted Wtr Ops Fund	\$	201,902.14
1024 · Water Asset Replacement Fund BSWB		240,543.14
1455 · Water Asset Replacement Fund		877.57
1170 · Water - Asset Replacement (Water Asset Replacement)		615,793.71
1401 · WTR Restricted Fund Asset Rplc (50k Transfer Asset Rep		375,680.83
	Subtotal	\$ 1,434,797.39
	Total Operating Reserve & Asset Replacement Fund	\$ 7,332,761.88

Restricted Other

1018 · Accrued Empl Health Ins Claims	\$	73,277.89
1021 · Debt Service Reserve FSB (5-21 Debt Service Reserve Ac	\$	1,833,666.07
1022 · Cascade Wells Fund (Funds for future repairs and replace	\$	13,378.06
1023 · Debt Serv. Acct. SRF Bond Fund	\$	40,596.42
1029 · Debt Service Reserve SRF Fund (Changed form Muddler		34,234.52
1130 · WRRF BSRAD Fund		3,090.10
1050 · FSB-MMA #104574 - Sewer (BSWB MMA Account for Car		2,589.37
1134 · Water Construction Fund (Big Sky Western Bank)		57.51
1133 · Wastewater Construction Fund (Big Sky Western Bank)		3,101.59
1136 · Sewer Debt Service Fund (Big Sky Western Bank)		170,551.13
1137 · Water Debt Service Fund (Big Sky Western Bank)		92,970.55
	Total Restricted Other	\$ 2,267,513.21

TOTAL RESTRICTED FUNDS \$ **15,927,770.33**

TOTAL RESTRICTED AND UNRESTRICTED FUNDS \$ **16,372,888.32**

Investment Restrictions per MCA. MCA sections, 7-6-210, 7-6-202 & 7-6-203

Big Sky Water & Sewer Return on our Investments as of 5/31/2023

American Bank MMA	2.60%
Short Term Invest Pool	4.88%
First Security Bank	2.00%

Accounts Receivable

1205 · Plant Investment Fees Recvbl	\$	-
1206 · Water Plant Investment Fees Rec		-
1207 · Other Receivables		66,286.51
1217 · Boyne Annual Payment Receivable		-
1221 · Wastewater User Chgs Rec		415,206.18
1222 · Water User Chgs Recvbl		261,007.11
1225 · Mad Co Delinq User Fees Recvbl		5,143.20
1226 · Gall Co Delinq User Fees Recvbl		13,008.27

1227 · Resort Tax Recvbl - Sewer	20,269,265.50
1228 · Resort Tax Recvbl - Water	-
1231 · SRF Reimbursable Expenses (Reimburs	-
1232 · Late Fees Receivable	0.00

TOTAL ACCOUNTS RECEIVABLE	\$	21,029,916.77
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Other Assets

1300 · Prepaid Expenses	\$	70,869.12
1350 · Water Meters		560,327.91
1219 · Pension Deferred Outflows (Pension Def		111,782.17

TOTAL OTHER ASSETS	\$	742,979.20
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Notes Receivable

1800 · Note Rec-Farmhouse 12-31-12	\$	-
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TOTAL NOTES RECEIVABLE	\$	-
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Fixed Assets - Sewer Operation

1601 · Land	\$	1,091,189.26
1602 · South Fork Ph#1 Sewer System		90,985.00
1603 · Snowcrest Sewer Extension		50,000.00
1604 · Cascade Subd Blk #3 Sewer Sys		271,901.00
1605 · North Fork Crk Subd Sewer Sys		112,900.00
1606 · Aspen Gr Ph I Sewer System		104,112.65
1607 · Spanish Peaks Resort Sewer		2,518,698.00
1608 · New Office Building		551,723.80
1609 · Storage & Maint Bldg (1/2 S&W)		85,109.65
1610 · Plant Assets - Other		4,208,878.80
1611 · Sewer Outfall Line (Replacing Sewer Ou		990,646.24
1612 · Storage Ponds		3,749,152.89
1613 · Golf Course Irrigation		2,055,642.68
1614 · Sewer Treatment Plant		1,991,255.65
1615 · New Treatment Plant (New Treatment Pl		920,781.49
1620 · Vehicles		337,566.82
1621 · Backhoe (Cat. Backhoe 430D)		86,832.00
1629 · Lone Moose Meadows Sewer (Sewer Sy		321,085.00
1630 · Furniture, Fixtures & Equipment		35,472.63
1631 · Computer-Hdwr/Software-Swr (Compute		18,470.59
1632 · Plant Assets-Sewer		50,435.49
1633 · South Fk Ph II Swr/Wtr (Split)		36,888.00
1634 · South Fk Ph III Swr/Wtr (Split)		45,171.00
1635 · Aspen Gr Ph II Sewer System		193,000.00
1636 · Cronin Business Park 1/2 Swr		36,623.00
1637 · South FK Ph IV-VII (South Fork Phase I\		219,450.50
1638 · Deer Run Sewer (Deer Run Sewer)		177,406.00
1639 · Mountain Village Sewer Mains (Low Dog		605,842.04
1640 · Ousel Falls Road Sewer (Ousel Falls Ro		7,546.35
1641 · Town Center Sewer (Town Center Sewe		884,654.37
1642 · Cascade System (Cacade Phase III, Mo		702,857.49
1643 · Crail Ranch Sewer		47,400.00
1644 · Spanish Peaks (Spanish Pks Condo Ph I		1,325,078.00
1646 · Force Main		2,513,367.15
1647 · Treatment Plant		12,764,113.40
1648 · Constr. In Progress-		37,740,790.21

TOTAL FIXED ASSETS - SEWER OPERATION	\$	76,943,027.15
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1649 · Accum Depr - Sewer		(13,692,395.00)
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NET FIXED ASSETS - SEWER OPERATION**\$ 63,250,632.15****Fixed Assets - Water Operation**

1651 · Land	\$	-
1652 · Land Easements		58,117.00
1653 · Plant Contributions		352,582.30
1654 · Plant Structures & Improvements		518,073.74
1655 · Wells & Springs		2,321,465.64
1656 · Supply Mains		153,102.32
1657 · Pumping Equipment		253,711.27
1658 · Water Tanks & Distribution		101,173.07
1659 · Transmission & Dist Mains		2,751,790.87
1660 · Hydrants & Meters		349,679.71
1661 · Vehicles		243,518.63
1662 · Computer-Hdwr/Software-Wtr		72,487.58
1663 · Furniture, Equipment & Tools		93,373.78
1664 · Westfork Water System		25,000.00
1665 · Generator for Backup Power		19,806.76
1666 · Blue Grouse Well		103,565.00
1667 · Telemetry Equipment #1		143,007.37
1668 · Telemetry Equipment #2		38,613.06
1669 · Yellowstone Condos Water Line		129,063.67
1670 · Storage/Maint Bldg (1/2 S&W)		99,556.50
1671 · South Fk Ph II Swr-Wtr (Split)		35,954.00
1672 · South Fk Ph I W/S,Booster,BI Gr		50,000.00
1673 · South Fk Ph III Swr-Wtr (Split)		45,171.00
1674 · Aspen Groves Water System (Billing sta		608,751.42
1675 · Water Meters		2,019,221.74
1676 · Cronin Business Park 1/2 Wtr		36,623.00
1677 · South FK Ph IV-VII (South FK Ph IV Ext		243,406.50
1678 · Deer Run Water (Deer Run Water)		110,099.00
1679 · Mountain Village Water Mains (Low Dog		551,415.26
1680 · Ousel Falls Road Water (Ousel Falls Ro		78,322.46
1681 · Town Center Water (Town Center Water		923,496.53
1682 · Cascade System 8-1-02 (Tank, booster,		2,371,992.35
1683 · Crail Ranch Water		45,500.00
1684 · Lone Moose Meadows Water (Lone Moc		615,304.90
1685 · Spanish Peaks Club Condo I & ii (Spanis		72,433.00
1686 · Water Projects (Water Projects)		6,108,224.38
1690 · 1.0 Mil HV Water Tank		2,367,827.84

TOTAL FIXED ASSETS - WATER OPERATION \$ 24,111,431.65

1699 · Accum Depr - Water (8,216,764.00)

NET FIXED ASSETS - WATER OPERATION \$ 15,894,667.65**TOTAL ASSETS \$ 117,291,084.10**

Note 1. Accounts 1024, 1025, 1455 and 1450 are to maintain Asset Replacement funds
Funds for both Water & Sewer. 100% of the depreciation expense is placed in
these accounts monthly.

Note 2. Fixed Asset Depreciation is calculated on a Straight-Line Method. The number of years
ranges from 75 years for underground pipes, ponds, irrigation systems etc. down to 3 to 7 years
for computer equipment, other equipment, pumps etc.

LIABILITIES & EQUITY

Current Liabilities

2000 · Accts Payable-Gen (General Accounts P	\$	244,560.52
2010 · Fed & Fica Payable (Federal P/R Taxes		-
2110 · Spanish Peaks Water Reserve		-
2020 · State P/R Taxes Payable		-
2025 · 457 Deferred Comp Payable (Account fo		-
2030 · PERS Payable		-
2306 · GRTF Pass Through Grant (GRTF Pass		-
2307 · State Gross Receipts Tax Pay (Construc		-

TOTAL ACCOUNTS PAYABLE	\$	244,560.52
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Accrued Expenses

2045 · Accrued Emp Health Ins Reserve	\$	73,277.89
2050 · SRF Accrued Int Payable		40,686.75
2080 · Compensated Absences (Payroll Benefit		128,025.98

TOTAL ACCRUED EXPENSES	\$	241,990.62
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Deferred Pension Inflows

2040 · Pension Deferred Inflows (Pension Defere	\$	104,529.00
2061 · Deferred Revenue - Sewer	\$	20,269,265.50

TOTAL DEFERRED INFLOWS	\$	20,373,794.50
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Developer Bond Deposit Liabilities

2300 · Yel Stn Dev.Well #7 Per Agrmt	\$	27,836.07
2301 · Montage Conveyance 11/23 (Lone Peak		10,103.26
2302 · Big Sky Empl HS LK LV Ext (Montana C		16,322.83
2305 · Double L (Cascade Ridge PL) (Cascade		-
2310 · SPR Phase 3C 9/30/20 (Southfork Ph. :		14,953.41
2340 · BSTC 4 Warranties 10/22 (Transfer to T		-
2330 · Mountain Lake Condos12/2017 (Warrant		10,132.32
2346 · Tract A-1 Trees		-
2347 · Maus 11/05 Const-Retnge Pyble (Maus		6,016.93
2348 · Boyne Powder Ridge III		-
2349 · Yellowstone Club PIC Agmt 3/01		1,430,724.76
2350 · Spanish Peaks PIC (Spanish Peaks Acc		1,649,242.18

TOTAL DEVELOPER BOND DEPOSIT LIABILITIES	\$	3,165,331.76
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Retainage Payable

2308 · Pure Water Tech Retainage	\$	-
2320 · RSCI Retainage Pbl (Changed from Gos		1,549,975.05
2345 · Dick Anderson -Retain Pbl		-

TOTAL RETAINAGE PAYABLE	\$	1,549,975.05
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Net Pension Liability

2101 · Net Pension Liability (6-30-2015 Account	\$	224,637.00
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NET PENSION LIABILITY	\$	224,637.00
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Notes Payable

2200 · State Revolving Fund SRF-21508 (Gen (\$	-
2201 · State Revolving Fund SRF-21509 (Chan		988,000.00
2202 · SRF Loan # 03097 Trmt.Plt (SRF Loan f		231,000.00
2203 · SRF Loan # N WRF-03045 Water (SRF		18,000.00
2204 · SRF Loan WRF 03050 Water (Water Ta		62,000.00

2205 · SRF Loan # 04116 Trmt Plnt (6.5 M Loan	197,000.00
2206 · SRF-Loan WRF-08109 Water (Water W	1,377,000.00
2207 · FSB Loan 6-21 MBR Plant (First Security	20,193,868.59

TOTAL NOTES PAYABLE	\$	23,066,868.59
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Equity

2800 · Donated Capital	\$	-
2801 · Restricted Retained Earnings (Restrictec		3,275,467.30
2802 · Donated Equity RID 305		0.00
2804 · Equity From Lone Mtn Springs		0.00
2810 · Retained Earnings		59,825,001.95
Net Income		5,323,456.81

TOTAL EQUITY	\$	68,423,926.06
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TOTAL LIABILITIES & EQUITY	\$	117,291,084.10
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Big Sky County Water & Sewer District No. 363
Statement of Cash Flows
July 2022 through May 2023

Jul '22 - May 23

OPERATING ACTIVITIES

Net Income	5,259,558.46
Adjustments to reconcile Net Income to net cash provided by operations:	
1200 · A/Rec-PIC's & Connect/Insp:1207 · Other Receivables	(39,526.33)
1220 · Accts Rec:1221 · Wastewater User Chgs Rec	82,555.07
1220 · Accts Rec:1222 · Water User Chgs Recvbl	45,361.32
1220 · Accts Rec:1225 · Mad Co Delinq User Fees Recvbl	(977.84)
1220 · Accts Rec:1226 · Gall Co Delinq User Fees Recvbl	(3,728.01)
1220 · Accts Rec:1227 · Resort Tax Recvbl - Sewer	1,426,359.50
1220 · Accts Rec:1232 · Late Fees Receivable	2.00
1300 · Prepaid Expenses	(52,720.16)
1350 · Inventory - Water Meters	(264,777.09)
2000 · Accts Payable-Gen	(1,599,150.60)
2045 · Accrued Emp Health Ins Reserve	26,201.84
2050 · SRF Accrued Int Payable	(7,600.75)
2060 · Deferred Revenue:2061 · Deferred Revenue - Sewer	(1,426,359.50)
2300 · Yel Stn Dev.Well #7 Per Agrmt	228.55
2301 · Montage Conveyance 11/23	114.26
2302 · Big Sky Empl HS LK LV Ext	16,322.83
2310 · SPR Phase 3C 9/30/20	94.27
2320 · RSCI Retainage Pbl	991,043.73
2330 · Mountain Lake Condos12/2017	83.29
2340 · BSTC 4 Warranties 10/22	(59,359.58)
2347 · Maus 11/05 Const-Retnge Pyble	50.11
2349 · Yellowstone Club PIC Agmt 3/01	35,964.03
2350 · Spanish Peaks PIC	85,237.34
Net cash provided by Operating Activities	<u>4,514,976.74</u>

INVESTING ACTIVITIES

1600 · Fix Assets-Swr:1601 · Land	(5,500.00)
1600 · Fix Assets-Swr:1610 · Plant Assets - Other	(125,650.78)
1600 · Fix Assets-Swr:1612 · Storage Ponds	(37,122.85)
1600 · Fix Assets-Swr:1613 · Golf Course Irrigation	(9,335.40)
1600 · Fix Assets-Swr:1614 · Sewer Treatment Plant	(36,199.07)
1600 · Fix Assets-Swr:1620 · Vehicles	(69,076.82)
1600 · Fix Assets-Swr:1631 · Computer-Hdwr/Software-Swr	(12,878.82)
1600 · Fix Assets-Swr:1639 · Mountain Village Sewer Mains	(162,550.00)
1600 · Fix Assets-Swr:1644 · Spanish Peaks	(99,890.00)
1600 · Fix Assets-Swr:1646 · Force Main	(62,000.00)
1600 · Fix Assets-Swr:1648 · Constr. In Progress-	(21,091,214.31)
1649 · Accum Depr - Sewer	664,587.00
1650 · Fix Assets-Wtr:1655 · Wells & Springs	(27,450.00)
1650 · Fix Assets-Wtr:1657 · Pumping Equipment	(15,194.71)
1650 · Fix Assets-Wtr:1659 · Transmission & Dist Mains	(132,387.37)
1650 · Fix Assets-Wtr:1660 · Hydrants & Meters	(21,023.07)

Big Sky County Water & Sewer District No. 363
Statement of Cash Flows
July 2022 through May 2023

	<u>Jul '22 - May 23</u>
1650 · Fix Assets-Wtr:1661 · Vehicles	42,892.00
1650 · Fix Assets-Wtr:1662 · Computer-Hdwr/Software-Wtr	(10,067.00)
1650 · Fix Assets-Wtr:1675 · Water Meters	(2,311.96)
1650 · Fix Assets-Wtr:1682 · Cascade System 8-1-02	(21,666.40)
1699 · Accum Depr - Water	443,872.00
Net cash provided by Investing Activities	(20,790,167.56)
FINANCING ACTIVITIES	
2201 · State Revolving Fund SRF-21509	(42,000.00)
2202 · SRF Loan # 03097 Trmt.Plt	(455,000.00)
2203 · SRF Loan # N WRF-03045 Water	(34,000.00)
2204 · SRF Loan WRF 03050 Water	(122,000.00)
2205 · SRF Loan # 04116 Trmt Plnt	(390,000.00)
2206 · SRF-Loan WRF-08109 Water	(288,000.00)
2207 · FSB Loan 6-21 MBR Plant	18,597,323.10
Net cash provided by Financing Activities	17,266,323.10
Net cash increase for period	991,132.28
Cash at beginning of period	15,381,756.04
Cash at end of period	<u>16,372,888.32</u>

Big Sky County Water Sewer District No. 363

Report Of Pledged Collateral Against Deposits In Banks

May 31, 2023

6/14/2023 15:09

Bank Name	Account	Account Balance	Market Value Of Securities Pledged	FDIC Coverage	Pledged Securities Over (Under)
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American Bank Gen Reserve-1 \$ 535,415

American Bank Cking-1009 5,171

American Bank MMA 988,072

TOTALS	\$ 1,528,658	\$ 1,682,537	\$ 250,000	\$ 403,879
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First Security WRRF Fund \$ 3,090

FSB Bank Checking 134,246

FSB Bank MMA 6,527,303

FSB Bank Plant Investmer 1,236,334

FSB Bank Debt Service 263,522

FSB Bank SRF Funds 3,102

TOTALS	\$ 8,167,597	\$ 18,035,214	\$ 250,000	\$ 10,117,617
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TOTALS	\$ 9,696,255	\$ 19,717,750	\$ 500,000	\$ 10,521,496
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First Security and Big Sky Western Bank have merged.

ACCOUNTS RECEIVABLE AGING REPORT													
FISCAL YEAR		2022-2023											
Through:		05/31/23											
Date	# of Accts		# of Accts	31-60		61-90		91-120		120 & Up		TOTALS	
	Zero/Crd	Current		Days	Accts	Days	Accts	Days	Accts	Days	Accts	Balance	#Accts
6/30/2019	413	\$626,389	3329	\$1,063	45	\$48	3	\$21,927	177	\$13,748	55	\$663,175	3,742
7/31/2019	2650	(\$7,130)	6	\$217,954	986	\$630	32	\$18	1	\$17,129	79	\$228,601	3,750
8/31/2019	3434	(\$14,705)	197	\$50	1	\$27,172	245	\$228	12	\$1,466	11	\$14,211	3,752
9/30/2019	400	\$813,162	3352	\$521	47	\$50	1	\$11,499	170	\$1,355	15	\$826,587	3,752
10/31/2019	2221	(\$9,327)	10	\$387,311	1432	\$417	40	\$0	0	\$7,320	63	\$385,720	3,759
11/30/2019	3412	(\$15,463)	273	\$280	1	\$53,707	254	\$310	19	\$5,315	15	\$44,149	3,759
12/31/2019	584	\$581,041	3177	\$749	58	\$180	1	\$22,621	144	\$4,225	31	\$608,816	3,765
1/31/2020	2273	(\$10,518)	89	\$276,536	1344	\$634	54	\$80	1	\$18,139	93	\$284,871	3,765
2/29/2020	3429	(\$8,205)	8	\$0	0	\$53,661	251	\$406	25	\$14,428	60	\$60,290	3,770
3/31/2020	552	\$833,001	3215	\$5	2	\$0	0	\$20,787	141	\$11,243	52	\$865,036	3,771
4/30/2020	2154	(\$9,917)	54	\$454,729	1508	\$5	2	\$0	0	\$26,069	136	\$470,886	3,799
5/31/2020	3338	(\$17,902)	4	\$50	1	\$80,775	356	\$595	22	\$21,890	86	\$85,408	3,805
6/30/2020	439	\$647,135	3369	\$150	3	\$50	1	\$38,410	241	\$16,616	59	\$702,361	3,808
7/31/2020	2254	(\$12,319)	5	\$295,279	1414	\$50	1	\$0	0	\$27,049	148	\$310,059	3,808
8/31/2020	3418	(\$22,303)	5	\$5	1	\$53,067	285	\$50	1	\$16,172	100	\$46,991	3,805
9/30/2020	423	\$1,006,831	3382	\$0	0	\$5	1	\$16,276	162	\$1,222	50	\$1,024,334	3,805
10/31/2020	1886	(\$11,179)	7	\$638,383	1779	\$0	0	\$5	1	\$12,225	138	\$639,434	3,805
11/30/2020	3501	(\$22,850)	2	\$101	3	\$111,394	289	\$0	0	\$5,831	77	\$94,476	3,869
12/31/2020	36	\$675,989	3226	\$0	0	\$51	3	\$44,955	179	\$3,989	54	\$724,984	3,892
1/31/2021	1966	(\$9,073)	10	\$410,211	1784	\$0	0	\$8	2	\$35,811	136	\$436,957	3,891
2/28/2021	3316	(\$25,139)	12	\$49,993	324	\$0	0	\$0	0	\$23,026	136	\$47,880	3,891
3/31/2021	740	\$819,198	3187	\$390	3	\$30	1	\$15,574	171	\$17,697	46	\$852,889	3,932
4/30/2021	2065	(\$14,850)	11	\$486,395	1706	\$340	2	\$30	1	\$22,465	150	\$494,380	3,932
5/31/2021	3653	(\$23,324)	4	\$31	7	\$49,302	208	\$240	1	\$14,742	62	\$40,991	3,934
6/30/2021	470	\$775,391	3463	\$11	2	\$31	7	\$19,194	84	\$9,518	42	\$804,145	3,940
7/31/2021	1381	(\$13,539)	11	\$571,686	2519	\$11	2	\$1	1	\$14,033	68	\$572,192	3,978
8/31/2021	3667	(\$30,105)	30	\$0	0	\$50,034	284	\$5	1	\$6,907	33	\$26,841	3,988
9/30/2021	514	\$1,094,592	3468	\$317	2	\$0	0	\$19,253	135	\$528	13	\$1,114,690	3,992
10/31/2021	1945	(\$12,223)	5	\$609,888	1957	\$0	0	\$0	0	\$9,283	89	\$606,948	3,993
11/30/2021	3726	(\$22,503)	1	\$243	1	\$63,292	200	\$0	0	\$6,066	66	\$47,098	3,993
12/31/2021	660	\$765,186	3318	\$89	1	\$0	0	\$32,158	85	\$2,458	24	\$799,891	3,988
1/31/2022	2099	(\$12,051)	4	\$403,432	1804	\$0	0	\$0	0	\$30,405	82	\$421,786	3,988
2/28/2022	3740	(\$16,888)	22	\$47,633	198	\$0	0	\$0	0	\$26,397	54	\$57,142	3,990
3/31/2022	632	\$930,507	3351	\$0	0	\$225	3	\$13,614	59	\$22,649	54	\$966,995	3,993
4/30/2022	2029	(\$17,937)	17	\$554,850	1876	\$0	0	\$105	2	\$32,142	73	\$569,160	3,996
5/31/2022	3785	(\$29,802)	140	\$0	0	\$58,786	169	\$0	0	\$28,452	52	\$57,436	4,007
6/30/2022	462	\$762,575	3541	\$0	0	\$0	0	\$14,991	49	\$26,962	39	\$804,528	4,010
7/31/2022	1790	(\$10,807)	10	\$505,279	2160	\$0	0	\$0	0	\$32,490	53	\$526,962	4,011
8/31/2022	3807	(\$21,696)	2	\$1,761	4	\$31,718	170	\$0	0	\$14,040	32	\$25,823	4,013
9/30/2022	454	\$1,168,396	3557	\$7	1	\$0	0	\$13,932	90	\$121	4	\$1,182,456	4,011
10/31/2022	1865	(\$8,892)	8	\$689,554	2090	\$0	0	\$0	0	\$11,178	68	\$691,840	4,027
11/30/2022	3784	(\$12,053)	1	\$50	1	\$124,745	202	\$0	0	\$7,977	41	\$120,719	4,028
12/31/2022	615	\$763,954	3413	\$4	1	\$0	0	\$48,966	91	\$4,869	14	\$817,793	4,028
1/31/2023	1768	(\$15,160)	6	\$559,672	2182	\$0	0	\$0	0	\$28,487	77	\$572,999	4,028
2/28/2023	3807	(\$20,575)	12	\$43,541	167	\$0	0	\$0	0	\$24,119	54	\$47,085	4,028
3/31/2023	622	\$1,017,618	3406	\$0	0	\$100	2	\$23,301	72	\$21,108	37	\$1,062,127	4,030
4/30/2023	1800	(\$7,766)	11	\$664,746	2142	\$0	0	\$50	1	\$21,108	37	\$678,138	4,032
5/31/2023	4176	(\$12,975)	1	\$77	4	\$93,624	270	\$0	0	\$35,604	61	\$116,330	4,034

Sewer and water bills mailed the first week of January, April, July & October.



Budget Notes for 2023-2024 Fiscal Year Budget

Budget Committee met on 5-17-2023, 5/23/2023

Proposed Budget Highlights

1. The sewer capital budget includes WRRF sewer plant expansion upgrade costs (\$15.0M), other miscellaneous items amounting to (\$390.K). The water capital budget includes (\$75K) Mountain Well Exploration, (\$60K) Land Acquisition Costs, (\$100K) for the Chief Joseph Main Ext. and PRV, (\$50K) Backup Generator Hill & Cascade Booster, (\$96K) for Cascade Mountain Village Improvements and miscellaneous items amounting to (\$793K). See the capital budget table for the list of miscellaneous items.
2. Operating revenues are based on the proposed 15% rate increase for water and sewer rates. The budget will be amended for any subsequent change to the rates.
3. There are four new employees in the budget. A full year for a new general manager and administrative assistant. Two new sewer operators for the full year. The new positions represent approximately \$600,000 in salary and benefit costs in the 2023-2024 budget. In both the water and sewer departments there is a small amount for part-time help. Current staff salaries are proposed to be adjusted by 10% to meet current market conditions.
4. Health insurance rates have an increase of 7.12% from fiscal 2022-2023. The employee health reimbursement account is proposed to be increased from \$2,500 to \$4,500. The health reimbursement amount has not been adjusted since 2005 when the deductibles and out of pocket expenses were less than half what the current plan provides. The amount paid to employees who opt out of the District health plan is proposed to be increased from \$350 a month to \$400.



BIG SKY COUNTY WATER & SEWER DISTRICT No. 363

PO BOX 160670 • 561 LITTLE COYOTE RD • BIG SKY, MT 59716 • 406-995-2660 • FAX 406-995-3053 • Email - wdsbills@gmail.com

5. Inflation rate assumed at 5%-8% for 2023-2024 budget line items. Line items were adjusted according to prior year experience and future expectations of staff.
6. Mill rates will be based on actual loan payments. Four of the existing general obligation bond loans will be paid off on 7-1-2023. The remaining water loan will be paid off 7-1-2027 and is the only remaining general obligation loan. The final mill rates will be before the board at the August 2023 meeting. The estimated mill rate for the last general obligation loan is 9.14 mills. Last fiscal year the final mill rate for all five water and sewer loans was 35.95 mills.
7. Plant investment fees are based on the prior year experience and future expectation for construction.
8. The budget shows an operating deficit for 2023-2024. The sewer operating budget deficit is expected to be \$237,437 and the water operating budget is expected to be \$421,172. The overall budget including the non-operating revenues projects Net Income of \$2,706,853.

STAFF REPORTS: SEWER SYSTEM OPERATIONS



BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363

PO Box 160670 · 561 Little Coyote Rd · Big Sky MT 59716 · 406-995-2660 · Fax: 406-995-3053 ·

MEMORANDUM

TO: Big Sky County Water and Sewer District Board of Directors **CC:** Ron Edwards

FROM: Adam Rutz

DATE: June 14th, 2023

SUBJECT: June 20th, 2023 Monthly Board Meeting - Sewer Operations Report

Flows and Storage

Please find attached monthly flow plots for May 2023 and flows to date through June 2023. Flows through the plant for May 2023 are, on average, up 16.8% as compared to May 2022. Flows to date through June 2023 are, on average, up 15.9% as compared to this time last year.

As of today, the water level in Pond #1 is 12.99 ft. We currently have 33.558 million gallons of treated effluent stored in Pond #1, leaving 34.194 million gallons of storage capacity. As of today, the Irrigation Pond level is at 17.01 ft, storing 15.837 million gallons of treated effluent from our tertiary filtration process. There is 4.251 million gallons of storage capacity remaining in the Irrigation Pond.

Pump stations 1 and 2 deliver treated effluent from Pond #1 to the Yellowstone Club or Spanish Peaks Club storage ponds. Our pumps have been off since 6/1 as the Yellowstone Club storage pond has been testing their new liner installation. We expect to be pumping to the Spanish Peaks holding pond in the next week. Thus far we have pumped 43.125 million gallons of treated effluent to the Yellowstone Club storage pond.

Other News, Maintenance Items, and System Problems

Golf course irrigation season is underway. Last month we pressurized the irrigation system and assessed the horse pastures for operation later this summer if needed. May and June have been wet and not much irrigation has occurred thus far this season. To date we have irrigated 2.513 million gallons on the meadow village golf course.

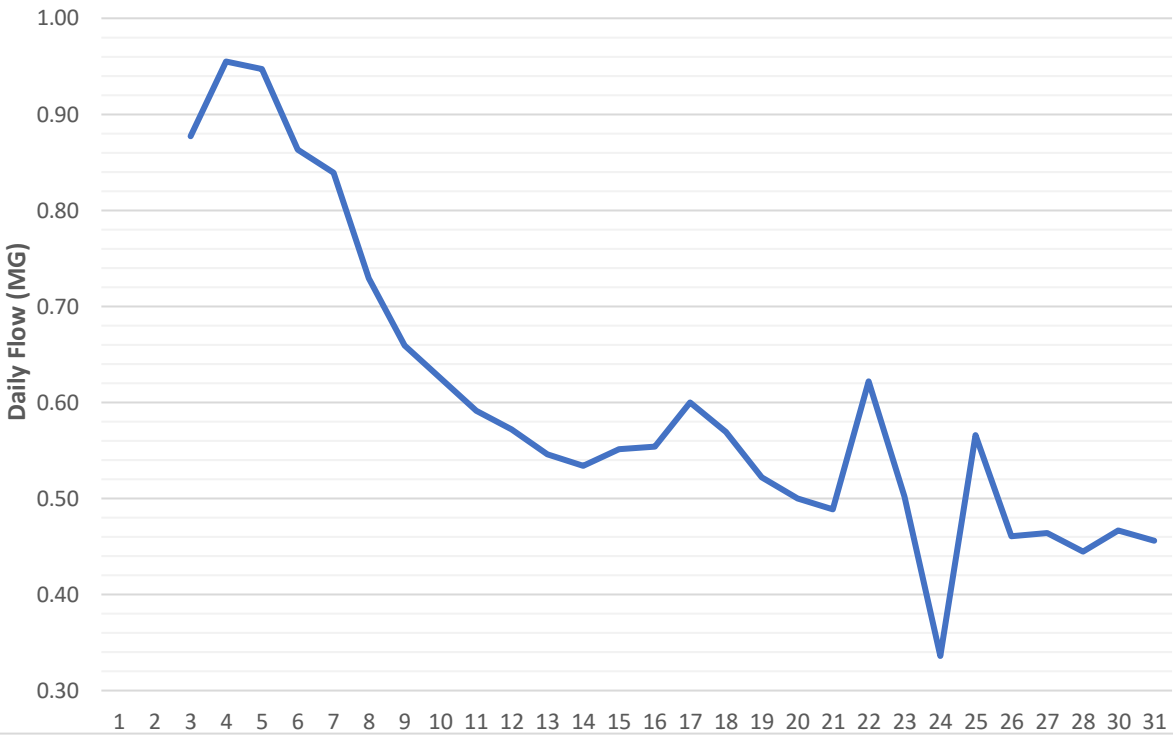
We are working on calibrating the new flow meters that were installed last summer that capture irrigation flow to the pastures. We plan to tackle this project as soon as we start irrigating the pastures this summer.

The pressure transducers and web-based communications system that were installed on the aeration and irrigation ponds last month needs assistance from the communications system manufacturer, Omnisite. The radio transmission unit is malfunctioning and has been sent back to the manufacturer for assessment.

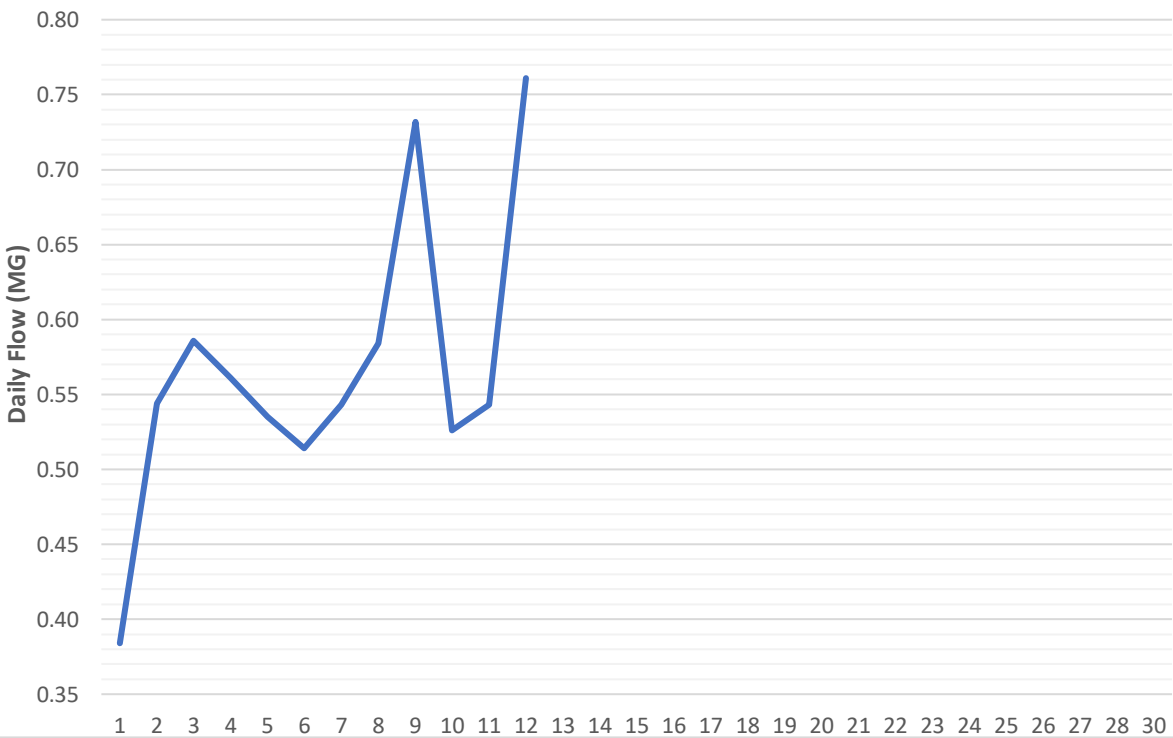
Over the past month we have been selling a decent amount of our compost and we are back on making regular batches as our supply has decreased and we can store more now. We plan to make compost weekly moving through the remainder of June and July.

There were not any collection system problems to report on over the past month.

May 2023 Wastewater Flows



June 2023 Wastewater Flows



**MISCELLANEOUS SEWER
SYSTEM CORRESPONDENCE**

Marlene Kennedy

From: Peter Bedell
Sent: Monday, May 22, 2023 4:02 PM
To: Ron Edwards
Cc: Adam Rutz; Justin Brechtelsbauer; Jim Muscat; Marlene Kennedy
Subject: Fwd: Big Sky WRRF Re-Roof admin

Ron, please email from roofing. With the little shingle damage on the admin building, leaking over the years. I would highly recommend getting this redone while the roofing company will be on site. Looking forward to hearing comments. Respectfully,
Peter

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Paul Tagliareni <paul@axiomcc.net>
Sent: Monday, May 15, 2023 10:14:42 AM
To: Peter Bedell <peter@wsd363.com>
Cc: Mike Stacey <mike@axiomcc.net>
Subject: Big Sky WRRF Re-Roof

Hi Peter,

Following up on the conversation we had last week regarding the re-roof. Before we provide a quote, I want to double check to make sure this work is something that could happen with the other roof we are replacing this summer and you are looking to have us to include tear off of the existing roof.

Thank you,



Paul Tagliareni - Project Manager

Axiom Construction & Consulting L.L.C.

1841 Front Street Suite A, Lynden WA 98264

p. (360) 354-1184 ext.224 m. (360) 927-4257 f. (360) 318-9526

LYNDEN - PUYALLUP - SPOKANE



STAFF REPORTS: WATER SYSTEM OPERATIONS

Water System Operations, June 2023 Board Meeting

Well Production

Well production numbers are showing the Mountain Village water use is down slightly over last May even though YC use is up, and Meadow production is still up considerably. We are still showing high demand on the South Side of Hwy 64 and are doing leak detection to try and pin it down.

It's been busy, we also had a major leak in Sweet Grass Hills on an old 6" inch AC (asbestos concrete) main that completely ruptured. Fortunately, a local resident spotted the water bubbling out of the ground while walking their dog and notified us. This leak was more than 200 gpm and from our telemetry data it appeared to be a very sudden, complete fracture of the pipe as is typical with AC. At the rate it was leaking the water tank levels would have to drop rapidly and they were just starting to when we got it isolated. Another large water leak was discovered this month at Broadwater condominiums. We were notified by a resident over there that they could hear leak noise inside their condo. We pinpointed the leak source outside on a secondary service water main in the parking lot. When we dug the leak we found some unusual pipe configurations. The service lines into the condos at Broadwater, it turns out, are built out of K copper and soldered fittings. K copper is what is used in residential interior plumbing and is not rated to be buried. Unfortunately, these old, buried copper lines enter the condos under a slab. The sub-mains that feed these copper lines are built from glued schedule 40 PVC drainpipe which is not standard and are the Districts responsibility. Because there is great potential for ongoing non-revenue (unmetered) leakage at Broadwater for the District, it is my recommendation that the District plan on replacing these original smaller interior mains the way we have done at Yellowstone, Silver bow and Hill Condos and encourage the HOA to address the service lines at the same time.

General Operations

With a team effort from both the water and sewer operators we have completed the excavation and exploration of the golf course mystery pipe that daylights out behind the chapel. The source and purpose of this pipe was part of the Cottonwood law litigation, and we were asked to determine if it was a perforated underdrain system for the golf course. It is conclusive that it is not. The pipe does not drain the golf course of any ground water but does serve as a foundation drain for a single residence clear over on Yellowtail road. There were a few breaks in the pipe from a poor install that inadvertently picked up additional groundwater, but they have been repaired. The flow into that pond has been greatly reduced because of this. Adam is going to put together a full report on what was learned.

The Tiger Grant work has started on Little Coyote Road by the BSOA pond. They are excavating a new pedestrian bridge and trail on little Coyote rd. between our office and the Park entrance. We have an existing 6" AC water main that runs under their intended path and under the creek. This AC main will end up buried extremely deep under the new trail and inaccessible for all practical purposes. This exiting line was historically the very eastern end of our water distribution system until the new 8" Ductile Iron water main was built to the treatment plant in the late 90s and then eventually extended on to the Powder Light subdivision. That 8" inch line will soon be extended across the highway by the Ace hardware and run back west up to the new River View project by the old American bank building and then looped back into the Meadow Center area of our water system. I asked our water modeling engineer Donavon from AE2S to see if it is possible once the new loop is completed to abandon the existing 6" in AC main under the pedestrian path and still maintain good fire flow numbers using the new looped main coming back up from Powder light. This would eliminate the issue of ever having to repair a very deep AC main that is subject to leaks. Donovan feels it is a viable option, so we are moving in that direction.

Jim Muscat

**MISCELLANEOUS WATER
SYSTEM CORRESPONDENCE**

Marlene Kennedy

From: Jim Muscat
Sent: Tuesday, June 13, 2023 9:35 AM
To: Ron Edwards; Vince Palafox; Jake Porter; Peter Bedell; Eric Daniels; Justin Brechtelsbauer; Adam Rutz
Subject: Emergency shut down.
Attachments: GoogleEarth_Image.jpg

Guys,

Watching them cut into the existing steep bank to build the pedestrian bridge between our office and the road to the treatment plant causes me concern they may break the existing 6" AC water main that is buried in there somewhere. We have no way of locating it accurately.

In anticipation of that I already have a key on the valves on either end of this section of pipe. In the attached Google earth image they are marked A and B. Valve A over by the Old Golden Eagle building is off the bank but marked with an orange cone to make it easier to find. I have already CLOSED this valve down so the section of main in question is temporarily a one way and is not currently looped.

Valve B is right across the street from our parking lot and the filter building. This valve has a key on it also and is OPEN. It is marked with an orange cone also. If disaster strikes this valve B will need to be shut. If this happened and you are called on to shut the valve, close it VERY VERY SLOWLY! Do not let adrenalin get the best of you. There will be millions of pounds of water moving through that pipe at over a 100psi and it will be catastrophic up stream if the valve is closed to fast.

Not sure when they will be done cutting into that bank but once they are we can reopen the other end and go back to normal.

Thanks

Jim

Google Earth streams the world over wired and wireless networks enabling users to virtually go anywhere on the planet and see places in photographic detail. This is not like any map you have ever seen. This is a 3D model of the real world, based on real satellite images combined with maps, guides to restaurants, hotels, entertainment, businesses and more. You can zoom from space to street level instantly and then pan or jump from place to place, city to city, even country to country.

Get Google Earth. Put the world in perspective.

(<http://earth.google.com>)



BUSINESS ACTION ITEMS

Business Action Items:

BSOA Pond Project

LITTLE COYOTE POND PROJECT AGREEMENT

THIS LITTLE COYOTE POND PROJECT AGREEMENT (this “Agreement”) dated as of June ___, 2023, by and between BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363 (the “District”), with a mailing address of P.O. Box 160670, Big Sky, Montana 59716-0670; and BIG SKY OWNERS ASSOCIATION, Inc., a Montana non-profit corporation (“BSOA”) with a mailing address of P.O. Box 160057, Big Sky, Montana 59716 (collectively the “Parties”).

RECITALS

WHEREAS, BSOA is the owner of real property legally described as Tract 1 of Meadow Village No. 1 Second Filing, and remainder Tract A of Certificate of Survey I-12-E in Section 36, T6S, R3E, Gallatin County Montana (“Tract 1”);

WHEREAS, the waterbody commonly referred to as Little Coyote Pond (the “Pond”) is located on Tract 1;

WHEREAS, the District is the owner of and entitled to the use and access Tract 1 for maintenance of the District’s Montana water rights numbered 41H 148445-00 and 41H 148446-00 (the “Water Rights”) associated with the Pond

WHEREAS, the Parties entered into a Memorandum of Understanding on September 15, 2015 (the “MOU 2015”), as supplemented by the subsequently duly approved motions of the parties’ respective boards of directors, setting forth the Parties’ mutual agreements regarding the Pond, Water Rights, and installation of inlet head gate and conveyance channels;

WHEREAS, as contemplated in the MOU 2015, to facilitate the Pond Project (as defined below), the District applied for and received the Montana Department of Natural Resources and Conservation (the “DNRC”) Water Rights Change Authorization No. 41H 30104096 dated October 27, 2017, attached hereto as **Exhibit A** (the “Change Authorization”);

WHEREAS, BSOA has contracted with Miller Recreation, LLC, at BSOA’s sole cost and expense, for work for the Pond (the “Pond Project”) in furtherance of design plans prepared by WGM Group (the “Design Plans”) attached as **Exhibit B**;

WHEREAS, the District agrees to transfer 7.15 acre feet of water from the District’s water rights 41H 148445-00 and 41H 148446-00 as modified by Change Authorization 41H 30104096 dedicating said 7.15 acre-feet of water to a fishery purpose for the Pond Project (the “Water Rights Transfer”)

WHEREAS, in conjunction with the Water Rights Transfer, BSOA agrees to confirm the District’s existing inlet and easement rights of record over, across and under Tract 1, for use, operation, maintenance, and storage of the District’s Water Rights and facilities on Tract 1 (the

“District’s Tract 1 Easement”);

WHEREAS, the District owns real property legally described as Tract H20 of Sweetgrass Hills Subdivision of Gallatin County, Montana located in Section 36, T6S, R3E, Gallatin County Montana (“Tract H-20”);

WHEREAS, BSOA owns real property legally described as Tract D of Sweetgrass Hills Subdivision, Gallatin County Montana located in Section 36, T6S, R3E, Gallatin County Montana (“Tract D”);

WHEREAS, the District has agreed to grant BSOA a perpetual non-exclusive easement of record for access for vehicular and pedestrian ingress and egress to Tract D from Crazy Horse Drive, over and across Tract H-20 for the benefit of Tract D and any other BSOA property served thereby.

WHEREAS, the District may acquire real property currently owned by NorthWestern Energy, legally described as Montana Power Sub-station, Sweetgrass Hills Subdivision Plat H-36, Gallatin County, Montana Geocode 06042736205100000 (the “NWE Tract”), which is surrounded by Tract D. The NWE Tract is designated in the current Sweetgrass Hills Subdivision Covenants for use as a power substation and there is a platted 30’ wide utility easement across Tract D from Tract H-20 to the NWE Tract for the benefit of the NWE Tract (“NWE Easement”). Contingent on amendment of the Sweetgrass Hills Owners Association Covenants permitting change in use and the District’s acquisition of the NWE Tract, the District plans to develop a new water storage facility of up to 1,000,000 gallons storage capacity on the NWE Tract. In that case, the District desires confirmation that the 30’ platted utility easement over Tract D will be adequate for access for water, power and telemetry for the NWE Tract for use as a water storage facility; the District will need temporary access and use of an area of Tract D surrounding the NWE Tract during construction of a new facility; and, if necessary to accommodate the new facility design, the District and BSOA have agreed to exchange by boundary line adjust survey(s) approximately .02 acres of Tract D if needed to enlarge the NWE Tract, for an equivalent area of District property.

WHEREAS, if the District provides BSOA Notice of Intent to acquire the NWE Tract on or before December 15, 2023, BSOA’s agreements regarding Tract D, described further in Section 2 below, are consideration for the Water Rights Transfer; alternatively, if the District does not provide the Notice of Intent to acquire the NWE Tract on or before December 15, 2023, then BSOA will pay \$15,000 as consideration for the Water Rights Transfer. Upon completion of the Pond Project work and payment of the \$15,000 alternate consideration, if applicable, as described below, the District will deed the Transferred Water Rights to BSOA and record the Tract H-20 Access Easement.

NOW, THEREFORE, in consideration of the mutual covenants made herein and other valuable consideration received, the Parties agree as follows:

All recitals set forth above are incorporated herein as if fully set forth.

SECTION 1 - WATER RIGHT TRANSFER AND EASEMENTS

Subject to the terms and conditions of this Agreement, District shall complete the Water Rights transfer to BSOA by transferring ownership of the 7.15 acre feet (AF) of water volume authorized under the Change Authorization to BSOA for a fishery purpose (the “Transferred Water Right”) as more particularly described in the Water Rights Quitclaim Deed attached as **Exhibit C**; (2); and simultaneously with the execution of this Agreement, the District shall execute the Water Rights Quitclaim Deed to be held in escrow until Closing, defined below. This provision shall survive the completion of other terms of this Agreement.

Simultaneously with the execution of, and subject to the terms and conditions of this Agreement, BSOA shall execute the Water Rights Access Easement attached as **Exhibit D**, confirming the District’s perpetual non-exclusive easement for access, use, operation and maintenance of the headgate, diversion inlet ditch, outlet ditch, pump and storage reservoir associated with the Pond inlet, diversion works and storage for the District’s remaining Water Rights and facilities on Tract 1 (“Tract 1 Water Rights Access Easement”), to be held in escrow by the Escrow Agent, until Closing, defined below. This provision shall survive the completion of other terms of this Agreement.

Simultaneously with the execution of, and subject to the terms and conditions of this Agreement, the District shall execute the Access Easement attached as **Exhibit E**, granting BSOA a perpetual non-exclusive 30’ easement for access, from Crazy Horse Drive to Tract D, for vehicular and pedestrian ingress and egress for the benefit of Tract D and BSOA land served thereby, over and across Tract H-20 (“Tract H-20 Access Easement”), to be held in escrow by the Escrow Agent, until Closing, described below. The location of the Tract H-20 Access Easement will follow the existing driveway on Tract H-20, if any, subject to confirmation to BSOA’s satisfaction that the existing driveway connecting Crazy Horse Drive to Tract D is located on Tract H-20 or if not, then in the area of H-20 adjacent to the existing driveway from Crazy Horse Drive to Tract 16 that connects with Tract D. This provision shall survive the completion of other terms of this Agreement.

The Agreement Section 1 Closing shall occur within five (5) business days after the Escrow Agent’s receipt of: (1) BSOA’s Notice of Completion, filed with the DNRC, showing substantial completion of the Pond Project consistent with the Change Authorization; and (2) evidence of full payment and any lien releases for construction of the Pond Project.

The consideration for the Agreement Section 1 Closing shall be the consideration set forth in Section 2. The requirement for a \$15,000 payment as alternate consideration shall survive the Agreement Section 1 Closing.

Upon the Agreement Section 1 Closing, the Escrow Agent shall: (1) record the Water Right Quitclaim Deed, Water Right Access Easement and the Tract H-20 Easement with the

Gallatin County Montana Clerk and Recorder; and (2) submit the Parties' completed water rights ownership update form(s) to the DNRC, necessary to update ownership and create separate water rights records and abstracts for the BSOA owned Transferred Water Right and the remaining District owned Water Rights.

In all events BSOA shall file a Notice of Completion with the DNRC by the authorized completion deadline of December 31, 2037, or an extended completion deadline authorized by DNRC.

SECTION 2 - CONSIDERATION

If the District on or before December 15, 2023, provides BSOA written notice of intent to acquire the NWE Tract, BSOA agrees to execute the easement agreement described in (A) of this Section, the License Agreement described in (B) of this Section, and complete the property exchange set forth in (C) of this Section, as follows:

(A) **NWE Easement.** BSOA shall execute an easement document of record confirming that permitted use of the existing 30' platted utility easement for the benefit of H-20 includes access, ingress and egress for installation, repair and maintenance of underground utilities (power, water and telemetry) over, across and under the existing platted easement area on Tract D to the NWE Tract, for development, construction, use, operation, maintenance and repair of a water storage facility with up to a maximum of 1,000,000 gallon storage capacity (the "Tract D Easement") in the form attached as **Exhibit F**;

The District shall prepare, at its sole cost and expense, the survey exhibit(s) confirming the location and legal description of the NWE Easement platted easement area, to be attached to the NWE Easement document prior to recording.

When the District anticipates closing on the NWE Tract, it will notify BSOA and provide the final NWE Easement survey exhibit at least 60 days in advance. Within 10 business days of receiving the final survey exhibit, BSOA shall execute the NWE Easement document, which shall be held in escrow until closing on the NWE Tract. Simultaneously with the District closing on the NWE Tract, the Escrow Agent shall record the NWE Easement document and attachment(s).

The District acknowledges use of the NWE Tract for a water storage facility requires amendment of the Sweetgrass Hills Subdivision Owners Association Covenants, Conditions and Restrictions permitting a change in use of the NWE Tract; accordingly the NWE Easement is contingent on approval of such amendments. Use of the NWE Easement area for the NWE Tract shall be expressly subject to and incorporate any requirements or restrictions of the Sweetgrass Hills Owners Association for the NWE Tract (e.g. if the Sweetgrass Hills Owners Association enacts a height restriction for a new water facility, then use of the NWE Easement shall be limited to a facility meeting such height requirement). Accordingly, the NWE Easement expressly requires the District's use of the NWE Tract comply with the Sweetgrass Hills Subdivision as a condition of the easement rights therein granted.

(B) **Tract D License Agreement.** BSOA shall grant the District a temporary license for

access and use for construction activity, during construction of a water storage facility and related improvements on the NWE Tract, on up to two (2) acres of Tract D surrounding the new facility site, subject to the insurance and other requirements and conditions of a written temporary license agreement, including but not limited to the requirement for the District and any contractor to maintain insurance and name BSOA as additional insured, in the form attached as **Exhibit G** (the “Tract D License Agreement”).

Prior to commencing construction of a new water storage facility or other improvements on the NWE Tract, the District shall provide BSOA with an exhibit showing the location of the up to two acres area desired during the new facility construction period and any other requirements of the License Agreement (e.g. evidence of required insurance), and BSOA will execute the License Agreement. The area subject to the License Agreement for access during construction shall be defined on a map exhibit, but need not be a professional survey.

(C) Tract D Property Exchange. If the District’s new facility design plans require, at or after closing on the NWE Tract, at the District’s request, BSOA shall execute documents necessary to exchange approximately .02 acres of Tract D with an equivalent area of the NWE Tract or other District property, through common boundary line relocation survey(s). The District shall prepare, at its sole cost the expense the survey exhibits for the real property to be exchanged, all necessary application(s) for the approval of the boundary relocations survey(s) necessary to accomplish the exchange, and related transfer documents and recording fees.

(D) District Agreements. The District agrees to: (1) limit the size of any new water storage facility installed on the NWE Tract to no more than 1,000,000 gallons of storage capacity; (2) complete any necessary remediation of the access license area on Tract D used during construction, within a reasonable time after completion of construction; (3) take appropriate steps to decommission and remove the water storage facility on Tract H-20 if it is no longer in use after four years from completion of the new facility and remediate Tract H-20; and (4) comply with the any other requirements or conditions adopted for the NWE Tract and Tract H-20 by the Sweetgrass Hills Subdivision Owners Association.

(E) Alternate Consideration. If the District does not provide BSOA Notice of Intent to Acquire the NWE Tract on or before December 15, 2023, then as alternate consideration for the Water Rights Transfer instead of the NWE Tract agreements, BSOA shall pay to the District the sum of \$15,000.00 no later than December 31, 2023.

The provisions of the Section survive Closing, whether full or partial.

SECTION 3 INDEMNIFICATION The Parties agree to hold each other harmless, indemnify and defend the other against any liability, damage, loss, claims, demands, actions, judgments, penalties, costs, liabilities or losses (including reasonable attorney’s fees and consultant’s fees), whether relating to injury to or death of any person or damage to any property of any nature whatsoever, including but not limited to any environmental damages, the other party incurs, which arise out of or are connected with or are claimed to arise out of or be connected with, directly or indirectly, the action of the other party or the other party’s contractors, agents, employees, guests or invitees.

3.1 **Environmental.** Environmental damages means environmental damages, demands, allegations, claims and liabilities, suits and administrative actions which include but are not limited to:

- a) Remediation, cleanup, or response to the release or potential release to the environment of any chemical;
- b) Fines, penalties or other amounts resulting from a party's failure to comply with applicable health, safety, or environmental regulations;
- c) the generation of hazardous waste during the course of work contemplated under this Agreement; and
- d) Costs of attorneys or experts necessary to respond to environmental liabilities resulting from a party's actions taken pursuant to this Agreement.

3.2 **Survival.** These covenants of indemnity shall survive Closing or termination of this Agreement.

SECTION 4 TERMINATION This Agreement may not be cancelled or terminated without written mutual consent signed and dated by authorized representatives of both Parties hereto.

SECTION 5 REMEDIES AND SPECIFIC PERFORMANCE

In the event of default, the Parties may enforce the terms of this Agreement by specific performance. Neither party may claim any other remedies including any special or consequential damages.

SECTION 6 NOTICE

Any notice to be given hereunder may be served upon a party personally, or served by registered or certified mail, addressed to the Parties at the following addresses:

Big Sky County Water & Sewer District:

Attention: General Manager
P.O. Box 160670
Big Sky, MT 59716-0670

BSOA:

Attention: Executive Director
P.O. Box 160057
Big Sky, Montana 59716

A notice served by mail shall be deemed completed when deposited in any United States Post Office. Any change of address shall not be effective unless served upon the Parties in the same manner as the notice referred to herein.

SECTION 7 COST OF THE PARTIES; TAXES AND ASSESSMENTS

The Parties agree each party is responsible for its own costs and fees incurred in connection with this Agreement and the transactions herein contemplated, including but not limited to design,

engineering, construction, consulting and attorney fees and costs. BSOA is responsible for the water right transfer fee and recording fee and recording fee for the Tract H-20 Easement. The District is responsible for recording fees for the Tract 1 and NWE Easements and any boundary line adjustment survey(s). Real property taxes and assessments of any real property subject to this Agreement, shall be the sole responsibility of party owning the real property.

SECTION 8 GENDER AND SECTION HEADINGS

As used herein the masculine shall include the feminine and neuter, as the context requires. All section headings used herein are intended solely for convenience of reference and shall in no way supplement or limit any of the provisions of this Agreement or affect the construction of any of the terms thereof.

SECTION 9 WAIVER

Waiver by either party of the breach of any of the covenants herein contained shall not bar either party from the right to enforce such covenants or to avail itself of remedies for any subsequent breach thereafter.

SECTION 10 BINDING EFFECT

All of the terms of this Agreement shall be binding upon and inure to the benefit of, and be enforceable by, the successors and assigns of the Parties hereto.

SECTION 11 FURTHER ASSURANCES

The Parties agree to execute and deliver such additional documents and instruments and to perform such additional acts as may be reasonably necessary to effectuate, carry out and perform all of the terms, provisions and conditions of this Agreement and transactions contemplated hereby, including post-Closing, for example, documentation necessary to separate and transfer the BSOA portion of the Water Rights with the DNRC.

SECTION 12 SIGNATURE AUTHORITY

The signatories of this Agreement certify that they are authorized representatives of their respective Parties and have sufficient authority to bind the Parties to this Agreement.

SECTION 13 NO CONSTRUCTION AGAINST DRAFTING PARTY

This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that the Agreement may have been prepared primarily by counsel for one of the Parties, it being recognized both Parties and/or their counsel have contributed substantially and materially to the preparation of this Agreement.

SECTION 14 ENTIRE AGREEMENT

This document contains the entire agreement between the Parties. No prior written or oral representations, inducements, agreements, promises or undertakings which contradict, alter, modify, add to or supplement the terms and conditions of this Agreement shall have any force or effect.

SECTION 15 AMENDMENT

No modification of or addition, supplement or amendment to the terms of this Agreement shall be deemed effective unless the same shall be in writing and executed by the party to be bound by such modification or amendment.

SECTION 16 COUNTERPARTS AND ELECTRONIC SIGNATURES.

This Agreement may be signed electronically and executed in one or more counterparts, which taken together shall constitute one fully executed document and an electronic copy of the fully executed Agreement shall be treated as an original.

IN WITNESS WHEREOF, the Parties execute this Agreement as of the day and year first above written.

BIG SKY COUNTY WATER AND SEWER
DISTRICT, NO. 363

By: Ron Edwards
Its: General Manager

ATTEST:

District Secretary

BIG SKY OWNERS ASSOCIATION, INC.

By: Suzan Phillips Scott
Its: Executive Director

EXHIBIT A – Water Rights Change Authorization
EXHIBIT B – BSOA Pond Project Design Plans
EXHIBIT C – Water Rights Quitclaim Deed
EXHIBIT D – Tract 1 Water Rights Access Easement
EXHIBIT E – Tract H-20 Easement
EXHIBIT F – Tract D Easement
EXHIBIT G – Tract D License Agreement

LITTLE COYOTE POND PROJECT AGREEMENT

THIS LITTLE COYOTE POND PROJECT AGREEMENT (this “Agreement”) dated as of ~~March~~June ___, 2023, by and between BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363 (the “District”), with a mailing address of P.O. Box 160670, Big Sky, Montana 59716-0670; and BIG SKY OWNERS ASSOCIATION, Inc., a Montana non-profit corporation (“BSOA”) with a mailing address of P.O. Box 160057, Big Sky, Montana 59716 (collectively the “Parties”).

RECITALS

WHEREAS, BSOA is the owner of real property legally described as Tract 1 of Meadow Village No. 1 Second Filing, and remainder Tract A of Certificate of Survey I-12-E in Section 36, T6S, R3E, Gallatin County Montana (“Tract 1”);

WHEREAS, the waterbody commonly referred to as Little Coyote Pond (the “Pond”) is located on Tract 1;

WHEREAS, the District is the owner of and entitled to the use and access Tract 1 for maintenance of the District’s Montana water rights numbered 41H 148445-00 and 41H 148446-00 (the “Water Rights”) associated with the Pond;

WHEREAS, the Parties entered into a Memorandum of Understanding on September 15, 2015 (the “MOU 2015”), as supplemented by the subsequently duly approved motions of the parties’ respective boards of directors, setting forth the Parties’ mutual agreements regarding the Pond, Water Rights, and installation of inlet head gate and conveyance channels;

~~WHEREAS the Parties desiring to further refine and condition their agreements, the Parties now wish to set forth in this Agreement;~~

—WHEREAS, as contemplated in the MOU 2015, to facilitate the Pond Project (as defined below), the District applied for and received the Montana Department of Natural Resources and Conservation (the “DNRC”) Water Rights Change Authorization No. 41H 30104096 dated October 27, 2017, attached hereto as **Exhibit A** (the “Change Authorization”);

WHEREAS, BSOA has contracted with Miller Recreation, LLC, at BSOA’s sole cost and expense, for work for the Pond (the “Pond Project”) in furtherance of design plans prepared by WGM Group (the “Design Plans”) attached as **Exhibit B**;

~~WHEREAS the District agree to transfer 7.15 acre feet of water from the District’s water rights 41H 148445-00 and 41H 148446-00 as modified by Change Authorization 41H 30104096 dedicating said 7.15 acre feet of water to a fishery purpose, upon completion of terms of this Agreement (the “Water Rights Transfer”);~~

~~WHEREAS, upon conditions and terms of this Agreement,~~ the District agrees to transfer 7.15 acre feet of water from the District's water rights 41H 148445-00 and 41H 148446-00 as modified by Change Authorization 41H 30104096 dedicating said 7.15 acre-feet of water to a fishery purpose for the Pond Project (the "Water Rights Transfer");

WHEREAS, in conjunction with the Water Rights Transfer, BSOA agrees to confirm the District ~~desires to further document the's~~ existing inlet and easement rights of record over, across and under Tract 1, for use, operation, maintenance, and storage of the District's Water Rights and facilities on Tract 1, ~~and BSOA has agreed to grant the same~~ (the "District's Tract 1 Easement");

WHEREAS, the District owns real property legally described as Tract H-20 of Sweetgrass Hills Subdivision of Gallatin County, Montana located in Section 36, T6S, R3E, Gallatin County Montana ("~~H~~Tract H-20");

WHEREAS, BSOA owns real property legally described as Tract D of Sweetgrass Hills Subdivision, Gallatin County Montana located in Section 36, T6S, R3E, Gallatin County Montana ("Tract D"); ~~and~~

WHEREAS, the District has agreed to grant BSOA a perpetual non-exclusive easement of record for access for vehicular and pedestrian ingress and egress to Tract D from Crazy Horse Drive, over and across Tract H-20 for the benefit of Tract D and any other BSOA property served thereby.

WHEREAS, the District may acquire real property currently owned by NorthWestern Energy ("~~NWE Tract~~"), legally described as Montana Power Sub-station, Sweetgrass Hills Subdivision Plat H-36, Gallatin County, Montana Geocode 06042736205100000 (the "NWE Tract"), which is surrounded by Tract D. The NWE Tract is designated in the current Sweetgrass Hills Subdivision Covenants for use as a power substation and there is a platted 30' wide utility easement across Tract D from Tract H-20 to the NWE Tract for the benefit of the NWE Tract ("NWE Easement"). Contingent on amendment of the Sweetgrass Hills Owners Association Covenants permitting change in use and the District's acquisition of the NWE Tract, the District plans to develop a new water storage facility of up to 1,000,000 gallons storage capacity on the NWE Tract. In that case, the District desires confirmation that the 30' platted utility easement over Tract D will be adequate for access for water, power and telemetry for the NWE Tract for use as a water storage facility; the District will need temporary access and use of an area of Tract D surrounding the NWE Tract during construction of a new facility; and, if necessary to accommodate the new facility design, the District and BSOA have agreed to exchange by boundary line adjust survey(s) approximately .02 acres of Tract D if needed to enlarge the NWE Tract, for an equivalent area of District property.

WHEREAS, if the District provides BSOA Notice of Intent to acquire the NWE Tract on

or before December 15, 2023, BSOA's agreements regarding Tract D, described further in Section 2 below, are consideration for the Water Rights Transfer; alternatively, if the District does not provide the Notice of Intent to acquire the NWE Tract on or before December 15, 2023, then BSOA will pay \$15,000 as consideration for the Water Rights Transfer. Upon completion of the Pond Project work and payment of the \$15,000 alternate consideration, if applicable, as described below, the District will deed the Transferred Water Rights to BSOA and record the Tract H-20 Access Easement.

NOW, THEREFORE, in consideration of the mutual covenants made herein and other valuable consideration received, the Parties agree as follows:

All recitals set forth above are incorporated herein as if fully set forth.

SECTION 1— - WATER RIGHT TRANSFER AND EASEMENT-S

Subject to the terms and conditions of this Agreement, District shall complete the Water Rights transfer to ~~the~~ BSOA by transferring ownership of the 7.15 acre feet (AF) of water volume authorized under the Change Authorization to BSOA for a fishery purpose (the “Transferred Water Right”); as more particularly described in the Water Rights Quitclaim Deed attached as **Exhibit C; (2)**; and simultaneously with the execution of this Agreement, the District shall execute the Water Rights Quitclaim Deed to be held in escrow until Closing, ~~or earlier termination of this Agreement~~defined below. This provision shall survive the completion of other terms of this Agreement.

Simultaneously ly with the execution of, and subject to the terms and conditions of this Agreement, BSOA ~~grants~~shall execute the Water Rights Access Easement attached as Exhibit D, confirming the District ~~a's~~ perpetual non-exclusive easement for access, use, operation and maintenance of the headgate, diversion inlet ditch, outlet ditch, pump and storage reservoir associated with the Pond inlet, diversion works and storage for the District's remaining Water Rights ~~on Lot and facilities on Tract 1~~ (“Tract 1 Water Rights Access Easement”), ~~as more particularly described in the Water Rights Access Easement attached as Exhibit D, which shall be executed simultaneously with execution of this Agreement, BSOA shall execute the Tract 1 Water Rights Access Easement,~~ to be held in escrow by the Escrow Agent, until Closing, ~~or earlier termination of this Agreement~~defined below. This provision shall survive the completion of other terms of this Agreement.

Simultaneously with the execution of, and subject to the terms and conditions of this Agreement, the District shall execute the Access Easement attached as Exhibit E, granting BSOA a perpetual non-exclusive 30' easement for access, from Crazy Horse Drive to Tract D, for vehicular and pedestrian ingress and egress for the benefit of Tract D and BSOA land served thereby, over and across Tract H-20 (“Tract H-20 Access Easement”), to be held in escrow by the Escrow Agent, until Closing, described below. The location of the Tract H-20 Access Easement will follow the existing driveway on Tract H-20, if any, subject to confirmation to

BSOA's satisfaction that the existing driveway connecting Crazy Horse Drive to Tract D is located on Tract H-20 or if not, then in the area of H-20 adjacent to the existing driveway from Crazy Horse Drive to Tract 16 that connects with Tract D. This provision shall survive the completion of other terms of this Agreement.

The Agreement Section 1 Closing shall occur within five (5) business days after the Escrow Agent's receipt of: (1) BSOA's Notice of Completion, filed with the DNRC, showing substantial completion of the Pond Project consistent with the Change Authorization; and (2) evidence of full payment and any lien releases for construction of the Pond Project.

The consideration for the Agreement Section 1 Closing shall be ~~payment of the sum of \$15,000 or the alternate~~ the consideration set forth in Section 2, ~~below, and is due and payable as set forth in Section 2. The requirement for a \$15,000~~ The payment as alternate consideration shall survive the Agreement Section 1 Closing.

~~Upon~~ the Agreement Section 1 Closing ~~shall instruct~~, the Escrow Agent ~~to shall~~: (1) record ~~in the office of Gallatin County Montana Clerk and Recorder~~ the Water Right Quitclaim Deed, ~~the Lot 1~~ Water Right Access Easement and the Tract H-20 Easement with the Gallatin County Montana Clerk and Recorder; and (2) submit the Parties' completed water rights ownership update form(s) to the DNRC, necessary to update ownership and create separate water rights records and abstracts for the BSOA owned Transferred Water Right and the remaining District owned Water Rights.

In all events BSOA shall file a Notice of Completion with the DNRC by the authorized completion deadline of December 31, 2037, or an extended completion deadline authorized by DNRC.

SECTION 2: - CONSIDERATION

If the District, on or before December 15, 2023, provides ~~N~~BSOA written notice of ~~intent to~~ Acquire the NWE Tract ~~to the BSOA, then~~, BSOA agrees to grant the District ~~execute~~ the easements agreement described in (A) of this Section ~~and~~, the additional land area License Agreement described in (B) of this Section, and complete the property exchange set forth in (BC) of this Section, as follows:

(A) NWE Easement. ~~a perpetual non-exclusive~~ BSOA shall execute an easement document of record confirming that permitted use of the existing 30' platted utility easement for the benefit of H-20 includes access, ingress and egress; ~~together with utility for~~ installation, repair and maintenance of underground utilities (power, water and telemetry) over, across and under the existing platted ~~access~~ easement from area on Tract D to the NWE Tract, ~~("NWE Access Easement")~~ and ~~an additional a perpetual non-exclusive easement 40 feet in width with the scope including but not limited to access and for installation, repair, maintenance and replacement, for electrical, gas, water and sewer, easement over, across and under Tract D in a location to be determined after the District acquires the NWE Tract (together "for development, construction, use, operation, maintenance and repair of a water storage facility with up to a maximum of 1,000,000 gallon storage capacity (the "Tract D Easements")~~ as more particularly described on

~~the Perpetual Access and Utility Easements in the form attached at~~ **Exhibit E-F**;

The District shall prepare, at its sole cost and expense, the survey exhibit(s) ~~showing the specific agreed-upon locations confirming the location and legal description~~ of the ~~Tract D~~ NWE Easements ~~platted easement area~~, to be attached to the NWE Easement document prior to recording.

~~Upon~~ When the District ~~acquiring the NWE Tract, the District agrees to limit the size of any Storage Facility installed anticipates closing~~ on the NWE Tract, ~~to no more than 1,000,000 gallon of storage.~~

~~it will notify BSOA and provide the final NWE Easement survey exhibit at least 60 days in advance. ——— Expediently after~~ Within 10 business days of receiving the ~~Notice of Intent to Acquire the NWE Tract final survey exhibit~~, BSOA shall execute the NWE ~~Access Easement and the Tract D Easements~~ document, which shall be held in escrow until closing ~~of the District's acquisition of~~ on the NWE Tract. Simultaneously with the District closing ~~the acquisition of~~ on the NWE Tract, the Escrow Agent shall record the NWE ~~Access Easement and the Tract D Easements~~ document and attachment(s).

The District acknowledges use of the NWE Tract for a water storage facility requires amendment of the Sweetgrass Hills Subdivision Owners Association Covenants, Conditions and Restrictions permitting a change in use of the NWE Tract; accordingly the NWE Easement is contingent on approval of such amendments. Use of the NWE Easement area for the NWE Tract shall be expressly subject to and incorporate any requirements or restrictions of the Sweetgrass Hills Owners Association for the NWE Tract (e.g. if the Sweetgrass Hills Owners Association enacts a height restriction for a new water facility, then use of the NWE Easement shall be limited to a facility meeting such height requirement). Accordingly, the NWE Easement expressly requires the District's use of the NWE Tract comply with the Sweetgrass Hills Subdivision as a condition of the easement rights therein granted. ~~(B) The~~

(B) Tract D License Agreement. BSOA shall ~~transfer, free of charge, to grant~~ the District a temporary license for access and use for construction activity, during construction of a water storage facility and related improvements on the NWE Tract, on up to two (2) additional acres of land ~~Tract D surrounding NWE Tract from BSOA's Tract D.~~ the new facility site, subject to the insurance and other requirements and conditions of a written temporary license agreement, including but not limited to the requirement for the District and any contractor to maintain insurance and name BSOA as additional insured, in the form attached as Exhibit G (the "Tract D License Agreement"). ~~The final area to be transferred shall be identified after the District completes the site plans and building specifications for the no more than 1,000,000 gallon of storage facility.~~

Prior to commencing construction of a new water storage facility or other improvements on the NWE Tract, the District shall provide BSOA with an exhibit showing the location of the up to two acres area desired during the new facility construction period and any other requirements of the License Agreement (e.g. evidence of required insurance), and BSOA will execute the License Agreement. The area subject to the License Agreement for access during

construction shall be defined on a map exhibit, but need not be a professional survey.

(C) Tract D Property Exchange. If the District's new facility design plans require, at or after closing on the NWE Tract, at the District's request, BSOA shall execute documents necessary to exchange approximately .02 acres of Tract D with an equivalent area of the NWE Tract or other District property, through common boundary line relocation survey(s). The District shall prepare, at its sole cost the expense the survey exhibits for the real property being transferred to be exchanged, all necessary application(s) for the approval of the transfer, the boundary relocations survey(s) necessary to accomplish the exchange, and related transfer documents and recording fees.

(D) District Agreements. The District agrees to: (1) limit the size of any new water storage facility installed on the NWE Tract to no more than 1,000,000 gallons of storage capacity; (2) complete any necessary remediation of the access license area on Tract D used during construction, within a reasonable time after completion of construction; (3) take appropriate steps to decommission and remove the water storage facility on Tract H-20 if it is no longer in use after four years from completion of the new facility and remediate Tract H-20; and (4) comply with the any other requirements or conditions adopted for the NWE Tract and Tract H-20 by the Sweetgrass Hills Subdivision Owners Association.

(E) Alternate Consideration. If the District does not provide the BSOA Notice of Intent to Acquire the NWE Tract on or before December 15, 2023, then the BSOA shall provide alternate consideration for the Water Rights Transfer instead of the NWE Tract agreements, BSOA shall pay to the District the sum of \$15,000.00 no later than December 31, 2023.

The provisions of the Section survive Closing, whether full or partial.

SECTION 3 INDEMNIFICATION The Parties agree to hold each other harmless, indemnify and defend the other against any liability, damage, loss, claims, demands, actions, judgments, penalties, costs, liabilities or losses (including reasonable attorney's fees and consultant's fees), whether relating to injury to or death of any person or damage to any property of any nature whatsoever, including but not limited to any environmental damages, the other party incurs, which arise out of or are connected with or are claimed to arise out of or be connected with, directly or indirectly, the action of the other party or the other party's contractors, agents, employees, guests or invitees.

3.1 **Environmental.** Environmental damages means environmental damages, demands, allegations, claims and liabilities, suits and administrative actions which include but are not limited to:

- a) Remediation, cleanup, or response to the release or potential release to the environment of any chemical;
- b) Fines, penalties or other amounts resulting from a party's failure to comply with applicable health, safety, or environmental regulations;
- c) the generation of hazardous waste during the course of work contemplated under this Agreement; and
- d) Costs of attorneys or experts necessary to respond to environmental liabilities

resulting from a party's actions taken pursuant to this Agreement.

3.2 **Survival.** These covenants of indemnity shall survive Closing or termination of this Agreement.

SECTION 4 TERMINATION This Agreement may not be cancelled or terminated without written mutual consent signed and dated by authorized representatives of both Parties hereto.

SECTION 5 REMEDIES AND SPECIFIC PERFORMANCE

In the event of default, the Parties may enforce the terms of this Agreement by specific performance. Neither party may claim any other remedies including any special or consequential damages.

SECTION 6 NOTICE

Any notice to be given hereunder may be served upon a party personally, or served by registered or certified mail, addressed to the Parties at the following addresses:

Big Sky County Water & Sewer District:

Attention: General Manager
P.O. Box 160670
Big Sky, MT 59716-0670

BSOA:

Attention: Executive Director
P.O. Box 160057
Big Sky, Montana 59716

A notice served by mail shall be deemed completed when deposited in any United States Post Office. Any change of address shall not be effective unless served upon the Parties in the same manner as the notice referred to herein.

SECTION 7 COST OF THE PARTIES; TAXES AND ASSESSMENTS

The Parties agree each party is responsible for its own costs and fees incurred in connection with this Agreement and the transactions herein contemplated, including but not limited to design, engineering, construction, consulting and attorney fees and costs. BSOA is responsible for the water right transfer fee and recording fee and recording fee for the Tract H-20 Easement. The District is responsible for recording fees for the ~~Lot~~Tract 1 and ~~Lot~~DNWE Easements and any boundary line adjustment survey(s). Real property taxes and assessments of any real property subject to this Agreement, shall be the sole responsibility of party owning the real property.

SECTION 8 GENDER AND SECTION HEADINGS

As used herein the masculine shall include the feminine and neuter, as the context requires. All section headings used herein are intended solely for convenience of reference and shall in no way supplement or limit any of the provisions of this Agreement or affect the construction of any of the terms thereof.

SECTION 9 WAIVER

Waiver by either party of the breach of any of the covenants herein contained shall not bar either party from the right to enforce such covenants or to avail itself of remedies for any subsequent breach thereafter.

SECTION 10 BINDING EFFECT

All of the terms of this Agreement shall be binding upon and inure to the benefit of, and be enforceable by, the successors and assigns of the Parties hereto.

SECTION 11 FURTHER ASSURANCES

The Parties agree to execute and deliver such additional documents and instruments and to perform such additional acts as may be reasonably necessary to effectuate, carry out and perform all of the terms, provisions and conditions of this Agreement and transactions contemplated hereby, including post-Closing, for example, documentation necessary to separate and transfer the BSOA portion of the Water Rights with the DNRC.

SECTION 12 SIGNATURE AUTHORITY

The signatories of this Agreement certify that they are authorized representatives of their respective Parties and have sufficient authority to bind the Parties to this Agreement.

SECTION 13 NO CONSTRUCTION AGAINST DRAFTING PARTY

This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that the Agreement may have been prepared primarily by counsel for one of the Parties, it being recognized both Parties and/or their counsel have contributed substantially and materially to the preparation of this Agreement.

SECTION 14 ENTIRE AGREEMENT

This document contains the entire agreement between the Parties. No prior written or oral representations, inducements, agreements, promises or undertakings which contradict, alter, modify, add to or supplement the terms and conditions of this Agreement shall have any force or effect.

SECTION 15 AMENDMENT

No modification of or addition, supplement or amendment to the terms of this Agreement shall be deemed effective unless the same shall be in writing and executed by the party to be bound by such modification or amendment.

SECTION 16 COUNTERPARTS AND ELECTRONIC SIGNATURES.

This Agreement may be signed electronically and executed in one or more counterparts, which taken together shall constitute one fully executed document and an electronic copy of the fully executed Agreement shall be treated as an original.

IN WITNESS WHEREOF, the Parties execute this Agreement as of the day and year first above written.

BIG SKY COUNTY WATER AND SEWER
DISTRICT, NO. 363

By: Ron Edwards
Its: General Manager

ATTEST:

District Secretary

BIG SKY OWNERS ASSOCIATION, INC.

By: Suzan Phillips Scott
Its: Executive Director

EXHIBIT A – Water Rights Change Authorization
EXHIBIT B – BSOA Pond Project Design Plans
EXHIBIT C – Water Rights Quitclaim Deed

EXHIBIT D – Tract 1 Water Rights Access Easement

EXHIBIT E – ~~NWE Access~~Tract H-20 Easement ~~and~~

EXHIBIT F – Tract D Easement ~~Dra~~

EXHIBIT G – Tract D License Agreement

**MISCELLANEOUS
CORRESPONDENCE**

From: Ron Edwards
Sent: Tuesday, May 23, 2023 4:39 PM
To: clorinsky@gmail.com; bwheeler@bigskyresort.com
Cc: 'George Mueller'; 'Suzan Scott'; 'Heidi Goettel'; Brian Wheeler (bwheeler@bigskyresort.com); Dick Fast
Subject: RE: BSCWSD Minutes

Clay,

Here's the motion that will be in our minutes. Ron

Motion by Mike DuCuennois:

I move to approve obtaining a new agreement with BSOA to the exchange of 7.15 acre feet of fishery water from the District's water right, which shall be held in escrow until substantial completion of the Pond Project is completed and the terms new agreement are met, and provide BSOA with a written access agreement over and across the District's H-20, for access to BSOA's Tract D of Sweetgrass Hills in exchange for the consideration of the easement for access, use and operation of the Pond headgate, works and storage associated with the Pond, access for ingress, egress, underground water lines, underground electrical and underground telemetry infrastructure over, across and under the BSOA Tract D in the location of the 30 foot access easement from the District's H-20 to the Northwestern Energy/Montana Power tract for a future 1,000,000 gallon water storage tank together with a temporary license of up to two (2) acres of area for construction, which shall include restoration for disturbance, of the future 1,000,000 gallon water storage tank and in the event that the District requires additional acreage for the future 1,000,000 gallon storage tank the additional acreage will be added from the District's H-20 to the BSOA Tract D and the same acreage will then be added from the BSOA Tract D to the Northwestern Energy/Montana Power tract for a net 0 change of acreage for Tract D and BSOA will acknowledge the Sweetgrass covenant for Northwestern Energy/Montana Power tract will be amended to allow for the future 1,000,000 gallon water storage tank. Further, if the existing water storage tank on the District's H-20 tract is abandoned, it will be removed.

Second by Al Malinowski.

Passed unanimously.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: clorinsky@gmail.com
Date: 5/22/23 11:49 AM (GMT-07:00)
To: Ron Edwards <ron@wsd363.com>, bwheeler@bigskyresort.com
Cc: 'George Mueller' <george@muelleranderson.com>, 'Suzan Scott' <suzan@bigskyoa.org>, 'Heidi Goettel' <heidi@hgmt.law>
Subject: RE: BSCWSD Minutes

Ron:
Have you gotten a chance to convert audio to text?
Clay

From: Ron Edwards <ron@wsd363.com>
Sent: Friday, May 19, 2023 8:35 AM
To: clorinsky@gmail.com; bwheeler@bigskyresort.com
Cc: 'George Mueller' <george@muelleranderson.com>; Suzan Scott <suzan@bigskyoa.org>; Heidi Goettel <heidi@hgmt.law>
Subject: RE: BSCWSD Minutes

Good morning Clay,

I haven't had time to put our minutes together. I have attached the recording of the motion our board made on the BSOA pond on Monday. The link below will also play the motion.

http://bigskywatersewer.com/meetings/BSOA_Motion_5-15-23.mp3

Ron

Ron Edwards
General Manager
Big Sky County Water & Sewer District
561 Little Coyote Road
PO Box 160670
Big Sky, MT 59716

M 406.580.2575
T 406.995.2660
F 406.995.3053

www.bigskywatersewer.com



**BIG SKY COUNTY
WATER & SEWER**
DISTRICT NO. 363

From: clorinsky@gmail.com <clorinsky@gmail.com>
Sent: Thursday, May 18, 2023 1:32 PM
To: bwheeler@bigskyresort.com
Cc: 'George Mueller' <george@muelleranderson.com>; Suzan Scott <suzan@bigskyoa.org>; Heidi Goettel <heidi@hgmt.law>; Ron Edwards <ron@wsd363.com>
Subject: BSCWSD Minutes

Brian:

I want to be certain that the BSOA board is able to address the Little Coyote Pond project motion approved by BSCWSD at its board meeting on Monday the 15th.

To that end, would you please forward, via reply all, that portion of the minutes containing the language of that motion?

Thanks.

Clay

Clay Lorinsky
2000 North Fork Rd.
Ste. 161392
Big Sky, MT 59716
Tele: 406.995.2770
Mobile: 310.567.1020



**BIG SKY COUNTY
WATER & SEWER
DISTRICT NO. 363**

PO BOX 160670 561 LITTLE
COYOTE ROAD BIG SKY, MT 59716
T 406.955.2660 • F 406.995.3053
OFFICE@WSD363.COM • WSD363.COM

May 18 2023

Suzan Scott
Big Sky Owner's Association
PO Box 160057
Big Sky, MT 59716

VIA EMAIL
Suzan@bigskyoa.org

Re: Sweetgrass Hills Covenant Amendment Request

Dear Suzan:

Please amend Section 2 Use, D Water and Substation Tracts, paragraph ii, which indicates the use of the Montana Power Substation site “shall be used as an electrical service facility”. Page 8 from the Sweetgrass Covenants is attached for reference. The District would like the amendment to include the Montana Power Substation site in Section 2, D. i. for water storage provision.

Please let me know if you need of any further documentation for this request.

Thank you.

Sincerely,

BIG SKY COUNTY WATER & SEWER DISTRICT

Ron Edwards
General Manager

Enc.

Cc: Susan Swimley via email swimley@swimleylaw.com
Brian Wheeler via email bwheeler@bigskyresort.com



reconstruction, alteration, or remodeling of buildings, structures and other improvements related or pertaining to such use, including without being limited to: playgrounds, parks, tennis courts, tennis buildings, health clubs, swimming pool, swimming pool building, skiing, ski trails, baseball/softball, playing fields, basketball courts, skate park, skating rink, concert facilities, recreational facilities, pavilions, water wells, pipelines, maintenance and storage buildings, comfort stations and shelters. However, this Tract and any amendments thereto is hereby restricted in perpetuity for the use of The Big Sky Community Corporation, its successor or assigns, and the people of Gallatin County under the provisions of and in accordance with the Montana Open Space and Voluntary Conservation Easement Act, Title 76, Chapter 6, MCA.

D. Water and Substation Tracts

i. The Tracts designated as Tracts H20 and H21 on the Plat and any amendments thereto are to be used as the site for water storage tanks for fire protection and a domestic water supply for the Big Sky County Water & Sewer District, No. 363, or its successors or assigns. Such use shall include the construction, reconstruction, maintenance, repair, and remodeling of a water storage tank or tanks and shall also provide for the installation of any pipes, utilities, pumps, machinery, roads, landscaping and any and all other equipment or facilities that may be necessary or appurtenant to use of the Tracts as a site for a water storage tank or tanks.

ii. The Tract listed as the Montana Power Substation site on the Plat shall be used as an electrical service facility and which use shall include the construction, reconstruction, maintenance, repair, alteration, or remodeling of a power substation and shall also provide for the installation of substation facilities, buildings, overhead and underground transmission of power lines, transformers, and other electrical equipment, roads, landscaping and any and all other equipment or facilities that may be necessary or appurtenant to use of the Tract as a site for a power substation.

E. Green Belt Tracts

Tracts B, C, D, E and F on the Plat and any subsequent amendments thereto shall be held by the Association, as open area for use for parks, trails, bridle paths, skiing and ski trails, agriculture, and/or recreation areas, together with improvements associated with such use and for pedestrian access to adjacent property but which use shall include, where necessary the installation of wells, water storage tanks, pump houses, or pipelines for a water supply, together with such other and additional easements as the Association may hereafter designate.

Business Action Items:

District Rate Resolution 23-01

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of Big Sky County Water & Sewer District No. 363, Montana (the “District”), hereby certify that the attached is a true copy of a Resolution entitled: “RESOLUTION NO. 23-01 OF BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363, MONTANA APPROVING INCREASES TO RATES FOR THE WATER AND SEWER SYSTEMS” (the “Resolution”), on file in the original records of the District in my legal custody; that the Resolution was duly adopted by the Board of Directors of the District at a regular meeting on June 20, 2023, and that the meeting was duly held by the Board of Directors and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on District Resolution 23-01 at said meeting, the following Directors voted in favor thereof: _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____

WITNESS my hand officially this ___ day of _____, 2023.

Richard Fast, Secretary

RESOLUTION NO. 23-01

**RESOLUTION OF BIG SKY COUNTY WATER & SEWER
DISTRICT NO. 363, MONTANA APPROVING INCREASES
TO RATES FOR THE WATER AND SEWER SYSTEMS**

RECITALS

WHEREAS, Big Sky County Water & Sewer District No. 363, Montana (the “District”) has been duly created pursuant to Montana Code Annotated, Title 7, Chapter 13, Parts 22 and 23, and the District currently operates a water system and a sewer system; and

WHEREAS, the Board of Directors of the District (the “Board”) has determined that it is necessary to increase the rates of the District’s sewer system (the “Sewer System”) and the District’s water system (the “Water System”) to collect sufficient revenues to repay outstanding bonds payable from the revenues of the Sewer System and the Water System (together, the “Systems”), pay costs associated with the operation and maintenance of the Systems, and establish appropriate reserves; and

WHEREAS, as described in Section 7-13-2275, M.C.A., the rate increases approved below represent a cumulative rate increase of less than or equal to 5% for a 12-month period.

WHEREAS, The District held a Rate Hearing on June 20, 2023. The hearing was noticed in the Bozeman Chronicle and Explore Big Sky newspapers, and notices were mailed to District customers and owners in accordance with MCA _____.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. Modifications to Wastewater and Water User Charges and Connection Fees. The Board desires to modify the basis on which water and sewer charges are imposed and implement a rate increase for the use and availability of the Wastewater and Water Systems as set forth on Exhibit A.

Section 2. Current Wastewater and Water User Charges and Connection Fees. The District currently charges for the use and availability of the Sewer and Water Systems as shown on Exhibit A which went into effect on July 1, 2022.

Section 3. Rate Increases. Effective as of July 1, 2023, the Board approves increasing both the wastewater and water user charges by fifteen percent (15%) as shown on Exhibit A.

Section 4. Amount of Increases. The amount of the increases in the water and sewer rates and charges approved by the Board pursuant to this resolution is 15% over existing water and sewer rates and charges.

Section 5. Determination of Annual Budget for Systems. At least once each year the Board of the District shall determine the amount of money needed to pay the costs of the System including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the Systems; (b) administration of the Systems; (c) the payment of principal and interest on any bonded or other indebtedness of the Systems; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Board or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the Systems.

Based on the annual needs of the Systems, the Board will establish monthly charges for the use of the Systems.

Section 6. Further Rate Increases. Subsequent adjustment to the rates and charges for the use and availability of the Systems will be made by a resolution of the Board of Directors duly adopted, if required, after a public hearing, with notice given as required by law.

Passed and approved this ____ day of _____, 20 23 .

Brian Wheeler
President, Board of Directors

Attest:

Richard Fast
Secretary

[S E A L]

**BIG SKY COUNTY WATER & SEWER DISTRICT No. 363
SUMMARY OF RATES, FEES & CHARGES**

Effective: July 1, 2023

I. HOOKUP FEES

A. WASTEWATER CONNECTION INSPECTION CHARGES:	
Type of Improvement	Inspection Charge ^[1]
• Remodeling or change in use that changes SFEs	\$50
• Single Family Residence	\$200
• Two (2) through Four (4) units of improvement	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250

^[1] For wastewater permitted projects on Westland/TM land in Section 1 the inspection fee shall be 50% of the applicable inspection fee.

B. WASTEWATER PLANT INVESTMENT CHARGE (PIC)	
The PIC shall be five thousand four hundred ten dollars (\$5,410) per Single Family Equivalent (SFE) for new connections that have paid the sewer mill levy prior to December 31, 2020.	\$5,410 Per SFE ^{[1][2]}
The PIC shall be six thousand one hundred seventy dollars (\$6,170) per Single Family Equivalent (SFE) new property that have <u>NOT</u> paid the sewer mill levy prior to December 31, 2020.	\$6,170 Per SFE ^{[1][2]}

^[1] Plant Investment Charge (PIC): For Boyne owned lots (i.e. Cascade, Mountain Village, etc.) as of July 25, 1997, are subject to an additional \$3,500 surcharge per SFE as itemized on permit.

^[2] Westland /TM land in Section 1 of the Meadow Village, and Westfork Meadows are exempt from Wastewater PIC charges from prior agreements.

C. WATER CONNECTION INSPECTION CHARGES:	
Type of Improvement	Inspection Charge
• Remodeling or change in use that changes SFEs	\$50
• Single Family Residence	\$200
• Two (2) through Four (4) units of improvement	\$350
• Five (5) through ten (10) units of improvement; and each commercial building less than or equal to 10,000 square feet	\$500
• Eleven (11) or more units of improvement; and each commercial building greater than 10,000 square feet	\$1,250

D. WATER SYSTEM INVESTMENT CHARGE (SIC)		
The SIC shall be one thousand eight hundred twenty eight dollars (\$1,828) per Single Family Equivalent (SFE) for new domestic use connections that have paid the water mill levy prior to December 31, 2020.		\$1,828 Per SFE
The SIC shall be two thousand one hundred sixty dollars (\$2,160) per Single Family Equivalent (SFE) for new domestic use connections that have <u>NOT</u> paid the water mill levy prior to December 31, 2020.		\$2,160 Per SFE
The SIC for all new irrigation use connections serving non-single family residential connections shall be based on meter size. For meter sizes above 4" the SIC shall be determined on a case by case basis. The SIC charge for meter sizes shall be:	3/4" or less 1" 1 1/2" 2" 3" 4"	\$4,382 \$7,429 \$14,859 \$23,774 \$47,549 \$74,295

E. Water Meter Equipment Charge	
For new commercial, single residential, and multiple residential unit water connection permits where meters are required, the District sells meter horns, water meters, and remote read devices to the permit applicant as part of the connection permit fee. All water meters and appurtenant metering equipment shall be sold at the District's cost plus five (5%).	District Cost + 5%

II. MONTHLY USER CHARGES

A. Wastewater User Charges	
Type of Rate	2023-24
• Base Rate Commercial	\$35.78 per month (\$107.34/Qtr)
• Base Rate Residential	\$35.78 per month (\$107.34/Qtr)
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.	\$9.14 Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.	\$8.72 Per 1,000 Gals.

^[1] (For single family homes the 2nd & 3rd quarter sewer charges based on winter average use for the period Oct. 1 - March 30 from the preceding year.)

B. Water User Charges		
Type of Rate	2023-24	
• Base Rate Commercial	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Residential	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Irrigation	\$22.29 per month (\$66.87/Qtr)	
• Base Rate Reuse (Current Volume Charge \$0.00)	\$22.29 per month (\$66.87/Qtr)	
• Variable Rate Wholesale Customers All Usage	\$4.36	Per 1,000 Gals.
• Variable Rate ^[1] Commercial per 1,000 gallons of water use.		
Tier 1: 0 to 30,000 Gallons	\$3.78	Per 1,000 Gals.
Tier 2: 30,000 to 60,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 60,000 to 80,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 80,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Residential per 1,000 gallons of water use.		
Tier 1: 0 to 20,000 Gallons	\$3.78	Per 1,000 Gals.
Tier 2: 20,000 to 40,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 40,000 to 60,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 60,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Irrigation per 1,000 gallons of water use.		
Tier 1: 0 Gallons	\$0.00	Per 1,000 Gals.
Tier 2: 0 to 20,000 Gallons	\$5.66	Per 1,000 Gals.
Tier 3: 20,000 to 40,000 Gallons	\$7.94	Per 1,000 Gals.
Tier 4: > than 40,000 Gallons	\$11.11	Per 1,000 Gals.
• Variable Rate ^[1] Reuse per 1,000 gallons of water use.		
Tier 1: 0 Gallons	\$0.00	Per 1,000 Gals.
Tier 2: 0 to 90,000 Gallons	\$1.00	Per 1,000 Gals.
Tier 3: 90,000 to 120,000 Gallons	\$1.00	Per 1,000 Gals.
Tier 4: > than 120,000 Gallons	\$1.00	Per 1,000 Gals.

^[1] (Variable charges are calculated on actual use per quarter.)

C. Flat Rate Water & Sewer Rates		
Type of Rate	2023-24	
• Sewer SFE Rate Charge	\$33.96 per month (\$101.88/Qtr)	
• Water SFE Rate Charge	\$24.82 per month (\$74.46/Qtr)	

D. Vacant Lots		
Type of Rate	2023-24	
• Sewer Availability	\$9.51 per month (\$28.53/Qtr)	
• Water Availability	\$9.51 per month (\$28.53/Qtr)	

III. PLANT & SYSTEM INVESTMENT CHARGES^[1]- SFEs PER 1,000 SQUARE FEET

A. Single Family Homes & Single Condos		
Type of Rate		SFEs / 1,000 Sq. Ft.
• Rate 1	< 2,000 Sq. Ft.	0.85
• Rate 2	2,001 to 3,000 Sq. Ft.	0.65
• Rate 3	3,001 to 4,000 Sq. Ft.	0.55
• Rate 4	> 4,000 Sq. Ft.	0.45

^[1] Plant Investment Charge (PIC): For Boyne owned lots (i.e. Cascade, Mountain Village, etc) as of July 25, 1997, the PIC charge is \$8,910 per SFE (\$5,410 PIC and \$3,500 surcharge) as itemized on permit.

B. Multiple Unit Condominiums		
Type of Rate	Condo Size	SFEs / 1,000 Sq. Ft.
• Rate 1	< 1,000 Sq. Ft.	0.95
• Rate 2	1,001 to 2,000 Sq. Ft.	0.85
• Rate 3	2,001 to 2,300 Sq. Ft.	0.75
• Rate 4	> 2,300 Sq. Ft.	0.65

C. Employee Housing Projects and Accessory Dwelling Units		
Type of Rate	Unit Size	SFEs / 1,000 Sq. Ft.
• Rate 1	> 0 Sq. Ft.	1.20

Plant Investment Charges (PIC) calculation for all work force/employee housing projects as apartments or condominiums. All ADU's will also be calculated using this rate.

IV. BULK WATER RATES

A. Bulk Water User Charges	
Type of Rate	Charge
• Hydrant Use Permit Fee	\$50
• Bulk Water Rate- Fills < 1,000 Gallons	\$15
• Bulk Water Rate- Fills > 1,000 Gallons	\$15 per 1,000 gals

V. OTHER FEES

A. Delinquent Accounts	
Type of Rate	Charge
Delinquent accounts that are transferred to Gallatin or Madison County for collection through the tax role	\$100

B. Property Transfers	
Type of Rate	Charge
Title Company requests for current billing information for property transfers, or change of ownership.	\$50

C. Permit Reimbursements	
Type of Rate	Charge
Retained connection permit fees for projects not constructed	\$100

D. Reactivation Charge	
Type of Rate	Charge
Reactivate water service by turning curbstop back on after it has been shut off.	\$100

E. Fire Hydrant Flow Test	
Type of Rate	Charge
Fire hydrant flow test cost per hydrant test	\$150

F. Penalties	
Type of Fine	Charge

A. Billing & Permitting Fines	
Sewer and/or water connection inspection permit changes after issuance. The penalty for an unapproved increase that exceeds one (1) SFE shall be calculated by prorate.	\$500 Minimum
Late payments for sewer and water charges and accrued penalties that are not paid by February 15, May 15, August 15, and November 15 of each year.	1% per Month 12% per Annum

B. General Fines	
Minor Fines & Penalties For Violation.	\$500
Major Fines & Penalties For Violation. For violations relating to local or federal wastewater pretreatment standards implemented in the Federal Water Pollution Control Act, 33 USC1251 through 1387	\$1,000

C. Sewer System Fines	
Pulling a sewer plug on a main line: plus the cost of sewer jetting	\$5,000
Exposing a sewer lateral without the District's knowledge or permission:	\$2,000
Exposing a sewer main without the District's knowledge or permission:	\$3,000

D. Water System Fines	
Exposing a water lateral without the District's knowledge or permission	\$3,000
Exposing a water main without the District's knowledge or permission	\$5,000
Operating a curb stop in a non-emergency situation without the District's knowledge or permission	\$2,000
Operating a main line valve without the District's knowledge or permission	\$5,000
Operating a fire hydrant without the District's knowledge or permission	\$5,000

OLD BUSINESS

Old Business:

**Capital Improvements
Plan Projects:
WWTP Upgrade**

June 16, 2023

Mr. Ron Edwards
 Big Sky County Water & Sewer District No. 363
 561 Little Coyote Rd.
 Big Sky, MT 59716



Re: June 2023 Update for the District Board

Mr. Edwards:

The following is an update for work AE2S, AE2S Nexus and AE2S Communications is currently conducting for the District:

Water Resource Recovery Facility (WRRF) Phase I Expansion and Upgrade:

Construction: RSCI’s most recent three-week lookahead schedule is attached. Primary activities onsite currently include the following:

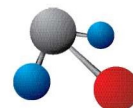
- MTB plumbing, HVAC, siding
- HVAC and lighting in Headworks
- Installing piping in Fermenter
- Roofing of Headworks Building
- Yard Piping, storm drain
- New YC1 Pump Station Wetwell is largely complete. Site/yard piping associated with the reservoirs and pump station will be done later this year.

Construction Schedule: the change order for extension of the construction schedule was completed and signed by all parties. We have incorporated the new dates into the schedule below.

Project Task/Milestone	Date or Date Range
Bid Award	April 28 th
Notice to Proceed	June 7th 2021
Construction	June 2021 – December 2023
Substantial Completion of Liquids Treatment Facilities	May 22, 2023 – October – November 2023 October 18, 2024
Substantial Completion of Equalization and Solids Facilities	February 1, 2024 – April – May 2024 March 5, 2024
Final Completion	March 7, 2024 – May – June 2024 September 18, 2024 October 18, 2024

Construction Administration:

1. RSCI has suggested foregoing the soldier pile retaining wall (H-piles with railroad ties) in favor of native boulders and rocks and plantings. RSCI is having their own geotechnical engineer work on the design and evaluation of this change and if it proves feasible, submit the design and



calculations to the project geotechnical engineer, Craig Nadeau/TD&H. If this proves doable it would be a substantial credit change order to the District.

2. The 2MW generator was ordered by RSCI over a year ago but is not scheduled for shipping until late summer 2024. The WRRF liquids phase startup is currently scheduled for late winter 2024. AE2S is working with RSCI to determine the best approach to starting the liquids processes without the final generator installed. There are essentially two alternatives: 1) RSCI has a 600 kW generator unit that could, in theory, but wired in parallel with the District's existing 250 kW generator. This would require substantial temporary wiring and load mitigation programming to work, but we did take a look to see if it is feasible. It is, but it could not power all critical loads and it would entail some risk during installation, as the wiring and programming are complicated. 2) use the existing Aeration Pond (aka Pond 2) as an emergency storage basin from the start of the liquids phase to final installation of the 2MW generator unit. We are currently working on what this would entail, how alarming would be setup, who would be responsible for operating the temporary diversion of wastewater into the Pond, etc. We will provide the District with a final recommendation on this in the next month.

Wastewater Facility Plan (Collection System Model Phase):

Limited progress this past month. Still awaiting complete survey data. Buecker to reach out to Scarr/TD&H.

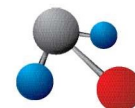
Reuse

Reuse Management Plan: DRAFT Reuse Management Plan is only waiting for Jordan Sykes permitting development work with Ron to be complete and ready for submittal to DEQ for review and discussion.

Reuse Booster Station PER: DRAFT PER is ready for submittal to DEQ SRF. Per Board instruction, Ron will proceed with purchasing pumps for YC 1 and 2 that match existing, so that there is plenty of redundancy for the District for the coming years. In the meantime, the District has the Booster Station addition in the SRF queue for funding and can proceed with a future RFQ for final design when they feel it is necessary.

Potable Reuse Study: Study is updated with life cycle costs of equipment for full installation, providing the pilot study recommendation, and outlining conceptual design and cost estimation for connecting to the Meadow Village distribution system. We have updated pricing for the non-reverse osmosis treatment skid commonly referred to as carbon-based advanced treatment (CBAT) for potential piloting in the existing Filter Building, adding a funding section, and then submitting this report to the District for review and eventual submittal to DEQ.

Next Steps: with the Reuse Management Plan, Reuse Booster Station PER and Potable Reuse Study all essentially complete, Ron and I should travel to Helena to meet with DEQ and present all three to their staff to facilitate their review of these documents and build relationships with the next generation of reuse regulators since Terry Campbell's retirement.



Organization Structure and Succession Planning Study:

Ryan Graf provided an email update to Ron and the Succession Planning sub-committee by separate email.

Gallatin Canyon Wastewater Collection and Disposal

WGM is surveying the pipeline alignments. WGM has started on the Canyon District portion of the work. AE2S is doing a detailed hydraulics analysis of both reuse and raw wastewater pipelines.

District Engineering Services

- Irrigator Group Meetings – still in good shape on reservoir levels, but wet weather postponing start of irrigation season. Assisting MVGC operations with nitrogen fertilization and reuse water total nitrogen projections
- EPA Site Visit and WRRF Overview – State Court Cottonwood case dismissed, appears only remaining related work at this time is assisting DGS and District with EPA information sharing.
- Rate Study – assistance to Ron and Terry by Graf, Buecker
- Pretreatment Work – Attended/engaged in Pretreatment Subcommittee meeting with Brian McCollum, Pure Water Technologies. Attended workshop with GRTF, Manka and Fast. Working on a short technical memorandum summarizing salinity-related data obtained to date; potential impacts on irrigation, groundwater discharge, snow-making and potable reuse; reported efficacy of alternative water conditioning technologies, and the potential to test Template Assisted Crystallization. Will present TM to the subcommittee when it is ready, likely in the next month.

Engineering Budget(s) and Scope-Fee Proposals:

Estimates for currently active project budgets as of this month.

Project Number and Name	Project Manager(s)	Current Budget Estimate
P13218-2021-002 WRRF Improvements Construction Administration	Scott Buecker and Caglar Kepenek	\$1,388,000
P13218-2018-002 Wastewater Facility Plan (Modeling Phase)	Donovan Voeller	\$53,000
P13218-2019-014 District Engineering Services	Scott Buecker	\$81,000
P13218-2019-003 Potable Reuse Study	Scott Buecker and Kelsey Wagner	\$23,000
P13218-2022-002 Organizational Structure Review	Ryan Graf	\$8,500
P13218-2020-001 Canyon Area LS, FM and Reuse	Kelsey Wagner	\$289,000

Submitted in Service,

Scott Buecker, P.E.

AE2S Sr. Project Manager and Wastewater Practice Leader

**WRRF SCHEDULE:
06/05/23 - 06/25/23**



Project Name: **BIG SKY WRRF IMPROVEMENTS PH 1**

Project Number: **547**

Date: **6/5/2023**

Superintendent: **Daniel Tracy**

Dates: **6/5/23-6/25/23**

DESCRIPTION OF WORK PLANNED FOR NEXT 4 WEEKS	Responsible Party	MANPOWER / DURATION																				MATERIALS & EQUIPMENT REQUIRED TO COMPLETE PLANNED WORK	Material & equip on site?			
		M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S		S	YES	NO	
		6/5	6/6	6/7	6/8	6/9	6/10	6/11	6/12	6/13	6/14	6/15	6/16	6/17	6/18	6/19	6/20	6/21	6/22	6/23	6/24		6/25			
SITE																										
RECONFIGURE SECURITY FENCE	RSCI		x																							
EXCAVATE AND PREP FOR RETAINING WALL	RSCI				x	x	x																			
BACKFILL SOUTHSIDE OF TPB	RSCI				x	x																				
FORM / REINFORCE / PLACE CONCRETE: COLUMNS FOR WOOD FRAME CANOPY	RSCI									x	x	x	x													
WET WELL																										
BACKFILL SOUTH SIDE OF WET WELL	RSCI				x	x	x																			
PATCH TIE HOLES					x	x			x	x	x															
SET HOLLOWCORE PRECAST AT WET WELL ROOF STRUCTURE	WSSE									x																
LEAK TEST	RSCI												x													
COMPLETE BACKFILL																	x	x	x	x						
FORM: BASE SLAB FOR VALVE VAULT																x	x									
PLACE REBAR: BASE SLAB FOR VALVE VAULT																	x	x								
PLACE CONCRETE: BASE SLAB FOR VALVE VAULT																				x						
YARD PIPING / EARTHWORK																										
INSTALL STORM DRAIN	RSCI									x	x	x	x	x			x	x	x							
INSTALL 4" NPW / 3" PROPANE PG FROM MTB TO HW	RSCI																			x	x					
TIE INTO SFB SOUTH TANK	RSCI																									
START EXCAVATION / INSTALLATION OF SWP PIPING	RSCI																									
HEADWORKS																										
LEAK TEST GATES	RSCI	x	x																							
FORM / POUR / STRIP: STAIR STOOP WALLS	RSCI			x																						
INSTALL HVAC EQUIPMENT & FRP AT HEADWORKS	UNITED	x	x	x	x	x				x	x	x	x	x												
COMPLETE INSTALLATION OF GRIT PIPING	RSCI MECH	x	x	x	x					x	x	x	x													
INSTALL NPW	RSCI MECH	x	x	x	x					x	x	x	x				x	x	x	x	x					
COMPLETE DECANTER MECHANISM INSTALLATION IN FERMENTER TANK	RSCI MECH									x	x	x	x													
COMPLETE BACKER ROD AND CAULKING AT EXTERIOR PRECAST JOINTS	RSCI									x	x	x	x	x												
INSTALL WATERPROOFING AND BACKFILL ON SOUTH SIDE	RSCI																x	x	x	x	x					
FRAME SOFFIT AND INSTALL GYPBOARD AT ELECTRICAL ROOM	RSCI																x	x	x	x	x					
REMOVE EXTRA SUPPLIES & MATERIALS / FULL CLEAN UP	RSCI																x	x	x	x	x					
INSTALL CHANGE ORDER HANDRAIL	RSCI																									
MTB																										
INSTALL PENETRATIONS AT 6-12 ROOF	RSCI MECH/ELEC			x	x	x																				
COMPLETE BLOWER PENETRATIONS THROUGH ROOF	RSCI MECH									x	x															
INSTALL TEMPORARY POWER TO BRIDGE CRANE	RSCI ELEC									x	x															
SAC AND PATCH MEMBRANE DISTRIBUTION CHANNEL	RSCI									x	x	x	x	x												
INSTALL TPO AND ROOF INSULATION AT CANOPIES	ACE									x	x	x	x	x												
COMPLETE PIPE INSULATION	RSCI MECH									x	x	x	x	x												
INSTALL METAL SIDING	AXIOM									x	x	x	x	x			x	x	x	x	x					
COMPLETE SPRAY INSULATION AT GARAGE	RSCI											x	x													
COMPLETE PIPE COATINGS	T & L											x	x	x												
COMPLETE HVAC DUCT & EQUIPMENT	UNITED MECH																x	x	x	x	x					

**WRRF PROGRESS MEETINGS:
06/07/2023**



Big Sky WRRF Improvements – Phase 1 Big Sky County Water and Sewer District

Progress Meeting Agenda:

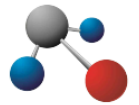
From: Caglar Kepenek – AE2S

Date: 6/7/2023

Progress Meeting No: 85

- I. Planned progress for upcoming weeks:
 - a. RSCI: – Construction schedule.
 - i. Concrete schedule
 - 1. TPB Wall on G.2 - June 8
 - b. AE2S:
 - i. Submittal and RFI review.
- II. Coordination Items:
 - a. RSCI:
 - i. Phase 2 excavation.
 - ii. Retaining wall construction.
 - iii. Storm drain & manhole installation.
 - iv. Wet Well leak test.
 - b. District:
 - c. AE2S: Canopy & landscaping coordination.
- III. Review of submittals and status of submittals:
 - a. Open Submittals:

<input type="checkbox"/> Caglar Kepenek (3 items)						
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-13	0	VV CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-12	0	DIG-CP1 Control Panel
<input type="checkbox"/>	Edit	View	21 13 00 Fir...	21 13 00-01	1	Fire Sprinkler System



<input type="checkbox"/> Trent Dyksterhouse (13 items)						
<input type="checkbox"/>	Edit	View	43 24 13 Ve...	43 24 13-02	1	Vertical Turbine Pumps
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-11	0	CMP CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-10	0	PS-2 CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-09	0	PS1 CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-08	0	RPS CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-07	0	EFB CP-1 Control Panel
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-06	0	SFB PLC Control Panels
<input type="checkbox"/>	Edit	View	40 95 13 Pr...	40 95 13-04	0	HWB PLC Control Panels
Edit	View		40 95 13 Pr...	40 95 13-03	0	MTB Main PLC Control Panels - CP1, CP2, CP3, CP10
Edit	View		40 95 13 Pr...	40 95 13-02	0	MCCs, VFDs, PLCs, and Control Panels - MTB
Edit	View		26 24 19 M...	26 24 19-02	1	MCCs, VFDs, and Local Control Stations - SFB
Edit	View		26 24 19 M...	26 24 19-01	0	MCCs and VFDs - HWB
Edit	View		21 13 00 Fir...	21 13 00-01	0	Fire Sprinkler System

OLD BUSINESS:

**Developments
& Subdivisions**

FLAT IRON

From: Ron Edwards
Sent: Friday, June 9, 2023 3:57 PM
To: James Potts
Cc: Jim Muscat; 'Brian (bwheeler@bigskyresort.com)'; Dick Fast; 'mike (mwilcynski@moonlightbasin.com)'; 'Susan Swimley (swimley@swimleylaw.com)'
Subject: RE: DOWL Services - Flat Iron Wells Testing

Hi Jim,

Hope you are doing well. It was nice to catch up on the phone a couple of weeks ago. We are making our way back to Bozeman after a 2,000 mile road trip with my 92 year old Dad from Albuquerque to Bozeman, Bozeman to Boise and home. I'll be back in the office next week.

I think Jim probably already sent you this, but if not this what Mark Cunnane recommended for the Flat Iron well testing:

- Water quality samples should be collected from artesian flow over several months to Bozeman, Bozeman to assess stability of iron and manganese concentrations, and the possible need for treatment. Field parameters should be measured at each sampling event.
- Prior to pump testing FI wells complete WSD Test well 9 and measure for connectivity if any while the FI pump test are run.
- Each well should be tested in a step rate test to evaluate turbulent head loss parameters and subsequently to estimate the amount of drawdown attributed to pumping rate.
- Each well should be tested in a constant rate test with a pumping duration of 7-days, followed by a recovery period of equal duration. This data should be analyzed to re-evaluate, or otherwise confirm the long-term yield of the wells.
- Obtain a video log in each well.

If there are other testing protocols that you would like to add, we welcome your input.

We have our next board meeting schedules for June 20th. We are going to try to schedule another meeting with the Flat Iron group before that meeting.

There are 2 rather big issues that have not been resolved with the Flat Iron group to this point. The first is completing test well 9 down by the Thunderwolf lift. Bridger drilling started this well last fall after getting their permission to drill it. They later changed their minds and demanded we pull the rig out after drilling 140 feet. After legal threats to file a temporary restraining order we decided to pull the rig out. Completing that well to its Kootenai target is one of the recommendations.

Initial water quality for the tests that Mark looked at are also suspect. The District wants Flat Iron be responsible for all treatment costs, both capital and operating for water produced from these wells in the event the quality is not suitable. There is no agreement yet on this issue as well.

They also stopped us from accessing our sewer and water pipelines claiming we have no easement. The pipeline access and easements for sewer and water is also an unresolved issue. Development considerations such as density and location also need to be worked through.

Spending money for the well testing may not be necessary if we can't work through these with the Flat Iron group. Fall testing seems reasonable if we can get there.

I put together a couple of videos on our Youtube page which are excerpts from our board meetings where Mark Cunnane presented his findings on our Sources Water Capacity Plan Update, Mountain Village well drilling program, and his analysis of the Flat Iron Wells. They are linked below. There are also 5 reports listed after the videos which should also be helpful.

I'll give you a call to schedule a meeting.

Ron

[Source Water Capacity Plan Update Presentation 2022-09-20 \(Western Groundwater Services, Mark Cunnane\)](#) [1:21:11]



[Mountain Well & Flat Iron Well Analysis Presentations 2021-11-16 \(Western Groundwater Services, Mark Cunnane\)](#) [2:23:36]



Reference Reports:

- [Big Sky Water & Sewer District board meeting presentations Mountain Well Exploration Report- 2019-2022](#)
- [Source Capacity Report Update \(9/08/2022\)](#)
- [Source Capacity Report Update Volume 1 \(9/08/2022\)](#)
- [Source Capacity Report Update Volume 2 \(9/08/2022 Appendices\)](#)
- [Flat Iron Well Analysis Report Powerpoint \(11/16/2021\)](#)
- [Flat Iron Well Analysis Report PDF \(11/12/2021\)](#)

Ron Edwards
General Manager
Big Sky County Water & Sewer District
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PO Box 160670
Big Sky, MT 59716

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F 406.995.3053
www.bigskywatersewer.com



**BIG SKY COUNTY
WATER & SEWER**
DISTRICT NO. 363

From: James Potts <JPotts@dowl.com>
Sent: Wednesday, May 17, 2023 12:14 PM
To: Ron Edwards <ron@wsd363.com>
Subject: RE: DOWL Services - Flat Iron Wells Testing

Ron:

Checking in to see if you received the email below.

Thanks

James Potts, EIT
Senior Hydrogeologist

DOWL

(406) 586-8834 | office
(406) 551-1452 | direct
(406) 539-9565 | cell

dowl.com

From: James Potts
Sent: Tuesday, May 9, 2023 4:09 PM
To: ron@wsd363.com
Cc: Kevin Johnson <krjohnson@dowl.com>
Subject: DOWL Services - Flat Iron Wells Testing

Ron:

Getting back to you on this work. Pat Eller (MM) called me last week and we briefly discussed the work and DOWL's/my our involvement with it in the past. I told Pat that I needed to contact you and work on

getting my role better defined so that he and I can move forward in the best interest for both the District and his client. Below is draft outline of Scope Of Work for you to review, add, subtract as you see fit. Kind of a shotgun approach so maybe way more that you want, but a place for y'all to start. Our thought is that we would work for the District on a time and materials basis and also provide a not to exceed maximum/book end if desired.

1. Work with the District to understand and define the Flat Iron well testing program.
 - a. Meeting with the District to discuss project(s). On-line, phone calls, and/or at your office as needed.
 - b. Review of District provided materials.
 - c. Recap DOWL's work on pump testing these wells during October and November 2019
 - d. Work with and define the Districts goals for the Flat Iron well testing program
 - i. When to pump well(s)
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 - a. Provide a report that identifies the proposed well testing program to the District for final review and approval.
4. Be available during the well(s) testing program as it moves forward
 - a. Coordinate, communicate and work with Pat Eller (MM) throughout the well(s) testing program
 - b. Provide communication with the District as the well(s) testing program is going on.
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 - e. Be on-site to assist and/or witness water quality sampling of the well(s)
5. Review and provide written comment on all well(s) testing reports provided to the District by Pat Eller (MM) and Flat Iron.

Again, this is a broad brush so hopefully I've covered what you are anticipating. But, add or subtract as you like.

Thanks again

James Potts, EIT
Senior Hydrogeologist

DOWL

(406) 586-8834 | office
(406) 551-1452 | direct
(406) 539-9565 | cell

dowl.com



From: Marlene Kennedy **Sent:** Friday, June 9, 2023 9:20 AM
To: Chris Leonard chris@westernmountaininvestments.com **Cc:** Ron Edwards <ron@wsd363.com>
Subject: RE: Flatiron Request to Information

Chris:

The YC agreement is the only agreement I am aware of that included sewer service for Lone Moose Meadows. When Ron is back in the office next week, I will ask him if there are any additional relevant documents. You may want to talk with Ron about the prospect of your proposed flow agreement for Flatiron development to see if it is worth pursuing.

The next board meeting is June 20th but I do not have an agenda available as of today. I do know that the meeting will start at 8:00 am beginning with a rate hearing. I will email you a meeting agenda once it is available.

Have a great day and an even better weekend!

Kind Regards,

Marlene

From: Chris Leonard <chris@westernmountaininvestments.com> **Sent:** Friday, June 9, 2023 8:41 AM
To: Marlene Kennedy <marlene@wsd363.com>
Cc: Michael J Schreiner III <michael@westernmountaininvestments.com>
Subject: Re: Flatiron Request to Information

Thank you Marlene. Much appreciated. Happy Friday. We have this agreement. I wasn't sure if there were others so am glad that I asked.

Also, is the next Board Meeting scheduled for June 20th?

Best,

Chris

From: Marlene Kennedy
Sent: Wednesday, June 7, 2023 12:06 PM
To: Chris Leonard <chris@westernmountaininvestments.com>
Cc: Michael J Schreiner III <michael@westernmountaininvestments.com>
Subject: RE: Flatiron Request to Information

Chris:

See attachment for a copy of YC agreement original & amended.

Kind Regards,

Marlene

Marlene Kennedy
Big Sky County Water & Sewer District No. 363
561 Little Coyote Rd, PO Box 160670, Big Sky, MT 59716
406-995-2660, marlene@wsd363.com

On Mon, Jun 5, 2023 at 12:21 PM Chris Leonard <chris@westernmountaininvestments.com> wrote:
Marlene,

Happy Friday. I hope this finds you well.

I wasn't sure who to direct this to but I know you're the keeper of many things BSWSD so thought I'd start with you.

There has been discussion at the Board meetings about structuring future agreements with Flatiron similar to those with Spanish Peaks. Specifically around leveraging flow vs. SFEs. We would like to request any agreements between the District and Spanish Peaks so that we better understand how this has been handled to-date.

Best,

Chris
Chris Leonard
c. 406-539-9862
e. chris@westernmountaininvestments.com



Marlene Kennedy

From: Jim Muscat
Sent: Thursday, June 8, 2023 11:24 AM
To: Brian Wheeler (bwheeler@bigskyresort.com); Brian Wheeler; Ron Edwards; Dick Fast; Mike Wilcynski
Subject: RE: DOWL Services - Flat Iron Wells Testing

Gentlemen,

Circling back to the committee on this email I sent you.

Jim Potts who is the Fiat iron hydro Engineer is looking to know for planning purposes if we are going to move forward with pump testing on their wells.

He feels early fall would be the time and I agree as then the stream will be in a more controlled flow and any interference from our pumping would be easier to detect. I would appreciate some direction in the cost share details if this is going to happen.

We also discussed possibly meeting first with FI to determine the feasibility of a future agreement before we pump test?

I'm fine either way just let me know and I will get back to Jim Potts.

Thanks

Jim

From: Jim Muscat
Sent: Wednesday, May 24, 2023 2:38 PM
To: Brian Wheeler (bwheeler@bigskyresort.com) <bwheeler@bigskyresort.com>; Brian Wheeler <brian@wsd363.com>; Ron Edwards <ron@wsd363.com>; Dick Fast <dick@wsd363.com>
Subject: FW: DOWL Services - Flat Iron Wells Testing

From: James Potts <JPotts@dowl.com>
Sent: Wednesday, May 24, 2023 10:47 AM
To: Jim Muscat <jim@wsd363.com>
Cc: Ron Edwards <ron@wsd363.com>
Subject: RE: DOWL Services - Flat Iron Wells Testing

Jim:

Good to talk this morning and thanks for looking into this.

Below is the email I'd sent to Ron which is an outline of ideas and questions I have that will help define DOWL's Scope Of Work. When we kind of settle on this I can get you the red tape – contracts... to get DOWL going on this for y'all.

Thanks again

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Hi Guys,

I got a call from Jim Potts who is a hydrogeologist for Flat Iron asking if the District wants to move forward with “due diligence” flow testing on the Flat Iron wells?

I wasn't at the last board meeting, are we still moving forward with this?

Thanks

Jim

From: James Potts
Sent: Wednesday, May 17, 2023 12:14 PM
To: ron@wsd363.com
Subject: RE: DOWL Services - Flat Iron Wells Testing

Ron:

Checking in to see if you received the email below.

Thanks

James Potts, EIT
Senior Hydrogeologist

DOWL

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dowl.com

From: James Potts
Sent: Tuesday, May 9, 2023 4:09 PM
To: ron@wsd363.com
Cc: Kevin Johnson <krjohnson@dowl.com>
Subject: DOWL Services - Flat Iron Wells Testing

Ron:

Getting back to you on this work. Pat Eller (MM) called me last week and we briefly discussed the work and DOWL's/my our involvement with it in the past. I told Pat that I needed to contact you and work on getting my role better defined so

that he and I can move forward in the best interest for both the District and his client. Below is draft outline of Scope Of Work for you to review, add, subtract as you see fit. Kind of a shotgun approach so maybe way more that you want, but a place for y'all to start. Our thought is that we would work for the District on a time and materials basis and also provide a not to exceed maximum/book end if desired.

1. Work with the District to understand and define the Flat Iron well testing program.
 - a. Meeting with the District to discuss project(s). On-line, phone calls, and/or at your office as needed.
 - b. Review of District provided materials.
 - c. Recap DOWL's work on pump testing these wells during October and November 2019
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OLD BUSINESS:

**Employee Succession
Planning**

From: Ryan Graf <Ryan.Graf@AE2S.com>
Sent: Monday, June 12, 2023 9:24 AM
To: Ron Edwards; Terry Smith
Cc: Scott Buecker
Subject: Org Structure - Salary Data
Attachments: Salary Benchmarking Data_AS.xlsx

Gentlemen,

I'm behind on the final report for the org structure, but wanted to share the benchmarking data.

I've attached the salary data spreadsheet. The background data tabs are hidden, but we have the comparison that easily shows the data sets we're pulling from and then the pro forma where you can play with the timing of hiring to see the impact on budget.

On the projections tab we did start putting together what a step schedule could look like for the district. This was very preliminary and only for discussion purposes.

Let me know if you have any questions.

I'll get another quick email together for Brian/Mike on the status, but without the full spreadsheet.

Best,
Ryan

AE2S is an Equal Opportunity / Affirmative Action Employer

This e-mail message and any documents included hereto may contain confidential information for the sole use of the intended recipient(s). If the reader of this message is not the intended recipient (or a delegate authorized to receive for the recipient), you are hereby notified that any review, retaining, dissemination, copying, or use of content by you or others is strictly prohibited. Please immediately notify the sender and delete this message if you have received it in error.

BSCWSD Total Compensation, 2022								
Position	Classification	Current/New	Salary	Health	Retirement	Other Benefits	Vehicle	Total
General Manager	Admin	Current	\$ 160,661	\$ 18,228	\$ 24,051	\$ 3,216	\$ 5,000	\$ 211,156
Finance Officer	Admin	Current	\$ 114,964	\$ 20,268	\$ 17,210	\$ 1,824		\$ 154,266
Water Superintendent	Water	Current	\$ 134,160	\$ 19,668	\$ 20,084	\$ 2,424	\$ 5,000	\$ 181,336
Wastewater Superintendent	Wastewater	New	\$ 134,160	\$ 19,668	\$ 20,084	\$ 3,216	\$ 5,000	\$ 182,128
Office Support**	Admin	New	\$ 62,917	\$ 19,668	\$ 9,419	\$ 3,216		\$ 95,220
Permit Support	Admin	Current	\$ 70,804	\$ 22,644	\$ 10,599	\$ 1,056		\$ 105,104
Distribution	Water	Current	\$ 86,575	\$ 19,668	\$ 12,960	\$ 3,216	\$ 5,000	\$ 127,419
Distribution*	Water	New	\$ 72,534	\$ 19,668	\$ 10,858	\$ 3,216	\$ 5,000	\$ 111,276
Meter/Permitting	Water	Current	\$ 87,148	\$ 19,668	\$ 13,046	\$ 3,216	\$ 5,000	\$ 128,078
Floating	Admin	Current	\$ 46,295	\$ 4,500	\$ 6,930	\$ 3,216	\$ 5,000	\$ 65,941
WW Treatment, Senior	Wastewater	Current	\$ 90,000	\$ 19,668	\$ 13,473	\$ 3,216	\$ 5,000	\$ 131,357
WW Treatment, Intermediate	Wastewater	Current	\$ 75,000	\$ 19,668	\$ 11,228	\$ 3,216	\$ 5,000	\$ 114,112
WW Treatment**	Wastewater	New	\$ 73,895	\$ 19,668	\$ 11,062	\$ 3,216	\$ 5,000	\$ 112,841
Collections/Permitting	Wastewater	Current	\$ 91,021	\$ 14,220	\$ 13,626	\$ 3,216	\$ 5,000	\$ 127,083
Irrigation/Reuse*	Wastewater	New	\$ 73,895	\$ 19,668	\$ 11,062	\$ 3,216	\$ 5,000	\$ 112,841

BSCWSD Base Salary, Projections									
Position	Classification	Start Date	2022	2023	2024	2025	2026	2027	2028
General Manager	Admin	2022	\$ 160,661	\$ 176,727	\$ 190,865	\$ 204,226	\$ 218,522	\$ 233,818	\$ 250,185
Finance Officer	Admin	2022	\$ 114,964	\$ 126,460	\$ 136,577	\$ 146,138	\$ 156,367	\$ 167,313	\$ 179,025
Water Superintendent	Water	2022	\$ 134,160	\$ 147,576	\$ 159,382	\$ 170,539	\$ 182,477	\$ 195,250	\$ 208,918
Wastewater Superintendent	Wastewater	2022	\$ 134,160	\$ 147,576	\$ 159,382	\$ 170,539	\$ 182,477	\$ 195,250	\$ 208,918
Office Support**	Admin	2024	\$ -	\$ -	\$ 74,745	\$ 79,978	\$ 85,576	\$ 91,566	\$ 97,976
Permit Support	Admin	2023	\$ -	\$ 77,885	\$ 84,116	\$ 90,004	\$ 96,304	\$ 103,045	\$ 110,258
Distribution	Water	2022	\$ 86,575	\$ 95,232	\$ 102,851	\$ 110,050	\$ 117,754	\$ 125,996	\$ 134,816
Distribution*	Water	2023	\$ -	\$ 79,787	\$ 86,170	\$ 92,202	\$ 98,656	\$ 105,562	\$ 112,951
Meter/Permitting	Water	2022	\$ 87,148	\$ 95,863	\$ 103,532	\$ 110,779	\$ 118,533	\$ 126,831	\$ 135,709
Floating	Admin	2022	\$ 46,295	\$ 50,924	\$ 54,998	\$ 58,848	\$ 62,967	\$ 67,375	\$ 72,091
WW Treatment, Senior	Wastewater	2022	\$ 90,000	\$ 99,000	\$ 106,920	\$ 114,404	\$ 122,413	\$ 130,982	\$ 140,150
WW Treatment, Intermediate	Wastewater	2022	\$ 75,000	\$ 82,500	\$ 89,100	\$ 95,337	\$ 102,011	\$ 109,151	\$ 116,792
WW Treatment**	Wastewater	2024	\$ -	\$ -	\$ 87,787	\$ 93,932	\$ 100,508	\$ 107,543	\$ 115,071
Collections/Permitting	Wastewater	2022	\$ 91,021	\$ 100,123	\$ 108,133	\$ 115,703	\$ 123,802	\$ 132,468	\$ 141,741
Irrigation/Reuse*	Wastewater	2023	\$ -	\$ 81,285	\$ 87,787	\$ 93,932	\$ 100,508	\$ 107,543	\$ 115,071
Total			\$ 1,019,984	\$ 1,360,939	\$ 1,632,347	\$ 1,746,611	\$ 1,868,874	\$ 1,999,695	\$ 2,139,673

BSCWSD Total Compensation, Projections

Position	Classification	Start Date	2022	2023	2024	2025	2026	2027	2028
General Manager	Admin	2022	\$ 211,156	\$ 232,272	\$ 250,853	\$ 268,413	\$ 287,202	\$ 307,306	\$ 328,817
Finance Officer	Admin	2022	\$ 154,266	\$ 169,693	\$ 183,268	\$ 196,097	\$ 209,824	\$ 224,511	\$ 240,227
Water Superintendent	Water	2022	\$ 181,336	\$ 199,470	\$ 215,427	\$ 230,507	\$ 246,643	\$ 263,908	\$ 282,381
Wastewater Superintendent	Wastewater	2023	\$ -	\$ 200,341	\$ 216,368	\$ 231,514	\$ 247,720	\$ 265,060	\$ 283,615
Office Support**	Admin	2024	\$ -	\$ -	\$ 113,121	\$ 121,039	\$ 129,512	\$ 138,578	\$ 148,278
Permit Support	Admin	2022	\$ 105,104	\$ 115,614	\$ 124,863	\$ 133,604	\$ 142,956	\$ 152,963	\$ 163,670
Distribution	Water	2022	\$ 127,419	\$ 140,161	\$ 151,374	\$ 161,970	\$ 173,308	\$ 185,439	\$ 198,420
Distribution*	Water	2023	\$ -	\$ 122,404	\$ 132,196	\$ 141,450	\$ 151,351	\$ 161,946	\$ 173,282
Meter/Permitting	Water	2022	\$ 128,078	\$ 140,886	\$ 152,157	\$ 162,808	\$ 174,204	\$ 186,398	\$ 199,446
Floating	Admin	2022	\$ 65,941	\$ 72,535	\$ 78,338	\$ 83,821	\$ 89,689	\$ 95,967	\$ 102,685
WW Treatment, Senior	Wastewater	2022	\$ 131,357	\$ 144,493	\$ 156,052	\$ 166,976	\$ 178,664	\$ 191,171	\$ 204,552
WW Treatment, Intermediate	Wastewater	2022	\$ 114,112	\$ 125,523	\$ 135,564	\$ 145,054	\$ 155,208	\$ 166,072	\$ 177,697
WW Treatment**	Wastewater	2024	\$ -	\$ -	\$ 134,055	\$ 143,439	\$ 153,480	\$ 164,224	\$ 175,719
Collections/Permitting	Wastewater	2022	\$ 127,083	\$ 139,791	\$ 150,975	\$ 161,543	\$ 172,851	\$ 184,951	\$ 197,897
Irrigation/Reuse*	Wastewater	2023	\$ -	\$ 124,125	\$ 134,055	\$ 143,439	\$ 153,480	\$ 164,224	\$ 175,719
Total			\$ 1,345,851	\$ 1,927,306	\$ 2,328,667	\$ 2,491,673	\$ 2,666,091	\$ 2,852,717	\$ 3,052,407

Summary	2022	2023	2024	2025	2026	2027	2028
Admin	\$ 536,467	\$ 590,113	\$ 750,443	\$ 802,974	\$ 859,183	\$ 919,325	\$ 983,678
Water	\$ 436,833	\$ 602,920	\$ 651,153	\$ 696,734	\$ 745,505	\$ 797,691	\$ 853,529
Wastewater	\$ 372,552	\$ 734,273	\$ 927,070	\$ 991,965	\$ 1,061,403	\$ 1,135,701	\$ 1,215,200
Yearly Growth Rate	-	10%	8%	7%	7%	7%	7%
Water (Fully loaded)	\$ 699,701.51	\$ 892,075.22	\$ 1,018,870.49	\$ 1,090,191.43	\$ 1,166,504.83	\$ 1,248,160.17	\$ 1,335,531.38
WW (Fully loaded)	\$ 646,149.66	\$ 1,035,230.82	\$ 1,309,796.30	\$ 1,401,482.04	\$ 1,499,585.78	\$ 1,604,556.78	\$ 1,716,875.76
Totals	\$ 1,345,851.17	\$ 1,927,306.04	\$ 2,328,666.79	\$ 2,491,673.46	\$ 2,666,090.61	\$ 2,852,716.95	\$ 3,052,407.14

Pay Scale, Base Salary	Years Since Hire										
	0	1	2	3	4	5	6	7	8	9	10
General Manager	\$ 160,661	\$ 164,744	\$ 168,931	\$ 173,225	\$ 177,627	\$ 182,141	\$ 186,771	\$ 191,517	\$ 196,385	\$ 201,376	\$ 206,494
Finance Officer	\$ 114,964	\$ 117,886	\$ 120,882	\$ 123,954	\$ 127,104	\$ 130,335	\$ 133,647	\$ 137,044	\$ 140,527	\$ 144,098	\$ 147,761
Water Superintendent	\$ 134,160	\$ 137,570	\$ 141,066	\$ 144,652	\$ 148,328	\$ 152,098	\$ 155,963	\$ 159,927	\$ 163,992	\$ 168,159	\$ 172,433
Wastewater Superintendent	\$ 134,160	\$ 137,570	\$ 141,066	\$ 144,652	\$ 148,328	\$ 152,098	\$ 155,963	\$ 159,927	\$ 163,992	\$ 168,159	\$ 172,433
Office Support**	\$ 62,917	\$ 64,516	\$ 66,156	\$ 67,837	\$ 69,561	\$ 71,329	\$ 73,142	\$ 75,001	\$ 76,907	\$ 78,861	\$ 80,866
Permit Support	\$ 70,804	\$ 72,604	\$ 74,449	\$ 76,341	\$ 78,281	\$ 80,271	\$ 82,311	\$ 84,403	\$ 86,548	\$ 88,748	\$ 91,003
Distribution	\$ 86,575	\$ 88,775	\$ 91,031	\$ 93,345	\$ 95,717	\$ 98,150	\$ 100,644	\$ 103,202	\$ 105,825	\$ 108,514	\$ 111,272
Distribution*	\$ 72,534	\$ 74,377	\$ 76,267	\$ 78,206	\$ 80,193	\$ 82,231	\$ 84,321	\$ 86,464	\$ 88,662	\$ 90,915	\$ 93,226
Meter/Permitting	\$ 87,148	\$ 89,363	\$ 91,634	\$ 93,963	\$ 96,351	\$ 98,800	\$ 101,311	\$ 103,885	\$ 106,526	\$ 109,233	\$ 112,009
Floating	\$ 46,295	\$ 47,471	\$ 48,678	\$ 49,915	\$ 51,183	\$ 52,484	\$ 53,818	\$ 55,186	\$ 56,588	\$ 58,027	\$ 59,501
WW Treatment, Senior	\$ 90,000	\$ 92,287	\$ 94,633	\$ 97,038	\$ 99,504	\$ 102,033	\$ 104,626	\$ 107,285	\$ 110,012	\$ 112,808	\$ 115,675
WW Treatment, Intermediate	\$ 75,000	\$ 76,906	\$ 78,861	\$ 80,865	\$ 82,920	\$ 85,028	\$ 87,189	\$ 89,404	\$ 91,677	\$ 94,007	\$ 96,396
WW Treatment**	\$ 73,895	\$ 75,773	\$ 77,699	\$ 79,674	\$ 81,699	\$ 83,775	\$ 85,904	\$ 88,087	\$ 90,326	\$ 92,622	\$ 94,976
Collections/Permitting	\$ 91,021	\$ 93,335	\$ 95,707	\$ 98,139	\$ 100,633	\$ 103,191	\$ 105,813	\$ 108,503	\$ 111,260	\$ 114,088	\$ 116,988
Irrigation/Reuse*	\$ 73,895	\$ 75,773	\$ 77,699	\$ 79,674	\$ 81,699	\$ 83,775	\$ 85,904	\$ 88,087	\$ 90,326	\$ 92,622	\$ 94,976
* indicates 1-3 year hiring timeline											
** indicates 2-4 year hiring timeline											

Legal:

**Public Record
Docuements**

Judges Order Denying Preliminary Injunction

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT, GALLATIN COUNTY

* * * * *

COTTONWOOD ENVIRONMENTAL LAW)
CENTER, CRAIG MATHEWS, QUINN)
O'CONNOR, STEVE ATENCIO, ISAAC)
CHEEK,)

Plaintiffs,)

v.)

BIG SKY WATER & SEWER DISTRICT NO.)
363, RON EDWARDS, THE STATE OF)
MONTANA by and through the MONTANA)
DEPARTMENT OF ENVIRONMENTAL)
QUALITY,)

Defendants.)

Cause No. DV-22-1121A

**ORDER RE MOTION FOR
PRELIMINARY INJUNCTION**

INTRODUCTION

On December 12, 2022, Plaintiffs, Cottonwood Environmental Law et al (Cottonwood) filed their Amended Complaint for Declaratory and Injunctive Relief. On December 14, 2022, Plaintiffs filed their Application for Temporary Restraining Order and Preliminary Injunction. The Court issued an Order Denying Application for Temporary Restraining Order on December 15, 2022.

Defendant, Big Sky Water and Sewer District No. 363 and Ron Edwards (Big Sky District) filed their Motion to Dismiss Amended Complaint for Declaratory and Injunctive Relief Against the District and Ron Edwards on January 27, 2023. Defendant, State of Montana, Department of Environmental Quality (DEQ), filed its Motion to Dismiss on February 1, 2023. On March 1, 2023, Plaintiffs filed their Combined Response to Defendants' Motions to Dismiss. Big Sky District filed its Reply Brief in Support of Motion to Dismiss Amended Complaint for Declaratory and Injunctive Relief Against the District and Ron Edwards on March 15, 2023. DEQ filed its Reply Brief in Support of Motion to Dismiss on March 15, 2023.

The Court held a hearing on the Motions to Dismiss and Preliminary Injunction on April 17, 2023. The Court heard testimony, received exhibits, and considered the argument of counsel. Counsel stipulated that Senate Bill (SB) 191, passed by the Montana Legislature, and signed by the Governor with an immediate effective date, applied to this proceeding.

BACKGROUND

On February 3, 2021, Cottonwood filed a Motion for Preliminary Injunction in the United States District Court for Montana requesting the Court issue an order enjoining Big Sky District from 1) connecting any new sewer lines to the district sewer system; 2)

cease irrigating the Meadow Village Golf Course on days not approved by MT DEQ; 3) cease irrigating the Meadow Village Golf Course with treated effluent that exceeds a nitrogen concentration of 10 mg/l; and 4) publish daily the nitrogen concentration of wastewater that is used to irrigate the golf course connecting any new sewer lines to the district sewer system. *Cottonwood Envtl. Law Ctr. v. Edwards*, 2021 U.S. Dist. LEXIS 54922, *9. In this case Cottonwood asks the Court in its Amended Complaint for Declaratory and Injunctive Relief, to issue a preliminary injunction to enjoin both Big Sky District and DEQ from 1) accepting any new sewer connections; 2) accepting or reviewing any new or pending sewer connection applications; and 3) irrigating Meadow Village golf course with treated sewage. Amended Complaint, paragraphs F-H, pg. 23 Functionally, Plaintiffs asks this Court to grant the same relief the federal court denied.

LEGAL STANDARD

Section 27-19-201, MCA, as amended by SB 191, includes new language in subsection (4) that “[i]t is the intent of the legislature ... that interpretation and application of subsection (1) closely follow United States supreme court case law.” Therefore, the Court applies the same legal standards the United States District Court for Montana applied when it considered similar allegations Plaintiffs made in 2021.

The issuance of a preliminary injunction represents an extraordinary remedy that should not be awarded as a matter of right, but only "upon a clear showing that the plaintiff is entitled to such relief." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008). A plaintiff who seeks a preliminary injunction or temporary restraining order must establish four elements: 1) that it likely will succeed on the merits; 2) that it likely will suffer irreparable harm in the absence of preliminary relief; 3) that the balance of equities tips in its favor; and 4) that an injunction will serve the public interest. *Winter*

555 U.S. at 20. Courts in the Ninth Circuit apply a sliding scale approach to preliminary relief. *See All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir.2011).

The reviewing court must balance the elements "so that a stronger showing of one element may offset a weaker showing of another." *Id.* Even "serious questions going to the merits and a balance of hardships that tips sharply towards the plaintiff can support issuance of a preliminary injunction, so long as the plaintiff also shows that there is a likelihood of irreparable injury and that the injunction is in the public interest." *Id.* at 1135.

DISCUSSION

The harm Plaintiffs seek to prevent is excessive algal growth that damages the aesthetic and aquatic environment in the Gallatin River. Amended Complaint, pg. 1. In support of its request Cottonwood provided testimony from Trevor Osorno (Osorno), a hydrogeologist with Ozark Underground Labs. Osorno has worked at Ozark Labs since 2021.

Osorno testified about the nature of the liners in the Big Sky District's Water Resources Recovery Facility's (WRRF) holding ponds. He testified those liners could be damaged and end up being ripped and leak. Osorno testified leakage could be detected through use of a fluorescent tracer dye study or water balance calculations. Osorno advised his lab conducted a fluorescent dye test in one of the holding ponds in July 2021. The test results did indicate the presence of leakage. Substantially similar testimony to what Osorno offered was provided by his supervisor in the federal trial which occurred in *Cottonwood Envtl. Law Ctr. v. Edwards*. Plaintiffs were unsuccessful in that lawsuit as their claims were rejected by a jury.

The Court inquired whether Plaintiffs had testing or evidence that was more recent than the approximately two-year-old lab findings, but none were presented to the Court. Osorno did not explain how leakage from the holding ponds would exacerbate the algal blooms on the West Fork of the Gallatin River.

Osorno continued to testify and explained the concept of a water budget, which he described as an “accounting technique” which gauges “the total inflow to the system as well as the total outflow.” If total inflow exceeds total outflow, “that is indicative of leakage.” Osorno testified his lab had prepared a water budget for the years 2015-2020 but not more recently because he “was not provided the data for those calendar years.” With respect to 2015 through 2020, Osorno testified the WRRF exported more water than it received. Osorno testified that in his opinion increased sewage connections to the WRRF would result in “exacerbation of the algal blooms in the West Fork of the Gallatin.” As noted, Osorno did not provide evidence to the Court to support this conclusion.

Plaintiffs then elicited testimony from Osorno regarding the amount of treated effluent that was being used to irrigate the Meadow Village Golf Course. Osorno testified the excess treated effluent that the owner of the golf course was using to irrigate the course was contributing the algal blooms in the Gallatin River. Osorno did not provide the Court with evidence to support his conclusion in this regard.

On cross-examination Osorno admitted there were errors in the water budget for 2020. Despite those errors Osorno admitted the water budget was still presented at the federal jury trial. The testimony Osorno presented at the hearing on April 17, 2023, included revised figures from those presented to the federal jury.

There are three holding ponds at the WRRF. The data for the water budget only included data for one of those ponds because there was not data for the other two. Osorno

agreed that the “discrepancy error” values of the report in Defendant’s Exhibit B, did not capture water that was going into or out of the other two holding ponds, even though the parties agreed those ponds were being used by WRRF in the wastewater treatment system.

The lack of data from the two other holding ponds led Osorno to assign a storage level of zero in those two ponds. This appears to the Court to constitute a significant amount of information that is not available to Plaintiffs. The lack of data from two out of the three holding ponds in the WRRF system leads the Court to question how Osorno could have on direct examination testified the WRRF exported more water than it received. Absent further information with supporting data the Court does not find Exhibit B’s “Discrepancy in water balance” calculations to be sufficiently convincing to provide the Plaintiffs with the relief they request through their motion for a preliminary injunction.

Osorno further admitted on cross-examination that he does not possess a degree in ecology or aquatic toxicology and repeated that his degrees are in geology with an emphasis on hydrogeology. The Court is unclear how this expertise connects to conclusions and opinions about the source and cause of algal blooms in the West Fork and main stem of the Gallatin.

The Court asked counsel how Article II section 3, and Article IX of the Montana Constitution would apply to Plaintiffs’ request for a preliminary injunction based on an allegation of irreparable harm. Counsel referred the Court to *Park County Env’tl. Council v. Mont. Dep’t. of Env’tl. Quality*, 2020 MT 303, 402 Mont. 168, 477 P.3d 288, for the proposition that Article IX was both anticipatory and preventative. However, Park County dealt with a mine permitting process under the Montana Environmental Policy

Act (MEPA). The Court does not find the case helpful in considering a preliminary injunction to address alleged pollution that has according to the Plaintiffs been going on for over 5 years and involves claims that have largely been recently considered and rejected by a Montana jury in federal court.

Based on the evidence and argument presented at the hearing and the parties' briefs, the Court considers the factors relevant to issuance of a preliminary injunction.

I. Success on the Merits

In his ruling on motions for summary judgment Judge Morris ruled as follows:

Plaintiffs argue that because Big Sky District operates the irrigation system and has ultimate control over when and how much irrigation water is applied, that Big Sky District should be liable for the alleged violations of the CWA (Clean Water Act). Big Sky District's control over the wastewater quantity and quality does not change the fact that Meadow Village Golf Course ultimately stands as the liable party for discharges from its French drain system. Meadow Village Golf Course would be required to apply for and receive an NPDES permit if the discharge of irrigation water from the French drain system were found to constitute a CWA violation. Big Sky District correctly argues that it is not a proper party for allegations of CWA violations that arise from discharges through the Meadow Village Golf Course's French drain system.

Cottonwood Envtl. Law Ctr. v. Edwards, 2021 U.S. Dist. LEXIS 241349, *10-11.

Judge Morris's ruling in this regard leads this Court to conclude that Plaintiffs' argument that injunctive relief should be issued against Big Sky District for irrigation on the Meadows Village Golf Course, would operate as a collateral attack against the federal court's judgment on the same issue. The Court also understands Plaintiffs seek relief against the DEQ under the Water Quality Act, however, given the facts before the Court and the history of Plaintiffs already thoroughly litigating these issues in federal court, there is no reason to reconsider Judge Morris' detailed ruling.

Plaintiffs' witness Osorno admitted on cross-examination that he does not possess a degree in ecology or aquatic toxicology and repeated that his degrees are in geology. Nevertheless, he testified overirrigation of the Meadow Village Golf Course or increased sewage connections to the WRRF would exacerbate the algal blooms on the West Fork of the Gallatin River. Osorno's assertion in this regard is conclusory as he provided the Court with no evidence, calculations, or expert analysis to support the same.

In its ruling denying Cottonwood's request for a preliminary injunction the Federal Court conducted its merits analysis under the Clean Water Act and questions regarding whether conveyance of pollutants from one part of the water system to the West Fork operated as "the functional equivalent of a direct discharge." See, *Cty. of Maui, Hawaii v. Hawaii Wildlife Fund*, 140 S.Ct. 1462, 1476 (2020). While Plaintiffs make different claims in this case, e.g., nuisance and a cause of action under the Montana Constitution, for purposes of this Court's analysis the questions are the same.

In order to succeed on the merits, the record must contain evidence about the source of the elevated nitrogen in the West Fork of the Gallatin River. Osorno's testimony about the water budget and how much water goes in and what goes out – even with the potential flaws brought forth in his cross-examination – does not provide evidence for the source of nitrogen in the groundwater at issue. In fact, the Federal Court's consideration of the seven *Maui* factors and then rejection of a preliminary injunction after such a thorough review leads this Court to question how it could issue an opposite ruling on a much shallower evidentiary record. The *Maui* factors are non-exclusive and include: (1) transit time, (2) distance traveled, (3) the nature of the material through which the pollutant travels, (4) the extent to which the pollutant is diluted or chemically changed as it travels, (5) the amount of pollutant entering the navigable waters relative to the amount

of the pollutant that leaves the point source, (6) the manner by or area in which the pollutant enters the navigable waters, (7) the degree to which the pollution (at that point) has maintained its specific identity. *Maui* at 1476-77.

Relevant to the Court's consideration of whether overirrigation or excessive releases have caused the algal blooms and whether prohibiting more sewer hookups or applications for hookups to the WRRF are factors 3, 4, 5, and 7. The Supreme Court requires a "fact-intensive inquiry of the discharge at issue." *Cottonwood*, 2021 U.S. Dist. LEXIS 54922, *14-15. While the causes of action in this case do not mirror those in the federal claim, this Court would be remiss if it imposed a lesser standard for issuance of a preliminary injunction in State court than in Federal court particularly since the facts underlying both cases are virtually identical.

In the federal claims Plaintiffs presented evidence that showed elevated nitrogen levels in the West Fork around the alleged discharge point. However, the Court concluded, "those examples in isolation do not provide evidence for the source of nitrogen in the groundwater at issue. The samples further fail to provide the kind of time, distance, and dilution data that the Court would require for its *Maui* inquiry." *Id.* at *18. Osorno's testimony as a geologist regarding irrigation of the golf course and calculations of export and import of water based on incomplete data, was void of the "time, distance and dilution" data necessary to show a firm cause and effect between Defendants' conduct and what would happen were the Court to grant Plaintiffs their requested relief. This leads the Court to conclude serious questions remain regarding Plaintiffs' success on the merits.

II. Irreparable Harm

Plaintiffs' claims on this factor again implicate the Federal Court's ruling and the application of federal law when considering motions for preliminary injunctions. See, § 27-19-201, MCA, as amended. However, because Plaintiffs also make a claim under the Montana Constitution, the Court inquired whether there was a Montana case that addressed the issue of whether the loss of the constitutional right to a clean and healthful environment constituted irreparable harm in a proceeding for a preliminary injunction. Plaintiffs did not provide the Court with a case specifically addressing that question. Nevertheless, the Federal Court thoroughly addressed the irreparable harm factor:

The irreparable harm factor weighs slightly against Plaintiffs, particularly considering the factual uncertainty of whether pollutants from the WRRF holdings ponds reach the West Fork of the Gallatin River. Plaintiffs provide the kind of member impact statements useful for standing analysis. Those statements fail to point to the kinds of irreparable harms, however, that would warrant the "extraordinary and drastic remedy" of injunctive relief. *Villegas Lopez v. Brewer*, 680 F.3d 1068, 1072 (9th Cir. 2012), 680 F.3d at 1072; see also *Winter*, 555 U.S. at 22. Plaintiffs fail to present the irreparable harms that would remain at the West Fork of the Gallatin River after alleged pollutants wash away.

Id. at *19-20.

III. Balance of Equities

The balance of equities in this proceeding are no different than what the Court considered in the federal case. The Federal District Court held the following and the Court adopts its reasoning in this decision:

The balance of the equities and public interest prongs present nearly identical analysis in this case. Big Sky District asserts that a preliminary injunction would disable its ability to treat wastewater from the Big Sky community because it could not dispose of its treated effluent. (Doc. 26 at 25-26). Big Sky

District argues, in part, that "the public has a strong interest in the District maintaining a functional wastewater treatment and sewage system." (Doc. 26 at 26). Plaintiffs respond that the public retains a strong interest in preserving the water quality of the West Fork of the Gallatin River. (Doc. 28 at 14-17). Plaintiffs further argue that the current water treatment plant is "dysfunctional . . . and poses a risk to the surface water." (Doc. 28 at 15). The balance of equities and public interest prongs fail to tip the scales in either direction.

Id. at *20-21.

DEQ adds that it has statutory obligations to consider and act on applications for sewer hookups and an injunction prohibiting it from doing so would place it in the untenable position of not complying with the law. In light of the argument and evidence before the Court, the equities and the interest of the public between DEQ, the public it serves, and the interests of the public in beneficial uses of the Gallatin River, the balance of equities do not tip the scale in favor of one party or the other.

IV. Weighing the Factors

A preliminary injunction represents an extraordinary remedy that should not be awarded as a matter of right, but only "upon a clear showing that the plaintiff is entitled to such relief." *Winter*, 555 U.S. at 22. The success of Plaintiffs' case is by no means assured and serious questions remain. In fact, Plaintiffs have already lost on virtually identical claims in federal court in their requests for a temporary restraining order, preliminary injunction, and before a jury. Given that track record the likelihood of success on the merits is not very strong. Plaintiffs irreparable harm claims does not weigh in their favor. The balance of equities is a wash. The factors ultimately weigh against issuance of a preliminary injunction.

NOTICE

The Court notes Plaintiffs' Brief in Support of Application for Temporary Restraining Order and Preliminary Injunction was over 25 pages long. The Court reminds counsel that Montana Eighteenth Judicial District Court Rule 7 limits briefs to 20 pages. No request was made to file an overlength brief. The Court expects compliance with the local rules in the future.

IT IS HEREBY ORDERED, Plaintiffs' Motion for a Preliminary Injunction is DENIED.

Electronically Signed and Dated

cc: John Meyer/Robert Farris-Olsen
Arron Pettis
Susan Swimley
John Rauchway/Michael Gotz

Judges Order Dismissing Claims Against the District and Manager

**MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT
GALLATIN COUNTY**

COTTONWOOD ENVIRONMENTAL
LAW CENTER; QUINN O'CONNOR;
CRAIG MATHEWS; ISAAC CHEEK;
STEVE ATENCIO,

Plaintiffs,

v.

BIG SKY WATER & SEWER DISTRICT
NO. 363; RON EDWARDS; THE STATE
OF MONTANA by and through the
MONTANA DEPARTMENT OF
ENVIRONMENTAL QUALITY,

Defendants.

Case No. DV-22- 1121A

**ORDER RE MOTION TO DISMISS
AMENDED COMPLAINT
AGAINST BIG SKY WATER AND
SEWER DISTRICT AND RON
EDWARDS**

On January 27, 2023, Defendants, Big Sky County Water and Sewer District No. 363 and Ron Edwards (collectively, "Big Sky District") filed a Motion to Dismiss Amended Complaint for Declaratory and Injunctive Relief Against the District and Ron Edwards. Plaintiffs, Cottonwood Environmental Law Center, Quinn O'Connor, Craig Mathews, Isaac Cheek, and Steve Atencio (Cottonwood) filed their Combined Response to Defendants' Motions to Dismiss on March 1, 2023. Big Sky District filed its Reply Brief in Support of Motion to Dismiss

Amended Complaint for Declaratory and Injunctive Relief Against the District and Ron Edwards on March 15, 2023. The Court held a hearing on Big Sky District's motion on April 17, 2023.

BACKGROUND

Big Sky District filed its motion to dismiss pursuant to M.R.Civ.P. 12(b)(1) and 12(b)(6). The District assert Plaintiffs have already had a chance to pursue the same facts asserted in this case through a prior federal court proceeding. Big Sky District points out Plaintiffs tried that case before a federal jury, lost, appealed the case, and brought this proceeding four days after filing their appeal before the Ninth Circuit Court of Appeals. Big Sky District asserts Plaintiffs' claims are barred by re judicata and collateral estoppel, or issue preclusion.

The District also argues Plaintiffs fail to state a claim under Montana law. The District assert Plaintiffs have created causes of action under the Montana Water Quality Act (MWQA), Montana Constitution, and state nuisance law in efforts to get a "do-over" of the claims they made or should have made in the federal proceeding. Big Sky District further asserts Plaintiffs' claims are based on generalized harm to the public or non-existent statutory rights that Plaintiffs lack standing to assert.

Plaintiffs respond that Cottonwood and the individual plaintiffs have standing to pursue this action and that res judicate and collateral estoppel do not apply to its claims against Big Sky District. The Court takes judicial notice of the extensive federal proceedings that have already been litigated involving Cottonwood and Big Sky District. *See* M. R. Evid. 202(6) (authorizing courts to judicially notice "[r]ecords of ...any court of record of the United States").

Big Sky Water and Sewer District operates the Water Resources Recovery Facility (WRRF) in Big Sky, Montana. On June 10, 2020, Cottonwood filed a citizen suit against Big Sky District and Ron Edwards in the United States District Court for the District of Montana (*Cottonwood I*). Plaintiffs alleged Big Sky District violated the Clean Water Act (CWA) by illegally "discharg[ing] pollutants into the West Fork of the Gallatin River." *Cottonwood Envtl. Law Ctr. v. Edwards*, No. 2:20-cv-00028, 2021 U.S. Dist. LEXIS 241349, at *1-2 (D. Mont. Dec. 17, 2021) (*Cottonwood 1*). Cottonwood claimed that the WRRF holding ponds were leaking treated effluent into the groundwater and, eventually, the West Fork. *See id.* at *6-7. Cottonwood also argued that the District and Edwards violated the CWA by over-irrigating the golf course, which Cottonwood alleged allowed nitrogen to percolate into the groundwater and reach the river through French drains on the golf course. *See id.*

Judge Morris ruled in the District Defendants' favor on a number of issues at the summary judgment stage. First, he granted summary judgment in Edwards' favor on all claims, ruling that Cottonwood's claims against him as general manager of the District were duplicative of claims against the District. *See Cottonwood I*, 2021 U.S. Dist. LEXIS 241349, at *17-18. Second, Judge Morris ruled the District was not the proper party for Cottonwood's claims involving the Meadow Village golf course because the District does not own or operate the golf course. *See id.* at *9-11. Finally, the judge concluded that leakage from the holding ponds does not constitute a direct discharge of pollutants and that a jury would need to apply a fact-intensive, multi-factor test to determine whether leakage violated the CWA. *See id.* at *14-16; *see also Cottonwood I*, 2022 U.S. Dist. LEXIS 58634, at *9-13 (D. Mont. Mar. 30, 2022).

In the meantime, Cottonwood filed a formal complaint with the Montana Department

of Environmental Quality ("DEQ") regarding pollution allegedly caused by leakage from the District's holding ponds. *See* Am. Comp., para. 21. DEQ's Enforcement Program investigated the complaint and issued a closure letter in April 2022. *See* Am. Comp. para. 22. In the letter, DEQ stated that it had determined "[t]he evidence provided does not show ... that pollution occurred." DEQ Letter to Ron Edwards dated April 22, 2022.

The federal lawsuit proceeded to trial, and the jury returned a defense verdict for Big Sky District. The court entered judgment in the District's favor on May 9, 2022. Cottonwood moved for a new trial, but the court denied the request in September 2022. *See Cottonwood I*, Order dated September 6, 2022, ECF No. 198 (D. Mont. Sept. 6, 2022), attached as Exhibit 3 to Big Sky District's Motion to Dismiss. The Court entered final judgment on December 5, 2022. *See Cottonwood I*, Order dated December 5, 2022, ECF No. 209, at 4, attached as Exhibit 4 Big Sky District's Motion to Dismiss. On December 8, 2022, Cottonwood appealed to the United States Court of Appeals for the Ninth Circuit. *See Cottonwood I*, Notice of Appeal, ECF No. 210 (D. Mont. December 8, 2022), attached as Exhibit 5, Big Sky District's Motion to Dismiss.

Plaintiffs, which consist of Cottonwood and several members or staff of Cottonwood, filed their Amended Complaint in this action on December 12, 2022. Similar to the federal claim, Plaintiffs allege Big Sky District is polluting the West Fork and Gallatin River by allowing the WRRF holding ponds to leak into the groundwater. Plaintiffs also allege the District is polluting the river by over-irrigating the Meadow Village golf course. Rather than asserting violations of the federal CWA as they did in *Cottonwood I*, Plaintiffs now allege that pond leakage and over-irrigation of the golf course violate the MWQA, the Montana Constitution,

and state nuisance law. To support their allegations, Plaintiffs extensively reference *Cottonwood I*, including expert analyses from that case; testimony, exhibits, and other documents presented in that case; and events that occurred before final judgment was entered in December 2022.

STANDARD OF REVIEW

Courts must dismiss claims barred by res judicata, as a court cannot grant relief on claims that could have been litigated in a previous case. *See Adams v. Two Rivers Apts., LLLP*, 2019 MT 157, ¶ 8, 396 Mont. 315, 444 P.3d 415 A motion to dismiss under Rule 12(b)(6), M.R.Civ.P., has the effect of admitting all well-pleaded allegations in the complaint. *Cowan v. Cowan*, 2004 MT 97, ¶¶ 10-11, 321 Mont. 13, ¶¶ 10-11, 89 P.3d 6, ¶¶ 10-11. With regard to Motions brought pursuant to Rule 12(b)(6), the Montana Supreme Court has stated that

[a] complaint should not be dismissed for failure to state a claim unless it appears beyond doubt that the plaintiff can prove no set of facts in support of [her] claim which would entitle [her] to relief. A motion to dismiss under Rule 12(b)(6), M.R.Civ.P., has the effect of admitting all well-pleaded allegations in the complaint. In considering the motion, the complaint is construed in the light most favorable to the plaintiff, and all allegations of fact contained therein are taken as true. [T]he only relevant document when considering a motion to dismiss is the complaint and any documents it incorporates by reference.

Cowan, ¶¶ 10-11. A claim should not be dismissed for failure to state a claim unless it appears beyond doubt that the moving party can prove no set of facts in support of the claim which would entitle them to relief. *Lockwood v. W.R. Grace & Co.* (1995), 272 Mont. 202, 207, 900 P.2d 314, 317. In reviewing a Rule 12(b)(6) motion to dismiss, the Court looks only to the Complaint and any documents appended thereto and does not consider documents filed outside the Complaint. “The only relevant document

when considering a motion to dismiss is the complaint and any documents it incorporates by reference.” *Cowan*, ¶ 11.

ARGUMENT

I. Whether the claims against the District and Edwards are barred by res judicata because Plaintiffs had the opportunity to litigate these claims in *Cottonwood I*.

"Res judicata, or claim preclusion, bars a party from relitigating a matter that the party already had the opportunity to litigate." *Two Rivers*, ¶ 8. "This includes claims that were or *could have been* litigated" in the previous action. *Id.* (quoting *Brilz v. Metro. Gen. Ins. Co.*, 2012 MT 184, ¶ 21, 366 Mont. 78, 285 P.3d 494) (emphasis in original). The doctrine thus "embod[ies] a judicial policy that favors a definite end to litigation . . . whereby we seek to prevent parties from incessantly waging piecemeal, collateral attacks against judgments." *Baltrusch v. Baltrusch*, 2006 MT 51, ¶ 15, 331 Mont. 281, 130 P.3d 1267.

Resjudicata bars a subsequent action iff five elements are met:

(1) the parties or their privies are the same; (2) the subject matter of the present and past actions is the same; (3) the issues are the same and relate to the same subject matter; (4) the capacities of the persons are the same in reference to the subject matter and to the issues between them; and (5) a final judgment has been entered on the merits in the first action.

Two Rivers, ¶ 8. The Court considers these elements in turn.

First, the parties or their privies are the same in this case as in the federal proceeding.

Cottonwood, the District, and Edwards were all parties in that case. *See* 2021 U.S. Dist. LEXIS 241349, at *1-2. While the individual plaintiffs in this case were not named plaintiffs in the federal case, they are bound by the outcome in that case because they are Cottonwood's privies.

A nonparty is bound by a judgment in a previous suit if he is in privity with a named party in that suit. *Denturist Ass 'n of Mont. v. State*, 2016 MT 119, ¶ 14, 383 Mont. 391, 372 P.3d 466. "Privity exists where 'two parties are so closely aligned in interest that one is the virtual representative of the other.'" *Two Rivers*, at ¶ 13 (quoting *Denturist Ass 'n*, at ¶ 14); *see also Denturist Ass 'n*, at ¶¶ 14-15 (holding that named member of a denturist trade association was in privity with a group of denturists who previously litigated similar claims on behalf of the profession). A "privity" is defined as "one whose interest has been legally represented in litigation." *Gibbs v. Altenhofen*, 2014 MT 200, ¶ 11, 376 Mont. 61, 330 P.3d 458.

The named individual plaintiffs are Cottonwood's privies because they are members or staff of the organization. While not clear at least one of the named Plaintiffs, Quinn O'Connor, does not affirmatively state he is a member of Cottonwood Environmental Law Center. However, in *Wiser v. Mont Bd. of Dentistry*, the Court recognized no distinction in the plaintiffs' capacity to pursue litigation "as representative of a group as opposed to individually" when considering the applicability of *res judicata*. *Wiser v. Mont Bd. of Dentistry*, 2011 MT 56, ¶ 18, 360 Mont. 1, 251 P.3d 675. All of the Plaintiffs assert they are suffering injury from the District's discharge of pollution into the Gallatin. This interest is closely aligned if not exactly aligned with plaintiffs who made the same claims in the federal case: that the District was polluting the Gallatin through leaking pond liners and irrigation of the

Meadows Village Golf Course. As the Court in *Denturist Ass 'n* recognized, and as applies here, res judicata and claim preclusion exists to conserve judicial resources to prevent repeated litigation, otherwise every new member of an association or organization could endlessly bring the same legal challenge. *Denturist Ass 'n*, at ¶ 15. Cottonwood cannot evade res judicata by suing in state court and listing a handful of its members or employees on the caption. The first element of the doctrine is satisfied.

Second, the federal case and this proceeding concerns the same subject matter. The second element focuses on the "underlying factual basis." *Schweitzer v. City of Whitefish*, 2016 MT 254, ¶ 16, 385 Mont. 142, 383 P.3d 735; see also *Asarco LLC v. Atl. Richfield Co.*, 2016 MT 90, ¶ 21, 383 Mont. 174, 369 P.3d 1019., In *Asarco* the Supreme Court analyzed whether a federal lawsuit brought under a federal statute based on contamination from a zinc processing facility precluded a subsequent state-court action asserting state-law claims. The court held that res judicata barred the state-court action. *Asarco LLC*, at ¶ 32. As to the second element, the court concluded that both lawsuits concerned the "same subject matter" because they arose from "the same underlying basis"-namely, the defendant's "responsibility for contamination ... that allegedly resulted from its ownership and operation of the zinc fuming plant." *Asarco LLC*, at ¶ 21.

The federal case and this proceeding both concern claims of pollution of the Gallatin through leaking pond liners and irrigation of the Meadows Village Golf Course. In *Cottonwood I*, Cottonwood alleged that the District and Edwards (as general manager of the District) violated the federal CWA by (1) allowing the WRRF holding ponds to leak into the groundwater, and (2) permitting over-irrigation of the Meadow Village golf course. See *Cottonwood I*, 2021 U.S. Dist. LEXIS 241349, at *6-8. Cottonwood

argued this conduct caused nitrogen pollution to enter the West Fork. In this lawsuit, Plaintiffs claim the District and Edwards violated the MWQA, the Montana Constitution, and nuisance law, but the alleged conduct remains the same. Plaintiffs again allege the District and Edwards allow the holding ponds to leak and permit over-irrigation of the Meadow Village Golf Course. *See Am. Compl.*, Introduction. Plaintiffs also allege this conduct results in pollution of the West Fork and Gallatin River. *See Am. Compl.*, passim. Accordingly, this case arises from "the same underlying basis" as *Cottonwood I*, and the second element of resjudicata is satisfied.

Third, the issues raised by Plaintiffs' Amended Complaint relate to the same subject matter as *Cottonwood I*. The third element "requires similar analysis" to the second and is satisfied "when '[t]here is a common nucleus of operative facts underlying' the claims in both cases." *Asarco*, at ¶ 23. Because resjudicata bars claims that "could have been litigated in the first action," *Asarco*, at ¶ 26 (emphasis in original), a judgment in a federal lawsuit bars subsequent litigation of state-law claims that could have been raised by invoking the federal court's supplemental jurisdiction under 28 U.S.C. § 1367, *see Asarco*, at ¶¶ 28, 32. The third element's "common nucleus of operative fact" test is the same standard that determines whether a federal court can exercise supplemental jurisdiction over state-law claims. *See Asarco*, at ¶ 22.

Plaintiffs had the opportunity to litigate their state-law claims in *Cottonwood I*. Their claims in this case arise out of the same "common nucleus of operative facts" as their claims in *Cottonwood I* namely, the District and Edwards allegedly pollute the West Fork and Gallatin River due to pond leakage from the WRRF and over-irrigation of the Meadow Village golf course. The federal court had original jurisdiction based on

Plaintiffs' federal CWA claim. *See* 33 U.S.C. § 1365(a); 28 U.S.C. § 1331. Because Plaintiffs' state-law claims arise out of the same "common nucleus of operative fact," they could have invoked the federal court's supplemental jurisdiction. Instead, Plaintiffs asserted claims only under the CWA, and were unsuccessful on summary judgment and at trial. They are currently pursuing an appeal which is the appropriate remedy. Filing essentially the same action in this court for claims that could have been litigated in the federal proceeding is barred by res judicata. The third element of res judicata is satisfied.

Fourth, Plaintiffs, the District, and Edwards have the same capacities in both actions. This element addresses whether the parties maintain the same stance with respect to the underlying facts and issues. *See State ex rel. Harlem Irrig. Dist. v. Mont. Seventeenth Jud. Dist. Ct.*, 271 Mont. 129, 135, 894 P.2d 943, 946 (1995) (finding parties had same capacities because "[t]he Loves were the plaintiffs, and the Irrigation District, as well as its individual commissioners, were the defendants in both actions"). In the federal case Cottonwood was a plaintiff, representing its members' recreational and other interests. The District and Edwards were defendants. The Plaintiffs and Defendant District had the same capacities in both actions. The fourth element of res judicata is satisfied.

The federal court has entered final judgment in Cottonwood I. Judge Morris granted summary judgment in Edwards' favor on December 17, 2021. *See Cottonwood I*, 2021 U.S. Dist. LEXIS 241349, at *18, *20. The jury then rendered a verdict in favor of the District, and the court entered judgment on May 9, 2022. Final judgment was not entered at that time because Cottonwood had asserted a claim against another defendant (the owner of the Meadow Village golf course). *See Ex. 4*

at 2-3. Cottonwood also moved for a new trial. *Id.* Judge Morris denied the request for a new trial in September 2022, and dismissed Cottonwood's remaining claim in December 2022, *see* Ex. 4 at 3. The court then entered final judgment on December 5, 2022. *See* Ex. 4 at 4. The final element of res judicata is satisfied.

II. Application of collateral estoppel to Plaintiffs' claims.

"Collateral estoppel, or issue preclusion, is a form of res judicata, and bars the reopening of an issue that has been litigated and resolved in a prior suit." *Two Rivers*, at ¶ 9. A party is collaterally estopped from relitigating an issue if four elements are met:

(1) the identical issue raised was previously decided in a prior adjudication; (2) a final judgment on the merits was issued in the prior adjudication; (3) the party against whom the plea is now asserted was a party or in privity with a party to the prior adjudication; and (4) the party against whom preclusion is now asserted was afforded a full and fair opportunity to litigate the issue.

Id.

In *Cottonwood I*, Cottonwood claimed that the District and Edwards were liable for discharges from the golf course. *See* 2021 U.S. Dist. LEXIS 241349, at *6 ("Plaintiffs allege that Big Sky District over-irrigates the Meadow Village Golf Course. Plaintiffs allege that this over-irrigation causes nitrogen and other pollutants to flow downhill and enter the West Fork."). Judge Morris issued a final judgment on this issue when he granted summary judgment in favor of the District and Edwards,

concluding they were not liable because they do not own or operate the golf course. *See id.* at *9-11. The District and Edwards assert collateral estoppel against Plaintiffs, which include Cottonwood and its privies. Finally, Plaintiffs had a full and fair opportunity to litigate the District's and Edwards' liability for discharges from the golf course. *See id.* (discussing arguments Plaintiffs raised in support of their claim on summary judgment).

The elements of collateral estoppel also are met for Plaintiffs' official-capacity claims against Edwards. Plaintiffs have sued Edwards in his capacity as general manager of the District as they did in *Cottonwood I*, see 2021 U.S. Dist. LEXIS 241349, at*I. Judge Morris dismissed Edwards as a defendant because federal courts dismiss as duplicative claims in which a plaintiff "asserts the same claims 'against a municipal entity and a municipal official in his or her official capacity.'" *Id.* at *17-18 (citation omitted). Montana courts follow the same rule. *See Germann v. Stephens*, 2006 MT 130, ¶¶ 38-39, 332 Mont. 303, 137 P.3d 545 ("[C]learly established law dictated that [the] official capacity claims were duplicative and unnecessary."). Edwards asserts collateral estoppel against Cottonwood and its privies. Finally, Plaintiffs had a full and fair opportunity to litigate the propriety of their official-capacity claims at the summary-judgment stage in *Cottonwood I*. Therefore,

IT IS HEREBY ORDERED, Defendants Big Sky Water and Sewer District No. 363 and Ron Edwards Motion to Dismiss is GRANTED.

Electronically Signed and Dated.

cc: John Meyer/Robert Farris-Olsen
Arron Pettis
Susan Swimley
John Rauchway/Michael Gotz

OLD BUSINESS:

Resort Tax

BIG SKY RESORT AREA DISTRICT

FY24 Funding Requests



RESORT TAX
Better Together


Dear Big Sky,

Since 1992, over \$106 million in Resort Tax awards have played a significant role in funding priority programs and projects throughout Big Sky. The June allocations are an important part of the District's overall investment strategy. This is where nonprofits request funding for projects that impact: Arts & Education, Economic Development, Health & Safety, Housing, Public Works, and Recreation & Conservation. These dollars have been a pivotal tool for funding Big Sky's priorities.

FY24 project applications total **\$11,044,535** and represent **52 projects** from **20 sponsoring organizations**.

As always, we encourage you to participate in the allocation process of your public dollars. This year we are introducing a new digital tool which will allow you to view and rank the projects that you feel are most important to the community. Get to know the projects, submit public comment, attend the application review meetings. Get engaged, Big Sky, because we are BETTER TOGETHER.

We look forward to seeing you in June.



Sarah Blechta
Board Chair



Daniel Bierschwale
Executive Director

COMMUNITY INVESTMENT STRATEGY

Resort Tax investments can be broken out into four categories. Project Requests are just one part of the overall investment strategy and are outlined in the pages that follow.



Government Services

Local government entities provide community services such as public safety, transit, water & sewer, which are traditionally funded through property taxes, fees, and assessments.



Reserve Allocations

Reserves play an important role in preparing for community emergencies and long-term capital investments. Budgeting for reserves generally takes place in Spring.



Opportunity Fund *(New for FY24)*

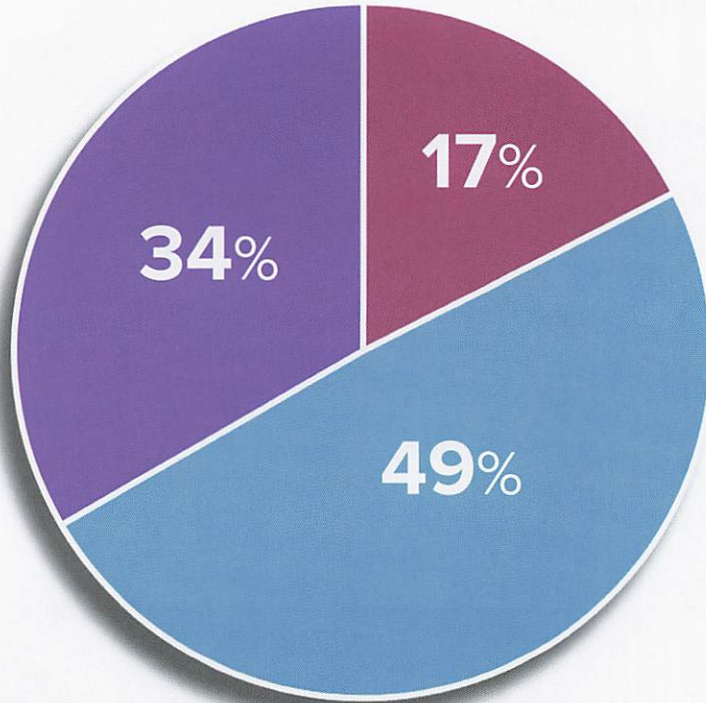
Monies are set aside for organizations to take advantage of smaller funding opportunities that come up outside of the annual allocation cycle.



Project Requests

Nonprofit organizations submit applications for funding projects they feel can best serve the community. These requests are reviewed on an annual basis. Requests are evaluated by investment type and impact area, and are scored on their ability to have a measurable impact on community needs.

REQUESTS BY INVESTMENT TYPE



Administration - \$1,839,511

Overhead supporting day-to-day operations not solely contributing to direct delivery of a service.
• Life span: 0-1 year



Capital - \$5,431,156

Acquisition, improvement, or maintenance of physical assets or real property including large-scale infrastructure.
• Life span: 1+ year



Programming - \$3,773,868

Direct costs supporting a measurable service in which mission delivery occurs toward a specific goal.
• Life span: 0-1 year or ongoing

Arts & Education - \$1,845,000

Addresses multi-disciplinary, inclusive education, stewarding awareness and understanding of cross-cultural ideas and values.

Economic Development - \$976,075

Addresses balancing Big Sky's tourism-driven economy by sustainably growing prosperity and ensuring a high quality of life for Big Sky workers.

Health & Safety - \$420,000

Addresses emergency, medical, and social services essential to the welfare of Big Sky, in many cases, resulting in property tax or fee reduction.

Housing - \$1,175,000

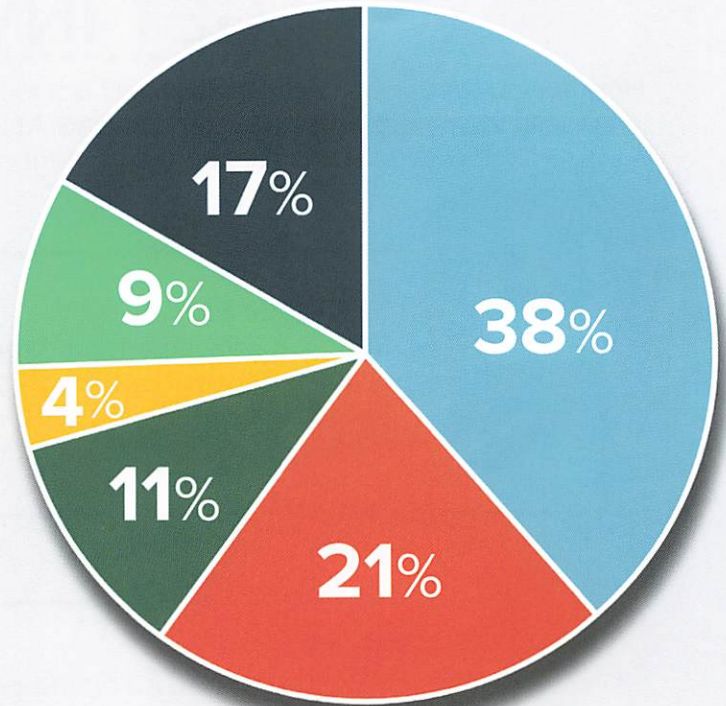
Addresses long-term (30+ days) rental and ownership opportunities for Big Sky workers.

Public Works - \$2,370,500

Addresses core utilities and services used broadly by the community, in many cases, resulting in property tax or fee reduction.

Recreation & Conservation - \$4,257,960

Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.



REQUESTS BY IMPACT AREA

GET INVOLVED!

How do you want your public funds spent? Get to know the projects and then decide how YOU want to engage in the process. Visit **RESORTTAX.ORG/ALLOCATIONS** for online resources, public comment instructions, and meeting agendas and materials.



SEND AN EMAIL

Submit public comment expressing why you support or oppose a project. Share your thoughts with us by emailing

PUBLICCOMMENT@RESORTTAX.ORG

DEADLINE: 1:00 PM, Thursday, June 1

ENGAGE ONLINE

New! BSRAD launched an online portal where you can review the funding requests. Select the projects you would fund with just a click. Then rank them in order of importance. It's that simple.

Visit: **RESORTTAX.ORG/ALLOCATIONS**

DEADLINE: 1:00 PM, Thursday, June 1





ATTEND APPLICATION REVIEW MEETINGS

You can listen in as the Board reviews projects, or step up and make your voice heard through public comment during these meetings held at BASE and via Zoom.

Snacks and refreshments will be provided.



5:30 PM

Projects Reviewed:
Arts & Education
Economic Development
Housing
Public Works



5:30 PM

Projects Reviewed:
Health & Safety
Recreation & Conservation



5:30 PM

Final award decisions for
all impact areas

Please note that all comments will be entered into the public record and will be publicly available.

Addresses multi-disciplinary, inclusive education, stewarding awareness and understanding of cross-cultural ideas and values.

ARTS & EDUCATION

Morningstar Campus Expansion

Morningstar Learning Center

- \$750,000 -
Project Score: 93

Capital

MLC is at a critical crossroads of needing more teachers and more physical space to provide adequate childcare for families as Big Sky grows. We are working towards building a new learning center as well as employee housing to enable us to meet our community's childcare needs.



Early Childhood Education & Tuition Assistance

Morningstar Learning Center

- \$425,000 -
Project Score: 90

Programming

This project addresses the availability and affordability of childcare in Big Sky from two angles: MLC's Tuition Assistance Program and teacher salaries, our main and most crucial programming expense. This will help keep Big Sky's only year-round childcare reliably staffed, high quality, and affordable for local families.



2024 Music in the Mountains

Arts Council of Big Sky

- \$250,000 -
Project Score: 88

Programming

The Music in the Mountains free concert series is Big Sky's premier summer event, drawing more than 33,000 music lovers to 13 free events in Len Hill Park each year. These weekly events help stimulate the economy, showcase local and national artists and enhance our community's cultural landscape.



Annual Cultural Programming at WMPAC

*Warren Miller Performing
Arts Center*

- \$250,000 -
Project Score: 90

Programming

WMPAC provides high quality cultural enrichment through performing arts and community gatherings to make Big Sky more livable for residents and visitors. In FY24, Resort Tax funds will support world-class programming all four seasons of the year while ensuring accessibility for our entire community.

WARREN MILLER
PERFORMING ARTS CENTER

Early Childhood Program & Tuition Assistance

*Big Sky
Discovery Academy*

- \$170,000 -
Project Score: 86

Programming

Early Childhood Programming is a need in Big Sky. For the 23-24 School Year, Big Sky Discovery Academy will provide two full-time, Early Childhood Montessori Classrooms for 36 students. These funds will allow us to create a new classroom in addition to providing needs-based, tuition assistance support for those families with the highest need.



Addresses balancing Big Sky's tourism-driven economy by sustainably growing prosperity and ensuring a high quality of life for Big Sky workers.

ECONOMIC DEVELOPMENT

Visitor Marketing & Events

*Visit
Big Sky*

- \$275,000 -
Project Score: 85

Programming

With tourism being our number one economic driver, the continued presence of it is vital to our community's stability and vitality. These funds would go to digital targeted marketing campaigns as well as a large event that would act as a marketing draw for the community in a slow part of the season.

VISIT
BIG SKY

VBS - Operations

*Visit
Big Sky*

- \$240,000 -
Project Score: 66

Administration

Visit Big Sky works to inspire and educate our visitors in an authentic experience that is positive for them and the community. This is done through staff time communicating to visitors and coordinating with partners. These funds would go to salaries, rent and other operational expenses.

VISIT
BIG SKY

Destination Research & Stewardship Plan

*Visit
Big Sky*

- \$230,000 -
Project Score: 83

Programming

There are tremendous benefits as a result of our tourism economy but there is also an invisible burden. This funding would be used to help balance tourism with community via visitor impact data, stewardship plan outreach, implementation of that plan and continued campaigns on respectful visitation.

VISIT
BIG SKY

BSCOC - Operations

*Big Sky Chamber
of Commerce*

- \$126,075 -
Project Score: 71

Administration

The Big Sky Chamber works to support the economic vitality of our community by convening important stakeholder conversations and connecting people with resources. This work is predominately done with staff time. These funds would support staffing, benefits, rent and operating expenses.



Development of Business Skills Programming

*Big Sky Chamber
of Commerce*

- \$79,000 -
Project Score: 79

Programming

By pooling resources under the helm of one organization, the Chamber can offer a collection of educational programming at a higher caliber than could be accessed by one singular small business. Funds would go towards leadership development, skill building classes and DEI programming for businesses.



Workforce Sustainability Research

*Big Sky Chamber
of Commerce*

- \$26,000 -
Project Score: 79

Programming

Quality data is vital to making informed decisions for businesses and community partners. Data collection would cover Cost of Living for mountain towns, transportation, wage data, and other points that help make business and workforce related decisions.



Addresses emergency, medical, and social services essential to the welfare of Big Sky, in many cases, resulting in property tax or fee reduction.

HEALTH & SAFETY

Counseling Services Hub - Building Remodel

*Wellness
in Action*

- \$200,000 -
Project Score: 84

Capital

The demand for reliable and accessible behavioral health services has greatly increased in Big Sky. To meet this demand, WIA has undertaken a remodel project that will add in-person and telehealth counseling rooms, bring our building up to ADA compliance standards, and overall increase our capacity.



BASE as Disaster Relief Shelter

*Big Sky Community
Organization*

- \$100,000 -
Project Score: 92

Capital

BASE can serve as a RedCross disaster relief shelter in the event of a natural or human caused catastrophe. A generator will be provided by a FEMA grant. BSRAD funding will be used for a concrete pad and other infrastructure required for the generator installation and connection to BASE.



Emergency Food & Social Services

*Big Sky Community
Food Bank*

- \$70,000 -
Project Score: 83

Programming

Many in Big Sky struggle to make ends meet, even while fully employed. The Big Sky Food Bank helps fill the gaps between household income and expense, so that no one has to go hungry. We offer emergency food and nutrition as well as access to federal, state, and local social service benefits.



Sliding Scale Support for Counseling Services

*Wellness
in Action*

- \$50,000 -

Project Score: 78

Programming

Access to behavioral health services is often limited due to the cost of care. WIA's sliding scale program subsidizes the cost for clients to go to therapy, as well as operation costs for counselors. In 2022, 67% of all clients received subsidized care, this rate is expected to increase in 2023.



Addresses long-term (30+ days) rental and ownership opportunities for Big Sky workers.

HOUSING

Good Deeds

*Big Sky Community
Housing Trust*

- \$800,000 -
Project Score: 91

Programming

Good Deeds utilizes existing inventory by offering owners or buyers cash for permanently deed restricting their homes for residents. All Good Deeds homes must reside in the Resort Area District, cannot exceed \$1.5 million in value, and are permanently removed from the short-term rental market.



BSCHT - Operations

*Big Sky Community
Housing Trust*

- \$225,000 -
Project Score: 70

Administration

Because the community continually ranks housing as a top concern, Big Sky Community Housing Trust creates affordable housing for residents through its projects and programs. Operations include staffing and administrative costs such as rent, insurance, legal fees, website maintenance, and marketing.



Rent Local

*Big Sky Community
Housing Trust*

- \$150,000 -
Project Score: 89

Programming

Because only 36 apartments exist, the community relies on private property for its rental inventory. However, owners earn more on the vacation market. RENT LOCAL creates immediate inventory by paying owners to rent to locals. Since August 1, 2021, the program has funded 95 properties for 225 locals.



Addresses core utilities and services used broadly by the community, in many cases, resulting in property tax or fee reduction.

PUBLIC WORKS

Centrifuge Sludge Press

*Big Sky County
Water & Sewer District*

- \$1,300,000 -
Project Score: 67

Capital

The District makes compost out of the sludge produced by the wastewater treatment plant. The compost is sold primarily to Big Sky residents for new home landscaping. The centrifuge press is new technology to replace the original belt press installed in 2002.



Town Center Public Bathrooms

*Visit
Big Sky*

- \$370,000 -
Project Score: 70

Capital

This is a continuation of the bathroom project. The relocation from Firepit Park to Len Hill Park, the hold up in DEQ approval and building costs created delays for this project that have pushed it in to the next fiscal year.



Water Tank Land Acquisition

*Big Sky County
Water & Sewer District*

- \$300,000 -
Project Score: 69

Capital

The District is working with Northwestern Energy (NWE) to acquire land for a new water tank above the Meadow Village area. The District is meeting with NWE to determine the purchase price. The District is asking for \$300,000 towards the land acquisition.



Addresses core utilities and services used broadly by the community, in many cases, resulting in property tax or fee reduction.

PUBLIC WORKS

Wayfinding Signage Project

*Visit
Big Sky*

- \$200,000 -
Project Score: 87

Capital

Our community can be confusing to newcomers and clearer signage for both vehicles and pedestrians would help direct the flow of visitation including to areas that would benefit from the increased traffic. This funding would be for all current signage as well as new pedestrian and cycling signage.

Big Sky Community Library Operations

*Friends of the Big Sky
Community Library*

- \$79,500 -
Project Score: 75

Administration

Operations provide materials and internet access for learning, reading, listening, and research for locals and visitors. These activities require the operational oversight of librarians and an executive director to handle materials, fundraise, manage administrative tasks and maintain the space.

Library Programming & Services

*Friends of the Big Sky
Community Library*

- \$76,000 -
Project Score: 71

Programming

Programming is activities at the library for the public. This request covers librarian professional services; author reading events; book clubs; children's programming like Storytime, Summer Reading, Besties, etc.; material purchases (including books and online resources) and technical support.

VISIT
BIG SKY



Library District Preparation & Ballot

*Friends of the Big Sky
Community Library*

- \$45,000 -

Project Score: 77

Administration

Creating a library district and becoming a public library in Big Sky is a foundational step to moving the library into town. This project would fund getting this library district request to ballot and would include the costs of a consultant and sharing voter information with the Big Sky community.



Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.

RECREATION & CONSERVATION

Recreational Asset Maintenance

Big Sky Trails, Recreation, & Parks District

- \$1,123,936 -
Project Score: 60

Administration

Parks, Trails and BASE Community Center are an integral part of the Big Sky community. The maintenance and management of these assets are vital to provide a safe place for residents and visitors to recreate responsibly year-round.



Big Sky Community Park Implementation Phase 1

Big Sky Community Organization

- \$718,000 -
Project Score: 92

Capital

Improve the current elements in the park. Funding allows us to implement several features in the park redesign. Including:

- Move Camp Big Sky
- Purchase & install new playground
- Move volleyball court for expansion of skate park & pump track
- Relocate storm water detention for an expanded soccer field



Solarize Big Sky: RiverView

Big Sky Sustainability Network Organization

- \$420,000 -
Project Score: 84

Capital

This capital project will provide photovoltaic panels that produce solar energy on BSCHT's workforce housing project, the RiverView Apartments.



West Fork Nitrogen Reduction

*Gallatin River
Task Force*

- \$316,337 -
Project Score: 84

Capital

Nitrogen levels in excess cause algae growth that is harmful for fish and aquatic insect health. This project will construct one wetland treatment system and advance designs for a second system to substantially reduce nitrogen levels in the West Fork, which does not meet state nutrient standards.



Water Planning, Coordination & Outreach

*Gallatin River
Task Force*

- \$219,794 -
Project Score: 88

Programming

This project will support new comprehensive community water planning efforts and an update to a current water plan that aim to address pollution in the Gallatin River, West Fork, South Fork and Middle Fork and increase streamflows during hot dry summers to support a healthy fishery.



Gallatin River Access Restoration

*Gallatin River
Task Force*

- \$184,083 -
Project Score: 87

Capital

Unmanaged access on the Gallatin has degraded streamside areas that are critical for wildlife and water quality. Restoration projects outlined in the Gallatin River Restoration Strategy will provide sustainable recreation opportunities and ecological restoration of the Upper Gallatin River corridor.



Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.

RECREATION & CONSERVATION

Trail Projects & Safety

*Big Sky Community
Organization*

- \$150,000 -
Project Score: 92

Capital

To purchase new trail signage aiding visitors with navigation, install safety measures to protect visitors on the Ousel Falls trail, and provide funding to build a trail from the 191/64 intersection to the pedestrian bridge leading to the Big Sky Community Food Bank.



Parks & Trails Equipment

*Big Sky Community
Organization*

- \$115,000 -
Project Score: 90

Capital

Purchase a smaller Toolcat to remove snow on Lone Peak Trail for better access to the Social Impact Hub & Powder Light workforce housing, a new vehicle for parks and trails maintenance, and an aerator for sport field maintenance.



Green Build Toolkit

*Big Sky Sustainability
Network Organization*

- \$90,000 -
Project Score: 85

Programming

SNO will engage community & regional architectural, engineering, development & contracting experts to compile resources to design an energy-conscious building guideline/checklist website that applies to county and state permitting structures to be used in perpetuity.



US-191/MT-64 Assessment: Action Plan Development

*Center for Large Landscape
Conservation*

- \$85,000 -
Project Score: 87

Programming

We will work with agency stakeholders, community groups, and decision-makers to develop an Action Plan for priority sites in the nearly published US-191/MT-64 Wildlife & Transportation Assessment (March 2023) to support design requirements and identify funding pathways to achieve initial projects.



Middle Fork Restoration

*Gallatin River
Task Force*

- \$82,736 -
Project Score: 91

Capital

The Middle Fork West Fork Gallatin River does not currently meet state water quality standards set by the Department of Environmental Quality. To improve water quality, water storage capacity, and fish and wildlife habitat, the second stream restoration project (out of 5 total) will be constructed.



New Accounting Software

*Big Sky Community
Organization*

- \$75,000 -
Project Score: 92

Capital

Purchase and implement a new accounting software which would improve efficiencies throughout our organization and reduce administrative overhead to support our programs, parks, and trails.



Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.

RECREATION & CONSERVATION

Water Conservation

*Gallatin River
Task Force*

- \$67,791 -
Project Score: 89

Programming

The Big Sky Water Conservation Program implements strategies outlined in the Big Sky Water Conservation & Drought Management Plan, including rebates, education and outreach, advocacy, and community partnerships, to conserve Big Sky's drinking water supply and protect the Gallatin River.



Climate Action Plan (CAP) Implementation

*Big Sky Sustainability
Network Organization*

- \$60,000 -
Project Score: 85

Programming

Being a sustainable resort community by protecting the environment is imperative. SNO will engage community stakeholders in education & outreach for collective implementation to reduce emissions: reducing transportation & waste while increasing green energy supply & building efficiencies.



Solarize Big Sky: Credit Program

*Big Sky Sustainability
Network Organization*

- \$60,000 -
Project Score: 87

Programming

This program will support local resident & business access to solar energy with intentional equity through developing an application where property owners can receive additional funding (to the federal credit) for solar panel design and installation in order to incentivize widespread community buy-in.



Watershed Monitoring

*Gallatin River
Task Force*

- \$50,580 -
Project Score: 87

Programming

Water data is critical to guide management actions to protect and restore local rivers and drinking water aquifers. In FY24, we are collecting data to better understand nutrient levels that are protective of river health and if algae blooms are affecting high oxygen levels required by trout.



Big Sky Community Park Pump Track - Phase 2

*Southwest Montana Mountain
Bike Association*

- \$50,000 -
Project Score: 78

Capital

The pump track is located in the Big Sky Community Park. Phase 2 will double the size of the track. Features will be paved and designed for all skill levels. The pump track will serve to build a robust riding community promoting mental and physical health.



Carpool Incentivization Program

*Big Sky Sustainability
Network Organization*

- \$50,000 -
Project Score: 85

Programming

Vehicles & commuters from Bozeman to Big Sky continue to rise leading to increased traffic, cost of living, and greenhouse gas emissions. Big Sky SNO & the GoGallatin commuter platform are partnering on a community-based program to incentivize carpooling, bus rides, & other sustainable transport.



Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.

RECREATION & CONSERVATION

Community Warming Hut & Green Room

Big Sky Community Organization

- \$50,000 -
Project Score: 92

Capital

BSCO currently rents a warming hut for community users at the ice rink. Partnering with Jackson Contractors to build a Warming Hut that we would own and can be used for a Green Room by the ACBS for summer concerts. The initial investment would save money in future years in leasing costs.



Two-Way AV Communications Platform

Big Sky Community Organization

- \$50,000 -
Project Score: 86

Capital

To purchase and install a two-way live audio and video communication platform for the multipurpose rooms at BASE. This technology will greatly enhance these rooms for both in-person and remote meetings and presentations to better serve the community and organizations that utilize this space.



Invasive Species Education Project

Gallatin Invasive Species Alliance

- \$41,337 -
Project Score: 78

Programming

To protect natural resources from invasive species, the Alliance works collaboratively with partners and organizations on an array of projects, creates and disseminates educational materials, and provides educational opportunities via local kid's camps, farmers market, guided hikes, and classes.



Best in the West Showdown Annual Skijoring Event

*Big Sky
Skijoring*

- \$40,000 -
Project Score: 72

Programming

The Showdown brings people from all over North America to Big Sky, supporting local businesses. It maintains the culture of a traditional western sport, and brings people of all backgrounds together. Funds would be applied towards production in 2024 with the goal of adding capital assets in FY2025.



Crail Gardens Project

*Gallatin Invasive
Species Alliance*

- \$37,037 -
Project Score: 82

Programming

Crail Gardens demonstrates how native plants can be used to conserve water, create wildlife habitat, and preserve our historic landscape. The Alliance hosts open houses, tours, and a weeklong Big Sky Wildflower Festival, and we partner with others to educate and inspire the community to Grow Wild!



Landowner Stewardship Project

*Gallatin Invasive
Species Alliance*

- \$36,307 -
Project Score: 82

Programming

Active stewardship by landowners is critical to protect natural resources on both private and public lands. The Alliance offers free on-site assistance and provides resources and education to landowners so they can address invasive species using best management practices and adaptive strategies.



Addresses sustainable efforts for current and future generations to live and play in Big Sky through thoughtful mitigation of human impact on the natural environment.

RECREATION & CONSERVATION

Buck Ridge Snowmobile Trail Additional Groomings

*Gallatin Valley
Snowmobile Association*

- \$30,000 -
Project Score: 83

Programming

Buck Ridge trail is one of the most heavily used snowmobile trails in the Bozeman/Big Sky area. This project makes it possible to groom this trail an additional 2 times/week for the snowmobile season (Dec-March), for a total of 3 times/week providing a smoother trail and better snowmobile experience.



Wildlife Habitat Conservation Project

*Gallatin Invasive
Species Alliance*

- \$29,167 -
Project Score: 78

Programming

Wildlife in our area face habitat loss and degradation due to invasive species introduction and spread. The Alliance works to mitigate the threat via integrated weed management on bighorn sheep winter range, in the Gallatin Canyon, in HOA open space, and with our community weed pulls.



Clean Recreation Project

*Gallatin Invasive
Species Alliance*

- \$25,855 -
Project Score: 81

Programming

Recreation leads to invasive species introduction and spread, threatening local trails and rivers. In response, the Alliance promotes established clean recreation programs (PlayCleanGo and Clean.Drain.Dry.) via multiple media platforms, trailhead and highway signs, and at events.



All project details were provided by
applicants and are accurate as of
04/19/2023.

For more information visit
RESORTTAX.ORG/ALLOCATIONS.



Big Sky Resort Area District

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✉ Info@ResortTax.org

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PO BOX 160670
BIG SKY MT 59716-0670



Administered by the Big Sky Resort Area District, a local government agency, Resort Tax is a 4% tax on luxury goods & services.

The District has an obligation to openly communicate information on the use of public funds. As such, this mailing is shared within the District.

NEW BUSINESS

NEW BUSINESS:

**New Developments
& Subdivisions**

None for this report

NEW BUSINESS:

**Sewer & Water Permit
Applications &
Correspondence**

copy: Aaron Heska
aheska@thbentersizes.com

RECEIVED

BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363
SEWER & WATER CONNECTION PERMIT

APR 29 2022

ITEMS TO BE SUBMITTED WITH THIS APPLICATION

- ARCHITECTURAL COMMITTEE APPROVAL WHERE APPLICABLE
- ONE SET OF BUILDING PLANS W/ SITE PLAN - NO LARGER THAN 11" x 17"
- PLANS MUST SHOW SQUARE FOOTAGES FOR ALL SPACES
- OTHER-

APPLICATION DATE

4/27/22

PART A (COMPLETED BY APPLICANT) OWNER AND PROPERTY INFORMATION

NAME: **Brett Gaylis** EMAIL: **bgaylis@gmail.com** PHONE (W): **7863013534**
 MAILING ADDRESS: **1205 Hatteras Ln.** CITY: **Hollywood** STATE: **FL** ZIP CODE: **33019** (H)

COUNTY ASSIGNED PROPERTY ADDRESS: **14 White Grass Rd.**

LEGAL DESC. SECTION - TOWNSHIP - RANGE SUBDIVISION LOT # BLOCK # COS# TRACT # COUNTY
Cascade Sub (Big Sky) s19, t06, r03 Cascade 294 4 06 GALLATIN MADISON

BUILDING CONTRACTOR'S NAME & TELEPHONE # SEWER CONTRACTOR'S NAME & TELEPHONE # WATER SERVICE CONTRACTOR'S NAME (PLUMBER) & PHONE #
THB Montana LLC (406)522-0808 BCP Plumbing

Tax Parcel ID# **29004299**
 Single Family Residential Apartment New Construction
 Condominium Commercial Remodeling
 Other: _____
 Total Sq. Ft. > **6344 w/garage**
 Architectural Committee Approval Date: **2-17-22** (IF APPLICABLE)
 Madison Co. Preconstruction Safety Review: **2-18-22** (IF APPLICABLE)
 Estimated Start Date: **5/16/2022** Completion Date: **11/22/2022**

The above statements are true to the best of my knowledge. I hereby agree to pay all applicable impact, surcharge, and connection inspection charges indicated within SIXTY (60) days notice of permit application approval; and to comply with the provisions of the sewer/water connection permit when issued. All changes during construction, or future remodeling that increase the SFEs must be submitted to the District. I agree to provide ingress and egress to inspect or repair sewer and/or water main lines, stubs, services, and curb stops; water meter equipment; and to verify SFE's. I also agree to comply with the construction methods required by the District for sewer and water service connections, and to give the District a minimum of two days notice for inspection of either service connection, prior to backfilling, and to allow a final inspection to verify the SFEs when the project is 100% complete. I acknowledge that I have read the permit conditions on the back of this application and agree to provide a copy of the conditions to the contractor(s) responsible for the sewer and water service installations. Non-compliance may result in revocation of this connection permit.
 [PLEASE READ OTHER SIDE FOR PERMIT CONDITIONS]

Signature of Owner _____ [OR] _____ Signature of Authorized Agent for Owner _____ Date **4/27/2022**

PARTS B, C & D COMPLETED BY DISTRICT PERSONNEL

PART B SINGLE FAMILY EQUIVALENT (SFE) CALCULATION

Connecting to: Sewer Only Water Only Both Sewer & Water **TOTAL SFE's**
 Single Family Home or Single Condominium Home:
 < 2,000 Sq. Ft. 0.85 SFEs/1,000 Sq. Ft. 2,001 to 3,000 Sq. Ft. 0.65 SFEs/1,000 Sq. Ft.
 3,001 to 4,000 Sq. Ft. 0.55 SFEs/1,000 Sq. Ft. > 4,000 Sq. Ft. 0.45 SFEs/1,000 Sq. Ft.
 Total Square Feet: **5,566** x **.45** /1,000 Sq. Ft. **2.51**
 Each jacuzzi or hot tub draining to sewer system (# of Hot tubs): **Drains to ground** **0.35**
 Condominium developments (SEE WORKSHEET): _____
 Commercial developments (SEE WORKSHEET): _____
 Other: **5 bed 6 bath**
 PLANS REVIEWED BY: **MK** DATE: **5/3/22** TOTAL SFE's FOR PROPERTY = **2.51**

PART C PLANT INVESTMENT CHARGE - CONNECTION - METER FEE CALCULATIONS

C.1 Sewer & Water Investment Charges:
 Sewer Plant Investment Charge: \$5,410 x # **2.51** SFE's = \$ **13,579**
 Development Surcharge: \$3,500 x # **2.51** SFE's = \$ **8,785**
 Water Investment Charge: \$1,828 x # **2.51** SFE's = \$ **4,588**
 PIC/SIC Mill Levy adjustment*: \$ _____ x # _____ SFE's = \$ _____
 *PIC (\$760) / SIC (\$332) / TOTAL (\$1,092) TOTAL = \$ **26,952**
 Exempt from Sewer PIC

C.3 Metering Equipment Charges:
 Meter Size: **1** Inches # Meters: **1** @ \$ **339** Each
 Meter Horn: **1** Inches # Horns: **1** @ \$ **460** Each
 # MXUs: **1** @ \$ **199** Each **5** TBD
 # Fittings: **1/2"** @ \$ **77** pr TOTAL METER = \$ **1,072**
 Other: _____ @ \$ _____

C.2 Connection/Inspection Fee (per connection):

	SEWER	WATER	TOTAL
<input type="checkbox"/> Remodeling (If SFEs increase)	\$ 50	\$ 50	\$
<input checked="" type="checkbox"/> Single Family Residence	200	200	\$ 400
<input type="checkbox"/> Duplex to Four-Plex	350	350	\$
<input type="checkbox"/> 5-10 Units of Improvement and Commercial < 10,000 sq. ft.	500	500	\$
<input type="checkbox"/> 11 or more units of improvement and Commercial > 10,000 sq. ft.	1,250	1,250	\$
<input type="checkbox"/> Other			\$

TOTAL PERMIT FEES (Total of C.1 + C.2 + C.3)

TOTAL PLANT INVESTMENT CHARGE = \$ **26,952**
 TOTAL CONNECTION/INSPECTION FEE = \$ **400**
 TOTAL METER EQUIPMENT CHARGE = \$ **1,072**
 5-24-23 paid for meter equip.
 Permit total: TOTAL FEES = \$ **27,352***
 \$28,424

[APPLICATION VOID IF FEES ARE NOT PAID WITHIN 60 DAYS OF NOTICE]

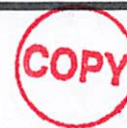
PART D APPLICATION SUMMARY

FEES PAID: \$ **27,352** CHECK #: **806** DATE PAID: **7/8/22** Applications exceeding **25.0 SFEs** require Board approval.
 PERMIT DATE: **7/12/22** EXPIRATION DATE: **7/31/23**
 Paid: \$ **1,072** Check# **21808**, Date: **5-24-23**
 Signature of District Representative: **Ron Edwards** Date: **7/12/2022**
 DATE BOARD APPROVED: **N/A**
 DATE BOARD DENIED: _____

**MISCELLANEOUS PERMIT
CORRESPONDENCE**

Marlene Kennedy

From: Marlene Kennedy
Sent: Wednesday, June 14, 2023 10:15 AM
To: Myranda Wilsey
Cc: Rory Romey
Subject: RKE18170, Lot 45, Block 4, Meadow Village - Gallatin County LUP Written Approval.
Need S&W permit application to provide letter of conditional approval



Myranda:

Lot 45, Block 4 of Meadow Village Subdivision is in the service area of the Big Sky County Water & Sewer District. Once a sewer & water connection permit application, architectural plans with square footage itemized, and a letter of architectural approval, have been submitted to our office, we will calculate the single-family equivalents for service capacity. We will then send a letter of conditional approval for the project noting the 60-day deadline to submit the permit fees owed plus any additional information needed to complete the permit application prior to a sewer & water connection permit being issued.

If you have any questions regarding our permitting process, please contact our office at 406-995-2660.

Kind Regards,

Marlene

Marlene Kennedy
Big Sky County Water & Sewer District No. 363
561 Little Coyote Rd, PO Box 160670, Big Sky, MT 59716
406-995-2660, marlene@wsd363.com

From: Myranda Wilsey <mwilsey@alliedengineering.com>
Sent: Wednesday, June 14, 2023 9:48 AM
To: Marlene Kennedy <marlene@wsd363.com>
Cc: Rory Romey <rromey@alliedengineering.com>
Subject: Lot 45, Block 4, Meadow Village - Gallatin County LUP Written Approval

Good morning,

I am working on Lot 45 in Block 4 of the Meadow Village Subdivision in the Big Sky Water and Sewer District and am in need of a written connection approval to submit with the Gallatin County Land Use Permit (LUP). Please see the attached draft design plan. There is no water and sewer application submitted for this lot. Please let me know if you need any more information or have any questions.

Thank you,

Myranda Wilsey, EI
Staff Engineer

Allied Engineering Services, Inc.
32 Discovery Dr., Bozeman, MT 59718 | Office: 406.582.0221 x225 |
Email: mwilsey@alliedengineering.com | Web: www.alliedengineering.com
SAM UEI: LYARYWD1YSZ1

Marlene Kennedy



From: Marlene Kennedy
Sent: Monday, May 22, 2023 5:39 PM
To: Ron Edwards
Cc: Jake Porter; Jim Muscat; Terry Smith
Subject: Old permits apps for reuse water -- 3 applications back in your box for follow up & completion...

Ron:

Ryan, Hammond Prop Mgt, 580-6544, called asking about their Glacier condo irrigation reuse permit submitted October 2022. It was logged in...found in your office along with 2 other irrigation reuse permits from July 2021. All permits had notes saying waiting for a use agreement that Susan Swimley was to prepare for HOA & WSD signatures. Do we have a reuse irrigation agreement prepared that we can use for these irrigation permit applications?

For the October 2022 Glacier Condo reuse irrigation permit application, we also need a decision for applying the irrigation meter fee. They asked for 1 ½" meter equipment, the July 2022 SIC fee lists as \$14,859. Ryan was aware an agreement might be needed, but thought he remembered you telling him all he needed to do was send a layout of the irrigation line route (it is attached to his permit). Also, he did not know the possibility of the SIC fee and said the association does not have the money saved for that fee. They had only prepared for the meter equipment costs. Ryan reported they intended to do the meter install last fall but the early winter weather prevented the work being done. Ryan would like you to call him (580-6544) when you return.

For the July 2021 Park Condo reuse irrigation permit application, it appears that permit/meter equipment fees maybe were never paid, & no permit issued. No payment recorded on permit app logged in on spreadsheet. However, they have been using reuse water since 2021 and there are meter reads on the account. Terry, will you please review deposits for \$1,476 from Park HOA.

For the July 2021 Townhomes at Crail reuse irrigation permit application, it appears that permit/meter equipment fees maybe were never paid, & no permit issued. No payment recorded on permit app logged in on spreadsheet. No quarterly charges, no meter reads. Was a meter ever installed? Terry, will you please review deposits for \$1,476 from Townhomes at Crail HOA

The 3reuse irrigation permit applications are now in your inbox for follow up and/or completion.

Kind Regards,

Marlene

Marlene Kennedy
Big Sky County Water & Sewer District No. 363
561 Little Coyote Rd, PO Box 160670, Big Sky, MT 59716
406-995-2660, marlene@wsd363.com

NEW BUSINESS:

**General
Correspondence**

Snowpack Report



United States Department of Agriculture

Natural Resources
Conservation Service

Montana

Water Supply Outlook Report

June 1, 2023



Photo: W. Weaver, 5/29/2023

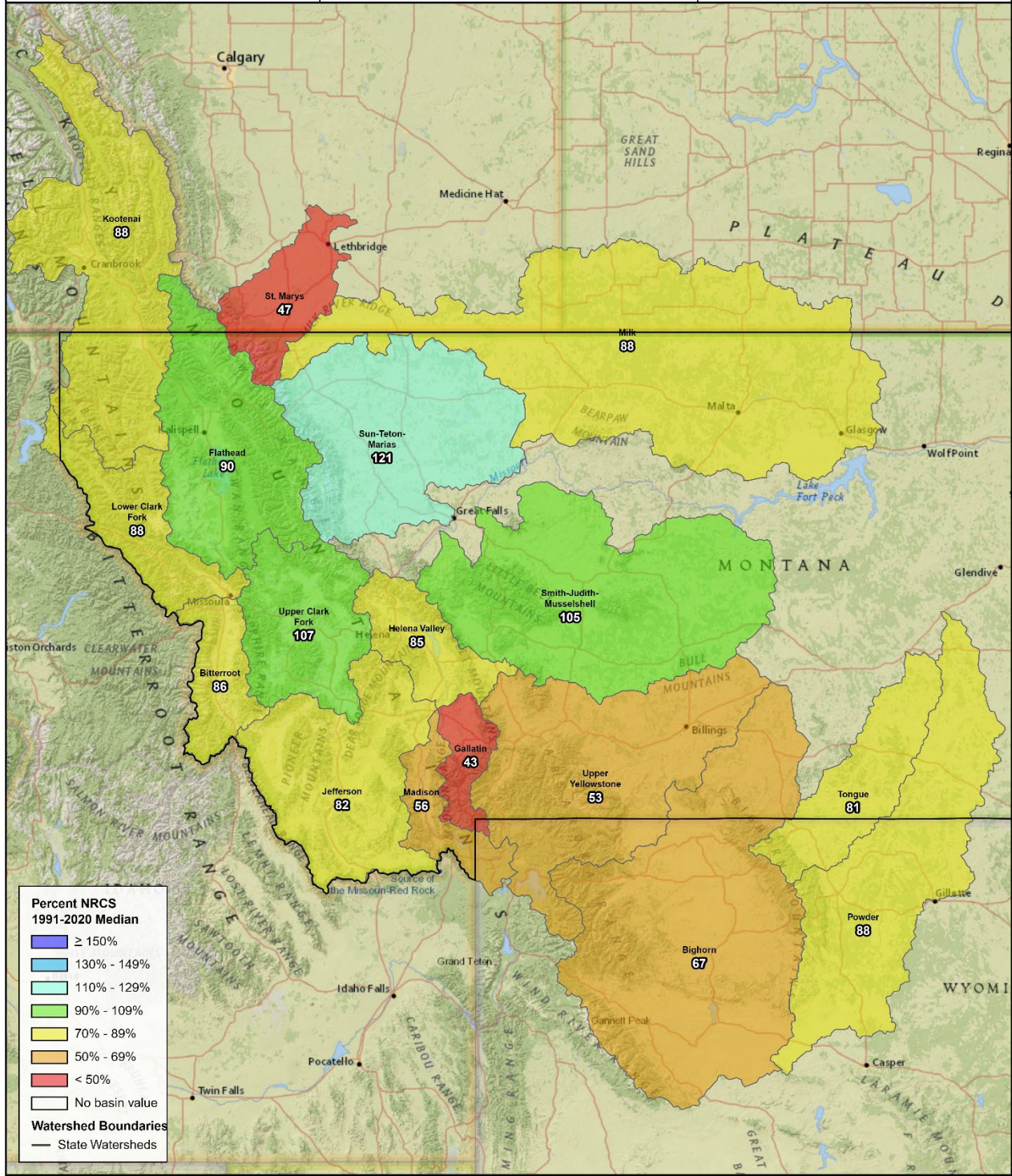
Faster than normal snowmelt during May resulted in a decrease in snowpack percentages from last month and the seasonal snowpack at many monitoring stations melted out earlier than normal. The snowpack only remains at the highest elevations across Montana. While much of the seasonal snow has melted, the total volume of snow water equivalent accumulated this year was near to above normal in all but part of northwest Montana and the northern Rocky Mountain Front. Last month's rapid snowmelt resulted in reduced water supply forecasts for the summer at most stream gages. Given the quick melt, a normal amount of precipitation over the next several months will be necessary to sustain normal streamflows late into the summer.

1 month Precipitation

Monthly SNOTEL Precipitation

May 1, 2023 - May 31, 2023

Percent NRCS 1991-2020 Median

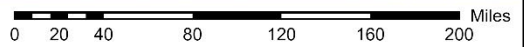


Percent NRCS 1991-2020 Median

- ≥ 150%
- 130% - 149%
- 110% - 129%
- 90% - 109%
- 70% - 89%
- 50% - 69%
- < 50%
- No basin value

Watershed Boundaries

- State Watersheds

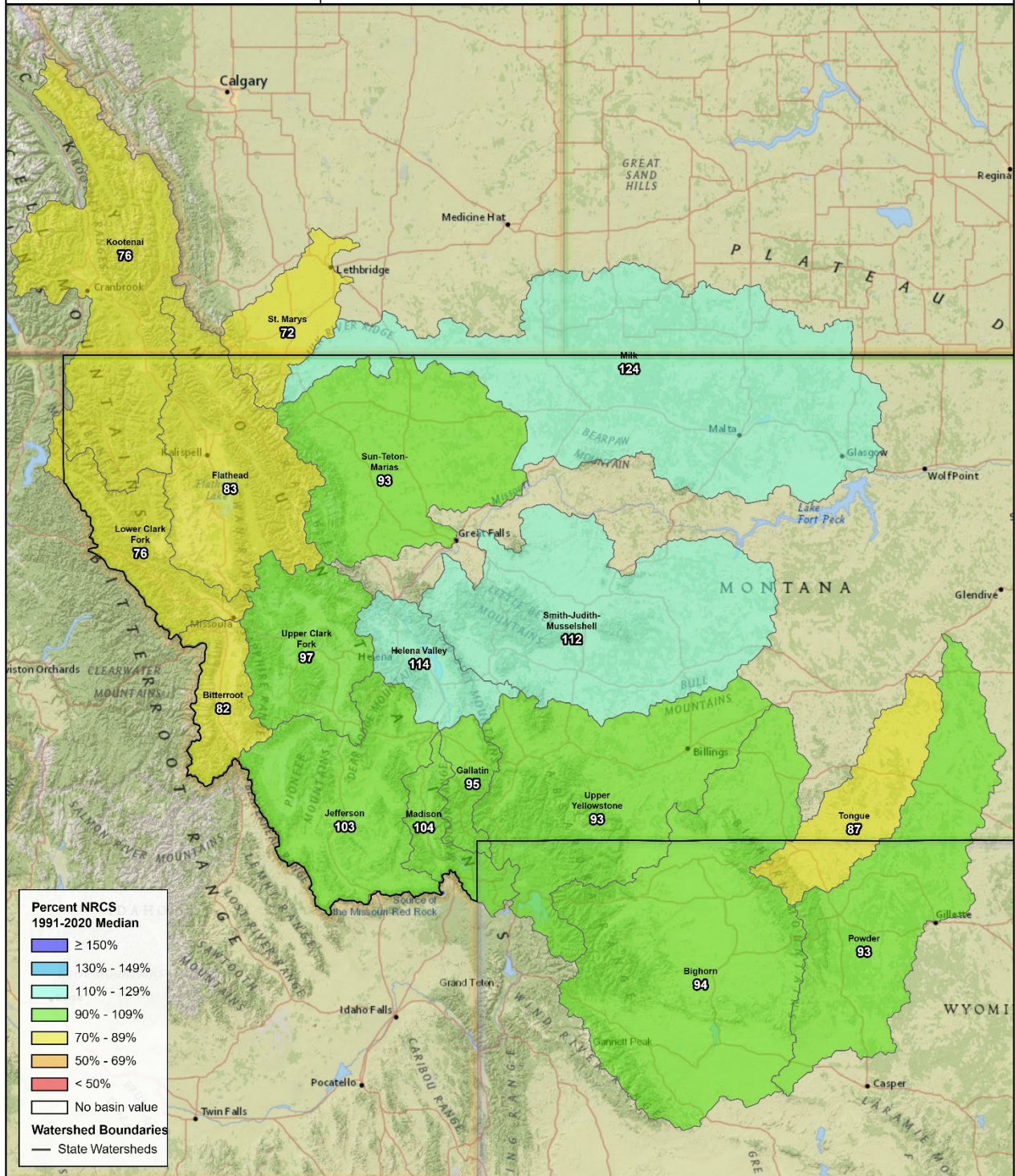


Water Year to Date Precipitation

Water Year SNOTEL Precipitation

October 1, 2022 - May 31, 2023

Percent NRCS 1991-2020 Median



Sub-Basin Snow Water Equivalent – Current Compared to Last Month

River Basin Name	May 1, 2023 SWE % Normal	June 1, 2023 SWE % Normal	SWE % Difference
Bear Paw	1180%	0%	-1180%
Beaverhead	123%	74%	-49%
Big Hole	116%	51%	-65%
Big Horn	104%	16%	-88%
Bitterroot	103%	12%	-91%
Blackfoot	101%	28%	-73%
Boulder (Jefferson)	157%	21%	-136%
Boulder (Yellowstone)	116%	12%	-104%
Clarks Fork Yellowstone	107%	59%	-48%
Fisher	96%	0%	-96%
Flathead Lake	107%	49%	-58%
Flint	126%	76%	-50%
Gallatin ab Gateway	116%	55%	-61%
Greybull-Wood	110%	0%	-110%
Helena Valley	155%	0%	-155%
Judith	133%	41%	-92%
Kootenai in Canada	78%	0%	-78%
Kootenai in Montana	77%	1%	-76%
Little Bitterroot	164%	0%	-164%
Lower Clark Fork	93%	28%	-65%
Madison ab Hebgen	149%	104%	-45%
Madison bw Hebgen	126%	54%	-72%
Marias	100%	0%	-100%
Middle Fork Flathead	82%	19%	-63%
Musselshell	131%	41%	-90%
North Fork Flathead	73%	10%	-63%
Northern Gallatin	117%	37%	-80%
Owl	167%	0%	-167%
Powder	113%	10%	-103%
Rock (Clark Fork)	118%	0%	-118%
Rock (Yellowstone)	112%	44%	-68%
Ruby	118%	50%	-68%
Shields	98%	0%	-98%
Shoshone	95%	41%	-54%
Smith	133%	25%	-108%
South Fork Flathead	88%	28%	-60%
Southern Flathead	98%	45%	-53%
St. Marys	94%	30%	-64%
Stillwater (Flathead)	68%	0%	-68%
Stillwater (Yellowstone)	110%	41%	-69%
Sun	112%	0%	-112%
Swan	98%	41%	-57%
Teton	114%	0%	-114%
Tongue	105%	0%	-105%
Upper Clark	157%	67%	-90%
Wind	133%	79%	-54%
Yaak	87%	0%	-87%
Yellowstone ab Livingston	115%	53%	-62%

Reservoirs

June 1 reservoir storage levels are mostly normal or above normal across Montana. Ackley, Bair, Cooney, Deadman’s, East Fork Rock Creek, Flathead Lake, Kocanusa, Sherburne, Lima, Mystic, and Swift Reservoir are currently well above normal and generally higher than last year at this time. Lake Frances, Pishkun, and both Willow Creek Reservoirs (Augusta and Harrison) are slightly below normal for this time of year. All other reservoirs are currently at near normal capacity.

Reservoir Storage – Current Compared to Last Month and Last Year

Reservoir	% of Median (1991-2020)		
	June 1, 2023	May 1, 2023	June 1, 2022
Ackley Lake	112%	96%	54%
Bair Res	116%	88%	50%
Bighorn Lake	98%	100%	99%
Canyon Ferry Lake	104%	91%	82%
Clark Canyon Res	94%	86%	71%
Cooney Res	111%	114%	113%
Deadman's Basin Res	121%	84%	65%
East Fork Rock Creek Res	116%	91%	82%
Ennis Lake	na	102%	102%
Flathead Lake	111%	90%	91%
Fort Peck Lake	93%	90%	88%
Fresno Res	103%	102%	41%
Georgetown Lake	104%	98%	99%
Gibson Res	108%	42%	65%
Hebgen Lake	96%	93%	93%
Helena Valley Reservoir	105%	101%	95%
Holter Lake	100%	100%	100%
Hungry Horse Lake	106%	98%	100%
Lake Como	106%	68%	88%
Lake Elwell (Tiber)	98%	94%	96%
Lake Frances	75%	64%	66%
Lake Helena	99%	99%	101%
Lake Kocanusa	125%	116%	64%
Lake Sherburne	150%	122%	50%
Lima Reservoir	112%	58%	74%
Middle Creek Res	100%	89%	88%
Mystic Lake	122%	38%	45%
Nelson Res	100%	76%	39%
Nevada Creek Res	99%	92%	80%
Nilan Reservoir	95%	57%	55%
Noxon Rapids Reservoir	97%	93%	98%
Painted Rocks Lake	100%	58%	102%
Pishkun Res	89%	92%	99%
Ruby River Reservoir	100%	88%	101%
Smith River Res	101%	100%	58%
Swift Res	131%	111%	111%
Thompson Falls Res	101%	93%	100%
Tongue River Res	104%	133%	97%
Willow Creek Res (Harrison)	85%	76%	81%
Willow Creek Res - Augusta	74%	60%	97%