CITY OF POLSON COMMISSION
MEETING AGENDA

VIRTUALLY (VIA ZOOM) **January 4, 2021** **7:00 P.M.**

Link to meeting: https://zoom.us/j/–96853014994 - OR –
dial in by phone: 253-215-8782, meeting ID: 968 5301 4994
If you are unable to access the meeting via the attached link, please visit www.zoom.com and enter the meeting ID.

1. CALL TO ORDER
Mayor Paul Briney

2. PLEDGE OF ALLEGIANCE
Mayor Paul Briney

3. APPROVAL OF PROPOSED AGENDA
Mayor Paul Briney

4. PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (address items to the Chair. Commission takes no action on items discussed)

5. CONSENT AGENDA
pg #3 a. December 18-31, 2020 claims
pg #9 b. City Commission Written Summary Meeting Minutes December 21, 2020
c. City Commission Electronic Meeting Minutes December 21, 2020

6. CITY MANAGER COMMENTS
City Manager Ed Meece

NEW BUSINESS

7. 7th AVENUE SKATE PARK COMMITTEE-PROGRESS UPDATE
Jesse Varagas

pg #16 **8. REQUEST FOR CONSIDERATION OF RESORT TAX BALLOT REMOVAL**
Murat Kalinyaprak *Vote Required*

pg #39 **9. RESOLUTION 2021-TBD IDENTIFYING THE CITY OF POLSON AS A "SAFE COMMUNITY"**
Commissioner Pardini *Vote Required*

EXECUTIVE SESSION

10. LITIGATION-MCA CODE 2-3-203 4(a) – EXCEPT AS PROVIDED IN SUBSECTION (4) (b). A MEETING MAY BE CLOSED TO DISCUSS A STRATEGY TO BE FOLLOWED WITH RESPECT TO LITIGATION WHEN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE LITIGATING POSITION OF THE PUBLIC AGENCY.

11. RECESS

12. RECONVENE

pg #42

13. CONSIDERATION OF LITIGATION SETTLEMENT AGREEMENT WITH SWANK ENTERPRISES AND DOWL ENGINEERING

City Manager Ed Meece *vote required*

14. ADJOURN

The City of Polson encourages public participation in its public meetings and hearings. In doing so the City holds its meetings in handicapped accessible facilities. Any persons desiring accommodations for a handicapping condition should call the City Clerk at 883-8203 for more information

For doc #s from 138273 to 138392

5a.

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	410100 Legislative Services	4895 8x8, INC.	EXEC-DEC PHONE SERVI	36.92
1000 General All-Purpose Fund	410360 Municipal Court	000010 CENTURYLINK	CORT-SHARED FAX SERV	17.57
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-DEC PHONE SERVI	70.51
1000 General All-Purpose Fund	410360 Municipal Court	5193 KELLEY CONNECT	CORT-SHARED COPIER	19.25
1000 General All-Purpose Fund	410400 Administrative Services	5279 GREAT OPEN SPACES CITY	ADMN-E MEECE MBRSHIP	150.00
1000 General All-Purpose Fund	410400 Administrative Services	4895 8x8, INC.	ADMN-DEC PHONE SERVI	36.92
1000 General All-Purpose Fund	410400 Administrative Services	3025 FIRST BANKCARD	ADMN-FREEDCAMP SUBSC	8.99
1000 General All-Purpose Fund	410500 Financial Services	3908 DELL MARKETING L.P.	FINC-CITY CLERK COMP	1,450.92
1000 General All-Purpose Fund	410500 Financial Services	4895 8x8, INC.	FINC-DEC PHONE SERVI	113.19
1000 General All-Purpose Fund	410500 Financial Services	4605 THIRD EYE TECHNOLOGIES,	FINC-INSTALL CITY CL	320.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	001518 INSTY PRINTS	FACL-TAX RESORT MAIL	1,415.18
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4924 PITNEY BOWES	FACL-POSTAGE METER R	102.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000282 QUILL CORPORATION	FACL-BREAKROOM SUPPL	109.96
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000282 QUILL CORPORATION	FACL-ELECTRNCS DUSTE	59.99
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000282 QUILL CORPORATION	FACL-2021 ATTENDANCE	95.98
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000010 CENTURYLINK	FACL-FAX SERVICE	34.27
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	5136 DENNING, DOWNEY &	FACL-FY20 AUDIT BLK	350.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	5015 HEALTH CARE SERVICE CORP	FACL-COBRA PLAN ADMI	75.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4895 8x8, INC.	FACL-DEC PHONE SERVI	122.51
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2943 CLICK HERE DESIGNS	FACL-EMAILS, ONLINE	111.75
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	5193 KELLEY CONNECT	FACL-TASKALFA3551CI	95.24
1000 General All-Purpose Fund	420140 Crime Control and	000010 CENTURYLINK	POLC-SHARED FAX SERV	17.56
1000 General All-Purpose Fund	420140 Crime Control and	000017 TOTAL SCREEN DESIGN	POLC-FLEECE BEANIES	275.36
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-DEC PHONE SERVI	232.91
1000 General All-Purpose Fund	420140 Crime Control and	5193 KELLEY CONNECT	POLC-SHARED COPIER	19.25
1000 General All-Purpose Fund	420400 Fire Protection and	001541 L.N. CURTIS & SONS	FIRE-G1 SCBA CHRG ST	543.66
1000 General All-Purpose Fund	420400 Fire Protection and	5187 MONTANA TRUCK WORKS LLC	FIRE-1872 LADDDER RE	5,954.66
1000 General All-Purpose Fund	420400 Fire Protection and	5187 MONTANA TRUCK WORKS LLC	FIRE-1872 LADDER ANN	2,005.30
1000 General All-Purpose Fund	420400 Fire Protection and	000259 PETER BISHOP	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	2858 BRIT SCHLIEP	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5204 PAUL AGLIANO	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	3269 CHRIS MCGUINNESS	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	3495 STEVE MCCOY	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	3665 JODI O'SULLIVAN	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	3876 KEITH PAUL	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	3958 BRUCE GERLACH	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4162 JANE CLAPP	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5205 COLE BICK	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4378 MATT SISLER	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4601 JULIE SISLER	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4775 REGGIE HEISER	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4776 JAMES MC KEE	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4852 BLAKE HOLMAN	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4919 TAYLER HAYES	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	4977 ROBYN SMITH	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5077 KARLEE JENNISON	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5247 CARA DUBERSTEIN	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5107 NICK BAUGHMAN	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5248 ADAM REED	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5117 MATT ELLERMANN	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5280 JOSEPH HALL	FIRE-FIREFIGHTER STI	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	5281 JEREMY LEE	FIRE-FIREFIGHTER STI	150.00

For doc #s from 138273 to 138392

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	420400 Fire Protection and	4895 8x8, INC.	FIRE-DEC PHONE SERVI	32.26
1000 General All-Purpose Fund	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-COVID WEBCAM FO	35.99
1000 General All-Purpose Fund	420400 Fire Protection and	4533 KEVIN STRAUB	FIRE-OAK DESK PURCHA	300.00
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	70.66
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	371.73
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	11.37
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	61.84
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	-14.76
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-BUILDING MATERI	14.99
1000 General All-Purpose Fund	420520 Code Enforcement	4895 8x8, INC.	CODE-DEC PHONE SERVI	32.26
1000 General All-Purpose Fund	420520 Code Enforcement	3025 FIRST BANKCARD	CODE-BOOTS AND TACTI	176.95
1000 General All-Purpose Fund	420520 Code Enforcement	3025 FIRST BANKCARD	CODE-DEFENSE SPRAY	11.99
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-DEC PHONE SERVI	18.46
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-DEC PHONE SERVI	32.26
1000 General All-Purpose Fund	420540 Land Use	3025 FIRST BANKCARD	PLNG-APA JOB ADVERTI	295.00
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-ASST PRODUCT	290.05
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-FLUSH FACE COUP	-69.99
1000 General All-Purpose Fund	430240 Road and Street	000026 POLSON AUTO PARTS, INC.	STRT-HYDRO COUPLER	73.94
1000 General All-Purpose Fund	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-1" SHKL SPA FGD	32.99
1000 General All-Purpose Fund	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-CONTCT TIP, OXY	70.98
1000 General All-Purpose Fund	430240 Road and Street	4849 JOHN DEERE FINANCIAL	STRT-OXYGN REG RETUR	-64.99
1000 General All-Purpose Fund	430240 Road and Street	4895 8x8, INC.	STRT-DEC PHONE SERVI	32.26
1000 General All-Purpose Fund	430240 Road and Street	3025 FIRST BANKCARD	STRT-PHONE CASE	39.97
1000 General All-Purpose Fund	460430 Parks	5073 MONTANA POWER PRODUCTS	PRKS-FILTER-FUEL/WAT	30.44
1000 General All-Purpose Fund	460430 Parks	5073 MONTANA POWER PRODUCTS	PRKS-DEMAND DRIVE PL	14.99
1000 General All-Purpose Fund	460430 Parks	5282 LYTTON BUILDERS	PRKS-POMAJEVICH PARK	350.00
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-BRK CLNR, 15W40	70.32
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-GEAR 80W-90 QT	20.52
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-ANTIFRZ	21.98
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-UJOINT, ADAPTR	57.96
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-UJOINT	31.66
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-PINS	0.69
1000 General All-Purpose Fund	460430 Parks	000026 POLSON AUTO PARTS, INC.	PRKS-SHEAR-HEAVY DUT	13.99
1000 General All-Purpose Fund	460430 Parks	3025 FIRST BANKCARD	PRKS-COVID NITRILE G	80.97
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PRKS-DEC PHONE SERVI	16.13
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PRKS-DEC PHONE SERVI	32.26
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-DIABLO FLAP DIS	9.29
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-OV/AG/P100 REPL	21.99
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-SAFTY SPRY PAIN	11.48
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-LUMBER	95.00
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-MISC AMEROCK HA	2.00
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-HINGE	1.00
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-SAFETY GLASSES	26.99
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-FULL ZINC	15.87
			Total for Fund:	20,226.59
2020 Police Municipal Services	420140 Crime Control and	4680 CINDY DOOLEY	POLC-INTERCAP LOAN P	7.75
2020 Police Municipal Services	420140 Crime Control and	3908 DELL MARKETING L.P.	POLC-LATTITUDE 5420	5,567.76
2020 Police Municipal Services	420140 Crime Control and	4885 BALCO UNIFORM CO., INC	POLC-COOPER VEST	230.35
2020 Police Municipal Services	420140 Crime Control and	5140 POLSON LUBE CENTER, LLC	POLC-'16 INTERCEPT O	44.99
2020 Police Municipal Services	420140 Crime Control and	5140 POLSON LUBE CENTER, LLC	POLC-'17 INTERCEPT O	44.99

For doc #s from 138273 to 138392

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2020 Police Municipal Services	420140 Crime Control and	5113 ELAN CITY INC	POLC-RADAR SPEED SIG	3,179.00
2020 Police Municipal Services	420140 Crime Control and	000750 JOHN A. STEVENS	POLC-VEH #3 ANTENNA	124.50
2020 Police Municipal Services	420140 Crime Control and	5140 POLSON LUBE CENTER, LLC	POLC-VEH #8 OIL CHAN	44.99
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #3 4 MT/BAL	68.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-VEH #6 ROTATE T	32.00
2020 Police Municipal Services	420140 Crime Control and	000046 BEACON TIRE CENTER	POLC-EVDNC TECH 4 NE	620.00
			Total for Fund:	9,964.33
2394 Building Code Enforcement	420500 Protective Inspections	5178 RANDY WEST	BLDG-REIMBURSE LUNCH	65.84
2394 Building Code Enforcement	420500 Protective Inspections	5178 RANDY WEST	BLDG-REIMBURSE LUNCH	35.08
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-DEC PHONE SERVI	32.26
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-DEC PHONE SERVI	18.46
			Total for Fund:	151.64
2395 Tree Fund	480150 Tree Conservation	000011 MISSION VALLEY POWER	PRKS-CPORTS CMPLX WE	15.00
			Total for Fund:	15.00
2810 Police Training Fund	420140 Crime Control and	5284 INSIDE THE TAPE LLC	POLC-HZ CLASS REGIST	100.00
			Total for Fund:	100.00
2820 Gas Apportionment Tax	430240 Road and Street	5049 FLATHEAD SIGNS & GRAPHICS	STRT-RELCTIVE SIGN	45.00
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-6STAR ANCHOR	261.60
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-BOSS BLADES	855.60
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	158.76
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	164.96
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	161.36
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	154.15
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	161.96
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/8 CHIPS	175.78
2820 Gas Apportionment Tax	430240 Road and Street	2665 MERCER WELDING & REPAIR	STRT-REPAIR PLOW	1,668.00
			Total for Fund:	3,807.17
5010 Golf Fund	460446 Golf Course -	4159 REXEL INC, d/b/a PLATT	GLFM-PVC CONDO ELBOW	11.79
5010 Golf Fund	460446 Golf Course -	000026 POLSON AUTO PARTS, INC.	GLFM-BATTERY, CABLE,	76.39
5010 Golf Fund	460446 Golf Course -	1864 CHS/MOUNTAIN WEST	GLFM-FUEL	945.44
5010 Golf Fund	460446 Golf Course -	1883 MONTANA DEPARTMENT OF	GLFM-J KORFF LIC REN	70.00
5010 Golf Fund	460446 Golf Course -	1883 MONTANA DEPARTMENT OF	GLFM-D BINDSCHADLER	70.00
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-CARBONITE BACKU	287.99
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-SOLAR BATTERY C	89.95
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-MOTION SENSOR S	106.99
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-DEC PHONE SERVI	32.26
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-DEC PHONE SERVI	16.13
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	56.73
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	56.73
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-COURSE RESTROOM	56.73
5010 Golf Fund	460446 Golf Course -	000644 CITY OF POLSON WATER	GLFM-MAINT SHOP/OLDE	80.55
5010 Golf Fund	460446 Golf Course -	001594 JOHNSON DISTRIBUTING	GLFM-CCP KIT, BLUETO	1,153.10

For doc #s from 138273 to 138392

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-3/4 RECYCLE	181.64
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-3/4 RECYCLE	180.62
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-3/4 RECYCLE	181.86
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	20.59
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	15.55
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	19.19
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	102.69
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	99.47
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	100.95
5010 Golf Fund	460446 Golf Course -	2547 TREASURE STATE CONCRETE	GLFM-PIT RUN	101.98
5010 Golf Fund	460447 Golf Course - Pro Shop	1864 CHS/MOUNTAIN WEST	GLFP-FUEL	518.96
5010 Golf Fund	460447 Golf Course - Pro Shop	000010 CENTURYLINK	GLFP-TELEPHONE SERVI	167.46
5010 Golf Fund	460447 Golf Course - Pro Shop	3025 FIRST BANKCARD	GLFP-WEBSITE MAINTEN	79.00
5010 Golf Fund	460447 Golf Course - Pro Shop	3025 FIRST BANKCARD	GLFP-FACEBOOK ADS	46.40
5010 Golf Fund	460447 Golf Course - Pro Shop	3025 FIRST BANKCARD	GLFP-CONSTANT CONTAC	45.00
5010 Golf Fund	460447 Golf Course - Pro Shop	4920 OFFICE DEPOT, INC	GLFP-WALL CALENDARS	59.97
5010 Golf Fund	460447 Golf Course - Pro Shop	000644 CITY OF POLSON WATER	GLFP-PRO SHOP UTILIT	46.95
5010 Golf Fund	460450 Golf Course Restaurant	4754 PEPSI-COLA BOTTLING OF	GLFR-ASST BEVERAGES	41.25
5010 Golf Fund	460450 Golf Course Restaurant	4480 SYSCO MONTANA, INC.	GLFR-FOOD SUPPLY	332.84
5010 Golf Fund	460450 Golf Course Restaurant	4480 SYSCO MONTANA, INC.	GLFR-CLNG SUPPLY, PA	312.31
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-ASST BEERS	450.12
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-PRODUCT RETURNE	-27.18
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-ASST BEERS	508.46
5010 Golf Fund	460450 Golf Course Restaurant	3447 SUMMIT BEVERAGE	GLFR-KEGS RETURNED	-60.00
5010 Golf Fund	460450 Golf Course Restaurant	4480 SYSCO MONTANA, INC.	GLFR-FOOD SUPPLY	88.54
5010 Golf Fund	460460 G. C. Restaurant O & M	4895 8x8, INC.	GLFR-DEC PHONE SERVI	31.55
5010 Golf Fund	460460 G. C. Restaurant O & M	000644 CITY OF POLSON WATER	GLFR-RESTAURANT UTIL	46.94
5010 Golf Fund	460465 Golf Training Center	3025 FIRST BANKCARD	GLFP-SETUP SQUARE FO	41.67
			Total for Fund:	6,845.56
5210 Water Fund	430500 Water Utilities	000017 TOTAL SCREEN DESIGN	WATR-CONTRAST STITCH	48.03
5210 Water Fund	430500 Water Utilities	000282 QUILL CORPORATION	WATR-HP 87A BLK INK	118.50
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WATR-DEC PHONE SERVI	54.27
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-OFFICE SUPPLIES	24.41
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-MALWARE BYTES R	12.48
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-WELLS 6 & 7	556.98
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-WRNCH,CHISL, CL	47.48
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-BUG WASH, BRK C	27.88
5210 Water Fund	430550 Transmission and	000026 POLSON AUTO PARTS, INC.	WATR-BULK BTTRY CBL,	15.17
5210 Water Fund	430550 Transmission and	5064 CORE & MAIN LP	WATR-1-1/2 CCXMIPT B	188.12
5210 Water Fund	430550 Transmission and	5064 CORE & MAIN LP	WATR-STOCK	1,389.39
5210 Water Fund	430550 Transmission and	5064 CORE & MAIN LP	WATR-8" SADDLES STOC	696.66
5210 Water Fund	430550 Transmission and	5233 AMERIGAS	WATR-PROPANE CITY SH	185.90
5210 Water Fund	430550 Transmission and	000010 CENTURYLINK	WATR-TELEPHONE SERVI	225.88
5210 Water Fund	430550 Transmission and	4289 GC SYSTEMS, INC.	WATR-3/8" CRD REPAIR	314.95
5210 Water Fund	430550 Transmission and	000046 BEACON TIRE CENTER	WATR-TIRES MT/BAL ME	34.00
5210 Water Fund	430570 Customer Accounting and	000005 POSTMASTER	WATR-ADDT'L POSTAGE	8.18
			Total for Fund:	3,948.28
5310 Sewer Fund	430600 Sewer Utilities	000017 TOTAL SCREEN DESIGN	SEWR-CONTRAST STITCH	48.03

For doc #s from 138273 to 138392

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 Sewer Fund	430600 Sewer Utilities	000282 QUILL CORPORATION	SEWR- HP 87A BLK INK	118.49
5310 Sewer Fund	430600 Sewer Utilities	000010 CENTURYLINK	SEWR-TELEPHONE SERVI	195.57
5310 Sewer Fund	430600 Sewer Utilities	000010 CENTURYLINK	SEWR-TELEPHONE SERVI	114.43
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SEWR-DEC PHONE SERVI	54.26
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-OFFICE SUPPLIES	24.41
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-MALWARE BYTES R	12.47
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-10W30 QT, SYNTH	129.24
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-JAW OIL FIL WRN	31.49
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-BULK TRAILER WI	19.19
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-TOGGLE 20A BRAS	5.49
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-FUSES	5.66
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-SUPER SWIVEL	141.30
5310 Sewer Fund	430630 Collection and	000026 POLSON AUTO PARTS, INC.	SEWR-BATTERY CABLE L	6.78
5310 Sewer Fund	430630 Collection and	5233 AMERIGAS	SEWR-PROPANE CITY SH	185.89
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-WEST SHORE	118.29
5310 Sewer Fund	430630 Collection and	000046 BEACON TIRE CENTER	SEWR-TIRES MT/BAL ME	34.00
5310 Sewer Fund	430645 Wastewater Resource	5230 KEMIRA WATER SOLUTIONS	SEWR-WWRF KEMIRA PAX	1,671.33
5310 Sewer Fund	430670 Customer Accounting and	000005 POSTMASTER	SEWR-ADDT'L POSTAGE	8.18
			Total for Fund:	2,924.50
			Total:	47,983.07

Fund/Account	Amount
1000 General All-Purpose Fund	
101000	$20,226.59
2020 Police Municipal Services Levy	
101000	$9,964.33
2394 Building Code Enforcement	
101000	$151.64
2395 Tree Fund	
101000	$15.00
2810 Police Training Fund	
101000	$100.00
2820 Gas Apportionment Tax Fund	
101000	$3,807.17
5010 Golf Fund	
101000	$6,845.56
5210 Water Fund	
101000	$3,948.28
5310 Sewer Fund	
101000	$2,924.50
Total:	$47,983.07

CITY OF POLSON
COMMISSION MEETING MINUTES

5b.

Commission Chambers December 21, 2020 7:16 p.m.

ATTENDANCE: Mayor Briney, Commissioners, Corrigan-Ekness, Isbell, Marchello, Moll, City Manager Ed Meece and City Clerk Cora Pritt

ABSENT: Commissioners Howlett, Pardini

OTHERS PRESENT (who voluntarily signed in): Karen Dunwell, Lita Fonda, Scott Heisel, Will Lambson, Lee Manicke, and Wade Nash,

CALL TO ORDER: (00:34) Mayor Briney called the meeting to order. The Pledge of Allegiance was recited. Roll call was taken.

APPROVAL OF PROPOSED AGENDA (01:47) – Commissioner Moll motion to approve the proposed agenda. **Commissioner Marchello second.** Commission discussion: none, Public comment none. **VOTE: Unanimous Motion carried**

PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (02:33) – None

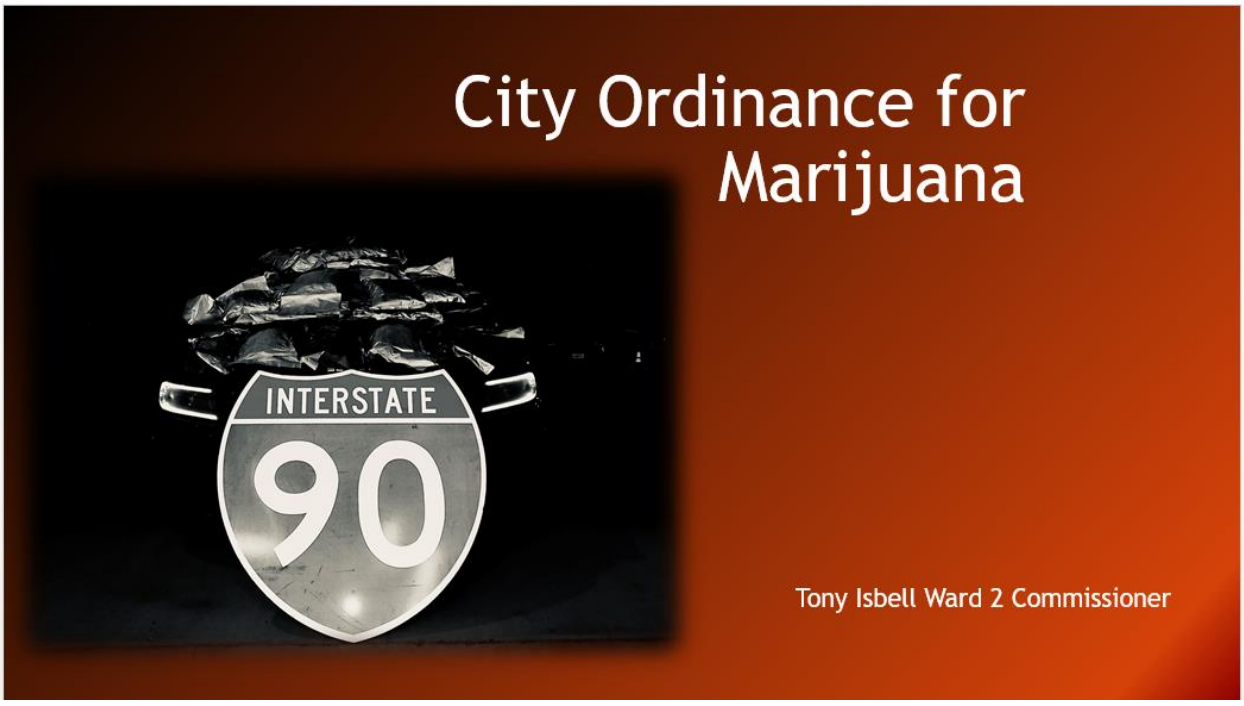
CONSENT AGENDA (02:51) - a. December 1-17, 2020 Claims, b. City Commission Electronic Meeting Minutes December 7, 2020, c. City Commission Written Summary Meeting Minutes December 7, 2020, **Commissioner Marchello motion to approve the Consent Agenda. Commissioner Corrigan-Ekness second.** Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried**

CITY MANAGER COMMENTS (04:04) - City Manager Ed Meece commented on the following: Staff changes: Restaurant Manager Kim Leibenguth has resigned, Nick Andrews is being promoted within the Water/Sewer Department. We wish Nick the best as he begins his new duties. The 7th Avenue Skate Park $200,000.00 grant application was completed and filed this week. Reminder that the class Fundamentals of Municipal Government on line course is still available. The registration fee is $25.00. It begins on January 11, 2021. There was a Resort Tax presentation on December 15th with approximately 9 or 10 community members in attendance. The Resort Tax mailers went out this past Friday. Commissioners Marchello, and Moll commented they had received theirs. Mayor Briney commented he had received his as well.

FINDINGS OF FACT AND FINAL DECISION OF THE CITY COMMISSION: JENSEN MINOR-SUBDIVISION (07:05) – City Manager Meece presented this agenda item. The City Commission approved the Variance Request and the Preliminary Plat for this application during their December 7, 2020 meeting. This is the final step. This is a first minor subdivision for the property. The Nine Conditions of Approval were met. **Commissioner Isbell motion to approve the Findings of Face and Final Decision in regard to the Preliminary Plat of The Jensen Minor Subdivision. Commissioner Corrigan-Ekness second.** Commission discussion: none Public Comment: none **VOTE: Unanimous Motion carried**

POLSON REDEVELOPMENT AGENCY GRANT AGREEMENT, FOR FAÇADE IMPROVEMENTS WITH MAIN MAST EMPORIUM LLC (14:05) – Karen Dunwell, Chairperson for Polson Redevelopment Agency presented this agenda item. On November 30th the Polson Redevelopment Agency (PRA) considered this project. Lou Marchello presented the project. The PRA voted unanimously to approve. Commissioner Marchello gave a brief history of the building and what the project will involve; make the deck shorter, fix the top, back and north sides, cover part of the wood so that people can walk under. Chairperson Dunwell commented the amount the PRA would grant is $8,781.00. Commissioner Moll commented that this would be a good project. It would spruce up the first block of Main Street. Public comment: Lee Manicke Ward II commented that during the PRA meeting there was no Public Comment permitted regarding this application. There are several mistakes with the application; Page 5 there is no explanation of the 3 bids. There are 2 bids lower than the one chosen. Page 6 the numbers do not add up correctly. There has been no comment on the fact that this project does not increase the property tax amount. This is a faulty design that is being proposed. Tax payers are being asked to pay for improvements when the owner does not do proper maintenance. This application should be rejected. Applicant Lou Marchello explained that maintenance had in fact been done on the building. William Lambson- 3rd Ave. E commented that he was curious if anyone had looked at safety and analyzed it. Commissioner Moll commented that the City Building Official would be reviewing for safety. Commissioner Isbell asked that the worksheet numbers be corrected and updated. Chair Karen Dunwell commented that the arithmetic had not been checked. The worksheet could be amended to the correct amount and be brought back to the Commission. Commissioner Isbell suggested just making the motion to reflect the correct amount of $7, 810.00 that would be granted. City Manager Meece answered that the Commission could amend the dollar amount in the motion. **Commissioner Isbell motion to authorize the Mayor to sign a Grant Agreement between the Polson Redevelopment Agency and Main Mast LLC, in the amount of $7,810.00 for façade improvements. Commissioner Moll second. VOTE: Commissioners Corrigan-Ekness, Isbell, Moll, Pardini, and Mayor Briney votes Ayes, Commissioner Marchello recused**

DISCUSSION OF, AND POSSIBLE ACTION DIRECTING STAFF TO PREPARE AN ORDINANCE CONCERNING, SUGGESTED ADDITIONS TO POLSON MUNICIPAL CODE REGARDING THE PUBLIC USE AND TRANSPORTATION OF MARIJUANA WITHIN THE CITY LIMITS (46:54) –Commissioner Isbell presented the following presentation:



Montana Election 2020

The idea behind this is to prevent minors from having this product easily accessible, and to prevent criminal organizations from setting up shop in Polson.

This is not to punish legal recreational marijuana users or undo a state voted right to posses marijuana.

Overview

- Alcohol - Easiest Comparison to Marijuana Potential
- Legalization of Marijuana
- Nationally
- Colorado
- Washington
- Locally
- Black Market
  - Missoula Case
- What can be done?

Alcohol Related Deaths

- According to the CDC "Excessive alcohol use is responsible for more than 95,000 deaths in the United States each year, or 261 deaths per day.
- Nationally 10,511 people died in DUI crashes, Montana ranks 6th per capita with 7.44 deaths per 100,000 people.
- What do we do to try to curb use in public and in motor vehicles?
  - DUI Laws/Ordinances
  - Open Container Laws/Ordinances
  - Public Intoxication Laws/Ordinances

Legalization of Marijuana

- Colorado legalized marijuana in 2012. Since recreational marijuana was legalized, traffic deaths in which drivers tested positive for marijuana **increased 109 percent.** Marijuana use for ages 12 and older **increased 58 percent** and is **78 percent** higher than the national average, currently ranked **4th** in the nation.
- Washington also legalized recreational marijuana in 2012. Studies show that DUI fatalities doubled as a direct correlation with marijuana.

Legalization of Marijuana cont.

- Several studies have linked marijuana use to increased risk for psychiatric disorders, including psychosis (schizophrenia), depression, anxiety, and substance use disorders, but whether and to what extent it actually causes these conditions is not always easy to determine. Recent research suggests that smoking high-potency marijuana every day could increase the chances of developing psychosis by nearly five times compared to people who have never used marijuana.
- A comparison in Montana is the average alcohol DUI level being higher than double the legal limit when arrested. I do not believe we should expect different in marijuana use. The statistics do not paint a different picture.

A case in Montana

- Montana Highway Patrol interdicted 960 pounds of marijuana from an RV in August 2017.
- Cases use the national highway system locally, Polson is not exempt (US 93).

Guns, Cash, Concentrate in local Montana Communities

The Point

- The state voted to legalize possession of 1 ounce of leaf product or 8 grams of concentration form.
  (On average 1 ounce of leaf product will make 4 grams of concentrate)
- Passing a city ordinance in line with this idea will aid law enforcement and the community from becoming a hot spot for criminal enterprise and prevent minors from consuming.
- Law enforcement must target criminal enterprises and not a simple legal marijuana user.

Hash Oil explosion at home

Polson, MT

- In Montana Child abuse and neglect cases in Montana district courts spiked by 130 percent between 2009 and 2015, an increase strongly connected to substance abuse. Substance abuse centers are overcrowded in this state.
- Montana was ranked second in the nation with a rate of 16.8 children per 1,000 in foster care in October 2017.
- Polson Police rescued 5 children in January 2020. Of those cases marijuana was present on all those cases. All of these cases were in conjunction with other hard drugs such as methamphetamine.
- I have personally worked drug trafficking organizations in the Polson area that use marijuana sales to help their organization. These same organizations sell heavy amounts of methamphetamine and heroin.
- Earlier in November, a recent case a Polson resident fired a shot trying to attempt law enforcement from seizing marijuana and methamphetamine.

Black Market

- With the legalization of Marijuana, the black market thrives as people do not want to pay taxes and receive discounted pricing on marijuana. Humboldt County in California see's violence related to overgrowth and bulk sales in Marijuana. Water rights have also been a hot topic with people stealing water to grow their "personal" plants. Overproduction.
- May 12th, 2020 - Missoula, Montana saw a shooting over a marijuana related drug deal gone bad. Suspect was a 20 year old male and was arrested in Lake County.
- Montana Highway Patrol intercepts black market marijuana by the thousands of pounds yearly. Substantial black market marijuana cash is seized annually as well.
- WE ARE NOT EXEMPT and black market does not pay TAX.

What can be done?

- Montana legalized marijuana with minimal to no regulation.
- By no means should we try to overturn a law that the people voted on to legalize!!!!!
- This directly affects us locally as our schools see some of the youngest and highest rate of drug and alcohol use in the state.
- Speaking with local law enforcement the largest local problem is drug use.
- I simply want our city to take a strong, responsible stance with attempting to curb accessibility of marijuana to minors, to motor vehicle drivers and use in public places. No different than current alcohol standards.
  - I proudly stand behind that statement.

Ordinances cont.

- I would like to see us prevent the use of marijuana products in public or areas accessible to the public - no different than alcohol.
- Food for thought Alcohol does not have a strong odor that can be smelled for some distance. Marijuana can. I do not want to walk around town or eat dinner smelling marijuana. I believe that is my right as a citizen of Montana. Odor proof cases are available for people to carry marijuana.

Example of Odor-Proof Container

$25 on Amazon and can hold 1 oz.

$15 on Amazon lockable odor proof bag

Possible sentences for violations

- Written warning
- Fines - funds go to drug education and/or enforcement, rehabilitation
- Community Service - Garbage, Snow Removal
- Drug Class and/or presentation

The idea behind this is to prevent minors from having this product easily accessible, and to prevent criminal organizations from setting up shop in Polson. I would also like to curb public odor as well.

This is not to punish legal recreational marijuana users or undo a state voted right to possess marijuana.

Commissioner Isbell, State of Montana Highway Patrol presented the hurdles that law enforcement faces with Marijuana. With the new Marijuana law that will take effect January 1, 2021 the City needs to be proactive in putting safeguards in place. There needs to be a committee formed to study the best solutions for the City of Polson. This committee should involve citizens, law enforcement, City Commissioner(s), City staff, judges and Tribal members. Public Comment: Lita Fonda-Ward I thanked Commissioner Isbell for the presentation. Check on the sale location distance to schools and parks. William Lambson thanked Commissioner Isbell and commented that the committee should be a large group to figure this out. Get a well- rounded insight from the community.

Prior to adjourning Mayor Briney asked the Commission if Action Minutes are agreeable. The Commission stated yes Action Minutes are agreeable.

Adjourn (01:27:51) - Commissioner Moll motion to adjourn. Commissioner Marchello second. VOTE: Unanimous Motion carried.

ADJOURN: 8:43 p.m.

_____ ATTEST: _____

Commissioner Brody Moll **Cora E. Pritt, City Clerk**

CITY OF POLSON
106 1ST STREET EAST POLSON, MT 59860
406-883-8200 FAX: 406-883-8238

The completed Agenda Request Form must be submitted by Noon, 7 days in advance of the requested City Commission meeting.

Date Submitted: 12/27/2020 Requested Meeting Date: 01/04/2021

Who is requesting item placed on the agenda: Murat Kalinyaprak

Who will be presenting the agenda item: Murat Kalinyaprak

Contact (Phone/Fax/E-mail): 883-5762

How would you like the agenda item worded: Present documents, data and arguments to the Commission to demonstrate that the current resort tax initiative is immoral and illegal.

Will you have attachments: ☑ YES ☐ NO (ALL attachments due by Monday before, unless otherwise authorized by the City Manager)

Will you be asking for a vote: ☑ YES ☐ NO If yes, what specifically are you asking for a vote on: Vote to repeal Resolution 2020-019 and to cancel the special election on February 2, 2021

What City department(s) would be affected by this item, and what is the estimated cost to the City: N/A

What is the policy question for the City Commission to Decide: N/A

If this is a discussion item, what is the context of the issue: N/A

City Manager: _____ Approval: _____ Date: _____
_____ Disapproved

Please Note: No additional handouts will be considered for action at the City Commission meeting. Submitter represents that presenter named above will be prepared to present this item, if approved.

Please Sign: Murat Kalinyaprak

Revised September 17, 2020

POLSON RESORT COMMUNITY DESIGNATION REPORT

Prepared For:

City of Polson

Prepared By:

Susan Ockert
Economist
Census and Economic Information Center
Business Resources Division
Department of Commerce
301 S. Park Ave
Helena, MT 59620

May 19, 2008

POLSON RESORT COMMUNITY DESIGNATION REPORT

This report summarizes the analysis of the incorporated City of Polson, located in Lake County in terms of the criteria for designation as a resort community. MONT. CODE ANN. § 7-6-1501 (2003) establishes the criteria for resort community designation. The analysis of the City of Polson determined that the city does NOT qualify for resort community designation.

Incorporated Area

MONT. CODE ANN. § 7-6-1501 (2003) specifies that an incorporated area seeking to be designated as a resort community must be an incorporated municipality. The determination of whether a municipality is incorporated was made by referring to the current list of such communities available from the U.S. Census Bureau. A map of the city limits of Polson can be found at the end of this report.

Population

The second criterion identified in MONT. CODE ANN. § 7-6-1501 (2003) is that the area must have a population of less than 5,500 people, as measured by the latest federal census or federal estimate. The 2006 Census population estimate for Polson is 4,952, thus this community qualifies under the population criterion.

Economic Well-being

The last and perhaps the most important criterion for designation specified by MONT. CODE ANN. § 7-6-1501 (2003) is that an area must derive its "primary portion of economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production." According to the Merriam Webster Online Dictionary, Copyright 2004, primary means a) first in order of time or development, b) of first rank, importance, or c) direct or firsthand. The analysis contained in this report uses the definition of primary as first in rank.

The Non-business Travel Industry is what is meant by the phrase "the recreational and personal needs of persons traveling …". This is part of the overall Travel Industry, which includes business travel. The Institute for Tourism and Recreation Research, based out of the University of Montana and the Travel Industry Association identifies the travel sectors as:

- Transportation
- Lodging
- Food and Beverage
- Entertainment services
- Retail, others (gift and souvenir shops, gas stations)

Economies are separated into 'export' and 'local' sectors. Export sectors, which are also called "basic" or non-local sectors, depend on markets outside their area or are influenced by factors originating beyond their borders. The major examples of export sectors in

Montana are the natural resources industries like Agriculture and Mining; Manufacturing such as wood products; Non-resident Travel; and the Federal Government. These export sectors bring income into the area, thus stimulating employment and are believed to be the major driving force in small area economies. The principal determinant of economic well-being in small economies is then export sector employment.

Given the language of the resort area legislation, along with the most reasonable interpretation of that language, the analysis related to the third designation criterion reduces to determining if Non-business Travel is the most important Export sector employer in the proposed resort community.

One analytical tool used to determine how much employment is related to an Export industry and how much is related to a Local industry is the location quotient. If an industry has more employment than is needed to serve the local population, the excess employment is considered 'export' employment. All employment then is apportioned between the Export sector and the Local sector depending on the location quotient.

For some specialized economic sectors, information about their funding sources determines export and local employment. For schools, the State of Montana contributes about 55% of their budgets[1], hospitals receive nearly 64% of their revenue from Medicare[2] and federal and state government entities located in Montana communities receive 100% of their funding from non-local sources.

Flathead Reservation lies within the boundaries of Lake County with 90% of the population in Lake County. Over 60% of the Reservation's revenue comes from the Federal and State governments[3], therefore tribal agency employment in Polson is treated as an export sector, along with state and federal government employment.

With regards to employment, analysis of an area's economy can be done on where the work occurred (place of work) or on the basis of where the workers reside (place of residence.) Neither basis is conceptually more valid than the other.

Place of Residence

Table 1 summarizes Place of Residence employment as reported in the Census 2000 Summary File 3 for the incorporated City of Polson. Employment is separated into Export employment or Local employment by using the above techniques.

[1] *Understanding Montana School Finance and School District Budgets*, Office of Public Instruction, January 2008.
[2] U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services
[3] *Monetary Contributions of Reservations to the State of Montana*, Bureau of Business and Economic Research, University of Montana, November 2007

Table 1 Place of Residence

Economic Sector[4]	NAICS[5]	Primary Type of Sector	Employment Related to Export	Employment Related to Local
Natural Resources and Mining	11 & 21	Export	60	20
Construction	23	Local		125
Manufacturing	31-33	Local	119	89
Trade, Transportation, and Utilities				
Wholesale Trade	42	Local		11
Retail Trade	44 - 45	Local	3	249
Transportation and Utilities	48 - 49, 22	Export	27	23
Information	51	Local		23
Financial Activities	52 - 53	Local		63
Professional and Business Services	54 - 56	Local		37
Education and Health Services	61 - 62	Export	175	218
Leisure and Hospitality	71 – 72	Local	25	223
Other Services	81	Local	5	70
Government	92	Export		119

Source: Census 2000, Summary File3, Industry Employment

Table 2 ranks the Export sectors by employment, using the above Place of Residence data for the corporate city limits of the City of Polson. The Non-business Travel Industry incorporates data from several sectors, such as lodging and restaurants, entertainment, retail and transportation.

Table 2 Ranking of Export Sectors

EXPORT SECTOR	EMPLOYMENT
Education and Health Services	175
Manufacturing	119
Non-business Travel	
Leisure and hospitality	25
Retail	3
Other Services	5
Total Non-business Travel	**31**

[4] The U.S. Bureau of Labor Statistics denotes the above Economic Sectors as 'supersectors.'
[5] NAICS: North American Industrial Classification System

As can be seen by the above table, Education and Health Services and Manufacturing sectors are the two largest export sectors. Using the Place of Residence analysis of employment, only 31 workers are engaged in the Non-business Travel sector. Therefore, Non-business Travel is not the primary employer so the city of Polson cannot be designated as a Resort Community using Place of Residence data.

Place of Work

Table 3 presents the Place of Work information of the proposed Polson resort community. Place of Work information is derived from the Montana Department of Labor and Industry, Employment and Earnings (Quarterly Census of Employment and Wages) data series. Again, the Polson economy is separated into export or basic sectors and local sectors.

Table 3 Place of Work

Economic Sector[6]	NAICS	Number of Establishments	Primary Type of Sector	Employment Related to Export	Employment Related to Local
Construction	23	21	Local		81
Manufacturing	31 - 33	7	Local	0	116
Trade, Transportation, and Utilities					
Wholesale Trade	42	4	Local	0	13
Retail Trade	44 – 45	43	Local	125	340
Transportation and Utilities	48 – 49, 22	5	Local		19
Information	51	1	Export	11	5
Financial Activities	52 – 53	32	Local	0	107
Professional and Business Services	54 – 56	24	Local	0	106
Education and Health Services	61 – 62	31	Export	245	249
Leisure and Hospitality	71 - 72	22	Local	13	238
Other Services	81	17	Local	0	85
Government	92	6	Export	1,098	91

Source: Montana Department of Labor and Industry, QCEW

A count of self-employed persons by economic sector was not conducted considering the large gap between Government and Non-business Travel employment. Nearly 950 sole

[6] The U.S. Bureau of Labor Statistics denotes the above Economic Sectors as 'supersectors.'

proprietors would be needed in the Leisure and Hospitality and Retail sectors to make the total for non-resident travel comparable to Government. According to the 2001 Statistics on Income report by zip code from the Internal Revenue Service, (IRS) only 844 tax returns filed Schedule C forms in Polson's zip code of 59860. This form is used by sole proprietors to report their income and expenditures. Furthermore, the U.S. Census Bureau publishes Nonemployer Statistics by county by industry which uses tax return information from the IRS. For Lake County, there are only 142 sole proprietors in the Leisure and Hospitality industries and 220 in Retail in 2005.

Table 4 ranks the Export sectors by employment, using the Place of Work data for the City of Polson. With tribal, federal and county government offices located in the city limits, the Government sector has the largest number of employees classified as 'export' employment.

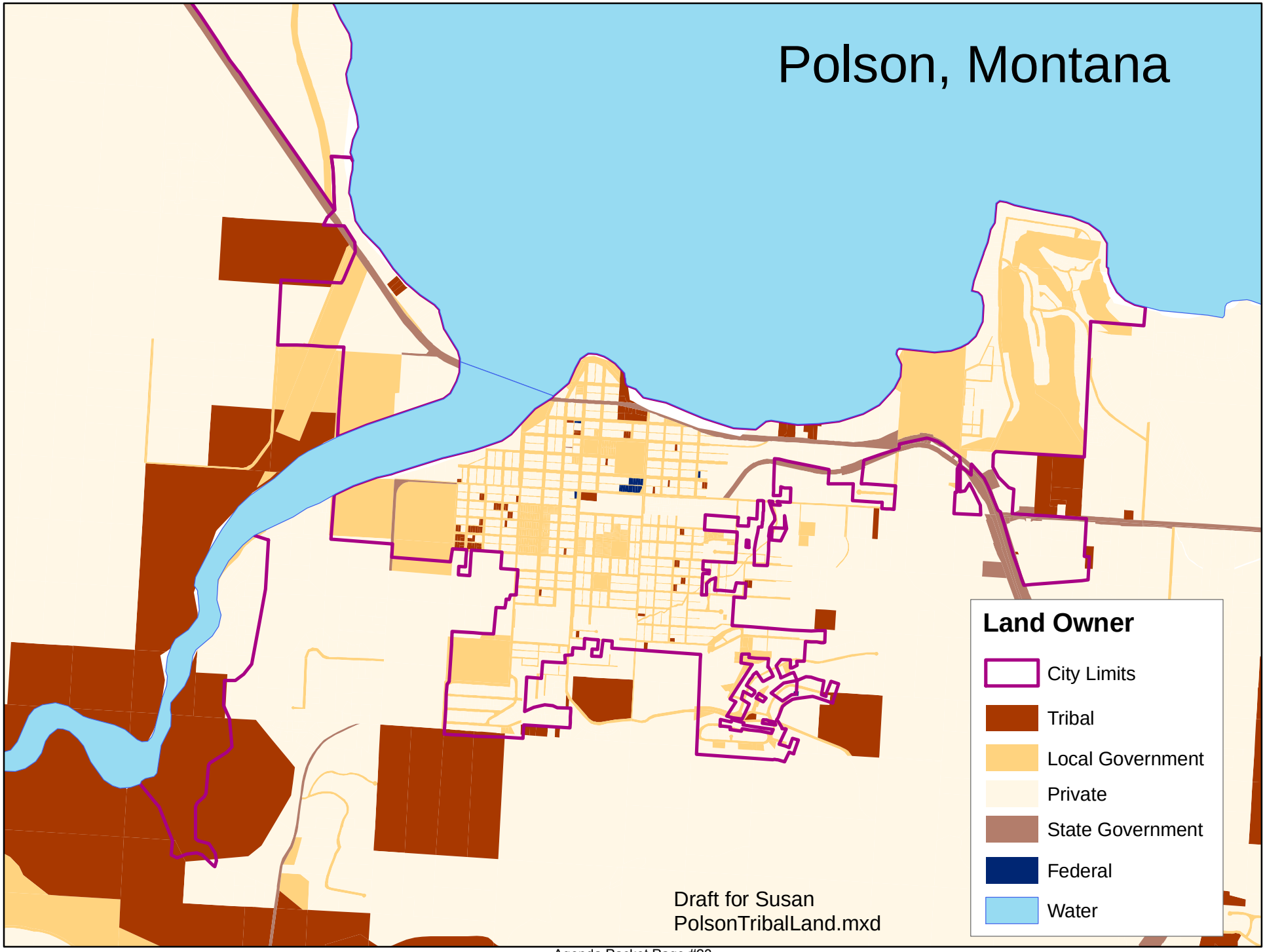
Table 4 Ranking of Export Sectors

EXPORT SECTORS	EMPLOYMENT
Government (Tribal, State, Federal)	**1,098**
Education and Health Services	**245**
Non-business Travel	
Information (Movie Theatre)	11
Leisure and hospitality	13
Retail	125
Total Non-business Travel	**149**

As can be seen by the above table, the Government and Education and Health Services sectors rank higher in employment than the Non-business Travel sector. Therefore, Non-business Travel is not the primary employer so Polson cannot be designated as a Resort Community using Place of Work data.

Conclusion

As can be seen from the analysis of Place of Residence and Place of Work employment data, the Non-business Travel Industry in the city of Polson is NOT the primary employer in the Export sectors of the economy. The Education and Health Services and Manufacturing sectors employ more workers in the Place of Residence analysis while Government and the Education and Health Services sector employs more workers in the Place of Work analysis. Thus, the City of Polson does not qualify as a resort community.


Polson, Montana
Land Owner
City Limits
Tribal
Local Government
Private
State Government
Federal
Water
Draft for Susan
PolsonTribalLand.mxd

MONTANA
Department of Commerce

Anthony J. Preite, Director

301 S. Park Ave. ★ P.O. Box 200501 ★ Helena, Montana 59620-0501
Phone 406-841-2700 ★ Fax 406-841-2701 ★ TDD: 406-841-2702 ★ http://commerce.mt.gov

June 4, 2008

Mr. Lou Marchello, Mayor
City of Polson
106 First Street East
Polson, MT 59860-2137

Dear Mayor Marchello:

The Department of Commerce and our Census and Economic Information Center has completed its comprehensive analysis of your request for the city of Polson to be designated as a resort community. I regret to inform you that according to the guidelines set by the MONT. CODE ANN. § 7-6-1501-1509 (2003), the city of Polson does not qualify as a resort community and therefore cannot place the question of a resort tax before its voters.

The criterion for resort community designation consists of:

1. Incorporated community,
2. Community must have a population of less than 5,500 people,
3. Community must derive its "primary portion of economic well being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production."

The Non-business Travel industry is defined by the phrase' "the recreational and personal needs of persons traveling ...". This is part of the overall travel industry, which includes business travel. The Institute for Tourism and Recreation Research, based out of the University of Montana and the Travel Industry Association identifies the travel sectors as:

- Transportation
- Lodging
- Food and Beverage
- Entertainment services
- Retail, others (gift and souvenir shops, gas stations)

The export base model of economic growth was used to make the determination of which sectors play a primary role in a community's economy. This model divides sectors into export and non-export categories. Export sectors, which are also called basic or non-local sectors, depend on markets outside their area or are influenced by factors originating beyond their borders.

Agenda Packet Page 324

MAYOR OF POLSON REQUESTED REVIEW OF THIS FINDING IN LETTER (8/12/08)
FURTHER ANALYSIS PERFORMED CORRECTING DATA.
DESIGNATION GIVEN IN LETTER (10/3/08)
10/7/08

The major examples of export sectors in Montana are the natural resources industries like agriculture, mining and wood and lumber; non-resident travel; and the federal government.

By dividing a community into Export and Local sectors, an estimate can be made of the total employment generated within a community. In order to be designated a resort community; Non-business Travel must have the largest employment of all export sector industries.

In the case of the city of Polson, Government (Federal, State, Tribal and Local) and Education and Health Services are clearly the most important export sectors in terms of employment. In the Place of Residence analysis, the Education and Health Services sector is a larger employer than the Non-business travel industry. In the Place of Work analysis, the Government (Federal, State, Tribal and Local) and Education and Health Services are the largest employers. Please see the tables below.

Place of Residence data was obtained from the U.S. Census Bureau, 2000 Census while the Place of Work data was obtained from the Montana Department of Labor and Industry.

Place of Residence

EXPORT SECTOR	EMPLOYMENT
Education and Health Services	175
Non-Business Travel	31

Place of Work

EXPORT SECTOR	EMPLOYMENT
Government (Federal, State, Tribal, and Local)	1,098
Education and Health Services	245
Non-Business Travel	149

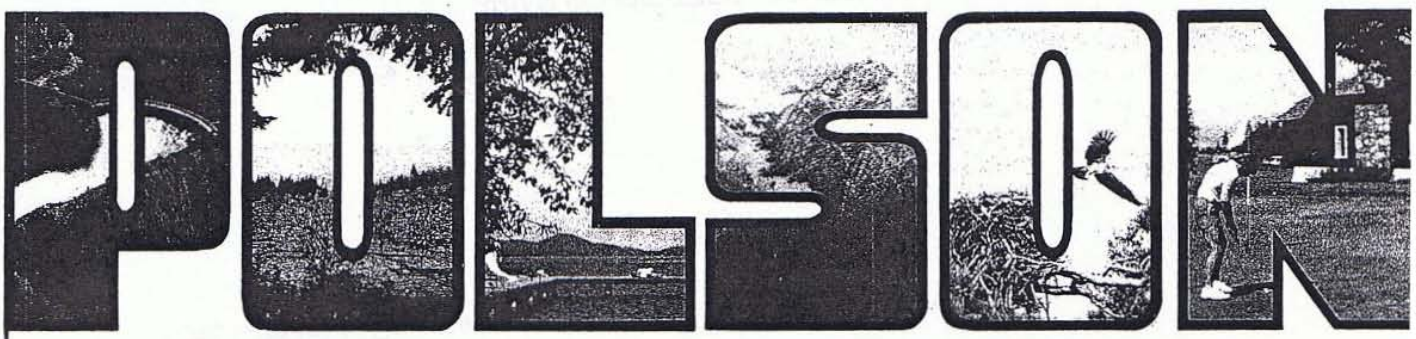
If you have any questions about the report, please contact my office for further information.

Sincerely,

Anthony J. Preite, Director
Department of Commerce

cc: Andy Poole, Business Resources Division, Commerce
Pam Harris, Census and Economic Information Center, Commerce

Enclosure



CITY OF POLSON • P.O. Box 238 • Polson, Montana 59860-0238 • Telephone 406-883-8200 • Fax 406-883-8238
CITY OF POLSON, 106 1st Street East, Polson, Montana 59860-2137 406-883-8200 Fax: 406-883-8238

August 12, 2008

Anthony J. Preite, Director
Department of Commerce
P.O. Box 200501, Helena, MT 59620-0501

Dear Mr. Preite:

The City is in receipt of your letter dated June 4 last past relaying your department's finding that Polson "does not qualify as a resort community," and may not, therefore, proceed with a vote.

I have lived and made a living here for forty years precisely because it is a resort community; in fact, one of the most beautiful resort communities on the planet. Your department's finding to the contrary is nothing less than astonishing to anyone who has actually been here.

More to the point, the City takes exception to, and herewith appeals, the facts relied upon and the algorithm by which your department's analyst approached the Legislature's mandate. What the Institute for Tourism and Recreation Research or the Travel Industry Association has to add are meaningless unless the analyst can point to an ARM properly adopting these otherwise arbitrary standards. In point of fact, were Polson NOT a resort community it would have very little in the way of "economic well being" at all, meaning, that certainly the recreational and personal needs related to travel are in fact the engine the drives the whole of the economy, and are therefore the "primary portion." The facts relied upon by your analyst ignored the meaning of "primary" as "first cause." People are buying million-dollar waterfront condos here for a reason; the Legislature never limited the analysis to gift shops, restaurants, and motels.

Please advise what procedure the City must undertake to formally appeal the finding by your Department.

Thank you for your time and attention.

Lou Marchello, Mayor

CITY OF POLSON

This letter, seemingly composed by the City attorney at the time, is full of badly worded ignorance, incoherence, irrelevance and is nothing less than insulting; but it was apparently effective in intimidating the DOC into crafting a second report to qualify Polson as a resort community.

POLSON RESORT COMMUNITY DESIGNATION REPORT

Prepared For:

City of Polson

Prepared By:

Susan Ockert
Economist
Census and Economic Information Center
Business Resources Division
Department of Commerce
301 S. Park Ave
Helena, MT 59601

October 31, 2008

POLSON RESORT COMMUNITY DESIGNATION REPORT

This report summarizes the analysis of the incorporated City of Polson, located in Lake County in terms of the criteria for designation as a resort community. MONT. CODE ANN. § 7-6-1501 (2003) establishes the criteria for resort community designation. The analysis of the City of Polson determined that the city does qualify for resort community designation.

Incorporated Area

MONT. CODE ANN. § 7-6-1501 (2003) specifies that an incorporated area seeking to be designated as a resort community must be an incorporated municipality. The determination of whether a municipality is incorporated was made by referring to the current list of such communities available from the U.S. Census Bureau. A map of the city limits of Polson can be found at the end of this report.

Population

The second criterion identified in MONT. CODE ANN. § 7-6-1501 (2003) is that the area must have a population of less than 5,500 people, as measured by the latest federal census or federal estimate. The 2007 Census population estimate for Polson is 5,046, thus this community qualifies under the population criterion.

Economic Well-being

The last and perhaps the most important criterion for designation specified by MONT. CODE ANN. § 7-6-1501 (2003) is that an area must derive its "primary portion of economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production." According to the Merriam Webster Online Dictionary, Copyright 2004, primary means a) first in order of time or development, b) of first rank, importance, or c) direct or firsthand. The analysis contained in this report uses the definition of primary as first in rank.

The Non-business Travel Industry is what is meant by the phrase "the recreational and personal needs of persons traveling …". This is part of the overall Travel Industry, which includes business travel. The Institute for Tourism and Recreation Research (ITRR), based out of the University of Montana and the Travel Industry Association identifies the travel sectors as:

- Transportation
- Lodging[1]
- Food and Beverage
- Entertainment services
- Retail (gift and souvenir shops, gas stations)

[1] According to ITRR research, 13% of the non-resident visitors to Montana are in the state to conduct business-related activities.

Given the language of the resort area legislation, along with the most reasonable interpretation of that language, the analysis related to the third designation criterion reduces to determining if Non-business Travel is the most important Export sector employer in the proposed resort community.

Economies are separated into 'export' and 'local' sectors. Export sectors, which are also called "basic" or non-local sectors, depend on markets outside their area or are influenced by factors originating beyond their borders. The major examples of export sectors in Montana are the natural resources industries like Agriculture and Mining; Manufacturing such as wood products; Non-resident Travel; and the Federal Government. These export sectors bring income into the area, thus stimulating employment and are believed to be the major driving force in small area economies. The principal determinant of economic well-being in small economies is then export sector employment.[2]

Determination of Export Industries

One analytical tool used to determine how much employment is related to an export industry and how much is related to a local industry is the location quotient. If an industry has more employment than is needed to serve the local population, the excess employment is considered 'export' employment. All employment then is apportioned between the export sector and the local sector depending on the location quotient.

For some specialized economic sectors, information about their funding sources determines export and local employment. For schools, the State of Montana contributes about 55% of their budgets[3], hospitals receive nearly 64% of their revenue from Medicare[4] and federal and state government entities located in Montana communities receive 100% of their funding from non-local sources.

Flathead Reservation lies within the boundaries of Lake County. Ninety percent of the reservation's population is located in Lake County. Over 60% of the Reservation's revenue comes from the Federal and State governments[5] therefore tribal agency employment in Polson is treated as an export sector, along with state and federal government employment.

With regards to employment, analysis of an area's economy can be done on where the work occurred (place of work) or on the basis of where the workers reside (place of residence.) Neither basis is conceptually more valid than the other.

Place of residence data is provided by the decennial census. The most current data available is from Census 2000. Due to the outdated information, a Place of Residence analysis was not performed.

[2] University of Montana, Outlook "*Montana Business Quarterly*," Spring 1990
[3] *Understanding Montana School Finance and School District Budgets*, Office of Public Instruction, January 2008.
[4] U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services
[5] *Monetary Contributions of Reservations to the State of Montana*, Bureau of Business and Economic Research, University of Montana, November 2007

Place of Work

Table 1 presents the Place of Work information of the proposed Polson resort community. Place of Work information is derived from the Montana Department of Labor and Industry, Employment and Earnings (Quarterly Census of Employment and Wages) data series. Again, the Polson economy is separated into export or basic sectors and local sectors using the before mentioned location quotient methodology.

Table 1 Place of Work

Economic Sector[6]	NAICS	Number of Establishments	Employment Related to Export	Employment Related to Local
Construction	23	24		110
Manufacturing	31 - 33	11	24	142
Trade, Transportation, and Utilities		61	159	375
Wholesale Trade	42	6	0	15
Retail Trade	44 – 45	50	159	341
Transportation and Utilities	48 – 49, 22	5		19
Information	51	3	16	5
Financial Activities	52 – 53	44	0	147
Professional and Business Services	54 – 56	26	0	111
Education and Health Services	61 – 62	37	278	432
Leisure and Hospitality	71 - 72	37	183	226
Other Services	81	37	183	226
Government	92	10	301	92

Source: Montana Department of Labor and Industry, QCEW

A count of self-employed persons by economic sector was obtained using various sources such as the Polson Chamber of Commerce directory, business websites and personal phone calls. These employment figures were combined with the QCEW data to form a more complete picture of the businesses located in the city limits of Polson.

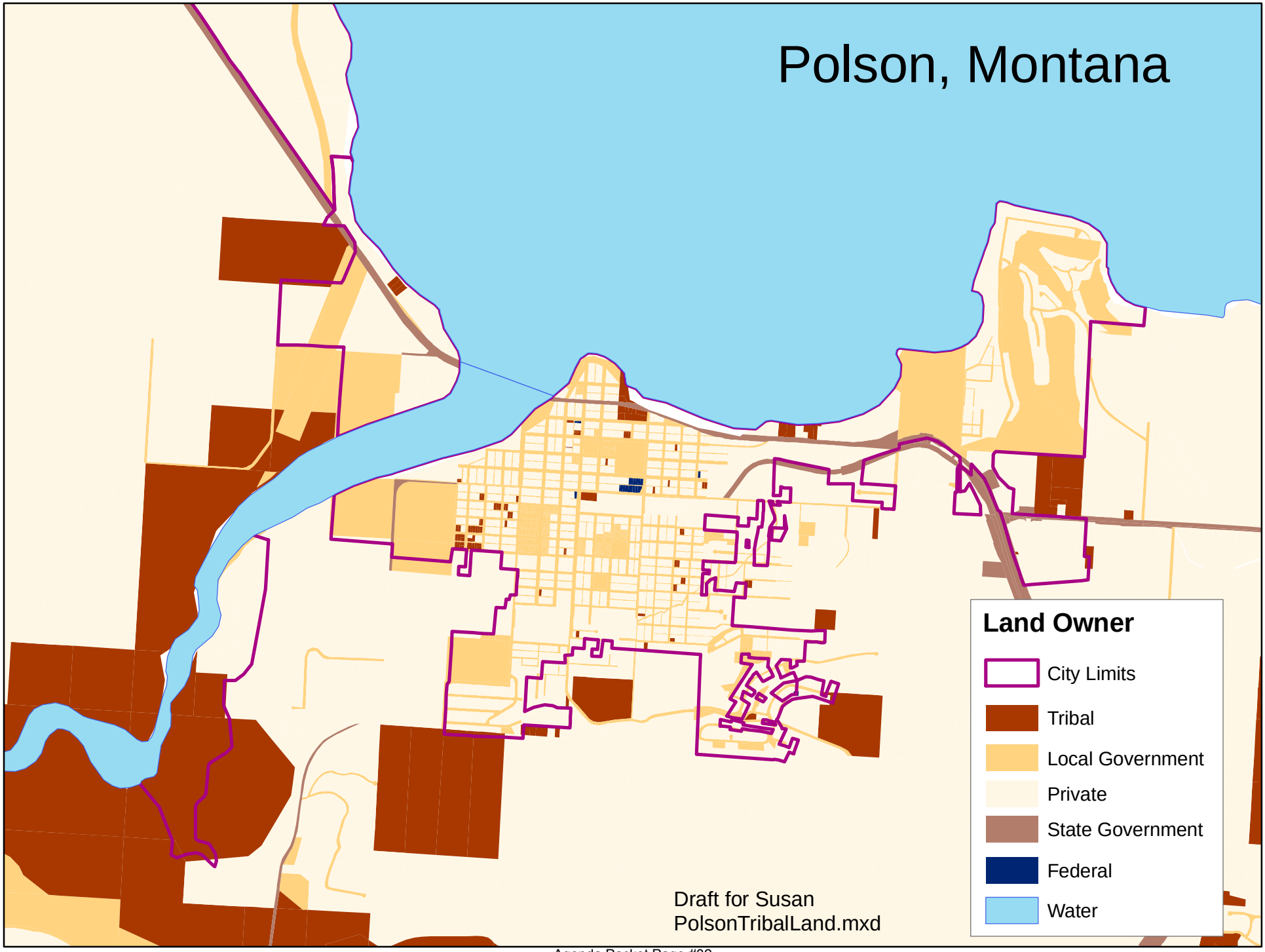
Table 2 ranks the Export sectors by employment, using the Place of Work data for the Ci of Polson. Combining the various tourism sectors shows that non-business Travel is the largest employer in the city.

[6] The U.S. Bureau of Labor Statistics denotes the listed Economic Sectors as 'supersectors.'

Table 2 Ranking of Export Sectors

EXPORT SECTORS	EMPLOYMENT
Non-business Travel	
Information (Movie Theatre)	16
Leisure and hospitality	183
Retail	159
Total Non-business Travel	**358**
Government (Tribal, State, Federal)	**301**
Education and Health Services	**278**

As can be seen by the above table, Tourism or Non-business Travel is the primary export employer in the City of Polson. Therefore Polson can be designated as a Resort Community using Place of Work data.


Polson, Montana
Land Owner
City Limits
Tribal
Local Government
Private
State Government
Federal
Water
Draft for Susan
PolsonTribalLand.mxd

(5)
1 of 2

MONTANA
Department of Commerce

Anthony J. Preite, Director

301 S. Park Ave. ★ P.O. Box 200501 ★ Helena, Montana 59620-0501
Phone 406-841-2700 ★ Fax 406-841-2701 ★ TDD: 406-841-2702 ★ http://commerce.mt.gov

RECEIVED
MAR 27 2009
BY

March 20, 2009

Lou Marchello, Mayor
City of Polson
106 1st Street East
Polson, MT 59860-2137

This phrase is what tipped me to think that there must have been a prior analysis and led me to discover the first report.

Dear Mayor Marchello:

This letter is in follow-up to correspondence from last year concerning the City of Polson's designation as a "resort community".

After further analysis of the City of Polson business community, I am pleased to inform you that according to the requirements set forth by MONT. CODE ANN. § 7-6-1501-1509 (2003) and to the guidelines set by the Montana Department of Commerce, the City of Polson qualifies as a resort community and is, with this letter, designated as such by the Department of Commerce. The report "Polson Resort Community Designation Report," prepared by Economist Susan Ockert, analyzed the City of Polson in accordance with the above requirements.

Please remember that even though the Department of Commerce designates the City of Polson as a "resort community", that a resort tax cannot be imposed until an election on the question of creating a resort area district has been conducted and approved by your voters.

The City of Polson meets the requirements of being incorporated, having a population of less than 5,500 and of deriving the "primary portion of economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the area for purposes not related to their income production." Data provided in the report indicate that the primary portion of the area's total employment come from the non-business travel segment of the area's economy.

Sincerely,

Anthony J. Preite

Anthony J. Preite, Director
Department of Commerce

This statement appears to be worded in order to meet the requirements of MCA 7-6-1501 but it is false because "the data provided in the report" does NOT indicate that "the primary portion of the area's TOTAL EMPLOYMENT" comes from the non-business travel segment of the area's economy but that only "the primary portion of the area's EXPORT EMPLOYMENT" comes from it.

September 21, 2009

Todd Crossett, City Manager
City of Polson
106 First Street East
Polson, Montana 59860

Dear Todd Crossett,

As I had my doubts about Polson qualifying as a resort community, I contacted the Montana Department of Commerce about three weeks ago, in order to obtain information regarding the process of qualification and the statistics used in the analysis.

On September 2, 2009, I was able to speak with Susan Ockert and she kindly emailed to me the report she had prepared for Polson. I emailed her my disagreements about her analysis the next day and inquired whether she would reconsider her conclusion. I received a return receipt the following day but I have not been able to communicate with her again since (apparently due to health problems because of a car accident).

After bringing my concerns to the City Commission that Polson may not qualify as a resort community, I made several attempts to contact instead the Assistant Director Andy Pool and Director Anthony Preite about the proper procedure to pursue the issue with the Department of Commerce. I was able to speak with Andy Pool once on September 17, 2009. Although there seems to be no precedent or established procedure for it, my impression was that the Department of Commerce will try to find an appropriate way to correct the errors.

The most important error is Susan Ockert's basing her conclusion not on the total employment but only the “export employment” in Polson.

In the final paragraph of her report, she concludes:

> “As can be seen by the above table, Tourism or Non-business Travel is the primary export employer in the City of Polson. Therefore Polson can be designated as a Resort Community using Place of Work data”.

MCA 7-6-1501 defines a resort community as a community that:

> “(5)(c) derives the primary portion of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production”.

The above sentence parses as follows:

- Who does?
- “Resort community (city) does”.

- What does city do?
- “City derives”.

- What does the city derive?
- "the primary portion of its economic well-being related to current employment".

- From what does the city derive it?
- "from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production"

The way I understand it, employment by businesses catering to the recreational and personal needs of persons traveling must be the primary portion of the city's entire economic well-being related to current employment of all types.

In his two letters to the City (dated October 31, 2008 and March 20, 2009), Director Anthony Preite also seems to understand it like I do. The last sentence in both letters read:

> “Data provided in the report indicate that the primary portion of the area's total employment come from non-business travel segment of the area's economy”.

However, assuming that he refers to Susan Ockert's report dated October 31, 2008, his statement is not supported by the data content and conclusion of her report.

In fact, the last sentence on page four of her report reads:

> “Combining the various tourism sectors shows that non-business Travel is the largest employer in the city”.

This statement of her own is not supported by the data content provided in her report either.

The data from "Table 1" in her report puts the total employment for Polson at 3,544. Of them, 1,303 are in the "related to export" column and 2,241 are in the "related to local" column.

"Table 2" isolates and ranks a subset of the data in “Table 1” as "export sectors", in a single column simply labeled “Employment”.

If we revise this table by adding back the column for “Employment Related to Local”, this is what we get:

Export sectors	Employment related to Export	Local
Non-business Travel		
Information (Movie Theatre)	16	5
Leisure and hospitality	183	226
Retail	159	341
Total Non-business Travel	**358**	**572**
Government (Tribal, State, Federal)	**301**	**92**
Education and Health Services	**278**	**432**

We can see that the 358 “combined non-business travel employment related to export” is not only less than the 572 “combined non-business travel employment related to local” but it is also less than the individual numbers of 432 “education and health services employment related to local” and 375 “trade, transportation and utilities employment related to local”.

Clearly, non-business travel is “not” the largest employer in the city. I believe the above facts are enough to invalidate the report and Polson's qualification as a resort community.

Whether they are technically and legally acceptable, I believe that there are other “flaws” in the analysis used for the report and I would like to open them to discussion.

One such flaw is the Department of Commerce's using mere head counts of employment as the indicator of “economic well-being” in an area.

Most dictionaries commonly and simply define “economic well-being” as “prosperity”. More complex definitions are based on concepts of income. A good example may be a definition by the US Department of Health and Human Services, in a lengthy document on their web site at: “aspe.hhs.gov/HSP/Inc-Concepts77/Chapter5.pdf”.

“Non-business travel” in Polson is very seasonal and employment related to it tends to be also seasonal, part-time and low-paying. I believe that a more meaningful analysis would be based on dollar values of incomes rather than employee counts. In that case, non-business travel sector's contribution to the local economy would most likely prove to be even less.

In addition, there is no indication whether the analysis based on employee counts distinguished seasonal and/or part-time employment from year-around and/or full-time employment. (Another detail that comes to mind is the case of migrant workers).

Including employment by Federal and State Governments, Medicare, etc. as employment by export sectors without any adjustments is flawed also. At least some of that money comes from the taxes paid to those entities by the residents of Polson.

Polson is also unique for being on a reservation. Yet, the report doesn't seem to segregate non-business travel employment by businesses owned by the Tribe and Tribal Members, when those businesses can't be required by state law to collect a resort tax and when it's not known for sure whether they will participate voluntarily.

Resort tax is a special sales tax collected on sales (of products of employment) related to non-business travel. HB-826 intends to allow a community to collect a resort tax only if the “taxable employment income” is the primary portion of that community. Thus, no employment income should be considered as related to “non-business travel” unless it can be taxed.

In this case, the report should have provided two sets of numbers, one based on the assumption that the Tribe will participate and one based on the assumption that the Tribe will not participate. It's possible that Polson may qualify as a resort community in one scenario but not in the other.

In light of the above facts, I am urging Polson City Commission to take corrective action, by voting tonight or at the next meeting, to not put the resort tax on the ballot for the November 2009 elections.

The city having become aware of the problem, I believe that it doesn't need to nor should it wait for the Montana Department of Commerce to disqualify Polson as a resort community, in order to take corrective action.

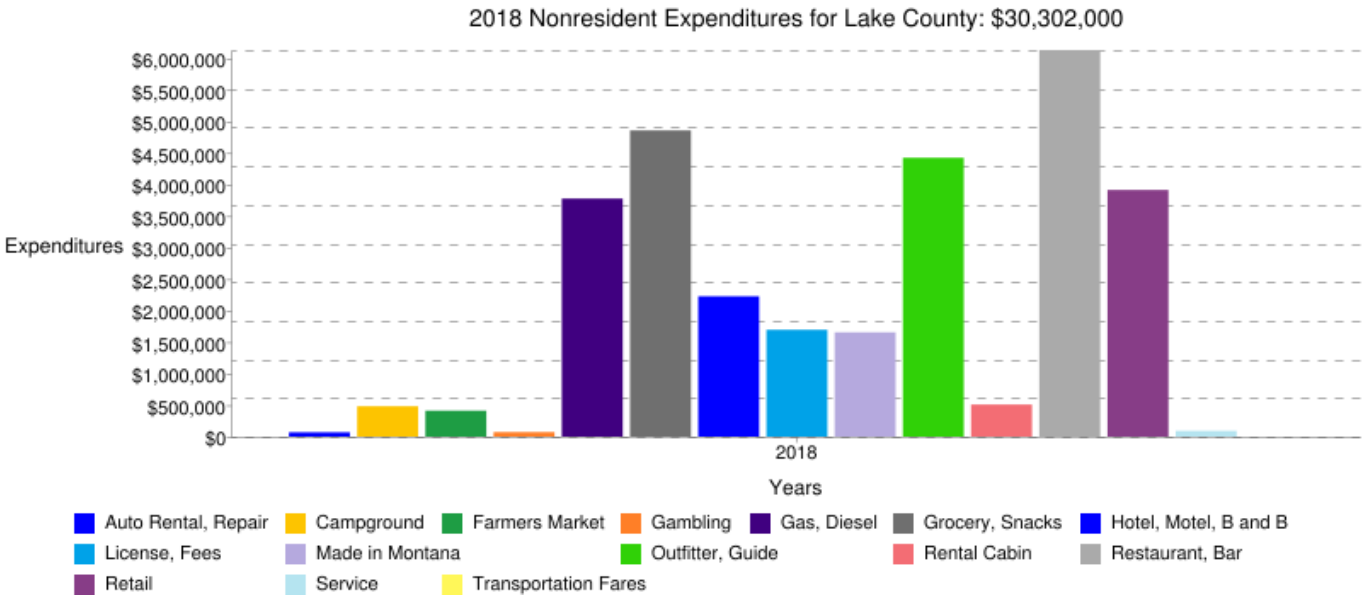
Thank you,

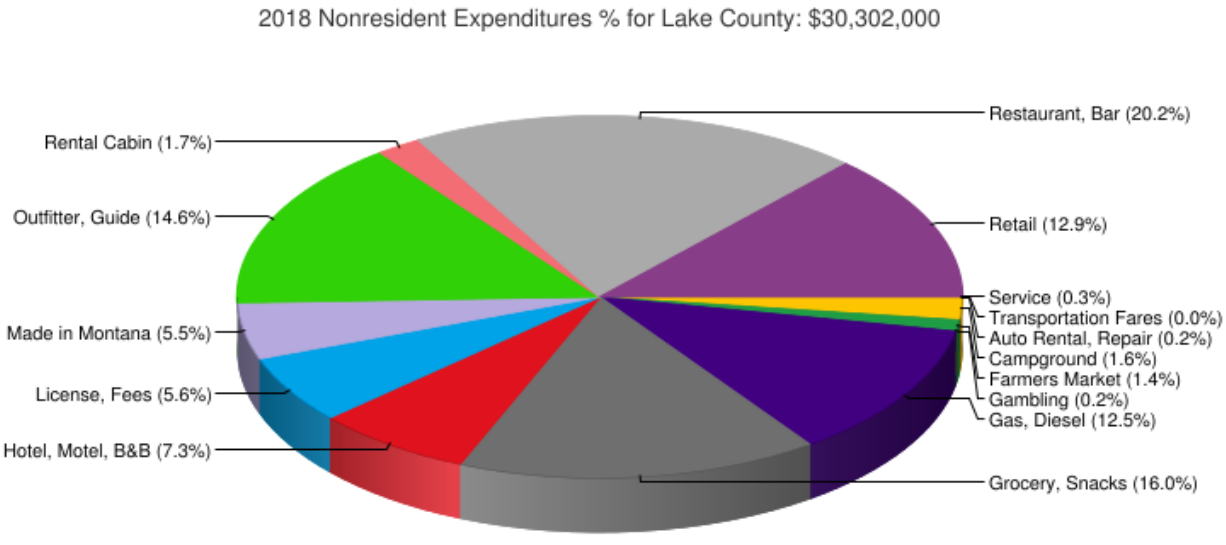
Murat Kalinyaprak

Polson, Montana
406-883-5762

CC: Polson City Commission, Montana Department of Commerce, public

2018 Nonresident Expenditures for Lake County			
Categories	**Expenditures**	**% of County**	**% of State**
Auto Rental, Repair	$69,000	0.2%	0.0%
Campground	$482,000	1.6%	0.0%
Farmers Market	$412,000	1.4%	0.0%
Gambling	$72,000	0.2%	0.0%
Gas, Diesel	$3,775,000	12.5%	0.1%
Grocery, Snacks	$4,855,000	16%	0.1%
Hotel, Motel, B&B	$2,226,000	7.4%	0.1%
License, Fees	$1,694,000	5.6%	0.1%
Made in Montana	$1,655,000	5.5%	0.1%
Outfitter, Guide	$4,422,000	14.6%	0.1%
Rental Cabin	$509,000	1.7%	0.0%
Restaurant, Bar	$6,128,000	20.2%	0.2%
Retail	$3,911,000	12.9%	0.1%
Service	$92,000	0.3%	0.0%
Transportation Fares	$0	--	--
Total	**$30,302,000**	**100%**	**0.9%**



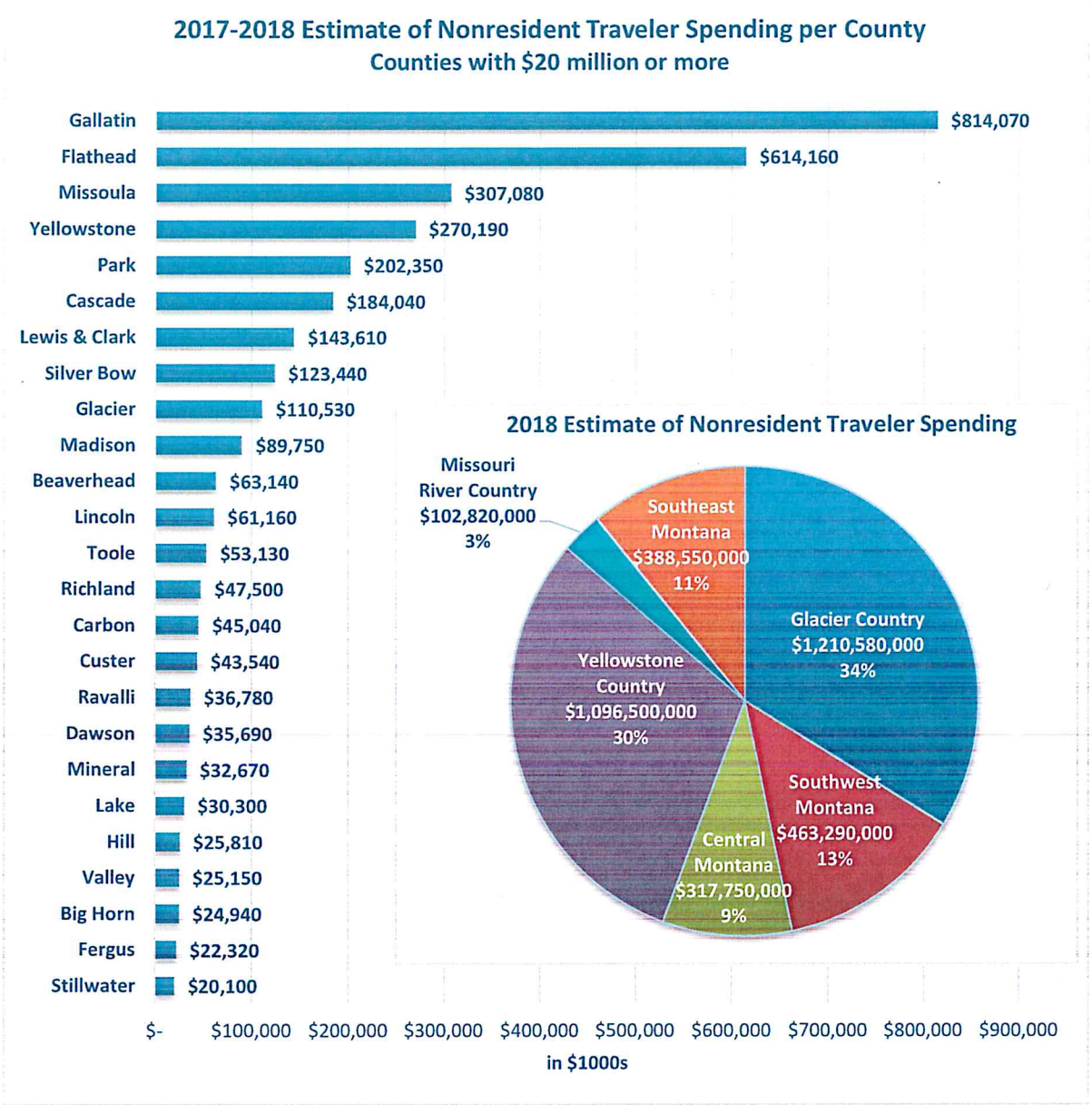


Next 5 pages added on 01/04/2021

2018 Economic Contribution of Nonresident Travel Spending in Montana Travel Regions and Counties | 2019

The statewide total 2017-2018 average spending is presented in Table 1. For the analyses highlighted in this report, the 2017 (inflation adjusted to 2018 $s) and 2018 county spending estimates were averaged. Doing so helps to account for small sample sizes within some counties and within some spending categories, and the variations in county spending patterns that may occur from year to year because of these small sample sizes. Figure 1 displays total spending in the counties which received an estimated $20 million or more in nonresident traveler spending. Total spending in the six travel regions is also included.

Figure 1 - County and Travel Region Spending Estimates, 2018



County	Population	Rank	Revenues	County	Revenues	Rank	County	Per capita	Rank
Yellowstone	161,953	1	$270,190,000	Gallatin	$814,070,000	1	Park	$11,675	1
Missoula	120,647	2	$307,080,000	Flathead	$614,160,000	2	Toole	$11,076	2
Gallatin	118,316	3	$814,070,000	Missoula	$307,080,000	3	Madison	$9,420	3
Flathead	106,134	4	$614,160,000	Yellowstone	$270,190,000	4	Glacier	$7,957	4
Cascade	81,721	5	$184,040,000	Park	$202,350,000	5	Mineral	$7,328	5
Lewis and Clark	70,402	6	$143,610,000	Cascade	$184,040,000	6	Gallatin	$6,880	6
Ravalli	44,420	7	$36,780,000	Lewis and Clark	$143,610,000	7	Beaverhead	$6,785	7
Silver Bow	35,149	8	$123,440,000	Silver Bow	$123,440,000	8	Flathead	$5,787	8
Lake	30,262	9	$30,300,000	Glacier	$110,530,000	9	Richland	$4,457	9
Lincoln	20,366	10	$61,160,000	Madison	$89,750,000	10	Dawson	$4,379	10
Park	17,332	11	$202,350,000	Beaverhead	$63,140,000	11	Carbon	$4,186	11
Hill	16,115	12	$25,810,000	Lincoln	$61,160,000	12	Custer	$3,850	12
Glacier	13,891	13	$110,530,000	Toole	$53,130,000	13	Silver Bow	$3,512	13
Big Horn	13,126	14	$24,940,000	Richland	$47,500,000	14	Valley	$3,378	14
Jefferson	12,417	15							
Sanders	12,148	16							
Custer	11,308	17	$43,540,000	Carbon	$45,040,000	15	Lincoln	$3,003	15
Roosevelt	10,857	18							
Fergus	10,773	19	$22,320,000	Custer	$43,540,000	16	Missoula	$2,545	16
Carbon	10,760	20	$45,040,000	Ravalli	$36,780,000	17	Cascade	$2,252	17
Richland	10,657	21	$47,500,000	Dawson	$35,690,000	18	Stillwater	$2,073	18
Stillwater	9,698	22	$20,100,000	Mineral	$32,670,000	19	Fergus	$2,072	19
Madison	9,528	23	$89,750,000	Lake	$30,300,000	20	Lewis and Clark	$2,040	20
Beaverhead	9,306	24	$63,140,000	Hill	$25,810,000	21	Big Horn	$1,900	21
Deer Lodge	9,207	25							
Rosebud	8,671								
Dawson	8,150		$35,690,000	Valley	$25,150,000	22	Yellowstone	$1,668	22
Valley	7,445		$25,150,000	Big Horn	$24,940,000	23	Hill	$1,602	23
Powell	7,288								
Blaine	6,933								
Broadwater	6,389								
Teton	6,258								
Pondera	5,956								
Chouteau	5,731								
Toole	4,797		$53,130,000	Fergus	$22,320,000	24	Lake	$1,001	24
Musselshell	4,663								
Mineral	4,458		$32,670,000	Stillwater	$20,100,000	25	Ravalli	$828	25
Phillips	3,986								
Sweet Grass	3,764								
Granite	3,418								

Subject: RE: Resort community designation related questions
From: bmartello@mt.gov
Date: 9/23/2020, 1:32 PM
To: murat@montanaonline.net

Thank you for contacting us

Your request has been received.

We will attempt to address your question or comment as quickly as possible. Our normal hours of operation are 8 a.m. to 5 p.m., Monday through Friday.

If you do not receive a response to your request below within a reasonable time frame, please contact us at 406-841-2721.

Subject: Resort community designation related questions

Message: 1- Is there a procedure to audit the data and the methodology used in a DOC designation report, within DOC and/or by an outside authority? Who/what can trigger such an audit?

2- If a community receives resort designation but fails to adopt a resort tax within a certain number of years, does the report become obsolete because of the data used in it, thus creating the need for a new analysis per the explicit language "current employlent" in MCA 7-6-1501(5)(c)?

3- If DOC can't answer these questions or doesn't interpret MCA 7-6-1501(5)(c) as requiring a current/recent analysis/report, would DOC be willing to seek AG's opinion on this questions?

Thank you.

Subject: Re: DOC PIR - Polson Resort Tax
From: Murat Kalinyaprak <murat@montanaonline.net>
Date: 10/9/2020, 1:42 PM
To: "Blumberg, Jessica" <Jessica.Blumberg@mt.gov>

Dear Jessica Blumberg,

Thanks for your response but the MCA links were not relevant to my questions.

However, anticipating a "can't give legal advice" reply, I had asked a preemptive question as well:

> "If DOC can't answer these questions or doesn't interpret MCA
> "7-6-1501(5)(c) as requiring a current/recent analysis/report,
> "would DOC be willing to seek AG's opinion on this questions?

I don't have but DOC has standing to seek an AG's opinion. I believe my question is a logical one and the answer may benefit DOC and Montana citizens in general more than it may benefit me.

If obsolete data, such as census data older than 9 years, can't be used in a resort community designation report, how can an 11 years old community designation report, (based on data even older than that), be considered still current for the purposes a community trying to establish a resort tax 11 years later?

Could you please answer if DOC would be willing to seek an AG's opinion on the above question and make the answer public?

Thank you,

Murat Kalinyaprak

On 9/24/2020 1:03 PM, Blumberg, Jessica wrote:

> Good Afternoon Mr. Kalinyaprak,
>
> Thank you for reaching out to the Office of Legal Affairs at the Department of Commerce with your questions. Unfortunately, we are not able to give legal advice to the general public. I have attached sections of the Montana Code Annotated that you may find helpful in the questions you submitted to us.
>
> MCA 7-6-1505
> MCA 7-6-1508
>
> Thank you,
>
> JESSICA BLUMBERG
> Attorney
>
> MONTANA
> DEPARTMENT OF COMMERCE
> T: 406.841.2322
> COMMERCE.MT.GOV

Subject: DOC attorney Jessica Blumberg's contact info
From: Murat Kalinyaprak <murat@montanaonline.net>
Date: 11/18/2020, 3:56 PM
To: greghertz11@gmail.com

Hi Greg,

Her email is: Jessica.Blumberg@mt.gov
Her phone is: 406-841-2322

The questions I have been trying to raise with DOC for years are:

MCA § 7-6-1501(8)(c) says:

> derives the primary portion of its economic well-being related to current employment from businesses catering to the recreational and personal needs of persons traveling to or through the municipality for purposes not related to their income production

1- Would the word current require a new economic analysis, since the report they are using is 12+ years old by now?

2- Can a DOC designation report be ever reviewed and corrected?

I attached the two reports for Polson done in 2008. The second one contains my annotations also, to the best of my understanding of things. Your PDF reader my hide the comments under a yellow balloon tip icon and show them when you point at or click on those icons. My arguments may not necessarily be all correct but could at least someone look at them or review the report regardless?

Actually, after speaking to Jessica Blumberg, I have another question:

3- If there are no established procedures to cause a review of a DOC designation report, how was it that a rude letter of outcry from Polson mayor caused DOC to "craft" a second report back then?

Please let me know about what you may find out.

Thanks,

Murat Kalinyaprak
406-883-5762

Attachments:

20080519-DOC-Polson-report1.pdf	373 KB
20081031-DOC-Polson-report2-annotated.pdf	401 KB

CITY OF POLSON
CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item No.: 9 Resolution 2021-XX
Identifying the City of Polson as a 'safe community'
Meeting Date: January 4, 2021
Staff Contact: Carolyn Pardini, City Commissioner
Phone and Email: ward3-pardini@cityofpolson.com;

AGENDA ITEM SUMMARY: This Agenda Item requests the City Commission approve a resolution that identifies the City of Polson as a 'safe community' that commits to treating all individuals with fairness and respect.

BACKGROUND: Commissioner Pardini will speak regarding her thoughts on why the City of Polson should adopt a policy committing to treating all individuals with fairness and respect, and training staff to respect diversity within the community.

ANALYSIS: N/A

STAFF RECOMMENDATION: N/A

SUGGESTED MOTION: *I MAKE A MOTION TO APPROVE RESOLUTON 2020-XX IDENTIFYING THE CITY OF POLSON AS A 'SAFE COMMUNITY' AND DIRECTING THE CITY MANAGER TO PROVIDE APPROPRIATE STAFF TRAINING AND PLACE SIGNAGE TO THIS EFFECT IN PUBLIC FACILITITES.*

ATTACHMENTS:

i) Photo – Union Bay Credit Union (Union Bay, British Columbia, Canada)

CITY OF POLSON
RESOLUTION 2021-XX____

DECLARING THE CITY OF POLSON A 'SAFE CITY', AND REQUIRING TRAINING AND SIGNAGE TO THIS EFFECT.

WHEREAS, the City of Polson desires to be an organization that recognizes the value of diversity in its staff and the community it serves; and,

WHEREAS, the City of Polson is committed to treating all individuals with fairness and respect, so as to create a 'safe' environment for public services and public policy development; and,

WHEREAS, annual training that encourages respectful treatment of all individuals is an appropriate use of staff time and resources;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The City Commission declares the City of Polson (organization) as a 'safe city' that treats all individuals with fairness and respect, and directs the City Manager to providing training and signage (in city facilities) to this effect.

The City Clerk is hereby instructed to file this Resolution in the City's Book of Resolutions.

_____ayes _____nays _____abstentions

Date of Passage:

Effective Date: Immediately

_____
Paul Briney, Mayor

Attest:

_____
Cora Pritt, Clerk

SAFE HARBOUR

RESPECT FOR ALL

AMSSA

Strengthening Diversity In BC

www.amssa.org

Union Bay Credit Union

Our Safe Harbour-certified Location is committed to:

- Treat you with fairness and respect;
- Provide an immediate safe space if you are being insulted, harassed or bullied;
- Prepare our staff to welcome you and respect diversity.

creative employment ACCESS SOCIETY

Comox Valley Community Coordinator

CITY OF POLSON
CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item No.: 13 Swank v. DOWL v. City of Polson Mediated Settlement
Meeting Date: January 4, 2021
Staff Contact: Ed Meece, City Manager
Phone and Email: citymanager@cityofpolson.com;

AGENDA ITEM SUMMARY: This Agenda Item requests the City Commission approve a mediated settlement agreement with Swank Enterprises and DOWL Engineering regarding construction of a new water resource recovery facility.

BACKGROUND: During the City of Polson's construction of a new Water Resource Recovery Facility, for which Swank Enterprises served as the primary contractor, a dispute arose between Swank Enterprises, DOWL Engineering, and the City of Polson concerning unanticipated project costs and delays. As a result, the City of Polson has assessed $354,000 in liquidated damages. Likewise, Swank Enterprises filed suit for $1,544,684 in additional project payments. On December 9, 2020, all three parties participated in a mediation conference that resulted in tentative settlement agreement. Nathan Bilyeu, counsel, and Ed Meece, City Manager, represented the City of Polson at the mediation conference.

ANALYSIS: Legal opinion from Nathan Bilyeu transmitted separately under client/attorney privilege.

STAFF RECOMMENDATION: N/A

SUGGESTED MOTION: *I MAKE A MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN A MEDIATED SETTLEMENT AGREEMENT WITH SWANK ENTERPRISES, AND DOWL ENGINERRING, REQUIRING THE CITY OF POLSON TO PAY SWANK ENTERPRISES $375,000 AND DOWL ENGINEERING TO PAY SWANK ENTERPRISES $125,000 IN FULL AND FINAL SETTLEMENT OF ALL CLAIMS ASSOCIATED WITH, OR IN ANY WAY CONNECTED TO, THE ENGINEERING AND CONSTRUCTION OF THE POLSON WATER RESOURCE RECOVERY FACILITY. TO BE NOTED THAT $354,000 OF THE CITY'S SETTLEMENT PAYMENT IS CURRENTLY BEING HELD IN LIQUIDATED DAMAGES.*

ATTACHMENTS:

CITY COMMISSION

SUPPLEMENTAL PAGE(S)

JANUARY 4, 2021 AGENDA

(Any questions or follow-up please contact City Manager)

CLINTON J. FISCHER
LAW OFFICE, P.C.

Post Office Box 879
Polson, Montana 59860-0879

Clinton J. Fischer
Attorney at Law

Casey L. Emerson
Attorney at Law

December 21, 2020

Ed Meece
Polson City Manager
citymanager@cityofpolson.com

Re: Legalization of Recreational Marijuana

Dear Ed:

We have received no direction or recommendations yet from the League of Cities and Towns regarding the above referenced matter. As a result, I reached out to Jim Nugent, Missoula City Attorney, and asked him what the City of Missoula was doing with regard to the issues raised including employee testing and zoning.

Jim's response is that Missoula has done nothing to date, the matter simply has not appeared on anyone's radar at all. The only regulation they are enforcing is that marijuana sales facilities must be located at least 1,000 feet away from schools, the same as the State provision provides for bars. Jim doesn't know whether or not this restriction would pass a legal test, but so far all businesses have been compliant and there have been no challenges to the 1,000 foot set back.

With regard to Polson, I recommend as follows:

1. Continue drug testing, including for marijuana, for all City employees whose job description requires a commercial drivers license;

2. If all City employees are subject to a random drug test, I would remove marijuana from the panel of drugs tested for, except for those employees requiring a CDL;

3. I would require new businesses which are marijuana sales facilities applying for a business license to be located at least 1,000 feet away from schools;

4. I would prohibit employee use of marijuana while on the job or in or utilizing City property ,including vehicles; and

5. I would await direction from the League of Cities and Towns before enacting any additional changes to City policy.

If you have any questions please feel free to contact me. Thank you.

Very truly yours,

CLINTON J. FISCHER LAW OFFICE, P.C.

Clinton J. Fischer
Polson City Attorney