

**FIRST AMENDMENT TO  
AGREEMENT FOR RECEIPT OF RESORT TAX FUNDS  
FISCAL YEAR 2025, 2026, and 2027  
*BSTRP Recreational Asset Management Project***

**THIS FIRST AMENDMENT TO AGREEMENT** for the receipt of resort tax funds (“First Amendment”) is entered into by and between the Big Sky Resort Area District (“District”) and Gallatin County Big Sky Meadow Trails, Recreation and Parks Special District, and the Madison County Big Sky Mountain Parks, Trails & Recreation Special District. These two Special Districts share common boundary lines and are governed by a joint special district Board pursuant to the current Interlocal Agreement between Gallatin County and Madison County dated April 12, 2022 and are generally referred to as the “Big Sky Trails,. Recreation & Parks District,” and are collectively referred to as “BSTRP” (and referred to herein collectively as the “Contractor”). This First Amendment to Agreement is for the BSTRP Recreational Asset Management project (“Project”).

**RECITALS**

1. The District and the Contractor entered into that certain Agreement for Receipt of Resort Tax Funds for fiscal year 2025 related to the Project and the expenditure of the Award as defined therein (“Agreement”).
2. The Agreement contained certain deadlines for the expenditure of the Award and was approved only for a single one-year term.
3. The Contractor has requested the extension of the Term from one year to three years, adding fiscal years 2026 and 2027 to the Contract Term.
4. At a duly noticed and held public meeting on November 14, 2024, the District agreed to extend the Term of the Project as described in this First Amendment.

**NOW THEREFORE**, for good and valuable consideration, the form, receipt and sufficiency of which is hereby acknowledged by the Parties, the District and Contractor agree to the amend certain provisions of the Agreement as specified below:

### **FIRST AMENDMENT**

1. **RECITALS AND DEFINITIONS.** The Recitals to this First Amendment are incorporated herein by this reference as if fully set forth herein. Any capitalized term used in this First Amendment but not specifically defined herein shall have the definition set forth in the Agreement.

2. **AMENDED TERM.** The term of the Agreement is hereby amended to commence on July 1, 2024 and terminate three years later on July 15, 2027 (“Amended Term”).

3. **AMENDED PAYMENT REQUESTS AND FINAL PAYMENTS.** The payment requests approved by the Board shall be as follows:

a. \$675,533 for fiscal year 2025, to be expended between July 1, 2024 and July 15, 2025. All final requests for payment for this fiscal year 2025 must be submitted to the District no later than July 15, 2025 for Services received on or before June 30, 2025. The District shall not be obligated to fund any final payment request that is not timely submitted by the Contractor.

b. \$743,086 for fiscal year 2026, to be expended between July 1, 2025 and July 15, 2026. All final requests for payment for this fiscal year 2026 must be submitted to the District no later than July 15, 2026 for Services received on or before June 30, 2026. The District shall not be obligated to fund any final payment request that is not timely submitted by the Contractor.

c. \$817,395 for fiscal year 2027, to be expended between July 1, 2026 and July 15, 2027. All final requests for payment for this fiscal year 2027 must be submitted

to the District no later than July 15, 2027 for Services received on or before June 30, 2027. The District shall not be obligated to fund any final payment request that is not timely submitted by the Contractor.


4. **FULL FORCE AND EFFECT.** All provisions, rights, and obligations under the Agreement not specifically amended by this First Amendment shall remain in full force and effect and shall be binding upon the parties.

**BIG SKY RESORT AREA DISTRICT:**

  
Daniel Bierschwale (Nov 14, 2024 15:46 MST)

Name: Daniel Bierschwale  
Title: Executive Director


**CONTRACTOR:** The undersigned, being all of the Board Members of the Joint Board governing both the Gallatin County Big Sky Meadow Trails, Recreation & Parks Special District and the Madison County Big Sky Mountain Parks, Trails & Recreation Special District (collectively, BSTRP), are authorized to execute this **FIRST AMENDMENT TO AGREEMENT FOR RECEIPT OF RESORT TAX FUNDS FISCAL YEARS 2025, 2026 and 2027 - BSTRP Recreational Asset Management Project** and to bind each special district as a party hereto.

  
Al Malinowski (Nov 20, 2024 12:32 MST)

Al Malinowski

  
Kate Ketschek (Nov 18, 2024 10:35 MST)

Katherine Ketschek

  
Whitney Montgomery (Nov 14, 2024 15:00 MST)

Whitney Montgomery

  
Madeline Feher (Nov 15, 2024 17:40 MST)

Madeline Feher

  
Jon Olsen











# First Amendment to BSTRPD Rec Asset Mgmt Project to Extend Term to FY 26 and FY25

Final Audit Report

2024-11-20


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 Agreement completed.

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