

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
SEPTEMBER 21, 2016
7:30 P.M. COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE REGULAR MEETING SEPTEMBER 7, 2016

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

SECTION 1 BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

1. PUBLIC HEARING
COMMUNICATION NO. [16-404](#)

Dori Skrukud, Office of Community Development, requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding Developer's Packet Proposals for redevelopment of City-County owned property at 102 E. Second Street. [Notice of Public Hearing](#).

2. PUBLIC HEARING
COMMUNICATION NO. [16-406](#)

Revonda Stordahl, Executive Director, Butte Affordable Housing, Inc., requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding the need for new affordable housing in Butte-Silver Bow.

3. PUBLIC HEARING
COMMUNICATION NO. [16-407](#)

Revonda Stordahl, Executive Director, Butte Affordable Housing, Inc., requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding the proposed tax exemption of Aspen Place Apartments, Phase III.



4. PRESENTATION
COMMUNICATION NO. [16-281](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners concur with and authorize allocation of \$200,000 from the Hard Rock Development Assistance Program to White-Leasure Development Company to assist with infrastructure expenses related to a major retail development. [Proposal](#).

Note: At the June 15, 2016 Regular Meeting, an Amended Motion was made by Commissioner Palmer, seconded by Commissioner Morgan, to commit \$200,000 to a project brought forth by White-Leasure Development within six months, with a condition that they give an update in 90 days, and Butte-Silver Bow can terminate at that time if not satisfied.

SECTION 2 CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. PERSONNEL COMMITTEE
 3. ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT
 4. FINANCE & BUDGET COMMITTEE MEETING REPORT
 5. PUBLIC WORKS COMMITTEE MEETING REPORT
 6. JUDICIARY COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. [16-429](#) Chad Anderson, Butte-Silver Bow Residential Metals Abatement Program Coordinator, advising Council of Commissioners regarding acceptance of lowest quotes for soil remediation projects. **Recommendation: Note and Place on File.**
2. [16-430](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Collective Bargaining Agreement with the International Union of Operating Engineers, Local #400. [Agreement](#). [Redline](#). **Recommendation: Concur and Place on File.**
3. [16-431](#) Greg Ebner, Weed Board Member, 117 Solitude Dr., Butte, MT, requesting Council of Commissioners consider adding an additional Butte-Silver Bow County Extension Agent. **Recommendation: Refer to Committee of the Whole.**
4. [16-432](#) Lee C. Alt, Butte District Traffic Engineer, Montana Dept. of Transportation, requesting Council of Commissioners consider the Speed Zone Study for I-90 Homestake Pass and advise concurrence or not within 60 days. [Study](#). **Recommendation: Refer to Public Works Committee.**



5. [16-433](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners retain Lot 8 of the Washoe Lode 644 in Butte-Silver Bow's ownership and deed Butte-Silver Bow's interest in Lots 2 and 2X located on the Original No. 6 Lode 814 and Washoe Lode 644 to Dennis and Caroline Jennison and authorize the Chief Executive to sign the deed. [Map](#).
Recommendation: Concur and Place on File.
6. [16-434](#) Debra D. Williams, Justice of the Peace, Court I, requesting Council of Commissioners authorize the Chief Executive to sign a contract with Dr. Tim Conley as a Professional Evaluator to assist in the operation of the DUI Court in conjunction with a grant from the Montana Dept. of Transportation. [Contract](#).
Recommendation: Concur and Place on File.
7. [16-435](#) Fran Doran, 1 E. Broadway, Apt. #7, Butte, MT, requesting Council of Commissioners authorize the sale of three Butte-Silver Bow owned properties to accommodate building of single family container homes of various sizes. [Map](#). [Photos](#). **Recommendation: Refer to Land Sales and Hold in the Committee of the Whole.**
8. [16-436](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council of Commissioners authorize the Chief Executive to sign a three-year service contract with Johnson Controls for \$45,018 to cover HVAC equipment. [Proposal/Contract](#).
Recommendation: Concur and Place on File.
9. [16-437](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners authorize the Chief Executive to sign an Advertising Agreement with YESCO Outdoor Media. [Agreement](#).
Recommendation: Concur and Place on File.
10. [16-438](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a maintenance agreement with Lee's Office City for the Butte-Silver Bow Health Department's Lanier LD425B copier at an annual rate of \$1,020. [Agreement](#). **Recommendation: Concur and Place on File.**
11. [16-439](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a maintenance agreement with Lee's Office City for the Butte-Silver Bow Health Department's Lanier LD320d copier at an annual rate of \$380. [Agreement](#). **Recommendation: Concur and Place on File.**



12. [16-440](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a contract with the Montana Dept. of Public Health and Human Services to provide the U.S. Dept. of Agriculture's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to Butte-Silver Bow residents and possibly surrounding counties. [Contract](#). **Recommendation: Concur and Place on File.**
13. [16-441](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a Memorandum of Understanding with the Butte School District No. 1 Montana SOARS project. [MOU](#). **Recommendation: Concur and Place on File.**
14. [16-442](#) Butte-Silver Bow Community Pool – Technical Review Committee, advising Council of Commissioners regarding Butte-Silver Bow Community Pool Project, Informational Briefing #1. [Project Schedule](#). [Stodden Park Improvement Plan](#). [Stodden Park Map](#). [Lazy River Rendering](#). **Recommendation: Note and Place on File.**
15. [16-443](#) Juli Connors, Finance & Budget Accountant, requesting Council of Commissioners authorize the Chief Executive to sign a DUI Enhancement Grant Award Agreement with the U.S. Dept. of Justice. [Agreement](#). **Recommendation: Concur and Place on File.**
16. [16-444](#) Juli Connors, Finance & Budget Accountant, requesting Council of Commissioners authorize a Public Hearing on October 4, 2016 regarding unanticipated revenue. **Recommendation: Concur and Hold in the Committee of the Whole pending Public Hearing on October 4, 2016.**
17. [16-445](#) Mollie Maffei, Deputy County Attorney, Butte-Silver Bow County Attorney's Office, requesting Council of Commissioners authorize the Chief Executive to sign an Access Agreement granting Montana Natural Resource Damage Program access to City-County Property for Phase One of the Parrott Tailings Removal. [Draft Agreement](#). [Map](#). (Note: Finalized Agreement will be available and e-mailed to Commissioners before meeting). **Recommendation: Concur and Place on File.**
18. [16-446](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize the Chief Executive to sign an Agreement with the Dept. of the Army for design and construction assistance on the Moulton Reservoir improvement project. [Agreement](#). **Recommendation: Concur and Place on File.**



19. [16-447](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Letter of Agreement regarding shift differential pay for the Teamsters, Local #2. [Agreement](#). **Recommendation: Concur and Place on File.**
20. [16-448](#) Chief Executive Matt Vincent, requesting Council of Commissioners authorize the Chief Executive to sign a revised contract between Montana State University Extension and Butte-Silver Bow for FY 2017. [Draft Agreement](#). (Note: Finalized Agreement will be available and e-mailed to Commissioners before meeting). **Recommendation: Concur and Place on File.**
21. [16-449](#) Maria Pochervina, Executive Secretary, Butte-Silver Bow TBID, requesting Council of Commissioners authorize a Public Hearing on October 4, 2016 regarding Fiscal Year 2017 Work Plan and Budget for the Butte-Silver Bow Tourism Business Improvement District (TBID). [Work Plan](#). **Recommendation: Concur and Hold in the Committee of the Whole pending Public Hearing on October 4, 2016.**
22. [16-450](#) Chief Executive Matt Vincent, requesting Council of Commissioners concur with reappointments to the Butte-Silver Bow Advisory Committee for Americans with Disabilities Act. **Recommendation: Concur and Place on File.**
23. [16-451](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize the Chief Executive to sign the State of Montana Cooperative Purchasing Memorandum of Understanding. [MOU](#). **Recommendation: Concur and Place on File.**

SECTION 3 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. COUNCIL BILL NO.
ORDINANCE NO. [16-13](#)

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); REGARDING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. 2. [Redline](#).



2. COUNCIL RESOLUTION NO. [16-56](#)

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$7,200,000 GENERAL OBLIGATION BONDS AND UP TO \$10,700,000 GENERAL OBLIGATION REFUNDING BONDS SUBJECT TO THE TERMS AND LIMITATIONS SET FORTH HEREIN; AND AUTHORIZING THE CHIEF EXECUTIVE AND FINANCE AND BUDGET DIRECTOR TO ENTER INTO A BOND PURCHASE AGREEMENT WITH RESPECT THERETO.

**SECTION 4 ORDINANCES AND RESOLUTIONS
FINAL READING**

1. COUNCIL RESOLUTION NO. [16-52](#)

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST; ORDERING CERTAIN PARCELS OF REAL PROPERTY BE HELD IN CITY-COUNTY OWNERSHIP AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

September 26, 2016	Mental Health Local Advisory Committee	1:00 pm	3rd Floor, Library Building
September 27, 2016	Port of Montana	12:00 pm	Hub Center, Silver Bow
September 28, 2016	Local Emergency Planning	12:00 pm	EOC – Justice Center on Wynn
September 28, 2016	Urban Revitalization	8:30 am	1st Floor Conference Room
September 29, 2016	Planning Board	5:30 pm	Council Chambers
October 4, 2016	Historic Preservation	5:30 pm	Council Chambers
October 5, 2016	Airport Authority	12:00 pm	BM Airport Authority Admin. Office
October 5, 2016	Butte AIDS Support Services	7:00 pm	Community Center
October 5, 2016	Board of Health	7:00 am	Health Department

ADJOURN _____



**FINANCE & BUDGET COMMITTEE MEETING
SEPTEMBER 21, 2016
7:00 PM COURTHOUSE COUNCIL CHAMBERS**

Expenditure report for the week of September 14, 2016 was approved for the amount of:

<i>FY 16</i>	<i>\$2,358.50</i>
<i>FY 17</i>	<i><u>\$685,936.84</u></i>
<i>TOTAL</i>	<i><u>\$688,295.34</u></i>



COMMITTEE OF THE WHOLE MEETING REPORT SEPTEMBER 14, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER
BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION 1 PRESENTATION COMMUNICATION NO. [16-412](#)

Dan Dennehy, Director, Emergency Management Agency, requesting Council of Commissioners authorize a presentation on September 14, 2016 regarding an updated Pre-Disaster Mitigation Plan profiling significant hazards to the community and identifying mitigation projects that can reduce impacts. *Held.*

SECTION 2 PRESENTATION COMMUNICATION NO. [16-422](#)

Linda Sajor, Butte-Silver Bow Project Manager, requesting Council of Commissioners review the proposed Purchasing Card Policy and authorize a presentation on September 14, 2016 about the Purchasing Card Program. [Policy](#). *Held.*

SECTION 3 COMMUNICATION NO. [16-327](#)

Stacey Carlson, 5230 S. Montpelier Rd., Denair, California, requesting Council of Commissioners allow sale of property, the Easter Lode Quartz Mine, back to the heirs of Carlton Charles and Marion F. Rhoades. [Exhibits](#). [Mine Plat](#). *Recommendation: Cross Reference with Communication No. 16-418 and Place on File.*

SECTION 4 COMMUNICATION NO. [16-365](#)

Dennis and Caroline Jennison, 426 N. Wyoming St., Butte, Montana, requesting Council of Commissioners authorize purchase of county owned property under the Butte-Silver Bow council policy on Adjacent Property. [Property Record Card 1](#). [Property Record Card 2](#). *Recommendation: Hold in Abeyance.*

SECTION 5 COMMUNICATION NO. [16-371](#)

Tony and Sue Thomer, Elk Construction, Butte, Montana, requesting Council of Commissioners concur with request to purchase property at [102 East] Second Street. *Recommendation: Note and Place on File.*



SECTION 6 COMMUNICATION NO. [16-375](#)

Cameron J. Moylan, 208 S. Washington St., Butte, Montana, requesting Council of Commissioners concur with request to purchase property at 102 East Second Street in a developer-packet style. **Recommendation: Note and Place on File.**

SECTION 7 COMMUNICATION NO. [16-377](#)

Chief Executive Matt Vincent, requesting Council of Commissioners allow for ongoing discussion regarding efforts to relocate the City-County shops as a result of the State of Montana's pending removal of the Parrott Tailings beneath. **Recommendation: Hold in Abeyance.**

SECTION 8 COMMUNICATION NO. [16-404](#)

Dori Skrukrud, Office of Community Development, requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding Developer's Packet Proposals for redevelopment of City-County owned property at 102 E. Second Street. [Notice of Public Hearing](#). **Recommendation: Hold in Abeyance.**

SECTION 9 COMMUNICATION NO. [16-406](#)

Revonda Stordahl, Executive Director, Butte Affordable Housing, Inc., requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding the need for new affordable housing in Butte-Silver Bow. **Recommendation: Hold in Abeyance.**

SECTION 10 COMMUNICATION NO. [16-407](#)

Revonda Stordahl, Executive Director, Butte Affordable Housing, Inc., requesting Council of Commissioners authorize a Public Hearing on September 21, 2016 regarding the proposed tax exemption of Aspen Place Apartments, Phase III. **Recommendation: Hold in Abeyance.**

SECTION 11 COMMUNICATION NO. [16-412](#)

Dan Dennehy, Director, Emergency Management Agency, requesting Council of Commissioners authorize a presentation on September 14, 2016 regarding an updated Pre-Disaster Mitigation Plan profiling significant hazards to the community and identifying mitigation projects that can reduce impacts. **Recommendation: Place on File.**

SECTION 12 COMMUNICATION NO. [16-413](#)

Chief Executive Matt Vincent, requesting Council of Commissioners authorize the Chief Executive to sign an Agreement between the Human Resource Council District XII and Butte-Silver Bow for appropriation of \$152,000 to assist homeless and imminently homeless households. [Agreement](#). **Recommendation: Concur and Place on File.**



SECTION 13 COMMUNICATION NO. [16-415](#)

Thomas P. Kenneally, President, Town Pump Inc., requesting Council of Commissioners authorize acceptance of Charitable Donation of Property, adopt a Resolution of Donation and authorize the Chief Executive to execute all documents pertinent to this donation. [Map Agreement](#). ***Recommendation: Hold in Abeyance.***



**PERSONNEL COMMITTEE MEETING
SEPTEMBER 14, 2016**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Economic Development Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [16-422](#)

Linda Sajor, Butte-Silver Bow Project Manager, requesting Council of Commissioners review the proposed Purchasing Card Policy and authorize a presentation on September 14, 2016 about the Purchasing Card Program. [Policy](#). **Recommendation: Concur and Place on File.**

SECTION 2 COMMUNICATION NO. [16-423](#)

Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners concur with adoption of various Human Resources Manual policy updates. [Updates](#). **Recommendation: Concur and Place on File.**

Committee Members **Present/Absent**

Dan Foley, Chairman.....	Present
Dave Palmer, Vice- Chairman	Present
Bill Andersen.....	Absent
Jim Fisher	Present
Dennis Henderson.....	Present

Also Present:

Leslie Clark	HR Director
Linda Sajor-Joyce	Butte-Silver Bow Project Manager
Danette Gleason.....	Budget & Finance Director
Wendy McGrath	Budget & Finance Dept.
Juli Connors.....	Budget & Finance Dept.



ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT SEPTEMBER 7, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Economic Development Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [14-593](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council of Commissioner's authorization for the Distressed Property Management Report to be referred to the Economic Development Committee for review and recommendations to Council.

Recommendation: Hold in Abeyance.

SECTION 2 COMMUNICATION NO. [15-419](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting the Economic Development Committee be allowed to interview area contractors and business owners to determine if Butte-Silver Bow policies are working or if changes are needed. **Recommendation: Hold in Abeyance.**

SECTION 3 COMMUNICATION NO. [15-524](#)

Bill Andersen, Butte-Silver Bow Commissioner, District No. 10, inviting the Tourism Business Improvement District Board to the Economic Development Committee Meeting on December 16, 2015 for a review of Municipal Code 2.90. **Recommendation: Hold in Abeyance.**

SECTION 4 REPORT FROM BLDC

Recommendation: Hold in Abeyance.

Committee Members Present/Absent

Dave Palmer, Chairman.....	Present
John Sorich, Vice-Chairman.....	Absent
Bill Andersen.....	Present
Dan Foley	Present
Cindy Perdue-Dolan	Present
Sheryl Ralph	Present



**FINANCE & BUDGET COMMITTEE MEETING REPORT
SEPTEMBER 14, 2016**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Finance and Budget Committee, respectfully recommend as follows:

Expenditure report for the week of September 14, 2016 was approved for the amount of:

<i>FY 16</i>	<i>\$2,358.50</i>
<i>FY 17</i>	<i><u>\$685,936.84</u></i>
<i>TOTAL</i>	<i>\$688,295.34</i>

The Finance & Budget Committee reviewed the 09/14/16 expenditure report for the amount of \$2,358.50 and \$685,936.84, sum of \$688,295.34 without any exceptions. Please note Commissioner Andersen was absent with all other committee members being present.

Committee Members **Present/Absent**

John Sorich, Chairman	Present
Jim Fisher, Vice-Chairman	Present
Bill Andersen	Absent
Dennis Henderson	Present
Brendan McDonough	Present
Cindy Perdue-Dolan	Present



**PUBLIC WORKS COMMITTEE MEETING REPORT
SEPTEMBER 14, 2016**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Public Works Committee, respectfully recommend as follows:

SECTION 1 PETITION NO. [16-1](#)

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate Beattie Avenue and two alleys in Blocks 2 and 3 of the Central Addition. [Legal Description](#). [Map](#). [Petition Form](#). [Responses](#). ***Recommendation: Motion by Sheryl Ralph, 2nd by Commissioner McDonough, to have County Attorney draft a Resolution. All yea.***

SECTION 2 PETITION NO. [16-3](#)

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate that portion of the eight (8) foot alley adjacent to the W 20' of Lot 3, all of Lots 4-7, Block 3 of the Rocker Town Site on the Webster Lode and Tract K of the Spier and Bauer Placer #1445, Section 21, T03N, R08W. [Legal Description](#). [Map](#). [Petition Form](#). ***Recommendation: County Attorney is drafting a Resolution. Hold in Abeyance.***

SECTION 3 PETITION NO. [16-4](#)

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate the alleyway adjacent to Lot twelve (12), all of Lots thirteen (13) and fourteen (14), and forty-one (41) thru forty-three (43) in Block thirty-seven (37) of the Butte Townsite and adjacent to the vacated alleyway described on Certificate of Survey (COS) 443B. [Legal Description](#). [Map](#). [Petition Form](#). [Responses](#). ***Recommendation: Motion by Commissioner McDonough, 2nd by Commissioner Ralph, to schedule a Public Hearing. All yea.***

SECTION 4 PETITION NO. [16-5](#)

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate Waukesha Street adjacent to a portion of Lot ten (10), all of Lots eleven (11) and twelve (12) and a portion of Lot thirteen (13), Block five (5) and all of Lots one (1) thru three (3) and a portion of Lot four (4), Block six (6) of the official plats of the Open Treasure and Empire Addition. [Legal Description](#). [Map](#). [Petition](#)



[Form Responses](#). **Recommendation: Motion by Commissioner Fisher, 2nd by Commissioner McDonough, to have County Attorney schedule a Public Hearing. All yea.**

SECTION 5 COMMUNICATION NO. [15-275](#)

Jim Fisher, Butte-Silver Bow Commissioner, District No. 6, requesting the Chief Executive and the Public Works Director, along with Council, write a letter to railroad companies who have railroad crossings in Butte-Silver Bow regarding repairing railroad crossing surfaces and the cleanup of weeds at all sites. *Placed back on September 14, 2016 Agenda per Commissioner Fisher. Recommendation: Hold in Abeyance and send to Committee of the Whole. Motion made by Commissioner Fisher, 2nd by Commissioner McDonough. All yea.*

SECTION 6 COMMUNICATION NO. [15-395](#)

John P. Morgan, Butte-Silver Bow Commissioner, District No.3, requesting a review of possibly placing a left turn arrow at the intersection of Montana Street and Front and Centennial while heading north. **Recommendation: Nick [Sandford] from Public Works advised waiting for word from DOT. Hold in Abeyance.**

Committee Members Present/Absent

Dennis Henderson, Chairman	Present
Sheryl Ralph, Vice-Chairman.....	Present
Jim Fisher	Present
Dan Foley	Absent
Brendan McDonough	Present
Bud Walker.....	Present



JUDICIARY COMMITTEE MEETING REPORT SEPTEMBER 14, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Judiciary Committee, respectfully recommend as follows:

SECTION 1 COUNCIL BILL NO. ORDINANCE NO. [16-12](#)

AN ORDINANCE AMENDING ORDINANCE 204, Section 4 and CHAPTER 10.24, ENTITLED “TRAFFIC CONTROL DEVICES” AND CHAPTER 10.32 ENTITLED “STOP SIGNS”, OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) SPECIFICALLY AMENDING SECTIONS 10.24.160, 10.32.010 AND 10.32.020 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#). *Recommendation: Hold in Judiciary Committee.*

SECTION 2 COUNCIL RESOLUTION NO. [16-39](#)

A RESOLUTION AMENDING THE AMOUNT OF THE ASSESSMENT ON THE PROPERTIES INCLUDED IN SPECIAL TOURISM BUSINESS IMPROVEMENT DISTRICT NO. 1, WHICH WAS ESTABLISHED IN 2011 FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Recommendation: Hold in Judiciary Committee.*

SECTION 3 COUNCIL RESOLUTION NO. [16-52](#)

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST; ORDERING CERTAIN PARCELS OF REAL PROPERTY BE HELD IN CITY-COUNTY OWNERSHIP AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Recommendation: Move to Final Reading.*

SECTION 4 COMMUNICATION NO. [16-427](#)

Eileen Joyce, Butte-Silver Bow County Attorney, requesting Council of Commissioners authorize an amendment to Section 2.04.010 of the Butte-Silver Bow Municipal Code and allow introduction of a Resolution to set the salaries of elected officials for this fiscal year. [Proposed Ordinance Changes](#). *Recommendation: Hold in Judiciary Committee. Have County Attorney draft changes to Ordinance and draft Resolution for changes.*



SECTION 5 CLAIM APPROVAL

NAME	AMOUNT	DESCRIPTION	
David P. Neeley	\$200.00	Demo Bond Refund	<i>Approved</i>
Elizabeth Carpenter	\$631.40	Landscaping Bond Refund	<i>Approved</i>
Cherie Rodrigues	\$1,000.00	Street Opening Bond Refund	<i>Approved</i>
Cody Jo Costello	\$1,000.00	Sidewalk Bond Refund	<i>Approved</i>
Trace Calkins	\$200.00	Demo Bond Refund	<i>Approved</i>
Scott Hedval & Carla Stanghill	\$865.81	Property Tax Refund	<i>Approved</i>

Committee Members Present/Absent

Bud Walker, Chairman Present
 Bill Andersen, Vice-Chairman Present
 Brendan McDonough Present
 Dave Palmer Present
 Cindy Perdue-Dolan Present
 John Sorich Present

