

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
TUESDAY, NOVEMBER 20, 2018
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES

Meeting Minutes November 7, 2018

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

SECTION 1 CONSENT AGENDA

A. COMMITTEE REPORTS

- 1. COMMITTEE OF THE WHOLE MEETING REPORT*
- 2. FINANCE & BUDGET COMMITTEE MEETING REPORT*
- 3. PUBLIC WORKS COMMITTEE MEETING REPORT*
- 4. JUDICIARY COMMITTEE MEETING REPORT*

B. COMMUNICATIONS

1. COMMUNICATION NO. 18-519

Dan Strizic, requesting Council of Commissioners allow time on November 28th at the Committee of the Whole meeting for Chief Executive Palmer to address how and when the Council will receive the information that will be needed to make critical decisions regarding Butte Priority Soils Consent Decree.

Hold in the Committee of the Whole pending presentation.

[18-519.pdf](#)

[18-519 Questions.pdf](#)

2. COMMUNICATION NO. 18-523

Chief Executive Palmer requesting Council of Commissioners authorize him to sign a Purchase and Sale Agreement for the Hollow property to be used in the development of the new County Shops Facility.

Concur and place on file.



[18-523.pdf](#)
[18-523 Agreement.pdf](#)
[18-523 Exhibit A.pdf](#)

3. COMMUNICATION NO. 18-524

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign a contract amendment between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department for the provision of comprehensive reproductive health services by the Health Department.

Concur and place on file.

[18-524.pdf](#)
[18-524 Amendment.pdf](#)

4. COMMUNICATION NO. 18-525

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign a contract amendment between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department for the provision of HIV Early Intervention Services.

Concur and place on file.

[18-525.pdf](#)
[18-525 Amendment.pdf](#)

5. COMMUNICATION NO. 18-526

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign a contract amendment between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department for the provision of HIV Early Intervention Services, pertaining to four components of services under this contract.

Concur and place on file.

[18-526.pdf](#)
[18-526 Amendment.pdf](#)

6. COMMUNICATION NO. 18-527

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign a contract amendment between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department for the provision of upgrading and enhancing local public health capacity to respond to events that impact the public health.

Concur and place on file.

[18-527.pdf](#)
[18-527 Amendment.pdf](#)
[18-527 Attachment.pdf](#)

7. COMMUNICATION NO. 18-528

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign the agreement between the Montana Department of Public Health and

Human Services and the Butte-Silver Bow Board of Health to establish a payment schedule to the Health Department for the inspection of licensed establishments and to determine which programs the department will conduct.

Concur and place on file.

[18-528.pdf](#)

[18-528 Agreement.pdf](#)

[18-528 Appendix A.pdf](#)

[18-528 Appendix B.pdf](#)

8. COMMUNICATION NO. 18-529

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive sign the Memo of Understanding with Butte School District No. 1 for the retention of the new half-time CONNECT Coordinator position with the Health Department.

Concur and place on file.

[18-529.pdf](#)

[18-529 MOU.pdf](#)

9. COMMUNICATION NO. 18-530

Mollie Maffei, Deputy County Attorney requesting Council of Commissioners approve and authorize the Chief Executive to sign the Easement for a buried fiber optic line, granting Arvig Enterprises, Inc. permission to access property in the right of way on Nevada, Cobban and Kaw to install and maintain utility lines.

Concur and place on file.

[18-530.pdf](#)

[18-530 Utility Easement.pdf](#)

[18-530 Map.pdf](#)

10. COMMUNICATION NO. 18-531

Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorize the Chief Executive to sign a Change Order to the Intermountain Construction Services, LLC (ICS) for the Civil Site Project in the Montana Connections Park.

Concur and place on file.

[18-531.pdf](#)

[18-531 Change Order.pdf](#)

[18-531 Proposed Change Orders.pdf](#)

11. COMMUNICATION NO. 18-532

Kristen Rosa TIFID Administrator requesting Council of Commissioners authorize the Chief Executive to sign an agreement extension with the Pintler Marketing group for Social Media and Targeted Marketing Services.

Concur and place on file.

[18-532.pdf](#)

[18-532 Agreement.pdf](#)



12. COMMUNICATION NO. 18-534

Angie Mullikin, Public Works Budget Analyst requesting Council of Commissioners authorize the Chief Executive to sign the maintenance agreement with 360 Office Solutions for the multi-function printer Water Utility.

Concur and place on file.

[18-534.pdf](#)

[18-534 Agreement.pdf](#)

13. COMMUNICATION NO. 18-535

Glen Rafish, Landfill Manager requesting Council of Commissioners allow time on the November 28, 2018 Agenda for a presentation on the Landfill Ordinance changes.

Hold in the Committee of the Whole pending presentation.

[18-535.pdf](#)

[18-535 PowerPoint.pdf](#)

14. COMMUNICATION NO. 18-536

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign a lease agreement between Butte-Silver Bow and Maryann Kenneally (Town Pump Corp.) for Christmas tree drop off at the corner of Platinum and Excelsior.

Concur and place on file.

[18-536.pdf](#)

[18-536 Lease Agreement.pdf](#)

15. COMMUNICATION NO. 18-537

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Purchase Agreement with Western States Equipment Company for the purchase of two (2) new AWD Motor Graders.

Concur and place on file.

[18-537.pdf](#)

[18-537 Agreement.pdf](#)

[18-537 Exhibit A.pdf](#)

[18-537 Addendum.pdf](#)

16. COMMUNICATION NO. 18-538

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Purchase Agreement with Western States Equipment Company for the purchase of new hydraulic Excavator.

Concur and place on file.

[18-538.pdf](#)

[18-538 Invitation to Bid.pdf](#)

[18-538 Agreement.pdf](#)

[18-538 Addendum.pdf](#)

17. COMMUNICATION NO. 18-539



R. Edward Banderob, President Greeley Neighborhood Community Development Corporation, Inc. requesting Council of Commissioners approve the Chief Executive to request Kathleen Humpa, Butte Silver-Bow Arborist, participate as a member of the 2018-2019 Instigating GNCDC Inc.-Enhancement-Alma Higgins-VEEP Task Force to implement said program throughout the Greater Butte Silver Bow Community.

Note and place on file.

[18-539.pdf](#)

18. COMMUNICATION NO. 18-540

Pat Riordan, Land Systems Administrator requesting Council of Commissioners authorize the Chief Executive to sign the Correction Deed for property north of and adjacent to 677 S. Alabama Street.

Concur and place on file.

[18-540.pdf](#)

[18-540 Map.pdf](#)

19. COMMUNICATION 18-541

Michael McGree, A-1 Ambulance Inc. requesting Council of Commissioners approve and authorize the Chief Executive to sign the contract between Butte-Silver Bow and A-1 Ambulance for the purpose of providing Emergency Medical Services for the BSB Jail and transports back and forth to Montana State Hospital in Warm Springs.

Concur and place on file.

[18-541.pdf](#)

[18-541 Contract.pdf](#)

20. COMMUNICATION NO. 18-542

J.P. Gallagher, Parks and Recreation Director requesting Council of Commissioners authorize the Chief Executive to sign the change order for the Butte-Silver Bow Community Pool for modifications to the irrigation system to accommodate the coordination between the pool project and the CIP project.

Concur and place on file.

[18-542.pdf](#)

[18-542 Change Order Request.pdf](#)

[18-542 Invoice.pdf](#)

[18-542 Change Order.pdf](#)

21. COMMUNICATION NO. 18-543

J. P. Gallagher requesting Council of Commissioners allow time on the agenda at the Committee of the Whole, December 12, 2018 meeting for a presentation regarding the Butte Silver Bow Parks & Recreation Department.

Hold in the Committee of the Whole pending presentation.

[18-543.pdf](#)

SECTION 2 COMMUNICATIONS TO BE READ AND ACTED UPON

1. COMMUNICATION NO. 18-522



Sheriff Ed Lester requesting Council of Commissioners recognize officers Michelle Knopp, Beau Randall and Andrew Peterson as confirmed officers of the Butte-Silver Bow Law Enforcement Department on November 20, 2018 at the Regular meeting.

[18-522.pdf](#)

SECTION 3 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. COUNCIL RESOLUTION NO. 18-57

A RESOLUTION LEVYING 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.

[Resolution 18-57.pdf](#)

2. COUNCIL RESOLUTION 18-58

A RESOLUTION REQUESTING APPOINTMENT OF SPECIAL DEPUTY PROSECUTORS FROM THE PROSECUTOR'S SERVICES BUREAU OF THE DEPARTMENT OF JUSTICE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 18-58.pdf](#)

3. COUNCIL RESOLUTION NO. 18-59

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE MENDED PLAT OF LOT 19 OF THE RIDGE VIEW II SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resoution 18-59.pdf](#)

4. COUNCIL RESOLUTION NO. 18-60

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED ON EXHIBIT "A" TO THIS RESOLUTION TO MONTANA CRAFT MALT COMPANY, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 18-60.pdf](#)

[Exhibit A.pdf](#)

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

ADJOURN



FINANCE & BUDGET COMMITTEE MEETING

November 20, 2018

7:00 PM COURTHOUSE COUNCIL CHAMBERS

Expenditure report for the week of November 20, 2018 was reviewed in the amount of
\$ _____.

COMMITTEE OF THE WHOLE MEETING REPORT

November 14, 2018

*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. BID OPENING

COMMUNICATION NO. 18-500

Mark Neary, Public Works Director requesting Council of Commissioners allow time on the agenda on November 14, 2018 for a bid opening for two new AWD Motor Graders and a new Hydraulic Excavator.

Held. Refer to the Public Works Department and await their recommendations

[18-500.pdf](#)

SECTION 2. PRESENTATION

COMMUNICATION NO. 18-503

R. Edward Banderob, President Greeley Neighborhood Community Development Corporation requesting Council of Commissioners allow time on the agenda on November 14, 2018 for a presentation relative to air quality in the Greeley Neighborhood.

Held. Place on file.

[18-503.pdf](#)

SECTION 1. COMMUNICATION NO. 18-372

Leslie Clark, Director of Human Resources requesting Council of Commissioner approve the newly negotiated classification system for the Butte Police Protective Association (BPPA).

Hold in Abeyance.

[18-372.pdf](#)

[18-372 Wage Matrix.pdf](#)

SECTION 2. COMMUNICATION NO. 18-477



Dylan Pipinich, Senior Planner requesting Council of Commissioners authorize a Public Hearing on October 24, 2018, for the Amended Plat of Lot 19 of the Ridge View II Subdivision.

Place on file.

[18-477.pdf](#)

SECTION 3. COMMUNICATION NO. 18-481

R. Edward Banderob, President Greeley Neighborhood Community Development Corporation, Inc. requesting Council of Commissioners submit a letter to the EPA and Montana DEQ in support of the designation of the Greeley Neighborhood as a Separate East Side Soils (hybrid) Operative Unit.

Hold in Abeyance.

[18-481.pdf](#)

[18-481 Letter.pdf](#)

SECTION 4. COMMUNICATION NO. 18-483

Shanna Adams, P.E., HDR requesting Council of Commissioners allow time on the November 7th, 2018 Regular Meeting agenda for a presentation regarding awards received by the Basin Creek Drinking Water Treatment Plant.

Place on file.

[18-483.pdf](#)

SECTION 5. COMMUNICATION NO. 18-493

Maria Pochervina, Executive Secretary TBID requesting time on the November 7th agenda for a Public Hearing to present the TBID fiscal year 2019 work plan and budget. Also requesting the County Attorney draft a Resolution with regard to keeping the Tourism Business Improvement District (TBID) assessment at \$1.00 per occupied guest.

Concur and place on file.

[18-493.pdf](#)

[18-493 Budget.pdf](#)

SECTION 6. COMMUNICATION NO. 18-501

Jeff Miller, Director Fire Services requesting Council of Commissioners concur with request to grant permission to use a portion of public property located at the corner of Mercury and Idaho streets for a historical Memorial for all the victims of the "Great Disaster of 1895".

Hold in Abeyance.

[18-501.pdf](#)

[18-501 Picture 1.pdf](#)

[18-501 Pic 2.pdf](#)

SECTION 8. COMMUNICATION NO. 18-510

Jennifer Batterman, Citizen requesting Council of Commissioners authorize the purchase of land legally described as S24, T03 N, R08 W, Star West #621 POR by the Estate of Paul Batterman.



Held in Abeyance.

[18-510.pdf](#)

[18-510 Land Survey.pdf](#)

[18-510 Property record.pdf](#)

[18-510 Sale Contract.pdf](#)

[18-510 Tax Deed.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING REPORT

November 14, 2018

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 November 14, 2018 was reviewed for the amounts of \$472,821.63.

Reviewed and place on file.

FINANCE & BUDGET COMMITTEE MEMBERS

Dan Foley, Chair..... Present

Bill Andersen, Vice Chair.....Absent

Dan Callahan..... Present

Jim Fisher.....Present

John Sorich..... Present

Dan Strizic..... Absent

PUBLIC WORKS COMMITTEE MEETING REPORT

November 14, 2018

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. COMMUNICATION 18-499

Lee Alt, Butte-District Traffic Engineer requesting Council of Commissioners concur and submit a letter of concurrence for the recommendation of the speed limit on Old Highway 91, Melrose.



Hold: Await Dan Callahan to visit with Lee Alt (MDT) to confirm his request and report back to this committee.

[18-499.pdf](#)

[18-499 Recommendation.pdf](#)

[18-499 Survey.pdf](#)

PUBLIC WORKS COMMITTEE MEMBERS:

Jim Fisher, Chair ---Present

Bud Walker Vice Chair--Absent

Dan Callahan---Present

Dan Foley---Present

Brendan McDonough--- Present

Dan Olsen--- Present

Also Present: Mark Neary, Public Works

JUDICIARY COMMITTEE MEETING REPORT

November 14, 2018

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. CLAIMS APPROVAL

Name	Amount	Description
Rising Star Realty	\$1,000.00	Street Opening Bond #447 Refund
Kevin Clark #0000860700/Interest	\$2,897.46	Refund Owners redeemed tax assg.
Erin Nelson	\$1,000.00	Alley Bond #446 Refund
Kevin Clark #0001044200/Interest	\$3,589.85	Refund Owners redeemed tax assg.

Approved

JUDICIARY COMMITTEE MEMBERS:

Brendan McDonough, Chair..... Present

John Sorich, Vice-Chair.....Present

Dan Callahan, Present

Bud Walker, Present

Shawn Fredrickson, Present

Dan Strizic, Absent



