

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, FEBRUARY 01, 2017  
7:30 PM 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 JANUARY 18, 2017**

**ITEMS NOT ADDRESSED ON THE AGENDA**

**CHIEF EXECUTIVE'S REPORT**

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

1. PUBLIC HEARING, COMMUNICATION NO. 17-28

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize a Public Hearing on February 1, 2017 to amend the Fiscal Year 2017 budget in Government Buildings, Kelley Warehouse Facilities Fund #5714.

[17-28.pdf](#)

**SECTION 2 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. 17-34

Ed Randall, Director, Community Enrichment/Animal Service Department, requesting Council of Commissioners authorize the Chief Executive to sign the FY2017 Junk Motor Vehicle Grant.



*Recommendation: Concur and Place on File.*

[17-34.pdf](#)

[17-34 DEQ Letter w Vendor Invoice.pdf](#)

2. COMMUNICATION NO. 17-36

Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Letter of Agreement between Butte-Silver Bow and the Montana Nurses Association.

*Recommendation: Concur and Place on File.*

[17-36.pdf](#)

[17-36 Letter of Agreement.pdf](#)

3. COMMUNICATION NO. 17-37

John Coles, Butte-Silver Bow MIS Systems Support Specialist, requesting Council of Commissioners authorize the Chief Executive to sign a one-year Maintenance Contract with Rocky Mountain Solutions for Butte-Silver Bow telephone equipment.

*Recommendation: Concur and Place on File.*

[17-37.pdf](#)

[17-37 Maintenance Contract.pdf](#)

4. COMMUNICATION NO. 17-38

R. Edward Banderob, Chair, BHS – Heritage Projects, requesting Council of Commissioners establish a Butte-Silver Bow Partnership Steering Committee and call for Public Listening Session(s) to explore the desirability and feasibility of creating a National Park Service - National Heritage Area and National Historical Park Units with Heritage Interpretive Centers in Butte and Anaconda, Montana.

*Recommendation: Refer to Committee of the Whole.*

[17-38.pdf](#)

[17-38 Proposed Agenda.pdf](#)

5. COMMUNICATION NO. 17-39

Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners authorize the sale of a 52.97 acre parcel of land to the Department of Military Affairs, authorize the Chief Executive to execute a Purchase and Sale Agreement Deed, and ask the County Attorney's office to prepare a Resolution and Deed.

*Recommendation: Concur and Place on File.*

[17-39.pdf](#)

[17-39 Real Estate Purchase and Sale Agreement.pdf](#)

6. COMMUNICATION NO. 17-40

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners authorize an extension of the Memorandum of Understanding with the Butte Family YMCA.

*Recommendation: Refer to Committee of the Whole.*

[17-40.pdf](#)

7. COMMUNICATION NO. 17-41

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to authorize creation of a fee structure for the rental of Butte-Silver Bow owned and operated Shelters and Pavilions.

*Recommendation: Refer to Public Works Committee.*

[17-41.pdf](#)

[17-41 Fee Proposal.pdf](#)

[17-41 Surrounding Cities Park Reservations.pdf](#)

8. COMMUNICATION NO. 17-42

Chief Executive Dave Palmer, requesting Council of Commissioners concur with appointments and reappointments to the Tourism Business Improvement District (TBID) Board of Trustees.

*Recommendation: Concur and Place on File.*

[17-42.pdf](#)

9. COMMUNICATION NO. 17-43

Chief Executive Dave Palmer, requesting Council of Commissioners concur with appointment to the Public Housing Authority Board.

*Recommendation: Concur and Place on File.*

[17-43.pdf](#)

10. COMMUNICATION NO. 17-44

Chief Executive Dave Palmer, requesting Council of Commissioners concur with appointments to the Butte-Silver Bow Health Benefit Insurance Committee.

*Recommendation: Concur and Place on File.*

[17-44.pdf](#)

11. COMMUNICATION NO. 17-45

Chief Executive Dave Palmer, requesting Council of Commissioners concur with reappointment to



the Public Archives Board.

*Recommendation: Concur and Place on File.*

[17-45.pdf](#)

12. COMMUNICATION NO. 17-46

Chief Executive Dave Palmer, requesting Council of Commissioners concur with appointment to the Friends of the Urban Forest Board.

*Recommendation: Concur and Place on File.*

[17-46.pdf](#)

13. COMMUNICATION NO. 17-48

Dan Richter, 1238 Grizzly Trail, Butte, Montana, requesting Council of Commissioners authorize the transfer of ownership of property from Butte-Silver Bow in order to relieve encroachment issues.

*Recommendation: Refer to Land Sales Committee and hold in the Committee of the Whole pending decision.*

[17-48.pdf](#)

14. COMMUNICATION NO. 17-49

Peggy Flanick, 119080 Juniper Acres, Butte, Montana, requesting Council of Commissioners authorize the transfer of ownership of property from Butte-Silver Bow in order to relieve encroachment issues.

*Recommendation: Refer to Land Sales Committee and hold in the Committee of the Whole pending decision.*

[17-49.pdf](#)

15. COMMUNICATION NO. 17-50

Nick Elakovich, 1301 Grizzly Trail, Butte, Montana, requesting Council of Commissioners authorize the transfer of ownership of property from Butte-Silver Bow in order to relieve encroachment issues.

*Recommendation: Refer to Land Sales Committee and hold in the Committee of the Whole pending decision.*

[17-50.pdf](#)

16. COMMUNICATION NO. 17-51

Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners authorize application for a Federal Emergency Management Agency (FEMA), Assistance to Firefighters Grant.



*Recommendation: Concur and Place on File.*

[17-51.pdf](#)

17. COMMUNICATION NO. 17-52

David Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize the Chief Executive to sign Contract Modification #3 (a one-year extension) between Butte-Silver Bow and the Natural Resource Damage Program for the Basin Creek Water Treatment Plant.

*Recommendation: Concur and Place on File.*

[17-52.pdf](#)

[17-52 Contract Modification 3.pdf](#)

18. COMMUNICATION NO. 17-53

Gary Keeler, Manager, Butte-Silver Bow Transit Director, requesting the Council of Commissioners approve the Silver Bow County Transit Coordination Plan and authorize the Chief Executive to submit Butte-Silver Bow's annual application (online) for Federal Section 5311 Transit operating assistance funds in the amount of \$736,437 and State of Montana TransADE Funding in the amount of \$56,491.

*Recommendation: Concur and Place on File.*

[17-53.pdf](#)

[17-53 Silver Bow County Transit Coordination Plan 2016.pdf](#)

19. COMMUNICATION NO. 17-54

Nikole Evankovich, Assistant Director, Butte-Silver Bow Public Archives, requesting Council of Commissioners authorize the Chief Executive to sign a Memorandum of Understanding with Retired Senior Volunteer Program (RSVP).

*Recommendation: Concur and Place on File.*

[17-54.pdf](#)

[17-54 Memorandum of Understanding.pdf](#)

20. COMMUNICATION NO. 17-55

Chief Executive Dave Palmer, requesting Council of Commissioners authorize the Chief Executive to sign a Grant Agreement regarding the Moulton Reservoir, Reclamation and Protection Project.

*Recommendation: Concur and Place on File.*

[17-55.pdf](#)

[17-55 Grant Agreement.pdf](#)

21. COMMUNICATION NO. 17-56



John M. Sorich, Butte-Silver Bow Commissioner, District No. 4, requesting Council of Commissioners consider a written code of ethics policy for Butte-Silver Bow volunteers and referral of this communication to the Personnel Committee.

*Recommendation: Refer to Personnel Committee.*

[17-56.pdf](#)

22. COMMUNICATION NO. 17-57

Dan Dennehy, Director, Emergency Management Agency, requesting Council of Commissioners authorize application for the Department of Homeland Security Grant, which could provide approximately \$60,000 for computer, recording and camera equipment for the Mobile Communication Van. No local government match is required.

*Recommendation: Concur and Place on File.*

[17-57.pdf](#)

23. COMMUNICATION NO. 17-58

Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Memorandum of Understanding with LIUNA, Local #1686, Public Works Laborers, for the period May 1, 2015 through April 30, 2017.

*Recommendation: Concur and Place on File.*

[17-58.pdf](#)

[17-58 Memorandum of Understanding.pdf](#)

24. COMMUNICATION NO. 17-59

Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Collective Bargaining Agreement with LIUNA, Local #1686, Public Works Laborers, for the period May 1, 2015 through April 30, 2017.

*Recommendation: Concur and Place on File.*

[17-59.pdf](#)

[17-59 Agreement.pdf](#)

25. COMMUNICATION NO. 17-60

Daniel Lode, 279 Sunrise Lane, Gold Creek, Montana, requesting Council of Commissioners authorize purchase of distressed property at 821 Highland Avenue, Butte, Montana.

*Recommendation: Refer to Land Sales and Hold in the Committee of the Whole pending decision.*

[17-60.pdf](#)



26. COMMUNICATION NO. 17-61

Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize a presentation on February 8, 2017 regarding public auction of county owned equipment.

*Recommendation: Concur and Hold in the Committee of the Whole pending Presentation on February 8, 2017.*

[17-61.pdf](#)

[17-61 Presentation.pdf](#)

**SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON**

1. COMMUNICATION NO. 17-33

Gary Keeler, Manager, Butte-Silver Bow Transit Director, requesting Council of Commissioners authorize a Public Hearing on February 1, 2017 regarding an annual update to the Butte-Silver Bow Para-Transit Plan for disabled transportation.

[17-33.pdf](#)

2. COMMUNICATION NO. 17-35

Chris Harris, 820 W. Galena St., Butte, Montana, requesting Council of Commissioners schedule a presentation by Butte-Silver Bow staff for an update regarding the future of Caretaker's House at Basin Creek park.

[17-35.pdf](#)

3. COMMUNICATION NO. 17-47

Phillip Borup, Chief Executive Officer, YMCA, requesting Council of Commissioners authorize a Presentation on February 1, 2017 regarding renewal of YMCA Pool Contract.

[17-47.pdf](#)

4. COMMUNICATION NO. 17-62

Ed Randall, Director, Community Enrichment/Animal Service Department, requesting Council of Commissioners authorize a presentation on February 1, 2017 regarding a proposed animal kennel business at 40 Sportsman's Way in Butte, Montana and approve this property as a suitable location to operate a Class 1 Kennel.

[17-62.pdf](#)

[17-62 Municipal Codes.pdf](#)

**SECTION 4 ORDINANCES AND RESOLUTIONS FINAL READING**



1. COUNCIL RESOLUTION NO. 17-1

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF BLUEBIRD STREET ALSO KNOWN AS BOBCAT TRAIL LOCATED IN BLOCK 4 ON THE SPIER AND BAUER ADDITION IN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN, FINDING THE NECESSARY FACTS HEREIN AND PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION.

[Resolution 17-1.pdf](#)

[Resolution 17-1 Exhibit A.pdf](#)

2. COUNCIL RESOLUTION NO. 17-2

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, NOW DESCRIBED AS A PORTION OF LOT 5A AS SHOWN ON CERTIFICATE OF SURVEY NO. \_\_\_\_\_ AND LOCATED IN THE NORTHWEST ONE QUARTER (NW ¼) OF SECTION THIRTEEN (13), TOWNSHIP THREE NORTH (T3N), RANGE EIGHT WEST (R8W), TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 17-2.pdf](#)

3. COUNCIL RESOLUTION NO. 17-3

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW HEALTH DEPARTMENT FAMILY PLANNING CLINIC FROM THE MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE IMPLEMENTATION OF ELECTRONIC HEALTH RECORDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 17-3.pdf](#)

4. COUNCIL RESOLUTION 17-4

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006,





MCA; APPROPRIATING UNANTICIPATED REVENUE FROM THE NATIONAL ARCHIVES, NATIONAL HISTORICAL PUBLICATIONS & RECORDS COMMISSION (NHPRC), AND FRIENDS OF THE BUTTE ARCHIVES, FOR THE PURPOSE TO PROVIDE PUBLIC ACCESS TO THE C. OWEN SMITHERS COLLECTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 17-4 Final.pdf](#)

[Resolution 17-4 redline.pdf](#)

## **PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA**

## **ADJOURN**

## **CALENDAR OF OTHER MEETINGS AND EVENTS**

*February 2, 2017, Civic Center, 12:00 pm, Civic Center Hospitality Room*

*February 2, 2017, East Butte RRA, 9:00 am, 1st Floor Conference Room, ad hoc basis*

*February 7, 2017, Historic Preservation Commission, 5:30 pm, Council Chambers*

*February 7, 2017, Weed Board, 7:00 pm, Weed Office, 25 West Front*

*February 8, 2017, Land Sales Committee, 1:30 pm, First Floor Conference Room*

*February 8, 2017, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room*

*February 8, 2017, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.*

*February 9, 2017, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.*

*February 10, 2017, TIFID, 12:00 pm, Business Development Center*

*February 13, 2017, Archives, 12:00 pm, Archives Center*

*February 13, 2017, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room*

*February 14, 2017, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center*

*February 15, 2017, Parking Commission, 3:00 pm, Chief Executive Conference Room*

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## **ECONOMIC DEVELOPMENT COMMITTEE MEETING**

*FEBRUARY 1, 2017*

*6:00 PM COURTHOUSE COUNCIL CHAMBERS*

**SECTION 1 REPORT FROM BLDC**

## **FINANCE & BUDGET COMMITTEE MEETING**

*FEBRUARY 1, 2017*

*7:00 PM COURTHOUSE COUNCIL CHAMBERS*

Expenditure report for the week of January 25, 2017 was approved for the amount of \$512,949.26.



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## COMMITTEE OF THE WHOLE MEETING REPORT

JANUARY 25, 2017

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. 17-26

Mike McKillip, Manager, Butte-Silver Bow Information Technology Dept., requesting Council of Commissioners authorize a Bid Opening on January 25, 2017 in response to the Butte-Silver Bow Invitation for Bid for Metropolitan Ethernet Services.

*Recommendation: Held. Referred to IT Committee.*

[17-26.pdf](#)

[17-26 Request for Proposal.pdf](#)

[17-26 Bid Sheet.pdf](#)

### SECTION 2 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: Note and Place on File.*

[16-377.pdf](#)

### SECTION 3 COMMUNICATION NO. 16-538

Captain Doug Conway, Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners authorize the Chief Executive to sign Agreement for SMART 911 Services.

*Recommendation: Hold in Abeyance.*

[16-538.pdf](#)

[16-538 Agreement.pdf](#)

### SECTION 4 COMMUNICATION NO. 17-1

Nicole Prather, 3317 Kennedy Ave., Butte, MT, requesting Council of Commissioners authorize a



change to Ordinance 6.16, Livestock and Domesticated Hoofed Animals, to allow for mini pigs within City limits.

*Recommendation: Hold in Abeyance.*

[17-1.pdf](#)

#### SECTION 5 COMMUNICATION NO. 17-3

Mark A. Reavis & Nicole von Gaza Reavis, requesting Council of Commissioners concur with requirements and authorize the transfer of a pair of church doors to the Butte-Silver Bow Archives for reinstallation at Saint Mary's Church.

*Recommendation: Note and Place on File.*

[17-3.pdf](#)

#### SECTION 6 COMMUNICATION NO. 17-14

Annie Needs, 2042 Gold Rush Ave., Helena, Montana, requesting Council of Commissioners authorize purchase of County Owned Property (next to 941 West Quartz) under the Butte-Silver Bow Council Policy on Adjacent Property.

*Recommendation: Hold in Abeyance.*

[17-14.pdf](#)

#### SECTION 7 COMMUNICATION NO. 17-21

David Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize a Bid Opening on February 15, 2017 in response to the Butte-Silver Bow Invitation to Bid for a Landfill Compactor.

*Recommendation: Hold in Abeyance.*

[17-21.pdf](#)

#### SECTION 8 COMMUNICATION NO. 17-22

Patsy Coates, Property Specialist, Butte-Silver Bow Land Records Office, requesting Council of Commissioners authorize a Bid Opening on March 1, 2017 for the Title and Lien Search Tax Deed Process and award to lowest bidder.

*Recommendation: Hold in Abeyance.*

[17-22.pdf](#)

#### SECTION 9 COMMUNICATION NO. 17-26

Mike McKillip, Manager, Butte-Silver Bow Information Technology Dept., requesting Council of Commissioners authorize a Bid Opening on January 25, 2017 in response to the Butte-Silver Bow Invitation for Bid for Metropolitan Ethernet Services.

*Recommendation: Place on File.*



[17-26.pdf](#)  
[17-26 Request for Proposal.pdf](#)  
[17-26 Bid Sheet.pdf](#)

SECTION 10 COMMUNICATION NO. 17-28

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize a Public Hearing on February 1, 2017 to amend the Fiscal Year 2017 budget in Government Buildings, Kelley Warehouse Facilities Fund #5714.

*Recommendation: Hold in Abeyance.*

[17-28.pdf](#)

COMMITTEE OF THE WHOLE, COMMITTEE MEMBERS:

John Morgan, Chair, Present  
Cindi Shaw, Vice-Chair, Present  
Bill Andersen, Present  
Dan Callahan, Present  
Jim Fisher, Present  
Dan Foley, Present  
Dennis Henderson, Absent  
Brendan McDonough, Present  
Cindy Perdue-Dolan, Present  
Sheryl Ralph, Present  
John Sorich, Present  
Bud Walker, Present

**FINANCE & BUDGET COMMITTEE MEETING REPORT**

*JANUARY 25, 2017*

*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 January 25, 2017 was approved for the amount of \$512,949.26.

FINANCE & BUDGET COMMITTEE MEMBERS:



Dan Foley, Chair, Present  
Bill Andersen, Vice Chair, Present  
Dan Callahan, Present  
Jim Fisher, Present  
Sheryl Ralph, Present  
John Sorich, Present

## **PUBLIC WORKS COMMITTEE MEETING REPORT**

*JANUARY 25, 2017*

*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. 16-7**

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate Bluebird Street, also known as Bobcat Trail – Spier and Bauer Placer, Block Four (4) and the Rocker Townsite on the Cleveland Lode, Block Five (5), an undedicated Plat.

*Recommendation: Motion by Commissioner Foley to Cross Reference Petition No. 16-7 with Resolution No. 17-1 and Place on File. Second by Commissioner Walker. All yea. (County Attorney, Resolution to Judiciary Committee.)*

[Petition 16-7 Communication.pdf](#)

[Petition 16-7.pdf](#)

[Petition 16-7 Map.pdf](#)

[Petition 16-7 Legal Description.pdf](#)

[Petition 16-7 Comments.pdf](#)

[Petition 16-7 NOTICE OF PUBLIC HEARING one page.pdf](#)

### **SECTION 2 COMMUNICATION NO. 17-27**

Pete Conavad, 3001 Dexter, Butte, MT, requesting Council of Commissioners concur with request for compensation for damages caused by sewer backup.

*Recommendation: Pete Conavad spoke of his concerns. Matt Moore and Dave Schultz responded. Motion made by Commissioner McDonough, second by Commissioner Walker, to Hold for itemized cost and review with Cinda Seys and make a decision as soon as*



*possible.*

[17-27.pdf](#)

[17-27 MMIA Letter.pdf](#)

[17-27 Photos.pdf](#)

### SECTION 3 COMMUNICATION NO. 17-31

Dave Silk, President, High Altitude Skating Oval, requesting Council of Commissioners authorize part-time city employee be hired December through February to assist with ice maintenance at High Altitude Skating Oval.

*Recommendation: Dave Silk stated his wish. J.P. Gallagher spoke in support. Commissioner Foley motion to Refer to Chief Executive and Parks and Rec (J.P.) for budget review and Note and Place on File. Proposal appeared fundable.*

[17-31.pdf](#)

[17-31 Photo.pdf](#)

### PUBLIC WORKS COMMITTEE MEMBERS:

Jim Fisher, Chair, Present

Bud Walker, Vice Chair, Present

Dan Callahan, Present

Dan Foley, Present

Dennis Henderson, Absent

Brendan McDonough, Present

Also Present:

Pete Conavad

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department

Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department

Cinda R. Seys, Safety & Risk Manager, Safety and Risk Program Management Office,

Butte-Silver Bow Human Resources Department

David Schultz, Director, Butte-Silver Bow Public Works Department

Dave Silk

### **JUDICIARY COMMITTEE MEETING REPORT**

*JANUARY 25, 2017*

*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 RESOLUTION NO. 16-71

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE PURPOSE OF ASSISTING LOCAL COURTS IN IMPLEMENTING COMPREHENSIVE STRATEGIES TO ENHANCE DRUG COURT CAPACITY BY BRIDGING ACCESS TO BOTH CRIMINAL JUSTICE AND SUBSTANCE ABUSE TREATMENT FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Recommendation: Hold in Abeyance until signed award letter is available.*

[Resolution 16-71.pdf](#)

SECTION 2 COUNCIL RESOLUTION NO. 17-1

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF BLUEBIRD STREET ALSO KNOWN AS BOBCAT TRAIL LOCATED IN BLOCK 4 ON THE SPIER AND BAUER ADDITION IN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN, FINDING THE NECESSARY FACTS HEREIN AND PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION.

*Recommendation: Move to Final Reading.*

[Resolution 17-1.pdf](#)

[Resolution 17-1 Exhibit A.pdf](#)

SECTION 3 COUNCIL RESOLUTION NO. 17-2

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, NOW DESCRIBED AS A PORTION OF LOT 5A AS SHOWN ON CERTIFICATE OF SURVEY NO. \_\_\_\_\_ AND LOCATED IN THE NORTHWEST ONE QUARTER (NW ¼) OF SECTION THIRTEEN (13), TOWNSHIP THREE NORTH (T3N), RANGE EIGHT WEST (R8W), TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



*Recommendation: Move to Final Reading.*  
[Resolution 17-2.pdf](#)

#### SECTION 4 COUNCIL RESOLUTION NO. 17-3

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW HEALTH DEPARTMENT FAMILY PLANNING CLINIC FROM THE MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE IMPLEMENTATION OF ELECTRONIC HEALTH RECORDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Recommendation: Move to Final Reading.*  
[Resolution 17-3.pdf](#)

#### SECTION 5 COUNCIL RESOLUTION 17-4

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE FROM THE NATIONAL ARCHIVES, NATIONAL HISTORICAL PUBLICATIONS & RECORDS COMMISSION (NHPRC), AND FRIENDS OF THE BUTTE ARCHIVES, FOR THE PURPOSE TO PROVIDE PUBLIC ACCESS TO THE C. OWEN SMITHERS COLLECTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Recommendation: Move to Final Reading, as amended.*  
[Resolution 17-4.pdf](#)

#### SECTION 6 COMMUNICATION NO. 16-559

Kim Boyle, 1926 Wall St., Butte, MT, requesting Council of Commissioners consider having Ordinance 6.04.135, Abandonment or Abuse of Animals, amended to more clearly define "proper shelter."

*Recommendation: Hold in Abeyance until Animal Control Board meeting and report from Ed Randall.*  
[16-559.pdf](#)

#### SECTION 7 CLAIM APPROVAL

Kelly Reilly, \$1,016.50, Metro and Garbage Refund  
*Recommendation: Approved.*





JUDICIARY COMMITTEE MEMBERS:

Sheryl Ralph, Chair, Present

Brendan McDonough, Vice Chair, Present

Dan Callahan, Present

Cindy Perdue-Dolan, Present

John Sorich, Present

Bud Walker, Present

