

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, MARCH 06, 2019
7:30 PM**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES

Meeting Minutes February 20, 2019
[Meeting Minutes February 20, 2019.pdf](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

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

1. PUBLIC HEARING

COMMUNICATION NO. 19-68

Karen Sullivan, Health Officer requesting Council of Commissioners allow time at the March 6, 2019 regular meeting for a Public Hearing for the purpose of amending the fiscal year 2018-2019 budget to allow for increased expenditures of unanticipated revenue.
[19-68.pdf](#)

2. BID OPENING

COMMUNICATION NO. 19-39

Patsy Coates, Property Specialist requesting Council of Commissioners authorize a Bid Opening on March 6, 2019 for the Title and Lien Search Tax Deed Process and ask Council to award the bid the same night to the lowest bidder.
[19-39.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. 19-93

Mary McCormick, Historic Preservation Officer requesting Council of Commissioners approve the Chief Executive to sign the grant application for funds from the Certified Local Government (CLG) Program in the amount of \$5,500.

Concur and place on file.

[19-93.pdf](#)

[19-93 Grant Application.pdf](#)

2. COMMUNICATION NO. 19-94

David Boyd, CCCS Chemical Dependency Services Director requesting Council of Commissioners authorize time on the March 20th Regular Meeting Agenda for a presentation to provide the Community and Council Members a brief overall summary of activities regarding the SMART program from 2018-2019.

Hold in Committee of the Whole pending presentation.

[19-94.pdf](#)

3. COMMUNICATION NO. 19-95

Leslie Clark, Human Resources Director requesting Council of Commissioners concur and authorize the Chief Executive to sign the amended contract for the Employee Assistance Program Services in place with the Sapphire Resource Connection. This will extend the term of the original contract for three years, August 1, 2019 through July 31, 2022.

Concur and place on file.

[19-95.pdf](#)

[19-95 Amendment.pdf](#)

4. COMMUNICATION NO. 19-96

Mike McKillips, Information Technology Department Manager requesting Council of Commissioners authorize the Chief Executive to sign a purchase agreement for a 3-year subscription for Cisco Advanced Malware Protection from CompuNet, Inc. to cover 300 endpoint devices on the City-County of Butte-Silver Bow's network.

Concur and place on file.

[19-96.pdf](#)

[19-96 Contract.pdf](#)

5. COMMUNICATION NO. 19-97

Mike McKillips, Information Technology Department Manager requesting Council of Commissioners concur with and adopt the Department of Emergency Services Policies and Procedures.

Concur and place on file.

[19-97.pdf](#)

[19-97 Emergency P & P.pdf](#)

6. COMMUNICATION NO. 19-98



Matt Boyle, Butte America Foundation Parade Director requesting Council of Commissioners authorize St. Patrick's Day Events and parade route closure on Sunday, March 17, 2019. All approvals received.

Concur and place on file.

[19-98.pdf](#)

[19-98 Checklist.pdf](#)

[19-98 Application.pdf](#)

[19-98 Map 1.pdf](#)

[19-98 Map 2.pdf](#)

[19-98 Approvals.pdf](#)

7. COMMUNICATION NO. 19-99

Mary McCormick, Historical Preservation Officer requesting Council of Commissioners authorize the Chief Executive to sign the amended Professional Service Agreement between Butte-Silver bow and C Davies Enterprises, Inc. (Council Communication No. 18-508) to allow \$5,100 be added to the existing agreement for materials and labor for use in improving the stability of the viewing platform in the carpentry shop.

Concur and place on file

[19-99.pdf](#)

[19-99 Amendment.pdf](#)

8. COMMUNICATION NO. 19-100

Mary McCormick, Historic Preservation Officer requesting Council of Commissioners authorize the Chief Executive to sign the agreement between City-County of Butte-Silver Bow and C Davies Enterprise, Inc for the Steward Auxiliary Hoist House Rehabilitation Project.

Concur and place on file.

[19-100.pdf](#)

[19-100 Agreement.pdf](#)

[19-100 Appendix A.pdf](#)

[19-100 Appendix B.pdf](#)

[19-100 Appendix C.pdf](#)

9. COMMUNICATION NO. 19-101

Jason Parish, Public Information Officer requesting Council of Commissioners allow time on the April 17, 2019 Regular Meeting Agenda for a Bid Opening for the Government Software Solution.

Hold in the Committee of the Whole pending Bid Opening.

[19-101.pdf](#)

10. COMMUNICATION NO. 19-102

Dan Dennehy, Emergency Management Director requesting Council of Commissioners approve the application for the Department of Homeland Security Grant (HSG) on behalf of Butte-Silver Bow. Funded 100% by FEMA, there are no local matching funds required.

Concur and place on file.

[19-102.pdf](#)

11. COMMUNICATION NO. 19-104

Lori Casey, Planning Director requesting Council of Commissioners allow time on the March 27, 2019 Agenda for a Public Hearing regarding Zone Change Application No. 178. *Hold in the Committee of the Whole pending Public Hearing.*

[19-104.pdf](#)

12. COMMUNICATION NO. 19-105

Lori Casey, Planning Director requesting Council of Commissioners approve the final plat of the Amend Plat-Blocks 16, 25 & 26 of the Gilman Addition, Legion Oasis Minor Subdivision and to authorize the introduction of a resolution for adoption.

Concur and place on file.

[19-105.pdf](#)

[19-105 Staff Analysis.pdf](#)

[19-105 Map.pdf](#)

13. COMMUNICATION NO. 19-106

Angie Mullikin, Public Works Budget Analysis requesting Council of Commissioner's concurrence and authorization for the Chief Executive to sign a contract between Butte-Silver Bow and Debbie Sharkey, dba D & D Dustbuster for janitorial services for Corral located at 1700 Civic Center Road.

Concur and place on file.

[19-106.pdf](#)

[19-106 Contract.pdf](#)

14. COMMUNICATION NO. 19-108

Bill Melvin, Butte Civic Center Manager requesting Council of Commissioners authorize the Chief Executive to sign the Scoreboard Advertising Agreements with Lee Enterprises (the Montana Standard), Harrington bottling Co. (7 up & Pepsi), G.R.M. LLC. (McDonalds), State Farm Insurance (Jim Lynch) and Comfort Inn & Town Pump

Concur and place on file.

[19-108.pdf](#)

[19-108 Lee Enterprises Contract.pdf](#)

[19-108 Harrington Bottling Contract \(1\).pdf](#)

[19-108 Harrington Bottling Contract \(2\).pdf](#)

[19-108 GRM LLC. Contract.pdf](#)

[19-108 Jim Lynch Contract.pdf](#)

[19-108 Comfort Inn Contract.pdf](#)

[19-108 Town Pump Contract.pdf](#)

15. COMMUNICATION NO. 19-109

Leslie Clark, Human Resources Director requesting Council of Commissioners refer the Human Resources Manual policies to the Personnel Committee for review and concurrence. *Refer to Personnel Committee.*



[19-109.pdf](#)

[19-109 Personnel Policies.pdf](#)

16. COMMUNICATION NO. 19-110

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to enter into a Professional Services Agreement with AE Design for the completion of a PAR for the Finlen Hotel related to the CDBG-Planning and Maintstreet MT Planning Grants awarded from the Montana Department of Commerce.

Concur and place on file.

[19-110.pdf](#)

[19-110 Agreement.pdf](#)

17. COMMUNICATION NO. 19-112

Karen Byrnes, Community Development Director requesting Council of Commissioners approve the application for Community Development grant Program (CDBG) funds for the Montana Department of Commerce.

Concur and place on file

[19-112.pdf](#)

SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

1. COMMUNICATION NO. 19-103

Danette Gleason, Finance & Budget Director requesting Council of Commissioners allow a time on the March 6, 2019 Regular Meeting Agenda for a presentation regarding the Fiscal Year 2018 Audit Findings and Financial report.

[19-103.pdf](#)

2. COMMUNICATION NO. 19-107

Chairman John Morgan requesting Council of Commissioners authorize the beginning interviews for the Interim Coroner position on March 13, 2019. Also request that the Commissioners appoint an "acting officer", Wednesday, March 6, 2019 to serve until the vacancy is filled by the chosen candidate on March 13, 2019.

[19-107.pdf](#)

3. COMMUNICATION NO. 19-111

Karen Byrnes, Community Development Director requesting Council of Commissioners authorize forgiveness of two liens regarding 846 S. Main St. in the amount of \$412.20 and \$10,750.

[19-111.pdf](#)

[19-111 Letter.pdf](#)

SECTION 4 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. COUNCIL RESOLUTION NO. 19-05

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 REVENUE FROM THE NATIONAL ENDOWMENT FOR THE HUMANITIES COMMON HERITAGE PROGRAM FOR A PROJECT TITLED:"ALL NATIONS". THROUGH THIS PROJECT, THE BUTTE-SILVER BOW PUBLIC ARCHIVES, IN CONJUNCTION WITH THE MONTANA PRESERVATION ALLIANCE, WILL CONDUCT WORKSHOPS, RESEARCH AND GATHER COLLECTIONS TAHT INFORM ON THE GERMAN, JEWISH, FINN, AND HISPANIC PEOPLE OF BUTTE, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[RESOLUTION 19-05.pdf](#)

2. COUNCIL RESOLUTION NO. 19-12

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT TA REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[RESOLUTION 19-12.pdf](#)

3. COUNCIL RESOLUTION NO. 19-13

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF FINANCIAL ASSISTANCE FOR PHOENIX BUILDING IMPROVEMENTS IN ACCORDANCE WITH THE PROCEDURES OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[RESOLUTION 19-13.pdf](#)

SECTION 5 ORDINANCES SECOND READING

1. COUNCIL BILL NO. 19-04

COUNCIL ORDINANCE NO. 19-04

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY FIVE AND ONE-HALF ACRES FROM R-1 (SINGLE-FAMILY RESIDENCE) ZONE TO C-2 (COMMUNITY COMMERCIAL). THE AREA OF LAND IS LEGALLY DESCRIBED AS LOTS 5A-1 AND 5A-2 OF CERTIFICATE OF SURVEY 1059B-RB; LOT 6A OF CERTIFICATE OF SURVEY 953B-RB; AND LOTS 1-7 BLOCK 2 AND VACATED EVANS STREET ADJACENT, BELLEVUE ADDITION SECTION 30 TOWNSHIP 3 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, COMMONLY LOCATED SOUTH OF THE 1900 BLOCK OF HARVARD AVENUE, EAST OF PINION STREET, AND NORTH OF

INTERSTATE 15-90, PROVIDING FOR AN EFFECTIVE DATE HEREIN.
[ORDINANCE 19-04.pdf](#)

SECTION 6 ORDINANCES AND RESOLUTIONS FINAL READING

1. COUNCIL BILL 19-01

COUNCIL ORDINANCE NO. 19-01
AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SOLID WASTE MANAGEMENT FACILITY", SPECIFICALLY AMENDING SECTIONS 13.12.020, 13.12.040, AND 13.12.070 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Ordinance 19-01 Amended.pdf](#)
[Ordinance 19-01 Redline \(2\).pdf](#)

2. COUNCIL BILL 19-02

COUNCIL ORDINANCE NO. 19-02
AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) TO BE NUMBERED 8.10 AND TO BE ENTITLED "COVERED LOADS", ESTABLISHING PROCEDURES AND PROVISIONS FOR ENFORCEMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Ordinance 19-02 Amended.pdf](#)
[Ordinance 19-02 Redline \(2\).pdf](#)

3. COUNCIL RESOLUTION 19-03

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 RESIDENTIAL METALS ABATEMENT PROGRAM TRUST AS PART OF THE ALLOCATION AGREEMENT BETWEEN ATLANTIC RICHFIELD CO. AND BUTTE-SILVER BOW FOR THE PURPOSE OF CONTINUING OPERATIONS OF THE RESIDENTIAL METALS PROGRAM PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 19-03.pdf](#)

4. COUNCIL RESOLUTION NO. 19-07

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE OLR MINOR 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.

[Resolution 19-07.pdf](#)

5. COUNCIL RESOLUTION NO. 19-08

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-21 TO REALLOCATE BaRSSA FUNDS DISTRIBUTED IN FY18 TO

A NEW PROJECT OUTLINE IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 19-08.pdf](#)

6. COUNCIL RESOLUTION NO. 19-09

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-22 TO REALLOCATE BaRSAA FUNDS DISTRIBUTED IN FY18 TO A NEW PROJECT OUTLINED IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Resolution 19-09.pdf](#)

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

March 7, 2019, Civic Center, 12:00 pm, Civic Center Hospitality Room

March 7, 2019, East Butte RRA, 9:00 am, 1st Floor Conference Room, ad hoc basis

March 8, 2019, TIFID, 12:00 pm, Business Development Center

March 11, 2019, Archives, 12:00 pm, Archives Center

March 12, 2019, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

March 13, 2019, Land Sales Committee, 1:30 pm, First Floor Conference Room

March 13, 2019, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room

March 13, 2019, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.

March 14, 2019, Greenway Service District Board, 4:30 pm, Butte 1st Floor Conference Room

March 18, 2019, Parks & Recreation, 11:30 am, Butte Justice Center

March 19, 2019, Public Housing Authority, 5:00 pm, New Deal Community Center

March 19, 2019, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building

March 19, 2019, Urban Forestry Board, 1:00 pm, Business Development Center

March 20, 2019, Parking Commission, 3:00 pm, Chief Executive Conference Room

ADJOURN

ECONOMIC DEVELOPMENT COMMITTEE MEETING

March 6, 2019

6:00 PM COURTHOUSE COUNCIL CHAMBERS

1. BLDC REPORT

2. COMMUNICATION NO. 19-18

Commissioner Dan Olsen requesting Council of Commissioners approve discussion between the Economic Development Committee members and dispersal of Economic Development Grant funds that were refused in the 2018-2019 Economic Development Mill



Levy process.
[19-18.pdf](#)

3. COMMUNICATION NO. 19-74

Greeley Neighborhood Community Development Corporation requesting Council of Commissioners, specifically the Economic Development Committee, instruct the GNCCDC Inc., to either transfer or return the Economic Development Mill Levy Grant Funds they received.

[19-74.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING

March 6, 2019

7:00 PM COURTHOUSE COUNCIL CHAMBERS

Expenditure report for the week of March 6, 2019 was reviewed and approved for the amount of \$_____.

COMMITTEE OF THE WHOLE MEETING REPORT

February 27, 2019

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. PUBLIC HEARING

COMMUNICATION NO. 19-82

Karen Byrnes, Community Development Director requesting Council of Commissioners allow time on the agenda for a Public Hearing on February 27, 2019 to amend the FY 2018-2019 Budget related to unanticipated revenue from the Montana Department of Commerce for BSTF Grant.

Public Hearing Held.

[19-82.pdf](#)

[19-82 Notice of Public Hearing.pdf](#)

SECTION 2. PUBLIC HEARING

COMMUNICATION NO. 19-83

Karen Byrnes, Community Development Director requesting Council of Commissioners allow time on the agenda for a Public Hearing on February 27, 2019 for discussion on CDBG Community Needs.

Public Hearing Held.



[19-83.pdf](#)
[19-83 Public Notice.pdf](#)

SECTION 3. COMMUNICATION NO. 18-570

Patsy Coates, Land Records Property Specialist requesting Council of Commissioners authorize Tax Deed Sale Public Auction on February 20, 2019 and authorize County Attorney to prepare a Resolution to be read and acted upon at the Regular Meeting of Council that same evening.

Place on file.

[18-570.pdf](#)

SECTION 4. COMMUNICATION NO. 19-39

Patsy Coates, Property Specialist requesting Council of Commissioners authorize a Bid Opening on March 6, 2019 for the Title and Lien Search Tax Deed Process and ask Council to award the bid the same night to the lowest bidder.

Held in Abeyance.

[19-39.pdf](#)

SECTION 5. COMMUNICATION NO. 19-56

Danette Gleason, Finance & Budget Director requesting Council of Commissioners allow time on the February 20, 2019 agenda for a presentation on the mid-year financial review for fiscal year 2019.

Place on file.

[19-56.pdf](#)

SECTION 6. COMMUNICATION NO. 19-58

Ellen Crain, Archives Director requesting Council of Commissioners allow time on the February 20, 2019 agenda for a Public Hearing for the purpose of amending the 2018-2019 budget and authorize introduction of a Council Resolution.

Place on file.

[19-58.pdf](#)

SECTION 7. COMMUNICATION NO. 19-65

William Andersen, Commissioner District 10 requesting Council of Commissioners draft a letter and send it to the Montana State Legislature in support of Medicaid expansion in the state of Montana.

Held in abeyance.

[19-65.pdf](#)

SECTION 8. COMMUNICATION NO. 19-68

Karen Sullivan, Health Officer requesting Council of Commissioners allow time at the March 6, 2019 regular meeting for a Public Hearing for the purpose of amending the fiscal year 2018-2019 budget to allow for increased expenditures of unanticipated revenue.

Hold in abeyance.

[19-68.pdf](#)



SECTION 9. COMMUNICATION NO. 19-88

Chief Executive Palmer requesting Council of Commissioners authorize him to sign an agreement with Utility Service Partners Private Label, Inc. d/b/a/ Service Line Warranties of America.

First motion was made and 2nd to deny and place on file. Substitute motion was made and 2nd to Hold in Abeyance. Substitute motion passed.

Hold in abeyance.

[19-88.pdf](#)

[19-88 Agreement.pdf](#)

SECTION 10. COMMUNICATION NO. 19-90

Pat Holland, Government Buildings Manager requesting Council of Commissioners authorize the Chief Executive to sign the Professional Services Agreement between the City County of Butte-Silver Bow and Kone, Inc for maintenance of the elevators located at Basin Creek Water Treatment Plant, Feely Water Treatment Plant, and the 40 E. Broadway Bldg. for a 3 year and 7-month term.

Hold in abeyance.

[19-90.pdf](#)

[19-90 Agreement.pdf](#)

[19-90 Scope of Practice.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING REPORT

February 27, 2019

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 February 27, 2019 was reviewed in the amount of \$709,725.88.

APPROVED

FINANCE & BUDGET COMMITTEE MEMBERS:

- Brendan McDonough Chairman..... Present
- Bill Andersen, Vice-Chair.....Present
- Dan Callahan..... Present
- Jim Fisher..... Present
- Josh O'Neill..... Present
- Michele Shea..... Present



PUBLIC WORKS COMMITTEE MEETING REPORT

February 27, 2019

*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 NO. 19-09

Dan Olsen, Commissioner District #5 requesting Council of Commissioners consider replacement of the newly installed speed limit signage for Basin Creek Road/MT Secondary 393 for a section of the road for a more reasonable speed limit.

Note and place on file.

[19-09.pdf](#)

SECTION 2. COMMUNICATION NO. 19-22

Bernie Shelton, BSB Citizen requesting Council of Commissioners follow up on signage that was passed in 1997 with BSB Ordinance 596, requesting the MDT install signage on the interstate prohibiting the use of jake brakes that have never been installed. Mr. Shelton also requests Council consider expanding the scope of this Ordinance to include all interstate mileage in the County and in their entirety southbound, Montana Street, Main Street and Arizona/Utah Streets.

On March 12 Agenda for MDT meeting. Question is cost of signs.

Hold in abeyance.

[19-22.pdf](#)

[19-22 Attachments.pdf](#)

PUBLIC WORKS COMMITTEE MEMBERS:

Dan Olsen, Chairman-- Present

Jim Fisher, Vice-Chairman--Present

Dan Callahan-- Present

Eric Mankins-- Present

Brendan McDonough--Present

Shawn Fredrickson-- Absent

JUDICIARY COMMITTEE MEETING REPORT

FEBRUARY 27, 2019

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

Angel Lambert	\$ 1986.78	Refund Tax Owners
Redeemed Tax Assg. #0001650400/Interest		
Amanda/Kevin Curtis	\$ 46.50	Garbage Refund
2018/#757900 Tax assessment error		
James Barnes	\$3,493.93	Refund/Owners
redeemed tax assg #0000121800/Interest		

tax assg #0000122100/Interest

tax assg #0000122110/Interest

tax assg #0001378010/Interest

tax assg #0001378000/Interest

Approved

SECTION 2. COUNCIL BILL 19-01

COUNCIL ORDINANCE NO. 19-01

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SOLID WASTE MANAGEMENT FACILITY", SPECIFICALLY AMENDING SECTIONS 13.12.020, 13.12.040, AND 13.12.070 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.

[Ordinance 19-01 Amended.pdf](#)

[Ordinance 19-01 Redline \(2\).pdf](#)

SECTION 3. COUNCIL BILL 19-02

COUNCIL ORDINANCE NO. 19-02

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) TO BE NUMBERED 8.10 AND TO BE ENTITLED "COVERED LOADS", ESTABLISHING PROCEDURES AND PROVISIONS FOR ENFORCEMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.



[Ordinance 19-02 Amended.pdf](#)
[Ordinance 19-02 Redline \(2\).pdf](#)

SECTION 4. COUNCIL BILL NO. 19-03

COUNCIL ORDINANCE NO. 19-03

AN ORDINANCE AMENDING CHAPTER 9.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “WEAPONS”, AND SPECIFICALLY AMENDING SECTION 9.24.030 G 1 ENTITLED “DEFINITIONS”-“REGULATED AREA” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in abeyance.

[Ordinance 19-3.pdf](#)
[Ordinance 19-3 Redline.pdf](#)
[Ordinance 19-3 Map.pdf](#)

SECTION 5. COUNCIL BILL NO. 19-04

COUNCIL ORDINANCE NO. 19-04

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY FIVE AND ONE-HALF ACRES FROM R-1 (SINGLE-FAMILY RESIDENCE) ZONE TO C-2 (COMMUNITY COMMERCIAL). THE AREA OF LAND IS LEGALLY DESCRIBED AS LOTS 5A-1 AND 5A-2 OF CERTIFICATE OF SURVEY 1059B-RB; LOT 6A OF CERTIFICATE OF SURVEY 953B-RB; AND LOTS 1-7 BLOCK 2 AND VACATED EVANS STREET ADJACENT, BELLEVUE ADDITION SECTION 30 TOWNSHIP 3 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, COMMONLY LOCATED SOUTH OF THE 1900 BLOCK OF HARVARD AVENUE, EAST OF PINION STREET, AND NORTH OF INTERSTATE 15-90, PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Second Reading.

[ORDINANCE 19-04.pdf](#)

SECTION 6. COUNCIL RESOLUTION 19-03

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 RESIDENTIAL METALS ABATEMENT PROGRAM TRUST AS PART OF THE ALLOCATION AGREEMENT BETWEEN ATLANTIC RICHFIELD CO. AND BUTTE-SILVER BOW FOR THE PURPOSE OF CONTINUING OPERATIONS OF THE RESIDENTIAL METALS PROGRAM PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.

[Resolution 19-03.pdf](#)

SECTION 7. COUNCIL RESOLUTION NO. 19-07

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE OLR MINOR 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.

Move to Final Reading.

[Resolution 19-07.pdf](#)

SECTION 8. COUNCIL RESOLUTION NO. 19-08

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-21 TO REALLOCATE BaRSSA FUNDS DISTRIBUTED IN FY18 TO A NEW PROJECT OUTLINE IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

[Resolution 19-08.pdf](#)

SECTION 9. COUNCIL RESOLUTION NO. 19-09

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS, REPEALING RESOLUTION 18-22 TO REALLOCATE BaRSAA FUNDS DISTRIBUTED IN FY18 TO A NEW PROJECT OUTLINED IN THE RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

[Resolution 19-09.pdf](#)

SECTION 10. COMMUNICATION NO. 18-559

Bud Walker, Commissioner District No. 7 requesting Council of Commissioners consider creating an ordinance to address the ongoing issue of portable storage containers that are being used for extended periods of time in the public right away.

Hold in Abeyance.

[18-559.pdf](#)

JUDICIARY COMMITTEE MEMBERS:

Brendan McDonough, Chairman-----Present

Shawn Fredrickson, Vice Chairman---Absent

Dan Olsen---Present

Eric Mankins--Present

John Sorich ---Present

Michele Shea---Present

