

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, JUNE 17, 2020  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**APPROVAL OF THE MINUTES**

[June 3, 2020 Regular Meeting Minutes](#)

**ITEMS NOT ADDRESSED ON THE AGENDA**

**CHIEF EXECUTIVE’S REPORT**

**PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA**

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

**PRESENTATIONS**

1.COMMUNICATION NO. [2020-226](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the June 17, 2020 Regular Meeting agenda for a presentation on County wide Maintenance District Workplan update for FY2020 and Workplan for FY2021.

**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. [2020-237](#)

Kathy Kenison, IT Manager requesting Council of Commissioners to authorize the Chief Executive to sign the Sidwell change order CO#1. This change order will allow Sidwell to install the Public Works application records.

[2020-237 Change Order](#)

*Concur and Place on File*



2.COMMUNICATION NO. [2020-238](#)

Tyler Currence, Housing Solutions, LLC requesting Council of Commissioners permission to hold a Presentation and Public Hearing on the July 8, 2020 in the Committee of the Whole Meeting. This presentation is relating to Montana housing for a new affordable senior development in Butte named Washoe Place.

*Hold in Abeyance until July 8, 2020 pending presentation and public hearing.*

3.COMMUNICATION NO. [2020-239](#)

Dan Dennehy, Emergency Management Director requesting Council of Commissioners to authorize the Chief Executive to sign the State and Local Agreement (SLA) U.S. Department of Homeland Security and the Emergency Management Performance Grant on behalf of Butte-Silver Bow. The total of the EMPG is \$99,873.91.

[2020-239 Grant](#)

*Concur and Place on File*

4.COMMUNICATION NO. [2020-240](#)

Danette Gleason, Finance and Budget Director requesting Council Chairman John Morgan to approve and sign the following Judiciary claim so the payments can be dispersed for the week of June 17, 2020.

*Concur and Place on File*

5.COMMUNICATION NO. [2020-241](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners to refer the Fiscal Year 2021 Preliminary Budget to the Finance & Budget Committee for the July 1, 2020 Finance & Budget Meeting.

*Concur and Place on File*

6.COMMUNICATION NO. [2020-242](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners to review the weekly Expenditure Approval lists for the week of June 10, 2020 in the amount of \$711,316.42 and for the week of June 17, 2020 which will be available after 6:00 p.m. on Tuesday, June 16, 2020.

*Concur and Place on File*

7.COMMUNICATION NO. [2020-243](#)

Steve Maloney, 109 North Montana Street requesting Council of Commissioners approval for the survey of lot Assessment Code # 0001892400. This survey will facilitate a possible future purchase of this lot.

*Refer to Land Sales and Hold in the Committee of the Whole*

8.COMMUNICATION NO. [2020-244](#)

Aubrey Japp Assistant Director Butte-Silver Bow Public Archives requesting Council of Commissioners to authorize the Chief Executive to renew the lease agreement for the Butte Symphony for the rental of office space in the Clark Chateau.

[2020-244 Agreement](#)

*Concur and Place on File*



9.COMMUNICATION NO. [2020-245](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between the Butte Mosquito Abatement District, and JHS, Inc., of Helena Mont. Services provided by JHS include communicating with and educating abatement district residents, defining habitat, removing shallow water areas, applying larvicides, and fogging of a control agent into mosquito populations.

[2020-245 Agreement](#)

*Concur and Place on File*

10.COMMUNICATION NO. [2020-246](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to 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.

[2020-246 Amended Contract](#)

*Concur and Place on File*

11.COMMUNICATION NO. [2020-247](#)

Julia Crain, Superfund Division requesting Council of Commissioners to authorize the Chief Executive to sign the Professional Services Agreement with Montana Technologies University.

[2020-247 Agreement](#)

*Concur and Place on File*

12.COMMUNICATION NO. [2020-248](#)

Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners permission to conduct a public hearing on Wednesday, July 1, 2020 on the Montana Connections Subdivision.

[2020-248 Analysis](#)

*Hold in Abeyance until Public Hearing on July 1, 2020*

13.COMMUNICATION NO. [2020-249](#)

John Morgan, Chairman, BSB Council of Commissioners informing the Council of the process to appoint an interim Public Administrator on July 1st and to set the Declaration of Nomination to be Monday June 22nd thru Friday July 3rd in the Clerk and Records office.

*Concur and Hold in the Committee of the Whole*

14.COMMUNICATION NO. [2020-250](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Storm Water Management/BMP Maintenance Agreement for Clay McQueary for the Pit Fitness Expansion.

[2020-250 Agreement](#)

*Concur and Place on File*

15.COMMUNICATION NO. [2020-251](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Storm Water Management/BMP Maintenance Agreement for Paul Thomas-Teton Village, LLC for the Staples Addition.

[2020-251 Agreement](#)

*Concur and Place on File*



16.COMMUNICATION NO. [2020-252](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Notice of Award for the 1-15 Crossing for the Big Hole Transmission Line.  
[2020-252 Notice of Award](#)

*Concur and Place on File*

17.COMMUNICATION NO. [2020-253](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Core and Main Agreement for Dewey Phase 3 Materials for the Water Utility Division.

[2020-253 Agreement](#)

*Concur and Place on File*

18.COMMUNICATION NO. [2020-254](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Northwest Pipe Fittings Agreement for the Big Hole Transmission Line materials.

[2020-254 Agreement](#)

*Concur and Place on File*

19.COMMUNICATION NO. [2020-255](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the Landfill Well Movement Agreement with AK Drilling. This contract will allow AK Drilling to move a well in preparation of the Landfill Cell IV Expansion project.

[2020-255 Agreement](#)

*Concur and Place on File*

20.COMMUNICATION NO. [2020-256](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign agreement with the Water and Environmental Technologies TSEP 2021 Sewer Line CIPP and Replacements.

[2020-256 Agreement](#)

*Concur and Place on File*

21.COMMUNICATION NO. [2020-257](#)

Mark Neary Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign the agreement for the Storm Water Pollution Prevention Plan for the Dewey Phase 3 Water Line project.

[2020-257 Agreement](#)

*Concur and Place on File*

22.COMMUNICATION NO. [2020-258](#)

Lori Casey, Planning Director requesting Council of Commissioners to be advised that the Butte-Silver Bow Planning Board, who serves as the Zoning Commission, has rendered a recommendation regarding Zone Change Application No. 180, regarding licensed community residential facilities.

[2020-258 Zone Change](#)



*Concur and Place on File*

### **SECTION 3: ORDINANCES AND RESOLUTIONS**

1. RESOLUTION NO. [2020-26](#)

RESOLUTION AUTHORIZING LEASE-PURCHASE AGREEMENT IN CONNECTION WITH IMPROVEMENTS TO PUBLIC SAFETY COMMUNICATIONS SYSTEMS

2. RESOLUTION NO. [2020-31](#)

A RESOLUTION OF INTENT TO ALTER THE BOUNDARIES OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA'S SOLID WASTE SPECIAL DISTRICT TO INCLUDE THE BOUNDARIES OF THE TOWN OF WALKERVILLE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. RESOLUTION NO. [2020-33](#)

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR WAUSAU SUPPLY COMPANY WITH THE DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA, FOR BIG SKY ECONOMIC DEVELOPMENT TRUST FUND PROGRAM UNDER THE TERMS OF THE COMMUNITY DEVELOPMENT ACT OF 1974 (42 USC 5301) AS AMENDED.

4. COUNCIL BILL NO. [2020-05](#)

ORDINANCE NO. [2020-05](#)

AN ORDINANCE AMENDING ORDINANCE 204, Section 4 and CHAPTER 10.40, ENTITLED "SPEED LIMITS", OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) SPECIFICALLY AMENDING SECTION 10.40.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

### **SECTION 4: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE**

1. RESOLUTION NO. [2020-32](#)

A RESOLUTION CERTIFYING THE RESULTS OF THE CANVASS OF VOTES CAST IN THE PRIMARY ELECTION HELD IN THE CITY AND COUNTY OF BUTTE-SILVER BOW ON JUNE 2, 2020; DECLARING NOMINATED THOSE INDIVIDUALS HAVING THE HIGHEST NUMBER OF VOTES CAST FOR COUNTY OFFICES; CERTIFYING THE RESULTS OF VOTES CAST FOR INDIVIDUALS TO THE BOARD OF COUNTY CANVASSERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL BILL NO. [2020-03](#)

ORDINANCE NO. [2020-03](#)

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) TO BE NUMBERED 12.17 AND TO BE ENTITLED "PARKLET/PEDLET PERMITS" AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



3. COUNCIL BILL NO. [2020-04](#)

ORDINANCE NO. [2020-04](#)

AN ORDINANCE AMENDING CHAPTER 8.02 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) ENTITLED “VACANT BUILDINGS”, AND SPECIFICALLY AMENDING SECTIONS 8.02.020, 8.02.030, ENACTING A NEW SECTION 8.02.040, AND AMENDING BY RENUMBERING THE PRIOR SECTION 8.02.040 TO 8.02.050, RENUMBERING 8.02.050 TO 8.02.060, RENUMBERING AND AMENDING 8.02.060 TO 8.02.070, RENUMBERING 8.02.070 TO 8.02.080, RENUMBERING AND AMENDING 8.02.080 TO 8.02.090 AND APROVIDING FOR AN EFFECTIVE DATE HEREIN.

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

**CALENDAR OF OTHER MEETINGS AND EVENTS**

DUE TO COVID-19 PANDEMIC, COMMITTEE MEETINGS WILL RESUME AT A LATER DATE.

**ADJOURN**

**MEETINGS**

THE COMMITTEE OF THE WHOLE MEETING WILL BE JUNE 24, 2020; HOWEVER, THE OTHER SMALLER MEETINGS WILL RESUME AT A LATER DATE DUE TO COVID-19.

**REPORTS**

---

**COMMITTEE OF THE WHOLE REPORT**

*JUNE 10, 2020*

*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:

1.COMMUNICATION NO. [19-578](#)

Gary Rundle, Citizen requesting Council of Commissioners consideration to purchase property located at 1820 Banks Ave, Butte MT. I wish to redeem the property from Butte-Silver Bow before the tax sale in February.

*Hold in Abeyance*

2.COMMUNICATION NO. [19-582](#)

Ed Banderob, Greeley Neighborhood Community Development Corporation requesting Council of Commissioners to invite a Montana DPHHS' Toxicologist to give a Presentation relative to the Hazards/Risks to human health of heavy metals contaminates present in the Butte-Silver Bow Community.

*Hold in Abeyance*



3.COMMUNICATION NO. [2020-04](#)

Michael Townsend, Citizen requesting Council of Commissioners to consider the repurchase of my home located at 105 West Porphyry. I will comply with all Rules and Regulations of the County Enrichment Program.

*Hold in Abeyance*

4.COMMUNICATION NO. [2020-90](#)

Eldon Beall, Citizen requesting Council of Commissioners for more clarification on speed limits around Emma Park which is also a Bus Route by Butte High School. Also, we are asking that the snow be plowed around the park by Parks and Rec and or by the city.

*Hold in Abeyance*

5.COMMUNICATION NO. [2020-206](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Council of Commissioners Regular Meeting to open bids for materials for the Dewey Phase 3 Water Line Replacement.

*Place on File*

6.COMMUNICATION NO. [2020-207](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Council of Commissioners Regular Meeting to open bids for materials for the Big Hole Transmission Line.

*Place on File*

7.COMMUNICATION NO. [2020-221](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners for time on the June 3, 2020 Council of Commissioners agenda to give a presentation on an alternative method for assessing fees for the Countywide Road Maintenance District.

*Place on File*

8.COMMUNICATION NO. [2020-224](#)

Todd Breitenfeldt, Breitenfeldt Investment, LLC (BILLC) requesting Council of Commissioners to approve the purchase of a vacant lot addressed at 611 S. Idaho - Lot numbered twenty-four in block #4 of the Travonia Addition, Butte, MT, Parcel No. 1054300- which BILLC owns as a rental, and then immediately will sell it as a nice single-family home. This project will greatly enhance the look of (and the property values of) the neighborhood.

*Hold in Abeyance*

9.COMMUNICATION NO. [2020-226](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the June 17, 2020 Regular Meeting agenda for a presentation on County wide Maintenance District Workplan update for FY2020 and Workplan for FY2021.

*Hold in Abeyance*

**ADJOURN**

**FINANCE & BUDGET COMMITTEE MEETING REPORT**

JUNE 3, 2020

*BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS*

---



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

Ladies and Gentlemen,

We, your Council of Commissioners, and Chairman John Morgan, respectfully recommends as follows: Expenditure report for the week of May27, 2020 was reviewed and approved for the amount of \$345,977.83 for the week of June 3, 2020.

