

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, AUGUST 19, 2020
7:30 PM VIA WEB-EX**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[July 15, 2020 Regular Meeting Minutes](#)

[August 5, 2020 Regular Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE’S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

CALL INS ARE WELCOME @ 497-5009

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. [2020-331](#)

Leslie Clark, Human Resources Director requesting Council of Commissioners and Chief Executive to sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Laborers International Union of North American (LIUNA), Local No. 1686 representing Butte-Silver Bow Public Works Laborers.

[2020-331 Memorandum](#)

Concur and Place on File

2. COMMUNICATION NO. [2020-332](#)

Gina Fleming, Realty Specialist requesting Council of Commissioners for a briefing regarding the Forest Service who is working toward acquiring private property located in the Highland Mountains, approximately 15 miles south of Butte, Montana in Silver-Bow County. Mike Mueller, Senior Lands Program Manager for Rocky Mountain Elk Foundation would like to brief the board



on the purchase of the Forcella property and Jan Bowey, Acting District Ranger would like to give an update on the status of the Butte District Ranger position.

[2020-332 Map and Letter](#)

Concur and Place on File

3.COMMUNICATION NO. [2020-333](#)

Jeffrey L Miller, Butte Silver-Bow Director of Fires Services, requesting Council acceptance of the authorization of the grant award and move forward with the award process and procurement of the communications equipment.

Concur and Place on File

4.COMMUNICATION NO. [2020-335](#)

Eric Hassler, Superfund Operations Manager, requesting Council of Commissioners for a Bid Opening for September 2, 2020 for topsoil that is required for the ongoing operations and maintenance of reclaimed areas.

[2020-335 Bid Specs](#)

Hold in Abeyance

5.COMMUNICATION NO. [2020-336](#)

Sally Hollis, Butte Silver-Bow Clerk & Recorder, requesting Council of Commissioners and Chief Executive approve the 2020 General Election Mail Ballot Written Plan, Timetable, and Instructions that was submitted to the Secretary of State Office. Our plan was approved earlier today by the Secretary of State.

[2020-336 Ballot Plan](#)

Concur and Place on File

6.COMMUNICATION NO. [2020-337](#)

Mark Neary, Public Works Director, requesting Council of Commissioners schedule a Bid Opening for August 26, 2020 for the Dig and Replacement of sewer lines on Clark, Zeralda, Alabama, Hornet, Waukesha, Quartz, Rampart and Cedar Lake Streets. This project is funded through the Treasure State Endowment Program with a 50% match from BSB.

Hold in Abeyance

7.COMMUNICATION NO. [2020-338](#)

Mark Neary, Public Works Director, requesting Council of Commissioners to approve and authorize the Chief Executive to sign the Storm Water Management/BMP Maintenance Agreement for Western States Asphalt.

[2020-338 West States Agreement](#)

Concur and Place on File

8.COMMUNICATION NO. [2020-339](#)

Mark Neary, Public Works Director, requesting Council of Commissioners to approve and authorize the Chief Executive to sign the Storm Water Management/BMP Maintenance Agreement for Rocky Mountain Car Wash.

[2020-339 Rocky MTN Agreement](#)

Concur and Place on File



9.COMMUNICATION NO. [2020-340](#)

Mark Neary, Public Works Director, requesting Council of Commissioners to approve and authorize the Chief Executive to sign the Notice of Award, Notice to Proceed and Agreement form for the Hanson Road and Mercury Street Rehabilitation Projects.

[2020-340 Notice of Award, Proceed & Agreement](#)

Concur and Place on File

10.COMMUNICATION NO. [2020-341](#)

Pat Riordan, Land Systems Administrator, requesting Council of Commissioners to accept this correspondence to deny Council Communication No. 2020-282, from Lisa Warden, to purchase City-County Property, south of her residence at 7 W Pacific Street, Butte, Mt 59701.

[2020-341 Map](#)

Concur and Place on File

11.COMMUNICATION NO. [2020-342](#)

Mary McCormick, Historic Preservation Officer, requesting Council of Commissioners approve and authorize the Chief Executive to sign Agreement with the Montana State Historic Preservation Office for the award of a Revitalizing Montana's Rural Heritage Program grant in support of the Basin Creek Caretaker's House Rehabilitation project.

[2020-342 Agreement](#)

Concur and Place on File

12.COMMUNICATION NO. [2020-343](#)

Leslie Clark, Director, Human Resources, requesting Council of Commissioners and Chief Executive to sign the Client Addendum to the Master Pharmacy Management Services Agreement between the City-County of Butte-Silver Bow and Navitus Health Solutions.

[2020-343 Agreement](#)

Concur and Place on File

13.COMMUNICATION NO. [2020-344](#)

Tina Randall, Community Health Division Director, requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between the Butte-Silver Bow Health Department and AWARE, Inc regarding the delivery of services related to the Parents as Teachers home visiting program.

[2020-344 Contract](#)

Concur and Place on File

14.COMMUNICATION NO. [2020-345](#)

Tina Randall, Community Health Division Director, requesting Council of Commissioners to authorize the Chief Executive to sign a professional services agreement between the Butte-Silver Bow Health Department and the Montana Tech LGBTQ+ Club.

[2020-345 Agreement](#)

Concur and Place on File

15.COMMUNICATION NO. [2020-346](#)

Tina Randall, Community Health Division Director, requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between the Montana Department of Public



Health and Human Services and the Butte-Silver Bow Health Department to provide evidence-based home visiting and family support services through the Nurse-Family Partnership.

[2020-346 Task Order](#)

Concur and Place on File

16.COMMUNICATION NO. [2020-347](#)

Leslie Clark, Director, Human Resources, requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Administrative Services Agreement between the City-County of Butte-Silver Bow and Allegiance Benefit Plan Management for the period of July 1, 2020 through June 30, 2023.

[2020-347 Agreement](#)

Concur and Place on File

17.COMMUNICATION NO. [2020-348](#)

Leslie Clark, Director, Human Resources, requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Amendment to Appendix A of the Administrative Services Agreement between the City-County of Butte-Silver Bow and Allegiance Benefit Plan Management.

[2020-348 Amendment](#)

Concur and Place on File

SECTION 2: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. [2020-334](#)

George Skuletich, Undersheriff Butte Silver Bow, requesting Council of Commissioners and the Chief Executive approve Probationary Officer Sean Brown to the position of a confirmed officer within our department.

SECTION 3: ORDINANCES AND RESOLUTIONS REFERED TO JUDICIARY

1.RESOLUTION NO. [2020-45](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY FORMALLY KNOWN AS 611 S. IDAHO STREET, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOT TWENTY-FIVE (25) OF BLOCK FOUR (4) OF THE TRAVONIA ADDITION, PARCEL NO. 0000043610, TO THE CITY-COUNTY OF BUTTE-SILVER BOW MONTANA TO BREITENFELDT INVESTMENTS LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 4: ORDINANCES AND RESOLUTION SUSPENSION FO THE RULES FOR FINAL PASSAGE

1.RESOLUTION NO. [2020-51](#)

A RESOLUTION SETTING THE 2021 FISCAL YEAR 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 MEMEBERS OF THE COUNTIN OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

PLEASE CALL IN AT 497-5009

CALENDAR OF OTHER MEETINGS AND EVENTS

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

ADJOURN

MEETINGS

FINANCE & BUDGET COMMITTEE MEETING

AUGUST 19, 2020

7:00 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS

Public comment on any items on the agenda

Expenditure report for the week of August 19, 2020 was reviewed and approved in the amount of \$_____.

We are still meeting remotely but we will be taking Public Comment by calling 497-5009

REPORTS

COMMITTEE OF THE WHOLE REPORT

AUGUST 12, 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. [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

3.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.

Cross Reference with Communication No. 2020-318 and Place on File.

4.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](#)

*Hold in Abeyance. Substitute Motion tied 6-6 to move Ordinance forward and Place on File.
Motion failed.*

5.COMMUNICATION NO. 2020-282

Lisa Warden, 7 West Pacific, Butte MT requesting Council of Commissioners to purchase two small pieces of land from Butte-Silver Bow in the amount of \$300. These two stripes are too small to put anything on and I have been maintaining them for the past three years.

Hold in Abeyance

6.COMMUNICATION NO. 2020-290

Danette Gleason, Finance and Budget Director requesting Council of Commissioners permission to schedule a public hearing to begin on August 5, 2020 to discuss a possible rate increase for the solid Waste Collection District fees to cover the cost of the contract services with McGree Corporation.

Place on File

7.COMMUNICATION NO. 2020-291

Danette Gleason, Finance and Budget Director requesting Council of Commissioners permission to schedule a public hearing for the adoption of the fiscal year 2021 Final Budget and establish the user rates for Metro Sewer System, Storm Water system, Solid Waste Disposal and Road Maintenance District. The public hearing will begin on August 5, 2020 and be continued until the Council sets a date to adopt the fiscal year 2021 budget and fix the rate and levies.

Public Hearing Held and closed

8. COMMUNICATION NO. 2020-300

Mark Neary, Public Works Director requesting Council of Commissioners permission to schedule a public hearing for July 22, 2020 for the purpose of soliciting comments on the Preliminary Engineering Report of Basin Creek Dam #1.

Place on File

9.COMMUNICATION NO. 2020-302

Shawn Fredrickson, Commissioner District #1 requesting Council of Commissioners concurrence to have the City-County of Butte-Silver Bow, Montana participate in the effort to create a regional rail authority authorized by Section 7-14-1621 of the Montana Code Annotated. I would also request that a public hearing



be scheduled for August 5, 2020.

Cross Reference with Resolution No 2020-36 and Place on File

10.COMMUNICATION NO. [2020-315](#)

Mark Neary, Public Works Director requesting Council of Commissioners for a Bid Opening that has been advertised for the Hansen and Mercury Streets Rehabilitation Project that will be held August 5, 2020 at the Regular Council Meeting.

Place on File

11.COMMUNICATION NO. [2020-321](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the following reappointments to the Butte-Silver Bow Fire Commission.

Hold in Abeyance

FINANCE & BUDGET COMMITTEE MEETING REPORT

AUGUST 12, 2020

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 August 12, 2020 was reviewed and approved for the amount of \$ 15,067.88 for 2020, and \$746,619.62 for 2021

<u>Committee Members</u>	<u>Present /Absent</u>
Brendan McDonough Chair	P
Bill Andersen, Vice Chair	P
Dan Callahan	P
Jim Fisher	P
Josh O’Neil	P
Michele Shea	P
Shawn Fredrickson	P

PUBLIC WORKS COMMITTEE MEETING REPORT

AUGUST 12, 2020

6:30 PM

1.COMMUNICATION NO. [2020-139](#)

Brenden, McDonough, Commissioner District 8 requesting Council of Commissioners to consider that a speed study be conducted by the Montana Department of Transportation on Highway 2 from the nine-mile to Pipestone Pass. With the upcoming recreational season approaching, I ask that a study and decision be made in a timely manner to address the safety concerns for the spring and summer season.

Hold in Abeyance until additional information is gathered by Commissioner McDonough.



2. Petition No. [2020-01](#)

Patrick Riordan, Land Systems Administrator requesting Council of Commissioners authorize a Petition to close and vacate a platted, public alleyway, has been filed with the Land Systems Division of the Planning Department, as provided for the within Ordinance Number 362.

Refer to Public Works

Petition No. [2020-01 Map](#)

Motion made by Commissioner Fisher to schedule a Public Hearing on the Petition and forward to the Council. 2nd by Commissioner Callahan.

PUBLIC WORKS COMMITTEE MEMBERS:

Dan Olsen, Chairman	P
Jim Fisher	P
Dan Callahan	P
Brendan McDonough	P
Eric Mankins	P
Shawn Fredrickson	P
Mark Neary	P
Pat Riordan	P

JUDICIARY COMMITTEE MEETING REPORT

AUGUST 12, 2020

7:00 PM

1. RESOLUTION NO. [2020-15](#)

A RESOLUTION ESTABLISHING PROCEDURES FOR THE SALE AND DISPOSITION OF REAL PROPERTY ACQUIRED BY THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THROUGH TAX DEED, DURING THE PERIOD OF TIME BETWEEN A FIRST AND SECOND TAX SALE AUCTION AS PROVIDED BY CHAPTER 3.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND BY TITLE 7, CHAPTER 8, PART 23 AND TITLE 7 CHAPTER 25 OF THE MONTANA CODE ANNOTATED (MCA) AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in Abeyance

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.

Hold in Abeyance

JUDICIARTY COMMITTEE MEMBERS:

Chairman: Brendan McDonough	P
Vice Chairman: Shawn Fredrickson	P



Michele Shea P
Dan Olsen P
Eric Mankins P
John Sorich P
Shawn Fredrickson sat as Chair for this Meeting

PERSONNEL COMMITTEE MEETING REPORT

AUGUST 12, 2020

5:00 PM

1. COMMUNICATION NO. [2020-183](#)

Michael A Nasheim, Butte-Silver Bow Employee requesting Council of Commissioners to review the hiring process for Butte-Silver Bow, especially with the hiring procedures associated with internal candidates. I am requesting the Council refer this issue to the Personnel Committee for discussion.

Note and Place on File after a very good discussion.

Jim Fisher, Chair P
John Sorich, Vice Chair P
Bill Anderson P
Dan Olsen P
Dan Callahan P
Michele Shea P
Josh O’Neil P
Shawn Fredrickson P
Eric Mankins P
Leslie Clark P
Dave Palmer P
Jeff Miller P

