

MINUTES OF THE REGULAR MEETING OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS FOR JANUARY 20, 2016

The Regular Meeting of the Council of Commissioners was called to order Wednesday, January 20, 2016, in the Council Chambers, Third Floor, Room 312, Courthouse Building, 155 West Granite Street, Butte, Montana by the Chief Executive, Matt Vincent.

ROLL CALL

Commissioner Morgan, *present*

Commissioner Palmer, *present*

Commissioner Andersen, *present*

Commissioner Walker, *present*

Commissioner Foley, *present*

Commissioner Ralph, *present*

Commissioner Shaw, *present*

Commissioner McDonough, *present*

Commissioner Henderson, *present*

Commissioner Fisher, *present*

Commissioner Perdue-Dolan, *present*

Commissioner Sorich, *present*

STAFF PRESENT

Eileen Joyce, Butte-Silver Bow County Attorney
Laura Sargent, Deputy Clerk & Recorder
Colleen Safratowich, Deputy Clerk & Recorder

PRAYER

Commissioner Henderson said the prayer.

Chief Executive Vincent recognized a moment of silence for former Butte-Silver Bow County Attorney, Robert M. McCarthy, who passed away January 13, 2016.

Chief Executive Vincent stated Robert M. McCarthy was a great member of our community who will be sorely missed and extends thoughts and prayers to his family.

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

R. Edward Banderol, 2601 Grand Avenue, Butte, Montana stated the following:

- ❖ Section 1A, Section 2, Communication No. 16-1.
- ❖ He states we can all agree our community needs a family friendly aquatic feature at Stodden Park.
- ❖ Would provide appropriate recreation for small children and teenagers.
- ❖ Do we need a pool?
- ❖ We have two pools in town which children could learn to swim.
- ❖ He says Butte-Silver Bow and YMCA could work out agreement.



- ❖ They could use a portion of the \$30,000 that Butte-Silver Bow subsidizes YMCA to provide scholarships for children who cannot afford a membership.
- ❖ If the older teenagers will not use the pool, where are we going to get the recreational capital to develop the recreational activity that the teenager will use?
- ❖ In 2011, 80% to 90% of activities were in splash pad and 10% to 20% was in pool area.
- ❖ If not going to include a competitive length pool, do we need to use \$5 million to \$6 million from the community's recreational capital to accommodate a pool?
- ❖ A splash pad with water slides could be built for approximately \$1 million and provide the recreational that our children and teenagers need.
- ❖ Here we are again with same old same old.
- ❖ We are not taking into consideration the climatic conditions in Butte are significant different than any other aquatic facility that is located in State of Montana.
- ❖ In the last 20 years, we have had an average of 2.6 days of temperatures over 90 degrees.
- ❖ Have had an average of 22 days of nighttime temperatures above 50 degrees.
- ❖ Most afternoons we have a brisk summer wind.
- ❖ He does not get it.
- ❖ Told at the last bond initiative of \$7.5 million included extra amenities beside a water park.
- ❖ Now we are proposing an \$8.7 million bond an increase of \$1.2 million without the same amenities.
- ❖ People he talked to did not vote no because of extra amenities.
- ❖ He stated they voted no because of the \$7.5 million price tag on a facility that could only be used 56 days of a year because of the weather.
- ❖ Again do we really need a pool at Stodden Park?
- ❖ Or does Butte need a family friendly aquatic recreational feature at Stodden Park?
- ❖ A glorified splash pad with a couple of water slides and a splash pool could be built for approximately \$2 million.
- ❖ Including one of the Canadian bevels with flexy glass with a retractable roof for another \$1 million so it can be used for longer period of time.
- ❖ Asked if it would cost less and more complimentary to the swimming pool programs that we already have.
- ❖ Take a look at a similar outdoor aquatic facility with features similar to those in Billings and in Des Moines Iowa.
- ❖ There were questions last week that were not asked.
- ❖ How was survey conducted?
- ❖ Who responded to the survey only the aquatics community?
- ❖ Was a random survey done that included the various options to the taxpayers?
- ❖ How much did the indoor facility actually lose?
- ❖ How much different is it from losses now being considered for the present facility?
- ❖ Was the use of the Canadian bevel a consideration on windy days or to extend the season?
- ❖ Was the flexy glass walls and shield to prevent wind considered?
- ❖ What type of aquatic feature does our older teenager want has this been asked of community.
- ❖ If use all of the community aquatic recreational on the pool at Stodden Park, where will we find recreational capital?
- ❖ Possibly at the Mountain Con Mine yard for the older more extreme children in our community.
- ❖ Butte has already spent \$70,000 on engineering designs.
- ❖ Still has not come up with a climatically appropriate proposal.



- ❖ Would it better not to play politics with the community's recreational capital?
- ❖ Wants to take the time to spend money to find out what a couple concepts might be like for other options.
- ❖ A climatic appropriate aquatic facility at Stodden Park and a climatically youth recreational facility at the Mountain Con.
- ❖ What is the rush?
- ❖ There is another election in November, 2016 the bond issue could go on then.
- ❖ By that time, possibly we can pull together a community consensus for a community wide youth aquatic recreational plan.

Mark Reavis, 842 West Galena Street, Butte, Montana stated the following:

- ❖ He attends so many meetings with Ed Banderob.
- ❖ Mr. Banderob asked him to do something.
- ❖ Donates his architectural services to further Mr. Banderob's efforts.
- ❖ Will donate sketches that Mr. Banderob is referring to.
- ❖ He is not supporting any ideas here.
- ❖ This is important to have a chance to look at the options.
- ❖ Mr. Banderob wants community to see the options.
- ❖ He is offering his architectural experience as a license architect for quick sketches of concepts that Mr. Banderob is pushing.

Rick Anderson, 3930 Saddle Rock Road, Butte, Montana stated the following:

- ❖ He is favor of proposal and has read the details.
- ❖ He agrees 100%.
- ❖ He disagrees with Mr. Banderob that this is only for small children and teenagers.
- ❖ If want to see what we have then take a drive 65 miles north.
- ❖ He has spoken to Commissioner Fisher about the proposal.
- ❖ The proposal is almost exactly what Helena has over the Veterans Memorial Park.
- ❖ He takes his granddaughter there because there is no place in Butte.
- ❖ Can take her to the Country Club which has an outdoor pool.
- ❖ He asked the Commissioners to remember when they were young and as a kid you did not care if it is windy outside.
- ❖ Swimming outside is enjoyable.
- ❖ This is not the same as going to the YMCA.
- ❖ We are trying to attract businesses here.
- ❖ We are trying to attract families into Butte.
- ❖ The people you do not want to attract are people 60-64 years of age and retired and do not have children to attend school.
- ❖ We want families.
- ❖ In Helena, you will find families there.
- ❖ This is not just for kids, there are adults as well.
- ❖ He used to go to the park before they added the slides, splash pad and the lazy river and go swimming in the summer.
- ❖ He could go to the YMCA but enjoyed going to the outdoor facility instead.
- ❖ In Helena, there is adults using the swimming lanes; a group of ladies doing water aerobics and children and teenagers enjoying the slides, lazy river and a small wading pool.



- ❖ Helena has a small playground area like we do.
- ❖ We will have a carousel as well.
- ❖ It will be a major attraction that will bring people from Dillon, Whitehall and Twin Bridges.
- ❖ If all the amenities are there, there is something for the whole family not just the children.
- ❖ Asks the Commissioners to think about this as our kids have no place to go to in the summer.
- ❖ Keep in mind it will be for whole family.
- ❖ If have the whole family down there doing swimming, aerobics etc., that will increase the revenue.
- ❖ The more you can people to use this and it will be more than the small children, children, teenagers and adults.
- ❖ For that reason both he and his wife are in support of this proposal wholeheartedly.

Charles Nylund, 1831 Utah Avenue, Butte, Montana stated the following:

- ❖ He has been at the aquatic facility in Helena.
- ❖ Hears “Shop in Butte” and shop locally all the time.
- ❖ He does not want his grandchildren to go the Helena, Missoula or Big Timber.
- ❖ Butte is a wonderful place to grow up.
- ❖ He has been in Butte all of his life.
- ❖ Butte is a great place to raise children.
- ❖ Does not think now is the time to short change our children.
- ❖ In support of a quality water facility in Butte.

Bob Green, 900 West Gold Street, Butte, Montana stated the following:

- ❖ There are some different perspectives in this fashion.
- ❖ In support of this proposal wholeheartedly.
- ❖ Also was in support of the former proposal which was discussed and was defeated.
- ❖ He is in support of running this again for all the reasons Mr. Anderson stated.
- ❖ He has not been to the Helena facility.
- ❖ He has kids and grandchildren live in Billings and he has been to the facility in Billings.
- ❖ Echoes the sediments that there is something there for everyone.
- ❖ There is the lazy river, water slides and people swimming and exercising a wonderful celebration of community.
- ❖ He was not a member of the Butte aquatic community.
- ❖ His kids swam in the pool growing up in Butte.
- ❖ The Butte Country Club’s pool stays open for a lot days.
- ❖ Serves as all facets of the community.
- ❖ His daughter and her husband and two children moved to Butte for the lifestyle.
- ❖ They live on lower west side near us.
- ❖ Another couple from Helena and Glendive moved there as well.
- ❖ These couples have young children that would make use of a pool.
- ❖ We need to think in terms of the future.
- ❖ Best way to predict the future is to control the future and believes this would be an opportunity.



Pam Haxby-Cote, no address given, stated the following:

- ❖ She is the Executive Director of the Butte Local Development Corporation in Butte.
- ❖ She said she is preaching to the choir and knows each one wants to see an aquatic feature here in Butte.
- ❖ This proposal is not the proposal of the Parks and Recreation Director.
- ❖ Lots of people have weighed in on this decision to bring this to Council.
- ❖ This was a year's worth of work where a lot of folks weighed in and a lot community input.
- ❖ Fishing, skiing, hiking, parks, golf, special events and festivals are at the core of Butte's quality of life.
- ❖ They provide a respite from the built environment.
- ❖ These activities create a sense of community and reflect our local culture and our unique history.
- ❖ They benefit our residences and local businesses by promoting health, safety and wellness and by fostering community interaction and pride.
- ❖ Our recreational facilities help to plan our neighborhoods and serve as gathering places for celebrations, sports and relaxation.
- ❖ Missing from this mix is a public affordable quality aquatic facility with features for folks to enjoy.
- ❖ An inclusive facility.
- ❖ More and more people appear to be placing great value on recreational amenities and related attributes that contribute to quality of life.
- ❖ Numerous studies document that quality of life plays an increasingly important role in community economic growth and in economic development recruitment and retention.
- ❖ This helps her do her job.
- ❖ If such a facility fails to create additional job creation and income growth, your constituents benefit.
- ❖ This new facility as proposed by your Parks and Recreation Department along with our other recreational opportunities are crucially important contributors to the wellbeing of our town and its citizens.
- ❖ They provide people an escape from pressures and tensions of daily life.
- ❖ They meet to improve levels of physical and mental health build up strong social networks and relationships.
- ❖ This new facility as proposed can be used by all members of our community not just the young.
- ❖ Interested aquatic centers are considered valuable assets to a community.
- ❖ Since these types of facilities are unappealing for the private sector to develop because of the low financial return on their investment.
- ❖ This becomes the responsibility of the government to invest public monies to insure these are built, maintained and capable of meeting their community's need.
- ❖ We have a need in this community.
- ❖ This new aquatic amenity will bring people together to experience the joy of belonging.
- ❖ Your new aquatic facility as proposed will draw tourism dollars to our town.
- ❖ Heard folks stating that they are leaving town to enjoy another aquatic facility.
- ❖ Wants people to come here to Butte all of the time and stay longer.
- ❖ As it will generate overnight stays as well as patronage to our restaurants, our retail stores our gas stations, etc.



- ❖ Rarely do people travel because they enjoy the car or they desire to stay in a particular hotel.
- ❖ The desire to go to another place is stimulated by attractions.
- ❖ In most communities, primary attractions are sports, tournaments, festivals, state parks and state of the art aquatic facilities operated by Parks and Recreation Departments.
- ❖ Most stakeholders are unaware of the Parks and Recreation Department role in tourism and our economy.
- ❖ This is substantial.
- ❖ Research confirms that recreational opportunities such as the new pool plays a large role in retaining top talent in the community while fostering a healthy environment for the entire town.
- ❖ Without question, recreational and leisure activity represent potentially rewarding and important form of human experience.
- ❖ Constitutes a major aspect of economic development in government responsibility today.
- ❖ Important to recognize this is not a new development.
- ❖ The Recreation and Park development has been a key factor in promoting the revival of many communities and used for recruiting tools for economic development organizations.
- ❖ Many individuals and families place high value on quality recreational and cultural opportunities that available in communities and they are considering moving to.
- ❖ Businesses regard this factor as an important element with respect to staff recruitment and retention.
- ❖ The bottom line, this new aquatic center as proposed is a good financial investment for our community.
- ❖ Will be a source of positive economic benefits.
- ❖ Will enhance property values.
- ❖ Will increase municipal revenue.
- ❖ Will bring in home buyers and workers and attract retirees.
- ❖ Knowledge workers and talent are attracted to live and work in communities that have plenty of recreational opportunities.
- ❖ An aquatic facility is high on the list of amenities that these folks seek.
- ❖ Butte companies work hard to retain and attract talent.
- ❖ Several studies have been conducted to determine what factors are important to talent when they are making employment decisions.
- ❖ A recent study found the quality of life in a community increases the attractiveness of a job by 33%.
- ❖ Knowledge workers prefer places with a diverse range of outdoor recreational activities from walking trails to rock climbing and to interesting and fun water parks.
- ❖ Workers attracted to an area are then in a position to money back into our local economy through their jobs, housing and taxes.
- ❖ Most people even millennials, young professionals, want to live near their families.
- ❖ She wants her family living near their families where they grew up.
- ❖ If can create an interesting place, they are likely to stay here or come back here.
- ❖ The only thing that we are missing in our community is a quality fun aquatic center that has been proposed.
- ❖ For most cities it is an achievable goal.
- ❖ This can be ours too.
- ❖ Asks Council to support this as it is important.



Larry Winstel, 2426 Pine Street, Butte Montana stated the following:

- ❖ Has been following this pool fiasco for a decade and all the twists and turns it has made.
- ❖ Outside consultants said we do not need a pool.
- ❖ We built a splash pad that should have gone to Stodden Park.
- ❖ Then there were more consultants said we want a pool.
- ❖ We voted on the pool and we said no.
- ❖ Asks what part of no do you understand.
- ❖ Now you will put it on the ballot and increase the price.
- ❖ Why? He does not get it.
- ❖ He has heard a lot of sentimental discussion of this, yeah we had a pool when we were kids.
- ❖ We are failing to see the practical application of it and the climate.
- ❖ The construction of our last pool was a disaster and may have problems with a new pool.
- ❖ The maintenance cost of the new pool is going to affect people here.
- ❖ We have gone through some tremendous construction projects and expenses that the public was not allow to weigh in on that has increased their tax bill.
- ❖ You are going to hit them with another one.
- ❖ This time they will get to vote on the issue and they are not going to be happy.
- ❖ As far as doing something for the kids might want to look into individual neighborhoods.
- ❖ In the Greely School area, took the kids playground equipment away and gave to someone else.
- ❖ This is simple the kids would like to have the playground equipment back.
- ❖ Can be done with a simple agreement.
- ❖ This is something positive, concrete and simple that can be done and it is not a \$9 million project.
- ❖ Asks Council to consider more down to earth ideas.
- ❖ Asks Council to listen to the community, community groups and community councils rather than these big over the top government projects.

Mark Moodry, 2815 White Blvd, Butte, Montana stated the following:

- ❖ In favor of the proposal to pass it forward to the voters.
- ❖ As a community and as a local government we have been kicking this can down the road for 10 years.
- ❖ Agrees with Mr. Banderob as well as did research that children 10-14 years of age are the highest youth group for public aquatic facility.
- ❖ Those children are 10-24 years of age now.
- ❖ We are getting dangerously close to surpassing a full generation without a public pool or an aquatic facility in this community.
- ❖ Understands that the price tag is hard to swallow.
- ❖ Understands that it will encumber some lower income and fixed income citizens.
- ❖ Only charge before Council tonight is to pass it along to the people and let them decide.
- ❖ He believes in what Mr. Gallagher and the consultants and the local government has placed before Council is something that makes sense.
- ❖ Ms. Haxby-Cote stated its benefits from economic perspective and youth perspective.
- ❖ No one said an aquatic facility is practical in Butte, Montana.
- ❖ Let us be honest, it is not we all know it.



- ❖ When we talk about our children, future generations, our young people, our business recruitment and retention is vital to our community.
- ❖ We are the only community of the big seven that does not have anything.
- ❖ He urges Council to put this to the voters and let them decide.
- ❖ If the community does not want this, you will find out in June, 2016.
- ❖ Then we are back to the drawing once again.
- ❖ It has been 10 years so let the voters decide.

Carl Hafer, 6050 Porter Street, Butte, Montana stated the following:

- ❖ In favor of an aquatic facility.
- ❖ Says there are other ways to get money for this project other than putting the burden on taxpayers.
- ❖ Suggests taking money from of the Evel Knievel Days or other festivals that are free to the public to attend.
- ❖ Also suggests that Council figure out a way to reduce the price and reduce the burden of this project on the taxpayers.

Cameron Moylan, 208 South Washington, Butte, Montana stated the following:

- ❖ He says it is reasonable for people to want a functional outdoor pool or even a water park.
- ❖ Has a problem with the \$8.7 million dollars.
- ❖ He says a facility such as this can be built for far less.
- ❖ Researched this and states it is wrong to write off the existing pool and building as it is.
- ❖ These would be expensive to fix but it is clear to him it would be cheaper to incorporate it into the new facility rather than to demolish it.
- ❖ Back in 1969, J.E. Corette donated \$100,000 to Butte-Silver Bow to build the pool.
- ❖ The total cost to build the pool was \$248,000.
- ❖ The cost adjusted to today's market would be \$1,601,640.
- ❖ Safe to say the facility has retained half of its value in spite of its dilapidation and worth approximately \$700,000.
- ❖ Should be refurbished and whether remains a pool or a water park, it should be incorporated into the new facility.
- ❖ The new building should be added onto the old one.
- ❖ 1969 may sound like a long time but for a building of the construction it is not long ago.
- ❖ The building is not that dilapidated.
- ❖ The pool does have a lot more problems.
- ❖ Is a rule in construction it is cheaper to use old construction.
- ❖ There is already a hole in the ground and a hole does not need to be dug again,
- ❖ Does not need to be repacked down as already has done ground settling.
- ❖ Will be a lot cheaper to run the new pipes into the old pool.
- ❖ Put a shell into pool or expand it and then add the special water features to it.
- ❖ A few million dollars could be knocked off this price tag by doing this.
- ❖ In looking at the project the demolition of the existing building is approximately \$60,000 and the combined demolition is \$98,513.
- ❖ He states it is a lot of money that does not need to be spent.



Shane Worley, 3540 South Dakota Street, Butte, Montana stated the following:

- ❖ Is here to speak in favor of the pool.
- ❖ He has two children ages 11 and 14.
- ❖ Last 3 to 4 years went to Missoula 2 or 3 times during the summer to go the water park.
- ❖ He sees families of all ages at this water park.
- ❖ Also sees 3 to 4 families from Butte at this water park.
- ❖ He states they book a hotel, spend the night and go shopping.
- ❖ Has spoken to other Butte families and they are doing the same thing.
- ❖ A lot of money is leaving our community.
- ❖ Mr. Gallagher and his staff have put together a real good proposal.
- ❖ Sounds like a lot of money when talking about millions of dollars.
- ❖ \$20 or \$22 per \$100,000 is not a lot of money.
- ❖ Urges Council to put this proposal on the ballot and let the voters speak.

Bill Boone, 941 California, Butte, Montana stated the following:

- ❖ Last time this was proposed went to the voters, it failed.
- ❖ The reason it failed was because of the Water Company increase of rates.
- ❖ This was the excuse why the proposal failed as it was too much of a burden on the taxpayers.
- ❖ This time around it is different.
- ❖ The economy with the Montana Resources is down quite a bit no bonuses.
- ❖ In Whitehall, a lot from Butte lost their jobs.
- ❖ Deer Lodge has cut back.
- ❖ The taxpayers are not in a good mood.
- ❖ They are tight on their budgets.
- ❖ They have lost their jobs.
- ❖ Trying to make ends meet.
- ❖ Maybe a cynical outlook on something the kids deserve but needs to be addressed.
- ❖ Opalization and Utilization would be important.
- ❖ Times have changed with the aquatic park coming in compared to the pool.
- ❖ What would the younger kids prefer a pool or an aquatic facility.
- ❖ His grandkids utilize the Splash Pad at Clark's Park.
- ❖ States it is a bit crowded at time but they enjoy it and prefer over the YMCA.
- ❖ They support the YMCA for swimming lessons.
- ❖ Is a little warmer at the YMCA and is a consideration for the younger ones to get into the water.
- ❖ In favor of some type of aquatic facility at Stodden Park and would like to have it expanded at Clark's Park.
- ❖ The way the voting public is and this keeps coming back and back and it seems to be that we have to have a pool.
- ❖ If it goes to the voting public, he would like to see some options or different plans.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 6, 2016.



It was moved by Commissioner Shaw seconded by Commissioner Morgan and passed by a unanimous verbal vote to approve the minutes of the Regular meeting of January 6, 2016.

ITEMS NOT ADDRESSED ON THE AGENDA

None.

CHIEF EXECUTIVE REPORT

None.

COMMUNICATIONS TO BE READ AND ACTED UPON (Moved from Section 2 of the agenda)

- 16-30** Chief Executive Matt Vincent, requesting Council's concurrence in the appointment of Ms. Leslie Clark as Director of the Human Resources Department.

Chief Executive Vincent stated the following:

- ❖ They went through a very arduous and deliberative selection process.
- ❖ Commissioner Foley at the Personnel Committee Chairman was a member of this committee.

It was then moved by Commissioner Foley seconded by Commissioner Morgan and passed with a unanimous verbal vote to Concur with the request of Communication No. 16-30 in appointing Ms. Leslie Clark as Director of the Butte-Silver Bow Human Resource Department and Place it on File.

SECTION 1 CONSENT AGENDA

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

Before entertaining a motion for approval of the Consent Agenda, Chief Executive Vincent called for any friendly amendments or segregations.

Commissioner Shaw segregated #8.

Commissioner Henderson segregated #19.

Commissioner Fisher #7 and #18.

Commissioner Morgan #4 and #10.



It was then moved by Commissioner Shaw, seconded by Commissioner Morgan and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 4, Section B, Items 1 through 20 with exception to No. 4, 7, 8, 10, 18 and 19.

Segregation – Communication No. 16-17

Ed Fisher, Chief Boulevard Fire Department, requesting Council’s authorization for the Chief Executive to sign two FEMA Grants in January, 2016.

Commissioner Morgan stated the following:

- ❖ The reason he segregated this communication is because he understands this is the procedure in asking to apply for FEMA Grants.
- ❖ He asked if Ms. Gleason would like to tell them about the funding sources for these grants.
- ❖ Should Council move this matter to the Finance and Budget Committee and be aware of where the funding source can be found.
- ❖ There are other fire departments that do not ask for this before they receive the FEMA grants.
- ❖ In his opinion, if cannot find the funding, it is Council’s reason to disallow them to get these grants.
- ❖ If we approve this tonight, Council has to find the money from somewhere.

Finance and Budget Director, Ms. Danette Gleason stated the following:

- ❖ She would rather this communication be referred to the Finance and Budget Committee.
- ❖ She has spoken to Commissioner Sorich about this.
- ❖ The funding aspect is not part of the 2015-2016 budget.
- ❖ We need to look at doing unanticipated revenue resolution or taking it from another source of the fire department budget.
- ❖ The best action would be to refer this matter to the Finance and Budget Committee.

It was moved by Commissioner Morgan and seconded by Commissioner Shaw to refer Communication No. 16-17 to the Finance and Budget Committee to await their recommendation.

Commissioner Foley stated the following:

- ❖ The Boulevard Volunteer Fire Department is in his district and represents the Boulevard Volunteer Fire Department.
- ❖ This is a common occurrence and does occur.
- ❖ He appreciates Commissioner Morgan’s concern about where the money is as far the matching funds if they are successful.
- ❖ In the past, the funds from some of these grants were from the Wildland fire funds.
- ❖ Some members of the Volunteer Fire Departments go out fighting fires in wildlife.
- ❖ This money is put into a separate account and used for different things such as this for matching funds.
- ❖ The more logical source and the money is there from the fire equipment fund.
- ❖ The money will be there and additional money added each year.



- ❖ The money is there.
- ❖ He commends the Boulevard Volunteer Fire Department for applying for this grant.
- ❖ This FEMA grant would save the taxpayers a tremendous amount of money.
- ❖ We were appropriated a tremendous amount of money for a fire trucks for the paid and Big Butte Volunteer Fire Department.
- ❖ They are one of the few fire departments that follow the procedure and bring this matter to Council for approval.
- ❖ They are one of the few fire departments that apply for FEMA grants instead of waiting for this government to pay the bills.
- ❖ Can discuss this matter further in Finance and Budget Committee.
- ❖ This is same procedure that has been done in the past and is confirmed by Director of Fire Services, Jeff Miller.

Ms. Gleason stated the following:

- ❖ In response to Commissioner Foley, right now her recommendation is to refer the matter to the Finance and Budget Committee as the current budget authority is not there.
- ❖ There is Wildland fire revenue that has been collected and received.
- ❖ She needs to review and believes there is at least 5% match.
- ❖ She has not read the entire grant.
- ❖ Need to go back and appropriate budget authority as there is not budget authority under the Wildland fire revenue right now.
- ❖ There is only the revenue and the cash sitting in the account.
- ❖ If we chose to use that source funding, Commissioner Foley is correct there is money in fire equipment fund.
- ❖ We take the recommendations from the Fire Advisory Committee regarding the allocations of these funds for capital expenditures.
- ❖ We have not received any communication thus far from the Fire Advisory Committee.

Commissioner Fisher stated the following:

- ❖ He does not understand the reasoning of refer this matter to the Finance and Budget Committee as they have no authority other than to refer the matter back to the Committee of the Whole.
- ❖ The Council has no authority to approve or disapprove this matter.
- ❖ The authority of the Finance and Budget Committee has nothing to do with the 5% match of the grant that would weigh in on this.

Ms. Gleason stated the following:

- ❖ This would add more discussion in the process to see if we want to move farther along in the unanticipated resolution.
- ❖ She has not had any conversations with anyone regarding this and it was brought to her attention while she was reviewing the Council Agenda.
- ❖ She suggest we review the grant application thoroughly and know how they are applying for the grant.
- ❖ Then make a recommendation whether we go through the unanticipated revenue.
- ❖ This is different scenario as far as an outside volunteer fire department entity other than the Fire Advisory Committee.



- ❖ They need to come to the Finance and Budget office and ask for the unanticipated revenue resolution.

It was moved by Commissioner Morgan and seconded by Commissioner Shaw and passed with a unanimous verbal vote to refer Communication No. 16-17 to the Finance and Budget Committee to await their recommendation. Commissioner Fisher voted nay.

Segregation – Communication No. 16-21

David Schultz, Director, Butte-Silver Bow Public Works Department, requesting time on the February 3, 2016 Regular meeting Agenda for Council of Commissioners to take a Final Vote on the selection of the new location for the County shop site.

Commissioner Fisher stated the following:

- ❖ In the past have had issues on other things is wondering how is the process and procedure for selecting a site going to be.
- ❖ Will Council be given a site and we vote yes or no.
- ❖ Will Council be given three sites and evaluate them?
- ❖ Do we vote yes or no on the three sites?
- ❖ Is there a process and procedure set up prior to February 3, 2016 when we will taking the final vote?
- ❖ In the past, we had difficult time deciding whether we going to give three options to Council or decide a yes or no on the issue.

Chief Executive Vincent states this matter will be addressed in Communication No. 16-20 Mr. Schultz will be giving an update to the Council regarding the proposed sites for the County Shops.

It was moved by Commissioner Fisher and seconded by Commissioner Morgan and passed with a unanimous verbal vote to refer Communication No. 16-21 to the Committee of the Whole.

Segregation – Communication No. 16-22

The Butte Community Fitness Foundation and S.H.G.F. Productions requesting Council's permission to hold SNOFLINGA, a Community sponsored event on January 29th to January 31st, 2016 to celebrate winter.

Commissioner Shaw stated this communication was recommended to be referred to the Committee of the Whole pending the receipt of liability insurance.

Commissioner Shaw stated she received a copy of the liability insurance verification from Bob Lazzari.

It was moved by Commissioner Shaw and seconded by Commissioner Morgan to change the recommendation to Concur with Communication No. 16-22 and Place it on File.

Mr. J.P. Gallagher, Parks and Recreation Director, stated the following:



- ❖ The Snoflinga will be our 1st Winter Festival.
- ❖ Will start at the High Altitude Sports Center.
- ❖ Most of the venues will be private use and will not be using public use.
- ❖ Will be in collaboration of a lot of different venues here in Butte.
- ❖ The recreational use is in celebration of the winter activities.
- ❖ Opening Ceremonies will be Friday Evening with special guests.
- ❖ The Wilson Brothers will be sending a video tape as they are in competition.
- ❖ Dave Silk who is an Olympian participant and a World Cup Champion will be presenting and has been running the High Altitude Sports Center for a number of years.
- ❖ On Saturday, we will continue with multiple events at the Home Stake Lodge.
- ❖ There will be cross country skiing and snow shoeing, etc.
- ❖ These events are free to the community.
- ❖ We are opening up the Original Mine yard for a family fun event there.
- ❖ Parks and Recreation Department has created a loge course at the Original Mine yard.
- ❖ He and his kids were testing the course making sure it is safe and it works well and making improvements.
- ❖ Hopefully the snow stays and we will have a snowman building contest and ice skating.
- ❖ Matt Boyle will do a rail jam at Mountain Con Mine yard.
- ❖ There will be participation in this as well as an entertainment value.
- ❖ We will see world class athletes coming to Butte from Minnesota.
- ❖ Mr. Boyle states this is the biggest one of its kind in the northwest.
- ❖ On Saturday, we are accentuating our trail system here in Butte.
- ❖ We will have our 10K race goes from Montana Tech to the Granite Mountain Memorial and back again.
- ❖ This will be a competitive race and want people to show their competitive spirit.
- ❖ Following the 10k race, we will have a 5K race from Granite Mountain Memorial to Montana Tech.
- ❖ This will be an ugly sweater contest as well and want people to enjoy it.
- ❖ At the same time, we have a dog jog at Skyline Park highlighting at our Dog Park and trails here in Butte.
- ❖ Also have a “Fat Bike” demonstration at the Montana Tech Skills Park.
- ❖ The Fat Bike community has been growing and they use our trails at Thompson Park extensively.
- ❖ Should be a fun community event and excited to host this event for first time in Butte.

Chief Executive Vincent extends his thanks to Mr. Gallagher, Dr. Mulcaire-Jones and Matt Boyle for putting this event together.

Mr. Gallagher extends his thanks to Mr. Bob Lazzari as he has done a lot of work putting this event together.

Commissioner McDonough stated the following:

- ❖ This will be a great event.
- ❖ In the past, had the Winter Nationals which was same concept and had great success for many years.
- ❖ We were waiting pending verification of liability insurance.



- ❖ Who is paying for the liability insurance if it is publically supported?
- ❖ Is Butte-Silver Bow buying additional liability insurance?

Mr. Gallagher replied no and it is not the case.

Mr. Gallagher stated the following:

- ❖ The funding for this event has been privately raised.
- ❖ Butte-Silver Bow is supporting some of the events the trail run and the event at the Mountain Con Mine yard.
- ❖ The insurance is provided through the festival itself.
- ❖ We are running the family event will be held at the Original Mine yard.

Commissioner McDonough asked for clarification did we have HGF or one of the entities buy the liability insurance?

Mr. Gallagher says this is correct. Matt Boyle Production Company is purchasing the liability insurance and named Butte-Silver Bow as additional insured.

Commissioner Morgan asked if the documents have been reviewed by the County Attorney.

Mr. Gallagher replied yes they will be.

Commissioner Shaw stated that Laura supplied us with a copy of the liability insurance binder and should be available on line for review.

It was moved by Commissioner Shaw and seconded by Commissioner Morgan and passed with a unanimous verbal vote to change the recommendation to Concur with Communication No. 16-22 and Place it on File.

Segregation – Communication No. 16-24

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council authorize the Chief Executive and the Finance & Budget Director to execute the letter of engagement with DA Davidson relating to the potential offering and issuance of General Obligation Bond for a new aquatic facility.

Commissioner Morgan stated there may be more questions on Communication No. 16-34 and asked if can move onto Communication No. 16-34 and then return to Communication No. 16-24.

Segregation – Communication No. 16-34

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council approval of a resolution authorizing a ballot issue presented to Voters on June 7, 2016.

Commissioner Henderson stated the following:

- ❖ We put the aquatic facility out to the voters and the vote was no.



- ❖ For whatever reason, the people voted no.
- ❖ There is a lot that goes into this whether financial or taxes.
- ❖ In today's paper, Northwestern Energy was approved an increase in rates.
- ❖ Maintenance for our roads and there might be a maintenance fee in the future.
- ❖ All of the \$4, \$6, and \$10 fees add up.
- ❖ This probably could be the reason why the majority people voted no on the aquatic facility.
- ❖ He would like to see a pool himself.
- ❖ He does not think putting this back to the people what they said no to.
- ❖ Wants to consider trying for a basic pool.
- ❖ If necessary and if approved, build onto it.
- ❖ We are not sure about the concessions.
- ❖ The concessions will be 80% or better what money we are going to make.
- ❖ People have different opinions on this.
- ❖ He does not think the \$5 of the kids that cannot afford the concessions fee is going to pay for the maintenance of the pool.
- ❖ The concession fees are going to be a big part of paying for the maintenance of the pool.
- ❖ We are tied into the carousel and do not know the legality of it.
- ❖ Without knowing all of these details would be able to vote for it.
- ❖ We have a beautiful facility at the YMCA.
- ❖ YMCA handles a lot of the aquatic needs of the community such as health and fitness, swimming and instructional.
- ❖ Cannot imagine doing this pool without the help of YMCA, lifeguards, etc.
- ❖ Has some concerns about this and should be discussed further.

Chief Executive Vincent stated to Commissioner Henderson, that there is not a plain old pool choice in front of this body at this point. Mr. Gallagher, his staff and consultants have done a lot of due diligence and looked a lot of different versions to provide the option that is being presented. Unless there is an appetite to change it, it is not up for discussion at this point.

Commissioner Sorich stated the following:

- ❖ He believes that we need a pool.
- ❖ Asks if there is going to options available that will be presented to the voter or is it going to be one option.
- ❖ We have a responsibility to review the YMCA as a partner.
- ❖ He is concerned about what this will do to the YMCA's pool and its organization.
- ❖ Can we evaluate this instead of putting this on the June, 2016 ballot and put it on the November ballot after further evaluation?

Chief Executive Vincent stated the following:

- ❖ Yes we can, but time is money.
- ❖ The longer we wait the more expensive the pool gets.
- ❖ The main reason why we want to put the matter on the June, 2016 ballot is if it is affirmative, we can start construction of this pool in the 2016 construction season.
- ❖ We can save a lot of money.
- ❖ There is a \$1.5 million dollar difference from plain pool and what has been proposed here.



- ❖ In looking at large construction projects, it is not surprising to see a \$1.5 million increase for cost of the pool if we wait another year.
- ❖ This one of the main reasons why we want to put this measure on the June, 2016 ballot.

Commissioner Fisher stated the following:

- ❖ Wants to weigh in on this once again.
- ❖ As commissioners we are here to make these decisions.
- ❖ We can put out different options.
- ❖ This is something we should give to the voters the way it stands and let them make the decision.
- ❖ This is \$8.7 million dollar project with all the amenities the people wanted.
- ❖ We could talk this further as Mr. Moodry stated we have been kicking this can down the road for a long time.
- ❖ Let us put this to the vote of the people.
- ❖ The best way to take monkey off our back is to put it to the voters and let them decide.
- ❖ Hopes the voters will approve proposal as it is a good venture.

Commissioner Henderson stated the following:

- ❖ He disagrees with Commissioner Fisher.
- ❖ He also disagrees with the \$1.5 million difference.
- ❖ Does not believe a basic pool would cost \$6.5 million dollars.
- ❖ He has some figures as for the past few years he was on Park and Recreation Board as chairman.
- ❖ He belonged to the National Park Association.
- ❖ Has contacted a lot of swimming facilities.
- ❖ Many have stated they cannot make it without the concessions.
- ❖ Does not want to rush into a pool bond when we do not know what way we are going here.
- ❖ If the pool bond is turned down at the \$8.7 million dollars, and if we wait another 5 years the costs will increase again.
- ❖ We still will not have a basic pool for the kids to swim in.

Commissioner McDonough stated the following:

- ❖ Heard a lot about the costs and maintenance and why it failed the first time.
- ❖ We have done due diligence on this issue.
- ❖ For ten years, we have had engineers and construction experts and people that deal with this daily who know all of the costs involved.
- ❖ For him as a Commissioner to estimate what somethings is going to costs he has no idea.
- ❖ It is why we hire the engineers and rely on the experts.
- ❖ If he has a medical issue, he sees a doctor.
- ❖ If he has a tax problem, he sees an attorney or an accountant.
- ❖ We have done our due diligence.
- ❖ We have weighed the issue thoroughly.
- ❖ We have accurate figures in front of us.
- ❖ Some may be fine with the figures and some may not be but we did not pull them out of thin air.



- ❖ We have experts that have put this in front of us in a complete package.
- ❖ Our due diligence to either put it in front of the voter to vote again and let them decide or again to pass the buck.
- ❖ Ten years is long enough.
- ❖ The community deserves another vote.
- ❖ If they do not like it, they will vote against it.
- ❖ If they are in support of it, they will vote for it.
- ❖ Let the chips fall where they may.
- ❖ His heartburn with the issue, it is proposed that we have thrown out an \$8.7 million dollar figure without any thought or due diligence in the process.
- ❖ This is completely false and inaccurate.
- ❖ The experts have determined what it costs.
- ❖ We have the price tag.
- ❖ For any member of the Commission or the public to just randomly throughout figures of what something may or may not costs is just hearsay.

Commissioner Andersen stated the following:

- ❖ Every 4 years we have elections.
- ❖ Last time this was voted on was in 2011 which is 5 years ago.
- ❖ Can reevaluate this every 5 years.
- ❖ If it passes, great.
- ❖ If it fails, come back to the table in 5 years.
- ❖ He encourages the public to review this project.
- ❖ Great proposal as to what Commissioner McDonough stated.
- ❖ We are not experts in this but as Mr. Banderob stated we have spent \$70,000 in experts.
- ❖ The experts we hired stated it is a good idea to have a pool here.
- ❖ The plain old pool option would be approximately \$6 million dollars.
- ❖ The water park with lazy river and water slides etc., would be \$8.7 million dollars.
- ❖ The extra \$1.5 million dollars is money worth spent with all of the features.
- ❖ More opportunities for children, teenagers and adults.
- ❖ Attends the YMCA to go swimming and sees a lot of adults there than sees children.
- ❖ The new pool will be used by a wide cross section of the community.
- ❖ The soonest we will have this on the ballot is in June, 2016.
- ❖ This will give us opportunity to ask questions and find out more facts.
- ❖ Spoke with Mr. Gallagher and he assured me he would like the opportunity to answer any questions.

It was moved by Commissioner Andersen and seconded by Commissioner Shaw to Refer and Hold in Abeyance Communication No. 16-34 in the Committee of the Whole.

Commissioner Ralph stated as long as we have been discussing this tonight she sees no reason to hold the matter another week.

A sub-motion was moved by Commissioner Ralph and seconded by Commissioner Fisher to Concur with the request in Communication No. 16-34 and refer to the County Attorney to draft a Resolution authorizing a ballot issue and Place it on File.



Commissioner Shaw stated the following:

- ❖ She, Mr. Moodry, Commissioner Foley toured the pool in 2007 and it was terrible.
- ❖ Cannot believe it has been almost 10 years it has been closed since we have been on board.
- ❖ She wants a pool in Butte as bad as anybody.
- ❖ Has pushed for a more conservative approach.
- ❖ This is 5 years ago.
- ❖ Did not pass because there are a lot of elements involved as it was not just the pool.
- ❖ Both she and Commissioner Foley thought it was too much on the ballot and never thought it would go simply because of the nature what was on there.
- ❖ Five years later, here we sit going through the same conversation.
- ❖ I see Phillip here from YMCA and he has been awesome administrator and director at the YMCA.
- ❖ Phillip wants to be partners with Butte-Silver Bow on this project.
- ❖ Spoke with Mr. Gallagher earlier and he assured her that we are not leaving the YMCA in alert.
- ❖ We are going to have partnership.

Mr. Gallagher stated the following:

- ❖ He spoke to Phillip from the YMCA after talking to Commissioner Shaw.
- ❖ They stated a dialog about his concerns were about building of the new pool.
- ❖ Discussed how they would work together and partner together on this issue.
- ❖ He assured Phillip that they need each other to partner together for both ventures to be successful.
- ❖ The YMCA has had successes with our children in our community.
- ❖ The YMCA has had so many successes with helping our children with swimming and water safety, etc.
- ❖ We want to partner together with them to make sure we are not detracting from any of the things the YMCA is doing or taking away any of their programs.
- ❖ Want to work in partnership together with the YMCA to insure we have quality programing throughout that works together.
- ❖ Want to make sure that the YMCA and we are successful.
- ❖ We can do this.
- ❖ Has to be an open dialog of how we are going to work together.
- ❖ The YMCA is an outstanding facility and is something that Butte should be proud of.
- ❖ The new pool proposal is in the same realm as well.
- ❖ Together we can work together on this to make sure that nobody is crossing boundaries for the benefit of both facilities.

Commissioner Shaw stated the following:

- ❖ There should be another option such as Plan “B” other than the pool option proposed.
- ❖ She is not sure if County Attorney Joyce has spoken to anyone else about possibility of adding something else to the ballot.
- ❖ The old facility will have to be torn out someday anyway.
- ❖ This will have to be removed, secured and make viable for other options.



- ❖ Can you tell us what the costs would be because it is another element involved in the idea of putting something else there?
- ❖ If we have to take and turn it back into lawn for example, this would need to be addressed.

Mr. Gallagher stated the following:

- ❖ Regarding what Commissioner Shaw is asking, he has not put the figures together.
- ❖ We did include the tearing out the old bath house would be and elevating the ground.
- ❖ All of these costs would be associated with this.
- ❖ Also have to install new sod, park elements trees and amenities there.
- ❖ We have a beautiful area there where our Veterans Memorial and a lot of ceremonies are done.
- ❖ Right now it is an eyesore that sits as a backdrop to the ceremonies conducted at Stodden Park.
- ❖ If the pool proposal does not pass, there will be an expense for the reclamation of the site.
- ❖ There was a proposal that the bath house could be used there are a couple of things to consider on this.
- ❖ In tearing out the bath house to retrofit it, was just as expensive as or more expensive than building a new one.
- ❖ Another thing is we can elevate the ground to make sure we are above the dewatering issues to ensure it is a sound pool.
- ❖ This pool structure is not one that we can drop a liner in it and fix the problem.
- ❖ This is not a viable option here.
- ❖ We have had engineers review this and know what the water levels are.
- ❖ Going forward, we need to do something with the site no matter what we do.
- ❖ Whether we build a new pool or reclaim the area back into a park.

Commissioner Shaw stated the following:

- ❖ This was important to bring up as something she had not thought of.
- ❖ She has heard a lot of compelling arguments from every possible angle.
- ❖ Is difficult and she is one person, one voter, one of twelve commissioners, feels need to let the community make the decision.
- ❖ We need to look at what is best for the community as a whole.
- ❖ A better way to find this out is to put the matter to the voters.
- ❖ Thanks to Mr. Gallagher for all work on this proposal.

Commissioner Sorich stated he is pleased to hear that we will be working with the YMCA as a partner as this was a concern of his.

Commissioner Foley stated the following:

- ❖ Echoes some statements Commissioner Shaw made as far as being at this scheme for a while.
- ❖ Wants to clarify something that former colleague Mr. Moody stated kicking this down the road.
- ❖ He does not view this as kicking the can down the road.
- ❖ We put this out to the vote of the people and it is not kicking the can down the road.



- ❖ Mr. Moodry sat across from him and we knew at that time and there were a lot of people in the audience on both side of the issue.
- ❖ He knew at the time in listening to constituents that the issue was not going to pass.
- ❖ He did not think he would see Commissioner Fisher supporting the \$8.7 million dollar proposal.
- ❖ This is in his District and can probably see why.
- ❖ Commissioner Henderson brought up good points here.
- ❖ We get caught up in thinking we know what the people or voters of this community want.
- ❖ Is the toughest job as a commissioner to really find out what are people are saying.
- ❖ The last issue was pretty clear.
- ❖ He had a gut feeling as well as a lot of other commissioners did.
- ❖ Thinks everyone in this room and in the community wants something here for our kids like an aquatic facility.
- ❖ To find the happy medium is tough.
- ❖ We cannot discount what some of the people have said including the comments stated here tonight.
- ❖ On the efforts to say who can afford it as it is only \$22 or it is only \$44.
- ❖ Should not be in role of telling people what they can afford.
- ❖ He can only answer for himself as a taxpayer as every one of us are taxpayers.
- ❖ Does he think this is a good plan? Yes.
- ❖ Does he think it is a positive thing for this community? Yes.
- ❖ Will he vote for it if it is on the ballot? Yes.
- ❖ He knows that there are many people out there that will be feel strained.
- ❖ At work an older lady told him what income she has to live on each month and how much she receives from Social Security.
- ❖ She told him that she loves kids but this proposal would be a lot of money for her.
- ❖ He works in a place with young kids sees the difficulties that they have and finding things we need in this community.
- ❖ He sees both sides of it.
- ❖ When we have an issue here, we have a full court press.
- ❖ We have an organized effort where people come in and try to convince us.
- ❖ We have people like Coach Green, who is a neighbor to him and is a great guy and he does not come here too often.
- ❖ He knows the game plan and understand what is going on.
- ❖ At the same time, we need to be cautious when we think we know what the voters want.
- ❖ We went of effort last time, had full court press, etc., and it failed.
- ❖ He hopes it will pass as it part of the bigger plan for this community and what we have been talking about.
- ❖ Is he confident this will pass? No.
- ❖ He was more confident last time.
- ❖ Have to respect the voters.
- ❖ He does not always agree with Commissioner Henderson all of the time, but he makes a valid point, the voters did send the message.
- ❖ If we do not get that as this is an increase not a decrease.
- ❖ He agrees with Commissioner Henderson, if this goes down again, we will be out of the pool or some recreational activity again.
- ❖ This is a gamble here.
- ❖ This is not as simple as throwing it out and is not going to be a slam dunk.



- ❖ He is telling them it is not.
- ❖ He is stressed over this because there was a lot of personal issues here that went on in different groups.
- ❖ There was a lot of heated exchanges and former Commissioner Mr. Moodry knows this.
- ❖ He is hopeful but at same time is very leery of this as well.
- ❖ Thanks Mr. Gallagher for doing a great job on this proposal and trying to bring this back to the people and we will see what happens.

Commissioner Perdue-Dolan stated the following:

- ❖ Her phone was ringing off the hook today like Commissioner Shaw's with different points of view.
- ❖ There were folks stating to her that they really want this to be put to the voters and are in support of this project.
- ❖ There were folks telling her that they want options.
- ❖ Also, there were folks telling her they do not want anything and want the hole to be filled in and grass put on it.
- ❖ She was shocked about the various points of view and the amount of varicosity in the comments from the folks that had contacted her.
- ❖ They were all in her District.
- ❖ She concurs with Commissioner Foley that this will be a tough issue.
- ❖ Her son love to swim and miss having a pool in the summertime.
- ❖ The other side of the coin is can we afford this project?
- ❖ She glad we are talking to the YMCA about this as it is a wonderful thing.
- ❖ This will be a difficult decision for all of us to make.

A sub-motion was moved by Commissioner Ralph and seconded by Commissioner Fisher to Concur with the request in Communication No. 16-34 and refer to the County Attorney draft a Resolution authorizing a ballot issue and Place it on File. The motion passed by a roll call vote of 11 yea and 1 nay. Commissioner Henderson voted nay.

Segregation – Communication No. 16-24

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council authorize the Chief Executive and the Finance & Budget Director to execute the letter of engagement with DA Davidson relating to the potential offering and issuance of General Obligation Bond for a new aquatic facility.

It was moved by Commissioner Morgan and seconded by Commissioner Walker and passed with a unanimous verbal vote to Concur with Communication No. 16-24 and Place it on File.

Segregation – Communication No. 16-33

Jim Fisher, Butte-Silver Bow Commissioner, District No. 6, requesting Council look at the Fairness or the Unfairness of Council members being on staggered terms for Elections.



Commissioner Fisher stated the following:

- ❖ We know there are 6 commissioners that run on a 4 year term at the same time as the presidential election and 6 commissioners that run on the other.
- ❖ 6 commissioners can run for another seat as this year, if they lose their election, can come back and serve the rest of their term as a commissioner.
- ❖ He feels this is not fair.
- ❖ Feels when a person files for a commissioner, they are telling their supporters that you will be there to serve them for 4 years
- ❖ When you are in office for one year and decide to run for another office, he does not think it is fair to your constituents.
- ❖ Also does not think it is fair to other commissioners.
- ❖ In doing what think is right for the other commissioners and the community, you are trying to run for another office which is not fair.
- ❖ He does not think it is fair that 12 commissioners when 6 are on one side and 6 are on the other should decide this.
- ❖ The decision being broke by the chief executive, who is also an elected position, could have one of the commissioners running against him and he does not this is fair.
- ❖ Is this something that has to be amended by the Charter or is it an ordinance change or is it something that should be decided by a district judge?
- ❖ If it is an ordinance change, the commissioners are going to vote and it is not fair that we get to be the judge and the jury.
- ❖ If this is amended by the Charter, apparently it can only happen every ten years and he may not be here in ten years or he may not be alive it is hard to say.
- ❖ This is an issue that has been on his mind as well as other people's mind.
- ❖ He would like some conversation on this issue tonight.
- ❖ We are the only commission that has a 12 member commission and a chief executive running the community.
- ❖ This is rare.
- ❖ He does not think it is the best form of government.
- ❖ When decided on this form of government in late 1970's it was a close vote.
- ❖ Was as close as the pool bond issue vote.
- ❖ We are still living with this form of government whether we like it or not.
- ❖ How do we decide this issue?
- ❖ How do we decide this when a commissioner files to run for another office, when they were just elected to the office, they should have to resign the seat the following January?

Commissioner Ralph stated the following:

- ❖ She is the only Commissioner that has filed for another office.
- ❖ She is a member of the Council of Commissioners.
- ❖ Her term of office is not expiring at the end of this year.
- ❖ She states the people of her district who voted for her to uphold the duties of the office.
- ❖ She intends to uphold the duties of the office until either her terms expires or the people of Butte decide to put her into different position.



Commissioner Sorich states before we decide on any of this we should find out the legality and ask the County Attorney for advice.

County Attorney Joyce stated the following:

- ❖ State law does not allow a candidate to file for more than one public office.
- ❖ For instance, Commissioner Palmer could not file his commission seat and for chief executive.
- ❖ Whether or not there is an answer to this question, it is something that happens in elections across the country in legislative seats.
- ❖ For instance, there is a county attorney that wants to run for a district court judge and they have 6 year terms.
- ❖ There are certain times their seats are up for election at the same time.
- ❖ There is a period of time when the county attorney may be in the middle of their term when the district court judge is up for election and they have the option to run and still hold their term.
- ❖ This happens at the legislature when you want to run for house seat or move up to the senate seat depends on when you run.
- ❖ There are the same specific 6 districts that are on the same election cycle as the rest of the executive officers within the City-County government.
- ❖ They do need to make a choice and it is not always the same 6 people but it is always the same 6 districts.
- ❖ She is not sure what you would be asking a district court judge to decide as it is not necessarily unlawful.
- ❖ She is not sure what action you would asking a court to declare for instance, in a declaratory judgment action.
- ❖ The Council could pass an ordinance if this body wanted to stating as a commissioner you could not run for another office during your term of office.
- ❖ If you wanted to change the form of government which we currently have, it would take a change in the Charter.
- ❖ Under the powers and duties of the Council of Commissioners if wanted to change the provisions in the Charter, it would have to go to the vote of the people.
- ❖ There is no simple answer on this.

Commissioner Fisher stated the following:

- ❖ He stated to Commissioner Ralph that this was on his mind long before she filed for another office and had nothing to do with her filing for office.
- ❖ Seems the way we are set up with 6 of us being on the same term every time would be a good idea to review having an ordinance change.
- ❖ So if a commissioner decided to run for another office, whether they win or lose would have to resign their seat the following January.
- ❖ Does not seem to be fair depending where you live in a community to not have the same rights as 6 other commissioners.

It was moved by Commissioner Fisher and seconded by Commissioner Henderson to Refer Communication No. 16-33 in the Committee of the Whole.



Commissioner Morgan stated this is not a hard problem and we can be solve this tonight and suggests he move into one or the other districts.

Commissioner Andersen stated the following:

- ❖ According to state law the way we can change this is by ordinance.
- ❖ The other thing we could do is increase the term of office to 6 years.
- ❖ In that way would be running in every other year would be running in a presidential cycle like the senators do.
- ❖ This would require a change in the Charter which can only happen every 10 years.
- ❖ We are approximately 9 years out from that change.

A sub-motion was moved by Commissioner Andersen and seconded by Commissioner Walker to Note Communication No. 16-33 and Place it on File.

Commissioner Fisher stated the following:

- ❖ He has researched this issue.
- ❖ Does state that a person cannot run for two offices at the same time or hold two offices at the same time.
- ❖ Does not clarify anything about holding an office, running for office and then going back to an office if defeated in an election.
- ❖ This is why he wants the matter held for a week for further information on the issue.
- ❖ There are Title 7 Election laws and other laws but none cover this specific thing.

It was moved by Commissioner Andersen to withdraw the sub-motion to Note and Place Communication No. 16-33 on File. Commissioner Walker withdrew the second he made on this motion.

It was moved by Commissioner Fisher and seconded by Commissioner Henderson and passed with a unanimous verbal vote to Refer Communication No. 16-33 in the Committee of the Whole. Commissioner Andersen voted nay.

SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

- 16-20 David Schultz, Director, Butte-Silver Bow Public Works Department, requesting time on the January 20, 2016 Regular Meeting Agenda to give information to Council of Commissioners on the relocation of the County Shop Complex.



BSB County Shop
Update Presentator

Public Works Director, Mr. Schultz gave a power point presentation and stated the following:

- ❖ Present to Council the second phase of the selection process of the County Shops.
- ❖ Presented this information to the Sarta Board last week.
- ❖ Began with 8 sites and eliminated 4 sites in the earlier process.



- ❖ Regarding the remaining 4 sites we will present the capital and operating costs for utilizing any of those 4 sites.
- ❖ We will make a recommendation to Council as where we think is the best site for the County Shops location.
- ❖ We asked on February 3, 2016 for Council to take action at time on the County Shop location.
- ❖ We will present the information to Council tonight and there will be plenty of time to think about it and ask questions, etc.
- ❖ On February 3, 2016 ask Council to take action on this matter.
- ❖ The whole idea about this accelerated schedule is to get this process moving so we can accommodate the schedule that the Department of Natural Resources (NRD) and Governor Bullock has provided.
- ❖ We can begin moving dirt of the Para tailings by this summer.
- ❖ If able to select the County Shop location then we can work with the design in building the new shops.
- ❖ Then we can remove the remaining Para tailings next summer, demolish the existing shop complex and remove the other Para tailings.
- ❖ The members of the selection committee are as follows:
 - Dave Schultz, BSB Director of Public Works
 - Jon Sesso, BSB Planning Director
 - Nick Sandford, BSB Operations Manager, Road Division
 - Tom Loggins, BSB Superintendent, Road Division
 - Julia Crain, BSB Special Projects Planner
 - Pat Cunneen, NRDP, Environmental Science Specialist
 - Andy Dare, Pioneer Technical Services, Project Manager
- ❖ See pictures of existing County Shops that are included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ Located at the current County Shops location are a number of offices for staff, Jennifer Kerns, Nick Sandford, Tom Loggins, electricians, and the parks superintendent.
- ❖ This is important complex and is one of the building that we would be replicating,
- ❖ Also there is a heated storage building for equipment.
- ❖ There is a sign shop in the building where the signs are stored.
- ❖ There is a cold storage building for equipment that does not require to be kept warm.
- ❖ There is a bus wash building built approximately 10 years ago.
- ❖ We have a couple of other heated identical storage buildings as well.
- ❖ There is a vehicle maintenance shop for repairs of county equipment.

Operations Manager Mr. Sandford stated the following:

- ❖ We have 4 locations to present to Council.
- ❖ The first is the Centennial Concrete Property.
- ❖ Across the street from the Metro Sewer Plant and is 17 acres.
- ❖ The property is owned by Marty Salusso.
- ❖ See picture of Centennial Concrete property is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ The Centennial Concrete property is located near the Animal Shelter.



- ❖ Marty has made a proposal to us as to what it cost for us to purchase the property.
- ❖ The next one is the Gilman Property.
- ❖ Jim Gilman owns this property and it is 20 acres.
- ❖ Again is located across the street from the Metro Sewer Plant.
- ❖ We have been in contact with Mr. Gilman regarding the purchase of this property.
- ❖ The next one is the Mike Mansfield Technology Center.
- ❖ Is located south of Butte and is 53 acres.
- ❖ This 53 acre site is quite a bit more than what we would use.
- ❖ A large site with existing buildings.
- ❖ Off of Technology Way and Harrison Avenue.
- ❖ The next one is the Montana Pole Plant.
- ❖ This if off Greenwood Avenue and is 40 acres.
- ❖ Currently under the direction of the State of Montana.
- ❖ Getting clean up by the DEQ from the existing pole plant.
- ❖ Located across the street from Hollow Construction and located south of the interstate highway and Greenwood Avenue.
- ❖ See site location map is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.

Mr. Andy Dare from Pioneer Technical stated the following:

- ❖ Completion of the site study was completed in December, 2015.
- ❖ This is available on the BSB Website, Public Works Department page.
- ❖ For each of the 4 sites there is a Preliminary Estimate Summary.
- ❖ They defined the site development costs, land acquisition costs and estimates and also estimates of operation and maintenance costs for each of these sites.
- ❖ These estimates remain preliminary and the level of accuracy may vary by as much as 25%.
- ❖ Centennial Concrete Property - See the Preliminary Estimate Summary is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ Gilman Property - See the Preliminary Estimate Summary is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ Mike Mansfield Technology Center - See the Preliminary Estimate Summary is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ Montana Pole Plant - See the Preliminary Estimate Summary is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.
- ❖ The Summary of Costs is included in the BSB County Shop Presentation which is attached hereto and made a part hereof.

Public Works Director, Mr. Schultz stated the following:

- ❖ Based upon the analysis that Pioneer Technical and the selection committee went through the lowest cost property is the Montana Pole Plant Property.
- ❖ There is no land acquisition cost.
- ❖ The Montana Pole Plant is our recommended site.
- ❖ A close second choice is the Gilman Property.
- ❖ There is some acquisition costs on the Gilman Property and slightly higher operating costs.
- ❖ These property are so close together pretty much a dead heat.



- ❖ The Montana Pole Plant reclamation project can maybe configure the ground for us the way we may need it to be configured.
- ❖ Andy had a \$950,000 dirt work cost.
- ❖ We could maybe escape the cost if the State in the reclamation of their finalizing Montana Pole Plant in clean up were able to give us the configuration that we needed.
- ❖ We recommend the Montana Pole Plant be our top site.
- ❖ The caveats of the Montana Pole Plant are several.
- ❖ We are on a fairly aggressive schedule to get the County Complex moved so that summer of 2017 demolish our existing shop complex.
- ❖ We are not entirely sure the Montana DEQ can finish their reclamation of the Montana Pole Plant in time frame that we need.
- ❖ Because of schedule problems, this property can become nonviable to us.
- ❖ Also the final details of the cleanup are not known to us.
- ❖ Most all of the work is done but there is some capping and some final details to be done.
- ❖ Until we have a better understanding of what is on the ground and what is left and how it is capped due diligence would not allow us to move forward on selecting the site.
- ❖ We are assured by DEQ that all of these questions will be resolved very quickly.
- ❖ This leads us to still recommend the Montana Pole Plant as our location.
- ❖ Because these caveats could come to pass, we would also like to pursue the Gilman Property in a simultaneous fashion.
- ❖ We have no intention of buying the Gilman Property.
- ❖ We would like to go through some low level analysis there.
- ❖ Would like to get an appraisal of the property.
- ❖ We would like to talk to the owner regarding some options of the property.
- ❖ Wants it to remain an option for us should the Montana Pole Plant not become a problematic and we cannot locate the County Shops there.
- ❖ In two weeks, this will be on the Agenda and we will ask Council to take action allowing the Chief Executive pursue investigative work and negotiating with both land owners.
- ❖ In later part of February or early March, we would have one or the other selected for the new location of the County Shops.

Commissioner Sorich states the following:

- ❖ He does not see the Montana Pole Plant as the recommended site with the caveats.
- ❖ Does not see it as an option at this point.
- ❖ There are a lot of caveats and there is a lot of unknowns and is still contaminated.
- ❖ You are on the fast track here and there is too many and if and buts.
- ❖ He would pursue the Gilman Property instead of Montana Pole Plant in this case.

Commissioner Perdue-Dolan thanked Mr. Schultz and asked about 25% deviation costs why it is so much?

Mr. Schultz stated the following:

- ❖ Mr. Dare referenced these estimates as a plus or minus 25%.
- ❖ At this point where we do not know where the land is.
- ❖ Have not done the surveys.
- ❖ Have not done environmental analysis.



- ❖ There is enough unknowns on the properties we had a fudge factor.
- ❖ Once these can be completed we will have a better idea of the surfaces are.
- ❖ Until we can understand a lot of details on a particular site we have to provide additional monies to cover other eventualities we do not know about.

Commissioner Perdue-Dolan stated the following:

- ❖ Knowing this and the 25% deviation costs and the unknowns.
- ❖ Also in conjunction to what Commissioner Sorich stated.
- ❖ She has the same reservations about the Montana Pole Plant being a superfund site.
- ❖ The Montana Pole Plant is almost in dead heat with the Gilman Property.
- ❖ She asks why not go with a site that is more clean than the Montana Pole Plant?

Commissioner Morgan stated the following:

- ❖ He agrees with what the other commissioners have stated.
- ❖ He is concerned the land the Montana Pole Plant is contaminated.
- ❖ We are moving from one contaminated site to another contaminated site.
- ❖ He sees a lot of potential issues there.
- ❖ If we go through with this and the DEQ gives us the property, is there a warranty for perpetuity in case something else comes up down the road that requires more reclamation?
- ❖ Is Butte-Silver Bow on the hook or is DEQ going to step back in to and remediate it at that point?

Mr. Schultz states this is exactly one of the details that needs to be worked out and we would want what Commissioner Morgan has just described.

Commissioner Fisher stated the following:

- ❖ Happy to hear from other commissioners and feels the same way.
- ❖ Last night's meeting did not have a lot to do with the Montana Pole Plant more to do with the superfund.
- ❖ There was approximately 200 people in attendance of this meeting.
- ❖ The consensus was the people are not happy dealing with the DEQ or the EPA people.
- ❖ To take a piece of property from either the DEQ or EPA that has been contaminated might not be the most popular.
- ❖ The Gilman site is a better option because the Montana Pole Plant site has a few more issues.
- ❖ When he was a kid, the Montana Pole Plant was a dangerous site and is still very much polluted.
- ❖ Went on a tour and was told the ground water was traveling towards Metro Sewer Plant.
- ❖ The Montana Pole Plant site would be a good site to avoid.

Commissioner Sorich asked about the future growth of the County Shops in the event we have to move from the batch plant?



Chief Executive Vincent stated this was a criteria that was considered but this is about moving the County Shops. The size of these sites had some criteria associated with the ability for us to co-locate and expand our operations but it does not take the batch plant into consideration.

Commissioner Shaw thanks Mr. Schultz, Mr. Sandford and Mr. Dare for all of their due diligence on this. She asked if there was way to review this information again in case we have any further questions.

Mr. Schultz stated we can provide this information to the Council members via email and also place it on the BSB Public Works Website in PDF format.

Commissioner Shaw stated she placed this communication in the Read to be Acted Upon section of the Agenda and there is no action for Council to take tonight. She appreciates everyone's input and we will have an opportunity in couple of weeks to vote on this issue and she follows so far with what everyone else has been saying.

It was moved by Commissioner Shaw and seconded by Commissioner Morgan vote to Note Communication No. 16-20 and Place it on File.

Commissioner Morgan stated to Mr. Schultz, we obviously know your recommendation on this project right now, asks if he going to expect a motion from Council to go with his recommendation or to go with the Gilman Property asks what he looking for from Council in the next couple of weeks?

Mr. Schultz stated their intent this evening was to get approval from Council to pursue both locations on a parallel path. We will take whatever Council approves.

Commissioner Palmer stated to Mr. Schultz that the Gilman Property is the number one choice in his mind because of all the problems at the Montana Pole Plant. The Gilman Property has two parcels there on each side of the road and asks why wasn't the property on the north side of road looked at verses the south side?

Mr. Schultz stated the following:

- ❖ The parcel on the south side especially the ground that is adjacent to Centennial Avenue and across from the Metro Sewer Plant would be fairly good ground.
- ❖ This would be ideal for the machine shop, the dry and heated storage is out of the view of the community.
- ❖ We chose the land on the south side of Excelsior Avenue for that reason.
- ❖ If these were up on the north side of Excelsior Avenue, would be fairly close to the subdivision on the lower west side.
- ❖ We thought better conforming of the land use by going down below.

Commissioner Palmer asked if there was a possibility of purchasing both parcels of land at the same time for future expansion of Gilman Property or for cleaning it up. He is picturing the new County Shops to be a first class facility that will be an improvement to the area. Across the road we still have Gilman's dumping grounds and equipment storage. If we can get both parcels and beautify the whole area it would be an area for expansion.



Mr. Schultz stated that he has had conversation with Mr. Gilman regarding the south side property not the north side property so he does not if the north side property is available or not but thinks it it might be a possibility.

Commissioner Andersen stated the following:

- ❖ A couple of weeks ago when Mr. Schultz came before Council and asked if any of the Commissioners had any questions or comments regarding the proposals.
- ❖ Community involvement and how it effects the community at large.
- ❖ Asks if there was any work done on this as he did not notice anything on the presentation here tonight.
- ❖ The Montana Pole Plant we have reservations on this site.
- ❖ One of the reservations he has before it was mentioned as a park and other opportunities for citizens in the area and was going to be the primary use.
- ❖ If we are going to switch it now, believes will have an adverse effect.
- ❖ The neighbors seem to be opposed to the use of this site when was proposed as a park.
- ❖ Any research done in this regard as to impacts on the neighbors on these four sites.

Mr. Schultz stated the following:

- ❖ They chose locations where zoning would allow a facility such as this so it is a conforming use in that regard.
- ❖ Also, chose locations where there are not a lot of homes close to these sites.
- ❖ We were aware there may be some resistance by neighborhoods to have these facilities be placed near them.
- ❖ There is not any location we will chose that there will not be some neighborhood opposition.
- ❖ We expect it to be the case.
- ❖ We had a presentation last week to the Sarta Board.
- ❖ They had a public presentation at the Archives regarding this matter.
- ❖ There has been one additional public presentations as well.
- ❖ We have gotten the word out to the public through articles in the Montana Standard and the news.
- ❖ We have done our best to notify public awareness of these locations are under consideration.

Commissioner Andersen asked if anyone has commented on this one way or the other. This is information that you gathered from these public sessions and presentations that you have done. We have not seen these comments in the presentations you have presented to Council and would like to know if there was any public comments and if he would like to share the comments to Council.

Mr. Schultz stated they have received general comments regarding locations or comments stating to them to not move the County Shops at all and do not to remove the Para tailings leave the County Shops where they are. They do not have a record of comments on specific locations that we could provide to Council.



Commissioner Foley stated the following:

- ❖ At the meeting last week, Mr. Hafer asked you the same question that Commissioner Andersen asked.
- ❖ You told him the same response no matter where the shops are to be located will have opposition.
- ❖ This is true.
- ❖ As a Commissioner, both of these are in his district not sure if this will suffice.
- ❖ Knows wherever the location there will be opposition.
- ❖ The key selling of this and has asked him this question before, particular the Gilman site, again about the Crusher and Hot Plant.
- ❖ These change the equation.
- ❖ The Gilman Property changes the equation as well as it is an M-1 site which is light industrial which the Crusher and Hot Plant are not allowed.
- ❖ Mr. Sesso can confirm this.
- ❖ He asks if Mr. Schultz's view is set on moving the Crusher and Hot Plant.
- ❖ The Hot Plant and Crusher does disrupt the neighborhoods.
- ❖ Again, there is no public input.
- ❖ Understands what Mr. Schultz is saying that you had meetings.
- ❖ Other than the Boulevard neighborhood, no one has gone to the other neighborhoods regarding the location sites.
- ❖ This is another area that needs to be discussed.
- ❖ There has been numerous meetings and numerous issues that have come up and their neighborhood has come up with ideas and none of this has been discussed.
- ❖ Has to be brought to Council as well and needs to be stressed to you.
- ❖ The big question is the Hot Plant and Crusher.

Mr. Schultz stated the following:

- ❖ If he had the choice they would leave the Hot Plant and Crusher where it is.
- ❖ They are located in a fine location is off the interstate, is centrally located behind slag walls and a tank out front.
- ❖ People do not know the Hot Plant and Crusher are located there.
- ❖ There is a chance that it might remain there permanently.
- ❖ There is a desire to have the cleanup be more thorough and effective than it has been to date.
- ❖ The area that has not been addressed is where the Hot Plant and Crusher is located by the slag walls.
- ❖ There is a definite possibility in the future where they are located now there will be some type of reclamation activity and we will be moving the Hot Plant and Crusher.
- ❖ Where they will end up does not know.
- ❖ We discussed this with Council in the past about the possibility of co-locating the County Shops, Crusher and Hot Plant.
- ❖ This may not be possible.
- ❖ Four or five years from now not sure of what the political plan or the community climate will be.
- ❖ We may not be able to co-locate the County Shops, Crusher and Hot Plant.
- ❖ We would like to co-locate these as it would streamline operations.



- ❖ We do not always do things for the convenience of Public Works.
- ❖ We realize we may not be able to place Hot Plant or Crusher adjacent to the Gilman Property.

Commissioner McDonough stated the following:

- ❖ His question follows in line with Commission Foley.
- ❖ He would like to see the Hot Plant and Crusher moved at the same time we move the County Shops.
- ❖ Off the interstate where they are located looks like driving into Laurel, Montana.
- ❖ One of the main entrances into the community in the summer they drive into a cloud of smoke.
- ❖ This is a terrible location where it is currently located.
- ❖ We need to see writing on the wall at some point in the future this will be next in terms of environmental cleanup.
- ❖ If it is not next it will be down the road.
- ❖ Prudent planning to move these all at once.
- ❖ He would prefer that it be included in this discussion now to not only relocate the County Shops but to relocate the Hot Plant and the Crusher.
- ❖ Understands the concerns of neighborhoods as to where they will be located.
- ❖ Another option is to maybe revisit the Hot Plant and Crusher business and may get out of it and contract it out to other people.
- ❖ Prefers to handle the matter all at once as it is prudent to look at relocating the Hot Plant and Crusher in the current proposal.

Chief Executive Vincent stated the following:

- ❖ We could talk about this issue a lot.
- ❖ To be fair, we were given money for the County Shops relocation study.
- ❖ We included the discussion on the Hot Plant and Crusher as much as possible within the confines of what the scope of this project were.
- ❖ This would be to select the site for it to remain open.
- ❖ To be clear, you saw the figures on this project and it will not be a cheap endeavor.
- ❖ The monies are going to coming from the restoration funds for the removal of the Para tailings a reality.
- ❖ The goal for this community is to have a restored and clean Silver Bow Creek corridor.
- ❖ Cannot have a restored clean Silver Bow Creek corridor with a Hot Plant in the middle of it.
- ❖ Cannon get a Hot Plant permitted in a flood plain area.
- ❖ This will take place but the figures provided in the analysis do not include the additional costs of relocating the Hot Plant or Crusher.
- ❖ If looking at this in future, have to be a separate project and need to look for separate funding sources.
- ❖ We are now focusing on the relocation of the County Shops and have also included the acreage to look at the potential co-location of the Hot Plant and Crusher in the future.

Chief Executive Vincent assured Council that Mr. Schultz, Mr. Sandford and Mr. Dare and others looking at this evaluation will be continuing look at things as they come in will provide the updates to Council.



Mr. Sesso suggested that Council refer this communication to the Committee of the Whole just in case something does come up and there would be no communication to have on the Agenda to discuss further.

Commissioner Shaw stated it is a good idea this communication was a presentation and we do have another communication coming before Council in two week asking us to make a final decision on this matter it is up to the Council.

Chief Executive Vincent stated this is true, Communication No. 16-21 was approved earlier tonight is requesting time on the February 3, 2016 meeting and will be open for discussion as it is referred to the Committee of the Whole next week.

It was moved by Commissioner Shaw and seconded by Commissioner Morgan and passed with a unanimous verbal vote to Note Communication No. 16-20 and Place it on File.

SECTION 4 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. RESOLUTION NO. 16-4

SUPPLEMENTAL RESOLUTION RELATING TO \$10,268.00 SEWER SYSTEM REVENUE BOND (DNRC WATER POLLUTION CONTROL STATE REVOLVING LOAN PROGRAM) SERIES 2016.

SECTION 5 ORDINANCES SECOND READING

1. ORDINANCES 16-1

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT"; ESTABLISHING A 15 MPH SPEED LIMIT ON WEST GRANITE STREET FROM WESTERN AVENUE ON THE EAST TO MAY STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan that Council Bill No. 16-1 and Ordinance No. 16-1 be placed on second reading and be passed, having been deemed read at length. The motion passed by a roll call vote of 11 yea and 1 nay. Commissioner Henderson voted nay.



**SECTION 6 ORDINANCES AND RESOLUTIONS
FINAL READING**

1. RESOLUTION NO. 16-1

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY LOCATED IN THE MONTANA CONNECTIONS BUSINESS DEVELOPMENT PARK, GENERALLY DESCRIBED AS SILICON MOUNTAIN NO. 1 MINOR SUBDIVISION, SECTION 24, TOWNSHIP 03 N, RANGE 09 W, LOT 3B (COS 940B-RW), WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan that Resolution No. 16-1 be placed on final reading and be passed, having been deemed read at length. The motion passed by a roll call vote of 12 yea and 0 nay.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

None.

Commissioner Shaw stated the selection of the new Council Secretary is Ms. Tracy Watt. She has accepted the position and will begin on Monday, January 25, 2016. Commissioner Shaw thanked Laura Sargent and Colleen Safratowich for all of their work during the interim.

ADJOURN

It was moved by Commissioner Shaw, seconded by Commissioner Morgan and passed with a unanimous verbal vote to Rise to the Call of the Chair.

The meeting adjourned at 10:11 p.m.

**MATT VINCENT
CHIEF EXECUTIVE**

ATTEST:

CLERK & RECORDER



