

**MINUTES OF THE REGULAR MEETING OF  
THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
FOR JANUARY 18, 2017**

The Regular Meeting of the Council of Commissioners was called to order January 18, 2017 in the Council Chambers, Third Floor, Room 312, Courthouse Building, 155 West Granite Street, Butte, Montana, by the Council Chair John P. Morgan.

**ROLL CALL**

Commissioner Morgan	<i>Present</i>	Commissioner Shaw	<i>Present</i>
Commissioner Callahan	<i>Present</i>	Commissioner McDonough	<i>Present</i>
Commissioner Andersen	<i>Present</i>	Commissioner Henderson	<i>Absent</i>
Commissioner Walker	<i>Present</i>	Commissioner Fisher	<i>Present</i>
Commissioner Foley	<i>Present</i>	Commissioner Perdue-Dolan	<i>Present</i>
Commissioner Ralph	<i>Present</i>	Commissioner Sorich	<i>Present</i>

**STAFF PRESENT**

Mollie Maffei, Butte-Silver Bow Deputy County Attorney  
Laura Sargent, Deputy Clerk & Recorder  
Tracy Watt, Council Secretary

**PRAYER AND PLEDGE**

Commissioner McDonough said prayer and led pledge.

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

None.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING JANUARY 4, 2017**

*It was moved by Commissioner Shaw, seconded by Commissioner Ralph, and passed by a unanimous verbal vote, to approve the minutes of the Regular meeting of January 4, 2017.*

**ITEMS NOT ADDRESSED ON THE AGENDA**

None.



## CHIEF EXECUTIVE'S REPORT

Council Chair Morgan:

- No Chief Executive Report tonight, but do have a couple of comments.
- Council pictures will be taken next Wednesday at 7 p.m.
- The loud speakers in Council Chambers have been fixed, but still be sure to talk directly into microphones.

## SECTION 1 CONSENT AGENDA

### A. COMMITTEE REPORTS

1. COMMITTEE OF THE WHOLE MEETING REPORT
2. FINANCE & BUDGET COMMITTEE MEETING REPORT
3. ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT
4. PUBLIC WORKS COMMITTEE MEETING REPORT
5. JUDICIARY COMMITTEE MEETING REPORT

### B. COMMUNICATIONS

***Before entertaining a motion for approval of the Consent Agenda, Council Chair Morgan called for any friendly amendments or segregations.***

There were none.

*It was then moved by Commissioner Shaw, seconded by Commissioner Ralph, and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 5 and Section B, Items 1 through 21, with no exceptions.*

## SECTION 2 COMMUNICATIONS TO BE READ AND ACTED UPON

### 1. COMMUNICATION NO. 17-12

Janice M. Casarotto, Butte-Silver Bow Public Administrator, requesting Council of Commissioners authorize a Presentation on January 18, 2017 regarding the Public Administrator's Office.

17-12.pdf



Janice M. Casarotto, Butte-Silver Bow Public Administrator:  
17-12 Overheads

- Want to talk about Public Administrator responsibilities, goals and objectives for what I hope to accomplish during my term in office.
- I am an attorney, and hopefully that will benefit the County.
- Do any of you know what happens when someone dies and they don't have family? Many questions and responsibilities. That's where most of work of this office begins.
- Action Incorporated often pays cost of burial for indigent folks.
- Veterans get small plot and headstone.
- Probate open only two years.
- If no heirs found, any money is marked to a "sheet" and goes to the state.
- We have cases now due and we'll advertise for those estates.
- Public Administrator must keep a register (see overhead 204).
- Item 11 "other matters" - never been done. Some files, but not much information. Now just record of warrants. Last register not compliant with law. No record of details required by statute 72.15.204.
- Under 72.15.205, if a PA receives any money, they are duty bound to deposit it into the Treasurer's account. This has not been done.
- Since taking office I discovered a wallet with cash in it.
- Need to improve methods of administration. Butte-Silver Bow is a "can do" place. Duty of stewardship.
- Request judge to invest the funds - has not been done - could be source of income / revenue.
- No blame placed on anyone who's held this position - but they were not law-trained. Perhaps office should be reserved for law-trained individuals. These things must be done differently.
- It is my goal to develop forms and procedures. Package deal of what gets done when someone deceased with no relatives.
- Line item - no budget. I have devised way to generate funding, but after this year should be line item to fund this office.
- Help me do my job. Questions?

Commissioner Shaw:

- Every year we have red flag from auditor. Confident we'll see red flag go away.
- How much money is out there?



Ms. Casarotto:

- Set to be sheeted or that I could ask for?

Commissioner Shaw:

- Money in your account that needs to be sheeted or disbursed.

Ms. Casarotto:

- Reticent to identify until permission to act on it. There is money out there.
- As attorney, I have the choice to take administrator or attorney fee. That money could create a budget if I forego fees. Which I would do.

Commissioner Shaw:

- Auditor will want to hear your plan. Thank you.

Commissioner Perdue-Dolan:

- Disclaimer - you worked with my husband and he's thrilled with your expertise. Thank you for information.
- How does the office work with coroner's office?

Ms. Casarotto:

- Absolutely. Something wonderful. If we work together we are greater than separate so we'll help each other at every turn.

Commissioner Sorich:

- How much money are we talking about for funding? Line item ball park.

Ms. Casarotto:

- Whatever cost for phone line, paper, and license for computer programs.

Commissioner Sorich:

- That's pretty minimal.



*It was moved by Commissioner Shaw, seconded by Commissioner Ralph, and passed by a unanimous verbal vote to Place Communication No. 17-12 on File.*

### **SECTION 3 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY**

1. COUNCIL RESOLUTION NO. 16-71

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

[Resolution 16-71.pdf](#)

2. COUNCIL RESOLUTION NO. 17-1

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

[Resolution 17-1.pdf](#)

3. COUNCIL RESOLUTION NO. 17-2

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



[Resolution 17-2.pdf](#)

4. COUNCIL RESOLUTION NO. 17-3

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

[Resolution 17-3.pdf](#)

5. COUNCIL RESOLUTION 17-4

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

[Resolution 17-4.pdf](#)

**SECTION 4 ORDINANCES AND RESOLUTIONS, FINAL READING**

1. COUNCIL BILL NO. 16-14, ORDINANCE NO. 16-14

AN ORDINANCE AMENDING CHAPTER 2.10 ENTITLED “PERSONNEL SYSTEM”, CHAPTER 2.11 ENTITLED “FINANCE AND BUDGET SYSTEM”, AND CHAPTER 2.14 ENTITLED “LAND DIVISION”, OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), SPECIFICALLY AMENDING SECTION 2.10.010, 2.10.030, 2.10.040, 2.10.070, 2.11.010, 2.11.060 AND 2.14.070, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Ordinance 16-14.pdf](#)

[Ordinance 16-14 redline.pdf](#)

[Ordinance 16-14 revised signature pages.pdf](#)



*It was moved by Commissioner Shaw and seconded by Commissioner Ralph that Council Bill No. 16-14, Ordinance No. 16-14 be placed on final reading and be passed, having been deemed fully read at length. The motion passed by a roll call vote of 10 yea and 0 nay.*

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

R. Ed Banderob, 2601 Grand Ave., Butte, Montana:  
(Handout)

- Still can't hear.
- Wise utilization of our heritage assets. Under-utilized (refer to handout).

Chris Harris, 20 W. Galena, Butte, Montana:

- Historic Preservation in January, update on caretakers house.
- Potentially \$40,000 insurance settlement for damage caused by vandalism.
- This money, and work to correct problems, to be used by students at Highlands College under direction of Bill Ryan.
- Possible end use for the house for employee housing for Butte-Silver Bow.
- Have questions. Butte-Silver Bow has an open bid process. Is use of students - does that meet requirements? What is specified process? Is it transparent? Arbitrary? Potentially moving into employee housing business. Is that where we want to go?
- Essentially, are you guys aware of this?

**ADJOURN**

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

The meeting adjourned at 8:00 p.m.

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DAVE PALMER  
CHIEF EXECUTIVE

ATTEST:

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CLERK & RECORDER

