

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JANUARY 22, 2020
7:30 PM

ROLL CALL

[Chairman - John Morgan: Present](#)
[Vice-Chair - Cindi Shaw: Present](#)
[Council Member - Brendan McDonough: Present](#)
[Council Member - Michele Shea: Present](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Present](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Present](#)
[Council Member - Josh O'Neill: Present](#)
[Council Member - Eric Mankins: Present](#)
[Council Member - Bill Andersen: Present](#)
[Council Member - Dan Callahan: Present](#)
[Chief Executive - Dave Palmer: Present](#)

[Commissioner Brendan McDonough](#)

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

Ed Banderob, see attached notes

APPROVAL OF THE MINUTES

[Regular Meeting Minutes January 8, 2020](#)

[Chairman - John Morgan: Motion](#)
[Vice-Chair - Cindi Shaw: 2nd](#)
[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)



[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

ITEMS NOT ADDRESSED ON THE AGENDA

None

CHIEF EXECUTIVE'S REPORT

I disagree with the statements the Ed Banderob quoted. Many statements are false.

CHIEF EXECUTIVE'S REPORT ON THE SUPERFUND

Still waiting for the approval from the Federal Government in DC and should be out sometime in February 2020

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

BID OPENING

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

Mark Neary, Public Works Director requesting Council of Commissioners to authorize a bid opening on January 22, 2020 for a 12 Yard Dump Truck / Plow Truck and Sander for TIFID. Eileen Joyce said that there is proof of publication.

Mark Neary Inter State Truck Center \$198,753.00, that is the only bid.

Commissioner Morgan makes a motion to send this to the Public Works Department for recommendation.

[Chairman - John Morgan: Motion](#)
[Vice-Chair - Cindi Shaw: 2nd](#)
[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)



[Chief Executive - Dave Palmer: N/A](#)

SECTION 1: CONSENT AGENDA

A. COMMITTEE REPORTS

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

[Chairman - John Morgan: Motion](#)

[Vice-Chair - Cindi Shaw: 2nd](#)

[Chairman - John Morgan: Approve](#)

[Vice-Chair - Cindi Shaw: Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: Approve](#)

[Council Member - Dan Olsen: Absent](#)

[Council Member - Jim Fisher: Approve](#)

[Council Member - Josh O'Neill: Approve](#)

[Council Member - Eric Mankins: Approve](#)

[Council Member - Bill Andersen: Approve](#)

[Council Member - Dan Callahan: Approve](#)

[Chief Executive - Dave Palmer: N/A](#)

B. COMMUNICATIONS

1. COMMUNICATION NO. [19-140](#)

Ed Banderob, Resident of The Greater Butte-Silver Bow Community requesting Council of Commissioners request the Chief Executive to designate an appropriate entity to conduct a survey, prepare a feasibility proposal and recommendation relative to a Green Container Biodegradable Waste Management Program to complement the present Landfill Composting and Alley Rally programs.

Refer to the Committee of the Whole

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

Mary McCormick, Historic Preservation Officer requesting Council of Commissioners permission to have a parade on Saturday January 25, 2020 for the Mai Wah Chinese New Year. This will involve street closures for the event.

[2020-22](#)

Concur and Place on File,

All signatures have been received.



3.COMMUNICATION NO. [2020-23](#)

Patrick Riordan, Land Systems Administrator requesting Council of Commissioners approve Council Communication #19-572, from Mike Cerise, President Our Lady of the Rockies, 3100 Harrison Avenue, Butte MT 59701, to purchase City-County Property located at 430 North Main Street.

[2020-23 Map](#)

Concur and Place on File

4.COMMUNICATION NO. [2020-24](#)

Ed Lester, Butte-Silver Bow Sheriff requesting Council of Commissioners authorize the Chief Executive to sign the Purchase Agreement between Lenco Armored Vehicles and Butte-Silver Bow for the Tactical Armored Vehicle.

[2020-24 Agreement](#)

Concur and Place on File

5.COMMUNICATION NO. [2020-26](#)

Nikia Greene, Remedial Project Manager US EPA Region 8 Montana Office requesting Council of Commissioners time on the February 5, 2020 Agenda for a brief presentation regarding EPA's review of the recent cross-section pilot study in Butte and Columbia titled "Meconium identified high level of metals in newborns from a mining community in the U.S."

Hold in Abeyance until February 5

6.COMMUNICATION NO. [2020-27](#)

Mike Nasheim, Building Code Official requesting Council of Commissioners permission to allow the building located at 671 South Main Street to be demolished without going through the Historic Preservation review process.

[2020-27 Definition](#)

Concur and Place on File

7.COMMUNICATION NO. [2020-28](#)

Ed Banderob, Heritage Project Chairman requesting Council of Commissioners and the Economic Development Committee to encourage and facilitate the formation of a Local Heritage Area, and Local Heritage Area Coalition.

Refer to Economic Development Committee

8.COMMUNICATION NO. [2020-29](#)

J.P. Gallagher, Park and Recreation Director requesting Council of Commissioners authorize the Chief Executive to pursue a Montana State Parks, Recreational Trails Program Grant Application for submittal by January 31, 2020.

Concur and Place on File

9.COMMUNICATION NO. [2020-30](#)

Dan Dennehy, Office of Emergency Management requesting Council of Commissioners authorize the Chief Executive to sign the Interlocal Agreement between The City and County of Butte-Silver Bow and State of Montana, Montana Department of Justice, and the Montana Highway Patrol. The agreement will allow the DOJ access to BSB sites 'for the purpose of



upgrading and maintaining the existing public safety radio system of all law enforcement agencies statewide.

[2020-30 Agreement](#)

Concur and Place on File

10.COMMUNICATION NO. [2020-31](#)

Leslie Clark, Human Resources Director requesting Council of Commissioners authorize the Chief Executive to sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Butte Police Protective Association representing Butte-Silver Bow Police Officers, Detention Officers and 911 Communications Officers.

[2020-31 Memorandum](#)

Concur and Place on File

11.COMMUNICATION NO. [2020-32](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the following appointment and reappointment to the Fair Board.

Concur and Place on File

12.COMMUNICATION NO. [2020-33](#)

Dave Palmer, Chief Executive requesting Council of Commissioners concurrence on the preliminary site for the new animal shelter. A new animal shelter will benefit the animals of Butte, as well as the community itself.

[2020-33 Drawings](#)

Concur and Place on File

John Morgan, segregated this communication: I do like the location, I think we need to make sure that it will be safe it is for its employees?

Dave, DEQ says it will be cleaned up properly for the people and the animals.

Fisher: A lot of concerns about what contingencies they have with BSB and DEQ.

I would like to HIA before we approve this.

Commissioner Shaw: calls on Kareneisa Kohn.

Kareneisa Kohn: Please see the maps and it will show approximately where the shelter would be located on the vicinity site plan. It will be closer to Montana Street.

This will take up to a year to get the donations. This is just a preliminary site.

Morgan: it is a good spot

Concur and Place on File

[Chairman - John Morgan: Motion](#)

[Vice-Chair - Cindi Shaw: 2nd](#)

[Chairman - John Morgan: Approve](#)

[Vice-Chair - Cindi Shaw: Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: Approve](#)

[Council Member - Dan Olsen: Absent](#)



[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Not Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

13. [COMMUNICATION NO. 2020-34](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the following appointment to the Superfund Advisory and Redevelopment Trust Authority.

Concur and Place on File

14. [COMMUNICATION NO. 2020-35](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the following appointments and reappointments to the Insurance Committee.

Concur and Place on File

15. [COMMUNICATION NO. 2020-36](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the development of the Butte-Silver Bow Health Study Advisory Committee. This Committee would receive, analyze, discuss and disseminate information about health studies conducted in Butte-Silver Bow.

Concur and Place on File

16. [COMMUNICATION NO. 2020-37](#)

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign this cooperative agreement between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Board of Health.

[2020-37 Agreement](#)

Concur and Place on File

17. [COMMUNICATION NO. 2020-38](#)

Karen Sullivan, Health Officer requesting Council of Commissioners authorize the Chief Executive to sign the contract between the Butte-Silver Bow Health Department and the Melrose School District, for the provision of school nursing services to the district.

[2020-38 Agreement](#)

Concur and Place on File

18. [COMMUNICATION NO. 2020-39](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorize the Chief Executive to sign the contract amendment to the BSTF Grant for Montana Craft Malt. This contract amendment will be routed for signatures through DocuSign initiated by the State of Montana.

[2020-39 Contract](#)



Concur and Place on File

19.COMMUNICATION NO. [2020-40](#)

Danette Gleason Finance & Budget Director requesting Council of Commissioners authorize the Chief Executive to sign the agreement to Transfer Silver-Bow Greenway Service District Assets to Anaconda-Deer Lodge County.

[2020-40 Agreement](#)

Concur and Place on File

20.COMMUNICATION NO. [2020-41](#)

Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners authorize the Chief Executive to sign the Customer Agreement to provide NorthWestern Energy electric services to the County Shops Beef Trail Location.

[2020-41 Agreement](#)

Concur and Place on File

21.COMMUNICATION NO. [2020-42](#)

Eileen Joyce, County Attorney requesting Council of Commissioners authorize the Chief Executive to sign the agreement between the City and County of Butte-Silver Bow and Community Counseling and Correctional Services, Inc. to operate a Pre-Trial Services program on behalf of the City-County Butte-Silver Bow, Montana.

[2020-42 Agreement](#)

Concur and Place on File

22.COMMUNICATION NO. [2020-43](#)

Lori Casey, Planning Director requesting Council of Commissioners authorize the Chief Executive to sign the agreement Amendment No. 1 Profession Services Agreement (Council Communication No. 18-472) between Butte-Silver Bow and Orion Planning + Design, LLC to extend the term of the agreement to April 30, 2020.

[2020-43 Agreement](#)

Concur and Place on File

23.COMMUNICATION NO. [2020-44](#)

Jim Keenan, Chief Water Operator Water Utility Division requesting Council of Commissioners authorize the Chief Executive to pursue a Montana DNRC Program Project Planning Grant between Renewable Resource Grant and Loan (RRGL) Program Project Planning Grant Application.

Concur and Place on File

24.COMMUNICATION NO. [2020-45](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners approval for the Landfill Financial Assurance Test for Fiscal Year 2019. The document demonstrates Butte-Silver Bow's compliance related to closure/post closure costs for the landfill.

[2020-45 Documents](#)

Concur and Place on File



25.COMMUNICATION NO. [2020-47](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorize the Chief Executive to sign the agreement with Bitterroot Gateway Development LLC, related to the transfer of ownership of 40 East Broadway.

[2020-47 Agreement](#)

[19-473 Agreement](#)

Concur and Place on File

SECTION 2: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. [2020-48](#)

Josh O’Neill, Commissioner District No. 7 intends to make a Motion of Reconsideration of Communication No. 2020-04 from the council meeting on January 8, 2020.

Commissioner O’Neil, I had a change of heart but felt that in this situation that it was not handled fairly. I want to reconsider and give everyone a fair shot. Make a motion to 2020-04 for reconsideration.

Mr. Fisher feels that it should be held on an individual basis.

Josh O’Neil: Each is different, however this situation is the same. It is all on property taxes and both went to the first sale but did not sell.

John Morgan: These are some of the tougher decisions. They are both for taxes. And I do understand that people have a hard time in life. Both were notified and did not do anything to remedy the situation. Lori Baker will help anyone if she can. Both properties went to the first tax sale and now they want to look for funding, which they both did. There are people out there that have made sacrifices to pay their taxes.

Michele Shea: We have all had bad times. Two people are standing before us and they want our help. We want to build a tool so that we can help them.

Jim Fisher. Concurs with Shea.

Eileen Joyce: the first vote was to deny the communication, this one is to be placed on the agenda again to be reconsidered.

[Council Member - Josh O'Neill: Motion](#)

[Council Member - Brendan McDonough: 2nd](#)

[Chairman - John Morgan: Not Approve](#)

[Vice-Chair - Cindi Shaw: Not Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: NotApprove](#)

[Council Member - Dan Olsen: Absent](#)

[Council Member - Jim Fisher: Approve](#)

[Council Member - Josh O'Neill: Approve](#)

[Council Member - Eric Mankins: Approve](#)

[Council Member - Bill Andersen: Approve](#)

[Council Member - Dan Callahan Not Approve](#)



Chief Executive - Dave Palmer: N/A

Motion passes

2. COMMUNICATION NO. 2020-46

Michele Shea, Commission District 2 requesting Council of Commissioners consider establishing a process providing for the sale and deposition of real property during the period between a first tax sale auction and a second tax sale auction. This would require that the County Attorney prepare and introduce such a resolution as provided.

https://leg.mt.gov/bills/mca/title_0070/chapter_0080/part_0230/section_0010/0070-0080-0230-0010.html https://leg.mt.gov/bills/mca/title_0070/chapter_0080/part_0250/section_0210/0070-0080-0250-0210.html

Michele Shea, We need to have a provision to allow redemption between tax sales, and see if we can get a consideration for this

Brenden McDonough: is there a process that we can support some and deny others. Curious of the process.

Eileen Joyce: It must be applied to every request equally.

If the resolution is passed, it would explain to all how it would work, but there would be some kind of resolution that would be specific.

Dave Palmer, it would be up to the council how specific the resolution is, it have to have many conditions.

Morgan: After the tax sale, it becomes the property of BSB. It could be 2 or more months. What happens to the 2 people who live there now? Or it could go to a tax sale, and it sells right away, preferably to the people who lost their house. Bottom line is that everyone is held at the same standard. How do we define what we can deny and approve because one has an attorney, and one does not.

Palmer: it would be if they meet the criteria that we set the resolution at.

Eileen Joyce needs to know what to put in the Resolution, Discussion does need to take place.

Anderson: it needs to be necessary, that fees need to be assessed and we can't let people skate on this.

Mr. Harper, Attorney at Law, I am in favor of both these people and I will be working pro bono to help them. The law proposes this part are authorized for the county commissioners and the property is disposed for the best use in Montana. I have faith that you would pass a resolution that would come up every 4 or 5 years.

Brenden McDonough: I don't think that we can come up with a resolution tonight. We need to talk with the department heads, and get more information.

Many questions concerning insurance on these properties that they don't own.



Danette Gleason is very concerned about the liabilities.

Why are the people still living in these properties, when they do not own them.

Eileen Joyce: These people said that they wanted to pay for their properties and try and get their properties back.

Refer to the COW and the Council will be acting as the Judiciary Committee.

Second Substitute Motion made.

Joyce: Either pass this motion of how you will decide to hold in abeyance or take them off the tax sale process.

Morgan: going back to the liability problem, do we start the eviction notices or what?

Eileen Joyce: That is another factor in the Resolution, the time limits, are especially important.

Shaw: I am for the Resolution, second is that the two people tonight. Need a resolution, and need to be brought forward on our tax sale.

Substitute motion to Refer to COW

[Council Member - Brendan McDonough: Motion](#)

[Council Member - Michele Shea: 2nd](#)

[Chairman - John Morgan: Not Approve](#)

[Vice-Chair - Cindi Shaw: Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: Approve](#)

[Council Member - Dan Olsen: Absent](#)

[Council Member - Jim Fisher: Not Approve](#)

[Council Member - Josh O'Neill: Approve](#)

[Council Member - Eric Mankins: Approve](#)

[Council Member - Bill Andersen: Not Approve](#)

[Council Member - Dan Callahan: Not Approve](#)

[Chief Executive - Dave Palmer: N/A](#)

Motion passes

3. COMMUNICATION NO. [2020-25](#)

Ed Lester, Butte-Silver Bow Sheriff requesting Council of Commissioners authorize the Chief Executive to respectfully request your concurrence in recognizing Officer LeCourre (badge # 122) as a permanent Officer of the Butte-Silver Bow Law Enforcement Department.

Concur and Place on File

[Chairman - John Morgan: Motion](#)

[Vice-Chair - Cindi Shaw: 2nd](#)



[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

passes

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

Julie Jaksha, Headwaters RC&D Director requesting Council of Commissioners permission to give a presentation on January 22, 2020 to provide an update on the Lizzie Block Pedestrian Alley Project Update and Plans for 2020 Season.

We would also like to close the alley for the summer.

[Chairman - John Morgan: Motion](#)
[Vice-Chair - Cindi Shaw: 2nd](#)
[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

SECTION 3: ORDINANCES AND RESOLUTIONS SECOND READING

1. COUNCIL BILL No. [2020-01](#)
ORDINANCE NO. [2020-01](#)



AN ORDINANCE AMENDING TITLE 15 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “BUILDINGS AND CONSTRUCTION”; AMENDING CHAPTER 15.04 ENTITLED “BUILDING CODE”; AMENDING CHAPTER 15.05 ENTITLED “ADOPTION OF INTERNATIONAL ENERGY CONSERVATION CODE”, AMENDING CHAPTER 15.07 ENTITLED “INTERNATIONAL EXISTING BUILDING CODE”; AMENDING CHAPTER 15.12 ENTITLED “SIGN CODE”, AMENDING CHAPTER 15.14 ENTITLED “MECHANICAL CODE”; AMENDING CHAPTER 15.15 ENTITLED “INTERNATIONAL FUEL GAS CODE”; AMENDING CHAPTER 15.16 ENTITLED “PLUMBING CODE”; AMENDING SECTION 15.20 ENTITLED “VIOLATION – Place on 2nd reading

[Chairman - John Morgan: Motion](#)

[Vice-Chair - Cindi Shaw: 2nd](#)

[Chairman - John Morgan: Approve](#)

[Vice-Chair - Cindi Shaw: Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: Approve](#)

[Council Member - Dan Olsen: Absent](#)

[Council Member - Jim Fisher: Approve](#)

[Council Member - Josh O'Neill: Approve](#)

[Council Member - Eric Mankins: Approve](#)

[Council Member - Bill Andersen: Approve](#)

[Council Member - Dan Callahan: Approve](#)

[Chief Executive - Dave Palmer: N/A](#)

passes

SECTION 4: ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

1. COUNCIL BILL NO. [19-15](#)

COUNCIL ORDINANCE NO. [19-15](#)

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 9 ACRES FROM M-1 (LIGHT INDUSTRIAL) TO C-2 (COMMUNITY COMMERCIAL), COMMONLY LOCATED ON THE NORTHWEST CORNER OF WYNNE AVENUE AND MOTOR VIEW ROAD; LOCATED IN SUB 14, SECTION 6, TOWNSHIP 2 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Chairman - John Morgan: Motion](#)

[Vice-Chair - Cindi Shaw: 2nd](#)



[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

2..RESOLUTION NO. [2020-01](#)

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT REVENUE FROM THE GREENWAY SERVICE DISTRICT FOR THE PURPOSE OF PROVIDING A SNOW BLOWER ATTACHMENT FOR A SKID STEER FOR THE PARKS AND RECREATION DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Chairman - John Morgan: Motion](#)
[Vice-Chair - Cindi Shaw: 2nd](#)
[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)



3. RESOLUTION NO. 2020-02

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS THE SOUTH FIFTY-FIVE (55) FEET OF LOT ONE (1) OF BLOCK SIX (6) OF THE FARREL'S ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW MONTANA TO THE ADJOINING OWNER, CONTINENTAL STEEL REALTY, PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Chairman - John Morgan: Motion

Vice-Chair - Cindi Shaw: 2nd

Chairman - John Morgan: Approve

Vice-Chair - Cindi Shaw: Approve

Council Member - Brendan McDonough: Approve

Council Member - Michele Shea: Approve

Council Member - John Sorich: Absent

Council Member - Shawn Fredrickson: Approve

Council Member - Dan Olsen: Absent

Council Member - Jim Fisher: Approve

Council Member - Josh O'Neill: Approve

Council Member - Eric Mankins: Approve

Council Member - Bill Andersen: Approve

Council Member - Dan Callahan: Approve

Chief Executive - Dave Palmer: N/A

4. RESOLUTION NO. 2020-03

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS ONE (1) AND TWO (2) OF BLOCK FIFTY-TWO (52) OF THE BUTTE TOWNSITE ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO MF MONTANA LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Chairman - John Morgan: Motion

Vice-Chair - Cindi Shaw: 2nd

Chairman - John Morgan: Approve

Vice-Chair - Cindi Shaw: Approve

Council Member - Brendan McDonough: Approve

Council Member - Michele Shea: Approve

Council Member - John Sorich: Absent

Council Member - Shawn Fredrickson: Approve

Council Member - Dan Olsen: Absent

Council Member - Jim Fisher: Approve

Council Member - Josh O'Neill: Approve



[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

5. RESOLUTION NO [2020-04](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS ONE (1) AND TWO (2) OF BLOCK THIRTY EIGHT (38) OF THE BUTTE TOWNSITE ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO PRAXIS SIM CENTER LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Chairman - John Morgan: Motion](#)
[Vice-Chair - Cindi Shaw: 2nd](#)
[Chairman - John Morgan: Approve](#)
[Vice-Chair - Cindi Shaw: Approve](#)
[Council Member - Brendan McDonough: Approve](#)
[Council Member - Michele Shea: Approve](#)
[Council Member - John Sorich: Absent](#)
[Council Member - Shawn Fredrickson: Approve](#)
[Council Member - Dan Olsen: Absent](#)
[Council Member - Jim Fisher: Approve](#)
[Council Member - Josh O'Neill: Approve](#)
[Council Member - Eric Mankins: Approve](#)
[Council Member - Bill Andersen: Approve](#)
[Council Member - Dan Callahan: Approve](#)
[Chief Executive - Dave Palmer: N/A](#)

SECTION 5: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE

1. RESOLUTION NO. [2020-05](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY KNOWN AS 40 EAST BROADWAY, BUTTE, MONTANA, AND MORE PARTICULARLY DESCRIBED AS BUTTE TOWNSITE, S13, T03 N, R08 W, BLOCK 028, Lot 003, BUTTE TOWNSITE - LOTS 3-9 & 34 BLOCK 28, FOR THE PURPOSE OF ECONOMIC OR COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



Chairman - John Morgan: Motion
Vice-Chair - Cindi Shaw: 2nd
Chairman - John Morgan: Approve
Vice-Chair - Cindi Shaw: Approve
Council Member - Brendan McDonough: Approve
Council Member - Michele Shea: Approve
Council Member - John Sorich: Absent
Council Member - Shawn Fredrickson: Approve
Council Member - Dan Olsen: Absent
Council Member - Jim Fisher: Approve
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Approve
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N/A

passes
to pass on final reading

Chairman - John Morgan: Motion
Vice-Chair - Cindi Shaw: 2nd
Chairman - John Morgan: Approve
Vice-Chair - Cindi Shaw: Approve
Council Member - Brendan McDonough: Approve
Council Member - Michele Shea: Approve
Council Member - John Sorich: Absent
Council Member - Shawn Fredrickson: Approve
Council Member - Dan Olsen: Absent
Council Member - Jim Fisher: Approve
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Approve
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N/A

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

January 22, 2020, Local Emergency Planning, 12:00 pm, Butte Justice Center
January 22, 2020, South Butte TEDD, 3:30 pm, 1st Floor Conference Room
January 22, 2020, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center,
3615 Wynne
January 24, 2019 Animal Services, 5:30 pm, 1st Floor Conference Room
January 27, 2020, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.



January 28, 2020, Port of Montana, 12:00 pm, Hub Center, Silver Bow
January 28, 2020, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
January 28, 2020, Urban Revitalization, 8:30 am, 1st Floor Conference Room
January 30, 2020, Planning Board, 5:30 pm, Council Chambers
February 4, 2020, Fire Advisory Committee, 5:30 pm, Butte 1st Floor Conference Room
February 4, 2020, Historic Preservation Commission, 5:30 pm, Council Chambers
February 4, 2020, Weed Board, 7:00 pm, Weed Office, 25 West Front

ADJOURN

09:53:42 PM (02:26:31)

MEETINGS

FINANCE & BUDGET COMMITTEE MEETING

JANUARY 22, 2020

6:45 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS

Jeff Miller will be presenting at 7:00 and Wendy McGrath at 7:15 PM

Expenditure report for the week of January 22, 2020 was reviewed and approved for the amount of \$ _____.

REPORTS

COMMITTEE OF THE WHOLE MEETING REPORT

JANUARY 15, 2019

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

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:

1. COMMUNICATION NO. [19-443](#)

Eldon Beall, Citizen requesting Council of Commissioners authorize the Chief Executive to amend and include Emma Park BSB County, Code of Ordinances Chapter 9.16 Park Restrictions and to include penalties and or fines etc.

Hold in abeyance



2. COMMUNICATION NO. [19-466](#)

Eric Mankins, Commissioner District #9 requesting Council of Commissioners authorize the Chief Executive to discuss a change in the zoning ordinance requiring Community Residential Facilities (as defined by State Law) to obtain a conditional use permit within Butte-Silver Bow County in all residential zoning districts including R-1, R-2, R-3, R-4S and R-C.

Motion made for County Attorney Joyce to prepare a Resolution of Intent to amend the Zoning Ordinance to require a conditional use permit to be obtained to maintain a Community Residential facility in all Residential Zones.

3. COMMUNICATIONS NO. [19-571](#)

Greeley Neighborhood Community Development Corporation Inc., requesting Council of Commissioners authorize the Chief Executive to form a Butte-Silver Bow Hazardous to Human Health Heavy Metals Contaminates Task Force.

Hold in abeyance

4. COMMUNICATION NO. [19-572](#)

Mike Cerise, President of the Lady of the Rockies requesting Council of Commissioners consideration in acquiring a portion of the county owned parking lot between St. Mary's Church and the Federal Building. The lady of the Rockies owns one part and the Diocese owns the other portion which we have just purchased.

[19-572 Map](#)

Hold in abeyance

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

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

Hold in abeyance

Deny and place on file.

[Vice-Chair - Cindi Shaw: Motion](#)

[Chairman - John Morgan: 2nd](#)

[Chairman - John Morgan: Approve](#)

[Vice-Chair - Cindi Shaw Not Approve](#)

[Council Member - Brendan McDonough: Approve](#)

[Council Member - Michele Shea: Approve](#)

[Council Member - John Sorich: Absent](#)

[Council Member - Shawn Fredrickson: Approve](#)

[Council Member - Dan Olsen: Absent](#)

[Council Member - Jim Fisher: Not Approve](#)

[Council Member - Josh O'Neill: Not Approve](#)

[Council Member - Eric Mankins: Not Approve](#)

[Council Member - Bill Andersen: Not Approve](#)

[Council Member - Dan Callahan: Approve](#)



Chief Executive - Dave Palmer: N/A

It is a tie and Dave Palmer votes nay motion is not passed. Kills the motion.

Anderson: make a motion to we strike this property from the upcoming tax sale.

Morgan: We need to consider the liability.

Harper. You have already been about 6 months without insurance. It stays the same.

I think you have 2 people who have not caused a liability risk. They both have the money to pay for the taxes.

It will have to be Held in Abeyance. Upon conditions.

New motion: To remove it from the tax sale.

Anderson to strike it from tax sale and hold in the COW until it is resolved

Council Member - Bill Andersen: Motion

Council Member - Brendan McDonough: 2nd

Chairman - John Morgan: Not Approve

Vice-Chair - Cindi Shaw: Not Approve

Council Member - Brendan McDonough: Not Approve

Council Member - Michele Shea: Approve

Council Member - John Sorich: Absent

Council Member - Shawn Fredrickson: Not Approve

Council Member - Dan Olsen: Absent

Council Member - Jim Fisher: Approve

Council Member - Josh O'Neill: Approve

Council Member - Eric Mankins: Approve

Council Member - Bill Andersen: Approve

Council Member - Dan Callahan: Not Approve

Chief Executive - Dave Palmer: N/A

It's a tie !

Dave votes Yea motion passes

6.COMMUNICATION NO. 19-581

Patsy Coates, Property Specialist requesting Council of Commissioners approval of the Tax Deed Public Auction to be held on February 5, 2020, and to request the County Attorney's Office to prepare a Council Resolution to be Read and Acted Upon, the same night as the Tax Deed Public Auction.

Hold in abeyance

7.COMMUNICATION NO. 19-582



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

Hold in abeyance

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

Mark Neary, Public Works Director requesting Council of Commissioners to authorize a bid opening on January 22, 2020 for a 12 Yard Dump Truck / Plow Truck and Sander for TIFID.

Hold in abeyance

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

Michael Stickney, 1136 W. Broadway informing Council of Commissioners of an incident that occurred because of an unmaintained sidewalk located at 1142 W. Broadway and is asking that the County address this problem as it seems to be property owned by Butte-Silver Bow.

[2020-18 Picture](#)

Place on File

FINANCE & BUDGET COMMITTEE MEETING REPORT

JANUARY 15, 2020

*7:00 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS
COUNCIL OF TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COMMISSIONERS*

Ladies and Gentlemen,

We, your Committee of the Finance and Budget Committee, respectfully recommend as follows: Expenditure report for the week of January 15, 2020 was reviewed and approved for the amount of \$ 756,404.95 for FY 2020.

| <u>Committee Members</u> | <u>Present /Absent</u> |
|---------------------------|------------------------|
| Brendan McDonough Chair | P |
| Bill Andersen, Vice Chair | A |
| Dan Callahan | A |
| Jim Fisher | P |
| Josh O'Neil | P |
| Michele Shea | P |

PUBLIC WORKS COMMITTEE MEETING REPORT



JANUARY 15, 2020

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

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION 1. PETITION #19-02

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

[19-469 Map](#)

Concur and Place on File

1. COMMUNICATION NO. [19-513](#)

Shawn Fredrickson, Commissioner District #1 requesting Council of Commissioners to consider reducing the speed limit to 15 miles per hour on Blacktail Lane between Rampart Drive and Redwood Drive.

Hold in Abeyance, pending County Attorneys' response.

2. COMMUNICATION NO. [19-546](#)

Michele Shea, Commissioner District # 2 requesting Council of Commissioners to consider installing a left turning arrow in the northbound land turning into Ace/Autozone/ Walgreens and consider reconfiguring the westbound land on Amherst which splits into three lanes connecting to Harrison Ave.

Put in Suspense File until July 2020

PUBLIC WORKS COMMITTEE MEMBERS:

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

JUDICIARY COMMITTEE MEETING REPORT

JANUARY 15, 2020

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

Ladies and Gentlemen,



We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION 1. CLAIMS APPROVAL

| Name | Amount | Reason | Approved | |
|----------------|----------------|---|----------|--|
| 700 ED PERETTI | Total \$888.68 | LANDSCAPING BOND #449 REFUND \$330.00 STORMWATER BOND #450 REFUND \$558.68 | Yes | |

1. COUNCIL BILL NO. [19-15](#)

COUNCIL ORDINANCE NO. [19-15](#)

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 9 ACRES FROM M-1 (LIGHT INDUSTRIAL) TO C-2 (COMMUNITY COMMERCIAL), COMMONLY LOCATED ON THE NORTHWEST CORNER OF WYNNE AVENUE AND MOTOR VIEW ROAD; LOCATED IN SUB 14, SECTION 6, TOWNSHIP 2 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Moved to Final Reading

3..RESOLUTION NO. [2020-01](#)

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT REVENUE FROM THE GREENWAY SERVICE DISTRICT FOR THE PURPOSE OF PROVIDING A SNOW BLOWER ATTACHMENT FOR A SKID STEER FOR THE PARKS AND RECREATION DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

4. RESOLUTION NO. [2020-02](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS THE SOUTH FIFTY-FIVE (55) FEET OF LOT ONE (1) OF BLOCK SIX (6) OF THE FARREL’S ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW MONTANA TO THE ADJOINING OWNER, CONTINENTAL STEEL REALTY, PURSUANT



TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

5. RESOLUTION NO. [2020-03](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS ONE (1) AND TWO (2) OF BLOCK FIFTY-TWO (52) OF THE BUTTE TOWNSITE ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO MF MONTANA LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

6. RESOLUTION NO [2020-04](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS ONE (1) AND TWO (2) OF BLOCK THIRTY EIGHT (38) OF THE BUTTE TOWNSITE ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO PRAXIS SIM CENTER LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

7. COUNCIL BILL No. [2020-01](#)
ORDINANCE NO. [2020-01](#)

AN ORDINANCE AMENDING TITLE 15 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “BUILDINGS AND CONSTRUCTION”; AMENDING CHAPTER 15.04 ENTITLED “BUILDING CODE”; AMENDING CHAPTER 15.05 ENTITLED “ADOPTION OF INTERNATIONAL ENERGY CONSERVATION CODE”, AMENDING CHAPTER 15.07 ENTITLED “INTERNATIONAL EXISTING BUILDING CODE”; AMENDING CHAPTER 15.12 ENTITLED “SIGN CODE”, AMENDING CHAPTER 15.14 ENTITLED “MECHANICAL CODE”; AMENDING CHAPTER 15.15 ENTITLED “INTERNATIONAL FUEL GAS CODE”; AMENDING CHAPTER 15.16 ENTITLED “PLUMBING CODE”; AMENDING SECTION 15.20 ENTITLED “VIOLATION - PENALTY”, AND ADDING NEW SECTIONS TO BE NUMBERED 15.04.035,15.04.065 AND 15.16.020 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Second Reading

JUDICIARTY COMMITTEE MEMBERS:

Chairman: Brendan McDonough P
Vice Chairman: Shawn Fredrickson P
Michele Shea P
Dan Olsen P



Eric Mankins
John Sorich

P
A



PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

R. Edward Banderob, 2601 Grand Ave. ,
President GNCDInc., Resident Greeley Neighborhood

Ref: SECTION 1: CONSENT AGENDA

A. COMMITTEE REPORTS

1. COMMITTEE OF THE WHOLE MEETING REPORT

3. COMMUNICATIONS NO. 19-571 - requesting Council of Commissioners authorize the Chief Executive to form a Butte-Silver Bow Hazardous to Human Health Heavy Metals Contaminates Task Force.

Our B-SB CEO Palmer made a very disturbing statement at last Wednesday's Committee of the Whole meeting.

He said basically (not a quote) That this Local Government's and its Department of Health's policy is to NOT openly recognize that Butte is an active mining camp, and to continue to NOT openly recognize that there are hazardous to human health heavy metals contaminates present in our community, so as not to deter business and people from moving to Butte.

This instead of this Local Government openly recognizing that Butte is an active mining camp, and has hazardous to human health heavy metals contaminates present in our community; from the well-known Riches Heavy Metals Natural Ore Lode in the World, from 140 years of accumulated Historic Mine Waste Deposits, and from Active Open Pit Mining, and facilitate the formation of a community wide task force to create and implement a holistic master plan to minimize human exposure to these contaminates.

One aspect of CEO Palmer's statement is defiantly significant. What ever Policy this Government decides on has enormous community wide ramifications.

As I stated last week the GNCDInc, will be submitting an adendum to Communication 19-571 in a few weeks.

I want to hear from the State of Montana's Toxicologist first.

You will have an opportunity to make a Policy decision that will most probably be more far reaching and important than you decision to Concur or Deny the Consent Decree.

Please think about it, sleep on it, and deliberate on it, including the legal ramifications;

And decide;

whether or not our local government should openly recognize that Butte is a historic and active mining camp, has hazardous to human health heavy metals contaminates from the Natural Ore Lode, 140 years of accumulated Historic Mine Waste, and Active Open Pit Mining present in our community,

and should our local government facilitate the formation of a community wide task force to create and implement a holistic master plan to minimize human exposure to these contaminates,

or not?

January 22nd Reg Meet

Ref: SECTION 1: CONSENT AGENDA
B. COMMUNICATIONS

15.COMMUNICATION NO. 2020-36 - requesting concurrence in the development of the Butte-Silver Bow Health Study Advisory Committee.

I had to sleep on this one.

But yes, I support this Local Government and its' Department of Health forming a sub-committee of the Health Department Board "to review future health studies . . . and advise what action should look like."

This sub-committee maybe precisely what the Health Department needs.

As Historically the action of the Health Department has been to continue to deny the possibility of any human health risk from the heavy metals contaminates present in our community, and discredit the independent studies so as not to imply that the active mine should do anything more to minimize human exposure to hazardous to human health airborne heavy metals from its operation, and not to deter business and people from moving to Butte.

The independent health studies indicate that we have a higher death rate from certain diseases than other locations.

If the B-SB HD and MT DPHHS do not agree that these differences are caused by heavy metals contaminates

(the only common variable between the locations)

then "The Committee" should not only focuses on scrutinizing the independent health studies. but should also