

**MINUTES OF THE REGULAR MEETING OF  
THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
FOR FEBRUARY 1, 2017**

The Regular Meeting of the Council of Commissioners was called to order February 1, 2017 in the Council Chambers, Third Floor, Room 312, Courthouse Building, 155 West Granite Street, Butte, Montana, by the Chief Executive Dave Palmer.

**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>Absent</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>Absent</i>

**STAFF PRESENT**

Eileen Joyce, Butte-Silver Bow County Attorney  
Colleen Safratowich, 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**

R. Ed Banderob, 2601 Grand Ave., Butte, Montana:

- Read Handout/notes regarding Communication No. 17-38.

**17-38 Notes from R Ed Banderob**

Carol Anderson [no address given]:

- Heartily concur with Mr. Banderob. I am a former National Park Service Interpretive Ranger for Blackstone River Valley. Support Mr. Banderob. Great potential. Will bring money and tourism.



- Notice another agenda item regarding reappointments to Tourism Board. Thank you Chief Executive Palmer. Grass Roots, lots of ideas. Let me help stimulate tourism.

Elizabeth Fitzpatrick, Butte, Montana, west side [no address given]:

- Fees for city pavilions. We should not have to pay extra fee. We already pay taxes to maintain these parks. Used one last year and had to scrub them clean. There are other ways to stop people from reserving and not using. Can prevent them from reserving again for the rest of the season. But we should not have to be double taxed to use the pavilions.
- As far as the YMCA, original proposal included an outdoor pool that we voted on but did not get. They don't deserve the extra money because they did not give us what we voted on. If we had that outdoor pool, we wouldn't be paying extra money for what's being built now.

Daniel Lode, 279 Sunrise Lane, Gold Creek, Montana:

- Regarding #25, Communication No. 17-60, distressed property. Want to introduce myself, and I'd appreciate consideration in the matter.
- I plan to fix up the property and bring it back to, hopefully, its original state.

Cameron Moylan, 208 S. Washington St., Butte, Montana:

- On behalf of Mr. Lode. I met him a couple of weeks ago and told him about the old house on Highland Avenue. Think he'd do good job with it. He just moved here from Helena and got a job at Yates Body Shop.
- Also, support Mary McCormick's efforts to save Basin Creek house. Hopefully able to get volunteers to work on it. Labor is the big expense. Since tax payer asset, smart thing to do.

## **APPROVAL OF THE MINUTES OF THE REGULAR MEETING JANUARY 18, 2017**

*It was moved by Commissioner Morgan, seconded by Commissioner Shaw, and passed by a unanimous verbal vote, to approve the minutes of the Regular meeting of January 18, 2017.*

## **ITEMS NOT ADDRESSED ON THE AGENDA**

None.



## CHIEF EXECUTIVE'S REPORT

Chief Executive Palmer:

- It's been a busy month. Filling seats on boards and commissions. Submit your name to Chief Executive's office if interested.
- Commissioners, we have three empty seats on Fire Commission, so please consider. They don't meet right now because they don't have a commission, but we'll get it going again.

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

Chief Executive Palmer:

- In Section 3, Communications to be Read and Acted Upon, Communication No. 17-33 should have been a Public Hearing tonight, but did not meet the requirements for all of the legal notices. So we will reschedule that Communication as a Public Hearing to be on February 15, 2017.

*It was moved by Commissioner Morgan, seconded by Commissioner Shaw, and passed by a unanimous verbal vote to Hold Communication No. 17-33 in the Committee of the Whole pending the Public Hearing on February 15, 2017.*

### 1. PUBLIC HEARING, COMMUNICATION NO. 17-28

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize a Public Hearing on February 1, 2017 to amend the Fiscal Year 2017 budget in Government Buildings, Kelley Warehouse Facilities Fund #5714.

[17-28.pdf](#)

***County Attorney Joyce reported there is Proof of Publication which appears to be in order.***

Director Gleason:

- Asking for amendment for Fiscal Year 2017 budget in the amount of \$38,370 derived from lease revenues from Head Frame Spirits Manufacturing for a portion of the Kelley Warehouse. Funds derived from lease revenues. They pay approximately \$3,678 a month.
- We need these expenditures because had to relocate some of our employees; had to rent trailer with shower equipment; superfund metals abatement program. Asking to appropriate these funds so we can cover those costs.



Commissioner Morgan:

- Any way to offset costs by lease payment?

Director Gleason:

- That's exactly what we're doing.

***Chief Executive Palmer opened the public hearing. He called for any proponents. There were none. He then called for any opponents. There were none. Chief Executive Palmer closed the public hearing.***

## **SECTION 2 CONSENT AGENDA**

### **A. COMMITTEE REPORTS**

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

### **B. COMMUNICATIONS**

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

Commissioner Shaw segregated #5, Communication No. 17-39.

Commissioner Foley segregated #4, Communication No. 17-38.

Commissioner Morgan segregated #2, Communication No. 17-36.

Commissioner Perdue-Dolan segregated #7, Communication No. 17-41 and #21, Communication No. 17-56.

***It was then moved by Commissioner Morgan, seconded by Commissioner Shaw, and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 4 and Section B, Items 1 through 26, with exception to #2, 4, 5, 7 and 21.***



Segregation – #2, Communication No. 17-36

2. COMMUNICATION NO. 17-36

Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Letter of Agreement between Butte-Silver Bow and the Montana Nurses Association.

17-36.pdf

17-36 Letter of Agreement.pdf

*It was moved by Commissioner Morgan, seconded by Commissioner Ralph, and passed by a unanimous verbal vote to refer Communication No. 17-36 to the Personnel Committee.*

Segregation – #4, Communication No. 17-38

4. COMMUNICATION NO. 17-38

R. Edward Banderob, Chair, BHS – Heritage Projects, requesting Council of Commissioners establish a Butte-Silver Bow Partnership Steering Committee and call for Public Listening Session(s) to explore the desirability and feasibility of creating a National Park Service - National Heritage Area and National Historical Park Units with Heritage Interpretive Centers in Butte and Anaconda, Montana.

17-38.pdf

17-38 Proposed Agenda.pdf

Commissioner Foley:

- This is something we've seen before. We've talked about it. Instead of keep running it up the flagpole, accept results. Not saying something like this wouldn't be nice for Butte. But look at political climate. No appetite for expansion of any national parks. Will cost money.
- Believe we should put priority on things that truly need to be dealt with in this country. Mean no disrespect to Mr. Banderob. But we've seen this before.

*It was moved by Commissioner Foley, seconded by Commissioner Ralph, to Deny Communication No. 17-38 and Place on File.*



*On the Question:*

Commissioner Perdue-Dolan:

- I've met with Ed about this project. Senator Daines has been named Chairman of the National Parks Committee. I think that's relevant to this conversation. Also, Congressman Zinke has gone through the first hurdle of being Interior Secretary. Two Montana folks in prominent positions in congress and the Trump administration.

*A substitute motion was made by Commissioner Perdue-Dolan, seconded by Commissioner Andersen, to refer Communication No. 17-38 to the Committee of the Whole.*

Commissioner Shaw:

- With all due respect to Commissioner Perdue-Dolan, I've been on Council for eleven years now, like Commissioner Foley. I know that it would be nice to have this. I do believe Jim Jarvis, our previous Historic Preservation Officer, vetted this. He went through a lot of research. Also the previous Chief Executive did the same. From what I've seen, we were not qualifying for this. I think we are spinning our wheels. Believe we already placed it on file the last time and don't see how we can revisit now just because there's a new administration.

Chief Executive Palmer:

- In support of Ed, last time we had committee look at it, Mr. Banderob was told to go out and get support from neighboring communities. He has done that - he's got Anaconda-Deer Lodge signed on to do exactly what he's asking us to do. I think he's got a lot more support.

Commissioner Fisher:

- He's just asking us to form a Committee to look at this. We're not really taking any action. With all Ed does for the community, think good idea to refer to Committee of the Whole.

Commissioner Morgan:

- I also talked with Ed. Reiterate what Chief Executive said. Last time it was a little different. This is a big topic and undertaking. Chances of it going through quickly is not going to happen.
- If Ed can communicate what we've done before. I don't know if tonight is the answer on it - maybe send to us in an e-mail.



- Think worth looking at one more time. Need more definitive things for us to do. One is to form a committee and go from there. He has other things in works - conferences, and people are going to speak on behalf of this - and it's worth listening to. Before too invested, should have some answers.
- So I think going to the Committee of the Whole might be alright.

*The Substitute Motion made by Commissioner Perdue-Dolan, seconded by Commissioner Andersen, to Refer Communication No. 17-38 to the Committee of the Whole passed by a roll call vote of 6 yea and 3 nay. Commissioners Foley, Ralph and Shaw voted nay.*

Segregation – #5, Communication No. 17-39

5. COMMUNICATION NO. 17-39

Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners authorize the sale of a 52.97 acre parcel of land to the Department of Military Affairs, authorize the Chief Executive to execute a Purchase and Sale Agreement Deed, and ask the County Attorney's office to prepare a Resolution and Deed.

[17-39.pdf](#)  
[17-39 Real Estate Purchase and Sale Agreement.pdf](#)

Commissioner Shaw:

- I am totally for this, but have couple of clarifying questions.
- Not planning to do anything with land for five years. So it just stays empty for those five years?

Ms. Rosa:

- Yes, at this time, working with the National Guard, they have funds to buy property but have to go through process to build. Have been working with them on this for a couple of years already. Yes, that property would stay vacant.

Commissioner Shaw:

- The land they are on now, would that revert back to Stodden Park or to the County? Or do we have to buy it back?



Ms. Rosa:

- Won't revert back, but we are first on list to get that parcel.

*It was moved by Commissioner Shaw, seconded by Commissioner McDonough, and passed by a unanimous verbal vote to Concur with Communication No. 17-39 and Place on File.*

*On the Question:*

Commissioner Perdue-Dolan:

- Getting the parcel back from National Guard and Butte-Silver Bow purchasing it - would the Guard consider amount of money Butte-Silver Bow would have to put in to initially upgrade this new piece of property with water, sewer, phone and all those extras? And what does that cost? Would we be able to put that in conjunction with what the ultimate cost of the old property?

Ms. Rosa:

- Yes, working towards that goal. They have the exact same procurement requirements, basically, as we do.
- Understand that the money we spend to bring that infrastructure to them is not going to be money spent on them alone. That infrastructure will create additional parcels.

Segregation – #7, Communication No. 17-41

## 7. COMMUNICATION NO. 17-41

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to authorize creation of a fee structure for the rental of Butte-Silver Bow owned and operated Shelters and Pavilions.

[17-41.pdf](#)

[17-41 Fee Proposal.pdf](#)

[17-41 Surrounding Cities Park Reservations.pdf](#)

Commissioner Perdue-Dolan:

- A number of people in District 1 have questions. Most agree that the fee structure is just another tax. What's the argument?





Director Gallagher:

- There never used to be a reservation system - it was first come first served basis. And it still is that. Now asking for fee on convenience. When you make a reservation, we send person to mark the pavilion as reserved. In past, people would camp out. So essentially it's a convenience fee.
- I understand the earlier comment about cleaning. We want to have somebody available to clean and empty garbage when it's reserved. It's exclusive for that party and takes it out of availability for the whole public. With that exclusivity, we're asking they pay a fee. Most people who call us anticipate they will have to pay fee. We already charge fees at the Original Mine Yard. Fees proposed are not exorbitant.

Commissioner Perdue-Dolan:

- That is completely logical from your standpoint, with maintenance and all.
- However, the impassioned pleas I got from my constituents ... not just with the Parks & Recreation pavilions, the water park, and with Dr. Silk coming in last week - those are all wonderful projects. But we have to consider, we can't print money.
- Would like Parks & Recreation to think in general, if we add things, we make them budget neutral for 2017-18.

Director Gallagher:

- I don't understand. We are asking for fee to balance off some things to help with maintenance. Taxpayers did support water park. Looked at other communities. Do a lot for free. Cross country skiing, groomed for free.
- But it costs money - people, maintenance. Other communities charge fees to people participating in those things. Charge fees for activities that the people that are participating in those things, pay for them to offset those costs. They are not passed on to all of the public. It's not every taxpayer that'll pay for that shelter. It's the people that reserve that facility, for them exclusively, that will pay for it.

Commissioner Morgan:

- If fee structure goes into play, people can still just go without reservation?

Director Gallagher:

- Exactly. First come first served basis unless reserved ahead of time. Nonprofit can do paperwork to waive fee. Not trying to restrict use. Convenience fee to guarantee.



*It was moved by Commissioner Perdue-Dolan, seconded by Commissioner Morgan, and passed by a unanimous verbal vote to refer Communication No. 17-41 to the Public Works Committee.*

Segregation – #21, Communication No. 17-56

21. COMMUNICATION NO. 17-56

John M. Sorich, Butte-Silver Bow Commissioner, District No. 4, requesting Council of Commissioners consider a written code of ethics policy for Butte-Silver Bow volunteers and referral of this communication to the Personnel Committee.

17-56.pdf

*It was moved by Commissioner Perdue-Dolan, seconded by Commissioner Shaw, and passed by a unanimous verbal vote to refer Communication No. 17-56 to the Personnel Committee.*

**SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON**

1. COMMUNICATION NO. 17-33

Gary Keeler, Manager, Butte-Silver Bow Transit Director, requesting Council of Commissioners authorize a Public Hearing on February 1, 2017 regarding an annual update to the Butte-Silver Bow Para-Transit Plan for disabled transportation.

17-33.pdf

Chief Executive Palmer:

- Already taken care of in Section 1.

4. COMMUNICATION NO. 17-62

Ed Randall, Director, Community Enrichment/Animal Service Department, requesting Council of Commissioners authorize a presentation on February 1, 2017 regarding a proposed animal kennel business at 40 Sportsman's Way in Butte, Montana and approve this property as a suitable location to operate a Class 1 Kennel.

17-62.pdf

17-62 Municipal Codes.pdf

17-62 Overhead - Map

17-62 Handout - Letters of Support



Director Randall:

- We have a family, some folks from Butte. They would like to move back and operate a kennel on Sportsman's Way - the Bugs and Bullets shop.
- Property meets requirements set forth in our Ordinance, except for the 100 foot setback. Meet setback requirements on the east and south. [see map]
- Two letters of support. Folks around that property have no issue with a kennel going there.
- Front of building is 60 feet from road.
- What I'm asking Council, not to approve a kennel, they will go through zoning and have plans. Asking you to support a business going in there. It is an expensive move for these people. We support it. I ask that we allow a kennel in that area knowing it does not meet two of the four setbacks.
- When we wrote this ordinance, Animal Services wasn't in the position it is in now, and we would like to loosen up some things.

Commissioner Fisher:

- Ed and I and Lori Casey met with Frank Butori and the Nichols family. Excellent location for what they want to do. Street plenty wide. Would appreciate support. Butte needs doggie day care, overnight boardings, and things like that.

Commissioner Shaw:

- How many animals could be in a kennel of this size?

Director Randall:

- Approximately 36 kennels. 125-130 animals in one day. Don't see that every day. Doggie day care could be very successful. Roads good for drop off. Perfect site.
- There is going to be little to no activity outside. This is all going to be inside. Building is completely core-bond - you can't hear anything when you're outside from this building. It really is a great facility.

Commissioner Morgan:

- Would like to support. Doesn't sound like this is a 100% go. If we make motion allowing setbacks, don't want to leave open. Just this project.



Director Randall:

- I agree. The reason I'm supporting this is, first of all, this is a great place. But more importantly, the people. I haven't done this. I don't deviate from the ordinances. But these people have a plan, they have the resources, it's a perfect spot, and they're ready to go. So I would ask ... it is just specific to this plan.

*It was moved by Commissioner Morgan, seconded by Commissioner Shaw, and passed by a unanimous verbal vote to Approve Communication No. 17-62 and approve the property a suitable location to operate a kennel with further discussions with the Martins to make sure that all other zoning and coding and law enforcement codes are met before final approval.*

## 2. COMMUNICATION NO. 17-35

Chris Harris, 820 W. Galena St., Butte, Montana, requesting Council of Commissioners schedule a presentation by Butte-Silver Bow staff for an update regarding the future of Caretaker's House at Basin Creek park.

[17-35.pdf](#)

Chief Executive Palmer:

- I have talked to Mr. Harris, and at this time I would like to have a motion recommending that Parks & Recreation Department work with the Historic Preservation Department and come up with proposed use of the structure, cost to remodel, and a funding source for doing that in a time frame and then report back in three months.

Commissioner Fisher:

- We tackled this issue some time ago. Agree with what you suggest. Three months is too long. Find use for this property. Make decision. Shorten from 90 days. End use of this property? Answer that question. Don't see it as able to renovate. Would like time period to be shortened and something done prior to the spring.

Commissioner Shaw:

- There is renovation going on. There is a plan. Potentially some insurance money out there. Believe end result is to have somebody in it, to watch it so it doesn't get vandalized. Call on Mary McCormick.



Commissioner Foley:

- Since Mr. Harris submitted this communication, I think we need to afford him to come up and present why he brought this communication before we move forward.

Chris Harris, 820 W. Galena, Butte, Montana:

- I couldn't disagree with you more, Commissioner Shaw. There is no plan. No defined scope of work or cost. Get data first. Insurance claim made, but not settled. \$40,000 is conjecture. No funding source has been identified. End use? What is it going to cost? Information we have now, does not meet criteria.

Commissioner Morgan:

- Agree with Chief Executive's suggestion. Sounds like you are willing to have Parks & Recreation and Historic Preservation come back and give us a report. Council cannot ask staff people to give a report. But if Chief Executive is OK with it, I would like to see it come to us more formal.
- I too agree with Commissioner Fisher, 90 days is a long time. Would 30 days? I think that would be more than enough time. So if OK, I would put that caveat on this motion.

*It was moved by Commissioner Morgan, seconded by Commissioner Ralph, and passed by a unanimous verbal vote to Refer Communication No. 17-35 to Parks & Recreation Department and Historic Preservation Department and ask them to come back with a full report with what their plans are, within 30 days, and Place on File.*

*On the Question:*

Commissioner Andersen:

- 90 days seems like a long time, but with all that is on the table, 30 days not enough time.
- Do the departments involved, they are all here, is 30 days going to be enough time for you?

[inaudible from audience]

Commissioner Morgan:

- I appreciate their input, but the Chief Executive is their supervisor. If he agrees to it, that's what it comes down to. I hate to say that, but that's what it is.



Commissioner McDonough:

- House has been around 80 years. With the legislative session and new administration, I don't see 90 days as big deal. Don't see rush.

Commissioner Ralph:

- Remember we are making request. Not directing anyone to do anything.

Commissioner Fisher:

- All we ask in 30 days is assessment as to what's going to happen. Let's just figure out what we want to do with it.

Commissioner Callahan:

- Can we give Mary [McCormick] chance to speak?

Mary McCormick, Butte-Silver Bow Historic Preservation Officer:

- I am the Preservation Officer. This facility is under Public Works. Not my decision as to end use.
- Discussed with previous Chief Executive and Dave Schultz. Matt Vincent had idea it might be available for artist in residence to stay out there.
- Big changes coming at Basin Creek when reservoir is recreation facility and new plant gets online. More people and activity. Would be nice to have permanent presence in park. Condition of house, not terrible condition. I inherited project.
- Parks & Recreation had come to the HPC for a demolition permit before I was Preservation Officer. Preservation Commission wasn't receptive to that and asked that alternatives be considered.
- One of my commission members is Bill Ryan. He's the head of Construction and Technology Program at Highlands College. They have an historic preservation program. He asked, "Could you work with us?" School is only two miles from house. Bill said house is in good construction. Excellent construction. They set up a program where Public Works would provide materials; college students provide labor. We've had a hard time getting that going. Fence put in, tests for hazardous materials.
- Cinda [Seys] submitted insurance claim. Recommended we get contractor to give estimate for complete repair, and he did assessment that we'll have soon. Take time and effort. No maintenance in last 30 years. I'll work diligently with Dave [Schultz], J.P. Gallagher, Cinda [Seys].
- Thirty days is short time frame, don't know if will have insurance claim information by then. But we can give you what we have.



- Valuable community asset. There are a lot of people in this community that love the Caretaker's House. It's a great resource.
- Don't know if we can have fully funded plan in 90 days, but we'll give it our all. Ninety days would be nice.

### 3. [COMMUNICATION NO. 17-47](#)

[Phillip Borup, Chief Executive Officer, YMCA, requesting Council of Commissioners authorize a Presentation on February 1, 2017 regarding renewal of YMCA Pool Contract.](#)

[17-47.pdf](#)

Phillip Borup, Butte Family YMCA CEO:

- Thank you for the opportunity to share with you some of the things the YMCA has done and is doing in the community, and also to talk about renewal of the pool contract.
- Want to share some numbers with you. In 2016 Butte YMCA served 12,000 individuals. More than 5,000 were children. Total members a little over 4,000, 35% children. No one turned away for inability to pay. We've provided \$193,360 direct financial assistance, with an additional \$483,400 in program subsidy over the last 12 months. Combined \$676,000, which is the most in our history. Over 350 volunteers, more than 5,000 hours.
- Have numerous key partners. Butte-Silver Bow is one of our most key partners.
- Economic impact annually is estimated to be \$5.3 million or more.
- All great things, but would like to show short film now.

[view film]

Mr. Borup:

[17-47 Handout - 2016 Fritz Apostel Dream Report](#)

- Discussed the Fritz Apostel Dream 2016 Report (3rd grade water safety program) [handout].
- Significant improvements in kids' abilities by the time they reach 6th grade.
- YMCA is preferred location for swim meets and delegate meetings.
- Other programs - Active Teens, clubs, special events, parties, after-school program, summer camp, medical exercise.
- We're more than a gym. Here to help strengthen this community
- On the topic of the Pool contract - a few success stories to share. Early swim lessons for Lou gave her college options later on. We help give kids opportunity. Kristine (adult) had fear of water that she overcame in six weeks. Karen also had fear of water and took lessons in order to keep her 3-year-old son safe.



- With regard to the Pool agreement, we do have Community days twice a month - \$2 for children and \$5 for adults. A lot of free nights. Other community events. We have swim meets, and that's actually stated in pool agreement. We've increased the number. We've had eight swim meets this year [2016]. Most members supportive. Economic benefit \$400,000 per year and climbing.

Mr. Borup:

- Been some discussion about pool. We are asking for increase.
- [refer to overhead]

Mr. Borup:

[17-47 Handout - BSB Pool Contract Payment Inflation Calculator\\_YMCA](#)

- My request is that we consider inflation over the last ten years. Maybe instead of inflation number, maybe just a set payment. Not asking for retro. Consider future as well. Just under \$48,000 range.
- But don't want this to be sacrifice. Don't take out of Parks & Recreation budget. Would Council consider increase in our annual payment, but not at Parks & Recreation expense?

Mr. Borup:

- The YMCA never had plans for outdoor pool.
- We actually put in more of a pool than planned. Slated for six lanes, and we put in eight. Brought dozens of swim meets to Butte.

Commissioner Perdue-Dolan:

- Marvelous job, however, folks concerned about adding additional costs to the \$40,000 we already give. Are you still affiliated with the YMCA 501C3?

Mr. Borup:

- Yes.

Commissioner Perdue-Dolan:

- Voters decided amount.
- Since 2007 Butte-Silver Bow has awarded \$400,000 to the Y. Before that, conservatively about \$1.5 million since 1980. Is that correct?





Mr. Borup:

- Cannot speak to the prior, but \$40,000 for ten years, that's \$400,000. My understanding that when bond approved, it gave Council the ability to account for inflation. That's built into agreement.

Commissioner Morgan:

- Think more appropriate place for this would be Finance & Budget since don't want to impact Parks & Recreation budget.

Mr. Borup:

- Didn't expect answer tonight. Don't want to affect critical programming.

Commissioner Morgan:

- If it does go to Finance & Budget, you can attend those meetings.

Commissioner Shaw:

- This communication is just request for presentation. Think we can note and place this on file, correct?

Commissioner Morgan:

- I just want to check, because on his communication he asks us to consider the inflation rates. I think it warrants more looking into based on this communication.

Mr. Borup:

- If you look at the minutes from the Parks & Recreation Committee that it's not just me requesting. I presented to them, and then they are making a recommendation.

Commissioner Morgan:

- What if we cross reference this with J.P. Gallagher's communication referred to the Committee of the Whole?



County Attorney Joyce:

- Since Director Gallagher's communication is also on this agenda and it has been referred to Committee of the Whole, can cross reference and Place on File.

***It was moved by Commissioner Morgan, seconded by Commissioner Shaw, and passed by a unanimous verbal vote to Cross Reference Communication No. 17-47 with Communication No. 17-40 (which is being Held in the Committee of the Whole), and Place Communication No. 17-47 on File.***

*On the Question:*

Commissioner McDonough:

- What month do we normally dispense funds to YMCA?

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department:

- After we approve the budget in August, we distribute funds in September. Fiscal Year 2017 already distributed. Talking about moving forward FY18.
- Want to mention, we might want to include this in part of the budget processing, because a lot of things on our plate and you need to prioritize what you want to be looking at.
- It has to be incorporated in budget somehow whether to increase the amount or not, by July 1.

Commissioner McDonough:

- YMCA did put their neck out. Been a great partner. Parks & Recreation under extreme pressure. Park system expanding greatly. In favor. Appreciate efforts.

Commissioner Fisher:

- Also support, but the budget portion takes place at a later date. Think should Note and Place on File. Impossible not to impact Parks & Recreation budget.

Commissioner Morgan:

- JP's communication asks for \$40,000. With cross reference, it's on our mind and opens door for further discussion.



## SECTION 4 ORDINANCES AND RESOLUTIONS FINAL READING

### 1. 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  
Resolution 17-1 Exhibit A.pdf

***It was moved by Commissioner Morgan and seconded by Commissioner Shaw that Council Resolution No. 17-1 be placed on final reading and passed, having been deemed fully read at length. The motion passed by a roll call vote of 8 yea and 1 nay. Commissioner Andersen voted nay.***

### 2. 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

***It was moved by Commissioner Morgan and seconded by Commissioner Shaw that Council Resolution No. 17-2 be placed on final reading and passed, having been deemed fully read at length. The motion passed by a roll call vote of 9 yea and 0 nay.***

### 3. 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

*It was moved by Commissioner Morgan and seconded by Commissioner Shaw that Council Resolution No. 17-3 be placed on final reading and passed, having been deemed fully read at length. The motion passed by a roll call vote of 9 yea and 0 nay.*

4. 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 Final.pdf  
Resolution 17-4 redline.pdf

*It was moved by Commissioner Morgan and seconded by Commissioner Shaw that Council Resolution No. 17-4 be placed on final reading and passed, having been deemed fully read at length. The motion passed by a roll call vote of 9 yea and 0 nay.*

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

R. Ed Banderob, 2601 Grand Ave., Butte, Montana:

- Under calendar it states SARTA meeting on February 14. SARTA said February 28.

Chief Executive Palmer:

- It will be on the 28th.



**ADJOURN**

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

*On the Question:*

Commissioner Perdue-Dolan:

- New England Patriots good luck Sunday!

The meeting adjourned at 9:40 p.m.

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DAVE PALMER  
CHIEF EXECUTIVE

ATTEST:

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CLERK & RECORDER

