BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, MARCH 18, 2020
7:30 PM COURTHOUSE COUNCIL CHAMBERS

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: Absent
Council Member - Dan Olsen: Present
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Present
Council Member - Eric Mankins: Present
Council Member - Bill Andersen: Absent
Council Member - Dan Callahan: Present
Chief Executive - Dave Palmer: Present

PRAYER AND PLEDGE

Brenden McDonough

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

Angel Monahan Rocker, Kennel license is for 3 dogs. The housing inspection was there for a $50 fee. On top of the regular license and feel it was an invasion of privacy. Can we get this changed.

Howard Grant 156 West Granite

I want to ask for a grant, I want the public to be informed.

APPROVAL OF THE MINUTES

March 4, 2020 Regular Meeting Minutes

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: Absent
Council Member - Dan Olsen: Approve
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Absent

Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N\A

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

It has been very busy with corona virus updates and we will be notifying the public how long the closures will be. We will wait and see what the Health Dept. says. We are very concerned with the small businesses that were not able to partake in the St Patricks day Celebration. Some people are eligible for unemployment and should apply, also they are able to get a 0% interest loan to help with them bills and other items. We will call for a special meeting as soon as we feel that it will be allowed. Free lunches will be delivered, and there will be 5 school sites.

CHIEF EXECUTIVE'S REPORT ON THE SUPERFUND

Everything has been put on hold due the corona virus.

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

PUBLIC HEARINGS

1. COMMUNICATION NO. 2020-102
Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures of unanticipated revenue resulting from a grant, the U.S. Food & Drug Administration, Health Department budget, 1000.000.3311.21.000.
Danette Gleason, Finance and Budget Director, it is for $10,500.00
Proponents? No Opponents? No.

2. COMMUNICATION NO. 2020-103
Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures resulting from an MOU for Community Participants to attend Disability Inclusive Health Communities Summit Training by the National Association of Chronic Disease Directors, Developmentally Disabled budget, 2984.000.3311.17.000.
Danette Gleason Finance and Budget, it is for $4,150.00
Proponents? No
Opponents? No.

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

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: Absent
Council Member - Dan Olsen: Approve
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Absent
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N\A

B. COMMUNICATIONS

1.COMMUNICATION NO. 2020-117
Clark Grant, MHPG Project Manager requesting Council of Commissioners authorization to apply for the Montana Historic Preservation Grant (MHPG) program through the Montana Department of Commerce. The grant would fund the construction of an exterior elevator on the east wall of the building as well as several thrust buttresses to protect the structure in the event of an earthquake.
2020-117 Design Document
Concur and Place on File
Note 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: Absent
Council Member - Dan Olsen: Approve
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Absent
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N\A

2.COMMUNICATION NO. 2020-118
Ed Randall, Community Enrichment Director requesting Council of Commissioners approval for Angela Monaghan to apply for a Class 3 Kennel License (6.08.030 which will be located at 200 Flint Creek Road, Ramsey, Mt 59748. Mrs. Monaghan meets the requirements of the Class 3 Kennel License.
Concur and Place on File

3.COMMUNICATION NO .2020-119
J.P. Gallagher, Park and Recreation Director requesting Council of Commissioners authorize the Chief Executive to sign the DNRC Forestry Subaward Agreement. This is a matching grant and BSB Parks & Recreation will meet this match with operating expenses and personnel costs to match the funding of the grant. This grant will be used to remove dangerous cottonwood trees and replace with new healthy trees.
2020-119 Agreement
Concur and Place on File

4.COMMUNICATION NO. 2020-120
Mollie Maffei, Deputy County Attorney requesting Council of Commissioners authorize the Chief Executive to sign the access agreement for a stream gauging station granting the USGS and MBMG permission to access property South of Cobban Street and North of I-90 near Blacktail Creek for stream monitoring.
2020-120 Agreement
Concur and Place on File

5.COMMUNICATION NO .2020-121
Mary McCormick Butte-Silver Bow Historic Preservation Officer requesting Council of Commissioners authorize the Chief Executive to sign the Certified Local Government Contract Agreement grant application for the period beginning April 1, 2020 and ending March 31, 2021. The grant amounts to $6,000.
2020-121 Agreement
Concur and Place on File

6.COMMUNICATION NO. 2020-122
Kathy Kenison, Information Technology Manager requesting Council of Commissioners authorize the Chief Executive to sign the agreement between Microsoft Office 365 and Butte-Silver Bow. This agreement will allow Butte-Silver Bow to continue their enrollment in the online Microsoft subscription services. The terms of the agreement are 36 months or 3 years.
2020-122 Agreement
Concur and Place on File
7.COMMUNICATION NO. 2020-124
Mollie Maffei, Deputy County Attorney requesting Council of Commissioners authorize the Chief Executive to sign the easement granting Northwestern Energy access to place a line for service to the health department. This has been approved by the Public Works.
2020-124 Easement
Concur and Place on File

8.COMMUNICATION NO. 2020-125
Danette Gleason, Finance and Budget Director requesting Council of Commissioners for time on the April 8, 2020 Committee of the Whole Meeting for opening proposals for a private placement direct bank loan. This loan, in the amount of $1,850,000, is needed to cover costs associated with Phase I of the Public Safety Communication System Modernization Project.
Hold in Abeyance

9.COMMUNICATION NO. 2020-126
Karen Sullivan, Butte-Silver Bow Health Officer requesting Council of Commissioners authorize the Chief Executive to sign the contract between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Heath Department to provide comprehensive reproductive health services to women and men in Silver Bow and Deer Lodge Counties.
2020-126 Contract
Concur and Place on File

10.COMMUNICATION NO. 2020-127
John Morgan, Chairman, requesting Council of Commissioners call for a public hearing to be held on Wednesday April 1, 2020 at 7:30pm in Council Chambers, to ask for public input regarding the details of the Butte Priority Soils Consent Decree.
Concur and hold in the Committee of the Whole
Note 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: Absent
Council Member - Dan Olsen: Approve
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Absent
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N\A

11.COMMUNICATION NO. 2020-128
Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners April 1, 2020 Council of Commissioners Regular Meeting to open bids for Asphalt Oil Supply for the 2020 season.
Hold in Abeyance

12.COMMUNICATION NO. 2020-129
Mark Neary, Public Works Director requesting Council of Commissioners to hold a bid opening on April 15, 2020 related to the Cell IV Expansion project for the Landfill.
Hold in Abeyance

13.COMMUNICATION NO. 2020-130
Mark Neary, Public Works Director requesting Council of Commissioners to hold a Public Hearing to be held on April 1, 2020 regular meeting, for Sole Source of Solar Bee's for the Basin Creek Reservoir. We hope to purchase the Solar Bee's in Fiscal Years 2020 and 2021.
Hold in Abeyance

14.COMMUNICATION NO. 2020-131
Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign a Montana Department of Natural Resources and Conservation (DNRC) Renewable Resource Grant and Loan (RRGL) Program Project Planning Grant Application.
Concur and Place on File

15.COMMUNICATION NO. 2020-132
Jim Fisher, Commissioner District 6 requesting Council of Commissioners to consider drafting a Resolution that would amend the Butte-Silver Bow Charter pursuant to the attached certificate #2, to eliminate the twelve (12) elected Council of Commissioners and the elected Chief Executive positions. Those positions would be replaced with a Legislative Commission consisting of five (5) City-County Representatives elected at large by the electors of Butte-Silver Bow County Montana.
Refer to Committee of the Whole

16.COMMUNICATION NO.2020-133
Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to enter into a contract with Pioneer Technical for Landfill Well Movement.
2020-133 Agreement
Concur and Place on File
Note and Place on File name was wrong on the
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: Absent
Council Member - Dan Olsen: Approve
Council Member - Jim Fisher: Absent
Council Member - Josh O'Neill: Approve
Council Member - Eric Mankins: Approve
Council Member - Bill Andersen: Absent
Council Member - Dan Callahan: Approve
Chief Executive - Dave Palmer: N\A

17.COMMUNICATION NO. 2020-134
Mark Neary, Public Works requesting Council of Commissioners authorize the Chief Executive to sign a Professional Service Agreement and attached Proposal between Aqua Aerobic Services, Inc (AASI) and Butte-Silver Bow.
2020-134 Agreement
Concur and Place on File

18.COMMUNICATION NO. 2020-135
Trevor Peterson, Parks and Recreation Arborist requesting Council of Commissioners authorize the Chief Executive to sign an application for certification for the Tree City USA. This would be for the 2020 calendar year.

2020-135 Application
Concur and Place on File

19.COMMUNICATION NO. 2020-136
Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Professional Services Agreement with Great West Engineering. This agreement provides for the preparation and submittal of a TSEP Grant Application that would be utilized for the repairs at Basin Creek Dam #1.
2020-136 Agreement
Concur and Place on File
20.COMMUNICATION NO. 2020-137
Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Professional Service Agreement between Great West Engineering and Butte-Silver Bow. This agreement provides for the development of a preliminary Engineering Report that could be utilized to apply for programs for the repairs at Basin Creek Dam #1.
2020-137 Agreement
Concur and Place on File

21.COMMUNICATION NO. 2020-138
Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorize the Chief Executive to sign a lease agreement with Let's Get Moving for a portion of the spec building in Montana Connections. The lease was discussed at the March 13th TIFID Board meeting and was recommended to Council for approval.
2020-138 Lease Agreement
Concur and Place on File

22.COMMUNICATION NO. 2020-139
Brenden, McDonough, Commissioner District 8 requesting Council of Commissioners to consider that a speed study be conducted by the Montana Department of Transportation on Highway 2 from the nine-mile to Pipestone Pass. With the upcoming recreational season approaching, I ask that a study and decision be made in a timely manner to address the safety concerns for the spring and summer season.
Refer to Public Works

SECTION 3: ORDINANCES AND RESOLUTIONS RFERRED TO JUDICIARY

1.RESOLUTION NO. 2020-15
A RESOLUTION ESTABLISHING PROCEDURES FOR THE SALE AND DISPOSITION OF REAL PROPERTY ACQUIRED BY THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THROUGH TAX DEED, DURING THE PERIOD OF TIME BETWEEN A FIRST AND SECOND TAX SALE AUCTION AS PROVIDED BY CHAPTER 3.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND BY TITLE 7, CHAPTER 8, PART 23 AND TITLE 7 CHAPTER 25 OF THE MONTANA CODE ANNOTATED (MCA) AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

1.COUNCIL BILL NO. 2020-2
ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING ORDINANCE 204, Section 4 and CHAPTER 10.40, ENTITLED "SPEED LIMITS", OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) SPECIFICALLY AMENDING SECTIONS 10.40.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

March 18, 2020, Parking Commission, 3:00 pm, Chief Executive Conference Room
March 19, 2020, Zoning Board, 5:30 pm, Council Chambers
March 21, 2019, Animal Services, 5:30 pm, 1st Floor Conference Room
March 23, 2020, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg
March 24, 2020, Port of Montana, 12:00 pm, Hub Center, Silver Bow
March 24, 2020, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
March 24, 2020, Urban Revitalization, 8:30 am, 1st Floor Conference Room
March 25, 2020, South Butte TEDD, 3:30 pm, 1st Floor Conference Room
March 25, 2020, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne
March 25, 2020, Local Emergency Planning, 12:00 pm, Butte Justice Center
March 26, 2020, Planning Board, 5:30 pm, Council Chambers

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MEETINGS

FINANCE & BUDGET COMMITTEE MEETING
MARCH 18, 2020
6:30 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS
Mark Neary will be presenting at 7:00 and 7:15 PM.

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Expenditure report for the week of March 18, 2020 was reviewed and approved for the amount of $_ _____.

REPORTS

COMMITTEE OF THE WHOLE MEETING REPORT
MARCH 11, 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. 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.
Note and Place on File

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.
Hold in Abeyance

3.COMMUNICATION NO. 19-578
Gary Rundle, Citizen requesting Council of Commissioners consideration to purchase property located at 1820 Banks Ave, Butte MT. I wish to redeem the property from Butte-Silver Bow before the tax sale in February.
Hold in Abeyance

4.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

5.COMMUNICATION NO. 2020-04
Michael Townsend, Citizen requesting Council of Commissioners to consider the repurchase of my home located at 105 West Porphyry. I will comply with all Rules and Regulations of the County Enrichment Program.
Hold in Abeyance

6. COMMUNICATION NO. 2020-102
Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures of unanticipated revenue resulting from a grant, the U.S. Food & Drug Administration, Health Department budget, 1000.000.3311.21.000.
Hold in Abeyance

7. COMMUNICATION NO. 2020-103
Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures resulting from an MOU for Community Participants to attend Disability Inclusive Health Communities Summit Training by the National Association of Chronic Disease Directors, Developmentally Disabled budget, 2984.000.3311.17.000.
Hold in Abeyance

8. COMMUNICATION NO. 2020-113
Jon Sesso, BSB Superfund Coordinator requesting Council of Commissioners for time on the March 4, 2020, Council Agenda for a Presentation on the Butte Priority Soils Consent Decree.
Place on File

ADJOURN

FINANCE & BUDGET COMMITTEE MEETING REPORT
MARCH 11, 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 March 11, 2020 was reviewed and approved for the amount of $ 527,765.90 for FY 2020.

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

PUBLIC WORKS COMMITTEE MEETING REPORT

MARCH 11, 2020

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

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

1. COMMUNICATION NO. 19-513
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 Suspense File until May 2020

2. COMMUNICATION NO. 2020-90
Eldon Beall 315 S. Dakota Street Butte, Mt requesting Council of Commissioners provide more clarification

on speed limits around Emma Park which is also a Bus Route by Butte High School. Also, we are asking that the snow be plowed around the park by Parks and Rec and or by the City.
Hold in Abeyance

3. COMMUNICATION NO. 2020-116
Eldon Beall, 315 South Dakota Street requesting Council of Commissioners to amend Council Bill 19-5, Ordinance No. 562 Section 3-4 of the B-SB MC.
Refer to Judiciary Committee

PUBLIC WORKS COMMITTEE MEMBERS:

Dan Olsen, Chairman	P
Jim Fisher	P
Dan Callahan	P
Brendan McDonough	P
Eric Mankins	P
Shawn Fredrickson	P

JUDICIARY COMMITTEE MEETING REPORT
MARCH 11, 2020

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

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

1.COMMUNICATION NO. 2020-52
John Ries, Mayor of Walkerville requesting Council of Commissioners ask the County Attorney to draft a Resolution of Intent to be sent to each household within the Walkerville Town limits and determine if the said expansion agrees with said residents. The purpose of the expansion would be to have the residents of Walkerville have their garbage fee included on their taxes as do those currently within the garbage collection boundaries.
Hold in Abeyance.

JUDICIARTY COMMITTEE MEMBERS:

Chairman: Brendan McDonough	P
Vice Chairman: Shawn Fredrickson	P
Michele Shea	P
Dan Olsen	P
Eric Mankins	P
John Sorich	P

ECONOMIC DEVELOPMENT COMMITTEE MILL LEVY MEETING REPORT
March 11, 2020
5:30PM BUTTE SILVER-BOW COURTHOUSE COUNCIL CHAMBERS

1.COMMUNICATION NO 2020-104

Dan Olsen, District #5 Commissioner BSB Economic Development Chair requesting Council of Commissioners that the Economic Development Committee met on February 18th and February 20th, 2020 to hear presentations by applicants requesting economic mill levy funds. This committee will be meeting on March 11, 2020 at 5:30 P.M. to finalize the award of such funds.

The committee members viewed their suggested allocation for this year's Economic Mill Levy and as a result the averages changed. Jim Fisher made a motion to approve the amounts, and Shawn Fredrickson seconded. It was passed unanimously.

ECONOMIC DEVELOPMENT COMMITTEE MEMBERS

Dan Olsen	P
Jim Fisher	P
Shawn Fredrickson	P
Josh O'Neill	P
Dan Callahan	P
John Sorich	A