

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
NOVEMBER 04, 2009
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL_____

PRAYER_____

**APPROVAL OF THE MINUTES OF THE
THE REGULAR MEETING, OCTOBER 21, 2009**

ITEMS NOT ADDRESSED ON THE AGENDA_____

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

CHIEF EXECUTIVE'S REPORT_____

SECTION I PUBLIC HEARING

TO HEAR PUBLIC COMMENT ON THE DEVELOPER'S PACKET PROPOSALS FOR (SURPLUS) PARKLAND ADJACENT TO BLOCK 9, HILLCREST ADDITION, SECTION 28, TOWNSHIP 3 NORTH, RANGE 7 WEST. (Communication No. 09-656 being held in the Committee of the Whole) **Proof of publication.**

SECTION II PUBLIC HEARING

TO HEAR PUBLIC COMMENT ON THE 2009 BULLETPROOF VEST GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF JUSTICE AND AMEND THE 2009-2010 BUDGET TO CREATE AUTHORITY FOR GRANT MONIES. (Communication No. 09-688 being held in Committee of the Whole) **Proof of publication.**

**SECTION III PRESENTATION
COMMUNICATION NO. 09-690**

Mike Button, Project Director, Butte-Silver Bow Schools Emergency Preparedness Project (BSSEP), requesting time on the November 4, 2009 agenda for a presentation regarding BSSEP's request for proposals and Council's authorization for the Project's Leadership Team to review the proposal and make recommendations to Council.

SECTION IV

CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 3. JUDICIARY COMMITTEE MEETING REPORT
 4. PUBLIC WORKS COMMITTEE MEETING REPORT
- B. COMMUNICATIONS
1. 09-690 Michael Button, Project Director Butte-Silver Bow Schools Emergency Preparedness Project (BSSEP), requesting time on the November 4, 2009 agenda for a presentation regarding BSSEP Request for Proposals and for Council's authorization for the Project's Leadership Team to review proposals and make recommendations to Council. **Recommendation: Concur and set presentation for November 4, 2009.**
 2. 09-692 Jay Fortune, President Butte-Silver Bow Fair Board, requesting Council's authorization of the amended By Laws of the Butte-Silver Bow Fair Board. **Recommendation: Note and place on file.**
 3. 09-693 Teri Fisher, Metro Sewer Office Manager, requesting Council's authorization for the Chief Executive to sign a one-year maintenance agreement with Empire Office machines, Inc. for the KM copy machine in the Metro Sewer Treatment Plant Office. **Recommendation: Concur and place on file.**
 4. 09-694 Sherrie Walsh, Building Manager, Business Development Center, requesting Council's authorization for the Chief Executive to sign a maintenance agreement with Empire Office Machines, Inc. for the KM copier at the Business Development Center. **Recommendation: Concur and place on file.**
 5. 09-695 Gary Keeler, Landfill Superintendent, requesting Council's approval of line item budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
 6. 09-696 Sally Hollis, Clerk and Recorder ~ Election Administrator, informing Council there were no contested races for District Trustees in the Rocker Water and Sewer Districts, therefore it was not necessary to conduct an election in 2009. **Recommendation: Concur and place on file.**
 7. 09-697 Ed Randall, Animal Services Program Manager, requesting Council's authorization for time on the November 10, 2009 agenda to present an update on the Animal Services Program. **Recommendation: Concur and set presentation for November 10, 2009 agenda.**

8. 09-698 Joe Lee, Chairman, requesting Council's concurrence of the recommendations for the allocation of FY 2009-2010 Economic Development Mill Levy Funds. **Recommendation: Concur and place on file.**
9. 09-699 Paul Babb, Chief Executive, requesting time on the November 10, 2009 agenda to make a presentation on the taxable valuations for Silver Bow County and asking council to take action as to the findings. **Recommendation: Concur with the request and set presentation for November 10, 2009.**
10. 09-700 Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization for the Chief Executive to sign a contract with Butte Security LLC to perform maintenance services on the security systems for Butte-Silver Bow Law Enforcement Department. **Recommendation: Concur and place on file.**
11. 09-702 Karen Byrnes, Director, Community Development Department, requesting Council's authorization for the Chief Executive to enter into three agreements for 722 South Main Street for rehab work for the home for Jerry and Kadie Foster. **Recommendation: Concur and place on file.**
12. 09-703 Rick Larson, Operations Manager-Utilities Division, requesting Council's authorization for the Chief Executive to enter into an agreement with Northwest Pipe Fittings, Inc. to provide materials for the Big Hole Transmission main pipe line. **Recommendation: Concur and place on file.**
13. 09-704 Karen Byrnes, Director, Community Development Department, requesting Council's authorization for the Chief Executive to sign HB 645 Grant Application for improvements on City-County owned property. **Recommendation: Concur and place on file.**

SECTION V COMMUNICATIONS TO BE READ AND ACTED UPON

1. 09-2. 09-705 Glenn Bodish, Executive Director Butte-Silver Bow Arts Foundation, requesting Council's support for the Butte-Silver Bow Arts Foundation's bid for grant funding through HB645 Historic Preservation Grant.

THROUGH H, ENTITLED “FEES OF SHERIFF”; ADDING NEW SUBSECTIONS TO BE NUMBERED X AND Y; INCREASING VARIOUS FEES CHARGED BY THE SHERIFF AND PROVIDING FOR THE DEPOSIT OF SUCH INCREASES INTO THE LAW ENFORCEMENT PATROL VEHICLE REPLACEMENT AND EQUIPMENT FUND; ADDING A NEW CHARGE FOR SERVING ALL CIVIL PROCESS PAPERS OR DOCUMENTS THAT NEED TO BE NOTARIZED; ADDING A NEW CHARGE FOR SERVING CHILD SUPPORT DOCUMENTS FOR THE STATE OF MONTANA; PROVIDING FOR THE DEPOSIT OF THE NEW CHARGES TO BE PLACED IN THE LAW ENFORCEMENT PATROL VEHICLE REPLACEMENT AND EQUIPMENT FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL BILL NO. 09-09
ORDINANCE NO. 09-09**

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION IX CALENDAR OF OTHER MEETINGS AND EVENTS

November 5 Civic Center	5:00 PM	Civic Center Hospitality Room
November 9 Archives	Noon	Archives Center, 17 W Quartz St.
November 11 Fire Advisory Council	5:00 PM	1 st Floor Conference Room
November 11 Fair Board	5:30 PM	Business Development Center
November 11 Law Enforcement Commission	4:00 PM	Chief’s Executive’s Conference Room
November 11 Library	5:00 PM	2 nd or 3 rd Floor-Library Building
November 16 Airport Authority	Noon	Bert Mooney Airport Admin Office
November 17 Housing authority	5:30 PM	Silver Bow Homes Housing
November 17 Parks and Recreation	4:15 PM	Civic Center Conference Room
November 17 Technical Review Committee	1:30 PM	3 rd Floor Conference Room Water Company Building
November 18 TIFID	11:30 AM	Business Development Center Board Room
November 18 Community Enrichment	10:00 AM	Health Department

ADJOURN _____

COMMITTEE OF THE WHOLE MEETING REPORT

OCTOBER 28, 2009

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 I COMMUNICATION NO. 09-641

Karen Byrnes, Community Development Director, requesting time on the October 21, 2009 Council agenda to present a report on the Urban Revitalization Agency's activities for FY 2008-2009. *Committee recommends that communication 09-641 be placed on file.*

SECTION II COMMUNICATION NO. 09-365

Mike Sheehy, Commissioner District 10, requesting support on an ordinance that would make all new transmission line within our county be buried from border to border. *Committee recommends that Communication 09-365 be held in abeyance.*

SECTION III COMMUNICATION NO. 09-465

Dan Harrington, D.D.S. Chairman – BSB Board of Health, requesting approval for BSB Chemical Dependency Services to establish Tri-County Addictive Services. *Committee recommends that Communication No. 09-465 be held in abeyance.*

SECTION IV COMMUNICATION NO. 09-513

Dave Palmer, Commissioner District 12 requesting Chief Executive appoint a committee to explore designating an area of the Historic District as a Repository for Historic Structures to be demolished. *Committee recommends that Communication No. 09-513 be held in abeyance pending a report from the Historic District.*

SECTION V COMMUNICATION NO. 09-569

John Morgan, Commissioner District No. 3, requesting Council's authorization to have Butte-Silver Bow Parks and Recreation Department investigate park located off Ridgeway Avenue. *Committee recommends cross-referencing with Communication No. 09-626 and place Communication No. 09-569 on file.*

SECTION VI COMMUNICATION NO. 09-581

Dave Palmer, Commissioner District No. 12, requesting Council's authorization to extend "Ride the Bus" program through the school year and send Communication to Gary Keeler, Transit Director for his input. *Committee recommends that Communication No. 09-581 be held in abeyance.*

SECTION VII COMMUNICATION NO. 09-608

Dave Palmer, Commissioner District No. 12, requesting time on the September 16, 2009 agenda for reports from recipients of FY 2008-2009 Economic Development Mill Levy and time on the September 23, 2009 agenda to accept sealed proposals for the allocation of the FY 2009-2010 Economic Development Mill Levy Funds. *Committee recommends Communication No. 09-608 be held in abeyance.*

SECTION VIII COMMUNICATION NO. 09-616

Brad Molnar, Montana Public Service Commission, requesting time on the September 16, 2009 agenda to speak in regards to the issues concerning the MSTI line. *Committee recommends Communication No. 09-616 be held in abeyance.*

SECTION IX COMMUNICATION NO. 09-626

Bob Rowling, Parks and Recreation Director, requesting Council's authorization for the issuance of a Developer's Packet for the disposition of surplus parkland located adjacent to Block 9 of the Hillcrest Addition, Section 28, T3N, R7W (Parcel No. 1092650). *Committee recommends that Communication No. 09-626 be held in abeyance.*

SECTION X COMMUNICATION NO. 09-655

Karen Byrnes, Director Community Development Department, requesting time on the October 21, 2009 agenda for applicants' presentations regarding Developer's Packet Proposals for (Surplus) parkland adjacent to Block, 9 Hillcrest addition, Section 28, Township 3 North, Range 7 West. *Committee recommends that Communication No. 09-655 be placed on file.*

SECTION XI COMMUNICATION NO. 09-656

Karen Byrnes, Director Community Development Department, requesting time on the October 28, 2009 agenda for a Public Hearing regarding Developer's Packet Proposals for (Surplus) Parkland adjacent to Block 9, Hillcrest Addition, Section 28, Township 3 North, Range 7 West. *Committee recommends that Communication No. 09-656 be held in abeyance pending Public Hearing scheduled for November 4, 2009.*

SECTION XII COMMUNICATION NO. 09-666

Bob Rowling, Parks and Recreation Director, requesting Council's authorization to have the Chamber of Commerce and the Montana Department of Transportation spearhead establishing and maintaining a Greater Butte-Silver Bow scenic drive route. *Committee recommends that Communication No. 09-666 be held in abeyance.*

SECTION XII COMMUNICATION NO. 09-688

Karen Byrnes, Community Development Director, requesting Council schedule a Public Hearing on November 4, 2009 to receive public comment on the 2009 Bulletproof Vest Grant funds received from the U.S. Department of Justice and amend the 2009-2010 Budget to create budget authority for the grant monies. *Committee recommends that Communication No. 09-688 be held in abeyance pending Public Hearing scheduled for November 4, 2009.*

FINANCE AND BUDGET COMMITTEE MEETING REPORT OCTOBER 28, 2009

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

Ladies and Gentlemen:

We, your Finance and Budget Committee respectfully recommend as follows:

SECTION I COMMUNICATION NO. 09-671

Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization to transfer \$270 from STEP account (100.111.4201.53.110) to cover cost expenditures for the STEP (Selective Traffic Enforcement Program) grant overtime shifts. *Committee recommends that Communication No. 09-671 be approved and placed on file.*

SECTION II EXPENDITURE REPORT

10-28-09

\$ 740,096.08

Committee recommends expenditure be approved and placed on file.

SECTION IV**CLAIM APPROVAL**

2976	Leo Doto	\$ 160.00	Garbage Refund #1469300
2990	Bill Clark	\$ 1,875.00	Weed Bond B Refund
2991	Ray Wasley	\$ 1,875.00	Weed Bond B Refund
3095	Robert Donat	\$ 400.00	Demo Bond Refund
3180	Colleen Kovash	\$ 550.00	Landscaping Bond Refund
3362	Art Dick	\$ 225.00	Refund Bond B Buffalo Minor
3363	Dino Bugni	\$ 150.00	Refund Bond B Valentine Minor
3364	John Kelly	\$ 200.00	Refund Bond A&B Middle of Road

Committee recommends all claims be approved as presented.

