



Commissioner Palmer stated the reason for the Special Meeting is to avoid the penalty phase, which will begin March 19, 2010, and he feels holding this in abeyance is the best solution.

Commissioner O'Leary asked if an extension is being granted by holding this communication in abeyance.

Commissioner Palmer replied part of the motion should be to hold up on the penalty clause while the communication is being held in abeyance and asked County Attorney Joyce for her legal opinion.

County Attorney Joyce replied the intent of the Special Meeting is to advise Council a time extension is necessary and to ask Council to grant the extension and hold the communication in abeyance regarding the length of time necessary. She further stated part of the motion should include stating Council will grant a time extension and hold in abeyance the determination of the amount of the time extension.

**It was moved by Commissioner Lee, seconded by Commissioner Moodry and passed with a verbal vote of 10 yeas and 1 nay by Commissioner Schultz to hold Communication 10-142 for an unspecified period of time to grant Oswood Construction Company an extension for the Butte-Silver Bow Public Archives Renovation and Vault Addition Project in the Committee of the Whole.**

**ADJOURN**

**It was moved by Commissioner Lee, seconded by Commissioner Moodry and carried by a unanimous verbal vote to Rise to the Call of the Chair.**

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**CHIEF EXECUTIVE**

**ATTEST:**

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**CLERK AND RECORDER**