

3. 10-99 Dan Powers, Assistant Public Health Director, Environmental Services, requesting Council's authorization to conduct a public hearing on March 10, 2010 in reference to the fee increase for the Melrose Refuse District. **Recommendation: Concur and set public hearing for March 10, 2010**
4. 10-100 Dave Cunningham, Operation Manager Butte-Silver Bow Public Works Services Division, informing Council and the Chief Executive of a bid opening on March 9, 2010 for a Wheeled Loader with Forks. **Recommendation: Note and place on file.**
5. 10-101 Dave Cunningham, Operation Manager Butte-Silver Bow Public Works Services Division, informing Council and the Chief Executive of a bid opening on March 9, 2010 for the supply of asphalt. **Recommendation: Note and place on file.**
6. 10-102 Glen Granger, Commissioner District No. 1, requesting Council's authorization for a traffic/speed limit study on Continental Drive from Burlington Street to Mount Highland Drive. **Recommendation: Refer to Public Works Committee**
7. 10-104 Paul Babb, Chief Executive, requesting Council's concurrence in reappointments to the Public Housing Authority. **Recommendation: Concur and place on file.**
8. 10-106 Karen Byrnes, Community Development Director, requesting Council's authorization to schedule a public hearing regarding Developer's Packet Proposals for the lease of the Bell Diamond Mine Yard on March 31, 2010. **Recommendation: Concur and set public hearing for March 31, 2010.**
9. 10-107 Linda Sajor, Director Management Information Services, requesting Council's authorization for the Chief Executive to sign a revised maintenance agreement with Black Box Networks. **Recommendation: Concur and place on file.**
10. 10-108 Nancy Barry, Council Secretary, requesting Council's authorization of budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
11. 10-109 Ellen Crain, Manager Butte-Silver Bow Archives, notifying Council of a bid opening for furniture and equipment on March 16, 2010. **Recommendation: Note and place on file.**
12. 10-110 Jeff Amerman, Director Finance and Budget Department, requesting Council's authorization to schedule a public hearing on March 31, 2010 for the purpose of amending the budget to allow for increased expenditures of unanticipated revenue in the Archives Bond Fund. **Recommendation: Concur and set public hearing for March 31, 2010.**

13. 10-111 Jeff Amerman, Director Finance and Budget Department, requesting Council's authorization to schedule a public hearing on March 31, 2010 for the purpose of amending the budget to allow for increased expenditures of unanticipated revenue in the TIFID Bond Fund. **Recommendation: Concur and set public hearing for March 31, 2010.**
14. 10-112 Roger Ebner, Coordinator, Emergency Management Services, requesting Council's authorization of budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
15. 10-113 Jeff Amerman, Director Finance and Budget Department, requesting Council's authorization to schedule a public hearing on March 31, 2010 to amend the budget to allow for increased expenditures of unanticipated revenue from the Army Corp of Engineers WRDA grant funds. **Recommendation: Concur and set public hearing for March 31, 2010.**
16. 10-114 Jeff Amerman, Director Finance and Budget Department, requesting Council's authorization to schedule a public hearing on March 31, 2010 to amend the budget to allow for increased expenditures of unanticipated revenue in the Maintenance District 1 & 4 Fund. **Recommendation: Concur and set public hearing for March 31, 2010.**
17. 10-115 Cathy Maloney, Superintendent of Schools, requesting Council's authorization of budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
18. 10-116 Robert Macioroski, Director Butte-Silver Bow Land Office, requesting Council's authorization of a request to purchase County-Owned Property. **Recommendation: Concur and request County Attorney to prepare Resolution.**
19. 10-117 Robert Macioroski, Director Butte-Silver Bow Land Office, requesting Council's authorization of a request to purchase County-Owned Property. **Recommendation: Concur and ask County Attorney to prepare Resolution.**
20. 10-118 Sheriff John P. Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
21. 10-119 Ellen Crain, Manager, Butte-Silver Bow Archives, requesting Council's authorization for the Chief Executive to sign a contract with Butte Granite Works to engrave the granite panels in place at the new Archival Vault. **Recommendation: Concur and place on file.**

22. 10-120 Gary Keeler, Landfill Manager, requesting Council's authorization for Scope of Work by Pioneer Technical Services to perform an engineer's report on the current status of the Landfill operations and updating the Post Closure plan for Butte-Silver Bow. **Recommendation: Concur and place on file.**
23. 10-121 Robert Macioroski, Director Butte-Silver Bow Land Office, requesting Council's approval to accept donated properties from Continental Public Land Trust. **Recommendation: Concur and place on file.**
24. 10-122 Lori Casey, Senior Planner, requesting Council's approval of the Preliminary Plat of the Irish Eyes Major Subdivision. **Recommendation: Concur and place on file.**
25. 10-123 Lori Casey, Senior Planner, requesting Council's approval of the Carquest Minor Subdivision and authorize the Chief Executive to sign the final plat, contingent on all six conditions being met. **Recommendation: Concur and place on file.**
26. 10-124 Ellen Crain, Manager, Butte-Silver Bow Archives, requesting Council's authorization for the Chief Executive to sign a contract with Christie Transfer & Storage to move Archives manuscripts and materials from the Kelly Mine Yard and the BLDC building into the new archival facility. **Recommendation: Concur and place on file.**
27. 10-125 Karen Byrnes, Director, Community Development, requesting Council's authorization for the Chief Executive to sign Economic Development Mill Levy contracts. **Recommendation: Concur and place on file.**
28. 10-126 Kristen Rosa, TIFID Administrator, requesting Council's authorization for a public hearing regarding the Resolution relating to Butte-Silver Bow Tax Increment Industrial District #2. **Recommendation: Concur and set public hearing for March 24, 2010.**
29. 10-127 Jim Jarvis, Historic Preservation Officer, Planning Dept., requesting Council's authorization for the Chief Executive to sign Certified Local Government Grant Agreement for 2010/2011. **Recommendation: Concur and place on file.**
30. 10-128 Jim Jarvis, Historic Preservation Officer, Planning Dept., requesting Council's authorization for the Chief Executive to sign amended contract requesting a deadline extension. **Recommendation: Concur and place on file.**
31. 10-129 John Sesso, Director, Planning Dept, requesting Council's authorization to propose changes to the state-designated Urban System and for the Chief Executive to submit an appropriate request letter to the Montana Highway Commission. **Recommendation: Concur and place on file.**

32. 10-130 Jeff Miller, Director, Fire Services, requesting Council's authorization to schedule a public hearing on March 31, 2010 to amend the BSB Fire Department's fiscal year 2009-2010 budget. **Recommendation: Concur and set public hearing for March 31, 2010.**
33. 10-131 Theresa Hocking, Health Officer, Health Department, requesting Council's authorization of budget transfer. **Recommendation: Refer to Finance and Budget Committee.**
34. 10-132 Theresa Hocking, Health Officer, Health Department, requesting Council's authorization to schedule a public hearing on March 24, 2010 for input on treatment/prevention needs in BSB for Chemical Dependency and Prevention Services. **Recommendation: Concur and set public hearing for March 24, 2010.**
35. 10-133 Rick Larson, Operations Manager, Public Works, notifying Council of a bid opening for the provision of temporary water to the existing Big Hole Pump Station during demolition and construction of the Big Hole Diversion Dam on March 16, 2010. **Recommendation: Note and place on file**
36. 10-134 Rick Larson, Operations Manager, Public Works, notifying Council of a bid opening for Rock and Aggregate Source Development and Stockpiling for construction of the Big Hole Diversion Dam on March 16, 2010. **Recommendation: Note and place on file.**
37. 10-135 Rick Larson, Operations Manager, requesting Council's authorization to award the bid for the wastewater treatment plant digester blower to ABS USA, Inc. **Recommendation: Concur and place on file.**
38. 10-136 Rick Larson, Operations Manager, requesting Council's authorization for the Chief Executive to sign memorandum of understanding between BSB Public Works and Montana TECH to develop a water conservation education program. **Recommendation: Concur and place on file.**
39. 10-137 Kristen Rosa, TIFID Administrator, requesting Council's authorization to grant \$115,000 of the \$386,000 allocated to the MADA project directly to MADA for the construction of the LOX System. **Recommendation: Concur and place on file.**
40. 10-138 Kristen Rosa, TIFID Administrator, requesting council's authorization to award the AEROTEC Rocket Engine testing facility to Markovich Construction Co. **Recommendation: Concur and place on file.**
41. 10-139 John Sesso, Planning Director, requesting Council consider priority projects for the Community Transportation Enhancement Program (CTEP) and authorize the submissions of 2010 grant applications. **Recommendation: Concur and place on file.**

SECTION II COMMUNICATIONS TO BE READ AND ACTED UPON

1. 10-95 Patsy Coates, Property Specialist, requesting Council’s authorization to award the bid for Request for Proposals/Title and Lien Search to the lowest bidder.
2. 10-98 Mollie Kirk, Butte Celebrations, requesting Council’s authorization for events of the annual St. Patrick’s Festivities.
3. 10-103 Lindsey Ide, Human Resource Director, requesting time on the March 3, 2010 agenda to make a presentation on the re-classification of Lee Phillips and Diane Giop being requested by the Library Board.
4. 10-105 Jim Smitham, Executive Director Butte Local Development Corporation, requesting Council’s authorization for time at the March 3, 2010 meeting for Butte Local Development Corporation to make its Semi-annual Report on the Economic and Community Development activities of the BLDC.

SECTION III SUSPENSION OF THE RULES FOR FINAL PASSAGE.

1. **COUNCIL RESOLUTION NO. 10-11**

A RESOLUTION OF INTENT TO INCREASE THE SOLID WASTE DISPOSAL FEES FOR THE MELROSE REFUSE DISPOSAL DISTRICT, A “SPECIAL DISTRICT”, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

2. **COUNCIL RESOLUTION NO. 10-14**

A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FROM THE JAMES COMPANY, A MONTANA CORPORATION, REAL PROPERTY HEREIN DESCRIBED ON EXHIBIT “A” TO THIS RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

3. **COUNCIL RESOLUTION NO. 10-15**

A RESOLUTION ACCEPTING THE DONATION BY CONTINENTAL PUBLIC LAND TRUST (CPLT) TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, THE REAL PROPERTY HERIN DESCRIBED ON EXHIBIT “A” TO THIS RESOLUTION FOR THE PURPOSE OF PROMOTING AND FACILITATING REDEVELOPMENT OF THESE PROPERTIES AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION IV

**ORDINANCES AND RESOLUTIONS –
REFERRED TO JUDICIARY**

1. **COUNCIL ORDINANCE NO. 10-2**

AN ORDINANCE AMENDING CHAPTER 2.36 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “PARK AND RECREATION BOARD”; AMENDING SECTION 2.36.040, B-SB MC SUBSECTION A, ENTITLED “CREATED-MEMBERS’ APPOINTMENT, TERMS AND REMOVAL-VACANCY-FILLING-OFFICERS’ ELECTION” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. **COUNCIL RESOLUTION NO. 10-12**

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 PLANNING DEPARTMENT FROM THE DNRC TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. **COUNCIL RESOLUTION NO. 10-13**

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 PLANNING DEPARTMENT FROM THE DNRC TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. **COUNCIL RESOLUTION NO. 10-16**

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 PUBLIC WORKS DEPARTMENT FROM THE STATE REVOLVING FUND THROUGH THE AMERICAN RECOVERY INVESTMENT ACT TO ASSIST IN FUNDING THE WASTEWATER TREATMENT PHASE I UPGRADES TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. **COUNCIL RESOLUTION NO. 10-17**

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 PUBLIC WORKS DEPARTMENT FROM THE STATE REVOLVING FUND THROUGH THE AMERICAN RECOVERY INVESTMENT ACT TO ASSIST IN FUNDING THE BIG HOLE FRESH WATER TRANSMISSION LINE REPLACEMENT PROJECT TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. **COUNCIL RESOLUTION NO. 10-18**

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 PUBLIC WORKS DEPARTMENT FROM THE MONTANA DEPARTMENT OF TRANSPORTATION FOR A TRAFFIC SIGNAL LIGHT REPLACEMENT TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

7. **COUNCIL RESOLUTION NO. 10-19**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE EXPEDITED REVIEW OF THE CARQUEST MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

8. **COUNCIL RESOLUTION NO. 10-21**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE IRISH EYES MAJOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

9. **COUNCIL RESOLUTION NO. 10-23**

A RESOLUTION RELATING TO BUTTE-SILVER BOW TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DISTRICT #2; CALLING FOR A PUBLIC HEARING ON THE ISSUANCE OF TAXABLE TAX INCREMENT REVENUE BONDS TO FINANCE THE COSTS OF ADDITIONAL IMPROVEMENTS TO THE ELECTRICAL POWER SUBSTATION; TO REFUND THE TAXABLE TAX INCREMENT BONDS, SERIES 1996 AND SERIES 1997; TO AUTHORIZE THE NEGOTIATED SALE THEREOF; AND PAYING COSTS ASSOCIATED WITH THE SALE OF THE BONDS.

SECTION V CALENDAR OF OTHER MEETINGS AND EVENTS

March 4	Civic Center	5:00 PM	Civic Center Hospitality Room
March 8	Archives	Noon	Archives Center
March 10	Fair Board	5:30 PM	Business Development Center
March 10	Fire Advisory Council	5:00 PM	1 st Floor Conference Room
March 10	Law Enforcement Commission	4:00 PM	Chief Executive's Conference Room
March 10	Library	5:00 PM	2 nd or 3 rd Floor-Library Building
March 15	Airport Authority	Noon	Bert Mooney Airport
March 16	Housing Authority	5:30 PM	Silver Bow Homes Housing
March 16	Parks and Recreation	4:15 PM	Civic Center Conference Room
March 16	Technical Review Committee	1:30 PM	3 rd Floor Conf. Room Water Co. Building
March 17	TIFID Board	11:30 AM	Business Development Center Conf. Room
March 17	Community Enrichment	10:00 AM	Health Department
March 18	Zoning Board of Adjustment	5:30 PM	Council Chambers, 3 rd Floor
March 24	Local Emergency Planning Comm.	Noon	1 st Floor Conference Room
March 24	Parking Commission	9:00	Chief Executive's Conference Room
March 24	Urban Revitalization	9:00 AM	1 st Floor Conference Room
March 24	Port of Montana	Noon	Hub Center, Silver Bow, Montana

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**COMMITTEE OF THE WHOLE MEETING REPORT
FEBRUARY 24, 2010**

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 PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING THE PRELIMINARY PLAT OF THE IRISH EYES MAJOR SUBDIVISION. (Communication No. 10-56 being held in Committee of the Whole) **Proof of Publication was noted.**

SECTION II PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING THE COMMUNITY TRANSPORTATION ENHANCEMENT PROGRAM. (Article in Mt. Standard Saturday 2/20/10 & Display Ad Sunday 2/21/10) *Committee recommends that Communication No. 10-62 be placed on file.*

**SECTION III PRESENTATION
COMMUNICATION NO. 10-69**

Pat Dudley, President and Ray Rogers, CEO, National Center for Health Care Informatics, requesting Council's authorization for time on the February 24, 2010 agenda for a presentation regarding the Federal Appropriation that the National Center for Health Care Informatics recently received. *Committee recommends that Communication No. 10-69 be placed on file.*

**SECTION IV PRESENTATION
COMMUNICATION NO. 10-79**

Ed Randall, Butte-Silver Bow Animal Services, requesting Council's authorization for time on the February 24, 2010 agenda to provide an update on the Butte-Silver Bow Animal Services Program. *Committee recommends that Communication No. 10-79 be placed on file.*

SECTION V COMMUNICATION NO. 05-598

Jeff Amerman, Finance and Budget Director, requesting time on 10/05/05 agenda to make a presentation to Council regarding internal control policies and procedures. *Committee recommends that Communication No. 05-598 be placed on file.*

SECTION XIII

COMMUNICATION NO. 10-27

Janice Thomas, 1823 Wall Street, Butte, MT 59701, requesting Council revisit the issue of the Splash Park at Clark's Park and ask the Parks Department to hold another open discussion with the neighborhood. *Committee recommends that Communication No. 10-27 be held in abeyance.*

SECTION XIV

COMMUNICATION NO. 10-56

Lori Casey, Senior Planner, requesting Council's authorization to conduct a public hearing on February 24, 2010 on the Preliminary Plat of the Irish Eyes Major Subdivision. *Committee recommends that Communication No. 10-56 be placed on file.*

FINANCE AND BUDGET COMMITTEE MEETING REPORT FEBRUARY 24, 2010

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 follow

SECTION I COMMUNICATION NO. 10-67

Sally Perino, Supervisor, Parking Commission, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-67 be held in abeyance.*

SECTION II COMMUNICATION NO. 10-70

Steve Descharme, Assistant Finance and Budget Director requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-70 be approved and placed on file.*

SECTION III COMMUNICATION NO. 10-72

Teri Fisher, Office Manager Butte-Silver Bow Metro Sewer, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-72 be approved and placed on file.*

SECTION IV COMMUNICATION NO. 10-76

Jeffrey Miller, Director of Fire Services, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-76 be approved and placed on file.*

SECTION V COMMUNICATION NO. 10-83

Sally Hollis, Clerk and Recorder – Election Administrator, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-83 be approved and placed on file.*

SECTION VI COMMUNICATION NO. 10-84

Steve Descharme, Assistant Finance and Budget Director, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-84 be approved and placed on file.*

SECTION VII COMMUNICATION NO. 10-94

Eileen Joyce, County Attorney, requesting Council's authorization for budget transfer. *Community recommends that Communication No. 10-94 be approved and placed on file.*

SECTION VII

COMMUNICATION NO. 09-743

Terry Schultz, Council of Commissioners, District 4, requesting time to discuss a traffic survey and solutions for Eagle Street area. *Committee recommends that Communication No. be held in abeyance.*

SECTION VIII

COMMUNICATION NO. 10-63

Ristene Hall, Commissioner District No. 8, requesting Council's authorization to evaluate the health of the trees that line the streets around Clark's Park. *Committee recommends that Communication No. 10-63 be held in abeyance.*

SECTION IX

COMMUNICATION NO. 10-64

Ristene Hall, Commissioner District No. 8, requesting Council's authorization to monitor and install speed limit signage in the alley of the 1700 block between Harrison Ave. and Florence Ave. *Committee recommends that Communication No. 10-64 be held in abeyance.*

**RULES COMMITTEE
FEBRUARY 24, 2010**

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

Ladies and Gentlemen:

We, your Rules Committee respectfully recommend as follows:

SECTION I COMMUNICATION NO. 09-783

Dave Palmer, Chairman, Butte-Silver Bow Council of Commissioners, requesting the Rules Committee to meet to incorporate the changes in the way Council does business into the Rules and Order of Business of the Council of Commissioners. *Committee recommends all communications pertaining to public hearings and presentations be held in the Committee of the Whole unless an emergency conditions exists, which will be determined by the Council Chairman, who will then place the communication on the agenda to be read and acted upon. Place Communication No. 09-783 on file.*