

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING AGENDA  
WEDNESDAY, FEBRUARY 12, 2020  
7:30 PM**

**ROLL CALL**

**PRAYER AND PLEDGE**

**PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA**

**REPORT OF THE CHAIR**

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

**PRESENTATIONS**

**1.COMMUNICATION NO. [2020-54](#)**

Lori Casey, Planning Director requesting Council of Commissioners for time on the February 12, 2020 Council of Commissioner's agenda for a presentation to be given by Kelly Lynch, Deputy Director/General Counsel for the Montana League of Cities and Towns regarding municipal zoning.

**2.COMMUNICATION NO. [2020-56](#)**

Jenny Chambers, Waste Management & Remediation Division Administrator requesting Council of Commissioners for time on the February 12, 2020 Council of Commissioner's agenda for a presentation to be given by The Montana Department of Environmental Quality (DEQ). DEQ attendees will include Project Officer David Bowers (Speaker) and Federal Superfund Section Supervisor Carolina Balliew.

**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.

**2 COMMUNICATION NO.. [19-443](#)**

Eldon Beall, Citizen requesting Council of Commissioners authorize the Chief Executive to amend and include Emma Park BSB County, Code of Ordinances Chapter 9.16 Park Restrictions and to include penalties and or fines etc.



3.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.

4.COMMUNICATIONS NO. [19-571](#)

Greeley Neighborhood Community Development Corporation Inc., requesting Council of Commissioners authorize the Chief Executive to form a Butte-Silver Bow Hazardous to Human Health Heavy Metals Contaminates Task Force.

5.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.

6.COMMUNICATION NO. [19-581](#)

Patsy Coates, Property Specialist requesting Council of Commissioners approval of the Tax Deed Public Auction to be held on February 5, 2020, and to request the County Attorney's Office to prepare a Council Resolution to be Read and Acted Upon, the same night as the Tax Deed Public Auction.

7.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.

8.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.

9.COMMUNICATION NO. [2020-26](#)

Nikia Greene, Remedial Project Manager US EPA Region 8 Montana Office requesting Council of Commissioners time on the February 5, 2020 Agenda for a brief presentation regarding EPA's review of the recent cross-section pilot study in Butte and Columbia titled "Meconium identified high level of metals in newborns from a mining community in the U.S."

10.COMMUNICATION NO. [2020-46](#)

Michele Shea, District 2 Commissioner requesting Council of Commissioners consider establishing a process providing for the sale and disposition of real property during the period between a first tax sale auction and a second tax sale auction. This would require that the County Attorney prepare and introduce such a resolution as provided.



11.COMMUNICATION NO. [2020-53](#)

John Cote, Cote Family LLC requesting Council of Commissioners consideration in purchasing a vacant lot that is currently owned by Butte-Silver Bow. We own the lots on three sides of this property, and we would like to purchase this lot to make it more feasible to develop our adjacent properties.

[2020-53 Property Record](#)

12.COMMUNICATION NO. [2020-54](#)

Lori Casey, Planning Director requesting Council of Commissioners for time on the February 12, 2020 Council of Commissioner's agenda for a presentation to be given by Kelly Lynch, Deputy Director/General Counsel for the Montana League of Cities and Towns regarding municipal zoning.

13.COMMUNICATION NO. [2020-56](#)

Jenny Chambers, Waste Management & Remediation Division Administrator requesting Council of Commissioners for time on the February 12, 2020 Council of Commissioner's agenda for a presentation to be given by The Montana Department of Environmental Quality (DEQ). DEQ attendees will include Project Officer David Bowers (Speaker) and Federal Superfund Section Supervisor Carolina Balliew.

14.COMMUNICATION NO. [2020-57](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners schedule a public hearing for February 26, 2020 to take public comment on amending the Fiscal Year 2020 General Fund-Courthouse Improvement budget.

15.COMMUNICATION NO. [2020-58](#)

Dan Olson, Commissioner District #5 requesting Council of Commissioners schedule the Economic Mill Levy Presentations on Tuesday, February 18 and Thursday February 20, 2020 from 6:00pm to 8:00pm. The presenters will be allowed a 10-minute presentation every 15 minutes for the Mill Levy's.

16.COMMUNICATION NO. [2020-59](#)

Charlie O'Leary, 3060 Beef Trail Road requesting Council of Commissioners to pass a resolution for a question to be placed on the June 2, 2020 local election. The question should be whether the voters of Butte-Silver Bow wish to reauthorize the imposition of the Economic Development Levy as defined in MCA 90-5-112 for another four years.

17.COMMUNICATION NO. [2020-60](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners time on the February 12, 2020 Council of Commissioner's agenda for a presentation to allow time for Pat Burt, Partner Newland & Company PC, and the Finance & Budget Department to present the Fiscal Year 2019 Comprehensive Annual Financial Report (CAFR) and the Federal Schedule of Awards. The Presentation will include the audit findings and management responses for Fiscal Year Ending June 30,2019.



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

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**MEETINGS**

**FINANCE & BUDGET COMMITTEE MEETING**

*FEBRUARY 12, 2020*

*5:45 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS*

Kathy Kenison will meet at 6:00 p.m. and Sally Hollis at 6:15 p.m. with the Finance and Budget Committee.

Expenditure report for the week of February 12, 2020 was reviewed and approved for the amount of \$ \_\_\_\_\_ Fiscal Year 2020

**PUBLIC WORKS COMMITTEE MEETING**

*FEBRUARY 12, 2020*

*6:30 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS*

1. COMMUNICATION NO. [19-320](#)

Michele Shea, Commissioner District 2; Josh O’Neill, Commissioner District 7 and John Morgan, Council Chairman, Commissioner District 3 requesting Council of Commissioners authorization for the Chief Executive to request that the Public Works Committee review this request to ask for a controlled or marked crosswalk in the area of Harrison Avenue near C Street and Ottawa and make a recommendation and work with MDOT to take action, if deemed appropriate.

2. 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.

**JUDICIARY COMMITTEE MEETING**

*FEBRUARY 12, 2020*

*7:00 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS*

**SECTION 1. CLAIMS APPROVAL**



Name	Amount	Reason	Approved	
100 ANGEL LAMPERT	Total \$4094.91  \$236.39	REFUND/OWNERS REDEEMED TAX ASSG #000150220/ASSIGNMENT INTEREST		
700 KATARZYNA IWANIEC	Total: \$19.997.00	DEMO BOND REFUND #337/STORM WATER INFRASTRUCTURE		
NELSON FAMILY ENTERPRISES LLC	Total: \$7357.75	DEMO BOND REFUND #358/STORMWATER BOND FOR FRITO LAY		

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.

1.RESOLUTION NO. [2020-06](#)

A RESOLUTION OF INTENT TO AMEND THE ZONING REGULATIONS TO REQUIRE A CONDITIONAL USE PERMIT IN ORDER TO MAINTAIN A COMMUNITY RESIDENTIAL FACILITY IN AN ALL RESIDENTIAL ZONES WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**REPORTS**

**FINANCE & BUDGET COMMITTEE MEETING REPORT**

FEBRUARY 5, 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 February 5, 2020 was reviewed and approved for the amount of \$432,528.34 for FY 2020.



