

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, MARCH 1, 2023
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[February 15, 2023 Regular Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE’S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

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

BID OPENINGS

1.COMMUNICATION NO. [2023-73](#)

Mark Neary, Public Works Director requesting Council of Commissioners to schedule a bid opening for March 1, 2023 for the Excelsior Avenue reconstruction project.

2.COMMUNICATION NO. [2023-96](#)

Mark Neary, Public Works Director requesting Council of Commissioners approval for a bid opening on March 1, 2023 for the 2023 Sidewalk Program.

3.COMMUNICATION NO. [2023-97](#)

Mark Neary, Public Works Director requesting Council of Commissioners approval for a bid opening on March 1, 2023 for the 2023 Asphalt Supply Public Works.

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



B. COMMUNICATIONS

1.COMMUNICATION NO. [2023-104](#)

J.P Gallagher, Chief Executive requesting Council of Commissioners concurrence in the appointments of Donna Lowney, 1401 Diamond Street, and Krissy Krackowsky, 3647 Albany Avenue, Butte MT to the Animal Services Board.

Concur and Place on File

2.COMMUNICATION NO. [2023-105](#)

J.P Gallagher, Chief Executive requesting Council of Commissioners concurrence in the appointment of Sami Lodahl, 1483 Easy Street Butte MT to the Behavioral Health Local Advisory Council.

Concur and Place on File

3.COMMUNICATION NO. [2023-106](#)

Katelyn Woods, Manager of Accounting and Grants requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a contract for Governmental Accounting Standard Board (GASB) Statement No. 75 actuarial services.

[2023-106 Agreement](#)

Concur and Place on File

4.COMMUNICATION NO. [2023-107](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners approval of the use of up to \$60,000 in ARPA grant funds for the development of the preliminary master plan and to set a public hearing on March 15, 2023 to amend the FY2023 budget to use the ARPA grant fund this project.

Concur and Place on File

5.COMMUNICATION NO. [2023-108](#)

Ned Ellington, Ancient Order of Hibernians, Division No. 1 requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a proclamation declaring March 2023 as "Irish American Heritage Month".

Concur and Place on File

6.COMMUNICATION NO. [2023-109](#)

Kate McCourt BSB Historic Preservation Officer requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a certified local government grant agreement, 2023-2024 in the amount of \$8,000 from the Montana State Historic Preservation Office Certified Local Government (CGL) Program.

[2023-109 Agreement](#)

Concur and Place on File

7.COMMUNICATION NO. [2023-110](#)

Uptown Hoops Inc, requesting Council of Commissioners approval to hold the second annual Uptown Hoops basketball tournament beginning June 16-18 that will provide Butte with an outdoor 3 on 3 basketball tournament with similar plans to the preceding year.

Concur and Place on File



8.COMMUNICATION NO. [2023-111](#)

Mark Zora, Montana East West Shrine Game requesting Council of Commissioners approval to use the streets of Uptown Butte for the 76th Annual Montana East West Shrine Game Parade. The parade will be held in Butte on Saturday, June 17th, 2023 at 10:00 a.m. with activities beginning on Friday, June 16th.

Concur and Place on File

9.COMMUNICATION NO. [2023-112](#)

Tami Martin, Butte Cares Director requesting Council of Commissioners approval to hold the St. Patrick's Day Color Run event for March 17, 2023 at the Mac Center located at 550 E. Mercury.

Concur and Place on File

10.COMMUNICATION NO. [2023-113](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 15, 2023 for the purpose of amending the Fiscal Year 2022-2023 budget to allow for increased expenditures of unanticipated revenue to attend the annual IAFC Hazmat Conference in Baltimore, MD.

Hold in Abeyance

11.COMMUNICATION NO. [2023-114](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 15, 2023 for unanticipated revenue-Hazardous Material Emergency Preparedness (HMEP) grant to host a 40-hour ERTI Hazmat Response Regional Training in Butte, MT.

Hold in Abeyance

12.COMMUNICATION NO. [2023-115](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 15 2023 for unanticipated revenue-Hazardous Material Emergency Preparedness (HMEP) grant to facilitate a Command-and-Control Seminar in Butte MT.

Hold in Abeyance

13.COMMUNICATION NO. [2023-116](#)

Trevor Peterson, BSB Parks & Rec Arborist requesting Council of Commissioners approval to pursue two different grant opportunities, through the AARP Community grant program. The first opportunity is the Flagship and the second one is the Grant and Capacity-Building Microgrant.

Concur and Place on File

14.COMMUNICATION NO. [2023-117](#)

Beth Wurm, Human Resources Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding between the City-County of Butte-Silver Bow and the Laborers' International Union of North America, Local No. 1686 (Public Works).

[2023-117 MOU](#)

Concur and Place on File



15.COMMUNICATION NO. [2023-118](#)

Elizabeth Osborn, Planning Department Senior Planner requesting Council of Commissioners approve the Final Plat of the Amended Plat of Lot 3 Davis/Enrooth II Minor Subdivision.
Concur and Place on File

16.COMMUNICATION NO. [2023-119](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners approve the City-County of Butte-Silver Bow Mid-year Financial Report for fiscal year 2023.
[2023-119 Financial Report](#)
Note and Place on File

17.COMMUNICATION NO. [2023-120](#)

Brianna Peet, Race Coordinator requesting Council of Commissioners approval to host a Fun Run, Egg Hunt and Carnival on Saturday, April 1st, 2023 in Butte as a fundraiser and promotional event for the Montessori School.
Concur and Place on File

18.COMMUNICATION NO. [2023-121](#)

Mark Neary, Public Works Director requesting Council of Commissioners approval to schedule a bid opening for March 15, 2023 for Doors and Openers for the Shop Buildings-Road Division.
Hold in Abeyance

19.COMMUNICATION NO. [2023-122](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with HD Fowler Company for the Water Utility Division-Silver Lake Water System TIFID Strainers.
[2023-122 Agreement](#)
Concur and Place on File

20.COMMUNICATION NO. [2023-123](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with Normont Equipment Company for the Metro Sewer Maintenance Division Camera Truck.
[2023-123 Agreement](#)
Concur and Place on File

21.COMMUNICATION NO. [2023-124](#)

Lindsey Alt, BSB IT Project Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an updated agreement with Civic Plus Process Automation Ultimate Project. This updated copy replaces the statement of work sent with communication 2023-46. The pricing will remain the same.
[2023-124 Agreement](#)
Concur and Place on File



22.COMMUNICATION NO. [2023-125](#)

Linda Sajor-Joyce, Clerk & Recorder requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding for the County Election Administrator to conduct School District #1's election. The cost of the election will be paid by the school district.

[2023-125 MOU](#)

Concur and Place on File

23.COMMUNICATION NO. [2023-126](#)

Bob Lazzari, Parks & Rec Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Lease Agreement between the City-County and the Butte Legion, Butte High and Butte Central.

[2023-126 MOU](#)

[2023-126 Agreement](#)

Concur and Place on File

24.COMMUNICATION NO. [2023-127](#)

Angie Mullikin, Public Works Budget Manager requesting Council of Commissioners approval to hold a Public Hearing on March 22, 2023 for unanticipated revenue - Department of Natural Resources and Conservation Grant for the Community Wildfire Protection Plan.

Hold in Abeyance

25.COMMUNICATION NO. [2023-128](#)

Angie Mullikin, Public Works Budget Manager requesting Council of Commissioners approval to hold a Public Hearing on March 22, 2023 for unanticipated revenue - Department of Natural Resources and Conservation for the Landscape Scale Restoration Grant for the Basin Creek Watershed Restoration Project.

Hold in Abeyance

26.COMMUNICATION NO. [2023-129](#)

Angie Mullikin, Public Works Budget Manager requesting Council of Commissioners approval to hold a Public Hearing on March 22, 2023 for unanticipated revenue - Department of Natural Resources and Conservation Grant for Phase II of the Fuels Reduction Project for the Basin Creek Watershed.

Hold in Abeyance

27.COMMUNICATION NO. [2023-130](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the reappointment of Pete Steilman, 3660 Hancock, Butte MT to the Law Enforcement Commission Board.

Concur and Place on File

28.COMMUNICATION NO. [2023-131](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the reappointments of Jim Lynch, 600 Dewey Blvd, and Jocelyn Dodge, 114 Waldron Drive Butte MT to the Civic Center Board.

Concur and Place on File



29.COMMUNICATION NO. [2023-132](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the reappointments of Tom Michalek, 1218 W. Woolman, Neil Bolton, 4 Holly Lane, Mark Moodry, P.O. Box 3607, and Larry Curran, 6 Bittersweet Dr. Butte MT to the Superfund Advisory & Redevelopment Trust Authority Board.

Concur and Place on File

30.COMMUNICATION NO. [2023-133](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the reappointments of Mark Kambich, P.O. Box Divide MT, and Greg Ebner, 117 Solitude Drive, Butte MT to the Weed Control Board.

Concur and Place on File

31.COMMUNICATION NO. [2023-134](#)

Karen Maloughney BSB Health Officer requesting Council of Commissioners approval to hold a Public Hearing on March, 15, 2023 for the purpose of amending the Fiscal Year 2022-2023 budget to allow for increased expenditures of unanticipated revenue resulting from Pathways to Recognition Program task order.

Hold in Abeyance

SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.RESOLUTION NO. [2023-07](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS TWO THOUSAND FOUR HUNDRED SEVENTY-NINE AND ONE QUARTER (2,479.25) SQAURE FEET OF NEWLY CREATED LOT A-1 ON CERTIFICATE OF SURVEY _____, LOCATED IN THE SOUTHEAST ¼ AND THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 8 WEST WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW MONTANA TO THE ADJOINING OWNERS, CAROL A. GRIGG AND PHILLIP BARTO, PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION NO. [2023-08](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE AMENDED PLAT OF LOT 3 DAVIS/ENROOTH II 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.



SECTION 4: ORDINANCES AND RESOLUTIONS FOR EMERGENCY SUSPENSION OF THE RULES

1. RESOLUTION NO. [2023-06](#)

A RESOLUTION AMENDING THE CITY-COUNTY OF BUTTE-SILVER BOW, FISCAL YEAR 2023 BUDGET 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 FROM THE UNITED STATES DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO THE BUTTE-SILVER BOW LAW ENFORCEMENT DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

CALENDAR OF OTHER MEETINGS AND EVENTS

- March 1, 2023, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office
- March 1, 2022, Butte AIDS Support Services, 7:00 pm, Community Center
- March 2, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room
- March 2, 2022, East Butte RRA, 9:00 am
- March 7, 2022, Fire Advisory Committee, 5:30 pm
- March 7, 2022, Historic Preservation Commission, 5:30 pm, Council Chambers
- March 7, 2022, Weed Board, 7:00 pm, Weed Office, 25 West Front
- March 8, 20122, Board of Health, 7:00 am, Health Dept. Conference Room
- March 8, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
- March 8, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
- March 9, 2022, Greenway Service District Board, 4:30 pm, Butte
- March 10, 2022, TIFID, 12:00 pm, Business Development Center
- March 13, 2022, Archives, 12:00 pm, Archives Center
- March 13, 2022, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
- March 14, 2022, Land Sales Committee, 1:30 pm, Archives Auditorium
- March 14, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

PUBLIC COMMENT ON ANY MATTER NOT ON THE AGENDA

ADJOURN

MEETINGS

ECONOMIC DEVELOPMENT COMMITTEE MEETING

MARCH 1, 2023

6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Kelly Sullivan will be presenting on behalf of Butte Local Development Corporation.



FINANCE & BUDGET COMMITTEE MEETING

MARCH 1, 2023

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of March 1, 2023 was reviewed and approved in the amount of \$ _____ for FY 2023.

MEETING REPORTS

COMMITTEE OF THE WHOLE REPORT

FEBRUARY 22, 2023

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: BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

BID OPENINGS

1.COMMUNICATION NO. [2023-79](#)

Dori Skrukud, Greenway Service District Project Manager requesting Council of Commissioners approval for a bid opening for February 22, 2023 Committee of the Whole meeting for the Silver Bow Creek Greenway Reach Q and R Trail.

Held

SECTION 2: COMMUNICATIONS

1. COMMUNICATION NO. [2023-45](#)

Chief Executive, J.P. Gallagher requesting Council of Commissioners concurrence in the establishment of the Property Demolition Assistance Program in Butte Silver Bow.

[DEMO GRANT APP 2023-45](#)

Hold in Abeyance

2.COMMUNICATION NO. [2023-59](#)

Amy Steinmetz, Waste Management and Remediation Division Administrator requesting Council of Commissioners for time on the agenda for DEQ Project Manager Dave Bowers to discuss the next steps at Montana Pole & Treatment Plant Superfund Site (Montana Pole) and answer questions that the Commissioners may have.

Concur and Place on File

3.COMMUNICATION NO. [2023-73](#)

Mark Neary, Public Works Director requesting Council of Commissioners to schedule a bid opening for March 1, 2023 for the Excelsior Avenue reconstruction project.

Hold in Abeyance



4.COMMUNICATION NO. [2023-83](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners approval for a bid opening for March 8, 2023 for a bid relocating a dirt pile in Montana Connections Park to Solvay property.

Hold in Abeyance

5.COMMUNICATION NO. [2023-86](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners approval for a presentation on March 8, 2023, to present the Fiscal Year 2022 Annual Comprehensive Financial Report, Schedule of Federal Awards, and related Audit Opinions.

Hold in Abeyance

6.COMMUNICATION NO. [2023-90](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 1, 2023 for the purpose of amending the Fiscal Year 2022-2023 budget to allow for increased expenditures of unanticipated revenue to attend the annual IAFC Hazmat Conference in Baltimore, MD.

Note and Place on File

7.COMMUNICATION NO. [2023-91](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 1, 2023, for unanticipated revenue-Hazardous Material Emergency Preparedness (HMEP) grant to facilitate a Command-and-Control Seminar in Butte MT.

Note and Place on File

8.COMMUNICATION NO. [2023-92](#)

Lisa Carey, Office of Emergency Management requesting Council of Commissioners approval to hold a Public Hearing on March 1, 2023, for unanticipated revenue-Hazardous Material Emergency Preparedness (HMEP) grant to host a 40-hour ERTI Hazmat Response Regional Training in Butte, MT.

Note and Place on File

9.COMMUNICATION NO. [2023-96](#)

Mark Neary, Public Works Director requesting Council of Commissioners approval for a bid opening on March 1, 2023, for the 2023 Sidewalk Program.

Hold in Abeyance

10.COMMUNICATION NO. [2023-97](#)

Mark Neary, Public Works Director requesting Council of Commissioners approval for a bid opening on March 1, 2023, for the 2023 Asphalt supply Public Works.

Hold in Abeyance

FINANCE AND BUDGET COMMITTEE MEETING REPORT

FEBRUARY 22, 2023

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS



Expenditure report for the week of February 22, 2023 was reviewed and approved in the amount of \$282,685.72 for FY 2023.

<u>Committee Members</u>	<u>Present /Absent</u>
Hattie Thatcher, Chair	P
Jim Fisher, Vice Chair	P
Josh O’Neill	P
Tommy Walker	P
John Riordan	P
Justin Fortune	P

PUBLIC WORKS COMMITTEE MEETING REPORT
FEBRUARY 22, 2023
6:30 PM BUTTE SILVER-BOW COCOURTHOUSE CHAMBERS
No Meeting was Held.

JUDICIARY COMMITTEE MEETING REPORT
FEBRUARY 22, 2023
7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS
No Meeting was Held.

