

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JULY 15, 2020
7:30 PM VIA WEB-EX**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[July 1, 2020 Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

CALL INS ARE WELCOME @ 497-5009

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

PUBLIC HEARING

1.COMMUNICATION NO. [2020-263](#)

David Bjornson, Bjornson, Jones & Mungus PLLC requesting Council of Commissioners for time on the July 15, 2020 Regular Meeting Agenda, for a Public Hearing regarding an opportunity for public comment on whether these proposed rehabilitations of existing affordable housing projects meet a community housing need. Revonda Stordahl will be attending to answer questions.

PRESENTATIONS

1.COMMUNICATION NO. [2020-268](#)

Eric Gonder, FOG Inspector requesting Council of Commissioners for time on the July 15, 2020 Regular Meeting Agenda, for a presentation on Fats, Oils and Grease (FOG) Program.

2.COMMUNICATION NO. [2020-274](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners for time on the July 15, 2020 agenda to make a presentation on the fiscal year 2021 budget.

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. [2020-282](#)

Lisa Warden, 7 West Pacific, Butte MT requesting Council of Commissioners to purchase two small pieces of land from Butte-Silver Bow in the amount of \$300. These two stripes are too small to put anything on and I have been maintaining them for the past three years.

Refer to Land Sales

2.COMMUNICATION NO. [2020-283](#)

Mollie Maffei, Deputy County Attorney requesting Council of Commissioners to authorize the Chief Executive to sign a Site Lease agreement granting T-Mobile a lease for an antenna facility on the library to provide cell and internet service to the area. This has been approved by Kathy Kenison and Pat Holland.

[2020-283 Agreement](#)

Concur and Place on File

3.COMMUNICATION NO. [2020-284](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners to authorize the Chief Executive to sign a Professional Service Agreement with Centennial Concrete to complete cleaning and stabilization work on the Columbia Gardens Water Tank through the efforts of the East Butte RRA district.

[2020-284 Agreement](#)

Concur and Place on File

4.COMMUNICATION NO. [2020-285](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between Butte-Silver Bow Health Department and the Madison County Health Department to continue to implement the Montana Tobacco Use Prevention Program in the counties of Madison and Beaverhead.

[2020-285 Agreement](#)

Concur and Place on File

5.COMMUNICATION NO. [2020-286](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between Butte-Silver Bow Health Department and the Anaconda-Deer Lodge Public Health Department to continue to implement the Montana Asthma Home Visiting Project and the Montana Tobacco Use Prevention Program in counties of Deer Lodge, Powell and Granite.

[2020-286 Agreement](#)

Concur and Place on File

6.COMMUNICATION NO. [2020-287](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between Butte-Silver Bow Health Department and the Ravalli County Health Department to continue to implement the Montana Tobacco Use Prevention Program in Ravalli County.

[2020-287 Agreement](#)

Concur and Place on File



7.COMMUNICATION NO. [2020-288](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between Butte-Silver Bow Health Department and Riverstone Health, in relation to the Health Department's Nurse-Family Partnership program.

[2020-288 Agreement](#)

Concur and Place on File

8.COMMUNICATION NO. [2020-289](#)

Karen Sullivan, Health Officer requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between the Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department to implement breast and cervical screening services and patient guidance, and continue accelerating implementation of the Montana Comprehensive Cancer Control Plan.

[2020-289 Agreement](#)

Concur and Place on File

9.COMMUNICATION NO. [2020-290](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners permission to schedule a public hearing to begin on August 5, 2020 to discuss a possible rate increase for the solid Waste Collection District fees to cover the cost of the contract services with McGree Corporation.

Hold in Abeyance

10.COMMUNICATION NO. [2020-291](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners permission to schedule a public hearing for the adoption of the fiscal year 2021 Final Budget and establish the user rates for Metro Sewer System, Storm Water system, Solid Waste Disposal and Road Maintenance District. The public hearing will begin on August 5, 2020 and be continued until the Council sets a date to adopt the fiscal year 2021 budget and fix the rate and levies.

Hold in Abeyance

11.COMMUNICATION NO. [2020-292](#)

Lori Baker-Patrick, BSB Treasurer requesting Council of Commissioners approve Cash Only payments for property purchased at the two (2) scheduled 2020 Public Tax Deed Property Auctions that will be held on August 26, 2020 and October 21, 2020.

Concur and Place on File

12.COMMUNICATION NO. [2020-293](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between Butte Local Development Corporation to provide economic development services for Butte-Silver Bow 2020-2021.

[2020-293 Agreement](#)

Concur and Place on File



13.COMMUNICATION NO. [2020-294](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners to authorize the Chief Executive to sign an agreement with Action Inc. to provide services to assist homeless and imminently homeless households.

[2020-294 Agreement](#)

Concur and Place on File

14.COMMUNICATION NO. [2020-295](#)

Kathy Kenison, BSB IT Manager requesting Council of Commissioners to authorize the Chief Executive to sign an agreement between T-Mobile and Butte-Silver Bow that authorizes T-Mobile to provide Apple Business Manager with the information necessary to allow management of devices purchased by Butte-Silver Bow.

[2020-295 Agreement](#)

Concur and Place on File

15.COMMUNICATION NO. [2020-296](#)

Pat Riordan, Land Systems Administrator requesting Council of Commissioners to accept this correspondence to approve Communication No. 2020-243, from Steve Maloney, DBA Cable Station LLC to contract a Professional Land Survey of a portion of Tax Parcel No. 0001892400.

Concur and Place on File

16.COMMUNICATION NO. [2020-297](#)

Pat Riordan, Land Systems Administrator requesting Council of Commissioners to accept this correspondence to deny Council Communication No. 2020-260, from Sean Kuech, to purchase City-County Property, 103 Sutter Street, Butte, Mt 59701 for five hundred (\$500) dollars.

Concur and Place on File

17.COMMUNICATION NO. [2020-298](#)

Mark Neary, Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign an agreement with Wonderware Software for the 2020-2021 SCADA Software. This software is needed for the Water Treatment Plants communication system.

[2020-298 Agreement](#)

Concur and Place on File

18.COMMUNICATION NO. [2020-299](#)

Mark Neary, Public Works Director requesting Council of Commissioners to authorize the Chief Executive to sign an agreement with Western States CAT for the 2021-2023 Water Treatment Plants generator maintenance. This agreement allows for general maintenance and repairs on the generators at the three plants.

[2020-299 Agreement](#)

Concur and Place on File

19.COMMUNICATION NO. [2020-300](#)

Mark Neary, Public Works Director requesting Council of Commissioners permission to schedule a public hearing for July 22, 2020 for the purpose of soliciting comments on the Preliminary Engineering Report of Basin Creek Dam #1.

Hold in Abeyance



20.COMMUNICATION NO. [2020-301](#)

Pat Riordan, Land Systems Administrator requesting Council of Commissioners to authorize the Chief Executive to sign an agreement with Northwestern Energy Company to install streetlights for the Amended Plat of Lot Nineteen (19) of the Ridge View II Subdivision.

[2020-301 Agreement](#)

Concur and Place on File

21.COMMUNICATION NO. [2020-303](#)

Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners approve the preliminary plat of the Montana Connections Subdivision. The subdivision would create nine (9) lots for industrial development in the Montana Connection business park.

[2020-303 Analysis](#)

Concur and Place on File

22.COMMUNICATION NO. [2020-304](#)

Mollie Maffei, Deputy County Attorney requesting Council of Commissioners to authorize the Chief Executive to sign an easement granting Atlantic Richfield access to install a diagnostic facility for water quality monitoring. This has been approved by the superfund Division.

[2020-304 Easement](#)

Concur and Place on File

23.COMMUNICATION NO. [2020-305](#)

Ellen Crain, Butte-Silver Bow Public Archives Director requesting Council of Commissioners to review the 2019 Annual Report for the Butte-Silver Bow Archives. In normal times we would distribute the report and make a presentation, for now we are providing you with the report and we will welcome your question and/or comments through an e-mail or phone call.

Note and Place on File

24.COMMUNICATION NO. [2020-306](#)

Dave Palmer, Chief Executive requesting Council of Commissioners to accept this letter as my formal request for your concurrence in the following appointment to the Harrison Avenue URD Board. Rick Edwards, Jeremy Whitlock, Jim Woy, Duane Liebel and Rhonda Lee.

Concur and Place on File

25.COMMUNICATION NO. [2020-307](#)

Phillip Borup, YMCA Director requesting Council of Commissioners to accept this letter as my formal report on the YMCA Swimming Pool. We remain committed to our community in promoting Youth Development, Social Responsibility, and Health Living and look forward to augmenting our partnership with BSB and the Parks and Rec Department.

Concur and Place on File

SECTION 3: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. [2020-302](#)

Shawn Fredrickson, Commissioner District #1 requesting Council of Commissioners concurrence to have the City-County of Butte-Silver Bow, Montana participate in the effort to create a regional rail authority authorized by Section 7-14-1621 of the Montana Code Annotated. I would also request that a public hearing be scheduled for August 5, 2020.



SECTION 4: ORDINANCES AND RESOLUTIONS FINAL READING

1. COUNCIL BILL NO. [2020-05](#)
ORDINANCE NO. [2020-05](#)

AN ORDINANCE AMENDING ORDINANCE 204, Section 4 and CHAPTER 10.40, ENTITLED “SPEED LIMITS”, OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) SPECIFICALLY AMENDING SECTION 10.40.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Council Bill 2020-05 Ordinance No. 2020-05 Redline](#)

SECTION 5: SUSPENSION OF THE RULES FINAL PASSAGE

1. RESOLUTION NO. 2020-34

A RESOLUTION RESCINDING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOT 25 OF BLOCK 4 OF THE TRAVONIA ADDITION TO THE CITY COUNTY OF BUTTE SILVER BOW, MONTANA, PARCEL NO. 0000043610 TO SWAK, LLC, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA
PLEASE CALL IN AT 497-5009

CALENDAR OF OTHER MEETINGS AND EVENTS

DUE TO COVID-19 PANDEMIC, CALENDAR OF OTHER EVENTS WILL RESUME AT A LATER DATE.

ADJOURN

MEETINGS

ALL MEETINGS CAN BE VIEWED BY WEB-EX STARTING AT DESIGNATED TIMES, LISTED BY EACH MEETING. CALL INS ARE WELCOME @ 497-5009.

PERSONNEL COMMITTEE MEETING

JULY 15, 2020

5:00 PM

1. COMMUNICATION NO. [2020-183](#)

Michael A Nasheim, Butte-Silver Bow Employee requesting Council of Commissioners to review the hiring process for Butte-Silver Bow, especially with the hiring procedures associated with internal candidates. I am requesting the Council refer this issue to the Personnel Committee for discussion.

We are still meeting remotely but we will be taking Public Comment by calling 497-5009



FINANCE & BUDGET COMMITTEE MEETING

JULY 15, 2020

6:00 PM

Public comment on any items on the agenda

Expenditure report for the week of July 15, 2020 was reviewed and approved in the amount of \$_____.

We are still meeting remotely but we will be taking Public Comment by calling 497-5009

REPORTS

COMMITTEE OF THE WHOLE REPORT

JULY 8, 2020

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:

PRESENTATION /PUBLIC HEARING

1.COMMUNICATION NO. [2020-238](#)

Tyler Currence, Housing Solutions, LLC requesting Council of Commissioners permission to hold a Presentation and Public Hearing on the July 8, 2020 in the Committee of the Whole Meeting. This presentation is relating to Montana housing for a new affordable senior development in Butte named Washoe Place.

Communication Withdrawn

2.RESOLUTION NO. [2020-31](#)

The Judicial Committee requesting Council of Commissioners to hold a public hearing in reference to a resolution of intent to alter the boundaries of the city-county of Butte-Silver Bow, Montana's solid waste special district to include the boundaries of the town of Walkerville and providing for an effective date herein.

Held

PRESENTATIONS

1.COMMUNICATION NO. [2020-262](#)

Shawn Fredrickson, Commissioner District #1 requesting Council of Commissioners for time on the July 8, 2020 Committee of the Whole agenda for a presentation from David Strohmier, Missoula County Commissioner, on the Big Sky Passenger Rail Authority.

[2020-262 Documentation](#)

Held

SECTION 2. COMMUNICATIONS



1.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.

Hold in Abeyance

2.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.

Hold in Abeyance

3.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.

Hold in Abeyance

4.COMMUNICATION NO. [2020-224](#)

Todd Breitenfeldt, Breitenfeldt Investment, LLC (BILLC) requesting Council of Commissioners to approve the purchase of a vacant lot addressed at 611 S. Idaho - Lot numbered twenty-four in block #4 of the Travonia Addition, Butte, MT, Parcel No. 1054300- which BILLC owns as a rental, and then immediately will sell it as a nice single-family home. This project will greatly enhance the look of (and the property values of) the neighborhood.

Hold in Abeyance

5.COMMUNICATION NO. [2020-243](#)

Steve Maloney, 109 North Montana Street requesting Council of Commissioners approval for the survey of lot Assessment Code # 0001892400. This survey will facilitate a possible future purchase of this lot.

Hold in Abeyance

6.COMMUNICATION NO. [2020-248](#)

Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners permission to conduct a public hearing on Wednesday, July 1, 2020 on the Montana Connections Subdivision.

[2020-248 Analysis](#)

Concur and Place on File

7.COMMUNICATION NO. [2020-258](#)

Lori Casey, Planning Director requesting Council of Commissioners to be advised that the Butte-Silver Bow Planning Board, who serves as the Zoning Commission, has rendered a recommendation regarding Zone Change Application No. 180, regarding licensed community residential facilities.

[2020-258 Zone Change](#)

Hold in Abeyance

8.COMMUNICATION NO. [2020-260](#)

Sean Kuech, Citizen requesting Council of Commissioners permission to purchase the property at 103 Sutter Street, Butte MT for \$500.00. I plan to immediately begin renovating the house.

Hold in Abeyance



2.COMMUNICATION NO. [2020-139](#)

Brenden, McDonough, Commissioner District 8 requesting Council of Commissioners to consider that a speed study be conducted by the Montana Department of Transportation on Highway 2 from the nine-mile to Pipestone Pass. With the upcoming recreational season approaching, I ask that a study and decision be made in a timely manner to address the safety concerns for the spring and summer season.

Hold in Abeyance until report from MDT and Mr. Neary

PUBLIC WORKS COMMITTEE MEMBERS:

Dan Olsen, Chairman P
Jim Fisher P
Dan Callahan P
Brendan McDonough P
Eric Mankinkins A
Shawn Fredrickson P

JUDICIARY COMMITTEE MEETING REPORT

JULY 8, 2020
7:00 PM

SECTION 1. CLAIMS APPROVAL

Name	Amount	Reason	Approved	
EMMA CUNNEEN	TOTAL: \$200.00	DEMO BOND REFUND #501 FOR 2207 HARVARD	YES	
JARED SMITH	TOTAL: \$200.00	DEMO BOND REFUND #496/633 S WASHINGTON	YES	

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.

Cross Reference with Resolution No. 2020-31



1. RESOLUTION NO. 2020-15

A RESOLUTION ESTABLISHING PROCEDURES FOR THE SALE AND DISPOSITION OF REAL PROPERTY ACQUIRED BY THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THROUGH TAX DEED, DURING THE PERIOD OF TIME BETWEEN A FIRST AND SECOND TAX SALE AUCTION AS PROVIDED BY CHAPTER 3.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND BY TITLE 7, CHAPTER 8, PART 23 AND TITLE 7 CHAPTER 25 OF THE MONTANA CODE ANNOTATED (MCA) AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in Abeyance until Public Hearing

2. RESOLUTION NO. 2020-31

A RESOLUTION OF INTENT TO ALTER THE BOUNDARIES OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA'S SOLID WASTE SPECIAL DISTRICT TO INCLUDE THE BOUNDARIES OF THE TOWN OF WALKERVILLE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in Abeyance until Public Hearing

JUDICIARTY COMMITTEE MEMBERS:

Chairman: Brendan McDonough	P
Vice Chairman: Shawn Fredrickson	P
Michele Shea	P
Dan Olsen	P
Eric Mankins	A
John Sorich	P

