

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JULY 19, 2023
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[July 5, 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

1.COMMUNICATION NO. [2023-362](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization to hold a Community Needs Public Hearing on July 19, 2023, to discuss the HOME, CDBG and other related funding programs offered by the Montana Department of Commerce.

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. [2023-364](#)

Linda Sajor-Joyce, Clerk & Recorder, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the annual maintenance contract with Election Systems and Software (ESS) for tabulators, software, and Express Votes ballot marking equipment.

[2023-364 Agreement](#)

Concur and Place on File



2. COMMUNICATION NO. [2023-365](#)

Linda Sajor-Joyce, Clerk & Recorder, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the annual sales agreement with Carahsoft for use of DocuSign Software. This software has allowed us to reduce signing times from over one month to typically several days.

[2023-365 Agreement](#)

Concur and Place on File

3. COMMUNICATION NO. [2023-366](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the re-appointments of Rhonda Lee, 2100 Argyle St., Bill Fogarty 3751 Wynne Ave., Jim Woy, 2000 Aberdeen St, Rick Edwards, 11 E. Park, and Jeremy Whitlock, 1225 Westside Blvd., Butte MT to the URD Harrison Avenue Board.

Concur and Place on File

4. COMMUNICATION NO. [2023-368](#)

Lynette Hogart, Animal Services Coordinator, requesting Council of Commissioners authorization to approve a Class 1 Kennel License (6.08.030 - A (1) for Alexa Berg which will be located at 914 Holmes Avenue, Butte MT situated on a parcel that is 16,500 sq. feet. Alexa Berg plans to open a dog grooming and spa business named Ruff Cutts.

Concur and Place on File

5. COMMUNICATION NO. [2023-369](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Administrative Services Agreement with Blue Cross Blue Shield of Montana to provide third-party administration services for the July 1, 2023, to June 30, 2024, benefit year.

[2023-369 Agreement](#)

Concur and Place on File

6. COMMUNICATION NO. [2023-370](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the application for Stop Loss Coverage through Blue Cross Blue Shield of Montana for the July 1, 2023, to June 30, 2024, benefit year.

[2023-370 Application](#)

Concur and Place on File

7. COMMUNICATION NO. [2023-371](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Performance Guarantee and Addendum-PG with Blue Cross Blue Shield of Montana, the third-party administrator of the Butte-Silver Bow Employee Group Health Plan for the July 1, 2023, to June 30, 2024, benefit year.

[2023-370 Addendum](#)

Concur and Place on File



8. COMMUNICATION NO. [2023-372](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Benefit Program Application through Blue Cross Blue Shield of Montana for the July 1, 2023, to June 30, 2024, benefit year.

[2023-372 Application](#)

Concur and Place on File

9. COMMUNICATION NO. [2023-373](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Service Agreement between the City-County of Butte-Silver Bow and PayneWest Insurance, a Marsh & McLennan Agency LLC, effective July 1, 2023. PayneWest Insurance provides the City-County of BSB with Employee Navigator services and solutions.

[2023-373 Agreement](#)

Concur and Place on File

10. COMMUNICATION NO. [2023-374](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Service Agreement between the City-County of Butte-Silver Bow and PayneWest Insurance, a Marsh & McLennan Agency LLC, effective July 1, 2023. PayneWest Insurance provides the City-County of BSB with advisement and brokerage service for employee benefit programs.

[2023-374 Agreement](#)

Concur and Place on File

11. COMMUNICATION NO. [2023-375](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Plan Documents through Blue Cross Blue Shield of Montana for the July 1, 2022, to June 30, 2023, benefit year. These Plan Documents were missed for signatures last year in July 2022. This error was discovered when we were looking to get the 2023 Plan Documents signed. BCBST will not produce the 2023 Plan Documents until the 2022 Plan Documents are signed.

[2023-375 CMM PD](#)

[2023-375 HDHP 3000](#)

[2023-375 HDHP 5000](#)

[2023-375 Vision](#)

[2023-375 Dental](#)

Concur and Place on File

12. COMMUNICATION NO. [2023-376](#)

Mike Clague, Deputy County Attorney, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Butte-Silver Bow Veterans Treatment Court Evaluation Contract Extension for one year consistent with the grant extension to September 30, 2024.

[2023-376 Contract](#)

Concur and Place on File



13. COMMUNICATION NO. [2023-377](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the appointments of Marney Gagnon, 361 Deadwood Trail, Ramsay, MT, James Ouellette, 2802 State St., and Lindsay Mulcahy, 3135 Edwards St., Butte MT to the Insurance Committee.

Concur and Place on File

14. COMMUNICATION NO. [2023-378](#)

Danette Gleason, Finance & Budget Director, requesting Council of Commissioners authorization for a presentation on July 26, 2023, agenda to make a presentation on the Fiscal Year 2024 budget.

Hold in Abeyance

15. COMMUNICATION NO. [2023-379](#)

Danette Gleason, Finance & Budget Director, requesting Council of Commissioners authorization to schedule a public hearing for the adoption of the Fiscal Year 2024 Final Budget and establish the user rates for Metro Sewer System, Storm Water System, Solid Waste Disposal and Collection, and Lighting and Fire Hydrant districts. The public hearing will begin on August 9, 2023, and be continued until the Council of Commissioners sets a date to adopt the Fiscal Year 2024 Final Budget and fix the rate and levies.

Hold in Abeyance

16. COMMUNICATION NO. [2023-380](#)

Dylan Pipinich, Planning Director, requesting Council of Commissioners concurrence for Butte-Silver Bow Planning Department to apply for the U.S. Department of Transportation Safe Street and Roads for All (SS4A) grant application.

Concur and Place on File

17. COMMUNICATION NO. [2023-381](#)

Dori Skrukud, Community Development Coordinator, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign grant application to the Rails-to Trails Conservancy (RTC) for funds to assist in the completion of the Silver Bow Creek Greenway, in the amount of \$25,000.

Concur and Place on File

18. COMMUNICATION NO. [2023-382](#)

Tim Cassidy, Special Improvement Rate Analyst, requesting Council of Commissioners concurrence to hold a Public Hearing on August 2, 2023, regarding changing the Street Maintenance Assessment Method to Units from a per parcel method as pursuant to Communication NO. 2023-210. The Street Maintenance flat fee will remain \$87.71 per unit.

Hold in Abeyance

19. COMMUNICATION NO. [2023-383](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Post-Closing Lease Back Occupancy Agreement for 600 Gilman Avenue, Butte, MT 59701.

[2023-383 Agreement](#)

Concur and Place on File



20. COMMUNICATION NO. [2023-384](#)

Chad Anderson, RMAP Manger, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction Agreement with Northwest Enterprise, regarding the Reclamation & Environmental Services Residential Metals Abatement Program.

[2023-384 Agreement](#)

Concur and Place on File

21. COMMUNICATION NO. [2023-385](#)

Chad Anderson, RMAP Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction Agreement with C. Davies Enterprises, INC , regarding the Reclamation & Environmental Services Residential Metals Abatement Program.

[2023-385 Agreement](#)

Concur and Place on File

22. COMMUNICATION NO. [2023-386](#)

Chad Anderson, RMAP Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction Agreement with Mining City Services regarding the Reclamation & Environmental Services Residential Metals Abatement Program.

[2023-386 Agreement](#)

Concur and Place on File

23. COMMUNICATION NO. [2023-387](#)

Zane Gleason, Public Works Project Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction Agreement with Northwest Pipe Fittings Inc for the 2023 Water Main Materials. I am requesting council void the contract associated with 2023-353 water main materials and approve this contract in its place. The previous contract presented to council did not contain all of the required attachments.

[2023-387 Agreement](#)

Concur and Place on File

24. COMMUNICATION NO. [2023-388](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners authorization in releasing the King Street Production Inc. from their lease with Butte-Silver Bow of the Butte Civic Center on August 31, 2023. The termination of the lease is requested because of the ongoing strikes in the film production industry.

Concur and Place on File

25. COMMUNICATION NO. [2023-389](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization for the Community Development Department to apply for Outdoor Recreation Roundtable grant funds.

Concur and Place on File



26. COMMUNICATION NO. [2023-390](#)

Angie Mullikin, Public Works Grant Manager, requesting Council of Commissioners authorization to approve the Buy/Sell agreement with Hollow Contracting which was approved on the June 7th regular meeting for property located behind the new shops for storage.

Concur and Place on File

27. COMMUNICATION NO. [2023-391](#)

Angie Mullikin, Public Works Grant Manager, requesting Council of Commissioners authorization to approve the Buy/Sell agreement to purchase property owned by CCCS, commonly called the Roundhouse located at the 600 block of East Iron Street for Metro Sewer.

Concur and Place on File

28. COMMUNICATION NO. [2023-392](#)

Angie Mullikin, Public Works Grant Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign eight (8) Task Orders with HDR Engineering for SCADA. Eight Task Orders are related to on call support for the Public Works Department's Metro, Water Treatment, Silver Lake, and Central Equipment Maintenance Divisions, as well as Government Buildings and Golf Course SCADA systems. These task orders define work to be done for each department and division as well as defining a not to exceed cost.

[2023-392 Task Order 1](#)

[2023-392 Task Order 2](#)

[2023-392 Task Order 3](#)

[2023-392 Task Order 4](#)

[2023-392 Task Order 5](#)

[2023-392 Task Order 6](#)

[2023-392 Task Order 7](#)

[2023-392 Task Order 8](#)

Concur and Place on File

29. COMMUNICATION NO. [2023-393](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an Option agreement and Purchase and Sale agreement with Rocky Mountain Beverage of Montana, LLC. for property in Montana Connections.

[2023-393 Option Agreement](#)

[2023-393 Purchase Agreement](#)

Concur and Place on File

30. COMMUNICATION NO. [2023-394](#)

Angie Mullikin, Public Works Grant Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Professional Services Agreement for the Landfill Annual Routine Tasks. This contract allows for monitoring of gases from both the old landfill and the new landfill.

[2023-394 Agreement](#)

Concur and Place on File



SECTION 3: COMMUNICATIONS TO BE READ AND ACTED UPON

1. COMMUNICATION NO. [2023-367](#)

Zach Osborne, Fire Chief, requesting Council of Commissioners concurrence to confirm probationary firefighter Austin Perry to the Butte-Silver Bow Fire Department. Austin has completed his 6-month probationary period with the BSB Fire Department on July 12, 2023.

SECTION 4: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1. RESOLUTION NO. [2023-26](#)

A RESOLUTION APPROVING TAX BENEFIT FOR NEW INDUSTRY IN THE CITY-COUNTY OF BUTTE-SILVER BOW BY CENATE, ALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15-24-1402, MCA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

CALENDAR OF OTHER MEETINGS AND EVENTS

July 19, 2022, Parking Commission, 3:00 pm, Chief Executive Conference Room
July 21, 2022, Zoning Board, 5:30 pm, Council Chambers
July 24, 2022, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.
July 25, 2022, Port of Montana, 12:00 pm, Hub Center, Silver Bow
July 25, 2022, Urban Revitalization, 8:30 am
July 25, 2022, Local Emergency Planning, 12:00 pm, Butte Justice Center
July 26, 2022, South Butte TEDD, 4:00 pm, Business Development Center
July 26, 2022, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne
July 27, 2022, Planning Board, 5:30 pm, Council Chambers
August 1, 2022, Weed Board, 7:00 pm, Weed Office, 25 West Front
August 1, 2022, Fire Advisory Committee, 5:30 pm
August 1, 2022, Historic Preservation Commission, 5:30 pm, Council Chambers Office

PUBLIC COMMENT ON ANY MATTER NOT ON THE AGENDA

ADJOURN

MEETINGS

FINANCE & BUDGET COMMITTEE MEETING

JULY 19, 2023

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of July 19, 2023, was reviewed and approved in the amount of \$ _____ for FY 2023.



1.COMMUNICATION NO. [2023-326](#)

Danette Gleason, Finance & Budget Director, requesting the Council of Commissioners that the Fiscal Year 2024 Preliminary Budget will be referred to the Finance & Budget Committee for the July 12, 2023, Finance & Budget Committee meeting.

MEETING REPORTS

COMMITTEE OF THE WHOLE REPORT

JULY 12, 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: COMMUNICATIONS

1.COMMUNICATION NO. [2023-327](#)

Dan Villa, 146 Whisper Ridge, Butte MT, informing the Council of Commissioners that the Homestake Meadow II Homeowners Association voted overwhelmingly at their June 13, semi-annual meeting to request Butte-Silver Bow form a special improvement district for the purpose of road paving. Attached is a map of the proposed properties for inclusion and the successful bid we received from a local contractor.

Hold in Abeyance

2.COMMUNICATION NO. [2023-362](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to hold a Community Needs Public Hearing on July 19, 2023, to discuss the HOME, CDBG and other related funding programs offered by the Montana Department of Commerce.

Hold in Abeyance

FINANCE AND BUDGET COMMITTEE MEETING REPORT

JULY 12, 2023

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Expenditure report for the week of June 12, 2023, was reviewed and approved in the amount of \$955,398.50 for FY 2023 and \$47,998.42 for FY 2024.

1.COMMUNICATION NO. [2023-326](#)

Danette Gleason, Finance & Budget Director, requesting the Council of Commissioners that the Fiscal Year 2024 Preliminary Budget will be referred to the Finance & Budget Committee for the July 12, 2023, Finance & Budget Committee meeting.

Hold in Abeyance



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

PUBLIC WORKS COMMITTEE MEETING REPORT

JULY 12, 2023

6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

NO MEETING WAS HELD

<u>Committee Members</u>	<u>Present /Absent</u>
Eric Mankins, Chair	P
John Sorich, Vice Chair	P
Josh O’Neill	P
Jim Fisher	P
Justin Fortune	P
Dan Callahan	A

JUDICIARY COMMITTEE MEETING REPORT

JULY 12, 2023

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1. COUNCIL BILL NO. [2023-04](#)

ORDINANCE NO. [2023-04](#)

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SOLID WASTE MANANGEMENT FACILITY”, SPECIFICALLY AMENDING SECTION 13.12.070, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2023-04 REDLINE](#)

Hold in Abeyance pending a Public Hearing

2. RESOLUTION NO. [2023-25](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE CK 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.



Name	Amount	Reason	Approved	
GUARDIAN TAX MT LLC	\$3,925.73	REFUND/REDEMPTION OF TAX ASSIGNMENT #0000250800	YES	
GUARDIAN TAX MT LLC	\$5,132.16	REFUND/REDEMPTION OF TAX ASSIGNMENT #0000081800	YES	
TUCKER SOUTH	\$600.00	DEMO OF HOME-HOME WAS BURNED	YES	
FRANK SHIELDS	\$200.00	GARAGE DEMO	YES	
ARK CONSTRUCTION	\$1000.00	ROW-SIDEWALK REPLACEMENT	YES	
TROY LOCKMER	\$61.50	PLUMBING PERMIT CANCELLED	YES	
INTERMOUNTAIN HEATING & AIR CONDITIONING	\$24.00	PURCHAED 2 MECHANICAL PERMITS	YES	



<u>Committee Members</u>	<u>Present/Absent</u>
Bill Andersen, Chair	A
Hattie Thatcher, Vice-Chair	P
Dan Callahan	P
Eric Mankins	P
John Sorich	P
Tommy Walker	P



