

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, MARCH 4, 2020
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

12 Present 0 Absent

PRAYER AND PLEDGE

Brenden McDonough

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

Eileen Joyce, The process has to legal and it is a presentation and is not an event on the agenda. Consent agenda is where the council has the ability to segregate items and then people can choose to discuss the communications that were segregated. The public can discuss at a later time.

Mankins< Couldn't people wait until the end of the meeting where it says public comments not on the agenda?

Joyce< that is for items not on the agenda, and the presentation was on the agenda.

APPROVAL OF THE MINUTES

[February 19, 2020 Regular Meeting Minutes](#)

[Voting on the minutes: 12 yea 0 nay](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

CHIEF EXECUTIVE'S REPORT ON THE SUPERFUND

Dave Palmer said that there was some misinformation out there that we were going to vote on the CD. That is false.

1.COMMUNICATION NO. [2020-113](#)

***Jon Sesso, BSB Superfund Coordinator requesting Council of Commissioners for time on the March 4, 2020, Council Agenda for a Presentation on the Butte Priority Soils Consent Decree.**

Jon Sesso

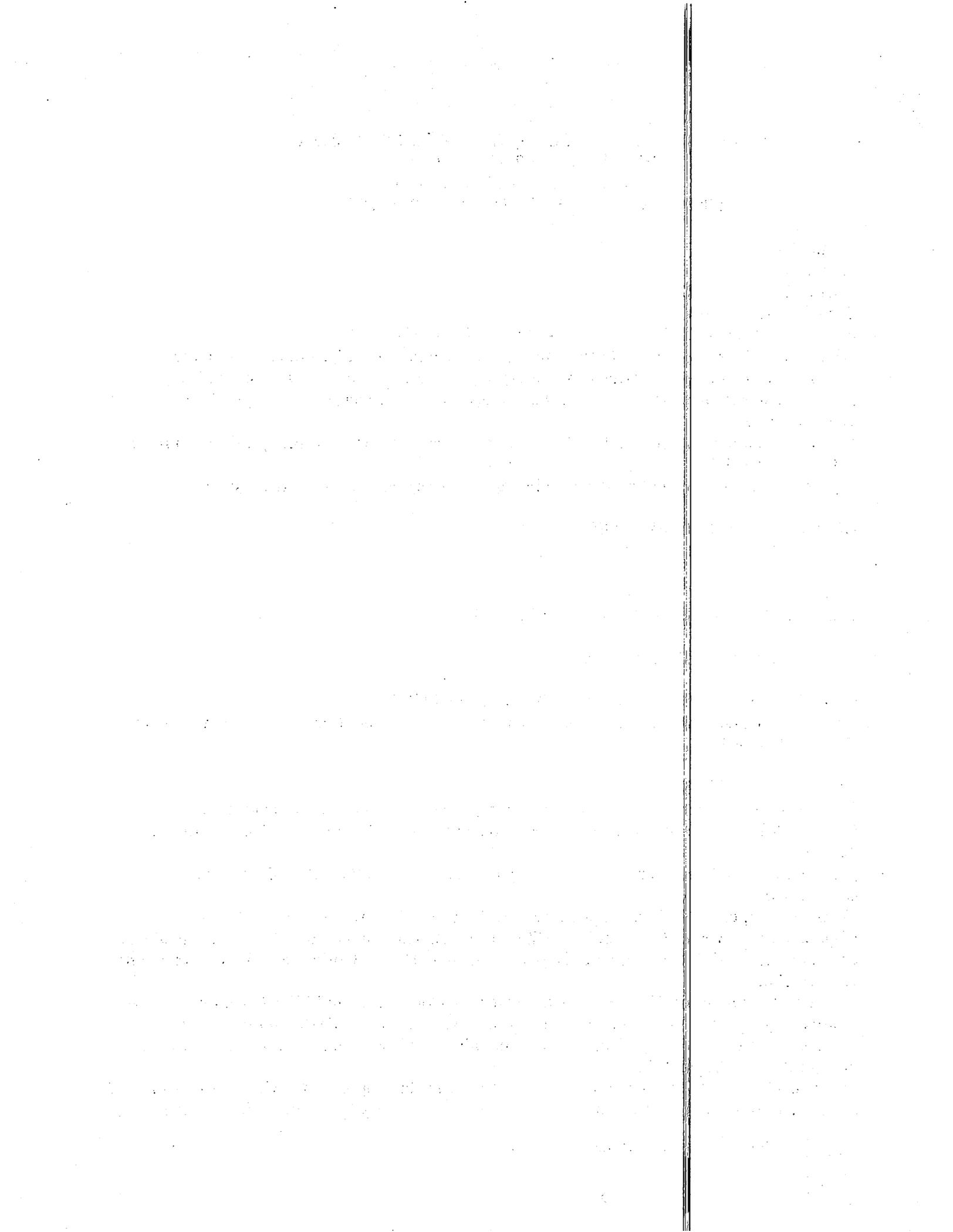
We are into 3 weeks now on the information process and pass the baton along to the commissioners.

***Betsy Smitinger_EPA, This is a historic time for Butte. The DC is a result of over 30 years of ongoing cleanup work. This program will improve BSB and and make sure that the project is done correctly. EPA has worked closely with the State BSB Atlantic Richfield to develop and end use plan.**

***Patrick Holmes Natural Resources Advisorfor the Govenor, I would like to commend Dave Palmer and his team. Our team believes that the proposal is technically sound. We believe it reflects an effective cleanup. The governor intends to review the feedback and as he considers his signature of the final CD.**

***Patricia Gallalee, VP for Atlantic Richfield, I am here in support of the CD. We support and is willing to sign on the dotted line, and that it is done in a very fair manor. It has taken 13**





years to get here but was not spent being idle.

***Jon Sesso, Superfund Director,**

BSB is the defendant in this lawsuit. Because storm water system conveyed water from the mine to the creek.

***Process to come to Consensus**

***Protects the Environment**

***Waste Removals and Disposal**

***Protect Human Health**

***Funding and Financial Assurance**

***Allocation Agreement**

***Dan Olson, The ball is in our court and if is up to us to get educated.**

***Michele Shea, encourages everyone to go to the meetings which she will be having one.**

***Dan Sorich, I also encourage people to attend meetings.**

***Jim Fisher, Everything is the CD is good, why should we have reluctance, would we let our community not be happy.in stopping the cleanup at the creek.**

***Patrick Holmes, There is a limit of what can be done.**

*** Shawn Fredrickson, It looks like we are waiving the State of Montana standards to the Federal standards?**

***Nikia Green, The CD waiver is on the total recoverable standards, only with copper and zinc.**

Brenden McDonough, I just want to clarify what is the alternative if we reject the CD?

***Sesso, We have tried to get after that work and move forward with this cleanup. It would put us so far behind to start over.**

***Green, there is nobody in the world has ever developed this water cleanup. The 2 basins are the two biggest and the largest loaders, we are going to keep the smaller storms, treat it and discharge it.**

***Josh O'Neil, How can we decide if you don't know where you are going to put the tailings.**

*** Green, we will have a process and will involve the community with either an existing repository or an old repository.**

***Dan Olsen, we need to have a few more education sessions before we vote.**

*** Jim Fisher, is it correct that we cannot amend the CD, is that true?**

***Sesso, yes that is true,**

***Cindy Shaw, this is exciting and a lot of questions, I am planning on having my own meeting to get even more educated. Communication is huge.**

*** Bill Anderson, has a lot of concerns about the CD. We have not been given enough time to review this. This process has been done in the dark for that past 30 years, and the people have been given little information. There has been no public involvement in this scenario. What kind of assurance can you give that their voices will be heard?**

***Sesso, I can assure you that a lot of people have been at these meetings, I have been available to answer any questions that you may have had. We do not go to work everyday and way we are going to ignore the public. We still have a lot of work to do.**

***Green, When you look back at May of 2018, there is not much that has changed. So we really have provided a lot of information.**

***Sorich, is there a time line?**

***Henry Ulson. Attorney, if the CD is signed it is then lodged in the Federal District court. And then there would be a comment period, The Judge is not under a time frame. However they usually act promptly.**



*** John Morgan, Thank you for passing the baton. There will be a vote at some point but we do not have a date at this time. I encourage the commissioners to study the CD. And attend any and all meetings before we vote. This is very difficult decision because I and We, have to try and please most of the people, it will be very difficult to make everyone happy.**

10 Minute Break

10:02 Meeting comes to order.

Roll call 12 present 0 absent.

SECTION 1: 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. [2020-95](#)

Mathew Boyle, Butte America Parade Director requesting Council of Commissioners for your approval for the 2020 Butte America Foundation St. Patrick's Day Parade. The Parade will be held on Tuesday, March 17, 2020 at 12:00PM. The Parade will end around 1:00PM.

[2020-95 Documents](#)

Concur and Place on File, all signatures have been received.

2. COMMUNICATION NO. [2020-96](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorize the Chief Executive to sign the Contract Amendment to BSTF Contract #-MT-BSTF-1-19-A Amendment. The contract is amended to allow for the creation of additional jobs and was recently approved by the Montana Department of Commerce.

[2020-96 Contract](#)

Concur and Place on File

3. COMMUNICATION NO. [2020-97](#)

Lori Baker-Patrick, Butte-Silver Bow County Treasurer requesting Council of Commissioners authorize the Chief Executive to sign the Agreement with the Title Company/Title Companies for the Title Litigation Guarantee (TLG) that must be completed on the 2016 delinquent Tax Lien for the 2020 Tax Deed.

[2020-97 Agreement](#)

[2020-97 Scope of Work](#)

[2020-97 Spreadsheet](#)

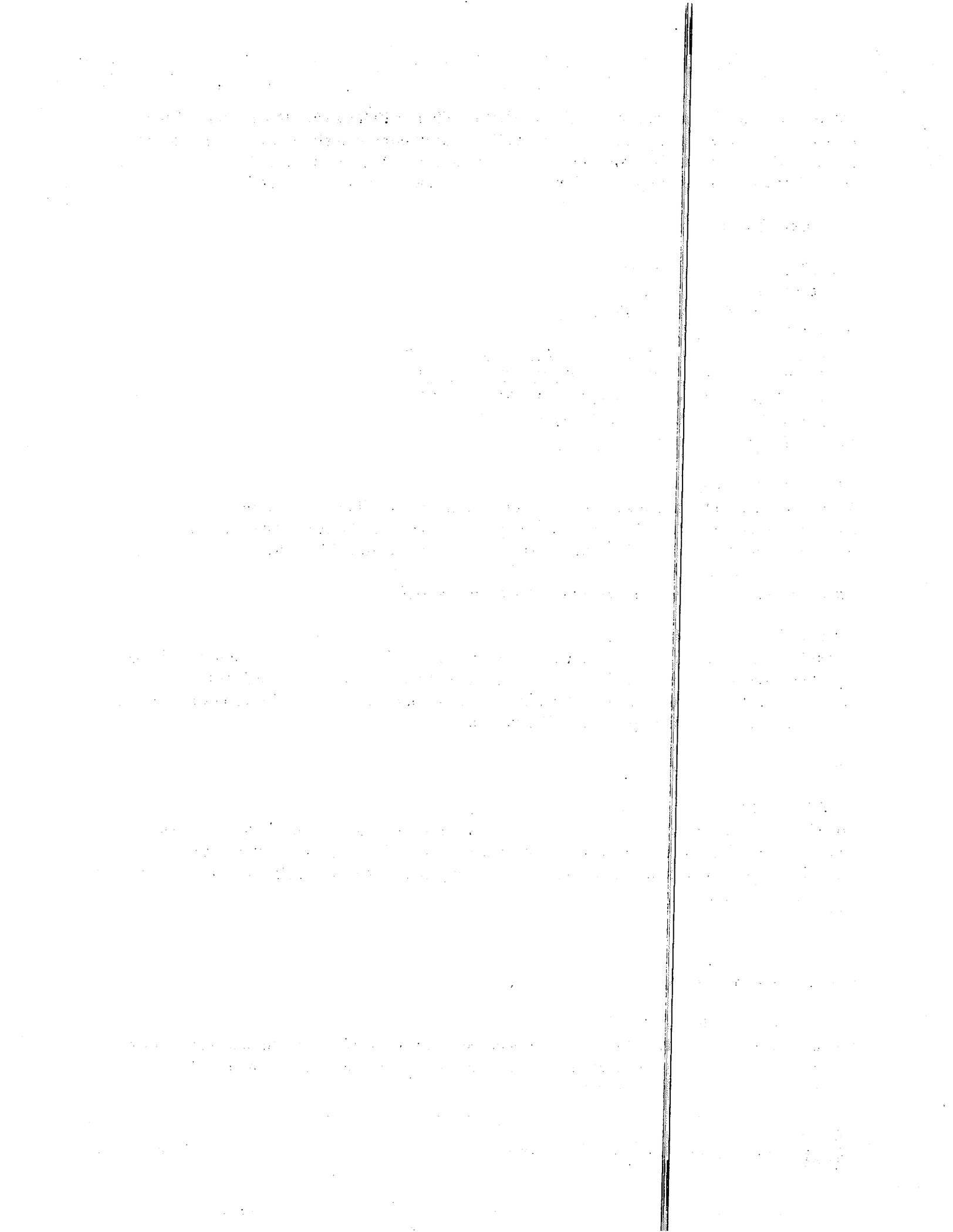
Concur and Place on File

4. COMMUNICATION NO. [2020-98](#)

Karen Sullivan, Butte-Silver Bow Health Officer requesting Council of Commissioners authorize the Chief Executive to sign the Agreement between Butte-Silver Bow and the National Association of Chronic Disease Directors (NACDD).

[2020-98 Agreement](#)





Concur and Place on File

5. COMMUNICATION NO. [2020-99](#)

Karen Sullivan, Butte-Silver Bow Health Officer requesting Council of Commissioners authorize the Chief Executive to approve and sign the FDA letter for \$10,150.00 to the Butte-Silver Bow Health Department, to conduct a foodborne illness risk factor study as part of the Retail Standard Grant Program.

[2020-99 Grant Approval](#)

Concur and Place on File

6. COMMUNICATION NO. [2020-100](#)

Leslie Clark, Human Resource Director requesting Council of Commissioners authorize the Chief Executive to sign the Collective Bargaining Agreement between the City-County of Butte-Silver Bow and the International Union of Operating Engineers, Local No. 400.

[2020-100 Agreement](#)

[2020-100 Agreement Summary](#)

Concur and Place on File

7. COMMUNICATION NO. [2020-101](#)

Sally Hollis, Clerk & Recorder -Election Administrator requesting Council of Commissioners be advised that inasmuch as there were no contested races for District Trustees in the Volunteer Fire Department Election, it was not necessary to conduct an election in 2020 and the following Trustees have been elected by acclamation.

Concur and Place on File

8. COMMUNICATION NO. [2020-102](#)

Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures of unanticipated revenue resulting from a grant, the U.S. Food & Drug Administration, Health Department budget, 1000.000.3311.21.000.

Hold in Abeyance until March 18, 2020

9. COMMUNICATION NO. [2020-103](#)

Karen Sullivan, Health Department Officer requesting Council of Commissioners to schedule a Public Hearing for March 18, 2020 for the purpose of amending the fiscal year 2019-2020 budget to allow for increased expenditures resulting from an MOU for Community Participants to attend Disability Inclusive Health Communities Summit Training by the National Association of Chronic Disease Directors, Developmentally Disabled budget, 2984.000.3311.17.000.

Hold in Abeyance until March 18, 2020

10. COMMUNICATION NO. [2020-104](#)

Dan Olsen, District #5 Commissioner BSB Economic Development Chair requesting Council of Commissioners that the Economic Development Committee met on February 18th and February 20th, 2020 to hear presentations by applicants requesting economic mill levy funds. This committee will be meeting on March 11, 2020 at 5:30 P.M. to finalize the award of such funds.

Hold In Abeyance pending March 11, 2020 Meeting.



11. COMMUNICATION NO. [2020-105](#)

Kelly Speer, Butte Family Drug Court Coordinator requesting Council of Commissioners authorize the Chief Executive to accept and sign the grant for utilization. Attached you will see the award letter and accompanying documents that we must return to finalize the award.

[2020-105 Grant Award](#)

[2020-105 Special Conditions](#)

[2020-105 Civil Rights Compliance](#)

[2020-105 Certifications](#)

Concur and Place on File

12. COMMUNICATION NO. [2020-106](#)

Linda Sajor, Chief Deputy, Clark & Recorder requesting Council of Commissioners authorize the Chief Executive to sign the enclosed Scanning Rental and Support Agreement with the above companies. This agreement will allow us to scan the Grantor Real Estate Indices (27 books) and link them to the scanned images of the Deed records that we had scanned this fall/winter.

[2020-106 Agreement](#)

Concur and Place on File

13. COMMUNICATION NO. [2020-107](#)

Jeffery Miller, Director of Fire Services requesting Council of Commissioners authorize the Chief Executive to sign the updated interlocal agreement of the Montana Firefighters Testing Consortium which will allow the Lockwood Fire Department to join the consortium as voted upon by the consortium members.

[2020-107 Agreement](#)

Concur and Place on File

14. COMMUNICATION NO. [2020-108](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners authorize the Chief Executive to sign the Professional Services Agreement Proposal between Aqua Aerobic Services, Inc., and Butte-Silver Bow for programming updates to the Clean in Place (CIP) system for the ceramic membrane system at the Basin Creek Water Treatment Plant.

[2020-108 Agreement](#)

Concur and Place on File

Note and place on file

Morgan make motion Shaw Seconds the motion

12yea and 0 nay

15. COMMUNICATION NO. [2020-109](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners authorize the Chief Executive to sign the Professional Services Agreement between Water & Environmental Technologies and Butte-Silver Bow.

[2020-109 Agreement](#)

Concur and Place on File

16. COMMUNICATION NO. [2020-110](#)



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Greeley Neighborhood Community Development Corporation Inc., requesting Council of Commissioners submit a request that the BPSOU Consent Decree be amended to include an Airborne Hazardous to Human Health Heavy Metal Dust Monitoring and Control Program.
Note and Place on File.

17. COMMUNICATION NO. [2020-111](#)

Jeffery Miller, Director of Fire Services requesting Council of Commissioners authorization to make an application to the F.E.M.A. Assistance to Firefighter Grant Program to request federal assistance in purchasing some additional portable 800 MHZ/VHF dual band radios.

Concur and Place on File

18. COMMUNICATION NO. [2020-112](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Renewable Resource Planning Grant Agreement that will provide funding assistance for the Technical Narrative necessary for a future RRGL Project application aimed at design and repair activities for Basin Creek Dam #1.

[2020-112 Grant Agreement](#)

Concur and Place on File

19. COMMUNICATION NO. [2020-114](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorize the Chief Executive to sign a Lease Agreement with Purchase Requirement with Warehouse Distribution of Butte for a 27.45 section of property.

[2020-114 Agreement](#)

Concur and Place on File

Mr Fisher segregated this and wants more info.

Kristen Rosa, they want to stay quiet for 2 more weeks. And they also want to order a building and wanted to make it a sure thing, before they tell anyone.

Fisher make a motion to concur and place on file, Shaw seconds, 11 yea 1 nay-Bill Anderson

20. COMMUNICATION NO. [2020-115](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorize the Chief Executive to sign a Lease Agreement with Montana Precision Products for a portion of the spec building in Montana Connections.

[2020-115 Agreement](#)

Concur and Place on File

21. COMMUNICATION NO. [2020-116](#)

Eldon Beall, 315 South Dakota Street requesting Council of Commissioners to amend Council Bill 19-5, Ordinance No. 562 Section 3-4 of the B-SB MC.

Refer to Public Works

SECTION 2: ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

1.RESOLUTION NO. [2020-08](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY FORMALLY KNOWN AS 430 N. MAIN STREET, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOTS EIGHT (8) AND EIGHT A (8A) OF THE LIMITATION LODE #645, LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, PARCEL NO. 2009950, TO THE CITY-COUNTY OF BUTTE-



SILVER BOW MONTANA TO OUR LADY OF THE ROCKIES INC., IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Morgan makes a motion Shaw seconds.

12 yea, 0 nay

2.RESOLUTION NO. 2020-10

A RESOLUTION CALLING FOR AN ELECTION ON THE CONTINUATION OF THE IMPOSITION OF A ONE MILL LEVY TO BE ADJUSTED ANNUALLY TO RAISE \$65,000.00 FOR ECONOMIC DEVELOPMENT PURPOSES FOR A FOUR-YEAR PERIOD BEGINNING IN FISCAL YEAR 2020–2021 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Morgan makes a motion Shaw seconds.

8 yea 4 nay-Olson Anderson Sorich Callahan

SECTION 3: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE

1.RESOLUTION NO. 2020-11

A RESOLUTION AMENDING THE FISCAL YEAR 2020 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 GENERAL FUND RESERVES TO THE GENERAL FUND – COURTHOUSE IMPROVEMENT FUND FOR THE PURPOSE OF RENOVATING THE FOURTH FLOOR OF THE BUTTE-SILVER BOW COURTHOUSE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Morgan makes a motion Shaw seconds.

12 yea 0 nay

Place on final reading and vote Morgan and Shaw Seconds,

11 Yea and 1 nay- Anderson

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

Ed Banderob, See attached notes

Brad Newman, There will be a public meeting of the Whole and will be a matter of record. Please schedule the meeting as soon as possible.

Bob Brock, 2020-26, I have a lot of negotiating experience, and it is not uncommon to send the agreement back to the parties and renegotiate.

Steve Jackshaw, Would like to talk about communication # 2020-10, the dust monitoring, I live on timber butte and am very concerned about the dust blowing especially at the copper mountain.

Karen Sullivan, Health Officer, Update on Corona Virus, to date we have no cases of the virus. We are preparing to take precautions in aiding with this outbreak should it become necessary to do so.

Ed Banderob, See attached notes

CALENDAR OF OTHER MEETINGS AND EVENTS

March 4, 2020, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office

March 4, 2020, Butte AIDS Support Services, 7:00 pm, Community Center

March 4, 2020 Board of Health, 7:00 am, Health Dept. Conference Room



March 5, 2020, Civic Center, 12:00 pm, Civic Center Hospitality Room
March 5, 2020, East Butte RRA, 9:00 am, 1st Floor Conference Room, *ad hoc basis*
March 9, 2020, Archives, 12:00 pm, Archives Center
March 9, 2020, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
March 10, 2020, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
March 11, 2020, Land Sales Committee, 1:30 pm, First Floor Conference Room
March 11, 2020, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
March 11, 2020, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
March 12, 2020, Greenway Service District Board, 4:30 pm, Butte 1st Floor Conference Room
March 13, 2020, TIFID, 12:00 pm, Business Development Center
March 16, 2020, Public Housing Authority, 5:00 pm, New Deal Community Center
March 16, 2020, Parks & Recreation, 11:30 am, Butte Justice Center
March 17, 2020, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
March 17, 2020, Urban Forestry Board, 1:00 pm, Business Development Center

ADJOURN

Meeting Adjourned at 10:50pm

MEETINGS

ECONOMIC DEVELOPMENT COMMITTEE MEETING

MARCH 4, 2020

6:00 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS

1.COMMUNICATION NO. [2020-28](#)

Ed Banderob, Heritage Project Chairman requesting Council of Commissioners and the Economic Development Committee to encourage and facilitate the formation of a Local Heritage Area, and Local Heritage Area Coalition.

FINANCE & BUDGET COMMITTEE MEETING

MARCH 4, 2020

6:30 PM BUTTE-SILVER BOW COURTHOUSE COUNCIL CHAMBERS

Mark Neary will be presenting at 6:45 and 7:00 PM.

Expenditure report for the week of March 4, 2020 was reviewed and approved for the amount of \$
_____.

REPORTS

COMMITTEE OF THE WHOLE MEETING REPORT

FEBRUARY 26, 2019

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
PUBLIC HEARING**

1.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.

Held

PRESENTATIONS

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

Danette Gleason, Finance & Budget Director requesting Council of Commissioners time on the February 26, 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.

Held

SECTION 2. 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.

Hold in Abeyance

2.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.

Hold in Abeyance

3.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.

Note and Place on File

4.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

5.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

6.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

7.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](#)

Cross reference with Communication 2020-53 with 2020-79 and Place on File

8.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.

Place on File

9.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.

Place on File

10.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.

Cross reference with Communication 2020-59 with Resolution No. 2020-10 and Place on File

11.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.

Place on File

REPORT OF COMMITTEE OF THE WHOLE ACTING AS THE JUDICIARY COMMITTEE

ROLL CALL

COMMUNICATIONS

SECTION 1

1.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.

Refer to Judiciary Committee

ADJOURN

FINANCE & BUDGET COMMITTEE MEETING REPORT

FEBRUARY 26, 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 26, 2020 was reviewed and approved for the amount of \$ 592,469.33 for FY 2020.

<u>Committee Members</u>	<u>Present /Absent</u>
Brendan McDonough Chair	P
Bill Andersen, Vice Chair	P
Dan Callahan	P
Jim Fisher	P
Josh O’Neil	A
Michele Shea	P

PUBLIC WORKS COMMITTEE MEETING REPORT

FEBRUARY 26, 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:

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.

Hold in Abeyance until first meetings in May 2020

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.

Hold in Abeyance

3. COMMUNICATION NO. [2020-90](#)

Eldon Beall 315 S. Dakota Street Butte, Mt requesting Council of Commissioners provide more clarification on speed limits around Emma Park which is also a Bus Route by Butte High School. Also, we are asking that the snow be plowed around the park by Parks and Rec and or by the City. *Check to see if it is in the Ordinance for speed limit. If it isn’t, add it to the Ordinance, and put up speed limit sign.*

PUBLIC WORKS COMMITTEE MEMBERS:

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

JUDICIARY COMMITTEE MEETING REPORT

FEBRUARY 26, 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:

SECTION 1. CLAIMS APPROVAL

Name	Amount	Reason	Approved	
BOULEVARD FIRE DEPT. ATTN. ED FISHER	Total \$1215.50	LANDSCAPING BOND REFUND #437	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.

Hold in Abeyance.

1. RESOLUTION NO. 2020-08

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY FORMALLY KNOWN AS 430 N. MAIN STREET, OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOTS EIGHT (8) AND EIGHT A (8A) OF THE LIMITATION LODE #645, LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, PARCEL NO. 2009950, TO THE CITY-COUNTY OF BUTTE-SILVER BOW MONTANA TO OUR LADY OF THE ROCKIES INC., IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.

2. RESOLUTION NO. 2020-10

A RESOLUTION CALLING FOR AN ELECTION ON THE CONTINUATION OF THE IMPOSITION OF A ONE MILL LEVY TO BE ADJUSTED ANNUALLY TO RAISE \$65,000.00 FOR ECONOMIC DEVELOPMENT PURPOSES FOR A FOUR-YEAR PERIOD BEGINNING IN FISCAL YEAR 2020–2021 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.

JUDICIARTY COMMITTEE MEMBERS:

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



1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to ensure the validity of the findings.

3. The third part of the document focuses on the interpretation of the data and the drawing of conclusions. It stresses the importance of considering all relevant factors and avoiding biases in the analysis.

4. The fourth part of the document discusses the implications of the findings and the potential for future research. It suggests that the results could be used to inform policy decisions and improve organizational performance.

5. The fifth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of ongoing monitoring and evaluation to ensure that the organization remains effective and responsive to changing circumstances.

6. The sixth part of the document offers recommendations for further action. It suggests that the organization should continue to invest in data collection and analysis to maintain its competitive edge.

7. The seventh part of the document concludes with a final statement on the value of the research. It expresses confidence in the findings and their potential to make a positive impact on the organization and its stakeholders.

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

R. Edward Banderob, Resident, 2601 Grand Ave.

I want to commend Director Sullivan for her efforts and report relative to what is being done to prepare for the arrival of the coronavirus, and the information that people should go to www.ready.gov and/or call the B-SB Coronavirus Information Line 406 497 5008 if they have questions.

But now is not the time for more "Keep Calm And Carry On".
Now is the time for "Don't Panic But Prepare".

The Caronavirus is one nasty virus!

It is said that an exposed person may be contagious for a week or more before any symptoms appear and the person is aware that they may be spreading the virus.

We need to upgrade the risk factor;
From; IF IT COMES TO BUTTE.
To; WHEN IT COMES TO BUTTE.

The Government of the State of Montana is now taking the Coranavirous risk seriously.

Is the Government of The City-County of Butte Silver Bow prepared to do the same?

We have already lost at least a month since my first email of valuable Disaster; Planning, Preparing, Training, and Practicing time.

Are our First Responders properly trained to deal with an Infectious Pandemic Situation? Or are they going to run into a building with a dozen sick patients in it, before they have first put on the proper hazmat protective gear, like those in Kirkland did and are now quarantined for 24 days?

Do our First Responders, Hospitals, and Morgues have the proper hazmat protective gear to deal with the infected? When I look at pictures from Asia I see people in full hazmat suits. I do not see them running around in surgical masks and gowns.

Maybe we need to take note, and learn a thing or two from the people who have been dealing with this the longest.

Have our First Responders, Health Care Workers and The People been encouraged to prepare by stocking up (for 30 days or more of self, or government, imposed isolation) and practicing proper Infectious Pandemic Procedures?

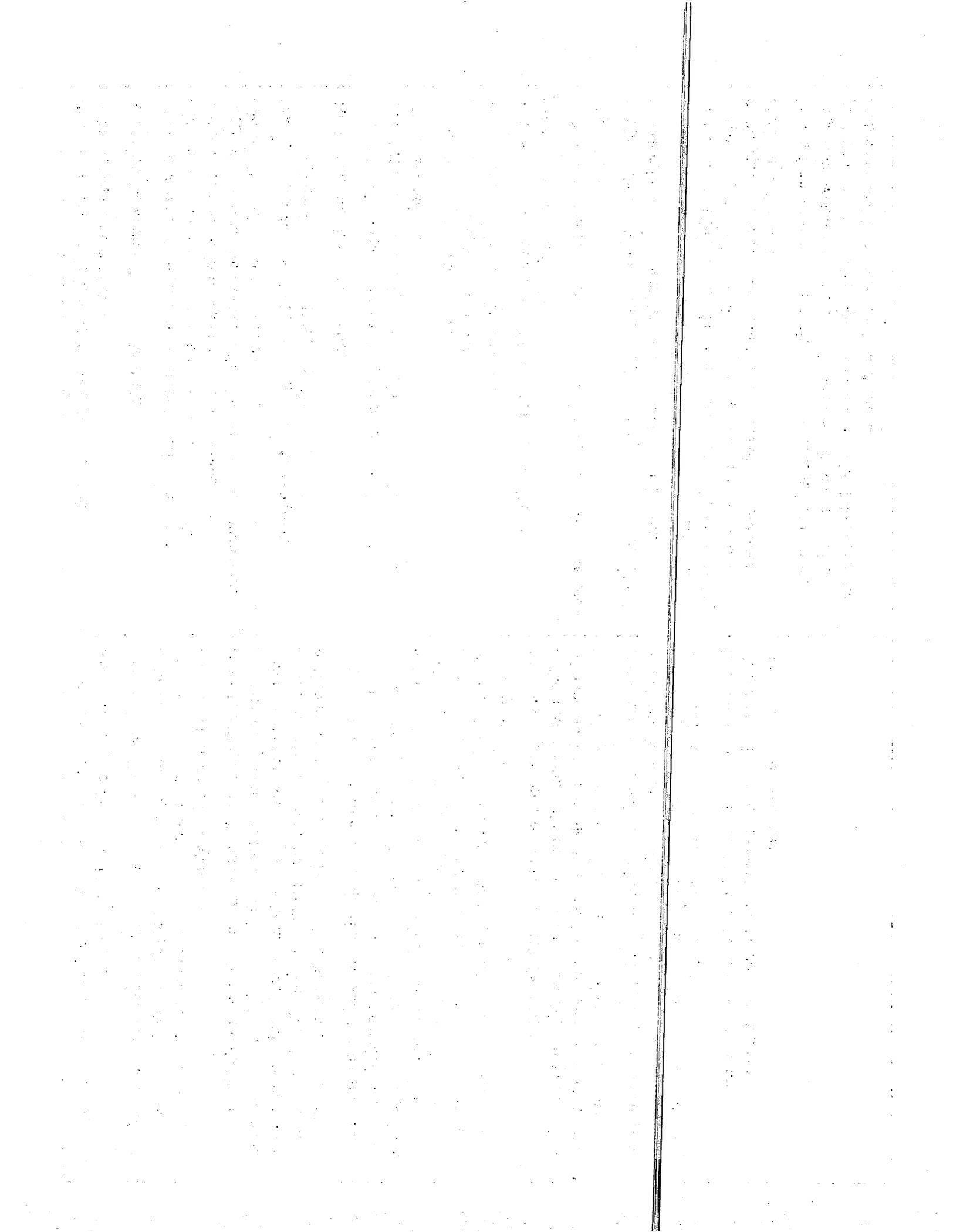
Have The People, the Churches and the other groups that hold meetings been encourage to; suspend hugs and handshakes, (use the Asian form of greeting, ones own hands in the position of prayer and a bow, no contact) and implement the practice of the 3 or 6 foot rule so they are accustomed to doing so when the virus does arrive?

Last week we were all told that the Hospital said they are prepared. Are they? The estimates are that this virus could hospitalize as many as 1% or more of the population. That would be 300 to 400 patients in the Butte Silver Bow area, all of which will need to be isolated, and many of which may require intensive care. Is our Hospital prepared to do this when it can only handle about a half dozen of these kinds of patients? They are not going to be able to ship them out to other places.

Are our morgues prepared to handle the infected dead?
In the most extreme situation only about 1/2% of people infected with the flu died from the flu, about 3% of the people infected with this virus have been dying. That is a seven fold increase in deaths.

Has Emergency Funding for; Equipment, Supplies, First Responder and Health Personnel Planning, Preparedness, Training and Practice, and Emergency Procedures to deal with the Coronavirus WHEN it arrives in Butte-Silver Bow been approved?

Does this Council get weekly detailed updates on what this Government is doing, and what you should be telling your constituents to do to prepare?



BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA WEDNESDAY, MARCH 4, 2020

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

R. Edward Banderob, 2601 Grand Ave. President, GNCDCInc.

SECTION 1: CONSENT AGENDA

B. COMMUNICATIONS

16. COMMUNICATION NO. 2020-110 Greeley Neighborhood Community Development Corporation Inc., requesting Council of Commissioners submit a request that the BPSOU Consent Decree be amended to include an Airborne Hazardous to Human Health Heavy Metal Dust Monitoring and Control Program.

Note and Place on File.

Thank you for clarifying that the CD can not be amended without opening up the whole can of worms. So as the Chair recommends Note and File is probably the most appropriate.

As I have said before. We do not give a Dam about the fish.

We do not give a Dam about the creek.

We give a Dam about the health of the humans.

We are glad you are willing to admit by your actions that you are more concerned about the health of the fish, and meeting standards, than you are about the health of the humans in our community, as you seem to prefer to just sweep this dust issue under the carpet.

But the word "DUST" was not mentioned once this evening in any of the presentations.

We requested that a dust monitoring system in the BPSOU Superfund area be included in the ROD. Our request was attached to the B-SB's recommendation to amend the Standards along with the request for Additional Health Studies. It seems the Additional Health Studies were included in the CD but the Dust Monitoring was ignored.

We are concerned about what seems to be the attitude that once the CD is signed and the Superfund cleanup is done then the Greater Butte Silver Bow area will no longer have the stigma of a superfund site and we can quit worrying about trying to minimize human exposure to the hazardous to human health heavy metals contaminants present in our community.

We would think that you would realize that the Butte Silver Bow area is an active mining camp, that is well-known for; being the Riches Heavy Metals Natural Ore Lode in the world, has 150 years of Historic Mine Waste Deposits (all of which are not in the BPSOU Superfund site), and for its Active Open Pit Mining operation.

Even the EPA Project manager recognizes that this is a "Highly mineralized area."

We now have several independent dust sample analyzes that indicted that there is hazardous to human health heavy metal contaminants in the airborne dust, and five independent studies that indicate that people are ingesting, inhaling and accumulating these metals in their bodies, and/or are dying at a rate from diseases associated with heavy metals exposure faster in the Greater Butte Silver Bow Community (not just the BPSOU Superfund site) than they are in all other counties in Montana, and or the other compared location.

It is not only that the amount of dust that is a nuisance, it is what is in the dust that is hazardous to human health that we are concerned about.

We understand that dust monitoring and control is not now a part of the scope of this Consent Decree.

But how can the EPA's Region 8 Superfund chief say; "the decree specifies how all that work will be implemented, monitored and evaluated to make sure the results of the work are protective of human health and the environment." if there is not even any airborne dust monitoring being done?

