

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JUNE 3, 2020
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

11 Present 1 Absent-Bill Anderson

PRAYER AND PLEDGE

Brenden McDonough

APPROVAL OF THE MINUTES

[May 20, 2020 Regular Meeting Minutes](#)

John Morgan makes a motion to approve the minutes, Brenden McDonough seconds the motion.

11 yeas 0 nays

ITEMS NOT ADDRESSED ON THE AGENDA

None

CHIEF EXECUTIVE'S REPORT

Dave Palmer want to thank everyone who filed. A job well done for everyone.

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

No Letters or phone calls

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

PRESENTATIONS

1.COMMUNICATION NO. [2020-221](#)

Danette Gleason, Finance and Budget Director requesting Council of Commissioners for time on the June 3, 2020 Regular Council Agenda Meeting to give a presentation on an alternative method for assessing fees for the Countywide Road Maintenance District.

- There will be 2 units, Residential and Business
- Residential will be assessed by unit
- Business like in a strip mall would be assessed by each shop. Storage units would still be just one unit. Storage units because people are not living in them or using the street.
- Street maintenance is \$1,575,83.00
- There are 1,575,83 parcels
- We would switch from parcels to units, trailer parks would be affected the most. Condo's, duplex's, tri-plex's etc would also be included.
- Revenue generated was \$1,575,183.00 and would be \$1,580.359.00 by switching to units.
- There is not much difference now, but as we expand on housing etc. by unit instead of parcel.
- Jim Fisher does not think it would be feasible at this time and leave it alone.
- Dave Palmer said there was a lot of complaints that people were paying the same amount as a 30-unit apartment building.
- If any of the commissioners want to make this change, they would need to put in a communication in as soon as possible since it takes a long time to get the ordinance changed.



BID OPENINGS

1.COMMUNICATION NO. 2020-206

Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Regular Council Agenda Meeting to open bids for materials for the Dewey Phase 3 Water Line Replacement.

1. Montana Water Works and Irrigation \$77,613.51
2. Northwest Pipe Fittings \$77,777.77
3. Core and Main \$74,459.75
4. Engineers Est. \$87,169.00
5. Jim Fisher is questioning the 80,000 or less, that it does not need to go to bid.
6. John Morgan makes a motion to refer to the Public Works Dept. and await their request, Cindy Shaw seconds. 11 yea 0 nay

2.COMMUNICATION NO. 2020-207

Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Regular Council Meeting to open bids for materials for the Big Hole Transmission Line.

1. Montana Water Works \$1,972,492.50
2. Northwest Pipe Fittings \$1,951,759.62
3. Core and Main \$1,979,721.10
4. Engineers Est. \$1,247,272.00
5. John Morgan makes a motion to refer to the Public Works Dept. and await their request, Cindy Shaw seconds. 11 yea 0 nay

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*

Mr Morgan segregates Communication No. 2020-235 & 236 and 224.

Brenden McDonough segregates Communication No. 2020-223.

Mr Morgan makes a motion to approve the consent agenda and Ms. Shaw seconds the motion. 11 yeas 0 nays

B. COMMUNICATIONS

1.COMMUNICATION NO. 2020-223

Danette Gleason, Finance & Budget Director requesting Council of Commissioners to review the weekly Expenditure Approval lists for the week of May 27, 2020 in the amount of \$345,977.83 and for the week of June 3, 2020 which will be available after 6:00 p.m. on Tuesday, June 2, 2020.

Concur and Place on File

Mr McDonough make a motion to approve 2020-223 and add the check run in the amount of \$1,284,398.48 and Ms. Shaw seconds the motion 11 yeas 0 nays

2.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.



Refer to the Planning Dept

Mr Morgan makes a motion to Refer to the Land Sales Committee and Hold in the Committee of the Whole Ms. Shaw seconds. 11 yea 0 nays

3.COMMUNICATION NO. [2020-225](#)

Amy Kroon, Director of Development for the Butte Rescue Mission requesting Council of Commissioners to authorize that our business license be issued with a waiver of fees for the Butte Rescue Mission-Shelter and the Butte Rescue Mission- Thrift Store as we are a non-profit organization.

Concur and Place on File

4.COMMUNICATION NO. [2020-226](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the June 17, 2020 Regular Meeting agenda for a presentation on County wide Maintenance District Workplan update for FY2020 and Workplan for FY2021.

Hold in Abeyance until June, 17, 2020

5.COMMUNICATION NO. [2020-227](#)

Mark Neary, Public Works Director requesting Council of Commissioners to authorize the Chief Executive to execute agreements between Butte-Silver Bow and the State of Montana for the purpose of receiving \$761,043 in Section 5311 Federal transit operating assistance and for Transportation assistance for the Disabled and Elderly in the amount of \$115,360.

[2020-227 Grant Agreement](#)

[2020-227 Operating Grant Agreement](#)

Concur and Place on File

6.COMMUNICATION NO. [2020-228](#)

Julia Crain, Data Administrator requesting Council of Commissioners to authorize the Chief Executive to sign the Professional Services Agreement between Butte-Silver Bow and Montana Technological University, Clark Fork Watershed Education Program, to perform the 2020 BRES Field Evaluation.

[2020-228 Agreement](#)

Concur and Place on File

7.COMMUNICATION NO. [2020-229](#)

Dave Palmer, Chief Executive requesting Council of Commissioners accept my formal request for your concurrence in the following reappointment to the Divide Refuse Board. These dedicated citizens have graciously agreed to serve on the board, Stephen Salusso and Carol Harvey.

Concur and Place on File

8.COMMUNICATION NO. [2020-230](#)

Dave Palmer, Chief Executive requesting Council of Commissioners accept my formal request for your concurrence in the following reappointment to the Port of Montana Board of Commissioners. This dedicated citizen has graciously agreed to serve on the board, Steve McArthur.

Concur and Place on File

9.COMMUNICATION NO. [2020-231](#)



Dave Palmer, Chief Executive requesting Council of Commissioners accept my formal request for your concurrence in the following reappointment to the Superfund Advisory and Redevelopment Trust Authority. This dedicated citizen has graciously agreed to serve on the board, Larry Curran.
Concur and Place on File

10.COMMUNICATION NO. 2020-232

Dave Palmer, Chief Executive requesting Council of Commissioners accept my formal request for your concurrence in the following appointments and reappointments to the Zoning Board of Adjustment. These dedicated citizens have graciously agreed to serve on the board, Sylvia Cunningham, Garret Craig and Loren Burmeister.
Concur and Place on File

11.COMMUNICATION NO. 2020-233

Dave Palmer, Chief Executive requesting Council of Commissioners accept my formal request for your concurrence in the following reappointments to the Planning Board. These dedicated citizens have graciously agreed to serve on the board, Tim Schrapps, Josh O'Neil, Mike McLeod, Jim Clary, and Bart Riley.
Concur and Place on File

12.COMMUNICATION NO. 2020-234

Kristen Rosa, TIFID Administrator requesting Council of Commissioners to authorize the Chief Executive to sign a Memorandum of Understanding between Butte-Silver Bow and Western States Asphalt of Montana, LLC. The MOU outlines the agreement for grant funding for necessary infrastructure associated with the construction of a rail spurs and rail leads at the new asphalt emulsion plant located in the Montana Connections Industrial Park.
2020-234 Memorandum
Concur and Place on File

13.COMMUNICATION NO. 2020-235

Leslie Clark, Human Resources Director requesting Council of Commissioners to authorize the Chief Executive to sign the application for stop loss insurance coverage with HCC Insurance Company under contract with Payne West Insurance for the period July 1, 2020 through June 30, 2021.
2020-235 Agreement

14.COMMUNICATION NO. 2020-236

Danette Gleason, Finance and Budget Director requesting Council Chairman John Morgan to approve and sign the following Judiciary claims so the payments can be dispersed for the week of June 3, 2020.

SECTION 3: ORDINANCES AND RESOLUTIONS FOR SECOND READING

1.COUNCIL BILL NO. 2020-03

ORDINANCE NO. 2020-03

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) TO BE NUMBERED 12.17 AND TO BE ENTITLED "PARKLET/PEDLET PERMITS" AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on 2nd reading and pass Ms Shaw seconds the motion



11 yeas 0 nays

2. COUNCIL BILL NO. [2020-04](#)

ORDINANCE NO. [2020-04](#)

AN ORDINANCE AMENDING CHAPTER 8.02 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) ENTITLED "VACANT BUILDINGS", AND SPECIFICALLY AMENDING SECTIONS 8.02.020, 8.02.030, ENACTING A NEW SECTION 8.02.040, AND AMENDING BY RENUMBERING THE PRIOR SECTION 8.02.040 TO 8.02.050, RENUMBERING 8.02.050 TO 8.02.060, RENUMBERING AND AMENDING 8.02.060 TO 8.02.070, RENUMBERING 8.02.070 TO 8.02.080, RENUMBERING AND AMENDING 8.02.080 TO 8.02.090 AND APROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on 2nd reading and pass as amended, Ms Shaw seconds the motion

11 yeas 0 nays

SECTION 4: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE

John Morgan makes a motion to place 2020-23,24,25,27,28,29 on Final reading and pass, Ms Shaw seconds the motion

11 yeas 0 nays

Resolution No. 2020-26 will be held in abeyance pending funding from the Bank.

1.RESOLUTION NO. [2020-23](#)

A RESOLUTION TO ADOPT A DETAILED PRELIMINARY ENGINEERING REPORT PREPARED BY GREAT WEST ENGINEERING, INC. FOR THE BASIN CREEK DAM #1 REHABILITATION PROJECT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion

11 yeas 0 nays

2.RESOLUTION NO. [2020-24](#)

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR TREASURE STATE ENDOWMENT PROGRAM FUNDING WITH THE MONTANA DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA FOR FINANCE IMPROVEMENTS FOR THE BASIN CREEK DAM #1 REHABILITATION PROJECT.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion

11 yeas 0 nays

3.RESOLUTION NO. [2020-25](#)

A RESOLUTION ACCEPTING THE DETERMINATION THAT THE ENVIRONMENTAL ASSESSMENT FOR THE BASIN CREEK DAM #1 REHABILITATION PROJECT IS APPROPRIATE AND THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NECESSARY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion

11 yeas 0 nays



4.RESOLUTION NO. 2020-26

RESOLUTION AUTHORIZING LEASE-PURCHASE AGREEMENT IN CONNECTION WITH IMPROVEMENTS TO PUBLIC SAFETY COMMUNICATIONS SYSTEMS

This will be held in Abeyance.

5.RESOLUTION NO. 2020-27

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion
11 yeas 0 nays

6.RESOLUTION NO. 2020-28

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion
11 yeas 0 nays

7.RESOLUTION NO. 2020-29

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA) PROGRAM FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

John Morgan makes a motion to place on Final reading and pass, Ms Shaw seconds the motion
11 yeas 0 nays

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

No letters and no phone calls

CALENDAR OF OTHER MEETINGS AND EVENTS

DUE TO COVID-19 PANDEMIC, COMMITTEE MEETINGS WILL RESUME AT A LATER DATE.

ADJOURN

MEETINGS

THE COMMITTEE OF THE WHOLE MEETING WILL BE JUNE 10, 2020; HOWEVER, THE OTHER SMALLER MEETINGS WILL RESUME AT A LATER DATE DUE TO COVID-19.

REPORTS

COMMITTEE OF THE WHOLE REPORT

MAY 27, 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. 19-443

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

Note and Place on File

2.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

3.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

4.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

5.COMMUNICATION NO. 2020-90

Eldon Beall, Citizen requesting Council of Commissioners for 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.

Motion to Refer to the County Attorneys Office and add Emma Park to the Ordinance and Hold in Abeyance.

6.COMMUNICATION NO. 2020-157

Eldon Beall, 315 S. Dakota Street requesting Council of Commissioners pull Communication No. 19-443 and Communication No. 2020-90 out of the Suspense File to be placed on the next Public Works Committee agenda.

Cross Reference with Communication 19-443 & 2020-90 and Place on File

7.COMMUNICATION NO. 2020-206

Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Council of Commissioners Regular Meeting to open bids for materials for the Dewey Phase 3 Water Line Replacement.

Hold in Abeyance

8.COMMUNICATION NO. 2020-207



Mark Neary, Public Works Director requesting Council of Commissioners for time on the Council of Commissioners June 3, 2020 Council of Commissioners Regular Meeting to open bids for materials for the Big Hole Transmission Line.

Hold in Abeyance

9.COMMUNICATION NO. 2020-221

Danette Gleason, Finance and Budget Director requesting Council of Commissioners for time on the June 3, 2020 Council of Commissioners agenda to give a presentation on an alternative method for assessing fees for the Countywide Road Maintenance District.

Hold in Abeyance

ADJOURN

FINANCE & BUDGET COMMITTEE MEETING REPORT

MAY 20, 2020

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 Council of Commissioners, and Chairman John Morgan, respectfully recommends as follows: Expenditure report for the week of May13, 2020 was reviewed and approved for the amount of \$1,620,178.55 for the week of May 20, 2020.

