

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING MINUTES
WEDNESDAY, AUGUST 7, 2019
7:30 PM**

ROLL CALL

- 12 PRESENT AND 0 ABSENT

PRAYER AND PLEDGE

- Commissioner McDonough

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

- Matt Larson commented on Comm No. 19-352 and explains how other counties have a county flag that is meaningful and used at many other events outside the Courthouse.
- CE Palmer reports that we already have a flag.
- Matt Larson reports that there should be a contest and come up with a better flag.
- R Ed Banderob comments on Comm No. 19-315. He reports that the Charter already gives Council the ability to Call for, authorize and recognize groups of non-governmental groups. This will start the discussion.
- Cameron Moylin on Comm No. 19-357 feels the house setting on a solid ground and should not be demolished. Better to pour concrete and correct the support of the house and offers a free consultation on the assets of the house.
- Carol Smith lives below 408 N Idaho Street and is afraid that the house wall will cave in and feels that the house should be demolished before something else happens.

APPROVAL OF THE MINUTES

Meeting Minutes July 2, 2019

<https://www.co.silverbow.mt.us/agendacenter>

It was moved by Commissioner John Morgan, seconded by Commissioner Cindi Shaw and passed by a unanimous roll call vote with 12 voting yea and 0 voting nay to approve the minutes of the Regular Meeting Minutes July 2, 2019

ITEMS NOT ADDRESSED ON THE AGENDA NONE

CHIEF EXECUTIVE'S REPORT

- The comment period from EPA, DEQ and DNRC has been extended to September 11, 2019 to add a comment to the Consent Decree.

SUPER FUND REPORT TO COMMISSIONERS



- Commissioner Shaw ask about the article in the paper regarding a Public Meeting is postponed until October. CD is available on August 22.
- CE Palmer reports that EPA has extended the deadline to September 11 for public comment.

SECTION 1: COMMUNICATIONS TO BE READ AND ACTED UPON

1. COMMUNICATION NO. [19-349](#)

Mark Neary, Public Works Director, requesting time on the August 7, 2019 Regular Meeting Agenda for a Bid Opening for the Butte-Silver Bow Sidewalk Program.

It was moved by Commissioner Morgan, and seconded by Commissioner Shaw and was passed by Roll Call vote to add Communication No. 19-349 to the Agenda and to Hold in COW until the Bid opening in a few minutes of 12 yea votes and 0 nay votes.

SECTION 2: BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

BID OPENING:

1. COMMUNICATION NO. [19-349](#)

Mark Neary, Public Works Director, requesting time on the August 7, 2019 Regular Meeting Agenda for a Bid Opening for the Butte-Silver Bow Sidewalk Program.

- Proof of Publication is in order.
- Commissioner Andersen asks if the Bid Amount has gone up since last time
- Mark Neary is not sure.
- Bid from C Davies Enterprises is 225,284.00
- Bid from LeProwse Contracting is 236,804.00
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It was moved by Commissioner Morgan, and seconded by Commissioner Shaw and was passed by Roll Call vote to refer the Bids to the Public Works Department and wait for their recommendation. With a 12 yea votes and 0 nay.

PUBLIC HEARING:

2. COMMUNICATION NO. [19-333](#)

Danette Gleason Finance & Budget Director requests scheduling a public hearing on August 7 for the adoption of the fiscal year 2020 Final Budget and to establish user rates for Metro Sewer, Landfill, and Storm Water.

- Proof of publication is in order.
- Danette Gleason gives report on the final changes of the Budget and that the mill value is going up. Report on the amendments to the 2020 FY Budget including the change back to a full time position for the Super of Schools office.



- And budget authority for the use of preservation funds. See below

City-County of Butte-Silver Bow
Fiscal Year 2020
Resource and Requirement Schedule

Assessor's Certified Report	Jurisdictions		
	Colony	Urban	Suburban
Road Property	76,376,692	83,261,565	70,123,011
Personal	909,228	725,346	907,084
Special Mobile (Vehicles)	58,333	58,243	58,333
Taxable Valuation	77,644,253	64,045,154	71,088,428
Desert Hill Net Valuation	(10,555,795)	(8,485,068)	(10,555,795)
Net Taxable Valuation	\$ 67,088,458	\$ 55,560,086	\$ 60,532,633

Mill Levy By Fund		
General Fund	298.24	Economic Development
Road Fund	21.01	Transit System
Garage Fund	3.80	Debt Service & Judgment
Weed Control	4.04	Fire
District Courts	16.06	Developmentally Disabled
Camp Ints & Clinics	3.65	GO Bond Refunding Series
Civic Center	3.74	Aquatic Facility
3154 Watershed	5.21	
Senior Citizens	0.90	
Emergency Services	13.86	
Total Levy		

Fund Name	Appropriation	Reserves	Physicals	Total Requirements	Cash	Receivables	Accounts Receivable
General Fund	\$ 29,771,274	\$ 4,769,212	\$ 1,075,225	\$ 35,615,711	\$ 7,648,921	\$ 245,162	\$ 10,922,628
Road Fund	4,214,236	781,927	329,522	5,325,785	1,196,572	77,206	2,882,007
Garage Fund	4,245,88	66,185	7,574	4,319,647	189,922	-	37,701
Weed Control	425,227	76,112	10,558	511,902	104,112	25,488	1,222,628
District Courts	1,802,723	277,577	124,117	2,204,417	588,492	75,422	47,701
Camp Ints & Clinics	663,616	198,483	1,875	863,974	179,948	-	1,222,628
Civic Center	1,473,107	265,193	25,125	1,763,425	102,212	17,279	323,628
Watershed	4,703,661	119,721	37,036	4,860,418	255,623	29,022	276,628
Senior Citizens	76,044	12,267	-	88,311	17,171	-	1,222,628
Emergency Services	1,226,132	174,762	25,025	1,425,919	229,028	-	1,222,628
Economic Development	38,211	37,859	-	76,070	15,222	-	1,222,628
Transit System	1,476,529	218,220	23,225	1,717,974	55,981	202,728	1,222,628
Debt Service & Judgment	-	465	-	465	4	-	1,222,628
Fire	4,114,581	278,198	204,157	4,596,936	736,630	102,224	67,701
Developmentally Disabled	174,619	15,158	3,482	193,259	24,820	11,673	1,222,628
GO Bond Refunding Series 2017	1,542,181	246,720	-	1,788,901	210,201	-	1,222,628
Aquatic Facility	923,522	27,247	-	950,769	25,282	-	1,222,628
Total	\$ 10,797,860	\$ 2,893,428	\$ 1,319,001	\$ 15,010,289	\$ 12,073,175	\$ 645,126	\$ 18,972,628

- Open Public Hearing and call for Proponents. None
- Call for Opponents Sally Hollis from the Clerk & Recorder's Office opposes the 2020 budget removal of a part time position from her office.
- Her Plan A was to share the full-time position with the Super of Schools and had it put in the Budget to pay 1/2 of the salary. And now that Plan went out the window this morning with her refusal to share the position.
- CE Palmer reports that Super of Schools had thought about this proposition and came back to CE with her mind changed. She does not want to share the Secretary position with the Clerk & Recorder's Office.



- Commissioner Fisher reports that we went through this last year as well and Super of Schools has a small office and could assist the other offices.
- DE Palmer said that as part of her campaign Super of Schools promised to have a full-time person in the office and so she changed her mind.
- Also, they receive much funding from the School District any part of this paid for by them?
- Commissioner Sorich reports that all have received the email from Clerk & Recorder and should support job sharing and if they are not doing anything why are they there?
- Sally Hollis thank you CE Palmer for the explanation of action by Super of Schools. However, must have an additional plan when working for the County. However, must move forward with Plan B. Documents must be scanned. Part time employee retired in Dec of 2017 and have not had another part time person. Must scan DD214's Voter Registrations, Birth and Death Records and have not even started with the Land Records Books. Each book weighs about 25 or more pounds. Some were done when Rob was in office. The scanner in the handout from Fisher's has the costs for the on-site rentals and the money is in the Preservation fund and to hire a temporary full time person for this position.
- R. Ed Banderob budget does not include program for Greely School, to fill the potholes or winterize the roads.

SECTION 3: 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*

Commissioner Morgan segregated 19-376

Commissioner O'Neill segregated 19-277

It was then moved by Commissioner Morgan, seconded by Commissioner Shaw and passed with a unanimous roll vote to approve the Consent Agenda, Section A, Items 1 thru 4, and Section B, Items 1 through 27, with the exclusion of Communications numbered 19-376, and 19-277. 12 yeas and 0 nays.

B. COMMUNICATIONS

27. COMMUNICATION NO. [19-376](#)

Eileen Joyce, Butte Silver Bow County Attorney, requesting Council of Commissioners authorize the Chief Executive to sign a Interagency Pre-Trial Services Agreement.

[19-376 Agreement](#)

Concur and Place on File.



- Commissioner Morgan segregated this communication on behalf of Co Atty Joyce who wants it noted and placed on file.
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It was moved by Commissioner Morgan, and seconded by Commissioner Shaw and was passed by unanimous Roll Call vote to Note Communication No. 19-376 and place it on file. With a 12 yea votes and 0 nay.

SECTION 6. COMMUNICATION NO. 19-277

Danette Gleason, Finance & Budget Director requesting Council of Commissioners authorize the Chief Executive to refer the Fiscal Year 2020 Preliminary Budget to the Finance & Budget Committee for the June 26, 2019 Finance & Budget Committee Meeting.

[19-277.pdf](#)

Hold in Abeyance.

- Commissioner O’Neill made a motion to change the 2020 budget to send \$15,811 from the Economic Mill Levy fund back to BLDC.

It was moved by Commissioner O’Neill, and seconded by Commissioner Olsen and was failed by Roll Call vote add funds to the BLDC budget from the Ec Mill Levy Fund. With a 3 yea votes and 9 nay votes the motion fails.

It was moved by Commissioner Morgan, and seconded by Commissioner Shaw and was passed by Roll Call vote to hold the Communication No. 19-277 in the Committee of the Whole and passes with a unanimous Roll Call Vote of 12 yea votes and 0 nay.

SECTION 4: ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

SECTION 1

COUNCIL BILL NO. [19-10](#)

ORDINANCE NO. [19-10](#)

AN ORDINANCE AMENDING CHAPTER 2.88 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) AND ENTITLED "ANIMAL SERVICES BOARD"; AND SPECIFICALLY AMENDING SECTIONS 2.88.010, 2.88.020 AND 2.88.040 OF THE B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[ORDINANCE NO. 19-10 REDLINE](#)

SECTION 2

COUNCIL BILL NO. [19-11](#)

ORDINANCE NO. [19-11](#)

AN ORDINANCE AMENDING CHAPTER 6.04 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “ANIMAL CONTROL”, AND SPECIFICALLY AMENDING SECTION 6.04.170 ENTITLED “DOG LICENSE –DUE DATE-PENALTY FOR NONPAYMENT-RABIES VACCINATION” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



ORDINANCE NO. 19-11 REDLINE

SECTION 3

COUNCIL RESOLUTION NO. 19-28

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REALPROPERTY LOCATED IN AND OWNED BY THE CITY AND COUNTY OF BUTTE-SILVERBOW, STATE OF MONTANA, AS DESCRIBED ON EXHIBIT "A" ATTACHED AND INCORPORATED HEREIN, TO THE ADJOINING OWNERS, LEVI AND SHANNON MORK, PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 4

COUNCIL RESOLUTION NO. 19-29

A RESOLUTION FINDING THAT BLIGHTED AREAS EXIST WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA (BUTTE-SILVER BOW) AND THAT REHABILITATION, REDEVELOPMENT, OR A COMBINATION THEREOF OF SUCH AREAS IS NECESSARY AND IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, OR WELFARE OF THE RESIDENTS OF BUTTE-SILVER BOW.

SECTION 5: ORDINANCES AND RESOLUTIONS FINAL READING

SECTION 1.

COUNCIL RESOLUTION 19-25

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED IN EXHIBIT "A" TO THIS RESOLUTION TO MARTHA SORINI, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-25 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 12 yea and 0 nay.

SECTION 2.

COUNCIL RESOLUTION 19-26

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED IN EXHIBIT "A" TO THIS RESOLUTION TO CONNIE WEGNER, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-26 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 12 yea and 0 nay.



PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA NONE

CALENDAR OF OTHER MEETINGS AND EVENTS

August 7, 2019, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office

August 12, 2019, Archives, 12:00 pm, Archives Center

August 7, 2019, Butte AIDS Support Services, 7:00 pm, Community Center

August 12, 2019, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room

August 8, 2019, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.

August 7, 2019, Board of Health, 7:00 am, Health Dept. Conference Room

August 20, 2019, Public Housing Authority, 5:00 pm, New Deal Community Center

August 14, 2019, Land Sales Committee, 1:30 pm, First Floor Conference Room

August 14, 2019, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room

August 14, 2019, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg

August 19, 2019, Parks & Recreation, 11:30 am, Butte Justice Center

August 21, 2019, Parking Commission, 3:00 pm, Chief Executive Conference Room

August 20, 2019, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building

August 9, 2019, TIFID, 12:00 pm, Business Development Center

August 20, 2019, Urban Forestry Board, 1:00 pm, Business Development Center

August 8, 2019, Zoning Board, 5:30 pm, Council Chambers

ADJOURN_JM MOTION TO AGJOURN CS 2ND_12 YEA VOTE AND 0 NAY AT 8:35 PM__

ADJOURN

It was moved by Commissioner Morgan, seconded by Commissioner Shaw and passed unanimously to adjourn the meeting.

Dave Palmer, Chief Executive

ATTEST:

Clerk & Recorder

