

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, OCTOBER 18, 2023  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

12 Present 0 Absent

**PRAYER AND PLEDGE**

John Sorich

**APPROVAL OF THE MINUTES**

[October 4, 2023, Regular Meeting Minutes](#)

Shawn Frederickson makes a motion to approve the minutes, Michele Shea seconds the motion.

12 yea 0 nay

**ITEMS NOT ADDRESSED ON THE AGENDA**

Shawn Fredrickson read the Emergency Suspension of the rules to add to the agenda 2023-529 to give public notice that the presentation is happening. Shawn Fredrickson made the motion to add to the agenda. Michele Shea seconded the motion. 12 yea 0 nay

**CHIEF EXECUTIVE'S REPORT**

J.P. Gallagher said Red Ribbon is next week. This is to not only support the schools to live a drug-free lifestyle but the community as well. J.P. Gallagher said he will be sending out a flyer to support Montana Tech SAP NEXTG lab which is part of the business program at Montana Tech. Montana Tech is only one of 12 institutions in the United States and only one Northwest that offers the SAP certification. J.P. Gallagher wants to talk about how many times discussion in government can lead to conflict and how it is hard not to take it so personally. J.P. Gallagher wants to address the term secret meeting he keeps hearing people throwing out there, especially surrounding the Consent Decree, and how that is simply not true. J.P. wants to remind people that Butte-Silver Bow is doing the technical meetings and design meetings the same way they do every other project. The Consent Decree is no different. No secret meetings are held.

**PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA**

John Evankovich, 1160 Waukesha St, stated that the commissioners are going through a lot on right now and the November 1<sup>st</sup> meeting is going to be quite the meeting and how we might want to take safe precautions when this meeting takes place.

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

**BID OPENINGS**

1. COMMUNICATION NO. [2023-477](#)

Angie Mullikin, Public Works Budget & Grants Manager, requesting Council of Commissioners concurrence to schedule a bid opening for October 18, 2023, for the Landscape Restoration of the Basin Creek Watershed. This project is a grant funded by the Department of Natural Resources and Conservation to address dead and dying trees within the watershed.

No bid was submitted. Send this out to bid again.

2. COMMUNICATION NO. [2023-478](#)



Angie Mullikin, Public Works Budget & Grants Manager, requesting Council of Commissioners concurrence to schedule a bid opening for October 18, 2023, for the Moulton Water Treatment Plant Filtration replacement project.

Aqua-aerobics Systems INC Loves Park IL, \$2,322,260

Wigen Watwe Technologies Centennial, CO \$2,241,998

Shawn Fredrickson makes a motion to refer to Public Works Department, Michele Shea seconds the motion 12 yea 0 nay.

## **PUBLIC HEARING**

### **1. COMMUNICATION NO. [2023-489](#)**

Zach Osborne, BSB Fire Chief, requesting Council of Commissioners concurrence to hold a Public Hearing for October 18, 2023, for Sole Sourcing the three remaining bays Exhaust Removal System at Fire Station 1 and 2 through AirPro Inc.

Chad Silk, Battalion Chief, is asking Sole Sourcing the exhaust removal through AirPro Inc for the remaining three bays at Fire Station 1 and 2. Fire departments currently have the AirPro Exhaust removal system in the other bays at the fire station and it's more cost effective to install the same system in the remaining bays.

0 Proponents

0 Opponents

### **2. COMMUNICATION NO. [2023-498](#)**

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners concurrence to hold a Public Hearing on October 18, 2023, for purpose of amending fiscal year 2023-2024 budget to allow expenditures of unanticipated revenue for the Health Department resulting from receiving a contract for Parents as Teachers Program.

Karen Maloughney, BSB Health Officer, asking to amend the fiscal year 2023-2024 budget to allow the Health Department to accept the unanticipated revenue for Parents as Teachers Program. By doing so be able to accept that funding and begin offering this program to the community.

0 Proponents

0 Opponents

## **SECTION 2: CONSENT AGENDA**

Shawn Fredrickson made a friendly amendment to add the Personal Committee Under section 2 Consent Agenda entitled A Committee Reports under number 5, Personal committee did meet and have a recommendation. Thatcher Segregated 2023-518. Shawn Fredrickson makes the Motion to approve C.A. with the exceptions of above. Michele shea seconded the motion. 12 yea 0 nay

### ***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. [2023-504](#)**



Linda Sajor-Joyce, Clerk & Recorder, requesting Council of Commissioners approval to the appointments to unfilled Trustee Seats of Erin Rose Ryan, 2031 Wall Street, Butte MT, Richard K Peltomaa, 1973 Adams Avenue, Butte MT, and Lawrence Crofutt, 2911 Harvard Avenue, Butte MT to the Racetrack Volunteer Fire Department.

[2023-504 Letter](#)

*Concur and Place on File*

2. COMMUNICATION NO. [2023-505](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the following appointment Jeanette Reget, 445 Centennial Ave, Butte MT to the Behavioral Health Local Advisory Council.

*Concur and Place on File*

3. COMMUNICATION NO. [2023-506](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Laborers' International Union of North America, Local No. 1686.

[2023-506 MOU](#)

*Concur and Place on File*

4. COMMUNICATION NO. [2023-507](#)

Ed Lester, BSB Sheriff, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a professional service agreement with Southwest Montana Community Health Center for inmate nursing services for the next three years.

[2023-507 Agreement](#)

*Concur and Place on File*

5. COMMUNICATION NO. [2023-508](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed amendments to the South Butte Targeted Economic Development District Plan.

*Hold in Abeyance*

6. COMMUNICATION NO. [2023-509](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed amendments to the Butte Uptown Renewal District Plan.

*Hold in Abeyance*

7. COMMUNICATION NO. [2023-510](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed creation of the Montana Connections Targeted Economic Development District.

*Hold in Abeyance*



8. COMMUNICATION NO. [2023-511](#)

Dori Skrukrud, Community Development, informing Council of Commissioners that as of September 29, 2023, Helena Sand & Gravel, Inc, a Delaware corporation doing business as Montana Materials & Construction has acquired certain assets of H and H Contracting of Butte, including Greenway Contract No. 4QR-23-01, the construction contract for the completion of a 2.1-mile segment of the Silver Bow Creek Greenway in Deer Lodge County.

*Note and Place on File*

9. COMMUNICATION NO. [2023-512](#)

Morgan Maccione, Program Director of The Clark Chateau, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, regarding amending the FY2024 budget to allow for unanticipated revenue to the Clark Chateau budget.

*Hold in Abeyance*

10. COMMUNICATION NO. [2023-513](#)

Beth Wurm, Human Resources Director, requesting the Council's concurrence and authorization for Chief Executive J.P. Gallagher to sign the attached Memorandum of Understanding (MOU) between the City-County of Butte Silver Bow and the Teamsters, Local No. 2 (IT).

[2023-513 MOU](#)

*Concur and Place on File*

11. COMMUNICATION NO. [2023-514](#)

Ed Heard, Recreation & Events Coordinator, requesting Council of Commissioners approval on behalf of Mainstreet Uptown Butte to hold the Annual Butte Stroll on December 1st, 2023.

[2023-514 ATTACHMENT](#)

*Concur and Place on File*

12. COMMUNICATION NO. [2023-515](#)

Elizabeth Osborn, BSB Senior Planner, informing the Council of Commissioners that on September 28, 2023, the Planning Board finds that the Amendment to the South Butte TEDD Plan is in conformance with the BSB Comprehensive Plan.

[2023-515 PB RECOMMENDATION](#)

[2023-515 REFERENCE MAP](#)

*Note and Place on File*

13. COMMUNICATION NO. [2023-516](#)

Elizabeth Osborn, BSB Senior Planner, informing the Council of Commissioners that on September 28, 2023, the Council of Commissioners the Planning Board finds that the Montana Connections TEDD Plan is in conformance with the BSB Comprehensive Plan.

[2023-516 PB RECOMMENDATION](#)

[2023-516 REFERENCE MAP](#)

*Note and Place on File*

14. COMMUNICATION NO. [2023-517](#)



Elizabeth Osborn, BSB Senior Planner, informing the Council of Commissioners that on September 28, 2023, the Council of Commissioners the Planning Board finds that the Amendment to the Uptown Butte URD Plan is in conformance with the BSB Comprehensive Plan.

[2023-517 PB RECOMMENDATION](#)

[2023-517 REFERENCE MAP](#)

*Note and Place on File*

#### 15. COMMUNICATION NO. [2023-518](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the HOME-ARP grant funds in the amount of \$1,900,000 to finalize project planning and construct a 4-unit permanent supportive housing complex.

*Concur and Place on File*

Commissioner Thatcher asked Karen Byrnes, Community Development Director, if the \$1,900,000 that we are pursuing has not been awarded yet? Karen Byrnes, Community Development Director, responds by saying that no they are in the process of writing the grant application right now. The grant application requires Community Development to pass a resolution that's been added to tonight's agenda as well and are in the process of putting together this grant application.

Community Development is working together with their partners in Housing Projects, Action Inc, and Affordable Housing on this grant application with us.. Butte- Silver Bow is eligible for these funds under the Department of Commerce's programs and we've been pursuing permanent support of housing projects for quite some time. We have applied to CDBG funds for this project in the past and have not been awarded those, and that was with the Covid-19 relief funds with CDBG. We were awarded the project at the rescue mission that is getting underway right now. However, we were counseled by the Department of Commerce to pursue these funds through HOME-ARP to construct these permanent supportive housing units. The time is upon us to get this grant together and pursue a grant that is a little less than \$1,900,000 looking at some of our funding partners and what we need to do to get that accomplish. Commissioner Thatcher said thank you to Community Development Director, Karen Byrnes, and that she answered some of Commissioner Thatcher other questions as well. Commissioner Thatcher asked Community Development Director, Karen Byrnes if a site has been identified at which to build? Community Development Director, Karen Byrnes, said that they conducted a preliminary architectural analysis in 2019 with the CDBG Planning Grant, to pursue and identify over 20 different sites within Butte-Silver Bow community, including some existing buildings that could be remodeled and looked at the alternatives which is to do nothing, which is never a good thing to do. They have identified the top priority sites that are under Butte -Silver Bow ownership, that are uptown or in C3 zoned that are correct for this kind of activity to occur. One of them is near North Wyoming Motel 6 where Butte-Silver Bow parking lots are underutilized. Through PR they will hold multiple public meetings and gather public input about where they want this sort of development to happen.

Commissioner Thatcher made the motion Concur and Place on File Communication 2023-518.

Shawn Fredrickson seconded the motion. 12 yea 0 nay.

#### 16. COMMUNICATION NO. [2023-519](#)

John Sullivan, Government Buildings Manager, requesting Council of Commissioners authorization to apply for the NorthWestern Energy Renewable Energy grant to assist with the installation of an electricity- generation solar array system at the uptown Fire Station #1.

*Concur and Place on File*



17. COMMUNICATION NO. [2023-520](#)

John Sullivan, Government Buildings Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Community Development Grant Program (CDBG) Planning funds from the Montana Department of Commerce in the amount of \$50,000 to hire a qualified engineer to prepare a preliminary architectural report for the Courthouse Window Project.  
*Concur and Place on File*

18. COMMUNICATION NO. [2023-521](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners concurrence to hold a public hearing for unanticipated revenue for the Health Department on November 1, 2023, for the purpose of amending the fiscal year 2023-2024 budget to allow for increased expenditures of unanticipated revenue resulting from receiving a contract with the National Alliance of State and Territorial AIDS Directors (NASTAD).  
*Hold in Abeyance*

19. COMMUNICATION NO. [2023-522](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign contract for rural school nursing services between the City-County of Butte Silver Bow and the Divide School District begins the school term 2023 and terminates the end of 2024.  
[2023-522 AGREEMENT](#)  
*Concur and Place on File*

20. COMMUNICATION NO. [2023-523](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign contract for rural school nursing services between the City-County of Butte Silver Bow and the Ramsay School District #3. This contract begins the school term 2023 and terminates the end of 2024.  
[2023-523 AGREEMENT](#)  
*Concur and Place on File*

21. COMMUNICATION NO. [2023-524](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Butte-Silver Bow Health Department and the National Alliance of State and Territorial AIDS Directors (NASTAD).  
[2023-524 AGREEMENT](#)  
*Concur and Place on File*

22. COMMUNICATION NO. [2023-525](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the City-County of Butte Silver Bow and the Melrose School District for rural school nursing services contract, begins the school term





2023 and terminates the end of 2024.

[2023-525 AGREEMENT](#)

*Concur and Place on File*

23. COMMUNICATION NO. [2023-526](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding (MOU) between Southwest Montana Community Health Center (SWMTCHC) and the Butte-Silver Bow Health Department.

[2023-526 MOU](#)

*Concur and Place on File*

24. COMMUNICATION NO. [2023-527](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a subcontract between the Madison County Public Health Department and the Butte-Silver Bow Health Department for the operation of the Montana Tobacco Use Prevention in Madison County.

[2023-527 AGREEMENT](#)

*Concur and Place on File*

25. COMMUNICATION NO. [2023-528](#)

Michele Shea, Commissioner District 2, requesting for Montana Natural Resource Damage Program (NRDP) to make a presentation to the Council at our next Committee of the Whole meeting at 7:30 PM on Wednesday, October 25, 2023.

*Hold in Abeyance*

### **SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY**

1. COUNCIL BILL NO. [2023-09](#)

ORDINANCE NO [2023-09](#)

AN ORDINANCE AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT, AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT AND AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL BILL NO. [2023-10](#)

ORDINANCE NO [2023-10](#)

AN ORDINANCE ESTABLISHING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT, CREATING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT AND ADOPTING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROVISION PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODE ANNOTATED, AND PROVIDING AN EFFECTIVE



DATE HEREIN.

3. COUNCIL BILL NO. [2023-11](#)

ORDINANCE NO [2023-11](#)

AN ORDINANCE AMENDING THE BUTTE UPTOWN URBAN RENEWAL AREA, AMENDING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT AND AMENDING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED AND PROVING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 4: ORDINANCES AND RESOLUTIONS FOR SECOND READING**

1. COUNCIL BILL NO. [2023-06](#)

ORDINANCE NO [2023-06](#)

AN ORDINANCE PROVIDING FOR THE REAPPORTIONMENT OF COUNCIL OF COMMISSIONER DISTRICTS BASED UPON THE 2020 DECENNIAL UNITED STATES CENSUS; REPLACING ORDINANCE 13-11 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place 2023-06 on second reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

2. COUNCIL BILL NO. [2023-07](#)

ORDINANCE NO [2023-07](#)

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, 2.88.030, AND 2.88.040 OF THE B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place 2023-07 on second reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

3. COUNCIL BILL NO. [2023-08](#)

ORDINANCE NO [2023-08](#)

AN ORDINANCE AMENDING CHAPTER 2.87 ENTITLED "COMMUNITY ENRICHMENT DEPARTMENT" SPECIFICALLY CHANGING THE TITLE TO ANIMAL SERVICES DEPARTMENT AND AMENDING SECTION 2.87.010, 2.87.020, 2.87.030, AND 2.87.040, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place Council Bill 2023-08 on second reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

**SECTION 5: ORDINANCES AND RESOLUTIONS FOR FINAL READING**

1. RESOLUTION NO. [2023-54](#)

A RESOLUTION PROVIDING FOR CHANGES IN THE BOUNDARIES OF ELECTION PRECINCTS TO CONFORM TO THE LEGISLATIVE DISTRICTING AND





APPORTIONMENT PLAN PREPARED AND FILED FOLLOWING THE 2020 FEDERAL POPULATION CENSUS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place Resolution 2023-54 on final reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

**SECTION 6: RESOLUTIONS AND ORDINANCES SUSPENSION OF THE RULES FOR FINAL PASSAGE**

Shawn Fredrickson makes the motion for the suspension of the rules for the purpose of passing resolution 2023-56-2023-57 by waving subsection 7 of the rule XXXVI of the rules and order of business of the Council of Commissioners thereby having it considered for advance passage without reference to the judiciary committee. Michele Shea seconds the motion.

12 yea 0 nay

**1.RESOLUTION NO.2023-56**

A RESOLUTION AUTHORIZING MONTANA ASSOCIATION OF COUNTIES (MACo) TO REPRESENT THE INTERESTS OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA IN SEEKING A DECLARATORY JUDGMENT FROM THE MONTANA SUPREME COURT REGARDING STATEWIDE EDUCATION MILLS AUTHORIZED BY SECTIONS 20-9-331, 20-9-333 AND 20-9-360 OF THE MONTANA CODE ANNOTATED (Mont. Code Ann.) AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place Resolution 2023-56 on final reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

**2.RESOLUTION NO. 2023-57**

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A HOME-ARP GRANT FOR THE PURPOSE OF FINANCIAL ASSISTANCE FOR THE CONSTRUCTION OF PERMANENT SUPPORTIVE HOUSING IN ACCORDANCE WITH THE PROCEDURES OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Shawn Fredrickson makes the motion to place Resolution 2023-57 on final reading having been deemed fully read at length. Michele Shea seconded the motion. 12yea 0 nay

**CALENDAR OF OTHER MEETINGS AND EVENTS**

- October 17, 2023, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
- October 17, 2023, Urban Forestry Board, 1:00 pm, Business Development Center
- October 17, 2023, Public Housing Authority, 5:00 pm, New Deal Community Center
- October 18, 2023, Parking Commission, 3:00 pm, Chief Executive Conference Room
- October 20, 2023, Zoning Board, 5:30 pm, Council Chambers
- October 25, 2023, Local Emergency Planning, 12:00 pm, Butte Justice Center
- October 23, 2023, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.
- October 24, 2023, Port of Montana, 12:00 pm, Hub Center, Silver Bow



October 24, 2023, Urban Revitalization, 8:30 am

October 25, 2023, South Butte TEDD, 4:00 pm, Business Development Center

October 25, 2023, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center

October 26, 2023, Planning Board, 5:30 pm, Council Chambers

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

Joel Worth, 2461 North Main, Union Representative for the Carpenters Union, wanted to talk about Community Wealth. There are a lot of programs that give out grants and funding for development and other projects. He wants to suggest another avenue to make sure that some of that money going out to redevelopment projects go to local contracts instead of outside contracts.

### **ADJOURN**

### **MEETINGS**

### **FINANCE & BUDGET COMMITTEE MEETING**

*October 18th, 2023*

*7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS*

Expenditure report for the week of October 18TH, 2023, was reviewed and approved in the amount \$503,807.89 FY 2024.

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### **MEETING REPORTS**

#### **COMMITTEE OF THE WHOLE REPORT**

*October 11, 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: BID OPENINGS, PUBLIC HEARINGS AND/OR PRESENTATIONS**

##### **PRESENTATIONS**

##### **1. COMMUNICATION NO. [2023-503](#)**

Matt Vincent, Montana Mining Association Director, requesting Council of Commissioners authorization for time on the October 11th, 2023, Committee of the Whole meeting to discuss the USFWS proposed Missouri Headwaters Conservation area.



## SECTION2: COMMUNICATIONS

### 1.COMMUNICATION NO. [2023-436](#)

Jim Fisher, Commissioner District 6, requesting a resolution to be considered for expressing the policy of Butte-Silver Bow regarding Consent Decree commitments, communications, and public transparency.

[CLEAN 2023-436](#)

[REDLINE 2023-436](#)

[LETTER 2023-436](#)

*Refer to the County Attorney to put in Resolution form with redline and introduce to Council.*

### 2. COMMUNICATION NO. [2023-477](#)

Angie Mullikin, Public Works Budget & Grants Manager, requesting Council of Commissioners concurrence to schedule a bid opening for October 18, 2023, for the Landscape Restoration of the Basin Creek Watershed. This project is a grant funded by the Department of Natural Resources and Conservation to address dead and dying trees within the watershed.

*Hold in Abeyance*

### 3.COMMUNICATION NO. [2023-478](#)

Angie Mullikin, Public Works Budget & Grants Manager, requesting Council of Commissioners concurrence to schedule a bid opening for October 18, 2023, for the Moulton Water Treatment Plan Filtration replacement project.

*Hold in Abeyance*

### 4.COMMUNICATION NO. [2023-480](#)

Bill Melvin, Butte Civic Center Manager, requesting Council of Commissioners concurrence to schedule a bid opening for October 4, 2023, regular meeting agenda for a bid opening for the replacement bleachers at the Butte Civic Center.

*Place on File*

### 5.COMMUNICATION NO. [2023-489](#)

Zach Osborne, BSB Fire Chief, requesting Council of Commissioners concurrence to hold a Public Hearing for October 18,2023, for Sole Sourcing the three remaining bays Exhaust Removal System at Fire Station 1 and 2 through AirPro Inc.

*Hold in Abeyance*

### 6.COMMUNICATION NO. [2023-498](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners concurrence to hold a Public Hearing on October 18 ,2023, for purpose of amending fiscal year 2023-2024 budget to allow expenditures of unanticipated revenue for the Health Department resulting from receiving a contract for Parents as Teachers Program.

*Hold in Abeyance*



7.COMMUNICATION NO. [2023-503](#)

Matt Vincent, Montana Mining Association Director, requesting Council of Commissioners authorization for time on the October 11<sup>th</sup>, 2023, Committee of the Whole meeting to discuss the USFWS proposed Missouri Headwaters Conservation area.

*Place on File*

**FINANCE AND BUDGET COMMITTEE MEETING REPORT**

*OCTOBER 11, 2023*

*6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

Expenditure report for the week of October 11, 2023, was reviewed and approved in the amount of 1,466,389.45 for FY 2024.

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

**PERSONNEL COMMITTEE MEETING**

*OCTOBER 11, 2023*

*5:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

1.COMMUNICATION NO. [2023-497](#)

Beth Wurm, Human Resource Director, requesting Council of Commissioners authorization for the proposed amendments to the following policies of Butte-Silver Bow's Personnel Policy and Procedure annual be referred to the Council's Personnel Committee for its consideration. I would further request that following their review, the Personnel Committee make a recommendation to the full Council on whether to adopt such amendments.

[2023-497 Policy Amendments](#)

[2023-497 Policy Amendments](#)

*Refer to full council with approval recommendation.*

**FINANCE AND BUDGET COMMITTEE MEETING**

*OCTOBER 18, 2023*

*6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

Expenditure report for the week of October 18, 2023, was reviewed and approved in the amount of \$\_\_\_\_\_ for FY 2023.



## **PUBLIC WORKS COMMITTEE MEETING**

*OCTOBER 11, 2023*

*6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

### **1. PETITION NO. [2023-01](#)**

Dave Aguirre, BSB Land Records Coordinator, has a petition that was filled with the Land Records Office to close and vacate for a platted and undeveloped portion of the Discovery Drive located in Section 25, Township 03 North, Range 08 West Principal Meridian Montana, Butte-Silver Bow City -County, Montana. The Right of Way is adjacent to lot 7 of the Copper Peaks Subdivision Phase 1 (Plat 264-B) and Lot 6 of the amended plat of the Copper Peaks Subdivision Phase 1 (Certificate of Survey 1078B-RB). See the attached map.

*Refer to Public Hearing Schedule November 1, 2023*

## **JUDICIARY COMMITTEE MEETING**

*OCTOBER 11, 2023*

*7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

### **1. COMMUNICATION NO. [2023-467](#)**

Brendan McDonough, Butte MT requesting Council of Commissioners consideration to revise Municipal Code 10.68.05 that addresses removal of junk or abandoned vehicle left on private property. There is currently no solution for the property owner as Butte-Silver Bow will not remove vehicles abandoned on private property. The burden is shifted to property owners to have it removed themselves.

*Hold in Abeyance*

### **2. COMMUNICATION NO. [2023-499](#)**

Jennifer McCloskey, founder of the Butte's Beekeepers requesting Council of Commissioners to review the 1977 Ordinance on behalf of the Butte's Beekeepers Club. The current Ordinance prohibits any beekeeping in Butte-Silver Bow.

*Motion to amend ordinance as requested.*

### **1. RESOLUTION NO. [2023-54](#)**

**A RESOLUTION PROVIDING FOR CHANGES IN THE BOUNDARIES OF ELECTION PRECINCTS TO CONFORM TO THE LEGISLATIVE DISTRICTING AND APPORTIONMENT PLAN PREPARED AND FILED FOLLOWING THE 2020 FEDERAL POPULATION CENSUS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.**

*Move to Final Reading*

### **2. COUNCIL BILL NO. [2023-06](#)**

**ORDINANCE NO [2023-06](#)**

**AN ORDINANCE PROVIDING FOR THE REAPPORTIONMENT OF COUNCIL OF COMMISSIONER DISTRICTS BASED UPON THE 2020 DECENNIAL UNITED STATES CENSUS; REPLACING ORDINANCE 13-11 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN**

*Move to Second Reading*



3. COUNCIL BILL NO. [2023-07](#)

ORDINANCE NO [2023-07](#)

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, 2.88.030, AND 2.88.040 OF THE B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Move to Second Reading*

4. COUNCIL BILL NO. [2023-08](#)

ORDINANCE NO [2023-08](#)

AN ORDINANCE AMENDING CHAPTER 2.87 ENTITLED “COMMUNITY ENRICHMENT DEPARTMENT” SPECIFICALLY CHANGING THE TITLE TO ANIMAL SERVICES DEPARTMENT AND AMENDING SECTION 2.87.010, 2.87.020, 2.87.030, AND 2.87.040, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Move to Second Reading*

Name	Amount	Reason	Approved	
GUARDIAN TAX MT LLC	\$4,450.49	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN PARCEL #000726200	<b>X</b>	
GUARDIAN TAX MT LLC	\$5,481.03	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN PARCEL #0000374800	<b>X</b>	
RACHEL BATTERMAN	\$1,000.00	RIGHT OF WAY FOR RETAINING WALL REPLACEMENT	<b>X</b>	
TODD BROWN	\$1,500.00	RIGHT OF WAY- SEWER	<b>X</b>	
MONICA HOAR	\$400.00	DEMO OLD TRAILER	<b>X</b>	





JAMES A FISHER	\$200.00	DEMO DECK	<b>X</b>	
GUARDIAN TAX MT LLC	2,534.02	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN PARCEL #0000547800	<b>X</b>	

*Committee Members*                      *Present/Absent*

Bill Andersen, Chair                      P  
Hattie Thatcher, Vice-Chair              P  
Dan Callahan                                  P  
Eric Mankins                                  P  
John Sorich                                      P  
Tommy Walker                                  P

