

**MINUTES OF THE REGULAR MEETING OF
THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
FOR March 20, 2019**

ROLL CALL

In attendance: Brendan McDonough, John Sorich, Cindi Shaw, Shawn Fredrickson, Josh O'Neill, Eric Mankins, John Morgan, Michele Shea, Dan Olsen, Bill Andersen and Dan Callahan

Absent: Jim Fisher

Also, in attendance: Dave Palmer, Eileen Joyce, Danette Gleason, Jason Parish, Laura Sargent and Jennifer Bradford.

PRAYER AND PLEDGE

Led by Commissioner McDonough

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

R Edward Banderob-Communication 19-113

- Feels that recommendation to Note and place on file is appropriate at this time.
- Thanked BSB for being pro-active
- Disappointed in the EMS, more focused on not making it an emergency than making preventative information available.

APPROVAL OF THE MINUTES

It was moved by Commissioner Morgan, seconded by Commissioner Shaw and passed by a unanimous verbal vote to approve the minutes of the Regular meeting of March 06, 2019.

ITEMS NOT ADDRESSED ON THE AGENDA

None

CHIEF EXECUTIVE REPORT

Chief Executive Palmer-

- Graders are steadily working to remove the snow and are doing a commendable job.



- Ask people to look around cars and be aware of your surroundings, watch for ice.

PRESENTATION COMMUNICATION NO. 19-94

David Boyd, Chemical Services Director at CCCS

- Gave statistics of Drug Use for FY 18-FY19 and the problems in Butte Silver Bow.
- Meth has replaced alcohol as number one drug of choice.
- SMART program had over 400 admissions.
- Most substance users choose Meth, due to the ease of availability.
- Cannabis has always been number 2, has dropped to number 4.
- Alcohol is number two, followed by Opioids at number 3.
- Southwest Community Health has received a grant for an Opioid Program.
- Should help with those doing treatment and trying to recover
- State gave CCCS program money for peer support, has been successful.
- These 2 individuals meet with those in treatment and after treatment to help with recovery.
- Should see huge improvement
- School Based services are not being utilized much.

Chief Executive Dave Palmer:

- How do you determine what their drug of choice is?

Boyd:

- That question is on the assessment given to the client.

Palmer:

- Is it up to the sentencing Judge to decide which program the clients are sent to?

Boyd:

- Anyone can go to the SMART program. It is open to the public, we do get referrals from judges. DUI court has their own screening process.

Commissioner Morgan:

- If someone wants to voluntarily seek help? What is the process?

Boyd:

- Generally, people will call, we are well known in the hospital, law enforcement, community health, word of mouth.
- What do you actually do? What does it cost? Do I have to have insurance?

Commissioner Andersen:

- Number 3 drug of choice is Opioids including Heroin. Does this include prescription pain pills?

Boyd:

- These numbers are the whole Opioid class. We can separate those out.



- Andersen:

 - The majority of the Heroin users that we treat were originally Opioid users, that started out on prescription medication for an injury or surgery.
- Andersen:

 - Looked like your alcohol classes, DUI, first offense had 131 clients, is that just in Butte Silver Bow?
 - Second or third offense is mandatory treatment. Shows only 20 clients, do you know how many of that 20 were part of the 131?
- Boyd:

 - I did not break it down, to see if any of them had 2 DUI's in Butte Silver Bow for that year.
 - The ACT program, evidence program is effective
 - As far as the CD evaluation, if someone does have a substance use disorder, they know it. We generally do recommend treatment for a DUI, for the education.
- Commissioner Sorich:

 - Putting these statistics together, the alarming one is the significant jump in MIPs is the drug of choice Meth for minors?
 - Adolescents based school services are not being utilized, we seem to be going backward.
- Boyd:

 - I don't think MIP drug of choice is Meth
 - Generally, MIPs are parties, keggers, that type of thing.
 - Once in awhile we get a Cannabis use MIP.
 - We do treat some adolescents for Meth disorders, pretty rare.
- Sorich:

 - My concern is that Meth is so easily available
 - I would hope we could beat this war on drugs
- Boyd:

 - It is getting more popular in the later age college kids
 - Same age class of people are also experiencing problems with Opioids as well
 - Opiate Crisis is not yet here in Butte Silver Bow but is a huge concern and is only going to get worse.
- Commissioner Olsen:

 - Is this for 2018-2019 or 2017-2018.
- Boyd:

 - This is for both, it should read March 1, 2018-March 1, 2019.
- Andersen:

 - You mentioned peer support that majority was a couple of individuals, is that correct?



- Drinking is a significant problem with MIPs, is there a way to get involved that are working with the teenagers in schools to get some peer support going in the schools.

Boyd:

- Butte Cares does a fabulous job of education and prevention with teens in the schools, at the mall.
- Butte Dynamics also do work with the adolescents
- There are more programs, we do not have the funds to work with the adolescents.
- Peer support hours are just since June.

Commissioner McDonough:

- Do you see a good portion of your money from funding sources through the legislation through state?

Boyd:

- Probably 80% of our pay source are Medicaid clients
- Nervous following the Medicaid bills in Helena
- I don't think Medicaid will go away, if it does we will not be able to stay open
- Knowing the Hospitals area going to be responsible to help pick up the bill, job seeking stipulations, work stipulations, not necessarily bad, but not always thought through.
- Someone who is severely addicted to drugs cannot mentally or physically go find a job or work.
- Funding is always a big issue
- We are not working in the black, we will not end in the black.
- Funding cuts last year affected us with the Target funding (case management) and Group rates
- Groups are a huge part of therapeutic milieu.
- Butte Anaconda Delegations have always supported us.

Before entertaining a motion for approval of the Consent Agenda, Chief Executive Palmer called for any friendly amendments or segregations.

Commissioner Shea segregated Communication # 8,19-120

Commissioner McDonough segregated Communication #17,19-129

Commissioner Andersen segregated Communication #18, 19-130

It was then moved by Commissioner Morgan, seconded by Commissioner Shaw and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 5, and Section B, there are none, and Section C, Items 1 through 21, with the exception of, # 19-120, #17, 19-129 and # 18, 19-130.



8. COMMUNICATION NO. 19-120

Bill Melvin, Civic Center Manager, requesting Council of Commissioners authorize the Chief Executive to sign the amended Scoreboard Advertising Agreements with Lee Enterprises (the Montana Standard), Harrington Bottling Co. (7-Up & Pepsi), GRM LLC (McDonalds), State Farm Insurance, (Jim Lynch), Comfort Inn & Town Pump.

Commissioner Shea:

- Questions on the dates of agreements.
- Spoke with Mr. Melvin today and he is out of town, said Finance & Budget director Danette Gleason would be able to answer my questions.

Danette Gleason:

- These contracts were on the agenda a couple of weeks ago
- As part of our audit comment, there was reference to our contracts were not updated
- The contracts were updated, however did not date back far enough to meet the audit requirements
- Dates were changed to meet the requirements of the audit.

Shea:

- That answered the question.

It was moved by Commissioner Shea, seconded by Commissioner Shaw to concur with Communication 19-120 and place on file. The motion passed with a verbal vote of 11 yea and 0 nay.

17. COMMUNICATION NO. 19-129

Brendan McDonough Commissioner District 8, requesting Council of Commissioners authorize the Chief Executive to grant permission to the Montana Gaelic Cultural Society to use the Original Mine Yard from Monday, August 5th to Monday, August 12 to host the 2019 An Ri Ra Montana Irish Festival.

Commissioner McDonough:

- I wrote the communication on behalf of the festival
- Conflict of interest
- Would like to recuse myself from the vote.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw to concur with Communication 19-129 and place on file. The motion passed with a verbal vote of 10 yea and 0 nay. Commissioner McDonough recused himself from the vote.

18. COMMUNICATION NO. 19-130

George Everett Executive Director Mainstreet Uptown Butte requesting Council of Commissioners authorize the Chief Executive to grant permission to Mainstreet Uptown Butte to temporarily close to vehicle traffic one block of West Park Street between the



intersection of Park and Main and Dakota Street to hold the Butte Farmer's Market each Saturday from 8:00 am to 1:00 pm from May 18, 2019 through October 5, 2019.

Commissioner Andersen:

- Spoke with a couple of business owners this week
- Businesses were significantly impacted by the street closures
- Think some changes need to be made
- Would like to have a debriefing

It was moved by Commissioner Morgan, seconded by Commissioner Shaw to hold Communication 19-130 in abeyance

Commissioner Shaw:

- Had the same discussions in her district
- Agrees we should have a debriefing and look at our special events coordinates and have a better idea of each event and the footprint that is being left on the street.

Commissioner Fredrickson:

- Has had the same conversations with business owners
- Concerns about delaying Mr. Everett's communication
- Should look at how this effects the Farmer's Market and the vendors
- Maybe we should have a communication to address the problem that occurred St. Patrick's Day.

Chief Executive Palmer:

- We did discuss the debriefing and it will take place.

Anderson

- Another issue that has been brought up to me is the parking garage
- The garage is blocked for up to 5 hours during the market
- When this project was in the making I mentioned secondary exit and entrance points, they were denied due to the cost.

Shaw:

- Mr. Everett has always been easy to work with and would make any changes we decide need to be made.
- We don't want to delay him

A Sub-Motion was made by Commissioner Shaw, seconded by Commissioner Fredrickson to concur with Communication 19-130 and place on file, with the understanding that Mr. Everett will make any needed changes.

Commissioner Morgan:

- See the issue with business owners wanting to work and have their products for sale and the parking garage being blocked.



- Do not want to “hamstring” Mr. Everett and the Farmer’s Market due to things that took place on St. Patrick’s Day.
- We should not base our decision on St. Patrick’s Day.

Andersen:

- Could you give us some input that would ease the access to the garage Mr. Everett?
- Last year, I had a few people at the market about the garage being blocked off.
- Is there anything we could do to mitigate that?

George Everett:

- We have redirected the traffic to the Galena Street entrance.
- There are 50 parking spots, there are 5 hours you can’t use the top.
- After 1:00 the upper levels are open
- In the past we have tried to slant the market to allow access to the garage, but it was dangerous.
- We have not had any complaints
- Trying to maximize public safety.

Morgan:

- Have you ever considered moving the market to Broadway street?
- Possible more interaction with businesses

Everett:

- The purpose of the market has been to bring people to the uptown businesses that are open.
- We bring in 60-70 vendors that utilize the open businesses
- We were up on N. Main, and we outgrew that space.
- We have looked at other areas, they all have their drawbacks.
- Park street just seems to be the best option much more preferable.
- Last year Park street worked pretty well, we did not get complaints.

Chief Executive Palmer asked for further questions.

It was passed by a verbal vote of 11-0, on the sub-motion to concur with Communication 19-130 and place on file.



ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

COUNCIL BILL NO. 19-05
ORDINANCE NO. 19-05

AN ORDINANCE AMENDING CHAPTER 12.10 OF THE BUTTE -SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "EASEMENT REQUESTS', AND SPECIFICALLY AMENDING THE TITLE OF THIS CHAPTER TO 'EASEMENT REQUESTS - PORTABLE STORAGE EXCEPTION', AND ADDING NEW SECTIONS TO BE NUMBERED 12.10.020, 12.10.030, AND 12.10.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

RESOLUTION NO. 19-11

A RESOLUTION GRANTING THE APPROVAL OF THE AMENDED PLAT OF BLOCKS 16, 25 AND 26 OF THE GILMAN ADDITION, LEGION OASIS MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

ORDINANCES AND RESOLUTIONS FINAL READING

SECTION 1. COUNCIL BILL NO. 19-04
COUNCIL ORDINANCE NO. 19-04

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY FIVE AND ONE-HALF ACRES FROM R-1 (SINGLE-FAMILY RESIDENCE) ZONE TO C-2 (COMMUNITY COMMERCIAL). THE AREA OF LAND IS LEGALLY DESCRIBED AS LOTS 5A-1 AND 5A-2 OF CERTIFICATE OF SURVEY 1059B-RB; LOT 6A OF CERTIFICATE OF SURVEY 953B-RB; AND LOTS 1-7 BLOCK 2 AND VACATED EVANS STREET ADJACENT, BELLEVUE ADDITION SECTION 30 TOWNSHIP 3 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, COMMONLY LOCATED SOUTH OF THE 1900 BLOCK OF HARVARD AVENUE, EAST OF PINION STREET, AND NORTH OF INTERSTATE 15-90, PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Bill 19-04, Council Ordinance 19-04 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 11 yea and 0 nay. Commissioner Fisher was absent.

COUNCIL RESOLUTION NO. 19-05

A RESOLUTION AMENDING THE 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 UNANTICIPATED GRANT REVENUE FROM THE NATIONAL ENDOWMENT FOR THE HUMANITIES COMMON HERITAGE PROGRAM FOR A PROJECT TITLED:"ALL



NATIONS". THROUGH THIS PROJECT, THE BUTTE-SILVER BOW PUBLIC ARCHIVES, IN CONJUNCTION WITH THE MONTANA PRESERVATION ALLIANCE, WILL CONDUCT WORKSHOPS, RESEARCH AND GATHER COLLECTIONS TAHT INFORM ON THE GERMAN, JEWISH, FINN, AND HISPANIC PEOPLE OF BUTTE, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-05 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 11 yea and 0 nay. Commissioner Fisher was absent.

COUNCIL RESOLUTION NO. 19-12
A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT TA REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-12 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 11 yea and 0 nay. Commissioner Fisher was absent.

COUNCIL RESOLUTION NO. 19-13
A RESOLUTION AUTHORIZING THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE PURPOSE OF FINANCIAL ASSISTANCE FOR PHOENIX BUILDING IMPROVEMENTS IN ACCORDANCE WITH THE PROCEDURES OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-13 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 11 yea and 0 nay. Commissioner Fisher was absent.

SUSPENSION OF THE RULES FOR FINAL PASSAGE

It was moved by Commissioner Morgan and seconded by Commissioner Shaw and passed by a verbal vote of 11 yea and 0 nay, to suspend the rules for the purpose of passing Council Resolution 19-02 by waiving Subsection 7 of Rule XXXVI of the Rules and Order of Business of the Council of Commissioners, thereby having it considered for advanced passage without reference to the Judiciary Committee. Commissioner Fisher was absent.



COUNCIL RESOLUTION 19-02

A RESOLUTION AMENDING THE 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 UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW HEALTH DEPARTMENT FROM THE STATE OF MONTANA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE SERVICES UNDER THE HEALTHY YOUNG PARENT PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Morgan, seconded by Commissioner Shaw that Council Resolution 19-02 be placed on final reading and be passed, having been deemed fully read at length. The motion passed with a verbal vote of 11 yea and 0 nay. Commissioner Fisher was absent.

ADJOURN

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

Meeting was adjourned at 8:34 a.m.

Dave Palmer, Chief Executive

ATTEST:

Clerk & Recorder

