



**B. PETITIONS**

1. 08-9 John Harrington, Building Official, requesting on behalf of 4 S LLC to close and vacate a portion of the alley within Block 1 of the Trask Addition. **Recommendation: refer to Public Works Committee.**
2. 08-10 Pat Riordan, SID Administrator, requesting creation of Special Improvement Lighting District. **Recommendation: concur and place on file.**

**C. COMMUNICATIONS**

1. 08-465 Jeffrey L. Miller, requesting authorization for Chief Executive to sign contract with the Silver Bow Fire Training Center, Inc. **Recommendation: concur and place on file.**
2. 08-466 Bill Melvin, Civic Center Manager, requesting authorization for Chief Executive to sign change order from Harold Godtland, Architect for roof replacement at Butte-Silver Bow Health Department. **Recommendation: concur and place on file.**
3. 08-467 Roger Ebner, Director DES, requesting authorization for Chief Executive to sign a contract agreement with Montana Supreme Court. **Recommendation: concur and place on file.**
4. 08-469 Paul Babb, Chief Executive, requesting authorization to sign Food Stamp Nutrition Education Support Agreement. **Recommendation: Concur and place on file.**
5. 08-470 Karen Byrnes, Director TIFID, requesting approval to file a certificate of survey within the Butte-Silver Bow Tifid #2. **Recommendation: concur and place on file.**
6. 08-471 Roger Ebner, BSB/DES Coordinator, requesting authorization for Chief Executive to sign renewal of maintenance agreement with Lee's Office City. **Recommendation: concur and place on file.**
7. 08-472 Dave Fawcett, requesting authorization for Chief Executive to sign a contract with Western Montana Engineering for the Archives. **Recommendation: concur and place on file.**
8. 08-473 Paul Babb, Chief Executive, requesting concurrence with re-appointment of Mary McCormick to the Historic Preservation

Board. **Recommendation: concur and place on file.**

9. 08-474 Paul Babb, Chief Executive, requesting concurrence in appointment of Charlene Anderson to the Zoning Board of Adjustments. **Recommendation: concur and place on file.**
10. 08-475 Tim Clark, Personnel Director, requesting authorization for Chief Executive to sign contract documents with Butte-Silver Bow Public Employees Local No. 4372. **Recommendation: concur and place on file.**
11. 08-476 Leo McCarthy and Gina Evans, Mariah's Challenge Board, requesting permission to use Copper Mountain Park for a free concert on July 5, 2008 to 7:30 PM. **Recommendation: concur, provided all insurance matters are in order.**
12. 08-477 Blair L. Martenson, Regional Agent in Charge, requesting authorization for Chief Executive to sign memorandum of understanding/waiver of pass-through funds. **Recommendation: concur and place on file.**
13. 08-478 Gail Caron, Secretary Divide Grange #142, requesting waiver of fee to conduct a raffle for the benefit of Divide Grange #142. **Recommendation: concur and place on file.**
14. 08-480 Roger Ebner, Office of Disaster and Emergency Services, requesting authorization for Chief Executive to enter into agreement with the State of Montana Disaster and Emergency Services Department. **Recommendation: concur and place on file.**
15. 08-481 Linda Joyce, requesting authorization for Chief Executive to sign renewals with TI Services. **Recommendation: concur and place on file.**
16. 08-142 Tim Clark, Personnel Director, requesting authorization for Chief Executive to enter into contract with International Association of Fire Fighters, Local No. 96. **Recommendation: concur and place on file.**
17. 18-483 Dan Denney, Assistant Director for Public Works Department, regarding awarding low quote of Morrison Maierle, Inc. to modify Butte-Silver Bow's Risk Management Plant. **Recommendation: concur and place on file.**
18. 08-484 Dan Dennehy, Assistant Director Public Works Department,

requesting sprinkling restrictions beginning 7/14/08 through 9/30/08. **Recommendation: concur and place on file.**

19. 08-485 Dan Dennehy, Assistant Public Works Department, requesting the Combination Sewer Cleaning Truck be awarded to Kois Brothers Equipment Company. **Recommendation: concur and place on file.**
20. 08-486 Dan Dennehy, Assistant Public Works Department, requesting authorize Chief Executive to sign agreement with the Beaverhead County Weed Board. **Recommendation: Concur and place on file.**
21. 08-487 Den Dennehy, Assistant Pubic Works Department, requesting approval for Chief Executive to grant hours of donated sick leave for Chris Shea. **Recommendation: refer to Personnel Committee.**
22. 08-488 Bob Rowling, Parks and Recreation Department, requesting Parks and Recreation Board's approval of various events during The Month of July. **Recommendation: concur provided all Insurance matters are in order.**
23. 08-489 Rick Larson, Health Department Director, requesting authorization for Chief Executive to sign three contracts with private entities. **Recommendation: concur and place on file.**
24. 08-490 Lori Casey, Senior Planner, requesting approval of Mr. Rex Leipheimer's request to beautify the public right-of-way Adjacent to Continental Drive near the intersection of Kossuth Street. **Recommendation: concur and place on file.**
25. 08-491 Jeff Amerman, Finance and Budget Director, requesting authorization for Chief Executive to sign six official statements related to the sale of the bonds for the Archives project. **Recommendation: concur and place on file,**
26. 08-492 Cindy McIlveen, Planning Department, requesting authorization for Butte-Silver Bow to submit necessary permits and authorize Chief Executive to sign any associated documents regarding Thompson Park. **Recommendation: concur and place on file.**
27. 08-493 Robert A. Macioroski, Director Land Records, requesting approval of sale and authorization of the preparation of a resolution for vacant lands in 400 block of Park Street. **Recommendation: concur and authorize County Attorney to prepare a**

**resolution.**

28. 08-494 Robert A. Macioroski, Director of Land Records, requesting approval of sale and authorization of the preparation of a resolution for 621 W. Quartz Street. **Recommendation: concur and authorize County Attorney to prepare a resolution.**
29. 08-495 Robert A. Macioroski, Director Land Records, requesting authorization to issue Developer's Packet on vacant city-county owned property. **Recommendation: concur and place on file.**
30. 08-496 Robert A. Macioroski, Director Land Records, requesting approval of sale and authorization of the preparation of a resolution for 715 Utah Avenue (Bud's Bar). **Recommendation: concur and authorize County Attorney to prepare a resolution.**
31. 08-497 Chuck Carrig, Historic Preservation Officer, requesting authorization for Chief Executive to sign the amended certified local government grant contract for 2008-2009. **Recommendation: concur and place on file.**
32. 08-498 Charlie O'Leary, Chairman Council of Commissioners, requesting concurrence in referring to Chuck Carrig, Historic Preservation Officer to do an initial review and Inventory of premises of the pump station at Divide. **Recommendation: concur and hold in Committee of the Whole.**
33. 08-499 Jim Griffin, President Mai Wah Society, Inc., requesting authorization for Chief Executive to sign Cultural Trust Grant Agreement on behalf of the Mai Wah Society, Inc. **Recommendation: concur and place on file.**

**SECTION III**

**COMMUNICATIONS TO BE READ AND ACTED UPON**

1. 08-468 Dan Dennehy, Assistant Director Public Works Department requesting time on 7/2/08 agenda to conduct a request for professional services for the Municipal Storm Water System Engineering Assessment and Evaluation Plan.
2. 08-479 Donald and Donna Driver, requesting council accept back





# COMMITTEE OF THE WHOLE MEETING REPORT

## JUNE 25, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

### SECTION I INVITATION FOR BIDS

SEALED BIDS FOR SOLAR POWERED AERATORS TO BE USED IN THE BASIN CREEK RESERVOIR. **(Communication No. 08-440) Proof of publication was noted and placed on file.**

Dan Dennehy, Assistant Public Works Directed opened the following bids:

1. Ponds Solution, Inc., Wilton, N. D.	\$ 89,700.00
2. Solarbee Inc., Dickinson, N.D.	\$141,243.80
Alternate bid	\$ 57,438.00

**It was moved by Commissioner Coleman, seconded by Commissioner Sheehy and carried by a unanimous verbal vote. to refer the bids received back to the Public Works Department for review and report back to Council.**

### SECTION II PUBLIC HEARING

FOR THE PURPOSE OF HEARING COMMENTS ON PETITION NO. 08-4 FILED BY CHARLES AND ROXANNA BULEN, SPORTSMAN MOTEL AND RV TO VACATE A PORTION OF 5<sup>TH</sup> STREET IN MELROSE BETWEEN BLOCKS 8 AND 10 OF THE MELROSE TOWNSITE. **(Petition No. 08-4 being held in Public Works Committee. Proof of publication was noted and placed on file**

John Harrington, Building Official, gave the staff report said that 3 Rivers would require an easement from the portion of street to be closed.

Chairman Lee opened the public hearing at 7:58 PM and called for any proponents. Chuck Bulen, the owner of the Motel came forth as a proponents. There being none he then called for any opponents. Again there was no response so he closed the public hearing at 8:00 PM

### SECTION III

### PUBLIC HEARING

FOR THE PURPOSE OF HEARING COMMENTS ON PETITION NO. 08-6 FILED BY TRIPLE "S" BUILDING CENTER, INC. TO CLOSE AND VACATE A PORTION OF IOWA AVENUE BETWEEN BLOCKS 32 AND 34 OF THE CLARKS ADDITION. **(Petition No. 08-6 being held in Public Works Committee) Proof of publication was noted and placed on file.**

John Harrington, Building Official, gave the staff report and said the Water Division will require an easement. Chairman Lee opened the public hearing at 8:01 PM and called for any proponents. The following came forth.

David Stordahl, owner of the Triple S.

On the third and final call there being no others, he then called for any opponents. Again there was no response so he called the public hearing closed at 8:02 PM.

### SECTION III-A

### PUBLIC HEARING

FOR THE PURPOSE OF HEARING COMMENTS ON PETITION NO. 08-3 FILED BY JACK AND HELEN MC CLOSKEY TO CLOSE AND VACATE THAT PORTION OF HANCOCK AVENUE ADJACENT TO LOT 1, BLOCK 14 OF THE HOME ADDITION TO THE CITY AND COUNTY OF BUTTE, SILVER BOW, STATE OF MONTANA. **(Communication No. 08-337 being held in public works committee) Proof of publication was noted and placed on file.**

John Harrington, Building Official gave the staff report reported that Northwest Energy will require easements for both electrical and gas lines.

Chairman Lee opened the public hearing at 8:03 PM and called for any proponents. The following came forth:

1. Joe Rask, 3120 Hannibal
2. Helen McCloskey, 3401 Hancock

There being no other proponents, Chairman Lee called for any proponents. There was no response, so he closed the public hearing at 8:05 PM.

## SECTION IV

## PUBLIC HEARING

FOR THE PURPOSE OF HEARING COMMENTS ON PETITION NO. 08-7 FROM GALENA STREET LLC TO CLOSE AND VACATE A PORTION OF UNDEVELOPED EAST GALENA STREET AND ALLEY WITHIN LOST ON THE YELLOW JACK LODGE, BLOCK 3 AND A PORTION OF OHIO AVENUE IN THE KINGS ADDITION #2, BLOCK 7. **(Petition No. 08-7 being held in Public Works Committee) Proof of publication was noted and placed on file.**

John Harrington, Building Official, said they had not received any reports back yet.

Chairman Lee opened the public hearing at 8:07 PM and called for any proponents. On the third and final call for proponents, there being none, he then called for any opponents. Again there was no response so he called the public hearing closed at 8:08 PM.

## SECTION V

## CONTINUATION OF PUBLIC HEARING

FOR THE PURPOSE OF SOLICITING COMMENTS ON THE PROPOSED CHANGES FOR THE 2008 GROWTH POLICY UPDATE OF THE CONSOLIDATED CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA. **Proof of publication was noted and placed on file 6/18/08.**

Chairman Lee called for any proponents. The following came forth.

1. Roberta Baker (She said she has signed petition.)

Mr. Sesso spoke up to say that Mrs. Baker's petition is not entirely relevant to the growth policy change. The petition actually refers to the zoning that she would like to see changed from residential to commercial.

There were no other proponents so he called for any opponents. There was no response. Chairman Lee said they would continue to hold the public hearing for another week.

## SECTION VI

## COMMUNICATION NO. 07-669

Donald L. Kronenberger, Sr. requesting council grant annexation of the Fish Creek/Little Fish Creek drainage strip off HWY 41 into the Jefferson Valley Rural Fire District. ***Committee recommends that Communication No. 07-669 be held in abeyance.***







**SECTION VI**

**EXPENDITURE APPROVAL**

**6/18/08**

**\$435,323.20**

**6/25/08**

**\$1,102,355.53**

*Committee recommends approval of above expenditure.*





**SECTION VI**

**PETITION NO. 08-8**

John Harrington, Building Official, requesting on behalf of Jimmy Cecil, LLC to close and vacate a portion of Eagle Street and two alleys within blocks 15 and 20 in the Northern Pacific Addition. *Committee recommends that Petition No. 08-8 be held in abeyance.*

**SECTION VII**

**COMMUNICATION NO. 08-95**

Virginia Hanson, Risk Management Coordinator, requesting traffic study be conducted by MDOT on Continental Drive from East Lake to Four Mile Road. *Committee recommends that Communication No. 08-95 be held in abeyance.*

**SECTION VIII**

**COMMUNICATION NO. 08-136**

Rocko Mulcahy, Commissioner District 12, requesting communication be referred to Public Works Committee to evaluate Battle Ridge Road for needed maintenance and improvements. *Committee recommends that Communication No. 08-136 be held in abeyance.*

**SECTION IX**

**COMMUNICATION NO. 08-147**

Wally Frasz, Commissioner District #6, requesting a traffic study be one where Rowe Road turns into Holmes Avenue and also the intersection of Lexington and Rowe Road. *Committee recommends that Communication No. 08-147 be held in abeyance.*

**SECTION X**

**COMMUNICATION NO. 08-337**

John Harrington, Building Official, requesting to reopen street closure Petition No. 08-3 Jack and Helen McCloskey. *Committee recommends to schedule public hearing and continue to hold in abeyance. (Note: public hearing was held 6/25/08 – per Rocko Mulcahy who was present at the meeting it is ready for preparation of a resolution by the County Attorney)*

