

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 2, 2022
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[January 19, 2022 Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

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

PUBLIC HEARING

1. RESOLUTION NO. [2021-55](#)

A RESOLUTION OF INTENT TO PRESENT TO THE QUALIFIED ELECTORS OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THE QUESTION OF WHETHER TO IMPOSE A 3% LOCAL-OPTION EXCISE TAX ON THE RETAIL VALUE OF ALL NON-MEDICAL MARIJUANA AND ALL NON-MEDICAL MARIJUANA PRODUCTS SOLD IN THE CITY-COUNTY OF BUTTE-SILVER BOW AND THE SEPARATE QUESTION OF WHETHER TO IMPOSE A 3% LOCAL-OPTION EXCISE TAX ON THE RETAIL VALUE OF ALL MEDICAL MARIJUANA AND ALL MEDICAL MARIJUANA PRODUCTS SOLD IN THE CITY-COUNTY OF BUTTE-SILVER BOW AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

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*



B. COMMUNICATIONS

1.COMMUNICATION NO. [2022-49](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the reappointment of Matt Stajcar, 3426 South Montana Street, to the Superfund Advisory and Redevelopment Trust Authority Board.

Concur and Place on File

2.COMMUNICATION NO. [2022-50](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the reappointment and appointment of Bart Riley 1116051 Boulder Road, Buxton Mt. and Dave Andrews, 8 West Park Street Butte Mt to the Parking Commission Board.

Concur and Place on File

3.COMMUNICATION NO. [2022-52](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the reappointment of Lisa Bracco, 3499 Harrison Avenue Butte Mt to the Fair Board.

Concur and Place on File

4.COMMUNICATION NO. [2022-53](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the reappointment of Scott Heaffner, 3400 Fairmont Road, Buxton MT, and Doug Butori, 5810 Crackerville Rd, Butte MT to the Weed Control Board.

Concur and Place on File

5.COMMUNICATION NO. [2022-54](#)

Karen Maloughney, BSB Health Officer requesting Council of Commissioners authorization to schedule a public hearing for February 16, 2022 for the purpose of amending the fiscal year 2021-2022 budget to allow for increased expenditures of unanticipated revenue to hire a STD Disease Intervention Specialist and provide communicable disease investigation and intervention services.

Hold in Abeyance

6.COMMUNICATION NO. [2022-55](#)

Zach Osborne, Director of Fire Services requesting Council of Commissioners approval to seek bids for a Type 3 Engine. I am requesting that the \$183,000 that was approved for new rescue trucks in Fiscal Year 2021-2022 Fire Fund be reserved and used a down payment on a new Type 3 Engine.

Concur and Place on File

7.COMMUNICATION NO. [2022-56](#)

Dori Skrukrud, Greenway Service District Project Manager requesting Council of Commissioners concurrence to schedule a bid opening on February 16, 2022 for the Silver Bow Creek Greenway Reach O Trail and Cattle Bridge.

Hold in Abeyance



8.COMMUNICATION NO. [2022-57](#)

Lindsay Mulcahy, BSB Public Archives Administrative Assistant requesting Council of Commissioners authorization for Chief Executive Gallagher sign a maintenance agreement with Lee's Office City for the Archives copy machine.

[2022-57 Agreement](#)

Concur and Place on File

9.COMMUNICATION NO. [2022-58](#)

Eileen Joyce, BSB County Attorney requesting Council of Commissioners authorization for Chief Executive Gallagher sign a grant award for the Residential Substance Abuse Treatment Program (RSAT) program in our local detention facility and to schedule a public hearing for February 16, 2022 regarding this unanticipated revenue.

[2022-58 Grant Award](#)

Hold in Abeyance

10.COMMUNICATION NO. [2022-59](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization for Chief Executive Gallagher sign a grant application on behalf of the City-County of Butte-Silver Bow to the Montana State Historic Preservation Office Certified Local Government (CLG) program.

[2022-59 Grant](#)

Concur and Place on File

11.COMMUNICATION NO. [2022-60](#)

Linda Sajor-Joyce, Clerk & Recorder requesting Council of Commissioners authorization for the Planning Department, Land Records Division, GIS Division, BSB Archives and the Clerk & Records Office to apply for a \$50,000 grant from the Montana State Library.

Concur and Place on File

12.COMMUNICATION NO. [2022-61](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners authorization for a Presentation on February 23, 2022 to present the Fiscal Year 2021 audit Findings and Annual Financial report.

Hold in Abeyance

13.COMMUNICATION NO. [2022-62](#)

Jim Merrifield, Emergency Management Director requesting Council of Commissioners authorization to apply for the Department of Homeland Security's Emergency Management Performance Grant (EMPG) on behalf of Butte-Silver Bow.

Concur and Place on File

14.COMMUNICATION NO. [2022-63](#)

Ed Randall, Community Enrichment Director requesting Council of Commissioners authorization for Chief Executive Gallagher sign a five (5) year contract with Axon, for new body cameras and video storage for our Animal Control Officers.

[2022-63 Agreement](#)

Concur and Place on File



15.COMMUNICATION NO. [2022-64](#)

Leslie Clark, Human Resources Director requesting Council of Commissioners concurrence to file information with the BSB Clerk & Recorder's Office the updated BSB Health Insurance Committee By-Laws approved by the Committee this month of January 2022 through Mail-in vote.

Concur and Place on File

SECTION 3: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. [2022-51](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the appointments of Riley Hash, 118 Milky Way, Matt Huxtable, 945 West Woolman and Jacob Hanley 1628 Dewey Blvd. Butte Montana who have completed the required six-month probationary period, and they have performed their required duties in a very satisfactory manner per Fire Chief Zach Osborne.

SECTION 4: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.RESOLUTION NO. [2022-03](#)

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 CITY-COUNTY OF BUTTE-SILVER BOW HEALTH DEPARTMENT FROM THE MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION NO. [2022-09](#)

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 RESERVE FUNDS FROM THE CITY-COUNTY OF BUTTE-SILVER BOW AMERICAN RESCUE PLAN ACT (ARPA) CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS TO BE USED WITHIN THE VARIOUS DEPARTMENTS OF THE LOCAL GOVERNMENT AS RECOMMENDED BY THE LOCAL GOVERNMENT ARPA COMMITTEE AND AS ATTACHED IN EXHIBIT "A" AND INCLUDED AS PART OF THE PUBLIC HEARING AT THE COUNCIL OF COMMISSIONERS REGULAR MEETING ON JANUARY 19, 2022 AND TO APPROPRIATE ADDITIONAL ARPA GRANT FUNDS RECEIVED FROM THE STATE OF MONTANA ARPA WATER & SEWER GRANTS.



3.RESOLUTION NO. 2022-10

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOT 2-A, A TRACT OF LAND CONTAINING APPROXIMATELY 11.5 ACRES AND LOCATED IN THE SE ¼ AND THE SW ¼ OF SECTION 24 AND THE NE ¼ AND THE NW ¼ OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 9 W, AS SHOWN ON THE AMENDED PLAT OF THE SILICON MOUNTAIN NO. 1 MINOR SUBDIVISION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO SCOLAR COMPANY, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4.RESOLUTION NO. 2022-11

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 MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR THE PURPOSE OF REMOVING DEAD AND DYING TIMBER IN THE BASIN CREEK WATERSHED FOR THE PUBLIC WORKS, WATER TREATMENT DIVISION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

February 2, 2022; Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office

February 2, 2022, Butte AIDS Support Services, 7:00 pm, Community Center

February 3, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room

February 3, 2022, East Butte RRA, 9:00 am, 1st Floor Conference Room

February 8, 2022, Land Sales Committee, 1:30 pm Archives Auditorium

February 8, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

February 9, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room

February 9, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.

February 9, 2022, Board of Health, 7:00 am, Health Dept. Conference Room

February 10, 2022, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.

February 11, 2022, TIFID, 12:00 pm, Business Development Center

February 14, 2022, Archives, 12:00 pm, Archives Center

February 14, 2022, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room

February 15, 2022, Public Housing Authority, 5:00 pm, New Deal Community Center

February 15, 2022, Urban Forestry Board, 1:00 pm, Business Development Center

ADJOURN

MEETINGS



ECONOMIC DEVELOPMENT COMMITTEE MEETING

FEBRUARY 2, 2022

6:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

1.BLDC- Joe Willauer

2.Economic Mill Levy Presentations will be held on Tuesday, February 1st, 2022 and Thursday, February 3rd, 2022 in the Council Chambers starting at 5:45 to be held in fifteen minute increments.

FINANCE & BUDGET COMMITTEE MEETING

FEBRUARY 2, 2022

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of February 2, 2022 was reviewed and approved in the amount of \$ _____ for FY 2022.

REPORTS

COMMITTEE OF THE WHOLE REPORT

JANUARY 26, 2022

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. COMMUNICATIONS

1.COMMUNICATION NO. [2021-299](#)

Tristian Thomas, residing in Butte, MT, requesting Council of Commissioners to authorize Tristian Thomas to purchase the following property, located at 2422 Pine St., Butte, MT 59701.

Hold in Abeyance

2.COMMUNICATION NO. [2021-335](#)

Michael & Kelly Anne Hovan, 241 Williams Street, Walkerville MT requesting Council of Commissioners authorization to purchase vacant land currently owned by BSB. The land we are hoping to acquire includes one .06-acre parcel and a segment of another 10- acre tract.

[2021-335 Attachments](#)

Hold in Abeyance

3.COMMUNICATION NO. [2022-01](#)

Dan Dennehy, BSB Office of Emergency Management requesting Council of Commissioners authorization for a bid opening on January 19, 2022 for (1) 400 Kw Diesel Generator and (1) Automatic Transfer Switch for the Butte Civic Center.

Concur and Place on File



4.COMMUNICATION NO. [2022-02](#)

Melissa O’Dell, 21 Holly Lane Butte MT requesting Council of Commissioners authorization to purchase a small lot that BSB currently owns. The land owned by BSB is located at 322 W Gold, parcel number 441800 where I would like to build a small garage.

Hold in Abeyance

5.COMMUNICATION NO. [2022-06](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners authorization to schedule a public hearing on January 19, 2022 to amend the Fiscal Year 2022 budget to appropriate American Rescue Plan Act (ARPA) funds.

Concur and Place on File

6.COMMUNICATION NO. [2022-08](#)

Karen Maloughney, BSB Health Officer requesting Council of Commissioners authorization to schedule a public hearing on January 19, 2022 for the purpose of amending the fiscal year 2021-2022 budget to allow for increased expenditures of unanticipated revenue resulting from an amendment to the Public Health Emergency Preparedness Grant.

Concur and Place on File

FINANCE & BUDGET COMMITTEE MEETING REPORT

JANUARY 26, 2022

6:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

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

Ladies and Gentlemen,

We, your Council of Commissioners, and Madame Chairman Cindi Shaw, respectfully recommends as follows: Expenditure report for the week of January 26, 2022 was reviewed and approved in the amount of \$852,429.62 for FY 2022.

FINANCE AND BUDGET COMMITTEE MEMBERS PRESENT/ ABSENT

John Sorich, Chair	P
Josh O’Neill, Vice Chair	A
Hattie Thatcher	P
Jim Fisher	A
John Riordan	P
Justin Fortune	P
Eric Mankins	P

PUBLIC WORKS COMMITTEE MEETING REPORT

JANUARY 26, 2022

6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

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



COMMISSIONERS

NO MEETING WAS HELD

JUDICIARY COMMITTEE MEETING REPORT

JANUARY 26, 2022

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

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

1.COMMUNICATION NO. [2021-296](#)

Michele Shea, District 2 Commissioner requesting Council of Commissioners to create a new ordinance, or amend an existing ordinance, if appropriate, to allow for the identification and abatement of public nuisances on properties on which there have been, or continue to be, repeated disruptive activities including but not limited to, disturbances of the peace, public drunkenness, harassment of passerby, sale, storage, or possession of stolen goods, theft, assaults, batteries, acts of vandalism, excessive littering, illegal parking, loud noises, traffic and other code violations, or police detentions and arrests.

Hold in Abeyance to form Ad-Hoc Committee

2.RESOLUTION NO. [2022-07](#)

A RESOLUTION OF INTENT TO PRESENT TO THE QUALIFIED ELECTORS OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THE QUESTION OF WHETHER TO IMPOSE ON A CONTINUOUS BASIS ONE MILL LEVY TO BE ADJUSTED ANNUALLY TO RAISE APPROXIMATELY \$75,000.00 FOR SEARCH AND RESCUE OPERATIONS BEGINNING IN FISCAL YEAR 2023 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in Abeyance pending Public Hearing on February 9th.

3.RESOLUTION NO. [2021-55](#)

A RESOLUTION OF INTENT TO PRESENT TO THE QUALIFIED ELECTORS OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA THE QUESTION OF WHETHER TO IMPOSE A 3% LOCAL-OPTION EXCISE TAX ON THE RETAIL VALUE OF ALL NON-MEDICAL MARIJUANA AND ALL NON-MEDICAL MARIJUANA PRODUCTS SOLD IN THE CITY-COUNTY OF BUTTE-SILVER BOW AND THE SEPARATE QUESTION OF WHETHER TO IMPOSE A 3% LOCAL-OPTION EXCISE TAX ON THE RETAIL VALUE OF ALL MEDICAL MARIJUANA AND ALL MEDICAL MARIJUANA PRODUCTS SOLD IN THE CITY-COUNTY OF BUTTE-SILVER BOW AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in Abeyance pending Public Hearing on February 2nd.



Name	Amount	Reason	Approved	
CAMERON JAMES MOYLAN DELUX ENT.	\$17,744.98		YES	
GUARDIAN TAX MT LLC	\$6444.81		YES	

JUDICIARY COMMITTEE MEMBERS

PRESENT/ABSENT

Bill Andersen, Chairman	A
Michele Shea, Vice Chairman	P
Dan Callahan	P
Hattie Thatcher	P
Eric Mankins	P
John Sorich	P

