

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, JULY 5, 2023  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**APPROVAL OF THE MINUTES**

[June 21, 2023, Regular Meeting Minutes](#)

[June 14, 2023, Special Meeting Minutes](#)

**ITEMS NOT ADDRESSED ON THE AGENDA**

**CHIEF EXECUTIVE'S REPORT**

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

**SECTION 1: 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. [2023-346](#)**

John Coles, MIS Systems Support Specialist requesting Council of Commissioners authorization to have the list of equipment removed from the Butte-Silver Bow/County assets for recycling.

[2023-346 Equipment List](#)

*Concur and Place on File*

**2. COMMUNICATION NO. [2023-347](#)**

Linda Sajor-Joyce requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the annual sales agreement with Kelley Connect for use of DocuWare software and cloud storage.

[2023-347 Agreement](#)

*Concur and Place on File*



3.COMMUNICATION NO. [2023-348](#)

Ed Lester, BSB Sheriff requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the 2023-2024 DUI Task Force Annual Plan. This Task Force is funded from one-half of the reinstatement fees from suspended licenses.

[2023-348 Agreement](#)

*Concur and Place on File*

4.COMMUNICATION NO. [2023-349](#)

John Rolich, Environmental Health Division Manager requesting Council of Commissioners authorization to have Ms. Eisenbarth enroll in an approved online microbiology class with lab at the University of Phoenix. We also request that Ms. Eisenbarth be reimbursed for costs of the class, estimated not to exceed \$1800.00.

*Concur and Place on File*

5.COMMUNICATION NO. [2023-350](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the re-appointments of Steve Hinick, 100 E. Broadway and Jennifer Peterson, 1003 S. Montana Street, Butte MT to the Historic Preservation Commission.

*Concur and Place on File*

6.COMMUNICATION NO. [2023-351](#)

Dani McGee, Finance & Budget Grants and Project Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding (MOU), between Gallatin County, Montana, and Butte-Silver Bow County to accomplish the goals in the Montana Board of Crime Control, (MBCC) Regional Juvenile Detention Grant: Southwest Regional Juvenile Detention.

[2023-351 MOU](#)

*Concur and Place on File*

7.COMMUNICATION NO. [2023-352](#)

Zane Gleason, Public Works Project Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with Northwest Pipe Fittings Inc for the 2023 Water Main Materials. Total contract value is \$389,051.40.

[2023-352 Agreement](#)

*Concur and Place on File*

8.COMMUNICATION NO. [2023-353](#)

Zane Gleason, Public Works Project Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with Hollow Contracting for the 2023 Mill Fill Project. Total contract value is \$992,574.36.

[2023-353 Agreement](#)

*Concur and Place on File*



9.COMMUNICATION NO. [2023-354](#)

Julia Crain, Reclamation & Environmental Assistant Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the State of Montana Department of Natural Resources and Conservation Contract, No. RIT-23-8910 that provides \$224,680 for phase V of the Butte Mining District Reclamation and Protection Project.

[2023-354 Agreement](#)

*Concur and Place on File*

10.COMMUNICATION NO. [2023-355](#)

Abby Peltomaa, Reclamation & Environmental Data Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the State of Montana Department of Justice Natural Resource Damage Program, (NRDP) Contract No. 80007-10293, Modification No. 7, to provide funding for the Butte Hill Tree Planting Program.

[2023-355 Agreement](#)

*Concur and Place on File*

11.COMMUNICATION NO. [2023-356](#)

Jim Keenan, Water Treatment Supervisor requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with Karnath Contracting Inc., for the installation of strainers at the TIFID Pump Station. Total contract value is \$67,992.00.

[2023-356 Agreement](#)

*Concur and Place on File*

12.COMMUNICATION NO. [2023-357](#)

Elizabeth Osborn, BSB Senior Planner requesting Council of Commissioners authorization to approve the CK Minor Subdivision. This minor subdivision creates two (2) lots for commercial development near the corner of Wynne Avenue and Meadowview Road.

*Concur and Place on File*

13.COMMUNICATION NO. [2023-358](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the re-appointment of Garrett Craig, 134 Floral Blvd., and the appointment of Bryon Higgins, 1304 W. Gold, Butte MT to the Zoning Board.

*Concur and Place on File*

14.COMMUNICATION NO. [2023-359](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence in the re-appointments of Julie Jaksha, 3215 S. Montana Street and Matt Stajcar, 3426 S. Montana Street, Butte MT, and the appointments of Mark Garff, 1149 Antimony Street and Alice De Chelley, 1900 McKinley, Butte MT to the Planning Board.

*Concur and Place on File*



15.COMMUNICATION NO. [2023-360](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Montana Department of Commerce, Contract #MT-BSTF-1-23-2, for a BSTF Grant for Praxis Sim Holdings, LLC. The contract is awarded for the creation of jobs and was recently approved by the Montana Department of Commerce.

[2023-360 Agreement](#)

*Concur and Place on File*

16.COMMUNICATION NO. [2023-361](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a contract for pre-construction/construction management services, with Langlas & Associates related to Phase 1 of the Courthouse Restroom Renovation Project.

[2023-361 Agreement](#)

*Concur and Place on File*

17.COMMUNICATION NO. [2023-362](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to hold a Community Needs Public Hearing on July 19, 2023, to discuss the HOME, CDBG and other related funding programs offered by the Montana Department of Commerce.

*Hold in Abeyance*

18.COMMUNICATION NO. [2023-363](#)

Morgan Maccione, Clark Chateau Program Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign three (3) Professional Services agreements for New Songs for Butte Mining Camp Project. The three musicians will be commissioned \$1000 each, with a small stipend for food and gas. Funding for this project is provided by a \$19,000 National Endowment for the Arts grant.

[2023-363 Dylan Running Crane](#)

[2023-363 Brandon Lane Wilber](#)

[2023-363 Daniela Garvue](#)

*Concur and Place on File*

## **SECTION 2: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY**

1.RESOLUTION NO. [2023-25](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE CK 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.

## **CALENDAR OF OTHER MEETINGS AND EVENTS**

July 5, 2023, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office  
July 5, 2022, Butte AIDS Support Services, 7:00 pm, Community Center\*



July 6, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room  
July 6, 2022, East Butte RRA, 9:00 am 1st Floor Conference Room  
July 10, 2022, Archives, 12:00 pm, Archives Center  
July 10, 2022, Fair Board, 6:00 pm, Mackenzie Pizza Meeting Room  
July 11, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center  
July 11, 2022, Land Sales Committee, 1:30 pm, Archives Auditorium  
July 12, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.  
July 12, 2022, Board of Health, 7:00 am, Health Dept. Conference Room  
July 12, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room  
July 13, 2022, Greenway Service District Board, 4:30 pm, Butte  
July 14, 2022, TIFID, 12:00 pm, Business Development Center  
July 17, 2022, Parks & Recreation, 11:30 am, Highland View Clubhouse  
July 18, 2022, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building  
July 18, 2022, Urban Forestry Board, 1:00 pm, Business Development Center  
July 18, 2022, Public Housing Authority, 5:00 pm, New Deal Community Center

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

**ADJOURN**

**MEETINGS**

**ECONOMIC DEVELOPMENT COMMITTEE MEETING**

*JULY 5, 2023*

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

Kelly Sullivan will be presenting on behalf of Butte Local Development Corporation.

**FINANCE & BUDGET COMMITTEE MEETING**

*JULY 5, 2023*

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

Expenditure report for the week of July 5, 2023, was reviewed and approved in the amount of \$ \_\_\_\_\_ for FY 2023.

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**MEETING REPORTS**

**COMMITTEE OF THE WHOLE REPORT**

*JUNE 28, 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: COMMUNICATIONS**

1.COMMUNICATION NO. [2023-294](#)

Ed Heard, Recreation & Events Coordinator requesting Council of Commissioners concurrence to schedule a presentation on June 14, 2023, by Nick Chapman of the Skyhawks Sports Academy.

*Place on File*

2.COMMUNICATION NO. [2023-300](#)

Mark Neary, Public Works Director, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for Water Main Materials Project 2023.

*Place on File*

3.COMMUNICATION NO. [2023-306](#)

Jim Keenan, BSB Water Treatment Supervisor, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for supplying Installation Services for the inline self-cleaning filters to be installed in the TIFID Pump Station.

*Place on File*

4.COMMUNICATION NO. [2023-327](#)

Dan Villa, 146 Whisper Ridge, Butte MT, informing the Council of Commissioners that the Homestake Meadow II Homeowners Association voted overwhelmingly at their June 13, semi-annual meeting to request Butte-Silver Bow form a special improvement district for the purpose of road paving. Attached is a map of the proposed properties for inclusion and the successful bid we received from a local contractor.

*Hold in Abeyance pending Public Hearing*

**FINANCE AND BUDGET COMMITTEE MEETING REPORT**

*JUNE 28, 2023*

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

Expenditure report for the week of June 28, 2023, was reviewed and approved in the amount of \$950,688.86 for FY 2023.

<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



**PUBLIC WORKS COMMITTEE MEETING REPORT**

JUNE 28, 2023

6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1.COMMUNICATION NO. [2023-328](#)

Head Start and citizens of Arizona Street, requesting the Council of Commissioners acknowledge that a dangerous situation exists on the 1000 and 1100 blocks of Arizona Street. Attached is a signed petition from Head Start, Hawe Steel and the citizens on the 1000 and 1100 blocks of Arizona. We are asking that a stop sign be installed on Arizona street and First Street.

*Note and Place on File*

<u>Committee Members</u>	<u>Present /Absent</u>
Eric Mankins, Chair	P
John Sorich, Vice Chair	P
Josh O’Neill	P
Jim Fisher	P
Justin Fortune	P
Dan Callahan	A

**JUDICIARY COMMITTEE MEETING REPORT**

JUNE 28, 2023

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1.COUNCIL BILL NO. [2023-04](#)

ORDINANCE NO. [2023-04](#)

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SOLID WASTE MANANGEMENT FACILITY”, SPECIFICALLY AMENDING SECTION 13.12.070, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2023-04 REDLINE](#)

*Hold in Abeyance pending a Public Hearing*

<b>Name</b>	<b>Amount</b>	<b>Reason</b>	<b>Approved</b>	
GUARDIAN TAX MT LLC	\$1243.32	REFUND/REDEMPTION OF TAX ASSIGNMENT #0001421800	<b>YES</b>	
DELUXE ENTERPRISES LLC	\$3,254.58	REFUND/REDEMPTION OF TAX ASSIGNMENT #0001527900	<b>YES</b>	



<i>Committee Members</i>	<i>Present/Absent</i>
Bill Andersen, Chair	A
Hattie Thatcher, Vice-Chair	P
Dan Callahan	A
Eric Mankins	P
John Sorich	P
Tommy Walker	P

