

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, AUGUST 3, 2022  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**APPROVAL OF THE MINUTES**

[July 20, 2022 Regular Meeting Minutes](#)

[July 27, 2022 Special 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.COMMUNICATION NO. [2022-366](#)**

Danette Gleason, Finance & Budget Director requesting Council of Commissioners concurrence to schedule a Public Hearing for the adoption of the fiscal year 2023 Final budget and establish the user rates for Metro Sewer System, Storm Water System, Solid Waste Disposal and Collection, and Road Maintenance District. The public hearing will begin on August 3rd and be continued until the Council of Commissioners sets a date to adopt the fiscal year 2023 budget and fix the rates and levies.

**BID OPENING**

**1.COMMUNICATION NO. [2022-375](#)**

Karen Byrnes, Community Development requesting Council of Commissioners concurrence to schedule a RFP opening on August 3, 2022 related to the Finlen Hotel Fire Suppression Project funded by CDBG-ED Grant awarded to Butte-Silver Bow.



## **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. [2022-380](#)

Linda Sager-Joyce, Clerk & Recorder requesting Council of Commissioners authorization to allow her to dispose of the fiscal year 2013-2014 Claims and 2020 Primary Election files.

[2022-381 Records Destruction](#)

*Concur and Place on File*

#### 2. COMMUNICATION NO. [2022-381](#)

Linda Sager-Joyce, Clerk & Recorder requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Mailing Agreement and Statement of Understanding with Executive Services of Bozeman.

[2022-381 Agreement](#)

*Concur and Place on File*

#### 3. COMMUNICATION NO. [2022-382](#)

Dylan Pipinich, BSB Planner Director requesting Council of Commissioners concurrence to schedule a Public Hearing on August 17, 2022 for the Amended Plat of Lot 3 Davis/Enrooth II Minor Subdivision.

*Hold in Abeyance*

#### 4. COMMUNICATION NO. [2022-383](#)

John Rolich, Environmental Health Division requesting Council of Commissioners authorization for course work approval and tuition reimbursement for Jared Smith. The Training Services line item in the department's General Fund would cover this expenditure.

*Concur and Place on File*

#### 5. COMMUNICATION NO. [2022-384](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners refer the purchase request from Dave Erickson for 3,000 sq ft of Building #1 in Montana Connections owned by Butte-Silver Bow to the TIFID Board for a recommendation.

*Refer to ITFID Board*

#### 6. COMMUNICATION NO. [2022-385](#)

Lisa Carey, BSB Office of Emergency Management requesting Council of Commissioners authorization to have Chief Executive Gallagher accept Hazardous Material Emergency Preparedness (HMEP) Grant and sign FY22 HMEP Grant Agreement.

[2022-385 Grant Agreement](#)

*Concur and Place on File*



7.COMMUNICATION NO. [2022-386](#)

Eileen Joyce, County Attorney requesting Council of Commissioners authorization for Butte-Silver Bow Family Drug Court again apply for grant funding on behalf of the county for the Residential Substance Abuse Treatment Program (RSAT) in our local detention facility.

*Concur and Place on File*

8.COMMUNICATION NO. [2022-387](#)

John Sullivan, government Buildings Manager requesting Council of Commissioners authorization to allow the Requests for Proposals be opened at the Council's Regular meeting on August 17, 2022 regarding the Mother Lode Theater Fire Suppression System.

*Hold in Abeyance*

9.COMMUNICATION NO. [2022-388](#)

John Sullivan, Government Buildings Manager requesting Council of Commissioners authorization to allow the Requests for Proposals be opened at the Council's Regular meeting on August 17, 2022 regarding the Mother Lode Theater Annunciation System.

*Hold in Abeyance*

10.COMMUNICATION NO. [2022-389](#)

Chad Anderson RMAP Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction agreement between Butte-Silver Bow and C. Davies Enterprises, Inc.

[2022-389 Agreement](#)

*Concur and Place on File*

11.COMMUNICATION NO. [2022-390](#)

Chad Anderson RMAP Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Construction agreement between Butte-Silver Bow and Olympus Technical Services.

[2022-390 Agreement](#)

*Concur and Place on File*

12.COMMUNICATION NO. [2022-391](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a bid opening on August 24, 2022 for the 2022 for the BSB Public Works Department Sidewalk Program.

*Hold in Abeyance*

13.COMMUNICATION NO. [2022-392](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a Public Hearing on August 17, 2022 regular meeting for Sole Sourcing the Rocker water meters through Northwest Pipe. A Resolution will be introduced on September 7, 2022.

*Hold in Abeyance*



14.COMMUNICATION NO. [2022-393](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement with Nwestco LLC for the Aboveground Fuel Tanks for BSB. A bid opening was performed on July 6th, 2022, and Nwestco LLC was lowest bidder.

[2022-393 Agreement](#)

*Concur and Place on File*

15.COMMUNICATION NO. [2022-394](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an amendment #2 for the HDR SCADA Special Projects Master Contract.

[2022-394 Amendment #2](#)

*Concur and Place on File*

16.COMMUNICATION NO. [2022-395](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Professional Services agreement between Worman Forest Management, LLC, and Butte-Silver Bow (BSB).

[2022-395 Agreement](#)

*Concur and Place on File*

17.COMMUNICATION NO. [2022-396](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Professional Services agreement between Great West Engineering and Butte-Silver Bow (BSB). This agreement provides for completion of the tasks in Exhibit A for the Basin Creek Dam #1 Rehabilitation Project.

[2022-396 Agreement](#)

*Concur and Place on File*

18.COMMUNICATION NO. [2022-397](#)

Angie Mullikin Public Works Budget & Grant Manager requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Lease agreement with Phat American, LLC and Butte-Silver Bow for the restaurant at Highland View Golf Course.

[2022-397 Agreement](#)

*Concur and Place on File*

19.COMMUNICATION NO. [2022-398](#)

John Morgan, Human Resources Director requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding between the City-County of Butte-Silver Bow and the Montana Federation of Public Employees, Local No. 4372.

[2022-398 MOU](#)

*Concur and Place on File*



20.COMMUNICATION NO. [2022-399](#)

Dylan Pipinich, BSB Planning Director requesting Council of Commissioners conditionally approve the preliminary plat of the Rail Park #1 Minor Subdivision. The Planning Board has found the preliminary plat to be in compliance with the review criteria established by the Montana Subdivision and Platting Act and the BSB Subdivision Regulations.

[2022-399 Staff Analysis](#)

*Concur and Place on File*

### **SECTION 3: ORDINANCES AND RESOLUTIONS FOR FINAL READING**

1.COUNCIL BILL NO. [2022-07](#)

ORDINANCE NO. [2022-07](#)

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 4.8 ACRES FROM R-4 (MANUFACTURED HOME ZONE) TO C-2 (COMMUNITY COMMERCIAL ZONE), COMMONLY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION BETWEEN WARREN AVENUE AND LONGFELLOW STREET. THE SUBJECT AREA COMPRISES TWO PROPERTIES. ONE IS LEGALLY DESCRIBED AS SECTION 31, TOWNSHIP 03 NORTH, RANGE 07 WEST, POR LOT 10 IN NE4, AND THE OTHER IS LEGALLY DESCRIBED AS SECTION 31, TOWNSHIP 03 NORTH, RANGE 07 WEST, LOT 56 IN NE4 1977 GUERDON 28 X 60, OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.COUNCIL BILL NO. [2022-08](#)

ORDINANCE NO. [2022-08](#)

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 198 ACRES FROM R1-S (SINGLE-FAMILY SUBURBAN RESIDENTIAL) TO M-1 (LIGHT INDUSTRIAL), COMMONLY LOCATED SOUTH AND EAST OF THE EXISTING SOUTH BUTTE INDUSTRIAL PARK, SOUTH AND EAST OF THE INTERSECTION BETWEEN SOUTH PARKMONT STREET AND BASIN CREEK ROAD. THE SUBJECT AREA COMPRISES PART OR WHOLE OF SIX DIFFERENT PROPERTIES IN SECTIONS 17 AND 18, SEE ATTACHED MAP (APPENDIX A), OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



3.COUNCIL BILL NO. [2022-09](#)  
ORDINANCE NO. [2022-09](#)

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 2.3 ACRES FROM R1-S (SINGLE-FAMILY SUBURBAN RESIDENTIAL) TO M-2 (HEAVY INDUSTRIAL), COMMONLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF BEEF TRAIL ROAD AND SOUTH MONTANA STREET. THE SUBJECT AREA COMPRISES THE NORTHERN PORTION OF TWO DIFFERENT PROPERTIES, SEE ATTACHED MAP (APPENDIX A). THE PROPERTIES ARE LEGALLY DESCRIBED AS WATHENA PLACER, SECTION 25, TOWNSHIP 03 NORTH, RANGE 08 WEST, M AND B POR AND SECTION 25, TOWNSHIP 03 NORTH, RANGE 08 WEST, M AND B POR OF S2, W POR MA 1270 ME 1681, OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**CALENDAR OF OTHER MEETINGS AND EVENTS**

- August 3, 2022, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office
- August 3, 2022, Butte AIDS Support Services, 7:00 pm, Community Center
- August 4, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room
- August 4, 2022, East Butte RRA, 9:00 am
- August 8, 2022, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
- August 8, 2022, Archives, 12:00 pm, Archives Center
- August 9, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
- August 9, 2022, Land Sales Committee, 1:30 pm, Archives Auditorium
- August 10, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
- August 10, 2022, Board of Health, 7:00 am, Health Dept. Conference Room
- August 10, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
- August 11, 2022, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.
- August 12, 2022, TIFID, 12:00 pm, Business Development Center
- August 15, 2022, Parks & Recreation, 11:30 am, Highland View Clubhouse
- August 16, 2022, Urban Forestry Board, 1:00 pm, Business Development Center
- August 16, 2022, Public Housing Authority, 5:00 pm, New Deal Community Center
- August 16, 2021, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building

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

**ADJOURN**



## **MEETINGS**

### **ECONOMIC DEVELOPMENT COMMITTEE MEETING**

*AUGUST 3, 2022*

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

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

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

*AUGUST 3, 2022*

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

Expenditure report for the week of August 3, 2022 was reviewed and approved in the amount of \$\_\_\_\_\_ for FY 2023.

## **MEETING REPORTS**

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

*JULY 27, 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. [2022-296](#)

Danette Gleason, Finance & Budget Director notifying the Council of Commissioners that the Fiscal Year 2023 Preliminary Budget will be referred to the Finance & Budget Committee for the July 6, 2022 Finance & Budget Committee meeting which will be scheduled to start at 5:30 p.m. in the Council Chambers.

*Hold in Abeyance*

#### 2.COMMUNICATION NO. [2022-342](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners authorization for a presentation on July 20, 2022 for a presentation on the Fiscal Year 2023 budget.

*Concur and Place on File*

#### 3.COMMUNICATION NO. [2022-354](#)

Eileen Joyce, BSB County Attorney requesting Council of Commissioners to complete the State-Approved SUD Treatment and prevention form for submission back to the DPHHS Addictive and Mental Disorders Division.

[2022-354 Forms](#)

*Hold in Abeyance*



4.COMMUNICATION NO. [2022-365](#)

Jeff Riggs, Thornton Group Member requesting Council of Commissioners to authorization to purchase the parking lot property owned by the City-County on West Quartz Street for the listed DOR value of \$41,306. We understand a small part of this parking lot is on property owned by Western Montana Mental Health and that the sale would be contingent upon a separate agreement with them.

*Hold in Abeyance*

5.COMMUNICATION NO. [2022-366](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners concurrence to schedule a Public Hearing for the adoption of the fiscal year 2023 Final budget and establish the user rates for Metro Sewer System, Storm Water System, Solid Waste Disposal and Collection, and Road Maintenance District. The public hearing will begin on August 3rd and be continued until the Council of Commissioners sets a date to adopt the fiscal year 2023 budget and fix the rates and levies.

*Hold in Abeyance*

6.COMMUNICATION NO. [2022-375](#)

Karen Byrnes, Community Development requesting Council of Commissioners concurrence to schedule a RFP opening on August 3, 2022 related to the Finlen Hotel Fire Suppression Project funded by CDBG-ED Grant awarded to Butte-Silver Bow.

*Hold in Abeyance*

**FINANCE AND BUDGET COMMITTEE MEETING REPORT**

JULY 27, 2022

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Expenditure report for the week of July 27, 2022 and 2023 was reviewed and approved in the amount of \$1,211,555.98 for FY 2022 and FY for \$391,741.54 2023.

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

**JUDICIARY COMMITTEE MEETING REPORT**

JULY 27, 2022

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS





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*Move to final Reading*

2.COUNCIL BILL NO. [2022-08](#)  
ORDINANCE NO. [2022-08](#)

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*Move to final Reading*

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TOWNSHIP 03 NORTH, RANGE 08 WEST, M AND B POR OF S2, W POR MA 1270 ME 1681 OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Move to final Reading*

<b>Name</b>	<b>Amount</b>	<b>Reason</b>	<b>Approved</b>
GUARDIAN TAX MT LLC	\$1,827.51	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN #000166400	YES
GUARDIAN TAX MT LLC	\$782.42	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN #0001018000	YES
GUARDIAN TAX MT LLC	\$1,812.07	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN #0000750400	YES
LAWRENCE SCHNELL	\$400.00	SUBDIVISION HAS BEN APPROVED TO RELEASE BOND	YES
MIKE CHRISTIANSON	\$200.00	SUBDIVISION HAS BEEN APPROVED TO RELESE BOND	YES

<u>Committee Members</u>	<u>Present/Absent</u>
Bill Andersen, Chair	A
Michele Shea, Vice-Chair	P
Dan Callahan	P
Eric Mankins	P
John Sorich	P
Hattie Thatcher	P

