

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, AUGUST 18, 2021  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**APPROVAL OF THE MINUTES**

[August 4, 2021 Regular Meeting Minutes](#)

[August 11, 2021 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**

**BID OPENINGS**

1.COMMUNICATION NO. [2021-373](#)

Dori Skrukud, Project Manager, requesting Council of Commissioners schedule a Bid Opening during the Commissioners Meeting on August 18, 2021, for the Silver Bow Creek Greenway Cattle Bridge, Greenway Service District (GSD) Contract Number 2G-21-01.

2.COMMUNICATION NO. [2021-389](#)

Pat Holland, Government Building Manager requesting Council of Commissioners for their concurrence for a bid opening on August 18, 2021 regarding the Butte-Silver Bow Courthouse and LEA Boiler Replacement.

3.COMMUNICATION NO. [2021-390](#)

Pat Holland, Government Building Manager requesting Council of Commissioners for their concurrence for a bid opening on August 18, 2021 regarding the Mother Lode Theater Fire suppression and Annunciation Systems.

**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. [2021-394](#)

Danielle McGee, Finance & Budget Accountant requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the Memorandum of Understanding (MOU) between Gallatin County, Montana, and Butte-Silver Bow County.

[2021-394 MOU](#)

[2021-394 Attachments](#)

*Concur and Place on File*

### 2. COMMUNICATION NO. [2021-395](#)

Mindy Diehl, Foster Grandparent Program Director and Kelly Moody, Senior Companion Program Director requesting Council of Commissioners for their concurrence for a presentation on Wednesday September 8, 2021, for our annual request for funds supporting Rocky's Foster Grandparent and Senior Companion Programs.

*Hold in Abeyance*

### 3. COMMUNICATION NO. [2021-396](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners for their concurrence in the appointment of John Ries, 605 W. Daly Street, Walkerville MT to serve on the Zoning Board.

*Concur and Place on File*

### 4. COMMUNICATION NO. [2021-397](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners for their concurrence in the appointment of Julie Jaksha, 3251 S. Montana Street Butte MT to serve on the Planning Board.

*Concur and Place on File*

### 5. COMMUNICATION NO. [2021-398](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners for their authorization to sign a lease agreement with Root & the Bloom Collective for the Jacobs House property at 201 W. Granite Street.

[2021-398 Agreement](#)

*Concur and Place on File*

### 6. COMMUNICATION NO. [2021-399](#)

Julia Crain, Reclamation & Environmental Services Assistant Director requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Professional Services Agreement with Clark Fork Watershed Education Program (CFWEP) on behalf of PitWatch Public Education Committee.

[2021-399 Agreement](#)

*Concur and Place on File*

### 7. COMMUNICATION NO. [2021-400](#)

Eric Bryson, Montana Association of Counties Executive Director requesting Council of Commissioners authorization for a presentation on Wednesday August 25, 2021 to discuss our MACo organization and the work we do on behalf of Montana's Counties.

*Hold in Abeyance*



8. COMMUNICATION NO. [2021-401](#)

Margie Seccomb, Action Inc. CEO requesting Council of Commissioners for their concurrence for a presentation on Wednesday September 1, 2021 to provide information about our work to address homelessness in Butte and how funds contributed by BSB support the work.

*Hold in Abeyance*

9. COMMUNICATION NO. [2021-402](#)

Phillip Borup, YMCA Chief Executive Officer requesting Council of Commissioners for their concurrence for a presentation on Wednesday September 8, 2021 to report on the YMCA pool contract and our community impact.

*Hold in Abeyance*

10. COMMUNICATION NO. [2021-403](#)

Steve Wagner, Tommyknockers President requesting Council of Commissioners for their concurrence for a presentation on Wednesday August 25, 2021 regarding the Mining City Tommyknockers 2021 season.

*Hold in Abeyance*

11. COMMUNICATION NO. [2021-404](#)

Lori Casey, Planning Director and BTCC Chairman requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Memorandum of Agreement with the Montana Department of Transportation regarding the functions of the Butte Transportation Coordinating Committee.

[2021-404 Memorandum of Agreement](#)

[2021-404 Redline MOA](#)

*Concur and Place on File*

12. COMMUNICATION NO. [2021-405](#)

Lori Casey, Planning Director requesting Council of Commissioners for their concurrence to deny Council Communication No. 2021-346, request from Walter Richter, 1238 Grizzly Trail, Butte MT 59701 to purchase vacant City-County property described as a Portion of the Peterson Placer in Rocker.

*Concur and Place on File*

13. COMMUNICATION NO. [2021-406](#)

Kellie Kahtani, MSU Extension Silver Bow County 4-H Youth Development/Family Consumer Science Agent requesting Council of Commissioners for their concurrence for a presentation on September 15, 2021 agenda for the discussion of annual funding for the MSU Extension Office.

*Hold in Abeyance*

14. COMMUNICATION NO. [2021-407](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Professional Services Agreement between HDR Engineering Inc. and Butte-Silver Bow. This agreement provides for completion of the tasks in Exhibit A for the Moulton Dam #1 Spillway and Embankment Improvements Project.

[2021-407 Agreement](#)

*Concur and Place on File*



15. COMMUNICATION NO. [2021-408](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Montana Department of Natural Resources and Conservation (DNRC) Renewable Resource Grant and Loan (RRGL) Program Project Planning Grant Application.

*Concur and Place on File*

16. COMMUNICATION NO. [2021-409](#)

Padraig Cunneen, Public Works Senior Operations Engineer requesting Council of Commissioners for their authorization to correct the Storm Water Management Ordinance in section 13.32.220 concerning the fee for reviewing deficiencies of a storm water management permit application.

*Concur and Place on File*

17. COMMUNICATION NO. [2021-410](#)

Padraig Cunneen, Public Works Senior Operations Engineer requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Storm Water Management / BMP Maintenance Agreement for Town Pump Butte #2.

[2021-410 Agreement](#)

*Concur and Place on File*

18. COMMUNICATION NO. [2021-411](#)

Mary McCormick, Historic Preservation Officer requesting Council of Commissioners for their authorization for a bid opening on September 8, 2021 Committee of the Whole agenda for the Caretakers House Restoration Project.

*Hold in Abeyance*

19. COMMUNICATION NO. [2021-412](#)

Leslie Clark, Human Resources Director requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the Collective Bargaining Agreement between the City-County of Butte-Silver Bow and the Laborer's International Union of North American (LIUNA), Local No. 1686.

[2021-412 Agreement](#)

[2021-412 Redline Agreement](#)

*Concur and Place on File*

20. COMMUNICATION NO. [2021-413](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners for their concurrence in the appointment of Bill Daly, Butte MT to the Planning Board.

*Concur and Place on File*

21. COMMUNICATION NO. [2021-414](#)

Mark Hartmann, Blackjack Silver COO requesting Council of Commissioners for their concurrence to make a presentation on August 25, 2021 regarding Blackjack Silver's exploration license application with Montana Department of Environmental Quality Hard Rock Mining Bureau (MDEQ Hard Rock).

*Hold in Abeyance*



22. COMMUNICATION NO. [2021-415](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the agreement between the Natural Resource Damage Program (NRDP) and BSB for fish passages on the lower Basin Creek Reservoir.

[2021-415 Agreement](#)

*Concur and Place on File*

23. COMMUNICATION NO. [2021-416](#)

Karen Sullivan BSB Health Officer requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the agreement between Ramsay School District and the Butte-Silver Bow Health Department provide school nursing services for the 2021-2022 school year.

[2021-416 Agreement](#)

*Concur and Place on File*

24. COMMUNICATION NO. [2021-417](#)

Karen Sullivan BSB Health Officer requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the agreement between Montana Technological University nursing programs and the Butte-Silver Bow Health Department.

[2021-417 Agreement](#)

*Concur and Place on File*

25. COMMUNICATION NO. [2021-418](#)

Karen Sullivan BSB Health Officer 2021-418 requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign the agreement between Montana Department of Public Health and Human Services and the Butte-Silver Bow Health Department.

[2021-418 Amendment](#)

*Concur and Place on File*

26. COMMUNICATION NO. [2021-419](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Purchase and Sale Agreement with MT RJWI Development, LLC for a 20-acre parcel of property in the Montana Connections Business Development Park.

[2021-419 Agreement](#)

*Concur and Place on File*

27. COMMUNICATION NO. [2021-420](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners concurrence and authorization for Chief Executive J.P. Gallagher to sign a Purchase and Sale Agreement with SeaCast of Montana, LLC for a 20-acre parcel of property in the Montana Connections Business Development Park.

[2021-421 Agreement](#)

*Concur and Place on File*



**SECTION 2: ORDINANCES AND RESOLUTIONS FOR FINAL READING**

1.RESOLUTION NO. [2021-25](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS TWENTY (20) AND THE WEST 14.5’ OF LOT TWENTY-ONE (21) OF BLOCK SIX (6) OF THE SMITH & KESSLER ADDITION, LOCATED AT 7 WEST AGATE STREET, PARCEL NO. 323400, IN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO AMY CLINE, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 3: ORDINANCES AND RESOLUTIONS EMERGENCY SUSPENSION OF THE RULES FOR FINAL PASSAGE**

1.RESOLUTION NO. [2021-34](#)

A RESOLUTION SETTING THE 2022 FISCAL YEAR ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

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

**CALENDAR OF OTHER MEETINGS AND EVENTS**

**ADJOURN**

**MEETINGS**

- August 18, 2021, Parking Commission, 3:00 pm, Chief Executive Conference Room
- August 19, 2021, Zoning Board, 5:30 pm, Council Chambers
- August 24, 2021, Urban Revitalization, 8:30 am, 1st Floor Conference Room
- August 25, 2021, South Butte TEDD, 3:30 pm, 1st Floor Conference Room
- August 25, 2021, Local Emergency Planning, 12:00 pm, Butte Justice Center
- August 23, 2021, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.
- August 24, 2021, Port of Montana, 12:00 pm, Hub Center, Silver Bow
- August 26, 2020, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne
- August 26, 2021, Planning Board, 5:30 pm, Council Chambers

**FINANCE & BUDGET COMMITTEE MEETING**

*AUGUST 18, 2021*

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

Expenditure report for the week of August 18, 2021 was reviewed and approved in the amount of \$ \_\_\_\_\_ 2021 and \$ \_\_\_\_\_ 2022.



## REPORTS

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### COMMITTEE OF THE WHOLE REPORT

AUGUST 11, 2021

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:

#### PUBLIC HEARING

1.COMMUNICATION NO. [2021-285](#)

Danette Gleason, Finance & Budget Director requesting Council of Commissioners to refer the Fiscal Year 2022 Preliminary Budget to the Finance & Budget Committee for the July 7, 2021 Finance & Budget Committee meeting.

*Held and Closed*

#### SECTION 2. COMMUNICATIONS

1.COMMUNICATION NO. [2021-131](#)

Ed Lester, Butte-Silver Bow Sheriff requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Memorandum of Understanding (MOU) between Butte-Silver Bow and the Southwest Montana Drug Task Force.

[2021-131 MOU](#)

*Hold in Abeyance*

2.COMMUNICATION NO. [2021-278](#)

John Sorich, BSB Commissioner District 4 requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to invite the different entities that receive funding from Butte-Silver Bow to provide their yearly update of their groups function and what the BSB tax dollars are used for.

*Place on File*

3.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*

4.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*



5.COMMUNICATION NO. [2021-346](#)

Walter Richter, 1238 Grizzly Trail, Butte Mt. requesting Council of Commissioners authorization to purchase the BSB property, described a Portion of the Peterson Placer lying south of the former NPRR R/W Section 20, T3N, R8W. Assessor No. 0001702800.

*Hold in Abeyance*

6.COMMUNICATION NO. [2021-351](#)

Hannah Van Wetter, Foothold Co-Founder, CEO requesting Council of Commissioners consideration to sell the City County vacant lot at the corner of 350 E. Granite Street, legally described as THORNTON ADD, S13, T03 N, R08 W. BLOCK 3 Lot 12, MOONLIGHT - W10' OF LOT 1 BLK 7.

[2021-351 Maps](#)

*Hold in Abeyance*

7.COMMUNICATION NO. [2021-371](#)

Joseph J Willauer, Executive Director of BLDC, requesting Council of Commissioners authorization to conduct a presentation at the request of Chief Executive Gallagher on August 4, 2021, during the Council of Commissioners meeting. The presentation is to discuss successes of the BLDC and Headwaters RC&D.

*Place on File*

8.COMMUNICATION NO. [2021-373](#)

Dori Skrukrud, Project Manager, requesting Council of Commissioners schedule a Bid Opening during the Commissioners Meeting on August 18, 2021, for the Silver Bow Creek Greenway Cattle Bridge, Greenway Service District (GSD) Contract Number 2G-21-01.

*Hold in Abeyance*

9.COMMUNICATION NO. [2021-377](#)

Angela Helvey, 624 W. Galena St., Butte, MT, requesting Council of Commissioners to discuss the fireworks in Butte, including the time and number of days they are allowed.

*Hold in Abeyance*

10.COMMUNICATION NO. [2021-389](#)

Pat Holland, Government Building Manager requesting Council of Commissioners for their concurrence for a bid opening on August 18, 2021 regarding the Butte-Silver Bow Courthouse and LEA Boiler Replacement.

*Hold in Abeyance*

11.COMMUNICATION NO. [2021-390](#)

Pat Holland, Government Building Manager requesting Council of Commissioners for their concurrence for a bid opening on August 18, 2021 regarding the Mother Lode Theater Fire suppression and Annunciation Systems.

*Hold in Abeyance*





## FINANCE & BUDGET COMMITTEE MEETING REPORT

AUGUST 11, 2021

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 August 11, 2021, was reviewed and approved in the amount of \$92,663.82 for 2021 and \$1,713,870.28 for 2022.

### FINANCE AND BUDGET COMMITTEE MEMBERS PRESENT/ ABSENT

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

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## PUBLIC WORKS COMMITTEE MEETING REPORT

AUGUST 11, 2021

6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS  
TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE- SILVER BOW  
COMMISSIONERS

### 1. PETITION NO. [2021-01](#)

Donald Swanson, Land Records Administrator requesting Council of Commissioners authorize a Petition to close and vacate an alleyway has been filed with the Land Records Office of the Planning Department, as provided for and within Ordinance Number 362.

[Petition No. 2021-01 Map](#)

*Hold in Abeyance pending Resolution*

### 2. COMMUNICATION NO. [2020-139](#)

Brendan, McDonough, Commissioner District 8 requesting Council of Commissioners to consider that a speed study be conducted by the Montana Department of Transportation on Highway 2 from the nine-mile to Pipestone Pass. With the upcoming recreational season approaching, I ask that a study and decision be made in a timely manner to address the safety concerns for the spring and summer season.

*Hold in Abeyance pending Public Hearing*



4.COMMUNICATION NO. [2021-245](#)

Eric Mankins, Commissioner District 9 requesting Council of Commissioners to have the Public Works Committee consider a speed study be conducted by the Montana Department of Transportation on Iron Street (Exit and Entrance) both east and west bound traffic.

*Hold in Abeyance*

5.COMMUNICATION NO. [2021-245](#)

Eric Mankins, Commissioner District 9 requesting Council of Commissioners to have the Public Works Committee consider a speed study be conducted by the Montana Department of Transportation on Iron Street (Exit and Entrance) both east and west bound traffic.

*Hold in Abeyance*

6.COMMUNICATION NO. [2021-388](#)

Michele Shea, Commissioner District 2 requesting Council of Commissioners for a stop sign on behalf of Diane Jordan a District 2 resident, at the corner of Harvard and Meade. Mrs. Jordan has witnessed speeding and other violations at this intersection and requests a stop sign to solve these issues.

*Hold in Abeyance*

<u>PUBLIC WORKS COMMITTEE</u>	<u>PRESENT/ABSENT</u>
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Jim Fisher, Chairman	A
Eric Mankins, Vice Chairman	P
Dan Callahan	P
John Sorich	P
Justin Fortune	P
Josh O’Neill	P
Mark Neary    Guest	P

**JUDICIARY COMMITTEE MEETING REPORT**

*AUGUST 11, 2021*

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

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

1.RESOLUTION NO. [2021-25](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOTS TWENTY (20) AND THE WEST 14.5’ OF LOT TWENTY-ONE (21) OF BLOCK SIX (6) OF THE SMITH & KESSLER ADDITION, LOCATED AT 7 WEST AGATE STREET, PARCEL NO. 323400, IN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO AMY CLINE, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*Move to Final Reading*



Name	Amount	Reason	Approved	
GALLATIN ENERGY CORPORATION	\$50.00	OVERPAID FOR PLAN REVIEW AND SEPTIC PERMIT	YES	
MARIO SCHONSBERG	\$525.00	REFUND 80% BUILDING PERMIT	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

