

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING AGENDA
WEDNESDAY, NOVEMBER 8, 2023
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

REPORT OF THE CHAIR

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

PRESENTATIONS

1.COMMUNICATION NO.[2023-548](#)

Jim Fisher, Commissioner District 6, requesting BSB Community Development Director, Karen Byrnes and/or Chief Executive, JP Gallagher present to BSB Council on Nov. 8, 2023, an update on the Courthouse restroom project.

2.COMMUNICATION NO.[2023-549](#)

Michele Shea, Commissioner District 2, requesting time at the November 8, 2023, Committee of the Whole meeting for the NRDP to make a presentation to the Butte-Silver Bow Council of Commissioners.

SECTION 2: COMMUNICATIONS

1.COMMUNICATION NO. [2023-436](#)

Jim Fisher, Commissioner District 6, requesting a resolution to be considered for expressing the policy of Butte-Silver Bow regarding Consent Decree commitments, communications, and public transparency.

[CLEAN 2023-436](#)

[REDLINE 2023-436](#)

[LETTER 2023-436](#)

2. COMMUNICATION NO. [2023-508](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed amendments to the South Butte Targeted Economic Development District Plan.



3. COMMUNICATION NO. [2023-509](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed amendments to the Butte Uptown Renewal District Plan.

4. COMMUNICATION NO. [2023-510](#)

Krista Rosa, Economic Development Coordinator, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, to hear public comment on the proposed creation of the Montana Connections Targeted Economic Development District.

5. COMMUNICATION NO. [2023-512](#)

Morgan Maccione, Program Director of The Clark Chateau, requesting Council of Commissioners approval to hold a Public Hearing on November 1, 2023, regarding amending the FY2024 budget to allow for unanticipated revenue to the Clark Chateau budget.

6. COMMUNICATION NO. [2023-529](#)

Josh Bryson, Atlantic Richfield Company Liability Manager, requesting time at the November 1, 2023, Council of Commissioners regular meeting to present an update on Butte Priority Soils Operable Unit Remedial Design and Remedial Action progress.

7. COMMUNICATION NO. [2023-536](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners concurrence to hold a public hearing for unanticipated revenue for the Health Department on November 15, 2023, for the purpose of amending the fiscal year 2023-2024 budget to allow for increased expenditures of unanticipated revenue resulting from receiving a contract with the National Alliance of State and Territorial AIDS Directors (NASTAD).

8. COMMUNICATION NO. [2023-539](#)

Jim Keenan, Water Treatment Chief Operator, requesting Council of Commissioners concurrence to schedule a bid opening for December 6, 2023 for the Landscape Restoration of the Basin Creek Watershed- Fuel Reduction Phase III

9. COMMUNICATION NO. [2023-548](#)

Jim Fisher, Commissioner District 6, requesting BSB Community Development Director, Karen Byrnes and/or Chief Executive, JP Gallagher present to BSB Council on Nov. 8, 2023, an update on the Courthouse restroom project.

10. COMMUNICATION NO. [2023-549](#)

Michele Shea, Commissioner District 2, requesting time at the November 8, 2023, Committee of the Whole meeting for the NRDP to make a presentation to the Butte-Silver Bow Council of Commissioners.



PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

ADJOURN

MEETINGS

FINANCE AND BUDGET COMMITTEE MEETING

NOVEMBER 8, 2023

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Expenditure report for the week of November 8, 2023, was reviewed and approved in the amount of \$_____ for FY 2023.

PUBLIC WORKS COMMITTEE MEETING

NOVEMBER 8, 2023

6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1. PETITION NO. [2023-01](#)

Dave Aguirre, BSB Land Records Coordinator, has a petition that was filed with the Land Records Office to close and vacate for a platted and undeveloped portion of the Discovery Drive located in Section 25, Township 03 North, Range 08 West Principal Meridian Montana, Butte-Silver Bow City -County, Montana. The Right of Way is adjacent to lot 7 of the Copper Peaks Subdivision Phase 1 (Plat 264-B) and Lot 6 of the amended plat of the Copper Peaks Subdivision Phase 1 (Certificate of Survey 1078B-RB). See the attached map.

JUDICIARY COMMITTEE MEETING

NOVEMBER 8, 2023

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1. COUNCIL BILL NO. [2023-06](#)

ORDINANCE NO [2023-06](#)

AN ORDINANCE PROVIDING FOR THE REAPPORTIONMENT OF COUNCIL OF COMMISSIONER DISTRICTS BASED UPON THE 2020 DECENNIAL UNITED STATES CENSUS; REPLACING ORDINANCE 13-11 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

2. COUNCIL BILL NO. [2023-07](#)

ORDINANCE NO [2023-07](#)

AN ORDINANCE AMENDING CHAPTER 2.88 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) AND ENTITLED "ANIMAL SERVICES BOARD"; AND SPECIFICALLY AMENDING SECTIONS 2.88.010, 2.88.020, 2.88.030, AND 2.88.040 OF THE B-SB MC AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



3. COUNCIL BILL NO. [2023-08](#)

ORDINANCE NO [2023-08](#)

AN ORDINANCE AMENDING CHAPTER 2.87 ENTITLED “COMMUNITY ENRICHMENT DEPARTMENT” SPECIFICALLY CHANGING THE TITLE TO ANIMAL SERVICES DEPARTMENT AND AMENDING SECTION 2.87.010, 2.87.020, 2.87.030, AND 2.87.040, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4. COUNCIL BILL NO. [2023-09](#)

ORDINANCE NO [2023-09](#)

AN ORDINANCE AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT, AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT AND AMENDING THE SOUTH BUTTE INDUSTRIAL TARGETED ECONOMIC DEVELOPMENT DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. COUNCIL BILL NO. [2023-10](#)

ORDINANCE NO [2023-10](#)

AN ORDINANCE ESTABLISHING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT, CREATING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT AND ADOPTING THE MONTANA CONNECTIONS TARGETED ECONOMIC DEVELOPMENT DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROVISION PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODE ANNOTATED, AND PROVIDING AN EFFECTIVE DATE HEREIN.

6. COUNCIL BILL NO. [2023-11](#)

ORDINANCE NO [2023-11](#)

AN ORDINANCE AMENDING THE BUTTE UPTOWN URBAN RENEWAL AREA, AMENDING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT AND AMENDING THE BUTTE UPTOWN URBAN RENEWAL DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED AND PROVING FOR AN EFFECTIVE DATE HEREIN

7. RESOLUTION NO. [2023-58](#)

A RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF AIRPRO INC EXHAUST REMOVAL SYSTEM FOR THE CITY-COUNTY OF BUTTE-SILVER BOW, FIRE DEPARTMENT, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



8. RESOLUTION NO. [2023-59](#)

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 FROM RECEIVING A CONTRACT FOR PARENTS AS TEACHERS PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

9. COUNCIL BILL NO. [2023-12](#)

ORDINANCE NO. [2023-12](#)

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) TO BE NUMBERED 6.28 AND TO BE ENTITLED “BEEKEEPING”, REPEALING SECTION 6.12.040 OF THE B-SB MC, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

10. RESOLUTION NO. [2023-61](#)

[2023-61 Exhibit A](#)

[2023-61 Exhibit B](#)

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF RADIUM STREET AND A PORTION OF THE TWO ADJACENT ALLEWAYS ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST AND DEPICTED ON THE PROPOSED CERTIFICATE OF SURVEY ATTACHED AS EXHIBIT “A” FINDING THE NECESSARY FACTS HEREIN AND PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION.

Name	Amount	Reason	Approved	
JESSE WEST	\$200.00	REFUND DEMO BUILDING		
BOON CAPITAL CORP	\$2105.93 \$16.68	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN PARCEL #0000900700 INTEREST ON ASSIGNMENT		
LAURIE RAYMOND	\$1,000.00	REFUND RIGHT OF WAY TO REPLACE TAP WATER		



SANDAR MCCROREY	\$66,300.00	TAX DEED AUCTION SURPLUS DISTRIBUTION – 427 NORTH WASHINGTON ST		
TOM MULCAHY	\$1000.00	REFUND BOND - CANCELLED RIGHT OF WAY JOB		
PAUL STANTON	1,889.50	REFUND OF BOND A		

REPORTS

ECONOMIC DEVELOPMENT COMMITTEE MEETING REPEORT

NOVEMBER 1, 2023

6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Discussed:

- Discussed House Bill 819
- Discussed Energy for America Program, to push local contractors
- Dowdle Puzzles

<u>Committee Members</u>	<u>Present /Absent</u>
John Riordan, Chair	P
Josh O’Neill, Vice Chair	P
Eric Mankins	A
Justin Fortune	A
Tommy Walker	P
Hattie Thatcher	P
Shawn Frederickson	P



FINANCE & BUDGET COMMITTEE MEETING REPORT

*NOVEMBER 1, 2023 7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS
TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW
COMMISSIONERS*

Ladies and Gentlemen,

We, your Committee of the Finance and Budget Committee, respectfully recommend as follows:
Expenditure report for the week November 1, 2023, was reviewed and approved in the amount of
\$996,254.08 for FY 2024.

<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	A

