

B. COMMUNICATIONS

1. 08.130 Rick Larson, Health Department, regarding awarding of low quotes for attic dust removal to J & K Enterprises.
Recommendation: concur and place on file.
2. 08-131 Rob Macioroski, Director Butte-Silver Bow Land Office, regarding Melrose Cemetery reference to Council Communication No. 07-201. **Recommendation: refer to County Attorney for Resolution and deed and hold in Committee of the Whole.**
3. 08-132 LeRoy Cottom, Chair of Library Board of Trustees, regarding condition of the Butte-Silver Bow Public Library Roof.
Recommendation: deny and place on file. Have good Estimate included in 08-09 budget request.
4. 08-133 Rocko Mulcahy, Commissioner District 12, requesting an evaluation be conducted to determine needed road improvements throughout general areas of Brown's Gulch. **Recommendation: refer to the Public Works Committee.**
5. 08-134 Rocko Mulcahy, Commissioner District 12, requesting communication be referred to the Public Works Committee to address concerns about the South Rocker Road.
Recommendation: refer to Public Works Committee.
6. 08-135 Rocko Mulcahy, Commissioner District 12, requesting communication be referred to the Public Works Committee to address concerns submitted by the Rocker Ladies Auxiliary.
Recommendation: refer to the Public Works Committee.
7. 08-136 Rocko Mulcahy, Commissioner District 12, requesting communication be referred to the Public Works Committee to evaluate Battle Ridge Road for needed maintenance and improvements. **Recommendation: refer to Public Works Committee.**
8. 08-137 Rocko Mulcahy, Commissioner District 12, requesting communication be referred to Public Works Committee to address concerns about the South Rocker Road and Santa Clause Road. **Recommendation: refer to Public Works Committee.**
9. 08-138 Karen Byrnes, Director URA, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**

10. 08-140 John Van Daveer, Director, regarding bid award recommendations for preparation of stream banks and installation of bridges. **Recommendation: concur and place on file.**
11. 08-141 John VanDaveer, Director Public Works Department, requesting time on the 3/12/08 agenda to conduct a bid opening for supplying one 2007/2008 tandem cab and chassis. **Recommendation: schedule bid opening and hold in Committee of the Whole.**
12. 08-142 John P. Walsh, Sheriff, requesting closure of east half of parking lot at Park and Dakota streets for placing mobile emergency communications vehicle in that location for 3/17/08. **Recommendation: concur and place on file**
13. 08-143 Jon Sesso, Planning Director, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
14. 08-144 Mary M. McMahon, Clerk and Recorder and Election Administrator, regarding Rocker Water and Sewer District elections by acclamation. **Recommendation: concur and place on file.**
15. 08-145 Mary M. McMahon, Clerk and Recorder and Election Administrator, requesting concurrence of 2008 Volunteer Fire Department trustee filing. **Recommendation: concur and place on file.**
16. 08-146 John M. Moodry, Weed Department, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
17. 08-147 Wally Frasz, Commissioner District #6, requesting a traffic study be done where Rowe Road turns into Holmes Avenue and also the intersection of Lexington and Rowe Road. **Recommendation: refer to the Public Works Committee.**
18. 08-148 John P. Walsh, Sheriff, regarding award of contract for digital Upgrade of existing analog CCTV system to a digital system at the Butte-Silver Bow Detention Center. **Recommendation: concur and place on file.**
19. 08-149 John P. Walsh, Sheriff, requesting time on the 3/19/08 agenda to conduct a public hearing to receive comment on the application for the Justice Assistance Grant (JAG) Program. **Recommendation:**

schedule public hearing and hold in Committee of the Whole.

21. 08-150 Lee Phillips, Library Director, requesting authorization for Chief Executive to sign agreement with Libline for installation of Integrated library system service contract. **Recommendation: concur and place on file.**
22. 08-151 Rob Macioroski, Director Butte-Silver Bow Land Office, requesting County Attorney's office be requested to prepare the resolution and deed for transfer of the co-owned property to Ron and Belle Ingram. **Recommendation: request County Attorney to prepare the resolution and deed and hold in Committee of the Whole.**
23. 08-152 Dawn Silk, Water Division Accountant, requesting authorization for Chief Executive to sign agreement for extension of water service plan for Jack McLeod. **Recommendation: concur and place on file.**
24. 08-154 Lee Phillips, Librarian, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
25. 08-155 John P. Walsh, Sheriff, requesting conditional offer of employment to Kyle Barsness for police officer position. **Recommendation: concur and place on file.**
26. 08-156 Karen Byrnes, Community Development Director, requesting authorization for Chief Executive to enter into contract with Community Development Block Grant Program for an Economic Development Grant. **Recommendation: concur and place on file.**
27. 08-157 Rick Larson, Health Department Director, requesting authorization for Chief Executive to submit a letter of attestation. **Recommendation: concur and place on file.**
28. 08-158 Marty Alexander, Supervisor Government Buildings, requesting authorization for Chief Executive to sign contract with Custom Floors. **Recommendation: concur and place on file.**
29. 08-159 Marty Alexander, Supervisor Government Buildings, requesting authorization for Chief Executive to sign contract with Ingraham Environmental, Inc. **Recommendation: concur and place on file.**

30. 08-160 John C. VanDaveer, Public Works Director, requesting time on the 3/12/08 agenda to conduct a bid opening for the high service water tank construction. **Recommendation: schedule bid opening and hold in Committee of the Whole.**
31. 08-161 Paul Babb, Chief Executive, requesting concurrence in appointment of Mark Moodry to the Tax Increment FinancingT Industrial District Board. **Recommendation: concur and place on file.**
32. 08-162 Steve Hess, Assistant Planning Director, requesting approval of MSE Minor Subdivision – Summary Review and authorize the Chief Executive to sign the final plat. **Recommendation: concur And place on file.**
33. 08-163 Rocko Mulcahy, Commissioner District #12, requesting communication be referred to the Committee of the Whole to request a staff report on final reports tied to the audit process by Newland and Company. **Recommendation: refer to Committee Of the Whole.**
34. 08-164 Traci L. O’Neil, Executive Director Mining Museum, requesting time on the 3/12/08 agenda for a presentation regarding a request for funding to complete Miners Memorial Wall/Garden: Butte Silver Bow’s Hard Rock Mining Trust Fund. **Recommendation: refer to Committee of the Whole.**
35. 08-165 Cindy Mc Ilveen, Planning Department, requesting approval for a contract modification for the Big Butte Land Acquisition Grant with the Natural Resource Damage Program. **Recommendation: concur and place on file.**
36. 08-166 Archives Construction Technical Review Committee, requesting Authorization for Chief Executive to sign contract with A & E Architects, Inc., to perform architectural and engineering services For the Archives Construction Project. **Recommendation: concur and place on file.**

SECTION IV COMMUNICATIONS TO BE READ & ACTED UPON

1. 08-139 Irme Ratatics, requesting time on the 3/5/08 agenda in regards to the property on the streets of Mercury, Curtis and Ohio
2. 08-167 Jon C. Sesso, Planning Director, requesting concurrence for staff presentation of 3/5/08 to host a public meeting 3/12/08 and to authorize submission of project proposals to Montana's 2008 Natural Resource Damage Program.

SECTION V ORDINANCES AND RESOLUTIONS - REFERRED TO JUDICIARY

1. COUNCIL RESOLUTION NO. 08-9

A RESOLUTION SUPPORTING THE REQUEST OF ROBERT GEE, REGISTERED AGENT FOR SUMMIT VALLEY AUTO SALVAGE, INC., A MONTANA CORPORATION, FOR A MOTOR VEHICLE WRECKING FACILITY TO BE LOCATED AT 705 E. IRON STREET, BUTTE, MONTANA WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 08-10

A RESOLUTION CALLING FOR AN ELECTION ON THE CONTINUATION OF THE IMPOSITION OF A 1.34 MILL LEVY TO BE ADJUSTED ANNUALLY TO RAISE AT LEAST \$65,000.00 FOR ECONOMIC DEVELOPMENT PURPOSES FOR A FOUR YEAR PERIOD BEGINNING IN FISCAL YEAR 2008 – 2009 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. 08-11

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 REVENUE TO THE BUTTE-SILVER BOW HEALTH DEPARTMENT FROM THE MONTANA STATE DEPARTMENT OF HEALTH AND HUMAN SERVICES, MONTANA COMPREHENSIVE CANCER CONTROL PROGRAM TO BE EXPENDED IN THE BUTTE-SILVER BOW HEALTH DEPARTMENT FUND FOR THE PURPOSE OF IMPLEMENTING COMPREHENSIVE CANCER PREVENTION AND CONTROL ACTIVITIES. .

4. COUNCIL RESOLUTION NO. 08-12

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 BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE MONTANA STATE HISTORIC PRESERVATION OFFICE TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND FOR THE PURPOSE OF A DO-IT-YOURSELF HISTORIC PRESERVATION WORKSHOP SERIES PLANNED AND IMPLEMENTED BY BUTTE CITIZENS FOR PRESERVATION AND REVITALIZATION AND PROVIDING FOR AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. COUNCIL RESOLUTION NO. 08-13

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 BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE ENVIRONMENTAL PROTECTION AGENCY TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND FOR THE PURPOSE TO PROVIDE EQUIPMENT AND FINANCIAL SUPPORT TO THE GREENHOUSE NURSERY HARDENING FACILITY ON THE MONTANA TECH CAMPUS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. COUNCIL RESOLUTION NO. 08-14

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 BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE NATURAL RESOURCE DAMAGE PROGRAM TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND FOR THE PURPOSE TO CONTINUE WORK ALONG THE SILVER BOW CREEK GREENWAY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

7. COUNCIL RESOLUTION NO. 08-15

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 BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT FROM THE MONTANA STATE HISTORIC PRESERVATION OFFICE TO BE EXPENDED IN THE COMMUNITY DEVELOPMENT FUND FOR THE PURPOSE TO EDIT A SPECIAL ISSUE OF DRUMLUMMON VIEW BUTTE-ANACONDA ON-LINE ARTS AND CULTURE JOURNAL, PLANNED AND IMPLEMENTED BY THE MONTANA PRESERVATION ALLIANCE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

8. COUNCIL RESOLUTION NO. 08-17

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE MSE MINOR SUBDIVISION – SUMMARY REVIEW 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.

**SECTION VI ORDINANCES AND RESOLUTIONS –
SUSPENSION OF THE RULES**

1. COUNCIL RESOLUTION NO. 08-16

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 BUTTE-SILVER BOW HEALTH DEPARTMENT FROM THE MONTANA STATE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, ADDICTIVE AND MENTAL DISORDERS DIVISION, TO BE EXPENDED IN THE BUTTE-SILVER BOW HEALTH DEPARTMENT FUND FOR THE PURPOSE OF DEVELOPMENT AND IMPLEMENTATION OF EVIDENCED-BASED ENVIRONMENTAL PREVENTION EFFORTS TO ADDRESS LIFESPAN BINGE DRINKING WITH AN EMPHASIS ON YOUTH, AND LIFESPAN DRINKING AND DRIVING WITH AN EMPHASIS ON YOUTH

SECTION VII**CALENDAR OF OTHER MEETINGS AND EVENTS**

Mar. 6	Archives	Noon	Archives Center
Mar. 12	Fair Board	5:30 PM	Business Development Center
Mar. 12	Law Enforcement Commission	4PM	Chief Executive's Conference Room
Mar. 12	Library	5PM	Library Building
Mar. 17	Airport Authority	Noon	Bert Mooney Airport
Mar. 18	Housing Authority	5:30 PM	Silver Bow Housing
Mar. 18	Parks and Recreation	4:15 PM	Civic Center Conference Room
Mar. 19	Community Enrichment Committee	3:30 PM	1st Floor Conference Room
Mar. 19	Parking Commission	4PM	Chief Executive's Conference Room
Mar. 19	Technical Review Committee	1:30 PM	Water Co. Building

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COMMITTEE OF THE WHOLE MEETING REPORT

FEBRUARY 27, 2008

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

Ms Shaw and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I PUBLIC HEARING

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING THE ALLOCATION OF GRANT FUNDS FROM THE NATURAL RESOURCE DAMAGE GRANT PROGRAM, THE MONTANA HISTORIC PRESERVATION OFFICE AND THE ENVIRONMENTAL PROTECTION AGENCY. Grant awarded to Greenway Service District. (Communication No. 08-79 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Dori Skrukrud, Community Development, said the first public hearing is to allow budget authority for \$225,000 until the beginning of the next fiscal year. The overall project grant was in the amount of 2.1 million dollars. Chairman O'Leary opened the public hearing at 7:32PM and called for proponents. On the third and final call there being none, he called for opponents. Again, there was no response so he closed the public hearing at 7:33 PM.

SECTION II PUBLIC HEARING

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING THE ALLOCATION OF GRANT FUNDS FROM THE NATURAL RESOURCE DAMAGE GRANT PROGRAM, THE MONTANA HISTORIC PRESERVATION OFFICE AND THE ENVIRONMENTAL PROTECTION AGENCY. Grant awarded to Montana Heritage Preservation and Education and Training Initiative Funds (Communication No. 08-80 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

Dori Skrukrud again came to the microphone and said Section II is related grant funding from the Montana State Historic Preservation Office for a local project. It's a Do-It-Yourself Historic Preservation Workshop Series. The total project is about a \$10,000 project to conduct these public meetings and workshops. Chairman O'Leary then opened the public hearing at 7:34 PM and called for Proponents. On the third and final call there being none, he called for opponents. Again, there was no response so he closed the public hearing at 7:35 PM.

SECTION III PUBLIC HEARING

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING THE ALLOCATION OF GRANT FUNDS FROM THE NATURAL RESOURCE DAMAGE GRANT PROGRAM, THE MONTANA HISTORIC PRESERVATION OFFICE AND THE ENVIRONMENTAL PROTECTION AGENCY. Montana Heritage Preservation and Education & Training Initiative funds. (Communication No. 08-81 being held in Committee of the Whole. **Proof of publication was noted and placed on file.**

Dori Skrukrud said this is in regards to a second grant. The State Historic Preservation Office has granted \$8,000.00 for this project. Chairman O'Leary opened the public hearing at 7:36 PM and called for any proponents. On the third and final call there being none he called for proponents. Again there was no response so he closed the public hearing at 7:37 PM.

SECTION IV PUBLIC HEARING

FOR THE PURPOSE TO SOLICIT COMMENTS REGARDING THE ALLOCATION OF GRANT FUNDS FROM THE NATURAL RESOURCE DAMAGE GRANT PROGRAM, THE MONTANA HISTORIC PRESERVATION OFFICE AND THE ENVIRONMENTAL PROTECTION AGENCY. Grant awarded to Butte Native Plant Propagation Nursery Programs funds. (Communication No. 08-82 being held in Committee of the Whole. **Proof of publication was noted and placed on file.**

Dori Skrukrud said this is in regard to funds that have been awarded to the Butte Native Propagation Nursery Program in the amount of \$30,000. This grant will provide equipment and financial support the greenhouse nursery at Montana Tech Campus. Chairman O'Leary they opened the public hearing at 7:37PM and called for any proponents. On the third and final call there being none, he then called for opponents. Again, there was no response so he closed the public hearing at 7:38PM.

SECTION V PUBLIC HEARING

FOR THE PURPOSE TO CONSIDER A REQUEST BY LORI MALONEY, CLERK OF DISTRICT COURT FOR ADDITIONAL BUDGETARY AUTHORITY TO MAKE AN EARLY HIRE TO REPLACE A RETIRED EMPLOYEE. (Communication No. 08-105 being held in Committee of the Whole) **Proof of publication was noted and placed on file.**

SECTION X**COMMUNICATION NO. 08-80**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on an amendment to the 07-08 budget for expenditure of grant funds to the Montana Historic Preservation Office. *Committee recommends that Communication No. 08-80 be placed on file.*

SECTION XI**COMMUNICATION NO. 08-81**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on an amendment to the 07/08 budget for expenditure of grant funds to the Montana Historic Preservation Office. *Committee recommends that Communication No. 08-81 be placed on file.*

SECTION XII**COMMUNICATION NO. 08-82**

Karen Byrnes, Community Development Department Director, requesting time on the 2/27/08 agenda to conduct a public hearing on an amendment to the 07/08 budget for expenditure of grant funds to the Environmental Protection Agency. *Committee recommends that Communication No. 08-82 be placed on file.*

SECTION XIII**COMMUNICATION NO. 08-89**

John VanDaveer, Public Works Director, requesting time on the 2/20/08 agenda to conduct a bid opening for preparation of streambanks and installation of bridges for Thompson Park. *Committee recommends that Communication No. 08-89 be placed on file.*

SECTION XIV**COMMUNICATION NO. 08-90**

John Walsh, Sheriff, regarding DUI Task Force Annual Report/Plan. *Committee recommends that Communication No. 08-90 be held in abeyance.*

SECTION XV**COMMUNICATION NO. 08-92**

Rick Larson, Director of Public Health, requesting time on the 2/20/08 agenda to conduct a public hearing to hear comments for unanticipated revenue for the Health Department. *Committee recommends that Communication No. 08-92 be placed on file.*

