

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA**

April 21, 2010

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL _____

PRAYER _____

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING, APRIL 7, 2010 AND
THE SPECIAL MEETING OF APRIL 14, 2010.**

ITEMS NOT ADDRESSED ON THE AGENDA _____

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

CHIEF EXECUTIVE'S REPORT _____

SECTION I CONSENT AGENDA

- A.**
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 3. JUDICIARY COMMITTEE MEETING REPORT
 4. PUBLIC WORKS COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. 10-197 Troy Hansen, Misdemeanor Probation Officer, requesting Council's authorization for the Chief Executive to sign an agreement with Community Counseling and Correctional Services (CCCS) for urinalysis testing of individuals sentenced to Misdemeanor Probation. **Recommendation: Concur and place on file.**
2. 10-198 Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
3. 10-199 Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization for the Chief Executive to sign contracts for the maintenance of six copiers. **Recommendation: Concur and place on file.**
4. 10-202 Jack Whelan, Carnival Chairman, American Legion Silver Bow Post #1, requesting Council's authorization for waiver of license fees and charges for a carnival sponsored by the American Legion Silver Bow Post #1 on May 17, 2010. **Recommendation: Concur and place on file.**

5. 10-203 Ellen Crain, Manager Butte-Silver Bow Archives, requesting Council's authorization to close the Archives April 26, 2010 in order to pack and move the Archives to the new building and to reopen by July, 2010. **Recommendation: Concur and place on file.**
6. 10-204 Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
7. 10-205 Gary Keeler, Transit and Landfill Coordinator, requesting Council's authorization of budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
8. 10-206 Rick Larson, Operations Manager-Utilities Division, Butte-Silver Bow Public Works Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
9. 10-207 Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
10. 10-208 Dave Cunningham, Operations Manager Butte-Silver Bow Public Works, Services Division, requesting Council's authorization for the Chief Executive to sign a contract with ThinkOne for a Change Order regarding Clark Park's Splash Park. **Recommendation: Concur and place on file.**
11. 10-210 Paul Babb, Chief Executive, requesting Council's concurrence in appointments to the Airport Authority Board. **Recommendation: Concur and place on file.**
12. 10-211 Theresa Hocking, Director of Butte-Silver Bow Public Health Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Department.**
13. 10-212 Requesting Council's authorization of appointments to the ad hoc committee to study the request from the World Museum of Mining to transfer their property to Butte-Silver Bow. **Recommendation: Concur and place on file.**
14. 10-214 Roger Ebner, Coordinator, Emergency Management Services, requesting Council's authorization for the Chief Executive to sign a Satellite Communication Service Agreement with GlobaFone Inc. for satellite telephone capability. **Recommendation: Concur and place on file.**
15. 10-215 Dan Dennehy, Director Butte-Silver Bow Public Works Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**

16. 10-216 Theresa Hocking, Director Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign seven contracts with the Montana Department of Public Health and Human Services. **Recommendation: Concur and place on file.**
17. 10-217 James Manning, Chairperson, Greenway Service District Management Board, requesting Council's authorization for the Greenway Service District to accept a donation of real property owned by ARCO Environmental Remediation, L.L.C. **Recommendation: Concur and place on file.**
18. 10-218 Paul Babb, Chief Executive, requesting Council's concurrence in his reappointments to the Historic Preservation Board. **Recommendation: Concur and place on file.**
19. 10-219 Paul Babb, Chief Executive, requesting Council's concurrence in his reappointments to the Greenway Authority Board. **Recommendation: Concur and place on file.**
20. 10-220 Paul Babb, Chief Executive, requesting Council's concurrence in his reappointment to the Butte-Silver Bow Fire Commission. **Recommendation: Concur and place on file.**
21. 10-221 Dan Dennehy, Director, Public Works, informing Council a bid opening will be conducted on Tuesday, April 27, 2010 for the replacement of water distribution mains at various locations within Butte-Silver Bow. **Recommendation: Note and place on file.**
22. 10-222 Dan Dennehy, Director, Public Works, requesting Council authorize a reallocation of Machinery and Equipment funds to use surplus money to purchase a pickup truck for the Public Works Department. **Recommendation: Refer to Finance and Budget Committee.**
23. 10-223 Dan Dennehy, Director, Public Works, requesting Council review sign usage guidelines to better discuss placement of Children at Play signs. **Recommendation: Refer to Public Works Committee.**
24. 10-224 Robert Macioroski, Director, Land Records Office, Request for authorization to issue request for proposals for the redevelopment of Butte-Silver Bow owned property located at 1508 Dunn Avenue, City of Walkerville, Montana. **Recommendation: Concur and place on file.**
25. 10-225 Bob Boone, Engineering Technician, Public Works, informing Council of a bid opening for the Grand Avenue water line replacement project conducted on April 13, 2010 and the determination that Northwest Pipe Fittings, Inc. of Butte Montana is the successful bidder. **Recommendation: Concur and place on file.**

26. 10-226 Paul Babb, Chief Executive, requesting Council's concurrence in his reappointments to the Public Archives Board. **Recommendation: Concur and place on file.**
27. 10-227 Paul Babb, Chief Executive, requesting Council's concurrence in his reappointments to the Butte-Silver Bow Fair Board. **Recommendation: Concur and place on file.**
28. 10-228 Jim Jarvis, Historic Preservation Officer, Planning Department, requesting Council's authorization for the Chief Executive to sign an agreement with the Montana Department of Commerce to accept HB 645 grant funds to restore buildings at the Original Mine Yard. **Recommendation: Concur and place on file.**
29. 10-229 Roger Ebner, Coordinator, Emergency Management Services, requesting Council's authorization for a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
30. 10-230 Rick Larson, Operations Manager, Public Works/Utility Division, requesting Council's authorization for a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
31. 10-231 Jon Sesso, Director, Butte-Silver Bow Planning Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
32. 10-232 Karen Byrnes, Community Development Director, requesting Council's permission to hold a public hearing on May 5, 2010 to discuss the CDBG Public Facilities Grant Application for the Emma Park Neighborhood Center. **Recommendation: Concur and schedule public hearing for May 5, 2010.**
33. 10-234 Rick Larson, Operations Manager/Utility Division, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to amend the agreement for professional services with Pioneer Technical Services, Inc. **Recommendation: Concur and place on file.**
34. 10-235 Rick Larson, Operations Manager/Utility Division, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to sign an agreement with LeProwse Construction for the purpose of sidewalk replacement work in Uptown Butte. **Recommendation: Concur and place on file.**
35. 10-236 Kristen Rosa, TIFID Administrator, requesting Council's authorization for the Chief Executive to sign an MOU with the Greenway Service District. **Recommendation: Concur and place on file**

36. 10-237 Robert Macioroski, Director Butte-Silver Bow Land Records Office, requesting Council's acceptance of the Park Street Properties Proposal for the Bell Diamond Mine Yard and instruct the City-County staff to draft a lease agreement and commence negotiations with Park Street Properties. **Recommendation: Concur and place on file.**
37. 10-238 Dave Palmer, member, Our Lady of the Rockies Board of Directors, requesting Council's reaffirmation to the "Our Lady of the Rockies Tram Project" and allow the \$2.7 million from the Woodville Hill Fund to remain set aside to be used as a loan guarantee for the Tram Project. **Recommendation: Concur and place on file.**
38. 10-239 Josh Peck, special Events Coordinator, Mainstreet Butte, requesting Council's authorization to replace the Special Events and Mine Yard Use Form and to create a simplified street closure form for exempt organizations and groups under 500 to temporarily close a street. **Recommendation: Refer to the Committee of the Whole.**
39. 10-240 Kurt Krueger, District Court Judge, requesting Council's approval of an application and the submission of the Butte-Silver Bow Department of Health and Butte-Silver Bow Family Drug Court's Grant request to be submitted to SAMHSA. **Recommendation: Concur and place on file.**
40. 10-241 Mitchell Booth, 1501 N Excelsior Ave., requesting council's authorization of a land claim under "Adverse Possession" and for Council's assistance with problems with the Sherriff's Department and City Police and a potential lawsuit. **Recommendation: Hold in the Committee of the Whole and refer to the Land Sales Committee and the County Attorney.**
41. 10-242 Julie Ahern, Carol Link, Noorjahan Parwana and Sherry Vogel, requesting Council's authorization to lease Butte-Silver Bow land in the 600 block of West Part to create a community garden. **Recommendation: Refer to the Committee of the Whole.**
42. 10-243 Jeff Miller, Director of Fire Services, Butte-Silver Bow Fire Department, requesting Council's authorization to hold a public hearing May 5, 2010 to receive public comment regarding the donation of a surplus fire apparatus from the Home Atherton Volunteer Fire Department. **Recommendation: Concur and schedule public hearing for May 5, 2010.**

SECTION II

COMMUNICATIONS TO BE READ AND ACTED UPON

1. 10-200 Sheriff John P. Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's confirmation of Probationary Police Officer Brian Sullivan as a permanent member of the Butte-Silver Bow Law Enforcement Department.
2. 10-209 Bill Brown, Elizabeth Kidwell and Mary Janacaro-Hensleigh, requesting Council's authorization of the donation of four sets of used bleachers from the Butte Civic Center to be used in the Whitehall Community

3. 10-213 Paul Babb, Chief Executive, requesting Council's concurrence in the confirmation of Mr. Derek Harvey as a Firefighter with The Butte-Silver Bow Fire Department.
4. 10-233 Bob Rowling, Superintendent Parks and Recreation Department, requesting Council's concurrence that the Little Guy Football Fields at Copper Mountain Park be named "George Paul Little Guy Football Fields".

SECTION III **SUSPENSION OF THE RULES
FOR FINAL PASSAGE**

1. **COUNCIL RESOLUTION NO. 10-38**

A RESOLUTION OF INTENT TO DONATE A FIRE APPARATUS, A 1976 FORD 8000 PUMPER, TO THE ELK PARK VOLUNTEER FIRE DEPARTMENT, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION IV **ORDINANCES AND RESOLUTIONS –
REFERRED TO JUDICIARY**

1. **COUNCIL RESOLUTION NO. 10-31**

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.

2. **COUNCIL RESOLUTION NO. 10-37**

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 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION. THE REVENUE IS THE RESULT OF UNSPENT FUNDS FROM THE PRIOR YEAR.

3. **COUNCIL RESOLUTION NO. 10-39**

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 MAINTENANCE DISTRICT 1 & 4 FUND FROM THE STATE OF MONTANA DEPARTMENT OF TRANSPORTATION TO

THAT PREPARE LOCAL HEALTH JURISDICTIONS FOR VOLUNTARY PUBLIC HEALTH ACCREDITATION.

5. **COUNCIL RESOLUTION NO. 10-30**

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, TO BE EXPENDED IN THE BUTTE-SILVER BOW HEALTH DEPARTMENT TO PROVIDE FUNDING FOR ADMINISTERING VACCINATIONS AT PUBLIC HEALTH-ORGANIZED CLINICS OR OTHER VENUES, IDENTIFYING COMMUNITY VACCINATION NEEDS, REPORTING AND TRACKING OF VACCINE DOSES.

6. **COUNCIL RESOLUTION NO. 10-32**

RESOLUTION RELATING TO BUTTE-SILVER BOW TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DISTRICT #2; AUTHORIZING THE CHIEF EXECUTIVE TO ENTER INTO A BOND PURCHASE AGREEMENT WITH REC ADVANCED SILICON MATERIALS, LLC FOR THE PURCHASE OF TAXABLE TAX INCREMENT REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,370,000, SUBJECT TO THE TERMS AND LIMITATIONS SET FORTH HEREIN

7. **COUNCIL RESOLUTION NO. 10-33**

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 FIRE DEPARTMENT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ASSISTANCE TO FIREFIGHTERS GRANT, GRANT NUMBER EMW-2009-FO-05637, TO BE UTILIZED FOR PERSONAL PROTECTIVE EQUIPMENT AND AN EXTRACTOR MACHINE AND DRYER FOR LAUNDERING THE NEW TURNOUT GEAR FOR THE FIRE DEPARTMENT TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

8. **COUNCIL RESOLUTION NO. 10-34**

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 METRO SEWER FROM THE ARMY CORP OF ENGINEERS WRDA GRANT, TO BE UTILIZED IN ASSISTING IN THE FUNDING OF THE WASTEWATER TREATMENT PLANT UPGRADES FOR METRO SEWER TO BE EXPENDED IN THE GENERAL FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

9. **COUNCIL RESOLUTION NO. 10-35**

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 ARCHIVES BOND FUND FROM THE CASH RESERVES OF THIS FUND FOR THE PURPOSE OF INCREASING THE BUDGETARY AUTHORITY FOR THE BOND INTEREST PAYMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

10. **COUNCIL RESOLUTION NO. 10-36**

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 TIFID BOND FUND FROM THE CASH RESERVES OF THIS FUND TO BE USED TO REPURCHASE OUTSTANDING BONDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI CALENDAR OF OTHER MEETINGS AND EVENTS

April 22 Business Development Center	10:00 AM	Business Development Center
April 28 Fire Advisory Council	5:00 PM	1 st Floor Conference Room
April 28 Local Emergency Planning Commission	Noon	1 st Floor Conference Room
April 28 Parking Commission	9:00 AM	Chief Executive’s Conference Room
April 28 Port of Montana	Noon	Hub Center, Silver Bow Montana
April 28 Urban Revitalization	9:00 AM	1 st Floor Conference Room
April 29 Planning Board	7:00 PM	Council Chambers, 3 rd Floor Courthouse
May 3 Airport Authority	Noon	Bert Mooney Airport
May 4 Historic Preservation Commission	5:30 PM	1 st Floor Conference Room
May 4 Weed Board	7:00 PM	Weed Department
May 5 Butte Aids Support Services	7:00 PM	Community Center

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT

APRIL 14, 2010

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 I PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING CONSIDERATION OF AMENDING THE BUDGET TO ALLOW FOR INCREASED EXPENDITURES OF UNANTICIPATED REVENUE IN THE MAINTENANCE DISTRICT 1 & 4 FUND. (Communication No. 10-114 being held in Committee of the Whole.) **Proof of Publication was noted.**

SECTION II PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING UNANTICIPATED REVENUE DUE TO UNSPENT FUNDS FROM THE PRIOR YEAR FROM THE DRUG FREE COMMUNITY GRANT. (Communication No. 10-190 being held in Committee of the Whole.) **Proof of Publication was noted.**

SECTION III PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING AN AMENDMENT TO BUTTE-SILVER BOW, MONTANA'S 2009-2010 BUDGET FOR THE BUTTE NATIVE PLANT PROPAGATION NURSERY PROGRAM. (Communication No. 10-193 being held in Committee of the Whole.) **Proof of Publication was noted.**

SECTION IV COMMUNICATION NO. 09-365

Mike Sheehy, Commissioner District 10, requesting support on an ordinance that would make all new transmission line within our county be buried from border to border. *Committee recommends that Communication 09-365 be held in abeyance.*

SECTION V COMMUNICATION NO. 09-626

Bob Rowling, Parks and Recreation Director, requesting Council's authorization for the issuance of a Developer's Packet for the disposition of surplus parkland located adjacent to Block 9 of the Hillcrest Addition, Section 28, T3N, R7W (Parcel No. 1092650). *Committee recommends that Communication No. 09-626 be held in abeyance.*

SECTION VI COMMUNICATION NO. 10-106

Karen Byrnes, Community Development Director, requesting Council's authorization to schedule a public hearing regarding Developer's Packet Proposals for the lease of the Bell Diamond Mine Yard on March 31, 2010. *Committee recommends that Communication No. 10-106 be placed on file*

SECTION XIV

COMMUNICATIONS OMITTED FROM AUGUST 5, 2009 COMMITTEE REPORTS

1. COMMUNICATION NO. 09-381

Brendan R. McDonough, Chairman An Ri Ra', requesting street closures for 2009 An Ri Ra' Montana Irish Festival to be held August 7th through August 9th, 2009. *Committee recommends that Communication No. 09-381 be approved and placed on file.*

2. COMMUNICATION NO. 09-411

Cindy Stergar, CEO Community Health Center, requesting time on the July 15, 2009 Council meeting for a presentation on the Community Health Center. *Committee recommends that Communication No. 09-411 be placed on file.*

3. COMMUNICATION NO. 09-438

Paul Babb, Chief Executive, requesting Council approve the recommendation from the Tax Abatement Review Committee to approve the tax abatement request by the Butte Hotel Group LLC. *Committee recommends that Communication No. 09-438 be denied and placed on file.*

4. COMMUNICATION NO. 09-502

Dan Dennehy, Director BSB Public Works Department, requesting time on July 29, 2009 Committee of the Whole Meeting to conduct a bid opening for the Main Street Milling and Overlay Project. *Committee recommends that Communication No. 09-502 be placed on file.*

5. COMMUNICATION NO. 09-504

Don Kronenberger, Sr. BSB Commissioner District 5, requesting time on July 15, 2009 agenda for presentation regarding access problems involving Davis and Enrooth Beef Trail Estates and Vigilante Estates Etal. *Committee recommends that Communication No. 09-504 be placed on file.*

6. COMMUNICATION NO. 09-505 (July 10-201- Special Meeting)

Dan Klemann, M&M Bar requesting extension of the closure of Main Street during the National Folk Festival starting July 10, 2009 through Sunday, July 12, 2009. *Committee recommends that Communication No. 09-505 be denied and placed on file.*

7. COMMUNICATION NO. 09-508

Lori Casey, Senior Planner, requesting Council schedule public hearing on July 29, 2009 to hear public comment on the proposed revisions to the BSB Subdivision Regulations. *Committee recommends that Communication No. 09-508 be placed on file.*

8. COMMUNICATION NO. 09-511

Stephen Hess, Assistant Planning Director, requesting Council schedule a public hearing on July 29, 2009 to hear comment on the proposed amendment to the official BSB Zoning Map. *Committee recommends that Communication No. 09-511 be placed on file.*

FINANCE AND BUDGET COMMITTEE MEETING REPORT

APRIL 14, 2010

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

Ladies and Gentlemen:

We, your Finance and Budget Committee respectfully recommend as follow

SECTION I COMMUNICATION NO. 10-67

Sally Perino, Supervisor, Parking Commission, requesting Council's authorization of budget transfer. *Committee recommends that Communication No. 10-67 be held in abeyance*

SECTION II COMMUNICATION 10-177

Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of a budget transfer. *Committee recommends that Communications No. 10-177 be approved and placed on file.*

SECTION III COMMUNICATION NO. 10-192

Lee Phillips, Director Butte-Silver Bow Public Library, requesting Council's authorization of a budget transfer. *Committee recommends that Communication No. 10-192 be approved and placed on file.*

SECTION IV EXPENDITURE REPORT

4-14-10	\$ 391,841.82
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Committee recommends to approve with explanation 9938 (\$1904.50) and ask Library Board and Pat Holland to provide service schedule for Kleen King.

JUDICIARY COMMITTEE MEETING REPORT

APRIL 14, 2010

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

Ladies and Gentlemen:

We, your Judiciary Committee respectfully recommend as follows:

SECTION I COUNCIL RESOLUTION NO. 10-15

A RESOLUTION ACCEPTING THE DONATION BY CONTINENTAL PUBLIC LAND TRUST (CPLT) TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, THE REAL PROPERTY HEREIN DESCRIBED ON EXHIBIT "A" TO THIS RESOLUTION FOR THE PURPOSE OF PROMOTING AND FACILITATING REDEVELOPMENT OF THESE PROPERTIES AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 10-15 be held in abeyance.*

SECTION II COUNCIL RESOLUTION NO. 10-20

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE RAMPART VIEW ADDITION 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. *Committee recommends that Council Resolution 10-20 be moved to final reading.*

SECTION III COUNCIL RESOLUTION NO. 10-26

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOT 1 IN BLOCK 6 OF THE CENTRAL ADDITION TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA, LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution 10-26 be moved to final reading.*

SECTION IV COUNCIL RESOLUTION NO. 10-28

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 PUR-

POSE OF DRUG AND ALCOHOL PREVENTION SERVICES IN DEER LODGE, POWELL, AND GRANITE COUNTIES. *Committee recommends that Council Resolution 10-28 be moved to final reading.*

SECTION V COUNCIL RESOLUTION NO. 10-29

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, ARRA/MONTANA REINVESTMENT ACT, AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES – MONTANA LEARNING COLLABORATIVE, TO BE EXPENDED IN THE BUTTE-SILVER BOW HEALTH DEPARTMENT TO PROVIDE FUNDING FOR ADDITIONAL SERVICES TO FURTHER MEET THE NEEDS OF PERSONS WHO ARE RECIPIENTS OF THE HUMAN SERVICES PROGRAMS, AND TO IMPLEMENT QUALITY IMPROVEMENT PROCESSES THAT PREPARE LOCAL HEALTH JURISDICTIONS FOR VOLUNTARY PUBLIC HEALTH ACCREDITATION. *Committee recommends that Council Resolution 10-29 be moved to final reading.*

SECTION VI COUNCIL RESOLUTION NO. 10-30

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, TO BE EXPENDED IN THE BUTTE-SILVER BOW HEALTH DEPARTMENT TO PROVIDE FUNDING FOR ADMINISTERING VACCINATIONS AT PUBLIC HEALTH-ORGANIZED CLINICS OR OTHER VENUES, IDENTIFYING COMMUNITY VACCINATION NEEDS, REPORTING AND TRACKING OF VACCINE DOSES. *Committee recommends that Council Resolution 10-30 be moved to final reading.*

SECTION VII COUNCIL RESOLUTION NO. 10-32

RESOLUTION RELATING TO BUTTE-SILVER BOW TAX INCREMENT INDUSTRIAL INFRASTRUCTURE DISTRICT #2; AUTHORIZING THE CHIEF EXECUTIVE TO ENTER INTO A BOND PURCHASE AGREEMENT WITH REC ADVANCED SILICON MATERIALS, LLC FOR THE PURCHASE OF TAXABLE TAX INCREMENT REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,370,000, SUBJECT TO THE TERMS AND IMITATIONS SET FORTH HEREIN. *Committee recommends that Council Resolution 10-32 be moved to final reading*

SECTION VIII COUNCIL RESOLUTION NO. 10-33

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 FIRE DE-

SECTION VI

**COMMUNICATION OMITTED FROM
AUGUST 5, 2009 COMMITTEE REPORTS**

1. COMMUNICATION NO. 09-224

McGuinness Tracts Roadway and Homeowners Association, requesting Council consider and pass a resolution authorizing Butte-Silver Bow to accept title to Blacktail Loop Road from the Association. *Committee recommends to approve Communication No. 09-224 and place on file.*