

COUNCIL RESOLUTION NO. 17-5

1 A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR  
2 AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED  
3 MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH  
4 SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED REVENUE  
5 TO THE BUTTE-SILVER BOW COMMUNITY FACILITIES KELLEY  
6 WAREHOUSE FUND FOR THE RELOCATION COSTS OF THE SUPERFUND  
7 PROGRAMS BASED UPON THE LEASE AGREEMENT ENTERED ON JULY 25,  
8 2016 BETWEEN THE CITY-COUNTY OF BUTTE-SILVER BOW AND  
9 HEADFRAME DISTILLERY MANUFACTURING AND PROVIDING FOR AN  
10 EFFECTIVE DATE HEREIN.

11 WHEREAS, the Butte-Silver Bow Community Facilities Kelley  
12 Warehouse Fund will receive monies over and above  
13 those anticipated and budgeted for in Fiscal Year  
14 2016-2017; and

15 WHEREAS, the unanticipated monies come from the Lease  
16 Agreement entered into between the City-County of  
17 Butte-Silver Bow and Headframes Distillery  
18 Manufacturing; and

19 WHEREAS, Section 7-6-4006, MCA allows the Council of  
20 Commissioners as the governing body (Council) to  
21 amend the budget during the fiscal year to  
22 appropriate unanticipated revenue after conducting  
23 a public hearing; and

24 WHEREAS, a public hearing on the request by the Community  
25 Facilities Department to appropriate this  
26 unanticipated revenue in the amount of \$38,370,  
27 from based upon payments made under the Lease  
28 Agreement with Headframe Distillery Manufacturing  
29 was held by the Council on February 1, 2017; and

30 WHEREAS, it appearing to the Council, after hearing all  
31 testimony at the public hearing held on February  
32 1, 2017, that it is in the best interests of the  
33 citizens of the City and County of Butte-Silver  
34 Bow to appropriate \$38,370 from the payments made  
35 under the Lease Agreement between the City-County  
36 and Headframe Distillery Manufacturing to the  
37 Butte-Silver Bow Community Facilities Kelley  
38 Warehouse Fund.

39 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF  
40 COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW,  
41 STATE OF MONTANA;

42  
43 SECTION 1: That \$38,370 from the payments received under the  
44 Lease Agreement between the City-County and  
45 Headframe Distillery Manufacturing shall be  
46 distributed to the Butte-Silver Bow Community  
47 Facilities Kelley Warehouse Fund for expenditure  
48 in the Community Facilities Kelley Warehouse  
49 Fund to pay for the relocation costs of the  
50 Superfund Programs as follows:

51	5714-000-3610-10-000 Lease Revenue	<u>\$38,370</u>
52	5714-200-4702-10-230 Repair & Maint Supplies	\$11,000
53	5714-200-4702-10-260 Non-capital Fixed Assets	1,420
54	5714-200-4702-10-330 Pub, Subs & Dues	150
55	5714-200-4702-10-340 Utilities	5,500
56	5714-200-4702-10-360 Repair & Maint Supplies	11,000
57	5714-200-4702-10-390 Other Purchased Serv	200
58	5714-200-4702-10-530 Rent	<u>9,100</u>
59	TOTAL	<u>\$38,370</u>

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61 SECTION 2: That this Resolution shall be in full force and  
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63 effect from and after passage and approval.  
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66 PASSED this \_\_\_\_\_ day of February, 2017.  
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68  
69 \_\_\_\_\_  
70 JOHN P. MORGAN  
71 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS  
72

73 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
74

75  
76 \_\_\_\_\_  
77 DAVE PALMER  
78 CHIEF EXECUTIVE  
79

80 ATTEST:  
81

82  
83 \_\_\_\_\_  
84 SALLY J. HOLLIS  
85 CLERK & RECORDER  
86

87 APPROVED AS TO FORM:  
88

89 \_\_\_\_\_  
90 EILEEN JOYCE  
91 COUNTY ATTORNEY  
92

93 \_\_\_\_\_  
94 SHERYL RALPH  
95 CHAIRWOMAN OF THE JUDICIARY COMMITTEE