

Deer Lodge, Montana

January 6, 2014

The Board of County Commissioners for the County of Powell, Montana, met in regular session at 10:00 o'clock AM. Present: Ralph E. Mannix, Jr., Cele Pohle and Donna Young.

Clerk and Recorder Diane Grey presented correspondence. The Joint Powers Insurance Agency (JPIA) and the Joint Powers Agency reports were presented and filed.

Commissioner Mannix opened a public hearing for the Planner's Department Fee Schedule. Some fees increased and others decreased. The public hearing closed. Robert Stone was in attendance.

Commissioner Mannix nominated Commissioner Pohle as Presiding Officer. Commissioner Young seconded the nomination. All voted yes in favor of 2014-01 for Commissioner Pohle as Presiding Officer and Commissioner Young as Vice-Chair.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' PRESIDING OFFICER OF BOARD – 2014

2014-01

WHEREAS, Section 7-4-2109 MCA requires the Commissioners to elect one of its members' presiding officer. The presiding officer shall preside at all meetings of the Board, and in case of the presiding officer's absence or inability to act, the members present shall select one of their number to act temporarily as presiding officer; and

WHEREAS, the Board of County Commissioners of Powell County, Montana have elected Cele Pohle as Presiding Officer, to preside over the County Commissioners' meetings for the calendar year 2014 and Donna Young to act as the temporarily presiding officer in the presiding officer's absence or inability to act.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that Cele Pohle shall be and is hereby elected as presiding officer for calendar year 2014 and Donna Young shall be and is hereby elected to act as the temporarily presiding office in the presiding officer's absence or inability to act.

This Resolution is effective January 1, 2014.

Done this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

s/ Cele Pohle, Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Commissioner Pohle assumed the duties of the Chair.

Resolution 2014-02 – Resolution for Commissioners’ Meeting Dates and Office Hours- 2014 was presented. Commissioner Young moved to adopt Resolution 2014-02 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS’ MEETING DATES AND OFFICE HOURS – 2014

2014-02

WHEREAS, Section 7-5-2122 MCA requires the Commissioners to set the dates of their meetings;
and

WHEREAS, the Board of County Commissioners of Powell County, Montana have determined that the following dates shall be set for meetings:

The first Monday, Tuesday and Wednesday of the month;

The third Monday, Tuesday and Wednesday of the month;

The fourth Monday, Tuesday and Wednesday of the month except for the month of December, 2014 when the meeting dates will be the last Monday, Tuesday and Wednesday.

If a legal holiday falls on a Monday, the meeting days will only be Tuesday and Wednesday of the affected week.

Meeting dates are subject to change.

WHEREAS, Section 7-4-102 MCA requires the Commissioners to set the office hours; and

WHEREAS, the Board of County Commissioners of Powell County, Montana have determined that the following office hours shall be set for meetings:

Office hours will be 10:00 A.M. to 12:00 Noon and then 1:00 P.M. to 5:00 P.M., except during the months of April, May, June, July, August, and September the hours shall be 9:00 A.M. TO 12:00 Noon and then 1:00 P.M. to 4:00 P.M.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that the meeting dates and office hours for the Powell County Commissioners shall be and are hereby adopted as reflected above.

This Resolution is effective January 1, 2014.

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Resolution 2014-03 - Resolution for County Office Hours – 2014 was presented. Commissioner Mannix moved to adopt Resolution 2014-03 with Commissioner Young seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COUNTY OFFICE HOURS – 2014

2014-03

WHEREAS, Section 7-4-102 MCA requires the Board of County Commissioners to set the office hours for the various county offices; and

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that all county offices will be open from 8:00 A.M. to 5:00 P.M., Monday through Friday except during legal holidays as established by the Montana Association of Counties; and

WHEREAS, according to Section 7-4-102 MCA the County Treasurer may, in the interest of the safekeeping of funds, securities, and records under their control, close their offices during the period from noon to 1:00 P.M. every day; and

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that because Christmas 2014 falls on a Thursday, they wish to close the Powell County Courthouse at 2:00 P.M. on Wednesday, December 24, 2014; and

NOW, THEREFORE, BE IT RESOLVED by this Board of County Commissioners that the Powell County Courthouse will be opened Monday through Friday except during legal holidays as set forth by the Montana Association of Counties and will close Wednesday, December 24, 2014 at 2:00 P.M. and that the County Treasurer may close their office from noon to 1:00 P.M. every day.

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Resolution 2014-04 – Resolution for Per Diem/Travel Rates – 2014 was presented. Commissioner Young moved to adopt Resolution 2014-04 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR PER DIEM/TRAVEL RATES – 2014

2014-04

WHEREAS, it is recommended that counties adopt a Resolution establishing mileage and per diem rates for business travel; and

WHEREAS, the Powell County Board of Commissioners hereby set the following rates for mileage and per diem rates for business travel:

State rates will be adopted for travel expenses according to Sections 2-18-501, 2-18-502 and 2-18-503 MCA.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that the above stated amounts shall be and are hereby adopted.

This Resolution is effective January 1, 2014.

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Resolution 2014-05 – Resolution for Rate of Credit for Incarceration – 2014 was presented. Commissioner Mannix moved to adopt Resolution 2014-05 with Commissioner Young seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION – 2014

2014-05

WHEREAS, the Montana Legislature has directed all Counties to annually set the rate for credit for incarceration of inmates while awaiting trial or sentencing pursuant to 4-18-403 MCA; and

WHEREAS, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of \$65.00 for each day of incarceration; and that an inmate is responsible for the actual costs of medication, medical services, or hospitalization while detained in a detention center, based upon the individual's ability to pay and/or private provider health care coverage, or a bona fide and responsible third-party payer; and

WHEREAS, the amount to be credited should not exceed the amount of the fine.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

That the amount of credit for an inmate at the Powell County Jail shall be the sum of \$65.00 per day up to the amount of the fines levied for the offense upon which the inmate was incarcerated.

Done this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Resolution 2014-06 – Resolution Setting Treasurer's Fees – 2014 was presented. Commissioner Young moved to adopt Resolution 2014-06 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING TREASURER'S FEES – 2014

2014-06

WHEREAS, the Montana Legislature has provided in 7-6-4013 MCA that the County Commissioners shall set fees for costs for County Office by Resolution; and

WHEREAS, the County Treasurer's Office is permitted to charge fees for the costs defined in 15-17-121 MCA (2011); and

WHEREAS, the County Treasurer has tracked the time it takes to do certain tasks defined in 15-17-212(2)(a) MCA and has made recommendations to the County Commissioners for the average time and costs to perform the following tasks on a routine basis:

- (i) Preparing the list of delinquent taxes;
- (ii) Preparing the notice of pending tax lien sale;
- (iii) Conducting the tax lien sale;
- (iv) Assigning the county's interest in a tax lien to a third party;
- (v) Identifying interested persons entitled to notice of the pending issuance of a tax deed;
- (vi) Notifying interested persons;
- (vii) Issuing the tax deed; and
- (viii) Any other administrative task associated with accounting for or collecting delinquent taxes; and

WHEREAS, the County Commissioners of Powell County, Montana have examined the fee proposals from the County Treasurer and their underlying basis and comparable fees from other counties and have determined that the following are fair fees for the services performed by the Treasurer's Office in the preparation of documentation of delinquent taxes and the process of assigning the county's interest in the property and in issuing the tax deed(s):

Assignment Fee	\$75.00
Delinquent Tax Report	\$40.00
Preparation and Filing of Tax Deed	\$25.00; and

NOW, THEREFORE, it is hereby resolved by the County Commissioners of Powell County, Montana, as follows:

The Office of the Powell County Treasurer shall charge the following fees to the public and taxpayers:

Assignment Fee	\$75.00
Delinquent Tax Report	\$40.00
Preparation and Filing of Tax Deed	\$25.00

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr. Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Resolution 2014-07-Resolution Setting Sheriff's Service of Process Fee-2014 was presented. Commissioner Mannix moved to table until a fee schedule is provided by the Sheriff. Commissioner Young seconded the motion and the motion carried.

Resolution 2014-08 – Resolution to Provide for a Powell County Government Study Commission was presented. Commissioner Mannix moved to adopt Resolution 2014-08 with Commissioner Young seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION TO PROVIDE FOR A
POWELL COUNTY
GOVERNMENT STUDY COMMISSION

2014-08

WHEREAS, the Montana Legislature has enacted 7-3-173 MCA(2003), which requires that every ten years the governing body of Powell County must call for an election on the question of conducting a local government review and establishing a Study Commission; and

WHEREAS, the ten year anniversary established by the statute falls in 2014; and

WHEREAS, the statute further requires that the governing body of Powell County must call for the election to be held on a primary election date in that year; and

WHEREAS, the County Commissioners of Powell County, Montana are therefore required by law to implement the provisions of Article 11 Section 9(2) of the Montana Constitution as provided in Section 2, Chapter 70, Laws of 1977.

NOW THEREFORE, it is hereby resolved by the County Commissioners of Powell County, Montana, as follows:

1. An election will be held on the 3rd of June, 2014 on the question of conducting a local government review and establishing a Study Commission as required by 7-3-173 MCA (2003); and
2. That the question to be submitted to the voters shall be in substantially the following form:

VOTE FOR ONE

- FOR the review of the government of Powell County and the establishment of a Local Government Study Commission consisting of three (3) members to examine the government of Powell County, Montana, and to submit recommendations thereon.
- AGAINST the review of the government of Powell County and the establishment of a Study Commission.

Done this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk

Resolution 2014-09 – Resolution Setting Planner’s Fees-2014 was presented. Commissioner Mannix moved to adopt Resolution 2014-09 with Commissioner Young seconding the motion. The motion carried after discussion and a minor change in working in addressing.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING PLANNER’S FEES – 2014

2014-09

WHEREAS, the Montana Legislature has proved in 7-6-4013 MCA that the County Commissioners shall set fees for costs for County Offices by Resolution; and

WHEREAS, the County Planner’s Office is permitted to charge fees; and

WHEREAS, the County Commissioners of Powell County, Montana, have examined the fee proposals from the County Planner; and

NOW, THEREFORE, it is hereby resolved by the County Commissioners of owell County, Montana as follows:

The office of the County Planner shall charge the following fees to the public and taxpayers:

SEE ATTACHED EXHIBIT “A”

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk

Note: Exhibit "A" is attached to the original Resolution on file in the office of the Powell County Clerk and Recorder.

County Attorney Lewis Smith presented information on Resolution 2014-03 concerning shorter working hours.

At 11:00 A.M., Treasurer Lisa Smith presented tax corrections. The following parcels and years were presented for consideration to strike taxes per 15-8-601 MCA: #MH05040 – 2009 -2013; #M860710 – 2007-2012; and #MH860065 – 2003-2012. These parcels were erroneously assessed since they are no longer at the location described. Commissioner Young moved to strike the taxes on the described properties for the amounts listed. Commissioner Mannix seconded the motion. The motion carried. Commissioner Mannix abstained due to a relative having ownership in one property.

Commissioner Mannix moved to remove from the table Resolution 2014-07 Sheriff Fees since the fee table was presented. Commissioner Young seconded the motion and the motion carried. Fees were read.

Commissioner Young moved to adopt Resolution 2014-07. Commissioner Mannix seconded the motion and the motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE – 2014

2014-07

WHEREAS, the Montana Legislature has provided in 7-6-4013 MCA that the County Commissioners shall set fees for costs for County Offices by Resolution; and

WHEREAS, the County Sheriff's Office is permitted to charge fees as approved by the governing body for the costs of civil service of process and other civil papers as defined in Section 7-3-2141 MCA (2011); and

WHEREAS, the County Sheriff's Office is permitted by law to charge fees for other services; and

WHEREAS, the Powell County Sheriff has made recommendations to the County Commissioners to increase the set fee for service of civil process at \$70.00 per service (includes mileage); and has established a schedule of fees for other services provided by the Sheriff's Office; and

WHEREAS, the County Commissioners of Powell County, Montana have examined the fee proposals from the Powell County Sheriff and their underlying basis and have determined that the flat fee of \$70.00 per civil service of process and other civil papers as defined in Section 7-32-2141(1)(a through n) MCA(2011) and the other fees is a fair fee for the services performed by the Sheriff's Office; and

NOW, THEREFORE, it is hereby resolved by the County Commissioners of Powell County, Montana, as follows:

The Office of the Powell County Sheriff shall charge a flat fee of \$70.00 per civil service of process and other civil papers as defined in Section 7-32-2141(1)(a through n) and that the Powell County Sheriff's Office shall charge the fees stated on the attached Fee Schedule.

Dated this 6th day of January, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Note: The Fee Schedule is attached to the original Resolution on file in the office of the Powell County Clerk and Recorder.

Commissioner Mannix signed the Termination Agreement for Grant #RIT-07-8675, Garrison Wetlands Reclamation and Redevelopment.

Commissioner Mannix signed the Management Representation letter for Newland & Co. for the 2013 Audit.

Ruth Koehler, Disaster and Emergency Service Coordinator (DES) updated the Board on a problem with quarterly paperwork at the State DES office. All concerned are working to resolve the issue. She reported on some minor flooding due to freezing.

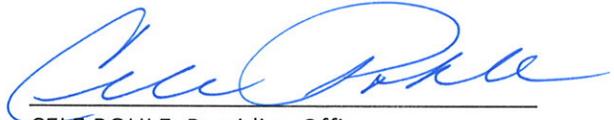
Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of December, 2013 and a record of such is on file in the office of the Clerk and Recorder.

A resident of Burnt Hollow road requested speed limit signs. Commissioner Pohle will refer to the District One Road Foreman.

Visitor: Marwan Saba.

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, CLERK

Deer Lodge, Montana

January 7, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Members Donna Young and Ralph E. Mannix, Jr.

Road Foreman for District One, Gary Larson, was in to report that he is working with Dustin Rouse, Department of Transportation, Butte District on needed repairs to the Cowpath Road (also known as North Boulder Road).

The Board of Commissioners received the Annual Engineering Inspection for the Deer Lodge Disposal District Landfill for 2013. The report is on file in the office of the Clerk and Recorder.

County Attorney Lewis Smith was in to confirm the plans to attend the special meeting to be held Friday, January 10th, 2014 at 1:00 P.M. at City Hall concerning the Main Street Bridge. Commissioners Pohle and Mannix plan to attend.

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 8, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr.

Correspondence was presented by Clerk and Recorder Diane Grey.

Commissioner Mannix attended the Safety Meeting.

At 11:15 A.M., Mr. Mannix returned.

Commissioner Pohle called to discuss the Main Street Bridge, 2nd Street Bridge and the Courthouse Wall, Task Order No. 45-2013 Treasure State Endowment Program (TSEP) Bridge Evaluation and Preliminary Reports with Great West Engineering. Commissioner Pohle signed the Task Order and a copy is on file in the office of the Clerk and Recorder.

The Board approved payment to Deer Lodge Asphalt for the 2nd Street Bridge in the amount of \$19,803.62.

The Board met with Kevin Marks on planning and delegation of authority between the city and county.

The Board visited with Marty Dippold on the Cowpath Road.

The Board visited with Dwight O'Hara.

County Attorney Lewis Smith was in and the time frame for the Main Street Bridge was discussed.

Visitor: Neil Swant

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 10, 2014

The Board of Commissioners for Powell County, Montana, met in special meeting at 1:00 P.M. at the Deer Lodge City Hall.

A Special Meeting of the Powell County Commissioners was called to order by Chairperson Cele Pohle at 1:05 P.M. Those in attendance are listed here:

Pat Hansen, Chris Laity, Ryan Holm, Brian Bender, Rem Mannix, Rex Kendall, Kevin Marks, Kurt Sager, Rex Anderson, Bob Stone, Zane Cozby, Donna Seaton, JR Horswill, Jana McGill, Lewis Smith, Matthew Pool, John Molendyke, Heather Gregory, Dustin Rouse with the Montana Department of Transportation and Nadine Wadsworth of Montana Disaster and Emergency Services were teleconferenced.

Attachments: Main Street Bridge 2-Lane Bridge Conceptual Plan and Right of Way Plan

Commissioner Pohle explained the history of the Bridge, stating the FEMA grant is for 1.7 million dollars.

Chris Laity from Great West Engineering gave a progress report on the bridge.

JR Horswill from the City reported on the Horswill property and status of title. He reported he has been to an attorney and the four estates of the owners can be probated within 30 days.

Lewis Smith, County Attorney, questioned who the attorney is and wanted to meet with Mr. Horswill to validate the claim of 30 day probate.

Commissioner Mannix stated there is a two week deadline or the bridge will be a two lane bridge. Commissioner Mannix also said the County is not going to cover any overages if FEMA granted an extension and construction was delayed a year. Chris Laity asked what the drop dead alternatives are.

After numerous questions, Mr. Laity clarified the water main will go under the bridge and the beams will be removed. Nadine from FEMA would like to see this accomplished this year along with letting the bid in June, beams ordered and construction to start shortly thereafter.

Lewis Smith stated probate and appraisal is needed. No more than the appraised value can be paid per State law. Commissioner Pohle asked about the possibility of evoking eminent domain. Mr. Rouse said eminent domain is not a possibility in this instance.

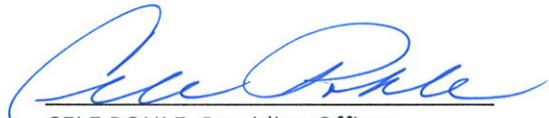
Commissioner Pohle made a motion to go two weeks, until January 24, 2013 then revisit the situation. Included in the motion is that there will be a letter of assurance from Mr. Horswill's attorney

that probate can be accomplished within 30 days and the appraisal will be complete and title transferred. Commissioner Mannix seconded. The motion carried.

Modification letter will be sent to Department of Transportation if the above conditions are met.

Commissioner Mannix moved to adjourn the meeting at 2:00 P.M. with all seconding. Motion carried.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



RALPH E. MANNIX, JR., Secretary

Deer Lodge, Montana

January 21, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr.

Diane Grey, Clerk and Recorder presented correspondence.

Commissioner Reports:

Cele Pohle: Area Five Council on Aging

Ralph E. Mannix, Jr.: Blackfoot Challenge, Water Compact Meeting and Conifer Encroachment Meeting with the Watershed Resource Council (WRC) and the Department of Natural Resource and Conservation (DNRC) in Helena.

Bruce Anderson, Deer Lodge Asphalt, discussed the reasons that the Second Street Bridge ran over completion date. The Board agreed that the delays were beyond his control and the Board will not seek liquidated damages from Deer Lodge Asphalt.

Commissioner Pohle attended the Airport Board meeting at noon. Deer Lodge City/County Airport member Mike Saylor brought in the Capital Improvement Plan for 2014-2020 for Commissioner Pohle's signature.

Kevin Marks, discussed a petition mitigation denial of a Petition dated May 27, 2011. He discussed many problems that he has with the City of Deer Lodge. Sheriff Howard was in attendance.

Ruth Koehler, Disaster and Emergency Services Coordinator, stated that the Race Track Fire Department needs a one ton truck with a two inch pump to replace the DNRC Wildfire truck.

Commissioner Mannix moved to adopt the Hearing Conservation Program, the Hazard Communication Program, and the Blood Borne Pathogens Exposure Control Policy which were approved by the Safety Committee on January 8, 2014. Commissioner Pohle seconded the motion and the motion carried. Copies of the Programs are on file in the office of the Clerk and Recorder.

Mike Blakely and Amanda Stajcar from Newland & Co. presented the exit report on their audit. The audit was clean and a copy is on file in the office of the Clerk and Recorder. The audit will be available for review next week.

Visitor: Dick Perkins

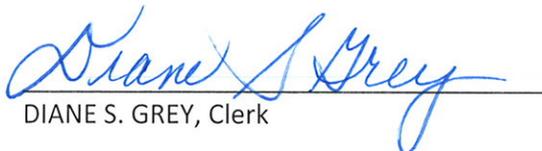
Ross and Dawn Wagner discussed the condition of the trailer at the fairgrounds. Mr. Wagner will see if the Montana State Prison Fire Crew can repair the trailer. He will also coordinate with the Deer Lodge District Foreman Gary Larsen on the location of a well and arrange with O'Keefe Drilling to bore the well.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Member

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 22, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:15 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr.

The Commission had been participating in a Webinar presented by Joint Powers Insurance Agency/Joint Powers Association (JPIA/JPA) Loss Control on a mid-year policy update which started at 9:00 A.M.

Deputy Clerk and Recorder Jarita Neckels presented correspondence. A letter was received from Deer Lodge City Police Chief Mike R. Grey concerning working with the Victim Advocate Diana Solle. County Attorney Lewis Smith will reply to the letter. A copy of which is available in the County Attorney's office.

Road District Two Foreman Duane Hoxworth was in with questions on the right of way permit.

County Planner Brian Bender discussed Right of Way Occupancy Permit #0114ROW on the Ovando/Helmville Road. The Planning Department and District Two Road Foreman have okayed the permit already. Commissioners granted the permit.

Brian Bender, County Planner, presented the monthly report for December.

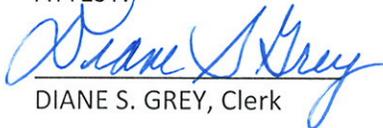
Todd Fickler asked permission to enter county property to clean the ditch behind Indian Creek Campground. Permission was granted.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 27, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr.

Visitor: Kevin Marks

Clerk and Recorder Diane Grey presented correspondence.

Ruth Koehler, Safety Coordinator presented an OSHA report showing the county work related injury and loss of time for the year for Commissioner Pohle's signature.

At 11:00 A.M. Mike Stenberg of Hyalite Engineering presented a letter requesting a Release of the Irrevocable Letter of Credit #50402-147. A copy of the letter is on file in the office of the Clerk and Recorder. County Planner Brian Bender reported he had inspected the progress and was in agreement with the percentage of work completed and will be replaced by the Irrevocable Letter of Credit No.

6072066 in the amount of \$248,997.00. Commissioner Mannix moved to release Irrevocable Letter of Credit #50402-147 and replace with Irrevocable Letter of Credit #6072066. Commissioner Pohle seconded the motion and the motion carried.

At 1:00 P.M., Presiding Officer Cele Pohle called the public hearing on the Main Street Bridge open. Those in attendance were: Bernard Mues, Pat Hansen, Rex Kendall, JR Horswill, Lewis Smith and Brian Bender. Discussion with JR Horswill about what had been done for the City to secure Parcel 7 was held so Main Street Bridge could be built as planned. Correspondence from Attorney Tim Dick stated he thought the title could be clear in sixty days, but held no guarantees. The Commissioners felt the new bridge was too important for flood control to chance not getting it replaced. Commissioner Mannix moved and Commissioner Pohle seconded a motion to request the Montana Department of Transportation to review the plans FAPSSS-275-1(9) and consider designs that avoid Parcel I7 as shown on the Right of Way plan sheets. The motion carried.

Commissioner Pohle reported on her attendance at the Council on Aging meeting.

Commissioner Mannix reported on his meeting with the new owners of the Blackfoot Commercial Building.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 28, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Vice chairman, Donna Young and Member Ralph E. Mannix, Jr. Commissioner Pohle called in sick.

Correspondence was presented by Clerk and Recorder Diane Grey.

Great West Engineering regarding Powell County Bridges.

Leroy Kirkegard, Warden at Montana State Prison invited the Commissioners to participate in a screening of inmates for community work consideration.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


DONNA YOUNG, Vice-chairman

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

January 29, 2014

The Board of County Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Vice-chairman Donna Young and Member Ralph E. Mannix, Jr.

Commissioner Pohle joined the meeting at 1:00 P.M.

The Board signed the Management Plan for the 2014-15 Treasure State Endowment Program (TSEP) Grant application for Center Street and Willow Road Bridges.

The drawing of salary warrants for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of January, 2014, were approved and a record of such is on file in the office of the Clerk and Recorder.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

February 3, 2014

The Board of County Commissioners for Powell County, Montana met in regular session at 10:00 o'clock. Present: Presiding Officer Cele Pohle and Members Donna Young and Ralph E. Mannix, Jr.

The Board met with the United States Forest Service and Eastside Stewardship Project members at the United States Department of Agriculture building for an update. The project for timber harvest and restoration began in 2006. Charlene Bucha, Ranger, explained various issues which have caused the project to not come to fruition. Some of these include: forest service plan revisions, litigation, an unsuccessful EPA study contractor. The record of decision for the final plan's scheduled to be rendered in September 2014 with work beginning in 2014 or 2015.

Commissioner Young read the following letter from Coroner John Pohle:

February 1, 2014

From: John M. Pohle
Powell County Coroner
601 Missouri Ave
Deer Lodge, Montana 59722

To: Powell County Board of Commissioners
Cele Pohle, Chairperson
409 Missouri Ave
Deer Lodge, Montana 59722

Commissioners –

I am writing to you today to officially notify you that I will not be seeking the next term as Powell County Coroner. My final term of office ends December 31, 2014. It actually was not a hard decision to make, as I will have a total of 38 years in the office at the time of retirement – 12 years as the appointed Deputy Coroner, and 26 as the elected County Coroner. I want to thank the people of Powell County for entrusting me with the duties of this unique public office in which every death is encountered objectively, maintaining high ethical standards, while the dignity of each individual is upheld.

I have much gratitude for, and have been fortunate to be surrounded by highly qualified forensic experts, including Drs. Gary Dale and Walter Kemp at the State Crime Lab in Missoula, different law enforcement agencies, various County Attorney's Offices, local emergency response professionals and volunteers. I also want to thank local and area funeral homes for their respect and assistance. To all of these people who go above and beyond their call of duty 24/7, 365 days a year, I thank you for your help and assistance.

As I enter my final year as Powell County Coroner, I will continue to provide you with the highest standards for death investigations. I take the responsibilities of this office very seriously and have been honored to serve the people of Powell County. I have valued their trust. I look forward to spending more time with my wife, possibly traveling where the winters are warmer. Throughout all these years she has so selflessly shared my time with the Coroner's Office.

Sincerely,

s/ John Pohle, Coroner

Commissioner Young reported on the City County Trails grant planning meeting she attended on Thursday, January 30, 2014.

Commissioner Pohle signed the Department of Natural Resource Conservation (DNRC) Planning Grant documents for Arrowstone Park #RITP-14-0085.

The Board met with Charlene Bucha, Pintlar District Ranger and Forest Supervisor Melany Glossa.

Kevin Marks met with the Board to relay his concerns and current petitions he is working on. County Attorney Lewis Smith was present.

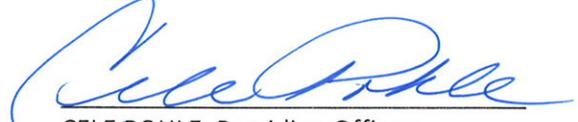
Public Health Nurse Marianne Saylor and Disaster and Emergency Services coordinator, Ruth Koehler met with the Board to present the Blood borne Pathogens Exposure Control Plan. Commissioner Young moved to adopt the Plan. Commissioner Mannix seconded the motion and the motion carried.

The Commissioners worked on board appointments. Clerk and Recorder Diane Grey provided a list of the appointments needed.

Commissioner Mannix moved to enter into an Agreement with Jim Gilman Excavating, Inc. to allow crushing and removal of gravel from the McKee Pit. The contractor will crush 1000 cubic yards of gravel for county use. The county will pay royalties to McKee for the county portion. Commissioner Young seconded the motion and the motion carried.

On motion the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

February 4, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Members Donna Young and Ralph E. Mannix, Jr.

Commissioner Pohle reported on the meeting held this morning for the final bridge design for the Main Street Bridge.

Ruth Koehler, Safety Advisor and Disaster and Emergency Services (DES) Coordinator, and Financial Officer Jennifer Spring met with the Board to review the hourly requirements for Mrs. Koehler's position. It was clarified that she will work 20 hours per week as DES and ten hours per week as Safety Advisor. Some adjustments can be made over a two week period for planned conferences which exceed the total 30 hours in a week.

Commissioner Pohle signed the Grant Agreement for Arrowstone Park Master Plan.

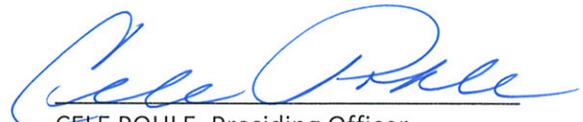
Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of January, 2014, and a record of such is on file in the office of the Clerk and Recorder.

Chris Laity, Great West Engineering, was in the office. The Commissioners signed final close out documents for the Treasure State Endowment Program (TSEP) Projects: Dempsey Bridge, Second Street and Racetrack.

Cindy Frazer reported on activities and scheduling and the Blue Ribbon Pavilion.

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

February 5, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Donna Young. Commissioner Mannix was attending a Safety meeting.

Clerk and Recorder Diane Grey presented Resolution No. 2014-10. The Study Commission Resolution adopted January 6, 2014 failed to state the amount of the levy or dollars required. Commissioner Young moved to rescind Resolution 2014-08. Commissioner Pohle seconded the motion and the motion carried.

Mrs. Grey presented replacement Resolution. Discussion was held. Commissioner Young moved to adopt Resolution 2014-10 with one mill inserted for the Study Commission ballot language. Commissioner Pohle seconded the motion and the motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION TO PROVIDE FOR A
POWELL COUNTY
GOVERNMENT STUDY COMMISSION

2014-10

WHEREAS, Article XI, Section 9, of the Constitution of the State of Montana requires that each unit of local government shall conduct an election once every ten years to determine whether the local government will undertake a local government review procedure; and

WHEREAS, 7-3-173(2) M.C.A. requires that the governing body shall call for an election, to be held on the primary election date, on the question of conducting a local government review and establishing a study commission; and

WHEREAS, the Powell County Commission is the governing body of the County of Powell, State of Montana.

NOW THEREFORE BE IT RESOLVED THAT:

1. The County of Powell hereby calls for an election on the question of conducting a local government review and electing a study commission to be held at the primary election on June 3, 2014.
2. If the voters decide in favor of conducting a local government review, a study commission comprised of three members shall be elected at the general election of November 4, 2014.
3. Pursuant to 7-3-175, M.C.A. the question of conducting a local government review shall be submitted to the electors in substantially the following form:

Vote for one:

- FOR the review of the government of Powell County and the establishment and funding not to exceed one mill, of a local government study commission consisting of three members to examine the government of Powell County and submit recommendations on the government.
- AGAINST the review of the government of Powell County and the establishment and funding, not to exceed one mill of a local government study commission consisting of three members to examine the government of Powell County and submit recommendations on the government.

Done this 5th day of February, 2014.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Sarah Frazer, Prevention Specialist for the Tri-County Addiction Services updated the Board on an event at the Rialto Theater on February 19, 2014. She also requested office space in the Courthouse. She was encouraged to locate the program in Powell County outside of the courthouse.

County Attorney Lewis Smith updated the Board on the status of a lawsuit, Cause #DV-13-41. County Treasurer Lisa Smith was also in attendance.

Visitors: Marty Dippold, Jim Lemieux

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

February 18, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Members Donna Young and Ralph E. Mannix, Jr.

Clerk and Recorder Diane Grey presented correspondence. Copies of the Audit report for Fiscal Year 2013 were made available.

District One Road Foreman Gary Larson requested the purchase of a 2000 snowplow truck with sander. The request was granted.

Jacque Lavelle, Superintendent at Grant Kohrs Ranch met with the Board to discuss issues of mutual interest.

Commissioner Young reported on the Fair Board meeting held February 13, 2014.

Commissioner Pohle reported on the City/County Airport meeting held at noon today. A committee will be reviewing the resolution and by-laws.

County Attorney Lewis Smith met with the Board to discuss litigation.

Brian Bender, Sanitarian, met with the Board for his monthly report.

Treasurer Lisa Smith provided the Pledged collateral for June, September and December 2013.

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE-POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

February 19, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr. Commissioner Young was excused.

At 10:30 A.M., Board Appointments were postponed until next week.

At 11:00 A.M., David Corcoran met with the Board regarding Department of Natural Resource Council easements and applications of the easements that go through State lands. Mr. Corcoran will facilitate a meeting with the State Lands in March for review and continue.

At 11:30 A.M., County Attorney Lewis Smith presented the Justice of the Peace/City Judge Agreement. It was approved by consensus.

At 1:00 P.M., Commissioner Mannix was excused for the afternoon.

On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:


CELE-POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk