

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Donna Young. Commissioner Mannix joined the meeting at 1:00 o'clock P.M.

Jim Muskovich, MACo, met with the Board concerning Jail Standards. Also in attendance were Sheriff Howard and County Attorney Lewis Smith.

Rex Kendall, Silver State Post, interviewed the Board concerning the Primary Election Ballot increase voted levies for Law Enforcement and Bridges. Sheriff Howard and County Attorney Lewis Smith were also present.

Commissioner Pohle participated in a conference call as a member of the Montana Association of Counties Finance Committee.

On motion, the meeting was adjourned at 4:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

May 5, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Donna Young. Commissioner Mannix joined the meeting at 1:00 P.M.

Clerk and Recorder Diane Grey presented correspondence.

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

On motion, the meeting was adjourned at 4:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

May 6, 2014

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Cele Pohle and Member Donna Young. Commissioner Mannix joined the meeting at 1:00 P.M.

The Board sent the following letter to the Environmental Quality Council:

April 29, 2014
Environmental Quality Council
ATTN: Joe Kolman, County Projects
Room 171B, Capitol Building
PO Box 201704
Helena, MT 59620-1704

Joe Kolman:

The Board of Commissioners for Powell County would ask the Environmental Quality Council to consider the Eastside Forest Stewardship Project. This project lies on the east side of the Deer Lodge Valley on the Beaverhead-Deer Lodge National Forest. The project started approximately seven years ago when the Watershed Restoration Coalition approached the Board of Commissioners with a request for help addressing the Pine Bark Beetle kill in the forest and the threat of health and safety of our citizens. The Board approved \$80,000 for a pre NEPA study and later Senator Tester earmarked \$1,000,000 for a full NEPA study by a private contractor. The Deer Lodge-Beaverhead did not feel the quality of the study was adequate and repeated this study themselves. During this time, the new Forest Plan came about and reduced the approximately 30,000 acres of harvestable timber to approximately 2,000 acres.

At the present time, the only thing that has been done is the removal of dead trees that would fall across the roads.

A fire in this area could conceivably extend all the way to the Ten Mile project and the city of Helena. We still feel this should be a number one priority.

Thank you for your consideration.

Powell County Commissioners
s/ Cele Pohle, Presiding Officer
s/ Donna Young, Member
s/ Ralph E. Mannix, Jr., Member

Commissioner Mannix reported on the Water Resource Coalition meeting held this morning.

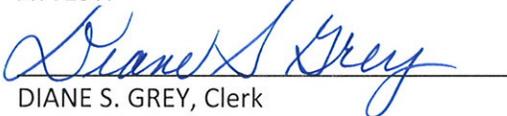
Visitor: John Hollenback

On motion, the meeting was adjourned at 4:00 o'clock P.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

May 7, 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 attended the Safety Committee meeting at 10:00 A.M.

The Board canvassed the Deer Lodge Rural Fire District Trustee Election held May 6, 2014. The election results are as follows:

Sherman G. Anderson - 126

Martin J. Dippold - 177

Dean Lawson - 145

The following Fire District Trustees were appointed by the Board of Commissioners:

DEER LODGE RURAL FIRE DISTRICT

Troy McQueary to fill the unexpired term of Gary Weer (5-30-15)

Dean Lawson (5-30-17) by election

Martin J. Dippold (5-30-17) by election

RACE TRACK FIRE DISTRICT

Dan Kelley (5-30-17)

GARRISON FIRE DISTRICT

Bernie Schillo (5-30-17)

Don Beck (5-30-17)

HELMVILLE FIRE DISTRICT

Randy Mannix (5-30-17)

OVANDO FIRE DISTRICT

Jim Bauer (5-30-17)

Tim Swanberg (5-30-17)

ELLISTON FIRE DISTRICT

Bill Thomas (5-30-17)

ROCK CREEK FIRE DISTRICT

Brent Bickett (5-30-17)

Bob Murphy (5-30-17)

AVON FIRE DISTRICT

Mick Goettle (5-30-17)

John Bignell (5-30-17)

Commissioner Pohle opened a Public Hearing for the adoption of Modifications to the Burn Ordinance. Notice of the Public Hearing was published in the Silver State Post on April 23 and 30, 2014. Fire Warden Earl Hall was present and stated that this is a modification to the original ordinance and noted it is recognized that the fire warden shall implement a burning permit process. The Ordinance states rules and penalties for violations. Mr. Hall stated that he had notified the Fire District Chiefs of the changes and the public hearing. There were no opponents. No one else was in attendance. Commissioner Pohle closed the Public Hearing. Commissioner Young moved to adopt Ordinance No. 01-14. Commissioner Pohle seconded the motion and the motion carried.

Powell County Commissioners

Powell County, Montana

ORDINANCE NO. 01-14

TITLE: AN ORDINANCE PROVIDING FOR ESTABLISHING OFFICIAL WRITTEN BURNING PERMIT; ESTABLISHING LIABILITY FOR EXTINGUISHING FIRES AND FOR PROVIDING CRIMINAL PENALTIES FOR VIOLATION OF THIS ORDINANCE

1. Be it ordained, by the Powell County Commissioners as follows, to wit:
2. It shall be the duty of the Powell County Fire Warden to implement mechanisms that provide the public an official written burning permit. The County may establish a fee to cover the costs

associated with issuing burning permits. The County Fire Warden may delegate that duty to others in the absence of the Fire Warden for this purpose. The written burning permit allows any person to ignite or set fires for slash burning, debris burning or open fires of material approved by the Montana Department of Environmental Quality (DEQ) within the County (see Administrative Rules of Montana (ARM) 17.8.603). Generally, burning permits shall only be issued during the open burning season, which shall extend from March 1st to November 30th of each year. From December 1st to February 28th County burning permits may be issued and activated only with the written permission of the DEQ as established in ARM 17.8.601 thru 17.8.615 . A person wishing to burn during that time must apply to the DEQ for and receive permission from DEQ before a County burn permit may be legally activated.

3. Open burning may be suspended at any time due to high fire danger, weather/red flag warnings, resource shortages and but not limited to air quality concerns.
4. This ordinance is not intended to require permits for small camping, cooking or warming fires unless Stage 1 Fire Restrictions are necessary.
5. Burn barrels are prohibited in Powell County unless a public or private garbage hauler or rural container system is unavailable. If a public or private garbage hauler or rural container system is unavailable, then only, non-prohibited materials such as grass, branches, trees or untreated wood may be burned in a burn barrel. Prohibited material is defined at Administrative Rules Montana (ARM) 17.8.604 . Burn barrel/wood stove ashes must be buried and may not be taken to a rural container system unless that system has a container specifically designated for ashes.
6. It is hereby established that any person who ignites or sets fires for slash burning, land clearing, debris burning, or open fires within this county without first having obtained a written burning permit to ignite or set such fire is guilty of a misdemeanor. The maximum penalty under the law for such fire for a plea or verdict of guilty of a misdemeanor in this section is a fine or five hundred dollars (\$500.00), or imprisonment in the county jail for 6 months, or both.
7. In addition to the foregoing criminal penalty any person shall be liable for all the costs of extinguishing a fire which has been set without a permit. Any person who sets or ignites such fire, with authorization of a burning permit, shall be responsible for all costs of extinguishing such fires that escape.

Adopted: May 7, 2014

POWELL COUNTY COMMISSIONERS

S/ Cele Pohle, Presiding Officer

s/ Donna Young, Member

Attest:

s/ Diane S. Grey, Clerk & Recorder

Commissioner Pohle participated in a conference call for Area V Council on Aging at 1:00 P.M.

Commissioners Young and Mannix met with Coroner John Pohle concerning his Public Employees Retirement Service (PERS) benefit. The Board will send a letter to PERS stating his elected position status. County Attorney Lewis Smith and County Financial officer Jennifer Spring were present.

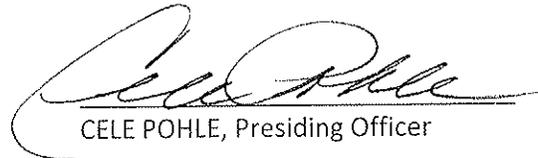
Commissioner Pohle signed the contract to accept the Noxious Weed Trust Fund Grant MDA 2014-045.

Commissioner Pohle signed the Deer Lodge City-County Airport-MDT Aeronautics Commission Grant Extension Request – 7500 G.

A courthouse fire drill was conducted at 3:00 P.M.

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

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk