

Deer Lodge, Montana

December 1, 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 Ralph E. Mannix, Jr. Commissioner Young is attending a Montana Association of Counties (MACo) Board meeting in Helena.

The Board of Commissioners for the County of Powell, Montana met with Mayor Zane Cozby in regular session at 10:30 A.M. to discuss City Water billing for the District 1 County Shop, Weed Board Office, Blue Ribbon Pavilion, and caretaker trailer at the Fair Grounds. Present: Presiding Officer Cele Pohle and Member Ralph E. Mannix, Jr. Also in attendance: Mayor Zane Cozby, Commissioner Elect Dan Sager, Diane Grey, Jody Walker, Ruth Koehler, Jennifer Spring, Pat Hansen, Cindy Frazer, and County Attorney Louis Smith.

Commissioner Cele Pohle asked if the sewer bond charge includes property outside the city limits. Mayor Cozby stated yes, because it is on the city water and sewer line. She then asked for clarification on the rates. Mayor Cozby stated they are all on the commercial rate except for the trailer.

Mayor Cozby stated that he does not have the authority to ignore the bill in question; he hoped to come to a decision that could be brought to the City Council.

Mayor Cozby stated that the bill was back dated to 1999.

Commissioner Cele Pohle stated that the County has no problem paying the water bill from now forward, but not to be back billed.

County Attorney Louis Smith made three statements:

1. The County does not acknowledge this bill
2. Statute of limitations on back billing is one year
3. City can adjust bill based on anticipated usage

There was discussion of putting in a meter for the Blue Ribbon Pavilion, and need of an accurate bill. Commissioner Mannix stated that we have water and sewer lines mapped and that it is available for the city to obtain. Mayor Cozby stated that what comes off the main line is what you are charged for. A 3" line is charged \$160.47 a month. County attorney Louis Smith stated that statute states that the amount charged is to be a "reasonable rate."

The next Council Meeting will be held December 15th. The Commissioners will send a representative to this meeting.

It was suggested that Commissioners will meet with Public Works Committee prior to the December 15 Council Meeting. It is also requested that J.R. Horswill and Gene Kelley be in attendance.

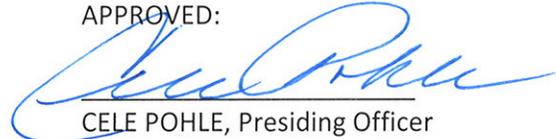
Both Mayor Cozby and Commissioners want a clean procedural process to be in place for the future. Commissioner Pohle stated that change cannot be immediate, that due process must be followed.

Mayor Cozby will email Public Works Department to alert them and ask that J.R. Horswill and Gene Kelley attend the meeting and to bring dimensions of all water lines. Commissioners will bring maps of water lines. County and City Attorneys also need to be present at the December 15th Council Meeting.

Mayor Cozby suggested that meters be put in. Commissioner Pohle suggested that Public Works work up an estimate of the cost for that.

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

December 2, 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.

Planner Brian Bender met with the Board concerning a proposal for the Headwaters Resource Conservation and Development (RC&D) planner to prepare an update of the County Growth Plan. Mr. Bender will finalize the agreement and send to the County Attorney for language approval.

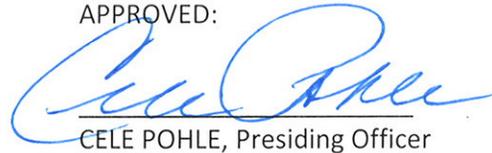
Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of November, 2014, and a record of such is on file in the office of the Clerk and Recorder.

The Treasurer provided the financial reports for October, 2014.

Commissioner Pohle attended the Deer Lodge Disposal District meeting at 5:00 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

Deer Lodge, Montana

December 3, 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.

Ruth Koehler visited with the Board concerning opportunities for the Fairgrounds master planning. She will keep the Board informed on her progress.

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

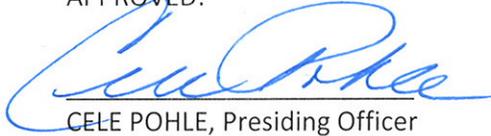
December 10, 2014

The Board met with the Public Works Committee of the Deer Lodge City Council at City Hall. In attendance for the County were Commissioner Pohle, Commissioner Young, County Attorney Lewis Smith, and Commissioner Elect Daniel Sager.

The Board of Commissioners presented the information in the letter sent to the City dated December 8, 2014.

The Public Works Committee agreed to take the request of the County stated in the letter (see December 15, 2014) to the City Council.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

December 15, 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. Jody Walker and Commissioner Elect Daniel Sager were also present.

The Board received the following letter from the City of Deer Lodge concerning the The City of Deer Lodge Study Commission funding:

December 8, 2014

Powell County Commissioners
409 Missouri Ave
Deer Lodge, Montana 59722
(406) 846-9719

To whom it may concern,

Per Deer Lodge City Council, the necessary funds for the voter Study Commission will be drawn from the FY 2015 General fund, until the mills are collected during FY 2016, at which time the monies from the mills will be re-placed in the general fund.

Thank you for your support.

Sincerely,

Zane A. Cozby
Mayor of Deer Lodge

Communication was received from Montana Association of Counties Defense Services, dated December 10, 2014. Results of a Human Rights complaint against Powell County (Commissioner Cele Pohle) were in favor of the County and representation by their office is no longer needed.

A request was received for a waiver of fees for use of the Community Center by the Powell County Shooting Association for monthly meetings. Commissioner Young moved to waive fees for the monthly meeting, Seconded by Commissioner Mannix. Motion Carried.

County Attorney Lewis Smith presented a draft letter to be presented to the Deer Lodge City Council concerning the \$60,000 utilities Bill for the Fairgrounds and County Shop.

December 15, 2014

Mayor Zane Cozby
City of Deer Lodge
300 Main St,
Deer Lodge, Mt. 59722

Re: November 24 Utility Bills for Fairgrounds properties

Dear Mayor Cozby:

Following the meeting on December 10, 2014, the Powell County Board of County Commissioners submits the following as our proposal for resolution of the matter of the utility bills for our properties at the Fairgrounds.

First, we believe that the bills should be abated prior to October, 2014 for the reasons that they had not previously been billed; that any failure to bill the properties lies with the City; and that you are statutorily prohibited from going back fifteen years on these bills. We believe that it is more important to deal with the matter going forward and toward that end, we propose that the County will pay the flat rate for the water and sewer bills based upon line size for the four properties that are serviced off of the City water and sewer lines.

Further, we believe that the garbage should be reduced to a single can picked up one day per week, except for during fair and draft horse show times when the Fair Board pays for additional pick-ups. All properties at the Fairgrounds during the off times will use a single can placed at the County shop. Other cans will be placed in a different location when not used.

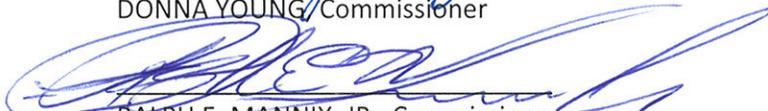
It is the intent, at this point in time, of the County that we will look into and probably place water meters on the property for the purpose of properly identifying the use or lack of use of water at the various facilities, once the ground thaws. As of this point in time, we are willing to pay from October, 2014 forward the amounts for those locations based upon the water line size.

If this is agreeable to the City, please issue new bills for the properties through the date of the bill and then provide monthly bills from there forward.

Sincerely,
Powell County Board of County Commissioners


CELE POHLE, Presiding Officer


DONNA YOUNG, Commissioner


RALPH E. MANNIX, JR., Commissioner

cc: County Commissioners
Fair Board
Blue Ribbon Pavilion Board
Weed Board
Deer Lodge City Council

The Board discussed leave of pay out for Deputy Coroner Lee Jewell. Commissioner Pohle recused herself from the discussion.

Public Health Board met at noon at the Hospital.

The Board received the draft road abandonment, alterations, and establishment procedures from County Planner Brian Bender. A final copy will be prepared for final adoption.

Beaverhead Deer Lodge Forest Ranger Charlene Bucha updated the Board on the progress potential logging projects on the East Deer Lodge landscape.

The Board received notice of the Montana State Aging Plan Re-description. The County chose option #1- to retain Area V Agency on Aging.

Commissioner Mannix moved and Commissioner Young seconded a motion to adopt the By-Laws of the Deer Lodge Refuse Disposal District Board. Motion carried.

Danielle Stevenson, Fair Board Secretary presented the 2014 Fair Financial Statement.

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

December 16, 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 Elect Daniel Sager was also present.

Clerk and Recorder Diane Grey and Clerk and Recorder Elect Jody Walker presented the correspondence.

The Board received and update on the Clark Fork River Cleanup from The Department of Environmental Quality (DEQ) representatives, Brian Bartkowiak, Katy Garcin, and Bureau Chief Tom Stoops. The DEQ is planning to come to an agreement for future project support for Arrowstone.

Commissioner Pohle attended the City-County Airport meeting.

Commissioner Young attended the Local Emergency Planning Committee (LEPC) meeting at noon.

County Planner Brian Bender presented the monthly report for the Planning Department.

Commissioner Young moved to enter into the professional services agreement with Headwaters Resource Conservation and Development (RC&D) to update the County Growth Policy. The motion was seconded by Commissioner Mannix. Motion carried. A copy is on file in the Clerk & Records office.

Visitor: Rex Anderson

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

December 17, 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 Elect Daniel Sager was also present.

Commissioner Pohle and Commissioner Elect Daniel Sager toured the Deer Lodge Landfill.

Chris Laity, Great West Engineering, updated the Board on billing for Center Street Bridge. Deer Lodge Asphalt experienced mechanical issues and were late completing the project. The asphalt will be completed as weather allows in the spring.

The Board attended a meeting organized by Ricki Bauer, Geographical Information Systems (GIS) Specialist, to review procedures for processing applications for COS's etc.

The Board participated in a walk-through of the Center Street Bridge. Chris Laity, Great West Engineer, and contractor Bruce Anderson, Deer Lodge Asphalt were also in attendance.

Commissioner Young attended the Arrowstone Park Board meeting at 3:00 P.M.

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

The Board hosted a Tri-County Commissioner meeting at 6:00 P.M. in the evening. Those in attendance were:

Powell County Commissioners; Cele Pohle, Donna Young, Ralph E. Mannix, Jr., and Daniel G. Sager (Commissioner Elect)

Anaconda Deer Lodge Commissioners; Elaine Lux-Burt, Terry Vermeire, and Paul Smith

Granite County Commissioners; Cliff Nelson, Scott Adler, Barton Bonney and Bill Slaughter (Commissioner Elect)

Anaconda-Deer Lodge City Council Manager Connie Daniels

Granite County Administrator Mike Kahoe

Representatives Kathy Swanson and Mike Miller

Senator Gene Vuckovich

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

December 29, 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, Donna Young, Members Ralph E. Mannix, Jr., and Commissioner Elect Daniel G. Sager.

Jody Walker, Clerk and Recorder Elect, presented the correspondence.

The Board reviewed payroll.

The County received notice from the Montana Department of Labor that a Human Rights complaint brought by Jerry Brander against the County has been dismissed.

Commissioner Young moved to adopt change order #1 for contract MT-TSEP-CG-15-753 (Center Street Bridge). This is notice of work stoppage due to winter conditions. Commissioner Mannix seconded the motion.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

December 30, 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, Donna Young, Members Ralph E. Mannix, Jr., and Commissioner Elect Daniel G. Sager.

Commissioner Pohle administrated the Oath of Office to Coroner Lee Jewell.

Commissioner Pohle was excused in the P.M.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk