

Deer Lodge, Montana

January 5, 2015

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Mannix nominated Commissioner Young as Presiding Officer. Commissioner Sager seconded the nomination. Commissioner Young nominated Commissioner Mannix as temporary presiding officer. Commissioner Sager seconded the nomination. All voted yes in favor of 2015-01 for Commissioner Young as Presiding Officer and Commissioner Mannix as temporary presiding officer.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' PRESIDING OFFICER OF BOARD - 2015

2015 - 1

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 Donna Young as Presiding Officer, to preside over the County Commissioners' meetings for the calendar year 2015 and Ralph E. Mannix, Jr. 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 Donna Young shall be and is hereby elected as presiding officer for calendar year 2015 and Ralph E. Mannix, Jr. shall be and is hereby elected to act as the temporarily presiding officer in the presiding officer's absence or inability to act.

This Resolution is effective January 1, 2015.

Done this 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Member

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2015-02 - Resolution for County Office Hours – 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-02 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COUNTY OFFICE HOURS – 2015

2015- 2

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 falls on a Friday, they wish to close the Powell County Courthouse at 2:00 P.M. on Thursday, December 24, 2015; 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 that the County Treasurer may close their office from noon to 1:00 P.M. every day and will close on Thursday, December 24, 2015 at 2:00 P.M.

Dated this 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2015-03 – Resolution for Commissioners’ Meeting Dates and Office Hours- 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-03 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS’ MEETING DATES AND OFFICE HOURS – 2015

2015 - 3

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.

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, 2015.

Dated this 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2015-04 – Resolution for Per Diem/Travel Rates – 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-04 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR PER DIEM/TRAVEL RATES - 2015

2015 - 4

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, 2015.

Dated this 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2015-05 – Resolution Setting Treasurer’s Fees – 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-05 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING TREASURER’S FEES - 2015

2015 - 5

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 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 15-17-121(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 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2015-06 – Resolution for Rate of Credit for Incarceration – 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-06 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION - 2015

2015- 6

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 46-18-403 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 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk & Recorder

Resolution 2015-07-Resolution Setting Sheriff's Service of Process Fee-2015 was presented. . . Commissioner Mannix moved to adopt Resolution 2015-07 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE - 2015

2015 - 7

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 5th day of January, 2015.

BOARD OF COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Planner, Brian Bender, discussed a fee and writing change for Road, Street and Alley Abandonment. Reduction of fees from \$400.00 to Establish, Alter or Abandon a County Road to \$200.00, changes were made.

Resolution 2015-08 – Resolution Setting Planner's Fees - 2015 was presented. Commissioner Mannix moved to adopt Resolution 2015-08 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING PLANNER'S FEES – 2015

2015 - 8

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 Powell 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 5th day of January, 2015.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DONNA YOUNG, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

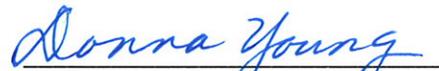
s/ JODY WALKER, Clerk & Recorder

Board appointments were discussed. The Commissioners appointed Disaster and Emergency Services (DES) Coordinator, Ruth Koehler, as Director, and Rick Duncan, Deputy, of the Office of Emergency Management Board and 9-1-1 Committee Board.

Center for National resources and Environmental Policies representative, Mary Ellen Wolf, conducted a conference call with the Commissioners on the Helena and Lewis & Clark National Forest.

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

APPROVED:


DONNA YOUNG, Presiding Officer

ATTEST:


JODY WALKER, Clerk

Deer Lodge, Montana

January 6, 2015

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

Jody Walker, Clerk and Recorder, presented the correspondence.

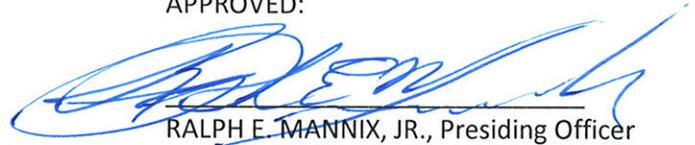
The Commissioners went to the Community Center to attend Forest Service meeting. No one was there.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of December, 2014, warrant # 54944 - # 55054 were issued and a record of such is on file in the office of the Clerk and Recorder.

Planner, Brian Bender, informed the Commissioners that Scott Owen from the Department of Environmental Quality (DEQ) would allow the County to remove remaining materials at Roundhouse before further testing. Repose Excavation has agreed to remove at the same price bid in his contract.

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

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk

Deer Lodge, Montana

January 7, 2015

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Mannix attended a Safety meeting at 10:00.

Jennifer Spring and Jody Walker shared Supervisor Training manuals with the Commissioners. Jennifer Spring will call Jim Nys to see if he would provide training for all Supervisors.

Commissioners discussed Webinar training "The Basics of the Wrongful Discharge ACT" for new Supervisors. Training will be on January 12, 2015 from 1:00-3:00. Rodney Berry and Ken Hosford will be attending.

Roundhouse Repository Removal Discussion was held. There will be a conference call at 1:30 on Friday, January 9, 2015 for a vote on Roundhouse Contract Extension.

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

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:


JODY WALKER, Clerk

Deer Lodge, Montana

January 9, 2015

The Board of Commissioners for Powell County, Montana, met in regular session at 1:30 P.M. for a scheduled conference call. Present: Presiding Officer Donna Young, Members Ralph E. Mannix, Jr., and Member Daniel G. Sager. County Attorney Louis Smith was present and conducted the call.

County Planner Brian Bender received the following email regarding Roundhouse Disposal:

Brian,

Scott Owen has just called to inform me that the MDEQ will postpone its decision regarding testing until they can assess the removal footprint.

This means that the County is authorized to proceed with complete removal (if they wish), as long as they pay for disposal fees in excess of the grant amount. Aaron Roesler of Repose Excavation stated that there were roughly 300-400 tons remaining in the stockpile. Taking into account the disposal amount stated in the contract (8225 Ton) and the amount disposed of to date (8092 Ton), there are 133 Contract Tons Remaining. At worst Case (450 tons), this means an additional (450 - 133 tons) 317 tons, paid at the Contract Unit Price Disposal Fee. With tipping fees and Repose's contracted disposal unit price (56.8f/ton) included, this amounts to a total out-of-pocket cost of not more than \$11,000.

The MDEQ will issue a written statement when they can visit the site in the spring. The statement will describe confirmation testing (if any) that will be necessary to close out the site. As discussed, we can look at tackling this testing as part of a follow-on project if needed.

Shall I Authorize Repose Excavation to Complete the remaining tonnage of Repository Soil in excess of the contracted 8225 Tons?

Please let me know. Thanks,
Cole Peebles, PE I Project Manager

Great West Engineering, Inc.
PO Box 4817
2501 Belt View Drive
Helena, MT 59604

The scheduled conference call was to approve Roundhouse Disposal of remaining material by Repose Excavation. Commissioner Mannix moved to approve, Commissioner Sager seconded the motion. Motion passed unanimously.

On motion, the meeting was adjourned immediately following the conference call.

APPROVED:


DONNA YOUNG, Presiding Officer

ATTEST:


JODY WALKER, Clerk

Deer Lodge, Montana

January 20, 2015

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Board approved the Junk Vehicle grant for 5015 Budget, ORG #575721 CODE #66101.

Commissioner Sager reported on Board meetings he attended. January 12, 2015 he attended the City Planning Board meeting. There was a discussion and review of Growth and Policy updates. There will be a public hearing in February. January 15, 2015 Commissioner Sager attended Headwaters Resource Conservation and Development (RC&D) meeting in Butte.

Ruth Koehler, Disaster and Emergency Services (DES) coordinator presented the Anti-Violence Policy for adoption. Commissioner Sager moved to adopt the presented policy, Commissioner Mannix seconded the motion. Motion passed. A copy of the policy is on file in the Clerk & Records office. The quarterly certification form for DES was authorized by Commissioner Mannix.

Commissioner Sager attended the Airport Board meeting at noon.

Victim's Advocate Grant application was presented by Diana Solle as well as the Victims of Crime Grant. Commissioner Sager moved to accept grant applications as presented, motion passed.

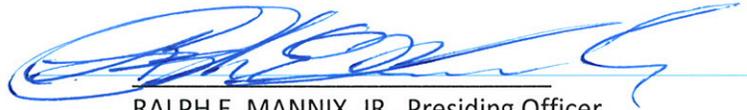
County Planner Brian Bender reported on Fairgrounds Land that is in Warren Acres Subdivision. He will peruse options of how best to get in in County Jurisdiction. He will talk to Bob Everley about a survey and will report back later.

Sheila Finco reported on the Study Commission wanting access to the courthouse after hours. This issue will be put on the agenda for January 27, 2015, at 11:00.

Sheila Finco gave the Board updates on the computer system and on a program for Death Certificates for the Clerk and Recorders office.

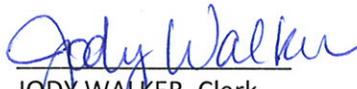
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk

Deer Lodge, Montana

January 21, 2015

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Steve Siegelin and Jody Pauly gave the annual report on the Extension Office and Montana State University Services to the County.

Mid-month claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of January, 2015, warrant # 55055- # 55058 were issued and a record of such is on file in the office of the Clerk and Recorder.

County Planner, Brian Bender, cancelled meeting on Gleason Subdivision. He will bring it to the Board on Monday January 26, 2015.

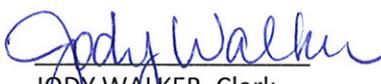
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk