

Deer Lodge, Montana

October 5, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Crachy reported on the Powell Rural Disposal District meeting and Transportation meeting from MACo. Commissioner Mannix and Sager reported on Public Lands and Agriculture Committee meeting. Commissioner Sager reported on the general session meeting. All were Zoom meetings through MACo.

Marty Dippold reminded the board that part of our contract for use of Communication Tower on his property is weed control along the road and at the site. It has not been done this year. Commissioner Mannix apologized for not communicating with Weed Department Supervisor and will remediate it immediately.

County Attorney McEnergy reported on a request for Attorney General opinion on constitutionality of the Governor's Mandate on Covid-19. County Attorney does not believe the Board of Commissioners has grounds to request an opinion on constitutionality.

The Old Military Highway across Spotted Dog Wildlife Management Area for public access is still not finalized as to road location and migration. County Attorney McEnergy will continue to work on getting the County Road open to the public.

County Attorney McEnergy will talk to the hospital on ambulance service and keeping their contract enforced.

Joseph Dehnert discussed why he should be considered for the open Planner position. He had interviewed for the position in March.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 6, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Commissioner Mannix called in to the remote Watershed Restoration Council meeting.

Jody Walker, Clerk and Recorder, stated there was no correspondence.

Dick Perkins expressed concerns about the Garrison Rural Disposal District site.

Marianne Saylor and Ida Miller joined the meeting for an interview with Terry Fisher for County Public Health Officer position.

Montana For Freedom members were in to check on response to their request of the Commissioners to request an opinion from the Attorney General on the legality of the Governor's mask mandate. Discussed County Attorney's opinion letter stating she recommended not requesting an opinion from the Attorney General because it doesn't affect the county's ability to conduct business. Attending the meeting were Bruce Leibold, Isaac Fofkausuas, Kimberly Buck, Rick Buck, and Brenda Rowell.

Commissioner Mannix attended the Watershed Restoration Council afternoon session by phone.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of September 2020, warrant # 65007 - # 65080 were issued and a record of such is on file in the office of the Clerk and Recorder.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 7, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

County Attorney McEnery instructed the Commissioners on requirements for Public Health Officer. Two of the applications qualify, one does not.

The Commissioners met with Todd Fickler to inspect the boundary line between county and campground. He had it surveyed and staked. The Commissioners knew the fence was in the wrong location and agreed with the correct boundaries.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 19, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

Dave Moore Maintenance Supervisor reported on a power outage at the hospital which took out the boiler motor. He has a temporary repair to keep it running while they look for parts.

County Attorney Kathryn McEnery discussed claim by Herman & Cook Trial Lawyers regarding demolition derby. The board is denying the claim on the grounds that the county did not sponsor this event.

County Attorney McEnery presented a proposal for the Saari Corporation to present a deed restriction that will allow the current building construction to meet zoning restrictions. When the signed deed is presented to the Commissioners it will be examined and signed by the board.

Ann O'Toole, assistant to the Planner, presented a staff report on the John Quigley Subdivision to create three more manufactured home sites. The Planning Board and Jerry Grebenc, Interim Planner, have approved the applications with provisions. Commissioner Crachy moved and Commissioner Mannix seconded the motion to approve the application when all conditions have been met. Motion carried.

Kip Kimerly was in to discuss old hospital property.

Commissioner Sager reported on the Airport Board meeting.

Scott Hazelton has verbally accepted the position of County Planner. Finance Officer, Charlene Shaul, will send him a hire letter to sign and return.

Commissioner Mannix moved and Commissioner Crachy seconded the motion to sign Resolution 2020-28 to complete the BARS Grant which is used to resurface the back road from Ovando to Helmville. Motion carried.

A RESOLUTION REQUESTING DISTRIBUTION OF
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS

Resolution 2020-28

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, the project(s) to be funded is located in the town of Ovando, chip seal and maintenance of town approaches and streets and Ovando-Helmville Road to the Northfork River Bridge.
and,

WHEREAS, the local match for the allocated funds has been budgeted from Road Fund 2110.000.000.430200.

THEREFORE, NOW BE IT RESOLVED THAT:

1. Powell County requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.
2. That the Commission hereby empowers and authorizes a Commissioner or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

Adopted this 19th day of October 2020.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DANIEL G. SAGER, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:

DAN SAGER, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

October 20, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

County Attorney McEnery notified the Commissioners the Powell County Coroner, Lee Jewell, had passed this morning. County Sheriff Roselles informed the Commissioners that he had spoken with Deputy Coroner, Heather Gregory, and she will visit with the board on Wednesday to discuss the transition.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:

DAN SAGER, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

October 21, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Heather Gregory, Deputy Coroner discussed transition that will be needed as a result of the Coroner's death. The heirs would like the Coroner's things removed from the funeral home as soon as possible. The Commissioners asked Heather to contact other Coroners to find out how they handle things working with other mortuaries, and on transportation of bodies. The Commissioners appointed Heather Gregory as interim Coroner.

The Commissioners attended Zoom meeting for Communities That Care Key Leadership program.

County Attorney, Kathryn McEnery, discussed letter she received from Paoli & Leisher, PC naming Powell County as defendant in Demolition Derby Law Suit. The board denied the claim as it was not an event that Powell County or the Tri-County Fair Board had any part of. It was a Deer Lodge Chamber event.

Attorney McEnery discussed the Old Mullan Trail Road. The commissioners gave her the authority to hire a separate attorney to establish the migration of the road.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of October 2020, warrant # 65081 - # 65148 were issued and a record of such is on file in the office of the Clerk and Recorder.

On motion, the meeting adjourned at 4:00 P.M.

Commissioners attended the City/County Joint meeting at 5:30 p.m.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 26, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

Interim Coroner Heather Gregory discussed progress in transferring the Coroner's office out of the funeral home. She discussed contracts and Memorandum of Understanding's with funeral homes in surrounding towns for transportation of bodies. Heather will bring them in for approval once they are prepared.

Election Administrator, Jody Walker, presented a list of Election Judges for approval. Commissioner Crachy moved and Commissioner Sager seconded the motion to approve the list. Motion carried. Commissioner Mannix abstained.

The drawing of salary warrants #23053 - #23085 for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of October 2020, were approved and a record of such is on file in the office of the Clerk and Recorder.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 27, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

The commissioners agreed to join those counties promoting the creation of the Big Sky Passenger Rail Authority in order to restore passenger rail service to Southern Montana. The Commissioners will prepare a resolution for public comment and consideration before an official vote is taken.

Victim Assistance Program Director, Ambrel McKetchnie, visited with the board about a new rental agreement with the county. The Commissioners told her \$10.00/square foot will renew the contract.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk

Deer Lodge, Montana

October 28, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Members Ralph E. Mannix, Jr. and Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Sager joined the Zoom meeting for the Western Montana Mental Health board.

The Commissioners attended Zoom meeting for Communities That Care Key Leadership program.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:
DAN SAGER, Presiding Officer

ATTEST:
JODY WALKER, Clerk