

Clerk of Court, Joan Burke, met with the Board with an update. She is making progress with records preservation.

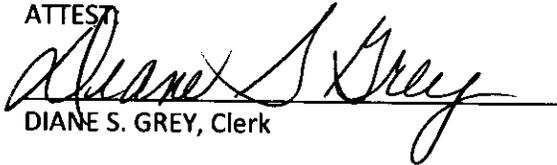
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST



DIANE S. GREY, Clerk

Deer Lodge, Montana

March 8, 2011

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 Young moved and Commissioner Mannix seconded a motion to designate the 2011 county earmarked alcohol tax money to Western Montana Tri-County Addiction Services. The motion carried. A copy of the service agreement is on file in the Clerk and Recorder's office and a copy was given to the Treasurer, Lisa Smith.

Commissioner Mannix moved and Commissioner Young seconded a motion to appoint Cele Pohle as the Powell County representative for Headwaters Resource Conservation and Development (RC&D).

Commissioner Young moved and Commissioner Mannix seconded a motion to make the 2011 Powell Board appointments as read by Commissioner Pohle. Letters will be sent by the Clerk and Recorder.

Sharlyn Metcalf a Deer Lodge resident, was in the office to express her concern that rods in the retaining wall on Cottonwood Creek may collect debris in high water. The Board will relay the concern to Chris Laity, Great West Engineering.

Chris Town, Headwaters RC&D, was in the office concerning arrangements for the upcoming meeting.

Lewis Smith, County Attorney, met with the Board concerning the Ali Davis Estate land distribution in Avon. The County will be receiving Tracts D1, D2 and public access #3 from the Club House east boundary property to the west and from the Steeles and McIntosh Ranch, LLP and Ronald and Wristine Senecal an easement on public access easement #2. The county will then convey to the McIntosh Ranch LLP Tract D2. The Commissioners signed a Deed to Tract D2, per motion made by Commissioner Mannix and seconded by Commissioner Young. The motion carried.

This culminates an Agreement worked out by former Planner Ron Hanson to resolve the lack of dedication of Main Street in Avon and property boundary issues.

County Attorney, Lewis Smith, presented Resolution #9 to adopt a 1937 blueprint for Avon.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION
2011-9

A RESOLUTION TO RECOGNIZE A BLUEPRINT DRAWING AS A PLAT CREATING THE KIMMERLY ADDITION
SUBDIVISION IN THE TOWN OF AVON, MONTANA

WHEREAS, The Powell County Board of County Commissioners has been informed that despite decades of recognition, no formal approval exists in the County Commissioners minutes of a formal adoption of the Kimmerly Addition Plat depicting the lots contained in the Kimmerly Addition Subdivision in Avon, Montana; and

WHEREAS, the Powell County Clerk and Recorder's records contain an updated blueprint depicting the lots generally as 50 feet by 140 feet in size, and are numbered 1 through 20; and

WHEREAS, the Powell County Clerk and Recorder's records also contain a traced drawing dated in 1937 which uses the blueprint drawing to depict property divisions in Avon, Montana; and

WHEREAS, both of the filed, but unrecorded plats in the Clerk and Recorder's Office have been relied upon by property owners and surveyors since 1937 to draft deeds conveying the property and to prepare subsequent surveys in Avon which have been recorded; and

WHEREAS, the blueprint subdivision of the lots has been found reliable by subsequent surveys as correctly establishing the said lots of the Kimmerly Addition.

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 72-3-206 MCA, the Blueprint drawing of the lots contained in the Kimmerly Addition is hereby adopted by the Powell County Board of County Commissioners as an Official Plat of the Kimmerly Addition in the unincorporated Town of Avon, Montana, for the purpose of having established the lots prior to 1937. This recognition shall be subject to any changes made by subsequent Certificates of Survey affecting said properties. While the lots are hereby recognized, any development of the lots shall remain subject to any legal requirements for development, including sanitary restrictions.

Done this 8th day of March, 2011.

BOARD OF POWELL COUNTY COMMISSIONER
s/ Cele Pohle, Chair
s/ Ralph E. Mannix, Member
s/ Donna Young, Member

ATTEST:

s/ Diane S. Grey, Clerk & Recorder

Commissioner Pohle reported on the Council on Aging meeting held February 28, 2011. She also attended the first meeting of the Advisory Board for Road District 1. On March 1, 2011, she attended the meeting of the Deer Lodge Rural Disposal District.

The Board approved by consensus Task Orders No. 20 and 21 for Great West Engineering.

The Commissioners advertised for interested parties to serve on the County Health Board. No letters of interest were received.

Commissioner Young signed a two-year lease with RV Ranch for stockpiling gravel. The lease is on file in the Clerk and Recorder's office.

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

March 9, 2011

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.

The Board met at 9:00 A.M. at the Montana State Prison for a tour of the Prison Industries. They returned to the Courthouse at 2:00 P.M.

PJ Wright met with the Board to gather information for a news article for the Silver State Post. She also presented an article that was published in the Silver State Post on July 3, 1930 concerning the route for the Dog Creek Highway, (road through Spotted Dog Wildlife Management Area). The article follows:

DOG CREEK HILLS ROAD

The Silver State Post had an article last week advocating the use of the Dog Creek highway as better suited for autos, business and a more direct route to the City of Deer Lodge. This Dog Creek road is undoubtedly the most direct road, easy of ascent and descent, to this

town. It was formerly the road used by Gilmer and Saulsbury stage coaches from Deer Lodge to Helena, and was the sole route after this corporation discontinued the state line to Blackfoot city in 1873. The Mullain wagon road, where it crossed the Deer Lodge river at the mouth of what is known as Mullain canyon, took a northeasterly direction until it crossed the Dog creek hill, about three miles from what was afterwards known as Freezeout creek, thence it followed the course to the top of the Dog creek hill, thence down grade to the creek, thence along the foothills until it crossed the Little Blackfoot river at what was known in after years as the Frenchwoman's station. This road afterwards was changed to go direct to the town of Avon. Avon is at the head of Nevada valley and the Little Blackfoot valley. The trade of both these valleys would have a direct route to the City of Deer Lodge, instead of going down the Little Blackfoot river via, Garrison, as the road is now used. The Dog creek road is a county highway and was used as such from 1869 until the completion of the Northern Pacific railroad, and many years thereafter. It is the natural road across these hills and a much shorter route to Deer Lodge.

The old stage station, known as Frenchwoman's, where the passengers stopped for refreshments, had a territorial reputation, on account of the excellent meals. The French woman, bending over the open fireplace, fanning the sacred fires of her art, ever faithful to the old receipts, produced culinary masterpieces. Her wines, imported from the vineyards of France, and Kentucky's old Burbons for an apperit. This woman's success proved the motive for her death. It was the general idea that she was possessed of money hidden away in this station, and one day she was found murdered, lying on the floor of the dining room. The strangest thing about the affair was that none of her money was found, and her assailant was never discovered. Today there is no vestage of this station as one can discover as he whirls past on a coach of the Northern Pacific railway. Someone said, "It's only a mound of earth that resists time's leveler" and referred to the breastworks thrown up by armies during the Civil war. They are still intact.

Where this Dog creek road crosses the Dog creek stream there was, in early days, a saw mill erected and its output was used in the construction of many of the buildings then being erected in this town. Much of this lumber was used in the building of the old Scott hotel, so your writer has been informed.

This road is a matter for the county commissioners. Stand not upon the order to do it, but do it, and the taxpayers will not object.

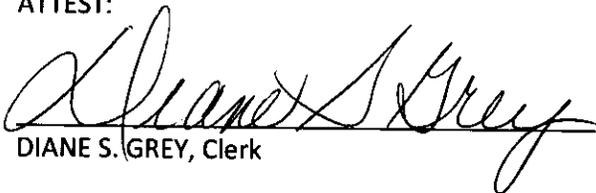
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

March 10, 2011

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Member, Donna Young. Commissioner Pohle was attending an Area 5 Aging meeting in the morning. Commissioner Mannix was attending a Watershed Restoration Coalition (WRC) meeting in the morning and interviewing candidates for a Director of WRC.

Commissioner Young will be out of the state from March 11 through March 20, 2011.

The Board received a letter of resignation from Diane Grey for the Arrowstone City/County Park Board. The letter is on file in the Clerk and Recorder's office.

The Board sent a Memo to Diane Grey, Clerk and Recorder, Lisa Smith, Treasurer and Lewis Smith, County Attorney, requesting a meeting to discuss the tax deed process.

MEMO

DATE: March 10, 2011
TO: Diane Grey, Clerk & Recorder
Lisa Smith, Treasurer
Lewis Smith, County Attorney

FROM: County Commissioners

SUBJECT: Tax Deed Process
Tax Deed Abatement

The Commissioners would like to schedule a meeting at the end of the month, March 29th or 30th. Attached is the tax deed process schedule from the Clerk & Recorder's Association for your review. Please try to coordinate your schedules for a one hour discussion. Please schedule with Diane for a meeting.

The properties that we would like to review would be at least three years in back taxes.

A review of any properties with excess of five years back taxes could be addressed as to the why, and in the case of mobile homes, if they are still at that location. The abatement to strike from the tax roll, if the process is needed, would need to be reviewed.

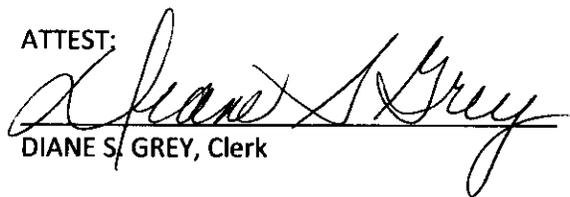
THE Board met with Georgeanne Paul, CRC, Vocational Rehabilitation Counselor, of Pacblu Northwest concerning the job description of Jim Aker.

Jodi Daly, Director of the Tri-County Addiction Service emailed a report for services. It is available in the Clerk and Recorder's office.

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

March 21, 2011

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 and meeting materials for the day.

County Attorney, Lewis Smith, was notified by mail and cc'd to the Commissioners of a grant award to Powell County from Crisis Grants to Counties. County Attorney Smith will complete the necessary paperwork.

Dylan Berg, MAPS, presented information on ArcGIS software for map viewing on county computers.

Brian Bender, County Planner, met with the Board of Commissioners for a monthly update.

Ray Dawes, WTR Consulting Engineers, conducted a bid opening for the heating system for the heating system for the Law Enforcement Building. There were three bids. The Board will take these under advisement, and award the contract next week.

Presiding Officer Cele Pohle presented Resolution 2011-10 to amend the DUI Task Force budget to include a grant of \$14,000.00 from the National Highway Traffic Safety Administration. Commissioner Mannix moved to adopt and Commissioner Young seconded the motion. The motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR AMENDMENT
OF FISCAL YEAR 2010-2011 BUDGET

2011-10

WHEREAS, the Board of County Commissioners of Powell County, Montana have determined that the budget for fiscal year 2010-2011 requires amendment; and

WHEREAS, Section 7-6-4006(3)(c) MCA permits the adjustment of appropriations according to procedures authorized by the governing body for any fund for federal, state, local, or private grants and shared revenue accepted and approved by the governing body; and

WHEREAS, the DUI Prevention Fund number 2811 needs to be amended to allow additional expenditures of \$14,000. This increase will be funded by a grant awarded from the National Highway Traffic Safety Administration, Department of Transportation, and passed through the Montana Department of Transportation; and

WHEREAS, the foregoing amendment to the 2010-2011 fiscal year budget for Powell County is authorized by Sections 7-6-4006(3)(c) MCA.

NOW THEREFORE BE IT RESOLVED by this Board of County Commissioners that the 2010-2011 fiscal year budget for Powell County Montana shall be, and is, hereby amended as follows:

The DUI Prevention Fund number 2811 revenue and expenditure budgets are each increased by \$14,000.

Done this 21st day of March, 2011.

BOARD OF POWELL COUNTY COMMISSIONERS

S/ Cele Pohle, Presiding Officer
S/ Ralph E. Mannix, Jr., Member
S/ Donna Young, Member

ATTEST:

S/ Diane S. Grey
Clerk and Recorder

The Board received a letter of resignation from Bob Toole from the Blue Ribbon Pavilion Board.

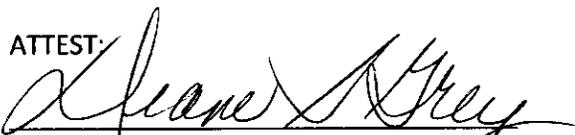
Tracy Stone-Manning, Senator Tester's representative, conducted a public listening session at the Courthouse.

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

March 22, 2011

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 Watershed Restoration Coalition (WRC) meeting in the morning.

Vern Petersen, Employee Benefit Management Service, met with the Board. A discussion was held about ways to improve attendance of wellness programs. Also attending were Clerk and Recorder Diane Grey and Financial Officer Jennifer Spring.

Tracy Stone-Manning, representative for Senator Tester, called to hear our concerns on issues affecting Powell County.

Members of the Senior Citizens Association, Larry Gebhardt, Dick Labbe, Jim Hadley and Buddy Jones requested information on funding of the Senior Center. Dodie Rennfield, Council on Aging Director, explained the funding.

The Board appointed Jennifer Spring and Bernard Barton to the County Health Board. Commissioner Young moved and Commissioner Pohle seconded a motion to appoint. The motion carried.

Lewis Smith, County Attorney, and Brian Bender, County Planner, met with an update on the Roundhouse Cleanup. The Planner is promoting the Environmental Protection Agency (EPA) to use the EPA Spill Response Team to clean up Bunker C.

Commissioner Pohle signed Plat #746RB for relocation of Boundaries between lots belonging to Steeles' properties in Avon and a portion of D-1 to Steeles as completion of the acquisition of Public Access easement #2. This plat was approved by the County Planning Board in January, 2011.

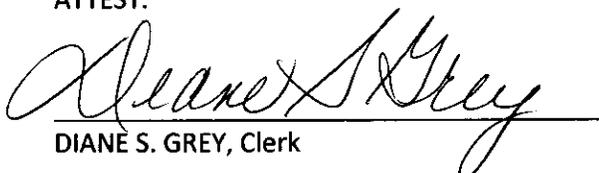
Visitor: Darrel Barton

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

March 23, 2011

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

The Board of Commissioners met as a Health Board at noon for a special meeting to consider the By-Laws for the Health Board. Commissioner Young moved for adoption. Bernard Barton seconded the motion. The motion carried. Following the meeting, the Commissioners appointed Shannon Knuchel as a Board Member. The next meeting will be held June 20, 2011.

Commissioner Mannix moved and Commissioner Young seconded a motion to adopt Resolution #2010-11 for a lease of Hanger #2 at the Airport to Will Hogan. The motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION

2011-11

WHEREAS the Powell County Airport Board has negotiated with Will Hogan to lease Hanger #2 at the Powell County Airport for the sum of \$.04 per square foot; and

WHEREAS the County Commissioners and the County Attorney have reviewed the lease and it appears to be in order; and

WHEREAS the City of Deer Lodge, which co-owns the airport land has approved the lease with Will Hogan by resolution.

The Powell County Board of County Commissioners by a vote of 3-0, hereby approved the lease of Hanger #2 at the Powell County Airport to Will Hogan pursuant to the terms of the lease agreement with him, a copy of which is attached to this resolution.

Done this 23rd day of March, 2011.

BOARD OF POWELL COUNTY COMMISSIONERS

S/ Cele Pohle, Chair

S/ Ralph E. Mannix, Member

S/ Donna Young, Member

ATTEST:

S/ Diane S. Grey
Clerk and Recorder

Commissioner Pohle signed a Management Representation letter for Newland & Company for the audit by consensus of the Board. A copy is on file in the Clerk and Recorder's office.

Financial Officer Jennifer Spring met with the Board for the monthly financial update. She presented information on Fund 2860 – Land Use Planning. Since the MCA was repealed, Commissioner Young moved to transfer the balance to Fund 2250 County Planning as well as future entitlement levy and state entitlement share. Commissioner Mannix seconded. The motion carried.

By consensus, Commissioner Pohle signed the plan documents to continue participation with Nationwide Retirement Solutions.

Pam Walling, Montana Association of Counties Joint Powers Trust, presented information on that insurance program. She will provide a comparison with the current coverage.

Marwan Saba and Hans Schlueter presented possible language corrections in the Sheriff's Employees Association. The Board of Commissioners will review.

Commissioner Mannix reported on the Powell Rural Disposal District (PRDD) meeting to review proposals for service in outlying areas. Three proposals were viewed. All were rejected due to cost. It was decided the PRDD Board will continue to operate the service and will hire a driver.

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

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk