

Deer Lodge, Montana

May 18, 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.

A tour of the new hospital has been rescheduled. The Board toured the Platten Press building and asked the County Attorney to notify Gary Chilcott by letter to remove his property by June 15, 2011.

The Board met with Financial Officer Jennifer Spring for the monthly financial update.

Commissioner Young moved and Commissioner Mannix seconded a motion to accept the bid from Deer Lodge Asphalt for the gravel crushing at the McKee Pit – 30,000 yards at \$6.49 per yard for \$194,700 and the Murphy Pit (Two Creek Ranch) – 20,000 yards at \$7.17 for \$143,400 minus \$7,500 deduction for awarding both for a total of \$330,600.

Nancy Nelson, Public Health Nurse, met with the Board to discuss staffing and budget.

Disaster and Emergency Services Coordinator, Bernard Barton, met with the Board to discuss his budget.

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

May 25, 2011

The Board of Commissioners for Powell County, Montana, met in regular session at 9:30 o'clock A.M. Present: Presiding Officer, Cele Pohle and Members, Donna Young and Ralph E. Mannix, Jr.

The Board attended a Human Resource Training in the morning.

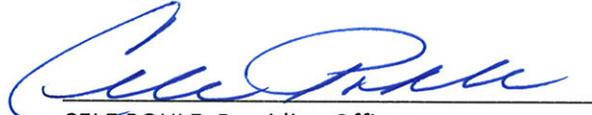
Commissioner Mannix moved and Commissioner Young seconded a motion to transfer Non-primary Entitlement Fund of the Deer Lodge City-County Airport to Gallatin County Airport (\$62,000) and Columbus Airport (\$18,000). The motion carried. Documentation is on file in the Clerk and Recorder's office.

Clerk and Recorder, Diane Grey presented correspondence.

The drawing of salary warrants for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of May, 2011, were approved and a record of such is on file in the office of the Clerk and Recorder.

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

May 26, 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 discussed the Johnson Creek Trail route, per recommendation by the Parks Commission. The Board will consult with Engineer Chris Laity on possible route charges.

Clerk and Recorder, Diane Grey presented correspondence.

The Board took action on the Employee Health Insurance plan. Commissioner Young moved and Commissioner Mannix seconded a motion to retain the Employees Benefit Management Service Joint Powers Trust (EBMS/JPT) for the county health insurance providers and selected Option 4 with a 4% credit for a three year commitment and training. There will be one Two Medicine meeting each year and all employees will be required to attend. The motion carried. A copy is on file in the office of the Clerk and Recorder.

The Board agreed by consensus to enter into an Agent Appointment Service Agreement – A between the Montana Association of Counties Workers Compensation Trust and Western States Insurance to provide loss control/safety services beginning July 1, 2011. A copy is on file in the office of the Clerk and Recorder.

County Treasurer, Lisa Smith and County Attorney, Lewis Smith met with the Board to review a proposed Resolution for fees for bad checks. The Resolution will be advertised for public hearing.

Wayne Lott met with the Board to discuss delinquent taxes on a mobile home on his property.

Commissioner Mannix moved and Commissioner Young seconded a motion to adopt Resolution 2011-15 – Powell County Emergency Flood Declaration. The motion carried.

Powell County Emergency Flood Declaration

Resolution Number 2011-15

WHEREAS severe heavy runoff due to above normal mountain snowpack is anticipated in the near future which could potentially cause rivers and streams to create serious flooding situation in many areas of the county, and

WHEREAS, this anticipated flooding poses an imminent threat of a disaster that could cause immediate peril to life and property and could severely damage county and other public infrastructure including bridges and transportation routes, and

WHEREAS, flood mitigation measures need to be implemented as soon as possible to avert or diminish these threats; NOW

THEREFORE, BE IT RESOLVED by the Powell County Commissioners that an emergency flood situation is hereby declared pursuant to Section 10-3-402, M.C.A. and all provisions of the County Emergency Operation Plan are in effect.

BE IT FURTHER RESOLVED that copies of this Resolution be filed with the County Clerk and Recorder and the Montana Disaster and Emergency Services Division in Helena.

PASSED AND ADOPTED BY the Powell County Commissioners this 26th day of May, 2011.

Board of Powell County Commissioners

s/ Cele Pohle
Chairman

s/ Donna Young
Member

s/ Ralph E. Mannix, Jr.
Member

ATTEST:

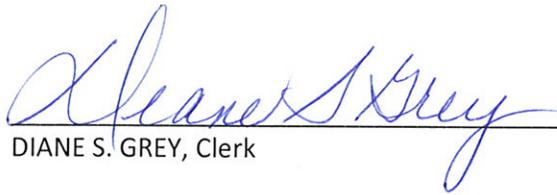
s/ Diane S. Grey

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

May 27, 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 toured the new hospital with Chief Executive Officer, Alan Bird.

The Board received a copy of a Memorandum of Understanding for Electronic Monitoring from Keith Worl, Juvenile Probation officer. A copy is on file in the Clerk and Recorder's office.

Commissioner Mannix moved and Commissioner Young seconded a motion to approve the final plat of Rock Creek Cattle Company Home Ranch Development Phase 4. The motion carried.

Assistant Planner, Peggy Kerr, presented the staff report. Also attending was Juniper Davis, Five Valley Land Trust and Mike Stenberg, Hylite Engineering.

County Attorney, Lewis Smith, County Planner, Brian Bender and Brian Bartkowiak with the Department of Environmental Quality (DEQ) presented the consent to access. Commissioner Young moved to approve the consent to access county property for the Phase II Deer Lodge and Eastside Road Residential Properties Revival Acton Project. The motion was seconded by Commissioner Mannix. Supporting documents are on file in the Planning Office Environmental Protection Agency/Department of Environmental Quality Clark Fork Repository.

Commissioner Mannix moved to adopt the Certificate of Resolution for the Section 1256 Premium Only Plan. The motion was seconded by Commissioner Young. This involves the Section 125 Cafeteria Plan. The Certificate of Resolution (2011) 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

June 6, 2011

The Board of Commissioners for Powell County, Montana, attended the Montana Association of Counties District Meeting in Virginia City.

Deer Lodge, Montana

June 7, 2011

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 Members, Donna Young and Ralph E. Mannix, Jr.

Clerk and Recorder, Diane Grey presented correspondence.

Concerning a resolution to create the Weed Board, the Board of Commissioners will review and consider this at a later date. The county attorney will review the resolution.

Sharilynn Metcalf was in to report high water in Cottonwood Creek.

The Board received and acknowledged an increase in per-diem rate from Reintegrating Youthful Offenders (RYO). The price increased from \$231.13 per day to \$235.75 per day.

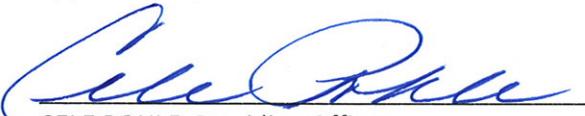
Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of May, 2011, and a record of such is on file in the office of the Clerk and Recorder.

The Board met with Craig Myers, Environmental Protection Agency Emergency Response Unit concerning an Access Agreement for cleanup of Bunker C at the Roundhouse. Also present: County Planner, Brian Bender and County Attorney Lewis Smith. The Access Agreement with amendments is in the office of the Clerk and Recorder.

J R Horswill, City Maintenance requested that the county road mix be used to create a berm to keep water in the Cottonwood Creek Corridor.

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

June 8, 2011

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 Members, Donna Young and Ralph E. Mannix, Jr.

Ruth Koehler, Deputy Disaster and Emergency Services Director, updated the Board on flooding in the County.

Tom Hansen, United States Postal Service representative, Deer Lodge Post Office, presented options for mail service at the Courthouse.

Commissioner Pohle signed Amendment Five to the Powell County Flexible Benefits Plan. A copy of the Amendment is on file in the Clerk and Recorder's office.

County Attorney, Lewis Smith presented a Petition for Abandonment of a road in Ovando. The Petitioners are Thomas Block. The Board will view the request with an on site visit.

Disaster and Emergency Services Coordinator, Bernard Barton and Deputy Ruth Koehler updated the Board on current flooding conditions.

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

June 9, 2011

The Board of Commissioners for Powell County, Montana, met in special session at 9:00 o'clock A.M. Present: Presiding Officer, Cele Pohle and Members, Donna Young and Ralph E. Mannix, Jr.

The Board met with Nanci Taylor, Nurse Practitioner with the State Family Planning and Jamie Paul, Regional Director of Title X, Family Planning. She is based out of Butte Public Health Office.

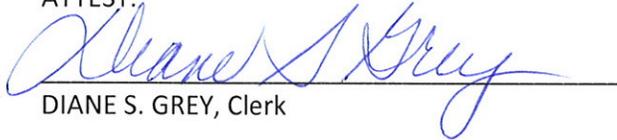
Following the meeting, Randy Huffsmith and Jason Knapp with CDM Engineering stopped by the Commissioners' office to give views on the design of Cottonwood Corridor.

On motion, the meeting was adjourned at 11:00 o'clock A.M.

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

June 20, 2011

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 Members, Donna Young and Ralph E. Mannix, Jr.

Kohrs Librarian Khrys Suckow and Library Trustee member Kathy Foster met with the Board.

Commissioner Pohle opened the Public Hearing to review proposals for the old hospital building. At this time, no proposals were presented. Commissioner Mannix moved to continue the public hearing indefinitely in order to receive any possible proposals in the future. The motion was seconded by Commissioner Young and the motion carried. Attending the hearing were Jim and Betty Hadley.

Earl Hoppe was in the office concerning road issues.

A scribe's error was noted in Resolution 2010-14 and has been corrected, as noted on the Resolution.

Commissioner Pohle signed a Final Closeout Certification of MT-TSEP-CG-08-401. A copy is on file in the Clerk and Recorder's office.

The County received notice from Council on Aging Director Dodie Rennfield of her summer hours.

The Board met as part of the County Health Board at noon. Also attending were County Attorney, Lewis Smith, Jennifer Spring and Brian Bender. A discussion was held regarding the future of the Women, Infants and Children (WIC) program and the Family Planning program.

Commissioner Mannix signed 23-11-ROW for a Right of Way Permit in north Powell County.

Diana Solle, Victims Advocate, requested permission to attend the National Organization of Victim Advocates in Philadelphia. A cost of \$256.00 will come from the training line item. Permission to attend was granted to attend the out of state meeting.

Bernard Barton, Disaster and Emergency Services (DES) coordinator updated the Board on current events in the flooding situation.

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

APPROVED:


CELE POHLE, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

June 21, 2011

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, was attending a Watershed Resource Council (WRC) meeting.

The Board was notified that a vote by Teamsters Local #2 to form a Union for the Road Department failed by a vote of five to two.

Commissioner Pohle signed Task Order 22 & 23 for Great West Engineering Services for Flood Mitigation and Evaluation.

Blue Ribbon Pavilion Event Coordinator, Cindy Frazer and Board Chairman Bruce Thomas updated the Board of Commissioners about roof concerns and Blue Ribbon Pavilion Board organizational changes.

Commissioner Mannix attended this meeting and then returned to the WRC meeting.

Commissioner Pohle moved to release the irrevocable letter of credit No. 50402-142 (regarding Rock Creek Cattle Company, LTD) in the amount of \$162,625.00 for improvements associated with Phase 1 of the Developer's Planned Unit Development. The motion was seconded by Commissioner Young and the motion carried. Attending was Planner Brian Bender, Mike Stenberg, Hylite Engineering and Assistant Planner Peggy Kerr.

Commissioner Mannix joined the meeting at noon.

Commissioners Cele Pohle, Donna Young and Ralph E. Mannix, Jr. attended the Local Emergency Planning Council (LEPC) at noon.

Commissioner Pohle opened a Public Hearing for a Resolution to establish a Non-sufficient Funds check charge fee of \$30.00. County Attorney Lewis Smith explained the procedure. Commissioner Young moved and Commissioner Mannix seconded a motion to adopt Resolution 2011-16. The motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION
2011-16

WHEREAS, the Montana Legislature has provided I Mont. Code Ann 7-6-4013 that the County Commissioners shall set fees for costs for County Offices by resolution; and

WHEREAS, the County Offices are permitted to charge fees for bad checks for the costs defined in Section 27-1-717(2) MCA (2009) up to \$30.00; and

WHEREAS, the County Treasurer has determined that the cost to handle a bad check is \$30.00 and has made recommendations to the County Commissioners that they establish the amount to charge in county offices for bad checks is \$30.00; and

WHEREAS, the County Commissioners of Powell County, Montana have examined the fee proposal from the County Treasurer, have reviewed the statutes referred to them by the County Attorney and the 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 collection of bad checks; and

WHEREAS, the County Commissioners of Powell County, Montana have directed the County Attorney to prepare a proposed resolution and the appropriate notices to adopt said fees and the appropriate notices;

WHEREAS, notice of a public hearing on the fees was published in the Silver State Post on June 1 and 8, 2011, for the public hearing held on June 21, 2011 at 1:00 p.m.

NOW, THEREFORE, it is hereby resolved by the County Commissioners of Powell County, Montana as follows:

The Offices, employees and officers of Powell County shall charge the sum of \$30.00 for bad checks delivered to them or their offices in the regular course of business.

Done this 21st day of June, 2011.

BOARD OF POWELL COUNTY COMMISSIONERS

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

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Planner Brian Bender presented his monthly report. Also in attendance was Lewis Smith.

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

June 22, 2011

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 Members, Donna Young and Ralph E. Mannix, Jr.

The Salary Commission Board met with the Board of Commissioners. Those attending were the Commissioners, Clerk and Recorder/Assessor, Diane Grey, Financial Officer, Jennifer Spring, Justice of the Peace, JoAnne Nelson, District Court Clerk, Joan Burke, County Attorney Lewis Smith and community members, Jim Thompson and Jan Bender. Jennifer Spring presented to proposals, the first proposal was a flat rate of \$900.00 for the Clerk and Recorder's base and 2% for other eligible positions not tied to the Clerk and Recorder's base and the second proposal was a 1.6 per cent cola raise for all eligible positions. Mr. Thompson asked about health insurance premiums and Commissioner Pohle explained that there was no increase this year because of the plan the County opted to take. This option requires that all Powell County employees under the county health plan attend one Two Medicine Health Fair meeting per year. Commissioner Mannix commented that Powell County is a conservative county financially and that we are also very stable financially. He also mentioned that the Secure Rural Schools (SRS) funding is still a bright spot in our revenues, but that Powell County is pretty dependent on federal funding and grants. Commissioner Young stated that all the department heads try very successfully to stay within their budgets. She also stated that Powell County operates from year to year and is willing to work with what we have. Financial Officer Spring noted that the Payment in Lieu of Taxes (PILT) monies take a hit when the SRS funding goes up. PILT monies benefit more of the county budgets and law enforcement whereas the SRS monies go strictly to the road department. Commissioner Pohle mentioned that the new county planner is seeking more economical grants to help out the county and city. Mr. Thompson asked if the new windows and boilers may help with some of the expenses. Commissioner Young stated that some of the expenses are strictly maintenance. Mr. Smith stated that a lot of the maintenance done was by the trustee and a very minimal cost to the county, mostly supplies. He also mentioned

that the county attorney's salary is tied into the District Court Judges' salaries which help the counties because of the reimbursement from the State. There was some discussion on the receptionist's position. If this position is not filled, there is the potential of a \$26,000.00 savings. Jan Bender made the motion to recommend the \$900.00 proposal to be added to the Clerk and Recorder's base. Joan Burke seconded the motion and the motion carried. Commissioner Mannix asked Mrs. Bender what they do for their employees and she gave some information regarding what they as a private sector are able to do. Everyone was in agreement that the County does a great job with all the benefits and such that they offer to the employees. The meeting adjourned at 10:00 o'clock.

The Board walked to the Clark Street Bridge. Debris and soil had built up under the bridge. The Montana State Prison Fire Crew and District One Road Crew were addressing the problem. The road crew was hauling rock to protect the streets.

The Board met with the Department Heads and Elected Officials to discuss the receptionist position and the phone system. Those attending were Pat McGlen, Qwest Global Account Manager, Commissioners Pohle, Young and Mannix, Financial Officer Jennifer Spring, Justice of the Peace JoAnne Nelson, Victims Advocate Diana Solle, Maintenance Supervisor Fred Kuchinski, County Agent Jodi Pauley, County Planner Brian Bender, County Treasurer Lisa Smith, County Attorney Lewis Smith, Clerk of Court Joan Burke, Department of Revenue Cindy Fraser and Pat Hewitt, Council on Aging Director Dodie Rennfield and Clerk and Recorder/Assessor Diane Grey. Mr. McGlen presented options for a new phone system. Charlie Olinger from Falcon Communications did not attend as planned.

Financial Officer Jennifer Spring presented the monthly financial report.

The Board signed the annual contract with Western Montana Mental Health. A copy will be on file in the Clerk and Recorder's office after signatures from the Western Montana Mental Health Board have been attained.

Commissioner Mannix moved and Commissioner Young seconded a motion to contract with Western Montana Mental Health for July 1, 2010 through June 30, 2011. This includes the \$2,500.00 to subsidize the Mental Health Professional Crisis Response Team. The motion carried.

Chris Laity, Great West Engineering, met with the Board about the diversion canal/road damage at the Clark Street Bridge. The Board sent a letter of request to the Natural Resources Conservation Service for assistance from flood damage.

Commissioner Young moved to appoint Shane Olsen to a two year term on the Board of Adjustments. The motion was seconded by Commissioner Pohle and the motion carried.

The Board received a letter of resignation from Allen Walter from the Park Commission Board.

Sheri Wilson, Literacy Program Director, updated the Board on the program progress. She has requested \$1200.00 for the 2011-12 fiscal year budget. The Board will consider this request.

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

APPROVED:



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk