



CELE POHLE, Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

August 17, 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 Board discussed staffing for the Public Health Department. The Board will consult with the County Attorney and make a decision on August 29, 2011.

Commissioner Mannix moved to appoint Commissioner Young as Presiding Officer. Commissioner Pohle seconded the motion and the motion carried. Commissioner Young attended the Park Board meeting at 4:00 P.M.

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

August 26, 2011

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

Clerk and Recorder Diane Grey presented correspondence.

Commissioner Young signed a Right of Way Permit for the Blackfoot Telephone Company to install fiber optic in Upper Little Blackfoot Road.

The Board received a notice of changes on the Elliston Volunteer Fire Department Board. Notices of appointment and terms of offices will be sent.

Larry Rennfield, District One Road Department Forman, reported his crew is placing millings on Yellowstone Trail.

Commissioner Mannix signed a Permit Application for SPA12Y permit for the Department of Fish, Wildlife and Parks for Clark Street Bridge.

The Board received a copy of a Statement and Release in Cause No. DV-05-24 between Dale and Kathy Zoeteman and Arne Mohl. This statement releases Powell County from its obligations under said order. A copy is on file in the Road District One file in the Clerk and Recorder's office.

Commissioner Mannix moved to support the Powell County DUI Task Force for Fiscal Year 2012 with funding available from Drivers' License reinstatement fees. The motion was seconded by Commissioner Young and the motion carried. A copy is on file in the Clerk and Recorder's office.

The Board met with Brian Bartowiak, Roger Hoogehide, County Attorney Lewis Smith, Planner Brian Bener and Larry Scusa, Department of Environmental Quality.

Mike Stenberg, Hylite Engineer, presented documents for the Rock Creek Cattle Company Letters of Credit and Releases. Signatures were obtained and the documents are in the Clerk and Recorder's office.

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

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

August 29, 2011

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

Sheila Metatal, VISTA Volunteer for the Victim Program, introduced herself.

Commissioner Mannix signed Modification to the Department of Environmental Quality (DEQ) Contract 211016 to extend the completion date until September 30, 2011. A copy is on file in the Clerk and Recorder's office.

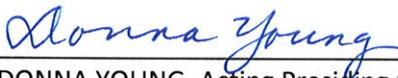
Shelly Boggles met with the Board concerning the Tri-County Fair.

Sheriff Howard updated the Board on Flood clean-up. The bid for clean-up was awarded to Sun Mountain to be completed in forty-five (45) days.

Guests: Jim Thompson

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

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

August 30, 2011

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

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

The Board met with Great West Engineer, Chris Laity, Planner Brian Bender and County Attorney Lewis Smith.

Commissioner Young signed a consent to access for the Department of Environmental Quality Trestle Area Remedial Action Project.

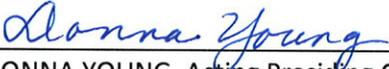
The Board met with Great West Engineer Chris Laity, Planner Brian Bender, Sheriff Scott Howard, County Attorney Lewis Smith, JR Horswill and Donna Seaton from the City concerning an invoice from the flood event.

The Board reviewed the Federal Emergency Management Agency (FEMA) Project work sheets with Chris Laity and Brian Bender.

Commissioner Mannix moved that at this time, the Board will not hire a Public Health Nurse, due to financial constraints. The motion was seconded by Commissioner Young and the motion carried.

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

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

September 6, 2011

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Member Donna Young. A quorum was not present.

Clerk and Recorder Diane Grey presented correspondence.

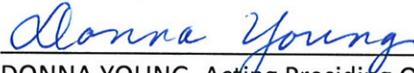
Commissioner Mannix joined the meeting at 3:30 P.M.

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

Visitor: Dwight O'Hara

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

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

September 7, 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.

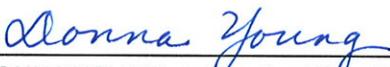
The Board accepted a letter of resignation from Road District One Foreman Larry Rennfield. The Board responded by mail.

Federal Emergency Management Agency (FEMA) representative Mary Marchart met with the Board to review Project worksheets for Category B – Emergency Measures for the June flood. Worksheets were signed by Bernard Barton and copies are on file in the Clerk and Recorder's office.

Michael Luciano, William King and Brian Luciano met with the Board with a request to grade the Emery County road for 2.6 miles to the United States Forest Service boundary. The request will be given to Commissioner Pohle for her consideration.

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

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

September 8, 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.

Commissioner Young opened a Public Hearing for Adoption of the Fiscal Year 2011-2012 Budget at 11:00 A.M. Commissioner Mannix moved for Adoption of Resolution #24. The motion was seconded by Commissioner Young. The motion carried. Deputy Clerk and Recorder Jarita Neckels recorded minutes.

Resolution 2011-24 was read by Financial Officer Jennifer Spring.

Commissioner Young called for any questions. Commissioner Young had a question regarding the Blue Ribbon spending. Financial Officer Spring answered to her satisfaction. Commissioner Mannix questioned where Secure Rural Schools monies are. It is included in the Road Fund.

School levies are included as presented by Superintendent of Schools Jules Waber earlier this morning.

There being no members of the public present, a motion was made by Commissioner Young and seconded by Commissioner Mannix to adopt the 2011-12 Budget. Motion carried.

Certificate of Appropriation for the Intercap Loan was signed by Acting Presiding Officer Donna Young.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR ADOPTING A BUDGET FOR POWELL COUNTY
FISCAL YEAR 2011-2012

RESOLUTION 2011-24

WHEREAS, pursuant to Section 7-6-4024 MCA, the Board of County Commissioners of Powell County, Montana has met with department heads and elected officials and held public hearings on the proposed budge of Powell County for fiscal year 2011-2012 as required by law; and

WHEREAS the final budget has been prepared in accordance with state statutes and is balanced so that the appropriates do not exceed the projected beginning balances plus the estimated revenue of each fund; and

WHEREAS , Sections 7-6-4020 through 7-6-4030 MCA proved for the fixing of various tax levies to raise funds sufficient to meet said expenditures authorized in the budget; and

WHEREAS pursuant to Section 15-10-203 MCA the Board of County Commissioners of Powell County has held hearings and passed resolutions as applicable per Section 15-10-203 MCA; and

WHEREAS, the Montana Department of Revenue has certified to the county commissioners that the value of a county-die mill is \$13, 417 and the value of a road district mill is \$10,780; and

NOW THEREFORE BE IT RESOLVED that the final county budget as set out in the final budget filed with the Powell County Clerk and Recorder this date be hereby adopted as the final budget subject to the conditions as set forth below.

IT IS FURTHER RESOLVED that appropriations are authorized to defray the expenses and liabilities for the fiscal year.

IT IS FURTHER RESOLVED that the legal spending limits are set at the department level for the General Fund and at the fund level for all other funds; however appropriations for outlay in funds 2260 (Disaster and Emergency Services) and 2161 (Blue Ribbon Pavilion) may not be spent without expressed, prior approval of the Commissioners, and appropriations for leave payout (object code 130) may only be used for expenditures associated with leave payout for a departing employee.

IT IS FURTHER RESOLVED that the governing body or designated official may transfer appropriations between items in the same fund or department, except for the exclusions stated above, after notification to the County Commissioners.

IT IS FURTHER RESOLVED by this Board of County Commissioners that the levies set out in the final budget filed with the Powell County clerk and Recorder be fixed and adopted for fiscal year 2011-2012 based on the county-wide mill value of \$13,417 and road district mill value of \$10,780.

This Budget Resolution shall be effective on July 1, 2011.

Dated this 8th day of September, 2011.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Donna Young, Presiding Officer

s/ Ralph E. Mannix, Jr., Member

ATTEST:

s/ Jarita B. Neckels
Deputy Clerk and Recorder

APPROVED AS TO FORM:

s/ Lewis K. Smith
Powell County Attorney

September 7, 2011

TO: Powell County Commissioners

FROM: Jules Waber
Powell County School Superintendent

RE: School and Countywide Levies

The attached school district levies need to be approved. The cover sheet for each district needs to be signed by the chairperson.

I have calculated the county wide levies as follows:

Elementary Retirement 29.73 mills,

High School Retirement 14.46 mills,

County Transportation 3.22 mills,

Elementary Equalization 33 mills,

High School Equalization 22 mills

This is a 5.39 mill increase from last year's county wide levy.

Sincerely,

s/ Jules Waber

Doug Grant, Federal Emergency Management Agency (FEMA) met with the Board regarding Category C – Permanent Repairs for the June flood. A copy is on file in the Clerk and Recorder's office. Worksheets were signed by Bernard Barton.

The Board met with the Health Board at noon.

Commissioner Mannix moved to approve Task Order 28 – Sheriff Office Energy Retrofit HVAC System and Task Order 26 – Cottonwood Creek Debris Removal for Engineering Services On-Call Great West Engineering Services. Commissioner Young seconded the motion and the motion carried.

The Board approved change orders for the Sheriff's office HVAC under the Energy Efficiency Block Grant from the Department of Environmental Quality (DEQ) to the County. Copies are on file.

Commissioner Mannix moved to approve the Amendment to the Memorandum of Understanding between Powell County and the Montana Department of Transportation for the Planning and Construction of the Main Street Bridge. The motion was seconded by Commissioner Young and the motion carried. A copy is on file in the Clerk and Recorder's office.

Commissioner Mannix signed a Grant Award for the Emergency Management Performance Grant for the Office of Emergency Management in the amount of \$22,253.50.

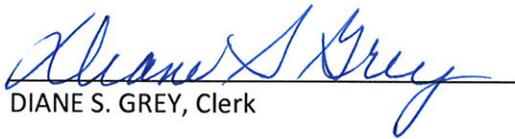
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



DONNA YOUNG, Acting Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

September 19, 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 to appoint Commissioner Pohle as Presiding Officer. The motion was seconded by Commissioner Mannix and the motion carried.

By consensus the Board agreed to not charge a rental fee for the Rocky Mountain Stock Growers Association to hold meetings at the Community Center.

Senator Tester's representative, Deborah Frandsen, met with the Board to hear concerns in the County. The Board expressed concern that the Secure Rural Schools Act be funded at the federal level. Also, Commissioner Young expressed that the rural post offices are important in our small communities and asked closures proposed not take place.

Commissioner Mannix reported he met with Sheriff Howard regarding flood cleanup in Deer Lodge which is proceeding well. Also a wind generator has been placed on Morrell Peak for communication on the north end of the county. A new communications tower is being installed at the Sheriff'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

September 20, 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 attended Customer Service Training in the morning.

The Board met with representatives from Granite County concerning redistricting for House District #84.

Charlene Bucha-Gentry, Deer Lodge Beaverhead Forest Ranger updated the Board.

The Board opened bids for installing the Bridge donated by Rock Creek Cattle Company at the Garrison Wetlands. Two bids were opened and the Board will take under consideration.

Wayne Neubauer, representing Guy Neubauer, requested that the County inspect two culverts near Stark Street in an attempt to alleviate water issues at Guy Neubauer's house during high water. Larry Rennfield and Gary Larson will inspect and report to the Board.

Commissioner Mannix moved to approve payment of Task Orders 24 and 25 to Great West Engineering. The motion was seconded by Commissioner Young and the motion carried.

Commissioner Young moved and Commissioner Mannix seconded a motion to approve payment of Task Order 27 to Great West Engineering. The motion carried.

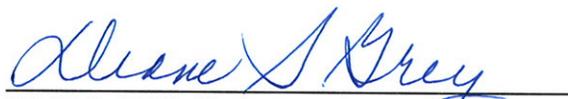
Don Beck of Don Beck Construction met with the Board to discuss the partial payment he received from an invoice submitted for work performed during the June flood. He was told that the amount paid was the final payment. Mr. Beck was accompanied by Clayton Wallend and Mark Cloud.

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

September 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.

Eugene Wallace, Road District #3 Foreman, met with the Board to propose possible solutions to Powell Rural Disposal District not having a relief driver. The Commission will consider the proposals.

Diana Solle, Ron Kelly, Bob Bonato and Sheila Mettetal met with the Board with an inquiry about the old hospital. They will return with more information in October and the Public Hearing will be reopened at that time.

Larry Rennfield, Road District #1 Forman and Gary Larson, District #1 crew, met with the Board to request permission to lease an asphalt patcher at a cost of \$4,000.00. Permission was granted. Jim Hadley also was in attendance.

County Planner Brian Bender presented a monthly report of the Planning Department. Darryl Barton with the Clark Fork River Technical Assistance Committee joined the meeting to report on the Upper Clark Fork Trustee Restoration Council Long Range Plan for the Natural Resource Damage Program. Planner Bender will write preliminary comments for the Commissioners' review.

The Board signed the Fiscal Year 2012 Extension Services Agreement between Montana State University and Powell County as outlined in the final budget of the County.

Presiding Officer Pohle signed Modification 2 to the Department of Environmental Quality Contract #211016.

Commissioner Pohle signed the Emergency Management Performance Grant Award letter for the remaining fifty per cent (50%) of 2012.

Commissioner Young attended the Park Board meeting and Blue Ribbon Pavilion meeting.

The Board signed a Right of Way Occupancy Permit for Northwestern Energy #41-11 Right of Way.

Assistant Planner, Peggy Kerr, presented the Blackfoot River Ranch Minor Subdivision Final Plat. Commissioner Young moved and Commissioner Pohle seconded the motion to accept the final plat. The motion carried.

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

October 4, 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 Pohle reported that Gary Larson was hired as District One Road Supervisor.

Commissioner Mannix moved to waive all informalities regarding the Garrison Junction Wildlife Viewing Center not involving price, time or changes in the work and to negotiate contract terms with the successful bidder (Under Article 10.01 of the Bid documents). The motion was seconded by Commissioner Young and the motion carried.

Commissioner Young moved to award Phase 1, Schedule 2 (Bridge) Garrison Junction Wildlife Viewing Interpretive Center to M & P Excavating. The motion was seconded by Commissioner Mannix and the motion carried.

Commissioner Young moved to adopt the Johnson Creek Trail revisions on the recommendation of the Park Board and work with the City to firm up Agreements to complete the project. The motion was seconded by Commissioner Mannix and the motion carried.

The Board signed a letter to the Trustee Restoration Council of the Upper Clark Fork River Basin of the Natural Resources Damage Program to urge the focus area by inclusive of Powell County. A copy of the letter is on file in the Clerk and Recorder's office.

The Board received copies of the Notice of Intent for Hazard Mitigation Grant Program for Cottonwood Creek, State of Montana Department of Emergency Services Division.

The drawing of salary warrants for Officer, Deputies, Foremen, Clerks and Appointees from various accounts for the month of September, 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

October 5, 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.

Harry Lillo, Imperial Oil, presented an update of the movement of big rigs through Powell County.

Commissioner Mannix reported on the public hearing held in Drummond for the creation of the Douglas Creek Wildlife Management Area.

County Attorney Lewis Smith and Planner Brian Bender met with the Board of Commissioners concerning a ditch on the east side of Stark Street. Planner Bender will send a letter to Northwest Energy concerning lowering a culvert to their site near Stark and Montana.

Discussion was held with the Planner concerning the Roundhouse Cleanup with regards to the future of the property. Commissioner Mannix moved to authorize the Planner to pursue options for the Roundhouse property other than industrial. Commissioner Young seconded the motion and the motion carried.

Alan Bird, Deer Lodge Medical Center and Leonard Forson, Hospital Maintenance, met with the Board to report on the move to the new hospital. The County will take possession of the hospital on October 17, 2011.

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

Commissioner Young moved to pay Great West Engineering Task Order #29. Commissioner Mannix seconded the motion and the motion carried.

Disaster and Emergency Service Coordinator, Bernard Barton, reported on the public meeting for the Predisaster Mitigation Plan held on September 27, 2011. Russ Anderson with Morrison Maierle presented the preliminary document for public comment. Approximately twenty people were in attendance. The coordinator was urged by the Commission to contact Mr. Anderson to complete the document by October 7, 2011.

The Board of Commissioners attended the public meeting for the translocation of bison on Spotted Dog property.

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

October 6, 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 old Hospital Use Public Hearing continued with members of the Powell County Economic Development meeting with the Board of Commissioners with an update of the proposal for the old hospital. Commissioner Young made a motion to have County Attorney Lewis Smith, draft a letter stating permitted uses encouraging the Powell Economic Group to pursue the proposed use of the old hospital. The motion was seconded by Commissioner Mannix and the motion carried. The group will complete the Request for Proposal (RFP) and present at the continued Public Hearing as soon as possible. Attending were: Bob Bonato, Ron Kelly, Clint Froke, Kristi Rydeen, William Schwab and County Attorney Lewis Smith.

Chad Lanes, County Sanitarian, met with the Board with an update. He will call the Department of Environmental Quality to assure the Junk Vehicle invoice has been forwarded to the County. He will also count vehicles in the junk vehicle storage yard and report the number to the state.

Steve Hauk, resident of the Dana Ranch Subdivision, reported that Don Beck Construction is removing rock from near Dana Bridge. He was accompanied by County Attorney Lewis Smith. The sheriff's office will verify with contractor property ownership.

Mike Saylor presented a letter from the Airport Board concerning the selection of a consulting firm. Commissioner Pohle signed a letter of concurrence for the Board's recommendation of Morrison – Maierle. A copy of the letter is on file in the Airport file in the Clerk and Recorder's office.

Lisa Smith, County Treasurer, presented an update on activities in her office and progress in collecting taxes.

At 4:00 o'clock P.M. Commissioner Pohle opened the Public Hearing for the Petition of Annexation of lands into the Valley Fire District. Those present for the hearing were County Attorney, Lewis Smith and Paul O'Leary. Seeing no opposition, Commissioner Mannix moved to accept the

Petition to Annex Lands into the Valley District described on the Petition. The motion was seconded by Commissioner Young and the motion carried. The Public Hearing was closed at 4:30 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