

Deer Lodge, Montana

April 16, 2012

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

The Board met with Fish, Wildlife & Parks (FW&P). Those attending were David Dziak and Darlene Edge with FW&P and County Attorney Lewis Smith. The proposed Department of Natural Resource Council (DNRC)/FW&P land exchange was discussed and the possible effects on the Spotted Dog Wildlife Management Area (WMA). Lewis Smith discussed the opening of the county road in the Spotted Dog WMA. A tentative trip on June 4, 2012 was scheduled to view the road. The road advisory Board will be contacted.

At 10:45 A.M., District 1 Road the Board had a Call for Bid on crushing 20,000 yards of gravel at the Airport Pit for Road District #1.

<p style="text-align: center;"><b>CALL FOR BIDS</b></p> <p>Notice is hereby given that the Board of County Commissioners of Powell County, Montana, will open sealed bids in their office at the Powell County Courthouse, 409 Missouri Avenue, Deer Lodge, Montana 59722, at 10 a.m. April 30, 2012, for the crushing and stockpiling of crushed gravel as follows: 20,000 yards to be crushed and stockpiled at the Deer Lodge-Powell County Airport. (All 3/4 minus) Powell County will pay the landowners for the raw materials used. Bids must be accompanied by a bid bond in the amount of 10% of the amount of the bid. Successful bidder will provide a performance bond in the amount of 100% of the bid. The successful bidder must provide liability insurance coverage in the amount of \$1,000,000 with Powell County named as an additional insured within 10 days of awarding of project. Work is to be completed no later than June 30, 2012. Dated this 16th day of April, 2012. Donna Young, Presiding Officer, Board of Powell County Commissioners Published in the Silver State Post, Deer Lodge, Montana April 18 and 25, 2012.</p>
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At 11:00 A.M., Fred Kuchinski met with the Board. The following work orders were approved:

1. Fertilizing of the county courthouse lawn.
2. Maintenance on the red pickup truck.
3. Tree budget of \$750.
4. Grind the tree stumps of recently removed trees.

At 1:00 P.M., the Board reported on the following various committee reports:

Commissioner Pohle:

1. Cottonwood Creek – CDM and Robinette Construction contracts for the holding walls will be reviewed by County Attorney Lewis Smith that will be sent from Jason Knapp with CDM.
2. Local Emergency Preparedness Council LEPC – Chris Bogers, Director of Nursing, from the Deer Lodge Medical Center gave the presentation of the hospital's emergency plan. Commissioner Mannix also attended the meeting.

Commissioner Young:

1. Reported on progress concerning Public Health and the Hospital.
2. Post Office Closure Meeting in Helena on the 12<sup>th</sup>. United States Postmaster Donahoe and Senator Max Baucus were in attendance. Commissioner Young gave testimony in the importance of the rural post office, not only for public safety, ie: prescription drugs, but also for the elderly residents of the communities.
3. Reported on issues that were being addressed at the Rocky Mountain Stockgrowers' meeting. (See Commissioner Mannix Number One)
4. The landowners' meeting in Elliston was attended by County Attorney Lewis Smith, Assistant Planner Peggy Kerr and Commissioner Young to try to resolve issues on ownership before surveys are completed. Landowners are Bill Jackson and Dan Newman.
5. Blue Ribbon Pavilion Committee – The committee appreciated the kitchen that was acquired. The preliminary bid for the construction/architect plans was received for the design of the catering kitchen and restrooms.

Commissioner Mannix:

1. Commissioner Mannix attended the Large Predator/Wolf Seminar on April 13<sup>th</sup>. The emphasis of the meeting was to include all elected county commissioners in the coordination process with all State and Federal Agencies on the Large Predator Policy issues.

At 2:00 P.M., John Kellogg, representative of Wayne and Karalee Slaght and Benjamin Slaght requested variance on the Powell County Road Standards for their private road. County Planner Brian Bender and Assistant Planner Peggy Kerr presented the staff memo and recommendations to the Commissioners. Commissioner Mannix moved to grant the road variance on Bear Lane from 24 feet to 17 feet and placing four inches of gravel. Commissioner Pohle seconded the motion and the motion carried.

The planning staff reported on the Ovando Mountain View Minor Subdivision. Discussion of the subdivision and the conditions that must be met were reviewed. Commissioner Pohle moved to approve the Preliminary Plat of Ovando Mountain View Minor Subdivision with the ten conditions to be met before the Final Plat is approved. Commissioner Mannix seconded the motion and the motion carried.

At 3:30 P.M., the Tri-County Prevention Board met with the Commissioners. Those present were Judge JoAnne Nelson, Probation Officer Keith Worl, County Attorney Lewis Smith, Prevention Specialist from Butte-Silver Bow County Frank J. Rozan, Western Montana/Tri County Addiction members Janine Stewart, Keith Lopez and Sarah Frazer. Mr. Rozan explained the Tobacco Prevention

for the youth of the counties he is responsible for. Western Montana/Tri County Addiction Services gave the report on the services provided to Powell County. Lewis Smith and Judge Nelson questioned the services available to the ACT/PFL clients. Sarah Frazer discussed her role as Prevention Specialist and that she is full time working in that position because of the grant she was able to secure.

Planner Brian Bender updated the Commissioners on the happenings in the planning office.

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

APPROVED:

  
DONNA YOUNG, Presiding Officer

ATTEST:

  
DIANE S. GREY, Clerk

Deer Lodge, Montana

April 17, 2012

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Donna Young and Member Cele Pohle. Commissioner Mannix was attending a Watershed Coalition meeting.

At 10:15 A.M., the bid opening of the Airport Pavement and Automated Weather Observing System (AWOS) system was held. Those present were Ron Kelley, Bruce Anderson and Travis Eickman of Morrison Mairele. Mr. Eickman proceeded with the opening of the bids. The bids were as follows:

- Deer Lodge Asphalt (#8150) – Pavement Maintenance - \$73,704.25
- Wharton Asphalt (24530) – Pavement Maintenance - \$74,554.13
- MMI Engineers (NA) – AWOS Equipment - \$60,000.00 + Additive Alternative \$4,000.00
- Belfort Instrument (NA) – AWOS Equipment - \$55,672.00 + Additive Alternative \$2,200.00
- MMI – AWOS Electrical - \$7,000.00
- Arc Electric – AWOS Electrical - \$6,531.00
- Pavlik Electric – AWOS Electrical - \$6,720.00

The bids have been accepted and taken under advisement. Travis Eickman will review the bids and report to the Airport Board at noon today. The Airport Board will make a recommendation to the Commissioners for the Bid Award.

At 11:00 A.M., Commissioner Pohle moved to enter into the Mutual Aid Agreement with the following counties: Deer Lodge County, Flathead County, Granite County, Lake County, Lincoln County, Mineral County, Missoula County, Ravalli County, Sanders County, Butte Silver County and the

Confederated Salish and Kootenai Tribes. The agreement is to cover natural and technological disasters. Commissioner Young seconded the motion and the motion carried.

At 1:00 P.M., Steve Flynn from Sun Mountain discussed the proposed DNRC/FWP land exchange. The Commissioners sent the following letter.

April 17, 2012

Montana Department of Natural Resources and Conservation  
Attn: John Grimm  
PO Box 201601  
Helena, MT 59620

Dear Mr. Grimm,

This letter is in response to the Public Notice of the Proposed DNRC/FWP Land Exchange in the Spotted Dog WMA. We are strongly opposed to the proposed land exchanges.

It is in the best interest of Powell County business owners and ranchers to retain DNRC lands within the Spotted Dog WMA.

The Powell County Commissioners believe the blocking of land between the Department of State Lands for contiguous ownership within Spotted Dog WMA would provide for the best management of natural resources.

Sincerely,

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

At 1:30 P.M., Commissioner Pohle reported on the Airport Board meeting. Travis Eickman will map the boundaries of the open mining permit. The Airport Board will monitor the site for review for possible amendments to the permit for future expansion.

Commissioner Mannix reported on the Watershed Resource Committee (WRC) meeting. In the fall a Clark Fork River Rally will be held. WRC and Ted Dodge will be co-coordinating the efforts on this. Projects were reviewed and discussed.

Diana Solle and Sheila Mettival from the Victims Witness Program visited with the Board. Mrs. Solle explained how the Vista stipend had been paid by the Montana Coalition. The stipend has been increased for the third year to the amount of \$6,000.00. Mrs. Solle requested that the County budget pay the full amount for the Vista Volunteer. The Commissioners discussed the program and due to the lack of funding, they will not fund this position.

April 18, 2012

Brittany Waiss  
AmeriCorps Coordinator

Montana Legal Services Association  
211 North Higgins Ave., Suite 401  
Missoula, MT 59802-4496

Dear Ms. Waiss,

Although we value and recognize the positive impact the program has had in Powell County, we will not be able to fund any portion of the stipend for the Vista Volunteer for Fiscal Year 2012-13.

Sincerely,

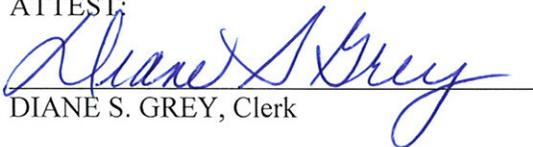
s/ Donna Young, Presiding Officer  
s/ Cele Pohle, Member  
s/ Ralph E. Mannix, Jr., Member

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

APPROVED:

  
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DONNA YOUNG, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
DIANE S. GREY, Clerk

Deer Lodge, Montana

April 18, 2012

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

Task Order #1 and Work Order #1 between CDM and Powell County for the Cottonwood Creek Flood Repairs were signed by consensus.

County Planner Brian Bender reviewed some of the projects that are in his office.

At 3:00 P.M., Commissioner Young attended a Park Board meeting.

At 4:00 P.M., the bid opening for the Cottonwood Clean-up of sediment was held. Those attending were Bruce Anderson and Jeff McQueary. The bids were as follows: M & P Excavating (#159415) - \$79,920.50 and Deer Lodge Asphalt (#8150) - #20,248.74. Recommendation for the bid award will be on April 26<sup>th</sup>.

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

APPROVED:

  
DONNA YOUNG, Presiding Officer

ATTEST:

  
DIANE S. GREY, Clerk

Deer Lodge, Montana

April 26, 2012

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Acting Presiding Officer Ralph E. Mannix, Jr. and Member Cele Pohle. Commissioner Young was excused.

At 10:05 A.M., the Board met with Chad Lanes, Tri-County Sanitarian. Mr. Lanes reviewed and updated the Board on the grant status for the Junk Vehicle Program. Mr. Lanes would like anything that we take action through correspondence in regards to Mr. Hoppe's requests to be cc'd to him.

The Board reported on the following various committee reports:

Commissioner Pohle:

1. Council on Aging: She met with their board on April 22. There was discussion of the various programs.
2. Personnel Manual: The committee consisting of Clerk and Recorder Diane Grey, Financial Officer Jennifer Spring and Commissioner Pohle met on April 22. The committee did a complete review of the manual and all recommendations will be given to the Board of Commissioners on May 30, 2012.
3. Landfill: The landfill budget committee consisting of Financial Officer Jennifer Spring, Jim Magone, Dale Johnson and Commissioner Pohle met on April 22<sup>nd</sup>. The budget was reviewed and submitted to the Financial Officer.
4. Western Montana Mental Health Service: Commissioner Pohle met with the Board on April 24<sup>th</sup> for a review of all the programs.

Commissioner Mannix:

1. Powell Rural Disposal District: Commissioner Mannix met with the Board in Avon. There was discussion of fencing for the prevention of bears in the site collection containers. Marlin Gilman will provide more information for the Commissioners.

At 12:00 noon a Tri-County meeting at the Deer Lodge Medical Center was held. The meeting was well attended. A copy of the minutes are on file in the Clerk and Recorder's office.

At 3:00 P.M., the Board met with regards to the Awarding of the Bid for the Cottonwood Creek Sediment Removal. The following bids were submitted: M & P - \$73,920.52 and Deer Lodge Asphalt - \$20,248.24. Commissioner Mannix moved to award the bid to Deer Lodge Asphalt for \$20,248.24. Commissioner Pohle seconded the motion and the motion carried.

The following Resolutions were moved to adopt by Commissioner Mannix, seconded by Commissioner Pohle. The motions all carried.

#### RESOLUTION # 12

##### RESOLUTION TO AUTHORIZE SUBMISSION OF TSEP APPLICATION

**WHEREAS**, Powell County is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to replace the Center Street Bridge over Cottonwood Creek (CT01) and the Willow Road Bridge over Racetrack Creek (WL04);

**WHEREAS**, Powell County has the legal jurisdiction and authority to construct, finance, and maintain the proposed bridge improvements;

Powell County agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual;

That Powell County commits to provide the amount of matching funds as proposed in the TSEP Application; and

That Donna Young, Powell County Commission Chair, is authorized to submit this application to the Montana Department of Commerce, on behalf of Powell County, to act on its behalf and to provide such additional information as may be required.

Passed and Approved this 26<sup>th</sup> day of April, 2012.

#### **BOARD OF COMMISSIONERS, POWELL COUNTY**

Signed: Donna Young, Presiding Officer by Diane S. Grey

Signed: Cele Pohle, Commissioner

Signed: Ralph E. Mannix, Jr., Commissioner

Attested: Diane S. Grey

#### RESOLUTION #13

##### RESOLUTION TO ADOPT THE FINAL BRIDGE EVALUATION AND CAPITAL IMPROVEMENT PLAN

**WHEREAS**, Powell County desires to have a Bridge Evaluation and Capital Improvement Plan in place; and,

**WHEREAS**, a Bridge Evaluation and Capital Improvement Plan has been prepared by Great West Engineering and submitted to the County; and

**WHEREAS**, the Board of County Commissioners of Powell County, Montana find the Bridge Evaluation and Capital Improvement Plan prepared by Great West Engineering to be appropriate and sufficient for the County's purposes.

**NOW, THEREFORE**, it is resolved that the *2012 Powell County Bridge Evaluation and Capital Improvement Plan* prepared by Great West Engineering shall be and is hereby approved by the Board of County Commissioners.

Passed and Approved this 26<sup>th</sup> day of April, 2012.

**BOARD OF COMMISSIONERS, POWELL COUNTY**

Signed: Donna Young, Presiding Officer, By Diane S. Grey

Signed: Cele Pohle, Commissioner

Signed: Ralph E. Mannix, Jr., Commissioner

Attested: Diane S. Grey

RESOLUTION #14

A RESOLUTION ACCEPTING THE FINDINGS OF THE ENVIRONMENTAL ASSESSMENT AND DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NECESSARY FOR THE CENTER STREET BRIDGE REPLACEMENT

**WHEREAS**, the Powell County has completed an assessment to identify potential environmental impacts of the Center Street Bridge Replacement;

**WHEREAS**, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

**WHEREAS**, no substantive public comment was received;

**WHEREAS**, Powell County has determined that the Center Street Bridge Replacement project will not significantly affect the quality of the human environment and accordingly, Powell County has determined an Environmental Impact Statement is not necessary;

That Powell County adopts the final Environmental Assessment for the Center Street Bridge Replacement project.

Passed and Approved this 26<sup>th</sup> day of April, 2012.

**BOARD OF COMMISSIONERS, POWELL COUNTY**

Signed: Donna Young, Presiding Officer by Diane S. Grey

Signed: Cele Pohle, Commissioner

Signed: Ralph E. Mannix, Jr., Commissioner

Attested: Diane S. Grey

#### RESOLUTION #15

#### A RESOLUTION ACCEPTING THE FINDINGS OF THE ENVIRONMENTAL ASSESSMENT AND DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT NECESSARY FOR THE WILLOW ROAD BRIDGE REPLACEMENT

**WHEREAS**, the Powell County has completed an assessment to identify potential environmental impacts of the Willow Road Bridge Replacement;

**WHEREAS**, the draft Environmental Assessment was made available for public comment and the findings were presented and reviewed at a public meeting;

**WHEREAS**, Powell County has determined that the Willow Road Bridge Replacement project will not significantly affect the quality of the human environment and accordingly, Powell County has determined an Environmental Impact Statement is not necessary;

That Powell County adopts the final Environmental Assessment for the Willow Road Bridge Replacement project.

Passed and Approved this 26<sup>th</sup> day of April, 2012.

#### BOARD OF COMMISSIONERS, POWELL COUNTY

Signed: Donna Young, Presiding Officer by Diane S. Grey

Signed: Cele Pohle, Member

Signed: Ralph E. Mannix, Jr., Member

Attested: Diane S. Grey

#### RESOLUTION # 16

#### RESOLUTION TO ADOPT THE FINAL PRELIMINARY ENGINEERING REPORTS TO COMPLETE BRIDGE IMPROVEMENTS

WHEREAS, Powell County, Montana, has completed Preliminary Engineering Reports (hereafter referred to as PER's) for the Center Street Bridge over Cottonwood Creek (CT01) and the Willow Road Bridge over Racetrack Creek (WL04);

**WHEREAS**, the PER'S have identified needs for these County bridges;

WHEREAS, the PER'S provide recommendations for improvements to these bridges;

WHEREAS, the PER'S provide recommendations for funding the recommended bridge improvements;

WHEREAS, Powell County, Montana has the legal jurisdiction and authority to construct, finance, operate and maintain the bridge system;

WHEREAS, Powell County, Montana held a public meeting to review the PER's, review the recommended funding alternatives, and solicit public comment;

NOW, THEREFORE BE IT RESOLVED BY THE POWELL COUNTY BOARD OF COMMISSIONERS, to adopt the Final PER's and recommendations for the Center Street Bridge over Cottonwood Creek (CT01) and the Willow Road Bridge over Racetrack Creek (WL04).

Passed and Approved this 26<sup>th</sup> day of April, 2012.

BOARD OF COMMISSIONERS, POWELL COUNTY

Signed: Donna Young, Presiding Officer by Diane S. Grey

Signed: Cele Pohle, Commissioner

Signed: Ralph E. Mannix, Jr., Commissioner

Attested: Diane S. Grey

The following Task Orders were reviewed. Commissioner Mannix motion was to adopt the Task Orders with Commissioner Pohle signing as Presiding Officer:

1. Task Order No. 32 – Roundhouse RDBG Application 2012,
2. Task Order No. 33 – Roundhouse Grant One
3. Task Order No. 34 – Roundhouse Grant Two
4. Task Order No. 35 – Garrison TCLP Testing

The Board met with the Montana Department of Transportation, Disaster and Emergency Services, Federal Emergency Management Agency, and the City of Deer Lodge regarding the Main Street Bridge. The following were in attendance: Dustin Roufe, JR Horswill, Donna Seaton, Cele Pohle, Brian Bender, Kent Atwood, Tim Thennis, Wayne Noem, Rex Kendall, Rem Mannix, Chris Laity, Mark Goodman, Jeff Ebert, Lewis Smith and Bernard Mues.

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

APPROVED:



RALPH E. MANNIX, JR., Acting Presiding Officer

ATTEST:

  
 DIANE S. GREY, Clerk

Deer Lodge, Montana

April 27, 2012

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Presiding Officer Members Ralph E. Mannix, Jr. and Cele Pohle. Commissioner Young was excused.

At 10:10 A.M., Treasurer Lisa Smith met with the Board. She presented the following Pledged Collateral to the Commissioners:

Powell County  
 Pledged Collateral  
 As of March 31, 2012

Accounts	Peoples Bank	First Security	Pioneer
Checking 10079	1,540,150		
Savings 422107	1,371,745		
MM Savings – PCHS #420328	567,731		
CDs		1,100,000	
Checking 1924110054		31,515	
Savings 1926005495		529,319	
Hospital Money Market			11,871
Small School CDs			168,825
Junk Vehicle CD			20,998
Nature Conservancy CD			357,608
Total in Depositories	<u>3,479,625</u>	<u>1,660,835</u>	<u>559,302</u>
Less non-interest bearing accounts (covered 100%)	<u>(1,540,150)</u>	<u>(31,515)</u>	
FDIC – Demand Deposits			
FDIC – Time & Savings Deposits	<u>(250,000)</u>	<u>(250,000)</u>	<u>(250,000)</u>
Exposure	<u>1,689,476</u>	<u>1,379,319</u>	<u>309,302</u>
Pledged Collateral	<u>2,140,585</u>	<u>902,988</u>	<u>176,727</u>
Percentage of Coverage	<u>126.70%</u>	<u>65.39%</u>	<u>57.14%</u>

Treasurer Smith produced the reports that she can now produce from Quick Books that will tie back to the Computer Software Association computer system.

The Board discussed compensation time.

At 10:30 A.M., Election Administrator Diane Grey discussed a list of judges for the Primary Election to be held June 5, 2012. Commissioner Mannix moved to appoint the list of judges that will be used for the election. Commissioner Pohle seconded the motion and the motion carried.

At 11:00 A.M., Road Foreman for District #2, Duane Hoxworth and Road Foreman for District #1, Gary Larson met with the Board. Discussion of equipment that can be offered at a surplus sale was held. Clerk and Recorder Diane Grey will type the list of equipment for the surplus ad that will also be used for a flyer.

At 11:30 A.M., the Board discussed comments to be made to Elizabeth Wood, Project Manager n the Lolo National Forest regarding BT Insecticide Application at the Big Larch Campground. The following was faxed to Ms. Wood:

“The Powell County Board of Commissioners would like to add our support for the spruce budworm control for the Big Larch Campground. It appears that all due diligence has been performed and this is a good way to protect the aesthetics of the campground.” Signed by Ralph E. Mannix, Acting Presiding Officer.

At 1:00 P.M., the Board awarded the Airport Bid. Commissioner Mannix moved to award the bid with Commissioner Pohle seconding the motion. The motion carried. The bids are as follows:

1. Pavement Main Project: Deer Lodge Asphalt - \$73,704.25
2. VHF Automated Weather Observation System (AWOS) – Belfort Instrument Company - \$55,672.00 Additive Alternate No. 1 - \$2,200.00
3. AWOS Electrical Installation – Arc Electric, Inc, - \$6,531.00

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

APPROVED:



RALPH E. MANNIX, JR., Acting Presiding Officer

ATTEST:



DIANE S. GREY, Clerk

Deer Lodge, Montana

April 30, 2012

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

At 10:00 A.M., the bid opening for the Airport Gravel Pit was held. Deer Lodge Asphalt was the only bidder and all requirements were met. The bid was for ¾", 20,000 yards at \$7.21 per yard for a total of \$144,200.00. The job will be completed by June 30, 2012. Commissioner Mannix moved to accept the bid from Deer Lodge Asphalt. Commissioner Pohle seconded the motion and the motion carried.

At 10:15 A.M., Deborah Frandson, representative for Senator Tester, met with the Board. There was discussion over several issues on the Federal and State issues.

At 1:00 P.M., the Board met with Clerk and Recorder Diane Grey, County Attorney Lewis Smith, Planner Brian Bender and Financial Officer Jennifer Spring regarding the Personnel Manual. A review of the proposed changes was discussed.

At 1:30 P.M., Marlin Gilman, Chairman of the Powell Rural Disposal District met with the Board regarding a Cooperative Agreement for improvements at the Ovando site. All were in agreement and the Agreement was signed by consensus of the Commissioners.

At 2:00 P.M., Commissioner Pohle moved to appoint Earl Hall to the Planning Board for a two year term. Commissioner Mannix seconded the motion and the motion carried. The following letter of appointment was sent to Mr. Hall:

April 30, 2012

Mr. Earl Hall  
659 Crow Rd.  
Garrison, MT 59731

Re: County Wide Planning Board

Dear Earl:

You have been appointed to the County Wide Planning Board. The term is a two year term and will end December 31, 2013. Thank you for your service to Powell County.

We appreciate your participation with the Board.

Sincerely,

POWELL COUNTY BOARD OF COMMISSIONERS  
s/ Donna Young, Presiding Officer  
s/ Ralph E. Mannix, Jr., Member  
s/ Cele Pohle, Member

At 4:00 P.M., Commissioner Mannix moved to award the Airport Gravel Bid to Deer Lodge Asphalt for \$144,200 @ \$7.21/yard. Commissioner Pohle seconded the motion and the motion carried.

April 30, 2012

Mr. Bruce Anderson  
Deer Lodge Asphalt

1206 Kelley St.  
Deer Lodge, MT 59722

Re: Airport Crushing

Dear Bruce:

You were the successful bidder for the airport crushing project of 20,000 yards at \$7.21 per yard. The completion date is June 30, 2012.

Sincerely,

POWELL COUNTY COMMISSIONERS

s/ Donna Young, Presiding Officer

s/ Ralph E. Mannix, Jr., Member

s/ Cele Pohle, Member

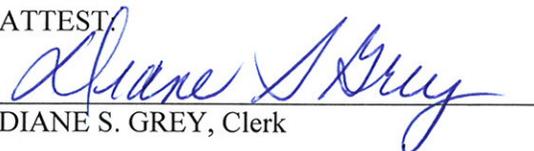
The Board signed the Powell County Office of Public Assistance Lease #8010-B effective until June 30, 2013.

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

APPROVED:

  
DONNA YOUNG, Presiding Officer

ATTEST:

  
DIANE S. GREY, Clerk

Deer Lodge, Montana

May 7, 2012

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Donna Young and Member Ralph E. Mannix, Jr. Commissioner Pohle was attending a Montana Association of Counties (MACo) committee meeting.

Clerk and Recorder Diane Grey presented correspondence.

John Hollenback, Valley Fire District, updated the Board on a proposal from Granite County to impose a subdivision fee for fire services.

A letter of resignation was received from Beryl Hoff, Office of Emergency Management. The Board accepted by letter.

Earl Hopped presented a letter to the Board with his concerns about Monty Dobson's auto yard. The letter was forwarded to the County Attorney.

The Board received a copy of the Juvenile Detention budget from Marilyn Shovlin. A copy is on file in the Clerk and Recorder's office.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of April, 2012, and a record of such is on file in the office of the Clerk and Recorder.

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

APPROVED:

  
DONNA YOUNG, Presiding Officer

ATTEST:

  
DIANE S. GREY, Clerk

Deer Lodge, Montana

May 8, 2012

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

Custodian Fred Kuchinski presented the Board with the following three work orders:

1. Repaint the pavement in the parking lot;
2. Power was old water fountain; and
3. Work in the courtroom.

The following letter was sent to Beryl Hoff:

May 7, 2012

Beryl Hoff  
PO Box 335  
Avon, MT 59713

Dear Beryl,

It is with sadness that we accept your resignation from the Office of Emergency Management.

We appreciate the dedication and expertise you have shown in your job. Your commitment was especially evident in your work with the FEMA representatives during the flooding of 2011.

Thank you for all you have done for the OEM.

Sincerely,

POWELL COUNTY COMMISSIONERS

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

The following committee reports were discussed:

Commissioner Pohle:

1. Landfill – A hearing is set for the 18<sup>th</sup> on a fee increase. Discussion was continued on the trash compactor. The bid will be advertised in the newspaper.
2. Headwaters Resource Conservation and Development

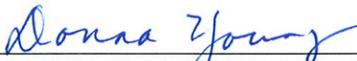
A letter was received from the Montana Department of Environmental Quality in regards to the Administrative Order on Consent, Docket No. OC-12-13, to address violations of the Montana Openpit Mining Act. The Board agreed to sign the Administrative Order.

Commissioner Young moved to adopt and appoint the Department of Natural Resources and Conservation (DNRC) Fire Wardens. Commissioner Pohle seconded the motion and the motion carried. A list is on file in the Clerk and Recorder's office. Pat Cross was emailed that the Commissioners adopted and appointed the State DNRC Fire Wardens.

County Attorney Lewis Smith updated the Commissioners on his workload and other issues.

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

APPROVED:

  
DONNA YOUNG, Presiding Officer

ATTEST:

  
DIANE S. GREY, Clerk

Deer Lodge, Montana

May 9, 2012

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

The Milwaukee Roundhouse Recreational Subarea – Interim Cleanup Action, Phase II Grant Application Summary was signed by consensus of the Board.

On March 30, 2012 the Board adopted Resolution No. 9 regarding the Little Blackfoot Road No. 227. Resolution No. 17 was inadvertently not acted upon. The intent was to adopt both Resolutions on

March 30, 2012. Commissioner Mannix moved and Commissioner Pohle seconded the motion to adopt Resolution No. 17. The motion carried.

RESOLUTION NO. 17

COMMISSIONERS' RESOLUTION FOR ROAD EASEMENT APPLICATION AND ACCEPTANCE

TO: USDA-Forest Service  
Kevin Riordin, Forest Supervisor  
Helena National Forest  
2880 Skyway Drive  
Helena, Montana 59601

FROM: Board of County Commissioners  
Powell County  
Powell County Courthouse  
409 Missouri Ave  
Deer Lodge, Montana 59722  
Attn: Powell County Planner

Powell County applies for a Public Road Easement from the United States, to be granted under authority of the National Forest Roads and Trails Act (FRTA, Pub. L. 88-657, 10/13/64), by and through the Department of Agriculture, Forest Service, for the following described road(s) across National Forest System (NFS) lands:

Telegraph Creek Road No. 495, located within Township 9 North, Range 6 West, section 29, Principle Meridian, Montana, Powell County, Montana

The right of way to be granted for the above described road(s) is generally described as follows, or is as shown on attached EXHIBIT A.

Township 9 North, Range 6 West, section 29, N1/2, Principle Meridian,  
Montana, Powell County, Montana

We, The Board of Commissioners, hereby resolve to accept and maintain the above-described road as part of the road system of Powell County. [The county may elect to specify the level of maintenance it will provide, or additional conditions of acceptance, so long as such conditions are acceptable to the Forest Service.]

Dated this 9<sup>th</sup> day of May, 2012.

BOARD OF POWELL COUNTY COMMISSIONERS

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

ACKNOWLEDGMENT

STATE OF MONTANA )

) ss

COUNTY OF POWELL )

I hereby certify that I know, or have satisfactory evidence that Donna Young, Ralph E. Mannix, Jr. and Cele Pohle are the persons who appeared before me, that they are known to me collectively to be the Board of Powell County Commissioners, and said persons acknowledged that they signed this instrument and further acknowledged it to be a free and voluntary act by authority duly given them.

May 9, 2012  
Jarita B Neckels  
Notary Public for the State of Montana  
Residing at Deer Lodge  
My Commission Expires May 15, 2013.

Gary Hablutzel from Employee Benefit Management Services (EBMS) Joint Powers Trust presented the Board with new Renewal Options. Commissioner Mannix moved to renew with Option No. Four with the Health Savings Account (HAS) Compliant Option. Commissioner Pohle seconded the motion and the motion carried.

At 1:00 P.M. Clerk and Recorder Diane Grey and Finance Officer Jennifer Spring met with the Board to discuss the Personnel Manual with regards to the Grievance Policy and compensation time.

At 2:00 P.M., the Board approved a work order from Karen Laitala, Weed Department, to install a rain gutter and down sprout on the east side of the weed building. The order was approved.

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

APPROVED:

  
\_\_\_\_\_  
DONNA YOUNG, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
DIANE S. GREY, Clerk