

Deer Lodge, Montana

May 29, 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 out of the office.

The drawing of salary warrants for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month ending May 31st, 2012 were approved and records of such are on file in the office of the Clerk and Recorder.

At 9:45 A.M., Commissioner Pohle was in attendance.

At 10:45 A.M., Commissioner Pohle moved to adopt Resolution #18, Resolution to Increase Solid Waste Fees. Commissioner Mannix seconded the motion and the motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION TO INCREASE SOLID WASTE FEES

RESOLUTION NO. 2012-18

WHEREAS, Powell County has been managing solid waste for County residents for a number of years, and

WHEREAS, since 2010 the fee associated with solid waste management has been \$5.00 per month per unit, and

WHEREAS, there has been a substantial increase in tipping fees, fuel costs, and employee costs, causing the need for increased solid waste fees.

NOW, THEREFORE, BE IT RESOLVED that the Powell County Board of Commissioners hereby authorizes an increase of the annual solid waste fee assessment from \$5.00 per month per unit to \$8.00 per month per unit.

Approved by the Board of Commissioners this 29th day of May, 2012.

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

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

At 11:00 A.M., Presiding Officer Donna Young signed the following Contract with Captain Pat George and his LLC for Lady Bug.

Agreement/Contract

This Agreement/Contract are between the parties as follows, the Powell County Sheriff, Scott F. Howard, Captain Patrick W. George, and K-9 Service Dog Ladybug, owned by Mr. George.

Captain George and Ladybug will be used and available for Narcotic Detection when Captain George is working and Ladybug will be transported in Captain George's Powell County Sheriff's Office Patrol Vehicle.

Captain George will not charge the Powell County Sheriff's Office, or the County of Powell for Ladybug's services. Mr. George will hold harmless the Powell County Sheriff's Office and the County of Powell.

s/ Scott F. Howard, Sheriff 5-22-2012

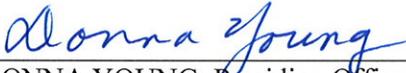
s/ Patrick W. George, Captain 5-23-12

s/ Donna Young, Powell County Commissioner, Chairperson 5-29-12

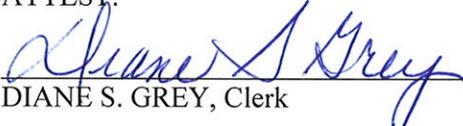
At 2:00 P.M., Commissioners Young and Mannix attended a co-ordinating meeting in Jefferson County. Commissioner Pohle stayed at the office and got into LOTS OF TROUBLE.

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 30, 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., Member. Commissioner Pohle returned from Butte at 10:15 A.M.

At 11:30 A.M., Commissioner Mannix moved to proceed with a \$5,000.00 as match for Big Sky Trust Grant to be engineered by Great West and a Notice to Proceed. Commissioner Pohle seconded the motion and the motion carried.

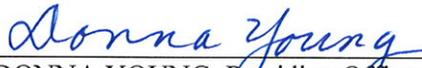
At 1:00 P.M., the Personnel Committee comprising of County Attorney Lewis Smith, Clerk and Recorder Diane Grey and Financial Officer Jennifer Spring met with the Board. A date of June 6th, 2012 was set for the adoption of the changes.

At 2:00 P.M., the Salary Commission, Rick Duncan, Superintendent of Schools Jules Waber, Jim Thompson, Clerk of Court Joan Burke, County Attorney Lewis Smith, Financial Officer Jennifer Spring

and Clerk & Recorder/Assessor/Election Administrator Diane Grey met with the Board to discuss salaries for the 2012/2013 Fiscal Year. Financial Officer Spring presented the fiscal year 2013 budget projection for the levied funds with the exception of the road fund. Projections were presented for cola at 3.2% and 1% and how those numbers would impact the Fiscal Year 2013 budget. Discussion and recommendation comments from the salary commissioner were heard. A flat across the board amount and a cost of living increase were discussed. Further review of the budget will be necessary to make an informed and fiscally responsible decision.

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 31, 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 drawing of salary warrants for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of May, 2012, were approved and a record of such is on file in the office of the Clerk and Recorder.

At 10:00 A.M. the sealed bids for the surplus of road equipment were opened. Attending in addition to the Commissioners were Clerk and Recorder Diane Grey and Road Foreman from District One Gary Larson. Commissioner Young opened and read the bids and Clerk Diane Grey recorded the seven bids. The bids were awarded as follows:

Deer Lodge Road Department

1. Cat 120 Grader – Deer Lodge Asphalt - \$8,150
2. 3082 International Backhoe – Ken Beck, Sr. - \$287
3. One way snow plow – Bill's Diesel - \$110
4. 1988 Chevy 1500 4 x 4 – Ken Beck, Sr. - \$587
5. 1978 GMC Brigidar Tanden Dump- 5 + 4 – Jim Nielsen, Inc. - \$1,750
6. Two way snow plow – Deer Lodge Asphalt - \$250

Ovando Road Department

1. 1986 GMC Plow Truck – Jim Biles - \$4,121
2. 1979 International Harvester Truck – Jim Nielsen, Inc. - \$1,250.00
3. 1995 Chevy ½ ton – Ken Beck, Sr. - \$787
4. 1994 Chevy 2 wheel – Larry Dillree - \$651.13
5. Ten foot Wasau Schimt snow plow – Bill’s Diesel - \$110

Powell County Sheriff’s Department

1. 1997 Ford Explorer – Deer Lodge Asphalt - \$200

The total amount received on the bids was \$18,253.13.

At 10:30 A.M., Greg Jackson, Cheryl Rosling and Rody Holman discussed the renewal of the Joint Powers Property and Liability Insurance with the Commissioners.

At 1:00 P.M., Planner Brian Bender met with the Board regarding his monthly report.

Commissioner Mannix moved and Commissioner Pohle seconded the motion to sign the following Task Orders for Great West Engineering:

1. Task Order No. 36 – HMGP Grant Application
2. Task Order No. 37 – Blue Ribbon Pavilion
3. Task Order No. 38 – Crushed Aggregate Survey

The motion carried.

The following was received from Sheriff Howard and County Attorney Smith:

MEMO:

Date: May 30, 2012

To: Powell County Commissioners

From: Sheriff, Scott F. Howard
County Attorney, Lewis K. Smith

RE: 7-5-2304 Exemptions from competitive bidding requirements

To address our concerns with regard to the impending Zetron MAX Radio Dispatch Installation at the Powell County Sheriff’s Office the following explanation and factual illustration on this matter.

It is understood that the process with regard to large purchases in excess of \$50,000.00 shall fall under MCA 7-5-21301 taking into account all language and requirements therein. With regard to this particular expenditure MCA 7-5-2304 would apply as: “...for the immediate preservation of order or the public health; for the restoration of a condition of usefulness that has been destroyed by accident, wear, tear, or mischief...”. The loss of the dispatch consoles would create an immediate emergency situation.

To expand upon this explanation, the Powell County Sheriff’s Office has at this time only one Zetron Dispatch Radio Console in operation, where there would normally be two. This Zetron Radio Console is in excess of twenty years in age and is working only at partial capacity. There

currently is only limited radio paging ability to serve Powell County. The ability to maintain E911 Services to Powell County would be jeopardized should this single Zetron Radio Dispatch Console in place fail. It should also be noted that the current Zetron Radio Console in place is obsolete and can no longer be serviced should it fail.

The replacement of the current Zetron Radio Dispatch Consoles with Zetron MAX is a “plug and play” scenario. This would serve in the best interest of public safety for the citizens of Powell County.

Respectfully, it is based upon the aforementioned facts that MCA 7-5-2304 be affirmed in this matter.

s/ Scott F. Howard, Sheriff
s/ Lewis K. Smith, County Attorney

The Memo is in response to a request to an upgrade over the \$50,000 limit by Sheriff Howard.

Disaster and Emergency Services Director Bernard Barton and Assistant Ruth Koehler had Presiding Officer Donna Young sign the Scope of Work for the Emergency Management Performance Grants. Commissioner Young signed the Agreement by consensus. A copy is on file in the Clerk and Recorder’s office.

At 4:00 P.M., Chris Laity with Great West Engineering and Doug Johnson met with the Board regarding a Federal Emergency Management Agency project for flood control on the Doug Johnson land outside of town.

May 31, 2012

Chris Laity, PE
Great West Engineering
2501 Belt View
Helena, MT 59601

RE: Powell County – Cottonwood Creek Flood Mitigation

Dear Mr. Laity:

Please include this letter with your online submission for the Cottonwood Creek Flood Control Project through FEMA’s Hazard Mitigation Grant Program (HMGP).

Powell County fully supports the installation of a Flood Control Structure located outside of the City Limits what will reduce the flows to a 50 year event or less. Per Montana law, Powell County has the responsibility of maintaining all bridges in the county (including those within the City of Deer Lodge) except those specifically maintained by the highway department.

The Cottonwood Creek channel was modified with a previous FEMA grant to increase the capacity from a 20 year event to a 50 year event which is the basis for designing bridges to meet the channel’s capacity. Three bridges have been replaced and two are scheduled for replacement. None of these bridges are/will be designed to accommodate the 100 year flood as the channel does not have the capacity.

Powell County intends to provide the required 25% match by utilizing the County Road Crews to construct the berms. This is work that the County has the equipment, staff, and experience for. The County will also fund the land acquisition services and the subsequent Conditional Letter of Map Revision and the Letter of Map Revision.

Powell County further understands and commits to conducting maintenance operations for the berms and weir.

We are excited about receiving funds for a project that has been casually discussed since the 1964 flood. Efforts have been made in the County to reduce the flows coming through town, but have stumbled on one roadblock or another. Timing is everything and we would like to complete this work while the flood of 2011 (2nd worst flood disaster in western Montana) is still fresh in everyone's mind.

Thank you for the opportunity.

Sincerely,

POWELL COUNTY COMMISSIONERS

s/ Donna Young, Presiding Officer

s/ Ralph E. Mannix, Jr., Member

s/ Cele Pohle, Member

And, the following letter from Doug Johnson:

May 31, 2012

Powell County Commissioners
409 Missouri Avenue, Suite 202
Deer Lodge, MT 59722

Dear Commissioners:

I, Doug Johnson, hereby commit to selling a portion of my land to facilitate the construction of a flood control structure with berms and a concrete structure should the FEMA Grant materialize.

I require the following terms to be met for this:

1. Purchase of ten acres of land for \$400,000.00
2. Transportation easement across the property will be provided with details to be addressed during design
3. County to maintain and install a fence between the berm and the road
4. County will be responsible for weed control on the 10 acres of acquired land

Sincerely,

s/ Doug Johnson

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

June 4, 2012

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Members Ralph E. Mannix, Jr. and Cele Pohle. Presiding Officer Donna Young was excused to attend Girl State as a Presenter on Commissioner Duties.

Bruce Anderson from Deer Lodge Asphalt was in to discuss the following letter he received from County Attorney Lewis Smith:

May 31, 2012

Mr. Bruce Anderson
Deer Lodge Asphalt
1206 Kelly Street
Deer Lodge, Montana 59722

Sent via USPS – Certified Mail

Re: Contract for Cottonwood Creek Sediment Removal
FEMA PWA#PA-08-MT 1996-PW-00480(0)

Dear Mr. Anderson:

The Powell County Board of County Commissioners has directed me to notify you that they are terminating the Contract for removal of sediment from under and around the bridges on Cottonwood Creek awarded to you on April 20, 2012. The reason for the terminating the agreement is due to your failure to complete the project within the time called for in the bid documents and the Agreement which was sent to you but not signed of May 11, 2012. **Do not start** work on the project and any work you perform and or may have performed on the project will not be paid by Powell County.

Please feel free to contact me, if you have any questions about this matter.

Sincerely,

s/ Lewis K. Smith
Powell County Attorney

LKS:sl

Cc: Powell County Board of County Commissioners

Chris Laity, Great West Engineering

County Attorney Lewis Smith stopped in to discuss the letter he had sent to Mr. Anderson in regards to the Cottonwood Creek Sediment Contract.

There were no member reports.

At 11:30 A.M., Commissioner Young returned from Helena.

At 11:45 A.M., Weed Supervisor Karen Laitala met with the Board and gave her monthly report.

At 1:00P.M., by consensus the Master Contract for the Montana Department of Public Health and Human Services was signed by Presiding Officer Donna Young. The Contract will be from July 1, 2012 through June 30, 2019. The specific tasks are defined in the Contract. A copy of the Contract is on file in the Clerk and Recorder's office.

At 2:00 P.M., Ruth Koehler and Bernard Barton with the Disaster and Emergency Services (DES) met with the Board regarding Resolution No. 19, Pre-disaster Mitigation. Commissioner Mannix moved and Commissioner Pohle seconded the motion to adopt the Resolution. The motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION

2012-19

WHEREAS, a Pre-Disaster Mitigation Plan has been prepared by the County's planning staff and the County's Disaster and Emergency Services staff; and

WHEREAS, the Board of County Commissioners have reviewed the proposed Pre-Disaster Mitigation Plan and find that adoption of the plan is in the best interest of thee health, safety, and welfare of the citizens of Powell County.

NOW, THEREFORE, IT IS RESOLVED by the Board of County Commissioners of Powell County, Montana that the Pre-Disaster Mitigation Plan submitted in accordance with the Disaster Mitigation Act of 2000, as amended, shall be and is hereby approved.

Done this 4th day of June, 2012.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Donna Young, Chair

s/ Cele Pohle

s/ Ralph E. Mannix, Jr.

State of Montana
County of Powell

Signed and acknowledged before me on June 4, 2012 by Donna Young, Cele Pohle and Ralph E. Mannix.

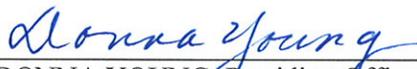
(seal)

s/ Jarita B. Neckels
Signature of Notary
Residing at Deer Lodge
My Commission Expires May 15, 2013

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of May, 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

June 5, 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 Voluntary Clean-up Plan Environment Assessment Phase I Agreement #RITP-12-0055 was signed by consensus.

There were no member reports.

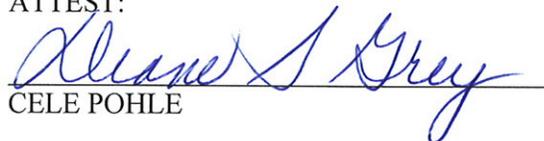
On motion, the meeting was adjourned at 4:00 o'clock P.M.

APPROVED:



DONNA YOUNG, Presiding Officer

ATTEST:



CELE POHLE

Deer Lodge, Montana

June 6, 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.

At 11:00 A.M., the following letter was received from the Powell County Victim-Witness Assistance Office was received requesting the use of the Powell County Courthouse lawn.

Powell County Commissioners
409 Missouri Ave
Deer Lodge, MT. 59722

Dear Mrs. Young, Mrs. Pohle and Mr. Mannix,

The Powell County Victim/Witness Assistance Program would like to request permission to use the Powell County Courthouse lawn as the site of National Night Out 2012, to be held Tuesday, August 7, from 5-7 PM.

National Night Out is an evening created by the National Association of Town Watch with the following goals: (1) Heighten crime prevention awareness; (2) Generate support for, and participation in, local anticrime programs; (3) Strengthen neighborhood spirit and police-community partnerships; and (4) Send a message to criminals letting them know that neighborhoods are organized and fighting back. We feel the Courthouse is the perfect central location to include the community while promoting these goals. More information on the event and the National Association of Town Watch is available on their website at <http://www.nationalnightout.org/nno/>.

The event itself would be open to the public from 5-7 PM but we would like to be able to offer presenters a window of two hours prior to set up, and one hour to clean up the site following the event. The Courthouse lawn would ideally be in use for this community event from 3-8 PM with this schedule.

Thank you for your time and consideration.

Respectfully,

s/ Sheila Mettetal s/ Diana Solle
AmeriCorps VISTA
Powell County Victim/Witness Assistance
406-846-9704

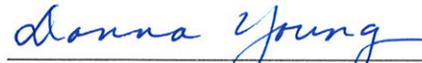
The Board approved the request by consensus.

Letters from the Natural Resources Conservation Service were received regarding "Notification of Closeout" of Project Agreement #69-0325-12-033 and #69-0325-12-023. Copies of the letters are on file in the Clerk and Recorder's office.

At 2:30 P.M., Exempt Personnel for Powell County, Jeanine Badanes, Brian Bender, Karen Laitala and Jennifer Spring along with County Attorney Lewis Smith met with the Board in regards to compensation time.

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

June 18, 2012

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

Clerk and Recorder Diane Grey presented correspondence.

The following committee reports were made:

Commissioner Mannix:

1. Attended the Watershed Restoration on June 12th, 2012. Plans are going ahead with the Clark Fork River Celebration that will be held in September. Engineering plans are in the process for the Kohrs/Manning Ditch.
2. Fair Board – Progress in the planning of the 2012 County Fair.

Commissioner Pohle:

1. Attended the Cottonwood Creek Committee on June 8th, 2012. Abstracts were discussed that were being presented to the Natural Resource Damage Program Trustees. The Watershed Restoration Committee and the City presented their plans for Cottonwood Creek. Commissioner Pohle reported that she had suggested a Memorandum of Understanding with the City for responsibility levels on the Urban Channel of Cottonwood Creek. The County is and always will be the responsible party for the bridges. She will pursue that action with County Attorney Smith.
2. Attended the Community Economic Development Strategy meeting with Kathie Weaver from Headwaters on the June 13th, 2012. Various items were discussed for the economic development of Deer Lodge.
3. Attended the Council on Aging Area V meeting in Butte on June 15th, 2012. We are looking at a seven to nine per cent cut in Federal Funding. Budgeting items were discussed.

At 10:00 A.M., Clerk and Recorder Diane Grey met with the Board to do the Post Election Audit.

The results of the audit of Precinct Five as randomly chosen by the State are as follows:

United States Representative – Democrat

Kim Gillan	-	14
Sam Rankin	-	16
Diane Smith	-	9
Dave Strohmaier	-	2
Robert Stutz	-	3
Jason Ward	-	6
Franke Wilmer	-	3
Overvotes	-	0
Undervotes	-	11
Write-in votes	-	0
Total Votes	-	66

United States Representative – Republican

Eric Brosten	-	14
Steve Daines	-	66
Vincent Melkus	-	13
Overvotes	-	0
Undervotes	-	24
Write-in votes	-	1
Total Votes	-	118

Attorney General – Democrat

Pam Bucy	-	10
Jesse Laslovich	-	48
Overvotes	-	0
Undervotes	-	7
Write-in votes	-	1
Total Votes	-	66

Attorney General – Republican

Tim Fox	-	68
Jim Shockley	-	27
Overvotes	-	0
Undervotes	-	23
Write-ins	-	0
Total Votes	-	118

Senate District #43 – Republican

Jonathan L. Arnold	-	47
Paul O. Bean	-	23
Overvotes	-	0
Undervotes	-	47
Write-in votes	-	1
Total Votes	-	118

The 650 Counter and the hand counted for Precinct 5 matched perfectly.

At 11:00 A.M., the Board met with Clerk and Recorder Diane Grey, Librarian Khrys Suckow, Friends of the Library Member Peggy Kerr, Rex Kendall from the Silver State Post and County Attorney Lewis Smith to discuss the Library Petition.

At 11:30 A.M., the following Resolution of Intent for the Deer Lodge Rural Disposal District compactor was read. Commissioner Pohle moved to adopt the Resolution with Commissioner Mannix seconding the motion. The motion carried.

RESOLUTION

POWELL COUNTY BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2012-20

At a meeting duly noticed and held the 18th day of June, 2012, the Powell Board of County Commissioners passed the following Resolution:

WHEREAS, the Beaverhead County Refuse Disposal District possesses a Caterpillar 816F Compactor, SN BMR0465 which is scheduled for replacement and which is no longer needed by the Beaverhead County Refuse Disposal District; and

WHEREAS, the Deer Lodge Rural Refuse Disposal District currently uses a converted logging skidder that has been re-configured as a compactor at its landfill, which is inadequate for the job that it is tasked to do; and

WHEREAS, the Beaverhead County Refuse Disposal District has negotiated the purchase of a new compactor from Western States Equipment of Missoula Montana and can either trade the machine in on the new machine or may sell it to another city, county or political subdivision pursuant to Sections 7-8-101(1) and 7-8-2211(2) MCA; and

WHEREAS, Beaverhead County has negotiated that it would received \$100,000.00 as a trade-in for the old machine with Western States Equipment; and

WHEREAS, Powell County has informed the Beaverhead County Board of County Commissioners that it will pay Beaverhead County the same sum of money that Beaverhead County would receive for the compactor as a trade-in to purchase the compactor; and

WHEREAS, the Beaverhead County and Powell County Board of County Commissioners wish to consummate a sale of Beaverhead County's Caterpillar 816F Compactor to Powell County for the sum of \$100,000.00, pursuant to Section 7-8-101(1) MCA.

NOW THEREFORE, it is hereby resolved that the Powell County Board of County Commissioners intend to purchase Beaverhead County's Caterpillar 816F Compactor for the sum of \$100,000.00. A public hearing shall be noticed pursuant to Section 7-1-2121 MCA and following the public hearing the Powell County Board of County Commissioners shall make a final determination on whether or not to purchase the Caterpillar 816F Compactor from Beaverhead County for the sum of \$100,000.00.

Done this 18th day of June, 2012.

POWELL BOARD OF COUNTY COMMISSIONERS

s/ Donna Young, Presiding Officer

s/ Ralph E. Mannix, Jr., Commissioner

s/ Cele Pohle, Commissioner

Seal

s/ Diane S. Grey, Clerk and Recorder

At 1:00 P.M., the Board met with Peggy Kerr and Brian Bender from the Planning Department regarding the Final Plat of Fleck/Ball. Commissioner Pohle moved that the Final Plat of the Fleck/Ball Minor Subdivision be approved since all of the conditions had been satisfied. Commissioner Mannix seconded the motion and the motion carried.

At 2:00 P.M., the Chemical Dependency Services designation form was reviewed. Commissioner Pohle moved to designate Western Montana Tri-county Addiction Services as our provider. Commissioner Mannix seconded the motion and the motion carried.

A letter from the United States Department of Interior regarding the Refuge Revenue Sharing Act annual payment was received. The estimated payment was \$12,283.00.

A letter from the Secretary of the Interior notified Powell County that they had issued a payment under the Payment in Lieu of Taxes to us in the amount of \$252,252.00.

The annual RYO contract for Secure Juvenile Detention Services was renewed by consensus for Fiscal Year 2012-2013. The per diem rate of \$235.75 will remain the same.

The Section 125 Premium Only Plan (POP) for 2012 POP Compliance was signed by consensus.

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

June 19, 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,

At 9:15 A.M., Mike Saylor, Airport Board secretary required signatures on 2012 Federal Aviation Association (FAA) Grant Application – Revised Round Two. The application was signed by consensus.

At 9:30 A.M., Election Administrator Diane Grey and the Board of Commissioners became the Board of Canvassers for the June 5, 2012 Primary Election. The following are the results for this election:

PRESIDENT – Democrat

Barack Obama - 328

PRESIDENT – Republican

Newt Gringrich - 45
Ron Paul - 128
Mitt Romney - 662
Rick Santorum - 114

UNITED STATES SENATOR – Democrat

Jon Tester - 394

UNITED STATES SENATOR – Republican

Denny Rehberg - 767
Dennis Teske - 219

UNITED STATES REPRESENTATIVE – Democrat

Kim Gillan - 99
Sam Rankin - 51
Diane Smith - 76
Dave Strohmaier - 32
Robert Stutz - 12
Jason Ward - 36
Franke Wilmer - 41

UNITED STATES REPRESENTATIVE – Republican

Eric Brosten - 152
Steve Daines - 535
Vincent Melkus - 88

GOVERNOR & LT. GOVERNOR – Democrat

Steve Bullock & John Walsh - 344
Heather Margolis & Steve Nelsen - 57

GOVERNOR & LT. GOVERNOR – Republican

Bob Fanning & Joel Boniek	-15
Rick Hill & Jon Sonju	-417
Neil C. Livingstone & Ryan Zinke	-108
Jim Lynch & Al Olszewski	-49
Ken Miller & Bill Gallagher	-124
Jim O'Hara & Scott Swingley	-166
Corey Stapleton & Bob Keenan	-90

SECRETARY OF STATE – Democrat

Linda McCulloch	-377
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SECRETARY OF STATE – Republican

Scott Aspenlieder	-175
Brad Johnson	-511
Patty Lovaas	-127
Drew Turiano	-39

ATTORNEY GENERAL – Democrat

Pam Bucy	-98
Jesse Lasolovich	-287

ATTORNEY GENERAL – Republican

Tim Fox	-509
Jim Schockley	-339

STATE AUDITOR – Democrat

Monica J. Lindeen	-364
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STATE AUDITOR – Republican

Derek Skees	-695
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SUPERINTENDENT OF PUBLIC INSTRUCTION – Democrat

Denise Juneau	-357
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SUPERINTENDENT OF PUBLIC INSTRUCTION – Republican

Sandy Welch	-700
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PUBLIC SERVICE COMMISSIONER DISTRICT 4 – Democrat

Gail Gutsche	-322
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PUBLIC SERVICE COMMISSIONER DISTRICT 4 – Republican

Chris Greil	-151
Bob Lake	-320
Jim Pearson	-278
SENATE DISTRICT 9 – Democrat	
Ron Szabo	-7
SENATE DISTRICT 9 – Republican	
Rick Ripley	-25
SENATE DISTRICT 43 – Democrat	
Gene Vuckovich	-243
SENATE DISTRICT 43 – Republican	
Jonathan L. Arnold	-217
Paul O. Bean	-114
HOUSE DISTRICT 17 – Democrat	
Mike Henning	-9
HOUSE DISTRICT 17 – Republican	
Christy Clark	-26
HOUSE DISTRICT 84 – Democrat	
Everett G. Sheets	-85
HOUSE DISTRICT 84 – Republican	
Mike Miller	-382
HOUSE DISTRICT 85 – Democrat	
Gordon Pierson Jr	-251
HOUSE DISTRICT 85 – Republican	
John “Scott” Perkins	-365
COUNTY CLERK OF COURT – Republican	
Joan Burke	-767
COUNTY COMMISSIONER DISTRICT 3	

Frank E. Ahl -375
Donna Young -470

At 11:00 A.M., the Department of Public Health and Human Services Amendment/Task Order/Contract #13-07-6-11-040-0 was signed by consensus.

At 11:15 A.M., Justice of the Peace JoAnne Nelson and Financial Officer Jennifer Spring met with the Board to discuss the Justice of the Peace Budget for Fiscal Year 2013. Discussion was held regarding the short fall of the justice budget. Commissioner Pohle moved to allow the Leave of Absence Fund to cover the budget short falls for only this year. Commissioner Mannix seconded the motion and the motion carried.

At 1:00 P.M., Financial Officer Jennifer Spring and County Planner Brian Bender participated in the discussion on compensation time for the exempt employees. The maximum hours for exempt employees to carry would be twenty (20) hours. A policy will be written and incorporated into the Personnel Manual.

Financial Officer Jennifer Spring discussed and reviewed the General Budget.

Mid-month claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of June, 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

June 20, 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 following attended the Spotted Dog Road Tour along with the Commissioners, Donna Young, Ralph E. Mannix and Cele Pohle: Mick McGraw, Dave Johnson, George Reistad, Ed Scharf, David Dziak, Mike Thompson and Dave Dickson all with Fish, Wildlife & Parks, Fred Staedler and Dana

Borucl with Department of Natural Resource Council, Bill Mosier, Lewis Smith, Gary Larson, Alan Young, Conn Coughlin, Carol and Jim Tomlinson and Eugene Wallace.

The Commissioners returned to the Courthouse at 2:00 P.M.

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

June 27, 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 at a Western Montana Health Board meeting in Butte.

At 1:00 P.M., the following committee reports were discussed:

Commissioner Young:

1. Reported on the Hospital Contract for Public Health. No applications have been received at this time.

Commissioner Pohle:

1. June 15th - attended a meeting regarding potential cuts in federal budgets of seven to nine percent for the programs.
2. June 25th – attended a Council on Aging meeting. Budget items were discussed.
3. District One road report – Sherm Anderson will be assisting on our Emery Road project.

The Human Resources Council District XII work plan and budget for calendar years 2012 and 2013 from Elissa Mitchell was received and acknowledged.

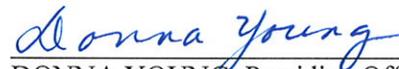
At 2:00 P.M., Cheri Wilson the Literacy Program Director spoke with the Commissioners. Ms. Wilson gave the Commissioners an update of the services to the clients for this fiscal year. Since 1996, the Literacy Program has helped 191 persons earn their General Education Development (GED) diploma. Ms. Wilson requested \$1200.00 to help support this very valuable program for the County. Commissioner Pohle moved to support the Powell County Literacy Program with a donation of \$1200.00 for Fiscal Year 2012-13. Commissioner Mannix seconded the motion and the motion carried.

At 3:00 P.M., Karen Laitala, Weed Supervisor, was present for the Public Hearing regarding the addition of Black Henbane to the Powell County Noxious Weed List. Also present were Jim and Betty Hadley. Commissioner Mannix moved to add Black Henbane to the noxious weed list. Commissioner Pohle seconded the motion and the motion carried.

At 3:30 P.M., Brian Bender and Peggy Kerr from the Planning Department met with the Board regarding the staff report on the Final Plat of the Ovando Mountain View Minor Subdivision. Peggy Kerr discussed the various issues. Wayne Slaght appeared before the Commissioners also. Commissioner Mannix moved that the Final Plat of the Ovando Mountain View Minor Subdivision be adopted with the condition that the letter of credit from the Bank of Lincoln be renewed after the December 31, 2012 date if the road is not completed and that all fees be paid. Commissioner Pohle seconded the motion and the motion carried.

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

June 28, 2012

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

Commissioner Mannix was at the Radio Station doing Public Service Announcements (PSA) for fire conditions.

At 10:00 A.M., Commissioner Mannix moved to adopt the 2012 County Weed Update and Management Agreement. Commissioner Pohle seconded the motion and the motion carried.

At 11:00 A.M., Wayne Noem, Jeff Ebert, Joe Walsh, Chris Laity, Lewis Smith, Brian Bender and Dustin Rouse met with the Board in the Conference Room to discuss the Main St. Bridge. Discussion of Amendment II to the Memorandum of Agreement dated June 2012 was held.

At 1:00 P.M., a public hearing was held to discuss the adoption of a 2011-2012 Budget Amendment. Commissioner Pohle moved to Adopt Resolution 2012-12. Commissioner Mannix seconded the motion and the motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR AMENDMENT
OF FISCAL YEAR 2011-2012 BUDGET

2012-21

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that the budget for fiscal year 2011-2012 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 Disaster and Emergency Services (DES) Fund number 2260 has received federal and state funding in the amount of \$428,764 and \$121,563 respectively, under the FEMA-1996-DR-MT Presidential Declaration to cover costs related to the 2011 severe storms and spring flooding, the DES Fund needs to be amended to allow additional revenues and expenditures of \$550,327 each;

WHEREAS, the foregoing amendment to the 2011-2012 fiscal year budget for Powell County are authorized by Sections 7-6-4006(3)(c) MCA.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that the 2011-2012 fiscal year budget for Powell County, Montana shall be, and is hereby amended as follows:

The DES Fund number 2260 revenue and expenditure budgets are each increased by \$550,327, to be allocated by line item as deemed appropriate by the County Finance Officer and Disaster and Emergency Services Coordinator.

Done this 28th day of June, 2012.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Ralph E. Mannix, Jr., Member

s/ Cele Pohle, Member

ATTEST:

s/Diane S. Grey
Clerk & Recorder

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

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:


DIANE S. GREY, Clerk

Deer Lodge, Montana

June 29, 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 drawing of salary warrants for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of June, 2012, were approved and a record of such is on file in the office of the Clerk and Recorder.

At 10:00 A.M., County Planner Brian Bender met with the Board to discuss his budget and his monthly report.

At 11:00 A.M., Darryl Barton, Emergency Preparedness Grant Supervisor, met with the Board. Discussion of the grant and what deliverables had been sent to the State were discussed. The nursing component needs to be addressed by the County. Attempts will be made to fill the Public Health nursing position so that all informational components of the deliverables can be met.

At 1:00 P.M., Finance Officer Jennifer Spring went over the budget reviews with the Board.

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

July 2, 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.

At 10:30 A.M. Commissioner Pohle returned from her road inspection with Road District One Foreman Gary Larson regarding the Gold Creek Road Review.

At 11:00 A.M., by consensus, the Treasure State Endowment Program (TSEP) Preliminary Engineering Draw Exhibits for Project No. MT-TSEP-PE-10-583 were signed.

At 1:00 P.M., claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of June, 2012, and a record of such is on file in the office of the Clerk and Recorder.

At 1:30 P.M., Commissioner Mannix contacted Mike Meyer of the Department Natural Resource & Conservation (DNRC) to review the fire status of Powell County. Mike Meyer assured Commissioner Mannix that Powell County is not at Stage One Restrictions.

At 3:30 P.M., an Agent Appointment/Service Agreement with Western States Insurance Agent Rody Holman and Jay LeProwse and liaison Bernard Barton was signed by consensus.

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

July 3, 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.

A meeting has been scheduled for July 31st at 10:00 A.M. with the City of Deer Lodge and the Sheriff and Undersheriff. The purpose of the meeting will be the discussion of the 24/7 city coverage and the contract of the Consolidated Law Enforcement.

At 3:00 P.M., the Board met with Jon Kinzle, Manager of the Butte office of the Department of Revenue.

At 4:00 P.M., Commissioner Mannix moved to pay Parcel #702000 taxes and interest to the assignee. Commissioner Pohle seconded the motion and the motion carried.

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

APPROVED:


DONNA YOUNG, Presiding Officer

ATTEST:


DIANE S. GREY, Clerk