

Deer Lodge, Montana

January 7, 2013

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

Clerk and Recorder Diane Grey presented correspondence.

The following letter was sent to Chad Lanes:, County Sanitarian:

January 7, 2013

Chad Lanes
Powell County Sanitarian
409 Missouri, Suite 103
Deer Lodge, MT 59722

Dear Chad:

We are scheduling for 2013 and would like to set quarterly meetings for an update from you concerning activities in your Department.

Since it is difficult to coordinate our schedules, we decided to set times when we are all in the office.

The dates are:

11:00 A.M. January 31, 2013 Report for 4th quarter 2012
11:00 A.M. March 28, 2013
11:00 A.M. June 27, 2013
11:00 A.M. October 31, 2013

Please let us know if you have a conflict with any of these dates.

Thank you so much.

Sincerely,

POWELL COUNTY BOARD OF COMMISSIONERS

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

Clerk and Recorder Diane Grey asked about off site storage for the duplicate records that she is mandated by statute to store off site. The records had been stored at the Law Enforcement Building. The Community Center will be looked at for storage of the records.

The following Resolutions for 2013 were made:

Commissioner Pohle moved and Commissioner Mannix seconded the motion for Resolution No. 2013-1.

RESOLUTION 2013-1

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' PRESIDING OFFICE OF BOARD – 2013

2013-01

WHEREAS, Section 7-4-2109 MCA requires the Commissioners to elect one of its members' presiding officer. The presiding officer shall preside at all meetings of the Board, and in case of the presiding officer's absence or inability to act, the members present shall select one of their number to act temporarily as presiding officer; and

WHEREAS, the Board of County Commissioners of Powell County, Montana have elected Ralph E. Mannix, Jr. as Presiding Officer, to preside over the County Commissioners' meetings for the calendar year 2013 and Cele Pohle to act as the temporarily presiding officer in the presiding officer's absence or inability to act.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that Ralph E. Mannix, Jr. shall be and is hereby elected as presiding officer for calendar year 2013 and Cele Pohle shall be and is hereby elected to act as the temporarily presiding officer in the presiding officer's absence or inability to act.

This Resolution is effective January 1, 2013.

Done this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

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

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

The motion for Resolution No. 2013-01 carried.

Commissioner Pohle moved and Commissioner Mannix seconded the motion for Resolution No. 2013-2.

RESOLUTION 2013-2

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COUNTY OFFICE HOURS – 2013

2013-02

WHEREAS, Section 7-4-102 MCA requires the Board of County Commissioners to set the office hours for the various county offices; and

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that all county offices will be open from 8:00 A.M. TO 5:00 P.M., Monday through Friday except during legal holidays as established by the Montana Association of Counties; and

WHEREAS, according to Section 7-4-102 MCA the County Treasurer may, in the interest of the safekeeping of funds, securities, and records under their control, close their offices during the period from noon to 1:00 P.M. every day; and

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that because Christmas 2013 falls on a Wednesday, they wish to close the Powell County Courthouse at 2:00 P.M., on Tuesday, December 24, 2013; and

NOW, THEREFORE, BE IT RESOLVED by this Board of County Commissioners that the Powell County Courthouse will be opened Monday through Friday except during legal holidays as set forth by the Montana Association of Counties and will close on Tuesday, December 24, 2013 at 2:00 P.M. and that the County Treasurer may close their office from noon to 1:00 P.M. every day.

Dated this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Ralph E. Mannix, Jr., Presiding Officer

s/ Cele Pohle, Member

s/ Donna Young, Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

Discussion of MCA 7-4-102(2) was held. Commissioner Mannix voiced his concerns as to the practice of closing on a daily basis for the Treasurer's office. The practice of closure from noon to 1:00 P.M. should be kept at a minimum and only invoked when it is impossible to staff with two deputies to safeguard the records and monies.

The vote for Resolution No. 2013-02 was Commissioners Pohle and Young, yes and Commissioner Mannix, nay.

Commissioner Pohle moved and Commissioner Young seconded the motion for Resolution No. 2013-3.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' MEETING DATES AND OFFICE HOURS – 2013

2013-03

WHEREAS, Section 7-5-2122 MCA requires the Commissioners to set the dates of their meetings;
and

WHEREAS, the Board of County Commissioners of Powell County, Montana have determined that the following dates shall be set for meetings:

The first Monday, Tuesday and Wednesday of the month;

The third Monday, Tuesday and Wednesday of the month;

The last three working days of the month.

If a legal holiday falls on a Monday, the meeting days will only be Tuesday and Wednesday of the affected week.

Meeting dates are subject to change.

WHEREAS, Section 7-4-102 MCA requires the Commissioners set the office hours; and

WHEREAS, the Board of County Commissioners of Powell County, Montana have determined that the following office hours shall be set for meetings:

Office hours will be 10:00 A.M. to 12:00 Noon and then 1:00 P.M. to 5:00 P.M., except during the months of April, May, June, July, August and September the hours shall be 9:00 A.M. to 12:00 Noon and then 1:00 P.M. to 4:00 P.M.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that the meeting dates and office hours for the Powell County Commissioners shall be and are hereby adopted as reflected above.

This Resolution is effective January 1, 2013.

Dated this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Ralph E. Mannix, Jr., Presiding Officer

s/ Cele Pohle, Member

s/ Donna Young, Member

ATTEST:

s/ Diane S. Grey, Clerk

The vote for Resolution No. 2013-03 was Commissioners Pohle and Young, yes and Commissioner Mannix, nay.

Commissioner Pohle moved and Commissioner Mannix seconded the motion for Resolution No. 2013-04.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR PER DIEM/TRAVEL RATES – 2013

RESOLUTION NO 2013-04

WHEREAS, it is recommended that counties adopt a Resolution establishing mileage and per diem rates for business travel; and

WHEREAS, the Powell County Board of Commissioners hereby set the following rates for mileage and per diem rates for business travel:

State rates will be adopted for travel expenses according to Sections 2-18-501, 2-18-502 and 2-18-503 MCA.

NOW, THEREFORE BE IT RESOLVED by this Board of County Commissioners that the above stated amounts shall be and are hereby adopted.

This Resolution is effective January 1, 2013.

Dated this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

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

ATTEST:

s/ Diane S. Grey, Clerk and Recorder.

The motion for Resolution No. 2013-04 carried.

Commissioner Mannix moved and Commissioner Pohle seconded the motion for Resolution No. 2013-05.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING TREASURER'S FEES – 2013

RESOLUTION NO. 2013-05

WHEREAS, the Montana Legislature has provided in 7-6-4013 MCA that the County Commissioners shall set fees for costs for County offices by resolution; and

WHEREAS, the County Treasurer's Office is permitted to charge fees for the costs defined in 15-17-121 MCA (2011); and

WHEREAS, the County Treasurer has tracked the time it takes to do certain tasks defined in 15-17-121(2)(a) MCA and has made recommendations to the County Commissioners for the average time and costs to perform the following tasks on a routine basis:

- (i) Preparing the list of delinquent taxes;
- (ii) Preparing the notice of pending tax lien sale;
- (iii) Conducting the tax lien sale;
- (iv) Assigning the county's interest in a tax lien to a third party;
- (v) Identifying interested persons entitled to notice of the pending issuance of a tax deed;
- (vi) Notifying interest persons;
- (vii) Issuing the tax deed; and
- (viii) Any other administrative task associated with accounting for or collecting delinquent taxes; and

WHEREAS, the County Commissioners of Powell County, Montana have examined the fee proposals from the County Treasurer and their underlying basis and comparable fees from other counties and have determined that the following are fair fees for the services performed by the Treasurer's Office in the preparation of documentation of delinquent taxes and the process of assigning the county's interest in the property and in issuing the tax deed(s):

Assignment Fee	\$75.00
Delinquent Tax Report	\$40.00
Preparation and Filing of Tax Deed	\$25.00; and

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

The Office of the Powell County Treasurer shall charge the following fees to the public and taxpayers:

Assignment Fee	\$75.00
Delinquent Tax Report	\$40.00
Preparation and Filing of Tax Deed	\$25.00

Dated this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

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

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

The motion for Resolution No. 2013-05 carried.

Commissioner Pohle moved and Commissioner Mannix seconded the motion for Resolution No. 2013-6.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE – 2013

RESOLUTION 2013-06

WHEREAS, the Montana Legislature has provided in 7-6-4013 MCA that the County Commissioners shall set fees for costs for County Offices by Resolution; and

WHEREAS, the County Sheriff's Office is permitted to charge fees as approved by the governing body for the costs of civil service of process and other civil papers as defined in Section 7-3-2141 MCA (2011); and

WHEREAS, the County Sheriff's Office is permitted by law to charge fees for other services; and

WHEREAS, the Powell County Sheriff has made recommendations to the County Commissioners to increase the set fee for service of civil process at \$70.00 per service (includes mileage); and has established a schedule of fees for other services provided by the Sheriff's Office; and

WHEREAS, the County Commissioners of Powell County, Montana have examined the fee proposals from the Powell County Sheriff and their underlying basis and have determined that the flat fee of \$70.00 per civil service of process and other civil papers as defined in Section 7-32-2141(1)(a through n) MCA (2011) and other fees is a fair fee for the services performed by the Sheriff's Office; and

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

The Office of the Powell County Sheriff shall charge a flat fee of \$70.00 per civil service of process and other civil papers as defined in Section 7-32-2141 (1) (a through n) and that the Powell County Sheriff's Office shall charge the fees stated on the attached Fee Schedule.

Dated this 7th day of January, 2013.

BOARD OF COUNTY COMMISSIONERS

s/ Ralph E. Mannix, Jr., Presiding Officer

s/ Cele Pohle, Member

s/ Donna Young, Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

The motion for Resolution 2013-06 carried.

Commissioner Mannix moved and Commissioner Pohle seconded the motion for Resolution No. 2013-7.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA

RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION – 2013

RESOLUTION 2013-07

WHEREAS, the Montana Legislature has directed all Counties to annually set the rate for credit for incarceration of inmates while awaiting trial or sentencing pursuant to 46-18-403 MCA; and

WHEREAS, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of \$65.00 for each day of incarceration; and that an inmate is responsible for the actual costs of medication, medical services, or hospitalization while detained in a detention center, based upon the individual's ability to pay and/or private provider health care coverage, or a bonafide and responsible third-party payer, and

WHEREAS, the amount to be credited should not exceed the amount of the fine.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

That the amount of credit for an inmate at the Powell County Jail shall be the sum of \$65.00 per day up to the amount of the fines levied for the offense upon which the inmate was incarcerated.

Done this 7th day of January, 2013.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ Ralph E. Mannix, Jr., Presiding Officer

s/ Cele Pohle, Member

s/ Donna Young, Member

ATTEST:

s/ Diane S. Grey, Clerk and Recorder

The motion for Resolution 2013-07 carried.

The Commissioners met in Anaconda on January 3, 2013, for a Tri-County meeting. Items of common interest were discussed. A meeting in late April or early May will be hosted by Granite County.

At 11:00 A.M., Planner Brian Bender introduced David Corcoran to the Commissioners.

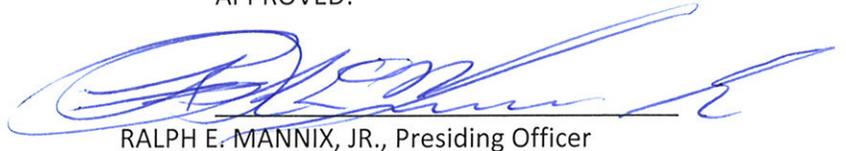
Presiding Officer Mannix signed CDBGWPRIS Loan #STMFSR-51-CDBG-1-0003 by consensus.

Presiding Officer Mannix also signed the Powell County Cooperative Road Agreement Schedule A 2013 by consensus.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of December 2012 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:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



DIANE S. GREY, Clerk and Recorder

Deer Lodge, Montana

January 8, 2013

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

Treasurer Lisa Smith met with the Board concerning tax deeds and City specials. There was discussion on the tax deed process. Treasurer Smith also presented the Pledge of Collateral for September 30 and December 31, 2012. They are on file in the office of the Clerk and Recorder.

Information Technologist Sheila Finco met with the Board regarding Facebook Access. The Board will allow access for all county offices.

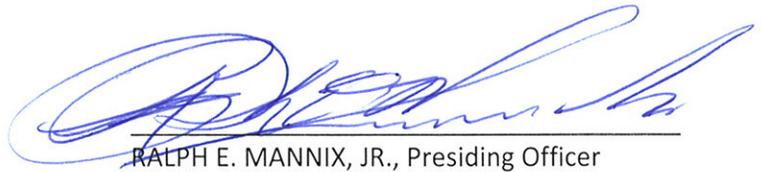
At 1:00 P.M., discussion of the Tax Deed Sale process was held.

Close out of the Roundhouse Grant was signed by consensus.

County Attorney Lewis Smith held a discussion with the Board regarding the Law Enforcement.

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

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



DIANE S. GREY, CLERK

Deer Lodge, Montana

January 9, 2013

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

A work session on the Sheriff's Budget Amendment was held.

At 1:00 P.M., Chris Laity with Great West Engineering and County Planner Brian Bender met with the Board concerning the Community Transportation Enhancement Program (CTEP) regarding the Roundhouse Reclamation Grant #2 and Planning Grant #2. Testimony will be provided by Mr. Bender on the 21st of January for the Reclamation Grant and the Long Range Planning.

A Treasure State Endowment Program (TSEP) hearing will be held on the 15th on the grant application for Center and Willow Bridge. Commissioner Mannix will provide testimony.

Great West gave an update on the Second Street Bridge. They will also provide formal response to the Department of Natural Resource Council (DNRC) that will be submitted by Friday.

Ruth Koehler, Director of Emergency Services appointed Bernard Barton to be the Deputy Director.

January 8, 2013

Ruth Koehler
409 Missouri Ste 111
Deer Lodge, MT

Bernard K Barton
824 Eastside Rd
Deer Lodge, MT 59722

Dear Bart:

As of January 1, 2013, you have been appointed as the Deputy Director of Emergency Services for Powell County. This position has been funded for 20 hours per month at the deputy's pay rate, through March 31, 2013. After that time you may remain the deputy director in a

volunteer position. You will also continue to be the Safety Director for Powell County for 2013, also in a volunteer position.

Sincerely,

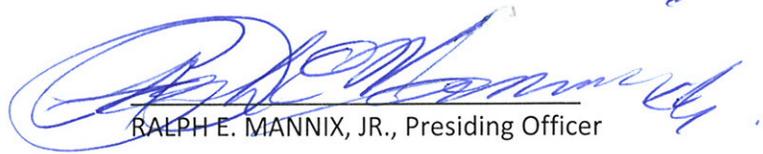
s/Ruth Koehler
Director, Office of Emergency Management

Cc: Powell County Commissioners

The Tri-county minutes were received from Deer Lodge County. They are on file in the office of the Clerk and Recorder.

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

APPROVED:



A handwritten signature in blue ink, appearing to read 'R. Mannix, Jr.', written over a horizontal line.

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



A handwritten signature in blue ink, appearing to read 'Diane S. Grey', written over a horizontal line.

DIANE S. GREY, Clerk