

Deer Lodge, Montana

January 4, 2016

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 Daniel G. Sager and Doug Crachy.

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioners signed Department (DNRC)

Commissioner Sager nominated Commissioner Mannix as Presiding Officer. Commissioner Crachy seconded the nomination. Commissioner Mannix nominated Commissioner Sager as temporary presiding officer. Commissioner Crachy seconded the nomination. All voted yes in favor of 2016-01 for Commissioner Mannix as Presiding Officer and Commissioner Sager as temporary presiding officer.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' PRESIDING OFFICER OF BOARD - 2016

2016 - 1

**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 2016 and Daniel G. Sager 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 2016 and Daniel G. Sager 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, 2016.

Done this 4th day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-02 - Resolution for County Office Hours – 2016 was presented. Commissioner Sager moved to adopt Resolution 2016-02 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION FOR COUNTY OFFICE HOURS – 2016

2016-2

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

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 that the County Treasurer may close their office from noon to 1:00 P.M. every day.

Dated this 4th day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-03 – Resolution for Commissioners’ Meeting Dates and Office Hours- 2016 was presented. Commissioner Crachy moved to adopt Resolution 2016-03 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' MEETING DATES AND OFFICE HOURS – 2016

2016 - 3

**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 Monday, Tuesday and Wednesday 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 to 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, 2016.

Dated this 4th day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-04 – Resolution for Per Diem/Travel Rates – 2016 was presented. Commissioner Sager moved to adopt Resolution 2016-04 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION FOR PER DIEM/TRAVEL RATES - 2016

2016 - 4

**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, 2016.

Dated this 4<sup>th</sup> day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-05 – Resolution Setting Treasurer’s Fees – 2016 was presented. Commissioner Crachy moved to adopt Resolution 2016-05 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION SETTING TREASURER’S FEES - 2016

2016-5

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 interested 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 4th day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-06 – Resolution for Rate of Credit for Incarceration – 2016 was presented. Commissioner Sager moved to adopt Resolution 2016-06 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION - 2016

2016-6

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 bona fide 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 4<sup>th</sup> day of January, 2016.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-07-Resolution Setting Sheriff's Service of Process Fee-2016 was presented. Commissioner Crachy moved to adopt Resolution 2016-07 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE - 2016

2016-7

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 the 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 4th day of January, 2016.

BOARD OF COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2016-08 – Resolution Setting Planner's Fees - 2016 was presented. Commissioner Sager moved to adopt Resolution 2016-08 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA

RESOLUTION SETTING PLANNER'S FEES – 2016

2016-8

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

WHEREAS, the County Planner's Office is permitted to charge fees; and

WHEREAS, the County Commissioners of Powell County, Montana, have examined the fee proposals from the County Planner; and

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

The office of the County Planner shall charge the following fees to the public and taxpayers:

SEE ATTACHED EXHIBIT "A"

Dated this 4<sup>th</sup> day of January, 2016.



BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Presiding Officer

s/ DANIEL G. SAGER, Member

s/ DOUG CRACHY, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Chris Laity from Great West Engineering came in and discussed project updates.

Ruth Koehler came in and discussed the Safety Meeting she attended in Missoula.

County Planner, Brian Bender, came in and discussed conferences on Planning he may like to attend.

County Attorney, Lewis Smith, came in and discussed Ovando street replatting.

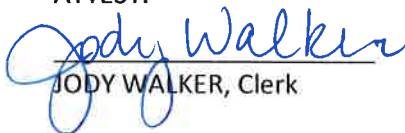
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk

Deer Lodge, Montana

January 5, 2016

The Board of Commissioners for Powell County, Montana, met in regular session at 10:00 o'clock A.M. Present: Members Daniel G. Sager and Doug Crachy.

Ralph E. Mannix, Jr. attended Watershed Restoration Council meeting and will return at noon.

Jody Walker, Clerk and Recorder, presented the correspondence.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of December, 2015, warrant #56403 - # 56493 were issued and a record of such is on file in the office of the Clerk and Recorder.

Duane Hoxworth and Steve Pocha were in to discuss trucks.

County Attorney, Lewis Smith was in to discuss Mental Health clients, the old hospital building, and acquiring more land for the landfill.

Commissioner Sager attended the Deer Lodge Refuse Disposal District Board meeting at 5:00 o'clock P.M.

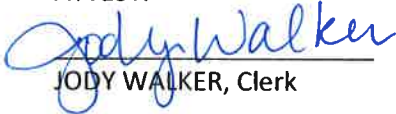
On motion, the meeting was adjourned at 5:00 o'clock P.M.

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk

Deer Lodge, Montana

January 6, 2016

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 Daniel G. Sager and Doug Crachy.

Jody Walker, Clerk and Recorder, presented the correspondence.

Ralph E. Mannix, Jr. attended Safety meeting from 10:00 o'clock A.M. to 11:00 o'clock A.M.

Sheriff Scott Howard came in to discuss 911 situation.

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

APPROVED:



RALPH E. MANNIX, JR., Presiding Officer

ATTEST:



JODY WALKER, Clerk