

Deer Lodge, Montana

November 2, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, stated there was no correspondence.

Karen Laitala, Weed Coordinator, reported on a personnel issue.

Interim Coroner Gregory reported on progress in getting all of the coroner's county records out of the mortuary. She will bring in a contract with Axelson Funeral & Cremation Services for pickup and transportation of bodies.

Powell County Sheriff Roselles will join with most other Montana Counties for 3 years of MACo sponsored policy review by Lexipol. He reported that Officer Micu will be attending the training. He is waiting for the right weather to replace batteries at Cominco site.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 4, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence and reported on the election. She reported a very high voter turnout and a smooth-running election with no major problems.

Commissioner Mannix reported on the Watershed Restoration Council meeting.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of October 2020, warrant # 65149 - # 65217 were issued and a record of such is on file in the office of the Clerk and Recorder.

County Treasurer Reighard informed the Commissioners of property tax questions and a fee district refund.

Lewis Smith, former County Attorney, said he will be meeting with County Attorney McEnery to fill her in on status of a road issue he had worked on for the county.

Commissioner Sager joined the Beaverhead-Deer Lodge national Forest meeting via Zoom.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 16, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Interim Coroner Gregory reported on Coroner's office hiring an assistant, the need of a vehicle, and the Memorandum of Understanding with Axelson Funeral & Cremation Services for transfer of deceased agreement.

Jennifer Spring and Andy Beck, representatives from the Deer Lodge Hospital, met with the Commissioners and County Attorney McEnery to discuss the ambulance service. Now that the service has been transferred and taxpayer money has been received, the Commissioners would like to see more transparencies on the spending.

County Attorney, Kathryn McEnery presented the board with Resolution 2020-28 to hire Ben Krakowka as a Special Deputy County Attorney for the prosecution of State v Andrews, Justin (RFP). Commissioner Mannix moved and Commissioner Sager seconded the motion to approve Resolution 2020-28. A copy of the resolution is on file in the Clerk & Records office.

County Attorney McEnery presented Schubert claim for damage to cabin which occurred during the apprehension of Montana State Prison escapee. The Commissioners advised to disallow the claim as the Powell County sheriff's department had already repaired windows and doors that they had damaged during the arrest and that any further claims should be directed to the Montana State Prison.

The Commissioners signed covenant between Powell County Planning Board and Saari Family on out buildings they are constructing on their property.

The Commissioners agreed to renew the Inmate Excess Medical Insurance Program with no increases in premium from the year before.

The Commissioners agreed to purchase a 40' shipping container for record storage. Clerk of Court, Jill Paull, will handle the purchase.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 17, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Glen Hochstetler, Jerry Grebenc, Ann O'Toole, and Scott Hazelton (attended through phone conferenced in) presented a request for approval on the Hochstetler NO 3 Subdivision. The County Planning Board had not been able to approve the request due to Covid-19, they did not have a majority present. The Commissioners listened to the presentation by Mr. Grebenc, examined the application, and found everything compliant with County Zoning Regulations. Commissioner Mannix moved and Commissioner Sager seconded the motion to accept the Hochstetler NO 3 Subdivision as presented, minus condition #3 and #4. Motion carried.

Election Administrator Walker was in to Canvass the Federal General Election. The Canvass board consisted of Commissioner Sager, Commissioner Mannix, and Treasurer Reighard. Mrs. Walker presented the election results and the Canvass Board certified the results.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 18, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Mannix reported on the Weed Board meeting.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of November 2020, warrant # 65218 - # 65327 were issued and a record of such is on file in the office of the Clerk and Recorder.

Commissioner Sager called to order the Public Hearing to create a Regional Rail Authority. Katherine Bair spoke as a proponent for the creation of the Rail Authority. After all discussion, Commissioner Mannix moved and Commissioner Sager seconded the motion to approve Resolution 2020-30 to create a Regional Rail Authority. A copy of the resolution is on file at the Clerk & Records office. Motion carried.

The Commissioners examined and approved the Montana Department of Transportation Aeronautics Grant and Loan Application for the Deer Lodge City/County Airport as submitted for 2021 funding.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 23, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

District #2 Road Foreman, Mike Trimbo, came into the office for discussion on personnel issues.

The Commissioners were presented with Resolution 2020-31 To Encourage and Promote Safe Use of All Terrain Vehicles Especially By Children. Commissioner Sager moved and Commissioner Mannix seconded the motion to approve Resolution 2020-31. Motion carried.

BOARD OF COUNTY COMMISSIONERS  
POWELL COUNTY, MONTANA  
Resolution No. 2020-31  
A RESOLUTION TO ENCOURAGE AND PROMOTE SAFE USE OF ALL-TERRAIN VEHICLES,  
ESPECIALLY BY CHILDREN

WHEREAS, as of December 31, 2018, the U. S. Consumer Product Safety Commission received reports of 15,744 all-terrain vehicle (ATV) related fatalities occurring between 1982 and 2018, with reporting ongoing and that number likely to increase;(1) and

WHEREAS, of those fatalities, 3,353 were children younger than 16 years of age representing 21 percent of all fatalities; and

WHEREAS, in 2016, the most recent year where reporting is considered complete, 11 percent were children younger than 16 years of age, and within that 11 percent, 45 percent were under age 12; and

WHEREAS, from 1982 through 2018, children under 12 generally represent almost half of all fatalities under the age of 16; and

WHEREAS, in 2018 there were an estimated 81,800 ATV-related injuries treated in emergency departments in the United States and an estimated 26 percent of these injuries involved children younger than 16 years of age; and

WHEREAS, in Montana the number of ATV-related deaths reported from 1982 through 2018 was 160, with reporting ongoing; and

WHEREAS, in 2018, 22 percent of the ATV-related injuries treated in emergency departments were diagnosed as contusions and abrasions and 30 percent were diagnosed as fractures; and

WHEREAS, in 2018, 29 percent of the ATV-related injuries treated in emergency departments primarily affected the arm from shoulders to fingertips, 29 percent primarily affected the head or neck, 22 percent primarily affected the legs, and 21 percent primarily affected the torso; and

WHEREAS, ATVs are not manufactured primarily for on-road use and do not meet the National Highway Traffic Safety Administration's (NHTSA) statutory definition of a motor vehicle;(2) and

WHEREAS, of ATV-related fatalities for which location was reported, 65 percent occurred on roads and 74 percent of deaths on public roads were on paved roads;(3) and

WHEREAS, the U. S. Consumer Products Safety Commission recommends the following “rules of the trail to make safety a part of the plan for every ride and help reduce ATV-related deaths and injuries:”(4)

- Do not drive ATVs on paved roads.
- Do not allow a child under 16 to drive or ride an adult ATV.
- Do not drive ATVs with a passenger or ride as a passenger.
- Always wear a helmet and other protective gear such as eye protection, boots, gloves, long pants and a long-sleeved shirt.
- Take a hands-on safety training course.

WHEREAS, the All-Terrain Vehicle Safety Institute® recommends the “The ATV Safety Institute’s Golden Rules,” that include the following:(5)

- Always wear a Department of Transportation (DOT) compliant helmet, goggles, long sleeves, long pants, over-the-ankle boots, and gloves.
- Never ride on paved roads except to cross when done safely and permitted by law.
- Never ride under the influence of alcohol or drugs.
- Never carry a passenger on a single-rider ATV, and no more than one passenger on an ATV specifically designed for two people.
- Ride an ATV that's right for your age.
- Supervise riders younger than 16.
- Ride only on designated trails and at a safe speed.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Powell County, State of Montana this 23rd day of November, 2020 that:

1. Powell County encourages and promotes safe use of all-terrain vehicles, especially by children.
2. Powell County endorses the following rules of the trail to make safety a part of the plan for every ride and help reduce ATV-related deaths and injuries:

- Do not drive ATVs on paved roads except to cross when done safely and permitted by law.
- Ride an ATV that's right for your age. Do not allow a child under 16 to drive or ride an adult ATV.
- Supervise riders younger than 16.
- Never carry a passenger on a single-rider ATV. Never carry more than one passenger on an ATV specifically designed for two people. Never ride as a passenger on a single-rider ATV. Never ride as a second passenger on an ATV specifically designed for two people.
- Always wear a Department of Transportation (DOT) compliant helmet and other protective gear such as goggles or other eye protection, over-the-ankle boots, gloves, long pants, and long-sleeved shirts.

- Take a hands-on safety training course.
- Never ride under the influence of alcohol or drugs.
- Ride only on designated trails and at a safe speed.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DANIEL G. SAGER, Presiding Officer  
s/ RALPH E. MANNIX, JR., Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 24, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence. The board received thank yous from Fred & Norma Martin, Sue Chor, & the Ovando Park Board.

The drawing of salary warrants #23086 - #23114 for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of November 2020, were approved and a record of such is on file in the office of the Clerk and Recorder.

The Commissioners joined a conference call between the Powell County Health Department, County Attorney, Sheriff, Montana State Prison, and Department of Corrections. Discussed communication between the prison and Powell County during the Covid-19 pandemic.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk

Deer Lodge, Montana

November 25, 2020

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M. Present: Presiding Officer Daniel G. Sager and Member Ralph E. Mannix, Jr.

Jarita Neckels, Deputy Clerk and Recorder, presented the correspondence.

Commissioner Crachy called in, is doing well after surgery. Thinks he will be released to return to work next Monday.

Commissioner Mannix attended the DUI Task Force meeting.

On motion, the meeting adjourned at 4:00 P.M.

APPROVED:  
DAN SAGER, Presiding Officer

ATTEST:  
JODY WALKER, Clerk