

Deer Lodge, Montana

September 7, 2021

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

County Attorney Kathryn McEnery was in for a closed session with the Commissioners and MACo.

Commissioner Crachy attended the Powell Rural Disposal District meeting on Aug. 26, 2021.

Jody Walker, Clerk and Recorder, presented the correspondence.

A resolution for Powell County to join the National Movement of Remembrance of the 20-year Anniversary of 9-11 was presented. Commissioner Sager moved and Commissioner Mannix seconded the motion to pass Resolution 2021-19 to honor the 20th Anniversary of 9-11. Motion carried.

RESOLUTION NO.: 2021-19

Powell County Joining the
National Moment of Remembrance of the
20th Anniversary of September 11th

WHEREAS, the Powell County Commissioners express their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 11:00 a.m. Mountain Daylight Time on September 11, 2021, in honor of the 20th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2021, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 20 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 20 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 20th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111–13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the Powell County Commissioners:

(1) recognizes September 11, 2021, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 20th anniversary of this tragic day in United States history the governing body of the Powell County Commissioners call upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2021, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED that the Powell County Commissioners encourage the observance of the moment of remembrance to last for 1-minute beginning at 11:00 a.m. Mountain Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

ADOPTED this 7th day of September 2021.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ DOUG CRACHY, Presiding Officer

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

ATTEST:

s/ JODY WALKER, Clerk and Recorder

The Commissioners attended the Powell County Public Health Board meeting.

Kip Kimerly stopped in for a visit. He said he is running for mayor and that he has some interest in the old hospital.

Peggy Kerr was in to voice her concern about the trail from Ficklers to JC Park.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 8, 2021

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Crachy attended the School Transportation meeting on Sept. 7, 2021.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of August 2021, warrant #66540 - #66647 were issued and a record of such is on file in the office of the Clerk and Recorder.

It was moved by Commissioner Mannix and seconded by Commissioner Sager to sign Resolution 2021-20 adopting a budget for FY 2021-22. Ann O'Toole was also present.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION FOR ADOPTING A BUDGET FOR POWELL COUNTY
FISCAL YEAR 2021-2022
RESOLUTION 2021-20

WHEREAS, pursuant to Section 7-6-4024 MCA, the Board of County Commissioners of Powell County, Montana has met with department heads and elected officials and held public hearings on the proposed budget of Powell County for fiscal year 2021-2022 as required by law; and

WHEREAS the final budget has been prepared in accordance with state statutes and is balanced so that the appropriations do not exceed the projected beginning balances plus the estimated revenue of each fund; and

WHEREAS, Sections 7-6-4020 through 7-6-4036 MCA provide for the fixing of various tax levies to raise funds sufficient to meet said expenditures authorized in the budget; and

WHEREAS, the Board of County Commissioners of Powell County has held hearings and passed resolutions as applicable per Sections 7-6-4024 and 7-6-4030, MCA; and

WHEREAS, the Montana Department of Revenue has certified to the County Commissioners that the value of a county-wide mill is \$19,526 and the value of a road district mill is \$16,387; and

NOW THEREFORE BE IT RESOLVED that the final county budget as set out in the final budget filed with the Powell County Clerk and Recorder this date be hereby adopted as the final budget subject to the conditions as set forth below.

IT IS FURTHER RESOLVED that appropriations are authorized to defray the expenses and liabilities for the fiscal year.

IT IS FURTHER RESOLVED that the legal spending limits are set at the department level for the General Fund (1000) and at the fund level for all other funds; however, appropriations may only be transferred between line items within, not amongst, the following categories:

- Salaries and Wages (object codes 100-199)
- Operations and maintenance (object codes 200-599 and 700-799)

- Debt service (object codes 600-699)
- Transfers out (object codes 800-899), and
- Capital outlay (object codes 900-999).

IT IS FURTHER RESOLVED that the County Commissioners may transfer appropriations between line items and amongst categories within the same fund or department by motion at a public meeting.

IT IS FURTHER RESOLVED by this Board of County Commissioners that the levies set out in the final budget filed with the Powell County Clerk and Recorder, and in the attached spreadsheet, be fixed and adopted for fiscal year 2021-2022, based on the county-wide mill value of \$19,526 and road district mill value of \$16,387.

IT IS FURTHER RESOLVED that pursuant to 7-6-4036, this Board of County Commissioners fixes the levies for all other taxing jurisdictions within the county as detailed in the attached schedule. This Budget Resolution shall be effective on July 1, 2021.

Dated this 8th day of September, 2021.

Board of Powell County Commissioners

s/ Doug Crachy, Presiding Officer

s/ Ralph E. Mannix, Jr., Member

s/ Daniel G. Sager, Member

Attest:

s/ Jody Walker, Clerk and Recorder

Commissioner Sager attended the Deer Lodge Disposal District (DLDD) Board meeting.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 20, 2021

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

Jody Walker, Clerk and Recorder, presented the correspondence.

It was moved by Commissioner Sager and seconded by Commissioner Mannix to appoint Rod Simpson to the Deer Lodge Disposal District (DLDD) Board, as recommended by the board. Motion carried.

Commissioner Sager attended Headwaters Resource Conservation and Development Board meeting by Zoom on Sept. 16, 2021. Commissioner Sager attended the City Planning Board meeting at noon.

Ann O'Toole was in with potential website photos for review.

It was moved by Commissioner Mannix and seconded by Commissioner Sager to sign Salary Resolution 2021-21. Motion carried.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
ELECTED OFFICIALS SALARIES
RESOLUTION 2021 – 21

WHEREAS, Section 7-4-2504, Montana Code Annotated (MCA) requires certain elected officials' salaries to be adopted by Resolution, and

WHEREAS, the Powell County Compensation Board has made recommendations to the Board of County Commissioners as required by law, and

NOW THEREFORE, IT IS HEREBY RESOLVED, that salaries for the Powell County Elected Officials be established as follows for fiscal year 2021-2022.

For the Powell County Clerk and Recorder, Treasurer, Clerk of the District Court, Justice of the Peace, and Superintendent of Schools the salary shall be \$48,060.00. The County Attorney's salary shall be considered full time and receive a salary of \$101,624.43 as required by Section 7-4-2706 (2).

The Powell County Superintendent of Schools shall also receive an additional \$400.00, as required by Section 7-4-2503(2)(a). The Clerk and Recorder, Clerk of District Court, Justice of the Peace, and Treasurer shall also receive \$2,000.00 additional compensation allowed by statute.

The County Commissioners of Powell County and the City Council of the City of Deer Lodge have examined the workload statistics for the Justice of the Peace/City Judge and have determined that a fair division of the workload in the office is 85% for County and 15% for the City matters. Referenced in Resolution 2010-4 on file in the Clerk and Recorder's office.

The Powell County Sheriff's salary shall be \$59,191.00 per year, computed by using the base elected official's salary of \$48,060.00, and adding an additional compensation of \$2,000.00, plus a longevity payment of one percent (1%) per year of service, but years of service during any year in which the salary is set at the same level as the salary of the prior fiscal year may not be included in any calculation of longevity increases. Effective October 1, 2021, SB 238 allows in addition to the above-mentioned salary, the county sheriff may receive any additional salary as determined by the board of county commissioners. The agreed upon amount is an additional \$1,000.00 which will increase the base salary to \$60,191.00. The undersheriff's salary shall be 98 percent (98%) of the base salary of the Sheriff (elected officials' salary) plus longevity payment of one percent (1%) per year of service, but years of service during any year in which the salary is set at the same level as the salary of the prior fiscal year may not be included in any calculation of longevity increases. The captain's salary shall be 90 percent (90%) of the base salary of the Sheriff plus longevity payment of one percent (1%) per year of service, but years of service during any year in which the salary is set at the same level as the salary of the prior fiscal year may not be included in any calculation of longevity increases. The Sheriff's Deputies' salaries shall be 85 percent (85%) at initial employment, 86

percent (86%) at two-year anniversary, and 87 percent (87%) at four-year anniversary of the base salary of the Sheriff, plus a longevity payment of one percent (1%) per year of service, but years of service during any year in which the salary is set at the same level as the salary of the prior fiscal year may not be included in any calculation of longevity increases as prescribed by Section 7-4-2510 MCA.

The Powell County Coroner shall receive a base salary of \$18,262.80 per year.

The County Commissioners shall receive a base salary of \$36,045.00 plus an additional \$2,000.00 as prescribed by Section 7-4-2107, MCA.

These salaries are set in accordance with Montana Law, and shall be effective as of July 1, 2021.

Dated this 8th day of September, 2021.

Board of Powell County Commissioners

s/ Doug Crachy, Presiding Officer

s/ Ralph E. Mannix, Jr., Member

s/ Daniel G. Sager, Member

Attest:

s/ Jody Walker, Clerk and Recorder

Commissioner Sager attended the Airport Board meeting.

County Treasurer Pam Reighard was in for an update on their annual conference. SB 212 states voted mills and county wide mills need to be separated on the tax bills. She also reported the Department of Revenue would like to have a presence in counties that they were removed from.

The Commissioners signed a Task Order with the Department of Public Health & Human Resources (DPPHS) for Public Health Task Order 22-25-5-01-039-0 for maternal and child health block grant program.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 21, 2021

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

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 September 2021, warrant # 66648 - # 66711 were issued and a record of such is on file in the office of the Clerk and Recorder.

An interview was held for the County Planner position. Commissioner Sager recused himself from the interview. Present were Commissioners Crachy and Mannix, Jerry Grebenc from Great West Engineering (by Zoom) and Ann O'Toole from the planning Department.

By consensus of the interview committee, it was recommended that the county offer Amanda Cooley the Planning Director position. Commissioner Crachy moved and Commissioner Mannix seconded the motion to hire. Commissioner Sager abstained. Motion carried. The position will pay \$46,000 to start with an increase of \$2,000 after six months and \$2,000 after obtaining Flood Plain Certification.

The annual Alcohol Tax Distribution form was signed by the Commissioners from the Department of Public Health & Human Resources (DPPHS) designating Western Montana Addiction Services for outpatient and Butte Cares for prevention.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 22, 2021

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

Jody Walker, Clerk and Recorder, presented the correspondence.

Bo Walker and Kathryn McEnery were in to discuss the Spotted Dog study. It was moved by Commissioner Sager and seconded by Commissioner Crachy to proceed with the study. Motion carried 2 to 1 vote with Commissioner Mannix nay. Kathryn will draw up a resolution for a later date. Also present was Pat Hansen.

Held a closed session with Kathryn McEnery and MACo Attorney Gregory.

Kyla Johnson brought in the Airport Capitol Improvement plan to be signed and returned to FFA. Signed by Commissioner Crachy.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 27, 2021

Commissioner Doug Crachy opened the office at 9:00 a.m. Commissioners Daniel G. Sager and Ralph E. Mannix, Jr. attended annual MACo Conference in Kalispell, Montana, September 26 through September 30, 2021.

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

Ryan Price stopped in to discuss District 3 Road business while the tire from a backhoe was being repaired.

Christie Brander was in to inquire about Powell Rural Disposal District dumpster site clutter situation.

Closed the office at 4:00 P.M.

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 28, 2021

Commissioner Doug Crachy opened the office at 8:45 a.m. Commissioners Daniel G. Sager and Ralph E. Mannix, Jr. attended annual MACo Conference in Kalispell, Montana, September 26 through September 30, 2021.

County Extension Agent Bo Walker came in to discuss MSU Local Government Center's offer of training for our volunteer board members. The evening of November 15, 2021 will work for the Commissioners. Will review a list of topics offered next Monday.

Closed the office at 4:00 P.M.

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

September 29, 2021

Commissioner Doug Crachy opened the office at 9:00 a.m. Commissioners Daniel G. Sager and Ralph E. Mannix, Jr. attended annual MACo Conference in Kalispell, Montana, September 26 through September 30, 2021.

There was no correspondence.

Commissioner Crachy re-signed grant application forms for Victim's Advocate Ambrel McKetchnie.

Closed the office at 3:00 P.M.

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk