

Deer Lodge, Montana

December 6, 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.

Commissioner Mannix attended the MACo Director's Meeting in Helena in the a.m.

Jody Walker, Clerk and Recorder, presented the correspondence.

Zachary Shaffer was in to discuss relief driver for PRDD. Commissioner Crachy said they were having a special board meeting Thursday night in Avon and invited Zachary to attend.

The Commissioners attended the Public Health Board meeting.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 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.

Commissioner Mannix attended the Watershed Restoration Council (WRC) meeting.

Jody Walker, Clerk and Recorder, presented the correspondence.

County Attorney Kathryn McEnery was in with a National Opioid Memorandum of Understanding (MOU) to join Montana Counties and Cities in a class action lawsuit. It was moved by Commissioner Crachy and seconded by Commissioner Sager to sign MOU for National Opioid Settlement. Motion carried.

Ruth Koehler and Audrey Walleser, Montana Disaster & Emergency Services (DES) Field Officer were in. Audrey is willing to help us any way she can with filling DES position or any emergency that may come up in the county.

Rob Roberts from Trout Unlimited was in to discuss mine reclamation progress on Little Blackfoot. Rob is looking at other projects for future reclamation. He asked if the County would apply for Department of Natural Resources & Conservation (DNRC) Planning Grant. Grant is due in January. Rob will work with Amanda Cooley on the application.

Jesse Mullan was in to talk about Discover Deer Lodge Fund Raiser to be held March 19, 2022.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 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 Member Daniel G. Sager

Jody Walker, Clerk and Recorder, presented the correspondence.

Held Department Head Meeting. Jill Paull, Clerk of Court reported back to back jury trials for the first time in two years. Melissa Gallagher, Justice Court hired a new office person. She has had several jury trials and is looking for a space to hold them if the courtroom is in use. Dave Moore, Maintenance stated that all boilers are working well. Door on the west end of the building is not closing properly. Charlene Shaul, Finance reported on ARPA, AFR, audit, and stated she needs receipts and legible signatures when charging and using credit cards. Pam Reighard, Treasurer is sending out delinquent tax notices. Ken Hosford, Road Dist. 1 is ready for winter plowing. Ruth Koehler, DES held first safety meeting in over a year. Amanda Cooley, Planning is working on Old Yellowstone Trail final stages. She is working on grant writing certification. Lewis Cozby, Superintendent of Schools reported the county has 20 families with 27 students home schooling and that many of the schools are doing holiday programs. Gene Wallace, Road Dist. 3 is ready for winter plowing. Steve Lorash, PRDD Driver stated things are slowing down. Jody Walker, Clerk & Recorder talked about Healthy is Wellness program being free to county employees. The Christmas party is scheduled for Dec. 22, 2021. Blood screening is scheduled for February 11, 2021.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of November 2021, warrant # 66994 - # 67095 were issued and a record of such is on file in the office of the Clerk and Recorder.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 20, 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.

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

Commissioner Sager attended the Area 5 Council on Aging meeting in Butte on Dec. 8, 2021.
Commissioner Crachy attended Powell Rural Disposal District Board meeting on Dec. 9, 2021.
Commissioner Sager was part of the RAC for the Tri-county meeting Dec. 15, 2021. Commissioner Mannix attended Weed Board meeting on Dec. 17, 2021

Commissioner Crachy signed the Cooperative Agreement between the Montana Department of Public Health & Human services and Powell County Board of Health to do inspections of retail food establishments, wholesale food establishments, trailer court & campgrounds, and public accommodations.

County Planner Amanda Cooley was in with a grant application from Trout Unlimited for a Department of Natural Resources & Conservation (DNRC) Planning Grant for Little Blackfoot mine waste.

Planner Cooley presented MOU Modification of Agreement #1 to increase money to \$85,000 for 12 year instead of \$35,000 for 10 years with Department of Environmental Quality for Arrowstone Park.

Public Meeting for Old Yellowstone Trail Phase II was held. Brian Henningson from Rock Creek Cattle Company expressed concern for his cattle operation safety. Tammy Heaney was not in favor of the trail. Is concerned about trespassing. Conn Coughlin and Ed Scharf wants the county road to be opened to traffic. Jacqueline Lavelle from Grant Kohrs Ranch supports the trail but disputes the fact that it is a county road. Mark Heaney is concerned about liability if someone trespasses. Sheriff Roselles spoke of how his department will respond to violations. Gary Swant talked about trail and maintenance. Don Beck questioned funding, he did not think that tax payer's money should be used. A vote was called for on Resolution 2021-26 to Limit Use of County Road to trail for walking and bike. Commissioner Sager recused himself from the vote. Commissioner Mannix moved and Commissioner Crachy seconded the motion to approve. Motion carried.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION ON OLD YELLOWSTONE TRAIL & COUNTY ROAD, 2021 - 26

WHEREAS, the Powell County Commissioners have general authority under Section 7-5- 2101 MCA, to manage the business and concerns of Powell County, Montana, in such a manner and to such an extent as the Commission determines to be in the County's best interest; and

WHEREAS, at Section 7-14-2101 et sec, the County is authorized to "lay out, maintain, control, and manage county roads;" and may "in its discretion do whatever may be necessary for the best interest of the county roads and the road districts" (§ 7-14-2102); and has "general supervision over the county roads within the county" (§ 7-14-2103); and may "in its discretion limit or forbid, temporarily, any traffic or class of traffic on the county roads or any part of a county road when it is necessary in order to preserve or repair the roads" (§ 7-14-2127); and

WHEREAS, at Section 7-14-2133, the County has authority, and the duty to remove obstructions when placed on a county road; and

WHEREAS, the Powell County Parks and Trails Board are commended for their completion of Phase 1 of the Old Yellowstone Trail Project (Garrison to Kohrs Crossing), pursuant to the County's authority at

Section 7-16-2101 et sec, for County cultural or recreational facilities. The project is now entering Phase 2, which extends the trail from Kohrs Crossing to Washington Street in Deer Lodge (see attached map). The trail will use a portion of Old County Road No. 9, the old county road from Deer Lodge to Garrison. A portion of Old County Road No. 9 passes through the Grant-Kohrs Ranch National Historic Site under the name of West Side Road; and

WHEREAS, to complete Phase 2, the County has entered into written agreements as necessary with neighboring landowners, including the Grant-Kohrs Ranch National Historic Site, the State of Montana Department of Natural Resources and Conservation, Rock Creek Cattle Company, and the City of Deer Lodge; and

WHEREAS, the Powell County Parks and Trails Board, as delegated by the Commissioners, recommends that the Old Yellowstone Trail be limited to recreational use primarily by pedestrians and non-motorized bicycles. The Board recommends that exceptions to this rule should be granted to administrative and emergency personnel, to neighboring landowners for essential ranching activities, and for road maintenance vehicles. The Powell County Board of Commissioners agrees with these recommendations; and

WHEREAS, proper development, management, and preservation of this recreational trail is required to preserve its benefits for the people of Powell County; and

NOW, THEREFORE, BE IT RESOLVED,

That the authority and discretion of the Board shall be used to develop the Old Yellowstone Trail, and to preserve the historic Old County Road No. 9 and the historic ranching activities in the area. Classes of traffic on the Old Yellowstone Trail, including the portions known as West Side Road or Old County Road No. 9, are hereby restricted, and until further notice, motorized vehicles are prohibited, with the exceptions as recommended by the Board. The Board is further authorized to work in cooperation with partners to restrict access, place signage, and regulate public use of the trail.

BE IT FURTHER RESOLVED, this resolution shall be disseminated promptly by means calculated to bring its contents to the attention of the general public.

THIS RESOLUTION ADOPTED AT PUBLIC MEETING NOTICED AND HELD ON December 20, 2021, IN POWELL COUNTY MONTANA.

Dated this 20th day of December, 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

Tamara Davis was in with Pam Reighard, County Treasurer, to ask to waive penalty and interest for a property that her father owned. She is trying to pay it off. Will pay today if approved. A motion was made by Commissioner Sager and seconded by Commissioner Mannix to waive penalty and interest of \$987.35. Motion carried. Tamara will pay \$1,519.80 for taxes owed.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 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.

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

Public Hearing on Superintendent of Schools to Reduce Office Hours and Salary to be effective at the beginning of next term January 1, 2023. It was moved by Commissioner Mannix and seconded by Commissioner Sager to approve Resolution 2021-27 to Reduce Superintendent's Hours and Salary to half time. Motion carried.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POWELL COUNTY TO REDUCE THE OFFICE HOURS AND SALARY FOR THE OFFICE OF THE COUNTY SUPERINTENDENT OF SCHOOLS, ELECTED OFFICE COMMENCING THE NEXT ELECTED TERM

2021-27

WHEREAS, the Board of County Commissioners of Powell County, Montana has the authority, pursuant to Section 7-4-2504, MCA, to set office hours of the Superintendent of Schools by resolution; and

WHEREAS, the Resolution of Intent 2021-25, to reduce the office hours and salary passed on November 24, 2021; and

WHEREAS, public notice of intended action under said resolution, and

WHEREAS, the Board of County Commissioners of Powell County did schedule a public hearing on Tuesday, Dec. 21, 2021 at 10 a.m. to accept public comment on the matter of establishing the office of the County Superintendent of Schools as a part-time office; and

WHEREAS, the Board of Powell County Commissioners heard testimony favorable to establishing the office of County Superintendent of Schools as an elected part-time office; and

NOW, THEREFORE, BE IT RESOLVED by this Resolution, the Board of County Commissioners of Powell County, being of the opinion that the best interests of the residents of Powell County would be better served by reducing the Powell County Superintendent of Schools elected office to half-time (50%) and the salary for said elected position shall be pro-rated and determined accordingly, and shall become effective at the beginning of the next term on January 1, 2023.

Dated this 21st day of December, 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

Erin Carey from the Bureau of Land Management Missoula Field Manager was in for a meet and greet and to give an update on the Missoula office.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 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.

Jarita Neckels, Deputy 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 2021, warrant # 67096 - # 67163 were issued and a record of such is on file in the office of the Clerk and Recorder.

Ruth Koehler was in to discuss the Disaster & Emergency Services (DES) position.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 27, 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.

The drawing of salary warrants #23470 - #23497 for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of December 2021, were approved and a record of such is on file in the office of the Clerk and Recorder.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 28, 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.

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

December 29, 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.

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

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

APPROVED:

DOUG CRACHY, Presiding Officer

ATTEST:

JODY WALKER, Clerk