

Commissioners' Minutes January

Deer Lodge, Montana

January 3, 2022

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 Ralph E. Mannix, Jr. and Daniel G. Sager Jody Walker, Clerk and Recorder, presented the correspondence.

Held public hearing to set Resolutions for 2022. Commissioner Sager nominated Commissioner Mannix as Presiding Officer. Commissioner Mannix seconded the nomination. Commissioner Sager nominated Commissioner Sager as temporary presiding officer. Commissioner Mannix seconded the nomination. All voted yes in favor of 2022-01 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 - 2022
2022 - 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 2022 and Dan 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 2022 and Dan 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, 2022.

Done this 3rd day of January 2022.

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

Resolution 2022-02 - Resolution for County Office Hours – 2022 was presented. Commissioner Sager moved to adopt Resolution 2022-02 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION FOR COUNTY OFFICE HOURS – 2022
2022-2

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

WHEREAS, the Board of County Commissioners of Powell County, Montana, have determined that because Christmas falls on a Sunday, per county policy the Powell County Courthouse will close on Monday, December 26, 2022; 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 and will close on Monday, December 26, 2022.

Dated this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:
s/ JODY WALKER, Clerk and Recorder

Resolution 2022-03 – Resolution for Commissioners’ Meeting Dates and Office Hours- 2022 was presented. Commissioner Dan moved to adopt Resolution 2022-03 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION FOR COMMISSIONERS’ MEETING DATES AND OFFICE HOURS – 2022
2022 - 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 for February will be Monday January 31, Tuesday February 1, and Wednesday February 2, 2022.

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 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, 2022.

Dated this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2022-04 – Resolution for Per Diem/Travel Rates – 2022 was presented. Commissioner Crachy moved to adopt Resolution 2022-04 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION FOR PER DIEM/TRAVEL RATES - 2022
2022 - 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, 2022.

Dated this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2022-05 – Resolution Setting Treasurer’s Fees – 2022 was presented. Commissioner Sager moved to adopt Resolution 2022-05 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION SETTING TREASURER’S FEES - 2022
2022-5

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	\$15.00	
Preparation and Filing of Tax Deed	\$25.00	
Redemption Fee	\$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	\$15.00
Preparation and Filing of Tax Deed	\$25.00
Redemption Fee	\$25.00

Dated this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:
s/ JODY WALKER, Clerk and Recorder

Resolution 2022-06 – Resolution for Rate of Credit for Incarceration – 2022 was presented. Commissioner Crachy moved to adopt Resolution 2022-06 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION - 2022
2022-6

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 \$69.00 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 \$69.00 per day up to the amount of the fines levied for the offense upon which the inmate was incarcerated.

Done this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2022-07-Resolution Setting Sheriff's Service of Process Fee-2022 was presented. Commissioner Sager moved to adopt Resolution 2022-07 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE - 2022
2022-7

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 set the 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 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2022-08 – A Resolution Establishing a Location for Posting Public Notice – 2022-8 was presented. Commissioner Crachy moved to adopt Resolution 2022-08 with Commissioner Sager seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
A RESOLUTION ESTABLISHING A LOCATION FOR POSTING PUBLIC NOTICE
2022 - 8

Whereas, Section 7-1-2121 MCA establishes requirements when public notice is to be provided by publication; and,

Whereas, Section 7-1-2122 MCA establishes requirements when public notice is to be provided by mail; and,

Whereas, House Bill 334 (2013) establishes requirements when public notice is to be provided by posting and is codified as 7-1-2123 MCA.

NOW, THEREFORE BE IT RESOLVED Powell County hereby designates the following location(s) as the location where public notice will be provided when public notice is to be done by posting:

The bulletin board near the west entrance on the basement floor of the courthouse.

The glass case located in the rotunda on the main floor, north wall.

This Resolution is effective January 1, 2022

Done this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Resolution 2022-09 – Resolution Setting Planner’s Fees - 2022 was presented. Commissioner Sager moved to adopt Resolution 2022-09 with Commissioner Crachy seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS
POWELL COUNTY, MONTANA
RESOLUTION SETTING PLANNER’S FEES – 2022

2022-9

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”

This Resolution is effective January 1, 2022

Done this 3rd day of January 2022.

BOARD OF POWELL COUNTY COMMISSIONERS
s/ RALPH E. MANNIX, JR., Member
s/ DANIEL G. SAGER, Member
s/ DOUG CRACHY, Presiding Officer

ATTEST:

s/ JODY WALKER, Clerk and Recorder

Dick Perkins was in the office to discuss Powell Rural Disposal District’s (PRDD) new board member as he couldn’t make the PRDD meeting.

The Commissioners approved Amendment I to contract 90027-39 of Old Yellowstone Trail Phase II, to add additional budget to complete the trail design. Additional amount will not exceed \$70,983.50. Commissioner Sager moved and Commissioner Crachy seconded the motion to approve. Motion carried.

Received a thank you letter from Alexis Rubink thanking the Commissioners for sponsoring the Family and Consumer Science Award at the Tri-County Fair last August.

Planner Amanda Cooley was in the office to discuss subdivision in the northern part of Powell County.

Neil Owens was in to discuss changes to access easement to his property in Meadowland Subdivision.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 4, 2022

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

Commissioner Mannix attended Watershed Restoration Coalition (WRC) meeting.

Melissa Gallagher, Powell County Justice of the Peace, and Erin Jewell, Literacy Director, were in to propose changing offices. Justice Court is on the 3rd floor and has approximately 600 square ft. of office space. Literacy occupies approximately twice that footage down stairs. They wish to switch offices and Literacy wants to pay less for half the space. They currently pay \$300 a month, and wish to have it reduced to \$150.00 per month. The Commissioners agreed to the reduction, and the move will take place on the weekend with no disruption or cost to the other county offices.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 5, 2022

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

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of December 2021, warrant #67164 - #67218 were issued and a record of such is on file in the office of the Clerk and Recorder.

Tony Pfaff, Jennifer Spring, and Rand Dickson were in the office to present Powell Emergency Medical Services update. Sherriff Roselles and County Attorney McEnergy also attended. They have two paramedics on staff and want to add one more. They have three ambulances running and are trying to keep 2 fully staffed.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 18, 2022

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 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.

County Treasurer, Pam Reighard, presented and discussed delinquent tax report.

Renewed membership to National Association of Counties (NACo) for \$450.00

Sheriff Gavin Roselles, Carrie Roselles, Stephanie Johns, Erin Jewell, Ambrel McKetchnie, Melissa Gallagher, Lewis Cozby, Sheila Finco, David Moore, Amanda Cooley, and Jody Walker were in the office to discuss office shuffling to give Justice Court more room. Initial move was Erin Jewell and her Literacy Program was going to switch with Melissa Gallagher's Justice Court. The initial plan revealed that the office the court was going to move into doesn't have state computer lines. Current request is for Literacy to move to the third floor in Justice Court's offices, Superintendent of Schools to move to basement office currently occupied by Literacy and Justice Court to move to second floor into Superintendent's office. Superintendent of Schools current office has been wired for state computer lines. Commissioner Sager moved and Commissioner Crachy seconded the motion to approve the move. Motion carried.

Montana Dept of Transportation sent its Roadway Functional Classification Review for Powell County. The last reclassification was completed in 1992. These changes do not impact any federal or state highway system eligibility. Forms were signed and returned to MDT.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 19, 2022

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 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.

Commissioner Mannix attended Weed Board meeting Tuesday the 18th at 7:00 pm via zoom.

Commissioner Crachy attended Parks Board meeting at 5:00 pm.

Claims against the County were examined, approved and ordered paid by the Board of Commissioners for the month of January 2022, warrant #67283 - #67346 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:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 24, 2022

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 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.

County Planner Amanda Cooley will be the new IT person for the courthouse since Sheila Finco retired. Agreed to increase her salary \$200.00 per month for IT services.

Commissioner Sager attended Council on Aging Board meeting.

Ruth Koehler into discuss Fair Board budget.

Marty Dippold was in the office to discuss property boundary dispute.

Commissioner Sager attended a zoom meeting with Headwaters Resource Conservation & Development on Thursday January 20th. Commissioner Sager attended Area 5 Council on Aging meeting in Butte, Friday January 21st.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 25, 2022

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 Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

County Attorney McEnery introduced Jhevon McMillan, her new legal intern.

RDG Grant meeting for the Roundhouse Phase II funding. Attending was Jonathan Weaver, Great West Engineering, Heidi Anderson Fohnagy and Jorri Dyer, DNRC (via zoom), and County Planner Amanda Cooley. Discussed eligibility uses of grant funding. Stated minimal clean-up is still needed and depending on soil disturbance, construction persuasions would be needed. Also discussed the planning grant application from DEQ that we should find out about in March. Will have another meeting March 8 with same participants plus individual knowledgeable in usage of ARPA funds for this project.

The drawing of salary warrants #23498 - #23528 for Officers, Deputies, Foremen, Clerks and Appointees from various accounts for the month of January 2022, 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:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 26, 2022

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 Doug Crachy

Jody Walker, Clerk and Recorder, presented the correspondence.

County Extension Agent Bo Walker was in office to give us a copy of Powell County's MSU Extension highlights articles.

Closed meeting with County Attorney McEnery and County Planner Amanda Cooley. Commissioner Mannix attended via telephone and Attorney Greg Schultz from Crowley Fleck Law Firm also attended over the phone.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

Deer Lodge, Montana

January 31, 2022

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 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.

Sheriff Roselles and Coroner Gregory were in office to discuss process required to increase Coroner's hours. Discussed budgeting requirements and information to submit to justify increasing hours due to increased workload.

Charter Communications protested their taxes for tax year 2021. The state Department of Revenue entered a settlement agreement with Charter and Powell County. Refunded \$2,382 to Charter.

Received retirement letter for Deputy Clerk & Recorder Jarita B. Neckels stating her last fulltime day will be June 17, 2022.

Keith Worl, Juvenile Probation Officer, was in to discuss a bill with the Great Falls Juvenile Detention Center.

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

APPROVED:

RALPH E. MANNIX, JR., Presiding Officer

ATTEST:

JODY WALKER, Clerk

