

Deer Lodge, Montana

January 3, 2023

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 Ruth E. Koehler, Available by zoom: Presiding Officer Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Held public hearing to set Resolutions for 2023. Commissioner Mannix nominated Commissioner Sager as Presiding Officer. Commissioner Koehler seconded the nomination. Commissioner Sager nominated Commissioner Koehler as temporary presiding officer. Commissioner Mannix seconded the nomination. All voted yes in favor of 2023-01 for Commissioner Sager as Presiding Officer and Commissioner Koehler as temporary presiding officer.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS' PRESIDING OFFICER OF BOARD - 2023

2023 - 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 Dan Sager as Presiding Officer, to preside over the County Commissioners' meetings for the calendar year 2023 and Ruth Koehler 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 Dan Sager shall be and is hereby elected as presiding officer for calendar year 2023 and Ruth Koehler 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, 2023.

Done this 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-02 - Resolution for County Office Hours – 2023 was presented. Commissioner Mannix moved to adopt Resolution 2023-02 with Commissioner Koehler seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION FOR COUNTY OFFICE HOURS – 2023

2023-2

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 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-03 – Resolution for Commissioners’ Meeting Dates and Office Hours- 2023 was presented. Commissioner Koehler moved to adopt Resolution 2023-03 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION FOR COMMISSIONERS’ MEETING DATES AND OFFICE HOURS – 2023

2023 - 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 include Wednesday, March 1, 2023 as part of the last week of the month.

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, 2023.

Dated this 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-04 – Resolution for Per Diem/Travel Rates – 2023 was presented. Commissioner Koehler moved to adopt Resolution 2023-04 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION FOR PER DIEM/TRAVEL RATES - 2023

2023 - 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, 2023.

Dated this 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2022-05 – Resolution Setting Treasurer’s Fees – 2023 was presented. Commissioner Mannix moved to adopt Resolution 2023-05 with Commissioner Koehler seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION SETTING TREASURER’S FEES - 2023

2023-5

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 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-06 – Resolution for Rate of Credit for Incarceration – 2023 was presented. Commissioner Mannix moved to adopt Resolution 2023-06 with Commissioner Koehler seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION FOR RATE OF CREDIT FOR INCARCERATION - 2023

2023-6

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 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-07-Resolution Setting Sheriff's Service of Process Fee-2023 was presented. Commissioner Koehler moved to adopt Resolution 2023-07 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION SETTING SHERIFF'S SERVICE OF PROCESS FEE - 2023

2023-7

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 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-08 – A Resolution Establishing a Location for Posting Public Notice – 2023-8 was presented. Commissioner Mannix moved to adopt Resolution 2023-08 with Commissioner Koehler seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

A RESOLUTION ESTABLISHING A LOCATION FOR POSTING PUBLIC NOTICE

2023 - 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, 2023

Done this 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

Resolution 2023-09 – Resolution Setting Planner’s Fees - 2023 was presented. Commissioner Koehler moved to adopt Resolution 2023-09 with Commissioner Mannix seconding the motion. The motion carried after discussion.

BOARD OF COUNTY COMMISSIONERS

POWELL COUNTY, MONTANA

RESOLUTION SETTING PLANNER’S FEES – 2023

2023-9

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”

Dated this 3rd day of January 2023.

BOARD OF POWELL COUNTY COMMISSIONERS

s/ RALPH E. MANNIX, JR., Member

s/ DANIEL G. SAGER, Member

s/ RUTH E. KOEHLER

ATTEST: s/ JODY WALKER, Clerk and Recorder

District 1 Road Supervisor, Ken Hosford was in to visit about a landowner about water problems concerning a county road.

Commissioner Sager and Commissioner Koehler left to attend meeting in Helena to appoint District 80 Representative. Joint meeting between Powell County and Lewis & Clark County was held in Helena and chaired by Commissioner Sager and Powell County.

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

RALPH E. MANNIX, JR., Presiding Officer

ATTEST: JODY WALKER, Clerk

Deer Lodge, Montana

January 4, 2023

The Board of Commissioners for Powell County, Montana, met in regular session at 9:00 o'clock A.M.

Present: Member Daniel G. Sager, Available by zoom: Presiding Officer 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 December 2022, warrant #69077 - #69142 were issued and a record of such is on file in the office of the Clerk and Recorder. Commissioner Mannix approved via phone with Kelley Knight, Deputy Clerk & Recorder initialing for Commissioner Mannix. County Attorney Kathryn McEnery approved this procedure as Commissioner Sager was the only one in office with Commissioner Mannix being available by zoom and phone.

Commissioner Koehler was in office in the afternoon.

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

APPROVED:

Dan Sager, Presiding Officer

ATTEST:

Jody Walker, Clerk & Recorder

Deer Lodge, Montana

January 17, 2023

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 Ruth E. Koehler, Available by zoom: Presiding Officer Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Heather Gregory was in with safety questions.

County GIS, Ann O'Toole was in with an Interlocal Agreement between Powell County, Mineral County, City of Missoula, Granite County, and Butte-Silver Bow County for the purpose of pursuing funding through the federal Rebuilding American Infrastructure with Sustainability and Equality (RAISE) discretionary grant program with DJ & A and Amanda Cooley. Powell County premium is up to \$5,000. Commissioner Koehler moved and Commissioner Mannix seconded the motion to sign the interlocal agreement. Motion carried.

Professional Services agreement with DJ & A to write a RAISE grant application. The contract is for \$15,000. Granite County, Mineral County, Missoula County, City of Missoula, and Butte-Silverbow will each contribute up to \$2,500 toward the contract. Commissioner Mannix moved to accept, Commissioner Koehler seconded the motion. Motion carried.

Commissioner Sager reported on the Airport Board meeting.

Commissioner Sager attended the AFRC Western Pod meeting in Missoula on January 12, 2023.

Commissioner Koehler attended Fair Board meeting on January 12, 2023.

Heather Gregory presented a Department of Public Health & Human Services (DPPHS) Agreement to sign. Commissioner Mannix moved and Commissioner Koehler seconded the motion to sign. Motion carried.

Sheriff Gavin Roselles and Undersheriff Kim Micu were in to discuss use of Opioid funds. Treasurer Pam Reighard stated trust funds may go into public safety, health, or general fund. It is to be approximately \$11,000. Sheriff Roselles recommendation was to develop a program with the hospital for initial treatment of opioid addiction inmates upon arrest, a Medical Assisted Treatment (MAT) program. Sheriff Roselles will talk to Deer Lodge Medical Center about an MOU. Commissioner Mannix was in favor of the program for inmates to come off their high with treatment instead of cold turkey withdrawals. The program will also help with liability for accidental death. Commissioner Sager moved and Commissioner Koehler seconded the motion to use the funds to support the MAT program as mentioned by Sheriff Roselles. Motion Carried

Bo Walker was in to give an update on Extension issues.

Commissioner Koehler moved and Commissioner Mannix seconded the motion to appoint Terry Jennings as Big Sky Passenger Rail Authority Board director for Powell County.

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

APPROVED:

Dan Sager, Presiding Officer

ATTEST:

Jody Walker, Clerk & Recorder

Deer Lodge, Montana

January 18, 2023

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 Ruth E. Koehler, Available by phone/zoom: Presiding Officer Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioner Mannix reported on the Weed Board meeting stating that additional funds may be needed for weed control from Roads Department. Commissioner Koehler attended the Parks Board meeting on January 17, 2023. Commissioner Sager attended the City Planning Board meeting.

Commissioner Koehler had a discussion with Kolby Scott regarding a silent crossing per request of a resident at Gold Creek.

A department head meeting was held. All department heads gave updates. The third floor ADT remodel, archive retention, and trails were also discussed.

Jesse Mullen stopped in to visit.

County Planner Cooley was in to have Commissioners sign an Interlocal Agreement, where Powell County is the lead applicant, in pursuit of a federal RAISE grant award between Powell County, Mineral County, Granite County, Missoula County, City of Missoula, and Butte-Silverbow. She also provided a grant funding update for Parks Board. Task Order 25, Old Yellowstone Trail Phase 3 Grant Application was signed by Commissioner Sager. Roundhouse update was given. Ten thousand cubic yards of fill to be purchased from the county.

Planner Amanda Cooley, Butch Phillips, David Phillips and Jordan Green were in to discuss rerouting Tin Cup Joe Creek to avoid further damage to Greenhouse Road. Amanda will assist them with permitting process.

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

Dan Sager, Presiding Officer

ATTEST: Jody Walker, Clerk & Recorder

Deer Lodge, Montana

January 23, 2023

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 Ruth E. Koehler

Jody Walker, Clerk and Recorder, presented the correspondence.

Road Dist. #1 Foreman Ken Hosford, Road Dist. #3 Foreman Brian Therriault, and Ryan Price were in to discuss equipment needs.

Commissioner Sager attended Council on aging Board meeting.

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

APPROVED:

Dan Sager, Presiding Officer

ATTEST:

Jody Walker, Clerk & Recorder

Deer Lodge, Montana

January 24, 2023

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 Ruth E. Koehler, Available by zoom: Presiding Officer Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence.

Commissioners met with Dan McCauley (Great West Engineering), Jonathan Weaver (Great West Engineering), Bill Pierce, Martin Drivdahl, County Planner Amanda Cooley, County Attorney Katheryn McEnery, and Luke Ulatowski (Silver State Post) to discuss an alternate proposal for Willow Bridge. The estimated cost is between \$400,000 and \$450,000. No action was taken.

Montana Association of Counties (MACo) Health Care Trust was in to discuss market comparison on healthcare rates. They will send a quote to Clerk & Recorder Jody Walker.

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

APPROVED:

Dan Sager, Presiding Officer

ATTEST:

Jody Walker, Clerk & Recorder

Deer Lodge, Montana

January 25, 2023

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 Ruth E. Koehler, Available by zoom: Presiding Officer Ralph E. Mannix, Jr.

Jody Walker, Clerk and Recorder, presented the correspondence. David Moore, Jared Dickerson and Kate Geer from A&E Architects, and Amanda Cooley were in to discuss ADA compliance throughout the building.

Planner Amanda Cooley delivered a Notice of Violation for unpermitted activity in the Blackfoot River Floodplain.

County Health Nurse Samantha Ray stopped in to discuss JOT program. She is not going to participate this time. She will talk to the city about water testing opportunity.

Amanda Cooley was in with a resolution to adopt an extension to the Helmville Rural Community District Boundary and Revisions to the Powell County Zoning and Development regularities.

Amanda Bohrer presented her resignation letter from the DUI Task Force.

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

APPROVED:

Dan Sager, Presiding Officer

ATTEST: Jody Walker, Clerk & Recorder

RESOLUTION 2023-10

OF THE

POWELL COUNTY BOARD OF COUNTY COMMISSIONERS

TO ADOPT

AN EXTENSION TO THE HELMVILLE RURAL COMMUNITY DISTRICT BOUNDARY AND REVISIONS TO THE  
POWELL COUNTY ZONING AND DEVELOPMENT REGULATIONS

WHEREAS, Title 76, Chapter 2, Part 2, MCA, empowers the county to enact land use regulations and to provide for their administration, enforcement and amendment, and

WHEREAS, the County Commissioners deem it necessary for the purpose of promoting the health, safety and general welfare of the county to enact development regulations, and

WHEREAS, consistent with the Powell County Growth Policy, the updates promote reasonable planning, allow for the conservation of open space and rural lifestyle and provide for the protection of water quality and quantity and other resources of Powell County, and

WHEREAS, the Powell County Planning Board has held public meetings in the Powell County Center on July 7, August 11, and September 8, 2022 in the City of Deer Lodge Community Center, and

WHEREAS the Powell County Planning Director held public meetings in the community of Helmville on June 16 and August 22, 2022, to receive public comment concerning the zoning district amendment and proposed updates to the Regulations, and

WHEREAS, on August 15, 2006, the Commissioners, with notice published in the *Silver State Post* newspaper on December 7 and December 14, 2022 per MCA requirements in order to notice for the adoption of this resolution and provide opportunity for public comment, and

WHEREAS, the Commissioners received no public comments regarding the adoption of these updates, and

WHEREAS, the Planning Department has submitted its report containing findings and its recommendation that the updates to the Regulations be adopted, and the Planning Board has submitted its resolution documenting that the Regulations are consistent with Title 76 of the MCA and with the Powell County Growth Policy and recommending adoption of the Regulations, those documents being incorporated in and made a part of this Resolution, and each Commissioner has reviewed those findings, recommendations and the resolution, and

WHEREAS, the requirements and procedures contained in the Regulations are required and authorized by Title 76, MCA, and

WHEREAS, the Commissioners have considered the requirements of the law, good planning concepts, needs of future generations, and comments of the county residents, and

WHEREAS, the Board of Commissioners on October 24, 2022, meeting in the City of Deer Lodge in open session, voted their intent to adopt the Regulations,

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners does adopt the attached amendment to the Zoning and Development Regulations for Powell County.

Signed this 25<sup>th</sup> day of January, 2023

POWELL COUNTY BOARD OF COMMISSIONERS

Dan Sager, Chair

Ruth Koehler, Member

Rem Mannix, Member

ATTEST: Jody Walker Clerk and Recorder