

DECEMBER 7, 2005

The Board of Lincoln County Commissioners met for a regular session in the courthouse at 10:00 a.m. Present were Chairman Marianne B. Roose, Members John Konzen and Rita R. Windom, and Clerk & Recorder Coral M. Cummings.

9:30 A.M. CINDY JENSEN RE: MENTAL HEALTH Present were Rolf & Evelyn Zillmer, Duane Williams, Clarence D. Johnson, Ken Kehn, John Vignali, and Ron Carter.

Jensen presented a report on Western Mental Health facilities and its program.

10:00 A.M. BID AWARDS: SEARCH & RESCUE BUILDING

The legal description of the property is Lots 18 & 19, Block 9 of Libby Original Subdivision. Bids were received from Tungsten Holding, Inc. in the amount of \$42,005 and St. John's Lutheran Hospital in the amount of \$37,500. The bid was awarded to Tungsten Holdings, Inc.

10:30 A.M. LEE DISNEY RE: OLD HIGH SCHOOL Present were Rod Delaney and Lee Disney (Representing *Friends of the Old High School*). Disney's group wants community support from City & County to save the building. The City of Libby has endorsed saving the building. A vote proved 70% of the community is in favor of saving this historical building. Disney pointed out the school costs would be at least \$150,000 for demolition and that money could be used elsewhere. Disney said the group would like to see it sold to private developers so something can be done. The school wants to demo the building. Disney said there are private developers interested in this project. However, they do want signed access and lease to this property. Disney would like the people with vision to have a chance to do something with this historical building. Chairman Roose pointed out the Board did sign a letter in favor of demolition, and she herself is in favor of keeping this historic building, and the Board does need to rescind that endorsement if it is going to support the salvation of the building. Disney would like to offer options on this. Konzen said he understands the need to save the building, but also understands there has been no concrete plans come forward for its restoration. **MOTION** by Commissioner Windom that Lincoln County Commissioners support the *Friends of the Old High School* in any way possible due to new information that has come forward that allows possible restoration. Second by Commissioner Konzen, so ordered upon consensus of the Board. Konzen commented the Board needs to amend the motion of this endorsement to a time frame that allows for the restoration project to be formulated. Windom questioned how to determine this time frame. Konzen said the Board supports the school system in doing its job. Roose said she believes the voice of the voter is important to the Board. Disney said the election does not mandate the school to not sell the building. Disney said he is meeting with the school on Friday for further discussion.

11:00 A.M. PORT AUTHORITY FUNDING REQUEST: Present were Jim Mayo, Stan Kargol, and Pat Pazelle, and Amy Guth.

The Port is requesting the Board of Commissioners again consider funding assistance for the Port Authority economic development activities for FY 2005-2006 in the amount of \$50,000. The group said the emergency rails need repaired as there have been some derailments and it will be a major cost. The Port Authority Board is making progress and still working to bring new industry to the location. Roose said when the 2 mills were previously discussed the Board did not feel it could spare the 2 mills from county mills and the \$50,000 was supplemented as a one time assistance for start up costs for the Port. Roose told the group she hopes the Board did not mislead anyone to believe this would be an ongoing yearly contribution. Mayo said no, we did not feel misled. The Port has some streams of money coming in and are holding some money back for major projects and the Port may have to put up a building for Mines Management. Windom asked Mayo how this money flows and does it go to the Industrial District. There was a discussion that cash (money) assets could not go from the Port Authority to the Industrial District. Guth told the group that the Port can utilize economic development money. Konzen asked if there is anything to stand in the way from sending this to the Industrial District. Mayo said this money would end up at the Stimson Mill site. Roose repeated that the Board did say it was a one time funding issue and was surprised to see this end up on the Boards desk again. Konzen said when the Board first set up the Port Authority, he was not in favor of funding this unless it showed some activity. Konzen continued saying he does see activity and progress going on. Commissioner Windom said she wants to see identification of how this \$50,000 will be spent and commented the county did not budget this for FY 05-06. Roose said it would be best to put these requests forward during our budget cycle. Konzen said the Port did put in a request and the Board rejected it. Konzen said there is a fundamental question the Board needs to answer; other counties fund economic development and does Lincoln County want to do this. Konzen feels a one time commitment is not supporting economic development each year. Carter felt overlapping the Industrial District Board and the Port Authority Board seems confusing. Kargol (member of the Industrial District), asked if instead of granting \$50,000 to the Industrial District, could the county fund an employee to do economic development under KRDC to research users for the site. Roose asked Kargol if he had a timeframe. Kargol said this would be needed forever, not necessarily by the county, but for a year or two at least. Guth asked if there are other counties that are operating under the umbrella of the county.

No action was taken on this issue at this time. **MOTION** by Commissioner Windom to table this discussion at this time. Second by Chariman Roose. Commissioner Konzen stated this request was made in July and he does not remember any discussion at that time. Konzen said he does not want to micro manage the Industrial District and this is economic development and feels these people are entitled to an answer from the Commissioners.

All in favor of Commissioner Windom's motion: Windom and Roose – yes, in favor of the motion. John Konzen – no, against the motion. **MOTION** by Commissioner Konzen to award the \$50,000 to the Industrial District. Second by Commissioner Windom. Konzen voted yes, in favor of the motion. Roose and Windom voted no, against the motion.

1:30 P.M. P.M. KEN PETERSON, COUNTY PLANNER:

Subdivisions presented for approval:

McGinnis Hills Subdivision Phase II: A 13 lot major in the NE¹/₄, SE¹/₄, NE¹/₄, Sec. 17, T26N, R28W. Konzen requested increased garbage use facilities be included in the recommendations to mitigate the impact of the increased lots, with County Sanitarian, Ron Anderson to come up with a formula for the number of green boxes required and a fee for the additional number required. With additional subdividing apparent, Konzen felt this should be addressed. **MOTION** by Commissioner Windom to approve subject to Planning Staff recommendations. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Porcupine Subdivision: Easement changed on the plat. Peterson said he checked with attorney Bill Douglas and Douglas said it was ok and gave Peterson a letter stating so. **MOTION** by Commissioner Konzen to approve Porcupine Final Subdivision upon Planning Staff recommendations. A water road is to be indicated. Second by Commissioner Windom, so ordered upon consensus of the Board.

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Other Issues: Court Order Division

Lori Miller RE: Request for court order division: Ken Davis was appointed by the District Court Judge to administer the request for the split. **MOTION** by

Konzen to deny request and require minor subdivision. Second by Windom, so ordered upon consensus of the Board.

Court Order Division submitted by Sprinkle Law Firm, PC: The Board unanimously approved request submitted by Sprinkle Law Firm.

Court Order Division submitted by David W. Harman: The Board unanimously approved request submitted by Harman.

2:00 P.M. EPA PEGGY CHURCHHILL: Present were Tad Leonard, Duane Williams, Roger Morris, Shawn Olivera, D.C. Orr, Stacy Gordon via phone.

Churchhill said the work has been shut down for the winter and will start again in February. EPA is currently working on next year's plan and a report regarding all work done thus far. EPA will work on this until March. Churchhill said EPA will identify needs on the Port Authority site. EPA will provide supervisor and inspection training through the college for accreditation for these positions. Hiring an Environmental Resource Specialist is being researched. Windom asked if CDM has been on site all the time and Churchhill replied about 2 years. Roose asked who would hire these accredited people. Churchhill responded private citizens who are doing demolition, requiring an asbestos inspection. Olivera (safety manager) stated this requirement takes the responsibility off the local contractors by giving local training on this procedure. There are many steps to doing this and training will allow local people the ability and knowledge to move forward on construction projects by having local expertise. Orr said this is taking the commercial application to the private application.

Discussion took place about Highway 37 reported as being contaminated. Orr felt that contamination is there due to the contractor's use and that EPA is not addressing this. Churchhill said this would be dealt with in our remedial cleanup. Next scheduled meeting was set for January 11th at 10 a.m.

2:30 P.M. HELEN CLARK RE: CRS POSITION: Also present was Jan Meadows and D.C. Orr.

The group questioned who would sponsor this position. The group discussed insurance, office equipment, phone, and other items to be considered. The group thought it necessary to have a letter of support from various entities. EPA will fund the position, but it will need someone such as the county to be the provider for the employee. Hourly wage, benefits, was also discussed. This would be a full time position for many years. Roose commented that funding should be identified up front. After EPA is finished with their work, this position will be in place and funding will transfer to W.R. Grace or the State. Windom asked about what "authority" this position would entail. Clark said this job would be a consulting position, not a person actually doing the work. Roose questioned if this would be an opportunity for a private enterprise. Clark said yes, but it would not be EPA funded. Meadows told the group that the health and safety of the people in this community needs to be remembered and with all these things in place and available in the community, people have more choices. Having someone available to consult with homeowners and advise is the benefit with this position. Orr said as a contractor, he feels

this is necessary to the community, but questioned why the State has not been approached. Clark said she has not ruled this out. **MOTION** by Commissioner Konzen that the Board write a letter supporting the need of an Environmental Resource Person. Second by Commissioner Windom, so ordered upon consensus of the Board. Konzen said the Board needs to start consolidating and eliminating the committees so it can deal with these types of issues more quickly.

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

Amended Plat of Lots 74 through 80 of Mariner’s Haven Subdivision Phase III in Sec. 11, T36N, R28W for Mariner’s Haven Campground & Marina..

Routine business completed the day and the Board adjourned at 5:00 p.m.

BOARD OF COMMISSIONERS

LINCOLN COUNTY

Chairman of the Board

Marianne B. Roose,

ATTEST: _____

Coral M. Cummings, Clerk & Recorder