

**FEBRUARY 23, 2005**

The Board of County Commissioners met for a regular session in the Lincoln County Courthouse at 10:00 a.m. with Members John Konzen, and Rita R. Windom, and Clerk of the Board Coral M. Cummings present. Commissioner John Konzen acted as Chairman of the Board in Marianne B. Roose's absence, as she was attending the Regional EDC Meeting at Quinn Hot Springs.

**10:00 A.M. ADMINISTRATIVE ISSUES:**

**RESOLUTION APPROVALS AND SIGNATURES**

**Resolution No. 688:** A Resolution to pay the Port Manager from the 2896 Metal Mines Fund. Budget authority and revenue receipting authority in the 2896 Metal Mines Fund will be established as follows:

2896-801-510300-110: Salary	\$24,000	
2896-801-510300-140: Contributions	\$ 5,049	
2896-200-521000-820: Transfer Out	\$ 1,376	(Insurance Portion of Wages)

\$1,376 To be transferred to: 2371-383000 Insurance Fund

2896-362001 (Reimbursement Wages Misc) Revenue Number

And to increase the insurance budget as such to allow for expenditure of transferred funds:

2371-312-510000 148:	\$1,296 EBMS Insurance	
2371-312-510000 149:	80 Flex	<b>MOTION</b> by Commissioner Windom to approve and sign. Second by Commissioner Konzen upon consensus of the Board.

**Resolution No. 689:** A Resolution to establish a separate funding mechanism for the County Extension Budget Program that will generate additional revenue in FY 04/05. Expenditures and revenue will be established as follows:

Expenditures:	2290-450-450400-200	\$10,000	
Revenue:	2290-450-345010	\$10,000	<b>MOTION</b> by Commissioner Windom to approve and sign. Second by Commissioner Konzen upon consensus of the Board.

**Resolution No. 690:** Lincoln County was awarded a State & Community Highway Safety grant from the Montana Department of Transportation for six radar at \$1,200 each, three in-car video units at \$4,000 each, and one portable breath tester at \$800 each; and the total amount shall not exceed \$20,000. Budget and revenue will be established as follows:

Budget Authority: Fund 2955 Highway Safety program: 209-420150-220

Revenue Receipting: 2955-331150 Highway Safety program **MOTION** by Commissioner Windom to approve and sign. Second by Commissioner Konzen upon consensus of the Board.

**Resolution No. 691:** A resolution for Lincoln County to adopt the Lincoln County Pre-Disaster Mitigation Plan (October 2004). **MOTION** by Commissioner Windom to approve and sign. Second by Commissioner Konzen upon consensus of the Board.

**Resolution No. 692:** A resolution to appoint Planning Director, Ken Peterson, as the Environmental Certifying Officer for HOME grants. **MOTION** by Commissioner Windom to approve and sign. Second by Commissioner Konzen upon consensus of the Board.

**TAX ABATEMENT REQUEST:** Tax abatement order signed by Commissioner Konzen for David A. & Michael A. Kyriss of 851 Lake Creek Road, Parcel #52460. **MOTION** by Commissioner Windom to approve and sign. Second by Commissioner Konzen, so ordered upon consensus of the Board.

**BOARD APPOINTMENT RE: Libby Parks District Board:**

**MOTION** by Commissioner Windom to re-appoint Jerry Bennett and Robert DeBorde to the Libby Parks District Board. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Bill Bischoff presented the Board with the FY 03-04 Management Discussion & Analysis Report. A brief discussion took place, and the Board approved the MDA report.

**11:00 PUBLIC HEARING ON CABINET VIEW FIRE SERVICE AREA:**

Present were: Ken Wickward, Alvin Benitz, Ilene Tangen, Rayetta Morrison, Dale & Tammie Sabine, Robert Mast, Tony Bacon, Howard Troyer, Betty Troyer, Michael Landon, Del Hufford, Sally Hufford, Doug Turman, David DeShazer, Julie DeShazer, John A. Mast, Bruce Witt, Paul R. Mast, Nikia Hernandez, and Tom Wood.

Commissioner Konzen opened the hearing stating that the Board was advised by the County Attorney to mail out letters to all people in the Cabinet View fire service area, and that people

who work during the day would like a Public Hearing scheduled in the evening. A continuation of the Public Hearing is scheduled for March 16<sup>th</sup>, at 6:30 p.m. Commissioner Konzen said that today's meeting was to express concerns and to get feedback from the public. Notification letters will be mailed to the people in the affected area. Cabinet View Fire Chief Dale Sabine stated that they are federally certified and that his department is providing a service to benefit the area. Libby Volunteer Fire Chief Tom Wood discussed the insurance rates and how it will affect homeowners and commercial structures. Rates will be higher for those living outside a five mile radius of the Cabinet View FS area. Wood also explained that the Cabinet View FS will start at a grade 9, and as it develops, will go down to a grade 8, although this will take years to accomplish. Dave DeShazer stated that yearly rates will be \$125.00 per home, \$75.00 per commercial building with an additional \$10.00 for each additional dwelling such as barns and shops. Nikia Hernandez, representing the Forest Service stated that the Forest Service does not offer structure protection, only wildland fire protection such as to help barricade homes, but that the F. S. will not enter a home. There will be no change in F.S. policy. Commissioner Konzen asked if the public had any questions or comments. Ilene Tangen asked if homeowners were financially responsible if someone were to get hurt while on their property. Tom Wood stated that all Fire Districts carry their own insurance and that homeowners would not be held liable. Alvin Benitz asked why the Airport is not being annexed. Dale Sabine said that the airport is included. Commissioner Konzen asked Dale Sabine to make contact with the Airport Board before the next public hearing. Benitz also expressed that he would like to see the Libby Rural Fire District expand to cover the area instead of starting another one. Tom Wood stated that all fire departments work together and currently respond outside their district. Commissioner Konzen closed the discussion by expressing thanks to the public for their input and expressing thanks to all of our fire service volunteers; and the hearing will be continued March 16, 2005, at 6:30 p.m.

**COUNTY PLANNER KEN PETERSON: RE: PRELIMINARY SUBDIVISION REVIEW:**

**Subdivisions presented for approval:**

Glen Hills Estates: A 4 lot minor in NE¼, Sec. 21, T36N, R26W. **MOTION** by Commissioner Konzen. Second by Commissioner Windom, and so ordered by Active Chairman Konzen upon consensus of the Board.

Amended Lot 11 Rawlings Road Subdivision: A 2 Lot minor in Sec. 29, T31N, R31W. **MOTION** by Commissioner Konzen. Second by Commissioner Windom, and so ordered by Active Chairman Konzen upon consensus of the Board.

Amended Lot 1 Whitetail Terrace Subdivision: A 5 lot minor in a portion of Sec. 5 & 6, T29N, R33W. **MOTION** by Commissioner Konzen. Second by Commissioner Windom, and so ordered by Chairman Roose upon consensus of the Board.

**FEBRUARAY 23, 2005 CONT.**

**Subdivisions presented for review:**

- 1) Cedar Cays Subdivision in a portion of the SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, Sec. 17, T29N, R33W.
- 2) Amended Lot 2C, Blade Trap Subdivision #2, in the SE<sup>1</sup>/<sub>4</sub>, Sec. 6, T35N, R27W.
- 3) Amended Lot 2 Whitetail Terrace Subdivision in a portion of Section 5 & 6, T29N, R33W.
- 4) Hidden Valley Subdivision in portions of the SW<sup>1</sup>/<sub>4</sub>, Sec.29, T30N, R33W.

Rainbow Acres Subdivision is tentatively set for public hearing at Happy's Inn, March 23<sup>rd</sup> at 6:30 p.m.

**RE: G.I.S. POSITION UPDATE:**

Ken Peterson informed the Board that the going rate for salary for this position is \$40,000. Peterson will write a job description for this position and present it to the Board.

Peterson presented the Board with the Fire Risk Assessment For Planned Development Rating Form. The Board unanimously accepted and approved the form.

**BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:**

C. of S. in Sec32, T35N, R26W for Plum Creek Timber Co., L.P.

C. of S. in Sec. 12, T31N, R34W for Keenen.

C. of S. in Sec. 7, T30N, R33W for Trombley.

C. of S. in Sec. 8, T32N, R30W for Plum Creek Timberlands, L.P.

C. of S. in Sec. 25, T29N, R27W for Plum Creek Timberlands, L.P.

C. of S. in Sec. 31, T34N, R31W for Plum Creek Timberlands, L.P.

Amended Plat of Dukes Vista Ridge Lot 5A: Sec. 14, T36N, R28W for Miller.

Plat of Banks Subdivision: Sec. 5, T29N, R33W for Montana Mountain Valley L.L.C.

**MONTH END TOTALS FOR JANUARY 2005 PER  
ADDENDUM OF PAYROLL WAS:**

Total payroll approved for the month of January 2005 was: \$  
359,841.40

Total employer payroll contributions for January 2005 were:  
\$ 130,771.97

Total payroll and payroll contributions for January 2005 was:  
\$ 490,613.37

Total warrants approved and paid for January 2005 was: \$  
398,515.77

Total payroll, contributions & warrants for January 2005 was:  
\$ 889,129.14

Routine Business completed the day and the Board adjourned at 4:45 p.m.

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**Chairman of the Board**

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**Marianne B. Roose,**

**ATTEST:** \_\_\_\_\_

**Coral M. Cummings, Clerk of the Board**