

JULY 26, 2005

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

10:00 A.M. RE: U.S.F.S. ROAD MAINTENANCE AGREEMENT "SCHEDULE A": Present were Forest Supervisor Bob Castenada, Mike Balboni, Paul Stantus, Tim Harcourt, Steve Garrett, and Paul Rumelhart. The Board of Commissioners signed the Road Maintenance Agreement "Schedule A". Three roads were added this year which are Blue Mountain Road, Cedar Creek Road and 17 Mile Road. The Forest Service will be upgrading these roads and Lincoln County will chip seal. Castenada will meet with Montanore on EIS issues. Castenada feels the opinion on the Rock Creek Mine and the lawsuits against the Forest Service on the Rock Creek Mine and Grizzly Bear Access projects could influence the time frame pertaining to this project. Castenada said the decisions on these lawsuits could affect the Montanore Project. Commissioner Konzen said the Board has been approached by Revett to intervene on their behalf in favor of the Forest Service.

Discussion on the New Wilderness issue took place and Castenada explained the maps showing the Forest Plan Revision Zone on the Kootenai National Forest. Castenada said the big changes would be Roderick and Saddle Mountains and that Treasure Mountain has capabilities of being in the Wilderness Zone but the F.S. is waiting for public comment to come in. Some public comments are that Turner Mountain does not meet the requirements for a ski area. Commissioner Windom said she has had comments that some people do not want to look at a ski area on that mountain. Castenada said the Clinton Rule closed the door to a ski area at Turner, but that rule is now gone and the F.S. is going to review this issue. Castenada said based on group meetings, the public wanted more access, and the F.S. ability to provide more access is limited and practically nil. Garrett said the F.S. is cutting more access and there are people who can't walk to these areas. Castenada said some people think the F.S. is opening up too much and that is not the case. A combination of agency cooperation is needed. Garrett said when he looked at this plan; we worked hard to get people to meetings, feeling their voices would be heard. When the plan came back to the public, none of the concerns were ever addressed. The public feels they have no voice in this. The public expressed they want no more Wilderness but do want more Timber Management. Garrett feels this is destroying the credibility of the Forest Service. Castenada said the F.S. will still manage the Forest for timber. Castenada said he knows that timber cutting is an important issue, but the F.S. is facing budget cuts from Congress. Castenada said he does not see much difference in timber or road use, but he sees changes in management of organized motor accesses on open roads and tracts. Castenada said the F.S. has made no decisions about snowmobile use and is hoping to make the decisions on this at these meetings. Commissioner Konzen had questions on Rock Candy for snowmobile use and said this area has been used heavily by snowmobiles. Castenada said if the people would come together and agree to differences on this proposal then the F.S. would consider making adjustments. Commissioner Konzen feels the county has issues with Roderick and Rock Candy. Balboni said we never discussed Rock Candy until recently and the two work groups could not come to any agreement so it was tabled. Chairman Roose said she keeps hearing that a collaborative effort could constitute changes and asked if she is hearing this right. Castenada said the F.S. could make some changes. Chairman Roose said that in Eureka most of the group was local and there was some Wilderness Association people at the meetings. The comments were mostly from local people who live, work and play in that area and she felt the local people's culture and traditions are being ignored. Commissioner Konzen said my feeling is "why does the county want to come to the table with you. I truly believe I know where the people in this county stand on this issue." Castenada said it is important to have people working together in some areas and that changes can be made. Chairman Roose commented on her community being opposed to the 10 Lakes recommendation. Castenada said he is open to discussion on that issue. Balboni said he wants to work only with the small group that volunteered in the beginning of the process and he does not want a large group of the public to come forward. Castenada said it looks like the F.S. will become more centralized and he feels Libby will probably be a service center. Castenada said no big public meetings!

1:15 P.M. SUBDIVISION REGULATION CHANGES AND DISCUSSION ON FALLS CREEK FALLS AREA:

Present were County Planner Ken Peterson, Peter Greene, Jay Olsen, George Snyder, Linda DeCarlo, Robert Egbert, Wade Kidder, Jim Slaven, Sam Schupp, Suzanne Buck, Brant Schupp, Doug Watson, Lloyd Kidder, Ella Kidder, Buck D. Kidder, Ken Davis, Dave Cox, Beth Schweitzer and Jack DeShazer. Peterson gave handouts of the proposed changes and road access changes and explained what the changes were and the reason for them. October 1st is the recommended date of final decisions on these regulations. Cox asked about a court ordered split and the time limit. Peterson said the governing body has to review these, but has not set a time frame. Cox asked if the county does health reviews. Peterson said the county has to show the public the health review before the public hearing, and there are still 35 days for a minor and 60 days for a major. A member of the public asked if a single lot is subdivided later do bridges have to be upgraded. Peterson said yes, it can be two single lane bridges. Commissioner Konzen addressed the issue that no property is to be sold before preliminary plat approval. Green asked if he could take reservations on property, and Escrow. Peterson said after preliminary plats are approved then Escrow can be established with documentation provided for Escrow arrangements. DeShazer asked if earnest money can be taken and that it is being done all over the country. Green said he will do whatever needs to be done.

There was a discussion on Shannon Flats access road. Peterson advised having roads engineered before submitting a preliminary plat.

Chairman Roose opened discussion on Falls Creek Falls area pertaining to public access. The Board accepted a petition from Troy residents protesting this subdivision because this area is a historical site and has been available to the public for generations. Green said he is not here today to resolve this issue, but is prepared to say here today that he will try to work with the community to resolve this issue. Schweitzer said this area has always been a historical part of Troy. Private ownership with public access would not be feasible or fair to property owners. DeShazer said he has never heard of any compensation mentioned for this property. Chairman Roose said that Mr. Nowak told the Board that he would try to work with the community on this. The Board of Commissioner said the county would assume responsibility if it was donated to the county, but the county does not have the funds to purchase this property. Commissioner Konzen said we are at the mercy of these folks and the community should have been heard. Commissioner Konzen also stated that he heard Nowak tell DeShazer to take care of this. Commissioner Windom said that Fish, Wildlife & Parks does want this property preserved and they don't have funding to purchase it, but will wait to hear from Mr. Greene and Nowak on this to see what can be done. Greene said this is important to him. He will talk to Nowak about a fair solution. He knows now the community really wants this. I apologize to you. I did not see this, and who do we deal with? DeShazer asked what the direction of the Commissioners is so he can tell people who are moving here or wanting to leave. DeShazer said he tells people we want economic growth and that is people moving in, and that he does not see any big industries moving in. Commissioner Konzen said, "Do not tell people the Board of Commissioners is against growth. Be up front, that's what I want." Chairman Roose said there is more economic growth in Lincoln County than there is property. Commissioner Windom said to DeShazer that the Board is pro growth as long as it is planned and this should be good for the communities. We want diversification and we need more than just subdivisions.

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Watson said that he urges Commissioners against imposing regulations. Taxpayer will be paying for this in time. Slaven said the people of Troy have to learn that if they want access to these places they better wake up and get access and that the people of Troy knew this property was being sold.

RE: TRANSFER OF FUNDS TO COVER SHORTFALL IN FUND 2875 JUVENILE PROBATION (CHOICES) A
Resolution to transfer monies from 2900-200-521000-820 in the amount of \$1723 to: 2875-383000.

KEN PETERSON, COUNTY PLANNER:

Subdivision Presented for Approval:

- **Dickey Lake Proposed Lakeshore Construction:** **MOTION** by Commissioner Windom to approve Jeff & Lea Davenport's application for a project involving the placement of rip-rap and construction of rock steps along the lakeshore of Dickey Lake. Second by Chairman Roose. So ordered by Chairman Roose upon consensus of the Board.
- **Upper Thompson Lake Proposed Lakeshore Construction:** **MOTION** by Commissioner Windom to approve Bradley Skaramstad's application for a project involving the construction of a concrete pad and floating dock out 40' on Upper Thompson Lake. Second by Commissioner Konzen. So ordered by Chairman Roose upon consensus of the Board.
- **Bull Lake Proposed Lakeshore Construction:** The Board of Commissioners received an application from Gordon & Mary Bradshaw for a project involving the placement of fill and construction of 2 docks along the lakeshore of Bull Lake. The Board will wait for the Corps of Engineer review before making any decisions.

Presented for review:

- 1) **Airport Acres North**
- 2) **Quick Silver 2 Subdivision**
- 3) **Airport Acres South**

RE: PLANNING DEPARTMENT PRIORITIES: The Board received a letter from County Planner Ken Peterson requesting shifting some current responsibilities of the Planning Department to other departments with larger budgets and better resources to administer them.

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

- 1) C. of S. in Sec. 15, T30N, R30W for Orr.
- 2) C. of S. in Sec. 22, T32N, R34W for De Carlo.
- 3) Plat of Cottonwood Acres in Sec. 29, T30N, R33W for Montana Mountain Valley L.L.C.

Routine business completed the day and the Board adjourned at 4:00 p.m.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Marianne B. Roose, Chairman of the Board

ATTEST: _____
Coral M. Cummings, Clerk of the Board