

July 6, 2005

The Board of Lincoln County Commissioners met for a regular session in the courthouse at 9:00 a.m. Present were Chairman Marianne B. Roose, Members Rita R. Windom and John Konzen, and Deputy Clerk & Recorder Robin Cerny.

9:00 A.M. U.S.F.S. GREG KUJAWA: Present were Steve Kaddel, Kirsten Keyser, and Noel Williams.

The Forest Revision Plan Effort will hold its first public meeting July 7th in Eureka. The public hearing is a starting point for a collaborative effort with all the groups in the communities. The Forest Service wants to get the groups interests compatible with the plan. If a community cooperative effort dictates, the plan can be changed. Diverse collaborative efforts will be recognized and considered. A Forest Service facilitator will most likely be used. Feedback from the public is needed by the end of August. The Board voiced concern with one person's voice being heard above the voices of many in the meetings and why the "one voice" is heard above the voice of many. Kujawa said the plan would allow for approximately 50 million board feet harvest per year. Keyser will provide a 1987 map and a current map and other information that will be used in the public meetings to the Board.

11:30 A.M. APEX CHUCK HODGE:

Discussion took place pertaining to all the office copy machines in each department and what the needs are for upgrading. Hodge mentioned to the Board that digital machines are better, cheaper, and last longer, and upgrading to digital machines would create a significant savings in the overall operating costs. Commissioner Konzen said he would like to find out which machines still have a good life span in each department, he does not feel that all machines need to be upgraded if they have been and still are working well. Chairman Roose expressed that she felt the service in Eureka has been poor at times. Chairman Roose and Commissioner Windom were both in agreement that waiting a week for repairs is too long for county departments to wait. Commissioner Konzen said that the county may get better service out of Kalispell due to location. Commissioner Konzen ended the meeting stating that he recommends that this service for the county copy machines goes back out to bid.

1:30 P.M. FALLS CREEK FALLS: Present were County Planner Ken Peterson, Ken Davis, Jack Deshazer, and Bernie Nowak. A brief discussion took place pertaining to the plat of Shannon Flats, a major subdivision. This plat is currently going through the public hearing process. Peterson said that a secondary road is being put in, but as soon as more subdividing is done, this road will need to be a primary road. Commissioner Konzen cautioned Nowak about the requirements that an engineer needs to sign off, and that this should be done from the very beginning in the initial stages.

Nowak mentioned several times during the discussion that teamwork with the Commissioners and an understanding of what is best for the community is a concern of his pertaining to the Falls Creek Falls area. Nowak stated that he needs to be given knowledge from the Commissioners about how to sell this property so that he can comply in the best of his ability making the community a priority. Commissioner Konzen said the Troy community is concerned about the large amount of land that Nowak owns, but said that Nowak can walk away a hero if done properly. Commissioner Konzen stated that access to Falls Creek Falls is a critical issue, and that the Troy community has had access to this area for 70+ years. Petitions in Troy have already begun to surface to stop the subdivision unless there is guarantee of prescriptive access to Falls Creek Falls.

Commissioner Konzen also expressed to Nowak that the Board will probably file for prescriptive rights pertaining to Falls Creek Falls. Commissioner Konzen said the Board will go to court for that purpose if it comes to that. Commissioner Konzen also conveyed to DeShazer and Nowak that they should have been aware of the issues with Falls Creek Falls because he had previously told Peter Green this area would be a critical issue if not handled with the community in mind. Commissioner Windom stated to Nowak that one option is to put covenants on this property that no further subdividing can be done and that landowners can get together later and decide to subdivide, but all landowners need to be in agreement to be able to do this. Commissioner Windom stated that since there is a buy/sell agreement on this property that ideally it would be great if any buyer would work with the community and turn the falls area into a Park & Dedication Land. Nowak said that he needs a plan on how to sell this property and that he needs feedback from the Commissioners. Commissioner Konzen said that he did not think the community cares about how to sell the property as long as the community has access to the falls and not lose its traditional use. Nowak said that currently nothing concrete has been done with the Falls Creek Falls property at this time and that it was not too late to work together and come up with an agreement to benefit all parties involved. Nowak and the Board agreed to monthly meetings to work through this issue and come up with an agreement and plan. The meeting ended with Nowak stating that he needed to find a new buyer without the purchase of the Lake Creek Falls area. The Commissioners said it would meet with Nowak on July 26th in Troy, at 1:30 p.m. to further discuss this issue, and a second meeting will be held on August 24. A general letter will be composed by the Board for all realtors and to whomever it may concern informing people about the issues pertaining to the Falls Creek Falls area.

Commissioner Windom also expressed concern about access on Libby Creek Subdivision because currently there is a county road and one private road and she feels these roads need to be more clearly defined.

KEN PETERSON, COUNTY PLANNER:

Subdivision Approved:

- **Old Highway Mill Subdivision:** A 5 lot minor in the E $\frac{1}{2}$, NE $\frac{1}{4}$, Sec. 8, T35N R26W. **MOTION** by Commissioner Konzen to approve preliminary plat subject to planning recommendations. Second by Commissioner Windom. So ordered by Chairman Roose upon consensus of the Board.
- **Stone Fox Hill Subdivision:** A 5 lot minor in the N $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 23, T36N, R27W. **MOTION** by Commissioner Konzen to approve preliminary plat subject to planning recommendations. Second by Commissioner Windom. So ordered by Chairman Roose upon consensus of the Board.

Presented for review:

- 1) **Lot 3 Glen Lake Meadows**
- 2) **Riebens Place**
- 3) **Linda's Retreat**

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

- 1) C. of S. in Sec. 12, T35N, R26W for Owen.

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