

**MARCH 23, 2005**

The Board of County Commissioners met for a regular session in the Lincoln County Courthouse at 9:30 a.m. with Chairman Marianne B. Roose, Members John Konzen, and Rita R. Windom present.

**9:30 A.M. PERSONNEL DEPARTMENT UPDATE:**

Present were Bill Bischoff, Diane Davis and Keeli Anderson. Bischoff presented an update to the board on the accomplishments and future projects of the Personnel Department. Some of the current accomplishments include payroll direct deposit, electronic filing of W2's, employee I. D. cards, and updating employee policy manuals. Some of the future accomplishments include employee health savings accounts, vendor benefits fair, payroll stub messages to employees, training opportunities for department heads, implementing employee motivation and moral booster programs, and creating a county employee quarterly newsletter.

**10:30 A.M. CONTINUATION OF PUBLIC HEARING FOR CABINET VIEW FIRE SERVICE AREA:**

Present were: County Attorney Bernie Cassidy, County Planner Ken Peterson, Tiffany Bower, Tammie Sabine, Kathryn Witt, Lloyd Miller, Ilene Tangen, Wes Tangen, Robert Mast, and Tony Bacon. Commissioner Windom opened the meeting by asking County Attorney Bernie Cassidy to explain to everyone what this meeting would specifically be pertaining to. Cassidy said today is just to decide whether to pass a resolution of intent, although he recommends that the hearing be continued until the boundaries, fee schedule, and the opportunity for opting out are clearly defined and established. Cassidy also stated that the fee schedule is at the Commissioners discretion. Commissioner Windom asked Cassidy if people can opt out by law. Cassidy said he has found no law stating that you could not opt out and that the Commissioners have the ability to change the boundaries. Commissioner Windom said that she would like to look at other options for a fee schedule other than what has been proposed. Commissioner Konzen and Chairman Roose were also in agreement on this matter. Commissioner Konzen said that the term "outbuilding" needs to be clearly defined too. Ilene Tangen commented that many people living in the affected area have numerous little shacks and small buildings on their property and expressed confusion and concern over what defined an "outbuilding". Commissioner Windom said that she has spoken to several constituents who are on fixed incomes that are worried that they are already at the limit of what they can pay for taxes, and are afraid of a tax increase that they will not be able to afford to pay. Commissioner Windom said that she felt these are legitimate concerns, and that a meeting between the Commissioners and the CVFSA Board needs to take place to further discuss these issues. Ilene Tangen asked about property owners that had no buildings on their property, and if this would affect their taxes as well. County Planner, Ken Peterson said the fee schedule would apply to structures only. The Lincoln County Commissioners unanimously agreed to delay this until they could meet with the CVFSA Trustees to further discuss these issues. A meeting has been scheduled for March 29, at 2:00 p.m. **MOTION** by Commissioner Konzen to continue the hearing with no resolution of intent at this time until boundaries, fee schedule, and the issue of opting out can be clearly defined and

established. Second by Commissioner Windom, and so ordered upon consensus of the Board by Chairman Roose.

### **11:30 A.M. KOOTENET UPDATE:**

Bill Bischoff presented a report on the budget and current status of Kootenet. Bischoff explained that the service provided to Eureka residents does not support the cost of providing that service. Bichoff said he will be sending letters out to the Eureka residents who currently are using Kootenet as their ISP. Kootenet will allow these customers 30 to 60 days to find another Internet Service Provider.

### **11:45 A.M. ADMINISTRATIVE ISSUES:**

**Board Appointment:** Letter from Edward LaBudde requesting to be appointed on the Fisher River F.S. Board. The position has been put on hold until a formal letter of resignation is received from Linda Brousseau.

The Commissioners reviewed a letter from Joe Barcomb opposing the Commissioners from accepting property from the Port Authority and then transferring the property ownership to the Motocross group. The Commissioners have no intentions of doing this.

### **1:30 P.M. U.S.F.S. LANDS OFFICER TOM GRABINSKI, ROAD APPROACHES:**

Present: US Forest Service, Tom Grabinski. A discussion took place about the road approaches and what is reasonable access for emergency services to subdivisions. Grabinski said that the Forest Service Policy is based on Federal Law which is to provide one access. County policy is to provide a primary and a secondary access to major subdivisions. Grabinski feels that the F.S. and County need to work together to analyze applications on road standards for primary and secondary roads. Peterson said this will probably have to be done on a case by case basis since so many minor subdivisions are becoming major subdivisions. Grabinski would like to work with the county on clarification on what criteria needs to be put into secondary roads, and to come up with a policy that both the Forest Service and County can be satisfied with.

### **RE: KEN PETERSON, COUNTY PLANNER: SUBDIVISIONS REVIEW:**

Subdivisions Approved:

Cooks Run III Subdivision: The S½, Sec. 19, and the SW¼, NW¼, Sec. 20, T35N, R27W. Total Area – 140.752 +/- Acres. **MOTION** by Commissioner Konzen to approve Cooks Run III Subdivision. Second by Commissioner Windom, so ordered upon consensus of the Board.

Wild River Estates Subdivision: A portion of the W½, Sec. 9, T32N, R34W. Total Area – 65.54 +/- Acres. **MOTION** by Commissioner Windom to approve Wild River Estates Subdivision. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Amended Lot 1 Cullen Subdivision: Sec. 11 & 14, T33N, R26W. Total Area – 24.439 +/- Acres. **MOTION** by Commissioner Windom to approve Amended Lot 1 Cullen Subdivision. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Curley Creek Subdivision: A portion of the NW¼, Sec. 32, T34N, R34W. Total Area – 101.7 Acres. **MOTION** by Commissioner Konzen to approve Curley Creek Subdivision. Second by Commissioner Windom, so ordered upon consensus of the Board.

Presented for review:

Taylor Peak Subdivision

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

- 1) C. of S. in Sec. 7, T35N, R25W for Stoken.
- 2) C. of S. in Sec. 28, T31N, R33W for Winslow.
- 3) Plat of Tooley Lake Meadows I, Sec. 23, T37N, R33W for Truman.
- 4) Plat of Deep Creek Views, Sec. 25, T35N, R26W for Gordon.
- 5) Plat of Koocanusa Views I, Sec. 26, T37N, R28W for Connolly.
- 6) Plat of Koocanusa Views II, Sec. 26, T37N, R28W for Truman.
- 7) Plat of Tooley Lake Meadows II, Sec. 23, T37N, R28W for Truman.
- 8) Plat of Jakes Run, Sec. 35, T36N, R26W for Workman.

Routine Business completed the day and the Board adjourned at 2:30 p.m.

**MARCH 23, 2005 CONT.**

**6:30 P.M. PUBLIC HEARING FOR RAINBOW ACRES SUBDIVISION:**

Present were Commissioner Rita R. Windom, County Planner Ken Peterson, Guy Uithof, Alta Clark, Mike Conner, Mark Maskill, Steve Kadel, Neil Bauer and Deputy Clerk & Recorder Robin Cerny.

Commissioner Rita R. Windom opened the meeting by thanking the public for attending. She stated that this meeting is for the public to express any comments or concerns pertaining to this issue. County Planner Ken Peterson conducted the hearing for Rainbow Acres Subdivision: A portion of Sec. 30, T27N, R27W. Total acres are 192.17. Developer is L.B.O. Properties Limited Partnership. Parcel identification and size is 8 single family residential lots ranging from 20 to 33.6 acres. Clark asked if each tract of land can be subdivided again after purchase. Peterson said that the property does have the potential to be subdivided. Uithof asked if someone could buy lot 2 and extend its boundaries from Crystal Lake across county road Lake Shore Drive. Clark asked if a person could add a road adjacent to Lake Shore Drive if they were interested in purchasing Lot 2. Everyone in attendance expressed concern about not having any kind of provision for public access to Rainbow Lake when the subdivision goes through. Public access seemed to be the biggest concern and the public expressed that even a walking path to the lake would be sufficient. Concerns were brought forward about some Crystal Lake property owners who do not have adequate room on their property for new septic systems, and how would they be able to get efficient replacement septic systems if the need arises. Windom said the county would take their needs into consideration especially if it were for the health and welfare of the public. The public also expressed concerns about the effects this subdivision may have on Crystal Lake. Other issues that were brought up were wildlife habitat, covenants, prohibition of logging, marsh area on Lot 1, and that the DOT should change the signs on highway 2 to say Upper Thompson instead of Rainbow Lake. Commissioner Windom officially closed the hearing at 7:25 p.m.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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**Cummings, Clerk of the Board**

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**Marianne B. Roose, Chairman of the Board**

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

**Coral M.**