

MAY 25, 2005

The Board of County Commissioners met for a regular session in the Lincoln County Courthouse at 1:30 p.m. with Members John Konzen, Rita R. Windom, Chairman Marianne B. Roose, and Clerk of the Board Coral M. Cummings present.

1:30 P.M. FLATHEAD VALLEY COMMUNITY COLLEGE (FVCC): RE: INCREASE BUDGET:

Present were Jane Karas, Sheila Gestring, and Robert Nystuen. Commissioner Konzen made a **MOTION** to increase FVCC budget by 1% for FY 05/06. The current balance is about \$900. Second by Commissioner Windom and so ordered upon consensus of the Board. Chairman Roose said this should be reviewed annually.

2:30 P.M. RICK WEINERT ROAD ISSUE: RE: ROBBE ROAD: Present were Steven Sharp, Deborah Sharp, Holly Love, Rick Weinert, and Anne Mason. The group would like about 300' of Robbe road on Sheldon Flats to be taken over by the County after it has been brought up to standards. Commissioner Windom mentioned some history on the road to the group. History shows it to be in excess of grade allowed by the County. Commissioner Konzen pointed out that no roads have been accepted since 1994, and it has been the policy of this Board to maintain present roads and not accept more. Weinert expressed that the group was concerned about only 300' of the road and expressed concern about emergency vehicles. The bus stop is right at the bottom of the hill and Weinert feels this is a safety issue. Commissioner Windom said her drivers will not go up this hill due to safety issues. Chairman Konzen said that the Board has tried to stay consistent with its decision. Chairman Roose explained that formation of a road district could tax the landowners for improvements. Commissioner Konzen said the Board sees so many subdivisions and they all would like the county to take over roads and eventual costs would be far beyond what the county could manage.

ADMINISTRATIVE ISSUES:

RESOLUTION NO. 678 A resolution to transfer funds as budgeted from 2395 CDBG Revolving Loan Fund to 7380 Port Authority Fund as follows: MOTION by Commissioner Konzen to transfer funds from 2395-200-521000-820 (CDBG Revolving Loan Fund Transfer out) \$254,592.36 to 7380-212100 Port Authority Fund. Second by Commissioner Windom and so ordered upon consensus of the Board.

RESOLUTION NO. 704 Public Health Preparedness Grant Fund 2272-306-440171, increase \$1,575. MOTION by Commissioner Windom to appropriate funds in the amount of \$1,575 to Public Health Preparedness Grant Fund No. 2272-306-440171-220. Second by Commissioner Konzen, and so ordered upon consensus of the Board.

BOARD APPOINTMENTS: Wilderness Plateau Water and Sewer District Board: MOTION by Commissioner Konzen to appoint Tom Roark to complete the term for Jack

Rackham who has resigned from the Wilderness Plateau Water and Sewer District Board. This term expires on 12/30/2006. Second by Chairman Konzen, so ordered upon consensus of the Board.

NORTHWEST DRUG TASK FORCE: The Commissioners signed letter of support for the continuation of the Northwest Drug Task Force and funding for the program (support for the Drug Grant Program under the Sheriff's Office).

2:30 P.M. COUNTY SANITARIAN RON ANDERSON: RE: DEQ AGREEMENT NO. 505043: The Board signed a contract with DEQ in support of hiring a coordinator for the wood stove program in the yearly amount of \$55,820. Munson has submitted an EPA Grant for a portion of the funding in the amount of \$100,000. HPBA has submitted a letter stating it will contribute \$165,000 to the Stove Program. Anderson discussed storage facilities for the stoves, and said he will be getting large quantities. Anderson identified a building at the Stimson site for storage. There will be a News Event on June 16th for the Wood Stove Program.

3:30 P.M. COUNTY PLANNER KEN PETERSON: RE: COOKS RUN II SUBDIVISION BRIDGE VARIANCE: Present were: Scott Rumble, Gilbert Cote Jr., and Gary Mason. Peterson described the current subdivision across the bridge. Rumble said that landowner is buying seven 20 acre parcels and that is what is being addressed here. It has not been developed yet. Peterson said there is no variance on the first subdivision, and the landowner knew it will have to be upgraded if there is any future development. Peterson made a point that if a variance is granted, it sets precedence. Mason said that variances have been granted before on Bobtail. Commissioner Windom said subdivision rules were different when the Bobtail variance was granted, and that the under sheriff advised that since this is a one way road, a narrow bridge should not be approved. Commissioner Konzen said subdivisions went from roadway width and bridge width being equal. Discussion continued on whether Rumble's client was caught in the middle of the subdivision changes. Rumble says his buyer is aware that any further subdividing would require the bridge to be updated. Chairman Roose commented that she is in favor of the variance. Commissioner Konzen said if developers know the bridge will have to be upgraded for further development, why not do so now? Rumble said his client is looking at seven 20 acre parcels and he is not requesting this for a larger subdivision. Commissioner Windom asked if it was possible to put up a second bridge instead of a 24' bridge. Peterson said he feels that a 12' bridge serving 10 lots would cause safety issues. Mason said he thinks it is unfair because so much expense has already gone into this. Peterson said that any certified engineer would not sign on this bridge. Chairman Roose commented that developers have a responsibility to know the rules and criteria that the county has on such issues. Rumble said the rules changed when the road was built and when this project was in progress. Commissioner Konzen said the Board could possibly put the stipulation on this development and it would have to be upgraded before any further development. **MOTION** by Commissioner Konzen to grant the variance with the four conditions met:

straighten road

put up a sign

improve turnouts

barriers

Second by Commissioner Windom and so ordered upon consensus of the Board. Discussion took place about the restrictions with the filing of the plat that the bridge must be upgraded before any further subdividing is done. Commissioner Konzen **AMENDED THE MOTION** that a statement be put on the plat that any further development of the parcels would require an upgrade to the bridge. Second by Commissioner Windom and so ordered upon consensus of the Board.

1:30 P.M. COUNTY PLANNER KEN PETERSON: RE: PRELIMINARY SUBDIVISION REVIEW:

Subdivisions submitted for review:

- 1) Cottonwood Acres

Cabinet View Country Club: Peterson presented a letter requesting a variance from Cabinet View Country Club and Golf Course Subdivision Phase II, allowing only one entrance/exit approach for each of the subdivision roads.

County Planner Position Training: Peterson discussed his position and would like a grade increase and would like to start training a person to replace him. Peterson feels this wage would be required to find someone, and would like to combine GPS/GIS position with his position.

SEARCH & RESCUE PROPERTY: Discussion took place about the sale of the existing Search & Rescue property in order to put money towards a new building. **MOTION** by Commissioner Windom to approve the sale of the existing Search & Rescue property. Second by Commissioner Konzen, and so ordered upon consensus of the Board.

MAY 25, 2005 CONTINUED

LETTER FROM EUREKA MAYOR: The Town of Eureka needs to borrow \$40,000 to complete the project of the new sewer line down 9th street. The loan will be for 7 years at 4% interest with no pre payment penalty. First payment to begin July 1, 2005. Clerk & Recorder Coral M. Cummings will draw up the contract and resolution.

SILVER CABLE ROAD: MOTION by Commissioner Windom to make Silver Cable Road a public road. Second by Commissioner Konzen, and so ordered upon consensus of the Board.

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

- 1) C. of S. in Sec. 3, T30N, R33W for Stimson Lumber Co.
- 2) C. of S. in Sec. 29, T29N, R33W for Bull Lake Estates L.L.C.
- 3) C. of S. in Sec. 12, T31N, R34W for Strong.
- 4) C. of S. in Sec. 32, T30N, R33W for Montana Mountain Valley L.L.C.
- 5) C. of S. in Sec. 6, T34N, R26W for Tungsten Holdings, Inc.
- 6) C. of S. in Sec. 14, T36N, R28W for Riffel.
- 7) C. of S. in Sec. 27, T36N, R27W for Montgomery.
- 8) C of S. in Sec. 18, T30N, R33W for Montana Mountain Valley L.L.C.
- 9) C. of S. in Sec. 16, T30N, R33W for Montana Mountain Valley L.L.C.
- 10) Plat of Orville's Acres in Sec. 28, T37N, R31W for Vandergriend Family L.P.

MONTH END TOTALS FOR APRIL 2005 PER ADDENDUM OF PAYROLL WAS:

Total payroll approved for the month of April 2005 was: \$
349,425.51

Total employer payroll contributions for April 2005 were: \$
132,443.24

Total payroll and payroll contributions for April 2005 was: \$
481,868.75

Total warrants approved and paid for April 2005 was: \$
351,886.33

Total payroll, contributions & warrants for April 2005 was: \$
833,755.08

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

BOARD OF COMMISSIONERS

LINCOLN COUNTY

Chairman of the Board

Marianne B. Roose,

ATTEST: _____

Coral M. Cummings, Clerk of the Board