

NOVEMBER 30, 2005

The Board of Lincoln County Commissioners met for a regular session in the courthouse at 10:00 a.m. Present were Chairman Marianne B. Roose, Members John Konzen, and Deputy Clerk Robin Cerny.

10:00 A.M. JD FEEBACK RE: ROCK CREEK PROJECT: Present were Peggy Williams, Brent Shrum, and Doug Miller.

Feedback told the group he felt the Rock Creek Project is closer to something definitively happening. A revised Biological Opinion from Fish, Wildlife & Parks is near completion. Konzen commented it will be the third biological opinion from Fish, Wildlife & Parks. Feedback said this project has been put on hold due to environmental groups concern for Grizzly Bears in the area. A current lawsuit against the F.S. is pending and Feedback asked the Board to join in as interveners on behalf of the F.S. Feedback and the Commissioners were in agreement Montana people would be well served by this mining project going through and it would be helpful to have the support of the community. **MOTION** by Commissioner Konzen that Lincoln County sign on as a intervener on behalf of Lincoln County in support of Rivett Mine. Second by Chairman Roose and so ordered upon consensus of the Board.

10:30 A.M. MUNRO TAX INCENTIVE: Present were Debbie Munro, Peggy Williams, and Brent Shrum.

MOTION by Commissioner Konzen to honor request for tax exemption and reduction for the remodeling, reconstruction or expansion of existing commercial buildings or structures submitted by Munro Investments L.L.C. Second by Chairman Roose and so ordered upon consensus of the Board.

11:00 A.M. KATE MCMAHON RE: DISCUSSION ON GROWTH POLICY PLAN: Present were Peggy Williams, Ken Peterson, and Mary Klinkam. McMahon told the Board of her experience helping other counties develop growth policy plans. Peterson said the City and County had Planning Boards in the past and it did not work well. Property rights were the biggest issue. Peterson feels a new Planning Board needs to be formed. The City of Libby has recently formed its Planning Board and Peterson feels the County needs to do the same. McMahon explained different ideas, plans, and policies that have been developed in other counties. County wide surveys were used as a way to let people get involved in the process without public meetings. Survey questions would touch on controversial topics and concerns. Konzen said he believes the time is right for looking at growth plans especially with more land available. Konzen commented that people are concerned about culture and environment as why people have chosen to live here. Peterson said large subdivisions are creating their own small communities and the

County needs a plan for this ahead of time. Konzen asked McMahon how to get started and how long does it take to develop a growth plan. McMahon said the first step would be to create a County Planning Board and to begin data collection. McMahon showed the Board Montana Code Data required for a growth plan. The process would take approximately 1 year, depending on the amount of controversy. It was the opinion of the group that the City and County Planning Boards should communicate and share information, but each needs to be acting independently. McMahon recommended that public education needs to be a part of the process with issue identification and why a Growth Plan Policy is necessary. McMahon recommended possible task forces for data collection such as a housing task force and an environmental task force. Konzen said he feels subdivisions and affordable housing are the biggest concern. The Board will further discuss the beginning stages of creating a County Planning Board.

1:30 P.M. PUBLIC HEARING FOR MCGINNIS HILLS SUBDIVISION: Present were County Planner Ken Peterson, Mary Klinkam, Peggy Williams, Craig & Debbie Munro, Randy & Dori Bock, Ken Davis, and Layne Jackson.

Peterson opened the hearing explaining the purpose of the hearing as required by law for public input. Craig Munro expressed concern about a well drilled approximately 6 months ago on Lot 5. Peterson said every lot will have individual well & septic and that some improvements are done before submittal. Randy Bock, representing McGinnis Meadows Ranch, said he has up to 450 guests that come to his ranch for a week at a time and his concern is the integrity, character, and lifestyle of the Valley. Bock asked if trailers, chickens, and other animals would be allowed. Munro wanted in the record that he is disappointed that there is no representation from Kootenai Surveyors at the hearing. Munro said trailers and chickens are not allowed. Manufactured homes, dogs, horses and cats would be allowed. Peterson said the concerns are about covenants. Chairman Roose said the homeowners need to band together to enforce covenants and told the group that the Commissioners have no authority in this. Munro said the intentions of the developers are in good taste. Bock expressed concern over the increased traffic combined with the logging truck traffic and the dumpster pick-up area at the bottom of the hill. Bock feels it would be wise to have guard rails put in and told the group that 18 new sites more than double the population of this area. Konzen mentioned the County is looking at implementing impact fees due to increased work load on volunteer ambulance, firefighters, and county employees. A brief discussion took place about the possibility of a volunteer fire station in the area and relocating the dumpsters. Peterson explained the subdivision approval process to the group and closed the public hearing at 2:15 p.m.

2:20 P.M. DAVE HARMAN RE: COURT ORDER REQUEST: Present were County Planner Ken Peterson and Mary Klinkam. Harmon explained the plat map and easements to the Board. Konzen and Roose had questions about road width and were in agreement the plat map needs further review.

2:35 P.M. TIME EXTENSION REQUEST FROM KOOTENAI SURVEYORS: Chairman Roose felt a documented reason for the extension needs to be submitted to the Board.

2:45 P.M. COUNTY PLANNER KEN PETERSON RE: SUBDIVISIONS REVIEW:

Subdivisions Approved:

Airport Estates North: The SW¹/₄, NW¹/₄, Sec. 23, T37N, R27W. Total Area: 20.43 Acres. **MOTION** by Commissioner Konzen to approve Airport Estates North with condition of access to easement of Pine Creek Lane is granted and subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Stanley View Subdivision: Lot 1E, Camp View Subdivision, in a portion of Sec. 5, T29N, R33W. Total Area – 66.24 Acres. **MOTION** by Commissioner Konzen to approve Stanley View Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Lot 2, Crowell Creek Subdivision: Lot 2, Crowell Creek Subdivision in a portion of the S¹/₂, Sec. 17, T30N, R33W. Total Area – 61.56 Acres. **MOTION** by Commissioner Konzen to approve Lot 2, Crowell Creek Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Lot 4 Curley Creek Subdivision: A portion of the NW¹/₄, Sec. 32, T34N, R34W. Total Area – 20.00 Acres. **MOTION** by Commissioner Konzen to approve Lot 4 Curley Creek Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Nadon Subdivision: Parcel B of C.O.S. 133872 in a portion of the SE¹/₄, Sec. 27, T35N, R26W. Total Area – 5.00 Acres. **MOTION** by Commissioner Konzen to approve Nadon Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

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Eureka Hills Subdivision: S¹/₂, NE¹/₄, & N¹/₄, SE¹/₄, Sec. 26, T36N, R27W. Total Area – 160.00 Acres. **MOTION** by Commissioner Konzen to approve Eureka Hills Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Glenhaven Subdivision: Remainder Parcel, Colgrove Subdivision No. 2, a portion of the SW¼, Sec. 15, T36N, R26W. Total Area – 57.17 Acres. **MOTION** by Commissioner Konzen to approve Glenhaven Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

Cool Creek Subdivision: A part of H.E.S. 408 &406 in unsurveyed Sections 4 & 5, T35N, R32W. Total Area – 97.04 Acres. **MOTION** by Commissioner Konzen to approve Cool Creek Subdivision subject to Planning Staff recommendations. Second by Chairman Roose, so ordered upon consensus of the Board.

3:30 P.M. AIR QUALITY ORDINANCE: Present were County Sanitarian Ron Anderson, Kendra Lind and Kathy Bales.

Lind explained the changes made to the Health & Environment Regulations. The biggest changes pertained to certification requirements for wood stoves, pellet stoves, and Standard Catalytic and Non-Catalytic burning devices. Residential outdoor burning will be limited to the month of April. This time period may be extended by the Environmental Department only in the event of unduly wet or wintry weather. Commissioner Konzen commented that he felt the wording pertaining to residential burning is confusing. The effective date for wood stove and dust control is Jan. 1, 2007. The effective date for outdoor burning is February 15, 2006. **MOTION** by Commissioner Konzen to adopt 1st reading of the Health & Environment Regulations Chapter 1: Control of Air Pollution Subchapter 1: General Provisions. Second by Chairman Roose, so ordered upon consensus of the Board.

4:00 P.M. ADMINISTRATIVE ISSUES:

Grants Signed by Chairman Roose: Montana Noxious Weed Trust Fund Grant Program for Lincoln County Weed Department.

Board Appointments: **MOTION** by Commissioner Konzen to reappoint Hank Lasala and appoint Ethel White to fill the vacancy for Jack Kelly to serve on the Lincoln County Tax Appeal Board. Second by Chairman Roose and so ordered upon consensus of the Board.

Topics planned for next weeks agenda: Munson Consulting, Inc., County wide Christmas Party, and Search & Rescue Building discussion.

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

C. of S. in Sec. 10, T30N, R31W for Rosenquist.

C. of S. in Sec. 24, T33N, R27W for Colgrove.

C. of S. in Sec. 25, T32N, R29W for Vanaken.

C. of S. in Sec. 34, T32N, R34W for Beal.

C. of S. in Sec. 25, T36N, R26W for Cuffe.

C. of S. in Sec. 4, T29N, R29W for Plum Creek Timber Co.

C. of S. in Sec. 20, T31N, R33W for Judd.

C. of S. in Sec. 21, T35N, R30W for Lincoln Trust Co.

C. of S. in Sec. 31, T29N, R30W for Vincent.

C. of S. in Sec. 13, T27N, R30W for Montana Department of Transportation.

Amended Plat of Lot 1 Grouse Prairie Estates in Sec. 23, T37N, R27W for Pfaff/West.

Final Plat of Old HWY Mill Subdivision in Sec. 8, T35N, R26W for Kinney.

A Plat of Templin Subdivision in Sec. 24, T31N, R34W for Templin.

A Plat of Ksanka Foothills Subdivision in Sec. 10, T36N, R26W for Pate.

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

Total payroll approved for the month of October 2005 was: \$
364,443.55

Total employer payroll contributions for October 2005 were:
\$ 138,845.84

Total payroll and payroll contributions for October 2005 was:
\$ 503,289.39

Total warrants approved and paid for October 2005 was: \$
630,539.17

Total payroll, contributions & warrants for October 2005 was:
\$ 1,133,828.56

Routine business completed the day and the Board adjourned at 5:00 p.m.

BOARD OF COMMISSIONERS

LINCOLN COUNTY

Chairman of the Board

Marianne B. Roose,

ATTEST: _____

Robin A. Cerny, Deputy Clerk