

## SEPTEMBER 7, 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 Rita R. Windom and John Konzen, and Clerk & Recorder Coral M. Cummings.

**10:00 RE: SUBDIVISION REGULATION CHANGES:** Present were Joe Purdy and Dave Rogers.

Purdy and Rogers explained they get investors for funding in relationship to the subdivision plan for a piece of property. Purdy said the laws are understood and the reasons for them. Some of the time frames are difficult to deal with. Even 6 month to one year time frames can be hard. 60' access is the biggest problem Purdy sees. Some areas are established for 40' access that has already been set up. To go back and try to get an extra 20' is difficult and cutting a 60' swath in the woods causes dust abatement problems. The driving surface is a major cost of upkeep for a 20' to 24' road base. Purdy said he has not seen 8" of compressed crush. Purdy asked the Commissioner for examples of what has brought up this regulation. Commissioner Konzen described Bull Lake Estates road and that it had to be brought to County specifications for the County to take over. It is easier to maintain with the chipping. Bill Bischoff said in the air quality district in Libby, it is required to chip seal for air quality purposes. Purdy asked why there is a request for 60' right-of-ways. Chairman Roose commented that this is the most often asked question. Fire issues and traffic were discussed, and Bischoff pointed out these road recommendations were from the State. Purdy asked how he can develop a ten year plan with changes being made so frequently. Commissioner Windom said the Forest Plan requires this too. Purdy said the Forest Service does make variances. The Board of Commissioners was in consensus that it had not seen the Forest Service do so. Purdy's major question is on the 40' and 60' right-of-way and the 6" crush. Also if re-subdivision takes place, does it require the road be re-done to full length or just to the subdivision? The Board said the entire road would need to be re-done. Chairman Roose said changes are increasing from State and Forest Service. Purdy said he could not see a reason for this and asked if these roads are being taken over by the County. The Board said "no". Discussion continued on problems the County has seen with narrow right-of-ways. Purdy feels he needs to explain the benefits of the new regulations to his clients and right now he cannot see this. Commissioner Konzen said he would be willing to look at the chip seal problem. Rogers said that as developers, they are looking to put in roads that keep the integrity of the property and keep the aesthetic value.

**10:30 A.M. MARC MCGILL RE: DISASTER DISCUSSION:** Present was Marc McGill, Robbie Bowe, Jerry Rust, and Tammy Winslow. McGill said a procedure needs to be set up pertaining to volunteers and if and when to pay them.

Discussion took place about a plan for extended response to declared emergencies. McGill felt it would be in the County Personnel Plan. Others felt it should be in the Emergency Plan. Winslow said the Forest Service does pay for "casual hire". Discussion took place concerning Can Am

Search & Rescue response to the fires in Eureka and who had requested the Search & Rescue to respond. This will be looked into further.

**1:30 P.M. KEN PETERSON, COUNTY PLANNER:**

Subdivisions presented for Approval:

**Lake Creek Views:** A 2 lot minor in a portion of the S½, Sec. 17, T30N, R33W. **MOTION** by Commissioner Konzen to approve subject to Planning Department recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

**Mack Road Subdivision:** A 5 lot minor in the SW¼, Sec. 25, T31N, R31W. **MOTION** by Commissioner Konzen to approve subject to the road grade being up to the county standards. Second by Commissioner Windom, so ordered upon consensus of the Board.

**Public Hearings were scheduled for:**

- Bull Valley Tracts on September 13 in Troy.
- Kootenai Valley Estates (9 Lots) on October 11 in Troy
- Fairway Terrace(Lot 4 Amended Camp View) on October 11 in Troy
- Lot 3 Glen Creek Lots on October 19 in Eureka
- Lot 2 Crowell Creek Subdivision on November 8 in Troy

**RE: Amendment of Subdivision Regulation:** Peterson feels the right-of-way amendments will be the hardest for developers to comply with. Peterson pointed out these are single lanes in and out:

60' easement

20' driving surface

24' roadbed

6 or more lots (Major, requires base and crush)

**Proposals for Examining Land Surveyor:** Three replies had been received.

- 1) Andrew Belski - \$40.00 fee and postage & handling - \$70.00 per hour for consultation.
- 2) Davis Surveying/Ken Davis - \$65.00 per plat
- 3) Big Sky Surveying/Joe Kauffman – No fee was given in the proposal.

**MOTION** by Commissioner Konzen to contract Andrew Belski from Whitefish for surveys (except his own), and contract with Ken Davis to review Belski’s surveys. Contracts will be drafted and signed with both surveyors to receive \$40.00 per plat. Second by Commissioner Windom, so ordered upon consensus of the Board.

**2:30 P.M. COUNTY SANITARIAN RON ANDERSON RE: DECAY ORDINANCE:**

Anderson first told the Board that Calvin Davis is retiring and he needs to hire a replacement for this position.

A discussion ensued about how to handle complaints pertaining to the county decay ordinances. It was suggested to review and photo complaint areas, send registered letters to property owners, and then send a deputy with a notice. The legal issues would come after this initial process. It was also suggested that perhaps the complaint could be taken to a judge who then can give an order to go onto the property. Property owners must be able to appeal, and this could become a problem. Anderson said the county ordinance is not as defined as city ordinances. Anderson and the Board will research and pursue answers to these issues.

**RE: JUNK TRAILER ISSUE:**

The Board asked Anderson what other counties are doing about trailer issues. Commissioner Konzen suggested polling MACO on this issue. Anderson will ask the county attorney for an opinion also. The Board will further review this issue.

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

**BOARD OF COMMISSIONERS**

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**Chairman of the Board**

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

**LINCOLN COUNTY**

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**Marianne B. Roose,**

**Coral M. Cummings, Clerk of the Board**