

APRIL 12, 2006

The Lincoln County Board of Commissioners met for a regular meeting in the Courthouse at 9:30 a.m. with all members present: Chairman Marianne B. Roose, Members Rita R. Windom and John C. Konzen, and Deputy Clerk Robin A. Cerny.

9:30 AM PHONE CONFERENCE WITH W.R. GRACE: Present were Robbin Skaggs, Sandy Wagner, Jeanie Gentry, Tanis Hernandez, LeRoy Thom, Duane Williams, Brent Shrum, and V.P. WR Grace Bill Corcoran via phone.

Commissioner Windom opened the meeting with introductions and then asked Corcoran what he found out after talking to his leadership team pertaining to comments from the last phone conference on March 29. Corcoran said WR Grace is wide open to discussion and has an interest in what Libby has in mind. Corcoran expressed concern with a newspaper article and has been in contact with Senator Burns' office and Senator Baucus' office to clarify that WR Grace would like to move forward in a positive manner. Thom questioned how to move forward with the bankruptcy being involved. Corcoran said he feels a well thought of significant plan that is fair with supporting data would get a good hearing with the courts. Wagner asked if 2004-2005 stats could be made available as the Libby group begins the number crunching process. Corcoran said he would email Commissioner Windom that information early of next week. Commissioner Windom told Corcoran that Libby groups/task forces plan to meet next Tuesday and she hopes to have statistical data at that time to get some figures for WR Grace. Corcoran said the key thing to focus on is statistical data that Libby is interested in. Commissioner Windom said she would get back in touch with Corcoran after next Tuesday's meeting.

10:15 AM EPA UPDATE: Present was Mike Cirian.

Cirian explained reasons the Record of Decision (ROD) has been delayed. First and foremost is for accuracy. The ROD will undergo a lot of scrutiny both locally and nationally and it is imperative to get it right. The plan now is to have only one ROD instead of two which will be easier for the community to review and make comments. Cirian said all comments are addressed to a ROD. Possibly at the end of the year, the first draft will be ready. The final ROD will be ready sometime next year.

EPA clean up will continue at the current pace. Over twenty properties have been completed so far this year. Cirian said out of 225 completions, there have been only 5 complaints to be addressed which is less than 2.5 %.

11:00 AM: LINCOLN COUNTY RURAL FIRE DISTRICT ANNEXATION: Present was Peggy Williams.

No public comments were received at this time. Petitioning property owners of the SW¼ SW¼ Sec. 25, T31N, R31W have requested property be annexed into Lincoln County Rural Fire District. **MOTION** by Commissioner Konzen to approve request for annexation into the Lincoln County Rural Fire District. Second by Commissioner Windom, so ordered upon consensus of the Board.

11:15 AM BOARD APPOINTMENTS:

Letter of request submitted by Troy Rural FSA Board to reappoint Martin Riedlinger and Cole Anderson. **MOTION** by Commissioner Konzen to approve request for reappointment. Second by Commissioner Windom, so ordered upon consensus of the Board.

Letter of request submitted by McCormick Rural Volunteer Fire District to reappoint Trevor Pershing and Michael Conte. **MOTION** by Commissioner Konzen to approve request for reappointment. Second by Commissioner Windom, so ordered upon consensus of the Board.

Letter of request submitted by Lincoln County Rural Fire District #1 to reappoint Richard S. Wood, Gary Elmore, Kirby Kulbeck, Paul Tisher, and Jay Dinning. **MOTION** by Commissioner Konzen to approve request for reappointment. Second by Commissioner Windom, so ordered upon consensus of the Board.

11:30 AM COUNTY TREASURER GERI MILLER: Also present was Peggy Williams.

Miller submitted December 2005 and January 2006 Treasurer's reports to the Board. Miller said she does not feel the county is getting a competitive interest rate from 1st National Bank. Commissioner Windom requested a letter from Miller explaining the responsibilities of the employees in the Treasurer's Department pertaining to money transfers of accounts to correct the audit finding. Miller is scheduled to meet with the Commissioners on April 26 to go over the Treasurer's reports for February and March 2006.

1:30 PM COUNTY SANITARIAN RON ANDERSON: EXCAVATOR PURCHASE:

Present were Ray Miller and Kathie Hooper.

Anderson gave a brief update on the Woodstove Change Out Program.

Anderson discussed excavator bids and specifications with the Board. **MOTION** by Commissioner Konzen to accept bid submitted by Western States for \$139,553 plus a 5 year extended warranty. Second by Commissioner Windom, so ordered upon consensus of the Board.

Hooper discussed Mobile Home Pick Up Program.

2:00 PM COUNTY PLANNER KEN PETERSON: SUBDIVISION REVIEW: Also present was GIS Programs Manager Deborah Callender.

Callender submitted GIS Programs Activities Report for February through March 2006 for review.

Subdivisions presented for review:

Hibiscus Estates Subdivision: A 5 lot minor in Sec. 32, T30N, R33W. Total 29.18 acres with a remainder of 46.62 acres.

Camp Creek Subdivision: A 4 lot minor in Sec. 5, T29N, R33W. Total 21.82 acres.

Double Creek Subdivision: A 7 lot major in the SW $\frac{1}{4}$ Sec. 17, T30N, R33W. Total 66.5 acres.

Mirror Lake Subdivision: A 2 lot minor in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T34N, R34W. Total 6.0 acres.

SUBDIVISIONS APPROVED AND SIGNED:

- Amended Lot 4 Curly Creek Subdivision in Sec. 32 T34N, R 34W, owner George Wood.
- Bull Valley Subdivision in Sec. 5 T29N, R33W, owner Richard L. Palagi.

RE: BULL LAKE PROPOSED LAKESHORE CONSTRUCTION:

The Board of Commissioners will further review this proposal and make a decision on Wednesday, April 26.

2:30 PM BEAR CREEK ROAD DISCUSSION: Present were Paul Stantus and Bobbie Lackland.

A Declaration of Resolution will be done to clarify county jurisdiction. USFS will issue easements. **MOTION** by Commissioner Windom to create a Resolution to declare Bear Creek Road a county road. Second by Chairman Roose. Motion carried.

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3:30 PM AMY GUTH RE: PORT AUTHORITY:

Guth presented to the Board of Commissioners the Lincoln County Port Authority/Kootenai Business Park/Industrial District Recipient and Sub-Recipient Agreement. This agreement has been approved by the Lincoln County Port Authority. Special provisions are: The County agrees, under the terms and conditions of this Agreement to grant \$100,000 per year for two years to the Port for the purpose of administering and development of the Port's economic development initiatives. City Attorney Mark Fennessey and Deputy County Attorney Bob Slomski gave the opinion this position did not have to go to public bid for hiring of a professional economic development firm or person. Kootenai River Development has asked that Request for Qualifications for Economic Services be requested. Carter feels private enterprise should be able to bid and not limit to 501C3. Carter said he believes criminal activities have been done by Rumelhart. Carter feels the Requests for Qualifications are a charade. Disney questioned the legalities of this not going out for bid. Guth said it does not have to go out to bid, but feels for better business enterprise, it probably should. Amy Guth is an attorney and serves on the Port Authority Board.

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

COMMISSIONERS

LINCOLN COUNTY BOARD OF

Marianne B. Roose, Chairman

ATTEST: _____

Robin A. Cerny, Deputy Clerk