

APRIL 26, 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 Clerk & Recorder Coral M. Cummings.

10:00 A.M. TRACY MCINTYRE: RCDI GRANT:

McIntyre reviewed the grant and submitted a proposal to the Board to administer the grant. ERDP will contract with Lincoln County as the intermediary organization for the full remaining balance (\$66,720) of the County matching funds. To assist in the County wide training efforts, ERDP will sub-contract with Betty Jo (Libby Revitalization Inc.) and Greg Larson of Troy. McIntyre recommended grant writers of the communities attend grant writing workshops. McIntyre outlined the five basic areas to be covered by the grant. Lincoln County would hire McIntyre to be the main contact person. McIntyre will prepare a proposal and submit it to USDA. **MOTION** by Commissioner Konzen to adopt McIntyre's proposal. Second by Commissioner Windom, so ordered upon consensus of the Board. McIntyre will prepare and submit a new proposal to the Board of Commissioners within two weeks.

RESOLUTION NO. 733: A resolution to accept and maintain road easement on Bear Creek Road #278 as part of the road system of Lincoln County. The Lincoln County Board of Commissioners does request the Forest Service to assist Lincoln County in the engineering review of the design for the proposed construction of said road. Easement is generally described as follows: Beginning at U.S. Highway 2 in Sec. 13, T29N, R31W, thence southerly on Road No. 278 to the road intersection with Libby Creek Road No. 231 in Sec. 36, T28N, R31W, Principal Meridian, Montana. **MOTION** by Commissioner Windom to adopt Resolution No. 733, acceptance of road easement on Bear Creek Road. Second by Commissioner Konzen, so ordered upon consensus of the Board.

PROFESSIONAL SERVICE AGREEMENT: The Board of Commissioners approved and signed agreement between Lincoln County Board of Commissioners and Kathleen McMahon of Applied Communications of Whitefish, MT as the consultant for the Growth Plan (consultant for Planning Board). Copy to be provided when signing is completed.

LETTER FROM KRDC: The Board of Commissioners reviewed a letter from KRDC requesting its Board of Directors be expanded to include one County Commissioner, and a mayor or council member from Libby and Troy. The Board will take this under advisement.

RE: \$100,000 TO LINCOLN COUNTY PORT AUTHORITY BEGINNING MAY 1, 2006:

Lee Disney submitted a letter in opposition and feels the site should be self-supporting. Disney feels P.I.L.T. money is Federal money and is still tax money – his money. Disney is opposed to

the county dumping money into the site and he feels the Port Authority should work towards being self-supporting. Chairman Roose feels this funding will help toward that goal. A letter of support for providing funds to the Port Authority was submitted by Pat Pezzelle. Commissioner Konzen said there always seems to be hurdles and roadblocks in this community. There are people actively working to do something in this community. Disney felt what the Port Authority is doing is not well laid out for the public and people should be able to look into the records as public record. Commissioner Konzen said he doesn't think it is the Boards duty to micro manage the Port Authority Board. The Board was selected from applications submitted and people need to let them do the job. Commissioner Windom said it does no good to send one emissary to the Board of Commissioners. Pezzelle said the books have been opened and every issue has been made public.

DRAFT RESOLUTION NO. 734: In support of promoting economic opportunities in Lincoln County, the Lincoln County Board of Commissioners shall grant to the Lincoln County Port Authority the sum of \$100,000 annually for two years beginning May 1, 2006 under the following conditions:

The Port Authority shall provide quarterly reports detailing expenditures.

A formal review of accomplishments for economic development at the end of the first year. The Board of Commissioners will determine at that time if the second year of funding shall be provided.

Annual disbursement of funds will be done on the following schedule: a monthly payment of \$8,333.33 in each of May and June; a payment of \$25,000 in July for the months of July, August and September; a payment of \$25,000 in October for October, November and December; a payment of \$25,000 in January for January, February, and March, and a payment of \$8,333.33 in April.

MOTION by Commissioner Konzen to adopt Resolution No. 734. Second by Commissioner Windom, so ordered upon consensus of the Board.

RESOLUTION NO. 735: Pursuant to Resolution No. 734, the Board did grant \$100,000 annually from the 2900 P.I.L.T. Fund, with payment transfers by the Lincoln County Treasurer as follows:

MAY 1, 2006	\$ 8,333.33
JUNE 1, 2006	\$ 8,333.33
JULY 1, 2006	\$25,000.00
OCT. 1, 2006	\$25,000.00
JAN. 1, 2007	\$25,000.00

APRIL 1, 2007 \$ 8,333.33

Monies are to be transferred from: 2900-200-521000-820 Transfer Out

Transferred to: 7380-383000 Port Authority

MOTION by Commissioner Konzen to adopt Resolution No. 735. Second by Commissioner Windom, so ordered upon consensus of the Board.

11:00 A.M. SHERIFF DARYL ANDERSON: DAVID THOMPSON SEARCH & RESCUE: Present were Valerie Albert and Terry Crooks.

The Board had budgeted \$15,000 in David Thompson Search & Rescue portion. Anderson said about \$15,000 is needed to finish the building. Title III funds are budgeted for reimbursement for searches conducted on Federal land, and FY 05/06 searched costs has exceeded that amount. Sheriff Anderson asked if monies could be borrowed from P.I.L.T. Commissioner Konzen feels Title III use is more appropriate due to the work being carried out on Federal land. After reviewing the Title III budget Commissioner Windom made a **MOTION** to utilize the \$15,000 from Commissioner Windom's firewood account in Title III Fund 2902 as she will not be spending it this year. Second by Commissioner Konzen, so ordered upon consensus of the Board.

APRIL 26, 2006 CONTINUED

BOARD APPOINTMENT: MOTION by Commissioner Windom to reappoint Dawain Burgess and John Mee to the Trego/Fortine/Stryker Fire Service Area Board. Second by Commissioner Konzen, so ordered upon consensus of the Board.

11:30 A.M. TREASURER GERI MILLER: TREASURER'S REPORT: Also present was Roger Cox.

Cox gave a financial report and interest projection for FY 06/07. Cox said the yearly anticipated revenue will be up next year. Will probably receive \$900,000 total for the county. Further discussion took place on the county portfolio and current interest rates.

1:30 P.M. COUNTY PLANNER KEN PETERSON: SUBDIVISION REVIEW: Present were Assistant Planner Mary Klinkam, Malcolm R. Edwards, Robyn King, Ken E. Davis, Lee

Dutton, Jay Sheeley, Devri Rockwood, Merriam Beal, Mike Guthneck, Roger Morris, Richard Thompson, Sam Shupe, Peggy Williams, Dale Byrer, Charlie Stevens, and Johnny Stevens.

Subdivisions presented for approval:

Amended Plat of Mirror Lake Subdivision, Lot 1: A 2 lot minor located in the SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 32, T34N, R34W. Applicant: Thomas and Jeanine Gentry. **MOTION** by Commissioner Konzen to approve Amended Plat of Mirror Lake Subdivision, Lot 1 subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Hisbiscus Estates: A 5 lot minor located in Sec. 32, T30N, R33W. Applicant: Ray and Marianne O'Neal. **MOTION** by Commissioner Konzen to approve Hisbiscus Estates subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Double Creek Subdivision: A 7 lot major located in the SW $\frac{1}{4}$, Sec. 17, T30N, R33W. Applicant: Canyon Creek. **MOTION** by Commissioner Konzen to approve Double Creek Subdivision subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Bull Lake Proposed Lakeshore Construction Permit: This project is to be located at Lots 40 & 41 Bull Lake Estates Subdivision in the SW $\frac{1}{4}$, Sec. 29, T29N, R33W. Applicant: Merriam Beal. Commissioner Konzen said he wants to keep uniformity of docks on Bull Lake. **MOTION** by Commissioner Konzen to approve amended 50' dock subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Variance request on Cabinet Vista Curve Radius: Surveyor Ken Davis submitted a map for review. **MOTION** by Commissioner Konzen to approve variance request subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Camp Creek Subdivision: Commissioner Konzen requested the surveyor to clarify access before approval.

RE: CHARLIE STEVENS OF FT. WORTH TEXAS: GRANITE LAKE ROAD:

Stevens said he did not have anything to discuss at this time. He had talked to Commissioner Windom about the road but was not ready to present this. Stevens

reviewed the map and said he had thought to have the road abandoned through his property and designate another route to the tail head. Commissioner Windom had reviewed the site and this county right-of-way is an old petitioned road through 265 acres. Windom feels it is an important county road. The road guarantees a route to the trailhead. Stevens said he had spoken to the Forest Service and they did not feel they had a real need for the road. Byrer said Back Country Horsemen expressed concern to him about not having access. Stevens questioned if the county abandoned the road, could the Forest Service turn the other road over to the county. Edwards said it is up to the disposition of the county on abandonment of the road. The Forest Service fully intends to keep the road open to the trailhead. Commissioner Windom felt due to changes in administration, she doesn't feel the Forest Service is reliable to keep a trailhead open to the public. Windom said she would need to have new access in place for the county before abandonment of this road.

Discussion continued and Charlie and John Stevens said they have no intention of subdividing, but wanted it surveyed for the future.

RE: SHEBAN SUBDIVISION: Three pieces of property was purchased via tax sale. Owner is now being told it is only two pieces of property and would like to get a court order split on this. No decision was made at this time. Property owner does have three tax I.D. numbers.

RE: FEMA: FLOOD INSURANCE RATE MAP (FIRM):

Requirement of a Resolution prior to September 29, 2006 for continued eligibility in the National Flood Insurance Program. County Planner Ken Peterson will set up a Public Hearing.

RE: CDBG GRANT: Application only signed by Commissioner Windom on April 21st. This was not a regularly scheduled meeting day.

RE: MONTANA DEPT. OF AGRICULTURE:

The Board signed Noxious Weed Trust Fund Project Grant Agreements:

Tansy Ragwort # MDA-2006-052

MDA-2006-715

Rush Skeleton Weed Project MDA-2006-716

RE: NETWORK ADMINISTRATOR RIC KESLING:

Kesling reviewed the new website with the Board.

Kesling requested a pay increase as he has been offered a higher paying position in Billings at a much higher wage. It was discussed that Network Technicians are in demand and rates of pay are much higher than he is currently receiving. The Board will take this request under advisement.

RE: EUREKA RURAL FIRE SERVICE AREA RATE INCREASE: The Board received a letter from Eureka Rural Fire Service Area requesting fees to be raised from \$29.00 per year to \$36.00 per year beginning in FY/07 and then a subsequent raise from \$36.00 per year to \$40.00 per year in FY/08. A decision will be made during the next budgeting process.

APRIL 26, 2006 CONTINUED

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

#3519 C. of S. in Sec. 14, T36N, R27W for Town of Eureka.

#3520 C. of S. in Sec. 5, T30N, R31W for Jon Moe.

#6704 Final Subdivision Plat of Linda's Retreat in Sec. 15, T37N, R28W for Raymond H. Woodward & Bobbie J. Woodward Revocable Living Trust.

#6705 Plat of Jennings Subdivision in Sec. 26, T36N, R28W for Kootenai Echo Land Company, LLC.

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

COMMISSIONERS

LINCOLN COUNTY BOARD OF

Marianne B. Roose, Chairman

ATTEST: _____

Coral M. Cummings, Clerk & Recorder