

## **JANUARY 11, 2006**

The Board of Lincoln County Commissioners met for a regular session in the courthouse at 8:30 a.m. Present were Members John Konzen and Rita R. Windom, and Clerk & Recorder Coral M. Cummings.

**9:00 A.M. COUNTY PLANNER KEN PETERSON:** Also present was Assistant County Planner Mary Klinkam.

Peterson presented to the Board proposed changes in Lincoln County subdivision regulations and road standards. Windom asked Peterson for recommendations and what would work for the long haul as development increases. Windom commented the regulations and standards as they are now are too confusing for people to understand. Peterson said he felt eliminating "secondary" and "primary" roads and having one subdivision road standard and a driveway standard with clarification of each would simplify understanding and confusion. The biggest issue is 40' vs. 60' road widths. Discussion continued about bridges, road widths, and easements. Concerns and views were expressed and discussed. Peterson will revise proposed changes and put together a graphic of changes and standards before any scheduled public hearing.

**RE: Request for one (1) year extension submitted by Manon Hughes, Kootenai Surveyors, Inc. on behalf of Lowell Paulson. MOTION** by Konzen to approve request submitted by Manon Hughes, Kootenai Surveyors, Inc. on behalf of Lowell Paulson. Second by Windom, so ordered upon consensus of the Board.

**RE: GOPHER INN FLATS SUBDIVISION:** Gopher Inn Flats Subdivision was signed and approved by Commissioner Windom acting Chairman in Marianne B. Roose's absence.

**10:00 A.M. EPA UPDATE:** Present were Catherine LeCours, Michael Cirian, and Peggy Churchill. Also present were Denise Smith, John Wardell and Kelly McQuistin via phone.

Churchill presented a flow chart of what is happening with the ROD (Record of Decision). The deadline has been delayed due to the length of time to complete the review process. There will be a public meeting when the Remedial Investigative Study is complete to gain public comment before the ROD is finalized. Windom asked for a time frame pertaining to the Stimson property. Churchill said the ROD for residential property is priority right now and could not give a time frame at this time. Konzen said it would be wise to prioritize the agenda ahead of time for the Dream It Do It Conference. The Dream It Do It Conference is to inform and celebrate economic development and determine future redevelopment. A date has not been scheduled at this time, but the conference will have a focus on the Industrial Park. Konzen asked when work would begin in Troy. Churchill said funding is a stopping point at this time in the investigative study for

work in Troy. Smith said she will personally check into funding for this on her end, and commented that a request from the Commissioners would be helpful.

**11:00 A.M. CENTER FOR ASBESTOS RELATED DISEASE, TANEZ HERNANDEZ:**

Present were Lisa Berry-Boborski, and Rebecca Cline. The group is in Libby to learn and gain information pertaining to asbestos related issues and the experience of the community. The group will be starting their research in Libby. The intent is to create a report which will go to the Center for Disease Control & Prevention (CDC). The voices of this community will drive the conclusions and views of this project. The focus will be mainly from a sociological viewpoint. The purpose of this report is to be a communication strategy to help other areas by learning from Libby's experience pertaining to asbestos related issues.

**1:30 GLEN CAMERON DEPARTMENT OF TRANSPORTATION RE: EUREKA SPEED STUDIES AS REQUESTED BY THE BOARD OF COMMISSIONERS:**

The Board reviewed the studies and Cameron recommended the Board to send comments, concerns, and any changes the Board feels need to be addressed to the D.O.T. The Board will have a final review with Chairman Roose next week before submitting written comments. Those comments will be collected by D.O.T. and submitted to Helena. All changes agreed upon will be done by this summer.

**2:00 P.M. RESOLUTIONS:**

**Resolution 722:** A resolution to appropriate budget authority for the additional funding in the amount of \$600 for the IAP Grant. Budget authority shall be appropriated as follows:

	2272-274-440170-110	\$550
		2272-274-440170-140
\$ 50		
		Revenue to be deposited to 2272-331146

**MOTION** by Konzen to adopt resolution 722. Second by Windom, so ordered upon consensus of the Board.

**Resolution 723:** A resolution to appropriate budget authority for additional funding in the amount of \$250 from the Montana Cultural Trust Grant. Budget authority shall be appropriated at follows:

	2894-278-460000-300 (Montana Arts Council Grant Fund)	\$250
	Revenue to be receipted to 2894-334140	\$250

**MOTION** by Konzen to adopt resolution 723. Second by Windom, so ordered upon consensus of the Board.

**2:30 P.M. ASBESTOS LEGISLATION UPDATE: Informative meeting on the Asbestos Bill.** Present were Senator Spector's Office Nathan Morris, State Director Melodee Hanes, Legislative Assistant Stacey L. Gordon, and Tax Council Matthew Jones.

Libby is a top priority for Senator Baucus. Gordon gave a legislative update. Libby has been recommended to be first on the agenda and may come up as early as late January. Jones said there is always a chance this will not pass, but there is no ground its been lost. Senator Baucus can kill the bill if Libby is not included in the bill. Jones asked the Board of any concerns it has on this bill. Windom expressed her desire to see medical assistance for this community. Konzen felt it gives some finalization to this process and the Board has never wavered from its support of health needs. WR Grace bankruptcy has been a scare issue for the community. Konzen explained that the Libby issue is different than other area's problems. Konzen commended Senator Baucus on his efforts for Libby. Windom said she would like to see WR Grace remain a viable company and meet its obligations to this area. Windom feels our community cannot depend on WR Grace, and though she does not like to look to government for our needs, she does not see any other way. Konzen told the group he is thankful for them being here to update the Commissioners. Jones asked the Board to review the updated information and contact Baucus's office in a week's time, especially about the "Libby Fix". Windom expressed a need to provide health care in Libby instead of out of town. Windom said she is not sure there are long term dollars for that care. Konzen expressed concern over reports that there would not be EPA money for testing and cleanup in Troy. Konzen said any help from Senator Baucus with the Record of Decision by EPA would be helpful. Konzen discussed concerns with cleanup of the maintenance building at the Port Authority site (old Stimson mill site).

**JANUARY 11, 2006 CONTINUED**

### **3:00 P.M. TAX ABATEMENT:**

**Maurice R. & Eleanor A. Daniel, Parcel # 10040: MOTION** by Commissioner Konzen to abate taxes on Parcel

# 10040 for Maurice R. & Eleanor A. Daniel for tax year 2001- 2004. Second by Commissioner Windom, so ordered upon consensus of the Board.

**Jobs Now, Inc./Gary Winship: MOTION** by Commissioner Konzen to abate taxes on Parcel # 106957 for tax year 2005. Second by Commissioner Windom, so ordered upon consensus of the Board.

### **OTHER ISSUES:**

- Letter signed by the Board requesting all taxes be canceled on Tax. No. 10813. Property is owned by the Heritage Museum. Copies of letter went to Lincoln County Treasurer Geri Miller and Assessment Supervisor Bonnie Drews.
- Letter signed by the Board requesting to re-assess property on Tax No. 8229 and issue a new tax notice for the property. Property is owned by Cynthia Curtiss.
- **MOTION** by Konzen to charge Libby Park District \$5,389.25 for Mail Ballot Election expenses if Chairman Roose is in agreement. Second by Windom, so ordered upon consensus of the Board.

### **BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:**

C. of S. in Sec. 28, T31N, R33W for Zeeb.

C. of S. in Sec. 4, T30N, R31W for Munro.

C. of S. in Sec. 12, T31N, R34W for Rakis.

C. of S. in Sec. 3, T36N, R27W for Foster/Blanck.

C. of S. in Sec. 32, T32N, R33W for Montana Mountain Valley L.L.C.

C. of S. in Sec. 7, T34N, R25W for Cogill/Pentelute.

C. of S. in Sec. 2, T30N, R31W for Flesher/Wilburn.

A Plat of Fatt Boy Subdivision in Sec. 6, T36N, R26W for Mocko.

Amended Plat of Lot 1 of RMR Subdivision in Sec. 29, T31N, R33W for Killingsworth.

A Plat of Spring Creek Addition in Sec. 2, T36N, R27W, for Fornall.

Amended Plat of Lot 3 & Lot 4 of Curly Horse Subdivision in Sec. 3, T33N, R34W for Malet/Marrow.

A Plat of Phillips Creek Subdivision in Sec. 11, T37N, R27W for Younglove/Lamplough.

A Final Plat of Gray Wolfe Meadows in Sec. 7, T35N, R27W for Gray.

A Plat of Bache-Fosgate Subdivision in Sec. 19, T29N, R30W for Bache.

A Plat of Stanley View Subdivision in Sec. 5, T29N, R33W for S. & S. Resources.

Amended Plat of Big Sky Meadows Unit No. 3 in Sec. 9, T36N, R27W for Connelly.

Routine Business completed the day and the Board adjourned at 4:45 p.m.

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**Chairman of the Board**

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

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

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**Marianne B. Roose,**