

JULY 26, 2006

The Lincoln County Board of Commissioners met for a regular session in the County Courthouse at 10:00 A.M. with Chairman Marianne B. Roose, Member John C. Konzen, and Clerk & Recorder Coral M. Cummings.

10:00 A.M. CLERK OF COURT NADINE PIVAL: The Board had extended a part-time employee through July on June 28th. Nadine asked the Board's approval for a permanent part-time employee for three days a week. The Board unanimously agreed to extend the current part-time position through August. Pival said she will need a decision soon. Pival explained the Clerk of Court's office had 173 court days last year and is working with one less employee than the Treasurer's and Clerk & Recorder's office. Pival feels her office is understaffed and the work load is increasing.

10:30 A.M. CRAIG SWENTER, PRECINCTS: MOTION by Commissioner Konzen to approve hiring Craig Swenter for a project manager of precinct disability access. Second by Chairman Roose, so ordered upon consensus of the Board. The contract will be evaluated at a per site basis (\$500 plus mileage and expenses).

11:00 A.M. KEN BOYD, GAZEBO: Boyd said he does not feel the employees will walk across the street and suggested putting the gazebo under the poplar tree on the south end of the courthouse. The Board was unanimous to locate the gazebo at the south end of the courthouse by the poplar tree.

RE: JUVENILE DETENTION IN TROY: Present were Sheriff Daryl Anderson and Under Sheriff Jerry Rust. A discussion took place about transportation in Troy if the Juvenile Detention Center is closed. The Sheriff's Department is responsible for the details and the City is responsible for the transportation. Rust proposed hiring two detention officers with flexible schedules and duties if the union would be agreeable. No decisions were made at this time.

1:30 P.M. COUNTY PLANNER KEN PETERSON: Also present were Assistant Planner Mary Klinkam, Ken Davis, Rhoda Cargill and Betty Sykes.

RHODA CARGILL LAKESHORE CONSTRUCTION VIOLATION ON BULL LAKE: Cargill received a letter from the Board indicating a violation to Lakeshore Construction on her property located on Bull Lake. Cargill read a letter she composed to the Board. Chairman Roose

asked what this meeting is trying to accomplish. Peterson said if the structure is within 20' of the lake high water mark, there is a violation. Cargill requested time for Jean Rames to do her review. Cargill admitted no permits had been obtained. Commissioner Konzen said there is no doubt in his mind there is a violation with shoreline permits. Peterson said there had been a shoreline permit to do stabilizing of shoreline in September 5, 2002. In October 2002 a letter had been sent observing the Corp. of Engineers study. Cargill said the structure is moveable. Chairman Roose pointed out to Cargill a letter had been sent and she was made aware, and deferred to Commissioner Konzen's expertise on the lake. Cargill requested until the 20' mark is determined to hold on any decisions. Peterson felt if Surveyor Ken Davis can identify the high water mark the county should do so. Cargill cannot know where to locate the building until the high water mark is determined. Cargill wants the Board to tell her where the building needs to be moved to. The Board will review the site.

JENNIFER M. STEINLE LAKESHORE CONSTRUCTION

APPLICATION: Property is located in Sec. 18, T29N, R33W along Bull Lake. The Board will review the site. No decisions were made at this time.

LEILONI PRICE LAKESHORE CONSTRUCTION APPLICATION:

Property is located in Sec. 21, T36N, R26W along Glen Lake, Eureka. Price requested an 8' extension to her dock. The Board unanimously denied request.

MCGINNIS CREEK FLATS SUBMITTED FOR REVIEW:

A 5 Lot Minor located in Sec. 8, T26N, R28W. The Board will review subdivision report submitted by the Lincoln County Planning Department.

ADMINISTRATIVE ISSUES:

- **Resolution No. 743 Emergency Ordinance:**
Present were Daryl Anderson and Jerry Rust.

Anderson and Rust requested to the Board to initiate an ordinance stating no firearms be allowed on the Fairgrounds and County Parks. This was an emergency ordinance last year and has expired. A new ordinance would need to be passed for this year's fair and then will proceed with a permanent ordinance. **MOTION** by Commissioner Konzen to approve and adopt Resolution No. 743 stating no person shall be able to carry concealed or unconcealed weapons to a public assembly, publicly owned building or property, park under county jurisdiction, or school without specific written permission from the governing board or agency. Second by Chairman Roose, so ordered upon consensus of the Board.

· **Resolution No. 742 Emergency Resolution Prohibiting Open Burning:** Fire Managers within the Northwest Montana Region have collectively agreed that Stage 1 Fire Restrictions are to be implemented as of 0001 hours on July 31, 2006 due to HIGH and VERY HIGH fire danger. **MOTION** by Commissioner Konzen to approve Resolution No. 742. Second by Chairman Roose, so ordered upon consensus of the Board.

· **Lease Agreement for storage for Auto Mark Voting Machines:** **MOTION** by Commissioner Konzen to approve lease agreement with City of Libby to Auto Mark Voting Machines at City Hall. Agreement is for \$360 annually (\$30 per month). Second by Chairman Roose, so ordered upon consensus of the Board.

· **MOTION** by Commissioner Konzen to extend lease to **Yaak Rod & Gun Club** for 25 years. Second by Chairman Roose, so ordered upon consensus of the Board.

· **Tobacco Valley Improvement Assoc. Board of Arts: 9;** Present was Project Manager Karin Lamb.

MOTION by Commissioner Konzen to approve and sign Montana Cultural Arts Grant for \$10,000. Second by Chairman Roose, so ordered upon consensus of the Board.

The Board unanimously approved the **2006-2007 Jury Lists** as presented by the Clerk & Recorder. The Board signed the certifications.

The Board was in consensus to draft a letter to the newspapers concerning recent efforts of the **Forest Coalition** group and its goals in response to recent letters to the Editor.

RE: DR. BRAD BLACK: EPA ROD (RECORD OF DECISION) AND ASBESTOS PROJECT:

A discussion took place and it was proposed to create another committee to consist of the business community to voice concerns and have dialogue with EPA. Concerns were expressed pertaining to the lag in time with the ROD. Dr. Black feels this committee would hinder this situation. People are needed who have knowledge of the concerns. Dr. Black says the TAG is a good working group and is making progress. Commissioner Konzen expressed concern with so many groups and no liaison between them. There was concern, however, that EPA's information is coming from only a couple of groups. Dr. Black doesn't see any value in the separation. The Board of Commissioners is not ready to give up its updates and dialogue with EPA. Commissioner Windom feels the people on TAG are the same people on CAG and there are some strong personalities and the community leaders stay away. Dr. Black said CAG started coming to meetings only this year and feels TAG needs to communicate more.

JULY 26, 2006 CONTINUED

BOARD APPROVED CERTIFICATES OF SURVEY & PLATS FOR RECORDING:

- 1) # 3564 C. of S. in Sec. 6, T35N, R27W for Robert Wilson.
- 2) # 3565 C. of S. in Sec. 9, T30N, R33W for Craig Martin.
- 3) # 3566 C. of S. in Sec. 3, T34N, R27W for Kevin Workman.
- 4) # 6724 Plat of Evergreen Hill Subdivision in Sec. 11, T36N, R27W for Michael L. & Kari Lynn Smith.
- 5) # 6725 Plat of Big Horn Terrace Subdivision in Sec. 24, T31N, R32W for Mark & Darcy May.
- 6) # 6726 Plat of Bordertown III Subdivision in Sec. 1, T37N, R27W for Darly Dunkel, Katherine Sturgis,

Erick S. Fehlberg, and Landreth H. Fehlberg.

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

OF COMMISSIONERS

of the Board

ATTEST: _____

Coral M. Cummings, Clerk & Recorder

LINCOLN COUNTY BOARD

Marianne B. Roose, Chairman

