

NOVEMBER 8, 2006

AIRPORT WAY

PUBLIC HEARING CONTINUATION

The Board of Lincoln County Commissioners met for a Public Hearing on Airport Way in the courthouse at 1:30 p.m. Present were Chairman Marianne B. Roose, Member Rita R. Windom, John Konzen and Deputy Clerk Robin A. Benson.

Present were: County Planner Mary Klinkam, Paul Wengerd, Wanda Wengerd, Stan Hudson, Bob Halvorsen, Kathy Halvorsen, Bill Buhl, Jeremiah Foote, Romsey Foote, Andrew Foote, Stephanie Fredin, Nancy Kmonk, Daniel Leavell, Dale Sabine, Kate Witt, Bruce Witt, Emogene Hamlyn, Robert Hamlyn, Shonna Lundin, Mark Mohr, Mike Crowe, Ann Grotjohn, Dennis Reisman, Ray Reisman, Kenneth E. Davis, Don Brown, Bob Beagle, Mary Etta Miller, Robert Masts, Elvie Miller, Lloyd Miller, Teddye Beebe, Samuel Mast, Esther Mast, Kendra Lind, Johnny Beebe, Russ Barnes, Mike Munro, George Wood, and Don Brown.

1:30 P.M. Chairman Roose opened the hearing with introductions. County Planner Mary Klinkam conducted the hearing and asked for public comment.

Bill Buhl asked about percolation tests. Kendra Lind said nothing will move forward under sanitation review until between April and June.

Charlie Clough from Glacier View Road Association expressed concerns about the water flow of the ditch due to angles, and would prefer to not have any road damage. Clough said there is no legal way to get compensation and cannot afford any road work.

Dan Leavell presented a PowerPoint presentation of McMillan Creek with aerial pictures showing the surrounding area. Leavell said there is 6,070 acres of watershed area or 9.5 miles. Leavell explained what "alluvial floodplain" is and showed the history of the water flow and floods from 1938, 1974 to present.

County Planner Mary Klinkam told the group this is not a designated FEMA floodplain area.

Andrew Foote showed a PowerPoint presentation to the group indicating it is difficult to make good decisions with incorrect information. Foote felt there is contradicting information from DNRC. The PowerPoint showed current pictures of how the creek has been flowing and areas of sediment build-up. Foote said the creek flows 6 to 8 months of the year.

Concerns were expressed about who is legally responsible for maintenance and rebuilding Farm to Market Road.

Russell Barnes conveyed to the group that if you look at the Newspapers in 1938 and 1974, many creeks in Libby were flooding at that time, not just McMillan Creek. Barnes said the last

80 acres of the area in question is private property. Barnes felt property rights and equality was not being represented or considered during the last two public hearings.

Questions were asked who pays to channel water. Commissioner Windom said the DOT would pay to channel water.

John McBride expressed 5 concerns:

Fire protection in case of wild land fires

Stream & ditch as expressed throughout the hearing

Safety

Migration of elk and game population

Late on getting subdivision and required permits

Klinkam told the group the subdivision applicant did contact all the required agencies, including DNRC and all said no permits were required.

Commissioner Windom said DOT has been petitioned to do something about the intersections in question.

Foote questioned any tampering before subdivision approvals.

Clough questioned Klinkam about a letter from DNRC pertaining to public health & safety (page 54 of the subdivision report). Klinkam responded by pointing out page 8, # 2 of the subdivision report indicating DNRC does require the applicant to map the 100 yr. floodplain boundaries within the subdivision.

The Board will meet on Farm To Market Road Tuesday, November 14 at 1:30 p.m. for an on-site tour of the area affected by McMillan Creek.

Chairman Roose felt the more information gained the better for making decisions and these decisions should not be rapid. A continuation of Airport Way Subdivision Public Hearing will be held on Wednesday, November 29, 1:30 p.m., in the Courtroom.

2:30 P.M. COUNTY PLANNER MARY KLINKAM: SUBDIVISION REVIEW:

Klinkam said addressing will not take place as quickly as previously scheduled. Notifications to the public of new addresses will begin by May. Klinkam is working with the Postal Services on this.

Klinkam presented to the Board the Tincher Family Transfer. Tincher Family Transfer has gone from 1 parcel to 14 parcels in approximately a 6 month time span. Klinkam would like to address

this by letter as an evasion with the approval of the Board and Planning Staff recommendations. The Board was in agreement to allow Klinkam to further investigate this issue.

3:00 P.M. Commissioner Windom presented to the Board Lincoln County Emergency Declaration Resolution drawn up by EMA Marc McGill. **MOTION** by Commissioner Windom to approve and sign Resolution No. 740 Lincoln County Emergency Declaration Resolution. Second by Commissioner Konzen, so ordered upon consensus of the Board.

3:30 P.M. NADINE PIVAL: EMPLOYEE UPDATE AND REMODEL:

Pival told the Board that she would like to expand her office using space from the Law Library. Pival has talked to Judge Prezeau and the County Attorney's office. Pival said the Clerk of Court's office is in need of more space. **MOTION** by Commissioner Windom for Nadine Pival to move forward with expanding her office. Pival will work with Ken Boyd on this project. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Pival expressed to the Board she would like to move Susie Farmer to Barbara Nelson's position, and move Kary Robertson into full time. Pival said she would like to begin the hiring process for a new part-time position. **MOTION** by Commissioner Konzen to move Kary Robertson to full time and to start the hiring process for a part-time employee. Second by Commissioner Windom, so ordered upon consensus of the Board.

LINCOLN COUNTY BOARD OF COMMISSIONERS

the Board

Marianne B. Roose, Chairman of

ATTEST: _____

Robin A. Benson, Deputy Clerk