

OCTOBER 11, 2006

The Board of Lincoln County Commissioners met for a regular session in the courthouse at 10:00 a.m. Present were Chairman Marianne B. Roose, Members John Konzen and Rita R. Windom, and Deputy Clerk Robin A. Benson.

10:00 A.M. EPA UPDATE: Present were Mike Cirian, Ted Linnert, Peggy Williams, Gerry Henningsen, Fran Costanzi, Catherine LeCours, Paul Peronard, and Ron Anderson. Also present via telephone were Denise Smith representing Senator Burn's office, Keli McQuiston representing Senator Rehberg's office and Kirby Rierson representing Senator Baucus's office.

EPA representative Cirian reported to the Board that 191 properties have been completed this year which brings the total to 769. Peronard reported the first draft of the Ambien Air Plan has been sent out. The first set of samples did have a good read-out. EPA is still looking to collect a year of samples. Collecting data (samples) could take longer than a year depending on the weather. Commissioner Konzen asked Peronard how smoke from wild land fires would affect sample reading. Peronard said the smoke would not stir up asbestos in the air, but could cloud the samples and create incorrect data. Peronard stated that investigation of Troy still needs to be done. Commissioner Konzen asked what the best guess is of when WR Grace would come out of bankruptcy. Peronard said there is no time frame for this yet. Commissioner Konzen asked Peronard if there is any kind of notices such as deed notices to let a homebuyer know they are purchasing a home that has been cleaned by EPA for asbestos. Peronard said there is no procedure for this at this time.

A brief discussion took place pertaining to the responsibility, funding and procedures for asbestos contamination after EPA has completed its work in Libby.

11:00 A.M. MOTOR GRADER BID OPENING: Present were Ed Holderman and Dale Byer.

BIDDER:	BRAND
TOTAL PRICE	
WESTERN STATES: \$181,000	Cat 140H w/Bid Bond
ROWAND MACHINERY: \$141,200	John Deere 770D w/Bid Bond
TRIPLE W. EQUIPMENT: \$130,000	John Deere 770D w/Bid Bond

MOTION by Commissioner Windom to take all bids under advisement due to not all the bids have required specifications. Second by Commissioner Konzen, so ordered upon consensus of the Board.

11:15 A.M. RESOLUTIONS: All of the following resolutions were approved by the Board of Commissioners by unanimous consensus were:

Resolution No. 753: A resolution to amend the following budgets in the following amount for the FY 06/07 budgets.

2141 NOXIOUS WEED REVOLVING FUND – Increase budget authority in:

2141-243-431100: \$3,224

2371 HEALTH INSURANCE FUND – Increase budget authority in:

2371-312-410000: \$6,119

2896 METAL MINES FUND – Increase budget authority in:

2896-801-510300: \$12,682

2957 DEPT. OF JUSTICE GRANT: Increase budget authority in:

2957-237-420630: \$555

AND be it further resolved by the Lincoln County Board of Commissioners to establish budget authority in the fiscal year 05/06 in the 2260 Disaster-Emergency fund to cover costs incurred under the Emergency Resolution No. 739 in June, 2006, with budget authority appropriated under the following numbers to cover said expenditures:

2260-241-420700-200: \$4,248

2260-241-420700-300: \$1,673

TOTAL BUDGET: \$5,921

Resolution No. 756: A resolution to establish budget authority and revenue numbers for receipting of revenues for **CDBG Grant** under the following numbers and amounts:

Budget Authority:

County Planning Grant: 2940-249-411000-200: \$ 1,000

310: \$ 1,350

350: \$12,650

TOTAL BUDGET: \$15,000

Revenue: 2940-331010 \$15,000

RESOLUTIONS:

Resolution No. 757: A resolution stating the Lincoln County Board of Commissioners does hereby designate **Lincoln County, Montana**, to be a second (2nd) class county for FY06-07.

Resolution No. 758: A resolution to appropriate \$15,000 from 2900-272-420110-350 P.I.L.T. fund and increase \$15,000 to the **Senior Citizens Transportation Program**.

Resolution No. 759: Lincoln County has committed to assisting the **Port Authority** on a short-term basis for road costs for the Industrial District. Resolution No. 759 is to establish a sub-fund budget as follows:

2110-217430230-300: \$10,000
470: \$10,000

TOTAL BUDGET: \$20,000

ALSO to increase the 2110-217 Libby Road Fund budget in the amount of \$20,000 for FY06-07.

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Resolution No. 760: A resolution to relocate **PRECINCT 5, MC CORMICK**, from the McCormick School to the McCormick Rural Fire Hall for the November 7, 2006 General Election, and every Federal, State, and County Election hereafter.

Resolution No. 761: A resolution stating the Lincoln County Board of Commissioners, at a regular session on October 4, 2006 did so move to approve a loan to the **David Thompson Search & Rescue** in the amount of \$11,000 for a five year period at a rate of 6% interest from 2900 P.I.L.T Fund.

Resolution No. 762: A resolution relating to organization and incorporation of a proposed County Water and Sewer District. Acknowledging receipt of petition and calling for a public hearing. The Lincoln County Board of Commissioners shall meet on the 15th day of November, 2006, at 11:00 a.m. in the county Annex Conference Room in Eureka, MT for the purpose of conducting a public hearing on the creation of the Proposed District and considering written protests, if any, filed with the County Clerk & Recorder, prior to the hearing by or on behalf of the property owners in the Proposed District.

RE: Grob Lake:

The Board of Commissioners did receive a letter from United States Board of Geographic Names to change officially the name of "Grob Lake" in Lincoln County to "Wilderness Lake". Chairman Roose said she is adamantly opposed and feels changing the name would disrupt the history and culture of Tobacco Valley. **MOTION** by Commissioner Windom to write a letter stating the Lincoln County Board of Commissioners is emphatically opposed to the proposed name change of Grob Lake. Second by Chairman Roose, so ordered upon consensus of the Board. The Board of Commissioners were unanimously against changing historic names.

1:30 P.M. COUNTY PLANNER MARY KLINKAM: SUBDIVISION REVIEW: Present were Byron Sanderson, Shonna Lundin, Mark Mohr, Barb Renkema, Debbie Shoemaker, Robert Wilsop, Brett McCully, Ken E. Davis, Barry & Dawn Gray, Blue Water Group, LLC, Andy Belski, Kris Caister, Steve Briskin, Jack DeShazer, and Gary Marshman.

Preliminary Plat Approvals:

Cougar Lake Subdivision: A 2 Lot Minor located in the S $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec.32, T34N, R34W. Developer is Robert & Virginia Burns. **MOTION** by Commissioner Konzen to approve Cougar Lake Subdivision subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Elysian Estates: A 5 Lot Minor located in the NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 15, T37N, R27W. Developer is Bruce Ekholt. **MOTION** by Commissioner Windom to approve Elysian Estates Subdivision subject to Planning Staff recommendations. Second by Commissioner Konzen, so ordered upon consensus of the Board.

Amended Lot 6 Porcupine Subdivision: A 4 Lot Minor located in Sec. 29, T30N, R33W. Developer is Russell Barnes. **MOTION** by Commissioner Konzen to approve Amended Lot 6 Porcupine Subdivision subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Elk View Subdivision: MOTION by Commissioner Konzen to approve Elk View Subdivision subject to Planning Staff recommendations. Second by Commissioner Windom, so ordered upon consensus of the Board.

Preliminary Plat Presentation:

Rare Peace Subdivision

Moonshine Mountain I

Moonshine Mountain II

Tamarack Estates

Cooks Run II

Wapati Estates

Timber Glen II

Chairman Roose signed Plat of Libby Creek Estates and the Final Plat of Swede Flats.

RE: Barry & Dawn Gray expressed issues with Road # 494-G. Road has been abandoned by the Forest Service. Questions of who is responsible for maintenance and liability. The impact of ingress and egress and a bridge were also expressed as a concern. These issues will go back to the County Planning Department to be addressed. County Planner Mary Klinkam will meet at Pinkam Crreek with the developer to further review these issues, Wednesday at 10:00 a.m.

3:00 P.M. BID OPENING FOR COMPACTOR TRUCK:

Three bids were received at follows:

Solid Waste Systems: 197,099	Peterbilt 32D w/Bond	TL. Cost:
I State Truck Center: Cost: 193,666	Condor FLC2103 w/Bond	TL.
Rocky Mountain Truck: Cost: 196,226	Condor FLC2103 w/Bond	TL.

MOTION by Commissioner Konzen to take all bids under advisement. Second by Commissioner Windom, so ordered upon consensus of the Board.

RE: REMODEL WORK AT ANNEX BUILDING:

Kathy Hooper proposed to the Board an idea to consolidate the Planning Dept. and to consolidate Environmental Health (moving offices) at the Annex building. Hooper also requested painting and carpeting. The Board will meet with Ken Peterson before making a decision. Meeting is scheduled for October 17 at 10 a.m.

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

COMMISSIONERS

the Board

ATTEST: _____

Robin A. Benson, Deputy Clerk

LINCOLN COUNTY BOARD OF

Marianne B. Roose, Chairman of