

## JANUARY 3, 2007

The Lincoln County Board of Commissioners met for a regular session in the Lincoln County Courthouse at 9:00 am. Present were Chairman Marianne B Roose, members John Konzen and Rita R Windom, Bill Bischoff and Lincoln County Clerk and Recorder Tammy D. Lauer.

9:00 AM: **New Chairman for 2007:** First order of Business was presented by Marianne Roose when she nominated Rita R Widom as chairman of the Board of Commissioners for 2007. John Konzen seconded the motion, and so ordered upon consensus of the Board.

9:07 AM: **Paul Bradford, KNF Supervisor.** Present were Peggy Williams and Alvin Benitz.

Paul Bradford spoke to the Commissioners concerning Forest Planning, Mitigation, Planning, and Recreation Funds. Mr. Bradford spoke of plans for a final EIS plan by June. The Commissioners expressed their concerns that the public feels that they are not being heard by the USFS anymore. Additional wilderness land is not wanted by the majority of the public. Mr. Bradford said that wilderness land, access to forests, and vegetation treatments are the three most important issues to the public. He spoke a little about mining and the obstacles in the way of Rock Creek Mine. Mr. Bradford spoke about Fire Management Response and that he felt that prevention is the best way to fight wildfires. The Commissioners thanked Paul for coming. Paul Bradford said that he would return soon with two new Forest Service employees that he thought the Commissioners should meet.

10:00 AM: **Tax Incentive for Libby Sports Center.** Present were Peggy Williams, Alvin Benitz, and Ardell Filler.

Mr. Filler arrived and requested to speak first. He stated that he was no longer interested in the tax incentive. Commissioner Windom asked him if he had researched how much it would save him. She told him that it was a very small amount over the years because it is based on the addition only, not on the entire building. Mr. Filler said that he did not know the amount. Commissioner Windom said that she would send it to him in a letter for his information.

10:05 AM: **Administrative Issues:**

Commissioner Roose stated that a letter from the commissioners was needed to **change the names on the bank accounts at First Interstate** Bank in Eureka for the Justice of the Peace. Bill Bischoff typed a letter and the Board signed it, Commissioner Roose will hand deliver it to the office in Eureka.

Commissioner Roose made recommendations for 5 **Board Members for the newly created Tobacco Valley Community Development** Council of Chris Fox, Michael Henry, Buck Schermerhorn, Dorothy Eisenman, and Craig Dyk. Commissioner Konzen moved to appoint the members recommended by Commissioner Roose. Commissioner Windom seconded the motion and so ordered by the consensus of the Board. Letters will be mailed to the new Board Members notifying them of the appointment.

Bill Bischoff announced that he received notification that **MACo Claims has denied** any coverage on the suit that has been filed against Lincoln County by Kalispell Regional Hospital for the treatment of Mark Nelson of Eureka. Mr. Bischoff stated that the County Attorney has indicated that he will appeal the denial.

Bill Bischoff presented two choices for a new cell phone plan for the **county cell phones**. Mr. Bischoff said that the current plan is not effective because there are not adequate minutes. The new plan puts users in groups with more minutes per group. He recommended Plan B of the two plans.

Bill Bischoff announced that he would be advertising for the two vacant **Port Authority positions** beginning next week.

10:25 AM: **Kootenet and Skip Schloss**. Present were Skip Schloss and Alan McNeil from Aether Group, Chuck Fahner from Kootenet, and Mel Nottage from The Network Group.

Chuck Fahner announced that he has moved Kootenet from 2 older switches to 2 newer Cisco 2950 switches which has increased the Web sites functionality. Alan McNeil stated that they are still on Target for a January 15<sup>th</sup> transfer from Foundation Technology to Aether Group Tech Support. Skip Schloss spoke about his trip to the Governor's conference on December 6, 2006. At the conference he learned about Electronic Records Management and E-government. He spoke about Band Width possibilities and that it is critical that Lincoln County get band width. He spoke about the problems with the telephone companies involved and the costs of the project. Mel Nottage from the Network Group in Coeur d Alene, Idaho, presented an overview of a plan to put wireless service in Troy. He stated that it is possible and gave a cost breakdown of the project in three stages. Commissioner Konzen spoke about possible sites for the infrastructure and suggested that he and Mel meet with the City of Troy officials to discuss that issue. The Commissioners agreed to move forward with the proposal for Troy Wireless as presented by Mel Nottage.

11:35 AM: **Insurance issue for vehicles**. Present were Tom Wood, Pam Rhoades, and Lee Luddin.

Lee Luddin, Director of the Transportation Service Coalition, is concerned about the coalition being unable to use the Achievements vehicles because the Western States Insurance Company for Achievements can only insure the vehicles if they are being driven by Achievements personnel. Pam Rhoades from Achievements was present to express that Achievements is willing to help if possible. It was thought that perhaps Lincoln County could put Achievements on their MACo policy and solve the issue. Commissioner Windom has looked into this possibility and found that MACo will not insure any vehicle not owned by county and driven by county employees. There is also an issue of a one million dollar cap for a year on claims. Commissioner Windom pointed out that Phillips County formed a Transit District to include their Transportation Service Coalition to be able to insure vehicles. Tom Wood suggested that Achievements simply submit a letter to Western States Insurance naming the drivers as drivers for Achievements and then they would be insured under that policy. Ms. Rhoades and Ms. Luddin agreed to try that first and will contact Tom Wood for assistance.

1:30 PM: **Mary Klinkam, County Planner, Subdivision reviews.** Present were Mary Klinkam, Tony Johnson, Jim Winslow and Ray Winslow.

**Byson Subdivision:** 5 lot minor subdivisions located at W ½ SE ¼, Section 32, Township 37N, Range 27W, PMM. Largest lot is 10 acres and smallest is 1.866 acres. Situation on this property is that in 1979 Koocanusa Estates Subdivision was approved by the Commissioners and the CCR's were recorded for the subdivision, however, the subdivision was never recorded and the 3 year period for the recording has expired. Mary Klinkam presented a letter written by Charles Evans, Attorney, listing questions concerning the subdivision. Commissioner Windom suggested that we ask County Attorney Bernie Cassidy to attend the Public Hearing in Eureka on January 17, 2007, concerning this subdivision. Bill Bischoff wrote a letter to the County Attorney from the Commissioners requesting his presence.

**Keeler Subdivision Public Hearing:** No Public comments on this Subdivision. Mary will present 1-10-07 for approval.

**Itsaview Subdivision Public Hearing:** No Public comments on this Subdivision. Commissioner Windom pointed out that the 3 to 1 is an issue on Lot 3. Tony Johnson told the Commissioners it was a topographical issue. Commissioner Windom told Tony to request a variance. Mary will present 1-10-07.

#### JANUARY 3, 2007 CONTINUED

**Stanley View Subdivision Public Hearing:** No Public comments on the Subdivision. Mary will present 1-10-07 for approval.

Subdivisions presented for approval or signature:

**Open Range Subdivision:** Developer is Rich Blankers. 4 Lots at 2.5 acres each. NE1/4 Sec 27, Township 37N, Range 27W, PMM. Approved as presented. Commissioner Konzen moved, Commissioner Roose seconded, so ordered.

**Stone Hill Subdivision:** Developer Watson Family Trust. 4 Lots between 1.44 acres and 8.40 acres. NW1/4 Section 26, Township 36 North. Approved with change in road to cul-de-sac 70' for emergency services. Commissioner Windom moved, Commissioner Roose seconded, so ordered.

**RE: Cargill/Bull Lake-Army COE Flood Plain Permit:** COE has issued a Flood Plain permit with the condition that Lincoln County requires the accessory building to be moved and Cargill will comply and restore the area to pre-existing condition. Lincoln County is requiring the building to be moved.

**RE: Wapiti Estates Subdivision:** Request in writing from Noel Williams requesting a variance of road width on 200 feet of the road for this subdivision due to one owner not allowing easement of 60 feet but would allow 40 feet. Tabled until 1-10-07.

2:50 PM: **Administrative Issues:**

**Signed Resolution No. 770** to establish a communication fund for expenditures for radio costs for Lincoln County.

Commissioner Windom presented a plan to bring the minutes of the last meeting of the Commissioners to the meeting the next week and have the Commissioners read them and approve them at that time in order to expedite the minutes being available to the public on the internet and recorded in the records in a more timely fashion.

The **minutes for December 13, and December 20**, were reviewed by the Commissioners and approved as corrected.

A Vendor Invoice was presented from Dept of Environmental Quality, Motor Vehicle Recycling and Disposal in Helena for a **Junk Vehicle Fund**. It was determined that this \$26,510.00 will go to Ron Anderson's Budget when received.

The Board adjourned at 4:15 pm.

LINCOLN COUNTY BOARD OF COMMISSIONERS

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Rita R. Windom, Chairman of the Board

ATTEST: Tammy D. Lauer, Clerk and  
Recorder \_\_\_\_\_