

MARCH 21, 2007

The Lincoln County Board of Commissioners met for a regular session on March 21, 2007, in the Lincoln County Courthouse Annex in Eureka at 10:55 AM. Present were; Chairman Rita R. Windom, Commissioner Marianne B Roose, Commissioner John Konzen, Administrative Assistant Bill Bischoff, County Planner Mary Klinkam, and Clerk and Recorder Tammy Lauer.

10:55AM: Called meeting to order.

10:56 AM: **Tracy McIntyre**. Present were Heather Carvey and Larry Newman.

Tracy introduced Heather Carvey who is the new administrative assistant for ERDC. Tracy needs to know who to send to Bend, Oregon, for a Tourism and growth planning conference in October and also who to send to the Pacific Northwest Economic Development conference. Tracy had a list of people to consider from each area. Commissioner Konzen chose Jim Hammons, Greg Larson, and Melody Condron from Troy. Commissioner Windom chose Louise Rice, Pat Pazelle, and Mary Klinkam from the Libby area. Commissioner Roose chose Randy McIntyre, Lee Parks, Rachel Duram and Chris Fox for the Eureka Area. For the Pacific Northwest Economic Development Conference the Commissioners chose from Troy Stacy Walenter and Katie Randall, from Libby Pat Pazelle and Louise Rice and from Eureka Heather Carvey and Tracy McIntyre or Rae Lynn Benson.

Tracy asked about having grant training in the county. If she can come up with the budget, Commissioner Windom thinks it would be a good idea. She feels that a lot of people and organizations think that grants are available but have no idea how to apply for them. It would be a very intense four day class on how to write a grant proposal, full grant funding search, protocol on working with grantors and how to develop grants in your organization. Commissioner Windom asked if she thought it would be hard to get people to take four days off to do a class. Tracy is unsure; she would have to check and maybe could do it over a weekend so it would be easier to take 2 days off work. The class would have a maximum of 25 people. She is hoping that people might come from volunteer organizations as well. Tracy will try to find a way to make that work and get back to the Commissioners.

11:17 AM: **Deer Park Amended Lot 2**: Present was Arnie Brouillett, developer.

Arnie is concerned about getting 60' easement from 5 landowners and about getting an easement from the State. Ken Peterson had told him that the 40' easement will be sufficient since it was already set that way. Lot 3A is owned by the Riffels. Riffels access their lot from another side therefore, Arnie will not have more traffic on his road. Mary said that she didn't know that the original is subdivided as far as it can go. Now she realizes that the subdivision is maxed out so she sees his dilemma and agrees that maybe an exception can be made. Arnie thought he had covered his bases before he purchased the property. Mary would recommend that the commissioners waive the condition at final plat approval. John suggested that Arnie give a 60' easement on his own property then they will waive the condition at final approval for the rest. Arnie said that would be acceptable. Commissioner Windom said that she would like to go look at it first and decide next week.

11:25 AM: The Commissioners went to the property with Arnie to look at road issue.

1:30 PM: **Mary Klinkam, Subdivision Review.** Present were Debbie Shoemaker, Augusta Kickbusch, Dawn Marquardt, Connie Schreier, Pam Flowers and Jerry Croskrey.

Meadow Springs, Unit II Subdivision: 2 single family lots 5 miles west of Fortine, NE1/4 NE1/4 and SE1/4 NE1/4, Sec 31 T35N R26W; Mary presented the minor subdivision to the commissioner who will vote on this next week

Sauls Subdivision: 2 Single Family lots with remainder 9 miles east of Eureka, NW1/4, Sec 17, T37N R26W; Mary presented the minor subdivision to the commissioner who will vote on this next week

Yarnell Subdivision: 5 single family lots 2 miles south of Rexford, W1/2 Sec 26, T36N R28W; Mary presented the minor subdivision to the commissioner who will vote on this next week

1:50 PM: The Commissioners discussed the water around Libby Airport effecting driveways nearby. They had received a letter from **Malcom Edwards, District Ranger of KNF** concerning a recent flood occurrence causing impacts of NFS lands in the Airport Way Subdivision and Glacier View Road area. Charlie Clough had shown the commissioners pictures of his driveway and the water around it. Malcom wants to meet with the commissioners. It was determined that he should meet with landowners instead since this issue is not a county road issue. Bill Bischoff will send a letter to Malcom with a copy of the conditions for the subdivision approval.

1:55 PM: Board appointment of Brian Higgins and Tyann Hermes to **Troy Park Board.** Commissioner Konzen moved to approved appointment of new members to board, Commissioner Roose seconded and it was so moved.

1:57 PM: **Mariners Haven** has submitted a tax bill for review. The Commissioners reviewed the situation, Bill Bischoff explained the errors on the tax bill and the amount was adjusted.

2:00 PM: The Commissioners signed a letter to **Senator Jon Tester** about outsourcing.

2:03 PM: The **CDBG** draft was signed by commissioners. It is for the City and County Community development block grant. Commissioner Windom will turn it over to the County Attorney and then it will go on to the City governments.

2:15 PM: **Miller Family Transfer-** Present were Jerry Croskrey, Pam Flowers, Dawn Marquardt, Augusta Kickbusch, Debbie Shoemaker, Connie Schreier, Marriah Miller, Randall Miller, Shirley Miller, Randy L. Miller, Sammie Doherty Miller, Steve Mangold, Jamie Doherty, Wesley Miller, Andy Belski, Randall Miller, Kris Caister, Scott Rumble, and Hank LaSala.

This family transfer was denied about a month ago due to 60' egress and regress. The Commissioners opened the meeting to comments.

Marriah Miller stated that the purpose of this is only for a family transfer. There have been Millers on this property for three generations and they intend to keep it that way.

The commissioners explained that a 60' easement is not required for a family transfer so it appeared to be a subdivision.

Dawn Marquardt explained that having a 60' easement is being responsible. She said that by having a 60' easement the Miller family is able to subdivide one day without having any road issues. They may have no intentions now but in 20 years it may be necessary and they would be ready. Dawn stated that she had submitted many family transfers in the past and it had not been an issue.

Scott Rumble said that 40' easements are now being considered poor planning because of the new requirements. He asked if the family transfer regulations require bad planning.

Commissioner Roose explained that the family or the surveyor should come in when the transfer is being reviewed and explain the family transfer to commissioners so they are not left having to assume what is happening. The commissioners can only work with the information in front of them. She also pointed out that if a family transfer is denied they can request an appeal first and if the appeal is denied, they can file for a subdivision instead.

Three people ask why people are not notified when the family transfers are being reviewed.

Mary Klinkam said that it is not the county's policy to send out notices but they should appear on the agenda for the commissioner meetings.

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Marriah Miller said that maybe that would be a good idea in the future to send out a notice. If it is up to the family to explain, they should be aware of it.

Dawn Marquardt said that it is in the Family Transfer policies that the surveyors be notified but they have not been notified of any. Commissioner Windom told her we would address the issue internally. Commissioner Roose moved that the Miller Family Transfer be accepted as requested. Commissioner Konzen seconded and it was so moved.

Connie Schreier voiced her concern that some families may be treated differently than another. She said the county should have procedures and standards that apply to everyone. Commissioner Roose assured her that the county does have them in place.

Scott Rumble asked if a 60' easement will always be a red flag for a family transfers and would it be a good idea to avoid a 60' easement until after a family transfer is approved?

Commissioner Roose told him that it is not necessarily a red flag, it simply requires explanation.

2:50 PM: **KOK Subdivision, Amended Lot 2:** The developer is requesting a variance from 60' to 40' on the road issue. This is the road that the commissioners viewed last month.

Commissioner Konzen moved to deny the variance, Commissioner Roose seconded and it was so moved. Therefore the developer will need to get the 60' easement or another access to the property for the subdivision. Commissioner Roose moved to approve the subdivision with recommendations by the planning department. Commissioner Konzen seconded and it was so moved.

3:05 PM: **Planning Board:** Chris Fox, President, Rick James, Vice President, and Henry LaSala, Board Member.

Commissioner Windom asked the Board Members how things are going and if they would start the meeting with a status report.

Chris Fox reported that the board has been active for about one year and they have developed a vision statement; which is their idea of what Lincoln County will look like 20 years from now. They have written subdivision regulations and attended a workshop on writing a growth policy. He learned that they need a Growth Policy before they can adopt subdivision regulations. They had hired a consultant for the Growth Policy and she compiled a list of the natural resources, population, etc. of the county. The Planning Board reviewed them and suggested changes before she wrote them in a document and now it is in the public involvement phase. The Planning Board had an open house in Libby. They chose that over a public meeting so it could be more informal and approximately 15 people came. They have also mailed out surveys to about half of the registered voters in the county. 5000 were mailed and about 1000 have been returned. It appears that people took a lot of time in answering them. There will be a public meeting in Eureka April 5th and they will have at least one more meeting in Troy. They have a growth policy from Lake County and Beaverhead County to help plan. The Board has done a lot of work on the subdivision regulations. They would like to see the Growth Policy in place soon so that the subdivision regulations can be enforced. They want to do it correctly but also as quickly as possible. They have a web site that has the agendas and meeting dates on it. They have been meeting every two weeks and now have a full board after a couple of personnel changes. Bill Bischoff said they are a good board, very dedicated and hard working.

Chris said that they have an outline of what we want in the growth policy and will explain it to the consultant, Kate, and she will write it and present it back to Board for approval.

Commissioner Roose asked the Board how they see their role in the process. They will do the Growth Plan and Subdivision Regulations then do they see themselves recommending subdivisions?

Chris and Rick both said yes in the future but do not feel they are ready to do that yet.

Commissioners thanked them for their efforts and for coming. It was suggested that they check back with the Commissioners quarterly.

Hank LaSala thinks that a committee should be formed to supervise Kate. If the board is responsible for the Growth Policy they should also be responsible for keeping track of how Kate is doing. The board should be in charge period or the board is not needed. Commissioner Roose feels that Kate should work with Mary Klinkam and Commissioner Windom agrees.

Commissioner Konzen says that the statute states that the Planning Board is in charge of fiscal responsibility but the CDBG is paying Kate. Mary should take care of the CDBG grant and the Planning Board will decide about the draft and its contents. Mary's role should be budget, advice, and information.

Chris, Rick and Hank agreed that they cannot decide anything without the whole Board present so they will vote on the process on Tuesday, March 27, 2007, the next meeting.

4:30 PM: Meeting adjourned.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Rita R. Windom, Chairman of the Board

ATTEST: _____ Tammy D. Lauer, Clerk of
the Board