

November 14, 2007 Meeting

The Lincoln County Board of Commissioners met for a regular session at the Eureka annex of the Lincoln County Courthouse on November 14, 2007. Present were Chairman Commissioner Rita R. Windom, Commissioner John Konzen, Commissioner Marianne B. Roose, Bill Bischoff and Tammy D. Lauer.

10:25 AM: Commissioner Windom called **the meeting to order**.

10:28 AM: **Paul Derrow**: Mr. Derrow came to discuss the address changes in the county and the affect on his road in Fortine. Two years ago he became concerned that the road they lived on had no name. He contacted a Road Department and they told him he could put up a sign on the road. He put the sign up a year later that read "Derrow Lane" and a neighbor complained about the name of the road so he removed the sign. He was told that it was the law to have a petition of the landowners to name a road. Now the county is naming the road "Blue Ridge Road" without asking the landowners. Mary explained that the County policy is that no road may be named for an individual. Commissioner Konzen said that maybe the two neighbors could get together and choose a name. Mr. Derrow wants to use the sign he purchased two years ago. He does want to name the road because he has foster children with health issues and feels it would be better for emergency services. Commissioner Windom told Mr. Derrow to come to an agreement with the neighbors on a name for the road rather than Blue Ridge Road. Mr. Derrow argued that he had already named the road and thinks that the County is superseding him. The property is in his name and he pays taxes on it. He said the County has no right to put a name on it. Commissioner Windom explained that the County has the responsibility to name roads and make sure that the emergency services are taken care of.

10:45 AM: The Lincoln County Clerk of Court, **Nadine Pival**, has turned in her letter of resignation and will be retiring as of December 21, 2007. The Commissioners talked about how long Nadine has been with Lincoln County, 29 years, and how much she will be missed. Bill Bischoff was asked to research the proper method of replacing her.

10:47 AM: **Ralph Stever, Lincoln County Youth**, would like to apply for a grant to hire a coordinator to run a program for alcohol use in the youth of Lincoln and Lake Counties and the Flathead reservation. The grant is a four year grant program. This program would work closely with the Sheriff's Department. There will be no need for county funds. Commissioner Konzen moved to support the County Coalition for Kids in Lincoln County to help reduce alcohol abuse. Commissioner Roose seconded stating that they need to understand that once the grant is over the program is over. Commissioner Windom agreed and the motion carried.

10:55 AM: The Commissioners received a letter from **Montanore Mining Corp.** stating that they want to meet with the Commissioners concerning their plan. The Commissioners agreed to contact Montanore to set up a meeting.

11:00 AM: **Wilderness Development LLC and Koocanusa Estates**: The Commissioners received a letter from Attorney Amy Guth. Amy is representing the lot owners of Koocanusa Estates. The landowners are concerned about a road through Koocanusa Estates that is being used for Wilderness Subdivision and was not on the original plans. Mary spoke about the original submission of the subdivision. This discussion will continue later today.

11:25 AM: **Crisis Solutions**: Present were Barb Guthneck, Cookie Hadel, Linda Parker, Melissa Cichosz, and Steve Newman. Barb announced that the Crisis Solutions is still an active and working organization. They have earned some small grants and donations and are going forward. Commissioner Roose asked about the state funds and what is being done with them. Melissa Cichosz said that Sanders County has hired an advocate for Lincoln County that is now in training. Deanna Bidwell is the new advocate and she will be working out of the Libby office. Commissioner Windom read the minutes of the meeting with Tootie Welker of Sanders County on October 17, 2007. Commissioner Windom stated that the Commissioners wrote a very nice support letter that was sent to the Governor with a negative letter from Crisis Solutions and it was not intended for that purpose. Barb apologized to the Commissioners. Commissioner Konzen said that unless they have both organizations in the same room they can't listen to either because they contradict each other. Mediation and communication are what is needed to fix this problem, therefore the Commissioners decided to hold a meeting of all parties involved after the first of the year.

1:20 PM: Commissioner Roose moved to re-appoint Truman Struck as **Area 6 representative for the Senior Citizens**. Commissioner Konzen seconded and it was so moved.

1:25 PM: Peggy Smith, RN for St John's Lutheran Hospital is contracted out to the county for the WIC program to work with mothers of small children. Commissioner Konzen is wondering if it would be less expensive for the County to hire her as a county employee instead of paying St. John's for her services. The job was not posted because it is simply a realignment of an existing position. Bill Bischoff researched this and it was decided that at \$17.50 per hour it would save the County money. It was agreed that the County will hire Peggy Smith.

1:30 PM: **Subdivision Review: Mary Klinkam**

1:30 PM: **Vick Subdivision**, 4 lots, SW1/4 NW1/4 Sec 11, T37N, R27W, Commissioners Review: Mary presented the subdivision and conditions. Commissioner Roose asked that the local Fire Department be contacted for their input. Commissioner Roose moved to approve subdivision as preliminary plat. Commissioner Konzen seconded and it was so moved.

1:40 PM: **Hunter Ridge Subdivision**, 2 lots, SW1/4 SE1/4 Sec 31 T35N, R26W, Commissioner Review: Mary presented the subdivision which had previously been submitted as a family transfer. Commissioner Roose moved to approve the subdivision as preliminary plat. Commissioner Konzen seconded and it was so moved.

1:45 PM: **Throop Subdivision**, 3 lots, N1/2 NW1/4 NW1/4 Sec 26, T30N, R31W, Commissioner Approval: Mary presented the subdivision. Commissioner Konzen moved to approve the subdivision as preliminary plat. Commissioner Roose seconded and it was so moved.

1:47 PM: **Rockwood Estates**, 41 single family residential lots, and 2 commercial lots, Tracts 1E, 2A, 4A, 4C, 4D, 10B1, 10E in NE1/4 Sec 32, T31N, R31W, Commissioners Decision: Present were Johna Morrison, Chris Noble, John and Annie Vignali, Dawn

Marquardt, Debbie Shoemaker and Steve Newman. Mary presented the subdivision and conditions and told of the comments in the two public hearings that were held on this subdivision. Commissioner Konzen talked about the annexation into the city of Libby in the future. The railroad issue was brought up again. Mary stated that as it stands the subdivision meets all six conditions of a subdivision. Commissioner Konzen moved to approve the subdivision as preliminary plat. Commissioner Roose seconded and it was so moved.

2:00 PM: **Final Plats: Mud Creek Estates:** Commissioner Roose moved to give final plat approval. Commissioner Konzen seconded and it was so moved.

Curley Creek Subdivision, Lot 2: Commissioner Konzen moved to give final plat approval. Commissioner Roose seconded and it was so moved.

Mountain Lion Estates: Commissioner Roose moved to approve the final plat. Commissioner Konzen seconded and it was so moved.

2:05 PM: **Family transfer: James Clift** is transferring to his son. Mary stated that the transfer looked valid. Commissioner Roose moved to approve. Commissioner Konzen seconded and it was so moved.

2:08 PM: **Wilderness Club discussion continued:** The Commissioners agreed to have Mary send a letter to the Wilderness Club stating that they are violating the conditions for subdivision approval. Due to the substantial change in the access Wilderness will need to reapply for the subdivision. Commissioner Konzen suggested that Mary run the request by Myra Schultz at MACO before sending it out.

2:15 PM: Variance request for the amended Plat of **Lot 2, Cooper Subdivision.** Bob Kappes spoke on his behalf. His variance request is for a 30' easement for the road with a 20' surface. He cannot get the 40' easement from some of the other landowners. Mary pointed out that in the past, when the landowner has made every effort to get what is needed and met with resistance the Commissioners have granted the variance. Commissioner Konzen feels that the people involved need to be contacted and know that this is a possibility. This variance is tabled until the 28th.

2:35 PM: Mary talked about the **Growth Plan.** The Planning Board is moving forward with drafts for different elements of the plan. They would like to delete a couple of elements from the plan. They could use the CEDS report instead. Land Use, Housing needs, Natural Resources, and Local Services would be the elements left to address. It is acceptable to the Commissioners that they do not have a Population element and an economic element but instead use information already available through other reports. Commissioner Konzen moved to approve the proposal. Commissioner Roose seconded and it was so moved. As of October 1, 2007, it is permissible to approve subdivision regulations even before a Growth Policy is adopted.

2:45 PM: **Jessica Drake** came to discuss her resignation with the Commissioners. As of the 23rd of November, she will no longer be the animal control officer and will also no longer be the safety officer for the courthouse. She asked her safety committee on Tuesday if anyone felt they would be interested in taking it over and no one on the committee felt they had the time. The Commissioners thanked her for her input on the situation.

3:00 PM: **Meeting adjourned.**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Commissioner Rita R. Windom, Chairman

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