

October 10, 2007

The Lincoln County Board of Commissioners met for a regular session on October 10, 2007, in the Lincoln County Courthouse. Present were Chairman Commissioner Rita R. Windom, Commissioner John Konzen, Bill Bischoff, and Tammy Lauer, Clerk and Recorder. Commissioner Marianne B. Roose is out with a family emergency.

9:00 AM: Commissioner Windom **called the meeting to order.**

9:01 AM: **Ron Higgins, County Superintendent of Schools:** Present were Aubyn Curtis and Peggy Williams. Ron came to discuss the status of the Sylvanite School. The school has been closed after 110 years of service for lack of students. The school had only 2 students this year and it was not feasible to keep the school open. Commissioner Konzen moved to put the school into a non-active status. Commissioner Windom seconded and it was so moved.

9:19 AM: The Commissioners discussed the **USFS road closure meeting** from the night before.

9:30 AM: **Lincoln County National Resource Council,** Rhoda Cargill: Present were Peggy Williams, Brent Shrum, Chuck Woods, Aubyn Curtis, Robin King, Noel Williams, Herb Cargill, Gary Callahan, and Ruth Kraus. Rhoda brought binders with information about the council for the Commissioners including a letter of introduction that she read. They hope to work with Federal and State agencies to return to Multiple Use Forests. They currently have 71 members that are hoping to adopt a coordination plan for Lincoln County. They are asking for the support of the Commissioners. Commissioner Konzen, Commissioner Windom, Rhoda, Herb Cargill, and Gary Callahan all expressed their concerns and made statements about the plan. Commissioner Windom said that the commissioners have started some research on their own and will consider the new information as well.

10:00 AM: **EPA Update:** Present were Ted Linnert, Paul Peronard, Catherine LeCours, Virginia Sloan, Peggy Williams and Ruth Kraus. Paul brought the commissioners a copy of the plan from the O&M meeting which is the first draft and there will be a new draft next month. He spoke about the studies that are currently being done. All the goals for this year have been met on budget. Catherine reported on the Troy properties project. The Troy office is now open 3 days a week. They both spoke about the triage of the properties, deciding which are most important. Decisions are made based on risk, economic development, budget, etc. There was a discussion about forest fires on the mine site. There was a small fire this summer and Paul Bradford, USFS, is concerned about the way it was handled.

11:00 AM: **Troy Fire District:** Present was Harold Etienne, Martin Riedlinger, Ron Downey and Steve Straley, Troy Fire is building two satellite stations; one on the Bull Lake Road and one at Kootenai Vista. The satellite stations will improve response time to the outlying areas and residents will save money on homeowners insurance with a better ISO rating. They are requesting a loan from the county for \$120,000 for 10 years. Commissioner Konzen moved to loan the Troy Rural Fire \$120,000 out of Metal Mines at 5.5% for 10 years. Commissioner Windom seconded and it was so moved. Troy Rural Fire requested that the payment be due in December.

11:11 PM: The Commissioners were presented with a **DEQ** agreement for air quality reimbursement of expenses. Commissioner Konzen moved to accept the agreement for 2007/08 for \$32,291. Commissioner Windom seconded and it was so moved.

11:30 PM: **Ed Levert Update:** Present was Bill Swope, a forester with RC&D. Ed is concerned about posting no signs on county properties. He feels that properties should be marked so citizens know when they are on County property. He encouraged the Commissioners to consider small decal signs to mark county property. Decals are relatively inexpensive and last for many years. The Commissioners agreed that it was a good idea. They told Ed to order some decals and begin posting them. The Road crews will also carry them and put them up. There was a discussion of some specific properties that need attention with fire wise issues, such as the golf course in Libby. Ed told the Commissioners about a workshop in Lincoln County on October 18, 2007, that concerns building roads, putting in culverts and other issues. The road crews are all invited as well as others from the public. Patrick Hefernan is conducting the workshop.

1:30 PM: **Mary Klinkam and Lisa Oedewaldt on Subdivision Reviews:**

1:30 PM: **Curly Creek Subdivision Amended Lot 2,** 3 single family lots, NW1/4 Sec 32, T34N R34W: Public Hearing: Present were Amy Guth, Gene Bushnell, Byron Sanderson, Ken Davis and Jack DeShazer. Lisa presented the subdivision and conditions. Amy represents adjacent landowners, the Smiths. They oppose the use of the road on their property. Gene Bushnell owns the property and stated that he doesn't plan on using the road on the Smith's property. There is an issue with the size of the bridge. Gene said that he had asked the Planning Department about the possibility of having 3 lots using the existing bridge and was told that he could. Commissioner Konzen questioned the water source for firefighting. There was no other public comment. The public hearing was continued to next week when the subdivision document is corrected.

1:50 PM: **Amended Lot 26 of Woodland Heights, Cherry Creek Heights Subdivision,** 2 Residential Lots, Sec 23, T30N, R31W, Public Hearing: Present were Ken Davis, Kendra Lind and Jack DeShazer. Mary presented the subdivision. She read a letter from Ms. Shoemaker with concerns about the deterioration of the banks. Mary pointed out that the property for this subdivision is not on the bank and there is an 8 acre parcel between this property and the bank of the creek. There were no other public comments. The public hearing was closed.

2:04 PM: **Libby Creek Ridge,** 5 residential lots with a remainder, NE1/4 Sec 11 & 12, T29N, R31W, Commissioners Review: Present were Ken Davis, Byron Sanderson and Kendra Lind. Mary presented the subdivision and commented on the remainder issue.

2:11 PM: **Meadow Creek Estates,** Commissioners Review, 1 lot and remainder, SW1/4 SE1/4, Sec 28, T35N, R26W: Mary presented the subdivision and addressed the remainder. Ken Davis questioned why the remainder rule is suddenly an issue. Mary said that it should have always been an issue but has been missed in the past.

2:20 PM: **Kootenai Ridge,** 3 residential lots, W1/2 SW1/4 Sec 29 and SE1/4 SE1/4 & S1/2 S1/2 NE1/4 SE1/4 Sec 30, T36N, R27W. Commissioners Review: Mary presented the subdivision with conditions.

2:23 PM: **Pentaloot Subdivision:** The owners want to lift the Ag Exempt on property. Commissioner Konzen moved to lift ag exempt on the Pentaloot subdivision. Commissioner Windom seconded and it was so moved.

2:25 PM: **Tobacco Valley View,** 18 single family lots, Public hearing had been on the 19th of September, 2007. Mary stated that the recommendations are just the standard ones. She said this is a very clean subdivision. Kendra spoke on the DEQ issue but has no reservations about approving the subdivisions. Commissioner Konzen moved to approve the subdivision as preliminary plat. Commissioner Windom seconded and it was so moved.

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2:32 PM: **Eagle Crest Subdivision**, SE1/4 NW1/4 Sec 33, T36N, R28W, 2 residential lots: Mary presented the subdivision. Commissioner Konzen moved to approve the subdivision as a preliminary plat. Commissioner Windom seconded and it was so moved.

2:34 PM: **Family Transfer**, Paul and Karin Bache are transferring to their son. This was addressed last week. Byron was present from KSI to answer questions. Commissioner Konzen moved to approve the family transfer. Commissioner Windom seconded and it was so moved.

2:45 PM: There was a discussion of presenting subdivisions without so much paper being used. The surveyors asked about submitting some of the documents by email to save paper as well. There was talk of PowerPoint presentations instead of paper at Commissioners meetings.

2:55 PM: **Jonathan Selib from Senator Baucus'** office came to introduce himself and visit with the Commissioners about current issues that Montana is facing.

3:10 PM: **Marc McGill and Jerry Rust** spoke to the Commissioners about the enhanced 911 equipment. Marc is looking for guidance on spending the E-911 money. Commissioner Windom said they should get together with Bill and work out the costs and bring them next week for review.

3:40 PM: **Kathi Hooper and Jessica Drake**: Kathi had met with the Mayor of Eureka. The Friends of the Shelter are very eager to take over the shelter in Eureka but it will be very costly. Kathi and Jessica took the proposal to the Eureka town council meeting last night and they tabled it until next month. January is the earliest that anything will be done now, and Kathi and Jessica are extremely frustrated with the progress. The proposal actually is for a larger budget for North Lincoln County than Libby for animal control and shelter. The commissioners are concerned about the dollars going into this effort. The whole idea was to lower the budget. The Commissioners talked about plans B and C. It was decided that the County will just keep the animal control as before however, the employee will be at 20 hours per week. They will wait until the November meeting to see what the Town of Eureka decides and then implement Plan C.

4:30 PM: The Commissioners approved the **minutes of the October 3, 2007, meeting**.

4:38 PM: The Commissioners approved sending **Noel Williams** to DC on the 18th to testify about the Wilderness Legislation issue.

4:40 PM: The meeting was **adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Rita R. Windom, Chairman

ATTEST:

Tammy D. Lauer, Clerk of the Board