

December 3, 2008

The Lincoln County Board of Commissioners met for a regular session on December 3, 2008, in the Lincoln County Courthouse. Present were Commissioner John Konzen, Commissioner Marianne Roose, Bill Bischoff and Clerk and Recorder Tammy Lauer. Commissioner Tony Berget was out of town at training.

9:30 AM: Commissioner Konzen called the **meeting to order** with the Pledge of Allegiance.

9:30 AM: **Kathi Hooper and Ken Peterson:** The Air Quality in Libby was discussed. There will be a public meeting on the 18th at 7:00 pm in the Little Theater to help people understand why we are in this situation. The County Planner position will not be filled soon, as the County has had no qualified applicants. Bill has spoken to Kathi Hooper about being the Director of Planning and Environmental Health and she is willing to do that. Commissioner Roose moved to approve Kathi Hooper to be the new Planning Director with an increase of \$400 per month in salary. It was so moved. It was agreed that they would hire a secretary for that office as well.

10:30 AM: The Commissioners opened bids on a 1987 Ford 8000 10 yard **Dump Truck from the Troy Road Crew**. One bid was submitted for \$8,151 from Justin Krantz. The bidder is related to Commissioner Konzen so he excused himself from the vote. Commissioner Roose moved to approve the bid. Commissioner Berget voted by phone and it was so moved.

10:37 AM: The **Fortine Cemetery Board** has requested that Gayle McCarron be appointed to the board as a fourth member. Commissioner Roose moved to appoint her and it was so moved.

11:00 AM: **CTEP (Community Transportation Enhancement Project):** Present are Brad Fuqua, Brent Shrum, Jim Hammond, Ryan Jones, Peggy Williams, Mark Liechti and Clint Taylor. This is a Public Meeting for the Troy project of a walking path from the museum to the existing path. This plan began over 2 years ago. Troy Mayor, Jim Hammons spoke about the plan and the need for the work which includes a sidewalk project and lighting on the streets. It is not yet determined if the CTEP funds can be used for those projects. The idea is to have safe walking zones for the public. This project will be a joint effort with the City of Troy. Commissioner Roose moved to move forward with this project with CTEP and it was so moved.

11:28 AM: The Commissioners read the **minutes of the November 19, 2008 meeting**. Commissioner Roose moved to approve the minutes as written and it was so moved.

1:30 PM: **Subdivision Review:** Lisa Oedewaldt and Ken Peterson

1:30 PM: **Amended Lot 4 Rexford Bench No. 4**, 4 lots, SE1/4 Sec 4 T36N R28W, Public Hearing: Present were Lloyd Vanover, Annette Vanover, Richard Franke, Ken Davis, Terry Medlar, Colleen Franke, Irene Schmidt, Erica Wirtala, Daniel Johnson and Debbie Shoemaker. Lisa presented the subdivision and explained the roads in the area. Lisa had met with the owners of property in that area and they have an issue with a Forest Service road that they purchased road use on it. The other land owners have easements and do not have to purchase road use. Lisa looked up the easements and found them to be in effect. Bob Cadana asks what the County road route is. Lisa showed him on the map. Irene Schmidt asked Lisa about a private road sign they have. Terry Medler asks if Monarch Lane is the "County road" in question. Lisa said yes. The road cannot be determined to be a County road because County records were destroyed by a fire in 1916. The road is currently not being used as a road. Erica brought photos of the subdivision and the road. She talked about the homes and roads in the subdivision. She understands the concern the landowners have about the roads but doesn't feel that the subdivision concerns the roads they are talking about. She showed on the map that the new subdivision will not impact the road. There was more discussion about the "County road". Terry Medler asks about Madden Lake road, everyone has access because the deeds show easements? Lisa said that is true. Commissioner Konzen commended them on development of the road association. It was a proactive move and did add value to their properties. Lisa closed the public hearing at 1:57 PM.

1:57 PM: **Amended Lot 11 Airpark Village**, 2 lots, SW1/4 NW1/4 Sec 14, T37N R27W, public hearing: Lisa presented the subdivision and conditions. Present were Debbie Shoemaker, Kathi Hooper, Ken Davis, Peggy Williams and David Greer. No public comment was heard. Lisa closed the public hearing at 2:01 PM.

2:03 PM: **Sears vs. Yost Court Ordered Split:** Judge Prezeau made a ruling on this split on 10-14-08. Commissioner Roose moved to approve the judge's decision and it was so moved.

2:04 PM: **Fisher River Retreat:** This subdivision was approved with 10 conditions in April of 2008. Commissioner Roose moved to approve Fisher River Retreat as final plat. Commissioner Konzen seconded and it was so moved.

2:10 PM: **Joe Kelly and Dave Greer** presented the Commissioners with the Neighborhood plan for the Chain of Lakes area. The plan has been presented to landowners in that area and met with positive results. There are approximately 80 landowners that have not been represented or presented with the plan. They are hoping that the plan will be approved with the growth policy.

2:25 PM: **Joe Kelly, President of the Planning Board:** Joe presented the proposed growth policy to the Commissioners by showing a power point. Seven members of the County Planning Board were present. Joe said that Greg Larson was a fantastic addition to the group. It was recommended that the Commissioners read the Growth Policy over the next two weeks and come back with any questions. Commissioner Konzen spoke about impact fees in Montana and a pilot project that MACO is doing to help counties decide what is fair and reasonable.

3:15 PM: Commissioner Roose moved to appoint Commissioner Konzen to the **RAC board** to replace Commissioner Windom. It was so moved.

3:24 PM: Commissioner Roose moved to approve **meeting dates for the Commissioners** to be on Wednesdays in 2009.

3:25 PM: Commissioner Roose moved to adopt the **mileage rate as \$.555** per the notice from MACO as of January 1, 2009.

3:26 PM: The Commissioners signed **Resolution Number 812** which notes the mileage change, the Wednesday meeting date, and the 2009 Holiday schedule.

3:37 PM: The Commissioners received a **petition from some of the landowners** on the Old Sinclair Creek Road. The Commissioners stated that the issue has been resolved and determined that the County road will be improved.

3:48 PM: The Commissioners signed a work plan for the EPA for Vic White.

3:52 PM: The Commissioners agreed to send \$1000 to MACO for the **Madison County Pilot program** for impact fees.

4:00 PM: Jeff Gruber came to talk to the Commissioners about the progress on the **Lincoln County Centennial Celebration** next year.

4:13 PM: The **meeting was adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Commissioner John Konzen, Chairman

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