

January 9, 2008

The Lincoln County Board of Commissioners met for a regular session on January 9, 2008, in the Lincoln County Courthouse. Present were Chairman Commissioner Rita R. Windom, Commissioner John Konzen, Bill Bischoff and Clerk and Recorder Tammy D. Lauer.

10:00AM: Commissioner Windom called the **meeting to order**.

10:01AM: **EPA Update:** Present were Paul Peronard, Mike Cirian, Kathryn LeCours, Ted Linnert, Peggy Williams, Erica Kirsch, Steve Newman, and Kathi Hooper.
Paul announced that mediation on contracts is under way. They choose 3 contractors and then accept bids from the three on all jobs in February. The contracts are for 5 years. They may have a slower start this year due to the types of properties being selected. Mike presented the stats for the past 6 months. There were 53 total calls, 6 of which were quick responses, 17 required some action. An Over Site management time report was given.
The EPA is hoping to have a local person begin taking the calls from citizens about asbestos issues. They are looking to have an employee of the county or city or outside the government to take over responding to the calls from community. There was some discussion about who it would be and how much time it would take.
They discussed the letter to the editor in the newspapers from DC Orr and whether they need to respond to the allegations.

11:00 AM: **Kathi Hooper**, (Commissioner Roose was on the phone):

Eureka Animal Control: The Friends of the Shelter has hired a director, Wendy Anderson. The shelter will be open 6 days a week. The contract with the town of Eureka will be signed soon and remains the same as it has been in the past.

Landfill: The Compactor Truck that had been ordered a while ago is in. Ray Miller and Kathi are going over budget and policy reviews.

Subdivision Review: Kendra is contracting for subdivision review as of January 1st. She will be using the planning vehicle. Lori passed her sanitation exam.

Air Quality: The Governor asked for a one year extension on the findings but EPA has not granted that yet. Air Quality has gotten much better since this started. The air pollutants have been cut in half.

11:27 AM: Commissioner Roose spoke about a conversation she had with Paul Wilkins, Senator Baucus' aide, concerning the Secure Schools funding for the County. Wilkins said that they have to find another vehicle to attach the bill to. They think they will attach it to the Iraq Supplemental war bill. They feel it will have a good chance with this bill.

11:33 AM: **Administrative Issues** were discussed.

1:30 PM: Commissioner Konzen moved to approve **Resolution #788** on the new Holiday, Mileage Reimbursement, and per diem schedule for the present year. Commissioner Windom seconded and it was so moved.

2:19 PM: **Tax Abatement** request for James Winslow: Commissioner Konzen moved to approve and Commissioner Windom seconded. It was so moved. The Tax Abatement request for Myrl Swanson was discussed. Commissioner Konzen moved to refund 3 years only of refuse assessment. Commissioner Windom seconded and it was so moved.

2:25 PM: Commissioner Konzen moved to **approve the minutes** of the December 5, December 12, December 19, and the January 2 meetings. Commissioner Windom seconded and it was so moved.

2:28 PM: International Union of Operating Engineers asked to approve the employees request to increase their contribution to their pensions by \$.25 per hour. Commissioner Konzen moved to approve the increase. Commissioner Windom seconded and it was so moved.

2:30 PM: **Paul Rumelhart** was in to inquire about plowing at the Industrial Site. Commissioner Windom said that she spoke to the road crew and they are going there at about noon each day and it is already plowed. Paul has spent approximately \$350 in plowing costs. Commissioner Windom said to submit the bill and it will come out of The Industrial District road and street costs budget.

3:00 **Bruce Vincent:** Present were Bruce Vincent, Chas Vincent, Aubyn Curtiss, Rhoda Cargill and Peggy Williams. Steve Newman and Commissioner Roose were on the telephone.

Bruce talked about the Mining ad and showed the Commissioners a copy of it. They discussed sending the ad to the Governor, Senators, Representatives and other government entities. They discussed other newspapers that the ad should be in such as the paper in Sanders County and maybe the Missoulian. Commissioner Roose moved to fund the ad up to \$3,000 from the economic development funds in Hard Rock Mines Trust Fund. Commissioner Konzen seconded and it was so moved.

Plan of Custom and Culture Committee: Bruce presented a list of participants that have been contacted so far and are interested in being involved in the Plan of Custom and Culture Committee. Bruce and Chas spoke of others that have been contacted but have not accepted yet. They talked about contacting the tribal representatives and the tribe would like a letter from the County Commissioners requesting them to join this council. Bill will draft a letter to the tribes. Communities for a Great Northwest (CGNW) would facilitate this meeting and have John Williams, OSU Extension, come and give them some instruction. They would then set up some committees and begin the process. The Commissioners mentioned that Rae Lynn Benson is an excellent facilitator. Bruce is looking at early February to start and feels that they should have a plan by spring. They would present the plan to the Commissioners who would look it over and sign it and then it would be a resolution. Commissioner Konzen asked if we needed a land use plan first. Bruce said no but this would be a part of the land use plan. Bruce said that the Commissioners in Walla Walla have invited our Commissioners to come and see how well this has worked in their County.

Rhoda Cargill asked if the County Commissioners have given their permission by resolution to CGNW to develop this coordination group. The Commissioners said no, not by resolution, but they have given them permission to form the group. Rhoda said that LCNRC has presented the Commissioners a similar request and had not heard back from the Commissioners. Rhoda asked that the Commissioners please consider the 78 people from her group as well.

Commissioner Konzen said that Bruce had presented the request and a plan to obtain the solution.

Rhoda said that her group would have provided additional information if they had been asked for it. She is asking for another meeting with the Commissioners by her group to show the Commissioners their ideas for a solution to this situation. She feels that there are some definite differences in the plans. She said the Walla Walla plan has no standing and is not a good plan. She feels that the plan has never been court tested. The plan that her group wants to use has been court tested.

Commissioner Windom pointed out that the CGNW is not charged with coming up with a plan but with coming up with customs and cultures for the purpose of mitigating.

Aubyn said that there are things that need to be pointed out. She feels that it is time that the Commissioners are up front with the people as to what they have in mind. It appears to be a coordination effort with CGNW. She noted that the Commissioners met with LCNRC and told them that Noel Williams is working on this type of effort and they will let them know what will happen. Aubyn has been monitoring the LCNRC and they have been actively meeting and going forward while waiting to hear from the Commissioners. She is aware of both plans and feels that the Walla Walla plan has flaws. Rhoda Cargill stated that the LCNRC have intentions of controlling the process. Rhoda said that the LCNRC also approached the Commissioners and were ignored.

Bruce said that the Learn Policy was set up by people he knew and was a part of for a brief time. Fred Kelly Grant is making money promoting this plan. Water issues and wildlife issues are what are working in the Walla Walla plan. Bruce said that the first step needs to be taken, which is what they are proposing. After that step then they can decide what attorney needs to be involved to help with the issues. He said that a resolution had been approved years ago for CGNW to begin this process. He would ask that the Commissioners renew that resolution.

Commissioner Roose asked if the resolution in 1999 or 2000 would still be in effect or if a resolution expires.

Commissioner Konzen said that they have not made a long term commitment to CGNW on this; they have been simply allowing them to gather a diverse group of people to establish customs and cultures for the County.

Rhoda said that Fred Kelly Grant was an attorney but is now retired and works for people developing these types of coordination plans. She gave more information on this plan.

Chas said that these murky waters will be easier to get through by speaking to other counties and finding out how it will work. That doesn't mean the County Commissioners have to go with it, it simply gives it a starting point.

Rhoda asked that they include all counties that are experiencing problems, not just Walla Walla.

Commissioner Konzen said that we need to come together in this County and have a solution for the good of the whole County.

Commissioner Windom closed the meeting and will discuss it further it next week.

4:00 PM: **Marc McGill:** Marc has previously been the Safety director for the County and the Commissioners were asking his opinion of the position. Marc feels that it could be a full time position for the County. He said that the County needs a safety plan to refer to. Commissioner Konzen agreed that they should have a safety plan and said that any job can be made time intensive.

Marc said that last year during fire restriction season they found that there is no clear MCA (Montana Code Annotated) or ARM (Administrative Rules of Montana) to give law enforcement authority on classified forest lands to stop logging operations during restrictive times. There is an effort to put some "teeth" into the restrictions. There was some discussion about who has the power to make these laws and enforcement of them.

The meeting was **adjourned** at 4:24 PM.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Commissioner Windom, Chairman

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