

October 15, 2008

The Lincoln County Board of Commissioners met for a regular session on October 15, 2008, in the Eureka Annex of the Lincoln County Courthouse. Present were Commissioner John Konzen, Commissioner Marianne Roose, Bill Bischoff and Clerk and Recorder Tammy Lauer. Commissioner Rita Windom was present by telephone.

10:00 AM: Administrative Issues:

There was a discussion about the Old Sinclair Creek Road. The County Attorney wrote to the Commissioners stating that the obstacles should be removed.

Greg Jackson contacted Bill and answered the question of whether the fire service areas can be covered by MACO Workman's Comp. The fire service areas cannot be on MACO.

Bill and the Commissioners scheduled the interviews for the EMA position.

There was a discussion of the County Website and some changes that need to be made.

Commissioner Windom requests to be out of the county for more than 15 days for medical reasons. Commissioner Roose moved to approve Commissioner Windom's time out of the county. Commissioner Konzen seconded and it was so moved.

10:30 AM: Cookie Haidle, Crisis Solutions: There are 16 people from the public in attendance. Cookie stated that there have been 9 rapes in the Eureka area that Crisis Solutions is working on and 5 have been reported to law enforcement. Commissioner Konzen asked if Cookie thinks that the cases have a similar ring. She said that they do. Miranda has come to tell the story of what happened to her on June 26th. She feels that a drug was put in her drink and she was raped. She went to Kalispell Regional Hospital the next morning and called a detective to come to take pictures. She read a letter that stated that she is frustrated and wants something done to these men. Cookie has four things to suggest to the Commissioners: 1) Offer counseling immediately to victims. 2) Hire a part time detective in Eureka. 3) Hire a part time prosecutor in Eureka. Cases are dismissed in Eureka because there is a failure to prosecute. 4) Bring in groups from around the State to train the law enforcement people to deal with rape kits and collecting evidence on these cases. The Commissioners read a letter that was faxed to them by Lori Haverty-Ramesz. She suggests that options are available and they should keep the victims secret and train the public what to do in case of rape. Commissioner Konzen talked about where to go from here and he feels education of the public is the key. Commissioner Roose talked about forming an advisory committee. Cookie presented a plaque for Commissioner Windom in appreciation for her role in the crisis program's beginning years ago.

11:10 AM: Diane Kaechele, Citizens for Justice: She came to speak to the Commissioners about the animal abuse from last April. She read a long description of animal cruelty. She is asking the Commissioners to adopt a "zero tolerance" policy for animal abuse and violence toward humans as well. Commissioner Konzen said that the Commissioners can echo her concerns. Commissioner Roose said that any resolutions would have to be approved by the County Attorney. Diane said that nothing has happened in the investigation. Roby Bowe of the Sheriff's Department said that they have kept the investigation open and have been in contact with the people he promised to keep in contact with. They follow every lead that they can follow. Diane said that the evidence wasn't properly handled but admitted that she didn't know that for sure. Commissioner Windom said that she spoke to Daryl Anderson, Jerry Rust, and Roby Bowe and she felt that they did the best job that they could with the minimal evidence that was available. Ginny Emerson said that she would be willing to attend any public meetings on these subjects.

11:40 AM: The Commissioners read the **minutes of the October 8, 2008 meeting**. Commissioner Roose moved to approve the minutes as written. Commissioner Konzen seconded and it was so moved.

1:30 PM: Subdivision Review: Lisa Oedewaldt

1:30 PM: Northern Knights Mobile Home Park, 16 lots, N1/2 SE1/4 Sec 27, T37N R27W, Public Hearing: Present were Joel Graves, Lorilyn Perhay, Lee Young, Diana Young, Bret McCully, Jennifer Armstrong, David Armstrong, Robert Wilson, Andrew Belski, Willie Douglas, Paul Kjeusrud, Michael Luciano, Bill Connelly, Greg Hanson, Ginny Emerson, Debbie Shoemaker, Patrick Farrington, Mark Alexander and Paul Alexander. Lisa presented the subdivision and opened the meeting for public comments. Joel Graves has concerns about new traffic generated, dust on the roads, and water being available to 16 homes because water is scarce now. Dave Armstrong agrees with Joel on dust, traffic and water issues. Paul Zemzout agrees with the other two gentlemen and says it just isn't the place for a trailer court. Bill Conley said that the mobile home park doesn't fit in with other properties in the areas and will deplete property values. He also doesn't agree with a variance when everyone else has to have a 60 foot road. Commissioner Windom is concerned with the road issue. Paul Alexander said that he has a 60 foot easement so he is unsure of why it doesn't list that. Commissioner Konzen asked the public if it is the trailer park that they are opposed to or would they feel the same if it were 16 homes. Luciano said that he feels the same as Bill Conley about the lower property values. Bill Conley asked about the age of the mobile homes restriction. Lisa answered that they must be less than 15 years old. Lee Young said when he bought his lots his covenants were single family residents. Ann Good represents the people next to the property and they are under covenants that won't allow them to subdivide their property further. The road would run the length of their property; They are against the trailer park. Mike Luciano pointed out that the subdivision is in the middle of a field, with no trees. Lori Lynn Perhai feels that it is a high density area and would be opposed to the trailer park. Brent McCully said that a developer can go down to so many feet without DEQ being concerned. Commissioner Windom noted the difference between a trailer court and a mobile home park. Jennifer Armstrong is concerned about the bird sanctuary and elk habitat in the area. She wonders if there has been a wildlife study. Lisa pointed out the environmental study. Commissioner Konzen asked Lisa to point out the reasons that a subdivision can be denied. Lisa stated that Public Health and Safety are the only things that can stop a subdivision. Lee Young asked Mr. Alexander how much they want for their eight acres. Mr. Alexander does not want to own a trailer court, he wants to put in a mobile home park for elderly people with nice homes and plans to plant trees and make it nice. Lori asked how they plan to enforce the covenants. Paul said that they plan to have a manager on site. Jennifer said that she has a concern for the safety for her children walking the road with additional traffic. Paul pointed out that there are no covenants on this property. Paul Kjesred said that they know how much water it takes to keep things green. He feels that there is no way that they can keep it green. Willie Douglas said that he gets 7 1/2 gallons a minute. Commissioner Roose noted that DEQ will make that decision. Commissioner Konzen said that the Commissioners will take the comments under advisement. Commissioner Roose told

the people to get involved in the planning board process so that this is not an issue in the future. Ginny asked when the next planning board is 21st at 5:30 in the commissioner room. The public hearing was closed. It will be addressed on October 22, 2008.

2:12 PM: **Amended Lot 1 of River Drive Estates Unit #2**, 2 commercial lots, NE1/4 Sec 9 T36N R27W, Public Hearing: Present are Debbie Shoemaker, Brett McCully, Ginny Emerson and Greg Hanson, Lisa presented the subdivision and conditions to the Commissioners and then opened the meeting for public comment. There was no public comment. The public hearing was closed.

2:20 PM: **Moonshine Mountain Hideaway**, 3 lots, NW1/4, Sec 8, T35N, R27W, Commissioner Review: Lisa presented the subdivision. There was a discussion of the road within the subdivision.

2:25 PM: **Bourdeau Subdivision**, 3 lots, Commissioner Decision: Lisa told about the subdivision that had been previously presented. Commissioner Roose moved to approve the subdivision as preliminary plat, and so moved.

2:28 PM: **Montana Land Trust**, 3 lots, Commissioner Decision: Lisa told about the subdivision that had been previously presented. Commissioner Roose moved to approve the subdivision as preliminary plat, and it was so moved.

2:31 PM: **Dry Creek**, 3 lots, Commissioner Decision: Lisa told about the subdivision that had been previously presented. Commissioner Roose moved to approve the subdivision as preliminary plat, and it was so moved.

2:35 PM: Lake shore permit for **Two Lakes, LLC** on Crystal Lake. Lisa showed a picture of the property and the trees to be removed. Commissioner Roose moved to approve the lake shore permit and it was so moved.

2:33 PM: **Panoramic Views Subdivision**: Brett McCully came to discuss the fact that the fire department is not interested in annexing the subdivision. Brett feels that the fire department does not understand the development process. He will get a letter from the fire department explaining their intent better. Commissioner Roose explained to Brett that the Commissioners can accept or reject the fire department's recommendations. Bill said that the fire department has asked to come and speak to the commissioners next week about their position on this issue.

2:55 PM: Andy Bleski, **Pinkham creek Road**, Robert Wilson, Mr. Wilson has preliminary plat approval for 2 subdivisions but is required to have a 60 foot easement. For a ¼ mile area they are stuck with a narrower road than what is required. They can do 20 feet max for that section. They will be asking for a variance. They showed a map of the properties. Mr. Wilson has exhausted his efforts for obtaining the easement.

3:15 PM: Administrative Issues: The Commissioners discussed their schedules for the next 2 months with Bill.

3:20 PM: The Commissioners discussed some **personnel issues**.

3:40 PM: The Meeting was **adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Commissioner John Konzen, Acting Chairman

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