

September 10, 2008

The Lincoln County Board of Commissioners met for a regular session on September 10, 2008 in the Lincoln County Courthouse. Present were Commissioner Rita R. Windom, Commissioner Marianne Roose, Commissioner John Konzen, Bill Bischoff and Clerk and Recorder Tammy Lauer.

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

9:02 AM: **Rae Lynn Hays, Extension Service:** This meeting was held by Conference Call with Raelynn, Dan Clark and Steve Newman. Dan explained the Horizon Plan. Libby, Eureka and Troy all qualify however, Libby and Eureka are the target areas right now. Horizon is a program that focuses on poverty areas and teaches each community to thrive. The four phases of Horizon requires a lot of community participation which adds up to approximately 100 volunteers. The Grant pays the expenses of setting this up. The Commissioners agreed to take this under advisement.

9:30 AM: **Rich Clough, Cottonwood Consulting out of Choteau, Montana:** Rich's job is to identify Wildlife Crossings on the highways. He receives information from people who drive the highways the most such as UPS driver, truckers and commuters. The current study is from Whitefish to the Canadian Border. He presented a map showing the target areas that show the most activity. He presents his information to the Department of Transportation for evaluation.

10:00 AM: **EPA Update:** Mike Cirian, Kathleen Atencio, Brad Fuqua, Steve Newman, Kathi Hooper, Kathy Hernandez, Peggy Williams, Brent Shrum, Duke Nguyen and Kirby and Bruce from Senator Baucus' office on the phone. The Libby team leader announcement has closed. There is a lot of interest. Kathleen Atencio is the interim team leader. She is hoping there is a permanent team leader in 3 months. Mike reported on the construction for the year; 81 complete for the year and want to add 79 by the end of October to hit the goal. Duke talked about the creek clean up. He is having a tour today with residents that have concerns. Duke is thinking that the creeks will be done by the end of October. Kathy Hernandez gave an update on the Stimson Lumber Yard. She will do a presentation for the Commissioners on October 8, 2008 at 4:00. Kathleen mentioned that at the TAG meeting it was obvious that Libby is a priority for EPA. The people that are working on this project are impressive. Commissioner Konzen and Mike talked about the meeting in Butte they attended on Tuesday. Commissioner Konzen asked about the Asa Wood walking path. Mike said that they did a study on the path and they found only 5 areas with one flake of vermiculite. They removed the 5 flakes and feel it is ready to be paved. The meeting October 8th will be changed to 3:00 pm so Kathleen can be there to report on schools.

11:00 AM: **Nature Conservancy and The Trust for Public Lands:** Present were Chris Bryant, Robert Rasmussen, Sarah Canepa, Peggy Williams, Steve Newman, Jerry Okonski, Brent Shrum, Patrick Hofferan, Randy Beacham, Chris spoke about the goals to keep the wildlife values in tact. To keep the access intact. Keep the landscapes in tact. He explained the Montana Legacy Project. Robert explained the funding of the project. He works for Trust for Public land. Federal, state and private funding is being sought for the project. Plum Creek owns a lot of the land in question. Some of the land has been harvested already but the others will be harvested with maintaining the wildlife and fisheries. Land In the Purcell area has been dropped from the plan because of asbestos issues in that section. The target date is the middle of December and data would not be available by then about the asbestos contamination. They did take a 2 year option on the land from Plum Creek in the hopes that data becomes available. The average is about \$1600 per acre. Patrick said that he has been working on the fiber supply agreement and the details have been released. 92 million board feet is the predication through the 3 phases. They should also continue to provide 30 million board feet over the next many years. Commissioner Konzen asked if they may sell land in order to complete the project. Robert said they recognize that the possibility is there for that to happen. Patrick said that the Nature Conservancy will be managing the timber during the 10 year period while the land is in transition of ownership. Commissioner Windom asked about roads in the area. Chris said they plan to keep the status quo on existing roads.

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

1:31 PM: **Panoramic View Estates**, 31 lots, NE ¼ E1/2 SE ¼, Sec 17, T30N R31W, Public Hearing: Present were Mike Chapman, Kurt Spencer, Brett McCully and Brad Johnson. Lisa presented the subdivision and conditions. The public hearing was opened. Mike Chapman had a question on the cistern. He said that they had spoken to the former planner and she didn't mention a need for a cistern. Lisa explained the need for the cistern. Mike isn't against building the cistern he just feels that they should be notified before the development plan is made so they can plan for the costs. Kurt Spencer wants to know if there is a time period when this will be mandatory. Lisa told him that it is usually not immediate. There was a discussion about the recent fire in the Parmenter area. The Commissioners feel that the roads need to be 60' all through the subdivision. The Commissioners decided it would be best to have the primary road go all the way through the subdivision to the final 2 lots and then a driveway into the last lot. The public hearing was closed at 2:04 PM.

2:05 PM: **Lake Creek Ranch**, 16 lots, Preliminary Plat Decision: Lisa reminded the Commissioners of the subdivision that was presented last week. Commissioner Konzen moved to approve the subdivision as preliminary plat. Commissioner Roose seconded and it was so moved.

2:10 PM: **Sunnyside Hills, Amended Lot 1 of Tony Peak View**, 2 lots, Preliminary plat approval: This subdivision was presented last week. Commissioner Konzen moved to approve the subdivision as preliminary plat. Commissioner Roose seconded and it was so moved.

2:15 PM: Brad Johnson brought a question to the Commissioners about a piece of land he is looking at dividing in **Kettlehorn II Subdivision**. He feels that the covenants do not apply because there was no such lot when they were recorded. Ken agreed with him but said to eliminate the covenants so the title companies aren't confused in the future. It was determined that the lot Brad wants to divide was not involved in the covenants to begin with.

2:41 PM: **Public Assistance for the Welfare Department:** Commissioner Roose moved to approve the Community Operating plan and annual agreement. Commissioner Konzen seconded and it was so moved.

2:45 PM: Telephone conference with Mike McMann with the **Trego Fire Service Area**. They wish to raise fees and would like to find a figure that would last another 7 years. The procedure is for them to submit a proposal to the Commissioners and then hold a public hearing.

3:02 PM: Opening **bids for Installing the 28 unit Chip Bin** at the Kootenai Business Park Industrial District. The first bid is from Jim Regh in the amount of \$49,500. The second bid is from Thompson Contracting in the amount of \$49,950. Commissioner Konzen moved to accept Jim Regh's bid. Commissioner Roose seconded and it was so moved.

3:34 PM: **Dan Clark and Raelynn** were contacted again to continue with this morning's conversation. They spoke about the concern of getting enough volunteers to make this happen. The Commissioners asked about the Grant and the costs. Other communities that have been successful are: Scoby, Culbertson, Rockway, Webo, Forsyth, Terry, Crow Agency, White Sulpher Springs and Anaconda, Commissioner Roose asked what would happen if they didn't get the people to volunteer. Dan said that the county will not have to pay back any money spent. Dan doesn't feel that there will be a problem finding enough people.

4:17 PM: The Commissioners had a discussion with Hal Harper of the Governor's office about the asbestos removal concerns and the problems with the funding for LAMP II.

4:55 PM: **Tax refund for Comstock** submitted by Dept. of Revenue. Commissioner Roose moved to approve the tax refund. Commissioner Konzen seconded and it was so moved.

4:57 PM: The Commissioners read the **minutes of the August 13, 2008 and the September 3, 2008** meetings. Commissioner Konzen moved to approve the minutes as corrected. Commissioner Roose seconded and it was so moved.

5:25 PM: The meeting was **adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Rita R. Windom, Chairman

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