

September 3, 2008

The Lincoln County Board of Commissioners met for a regular session in the Lincoln County Courthouse on September 3, 2008. Present were Commissioner Rita Windom, Commissioner John Konzen, Commissioner Marianne Roose, Bill Bischoff and Clerk and Recorder Tammy Lauer.

9:00 AM: **KNF Supervisor, Paul Bradford and Plum Creek:** Present were Paul Bradford, Malcom Edwards, Mark Peterson, Tony Berget, Alvin Benitz, Marc McCully, Brent Shrum, Jerry Sorenson, Tom Suk, Peggy Williams, Brad Fuqua and Lorrie Woods. Road issues are the topic of today's meeting. Paul said that there are 640 miles of shared roads in Lincoln County. Plum Creek feels these roads are for full use. Legal offices for each entity have looked at the agreements for road maintenance. The selling of the land has altered the agreements and needs to be clear to new owners. Tom said that new amendments are being made to alter the agreements. Plum Creek buyers cannot gate properties unless the FS gives permission. Paul said that access is very important to the FS. Lori said that access is very important to Plum Creek as well and is a success story for them in Flathead County. Tom read the differences between the amendments and the original agreement. The amendment spells out the access issue better. The Commissioners made it clear that the residents of Lincoln County are concerned about access issues and they are very real.

11:00 AM: **Alvin Benitz-Republican Central Committee:** Present were Nancy Sutton, Tony Berget, Orville Habeck, Brad Fuqua, Brent Shrum, Steve Newman, Peggy Williams, Chuck and Charlotte Woods, Jenny Curtis and Charlene Leckrone. Alvin thanked the Commissioners for their hard work. The Central Committee wants to thank Commissioner Windom for her years of service. The committee supports Commissioner Windom in her early retirement. They met last night and are ready to submit three names for replacements for Commissioner Windom's position. The three names are Tony Berget, Alvin Benitz, and Jerry Okonski. They would like to see it filled as soon as possible so constituents would have someone to go to in the interim. Commissioner Konzen asked why it took a month to submit the names. Alvin said that there was some question about Jerry Okonski's eligibility that has been cleared up now. Commissioner Roose stated that she is grateful that they support Commissioner Windom and she believes that the voters have spoken as to whom they want to be the next Commissioner. Commissioner Roose moved to appoint Tony Berget as the voters have chosen. Commissioner Konzen said he would like to table it and interview the candidates. Commissioner Konzen stated that the County has gone without a commissioner for more than a month before and he feels they could wait until the election and let the voted person take over immediately. Commissioner Windom was concerned about who would run the business of her district in the interim. Alvin said that Tony has worked well with Senator Baucus and is an excellent candidate. Tony received 100% of the votes from the Central Committee and neither of the other candidates received 100%. Commissioner Konzen said that they should wait until the public votes. Commissioner Windom said that she agrees with Commissioner Roose and feels that the people have spoken. Commissioner Windom announced that she is sad to see that this issue has divided the Republican Party and it is clear that it divides the Board of Commissioners. Commissioner Roose stated that she feels as strongly that they need a replacement and Commissioner Konzen feels that they don't. Commissioner Windom announced that because of the division she withdraws her resignation and will not resign until November 15th. She thanked the Central Committee for their work. Alvin agreed that this is perhaps the best answer to the problem.

11:26 AM: **Administrative Issues:** The County Attorney has a good candidate for his deputy position. He has questions regarding the salary being increased. The person that was chosen to be the new County Planner had to turn down the position because of the medical facility in our area. The Commissioners reviewed their calendar for next few weeks. The Commissioners discussed the refuse fees increases.

11:50 AM: **The McCormick Fire Department Board** sent a letter requesting that the Commissioners reappoint two members. Commissioner Konzen moved to reappoint Brian Todd and Doug Etherington to the board. Commissioner Roose seconded and it was so moved.

11:51 AM: **Fisher River Fire Department Board** sent a letter requesting that the Commissioner reappoint three members. Commissioner Konzen moved to reappoint Marlene Herried, Ed LaBudde and Irene Loveless. Commissioner Roose seconded and it was so ordered.

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

1:30 PM: **Lake Creek Ranch,** 16 lots. Lisa presented the subdivision and conditions and opened the public hearing. The developer states there will be an entrance/exit for emergency vehicles with a breakaway. Commissioner Roose asked if there was going to be a sign with the name of the subdivision required. Lisa will add to list of requirements.

1:54 PM: **Sunnyside Hills, Amended Lot 1, Tony Peak View,** 2 lots. Lisa presented the subdivision and conditions and opened the public hearing. The developer had a few questions that were answered by Lisa and Ken Davis.

2:04 PM: **North Shore, Amended Remainder of Bull Lake Estates.** Lisa presented the subdivision and conditions and opened the public hearing. Due to time limits about to expire, this subdivision is also being reviewed for preliminary plat approval. The developer states this subdivision is for recreational purposes and will not be open to the public. Commissioner Konzen read the definition of "recreation" that Mr. Beasley had supplied and there was no mention of camping in the definition. There are several questions from the public regarding subdividing at a later date. Lisa and the Commissioners state any further development will have to come before the Commissioners for approval. Commissioner Konzen would like to extend the hearing to next week due to all the questions but the developer has the final say in the extension and doesn't want to grant the extension. Commissioner Roose moved to approve the subdivision as preliminary plat. Commissioner Windom seconded and it was so moved. Commissioner Konzen voted against approval of the subdivision.

2:33 PM: **Sleeping Bear Homesteads,** 54 lots, Lisa reviewed the subdivision and conditions that were presented last week. Commissioner Roose and Tim White, Lincoln County Road Foreman in Eureka, inspected the road in question along with the road engineer. The developer will meet with the fire district to determine what they would like regarding a water system for fire suppression. Commissioner Roose motioned to approve the subdivision as preliminary plat with a letter from the engineer signing off the road, speed limit signs posted in the subdivision and an agreement from the fire district regarding the water source before final plat approval. Commissioner Konzen seconded and it was so moved.

2:47 PM: **Dancing Prairie** Amended Lot 2 Natures Acres, 2 lots, final plat approval. Commissioner Roose motioned to approve the final plat. Commissioner Konzen seconded and it was so moved.

2:50 PM: **Court ordered split,** Johnson vs. Johnson divorce. The Johnson's would like to split a 16.874 tract of land in half with each party receiving one of the tracts. Commissioner Roose moved to approve the split of the tract land. Commissioner Konzen seconded and it was so moved.

2:51 PM: **Paul Bunn, variance request.** He would like to have a remainder in a 2 lot subdivision. The remainder is divided by a river and a bridge to cross the river would be a major cost to the developer. The Commissioners state that the Supreme Court has ruled that remainders are not allowed. The road leading to the subdivision has a least a mile of it that would need extensive work. The Commissioners will take this under advisement with a possible trip to the property and will decide on the variance at a later date.

3:13 PM: CRDC program update with Paul Rumelhart and Tracey McIntyre. Paul and Tracey would like to open communication with Flathead County to join together as a CRDC region. At this moment, Lincoln County is in the same region as Sanders and Lake County. Commissioners agreed to opening up talks with Flathead County to create a new CRDC region.

3:27 PM: The meeting was adjourned.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Rita R. Windom, Chairman

ATTEST: _____
Tammy D. Lauer, Clerk and Recorder

Jill Blomdahl, Deputy Clerk and Recorder