

December 16, 2009

The Lincoln County Board of Commissioners met for a regular session on December 16, 2009, in the Eureka Annex of the Lincoln County Courthouse. Present were Commissioner John Konzen, Commissioner Marianne Roose, Commissioner Tony Berget, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer.

10:17 AM: Commissioner Konzen **opened the meeting** with the Pledge of Allegiance.

10:24 AM: The Commissioners **read the minutes of the December 2, 2009 meeting**. Commissioner Roose moved to approve the minutes as written and it carried.

10:31 AM: **Stormy Langston, Justice of the Peace District 2**: The Commissioners talked to Stormy about two claims. Commissioner Roose told Stormy about the procedures and that she is to go through Commissioners Roose for claims in the future. Commissioner Roose moved to pay one claim through the payroll department and deny the other claim and it carried.

10:57 AM: Rae Lynn Hays of the **County Extension office** presented a new contract for signatures and the Commissioners signed it.

11:00 AM: **Tobacco Valley Industrial District**: Mike Henry, Tammy Lawler and Tracy McIntyre are present. Mike began by introducing himself and his fellow board members. Mike told about the prospective business that they spoke to the Commissioners about last month. They may have another alternative and no longer require a new building. Mike asked about borrowing to build a new building and who has the authority to borrow? Commissioner Konzen said that the Commissioners have the final say in those loans. Commissioner Roose moved to approve the revised resolution 766 as amended and it carried. The original had the wrong MCA's on it. Commissioner Berget moved to approve the new resolution # which outlines the duties of the board of the Industrial District and it carried. It was decided that the TVID will meet with the Commissioners every month in Eureka at 10:30 AM. Tracy talked about some funding options that are available if a building is required for a business in the Industrial District.

11:30 AM: **Tim Orthmeyer, Morrison and Maierle Engineering**: Tim brought some papers that need signatures for the upcoming projects at the Eureka and Libby airports. He also brought the final papers for the Eureka snowplow building. Commissioner Konzen signed the papers.

1:30 PM: **Subdivision Review**: Lisa Oedewaldt and Kristin Smith

1:30 PM: **Therriault Pass Acres Subdivision**, 4 lots, Tract 2 COS 3956RB in Sec 14, T36N, R26W, Commissioner Review: Lisa presented the subdivision and conditions. There is also a variance request on this property. The internal road accessing off of Therriault Creek Road is 1116 feet long to the cul-de-sac, the limit is 1000 feet. The Planning Department recommends approval of the variance subject to completion of an emergency access route. The Commissioners will need to vote on the subdivision and the variance today because they do not meet again until January 6, 2010. Commissioner Berget moved to approve the variance subject to Planning Department recommendation and it carried. Commissioner Roose moved to approve the subdivision as preliminary plat and it carried.

1:35 PM: **Easy Street Subdivision**, 5 lots, Commissioner Decision: The subdivision was presented last week. There was a discussion about road approaches and their proximity to one another. Commissioner Berget moved to approve the subdivision as preliminary plat and it carried.

1:40 PM: **North Country View Estates**, final plat: All conditions have been met. Commissioner Roose moved to approve the final plat and it carried.

1:42 PM: **Berg Subdivision**, 1 lot and 1 forested lot, final plat: All conditions have been met. Commissioner Roose moved to approve the final plat and it carried.

1:44 PM: **Stamper Subdivision Number 3**, final plat: All conditions have been met. Commissioner Roose moved to approve the final plat and it carried.

1:46 PM: **Sanguine Lakeshore Permit**: Sanguine wants to put an L shaped dock on Glen Lake and the Commissioners heard the request two weeks ago. Commissioner Roose moved to approve the Lakeshore permit and it carried.

1:48 PM: **Nesbitt Release of Bond**: Nesbitt bonded for the road improvement and has now completed the road. Lisa showed pictures of the new road. Commissioner Roose moved to release the bond for Nesbitt and it carried.

1:49 PM: Commissioner Konzen signed the preliminary plat approvals for **Melvin's Subdivision and Raven's Roost**.

2:00 PM: **Public Hearing for Subdivision Regulations**: Present are Lety S. Frey, John Livingston, Ron Hvizdak, Aaron McConkey, Bob Stauffer, Joe Purdy, Jamie Stark, Sam Cordi, Don Truman, Ted Clarke, Augusta Kickbusch, Dawn Marquardt and Krista Tincher. Kristin Smith, Director of Planning Department, gave a history of the process and spoke about the changes under each category. Dawn Marquardt asked for clarification about the added Driveway standards

and Emergency Access Standards. Kristin explained the change. Bob Stauffer had sent an email yesterday. He wants the streets and Roads clarified at 6G page 35 such as; on minor subdivisions does the plan and profile apply? He was told that it does. The paragraph above that mentions the AASHTO Green book. The Green book provides standards for road width but he is under the impression that the other book would be appropriate. Aaron agreed. It was agreed that the section will be re-worded. Also the fire access says a turnaround or hammerhead is required for emergency vehicles. He wanted to clarify that. Ron said yes and answered a question about the requirements. Table 1 does not make the grade issues clear. Bob asked about the water supply standards. He thinks the wording is not clear on this as well. He feels it is left wide open. He also is concerned about the requirement for fire department reservoirs. He feels the amounts are very high. Dawn Marquardt talked about the 5 lots on page 44 VIO #7. Kristin agreed to strike that one. Dawn feels that there needs to be a time frame for review of exemptions. It is the only thing that does not have a time frame. Kristin noted that was a good suggestion and the Planning Department would prepare a recommendation. Don Truman, Kootenai Paving, asked what the process is for driveways being built to standards. He feels that there is no way to assure that driveways are built to standards. Kristin agreed. He said that in his experience developers do not build the roads to standards. Ted Clarke, Planning Board, said that the driveway standards are different because they are private. He thinks it's up to the engineers to show that roads are dangerous and not able to get emergency vehicles to the home. He is not sure that anyone has a right to tell you what to do on your private property. Commissioner Konzen said that he thought it was a good discussion and the points were well taken. Jamie Stark, Lincoln Electric, asked about the utility section for clarification. Lisa said that Interbel had addressed that as well and they are requiring that the plan be run through them. Jamie said he doesn't think the County should take a position to require underground only because there are times when only above ground will work. Commissioner Konzen closed the public hearing at 2:48pm and promised to take all the comments under consideration. He asked that a follow-up meeting take place January 20th in Eureka to assure the public that the comments had been considered.

3:00 PM: Judge Prezeau signed an order that approved the **Courthouse closing at noon on Christmas Eve.**

3:15 PM: The **meeting was adjourned.**

LINCOLN COUNTY COMMISSIONERS

John Konzen, Chairman

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