

**May 13, 2009**

The Lincoln County Board of Commissioners met for a regular session on May 13, 2009 in the Lincoln County Courthouse. Present were Commissioner John Konzen, Commissioner Tony Berget, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer. Commissioner Marianne Roose is on vacation.

10:00 AM: Commissioner Konzen **opened the meeting** Pledge of Allegiance.

10:01 AM: **EPA Update:** Ted Linnert, Mike Cirian, Brad Fuqua, DC Orr and Brent Shrum. On the phone are Kirby from Senator Baucus office, Virginia from Senator Tester's office, Victor K and Kathryn LeCours. Mike updated the Commissioners on the beginning of the construction period. Kathryn mentioned the June 23<sup>rd</sup> public meeting to get public comment on the plans for OU1 and OU2. The EPA has been working in the area of the Stinger Welding project and should be done next week. The activity based samplings are being set up at all the schools. He talked about work being done on the creeks. The EPA worked with the Trout Club to look at suggestions they have for the creeks. Ted talked about the proposed plans and the public hearings and the comment periods. Ted said it is very important to get public comments at this time because those comments will be reviewed and summarized and added to the ROD. The Comments will be documented. Kathryn added that the risk assessment for OU1 however the remedy selected will be to guarantee no exposure. Commissioner Konzen has questions about the clean up of the Stinger Welding site. June 16<sup>th</sup> Bonnie Lavelle wants to meet with the Commissioners and the mine OU3 section. Kathryn talked about the plans for Troy. There will be a public meeting in Troy on June 2<sup>nd</sup> at the Senior Citizens Center. Property reports are going out this week for 2007 and 2008. The Troy studies have shown no property over 1% contamination. There was a long discussion about the ambient air samples and the long period of time they waited. There was a discussion of an interim ROD and the validity of it. Commissioner Konzen asked for an explanation about why the Troy cleanup is being treated differently than the Libby cleanup. Kathryn explained that the findings show that the Troy situation is different from the Libby one.

11:05 AM: **Department of Transportation:** Shane Stack and Doug Moeller are here from the Missoula District office. Doug gave an update on the department and personnel changes. Shane talked about the pre-construction sites and projects. He showed a map of the areas. Commissioner Berget asked about the stimulus money for some of these projects. The stimulus money was targeted for projects that were "ready to go". They discussed the stimulus projects that are being done in the district. Commissioner Berget expressed his frustration on the Swamp Creek project being postponed over and over again. He explained that he has quotes from the DOT in the 1980's saying it was in the plans for soon. Shane outlined the projects that will be done in Lincoln County this year.

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

1:30 PM: **Berg Subdivision**, 1 lot and 1 Siviculture lot, preliminary plat decision: Lisa reminded the Commissioners of the subdivision presented last week. Commissioner Berget moved to approve the subdivision as preliminary plat according to planning staff recommendation and it carried.

1:32 PM: **Lakeshore permit:** McNab on Bull Lake for an additional boat slip: Commissioner Konzen knew the long history behind this request and the property. The Commissioners asked what the limit is for the amount of shoreline a dock can occupy. The shoreline permit was tabled so the original file could be reviewed because Commissioner Konzen believes there was a maximum put on the property at that time.

1:48 PM: **Airport Way Subdivision:** George Wood has asked for his bond money back but the maintenance agreement needs to be in effect for two years first, so Kristin has sent him a letter.

2:00 PM: **Chas Vincent:** The Commissioners spoke with Representative Vincent about Forestry issues.

2:55 PM: The Commissioners looked at two **tax abatement forms** submitted by the Department of Revenue. Commissioner Berget moved to approve the Tax Abatements for parcel #10650 and #10651 for Elizabeth Gutierrez according to the recommendations of the Department of Revenue and it carried.

3:00 PM: **Lincoln County Health Board:** Brad Black, Kathi Hooper, Carol Spas, Ted Linnert, DC Orr, Peggy Williams, Mike Noble and Terry Spears. The group talked about the need for a single voice to speak for the community to the EPA. The group discussed the conversations that took place this morning with the EPA. Commissioner Berget moved to increase the Health Board by a person from each of the three cities and it carried. They will send a letter to the cities then gather again to talk about the ROD and then meet with Victor. The date of May 21<sup>st</sup> was set to meet again at 1:00 PM.

4:21 PM: The Commissioners read the **minutes of the May 6, 2009, meeting**. Commissioner Berget moved to approve the minutes with additions and it carried.

4:25 PM: There was a discussion on the **Mental Health Center** losing another director and how the County can help them in hiring a new one. Commissioner Berget moved to take funds from PILT to help pay an administrator for the Mental Health Center in the amount of \$10,000 and the motion carried. This will be in effect until the County economics are such that they are unable to continue.

4:40 PM: The **meeting was adjourned**.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Commissioner Konzen

**ATTEST:** 

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Tammy D. Lauer, Clerk of the Board

