

**October 26, 2011**

The Lincoln County Board of Commissioners met for a regular session on October 26, 2011, in the Lincoln County Courthouse. Present are Commissioner Marianne Roose, Commissioner Tony Berget, Commissioner Ron Downey, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer.

9:30 AM: Commissioner Roose **opened the meeting** with the Pledge of Allegiance.

9:31 AM: The commissioners discussed the **re-districting for the Commissioners Districts of Lincoln County**. Bill showed some maps of some of the possibilities.

10:00 AM: **Troy Rural Fire Department**: Harold Etienne and Herb Gregory are here representing the TRFD. They are concerned about the homes in the fire district that are not being taxed due to annexations that have not been recorded or finalized. The planning department has helped them develop a map of the properties and they are hoping to proceed in getting those properties added to the tax rolls. The Commissioners agreed to help them if they need it. They will keep in touch with Commissioner Downey on the progress.

11:00 AM: **Cabinet View Fire Service Area Board**: Tommy Cook will be the spokesperson for the CVFSA. Commissioner Roose welcomed Jim Deitenne of the Montana Department of Transportation, Emergency response area. Tommy said that the board is glad to have the opportunity to address the letter from the County Attorney. Tommy said that from what he reads, the fire service trustees do not have the authority to expand services without the commissioners being involved. CVFSA is hoping to expand into non-transport first response medical services. He asked if the board of commissioners would approve that service including vehicle accidents. Commissioner Berget answered by saying that he feels the law, as per the County Attorney's opinion, says that they have to go through the process and work with Libby Volunteer Ambulance to accomplish this and not go out on their own. Commissioner Roose said that she would want to see in writing what they intend to do. There has been a lot of confusion over the intent in the past and that would all need to be clear. Commissioner Downey echoed the concern over the liability involved. Commissioner Roose said that medical responders have to be in compliance with legal requirements for the service and training is key in liability issues as well. Tommy said that he is a new trustee and he knows how important training is. They have been in communication with the state to be sure they meet requirements. Commissioner Berget said that the CVFSA and people in their area have made horrible statements about LVA and LVFD and that is not the way to make this work. Commissioner Roose said that there has to be respect between agencies in order for them to work with medical needs. Tommy said that the fire departments EMT's are approved by the state and they would like to respond until LVA gets there. Commissioner Berget said the training together is the vital issue here. That would get the respect of the agencies. Commissioner Roose said that the County Attorney made it clear that they are only authorized to fight structure fires in the area. Commissioner Roose said she wants to be certain that they will not respond to any medical situations. She also stated that the Commissioners have the responsibility to dissolve the board and restructure the department to meet state requirements. Tommy said he understood. Commissioner Downey said "trust" is the main issue here and everyone is aware of the problems that need to be fixed. Jim, state official, stated that he likes what he is hearing and he is concerned about 2 statutes, the first being the training and licensing of the individuals, the second is the need for the licensing of a unit and it needs to be in cooperation with the local service already in existence. He said that it looks like the commissioners are on the same page on this and he is happy. Tom Wood said that he thinks this meeting is a good step but he believes the underlying problem lies in a very nasty letter to the Sheriff from Tony Bacon, which states that the commissioners are wrong and not in charge so he indicates that the whole CVFSA feels the way he does. Craig Schultz, President of Libby Volunteer Ambulance, said he doesn't see a need to break LVA and CVFSA apart, they need the EMT's to join the LVA and be one group responding as LVA. New members to LVA would benefit the whole county and not just one little section. Vic White, Emergency Management, said that he feels the most important thing is the cooperation between departments. We have potentials for large disasters in this county and he would need everyone and it would help to have no discord. He wants to be able to bring all groups together and train for big emergencies. Jeff Matilas said that he would hope that the commissioners will allow the board of trustees to run their FSA. He feels that they are being accused of not being legal, not well trained, not sufficiently ready, but he thinks they are and shouldn't have to join the LVA to provide medical. Commissioner Roose said that she thinks that they need to follow the law and they haven't done that in the past. Commissioner Roose stated they should be happy to join LVA and be involved in that organization. Kit Branch, LVA, stated that the trust is involved in EMT experience as well. Commissioner Roose said that in order to move forward, they will need to petition to add any services and they would include how CV intends to work with the other departments in the area. Commissioner Downey said he does have some concerns about the training methods of Tony Bacon and worries that he is not training according to the state of Montana. Commissioner Roose restated the fact that both the Board of commissioners and Jim from the DOT agree that if there is not cooperation from LVA and Libby Fire, the additional services will not be added.

1:30 PM: **Saddle Mountain Subdivision**, final plat: All conditions have been met. Commissioner Berget moved to approve the final plat according to planning staff recommendation and it carried.

1:33 PM: **Lake Koocanusa Arena Estates**, extension request: Developer is requesting a one year extension of the project that was approved on 11-19-08. Commissioner Downey moved to extend the preliminary plat for one year and it carried.

1:35 PM: **Lakeshore Permit:** Lawrence Morrill is requesting to stabilize his dock with concrete piers. Commissioner Berget moved to approve and it carried.

1:36 PM: **Jennings Haul Road easement:** As part of the ongoing efforts to relocate the 5<sup>th</sup> Street extension away from the river and the railroad tracks, a piece of the puzzle appears to be coming together. Owners of a portion of the Jennings Haul Road have agreed to grant the County an easement. The easement needs to be drafted and described. Kristin Smith, Planning Director, is working on this process and recommended hiring a surveyor to survey a short section of road and prepare a legal description for it in order to make sure it is accurate for both the grantor and grantee. She solicited an estimate from Kootenai Surveyors and presented it to the Commissioners. Commissioner Downey moved to hire KSI perform the work and it carried.

1:50 PM: **Erin Gabrian, Congressman Rehberg's office:** Erin is in Libby to check with the commissioners on issues involving Lincoln County and Montana. She talked about the many post offices closing around the state. She spoke about Veterans issues in the state.

3:05 PM: The commissioners read **the minutes of the October 19, 2011 meeting**. Commissioner Downey moved to approve the minutes as written and it carried.

3:10 PM: **Immunization Action Plan Grant:** The previous liason on this grant has been Karol Spas, who is retiring in the next month. Micki Carvey is willing to be the new liason for it. Commissioner Roose signed the agreement for the grant.

3:15 PM: The commissioners discussed the **parking at the old credit union building**. They will meet with Ken Boyd, Maintenance Supervisor, next week to discuss it.

3:30 PM: The **meeting was adjourned**.

#### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Marianne Roose, Chairman

**ATTEST:** \_\_\_\_\_  
Tammy D. Lauer, Clerk of the Board