

November 13, 2013

The Lincoln County Board of Commissioners met for a regular session on November 13, 2013, in the Lincoln County Courthouse. Present are Commissioner Berget, Commissioner Downey, Commissioner Cole, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer.

9:00 AM: Commissioner Berget **opened the meeting** with the Pledge of Allegiance.

9:00 AM: **Paul Bradford, KNF Supervisor:** Paul is joined today by Ellen Frament. Paul talked about the budget that is valid through January 15, 2014. Paul expects some reductions after that date. Paul talked about some job vacancies in the area such as the Libby District Ranger and the Forest Fire Management Officer and they also expect some retirements soon. He spoke about the current status on the Montanore Project and the Rock Creek Project Mines. Paul spoke about the litigation for Grizzly bear, lynx and bull trout in the court systems. The Missoula District Court dissolved the injunction on the Grizzly Bear Project. There was a 14 day stay but the court declined to extend it. There was an extended discussion about the Forest Plan Revision and the process of objections. The commissioners intend to send a letter of objections which they shared with Paul. Ellen and Paul talked about the process after that letter is received.

10:00 AM: **EPA Update:** Mike Cirian is the only one present today from EPA. Kathi Hooper, Sanitarian and Nick Raines, ARP, are also at the table. Rebecca Thomas is on the conference phone. Rebecca opened the meeting with an announcement that they didn't have meetings in October as planned but plan to have a presentation at the Libby City Council meeting on December 2, 2013, and CAG and TAG Forum on December 4, 2013. She mentioned that the DEQ has staffing changes again and she will keep the commissioners updated on that. Dania Zinner spoke about the completed data collection for post construction risk assessment at Riverfront Park which came out very well. The former screening plant O&M inspection was completed on October 9th. Jennifer Lane said that the customer satisfaction survey was a success. They received only 28 surveys back but the results were very positive. The Wall Street Journal has contacted the EPA for an article they are preparing. Mike Cirian was interviewed so far and felt that the reporter was looking to do a fairly comprehensive article with a positive spin. Mike spoke about ERS and UDIG going through a transition to the ARP department and they have taken it over now. This construction season has ended on time, under budget and goals met. Asbestos was removed from 101 properties. Christina Proggess talked about the mine site and the commercial logging study to be done next summer. Commissioner Berget mentioned to the EPA people on the phone that the county representatives would like to be present at meetings concerning the future of the Lincoln County project. The commissioners were discouraged after a trip to Helena to speak with DEQ. They felt that DEQ was not fully aware of the situation in Libby and Lincoln County.

11:00 AM: **FWP/USFW:** Wayne Kasworm, USFW, Mike Hensler, MFWP, and Kim Annis, MFWP, are present today to talk to the commissioners. The commissioners began by asking about the Grizzly bear meeting that was supposed to take place last month. Wayne said that Janette Turk is working on getting dates available for everyone to attend. He thought that maybe the week of December 9th was looking good. Commissioner Cole said maybe it would be a good idea to wait until January because of the holidays. Mike H. gave some information about the check stations for hunting. The season is about the same as last year for harvest of game animals. Wayne announced that he flew the area yesterday to look at radioed bears and some are starting to den but definitely not all. There was a discussion about the Columbia River Treaty and the desire to make the reservoir controlled. Mike said it may not be all bad if that happens because the fish would likely get larger and more abundant. The group discussed the Grizzly bear population.

1:30 PM: **Neuman Acres, Lot 1, Density change:** The owner is requesting that he add another dwelling to his property. Kristin Smith, Planning Director, explained the latest legislature that governs this type of request. Commissioner Downey moved to approve the density change and it carried.

1:45 PM: Kristin talked about **the Montana Tourism Assessment and Planning Program**. This program will give one community a tourism assessment and the Chamber of Commerce, KRDC and the Lincoln County Tourism is asking for a letter of support from the commissioners for the application. Commissioner Downey moved to approve a letter of support and it carried.

1:55 PM: **Tim Orthmeyer, Morrison Maierle, Inc:** Tim needs signatures from the commissioners on the airport grants for Libby Airport. He also has the grant application for the Eureka Airport for a maintenance grant. Commissioner Cole moved to approve the application and it carried. Commissioner Berget signed the application. Commissioner Berget also signed the FAA forms that were sent to Tim for annual signatures.

2:25 PM: The commissioners read **the minutes of the November 6, 2013, meeting**. Commissioner Cole moved to approve the minutes as written and it carried.

2:30 PM: The commissioners performed another **canvas on the municipal election** due to the hand recount. The outcome of the Libby City Council race that was recounted remained the same. Tammy Lauer, Election Administrator, presented the commissioners with a canvas document and the commissioners signed it.

2:35 PM: The commissioners signed a letter to the **Montana State Land Board** asking for a reply to a letter they wrote on September 18, 2013 concerning the possible cancellation of the Flower Creek timber sale contract with Stoltze Land and Lumber Company.

2:38 PM: **Dan Williams, Weed Department:** Dan is requesting that he be allowed to sell an aluminum cargo box that came off a spray truck for \$3,000. He feels this is the best offer he will receive. Commissioner Cole moved to approve the sale of the box by the weed department and it carried.

2:40 PM: Lincoln County has been using **Correctional Risk Services through MACO** for insurance for the Inmate Excess Medical Insurance Program. This insurance is up for renewal. Commissioner Cole moved to approve the renewal of the CRS program and it carried.

2:41 PM: Five men that are representatives from **the Mariners Haven Subdivision** just outside of Rexford came to talk to the commissioners about the project. Commissioner Berget explained that the County Attorney has this proposal at this time to look over the documents and they hope to have an answer from him before next Wednesday's commissioner meeting in Eureka.

3:00 PM: The commissioners had a **telephone conference with an attorney over litigation against the county**. The Commissioners issued a press release concerning the Supreme Court decision.

3:30 PM: **Justice of the Peace, Jay Sheffield**, wrote a letter to the commissioners asking to replace one of his clerks retiring at the end of December. The commissioners will discuss this later as they reference the discussion of decreasing the number of judges.

4:05 PM: The **meeting was adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Anthony Berget, Chairman

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