

September 30, 2015

The Lincoln County Board of Commissioners met for a regular session on September 30, 2015, in the Commissioner's Office of the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck and Clerk & Recorder Robin Benson.

Commissioner Cole **opened the meeting** with the Pledge of Allegiance.

8:45 AM **Administrative Issues:** Present were Alan Gerstenecker, Ed Levert, Deb Blystone, and Ron Cummings.

- The Commission reviewed the NRA Range Inspection Consultant Agreement between the National Rifle Association of America (NRA) and the Lincoln County Shooting Complex (Club). NRA shall perform an evaluation of the Clubs existing shooting range. The NRA shall determine the form, extent, contents, findings and conclusions of any report. **Motion** by Commissioner Larson to approve said agreement as submitted. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.
- Lincoln County received a letter from Montana DPHHS announcing a grant award of \$40,000. The contract is between the Montana DPHHS, Addictive and Mental Disorders Division and Lincoln County. The purpose of the contract is to provide funding to Lincoln County to develop "Libby House", a community-based, secure and voluntary crisis stabilization facility. **Motion** by Commissioner Larson to accept the grant award of \$40,000 from MTDPHHS. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.
- Lincoln County received a letter from Kootenai Winter Sports, Ski Education Foundation Inc., requesting funding in the amount of \$5,000 to be used towards construction of a new maintenance shop at Turner Mountain. In December, 2014 Turner Mountain suffered a catastrophic fire which destroyed the maintenance shop, including tools, equipment and spare parts. **Motion** by Commissioner Larson to grant \$5,000 to the Kootenai Winter Sports Ski Education Foundation, Inc. towards construction of the new maintenance shop. Second by Commissioner Cole, and so ordered upon unanimous consent of the board. The grant will be paid from the Libby Economic Development Fund.
- The Commission signed a letter of support for the Northwest Community Health Center (NWCC). The Commission supports the history of the NWCHC providing excellent healthcare services and supports their efforts to grow and expand those services throughout the county.
- The commissioners read the minutes for September 16, 2015. **Motion** by Commissioner Peck to approve September 16, 2015 minutes as presented. Second by Commissioner Larson and so ordered upon unanimous consensus of the board.
- The commissioners read the minutes for September 17, 2015. **Motion** by Commissioner Larson to approve September 17, 2015 minutes as presented. Second by Commissioner Peck and so ordered upon unanimous consensus of the board.

9:30 AM **Cabinet View FSA Petition:** Present were Kathryn R. Witt, Bruce Witt, Sandy Clark, Russell Bache, John Fredin, Donna White and Robert Mast.

Robin presented a petition submitted to the county election department by Kathryn (Kate) Witt. Robin explained to the commission that signatures will have to be verified to determine residency is within the proposed boundaries. The petition is to create Cabinet View Fire Service Area. Robin said some of the signatures are not legible and printed names of those signatures was given to the election department by Bruce Witt. Robin said she asked Assistant Election Administrator Leigh Riggleman to document the process of signature verification to be filed with the petition. The petition was also submitted to the County Attorney's Office for review. Robin suggested meeting with the county attorney for further discussion to ensure the public process is followed correctly. Commissioner Peck said that in light of the history, he agreed discussion with the county attorney would be beneficial to make sure of the path moving forward. The Commission accepted the Petition as presented.

9:50 AM **Mark McCully/Discussion on road easement: Beebe Property on Farm to Market Road.**

Mr. McCully briefed the commission of the history of the easement agreement between Lincoln County and John K. and Teddye L. Beebe. The easement was approved several years ago, but the actual agreement was never submitted to be recorded. Lincoln County Title Company drew up the Easement Termination and Replacement Agreement to be signed and recorded. **Motion** by Commissioner Larson to sign agreement for recording. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

10:00 AM **Sedaris Carlberg/Treasurer Report/School District Levies FY 15/16:**

Sedaris explained adjustments that were made to the original school district levies. Libby Elementary and Libby High School were calculated separately and they should have been together as one amount. **Motion** by Commissioner Peck to approve the changes to the school mill levies as presented. Second by Commissioner Larson and so ordered upon unanimous consent of the board.

The Treasurer's cash report showed some of the funds have a negative cash balance. Sedaris said this is not uncommon for grants because of their payment cycles. Commissioner Peck mentioned the Eureka Cemetery fund has a negative cash balance. Commissioner Cole will visit with Barb Morgan regarding the Eureka Cemetery Fund.

10:30 AM **Contract for Grant Writing Services:**

Commissioner Larson submitted an agreement to the Commission between Bradley Evans Consulting and Lincoln County. County Attorney, Bernard Cassidy has reviewed and approved the contract. **Motion** by Commissioner Larson to approve the contract for grant writing services. Second by Commissioner Peck, and so ordered upon unanimous consent of the board. The scope of services are to conduct preliminary research to determine feasibility of a successful grant application; upon authorization, submit funding applications to appropriate funding sources; serve as a liaison between the county and the funding sources during the application process. Funding will be paid from the Troy Economic Development Fund.

11:00 Ed Levert, Fire Wise Projects Update:

Ed submitted a Title III Status Report and expected, obligated costs for the period of September 30, 2015-October 1, 2016. Ed briefed the commission on the projects and answered questions. Ed mentioned an annual certification report that was usually prepared by Bill Bischoff is due to the Secretary of Agriculture. Clerk and Recorder, Robin Benson will review the report and make sure it is completed. **Motion** by Commissioner Larson to approve the Title III Status Report and expected, obligated costs as presented. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

11:30 Am Public Comment Time:

Dale Sabine asked if anything was being done regarding the fire and smoke from the Klatawa Fire. Mr. Sabine said the air quality is very poor and wondered why there are no longer efforts to put the fire out. Commissioner Peck said you have to look at the amount of fires and all the decisions that were being made earlier which is why the fire has not been put out.

The Great Montana ShakeOut is planned for the morning of October 21, 2015. People we will be practicing how to 'Drop, Cover and Hold On' all over the country on this day. Participating is a great way for organizations to be prepared to survive and recover quickly from an earthquake. EMA and Public Health are partnering together to get the whole county involved in the ShakeOut. This activity can be used to support both programs' grants.

1:30 PM Dan Clark/Lincoln County Study Commission: Present is Alvin Benitz, Rita Windom, Steve Curtiss, John Righter, Donna White, and Alan Gerstenecker. Commissioner Peck was absent.

Dan Clark is here to visit with the Lincoln County Study Commission and the Board of County Commissioners to educate and answer questions. Currently, Lincoln County is an Elected County Officials Form of Government and is statutorily defined. Dan explained the history of the existing form of government and how it is different than alternative forms of government. Pursuant to 7-3-172 MCA, the purpose of the Study Commission is to study the existing form and powers of a local government and procedures for delivery of local government services and compare them with other forms available under the laws of the state. Rita brought up discussion regarding having department supervisors being hired with required qualifications instead of elected officials for some county offices. Alvin questioned how the county would determine salaries for appointed positions if they were no longer elected. Those positions would then become county employees instead of elected positions. There were discussions about other counties and the different structures within their government. Some counties have a Chief Financial Officer and/or County Manager within their county structure, some counties have part time commissioners and combined departments were also discussed.

Dan explained to the group what types of recommendations can be made to the county commission without actually having to change the form of government or without having to place on a ballot. The group discussed ideas and thoughts about how to educate and get information to the public so they can make informed decisions when reading ballot language. Dan said the ballot language is critical for the electors to clearly understand the intent. Ballot language is outlined in 7-3-151 MCA.

It was discussed how the Study Commission would acknowledge to the public if there is a dissenting opinion within the study commission. Dissenting opinions cannot be placed on a ballot, but can be discussed in the media, public hearings and meetings. Also, dissention can be a part of the tentative report or final report to the county from the study commission. A tentative report will come out first followed by public hearings before the adoption of a final report. There was a discussion about the amount of money that is outsourced in legal services for county business. It is Rita's opinion that legal representation to the Commission is an area for improvement. Commissioner Cole said those discussions are taking place.

3:45 PM The meeting was adjourned.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin A. Benson, Clerk of the Board