

SEPTEMBER 9, 2015

The Lincoln County Board of Commissioners met for a regular session on September 9, 2015 in the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck and Assistant Election Administrator Leigh Riggelman.

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

9:00 AM – **Representative Mike Cuffe** - update on Northwest Power and Conservation Council and is the Vice President on this council. The Sovereign Review Team determined that Lincoln County's request for compensation needed to be redirected to the Canadian formed, Columbia Basin Trust. He has been trying to go through various channels to move forward on the Libby Dam Compensation issue. House Bill 590 was passed in the state legislature creating a special account to receive all federal dollars relating to the Libby Dam. 20% goes to the state general fund and 80% goes to schools and roads within Lincoln County. He is trying to quantify an amount that the dam has generated and then look at as compensation. He is asking for a letter of support from the Commissioners and that a trust needs to be considered for establishing for Lincoln County use. Commissioner Cole asked what Mr. Cuffe would like to have in the letter. He would like some quantified numbers of loss to put in the letter concerning loss of the taxable base and other high points where Lincoln County and its residents might have lost value when the dam was built. Commissioner Cole asked Representative Cuffe if he has been receiving additional support – he said that there is a lot of verbal support, but needs more than just that. The Canadian government was compensated for the sacrifice and that precedence should be used in consideration to provide compensation to Lincoln County for water storage and other sacrifice. Commissioner Peck felt that the economic benefits as well as the losses must be addressed in the letter.

9:30 **PUBLIC COMMENT** – None

10:00 AM – **EPA Update** – schedule change in that EPA was not here.

11:00 AM - **Fish Wildlife and Parks/United States Forest Service** – Phil Kilbreath, Ryan Sylvester Tanya Chilton-Radandt and Kim Evans arrived to give the Commission a monthly update. Discussion on the Libby and Troy area dumpster areas. There had been a bear killed in the downtown Troy dumpster because of easy garbage and food access and numerous fruit trees in the area that are drawing the bears in for easy food sources. This year is particularly bad for bear conflicts and other bear issues because of the hot summer and forest fires. Other problem dumpster areas are: KOA area west of Troy, Winslow's Corner, Halfway House and within the Troy city limits. Commissioner Larson has been discussing options with Kim about writing grants and pursuing other financing avenues to make the dumpster sites safe for the public. He intends to address making changes in satellite dumpster sites and would like to pursue grants and other alternatives. Discussion ensued about consolidations of satellite sites. Kim suggested consulting with Ray Miller, Landfill manager about problem solving as far as locations, fencing, bear proof containers, etc. as he was very aware of problems and possible solutions. She can write grants if the county has actual projects that need to be constructed and she can begin to search for grants to help. Commissioner Larson said that he would talk to Ray Miller and come up with a needs assessment. It was agreed to come back on the October 14, 2015 meeting to come up with a plan for this issue. An augmentation bear was lost last week south of Trout Creek. Lack of food and climate problems have created stressful conditions for bears and they have elected not to try and trap another augmentation bear this year.

Tanya did fly-over goat surveys in the Cabinets, but surveying was restricted by smoke from the forest fires and it was hard to classify in the smoky conditions. Mule deer populations are increasing in some areas. She told the Commission that, in a week and a half, she should know if she receives funding for a project area study for mule deer.

Ryan Sylvester said that section estimates are up this year from last. The Corp of Engineers has been running cooler water through the dam this year; Colder water is worse than warmer water and seems to be unstable this year. The release of colder water also tends to delay bug hatches which inhibits growth. Sturgeon sampling has been slow and they've gotten 26 this year. Kokanee are about 18 inches below Kootenai Falls this year.

1:35 PM – **Planning** – Lisa Oedewaldt and Deb Blystone here for Preliminary Plat Extensions, a Final Plat Approval and a Variance Request.

Weasel Creek Estates - Preliminary Plat Extension – in 2014 an extension was granted, but it is still in process with the DEQ and a third extension is being requested. Commissioner Peck **moved** to grant the third extension for 1 year, Commissioner Larson seconded and the motion carried unanimously.

Montana Wild Resort – Preliminary Plat Extension – Plat approval was in 2012, but it is still in process with the DEQ. This is the first extension request. Commissioner Larson **moved** to grant the extension for 1 year, Commissioner Peck seconded. Discussion followed and Commissioner Cole asked if there were other buildings that would be constructed. There was confusion over the Plat concerning the roads, existing buildings and the inability to figure out where and how the Plat fit with the actual land area. Commissioner Larson **modified his motion** to grant a 3 month extension contingent on getting a clearer idea of the problem areas and a subsequent review of conditions and new maps. Commissioner Peck seconded and the motion carried unanimously.

Double K Ranch – Preliminary approval of the Plat that is off of Indian Creek Road was on 12/17/2015 and there were 9 conditions of approval. Lots 1, 3, 4 have existing homes with all services. Commissioner Larson **moved** to grant final approval, Commissioner Peck seconded and the motion passed unanimously.

A Revived Subdivision – This used to be called Old Brush Creek Views and there was a variance request granted in 2008. Tungsten Holdings has since purchased the property. There are 3 lots in the subdivision that border the Kootenai River that are narrow and fairly steep and do not meet the 3 to 1 ratio for width and length requirements in the regulations. Commissioner Peck wondered if the 3 lots in question might be shortened a bit and another lot made by borrowing from the other lots in the subdivision. Commissioner Larson would like to view the property before any decision is made and Commissioners Peck and Cole agree.

2:00 PM – **FIRE UPDATE** – Lisa Oedewaldt, Assistant EMA director stayed to talk to the Commissioners about fire updates. Wednesday, at the Northern Rockies Coordination Group, the decision was made to remove all of the Stage restrictions except for open burning. Plum Creek land still has restrictions in effect. The Marsten team changed over and will become a rehab and mop up team. Pre-evacuation orders have been lifted from the Klatawah fire, but the pre-evacuation orders in the Bull lake area are still in effect.

Bill of Sale Agreement with Verizon - Verizon has an old building and have moved into a new building. Verizon has given Lincoln County a bill of sale for the old building. Lisa said that there are 3 other businesses that will rent space within the building that will generate rental income for the county if the Commission decides to sign the bill of sale. Commissioner Larson **moved** to accept and sign the bill of sale with Verizon, Commissioner Peck seconded and the motion passes unanimously.

2:30 PM – **Fraser Management and Consulting Services Contract** – in July, Michael Fraser sent an offer to engage him for engineering consulting services for a year’s time for a retainer fee of \$200 a month. Commissioner Larson had contacted Environmental Health, Planning and the Road departments and all indicated that they could utilize his services. Commissioner Peck wanted to clarify exactly what services are going to be covered and what the actual costs would end up being. Lisa wanted to know if the Commissioners were going to add this retainer fee money to her budget. Commissioner Larson **moved** to approve putting Fraser Management and Consulting on contract for 1 year, Commissioner Peck seconded and the motion carried unanimously.

3:00 **ADMINISTRATIVE ISSUES** –

Commissioners agreed to pay \$2,280 from PILT to Morrison Maierle, Inc. for the request for reimbursement.

Commissioners decided to pay the \$1,487.10 invoice from Big Sky Lumber Supply for the repair of the mobile home at the Libby Airport from the airport budget.

September 2, 2015 Minutes – Commissioner Peck **moved** to accept the minutes with corrections, Commissioner Larson seconded and motion carried unanimously.

3:30 PM – Allan Payne arrived to visit about the Grizzly Bear Petition – He indicated that the County could sue to push the subject along, but he doesn’t recommend it. He recommends that the Commissioners should call Chris Serveheen to solicit his input on the status of the petition and also that the Commissioners visit with Montana’s Congressional District members. For part of the petition there is a 90 day deadline, but Allan doesn’t believe it will be met. Commissioners feel that they are on the right track but that they just need to make some phone calls and then sit back and wait for the process to continue moving forward.

3:46 - Meeting Adjourned

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Leigh Riggleman, Assistant Election Administrator