

July 13, 2016

The Lincoln County Board of Commissioners met for a regular session on July 13, 2016, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Larson, Commissioner Peck, and Deputy Clerk Chris Nelson.

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

10:00 AM Public **Comment Time**: Present were John Righter, Hank La Sala, Fran McCully, Kiersten McCully, Allen Gerstenecker, Rocky Schauer and Dan Williams.

- Hank La Sala noted that he saw nothing on the agenda concerning Troy Area Dispatch District (TADD). He feels that enough information has been given and a decision should be made. La Sala gave a letter to the Board addressing the issue. Commissioner Cole said that they have not calendared the decision because they have not decided which way they would like to go. Commissioner Cole said that to take this on he would need to gage what the taxpayers in that district would like. He commended the work of several people but think that it would be helpful to get a larger understanding of the public's opinion. John Righter said the MCA doesn't require a petition or public input to dissolve it; the Commissioners can act to dissolve it. Commissioner Peck said one issue is when the election was done it was 2-3 in favor of keeping TADD. Commissioner Peck said he takes this seriously but there are a lot of other things going on. Commissioner Peck said the real question is how to inform the public. La Sala said he did challenge the election within the six-month time frame, but no action was taken. La Sala said they should put on the agenda an item titled, "The need for the Troy Area Dispatch". Commissioner Peck asked why they shouldn't hold a hearing in Troy. La Sala replied the people of Troy would overwhelmingly flood the meeting whereas if they have it in Libby they will have to put in the work to get to the meeting. Commissioner Peck said we are talking about a district where the people of Troy live. Commissioner Peck said another issue is to separate the City from the County because it is a joint City-County Agreement. La Sala said 80% of the cost of the dispatch is being paid by people outside of the City of Troy. La Sala said that by statute the Commissioners have the power to dissolve the TADD. Commissioner Peck said that just because you have the power to do something doesn't mean you should always use it. Commissioner Peck said he is not in favor of government just coming in and doing something when the will of the people is not in it. Commissioner Larson said currently they are trying to get the budget process completed and while he understands the issue is important, it is not at the top of their list right now. La Sala asked when they will be addressing the TADD and asked that they could just schedule a time to discuss it.
- Dan Williams received a National Award from the Reduced Risk from Invasive Species Coalition presented by Rocky Schauer and a congratulatory note from Governor Steve Bullock. Dan Williams said he wanted to share the award with everyone that has helped him, including the County Commissioners. All Commissioners agreed that Dan was very deserving of the award and congratulated him.

10:30 AM **Administrative Issues**: The Commissioners reviewed the unofficial minutes of June 28, June 29, July 5, July 6, and July 7 2016. **Motion** by Commissioner Peck to accepts the minutes of June 28, June 29, July 5, July 6 and July 7 with one correction on the July 6, 2016 minutes. Second by Commissioner Larson and so ordered upon the unanimous consent of the Board.

11:00 AM **Board of Health Restructuring**: Present were Peggy Williams, Nick Raines, Kathi Hooper, Rhoda Cargill, Herb Cargill and Alan Gerstenecker.

Kathy said restructuring has been discussed at previous meetings in order to make it a clear and separate entity from Lincoln County. Kathi said the structure that will be proposed works well in other counties. Jonathan Smith wrote up the bylaws and Kathy said they went through and made several changes with the current copies being the updated version. The new bylaws propose a board made up of no less than five members and no more than 7. Kathi said the next step will be to discuss with the other towns the purpose of a Board of Health and why it is being restructured. Kathy said they are meeting with the Eureka Mayor later this month. Commissioner Peck asked that everyone has a chance to look at the bylaws and that Eureka and Troy is engaged to see if they would like to be involved. Peggy Williams said she definitely feels the new bylaws are an improvement and thinks that they will be more effective.

1:30 PM **Planning Department**: Present were Lisa Oedewaldt, Alan Gerstenecker, Clyde Miller, Dave Harmon, Sylvia Maffit, Byron Sanderson, Gerald Wallace, Patricia Sargent, Jim Ward, Herb Cargill and Rhoda Cargill. County Planner Lisa Oedewaldt went over the court ordered survey to split up an estate that has already been decided by a will. Lisa looked at all the background and she said it does not look like they have evaded subdivision regulations. Dave Harmon said there is an extensive conservation easement on the property and that any restrictions on the property stay intact. **Motion** by Commissioner Peck to approve the court ordered split of property. Second by Commissioner Larson and so ordered upon the unanimous consent of the Board.

Lisa presented the final plat for the Shooting Star Subdivision and said it needs final plat approval. **Motion** by Commissioner Peck to approve the final plat for the Shooting Star Subdivision. Second by Commissioner Larson and so ordered upon the unanimous consent of the Board.

Clyde Miller with Bull Lake Volunteer Fire Department and Byron Sanderson from Kootenai Surveyors met with Commissioners about a new lot for the Bull Lake Fire Department across the highway from Angel Island. Miller said they have friends that own twenty acres across from Angell Island and they offered two to three acres of it to the fire department to establish a new fire station. Currently, the existing building only houses 4 vehicles and they have 10 vehicles and would like to build a fire hall that will house all of it. Miller wants to know if they can waive some of the fees and procedures as they are not a money making subdivision but provide a public service. Sanderson said there is about \$1,400 in subdivision fees and the fire department doesn't necessarily have the means to pay for the review and is asking if the commissioners can waive the fees but not waive the process as it is dictated by Montana law. Commissioner Larson asked Lisa Oedewaldt if any subdivision review fees had ever been waived before, to which Lisa said they had not. Sanderson said he feels this is a good thing for the community and also acknowledged that this would be a precedent

setting decision. Miller said he feels that this would be good PR for the Commissioners to show their dedication to emergency services and said any help would be greatly appreciated. Sanderson said he wasn't asking for a decision today but rather to inform and ask the Commissioners about the request. Commissioner Larson said that he has some Metal Mines funds, \$1,500, that he would use to pay the Bull Lake Volunteer Fire Department's fees. Commissioner Cole commended Commissioner Larson on stepping forward to offer the funding. The Bull Lake Fire Board also thanked Commissioner Larson for the offer. Larson asked Miller and Sanderson to send the bills to his office and he will take care of them.

2:00 PM **Budget Review Meeting-District Budgets and Non-Levied Funds:** Rhoda Cargill and Herb Cargill.

Wendy Drake and Robin Benson met with the Commissioners .There is an ambulance board that meets and budgets the money for all three ambulance departments. Commissioner Peck said that for some reason the county is paying the workman's compensation for a department that is a private, non-profit. Robin said she won't say much on districts as their money is based on valuations which have not been done yet. Eureka Cemetery Board currently has a negative cash balance which the County will have to make up. Last year, the Commissioners gave a short-term loan out of PILT. Robin said that Eureka Dispatch has a balance in the White Fish Credit Union of over \$230,000 that has never been reflected in the budget. Commissioner Peck questioned if it was legal for them to have an outside account and that it needs to be addressed. Commissioner Peck did commend the Board for bringing the issue forward. Robin will talk to Magda Nelson about the laws concerning outside accounts and drafting a letter to the districts concerning the issue.

Wendy discussed with the commissioners the non-levied funds. Wendy did ask that the commissioners not to budget the Capital Improvement funds currently in place and take the money in there in put it back in the budget for the department it was originally intended for. Commissioner Peck said they need to start having department head meetings each month to provide training on being the head of a department and providing the Commissioners with regular updates.

3:00 PM **Discussion Regarding Gas & Diesel Bid:** Present were Dallas Wamsley, Herb Cargill, Rhoda Cargill, Robert Mast, Seaborn Larson, and Alan Gerstenecker.

Two bids came in from Moore Oil and Golden State. Moore Oil's bid was for Troy area only and Golden State's bid was for Libby and Troy. No bids were received for Eureka; need to open that back up and advertise for two more weeks.

Motion by Commissioner Peck to put Eureka back out to bid and accept bid from Moore Oil for Troy and Golden State for Libby. Second by Commissioner Larson and so ordered upon the unanimous consent of the Board.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Chris Nelson, Clerk of the Board