

July 20, 2016

The Lincoln County Board of Commissioners met for a regular session on July 20, 2016, in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Cole, Commissioner Larson and Deputy Clerk Chris Nelson. Commissioner Peck was present via VisionNet.

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

10:00 AM **Fairgrounds Infrastructure Projects:** Present Steve Curtiss, Tracy McIntyre, Nikki Meyer, Larry Stewart, Joe Purdy, Buck Schermerhorn, Scott Mattheis, Kurt West, and Josh Letcher.

Commissioner Cole opened the meeting by saying that the improvements to the Eureka Fairgrounds consists of two projects; a sewer project and the bleacher project. Commissioner Cole said the sewer line is probably the more important issue at the time. Currently, the fairgrounds are served by a series of septic tanks that are starting to show signs of failure. Commissioner Cole said the septic drain-fields and tanks themselves have caused issues in the past during the larger events. Commissioner Cole said they would be looking at the abandonment of the aging system and extend the Town of Eureka's wastewater services to the Fairgrounds.

The second project would be the replacement of the wood bleachers on the hillside with precast bleachers. Commissioner Cole said there was an issue of putting too many people on the hill and that with new seating there would be room for at least another 1,000 spectators. Commissioner Cole said the rodeo went PBR last year and increased revenue and believes it will continue with a great future that will be successful. Commissioner Cole said infrastructure is an important thing that government does to improve the economy and said this will be a visible improvement that will help the local economy.

Tracy McIntyre said they are looking at doing an InterCap loan at 1.55% interest rate. The budget would be \$518,000 and with loan reserves would bring the total to just over \$566,000. Commissioner Cole said that the county would be the one applying for the loan with a repayment schedule of fifteen years, although they would try to pay it off in 5-7 years using PILT funds. McIntyre said it is also broken down if you wanted to do one project at a time but said she believes it is best to get it done at once. Commissioner Cole said with yearly payments it would spread out the cost so there wouldn't be a lump payment. It's a multi-use facility that would make it more appealing and more useful to the public and cost efficient for the county.

Scott Mattheis said his concern with the sewer portion of the project is if the city system has enough capacity for the increase the improvements could bring. Tracy said the preliminary engineering report found that through all the building phases, the system will be able to handle the increased load. Mattheis said he would rather see an investment that would be spent in the county rather than county taxpayers carrying the burden for city issues. Joe Purdy said one of the reasons he's here is that he has 200 acres of lots that because of the insufficient water/sewer line, they had to put a system in themselves and would like to know how this might impact them. Steve Curtiss said one of the key factors is the amount of water it takes to run the system and said he thinks there is a serious deficiency in the amount for this project. Curtiss said he isn't against improvements to the fairgrounds but the water is a key issue that needs to be looked into. Curtiss said he hopes someone has looked at whether it's feasible to look at improving the existing system to make sure that the project can be done economically and feasibly. Kurt West said the county may be tying into a system that could have some serious problems and added that he thinks the bleachers should be done but thinks there should be a serious look at the septic portion of the project. McIntyre said there have been discussions on the water rights but said she doesn't know where the issue has arisen with the city's water rights. She said from where she is standing, everything is completed and has been cleared with the state legal team.

Commissioner Cole said he believed it was a good conversation about the sewer and water and wanted to transition to discussion or questions on the bleachers. Josh Letcher said he thinks it would be a great idea to put up precast bleachers and thinks it would be pointless to put up more wooden bleachers that would eventually have to be replaced. Curtiss asked if the ballfields would stay where they are. Commissioner Cole said there are no plans as of yet but it is an issue to look at. Curtiss said that extra seating was fine but where would all the extra people park as there is already an issue with not enough parking. Commissioner Cole said that is an issue that is being looked at and discussions are ongoing on what the options are. Mattheis asked if there will there be an increase in taxes to pay for the bleachers. Commissioner Cole said that they are looking at making the payments out of PILT, which is non tax money. Mattheis said he wouldn't mind contributing through a small increase in taxes but he would hate to see an increase that once the loan is paid off, taxes are not then decreased. Curtiss asked how much actual cash contribution the county would make. Commissioner Larson said that there will be more conversations about using PILT funds but said it is good to hear from the public.

Commissioner Peck asked where the estimates for the project came from. Commissioner Cole said they were engineering estimates which aren't perfect but close. Commissioner Peck said that he thinks more conversations need to be had and to expand the seating without expanding the parking isn't a good idea. Commissioner Peck said that it might be a better idea to do both and have the county crews working on it too to help decrease cost. Commissioner Peck said he would like to see more information on the water-sewer questions. McIntyre asked for guidance on what the Commissioner would like to see. Commissioner Larson said he would like to be able to have all the information that is available on the project.

10:30 AM **Administrative Issues** Commissioner Cole noted a change on the July 14, 2016. **Motion** by Commissioner Larson to approve the minutes of July 12, 2016 and July 13, 2016 as is and to approve the minutes of July 14, 2016 with one change. Second by Commissioner Peck and so ordered upon the unanimous consent of the board.

11:00 AM **Public Comment Time:** Buck Schermerhorn, Scott Mattheis, Nikki Meyer, Larry Stewart, Don Truman, Joe Purdy, Josh Letcher and Steve Curtiss.

- Buck Schermerhorn asked about county roads and regulations. The 350 psi tire test could be continued as he would like it to be made a county policy. Schermerhorn asked that they be put on the commissioner's calendar for August 31. Joe with Glenn Lake irrigation said they have been looking at requesting removal of Glenn Lake from

the county Lakeshore Regulations. Joe also asked if the Commissioners would come to Glen Lake to look at the issues. The planning board would also like to know when the meeting is and be included.

- Steve Curtiss said GLID feels violated by the new bike path and that the Montana Department of Transportation granted an easement for the bike path but some of those will also interfere with some of the GLID's own easements. Curtiss said that some of the landowners have been left out of the process and have concerns. Some even said that the construction crews were not on the highway right-of-way but the homeowner's private land. Curtiss said he is not against the bike path but wishes that landowners would have been contacted. Curtiss also said he hopes that someone talked to the highway department about the highway being replaced in the next ten years which would destroy some of the bike path and cause landowners to lose more land. Mattheis asked if there had been any discussion or effort done to move the bike path off the highway, possibly using old rail paths. Mattheis also said he found it very strange that the land owners didn't know about the project and didn't find out until work began. Curtiss asked why county dollars would be used for the bike path and wanted justification for the expenditure. Commissioner Cole said that one of the big reasons for the trail was getting people off the highway and making the community better. Mattheis said that most people are not necessarily against the project but against the lack of inclusion. Commissioner Cole said there were public comment meetings and no one attended and that's when he should have went out and started knocking on doors. Commissioner Larson said there is some disappointment about the displeasure being expressed and said he assumed that these things had already been acknowledged. Commissioner Larson said it would be beneficial to actually go out and look at these issues in person.
- Steve Curtiss asked how the budget process is going. Commissioners Cole said they did get PILT fully funded this year but they don't yet know about SRS funding. Cole said overall costs continue to go up but commended Commissioner Larson for looking at previous budgets and finding some places where they could create some savings. Josh Letcher asked what the public could do to help the county. Commissioner Cole said conversations are ongoing with government agencies to increase access to our natural resources.

#### 11:30 AM **Approval of Minutes for Closed Litigation Strategy:**

Commissioner Cole closed the meeting at 11:35 to go over and discuss the closed litigation strategy meeting minutes of July 11, 2016.

Commissioner Cole reopened the meeting at 11:42.

**Motion** by Commissioner Larson to accept the meeting minutes without changes. Second by Commissioner Cole and so ordered upon the consent of the board.

#### 1:30 PM **Planning Department:** Present was County Planner Lisa Oedewaldt.

Lisa had one item on the agenda today. Oedewaldt said the lakeshore permit application is on Crystal Lake. Oedewaldt said they have a well-worn walking path and the new owners would like to put flat stone stairs down to the water. Most of the work will be above the lakeshore protection zone. **Motion** by Commissioner Larson to approve Lakeshore Permit # 2016-06-27-CL. Second by Commissioner Cole and so ordered upon the consent of the board. Commissioner Cole gave Oedewaldt permission to have Dallas stamp the permit with his signature.

#### 2:30 PM **Callahan Creek:** Present were Lisa Oedewaldt via VisionNet, Joe Purdy, and Mike Fraser.

Mike Fraser said he had a conference call with EPA, US Army Corps of Engineers, USFWS, DNRC, FWP and HDR and overall he said it was a productive call. Fraser said he feels they received pretty good input and have scheduled a site visit on July 28<sup>th</sup> in Troy but noted that everyone would like to see a conceptual plan. Commissioner Cole asked why it hadn't already been looked at. Fraser said everyone has looked at it individually but the team has not looked at it together. Fraser said that it looks like that they won't have to go through a long permitting process. Commissioner Larson said he feels this would be a precedent setting decision for other creeks that have flooding issues. Fraser said this is a step by step process and they will meet again next Thursday again to discuss this. Fraser said they would be looking at plan that would allow for the standard flow of the creek. Larson said that every effort should be made to move the stream as far away from the houses as possible to mitigate any future flooding. Commissioner Cole said it will be interesting to watch the engineering on this as it is difficult to control the water with the materials being used. Fraser said the point will be to give the creek enough room to move around in. Oedewaldt said she will be available to meet with Fraser to do the onsite inspection next Thursday. On the legal side, Fraser said he feels that they need someone with greater experience to look at the administrative order on consent to see what the county's exposure could be. It would be a very narrow scope of work and doesn't want to make any more contact with the law firm without any more discussion with the Commissioners. Fraser said they currently are on time to have a conceptual removal plan ready in August with work to follow in September.

Meeting adjourned at 2:45 PM

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

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Mike Cole, Chairman

**ATTEST:** \_\_\_\_\_

Chris Nelson, Clerk of the Board

