

June 22, 2016

The Lincoln County Board of Commissioners met for a regular session on June 22, 2016, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Larson, and Deputy Clerk and Recorder Chris Nelson. Commissioner Peck was absent.

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

10:30 AM **Administrative Issue:** Present were Alan Gerstenecker,

- **Motion** by Commissioner Larson to approve the minutes of June 9, June 14 and June 15 as presented. Second by Commissioner Cole and so ordered upon the consent of the board.
- The board of commissioners reviewed The Emergency Detention Contract between the county and Pathways Treatment Center. Commissioners Cole and Commissioner Larson asked for more information on the contract and background. The issue was tabled until more information can be presented.
- **Motion** by Commissioner Larson to approve part time employee at Lincoln County Fairgrounds to receive funding through the tobacco valley rodeo association for four hours a day until the fair. Second by Commissioner Cole and so ordered upon the consent of the board

11:00 AM **Public Comment:** Present were Hank LaSalla and Jennifer McCully.

- Hank LaSalla presented June 8, 2016 during commissioner meeting the need for the dissolution of the Troy Area Dispatch District. Since he has seen nothing else done since that meeting he feels the next step is a meeting to dissolve the Troy Area Dispatch District. Hank also put together laws on the dissolution process based on Montana Code Annotated and said that people are being taxed disproportionately to fund the district. Hank also presented a draft resolution for the dissolution of Troy Area Dispatch District. Hank said that he used Montana Code Annotated 7-5-121 to write his draft resolution. Commissioner Cole said the reason they haven't moved forward with the issue is that Commissioner Peck has been out of town and they would like the input of the whole board. Commissioner Larson said he would like to see a breakdown of how many calls come into the dispatch, how many calls are in the City of Troy vs outside the town and what kind of calls they are. Commissioner Larson also said the public and the commissioners' need all of that information to make an informed decision. Hank said that he believes it is the commissioners' responsibility to resolve and address the issues and also stated he has had no luck getting any of the information from the Troy Area Dispatch District and that dissolving the Troy dispatch would be a yearly savings of over \$250,000 to the taxpayers.
- Jennifer McCully met with the Board of Commissioners to approve the Montana Tobacco Use Prevention Program. Jennifer said there is no match required; it is a straight grant that is funded by a settlement with the tobacco companies. **Motion** by Commissioner Larson to approve signing the Tobacco Prevention Grant. Second by Commissioner Cole and so ordered upon the consent of the board,

11:30 AM **Close Out of LiV Golf Cars, Inc.:** Tina Oliphant was present to get signatures for the closeout document for LiV Golf Cars, Inc. In 2013, KRDC put in the application for LiV golf cars to create 22 jobs as part of the conditions of the CDBG-ED loan of \$368,000. Due to multiple setbacks, only three jobs were created. The Company was also obligated to begin making payments on the loan in the fall of 2014. One payment was made on schedule after which the company requested a relief of paying the principal and interest until April of 2015. The company was not able to restart payments and it did shut down operations later that summer. Tina told the Commissioners the Kootenai River Development Council has contacted an attorney to pursue collections from the company. Tina also said that the loan was approved without any hard company collateral and it is not clear if there will be any available assets. Commissioner Cole said it is disappointing to see the company shutting down but hopes that they can bring in other companies to boost the economy in Lincoln County. **Motion** by Commissioner Larson to execute the close out documents for the State of Montana CDBG ED program. Second by Commissioner Cole and so ordered upon the consent of the board.

1:30 PM **Lisa Oedewaldt, Planning Department:** Present was Nikki Meyer, Alen Gerstenecker and Jerry Bennett. Lisa received the attorney's response back on a resolution concerning numbering roadsides/addressing. With Commissioner approval of the changes, Lisa will schedule public hearings in Libby, Troy and Eureka starting in October. Lisa said they will have the hearings in the evenings to allow more people the opportunity to attend. Lisa doesn't expect a lot of people to show up. Commissioner Larson said he has already read it and thinks it is pretty straight forward. Commissioner Larson asked about enforcement; Lisa said after proof that they were notified they could be fined no more than \$500 or 6 months in jail. Commissioners Larson and Commissioner Cole asked to hold off on approval until Commissioner Peck returns. Lisa said they will put it back on the June 29, 2016 agenda.

2:00 PM **Budget Meeting/Review preliminary levy spreadsheet:** Present were Jerry Bennett, Niki Meyer and Alan Gerstenecker. Clerk and Recorder Robin Benson and Accounting Deputy Wendy Drake met with the commissioners about the levied funds budgets. Robin said that it isn't a pretty picture. She presented a very preliminary budget with all the budget increase requests included. Commissioner Cole said that after looking at it, he doesn't see all the increases being approved. Robin again stressed the budget is very preliminary. Robin also told the Commissioners that they received a PILT payment of 635,059 which is unrestricted use funds. The current balance for PILT is over \$1,400,000 not including the current payment. Robin said she still has not heard anything about SRS authorization. Robin said there are options and reminded the commissioners that they are on a legal timeframe set by statute. Commissioner Cole said they need to block out some time to review the budget, including the increase requests, and then determine which funds will be approved for increases. Robin asked the Commissioners if they will be looking at mandatory vs discretionary services. Commissioner Larson said it would be helpful to have a list of all services that are required by Montana Code Annotated. Robin told the Commissioners that there is about \$600,000 (local option tax), unrestricted use funds that usually goes to the road fund. Commissioner Larson said it would be nice to get copies of all the funds and the commission will be setting aside time slots next week to review the budgets. Commissioner Cole said

they have never used PILT to help fund the general fund. Robin said Lincoln County is spending more than it is bringing in. Robin told the Commissioners that the spreadsheet she gave them does not include a possible COLA for employees. Commissioner Larson said he believes they will be seeing a restructuring in health care next week. Robin said as the Commissioners make budget decisions and changes she will update the levy sheet accordingly.

2:30 PM **Lisa Oedewaldt, Callahan Creek:** Present were Mike Fraser, Lisa Oedewaldt, Alan Gerstenecker and Seaborn Larson.

Mike Fraser said over the last couple weeks he has looked at the insurance coverages and had a conference call with HDR Engineering and EPA and said it was a very positive discussion. Mike said the EPA wants the county to improve the channel and take as much of the material out of the creek to provide stability and safety. Mike said there will be a discussion with EPA, which Lisa will moderate, MT Fish and Wildlife, US Fish and Wildlife, and the US Army Corps of Engineers. Mike said the county will probably have some setbacks but the decision makers and the counties goals are very close together. Mike said the county will not have a huge restoration project as the area wasn't a wetland; it had no vegetation or soil. Mike commented there is no pressure or timeframe for approval of the final plan, although it definitely needs to get done. Right now the issue is the removal of the material that was taken out of the creek and created berms which Lisa said causes problems while they are still in place. Commissioner Larson asked whether they would have to put roads in to access the material that needs to be removed. Mike said there will definitely need to be access roads put in to get to all the sites that need work. **Motion** by Commissioner Larson to approve task order #1 and the budget as submitted. Second by Commissioner Cole and so ordered upon the consent of the board. Commissioner Larson said the money for the budget will probably come from PILT. Lisa said that she cannot get a grant for task order #1 but can for task order #2 and will keep the Commissioners up to date on the project.

3:00 PM **Rick Ball, Library:** Present were Clerk and Recorder Robin Benson, Rob Dufficy, Maria Bennett, Les Nelson, Kootenai Valley Record reporter Alan Gerstenecker, Susan Horlick, Erleta Hall, Susie Rice, JoAnn Gerheim, Chuck Gerheim, and Western News reporter Seaborn Larson.

Lincoln County Library Director Rick Ball met with the Commissioners to seek permission to put a request for a levy on the General Election ballot in November. Commissioner Cole asked why the levy request had gone from 13 mills the previous week to the current request for 7 mills. Rick said after meeting with Clerk and Recorder Robin Benson, he had a better understanding of the budget. Rick told the Commissioners the public libraries only levy 3.49 mills voted in 1996 and they need to levy more mills in order to maintain public library services for the residents of Lincoln County. Rick expressed concern that he has to request the extra mills from the county commission every year and is aware of the declining revenues and that he is a discretionary department. Chuck Gerheim said it is important they can communicate to the public exactly what the money will go to and how it will improve services to the public. Chuck said that the school did a very good job of informing the public what the levied funds would go towards and it still barely passed. Susan Horlick said that this may not be the best time to ask for a levy considering the school levy passing and people will be seeing that increase this fall on their taxes which could make them less likely to approve a levy on the November ballot. Rick said he has every intention of informing the public exactly what the money will be spent on but declined to talk about that until he gets approval to put the levy request on the ballot. Commissioner Larson said he would like to see Rick work with the Library Board and the Friends of the Library and come back to them with a breakdown of what the funds will be used for and agreement of when to place a levy before the voters. Rick agreed and will schedule another meeting with the Board of Commissioners.

4:30 PM Meeting **Adjourned:**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Chris Nelson, Deputy Clerk of the Board