

June 8, 2016

The Lincoln County Board of Commissioners met for a regular session on June 8, 2016, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Larson, Commissioner Peck and Clerk and Recorder Robin Benson.

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

9:00 AM **Administrative Issues:** Present were Dallas Wamsley, Vic White, Alan Gerstenecker, Seaborn Larson.

- Sylvanite Refuse Site Annual Agreement: The commission will have Environmental Health Director Kathi Hooper review the special use authorization agreement renewal with USFS.
- TD&H Engineer Construction Agreement signed by the commission for the CTEP Bike Path Project in Eureka.
- Study Commission: Dallas reported that Shelly Deleo has resigned as the study commission secretary and is requesting that during the next study commission meeting, a new secretary be designated.
- The Commission signed the Memorandum of Understanding/Mutual Aid Agreement between the Lincoln County and the Lincoln County Rural Fire District.

9:45 AM **IT Budget Discussion:** Present were Ric Kesling, Gary Neff and Alan Gerstenecker.

Ric presented his current budget as of June 10, 2016 showing his expenditures and submitted FY 16/17 proposed projects and the significant impact budget items. Ric supplied the commission with cost comparison for current year and his proposed budget for FY 16/17. Ric is requesting a rate increase for Ernie Anderson for FY 16/17. Ric discussed the importance of advanced technology and rising costs. Ric is requesting an overall budget increase of \$41,860. Commissioner Peck commented that he understands the need for improved technology, but there is also a decline of revenue and stated the proposed budget may not be financially possible.

There was a brief discussion about the county cell phone policy and potential adjustments or changes. Commissioner Peck expressed concerns about the possibility of personal information being seen if there were FOIA requests for those employees that are required to carry cell phones in the scope of their job.

10:00 AM **Fortine/Trego Cemetery District Board Appointment:**

The commission reviewed the applicants submitted to fill the board vacancies. The board currently has three members and would like to increase their board to five members. The commission reviewed the cemetery by-laws which allow for 3 to 5 board members. **Motion** by Commissioner Larson to approve the Fortine/Trego Cemetery board recommendation to reappoint Betty Pomeroy and Gayle McCarron and appoint Elly Bond and Dave Bellow to serve three year terms.

10:15 AM **Study Commission Vacancy:** Present were Rita Windom, Gary Neff, Nikki Meyer, Eureka via Vision Net and Alan Gerstenecker.

The Study Commission recommends Bonnie Larson to fill a vacancy left by the resignation of John Righter. **Motion** by Commissioner Larson to appoint Bonnie Larson to the Local Government Review Board. Second by Commissioner Peck, motion carried unanimously.

Commissioner Cole discussed the autonomy of the study commission. Rita mentioned 7-3-184 M.C.A. which allows for some county assistance. Rita stated that Bobbie Stoken has volunteered to act as the board secretary. Rita submitted questions from the Government Review Board for the Commission to review. The study commission has questions specifically about the Interim CFO Contract dated February 17, 2016. Rita said that this type of information would be beneficial for the study commission to help make recommendations to the county commission. Rita asked what an executive officer of the county is and is requesting the commission to review the questions submitted and schedule a time to meet with the Government Review Board.

10:30 AM **Public Comment Time:** Present were Charles Starbaugh, JoAnne Newman, Gary Neff, Rita Windom, Nikki Meyer, Eureka via Vision Net and Alan Gerstenecker.

Charles submitted a document regarding concerns and issues with the Libby Area Community Garden Club located at the Asa Wood School. Commissioner Peck said the commission has no authority to make decisions regarding the community garden and suggested the issue be addressed with the school board.

Gary Neff asked about the partisan and non-partisan issue since Lincoln County is an Elected Official Form of Government. Rita said the Local Government Review Board is researching options to address this issue and there are 11 other counties under the same condition and feels the resolution may be at the legislative level.

Rita Windom had questions about the closing of the courthouse on Christmas Eve. Commissioner Peck said the District Court Judge ordered the closure of the courthouse. Rita said Montana State Code does not allow for closure of government offices. Commissioner Peck said it put the county in a conundrum and will be reviewed.

11:00 AM **FWP/USFW Monthly Meeting:** Present were Tonya Chilton, Kim Annis, Ryan Sylvester, Jim Dunnigan and Nikki Meyer, Eureka via Vision Net.

Tonya discussed the new study using elk calf ear transmitter technology conducted in the Bitterroot area has indicated that the biggest threat to elk population is the black bear. This type of technology can be used on other wildlife species to help determine causes of mortality. Tonya also commented about meetings with the game wardens, biologists and law enforcement regarding wildlife conflicts of intentional and unintentional feedings by the public. Tonya commented that there is a current moose study intended for 10 years that will be ongoing for another 3 to 5 years. Tonya said the Fisher

River area in region 1 is the only area showing an increase in the mule deer population. The mule deer habitat has changed significantly since the 1970's when there was a healthier mule deer population.

Kim said the low elevation berries and choke cherries will play a significant role in how bears subsist during the summer months; more rain would be very beneficial. Kim discussed law enforcement regarding the public providing garbage to bears; public education only goes so far. Verbal and written warnings would be first before tickets and fines.

Jim discussed an opportunity to collaborate on a culvert project on Sinclair Creek in Eureka. Commissioner Cole said he visited the site with Road Supervisor Tim White. Commissioner Cole will coordinate a meeting specific to this project. Jim said there are grant opportunities that may apply, but that would mean time sensitivity. Another opportunity is a trout pond restoration project at the county fairgrounds in Eureka replacing the liner.

Ryan submitted results of the 2014-2016 Kootenai River Creel Survey. Catch and Release Educational Posters will be placed at the Libby Dam and other public locations.

1:00 PM Troy Area Dispatch District (TADD): Present were Fran McCully, Heather McDougall, John R. Righter, Hank LaSala, Roby Bowe, Gerald Wallace, Jim Ward, Katie Davis, Clint Taylor, Kirk Kraft and Alan Gerstenecker. Hank LaSala gave a Power Point Presentation with supporting documentation to the commission. Mr. LaSala feels strongly there is no need for the Troy Area Dispatch District. Mr. LaSala submitted Resolution No. 393-A establishing the district approximately 20 years ago and placing the issue on the primary ballot June 4, 1996. Mr. LaSala said that maybe in 1996 a dispatch in Troy was necessary, but that is not the case now. Mr. LaSala stated the Interlocal Agreement defines services to be provided as general fire, ambulance, and law enforcement within the district. The legal description for the dispatch district area is defined as including School District #1, #15, #23, and #24. Mr. LaSala states in his documents that at the present time, and for many years, the dispatch office for the TADD has been "hijacked" by a relatively small number of residents of the Town of Troy and the immediate surrounding vicinity to benefit primarily the Town of Troy and not the entire Troy Area Dispatch District. He also notes that the TAD Office is not primarily used for law enforcement problems outside the Town of Troy. Law enforcement dispatch outside the Town of Troy is the responsibility of the Lincoln County Dispatch in Libby.

Commissioner Cole thanked Mr. LaSala for putting together the PowerPoint Presentation and the time spent on the submitted information. Mr. LaSala feels strongly the commission should consider the dissolution of the Troy Area Dispatch District.

Commissioner Peck said there are two different perspectives. He agrees that technology wise, financially and operationally, having one dispatch center make sense. On the other hand, the inhabitants in Troy have voted and that is also a strong consideration. Commissioner Peck said he feels the election should not have been by popular vote, but only by taxpayers who are paying for the service.

Mr. Righter feels if the people in the City of Troy wish to keep services, there is no problem with that. It's the taxpayers outside city limits paying for the service but not receiving the service in question.

Kirk Kraft commented the technology capability is in place to provide dispatch services to Troy. Commissioner Larson commented on the reality of costs going up and revenue declines. The State has outlined mandatory vs. discretionary services that counties need to provide. Duplicating services will be considered as technology continues to advance.

Commissioner Peck said there is a process in statutes to be adhered to but he would insist on public education on how this all works if this issue moves forward. Voters will need to have ample opportunity to learn they will have to protest if they want to maintain the dispatch district. We all need to use the democratic process and follow the statutes. The process will need to be upfront and transparent. There should be every opportunity for the voters and taxpayers on both sides to learn and participate in the process.

1:30 PM Update Road Agreements: Present were Marc McCully, Tim Rusdal, Gary Neff and Alan Gerstenecker. **Motion** by Commissioner Peck to approve revised Schedule A road agreement between Lincoln County and the Kootenai National Forest. Second by Commissioner Larson, motion carried unanimously.

2:00 PM Road Equipment Leasing Decision: Present were Marc McCully, Gary Neff, Seaborn Larson and Alan Gerstenecker.

The County Commission and Marc McCully discussed the cost difference between leasing and purchasing. Leasing gives 100% warranty and maintenance cost is significantly reduced. Marc says he feels it is a win win situation for the county all the way around. **Motion** by Commissioner Peck to approve lease agreements with Western States Caterpillar for three front end loaders and one excavator as presented. Second by Commissioner Larson, motion carried unanimously.

2:30 PM Preliminary Budget Proposals Meeting: Present were Seaborn Larson, Alan Gerstenecker, Dan Williams and Gary Neff.

Clerk and Recorder Robin Benson went through every budget submitted to her by department supervisors. She asked the commissioners to flag those budgets that are requesting increases for FY 16/17 and set up meetings with those department supervisors to discuss their budgets as part of the budgeting process.

3:30 PM City/County Board of Health (BOH): Present were Jennifer McCully, Milo J. Haugen, Gordon Sullivan, Gary Neff, Lee Bruner, D.C. Orr, Mary Lou Goodpaster, Mel Parker, Dr. Brad Black, Nick Raines and Alan Gerstenecker. Jennifer McCully reported 52 flu cases and one rabies case has been reported so far in 2016 from a bat. Tobacco prevention and early childhood systems development will begin in July. Kathi submitted draft by-laws to be reviewed by

the county and the city. Robin Benson requested the BOH designate a secretary and submit their minutes to the Clerk & Recorder's Office.

Nick discussed the process for the Institutional Control Committee to help with the design and citizen participation. The idea came to the Board of Health, and the BOH opted to solicit interest to participate on this committee. Advertisement identified 5 to 7 members, about a 1 year commitment, meeting monthly or more. Total interest has been received from 11 people from varied and wide range of background. Nick said we are here to discuss the selection process. Brief introductions were given by those candidates who were in attendance. Gordon Sullivan said he feels candidates should state if they had homes or properties cleaned and if they will be impacted by IC's.

The 11 candidates who submitted interest are as follows: Mel Parker, Milo Haugen, DC Orr, Ron Mahoney, George Jamison, Bob Henline, Rick Ball, Virginia Kocieda, Harry Disney, Brent Teske and Leroy Thom.

Commissioner Peck said he would like to see a committee of 7 members. Mel Parker asked about the restructuring of the City/County Board of Health. Commissioner Peck clarified that the committee selected would focus strictly with institutional controls and would be a subcommittee of the City/County Board of Health. The committee will be meeting with EPA to discuss the details of the institutional controls as a citizenry voice. Gordon Sullivan suggested allowing all 11 people on the committee. Milo Haugen feels that many people would make it more difficult to be an organized functioning group. Commissioner Cole asked if everyone felt good about having 7 people on the committee. The City/County Board of Health agreed to review the applicants and schedule a meeting to select the Institutional Control Committee.

4:30 PM **Health Insurance Decision:** Present were H.R. Supervisor Vic White.

Vic said health care premiums went up 9.72% for FY 16/17. The cost increase is estimated at \$141,533 for a total cost of employee health insurance of \$1,598,375. **Motion** by Commissioner Larson to stay with the EBMS Insurance Provider and to budget FY 16/17 to cover 100% of healthcare costs and to move our insurance representative from Gary Hablutzel to the Leavitt Group. Second by Commissioner Peck, motion carried unanimously. The commissioners discussed healthcare options and rising costs. The county will allow an option for dental and vision with employees paying for this coverage.

5:00 PM **Meeting Adjourned:**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

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