

October 12, 2016

The Lincoln County Board of Commissioners met for a regular session on October 12, 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 **USFS Monthly Meeting:** Meeting canceled

10:00 AM **Public Hearing/Miller Lake Petition/Road Supervisor Marc McCully:** Present were Penny Williams, Jim Williams, Alan Gerstenecker and Caleb Soptelean, and Jerry Bennett.

Commissioner Cole read a portion of Resolution No. 978 to relocate the sixty foot wide county road easement for the East Fisher Road to the current route of the road. The relocated easement will consist of the thirty feet on both sides of the centerline of the road, as shown on the survey attached to the resolution. The purpose of the public hearing is to hear public comment and to approve Resolution No. 978 declaring the relocated portion of East Fisher Road as the new county road. Marc is also requesting the survey of the new road to be accepted by the commission for recording in the Clerk and Recorder's Office. There were no public comments. **Motion** by Commissioner Larson to approve Resolution No. 978 and accepting the survey for recording as submitted by Road Supervisor Marc McCully. Second by Commissioner Peck, motion carried unanimously.

10:30 AM **Administrative Issues:** Present were Lisa Oedewaldt, Dallas Wamsley, Jerry Bennett and Alan Gerstenecker.

- The Commission read the minutes for October 5, 2016. **Motion** by Commissioner Larson to approve minutes as submitted. Second by Commissioner Peck, motion carried unanimously.
- Robin submitted a written process for local government to purchase property as outlined per M.C.A. for the commission to review. The written process was drafted by County Planner Lisa Oedewaldt. The commission commended Lisa for her efforts and requested that she draft a process on local government to sell and/or swap property.
- Dallas needs written confirmation that she can draw money out of the flex account. The remaining balance is \$160,813. The funds will be dispersed back to the departments proportionately. **Motion** by Commissioner Peck to approve the redistribution of the flex account balance back to the departments proportionately. Second by Commissioner Larson, motion carried unanimously.
- Commissioner Cole signed the State and Local Agreement for the EMPG Grant as approved on October 5, 2016.
- The commission signed a letter of support to the Montana Department of Revenue pertaining to the Creation of the Kootenai Business Park Targeted Economic Development District (TEDD).
- Commissioner Peck approved county financial support in the amount of \$3,000 paid out of the Libby Economic Development Fund for expenses incurred by the Kootenai Forest Stakeholders Coalition community outreach campaign efforts to attain public input. All contributors would be assessed proportionately to the amount they have pledged.

11:00 AM **Public Comment Time:** There were no public comments.

11:30 AM **Libby Park District Board Appointment:** Present were Joe Purdy, Doug Watson, Byron Sanderson, and Alan Gerstenecker.

Robin said she did visit with Jim Germany and Bob DeBorde to clarify the number of vacancies as being only one; not two vacancies as advertised. Bob DeBorde who requested two vacancies be advertised was not aware that a board member had not officially submitted a letter of resignation. There is only one position to be appointed at this time. Applications were received by Lisa Oedewaldt and Ben Scott. The Libby Park Board submitted a letter of recommendation to appoint Lisa Oedewaldt to the Libby Park Board. Robin said she is preparing another board vacancy advertisement to include several county boards and has been requested by the Park Board to include one vacancy since they did officially receive another resignation. **Motion** by Commissioner Peck to appoint Lisa Oedewaldt as recommended to serve on the Libby Park Board. Second by Commissioner Larson, motion carried.

11:45 AM **Treasurer's Office/New Hire Position:** Present were County Treasurer Nancy Higgins, Jerry Bennett, Caleb Soptelean, Alan Gerstenecker, Joe Purdy and Nikki Meyer, Eureka via VisionNet.

Nancy

Nancy said she has received a notice of retirement as of December 31, 2016 for an employee in the Treasurer's Department and would like to rehire the position two weeks before the retirement for training purposes and a smooth transition. Nancy submitted a payroll report for the Treasurer's Department and shared with the commission that she will not be requesting a budget increase for FY 16/17. **Motion** by Commissioner Larson to approve the Treasurer to hire a new employee two weeks prior to the retirement as requested. Second by Commissioner Peck, motion carried unanimously. Commissioner Peck said he supports this decision but wants to start having the discussion with elected officials and department heads about the decreased revenues and increase insurance costs; budget planning may include not replacing employees through attrition. There was a brief conversation about the roles and responsibilities between state and county to provide Motor Vehicle services.

1:15 PM **Sheriff Department/Purchase of Printer:** Present were Brandon Huff, Lisa Oedewaldt and Joe Purdy.

Brandon said the Sheriff's budget was trimmed tightly and the Sheriff's Department needs a printer, cost is \$4029. Commissioner Peck said the cost would come out of the Sheriff's Department budget. Brandon informed the commission that the deputies have incurred 60 hours overtime dealing with the recent homicide. Brandon said he is not sure how the autopsy costs will be handled yet. Brandon said that when there is a crime of this type it usually falls under the Sheriff's Department. Commissioner Peck asked if that is just habit or is it that way due to Montana statute. Mark questioned if

there is a cost share agreement between the City and the County for these costs. Brandon was not aware of any, but said he would visit with Mayor Teske. Brandon said the jail occupancy has increased 30 to 40 percent which is a significant cost increase to Care and Custody of Prisoners; normally look at releasing inmates with misdemeanors, but all fall under serious felonies. Brandon said this does not look good from a crime standpoint, but shows the deputies are doing their job and getting serious criminals in custody. The commission thanked Brandon for the update.

1:30 PM Planning Department: Present were Lisa Oedewaldt, Byron Sanderson, Joe Purdy, Doug Watson and Alan Gerstenecker.

- **Glen Ridge Subdivision Preliminary Plat Approval** in Eureka off Sinclair Creek Rd, North of Glen Lake. Planning staff recommendation is to grant preliminary approval to Glen Ridge Subdivision, subject to conditions and based on the findings in the staff report. **Motion** by Commissioner Peck to approve Glen Ridge Subdivision preliminary approval subject to planning staff recommendations and conditions. Second by Commissioner Larson, motion carried unanimously.
- **Burnt Creek Hideaway Preliminary Plat Approval** in the Yaak, Burnt Dutch area. Planning staff recommendation is to grant preliminary approval to Burnt Creek Hideaway Subdivision subject to conditions and based on the findings in the staff report. **Motion** by Commissioner Larson to approve Burnt Creek Hideaway Subdivision preliminary approval subject to planning staff recommendations and conditions. Motion did not pass due to lack of a second. **Motion** by Commissioner Peck to reapprove Burnt Dutch Hideaway Subdivision preliminary approval with condition 3 stricken from the planning staff report. All other planning staff recommendations and conditions apply. Second by Commissioner Larson, motion carried unanimously.

2:00 PM Callahan Creek Update: Present were Mike Fraser, Lisa Oedewaldt, Alan Gerstenecker and Caleb Soptelean. Mr. Fraser submitted an Engineering Review Proposed Sewer Main Extension, Eureka Fairgrounds report for Commission review. Mr. Fraser said that he visited with three property owners to approve the removal efforts. Two of the property owners would like to keep some of the material removed for their properties to be placed outside the flood plain. Mr. Fraser said that once it is dumped outside the flood plain, it becomes the property owners concern and Lincoln County will no longer have any liability. Mr. Fraser is drafting an agreement with the property owners to hold the county harmless. Commissioner Peck stated that any contract or agreement will need to be vetted through the county attorney. Lisa will update the commission on the budget for the Callahan Creek Project as soon as her computer issues are resolved.

2:15 PM Eureka Fairgrounds Sewer Project: Present were Wendy Drake, Gary Neff, Alan Gerstenecker, and Caleb Soptelean. Also present from Eureka via VisionNet were Tracy McIntyre, Lois Sciligo, and Nikki Meyer. Mr. Fraser submitted a report explaining his review of the sewer systems at the Lincoln County Fairgrounds for commission review. There are 6 or 7 sewer systems at the fairgrounds and Mr. Fraser explained his findings and suggested options/alternatives and recommendations. Commissioner Cole thanked Mr. Fraser for his in-depth study. Tracy suggested a discussion with Mr. Fraser to discuss items in the review that raised questions or concerns. Mr. Fraser agreed a discussion would be good to discuss history and any concerns and is very willing to work alongside Tracy per commission instructions. Mr. Cole said the ultimate goal is to protect the well which initially is why this project is being addressed. Commissioner Peck commented the conditions of the septic system needs to be addressed but to make sure the funding available is spent prudently to attain the most benefit. Tracy said this project is in the very preliminary stages and there is still a lot of conversation to take place.

2:30 PM Health Board Member Selection/Approval City of Libby and Town of Eureka Interlocal Agreements: Present were Nick Raines, Kathi Hooper, Gary Neff, D.C. Orr, George Jamison, Joe Chopyak, Bobbi McCanse, Janet Ivers, Tracy McNew, Mayor Brent Teske, Edwin Smith, Matt Pickett, Alan Gerstenecker and Nikki Meyer, Eureka via VisionNet.

Kathi discussed the status of the Interlocal Agreements from the City of Libby, City of Troy and Town of Eureka. **Motion** by Commissioner Larson to appoint Commissioner Peck to be the county representative on the Health Board. Commissioner Peck accepted the nomination to serve. Second by Commissioner Cole, motion carried unanimously. Commissioner Peck said he is pleased to see the quality of the applicants to serve on the Health Board. Commissioner Cole said he is excited to see interest to serve on the health board from all three communities. Kathi said that most of the costs for the Health Board will be absorbed in the county health department and there is also grant funding available, but sees very little cost associated with the health board; possibly some travel cost. Mayor Teske said the City of Libby concerns were the length of the agreement and the ability to opt out, past practices, neglected information provided to the council but with new bylaws and the board reforming he feels confident those issues will not arise again. Mayor Teske said he is looking forward to the city council being apprised of health board activities. Both Libby City Council and Eureka City Council has met and approved the Interlocal agreements. **Motion** by Commissioner Peck to approve the Interlocal Agreement with City of Libby. Second by Commissioner Larson, motion carried unanimously. **Motion** by Commissioner Larson to approve the Interlocal Agreement with the Town of Eureka. Second by Commissioner Peck, motion carried unanimously. Troy City Council will discuss and vote on the Interlocal Agreement at their next scheduled meeting.

Nick introduced all the candidates who submitted applications to serve on the City/County Health Board individually and asked each candidate to introduce themselves to the Board of Commissioners. Candidates who submitted letters of interest are Roberta McCanse, Joe Chopyak, Tracy McNew, George F. Jamison, and Jan Ivers. Each candidate spoke briefly to the commission about their qualifications, history and interest to serve on the City/County Board of Health. Commissioner Peck stated that he is impressed by the education levels, and years of experience and he is appreciative for the interest in serving. Unfortunately, out of these five applicants, only three will be approved to serve on the Board of Health. Commissioner Cole thanked everyone for sharing their time and their interest to participate in government.

Commissioner Peck shared his thoughts about who he would like to see appointed to the board and why stating the importance of diversity on the new health board. Commissioner Peck first named George Jamison due to his experience

with national priority sites and engineering blend. Next Commissioner Peck named Joe Chopyak saying it is important to have a health care provider who is out seeing patients, especially seeing folks who are in need. Commissioner Peck finished by talking about the importance of nursing and we have three qualified nurses who have applied, but I personally went with Jan Ivers for not only her nursing background but combined that with her sanitarian background at the county level. Commissioner Larson said he is fine with the choices by Commissioner Peck although all candidates would be good choices. Commissioner Cole said his only difference is Tracy McNews background, youth and ambition. **Motion** by Commissioner Peck to appoint Jan Ivers, George Jamison and Joe Chopyak as board members to the new and improved City/County Board of Health. Second by Commissioner Larson, motion carried unanimously.

3:30 PM **Meeting Adjourned:**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin Benson, Clerk of the Board