

November 28, 2018

The Lincoln County Board of Commissioners met for a regular session on November 28, 2018, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Peck, Commissioner Bennett, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson.

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

10:30 AM Administrative Issues: Present were Ben Kibbey and Alan Gerstenecker. Also present were Josh Letcher, Nikki Meyer and Alecia Davis, Eureka via VisionNet.

- Darren presented the Area on Aging annual contract for commission approval. **Motion** by Commissioner Bennett to approve the annual contract and to remain with option 1. Second by Commissioner Peck, motion carried unanimously.
- Darren submitted an extension agreement for maintenance on the Silver Butte Road. **Motion** by Commissioner Peck to approve the modification of the maintenance agreement. Second by Commissioner Bennett, motion carried unanimously.
- Robin presented the minutes for November 14, 2018 regular meeting for Commissioner approval. **Motion** by Commissioner Bennett to approve November 14, 2018 minutes as presented. Second by Commissioner Peck, motion carried unanimously.
- Commissioner Peck said he is contributing \$3,000 to Turner Mountain. Funding will be paid from the Libby Economic Development fund.
- Commissioner Cole commented the Tobacco Valley Industrial District has requested to be placed on the agenda for conversation regarding amendment to their by-laws.
- Commissioner Peck suggested to bring timber forest management consultant Rich Stem to Libby for follow up on his original visit and to not only work with commission and help with collaboration, but to put on a 2 to 4-hour presentation for local government regarding NEPA and how we can best spend our time. Commissioner Peck said a contract is drafted and he will have the county attorney review it; there is DNRC grant money to pay for it.
- Commissioner Peck spoke about restructuring the BOH and clarify who they report to. There are statutory responsibilities, operationally and administrative and we need to distinguish those areas.
- Commissioner Peck talked about the need for offering leadership and management training for department supervisors. The training could also be opened to the chambers, cities and anyone locally who could benefit.

10:45 AM Public Comment Time: Present were Present were Brian Todd, Ben Kibbey and Alan Gerstenecker. Also present were Josh Letcher, Nikki Meyer and Alecia Davis, Eureka via VisionNet.

Alecia asked if there has been any follow-up with adding an extra staff person at the North Annex. Commissioner Cole commented there is no decision at this time to fill that position.

Alecia asked about the status of the fairgrounds project. Commissioner Cole said the estimated total cost is approximately \$355,000. Funding discussions is for replacing bleachers and the skybox area. Commissioner Cole stated there is no firm agreement at this time and we are still working through the details, but it will be a joint venture between the county and rodeo association. The funding is for the arena area, but there has been some discussion about funding the youth building and looking at the sewer project. No firm decisions have been made yet.

Brian Todd asked about the new plans for the haul bridge. Commissioner Peck commented it is not in our jurisdiction, it belongs to the city. Brian expressed the haul bridge is a wood structure and does need some serious repairs.

11:00 AM Community Decay Ordinance/First Reading: Present were Kathi Hooper, Alan and Ben. Josh, Nikki and Alecia

Kathi said the Community Decay Ordinance public hearing has been advertised and asked if there were any public comments. Commissioner Bennett questioned the word "adjacent" as not being defined and would like to see that clarified. Commissioner Bennett also requested to expand language regarding shielding, allowing for more options. The second reading will be December 12th at 11:00AM.

11:15 AM Troy Assembly of God/International Messengers Tax Adjustment: Present were Jeff O'Connell, Ruth Hedge, Sonny Capece, Dennis Hedge, Alan Gerstenecker and Ben Kibbey. Also present were Nikki Meyer and Josh Letcher, Eureka via VisionNet.

Commissioner Bennett discussed tax 2017 and 2018 tax bills for Troy Assembly of God and International Messengers. Commissioner Bennett commented that in 2018, due to a paperwork snafu, tax bills are incorrect, and he did call the state and confirmed the commissioners have authority to waive those taxes. Commissioner Bennett said he is waiting for the specific MCA's or Administrative Rules giving commission authority, but there is no question, the taxes should be exempt. Commissioner Bennett recommends nullifying the property taxes, service fees will stand, but wants to attain the right statute first before moving forward. Commissioner Bennett clarified there was confusion when we went to the 2-year tax cycle and the proper paperwork was not submitted by Troy Assembly of God and International Messengers. Decision was tabled for another week, awaiting MCA code giving commissioners authority to waive the property taxes.

11:30 AM Discussion of Headwaters Montana Letter: Present were Ben Kibbey and Alan Gerstenecker. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Peck agrees to a support letter for congressional funding for the multi-agency group research and data collection. Darren suggested the support letter come from Commissioner Cole since the research will be conducted in North Lincoln County. Commissioner Peck said the support letter should be drafted and approved and signed by all commissioners.

11:45 AM **Board of Health (BOH)/Appoint Jan Ivers:** Present were Kathi Hooper, Alan Gerstenecker and Ben Kibbey. Also present were Nikki Meyer and Josh Letcher, Eureka via VisionNet.

Kathi said Jan Ivers is the current chair of the BOH and her term is up this month. The BOH recommends an additional 3-year term and is requesting commissioner approval. **Motion** by Commissioner Peck to appoint Jan Ivers to a 3-year term as presented. Second by Commissioner Bennett, motion carried unanimously.

1:30 PM **Planning Department/Nixon Split/Planning Board Appointment:** Present were Jake Mertes, Brett McCully, Alan Gerstenecker and Ben Kibbey. Also present were Josh Letcher, Eureka via VisionNet. Jake said the planning staff received a request from District Court for comment on the Court Ordered Split for petitioners for the Estate of Shirley M. Nixon. The Exemption Review Committee found no evidence of an attempt to evade the Montana Subdivision Platting Act. **Motion** by Commissioner Bennett to approve planning staff recommendation that there is no evidence of an attempt to evade the Montana Subdivision Platting Act. Second by Commissioner Peck, motion carried unanimously.

Robin said she advertised for 4 vacancies for the planning board and only two applicants were received and appointed on November 14. Robin said she recently received another application from Scott Mattheis to serve on the Lincoln County Planning Board. Darren asked if the planning board has reviewed the application for comment or recommendation to the commission. Jake said it's not in the planning boards by-laws to make recommendations to the commission, but he will send the application out to the members of the planning board for comment. Josh commented that it is nice to review applicants ahead and know who is being appointed. The commission agreed that as a courtesy, they prefer the planning board to review applications prior to appointment. Jake commented the planning board does need new members.

1:45 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

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