

April 7, 2021

The Lincoln County Board of Commissioners met for a regular session on April 7, 2021 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Peck, County Administrator Patrick McFadden and Clerk and Recorder Robin Benson. Commissioner Letcher was excused.

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

10:00 AM **USFS**: Present were Chad Benson, Arlene Elletson, Martin Dunbar, Cheri Dunbar and Will Langhorne. Present via phone was Nikki Meyer.

Chad updated the commissioners on upcoming projects, contracts and bids and said he will know more by the end of April and will keep the commissioners posted. Chad commented about a RAC meeting scheduled May 5 to start going through proposals. Chad briefed the commissioners on funding received and potential funding that has been applied for. The commissioners said they are willing to write support letters or help where possible for projects moving forward.

10:30 AM **Administrative Issues**: Present were Arlene Elletson, Scott Lennard, Martin Dunbar, Cheri Dunbar and Derrick Perkins. Present via phone were Nikki Meyer and Ray Stout.

- Robin submitted the minutes for March 31 regular meeting and April 2, 2021 special session for approval. **Motion** by Commissioner Peck to approve minutes as submitted. Second by Commissioner Bennett, motion carried.
- Public Administrator Appointment: Commissioners signed an appointment letter to Jennie Lafond to serve as the Public Administrator. Resolution 2021-07 to appoint a Public Administrator was passed on April 2, 2021. Commissioner Bennett explained it is an elected position, there is no wage involved and nobody has filed for the position. Jennie Lafond has volunteered to be appointed until the next election cycle. **Motion** by Commissioner Peck to approve Jennie Lafond as Public Administrator until the next election cycle. Second by Commissioner Bennett, motion carried.

10:45 AM **Public Comment**: Present were Arlene Elletson, Scott Lennard, Martin Dunbar, Cheri Dunbar, Kenny Rayome and Derrick Perkins. Present via phone were Nikki Meyer and Ray Stout.

Martin asked about any action or progress since last week's meeting regarding the dust issue from the Panoramic View Estates Subdivision development.

Commissioner Bennett said he now has a complete list of homeowners and will be setting up a meeting to discuss the dust issue and road maintenance.

Martin questioned if Commissioner Bennett has a conflict due to having a water system in the same area.

Commissioner Bennett said he does not see a conflict, and all property owners will be notified.

Martin questioned a timeline for any action to be taken.

Commissioner Bennett said they can expect resolution this year and action by end of month.

Arlene asked about a permanent road dust fix.

Commissioner Bennett commented that we are all wanting and moving towards a permanent fix, but the county needs time to work through its process and to come back in a month for an update.

Commissioner Peck commented that if there is a fight about responsibilities, then the county will do something even if it is not a permanent fix.

Scott read a portion of Article II, Section 3 of the Montana Constitution about the right to a clean and healthful environment.

Commissioner Peck commented that if he lived up there, he would be sitting right there with them.

Kenny Rayome talked about Liberty on Parade Event for July 26th. It will be a one-day event this year and held at J Neil's Park. Commissioner Peck said he would be willing to help support and appreciates the work and flexibility of organizing it.

11:00 AM **Amended Plat of Lot 1 of Olsen's Place**: Present were County Planner Jake Mertes, Nick Enblom, and Derrick Perkins. Present via phone were Josh Lenderman, Nikki Meyer and Ray Stout.

Jake said the proposed minor subdivision is located approximately 5 miles west of Fortine, off Meadow Creek Road. The developers intend to create 2 lots from the 20-acres parcel. Planning staff recommends preliminary approval to Amended Plat of Lot 1 of Olsen's Place Subdivision subject to 10 conditions and based on the finding in the staff report.

Josh asked for clarity about turnarounds in Condition #2.

Jake said it is for emergency services and he will make changes to clarify the language.

Josh asked for clarity about tree thinning and how far up driveways that pertains to in Condition #5.

Jake said Condition #5 is about safety providing a fuel break and aids emergency services using the driveways.

Motion by Commissioner Peck to approve preliminary plat for Amended Plat of Lot 1 of Olsen's Place based on planning staff's recommendation and subject to 10 conditions. Second by Commissioner Bennett, motion carried.

Commissioner Bennett asked if there has been any research regarding changes to the final plat after approval that need to be run through the governing body and what are those authorities to the governing body. Commissioner Bennett said he will do some legal research.

11:15 AM **Recommendations of Award for Libby and Eureka Airports Pavement Maintenance Project and Approval of the Engineering Services Agreements**: Present were Nick Enblom of Morrison-Maierle and Derrick Perkins. Present via phone were Nikki Meyer and Ray Stout.

Nick said Morrison-Maierle completed its review regarding the bid opening held March 31, 2021 for the Libby Airport Project. The low bidder was Schellinger Construction. The bid met requirements and was totally satisfactory and Morrison-Maierle recommends Commissioners to award bid to Schellinger Construction for \$2,106,273.00.

Nick said Morrison-Maierle completed its review regarding the bid opening held on March 19, 2021 for the Eureka Airport Project. The low bidder was Road Products, Inc. The bid met requirements and Morrison-Maierle recommends Commissioners to award bid to Road Products Inc. for \$138,482.00.

The commissioners signed letters to the FAA approving Morrison-Maierle fee negotiations for Task Order 1 and Task Order 2 for the Libby and Eureka Airport Projects.

Motion by Commissioner Peck to approve Task Order 1-2020 and Task Order 2-2020, letters of negotiations for the Libby and Eureka airport projects. Second by Commissioner Bennett, motion carried.

Motion by Commissioner Peck to approve bid award for the Libby Airport Pavement Contract to Schellinger Construction and the Eureka Airport Maintenance Contract to Road Products Inc as recommended by Morrison-Maierle. Second by Commissioner Bennett, motion carried.

11:30 AM **Tax Appeal Board Discussion:** Present was Derrick Perkins. Present via phone were Nikki Meyer and Ray Stout.

Robin explained the Montana Constitution Section 7 requires the legislature to provide independent appeal procedure for taxpayer grievances about appraisals, assessments, equalization and taxes. The legislature shall include a review procedure at the local government unit level. Additional authority is given in MCA 15-15-102 regarding County Tax Appeal Boards. Robin said that currently the Tax Appeal Board members are Alecia Davis and Laura Schrader recently sent an email to be reappointed to serve another term. Robin commented she has advertised vacancies for this board several times. Minimum board statutorily is 3 members and a secretary, so the county needs to appoint one person as a board member and a secretary who is not a board member. Robin said the Montana Tax Appeal Board is providing training on May 5, 2021 and encourages the board appointment and secretary prior to the training.

11:45 AM **Resolution to Accept Sheriff's Office CIP:** Present were Sheriff Darren Short and Derrick Perkins. Present via phone were Nikki Meyer and Ray Stout.

Patrick submitted the Sheriff's Office Capital Improvement Plan (CIP) for commissioner approval and explained the resolution is required so accounting can set up a fund. Patrick said the CIP can be modified. **Motion** by Commissioner Peck to approve Resolution 2021-09 establishing the Sheriff Departments Capital Improvement Plan. Second by Commissioner Bennett, motion carried.

All resolutions can be viewed in their entirety on the county website at: www.lincolncountymt.us und Clerk and Recorder.

12:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett, Chairman

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