

January 20, 2021

The Lincoln County Board of Commissioners met for a regular session on January 20, 2021 in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Bennett, Commissioner Peck, and Commissioner Letcher. County Administrator Patrick McFadden and Clerk and Recorder Robin Benson present Libby, via VisionNet.

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

10:30 AM **Administrative Issues:** Present were Olivia Lanphar, Michael Bernhard, Todd Wort, Brenda Turnbull, B. Ruble, Sean Newbury, Karla Westbrook, Sheldon Letcher, Kevin Letcher, Douglas Letcher, Colleen Kenschuh, Ruth Kenschuh, Alette Kenschuh, Scott Bernhard, James and Micki Handy, Dave and Julie Flagwet, Beth Mocko, Linda Baldwin, Kristina Casazza, Sarah Pluid, Keri Hurst, Diane Watson, Amy Casazza, Ed Kahle, Catherine Kahle, Lynnette Mellinger, and Jonathan Allen. Present was Derrick Perkins, Libby via VisionNet. Ray Stout and Nikki Meyer were present via phone.

- Robin submitted the minutes for January 13, 2021 for approval. **Motion** by Commissioner Letcher to approve minutes as submitted. Second by Commissioner Peck, motion carried unanimously.
- Robin mentioned she is coordinating with Dan Clark, MSU Local Government Services to conduct District Board Training in May. Kathi Hooper will be coordinating training specific for the Board of Health.
- Commissioners signed letter of support for the Kootenai Cross Country Ski Club to purchase 5 biathlon rifles through an NRA Foundation Grant. The Biathlon Program serves 50 youth in Libby and supports our 2nd amendment rights and teaches youth the importance of safe firearm use.
- Commissioner Letcher spoke briefly about a lawsuit filed by the Idaho Snowmobile Association regarding motorized use. Commissioner Letcher said he will attain more information and place it on the agenda for further discussion.

10:45 AM **Public Comment:** Present were Olivia Lanphar, Michael Bernhard, Todd Wort, Brenda Turnbull, B. Ruble, Sean Newbury, Karla Westbrook, Sheldon Letcher, Kevin Letcher, Douglas Letcher, Colleen Kenschuh, Ruth Kenschuh, Alette Kenschuh, Scott Bernhard, James and Micki Handy, Dave and Julie Flagwet, Beth Mocko, Linda Baldwin, Kristina Casazza, Sarah Pluid, Keri Hurst, Diane Watson, Amy Casazza, Ed Kahle, Catherine Kahle, Lynnette Mellinger, and Jonathan Allen. Present were DC Orr and Derrick Perkins, Libby via VisionNet. Nikki Meyer and Ray Stout were present via phone.

DC Orr talked about a crisis of confidence with the health board. DC commented there were several candidates for an open seat, but only 2 advanced; one literally thrown out by Jan Ivers. DC said expressed that there is an ethical and integrity problem with the health board and the commissioners are about to make an appointment and can do what is right.

Catherine expressed support for appointing Scott Bernhard who believes in medical freedom. Catherine stated that none of our concerns have been addressed in any meaningful way and expressed frustration regarding the Board of Health (BOH) and its processes nominating members.

Catherine Kahle submitted the following letter to be included in the record:

Dear Commissioners,

1/20/21

In a time and place where the idea of freedom is all but evaporated away, you have the opportunity to appoint a candidate to the Health Board who believes strongly in medical freedom. Scott Bernhard was the only candidate who even mentioned prevention like supplements.

For months many of the people of the county tried to be involved in government as the Founders said we should in order to keep the Republic. I wonder if we should have bothered at all because none of our concerns have been addressed in any meaningful way; however, in good faith we are here once again.

The Health Board lacks genuine leadership and proper parliamentary procedure - the meetings have been chaotic and the board has a terrible track record with public relations. I viewed the last health board meeting and the way that Chairwoman Jan Ivers voted/nominated the candidates was highly irregular, even strange, and an unethical manipulation of proper voting parliamentary procedure and quite possibly even illegal to exclude Scott Bernhard. We need Scott Bernhard to help the health board out because he can truly lead and he has plenty of experience in parliamentary procedure to correct and help maintain order, which is sorely and obviously lacking.

We need another male member to balance out the board, but not a member who represents the status quo, the medical industry, or even the interests of the CDC, such as Jeff Peterson, as we have way too many of those kinds of members already. What seems to be necessary is an out of the box type thinker, not another person, such as Patty Kinchloes who said, "It's our job to wear a mask" and also said she will probably get the vaccine. It's most certainly not our "job" to wear a mask! I believe we need a person who will respect those choices, but won't try and force those ideas; someone who will be a real voice for the residents of Lincoln County.

It's been almost 250 years since this country became a free country. I'd like to think that even on this day, that freedom still matters - to live our lives as we individually choose; to have the assurance that freedom - our God-given rights, can't be taken from us. Please restore the people's trust and faith in government and appoint Scott Bernard to the Lincoln County Health Board.

Respectfully,

Catherine Kahle

James Handy said he endorses Scott Bernhard to the BOH, commenting that Scott's approach is emphasizing prevention and he has an open mind.

Kristina Casazza expressed support to appoint Scott Bernhard to serve on the BOH, mainly for diversity.

Heather Handy expressed support to appoint Scott Bernard to serve on the BOH, commenting that Jeff Peterson already works with the health board.

Ed Kahle expressed support to appoint Scott Bernhard to serve on the BOH.

Deb Holder said she was born and raised in Eureka and has known Scott many years. Deb commented that Scott is a strong member of the community and is certainly qualified and is an outstanding citizen.

Diane Watson expressed support for Scott Bernhard to serve on the BOH, commenting that Scott is a lifelong community member, and knows the people. Diane said she wants to see someone who represents the people, and Scott would be committed to researching and would be a voice for the people.

Kathleen Johnson expressed support for Scott Bernhard to serve on the BOH, commenting that Scott loves the citizens of Lincoln County and has served this country and honors the flag and our citizens. Kathleen said Scott would be an asset to the BOH and he understands parliamentary procedures.

Jacob commented that he hopes the commissioners hear what is being said, commenting the commissioners and the BOH works for us. Jacob asked the commissioners to take a stand, the BOH is shoving their ideas down to us, and asked the commissioners to stand up for the people as our elected officials and handle this situation that is out of control.

Olivia Lanphar said she is in support of appointing Scott Bernhard to serve on the BOH.

Linda Baldwin said she listened to the discussion about the nominees at the health board meeting and the conversation revolved around working for the good of the board and that is concerning. The conversation should be about working for the good of the community. Linda said she listened to all the candidates and felt Scott Bernhard stood out the most, expressing that it is clear that community representation is really needed on the BOH.

Karla Westbrook said she supports the appointment of Scott Bernhard to serve on the BOH, expressing that people of North Lincoln County are dissatisfied with another South County medical shoo-in which points in one direction as authoritarian cloaked as a board of health.

Jonathan Allen commented that during community engagement in previous meetings, it was expressed as a condition by the commissioners that George stepping down would allow for more North Lincoln County representation and the intention would be a representative for the general interest of the people. Jonathan expressed that Peterson is not a representative of the people, but more for the medical side.

Scott Bernhard said he is truly humbled hearing all the comments of support and expressed that he is deeply rooted within the community, including south county. Scott expressed concerns for the county and wants to see it move in the right direction.

Commissioner Bennett thanked everyone for taking the time to come to the meeting and voice their thoughts, ideas and concerns.

11:00 AM Board of Health Appointment: Present were Olivia Lanphar, Michael Bernhard, Todd Wort, Brenda Turnbull, Sean Newbury, Karla Westbrook, Sheldon Letcher, Kevin Letcher, Douglas Letcher, Colleen Konschuh, Ruth Konschuh, Alette Konschuh, Scott Bernhard, James and Micki Handy, Dave and Julie Flagwet, Beth Mocko, Linda Baldwin, Kristina Casazza, Sarah Pluid, Keri Hurst, Diane Watson, Amy Casazza, Ed Kahle, Catherine Kahle, Lynnette Mellinger, and Jonathan Allen. Present were DC Orr and Derrick Perkins, Libby via VisionNet. Nikki Meyer and Ray Stout were present via phone.

Commissioner Peck expressed that the decision goes to the intent of imbalance on the health board, for diversity and representation for North Lincoln County. Commissioner Peck commented that the BOH deals with varied issues such as sanitation, air quality, dust control, but because of covid, the medical part has come to the forefront.

Commissioner Letcher said he does know all the candidates and met with several of them. Scott and Patty reached out to and meet and are both good candidates. Commissioner Letcher expressed that he has prayed about it and has talked with his family. Commissioner Letcher commented that his kids and wife are present, so they can learn more about what his role as a commissioner entail. Commissioner Letcher explained that he has had conversations with other candidates and talked about how he feels God is leading us. Commissioner Letcher said that Scott Bernhard is his choice for appointment to the BOH.

Commissioner Bennett agreed, commenting there were several good, qualified candidates. Commissioner Bennett commented that Dan Clark from MSU Local Government will be conducting training for the BOH, but it is good to have someone on board that understands parliamentary procedures.

Motion by Commissioner Letcher to appoint Scott Bernhard to serve on the Board of Health, filling the unexpired term of George Jamison. Second by Commissioner Peck, motion carried unanimously.

Commissioner Peck commented that it was really refreshing to see the quality of candidates from North Lincoln County. Commissioner Peck expressed that he does not take it lightly overturning the decisions of other boards, but the amount of emails and support other than people sitting in this meeting for Scott Bernhard is something to be acknowledged.

Commissioner Bennett commented he has received numerous emails, and if you have not heard back personally, he is not ignoring anyone but he does read every email and appreciates the interest and folks sharing their thoughts; we represent everyone.

Commissioner Peck explained that the county is bringing in training for some of the issues, but there is a lot of authority put on a group of people who are volunteers, and they are deserving of some grace.

Commissioner Bennett talked about legislators working on Title 10 and Title 50, but its in the early stages and too early to know specifics at this time.

11:15 AM **Western Montana Area VI Agency on Aging:** Present were Todd Wood, Executive Director and Brenda Turnbull.

Brenda talked about her work history and services helping senior citizens with the Medicare process, commodities, meals on wheels, people with disabilities, and other services.

Todd discussed the contract with the State of Montana, requirements, programs and services. In 2020, the program distributed a total of 4,222 monthly food boxes to an average of 352 individuals a month in Lincoln County which is a testimony to the value of the program to county residents and efficiency of the process. Todd commended the volunteers in the community. Todd commented that the Agency on Aging has drafted guidance for senior centers to open safely. There was a brief discussion about the impacts of isolation on our seniors that are in senior centers. Commissioner Peck relayed a story of a person he knows visiting his 95-year-old mother at a care center and questioned when is a hug to a 95 year old mother in a senior center from her son more important than distancing.

11:30 AM **Joel Cobb / Designated Marketing Area (DMA) Redistricting:** Present were Derrick Perkins, Libby via VisionNet. Ray Stout and Nikki Meyer present via phone.

Joel talked about the designated marketing area and requirements of Direct TV, Dish and the FCC. Initially tried to do this for the entire county approximately 5 or 6 years ago, but the FCC was reluctant to make changes on the south county end. Joel said he is requesting a letter of intent to support a designated marketing redistricting for this area and if commissioners decide to move forward, will need county attorney involvement. Joel discussed initiating a program to determine community involvement and support, and said he set up a Facebook page called Lincoln County Montana DMA for engaging the public.

The commissioners talked briefly about a community survey/petition for engaging the public and to show community support.

Commissioner Peck said he is fully supportive of this; we may designate a different attorney, maybe a deputy county attorney, but expressed the benefit from a safety standpoint, such as local fire information as an example.

11:45 AM **Safety Incentive Program / Teske:** Present was Derrick Perkins, Libby via VisionNet.

Robin presented the annual Lincoln County Safety Incentive Program for 2021 to the commissioners for approval. There was discussion to amend the language in quarterly dinner drawings to restaurants to be quarterly drawings to a Lincoln County business. **Motion** by Commissioner Peck to approve the 2021 Lincoln County Safety Incentive Program with amendment. Second by Commissioner Letcher, motion carried unanimously.

12:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett, Chairman

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