

**May 5, 2021**

The Lincoln County Board of Commissioners met for a regular session on May 5, 2021 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Peck, Commissioner Letcher, County Administrator Patrick McFadden and Clerk and Recorder Robin Benson.

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

10:00 AM **USFS Update:** Present were Chad Benson, County Forester Jennifer Nelson, Sheriff Darren Short and Will Langhorne. Present via phone were Ray Stout and Nikki Meyer.

Chad updated the commissioners on the Great American Outdoors Act (GAOA) potential projects scheduled for 2022. Anticipating 1.8+ million for trail maintenance, campgrounds, boat launch repairs and chip sealing. Chad said he will keep the commissioners informed how projects are moving forward.

Commissioner Bennett questioned potential RAC funds and how to utilize those funds. Commissioner Bennett asked about erosion after the Caribou Fire, and if those type of projects can move forward. Chad explained how grizzly, and erosion plays a role in those decisions.

Chad gave a brief overview of Pinkham Creek, Black Ram, Ripley, and East Reservoir Projects.

Chad said he will be in a Joint Chiefs conference tomorrow to discuss the path forward.

Chad commented that a public meeting on Three Rivers, was unfortunately shutdown. First time shutting down a meeting, due from false information that is on social media. Chad commented that he does not even know where this information is coming from.

Commissioner Peck asked about the 20-25 year treatment schedule.

Chad said the size of those projects are so large and explained how the market, bidding process, burn windows and contracts play into those decisions and timelines.

10:30 AM **Administrative Issues:** Present were Sheriff Darren Short, Derrick Perkins and Sherri Page. Present via phone were Ray Stout and Nikki Meyer.

- **Motion** by Commissioner Letcher to accept support letter of the Swamp Creek Project. Second by Commissioner Peck, motion carried unanimously. The letter is to Nathan Gassmann, Libby District Ranger.
- Robin submitted the minutes for April 27 special session preliminary budget and April 28, 2021 regular meeting for approval. **Motion** by Commissioner Peck to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.

10:45 AM **Public Comment:** Present were Ed Kahle, Catherine Kahle, Derrick Perkins, Evan Comella, Holly Clark, Sandi Kenelty, Doug Erdahl, Rod Sanchez, Dan Manson, Mike France, Julie Martin and Derrick Perkins. Present via phone were Ray Stout and Nikki Meyer.

Ed read a statement regarding public grievances of the Health Board conduct and expressed frustration that nothing has been done and there are no repercussions. HB 121 now grants the commissioners authority to replace Jim Siefert and Jan Ivers with respectful and unbiased board members.

Evan commented she agreed with the statement read by Ed.

Holly talked about moving here from Portland Oregon and expressed the importance of allowing people to be free to speak and not be overruled by just a few.

Doug said people will not speak up because of fear of repercussions, and expressed that people have the right to speak and disagree without being put down by members of a public board. Commissioners now have the power to put their foot down if board members are disrespecting public people in attendance.

Holly asked if the commissioners have researched health issues from people who have received the vaccine. This information is hard to find, but there are doctors now coming out being truthful about what is really happening.

11:00 AM **EBMS Update:** Present were Dallas Bowe, Pete Shatwell, Rod Sanchez, and Julie Martin.

Pete talked about renewal options and cost for the county employee health insurance plan. The three-year renewal estimate is a 2.75% increase annually. Discussion focused on cost and options, benefits, EAP Program (mental health and financial assistance) and employee health screenings.

Commissioner Peck commented that Lincoln County has had 13 suicides and we had 2 suicides the year before.

Open enrollment will begin early June and Pete will coordinate with Dallas for scheduled times to meet with employees to go over any benefit questions.

11:30 AM **Radio Frequency Zone Plan:** Present were Jennifer Nelson, Brent Teske, Kirk Kraft, Sheriff Darren Short, Mike France, Julie Martin, Rod Sanchez and Derrick Perkins. Present via phone were Ray Stout and Nikki Meyer.

EMA Director Brent Teske submitted documents regarding a Proposed Local Government 2021 Frequency Zoning to help with communication issues with countywide dispatch districts.

Kirk explained and gave an overview of the zoning plan, mountaintops, and costs.

Commissioners expressed agreement that the update is necessary for improved dispatch services.

Mike expressed support regarding improvement to emergency communication services.

**Motion** by Commissioner Peck to approve the frequency zoning plan as presented and fund the costs of \$5800.00 out of PILT. Second by Commissioner Letcher, motion carried unanimously.

11:45 AM **Catherine Kahle/Health Board Public Comment Concerns:** Present were Ed Kahle, Catherine Kahle, Evan Comella, Holly Clark, Dan Manson, Julie Martin, Douglas Erdahl, Rod Sanchez, Mike France, Kate Witt, Sandi Kenelty, Sheriff Darren Short, and Derrick Perkins. Nikki Mayer and Ray Stout present via phone.

***The following letter was read and submitted by Catherine Kahle:***

## The Importance of the Citizen Involvement and Response to Jim Seifert's Slander and Jan Ivers' Exclusion of the Public

According to [legaldictionary.net](http://legaldictionary.net), the term *civic duty* refers to a [responsibility](#) expected from all members of a society. It follows the principle that citizens have an obligation to serve their society. In return, they receive certain rights and protections.

It is my personal belief that civic duty is a requirement of a free society. While it's debatable if America retains the status of "free society", Founding Father Benjamin Franklin said, "You have a Republic IF you can keep it." He didn't say the Republic was a free gift for posterity and to do nothing and all will be well. The Republic's continuance relies on and even demands our participation. Since I love my country and I value freedom, I have done my civic duty as a resident of Lincoln County to attempt to be involved in my county's government. Without the input of the public, everyone can be assured that our liberties and rights will not continue. Maybe it's the lack of civic duty in general as to why our country is in the degraded state that it is in now and that our country has been communistically taken over on the federal level. Public input is therefore vital to a free society and is a built in check and balance to aggressive government over reach, which may seek to "keep us safe" in theory, but has the tendency to control people's lives if balance is lost.

Since the summer of last year, I have committed to the effort of attending Lincoln County Health Board meetings to have input in the health board as I and others started to notice what we discerned to be a trend toward less freedom and increasing government control. For example, even though face masks haven't been proven to be helpful, but even harmful to a person's health, we were told we must wear face masks. We have resolved to exercise our duty to be civically involved; however, I and others have been demoralized by some of the health board members in a manner not befitting honor and respect. For example, I have been muted by the Chairwoman just because she didn't like what I had to say after Jim Seifert interrupted me. Another time she cut me off mid-sentence. Others have been afflicted similarly. Moreover, I warned that the vaccines would be pushed on residents of the county, only to be interrupted and mocked by the chairwoman by her saying, I was "getting ahead of myself"; but now we are exactly where I commented we would be and society is facing "vaccine passports" by those who are advocating and steamrolling the experimental technology treatment shot.

For months I requested from the health board the PCR cycle threshold numbers for this county to no avail. High cycle threshold numbers of the PCR test, used for attempting to diagnose COVID19, produces many, many false-positive results leading to supposed COVID19 "cases" and therefore the orchestration and continuance of a supposed "pandemic". This continues to be a problem. Furthermore, there has never been disclosure by the health board of that cycle threshold number, even though the request for that information has been repeatedly asked for. The best we got was a vague and useless answer of "over 30". This board doesn't answer questions from the public.

The board also seems persistently obsessed on promoting a gene therapy treatment shot instead of educating the public on building an individual's immune system. Isn't this board supposed to promote health or is it supposed to market pharmaceuticals? Is the focus the shot or health? The health officer seems to think it's the shot from his comment during a health board meeting: "the focus is the vaccine". However, residents should not be entreated as to what to put on or in their own bodies, instead we'd like the purpose of the health board to be to protect the health of the public like, for instance, making certain that a restaurant is sanitary place to eat and won't make us ill or if pools are safe to swim in. As far as "viruses", the health board's mission should be to promote health and healthy living such as eating nutritious food, drinking plenty of water, getting enough minerals and vitamins, refrain from smoking, exercising, getting proper sleep, practicing safe sex, etc. If any treatments are suggested, such as the non-approved, experimental mRNA treatment shot, then other natural treatments should also be suggested as well, such as Ivermectin or Hydroxychloroquine, but that's not the case.

Besides solely promoting the pharmaceutical industry, not answering questions, and attempting to silence public comment, we had Jim Seifert making an unbelievable suggestion of "grading" the businesses in Lincoln County for COVID19 mandate compliance. The public was horrified and rightly so. Jan Ivers purposefully excluded Scott Bernhard, a nominated candidate, from the health board's vote in an attempt to exclude him from the appointment. Many problematic issues plague this board, yet there is no disciplinary action or a cessation of this type of behavior.

This brings us up to the March work meeting: a meeting that Jan Ivers determined, evidently at the last minute, to not allow remote attendance, as every other meeting was. There was no Zoom capability even though the health board website said if you couldn't or wouldn't wear a mask then you would have to join the meeting on Zoom. No response was returned to my email to Chairwoman Ivers asking about the Zoom instructions for that meeting. The day of the meeting, I started to perceive that Zoom was not going to be available, so I emailed my pre-written public comment regarding the changing of the health board mission statement. I was assured by Commissioner Letcher that my comment would be read aloud during that meeting. The Commissioner instructed me to email a copy to Chairwoman Ivers and Kathi Hooper. Therefore, I undertook the task to prepare my public comment regarding the mission statement, which was direct input with my concerns about the health board's mission statement change. To my horror, my public comment was not read aloud! For the life of me, I can't understand why! It is at this point that I presumed that the effort of my participation was of no use if my participation can be eliminated like it was - that my voice as a resident of this county can be so easily silenced. That's why I didn't even bother to attend April's health board meeting at all. After this incident, I wrote a letter to the county attorney, Marcia Boris, regarding the situation and I have yet to even get an acknowledgment that my letter was received, not to mention even considered. I also sent an email to my health board representatives requesting that my public comment be attached to the minutes for the record, even though my input was apparently totally ignored by Chairwoman Ivers.

At the April health board meeting, during the approval of the minutes, Jim Seifert went on a rant proclaiming that a "letter" I wrote was full of "falsehoods". I wasn't there to defend myself, nor should I of had to even if I was. Subsequently, I tried to find out what "letter" he was referring to and what all these "falsehoods" allegedly are. I sent him fourteen emails, and not surprisingly, he never returned one of them, even though he did open them. I know this because I put tracking on my emails to him - some of them were view 3 or more times.

I requested my public comment from February be attached to the minutes because the summarizations of public comments are so reduced they don't reflect what's actually said. My comments were not attached. I also requested that my public comment that was excluded from the March work meeting be attached as well. So, I'm going to assume the "letter" that Jim Seifert was referring to was not a letter at all, but rather my public comment that was intended for the March work meeting of which Jan Ivers excluded. It appears to me that Jim Seifert didn't appreciate the fact that my public comment was being attached to the minutes.

So, there is an ongoing problem with the way the Lincoln county Health Board, especially Chairwoman Ivers and Jim Seifert, treats residents of this county. I, for one, have NEVER been disrespectful and I have never personally attacked any of the health board

members. I've taken my time to do my civic duty diplomatically to address issues/topics. The residents of the county are treated exactly the opposite. The bi-laws of the Lincoln County health board state:

"The Board Chair may terminate any individual comment period if they determine the comments are not relevant to Board activities, personal attacks, or not presented in a respectful manner."

This is a "bi-law" or "operating procedure" that apparently does not work in reverse. Jan Ivers sat there and let Jim Seifert disrespectfully and personally attack me and defame my character without a word. Jim Seifert claimed that my "letter" was so full of falsehoods that it would take him most of a meeting to address. He went on to further slander me by stating that I have no credibility, yet where is his credibility? He didn't present one single example to substantiate his preposterous claim, besides the fact that he has no right to "judge" my comments in the first place!

I'm supplying a notebook of accumulated evidence to support my public comment for the Lincoln County Health Board meeting of March 2021. Since Jim Seifert claimed that my comments were full of "falsehoods", I felt compelled to take my time, even though it's not a requirement that I defend myself like I'm on trial or something. I have proved that ALL of my statements are true and nothing is a "falsehood". Let me state that I'm completely disgusted that I had to consume my time to do this, but I wanted to make it incredibly obvious that Jim Seifert was not only well out of line when he said my comments were full of "falsehoods" and that it could take most of the health board meeting to do so, but instead intentionally and with malice slandered me during a public meeting. I have more than proved my case and he made absolutely no attempt to do anything by malign me. I have put together my resources/reasons/information by paragraph for every single thing I stated in my public comment. Again, for the record, Jim Seifert received an abundance of emails from me asking him what exactly he was referencing and what his reasons for claiming that I'm not credible or what the falseness of my comments are, but he didn't respond to one of them. For someone who said that he could go on for over an hour refuting what I had said, his silence speaks as to his character, motivation and misconduct.

What was the response from the county attorney when this attack to my character was going on? I wasn't even present to defend myself for goodness sake! This is bully-type behavior as well as tyrannical! I'm glad that I wasn't present during the fiasco, because what kind of circus would have resulted? Jim Seifert was totally out of line, again, and there is absolutely no point of order called and no response to him for his misconduct. What happened to parliamentary procedure? Unbelievably, absolutely no one on this board, who are supposed to serve the public, defended my right to freely participate in the health board meeting as a resident of this county. They all allowed this abuse to take place without any attempt to stop it. Shame on all those who were present during the April 2021 Lincoln County Health Board meeting!

Jim Seifert intentionally and maliciously libeled me. This is a deliberate attempt to silence, not only me, but every single resident of Lincoln County who decides to participate in the meetings of the health board. This rude, arrogant and obnoxious and even unethical and probable illegal behavior needs to immediately be corrected or Jim Seifert and the other members of that board will violate the public and their own rules boldly and with impunity. I demand that a censure to Mr. Seifert's comments be made. My information shows that Jim Seifert's appointment to the health board wasn't done legally: he was appointed by the Troy mayor without input or approval of the Troy City Council. Jim Seifert should be removed, as well as Jan Ivers. Jan Ivers intentionally excluded residents of this county from participating in an open meeting and she has continually thwarted residents in their ability to make their public comments. Maybe the board should choose a new county attorney - one who actually stops illegal and unethical actions from taking place if the Chair doesn't perform her duty. Perhaps the people of Lincoln County need the county to supply a lawyer to represent the people during health board meetings to ensure we're not mistreated? If these serious infractions aren't corrected, then nobody on the health board deserves respect from any resident of the county, while no resident will be safe during their input in the health board.

I'm maintaining that public comment is disrespected by some of the health board members. For instance, I had legitimate concerns that I spoke about in my allotted 3 minutes during the November 10th meeting. My public comment was reduced to two insignificant and meaningless sentences to basically thwart my concerns. The record basically reflects something that can't be discerned now and will be even harder to tell down the road what my concerns really were, not to mention that our concerns are never addressed, just recorded in the minutes. In one of the meetings Jim Seifert said that he wanted to abbreviate public comment even further in the minutes. Really? WHY? The public comments in the minutes ends up being a subjective allowance granted by those with an agenda to silence the concerns of the public. In contrast, we have those same meeting minutes reflected seventeen sentences of Team 56 about COVID19 posters, prizes and slogans. It's lopsided to include so much information on a propaganda group, but legitimate concerns get summarized away to give the appearance of unimportance or even annoyance. There seems to be an effort to trivialize legitimate public input, while at the same time, promote propaganda or certain points of view. It needs to end! Unless this practice is remedied, my suggestion is for the public to have their comments written out and submitted to the health board and the health board must attach those to the minutes every single time. This way there can be no funny business going on and maybe that will actually encourage the health board to take seriously the comments of the public and address concerns and answer questions.

The people of this county deserve to have civic duty respected. We should be acknowledged for our participation such as having our questions answered; such as having our first Amendment right to free speech respected; such as our participation guaranteed. Fearing having to defend ourselves or being slandered is not what should accompany our involvement. We are trying to assure our freedom, that our rights are upheld, and that we are protected from tyranny. We don't take the time out of our busy lives to be silenced or slandered. On the contrary: we are trying to serve our country, by our participation on this board with our comments, questions and concerns. Quoting Ben Franklin again: "Freedom of speech is a principal pillar of a free government; when this support is taken away, the constitution of a free society is dissolved, and tyranny is erected on its ruins."

The time for transparency, respect, and proper procedure is NOW! Ensure that by removing the two troublesome members, Jim Seifert and Jan Ivers, off of the Lincoln County Health Board. The Montana legislature has done their duty and HB 121 has been signed into Montana law on April 16th; there is nothing now stopping you from doing what is right for the people because you, the Commissioners, now oversee the Lincoln County Health Board according to 50-1-101 Section 8(a). The People shouldn't have to resort to legal relief when it's in your power to make things right. It's time to reorganize the health board as we requested about 6 months ago. It's time to replace these people with appointees who will represent all the residents of Lincoln county; respecting all the residents, protecting all of Lincoln County residents' individual liberty; caring about all Lincoln County's businesses, and conducting themselves in an honorable and ethical manner.

I'm respectfully requesting that my comments in their entirety be attached to the minutes as is. I'm submitting my compiled notebook entitled, "Evidence to support my public comment for Lincoln County Health Board Meeting of March 2021, including my email exchange to Jim Seifert with copies and a section explaining how public comments are too abbreviated, which I am submitting along with the comments I just read aloud.

Catherine Kahle

Commissioner Bennett commented that HB121 is there because some of us went after it. Commissioner Bennett noted that they did ensure the person North Lincoln County residents wanted on the health board was appointed and board training was scheduled for the health board members and for all other county boards. Commissioner Bennett said he has always suggested that written public comments be submitted.

Commissioner Letcher said the board of health March meeting minutes have Catherine's public comment letter attached. Catherine explained her complaint is that her public comment was not read during the meeting and the slanderous comments against her, and public humiliation by Jim Siefert and Jan Ivers.

Commissioner Letcher explained that any technical issues were not intentional.

Commissioner Peck said he wants time to review the materials submitted by Catherine.

Robin said she will scan and email the letter and other documentation submitted by Catherine Kahle to each commissioner.

Holly discussed the failure of health boards across the nation not taking the opportunity to promote personal health, but instead promoting only pharmaceuticals.

12:00 PM **Meeting Adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Jerry Bennett, Chairman

**ATTEST:** \_\_\_\_\_  
Robin A. Benson, Clerk of the Board