

November 3, 2021

The Lincoln County Board of Commissioners met for a regular session on November 3, 2021 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Teske, County Administrator Jim Hammons, and Clerk and Recorder Robin Benson. Commissioner Letcher was excused.

Meeting allows for teleconferencing and VisionNet availability.

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

9:30 AM Jennifer McCully / Task Order Amendments: Present were Tom Lane, Jenn McCully, Kate Witt, Kaitlin O'Neil, Linda Bell, Will Langhorne and Ray Stout.

Jenn submitted a PHEP Grant Amendment (task order) to correct a typo and to add \$70,000 additional funding for Workforce Development. **Motion** by Commissioner Teske to approve Task Force Order #4 as presented. Second by Commissioner Bennett, motion carried.

Jenn submitted a grant amendment (task order) to add \$185,056 additional funding for continued Immunization Services for 3 years. **Motion** by Commissioner Teske to approve Task Order #1 as presented. Second by Commissioner Bennett, motion carried.

9:45 AM Garden Road Residents Issue / Blocked Flood Plain: Present were Tom Lane, Kate Witt, Kaitlin O'Neil, Linda Bell, McKenzie Williams, Craig Stark, Evan Comella, Will Langhorne and Ray Stout.

Kaitlyn explained that she lives on Garden Road. There is new development and she started tracking this issue in August. Kaitlyn said she has no issue with the development but wants to see it done legally and ensure neighbors are not put at risk. Kaitlyn gave an overview of her research regarding floodplain and the project, including photos. Kaitlin asked if the commissioners could talk with the county planner and that she may want to talk with the county attorney regarding who would be liable in case there is flooding.

Linda commented that she has studied some of the floodplain laws and restrictions if potential harm can done to properties.

Craig Stark owner of the property in question explained his permitting process, and said the development was not intended to stay this way. Craig said he is meeting with Terry Oedewaldt and will make a temporary trench and the drainage will be maintained. Craig said the neighbors have a valid complaint and he just found out about this meeting at 8:00 this morning. Craig apologized for the frustration caused and said the temporary trench will be completed in 15 days. Kaitlin and Linda thanked the commissioners for visiting the site and thanked Craig for his apology and explanation on how their concerns will be addressed.

10:00 AM USFS Update: Present were Forest Supervisor Chad Benson, Kate Witt, McKenzie Williams, Tom Lane, Ray Stout, Will Langhorne, and Evan Comella.

Chad commented he is waiting to hear more on the Black Ram project since it is still hung up in the White House. Ripley Project is pending litigation, but Chad expressed appreciation about some of the editorials and connectivity within the community and he appreciates the support.

Chad noted that he is hearing good things about potential funding on the Joint Chiefs projects.

Chad said he is waiting to hear how funding from the Infrastructure Bill will be dispersed; all the work done over past 2 years for Joint Chiefs and WUI work has put the county in a good position, and he is looking forward to working together to identify areas/projects when those funds come in.

There was \$440,000 allocated for RAC projects to help move projects forward, and to leverage grants for ongoing future projects..

10:30 AM Administrative Issues / Resolution 2021-37 Special Deputy County Attorney: Present were Evan Comella, Kate Witt, Martin Dunar, Cheri Dunbar, Ray Stout, Derrick Perkins and David Anderson.

- Robin submitted the minutes for October 27, 2021 regular meeting for approval. Robin commented that she takes pride in having more detailed, thorough minutes for the public but due to noise in the hallway and in the commissioner's chamber during last week's BOH appointment meeting, she could not ensure 100% accuracy of individually listing close to 100 people who spoke at the podium. Robin said it would be a listing to the best of her ability, not exact. The commissioners recommended a statement that approximately 100 people spoke countywide resulting in close preferences for Dr. Carvey and Dr. Rice. **Motion** by Commissioner Teske to approve minutes with two changes. Second by Commissioner Bennett, motion carried.
- Commissioner Bennett read a portion of Resolution 2021-37, to appoint Adam Duerk as special deputy county attorney for Lincoln County for the purpose of occasionally assisting with the prosecution of criminal cases. **Motion** by Commissioner Teske to approve Resolution 2021-37 as submitted. Second by Commissioner Bennett, motion carried.

10:45 AM Public Comment Time: Present were Evan Comella, Kate Witt, Martin Dunar, Cheri Dunbar, Ray Stout, Derrick Perkins and David Anderson.

Martin talked about public safety and questioned if the commissioners were aware of the grizzly bear issue at the elementary school and if anything is being done to notify people when bears are present in public areas, especially schools.

David commented that he lives in the Thompson Lake area and expressed concern about grizzly bears in his yard. There was a brief conversation about FWP to notify people in the areas where bear activity has been reported. Commissioner Bennett said he will give Kim Annis a call to talk about solutions regarding public notification.

The commissioners talked about options to better notify the public and using the Code Red System that people can sign up for on the county website.

Commissioner Teske said he will talk with Sheriff Short about sending out messages on the Code Red System when bears are reported in residential areas.

Evan asked about HB 102 changing gun laws and questioned if the county needs to update their firearm signage. Commissioner Bennett explained that firearms are not allowed on the upper level of the courthouse and clarified that municipalities and counties can make decisions regarding buildings owned by local governments.

11:00 AM **Morrison & Maierle Reimbursement:** Present were Nick Enblom, Finance Director Wendy Drake, Evan Comella, Kate Witt, Derrick Perkins and Ray Stout.

Libby Airport-pavement and rehab taxiway project completed except for paint striping that will be completed in the spring. Nick submitted a contractor payment request of \$146,805.35 for work completed in the last 2 months, Morrison Maierle closeout invoice for \$8,200, and \$22,399.67 for construction management. **Motion** by Commissioner Teske to pay reimbursements/invoices as submitted. Second by Commissioner Bennett, motion carried.

Eureka Airport-pavement maintenance and shoulder grading project completed. Nick submitted a pay request for Noble Excavating for \$54,627; no further work remaining, Morrison Maierle invoice of \$17,250 for construction management. Final paint striping will be completed in the spring. **Motion** by Commissioner Teske to approve reimbursements/invoices as submitted. Second by Commissioner Bennett, motion carried.

11:15 AM **Break**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett, Chairman

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