

October 20, 2021

The Lincoln County Board of Commissioners met for a regular session on October 20, 2021 in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Letcher, Commissioner Teske, County Administrator Jim Hammons, and Clerk and Recorder Robin Benson. Commissioner Bennett was excused.

Meeting allows for teleconferencing and VisionNet availability.

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

9:45 AM **USFS District Ranger:** Present were District Ranger Seth Carbonari, Rebecca Nelson, Tom Lane, Sheriff Darren Short, Virginia Kocieda, Ray Stout and Will Langhorne.

*Seth Carbonari submitted the following update:*

Updates from the Rexford/Fortine Ranger Districts:

- 1) Fire Season:
  - a. Mostly calmed down. Still some fires going
  - b. Ratio of person caused fires to lightning moved significantly this year to more person caused fires.
  - c. Pile burning- started, but very little accomplished thus far as we wait for some precip.
- 2) Current planning projects:
  - a. Thanks for comments on the Long Lake and Beaver Creek Access Roads.
  - b. Working on Edna-Fortine roadside fuel reduction project. CE
  - c. Working on Sunday Creek. Likely targeted CE.
- 3) Timber Sales Update:
  - a. In progress
    - i. Thirsty Frank- ~18,000 ccf Sold to Stoken for \$22.07 a ton (41,327)
    - ii. Green Poverty advertisement sold 8-17 ~3 ccf -Sold \$51.00 per ccf
    - iii. Deep Grave- just finished- ~10,000 ccf
    - iv. Highway Dickey- ½ finished- ~12,000 ccf
    - v. Laughing Ant- not started-~800 ccf
    - vi. Hagadore Frass- ¾ done- ~14,000 ccf
  - b. To be advertised
    - i. Williams Grave ~2,300 ccf Sold to Burk Construction (\$28.45 a ton)
    - ii. Dead Triangle ~10,000 ccf
  - c. Future
    - i. Meadow GNA ~6,500 ccf- 1<sup>st</sup> GNA sale on district.
    - ii. Dreamweaver ~9,000 ccf
    - iii. Still Pinkham ~18,000 ccf
    - iv. Banks Saddle ~10,000 ccf
    - v. Young Dodge- possible small sale through GNA ~100 acres
- 4) Recreation
  - a. Campgrounds closed for the season.
- 5) Other
  - a. Good amount of bear sign and bear sightings down low.
  - b. Black Pineleaf Scale west side of reservoir.
  - c. RAC- Approved the following on the district

Water Tender Fill Site Improvements	14,000
Ksanka Brushing	20,000
D1/D3 Road Access Monitor	9,800
Douglas Hill CG Dust Abatement	2,500
Ksanka Blading	10,000
Kootenai Rails to Trails Resurface	5,000
Young Creek Bay SST	25,000
OHV & Additional Support to Douglas Hill OHV Ranger	6,300
North End Precommercial Thin	10,000
Ksanka Ranger District Weed Support	10,000

- d. The defendant from last year's arson fires in the Eureka area was sentenced. He pled guilty in state district court to twelve counts of felony arson. Eleven of these fires were within KNF fire protection or on NFS lands. He was ordered to 2 years incarceration/2 years suspended pending successful completion of probation. He was ordered to pay \$28,403.36 in restitution to the KNF for fire suppression and \$24,763.07 to DNRC for fire suppression.



**Seth Carbonari**  
District Ranger

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Caring for the land and serving people

Commissioner Letcher asked about the timeline on the Pinkham sales. Seth said it can be this fiscal year, but more likely next year. Seth will follow-up to get a better timeline determination.

Seth said there have been complaints about Pigeon Bridge road access, but expressed the confusion could be remedied with better signage explaining access.

Seth talked about visiting with the landowners about moving Douglas Hill Road; the NEPA part is dialed in for this winter so the project can move forward.

10:00 AM **Asbestos Resource Program (ARP) Update:** Present were ARP Director Virginia Kocieda, Tom Lane, Rebecca Nelson, Ray Stout and Will Langhorne.

*Virginia submitted the following update:*

[Asbestos Resource Program \(ARP\) Report for Commissioner's Meeting](#)

October 20th, 2021 10:00 – 10:30

I was not able to attend the September Commissioner's meeting so I will be reporting on activities that occurred in August and September 2021.

In August and September of 2021, ARP received 61 hotline calls. 49 were from Libby, 12 from Troy. Most of the requests were for U.S. Environmental Protection Agency (EPA) comfort letter/MT Department of Environmental Quality (DEQ) status letter requests.

ARP also received 186 utility locate tickets from properties within the Superfund site in August and September combined: 166 from Libby, 20 from Troy.

ARP took 53 site visits within August and September. Most of these site visits were to confirm digging locations for utility locates and to active asbestos abatement/sampling projects.

ONGOING/PLANNED ABATEMENTS:

153 Bighorn Way, Troy – planned soil removal - complete

117 Mineral Avenue, Libby – vermiculite removal – on going; 1/3 complete.

386 Riverside Drive, Troy – planned soil removal – on going; waiting for approval from DEQ

713 Michigan Avenue, Libby – planned insulation removal from residential building; waiting to hear from property owner about hiring a contractor.

ONGOING/PLANNED SAMPLING:

386 Riverside Drive, Troy – completed

**FUNDING**

The ARP program is funded through a Memorandum of Agreement with DEQ. This is funding coming from a cooperative agreement between DEQ and EPA. The agreement designates \$600,000 over two years starting with costs from July 1<sup>st</sup>, 2020, until May 31<sup>st</sup>, 2022. Total costs incurred by ARP & reimbursed by DEQ since July 2020 is approximately \$342,719 leaving a remaining balance of \$257,281. The last reimbursement came in in September. Claims for September reimbursement were sent yesterday.

**KBP SEWER EXTENSION & CITY OF LIBBY CONNECTION**

Lincoln County Port Authority extended their sewer line and connected to the City of Libby Sewer system. Construction occurred on Lincoln Boulevard between Wisconsin and Michigan Avenue. ARP worked with TCI contractors to make sure BMPs were followed. The contractors ran into mine tailings and vermiculite contamination. ARP and DEQ developed and approved quick response scope of work plans for Environmental Restorations (ER) to help with disposal of impacted soil, poly sheeting used for soil staging, and then hauled ¾" crush to the site. ER also helped with cleaning the road of contaminated soil. The extension project was completed last Friday.

**EPA DELETES A PORTION OF THE SITE FROM THE NATIONAL PRIORITIES LIST.**

EPA and Montana Department of Environmental Quality (DEQ) have determined that all required deletion cleanup activities are complete on the roads and highways in and between the towns of Libby and Troy, known as Operable Unit 8 (OU8). On September

14, 2021, EPA deleted OU8 based on a determination that no further remediation action is needed to protect human health and the environment; the area will still be subject to regular reviews for protectiveness. EPA will continue to address contamination concerns at the remaining operable units of the site, including the former mine site.

### **EPA RELEASES FACT SHEETS ABOUT THE FORMER MINE SITE**

EPA has developed fact sheets regarding the former vermiculite mine and forested areas, also known as Operable Unit 3 (OU3). These documents include topics on:

Former Vermiculite Mine, Operable Unit 3, Fact Sheet (PDF)

Wildland Firefighting Frequently Asked Questions, Operable Unit 3 [Updated 2021] (PDF)

Commercial Logger Frequently Asked Questions, Operable Unit 3 (PDF)

The Feasibility Study Process, Step by Step, Operable Unit 3 (PDF)

### **ARP WEBSITE – IMPORTANT DOCUMENTS**

The ARP website, [www.lcarp.org](http://www.lcarp.org), has added a list of important documents pertaining to each Operation Unit within the Libby Asbestos Superfund Site under Resources > Important Documents. Check the link for other updates.

### **SITE PRIMER FOR BPA CONTRACTORS**

ARP gave a site primer to BPA crew and contractors at the substation on Cole Road in Troy, MT, near by the Troy Landfill. Work being done includes installing new Secondary Containment & Stormwater Treatment and installing 1 new CPS concrete vault.

### **REFRESHER OF MT ACCREDITATION OF ASBESTOS INSPECTOR TRAINING (09/24/2021)**

Amanda Harcourt and Elzhon Anderson both completed their Asbestos Inspector Refresher Training to stay current on their Montana Accreditation for their Asbestos Inspector certification.

### **SITEWIDE OPERATIONS & MAINTENANCE PLAN**

The County Commissioners, ARP, and City-County Board of Health gave comments on the document. The DEQ is waiting for Class IV Closure costs at the Landfill to be complete before completing the next draft of the document.

### **LIBBY ASBESTOS SUPERFUND OVERSIGHT COMMITTEE (LASOC)**

The next LASOC meeting will be held in December 2021.

**10:30 AM Administrative Issues:** Present were Jennifer McCully, Derrick Perkins, DC Orr, Rebecca Nelson, Ray Stout and Will Langhorne.

- Jennifer McCully is requesting approval of a Task Order change to the Maternal and Child Health Block Grant Program. Annual contract, nothing changed except the dollar amount has decreased. **Motion** by Commissioner Teske to approve the Task Order as submitted. Second by Commissioner Letcher, motion carried.
- Robin submitted the minutes for October 13, 2021 regular meeting for approval. **Motion** by Commissioner Teske to approve minutes as submitted. Second by Commissioner Letcher, motion carried.

**10:45 AM Public Comment Time:** Present were Rebecca Nelson, Diane Watson, DC Orr, Ray Stout and Derrick Perkins. Mr. Orr commented there was no public comment offered today prior to the decision to approve the Public Health Task Order Grant.

DC Orr asked about the appointment for the health board that has come up for reconsideration on next week's commissioner agenda. Commissioner Letcher clarified that at the October 13, 2021 commissioner meeting, we did not ask for public comments, so it was placed on the agenda to do the process again to consider public comment. There was a complaint that no public comment was taken. Commissioner Teske noted that Jim Seifert attended the October 13 meeting and was not allowed to comment.

Mr. Orr commented about Mayor Teske who also did a reconsideration of a decision the council made regarding an organization to pay back a sum of money owed over 1 million. Mr. Orr said he does not know what happened behind the scenes and that council members mysteriously changed their minds.

Mr. Orr expressed that he would like to see more transparency as to why decisions are being reconsidered. Mr. Orr made a comment about Peggy Williams and the County Clerks conviction. Reconsiderations allowed under procedural issues, lobbying going on behind the scenes should be made public information.

Commissioner Letcher clarified that he did ask if there was any public comment prior to grant consideration approval. Commissioner Letcher and Commissioner Teske agreed that the public is allowed to comment before any motions.

Diane Watson submitted a report by *Centers for Medicare & Medicaid Services (CMS.gov)* regarding the New COVID-19 Treatments Add-on Payment (NCTAP) under the Medicare Inpatient Prospective Payment System (IPPS). The NCTAP (according to the report) is designed to mitigate potential financial disincentive for hospitals to provide new COVID-19 treatments, is effective from November 2, 2020 until the end of the COVID-19 public health emergency (PHE). Through the NCTAP, the Medicare Program will provide an enhanced payment for eligible inpatient cases that use certain new products with current FDA approval or emergency use authorization (EUA) to treat Covid-19. Diane said there is financial incentive to put people on remdesivir, and to put people on respirators and to list Covid-19 on death certificates. Diane commented that even if a person dies in a motorcycle accident, it states Covid-19 on the death certificate; we should be asking a lot of questions.

Diane submitted a report titled *The Curiosity of Remdesivir: The FDA's Choice COVID-19 Treatment* by Corinne Murdock. The report speaks about Remdesivir's origins, The FDA Adverse Events Reporting System (FAERS) death rates vs. hydroxychloroquine and Ivermectin, cost and financial incentive and mixed results on efficacy and safety. Diane

said Remdesivir is problematic and concerning, the FDA reports information that Ivermectin has the lowest problems and issues and Diane also noted that as of April 2021, they were still collecting data regarding Remdesivir.

Diane submitted a report from the *Defender, Children's Health Defense News & Views*. The headline from the report is titled *81 Research Studies Confirm Natural Immunity to COVID "Equal" or Superior" to Vaccine Immunity*. The story is written by Paul Elias Alexander, PHD. Diane informed the commissioners that aborted fetal cells are found in the vaccine.

Diane expressed that the reason she is presenting this to the commissioners is because Dr. Carvey knows all this information. She has saved lives and kept people out of the hospital. Diane commented that doctors can prescribe Ivermectin and Hydroxychloroquine as an approved covid treatment. Diane said another point of providing this information is because the Board of Health (BOH) is locked into only one way of treatment and there are other ways and standards of care than what is being directed to the public. Diane expressed that this is what I appreciate about Dr. Carvey; the BOH is very resistant to common sense measures and treatment options.

12:00 PM **Meeting Adjourned.**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Josh Letcher, Acting Chairman

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