

June 5, 2013

The Lincoln County Board of Commissioners met for a regular session on June 5, 2013, in the Lincoln County Courthouse. Present are Commissioner Tony Berget, Commissioner Ron Downey, Commissioner Mike Cole, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer.

9:00 AM: Commissioner Berget **opened the meeting** with the Pledge of Allegiance.

9:00 AM: **Marc McCully** wrote a letter to request hiring his normal summer temporary employees for summer 2013. This request is in adherence to the new request by the commissioners to approve all hiring. Commissioner Downey moved to approve the temporary hires for the **Libby Road Department** and it carried.

9:00 AM: **Paul Bradford, USFS**: Paul talked about the summer hires for the Forest Service and was glad to report that they were able to hire most of the summer jobs that they normally do. Paul talked about the Forest Plan which is ongoing. He spoke about the RAC projects and told that they are all on hold with the sequester. The group discussed the mines in the county and the litigation.

10:00 AM: **Public Hearing: Lincoln County Rural Fire District** is annexing 3 properties. The common names are Mack Road, Schrade Industrial Subdivision and Sheldon Tracts Subdivision. Present are Alvin Benitz, Tom Wood, Russ Bache and the press. No public comment was heard. Commissioner Downey moved to approve **Resolution #888** to accept the annexation into Lincoln County Rural Fire District and it carried. Alvin Benitz thanked Tom for Libby Fire's coverage of the area out at Libby Creek and stated they have been doing a great job.

10:10 AM: The Commissioners read the **minutes of the May 29, 2013, meeting**. Commissioner Cole moved to approve the minutes as written and it carried.

10:12 AM: The commissioners were presented with a **Modification of Grant from Dan Williams, Weed Department**. This modification gives Dan permission to treat weeds on land within the National Forest System for hawkweed. Commissioner Downey moved to approve the modification and it carried.

10:16 AM: The State of Montana, Department of Justice, **Montana Highway Patrol** Division, wishes to enter into a **lease contract with Lincoln County Sheriff's Office** for space in the new Justice Center in Eureka. At this time, the sheriff's office is not charging for the space. Commissioner Cole moved to approve the lease and it carried.

10:25 AM: The commissioners read **Resolution #892** which is a resolution that the County Attorney pursue an order through the District Court that Lincoln County is and always has been the legal owner of the domain "**libby.org**" and to facilitate this reconfiguration through Network Solutions, LLC. Commissioner Cole moved to approve the resolution and it carried.

10:30 AM: The **County Health Nurse** has an opportunity for a new grant to allow her office to bill insurance companies for immunizations and other services. This is a \$12,600 grant. Commissioner Downey moved to approve the application for the grant and it carried.

10:35 AM: Tammy Lauer, Clerk and Recorder presented the commissioners with an **estimate of the 13/14 Budget**. After reviewing the estimate, the commissioners discussed moving **the Local Option Tax** from the General Fund and the District Court revenue to the Road Fund revenue. Commissioner Downey moved to make the Local Option Tax a Road Fund revenue beginning in FY 13/14 and it carried. Bill Bischoff will write a letter to Nancy Higgins, Treasurer, to inform her of the decision.

11:00 AM: **Elected Officials Salary Committee Meeting**: According to Montana State Statute five elected officials and 3 or 4 members of the public are the committee to recommend to the Board of Commissioners for the Elected Officials Salary for the next fiscal year. Present are Commissioner Berget, Commissioner Downey, Commissioner Cole, county Attorney Bernie Cassidy, County Treasurer Nancy Higgins, Clerk and Recorder Tammy Lauer, Sheriff Roby Bowe and members of the public Bonnie Larson and Terry Crooks. Steve Newman, committee member, was not able to attend. The group discussed the current economics of the county and the nation. The group was reminded that if the elected officials do not receive at least a one cent raise, the sheriff's department deputies will not receive their longevity. After a 30 minute discussion, Bonnie moved to approve no salary increase for the elected officials. Nancy Higgins seconded. It was verified that this decision would mean no longevity for sheriff's deputies. The motion passed with Tony, Ron, Mike, Nancy and Bonnie for and Bernie, Tammy, Roby and Terry against. The issue of the 1% longevity for elected officials was discussed. Nancy moved to waive the longevity for elected officials and Bonnie seconded. The motion passed with Bernie and Roby against. Therefore, the recommendation to the commissioners from the committee will be no increase in salaries and no longevity for elected officials.

1:30 PM: **Phills Lake Subdivision**, Amended Plat of Lot 2, Final Plat: All conditions have been met. Commissioner Downey moved to approve the final plat per planning staff recommendation and it carried.

1:33 PM: **Dream Catcher Estates**, Final Plat: The planning department received a letter from the Eureka Fire Department with concerns about getting to the residents on winter roads. All conditions have been met and a new

condition cannot be introduced at this point. Kristin Smith, Planning Director, recommends recording the letter from the Eureka Fire Department in an attempt to inform the prospective buyers of the road concerns. Commissioner Cole moved to record the letter and approve the final plat and it carried.

1:40 PM: **Rose Acres Subdivision**, preliminary plat extension: Rose Acres has already had 2 extensions. It has been a practice of the commissioners to only extend 6 months on a third request. Commissioner Downey moved to approve a 6 month extension until December 16, 2013 and it carried.

1:45 PM: **County Wildfire Protection Plan**: The County Forester and County Planning Director held public meetings in both Eureka and Libby for this plan. Kristin stated that no written comments have been received outside of those meetings. Commissioner Cole moved to approve the CWPP and it carried.

2:30 PM: **Tracy McIntyre, ERDC**: Tracy is on a telephone conference with the commissioners regarding Business Site Selector program and she is hoping that the county will be joint with the City of Eureka funding the site. Commissioner Berget stated that he would like to learn more about the project before he commits to any funds. Commissioner Downey agreed. Tracy said she will bring all the information to the commissioner's Eureka meeting on the 19th of June.

3:00 PM: **Micki Carvey, County Health Nurse**: The commissioners met with Micki about her budget as they have been with all department heads.

3:30 PM: The commissioners went into a **private session** with Bernie about litigation.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Tony Berget, Chairman

ATTEST: _____
Tammy D. Lauer, Clerk of the Board