

August 26, 2015

The Lincoln County Board of Commissioners met for a regular session on August 26, 2015, in the Commissioner's Office in the Lincoln County Courthouse. Present were Commissioner Greg Larson, Commissioner Mark Peck and Assistant Election Administrator Leigh Riggleman.

Commissioner Larson **opened the day** with the Pledge of Allegiance.

9:30 AM – **Nancy Higgins, Lincoln County Treasurer** - was here for the monthly treasurer's report. She also needed to discuss a problem concerning the airport's credit card machine. The current system allows a credit card to only be swiped through the machine twice in one day. The forest fires are causing a bit of a problem because emergency vehicles need to be filled more frequently than twice a day. Mr. Caldwell, from the airport board, would like to change the agreement to allow a maximum of 6 credit card swipes per day. A problem also exists with who the designated agents can be to make changes with the credit card company and Nancy is asking for immediate approval to make changes for increased individual card usage. Commissioner Peck **moved** to allow Ms. Higgins to make necessary changes as requested, Commissioner Larson seconded and the motion passed unanimously.

10:00 AM – **PUBLIC HEARING on Preliminary Budget** – Attending were: Gerald Wallace, John R. Righter, Henry L. LaSala, Rocky Schauer, Arlen Magill, Chuck Gerheim, Robert Mast, Brent Faulkner, Dallas Shaw and Wendy Drake.

Robin Benson, Lincoln County Clerk & Recorder, presented the preliminary budget with an explanation of the budget review process. She briefly touched on how budget expenses are allocated and went through the budget packet given out to the audience. Public comment ensued about road cost allocations, budget item questions asking for clarification. Arlen Magill had questions about the office of the County Attorney and wondered how to trim that budget. He also wanted to know if cost comparisons had been done to either offer 100 percent insurance coverage or giving a COLA to the employees. He suggested asking the employees as to whether they would take a reduction in pay as a way to retain all employees rather than institute lay-offs. The commissioners responded that they have not gotten to that point yet as they are working to assess and analyze all alternatives and ways to efficiently use all resources and prioritize services before making other budget decisions. The road department cash reserves were discussed and creative alternatives for lowering budgets and keeping taxes down. Mr. LaSala suggested looking forward 10 years as to what could happen and, at the very least, look at what Lincoln County could be....what is possible, what is realistic and to strategize and prioritize. The Grizzly Bear study and how the study payback was handled was asked about. The commissioners indicated that it has been taken care of. Mr. Magill feels that there should be additional publication of notices of public meetings as he felt there had not been enough advertising done. Ms. Benson explained the public noticing process and talked about using display notices, rather than legal notices as well as the notices being posted on the county website as well as on the bulletin boards on the north and south ends of the main doors of the courthouse as well as on the bulletin board at the North County annex. She also said that the Final Budget Hearing is scheduled for September 2, 2015 with the Final Budget Adoption on September 3, 2015. Mr. Magill thought that the commissioners should write a letter to the editor for all papers for noticing purposes. The commissioners stressed the value of public involvement and Mr. Magill complemented the Commission on their positive problem solving commitment.

10:30 AM - **Tom Magone with the Maintenance Department** presented 2 bids for the Mineral Avenue Annex heating and cooling system upgrade. He asked that the low bid from Columbia Mountain Mechanical for the amount of \$23,293.94 be accepted. Commissioner Peck **moved** to accept Tom's recommendations, Commissioner Larson seconded and the motion passed unanimously. Tom said that the parking lot of the Youth Court Building is unsafe and that paving the parking lot of the Youth Court Building on the corner of Main and 5<sup>th</sup> Street will be \$6,000. Commissioner Peck **moved** to move to start on the paving project, Commissioner Larson seconded and the motion passed unanimously. Funds for the heating and cooling system upgrade and the paving of the parking lot will come out of PILT.

11:30 AM – **PUBLIC COMMENT** None

#### **ADMINISTRATIVE BUSINESS**

**FY 2015/2016 BUDGET MEETING MINUTES: August 10, 11 & 17 combined** – Commissioner Peck **moved** that the minutes be approved as written, Commissioner Larson seconded and the motion passed unanimously.

**August 19, 2015 Commissioner Minutes** - Commissioner Peck **moved** to accept minutes be approved as written, Commissioner Larson seconded and the motion passed unanimously.

Wendy Drake, accounting deputy, requested clarification on which fund to take a negative ISTECA cash balance from. Commissioner Peck **moved** to take the \$13,000 from the road fund as the force account allows the use of Road wages, equipment and material costs. Commissioner Larson seconded and the motion was passed unanimously. There was also discussion on payment of funds requested to be paid for work done on the Ksanka Trail Bike Path on Montana Highway 37 north of Eureka. Commissioner Peck **moved** that the funds be taken out of PILT, Commissioner Larson seconded and the motion passed unanimously.

**1:45 PM – PLANNING DEPARTMENT – Lisa Oedewaldt and Deb Blystone** – here to discuss 2 Preliminary Plat Extensions.

**North Portal Tracts Subdivision** in the Wolf Creek/Fortine Road in Fortine. It is a subdivision held by Tungsten Holdings and this is their 3<sup>rd</sup> extension request and in response to dry weather and forest conditions halting forward progress.

Commissioner Peck **moved** to approve the North Portal Tracts extension request, Commissioner Larson seconded and the motion passed unanimously.

**The Little Country Road Subdivision, Phase II** - 2 earlier extension requests have been given for this subdivision. Tungsten Holdings is requesting a third extension to be able to finish grading a steep slope after finding a better solution for the road construction. Commissioner Peck **moved** to approve the extension as requested, Commissioner Larson seconded and the motion passed unanimously.

**2:30 PM – PUBLIC HEARING Payne Logging Inc. and the DEQ’s permit request to change the current boundaries of Mr. Payne’s wrecking yard** – Attending the hearing were: Rebecca Dupre, Scott Roush, Steve Dalby, Patti Reichert-Dalby, Jody Goddard, Debbie J. and Dave Zwang, Lawrence and Karilyn Duarte, Charlyn K. Lacklen, Roy and Clarice Thompson, H.N. Roush, Tom Ostrowski, Paul Bradford, Scott Thompson, Marvel J. Thompson, Bobbie, Recklin, Nancy Trotter Higgins and Sedaris Carlberg. Unable to attend, Carol Ramos sent Commissioner Peck a letter asking that Mr. Payne’s wrecking yard permit not be renewed.

Kathi Hooper and Jennifer Nelson here to discuss the request to reconfigure boundaries for the current Payne Logging wrecking yard. Commissioner Larson read the letter from DEQ detailing Mr. Payne’s request for change of boundaries. Jennifer Nelson summarized the boundaries of Mr. Payne’s entire property and the boundaries of his current wrecking yard as well as his proposed new boundaries. . His proposal is to exclude his home and front yard and to move the boundaries for better access of trucks and trailers. He is not in compliance with the current permit that was issued in October of 2013. The DEQ came in, inspected and issued a notice of his failure to shield Concerns were raised by several members of the audience about any type of protection not being in place for ground water quality and there is no monitoring of ground water for the safety of the wells of the neighbors surrounding the wrecking yard. The inspection last fall found that Mr. Payne needed to move a lot of junk vehicles to be compliant, but as of July, 2015, he had 3 violations – 2 of which have been corrected, but he is waiting for a final decision as to where he must shield before complying with the last violation. He currently has 3 railroad cars in place for shielding and the DEQ deemed them satisfactory. After the decision is final, he will need to move all junk vehicles within the boundaries and to shield from public view. Concerns of noise levels while crushing vehicles, public safety for people (although the biggest concern were for the children) who go through his property, shielding concerns, public perception, what is being done with the fluids associated with all the junk cars and any resulting ground water degradation. The only items on Mr. Payne’s property that can be controlled are the junk vehicles; all other large pieces of old equipment, buildings and other parts and pieces on the 12 acre piece of Mr. Payne’s property do not fall under the guides of the wrecking yard permit. Mr. Roush questioned Mr. Payne’s continued non-compliance since the original permit was issued can be addressed and was there anything that the County can do to help mitigate the problem. Ms. Nelson said that the county does the monitoring and picture taking, but the DEQ would be the entity to enforce and enforcement can be a long and drawn out procedure. No one in attendance was in support of Mr. Payne’s request. They stated that he should be required to be in compliance before consideration of his boundary change request is addressed. Commissioner Larson thanked attendees for coming and closed the Public Hearing at 3:05 PM.

**3:20 PM – JUNK TRAILER PROGRAM – Kathi Hooper, Jennifer Nelson and Nancy Higgins**– here to discuss Junk Trailer Program. The Junk Trailer Program has been designated for the weeks of September 8-25<sup>th</sup>. During those weeks, all fees are waived and taxes due are absorbed by the county. Kathi wanted to know if the Commissioners would like to contribute for hauling expenses to dispose of junk trailers at the County Landfill. The Commissioners would like to develop an ordinance to prohibit old trailers from being brought into Lincoln County and to also be proactive in cleaning up Lincoln County and requested that Environmental Health draft an ordinance for consideration by the Board. Commissioner Peck **moved** to take \$10,000 from PILT funds towards the hauling away of junk trailers, Commissioner Larson seconded and the motion passed unanimously. Kathi told the Commission that she intends to prioritize which junk trailers would be the most strategic to dispose of and intends to focus on disposing those trailers that have complaints against them.

3:45 PM **MEETING ADJOURNED**

#### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

---

Greg Larson, Acting Chairman

**ATTEST:** \_\_\_\_\_  
Leigh A. Riggleman, Clerk of the Board