

January 14, 2015

The Lincoln County Board of Commissioners met for a regular session on January 14, 2015 in the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck, Executive Assistant Bill Bischoff and Clerk and Recorder Robin Benson.

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

9:30 AM **Administrative Issues:**

- **Adopting Public Land Resource Policy:** The Commission discussed the content in the policy and if it reflects the county's purpose, need, and future goals adequately. There is a lot of good information in the policy, and it was agreed the policy is a priority to finalize. The commission decided to spend more time defining the content and wording and will discuss it again in two weeks.
- The commissioners read the **minutes of the January 7, 2015 meeting**. Commissioner Peck made a motion to approve the minutes as written, Commissioner Larson seconded. MOTION passed unanimously.

10:00 AM **EPA Update:** Present were Mike Cirian, Jennifer McCully, Nick Raines, Paul Rumelhart, Kathi Hooper and Jeff Koskela. Attending via phone conference call were Rebecca Thomas, Jennifer Cane, Deb McKean, Dania Zinneo, Christina Proggess, Virginia Sloan, Lisa DeWitt, Henry Ring, and Chad Campbell. Rebecca gave a brief update on the risk assessment and stated EPA will be accepting input through the formal public comment period on the Proposed Plan. Rebecca discussed a company that specializes in decision making. Mike Cirian added some additional explanation about the process and the tools the company uses incorporating EPA criteria and public input as part of the process. The comment period is through the end of May. Jennifer Cane said she felt the media coverage has been favorable and mostly accurate. The draft feasibility study, which will include information on institutional controls, will be released to the public in January, 2015. The IC Proposal will outline EPA and DEQ institutional controls and will be available to the public tentatively by March. Rebecca said EPA is making an effort to engage the community's acceptance of the ROD but still protect the remedy. Commissioner Cole thanked Rebecca for efforts to attain public comment and community support. Dania Zinneo explained the status of the 5 year review for OU1 and OU2. Christina Proggess updated the Commission on the completion of the Ecological Risk Assessment for OU3 and OU4. The good news is that there are no ecological risks, and human health will be the main driver for risk. Mike Cirian updated the Commission on the 2015 construction schedule beginning in May. There are 121 properties on the list for review with 41 properties ready to begin work. EPA is making efforts to contact and communicate with property owners who have refused or deferred property investigations or clean-ups. ARP is coordinating with EPA to support this effort.

11:00 AM **FWP/USFW Update:** Wayne Kasworm, USFWS, Kim Annis, Ryan Sylvester and Jim Dunnigan, and Mike Hensler from Montana FWP are present today.

Jim discussed the prevalent algae growth (diddymo) below the Libby Dam. MTFWP is moving forward with a pilot study through the University of Idaho on how to treat it. Jim gave a brief overview about managing the flow of water coming out of the Libby Dam and the dynamics that determine and apply to that process. Kim discussed the differences between black bear & grizzly bear hibernation and the variety of factors that pertain to the timing of the denning period. Wayne gave a brief history of grizzly population and said in 2014 USFWS findings put grizzly bear status as no longer warranted as endangered status. That decision has been challenged and is currently in litigation. He briefed the Commission on how they came to their findings and stats. Commissioner Peck asked how the county can support this. Kim said it would be beneficial if people who are expecting conflicts with bears would seek out help prior to killing a grizzly bear during unnecessary situations. There is more bear contact with people in the fall because people are in the woods hunting, food availability and access. Currently there is a proposal to locate some bears in the North Cascade National Park. Commissioner Peck requested a detailed report on how the USFWS arrived at the target number of 100 grizzly bears in the Cabinet/Yaak ecosystem and the data behind it for a future meeting. Mike Hensler said MTFWP is looking for proposals for fish and wildlife regulation changes and is seeking public input. Mike also briefed the Commission on the IHN virus found in trout. The virus is mostly seen in hatcheries.

1:30 PM **Personnel Issue:**

Kathi Hooper discussed the possible upcoming retirement of an employee. Kathi would like to hire a person to be trained during that transition. Commissioner Larson made a motion to allow Kathi to advertise and hire an employee. Commissioner Peck seconded, MOTION passed unanimously.

2:00 PM **Emergency Ordinance #926-Sole Source of Heat:**

The Commissioners were presented with Resolution # 926 which is an Emergency Ordinance that temporarily amends the Lincoln County Control of Air Pollution Ordinance to help those residents who use wood burning stoves as their sole source of heat. Commissioner Larson made a motion to pass Resolution #926. Commissioner Peck seconded, MOTION passed unanimously.

2:30 PM **Attorney/Litigation: Closed Meeting The Court in Steed vs. Lincoln County, et al., DV-14-60**
A transcription of the Findings of the Commissioners is available to the public in the county clerk and recorder's office.

3:30 PM **City/County Board of Health:** Present were Peggy Williams, Doug Roll, Nick Raines, Jennifer McCully, Mike Cirian, Kathi Hooper, Dave Harman, Dr. Brad Black, Allen Payne, and John Rios. Micki Carvey attended via video conferencing from Eureka.

Dave Harman, representing **Healthy Communities Initiative**, handed out a statement that he would like to see approved and accepted by local agencies and organizations. The idea is to have a unified and positive community statement that

can be shared on local agency and organizations websites. The statement is still in draft form and Dave is here seeking input from the City-County Board of Health. The group discussed the draft statement for accuracy and gave suggestions to help clarify the asbestosis issue. Commissioner Cole suggested people email comments to him and he would forward the information to Dave Harman.

Jennifer McCully gave a report **on public health and contagious disease in Lincoln County**. There have been 56 cases of Pertussis reported. All cases are located in North Lincoln County. There have been a total of 34 cases of Influenza reported. Four of those cases were hospitalized. There have been 9 cases of Respiratory Syncytial Virus Infection (RSV) reported. RSV is not reportable so the numbers may be a little higher.

Nick Raines gave a summary of events that lead to the Board of Health applying for a grant with MT DNRC to evaluate and address potential asbestos exposure during recreational and timber management activities in forested areas around the current EPA Superfund site. ARP collected data and developed the Boards application for **MT DNRC Reclamation and Developments Grant** for a feasibility study to help evaluate exposure and potential risks in forested areas around the superfund site. The grant application was submitted prior to EPA releasing the risk assessment and toxicity reports. Nick is asking for a decision from the Board of Health to leave the grant application as is, revise the project, or withdraw the application as the project may be considered a duplication of efforts already completed by the EPA. Kathi made a motion to withdraw the MT DNRC grant application, Commissioner Larson seconded. MOTION passed unanimously.

4:30 PM The **meeting was adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

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