

April 20, 2016

The Lincoln County Board of Commissioners met for a regular session on April 20, 2016, in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Cole, Commissioner Larson and Clerk and Recorder Robin Benson. Commissioner Peck was absent.

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

10:00 AM **Dan Williams/Noxious Weeds:** Present were Nikki Meyer.

Dan discussed the Noxious Weed Trust Fund Project Grant/Lincoln County High School Biocontrol Project. Lincoln County will perform noxious weed control by mass rearing biological agents, mapping release sites and monitoring existing sites in Lincoln County beginning in 2016. The agreement is between Montana Department of Agriculture and Lincoln County Weed District. **Motion** by Commissioner Larson to sign agreement as submitted. Second by Commissioner Cole and so ordered upon consent of the board.

Weed Director Dan Williams received an anonymous letter regarding areas in Eureka infested with Leafy Spurge. The letter expresses concern about the spread of leafy spurge into other counties, states and even into Canada due to open off highway vehicle (OHV) users. Dan said several years ago this program was cut due to budget restraints and lack of personnel. Dan would like to revisit this program in the near future and agrees it is a concern. The county weed department would apply for a trust grant and help with organizational efforts to help the landowners. The work would be conducted by the landowners or be contracted out.

10:15 AM **Green Box Discussion:** Nikki Meyer and Seaborn Larson.

Commissioner Cole said the bear proof green boxes on the West Kootenai are damaged or are not working properly. Commissioner Cole toured the sites with Kathi Hooper and Bryan Alkire to determine options/costs to find solutions. The Pinkham Creek site was also toured and is a heavily used site and the county potentially may need to put more green boxes at this site or move the site altogether to a different location.

10:45 AM **Port Authority/Support Letter for EDA:** Brett McCully, Nikki Meyer and Seaborn Larson.

Brett said the Port Authority Board unanimously approved to request county support for the EDA Economic Development assistance Program, Rail Rehabilitation, Libby. The purpose of the grant is rehabilitation of the rail spur accessing BNFS's main line. The benefits of this project in Libby are long term and are a top priority at the Kootenai Business Park and a critical component of economic development for the communities. **Motion** by Commissioner Larson to sign support letter to the Economic Development Administration, Application Review Committee. Second by Commissioner Cole and so ordered upon consent of the board. To support this effort Lincoln County has committed to in house construction activities and materials up to the amount of \$200,000 for the purpose of existing rail removal, clearing top soils and importing surface materials. This is for work required beyond the project scope of the grant. Troy and Libby Road Departments have agreed to help with the project.

11:00 AM **Stewart Hall/Resolution to accept/recognize fire department:** Present were Stuart Hall and Tom Maxwell representing West Kootenai Fire Protection Company in Rexford and Nikki Meyer. Stuart said the West Kootenai Volunteer Fire Department is asking for a resolution by the commission recognizing the WKVFD as a local government agency. Commissioner Larson read 7-33-2312 MCA regarding fire company establishment. Commissioner Larson suggested Clerk and Recorder Robin Benson conduct a search of commission minutes to attain any history of meetings. The main purpose for the request is to help WKVFD attain Volunteer Firefighters Association Retirement Plan and also Volunteer Fire Department Insurance. The fire company is a 501 c (3) nonprofit organization. The commission will take the request under advisement and will conduct research regarding fire company laws and processes.

11:30 AM **Grizzly Bear/Legal Service Agreement:** Present were Nikki Meyer.

Resolutions have been received from Boundary County, Idaho; Bonner County, Idaho; and Lincoln County, Montana in support of intervening in *Alliance for Wild Rockies v. U.S. Fish and Wildlife Service*, Case 9:16-cv-00021-DLC litigation as a party-defendant. Defending the U.S. Fish and Wildlife Service's decision not to list the population of grizzly bears in the Cabinet-Yaak Ecosystem as an endangered species is an important issue for all three counties. Doney Crowley P.C. submitted a legal services agreement for all counties consideration. Commissioner Cole read a portion of the legal services agreement between Bonner County, Boundary County, Lincoln County and Doney Crowley P.C. As soon as the signed agreements are returned to Doney Crowley P.C., they will begin drafting the Motion to Intervene and a Proposed Answer to the Alliance for Wild Rockies' Complaint, which are first steps towards gaining intervenor status in the litigation. **Motion** by Commissioner Larson to sign agreement with Doney Crowley P.C. as submitted. Second by Commissioner Cole and so ordered upon consent of the board.

1:00 PM **Fair Ground Tour:** The Commissioners toured the Lincoln County Fairgrounds in Eureka with Fair Director Lois Sciligo.

1:30 PM **Lisa Oedewaldt/Planning Department:** Present were Deb Blystone and Nikki Meyer.

- **Final Plat Approval: Franks Haven Subdivision, Eureka.** Lisa said the preliminary approval was in 2013 and all conditions have been met. **Motion** by Commissioner Larson to approve Franks Haven Subdivision subject to Planning Staff recommendations. Second by Commissioner Cole and so ordered upon consent of the board.
- **Discussion/Update on Resolution 804 in regards to naming roads.** Resolution 804 drafted in 2007 is an established policy for the standardization of property addresses and road naming in Lincoln County to State of Montana Standards which coincides with Enhanced 911 National Emergency Numbering Association (NENA) guidelines. Lisa discussed the mandated MDT changes to the commission. The county currently needs to change the addressing resolution for private roads to comply locally with the federal regulations. The new resolution

reflecting changes will be Resolution No. 968 (formerly 804). Proposed changes involve removal of duplicate sections, clean up of language to have uniformity within the resolution, update lettering size on signs, increase in fees due to changes, added enforcement section due to critical public safety, changed from 3 to 2 structures for naming a road, added a 10 acre lot as a trigger to name a road in order to avoid renaming/readdressing multiple times, and changed passive language to more of a defensible language. Once the new resolution is adopted the Planning Department will have to amend subdivision regulations and hold public hearings to reflect the changed resolution number and the updates. Commissioner Cole suggested a broader public hearing in Libby and Eureka to educate the public on the importance of emergency services ability to locate properties. Lisa submitted a draft Resolution No. 968 for the commission to review and has also provided a copy to the county attorney's office for approval.

2:00 PM **Administrative Issues:** Present were

- The Commission read the minutes for April 6, 2016/Regular Session; April 7, 2016/LCRFD Public Hearing; and April 8, 2016/Ksanka Creek Project. **Motion** by Commissioner Larson to approve April 6, 2016 minutes as amended. Second by Commissioner Cole and so ordered upon consent of the board. **Motion** by Commissioner Larson to approve April 7, 2016 minutes as amended. Second by Commissioner Cole and so ordered upon consent of the board. **Motion** by Commissioner Larson to approve April 8, 2016 minutes as submitted. Second by Commissioner Cole and so ordered upon consent of the board.
- The Commission read the Secondary Road System 508 Winter Maintenance Agreement between Lincoln County and Montana Department of Transportation (MDOT). Both the State and the County are responsible for providing safe and efficient winter road maintenance for the traveling public and pedestrians. Secondary 508, also known as the "Yaak Road" is one of the secondary roads. The County is responsible for maintaining the Yaak Road beyond MP 29.63 on Secondary 508 per agreement. For and in consideration of the services described, the State will pay the County annually the sum of \$60,000. **Motion** by Commissioner Larson to approve Secondary Road System 508 Winter Maintenance Agreement as submitted. Second by Commissioner Cole and so ordered upon consent of the board. The contract has been approved by County Attorney, Bernard Cassidy.

2:30 PM **Public Comment Time:** There were no public comments.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

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