

August 9, 2017

The Lincoln County Board of Commissioners met for a regular session on August 9, 2017, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Bennett, Commissioner Peck, County Administrator Darren Coldwell, and Deputy Clerk and Recorder Chris Nelson.

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

9:30 AM **Treasurers Report:** Present were Treasurer Nancy Higgins and Allan Gerstenecker.

Nancy brought her June reconciliation for approval by the board. \$112 was written off but overall everything went smoothly. Nancy mentioned that they will be losing an employee from their office and will be a month out getting someone hired. **MOTION** by Commissioner Peck to approve the deleted mobile home taxes of \$5,711.09. Second by Commissioner Bennett. Motion carried unanimously. (See attached "Mobile Home Taxes-7/26/17" document)

Nancy said with the new process the legislature established for tax liens, the Treasurer had to send out 1,600 letters then a lien would be attached, and then send out another letter when a lien was attached. There were several they had issues with. One was a county owned tower site due to taxes owed before the county acquired. Another was a property that was combined but had still owed taxes on that portion of the property. **MOTION** by Commissioner Peck to delete the taxes for the recommended properties except the three Gwynn Properties. Second by Commissioner Bennett. Motion carried unanimously. **MOTION** by Commissioner Peck to delete the three Gwynn Properties. Second by Commissioner Bennett. Commissioner Cole recused himself. Motion carried. (See attached "Notice of Pending Attachment of Tax Lien").

10:00 **Health Department Update:** Present were Kathi Hooper, Bryan Alkire, Amy Fantozzi, Jen McCully, DC Orr, John Blodgett, and Alan Gerstenecker.

Amy said the tobacco program started their new fiscal year and there have been several changes. She will be going into the schools to make sure they are in compliance with the law. The issues arise with parents smoking in the parking lot and using e cigarettes. Amy said her big focus this year will be addressing pregnant women and smoking using education through local health providers and utilizing the Quit Line. They are also trying to get e-cigarettes included in the Clean Indoor Act.

Jen McCully said Lincoln County has been accepted to get the Community Health Assessment Grant. The jail diversion grant was submitted last Friday and should know by the end of the month if we received it. There have been discussions on addressing domestic violence that are still being looked at. Recently there was CPR/First Aid offered that had a good turnout and they are looking at another session, Jen mentioned training someone in the health department that could do the training. The cost to train someone that could then train would save money to those that would like the classes.

Nick Raines said the existing cooperative agreement with the EPA that they still are not ready to issue the grant yet, but only because they are still going over it but are confident they will have it awarded before the end of August.

Kathi said at Happys Inn, they hired a temp at the transfer station who will not be returning. Kathi would like permission to hire another 90 day temp. **MOTION** by Commissioner Bennett to hire a 90 day temp at the Happy's Inn transfer site.

Second by Commissioner Peck. Motion carried unanimously.

Bryan Alkire said he has contacted Mike Fraser to create a long-term plan, preferably a 50 year plan, for the landfill. The Junk Trailer program is coming up in September and it is anticipated that there will be a good turnout.

10:45 AM **Administrative:** Present were John Blodgett, Alan Gerstenecker and Ernie Anderson.

**MOTION** by Commissioner Bennet to appoint Ernie Anderson as the Lincoln County Safety Coordinator. Second by Commissioner Peck. Motion carried unanimously.

Commissioner Cole discussed the fire in Eureka and read Resolution 992. **MOTION** by Commissioner Peck to adopt Resolution 992. Second by Commissioner Bennett. Motion carried unanimously. Commissioner Cole publically praised and thanked the efforts of the firefighters in Eureka stating that their efforts are appreciated. He added that no structures or homes had been lost.

Darren said the automated payroll system has gone very well except for in the Sheriff's Office. Black Mountain referred them to a different system. Darren presented a system where they would use a card to swipe in and out with and the information would then be transferred into the Black Mountain payroll system. The cost total would be \$7,968.

Commissioner Peck expressed frustration that people can't fill out their time cards correctly. He didn't feel the swipe system would fix the problem and that it is a personnel issue.

**MOTION** by Commissioner Peck to approve the minutes of August 1<sup>st</sup> and 2<sup>nd</sup>, 2017 as presented. Second by Commissioner Bennett. Motion carried unanimously.

**MOTION** by Commissioner Bennett to appoint Martin Sosa to the Eureka Dispatch Board to fill the remainder of Andrew Kindel's unexpired term. Second by Commissioner Peck. Motion carried unanimously.

11:00 AM **Public Comment:** Present were DC Orr, John Blodgett, Alan Gerstenecker and Dallas Bowe. DC said his brother used to bring in individuals to give constitutional seminars about how government works. He said he has seen many individuals who could have learned a lot from those seminars. DC said he made comments at a health board meeting in May and talked about how the board of health went from paying one attorney over \$100,000 to the new one that is only making \$10,000. He wondered how that effected the amount of work that was done and what affect that had. He said his comments were written as "DC gave a history of the site". He said he has a right to speak and have the substance of his comments be part of the public record.

11:15 AM **Ed Levert Update:** Present were Ed Levert, John Blodgett and Alan Gerstenecker.

Commissioner Cole said that the Firewise prevention efforts definitely saved homes at the current fire. Ed said that education about making your home safer is the cheapest preventative effort you can get. Ed went over what he has been doing in 2017 and presented the 2018 Proposed Firewise Program.

Commissioner Peck discussed adding more flexibility with when people can burn (should bases on conditions NOT what month it is).

Commissioner Peck wondered how effective it was spending \$5,000 on calendars and how effective they were at educating the public. He wondered about spending money on a person that could get out into the public for more one on one meetings. He also said it is frustrating not to see more federal dollars attached to the FireWise Program. Commissioner Cole agreed and said he would like time to look over the proposal.

11:30 AM **Appointment to Lincoln County Superfund Oversight Committee:** Present were John Blodgett and Alan Gerstenecker.

**MOTION** by Commissioner Bennett to appoint Commissioner Peck to the Lincoln County Superfund Oversight Committee. Second by Commissioner Peck. Motion carried unanimously.

1:15 PM **Doug Dutton 310 Application Permit:** Present were Doug Dutton, Alan Gerstenecker, Jake Mertes, and John Blodgett.

Commissioners revisited the 310 application from Doug Dutton to take rocks out of Libby Creek. Jake Mertes from Environmental Health told the commissioners that if they agree that the handpicking of stones would not have a significant effect it would not require a floodplain permit. Commissioner Peck said he wants to be sure that no state agency comes after the county. Jake said by agreeing that it would have no significant impact but Doug would still be responsible for getting any and all other required permits. Commissioner Cole wondered if the county attorney would be ok with the wording. He suggested having the county's legal representative, Jennifer Merriman, look at the wording first.

Commissioner Peck said he would like to get the road foreman's opinion on granting access to the area that Doug would like to pick rocks from. Commissioner Peck asked how much rock and how long Doug would pick rocks. Doug said probably 2-3 pallets of rock per month for 6 months out of the year for two or three years. Commissioner Peck asked about access from the other side of the creek which could mitigate many of the hurdles. Commissioner Bennett said he feels they should try to facilitate things rather than regulating. If he explored using the other side of the creek, it would give the board more time to look at the issue.

2:00 PM **Mike Fraser/Callahan Discussion:** Present were Mike Fraser, Alan Gerstenecker and John Blodgett.

Mike said the EPA is pushing to have the county accommodate the Welch's and they want more detail on the plan while also doing something with the slide. They looked at another stream that was narrower. They surveyed two sections of Callahan Creek just before it gets into the canyon to assist with the rehabilitation of the lower section of Callahan. The first issue is the Welch's', whom the EPA thinks they can work with. As far as the slide, Mike said the property is not owned by the county it is owned by Stimson. Commissioner Peck said even if they moved the creek away from the slide, there could still be a blowout. Commissioner Bennett said he will contact Mr. Welch.

2:15 **Montana Department of Revenue Appraisers Office:** Present were Treasurer Nancy Higgins, Alan Gerstenecker, John Blodgett, Bonnie Drews, Dawn Cordone, and Dan Lapan.

Commissioner Cole said they have received many calls about assessments and how much their taxes have gone up. Dawn said the DOR is responsible for the appraisal portion which is on cycles. They used to be on a 6 year cycle and now they are on a 2 year cycle. The difficult part to understand is that they cannot appraise for today's date; they have a cutoff date. The reason for a big public response is the markets upturn; properties are appreciating. The downturn now won't show until 2019 because the valuations are based on previous markets which create a two year lag. Dawn said they get asked how they assess a value to a home that didn't exist during the previous appraisal process. The state uses what that home would have sold for on the market during the previous assessment. Commissioner Bennett said the point of the legislation that changed the assessments cycle from 6 to 2 years was to avoid huge highs and lows as there would be less time for rising or slumping markets to be revealed in taxable values. Dan said they took a close look at the lakefront valuation in Lincoln County but he knew the downturn was starting to occur. Commissioner Cole asked if there was anything the county could do to make sure everything is getting assessed. Dawn said they rely on people reporting possible untaxed properties, septic and building permits, and the GIS system to make sure they get equitable assessments and that everyone is paying their share. Commissioner Peck said it is upsetting that they can't shift the valuations to March and April so the county can budget better. Dawn said it would be helpful to work together to find a solution to that issue.

## **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mike Cole, Chairman

**ATTEST:** \_\_\_\_\_  
Chris Nelson, Deputy Clerk of the Board