

September 5, 2018

The Lincoln County Board of Commissioners met for a regular session on September 5, 2018 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Peck, Commissioner Bennett, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson.

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

9:00 AM **Acting Forest Supervisor Chad Benson:** Present were Dan Rose, Gary Kedish, Cami Winslow, Brett McCully, Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher, Eureka via VisionNet.

Dan expressed the key to a successful fire season is communication, collaboration, and cooperation and discussed areas of improvement towards better communication. Davis is the biggest local fire at 6,000+ acres; a fire shared with Canada. The team on the Davis fire feels they will be able to leave in another week. Current weather has been extremely beneficial with this year's fire season. Dan said the public accepted the fire restrictions this year a lot better than last year. Commissioner Peck commented the community expects it now, people have seen the fires, especially from last year. Commissioner Bennett expressed the uniformity of restrictions across the region is publicly respected.

Gary updated the commission on salvage efforts. Sales are going for premium bids; market is holding up well. Gary said we are close to 80mmbf (saw logs). Next year 60mmbf are currently on the books but could come in at 70+mmbf. Gary commented that although not like the old days, things are looking good for the timber program. Gary said the Young Growth project is moving forward and informed the commission of other projects planned on the KNF. Commissioner Cole expressed that it sounds like the timber industry may be trending up.

Commissioner Peck mentioned Jennifer Nelson as the new County Forester and expressed that he would like to see a collaboration on integrated planning for all communities on urban interface. Developing a prioritized plan looking at our 3 communities as well as the continuation of firewise or community wildfire protection efforts. Commissioner Bennett talked about how subdivisions are expected to make properties safe firewise, but the neighboring areas are not which diminishes those efforts. Dan agreed and said we can be more effective with a community wildfire protection plan on those small communities to enhance fire safety.

Cami spoke briefly about the nationwide hiring process for forest service vacancies being only twice a year and how it affects the jobs and management locally.

Commissioner Peck expressed the KNF can be the model, stating that we have all the elements in place for integrated forest management. Chad commented the time is right for shared stewardship; it is being talked about nationally. Chad expressed that there is a lot of momentum right now.

Chad said he will be acting forest supervisor for four months and expressed his job is to balance and determine what to put energy into; projects having the most chance of moving forward in a positive direction.

Cami mentioned the forest service is planning on increasing fees at some of the recreational sites. Fees have not been raised since 2008, although there are steady increased costs for road improvements and maintenance. The comment period is open now until October 10th. Chad will be making the decisions on what sites will be affected and what the new fees will be. Cami submitted the Kootenai National Forest Recreation Fee Proposal to the commission for review. Commissioner Peck expressed concern of taking water out of some sites while raising fees; also diminishing the recreational value. Cami said she is available for any specific comments on any of the recreational sites.

Commissioner Cole thanked everyone and said there is an open door at the county for further discussion.

10:00 AM **Library Update:** Present were Library Director Alyssa Ramirez, Chuck Gerheim, Lary Smith, John Blodgett, and Alan Gerstenecker. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Alyssa explained the 2018 Summer Reading Program and mentioned there was a great turnout; total of 364 registrations. Attendance was up; 201 adults, 35 teens, and 343 kids. Alyssa expressed how the library has a big impact on the community and feels the outreach efforts have been successful; trend is moving up.

The library will be closed September 17 – 22. Countywide library staff will be going to Billings for training and will be visiting libraries in Missoula and Bozeman as well as Billings to see what other libraries are doing and how they operate. This will be helpful and very beneficial to the library staff. Alyssa said she will coincide the closure with library maintenance and updates at the Libby, Troy and Eureka libraries; working with IT for computer updates. Alyssa discussed a mill levy goal for 2022 to help support library funding. Alyssa said she is working on "next step goals" regarding public awareness efforts, amplifying library resources and impacts for school-age children, recognition of the local libraries as community hubs, and to address those voters who do not currently support the library. Alyssa said she is working on the disconnect to the public about library services, including online services provided for our communities. Alyssa expressed enthusiasm and excitement of improving library services for the public.

10:30 AM **Administrative Issues:** Present were Lary Smith, John Blodgett, and Alan Gerstenecker. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

- Robin presented the minutes for August 28 and 29, 2018 for Commissioner approval. **Motion** by Commissioner Bennett to approve August 28 and 29, 2018 minutes as presented. Second by Commissioner Peck, motion carried

unanimously. Commissioner Peck and Commissioner Bennett commented they have received positive feedback from the sheriff department employees about the Sheriff Audit Meeting held on August 28.

- Darren said it's time to renew the Baldy Mountain Communication Site Contract with the U.S. Department of Agriculture. Darren will put the contract on the commission agenda. The contract is a Special Use Permit for Lincoln County to have electronic equipment within a forest service owned building and tower.
- Commissioner Peck informed the commission that he will be attending the Environmental Quality Council meeting in Helena next Wednesday.

10:45 AM Public Comment Time: Present were Lary Smith, Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Lary asked Commissioner Bennett if he knew who authorized plowing to Decker's gate near his property on Leonia Road. Lary expressed the plowing is not necessary and asked about costs associated to plowing that area. Commissioner Bennett said he will visit with the road supervisor, but clarified it is a county road.

11:00 AM Juvenile Detention Agreement: Present were Undersheriff Brian Griffeth, Lary Smith, Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet. Commissioner Bennett was absent.

Darren submitted the annual renewal of the Juvenile Detention Agreement between Lincoln County and Bonner County, Idaho; no changes. There is no juvenile detention facility in Lincoln County since the closure of the Troy facility. Bonner County operates a detention facility for the detention of juvenile offenders. The agreement allows for male and female juvenile offenders under the jurisdiction or control of Lincoln County to be housed at the Bonner County Juvenile Detention Facility. Lincoln County agrees to pay Bonner County the sum of \$110.00 per day for each juvenile housed in the Bonner County Juvenile Detention Facility under this Agreement. Undersheriff Brian Griffeth commented the agreement is working well and it is a very good facility for juvenile offenders. **Motion** by Commissioner Peck to approve the Juvenile Detention Agreement as submitted. Second by Commissioner Cole, motion carried.

11:15 AM Rescind Motion of June 5, 2013 minutes concerning commitment of Local Option Tax revenue to be used only in the road fund: Present were Lary Smith, Alan Gerstenecker, and Josh Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet. Commissioner Bennett was absent.

Darren said the local option tax revenue is currently approximately \$750,000 and historically has been put into the county road fund by motion of the commission on June 5, 2013. Darren asked the county to rescind the 2013 motion, allowing for the county to use the funds as best suited for the county budget. **Motion** by Commissioner Peck to remove the commitment of the Local Option Tax revenue to the road fund and open it to be utilized where best suited in the county budget. Robin clarified that unlike SRS revenue; Local Option Tax revenue is an unrestricted use fund. Second by Commissioner Cole, motion carried.

11:30 AM Larry Smith/Dust: Present were Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet. Commissioner Bennett was back in attendance.

Lary talked about the dust issues on Leonia Road and expressed that he goes through the entire summer without being able to open his windows due to dust. Lary said vehicle speed is high and many people do not show respect, but he does let people know who travel in a respectable manner how much he appreciates it. Lary asked about speed bumps or signage to help with the speed and dust. Commissioner Peck clarified that FWP put in the boat dock, which is a good thing, but it is the only reason people travel that area. Commissioner Peck expressed that the county has done its part and has chip sealed the road. Commissioner Bennett said he has contacted FWP but has not reached the right person yet and would like to approach the issue with that communication. Commissioner Peck agreed FWP needs to be involved in the solution, but the county may support speed signage. Commissioner Bennett said after communicating with FWP, he would contact Lary and keep him apprised.

11:45 AM Nancy Higgins/School Budget Levies: Present were Sedaris Carlberg, Alan Gerstenecker and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Nancy submitted and explained School District Levies for FY 2018/2019 for commission approval; FY 2017/2018 comparisons were provided. Nancy submitted budget reports for each school district, transportation needs, and retirement budgets for FY 2018/2019. Total County-Wide Funds for Education equals 88.78 mills; this is 5.88 mills less than FY 2017/2018 at 94.66 mills. The mill reduction in the countywide school levies is due to SRS portioned to the transportation and retirement budgets. **Motion** by Commissioner Bennett to approve the FY 2018/2019 School District Levies as presented. Second by Commissioner Peck, motion carried unanimously.

1:00 PM EMA Monthly Update: Present were EMA Director Brent Teske, Alan Gerstenecker and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Fire Update:

Gold Hill Fire currently at 4,000 acres; 10% containment. Traffic delays remain on Hwy 68 (Pipe Creek Road/South Fork of the Yaak). A pre-evacuation notice remains in place for Pipe Creek Road from mile marker 11 to 13.

Brent talked about a stakeholder meeting yesterday utilizing a big apple tv screen showing an overview of the fires and invited the commission to the next meeting to visually see what's really going on.

Davis Fire is on clean up now, currently at 6,614 acres; 30% contained.

Sterling Fire currently at 1,405 acres; 83% containment, conducting wrap up.

Brent commended Undersheriff Brian Griffeth for his participation and coordinated efforts.

Other:

Attended numerous in-briefing and out-briefings and stakeholder meetings.
Developed info package for in-coming teams, LCSO evacuation policy, fire co-op info, code red info etc...
Attended numerous public meetings for Em-Kayan Village, Yaak, Trego, Libby and Troy.
Participated in weekly and daily North West Zone phone conferences
Made two trips to Pinkham after the fire to check equipment and to clean
Blue Mountain Lookout maintenance, logging operation, power outage
Working on Fire Restriction Stages and updating LCSO Evacuation Policy with Undersheriff Griffeth
Working on DES Grant requirements and Home Land Security Grants

1:15 PM Tetra Tech Consulting Services Agreement for the Lincoln County Pre-Disaster Mitigation Plan: Present were EMA Director Brent Teske, Stuart Crismore, Byron Sanderson, Brett McCully, John Blodgett and Alan Gerstenecker. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Motion by Commissioner Peck to approve the Consulting Services Agreement from Tetra Tech to develop a Pre-Disaster Mitigation Plan for Lincoln County. Second by Commissioner Bennett, motion carried unanimously.

1:30 PM Planning Department: Present were Jake Mertes, Stuart Crismore, Brett McCully, Byron Sanderson, Alan Gerstenecker and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

- **Lake Creek Ranch Phase III Extension:** The Planning Department received a request to extend the final plat deadline which was due for completion on August 23, 2018. This will be the second extension of the preliminary approval for Phase III. Planning staff recommends the approval for a second extension for Lake Creek Ranch Phase III Subdivision for one year to expire August 23, 2019. **Motion** by Commissioner Bennett to approve a one-year extension for Lake Creek Ranch Phase III Subdivision to expire on August 23, 2019 subject to planning staff conditions and recommendations. Second by Commissioner Peck, motion carried unanimously.
- **Lick Lake II Subdivision Final Plat:** Jake said Lick Lake II Subdivision has met all conditions for final plat and planning staff recommends final plat approval. **Motion** by Commissioner Bennett to approve Lick Lake II final plat subject to planning staff conditions and recommendations. Second by Commissioner Peck, motion carried unanimously.
- **Crismore Agricultural Exemption:** Commissioner Bennett said he spoke with the county attorney and it boils down to the definition of what is agricultural. Commissioner Bennett expressed the issue as a commission; are we a precedence. If its agricultural land, there cannot be any processing; you can grow, but not process. Stuart said the plant gets harvested and dried. The final sellable product does not happen on the property in question. Jake asked about watering the plants and cleaning the facility. Stuart said he runs garden hoses; but does not believe that it gets soaped down or disinfected. Commissioner Peck said his biggest concern is county liability which has been alleviated; crop issue has been alleviated. Commissioner Peck further commented that he is looking for a reason to deny request but is not seeing one. **Motion** by Commissioner Peck to approve the agricultural exemption as requested. Second by Commissioner Bennett, motion carried unanimously. Commissioner Bennett said he may pursue this a little further as far as processing and what that means. There was a brief discussion about process for the county to grant agricultural exemptions; what is that process. Byron suggested looking at process of agricultural exemptions across the state; specifically, growing marijuana. Jake said there are no conditions or recommendations by planning staff.

2:00 PM Finance Director Wendy Drake/Final Budget Public Hearing and Adoption: Present were Finance Director Wendy Drake, H.R. Director Dallas Bowe, Undersheriff Brian Griffeth, EMA Director Brent Teske, John Blodgett and Alan Gerstenecker. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Wendy submitted the final Tax Levy Requirement Schedule for FY 2018/2019 and the Non-Levied Funds Budget Schedule. Commissioner Peck expressed his frustration that we are sitting here passing a county budget and there is not one person in attendance from the public. Commissioner Peck continued that he hears the griping, grumbling and accusations that are passed around (especially on Facebook), yet nobody wants to participate in the process; Commissioner Cole agreed. Commissioner Bennett thanked the finance department for all their work and great job. Darren said request for appropriations from the sheriff's department is about \$400,000 less than last year and commended Undersheriff Brian Griffeth for taking the budget seriously; this goes out to all the departments reducing budgets countywide. Commissioner Cole commented that we continue to find things through our process and that allows for the commission to feel more confident. Darren explained the budget is an actual living document, a spending plan and guideline for departments to go by. **Motion** by Commissioner Peck to approve the FY 2018/2019 Tax Levy Requirement Schedule and budgets for non-levied funds. Second by Commissioner Bennett, motion carried unanimously.

2:30 PM Health Department Update: Present were Kathi Hooper, Noah Pyle, Bryan Alkire, Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher and Nikki Meyer, Eureka via VisionNet.

Kathi said the Yaak Hill green box site is moving forward, prep is being completed and will be scheduling the fencing next. E-Waste collection is completed, another very successful year. Bryan is organizing and conducting a collection of battery waste. Junk Trailer Program is being advertised and is moving forward.

Noah said we are on track to enter into the Operation and Function phase. EPA will have oversight as ARP starts taking over property assessments. In 2020 we will be in full O&M phase. There is an O&M Advisory meeting in Helena, as well as a local meeting.

Noah said the liaison position will work out of the ARP Program. The position has been advertised several times and he is looking for a person with the technical requirements and knowledge of the local history. Noah said he is in discussion

with DEQ as to whether roles and responsibilities are shared among ARP and DEQ and how that will work out. EPA is estimated to be done with interiors by end of September.

Kathi submitted a draft Community Decay Ordinance for commission review. Commissioner Peck commented that this will have to go through the public process. Commissioner Peck said this issue is a delicate balance since he is a firm believer in property rights, but some properties are unsafe and affect property values on neighbors. Kathi is requesting feedback and will visit with the commission again next month for any comments or suggestions.

3:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

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