

April 3, 2019

The Lincoln County Board of Commissioners met for a regular session on April 3, 2019, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Letcher, Commissioner Peck and Clerk and Recorder Robin Benson. County Administrator Darren Coldwell was present via Skype.

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

9:30 AM **Selenium Levels in Lake Koocanusa:** Present were Dave Hadden, Mike Rooney, McKenzie Williams, Ben Kibbey and Alan Gerstenecker. Also present was Nikki Meyer, Eureka via VisionNet.

Commissioner Bennett wrote a draft letter of support for the federal funding for 2020 to continue monitoring and research of selenium concentrations in the Kootenai river and reservoir. The group discussed what is considered safe levels of selenium and its science, the concern of posing restrictions, what the county does and does not support, where federal funding will go and how it is spent, and potential burdens on the recreational and fishing industry. Commissioner Bennett will make some changes to the draft letter.

Commissioner Bennett expressed support of the research and continued data collection but expressed concern regarding studies by multiple agencies that conflict creating confusion. Commissioner Peck noted that the scientific level of selenium that poses risk to the fish and water quality has not been defined and that there are no reports from FWP regarding any effect of selenium on the fish in the Kootenai.

9:45 AM **Elections Cancellation:** Present were Assistant Election Administrator Chris Nelson, Clyde Ross, Alan Gerstenecker, and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Chris submitted a Notice of Cancellation of Election / Notice of Trustee Election by Acclamation to the commission. Commissioner Peck read the letter of acclamations in its entirety. The number of filed candidates is less than or equal to the number of positions open for the Special Districts. The regularly called for Special District Elections to be held on May 7, 2019 is cancelled. The following candidates are duly elected by acclamation:

Bull Lake Fire District Board – one position open / Herb Cargill

McCormick Fire District Board – two positions open / John L. Chott

Troy Park District Board – two positions open / no candidate filed

Lincoln County Rural Fire District Board – one position open / Paul D. Tisher

Libby Park District – one position open / no candidate filed

Chris said he will coordinate with Clerk & Recorder Robin Benson to advertise vacancies still left open.

Motion by Commissioner Bennett to approve the cancellation of election and appointment of board trustees by acclamation as presented by the Election Department. Second by Commissioner Letcher, motion carried unanimously.

10:00 AM **Best Beginnings Contract Approval/Resolution:** Present were Jennifer McCully, Kathi Hooper, Dallas Bowe and Wendy Drake.

Jennifer said Best Beginnings just received a contract and was offered a \$60,000 grant from MT Department of Public Health and Human Services. The purpose of the contract is to provide financial support to the Lincoln County Best Beginnings to further their work on local early childhood system development. Jennifer is requesting approval of the contract and budget resolution. Darren questioned the best way to move forward since there is not a budget set up for this. Commissioner Bennett read MCA 7-6-4006 (3 & 4) on authority to adjust budgets. Commissioner Bennett said that usually we waited till end of budget year to make budget adjustments, but legally we must have public hearings for budget amendments. Commissioner Bennett commented that because counties receive grant funds throughout the year, he is looking for caveats in the statutes for grants. Commissioner Bennett said we need to move forward with the grant, but the county needs a process in place to adjust the budget for grants received during the fiscal year. Commissioner Bennett said he will contact MACo and County Auditor Denning for clarification. Commissioner Peck commented that in Flathead County, public hearings are required for midyear budget amendments. Jennifer said she will need to adjust wages before the public hearing. Commissioner Bennett we need to establish standard procedures. Darren commented that adjusting payroll/wages midyear creates difficulties for the payroll department. **Motion** by Commissioner Bennett to approve the Delivery of Professional Services Contract No. 1902PROS0407 for the Best Beginnings, Early Childhood Grant. A public hearing will be scheduled at a later date to approve Resolution 2019-07 Budget Amendment. Second by Commissioner Letcher, motion carried unanimously.

Jennifer informed the commission that Headwaters Foundation has chosen Lincoln County to conduct an early pilot project to create this program. Lincoln County will receive \$200,000 annually for six years. Jennifer said she is ready to hire this person now and is looking for approval for the planning and implementation phase. **Motion** by Commissioner Bennett to approve hiring an individual under the Headwaters grant as presented. Second by Commissioner Letcher, motion carried unanimously.

10:30 AM **Administrative Issues:** Present were Sedaris Carlberg, Wendy Drake, Dallas Bowe, Ben Kibbey, Alan Gerstenecker, and McKenzie Williams. Also present was Nikki Meyer, Eureka via VisionNet.

Robin presented the minutes for March 27, 2019 for Commissioner approval. **Motion** by Commissioner Bennett to approve minutes as presented. Second by Commissioner Letcher, motion carried unanimously.

Commissioner Letcher received a request from the Community Action Partnership to serve on their board. Community Action Partnership studies low income housing needs in Lincoln County. Commissioner Letcher said he is willing to serve on the Community Action Partnership Board. The board meets every two months in Kalispell.

County Treasurer Sedaris Carlberg informed the commission there are counties outsourcing tax bill printing. Sedaris said she has researched cost of paper and postage and estimates outsourcing is approximately \$200 less and would cut a weeks' worth of employee time. The company is out of Idaho and is recommended by Black Mountain. The Treasurer's Department will upload the file and the company will print, fold, seal and mail bills. The commissioners agreed it would be a good process especially saving employee time.

Dallas said she talked with EBMS and Leavett Group and informed the commission that there will be a 0% increase to employee health care premiums. Dallas asked how the commission wants to proceed; either continue shopping insurance companies or spend the next two months preparing for next fiscal year.

Darren commented that shopping means employees must fill out data relinquishing their information which is very difficult to conduct. Commissioner Bennett commented that as American Fidelity speaks with employees individually and explains the purpose of the employee questionnaire, he does not think it would be intrusive, but will give employees more information of insurance options.

Dallas said she is seeking advisement to push health assessments and shop around over the next two months or move forward with current insurance with EBMS and American Fidelity. The commissioners expressed we should stay where we are at and bring in American Fidelity.

10:45 AM **Public Comment Time:** Present were Ben Kibbey, Alan Gerstenecker, and McKenzie Williams. Also present was Nikki Meyer, Eureka via VisionNet.

There were no public comments.

11:00 AM **Boundary County Commissioners and Kootenai Tribe of Idaho-Pacific Northwest Trail:** Present were Boundary County Commissioners Wally Cossairt and Dan Dinning, Rhonda Voge, Gary Aitken, and Scott Soultz of Kootenai Tribe of Idaho, Robyn King, Jane Jacoby, Rick Bass, Ben Kibbey, McKenzie Williams and Alan Gerstenecker.

Dan talked about putting together a large group of people consisting of the Kootenai Tribe of Idaho, and numerous other stakeholders looking at the impacts of the Pacific Northwest Trail and how they have developed an alternative trail on the Idaho side vs. the route proposed by Congress. Rhonda provided a map showing the proposed congressional designated trail and the preferred alternative trail area. Scott pointed out the Idaho concerns regarding the proposed route and how rerouting the trail minimizes road walking, staying out of bear management areas, keeping it on existing trails instead of creating new trail. Dan asked everyone to keep in mind there is no way to please everyone.

The group openly discussed the following ideas and concerns...

- Grizzly habitat,
- Private properties and undeveloped properties
- Keeping the trail scenic
- Length of designated trail vs. proposed alternative trail
- Motorized and non-motorized use areas
- Economic and social value
- Trail usage increase
- Trail management plan
- Undeveloped/graveled and paved roads
- Suitable timber base areas in Montana

Gary said the Kootenai Tribe in Idaho and all the stakeholders are trying to work collaboratively with everyone involved which is why he is here to visit with Lincoln County.

Darren commented that speaking as a citizen, he feels the support for moving the trail in Montana is not there. Darren expressed frustration and confusion why the big push to move the trail to Montana, stating his opinion is from a resident standpoint and not a county employee.

Dan said through the collaboration and discussions with the Tribe and stakeholders of every group, there has been no pushback from any group that he is aware of. We are looking at any potential harm 10 years down the road for any consequences. We are here reaching out to Montana in a collaborative effort.

Commissioner Bennett said Lincoln County has not received all 5 trail recommendations on one color coded map for review and expressed there is still a lot of work before we can offer a recommendation to our congressional people and partner with Idaho.

Robyn said the Kootenai Forest Stakeholders Group supports all of Idaho's work, but does not support the Montana side of the alternative trail and submitted a map showing its preferred alternative trail. Robyn expressed concern for grizzly habitat, economic and timber partners, and motorized and non-motorized areas. Robyn said a proper analysis needs to be conducted, but the stakeholders' group is wanting a robust collaborative process for the Montana piece of the trail.

Commissioner Peck commented that Lincoln County wants to be good neighbors and support what Idaho is doing and all their work and we honor that. Commissioner Peck stated that when we talk about the trail from a timber standpoint and

moving the trail into a real suitable timber base is not an option if looking for his support. Commissioner Peck said he is fairly ambivalent of location with the exception of the southern route and was adamant that he will not support losing suitable timber base and will not concede to losing any more of it. Commissioner Peck stated this trail is being forced on us and we have a lot of other priorities. It would be helpful if the information is compiled in one document that is understood and is visible.

Commissioner Letcher recommended a map showing where existing trails are located and where new trails are proposed. Commissioner Peck said that once mapping of the trail gets nailed down well, the next step will be to hold public hearings; its their opinion that matters more than ours.

1:30 PM Planning Update / Rocky Mountain Way Subdivision / Teisberg Family Transfer: Present were Jake Mertes, Kristin Smith, Clyde Ross, Chris Nelson, McKenzie Williams and Ben Kibbey. Also present was Josh Lenderman of River Design Group via phone conference.

Rocky Mountain Way Subdivision, a two residential lot division located on Tobacco Road, approximately 1 mile south of Eureka. Kristen said the Planning Board recommends granting preliminary approval to Rocky Mountain Way Subdivision, subject to conditions and based on the findings in the staff report. **Motion** by Commissioner Bennett to approve preliminary plat for Rocky Mountain Way Subdivision subject to planning staff conditions and recommendation. Second by Commissioner Letcher, motion carried unanimously. Commissioner Bennett asked if there was already a well on the property since there have been RV's on the property. Mr. Lenderman said yes, there is one existing well and drain field on the southern end of the property.

Teisberg Family Transfer: Jake said Planning received a request from John A. and Nadine K. Teisberg to transfer a 5.045-acre portion of their property to their son Justin E Teisberg and retain the remaining 4.984-acre portion. Jake said that after review, there is no attempt to evade Montana Subdivision and Platting Act and recommends approval to use exemption. **Motion** by Commissioner Bennett to approve the Teisberg Family Transfer subject to planning staff conditions and recommendations. Second by Commissioner Letcher, motion carried unanimously.

2:00 PM Maintenance Department Update: Present were Maintenance Director Joe Nagle, Alan Gerstenecker, Ben Kibbey and McKenzie Williams.

Joe provided a maintenance outline of past projects conducted and what is planned for summer of 2019 as follows:

Maintenance Outline

1. Jail HVAC project (\$53,470 water tower, heat pump, and electric duct heater)
2. Christmas Tree and Wreaths
3. Youth Court HVAC replaced (5 ton \$9000.00)
4. DMV hot water tank replaced (50-gallon tank \$500)
5. Rain water mitigation on the Annex Building roof
6. Water damage in courthouse conference room
7. Old water damage repair in courthouse
8. Roof Inspection and repair
9. Re-instated the County Work Program for Nonviolent Offenders
10. Cleaned out the basement of Juvenile Probation
11. No water issues in the basement of Juvenile Probation
12. Winter of 2017-2018 and 2018-2019 (Dec 12, first accumulation)
13. Sheriff's Office and Jail-No maintenance done for a year. List given and completed.
14. Water Recirculation Pump sheriff's office removed. (They now have hot water) (\$1,500)
15. Railing installed at Juvenile Probation/DMV entrance. (Curb work needed)
16. Jail is falling apart with valves and water line issues, doors, locks, keys, and none of this is cheap (\$85 three-way light switch, Suction valves \$800 spent on just a couple check valves and servos) out dated plumbing. Takes 80% of my time.

Summer of 2019

1. Eureka Library sidewalk and entrance (funding?)
2. Troy Library roof inspection (moss covered)
3. Courthouse roof inspection (holes in membrane)
4. Courthouse appearance and curb appeal, Courthouse flagpole replacement
5. Build a new maintenance shop (side awning)
6. Jaycee Clubhouse use - rental
7. Purchasing and replacing a heat pump in the sheriff's office (4 more need replacing \$2,500.00 each)
8. 90 Day temp Cliff McQueen
9. Sheriff's office has many restructuring ideas (funding?)
10. Maintenance Budget (on track)

Commissioner Peck commented on the compliments received about the courthouse lawncare and Christmas decorating, stating that it does make a difference.

There was discussion about a summer seasonal employee. Darren said Joe can hire a 90-day temp worker without advertising. If the budget exceeds at year end, we can cover the overage out of PILT. Commissioner Bennett commented about potentially having a 90-day temp during the snow season as well. Robin commented there were no slip, trip or fall claims for the past two winters.

Darren will put maintenance 90-day temp on the commissioner's agenda for discussion and approval.

Joe asked about potentially advertising lease use of the Pioneer Center to recoup maintenance cost.

Commissioner Bennett suggested a Capital Improvement Plan for purchasing and replacing a heat pump in the sheriff's office. There are 4 more to be replaced at \$2,500 each. Darren said he thinks it can be budgeted in the next budget season and expressed he does not feel we need to create a capital improvement fund. Commissioner Peck said he does agree with Commissioner Bennett that the county needs to establish capital improvement accounts for the bigger departments.

Commissioner Bennett said there are plastic catch basins that would guide the roof water to the lawn and potentially the storm drains.

Commissioner Peck expressed that Joe has done a great job, especially the large workload for one person.

2:00 PM Meeting Adjourned

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

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