

January 30, 2019

The Lincoln County Board of Commissioners met for a regular session on January 30, 2019, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Letcher, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson. Commissioner Peck was absent.

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

10:30 AM **Administrative Issues:** Present were Tony Penfold Libby Remediation Manager with W.R. Grace, Mike Cirian EPA, Ernie Anderson, Jeff Koskela, and Alan Gerstenecker. Also present was Nikki Meyer, Eureka via VisionNet.

- Tony said the upgrading of the spillway of the dam is scheduled to start this year. It is a large construction project and will be completed in phases, taking several years to complete. The spillway is being evaluated by EPA to meet the requirements for contamination control. Tony said he is negotiating with the forest service to conduct some fuels management work and is hopeful to move forward with this. The road to the mine site is still gated and closed. Mike clarified the evaluation is not part of CERCLA but is required for the permitting process.
- Commissioner Letcher said he has met with the electrician and has been working on the security system at the North Annex building. Pass codes are being used and security can be shut off online. The sheriff's department has a key to the entire building and a passcode as well. Commissioner Letcher explained how the security pass code system operates and functions.
- Commissioner Letcher expressed concern and potential problems with the limited number of hours the North Annex is open (especially during the noon lunch break hours). Commissioner Letcher said he is trying come up with ideas on how to increase the business office public hours and asked if the fair manager or extension agent position could potentially help part time or hire a part time person. No decisions were made at this time.

10:45 AM **Public Comment Time:** Present were Tony Penfold Libby Remediation Manager with W.R. Grace, Jeff Koskela, and Alan Gerstenecker. Also present was Nikki Meyer, Eureka via VisionNet.

- Jeff asked if Rainy Creek Road will ever be open to the public again. Commissioner Bennett said he would have to research why it was closed historically before being able to answer that.
- Jeff asked about the wolf problem in Lincoln County and expressed that it needs to be addressed. Commissioner Letcher mentioned a public wildlife meeting in Kalispell tonight that may include that conversation.

11:00 AM **Kootenai Forest Stakeholders Coalition (KFSC) Executive Quarterly Board Update:** Present were Commissioner Peck via phone conference, Robyn King, Tim Dougherty, Jane Jacoby, Ed Levet, Jennifer Nelson, Jessie Grossman, Alan Gerstenecker, Ben Kibbey, Jeff Koskela, and Tony Penfold. Also present was Nikki Meyer, Eureka via VisionNet.

Robyn introduced Jane Jacoby as the new Conservation Director for Yaak Forest Council. Jane has moved to Troy from New York.

Robyn talked about getting a group together from Eureka to participate in the stakeholder's group so all of Lincoln County is included. Commissioner Letcher and Jennifer Nelson commented they would attend meetings held in Eureka.

Ed talked about the Ripley Project that entails about 9,000 acres, south of Libby. Ed expressed there is potentially a large amount of timber harvest, as well as recreation and wildlife opportunities utilizing Good Neighbor Authority (GNA) and the 2014 Farm Bill; should be a good project. Commissioner Peck clarified that only 650 acres is proposed GNA.

Robyn commented about including and offering trainings and education opportunities to private forest land owners.

Robyn said the stakeholders will take on the Three Rivers District Black Ram Project, although it may have some controversy; the proposed project is located in a remote, more wild area of the Yaak. The proposed action went out in July, some fieldwork was completed, comments were received, and the forest service is working on developing an alternative. Robyn said that after summer fires and now the government shutdown, the stakeholders are now picking it back up, but the timeline has probably changed. Robyn said there is some good recreation, community protection, and timber harvest projects and expressed it is a great opportunity to put our collaboration and agreement to use. Tim commented that his opinion is there will be some conservation concerns involved in this project.

Robyn spoke briefly about a variety of projects historically and currently active. Commissioner Peck clarified that Ripley, Pinkham Meadow, HooDoo and Lazy Jack projects includes some GNA acreage.

Commissioner Peck talked about shared stewardship projects and expressed how it is an exciting time for forest management, but there are a lot of moving parts right now and it all needs to be coordinated. The idea is to bring all the stakeholders into play, so we are not duplicating efforts. Commissioner Peck said he would like to see an organized workshop in Libby and bring in somebody who can fully explain existing and new authorities, shared stewardship from a forest service perspective and what opportunities there are. It would be beneficial to have a person from the state to discuss GNA and what that looks like in Lincoln County and the Kootenai National Forest. We can put out a draft agenda for the program now and have the program ready to go before its actually scheduled. Commissioner Peck clarified that DNRC grant money would pay costs for the workshop. Commissioner Peck suggested inviting Rich Stem to talk about how local government and stakeholders participate in NEPA and to have a better understanding of what it is, and how we can best use our time through that process. Robyn commented that she would be willing to help with the planning.

1:30 PM **Planning Update/Wilderness Club Phase 5 PUD/Lake Creek Ranch Phase 3 Preliminary Plat:** Present were Jake Mertes, Kristin Smith, Brett McCully, Alan Gerstenecker, Tamara Tanberg, Marc Liechti, and Kenneth E. Davis.

**Wilderness Club Phase V Planned Unit Development (PUD):** The Planning Department received a request from APEC Engineering on behalf of the owners of Wilderness Club to establish a PUD for Phase 5. Jake said all conditions and criteria has been met and planning staff recommends approval of request subject to conditions.

**Motion** by Commissioner Letcher to approve Wilderness Club Phase V PUD subject to planning staff conditions and recommendations. Second by Commissioner Bennett, motion carried.

**Lake Creek Ranch Phase III:** The Planning Department received a request from Cabinet Mountains Surveying on behalf of the Lake Creek Ranch developers to approve an amendment to the preliminary approval for Phase III. The developers are proposing an additional lot (splitting the previously approved Lot 15), changing the location of the walking path, changing the size and location of the park land, and no longer planning to improve the western extension of Shoshone Trail. Planning staff recommends approval of Lake Creek Ranch Phase III Preliminary Plat Amendments as non-material based on the documents and layout submitted on January 16<sup>th</sup>, 2019. **Motion** by Commissioner Letcher to approve the amendments to Lake Creek Ranch Phase III as non-material based on the documents and layout submitted on January 16, 2019 and subject to planning staff recommendation and conditions. Second by Commissioner Bennett, motion carried.

2:00 PM **911 System Discussion Update:** Present were IT Director Ernie Anderson, Rima Austin and Alan Gerstenecker.

Ernie submitted proposals to the commissioners for the voice recording system for the sheriff's department. Voice Products proposal is \$29,863.00 for equipment and installation, plus up to an additional \$15,000 annual maintenance.

Frontier OASYS proposal is \$28,829.26. Maintenance is built into our current maintenance contract.

Commissioner Bennett commented the proposal amount and the Frontier OASYS System would integrate with what the county is already using. **Motion** by Commissioner Letcher to approve the Frontier OASYS Proposal for \$28,829.26 with the maintenance fee included in the price. Second by Commissioner Bennett, motion carried.

3:00 PM **Meeting Adjourned**

## LINCOLN COUNTY BOARD OF COMMISSIONERS

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Mark Peck, Chairman

**ATTEST:** \_\_\_\_\_  
Robin A. Benson, Clerk of the Board