

June 26, 2019

The Lincoln County Board of Commissioners met for a regular session on June 26, 2019, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Letcher, Commissioner Peck, County Administrator Darren Coldwell and Clerk and Recorder Robin Benson.

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

10:30 AM **Administrative Issues:** Present were Jake Mertes, Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

- Robin read a portion of the minutes dated June 12, 2019. A motion was pending for the Troy Dispatch Board until Herb Cargill was contacted regarding the open vacancy that he had previously applied for. Robin said she talked with Herb on June 19 via phone and he no longer has an interest to serve on the Troy Dispatch Board, leaving one vacancy open.
- Robin said she has received requests for draft minutes prior to commissioner approval; its rare, but it does happen. Robin said she has sent them out, although hesitantly because there are many comments not only from the commissioners, but the public as well and is uncomfortable sending them out without review. Robin said she looked up the statutes and is only required to keep official minutes. Robin asked for commissioner input. Commissioner Peck commented that there is no reason for the public to receive draft minutes prior to approval. Nikki from the Tobacco Valley News commented that she has requested draft minutes a couple of times over the years just for timeline purposes. The commission expressed they have no problem with that type of request from a newspaper, if it's not constant.
- Robin presented the minutes for June 18 finance meeting and June 19, 2019 regular meeting for Commissioner approval. **Motion** by Commissioner Bennett to approve minutes as presented. Second by Commissioner Letcher, motion carried unanimously.
- Darren submitted a Memorandum of Understanding (MOU) between Lincoln County and the Eureka Public School District. The purpose of the MOU is to establish the terms and conditions under which the Eureka Public School generator project will be funded. Total cost of project is approximately \$50,000. A grant in the amount of \$19,760 from a State Homeland Security Grant will help fund the project and will be managed by the Lincoln County Emergency Management Agency. The county shall be responsible for making payments to contractors of costs incurred in completion of the project and shall submit invoices to the School District for reimbursement. The School District shall be responsible for reimbursement of the county for all costs of the project which exceed the grant amount. Reimbursement shall be made to the county within 30 days of presentation of invoice. **Motion** by Commissioner Bennett to approve the MOU with Eureka Public Schools for the installation of the generator. Second by Commissioner Letcher, motion carried unanimously.
- Darren submitted a Request for FAA Approval of Agreement for Transfer of Entitlements from the Eureka Airport to the Big Horn County Airport in Hardin, Montana. There are no Eureka Airport projects; the money is lost if not used. **Motion** by Commissioner Bennett to approve request of FAA transfer of entitlement funds to Bighorn County. Second by Commissioner Letcher, motion carried unanimously.
- Darren informed the commission that the MACo insurance bill came in approximately \$50,000 less for FY 2019/2020 for a variety of reasons; some of the decrease is due to the Mod Factor decreasing reducing workers comp rate, less claims, less vehicles, less employees, and more 90-day temps instead of part-time employees.

10:45 AM **Public Comment Time:** Present were Jennifer Nelson, Jake Mertes and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

11:00 AM **Planning Department:** Present were Jake Mertes, Jennifer Nelson, and Ben Kibbey. Skip Simpson, Sam Cordi Surveying present via phone conference. Also present was Nikki Meyer, Eureka via VisionNet.

- **Big Water Subdivision Extension Request:** Jake said it is the first extension request and the subdivision is moving forward. Jake said Planning recommends a first extension for Big Water Subdivision for one year to expire August 17, 2020. **Motion** by Commissioner Bennett to approve a 1-year extension to expire on August 17, 2020 based on planning staff recommendation. Second by Commissioner Letcher, motion carried unanimously.
- **Glen Lake Estates:** The proposed minor subdivision of Tract 1 of COS 1607 is located on Sinclair Creek Road and Mocking Bird Court approximately 5 miles east of Eureka. Each lot will be served by individual septic systems and individual wells. Jake said developer intends to create 2 lots from the 20-acre parcel. Jake stated the planning staff recommends granting preliminary approval to Glen Lake Estates Subdivision, subject to conditions and based on the findings in the staff report. This is a minor subdivision and does not require planning board review. Skip said the owner/developer is fine with the staff report and agrees with the Findings of Fact. **Motion** by Commissioner Bennett to approve preliminary plat for Glen Lake Estates Subdivision subject to conditions and recommendations in the staff report. Second by Commissioner Letcher, motion carried unanimously.

11:15 AM **Fisher River FSA Financial Discussion:** Cancelled

11:30 AM **SB 35 Discussion:** Present were Kindra Lima-Hageness-Youth Court Services, and Ben Kibbey. SB35 is an act revising laws related to school safety; clarifying communications between youth courts and school districts; strengthening county interdisciplinary child information and school safety teams; allowing regional interdisciplinary child information and school safety teams; revising requirements for written agreements; amending sections 20-1-401, 41-3-205, 41-3-208, 41-5-215, 52-2-211, and 52-2-304 MCA and providing an immediate effective date. SB 35 is a new state law that states county commissions shall set up a school safety committee.

Commissioner Peck commented he does not understand why the county commissioners are involved in any matter, although he does not mind being involved, but it should go directly to the school district. There is no direction on HIPPA,

all records are closed, and there is probably a lot of sensitive information shared. Commissioner Peck said it is his understanding the commissions only responsibility in setting up the committee. Commissioner Peck stated he understands it is well intended, but the people who wrote the law does not understand local government. Kindra said Libby, Troy and Eureka already have their own Child Protective Team (CPT). Darren said the law states that other committees doing the same work can be asked to be on the committee to eliminate duplication. Darren said he will work with Kindra to put names together to form the committee. Commissioner Bennett clarified some of the language and general guidelines in the new law. Darren will follow up with Kindra and the Supervisor at Child Family Services and bring more information to the commission.

1:30 PM **Montana Fish, Wildlife and Parks (FWP):** Present were FWP Dillon Tabish, Jessy Coltrane, Tonya Chilton, Luke Hollister, Jennifer Nelson, Tami Fitchett, Jon Obst, Ray Stout, Marc McCully, Sheriff Darren Short and Wayne Kasworm.

Dillon said he appreciates coming to speak with the commissioners, he has been meeting with different community organizations and agencies to talk about the Libby Chronic Wasting Disease Detection and will be continuing those informational public meeting updates. Dillon submitted the incident summary of two cases of Chronic Wasting Disease (CWD) detected in the City of Libby. Dillon also submitted a poster that is being distributed, trying to get the word out to hunters to stop dumping carcasses. Once an animal with CWD dies, any part of the carcass can transmit the disease for at least two years. The poster is asking hunters to safely dispose of all animal parts like you would household garbage, and you'll be helping to keep local herds "clean" of CWD and following the law.

Dillon said a team has been put together to work specifically on the Libby CWD detection. Dillon submitted a handout regarding CWD Management frequently asked questions.

Jessy gave a brief overview of what CWD is and its history. CWD is a slow-moving neurological disease, very infective, slow acting but always fatal. Deer, elk and moose are the only species CWD affects. Animals don't become systematic until late stages of CWD. From contraction of the disease to death, is approximately 2 years. During infection, animals shed the disease (prions) into water and environment through any bodily fluids, also animal to animal contact which is how the disease spreads to others.

Jessy said there has never been a case of a person contracting CWD, but it is strongly recommended to not eat a diseased animal. There is no CWD test for meat, so there is no way to know if the animal had CWD or not. The testing comes from the brain and the lymphatics of the animal, not the meat. The likelihood your deer, elk or moose has CWD is low because the overall prevalence of CWD in Montana is low, and there is no known risk of humans contracting CWD. You may not throw out your meat because you were unable to have your animal tested for CWD; that would be a waste of game and unlawful. On future hunts, the Centers for Disease Control and Prevention recommends that hunters harvesting deer, elk, or moose from CWD positive areas have their animal tested by FWP before consuming the meat.

Jessy talked about CWD Management Zones and hunting regulations in those areas. There are specific carcass parts that may not be taken out of a CWD Management Zone. In Libby, both CWD positive tested deer were in the city limits, so a 10-mile radius is determined as the Initial Response Area (IRA) to establish what is the prevalence in this 10-mile radius. Samples will be taken during hunting season in the IRA as well as in the city limits; an additional check station will be established. From the IRA, the management zone may be expanded.

For more information about CWD visit fwp.mt.gov and click on CWD Management. For specifics about CWD in the Libby area contact Dillon Tabish, Incident Command Team Communications Officer, at 406-752-464 or email Dillon.Tabish@mt.gov

To obtain a copy or to view all handouts provided during this meeting in their entirety, a link is provided on the Lincoln County Website next to these minutes.

3:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

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