

May 29, 2019

The Lincoln County Board of Commissioners met for a regular session on May 29, 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**.

10:00 AM **Appointment of Citizen at Large for Libby Asbestos Oversight Committee:** Present were Richard Wood, Steve Lauer, Jay Dinning, Ben Kibbey, and Alan Gerstenecker.

Commissioner Peck explained that George Jamison's position on the Libby Asbestos Oversight Committee is up for reappointment. The county has received a letter from George accepting reappointment to serve another term. **Motion** by Commissioner Bennett to renew George Jamison's position on the Libby Asbestos Oversight Committee. Second by Commissioner Letcher, motion carried unanimously.

Commissioner Peck shared that a lot of negative has been said publicly on Facebook and in writing about George and he wants to come out and say it is coming from one person and is categorical bullshit. Commissioner Peck expressed that the County and the Board of Health has received top of the line consultant work for nothing and that George has never profited from his position. Commissioner Peck stated that George is one of the most outstanding people he has ever met and that the public comments by one person is false, not even close to truth. Commissioner Peck expressed that George has invaluable knowledge and expertise of superfund and EPA, combined with his willingness to continue that service is outstanding. Commissioner Peck said he wants to be on record that the county would be in a big mess without George Jamison helping the county with his position and expertise on the Board of Health.

10:15 AM **Lincoln County Rural Fire District (LCRFD) Annexation Public Hearing:** Present were Election Administrator Leigh Riggleman, Chris Nelson, Steve Lauer, Richard Wood, Jerry Brown, Jay Dinning, Ben Kibbey and Alan Gerstenecker.

Commissioner Peck opened the public hearing for the LCRFD Annexation and adoption of Resolution 2019-09. There were no public comments. Commissioner Peck stated he has not heard anything negative from any person in the annexation area. Commissioner Peck closed the public hearing. **Motion** by Commissioner Bennett to approve Resolution 2019-09 Annexation into the LCRFD. Second by Commissioner Letcher, motion carried unanimously.

10:30 AM **Administrative Issues:** Present were Lary Smith, Sheriff Short, Ben Kibbey and Alan Gerstenecker. Also present was Nikki Meyer, Eureka via VisionNet.

- Robin presented the minutes for May 21 Finance Meeting and May 22 Regular meeting for Commissioner approval. **Motion** by Commissioner Bennett to approve minutes as presented. Second by Commissioner Letcher, motion carried unanimously.
- Darren Coldwell submitted an agreement from Kevin Peck for him to continue to be the property insurance agent for the county. The county agrees to the entire document entitled "Joint Powers Agreement Montana Association of Counties Property & Casualty Trust". Darren said the agreement is standard language.
- Commissioner Letcher submitted a lease agreement with Dunlap Hay Ranch for the use of its property as a greenbox site available to residents in the vicinity of Fortine for safe and appropriate disposal of household garbage. **Motion** by Commissioner Letcher to approve the lease agreement as submitted. Second by Commissioner Bennett, motion carried unanimously. The agreement was corrected by Commissioner Peck, changing December 2018 to May 2019. There is no cost to the county. The commission expressed appreciation to Dunlap Hay Ranch.
- Commissioner Letcher discussed a new lease agreement with Montana Department of Labor/Job Service in the North Annex building. Darren Coldwell suggested finding out what other offices are paying and stay consistent. Commissioner Bennett suggested that in the future the county should find out what the going rate is per sq. ft. of office space.

10:45 AM **Public Comment Time:** Present were Lary Smith, Sheriff Short, Undersheriff Brian Griffeth, Sindy Filler, Alan Gerstenecker, and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Lary talked about putting bugs out (weed control) to mitigate knapweed on Leona Road. Commissioner Bennett said he will visit with the Weed Director, Dan Williams.

Lary asked about a dump site at the Troy Senior Center. Commissioner Bennett said its expensive and as we look at our budget, we are just now at a break even point.

Lary asked what happened on May 12 when the Troy dump was closed. Commissioner Bennett stated the landfill closed due to unexpected circumstances. Commissioner Peck commented that it was a situation that rarely happens and is understandable.

11:00 AM **DUI Task Force:** Present were Sheriff Short, Undersheriff Brian Griffeth, Sindy Filler, Lary Smith, Alan Gerstenecker, and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Sindy, Coordinator for DUI Task Force, submitted the Lincoln County DUI Task Force Annual Plan 2019-2020 Summary. **Good News:**

- In 2017 Montana ranked in the high 36% and for 2018 Montana has lower to 19% which is below the national average.
- The number of citations in Lincoln County for DUI related offenses decreased in 2017.

- The number of cases filed in Lincoln County courts decreased in 2018: There was a total of 205 DUI cases filed in 2016, 146 in 2017 and 166 in 2018 throughout Lincoln County.
- The average Blood Alcohol Level (BAC) in DUI related cases in Lincoln County decreased in 2018-2019 from 0.332 to 0.242.

Concerns:

- Lincoln County Ranking: Lincoln county continues to rank on the top 15 counties in MT where alcohol and drugs were a factor in fatal and serious injury crashes.
- We continue to have significant numbers of first time DUI and aggravated DUI offenders.
- The average Blood Alcohol Content (BAC) in Lincoln County cases continues to be 3 times the legal limit.

Year in Review:

- Invested \$5000 in OT DUI Patrols for Eureka PD, Libby PD, Troy PD and LCSO
- Funded almost \$9000 of equipment: Libby PD, Troy PD, and LCSO
- Contributed \$1500 to the Unite For Youth Leadership Camp in the summer 2018; 50+ attendees
- Contributed \$2500 towards a countywide event in January 2020 – Tall Cop (education, training for schools, community and officers).

Sindy discussed the budget and how monies are dispersed to help citizens/community and enforcement as well as Unite for Youth and other countywide community educational events. Commissioner Peck said he would like to see if statistics change by having a taxi service. Sindy said there are plans to visit with the taxi service and any other driving services.

Sindy said members of the task force reviewed current by-laws and submitted a new draft of by-laws with marked changes that work better for how the task force operates. Changes have been approved by the task force and the board is requesting commissioner approval. There was a brief discussion regarding to keep language of open meetings in the by-laws as best management practice although its redundant and state statute already covers this. Commissioner Bennett said the county attorney's office will review the by-laws before commissioner approval. Darren Coldwell said the amended by-law approval will need to be placed as an agenda item on the commissioner's calendar after the county attorney's office conducts its review.

The commission thanked Sindy for her work as Coordinator for the DUI Task Force Board.

Motion by Commissioner Bennett to approve the DUI Task Force Annual Plan July 2019 to June 2020. Second by Commissioner Letcher, motion carried unanimously.

11:30 AM **Lincoln Electric Power Line Easement:** Present were Alan Gerstenecker and Ben Kibbey.

Darren Coldwell submitted a Grant of Easement to Lincoln Electric and a Service Agreement Work Order 2019002 for a line relocation and electrical service to the Rodeo Arena at the Lincoln County Fairgrounds.

Motion by Commissioner Letcher to approve the Lincoln Electric Grant of Easement and Service Agreement Work Order as submitted. Second by Commissioner Bennett, motion carried unanimously.

1:30 PM **Planning Update / Noble Lakeshore Permit Extension:** Present were Jake Mertes, Alan Gerstenecker, and Ben Kibbey.

Jake said a request was received from Chris Noble to extend his lakeshore permit for bank stabilization and revegetation at 126 Beach Drive, Libby (Crystal Lake). The planning staff recommends approval of the extension as the regulations and process by which the original permit was granted have not changed. **Motion** by Commissioner Bennett to approve the request for extension as presented subject to any planning staff conditions or recommendations. Second by Commissioner Letcher, motion carried unanimously. Commissioner Peck said it does no good for the lake or anyone to not grant the extension; this is a protective measure for the lake. Commissioner Bennett recommends an extension for work to be completed this year.

2:00 PM **County Compensation Board Meeting:** Present were Marcia Boris, Sedaris Carlberg, Dallas Bowe, Sheriff Darren Short, Robin Swimley, John Righter, Ben Kibbey, Alan Gerstenecker, and Mandi Truman. Also present was Nikki Meyer, Eureka via VisionNet.

County Administrator Darren Coldwell explained the salaries in discussion today is for elected officials. H.R. Director Dallas Bowe submitted statewide statistics provided from MACo.

County Administrator Darren Coldwell commented that without an increase, there would be no increase for the sheriff deputies.

Coldwell expressed the county has really strived to make serious cuts in Lincoln County, mostly in personnel. Coldwell commended all elected officials for their high quality, hard work. Coldwell expressed that he feels morale now is probably 10 times higher than when he first came on board. Coldwell asked the compensation board that when looking at the statewide elected officials' salaries, keep in mind Lincoln County is the 10th largest county in the state. The average state wage is approximately \$55,000, stating that even smaller counties come in much higher. Coldwell further explained that in order to continue the positive working attitude, the wage needs to increase and if kept stagnate the county will not get the best individuals to run. Coldwell stated that he feels our elected officials now are the best in the state and we need to get the salaries up where they belong.

Dallas submitted reports and explained elected official wages statewide, MACo Price Index/Federal COLA, and non-tax payroll or grant based payroll, and taxable payroll.

Robin Swimley asked the commission for their thoughts about budget and what is fair and realistic.

Commissioner Peck said he would rather have a root canal than give myself an increase but at the same token recruiting quality people for these positions that have knowledge on EPA/DEQ Superfund issues, road issues, budget, and

government laws is difficult. Commissioner Peck explained that he has had fairly high-level management jobs that pay a lot more than this, but this is the most difficult management position he has had being accountable 24/7, morning, afternoon and evening meetings. Commissioner Peck stated that the salaries at least need to get into the fair and average range. Commissioner Peck quoted salaries of elected officials from other comparable and smaller counties, showing that Lincoln County salaries are significantly lower in comparison.

Commissioner Bennett stated that the reason we run is because we want to contribute to the county without even knowing the salaries, but he agrees with the sentiment of Commissioner Peck. We don't want people taking this position as a job, but truly you need to be paid for the job fairly.

Robin Swimley stated that we need to get the numbers up. Coldwell suggested looking at a number instead of a percent. Commissioner Bennett said the number should reflect the value of the job.

John Righter said he understands what is being said and asked if the county has a projection of future costs and revenues. Commissioner Peck said the trajectory of harvest on the Kootenai is 70,000mmbf green this year and 90,000 next year, housing and real estate is up, and potential sale of the stinger building. What that means is we are going to be able to balance the budget without robbing PILT. Last year we saw a slight increase in tax revenue. There are trends showing an upswing. We are in a lot better shape than just a couple years ago. You cannot find a local builder who is not a year out; it will be interesting to see what our revenue will be and the mill value.

Coldwell stated there is no problem that the budget can support a salary increase for our elected officials. Lincoln County salaries should be in the middle range in the state at \$55,000, being the 10th largest county in the state. Robin Swimley asked if the budget can bear the increase. Coldwell said he is confident the budget can handle \$55,000 for elected official base wage.

Commissioner Peck stated there is the concept of disparity between management and leadership; what is the motivation to be the manager when department heads in many positions make close to or more than management. To maintain a healthy organization, there needs to be some disparity. It's not the driving force, but a significant piece of the puzzle.

John Righter commented that you can increase incrementally and endure it over a few years or just make the correct adjustment now, which makes more sense. Robin Swimley suggested a 20% increase over a two-year period. John Righter said it's a great investment into the community.

Marcia commented that all elected officials should be paid appropriately for what they do. Marcia said if we do not do that, we will not be able to continue the progress we have had. Marcia commented that she has tried to hire a deputy attorney and received only 2 applicants because the wages are so much higher in other counties.

Nikki asked about comparing wages to wages in the county. Coldwell said the median wage is at least 50% lower than administrators in Lincoln county. Nikki said administrator salaries in the North are in the \$80,000+ range.

Alan commented that he sits in a lot of meetings and the commissioners put up with a lot. Commissioner Peck said it's the complexities of trying to be an expert in so many areas, road law, superfund, etc...

Motion by John Righter to move to 20% increase with the prerogative to adjust for budgetary purposes. Second by Robin Swimley, motion carried unanimously.

Alan stated that it is a very valid point that this does not affect the taxpayers, this is already in the budget.

Commissioner Peck expressed his appreciation of the three community members for taking this seriously and for their insight.

3:15 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

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