

April 8, 2020

The Lincoln County Board of Commissioners met for a regular session on April 8, 2020 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, County Administrator Patrick McFadden and Clerk and Recorder Robin Benson. Commissioner Letcher was present via VisionNet and Commissioner Peck was present via phone conference.

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

10:00 AM **Health Department Update:** Present via telephone conference were Kathi Hooper, Jenn McCully, Jake Mertes, Derrick Perkins, Nikki Meyer and Ray Stout.

- Kathi said staff is manning call lines at the Emergency Operations Center (EOC) regarding Covid-19 as well as their regular office phones.
- Jenn submitted the annual Immunization Program Contract between DPHHS and Lincoln County in the amount of \$10,050. The purpose is to reduce the burden of vaccine preventable disease by ensuring the oversight and provision of immunizations services for children, adolescents and adults. Jenn also submitted an amendment to the contract with an increase of funds of \$40,428 for the purpose of upgrading and enhancing local public health capacity to respond to events, and Covid-19 impacting the public health, through planning, assessment and development of preparedness and response activities defined by the CDC's Public Health Preparedness Capabilities Planning Guide. **MOTION** by Commissioner Letcher to approve contracts as submitted. Second by Commissioner Peck, motion carried unanimously. Commissioner Bennett commented the new model showed an adjusted peak of Covid-19 from April 26 to April 13<sup>th</sup> for Montana.
- Jake said burn season is underway with 530 burn permits issued and current air quality is good.
- Kathi said Covid-19 Guidance documents have been sent out to hotels and food establishments. Local businesses are doing great with compliance and are willing to comply with the governor's guidance.
- Kathi said the landfill cell has 11.9 years estimated life expectancy. Testing is being conducted to see if the landfill can be carried out on a slope. Commissioner Peck said it is good news that life expectancy carried out to 11 years.

10:30 AM **Administrative Issues:** Present via telephone conference were DC Orr, Derrick Perkins, and Ray Stout.

- Robin presented the minutes for March 18, 2020 for commissioner approval. **MOTION** by Commissioner Peck to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Patrick submitted a Supply Contract between I-State Truck, Inc. and Lincoln County for services and equipment of an all-wheel drive snowplow truck with a 14' blade for the Libby Airport. Cost is \$208,344 and was previously approved by the Board of Commissioners.
- Patrick submitted a lease agreement between MT Department of Justice, Motor Vehicle Division and Lincoln County for space in the North Lincoln County Annex building. The contract is for \$300/mo. Commissioner Letcher commented the amount has doubled because they moved to a bigger office. **MOTION** by Commissioner Bennett to approve the lease agreement as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Patrick said he received a bid from Universal Well Drilling to drill a well at the Weed Department for spray equipment and for the shop and asked if the commissioners wanted more bids. Patrick said the county weed director is researching grant opportunities and has some money budgeted for this expense. Patrick will follow up with another bid. Tabled.
- Commissioner Bennett commented that when MACo is moving counties directly to the state workers compensation fund, Lincoln County did not want to lose worker's compensation services by Brad Salonen/PayneWest. Commissioner Bennett submitted a Worker's Compensation Risk Retention Group. PayneWest and Seitz Insurance Agency will split the commission compensation. **MOTION** by Commissioner Peck to approve the agreement as submitted. Second by Commissioner Letcher, motion carried unanimously. Commissioner Peck commented this is a really good move for Lincoln County, good balance and good for Lincoln County, Mineral and Sanders counties. Commissioner Bennett said going to the state pool is saving the county approximately \$107,000 annually.
- Commissioner Bennett reviewed and submitted the 2020 Schedule A Road Agreement with the Kootenai National Forest. All road foremen have agreed to the new schedule. **MOTION** by Commissioner Peck to approve the road agreement as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Commissioner Bennett discussed a property tax statement of property owned by the county in the amount of \$1,752.08. The property is located at Lot 9 Renwood Addition between two homes. Commissioner Bennett is requesting a motion for abatement, commenting the county would just be paying itself. **MOTION** by Commissioner Letcher to abate taxes owed in the amount of \$1,752.08 as described. Second by Commissioner Peck, motion carried unanimously.

10:45 AM **Public Comment Time:** Present via telephone conference were DC Orr, Derrick Perkins and Ray Stout.

DC Orr talked about the Health Board conducting secret actions and that the Health Board was disbanded a few years ago for illegal action but is now taking illegal action again today. Mr. Orr said the Health Board is addressing emergency procedures and issues the public does not know about. Mr. Orr stated he has asked to see a letter from the Health Board referring to the emergency health declaration and the Health Board will not release it; information needs to be available to the public. Mr. Orr said he is not able to participate in health board meetings and expressed frustration not being able to get information regarding the Doney/Crowley Law Firm settlement. Mr. Orr commented that since Commissioner Peck issued a gag order, he has tried to get on the agenda, but Jan Ivers told him they could not talk about it. Mr. Orr mentioned that City Council Member Rob Dufficy was ejected from a health board meeting. Mr. Orr said he wanted the commissioners to know this is socialism at its worst and the commissioners have also locked the public out of meetings, stating that secrecy has no place in American government. Mr. Orr stated that Allan Payne is a huge issue, the ROD

places liability on every citizen and he would like to see commissioner action and expressed that he is disappointed in the commissioners.

11:30 AM **WR Grace KDID Update/Anthony Penfold:** Present via phone conference were Derrick Perkins and Ray Stout.

Anthony said Phase 1 of the work at the spillway has been completed which is protection for a 100-year flood and the Emergency Action Plan has been updated.

Phase 2 raises the protection from 100-year to 500-year which includes 8' more embankment. Phase 2 is currently held up with Covid-19 and travel restrictions.

Anthony said he is working to get construction moving forward as quickly as possible. Engineers continue to monitor the impoundment dam without interruption.

Meeting adjourned at 11:45 PM

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mark Peck, Chairman

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