

March 11, 2020

The Lincoln County Board of Commissioners met for a regular session on March 11, 2020, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Bennett, Commissioner Letcher, County Administrator Patrick McFadden and Deputy Clerk and Recorder Chris Nelson. Commissioner Peck was attending a conference.

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

10:00 AM Health Department Update: Present were Jake Mertes, Jen McCully, Kathi Hooper, Derrick Perkins and Nikki Meyer.

- Kathi Hooper said she is currently working on having two non-attainment areas re-designated to attainment. PM-10 was named non-attainment in the 90s and the request to change it is currently with the EPA. The request for PM-2.5 was sent to governor and is awaiting his signature. The area has been meeting attainment standards since 2007.
- Kathi said open burning is coming up in April for residential and management burning. The DNRC with the help of Jennifer Nelson, Steve Lauer and Jake Mertes put together a burn schedule. The public can check the month they want to burn, and it shows who they need to contact. All the burn permits the county issues are free and they usually issue between 600 and 700 each year. Commissioner Bennett said it would be good to look at doing burning earlier or later depending on what the weather.
- Solid waste-Currently working on timber management at the landfill. They are looking at clearing a section where they will be expanding and doing some selective thinning. Commissioner Bennett asked Kathi if she had contacted the USFS to use their existing road to access the back portion of the property. Kathi said she had not yet but would be.
- Public Health- Jen McCully updated the board on what they are currently doing as it concerns COVID-19. The county has developed a task force which includes all public schools in the county, the local medical establishments, the sheriff's office and emergency management. There are still no reported cases in Montana. Commissioner Bennett commended the health department on staying on top of the situation. Patrick asked Jen how many calls they are receiving from the public concerning the virus. Jen said not as many as she thought she would and most of the questions concern testing. They are making a push on employers for enhancing sick leave for employees. Commissioner Bennett said the county needs to make sure they don't set a precedent that could complicate things in the future. Jen agreed and said it is all about balance.
- Kathi said the state has asked what the county is doing with vacation homes and how they are classified. Commissioner Bennett said they are probably wondering because of the bed tax monies but added that it would be difficult to track all of them.

10:30 AM Administrative Issues: Present were Derrick Perkins and Nikki Meyer.

- Patrick received a letter from EPA requesting a meeting to discuss changes and operations status. They will be here the week of April 13th. Commissioner Bennett asked Patrick to contact them and schedule a meeting.
- Patrick had an annual rental certification for the Kootenai Senior Citizen Apartments in Troy for the commissioners to sign. Commissioner Bennett said they will review it. Patrick also added that the taxes will be going up as they are no longer a 501(c)3. Commissioner Bennett asked wondered why they wouldn't be a nonprofit any longer and if it was just an oversight. Patrick said something in the law changed but he will look into it.
- **MOTION** by Commissioner Letcher to approve the minutes of March 4, 2020 as presented. Second by Commissioner Bennett, motion carried.
- Patrick received another letter from the EPA in response to remedial action funds and how to access them. They apologized in advance for tardiness of the letter but said the requests go through DEQ who then send into the EPA.

10:45 AM Public Comment Time: Present were Derrick Perkins, Nikki Meyer and Jake Mertes.
No one from the public made comment.

11:00 AM Montana Lakes Subdivision: Present were Derrick Perkins, Nikki Meyer, Marc Liechty and Jake Mertes. Jake presented the board with the Montana Lake Subdivision. The land is 120.4-acre parcel and the developer is proposing a 20-lot single family subdivision. The subdivision will be located across the highway from Happy's Inn. The planning board's recommendation was for approval with stipulation. Marc from APEC said it will be a good addition to the area. **MOTION** by Commissioner Letcher to approve the Montana Lakes Subdivision as per planning staff recommendations. Second by commissioner Bennett, motion carried.

11:15 AM Pate FT Continued: Present were Derrick Perkins, Brett McCully, Nikki Meyer, and Jake Mertes. Byron Sanderson said his client was planning on being here but thought the documentation provided should be sufficient. Commissioner Bennett said he still won't answer if the house is on the market and if he intends to sell it. He did say in his letter it had been on the market in the past but didn't outright answer if they will in the future. Commissioner Bennett said it would be nice if he was here and he could answer questions eye to eye. Byron said he hoped for a decision one way or another so he can move forward. Commissioner Letcher said it just would be easier if he were here and answering questions face to face. Commissioner Bennett said it is also a shame to make a decision without Commissioner Peck and it would be nice to have that representation. **MOTION** by Commissioner Letcher to table the issue until next week. Second by Commissioner Bennett, motion carried.

11:30 AM Troy Dispatch Discussion: Present were Derrick Perkins, Nikki Meyer, John Righter, Bill Boss, Darren Short, Brad Dodson, Kimberly Mole and Ray Stout. Commissioner Peck was in attendance via phone. Kim was wondering about any decisions being made or action by the committee looking at Troy Dispatch. Commissioner Peck said they have met, and the big concern is the transfer of calls. After discussions it appears the best solution is to consolidate Libby and Troy dispatch. The group was open to consolidating in either Troy or Libby but did not come up with

which would be best. Commissioner Peck said they are going to meet as soon as we get ruling from county attorney to see if the county can void the current agreement. Everyone was very open and was pleased with the discussion. Commissioner Peck apologized that they were not farther along, but they will be meeting in the next three to four weeks.

11:45 AM **Libby Creek Well/Septic RGGL Application:** Present were Danielle Maiden, Derrick Perkins and Nikki Meyer Daniel Maiden met with the commissioners to discuss applying for the RGGL grant. The grant would pay for the preliminary engineering report (PER) on replacing septic for the Libby Creek Community Court. The PER would be the first step in applying for further grants which would pay for the actual replacement. Commissioner Bennett asked who all the work on the PER. Danielle would saying HDR Engineering would write the grant and the county would sponsor it and be the pass through for the money. Both commissioners said they would like to see the agreement first and make sure there is no liability for the county. Danielle will send the agreement over for the board to review.

Meeting adjourned at 12:00 PM

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

ATTEST: _____
Chris Nelson, Deputy Clerk of the Board