

October 7 30, 2015

The Lincoln County Board of Commissioners met for a regular session on October 7, 2015, in the Commissioner's Office of the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck and Clerk & Recorder Robin Benson.

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

9:00 AM **USFS Update:** Present were Chris Savage, Kirsten Kaiser, Alvin Benitz, Bob Henline and Alan Gerstenecker. Chris reported a new fire up Smearl drainage near Leigh Lake. It has been determined the cause was from a campfire. A crew is coming in to help with the fire which is approximately 40 acres. The Klatawa Fire is still burning within its perimeter. Commissioner Larson asked about the costs of the fires to the forest service, and how it affects other planned projects and the economy. Chris said the costs were approximately \$600,000 not to mention the man hours which unfortunately delayed and stopped other projects from being completed this year.

The forest service is on track regarding Montanore and is working with contractors to address the final draft and objections of the DEIS. The FS is trying to finalize the process with all regulatory agencies.

The Ten Lakes Project was delayed during the summer due to fires. The FS is starting to initiate the project back but it will be at least three months out before any decisions are made. Recreational activity will remain as status quo for the time being.

Kirsten updated the Commission on Three Rivers Ranger District issues and projects. There are 6 permanent vacancies to be filled which will result in new people moving to our community.

Active Timber Sales are as follows:

- 2009 Grizzly -8 MMBF
- 2012 Sparring Bulls-9 MMBF
- 2013 South Fork Fuels-6 MMBF
- 2014 Buckhorn-25 MMBF
- Pending Timber Sales: Lower Yaak/O'brien /Sheep-38 MMBF

There are 5 small timber sales, all under 10 acres.

10:00 AM **Tim Orthmeyer, Libby Airport Project Update:** Also present was Alan Gerstenecker and Donna White. Work on the Libby Airport Project started in early September and 89% of the project has been completed. Tim explained the pay requests (4 invoices) from Morrison-Maierle to be approved by the commission. Tim said the contractor has completed good, quality work and the project is overall going very well. Commissioner Cole suggested the commission go out and tour the area.

10:30 AM **Landfill Changes/Environmental Health:** Present were Kathi Hooper, Jennifer McCully, Vic White, Dallas Shaw, Gary Neff, Donna White

Kathi said the state required Food Safe Training Program has been completed. The Environmental Health Department provided classes and training in Libby and Eureka for local food establishments which were well attended.

The Junk Trailer Program is completed this week and twenty trailers were delivered to the landfill. The Junk Trailer Program is an annual program and this year has seen the best participation and public interest.

The E-Waste Program for disposal of all electronics is scheduled for October 16 and 17 to help keep heavy metals out of the landfill and to provide a way for the public to properly get rid of old computers, and other home electronics.

The landfill manager is retiring and Kathi would like commission approval to move a current employee into that position and to advertise for a gatekeeper position. **Motion** by Commissioner Larson to allow the advertisement for the gatekeeper position. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

Kathi said construction has started on the convenience site for recycling and disposal to be located in one area and she is hoping for completion before winter.

Kathi discussed reorganization for the county Environmental Health Department. Kathi has visited with and researched the structure of other counties public health departments and shared a PPT presentation on her proposed plan to restructure Lincoln County's Public Health Department. One change proposed is to keep all current departments and add the county Health Nurse Department. The Health Nurse Department would stay in Eureka but would provide services to the entire county. She would also like to change the name from Environmental Health Department to just Health Department. Commissioner Cole asked for copies of the PPT presentation for review and suggested that he would like to have a week for the Commission to build their questions and thoughts, and to have this put on the agenda for next week's meeting. Commissioner Peck said he is in full support of growing the public health department. The long term vision may involve working with other local agencies, especially regarding mental health/behavioral issues. Commissioner Larson commended Kathi for taking the time to visit with and learn from other counties how Lincoln County can improve its public health services. Kathi said the reorganization will help Lincoln County with opportunity to attain grants that will potentially provide funding to help pay for increased services.

11:00 AM **Michael Frazer, Frazer Management & Consulting:** Present were Donna White, Gary Neff and Alan Gerstenecker.

Mr. Frazer wanted to visit with the commission to introduce himself and give a history of his employment and other related county projects and services. Mr. Frazer said he brings a lot of engineering resources to the commission each of their districts and for their road departments. Other county departments such as Solid Waste and Planning potentially could benefit from his consulting services. The commission discussed how the structure for services would be implemented. Mr. Frazer expressed his interest in helping with the safety issues relating to a hairpin turn, sloping and sentiment concerns on the Chase Cut-Off road.

**11:30 AM Public Comment Time:**

Gary Neff asked if Doney Crowley Law Firm represents the county regarding the Stinger lawsuit. Commissioner Peck said the history may be different but currently the county attorney represents Lincoln County. Gary feels there may be potential conflict down the road regarding the stinger lawsuit between the city and the county. The commission explained that contracts moving forward are going to be clearly defined to eliminate any confusion.

Hank LaSala presented a summary of his correspondence with the commission regarding Troy Area Dispatch District. Mr. LaSala said it is long overdue that the present status and the future of the Troy Area Dispatch District is reviewed by the participants of the Interlocal Agreement. Mr. LaSala expressed his concerns that the issues he has presented to the county are not being addressed. Commissioner Larson said a letter from the Commission to Mr. LaSala will be discussed later today which will address his concerns and questions. Mr. LaSala submitted documentation about Troy Area Dispatch District/Voter and Taxpayer Information for the commission to review.

**1:30 PM Lisa Oedewaldt, Planning Department:** Present were John Damon, Byron Sanderson, Donna White, and Amy Guth.

On September 25<sup>th</sup> the county attorney received a request from District Court for comment on the Court Ordered split for the Gerald Marvel Court Case. The county's Exemption Review Committee met on October 7<sup>th</sup> and found no evidence of an attempt to evade the Montana subdivision and Platting Act, MCA 76-3-201. There were no public comments.

**Final Approval, Cyhawk Estates Subdivision** (amended lot 3 Kootenai Ridge Subdivision located in Sections 29 & 30, T36NR30W, Eureka. **Motion** by Commissioner Larson to grant final approval to Cyhawk Estates Subdivision subject to conditions and based on the findings in the staff report. Second by Commissioner Cole, and so ordered upon unanimous consent of the board.

**Final Approval, The Wilderness Club Amendment 10 Subdivision** (being an amended plat of Lot 26A) located in E2NW4 Section 32, T37NR27W, Eureka. Developer is Sharon Ehlert. **Motion** by Commissioner Larson to grant final approval to The Wilderness Club Amendment 10 Subdivision subject to conditions and based on the findings in the staff report. Second by Commissioner Cole, and so ordered upon unanimous consent of the board.

**2:00 PM EMA Update:** Present were Lisa Oedewaldt, Kirk Kraft and Donna White.

Lisa updated the commission on the status of three 2015 Homeland Security Grants that have already been approved for Mountain Top Relocation, Part 2 which is 100% federal share, approved amount for \$213,832; Replacement of Libby Police Department handheld radios, also 100% federal share, approved amount for \$40,800; and the Emergency Management Performance Grant (EMPG), which is 50% federal share, approved amount for 98,205.

Kirk and Lisa briefed the Commission on current activity and future planning for continued improvements in regards to towers, communications and dispatch services in Lincoln County.

**2:30 PM City/County Health Board Meeting (BOH):** Present were Alan Payne, Doug Roll, Steve Ackerlund, Tracy McNew, Dr. Brad Black, Nick Raines, Kathi Hooper, Jennifer McCully, Alan Gerstenecker, and Micki Carvey, Eureka via Vision Net.

Nick said that EPA is working on a response to all comments submitted regarding the Proposed Plan. EPA would like to know what type of event the community would like to see when the ROD is released. The City/County Board of Health (BOH) would like the opportunity to review the ROD prior to planning any public event.

Steve Ackerlund representing the Libby Area Technical Advisory Group (LATAG) briefed the BOH of his involvement and history with the LATAG. Steve submitted a Memorandum to define common ground as well as explain areas of disagreement between EPA and the LATAG regarding EPA's Record of Decision (ROD) for the Libby Superfund Site. Steve clarified that LATAG concurs with EPA's preferred alternative for soils and commercial properties and transportation corridors, and with EPA's preferred alternative for contaminated building materials; however, LATAG disagrees with the preferred alternative for residential soil that leaves "trace" contamination in residential yards. Steven explained why LATAG feels EPA's Feasibility Study failed to consider a reasonable alternative between the cleanup already provided by emergency response and the extreme option of "complete removal".

The group discussed exposures, properties that have refused investigations and cleanup, future long-term funding, and risks of future recontamination. Steve also submitted the comments that LATAG submitted to EPA regarding the Proposed Plan for review.

Commissioner Peck commented that he sees two issues. One issue is cleanup and the 25% rule, the other issue is about public health and continued healthcare. Commissioner Peck feels there are public health agencies that need to be involved in the discussions about continued medical and healthcare services. Commissioner Peck said although the IC's and cleanup are included, he feels the bigger issue is the continued healthcare benefits provided to the community. Steve suggested getting legislature involvement. Commissioner Peck feels the timeline may not make this a realistic goal and suggested a local meeting coordinated with Shawn McGrath, local stakeholders, state agencies and elected officials before the final ROD. Commissioner Peck will make a phone call to Shawn McGrath to help coordinate the effort. There was a brief discussion about developing an IC Steering Committee.

Jennifer McCully briefed the commission on communicable diseases in Lincoln County.

The Systems Improvement Grant is moving forward with providing training to the City/County Board of Health.

Kathi discussed the counties she has visited with regards to her research on the structure of other County Health Departments in Montana. Alan Payne said structure changes to the City/County Board of Health would need to be done by an amendment to the Interlocal Agreement approved by the County Commission and the City Council. Alan Payne and Kathi Hooper can work on this and then present its recommendations to the city and to the county for approval. Efforts would be made to include representatives from Eureka and Troy.

4:00 PM **Administrative Issues:**

- The Commission read the minutes for September 30, 2015. **Motion** by Commissioner Larson to approve minutes with corrections. Second by Commissioner Cole, and so ordered upon unanimous consent of the board. Commissioner Peck was not present.
- The Commission signed a letter to Mr. Hank LaSala regarding his questions and concerns pertaining to the Troy Area Dispatch District.
- Robin Haidle emailed the commission the CSBG Work Plan for the Commission to review. The Community Action Partnership of Northwest Montana (CAPNM) is requesting a letter of support. The commission agreed to put this on next week's agenda.

4:30 PM **The meeting was adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mike Cole, Chairman

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