

IC Steering Committee
Agenda
July 02, 2018
7:00 pm
Lincoln County Courthouse

1. Call to Order and Pledge of Allegiance
2. 06/06/18 Minutes Review
3. Commissioner update
4. Realtor/ Banker/ Appraiser/ Inspector as related to property transactions discussion
5. Update on ATSDR Response (Virginia)
6. O&M 2 day breakout meeting update
7. O&M advisory team meeting update
8. Public Comment
9. Next Meeting
10. Adjourn

06.06.18 IC Steering Committee meeting minutes

7:00 PM Courthouse

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| Committee Members Present: G. Jamison, T. Oliphant, R. Mahoney, V. Kocieda, T. Oedewaldt |
| Absent: M. Peck, L. Bauer, T. O’Bleness |
| Support / Other Attendees: A. Harcourt (ARP), N. Pyle (ARP) |
| Public: D.C. Orr |

| Agenda: | Discussion: | Action Item: |
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| 1. Call to order | Meeting called to order by G. Jamison at 1926 Started with Pledge of Allegiance | |
| 2. 03/15/2018 Minutes | Motion to approve: R. Mahoney Second: T. Oliphant Approved unanimously Y | |
| 3. Commissioner Update | None | |
| 4. O&M Development update | G. Jamison updated the group on discussions with the DEQ and EPA. He stated that the conversations seem to be moving forward. | |
| 5. Region 8 Administrator visit update | G. Jamison gave a summary of what was discussed at the Region 8 meeting. He stated there was positive feedback that technical support would be available for developing future permitting. They discussed current grant issues and the public health component in the O&M plan. Public health cannot be included in the O&M plan. We are hoping for direction from placeholders (ATSDR?) and that we can include it in another program. Region 8 Administrator alluded to the idea that they were looking at paying for the delta, or additional cost, incurred due to VCI or LA left on properties. | |
| 6. ARP Property O&M Process document review | N. Pyle reviewed the flow chart with the IC committee. | |

06.06.18 IC Steering Committee meeting minutes

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| 7. Realtor/ Banking as related to property transactions discussion | N. Pyle stated that he would like to see ARP passing on packets with current property status and the ARP contact info to realtor/banking. A small meeting with local realtors and bank representatives is planned to be scheduled soon. | |
| 8. Permit/ assessment discussion | Noah Pyle gave a brief update on a county assessment program and was going to ask for guidance from the BOH if the general direction of the program was ok to continue with. Mr Pyle stated that the program should be applied for via website/hotline/ or in person. It should be free to the user. It should have a 2 working day response time and include property status, whether an attic removal was completed or not, the possibility of VSI in walls, whether ARP suggests an invasive inspection, and whether left over material can be handled via the ARP. | |
| 9. Public Comment | Please see attachment for comments from DC Orr | |
| 10. Next Meeting | 7/2/2018 | |
| 11. Adjourn | Motion: None Second: Adjourn time: 2041 | |

We have a legal problem that political solutions won't fix.

The Record of Decision (ROD) for this Superfund site lays financial liability on every property owner in the site for future removals in certain conditions.

We identified the problem in 2009. EPA, their OIG, Lincoln County Commissioners, their County Attorney, their Board of Health (BOH) and signatory City governments were alerted to your legal problem. They ignored it.

If you own property in the Superfund site, you have a legal problem. If you have bought or sold property since the ROD was approved by these agencies in Feb. of 2016 without disclosing the future liabilities, you have a legal problem.

This is affecting real estate sales, which is affecting property values, which is affecting tax revenue. The accumulated wealth we have in our property is being drained out of our economy while certain political figures get rich.

EPA's law enforcement arm, the OIG, has refused to investigate. Commissioner Peck claims there is a Federal investigation, but he can't talk about it. The State Attorney General refuses to investigate unless requested by the County Attorney's Office, who is the prime suspect in alleged criminal activity which allowed the ROD to move forward without giving property owners the information needed to give "informed consent" to accept liability in perpetuity.

The BOH influenced this community to accept the ROD while our legal Counsel was seemingly being paid by EPA.

The OIG does not have the authority to investigate this issue.

First, because they were alerted to the possibility that those payments would be problematic before any payments occurred, OIG is guilty of aiding and abetting any crime that they could investigate.

Second, this issue goes beyond the EPA's involvement. Deputy County Attorney Allan Payne was involved in more than just the BOH approval of the ROD and education of the public. A true, thorough investigation into EPA payments to the County Attorney's Office is going to necessarily probe every action the Deputy County Attorney took in his short tenure in Libby. The BOH, the City election fraud case, the City Groundwater settlement, the Stinger Welding debacle with all of the accompanying legal wrangling, EVERYTHING.

But, an investigation can only occur if our local government agencies will request it, and they are all in this up to their necks. Can they be expected to request an investigation that may open them up to lawsuits by exposing their culpability?

Frankly, I don't know if there is a way out of this trap.