

December 4, 2019

The Lincoln County Board of Commissioners met for a regular session on December 4, 2019, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Peck, Commissioner Bennett, Commissioner Letcher and Clerk and Recorder Robin Benson.

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

9:15 AM **Ordinance 2019-1 Silver Butte Road:** Present was Ray Stout.

Robin submitted Ordinance 2019-01 to decrease the speed limit on a portion of Silver Butte Road. Robin said she wrote the first draft and sent it to the county attorney to be finalized. The ordinance states the speed limit on a portion of Silver Butte Road will be decreased from 35mph to 25mph. Appropriate signage will be placed and all peace officers having jurisdiction are authorized to enforce the provisions of this ordinance upon passage. This ordinance will be effective 30 days after final adoption. Robin reminded the commissioners, there were no public comments during the public hearing/first reading. **Motion** by Commissioner Bennett to approve Resolution 2019-01 as submitted. Second by Commissioner Letcher, motion carried unanimously.

9:30 AM **Forest Supervisor's Update / Chad Benson:** Present were Derrick Perkins and Ray Stout.

- Chad talked about the Black Ram Project. The objection process will begin soon and go for 45 days.
- Chad talked about a Notice of Intent to Sue regarding many projects in several counties. The forest service is meeting with FWP on what can be done per Judge Malloy and the forest service is actively pursuing options for appeal. Commissioner Peck clarified the Notice of Intent to Sue mainly has to do with bear issues.
- Chad said the Resource Advisory meeting went well; discussion centered on reviewing all the projects. Commissioner Bennett said there are more projects than there is funding for, and he would like to have more time for publicity to attain more community involvement.
- Chad talked about the process for RAC projects and the Farm Bill allowing for RAC funding. Commissioner Bennett asked about bug infestation and options how it can be treated and potentially controlled.
- Chad commented 76mmbf harvested last year, target for 2020 is 65mmbf.
- Chad updated the commissioners on potential forest service job openings/opportunities.
- Commissioner Bennett talked about creating a standard road maintenance form to uncomplicate the process for contractors and road departments. The commissioners commented how road maintenance can be very hard on the county trucks and equipment.
- Chad asked about the county administrator position. Commissioner Peck said the tentative selection for county administrator will be having a meet and greet with elected officials and department supervisors this afternoon. Commissioner Peck commented that after the county administrator is officially hired, a meeting can be set up for introductions and discussion.
- Commissioner Letcher invited Chad to meet in Eureka after the first of the year.

10:30 AM **Administrative Issues:** Present were Jennifer McCully, Derrick Perkins and Ray Stout. Also present was Nikki Meyer, Eureka via VisionNet.

- Robin presented the minutes for November 20, 2019 for Commissioner approval. **Motion** by Commissioner Bennett to approve minutes as presented. Second by Commissioner Letcher, motion carried unanimously.
- Jennifer requested signature on a contract modification (date change), for the Early Childhood Best Beginnings Grant between Lincoln County and DPHHS. New dates of contract from 1/1/2019 through 2/29/2020. **Motion** by Commissioner Bennett to approve the date change for the Early Childhood Best Beginnings Grant, Contract Number 1902PROS0407. Second by Commissioner Letcher, motion carried unanimously.

10:45 AM **Public Comment Time:** There were no public comments.

11:00 AM **District Board Appointments:** Present were Jake Mertes, Brett McCully, Ray Stout and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

Robin said she advertised board vacancies in the Western News, Tobacco Valley News, Courthouse Public Bulletin Boards, North Annex Public Bulletin Board and the County Website. Robin commented there were not any boards that received more applicants than available vacancies. Robin presented board vacancies and applications to the commissioners as follows:

Em Kayan W/S Board: 2 vacancies / Bill Fansler reappointed, Angelica Pankey appointed

Eureka Cemetery Board: 2 vacancies / Janis Neuman reappointed, Teresa Torres appointed, Andrew Kindel Ex-Officio Member

Lincoln County Fair Board: 4 vacancies / Betty Mack, Marion Eash and Sharon LaBonty reappointed

Lincoln County Planning Board: 1 vacancy / Kate Arpin reappointed

Lincoln County Weed Board: 2 vacancies / Mark Petersen reappointed, Perry Stebbins appointed

Tobacco Valley Industrial District Board: 1 vacancy / Lee Ann Schermerhorn reappointed.

Tax Appeal Board: 1 vacancy / No applicants received

Troy/Lake Creek TV District: 1 vacancy / Mark Criner appointed

**Motion** by Commissioner Bennett to approve all applicants as presented. Second by Commissioner Letcher, motion carried unanimously.

11:15 AM **Resolutions 2019-21 and 2019-22 Approval of 2019 Growth Policy Update and 2019 Lincoln County Comprehensive Economic Development Strategy (CEDs) Update.** Present were Jake Mertes, Brett McCully, Ray Stout and Derrick Perkins. Dave DeGrandpre was present via telephone conference. Also present was Nikki Meyer, Eureka via VisionNet.

Kristin gave a brief history of the 2019 Growth Policy and CEDS update process and said this meeting is for the approval and adoption of Resolution 2019-21 to adopt the Lincoln County Growth Policy 2019 Update and 2019-22 to adopt the Lincoln County Comprehensive Economic Development Strategy 2019 Update.

**Motion** by Commissioner Bennett to approve Resolution 2019-21 as presented. Second Commissioner Letcher, motion carried unanimously.

**Motion** by Commissioner Bennett to approve Resolution 2019-22 as presented. Second Commissioner Letcher, motion carried unanimously.

Dave said the Community Development Block Grant that helped pay for this project will need to be closed out with the Department of Commerce. The commissioners directed Dave to work with Finance Director Wendy Drake.

**11:30 AM Planning Update / Hannah Lakeshore Permit, Pinkham Creek Holdings Co Split, Edwards CO Split, and Bull Lake Estates Lakeshore Permit:** Present were Jake Mertes, Brett McCully, Tina Oliphant, Craig Barringer, Ray Stout and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

- Bull Lake Estates HOA is proposing to enlarge the boat dock located in the common area of the subdivision and is seeking a variance from the size limitations in the design standards. Jake said the Planning Board reviewed the request and recommends commissioners to approve the lakeshore permit and grant the two variances subject to the conditions in the staff report. Jake explained the planning board process and conditions. **Motion** by Commissioner Bennett to approve Lakeshore Permit No. 2019-10-23-CL subject to planning staff recommendation and 5 conditions as outlined in the planning staff report. Second by Commissioner Letcher, motion carried unanimously.
- Ken Hanna is proposing to build a small bunkhouse within the lakeshore zone on his property on Crystal Lake. Jake said the Planning Board reviewed the request and recommends commissioners to approve the lakeshore permit subject to the conditions in the staff report. Jake clarified the covenants regarding one guest house per lot. Jake explained the planning board process and conditions. There was discussion regarding using a different option than paint for the bunkhouse future maintenance. **Motion** by Commissioner Bennett to approve Lakeshore Permit No. 2019-9-10-CL subject to planning staff recommendation and conditions in the staff report and authorizing a variance allowing Mr. Hannah to treat or seal the wood. Second by Commissioner Letcher, motion carried unanimously.
- Cause No: DV-19-141 Request for Comment: Kootenai Surveyors is requesting comment on the Court Ordered Split for petitioners Randy and Robert Edwards. Planning Staff findings is the use of exemption for estate planning to divide a jointly owned parcel may appear to be an attempt to evade subdivision regulations. **Motion** by Commissioner Bennett to approve request for court ordered split as presented. Second by Commissioner Letcher, motion carried unanimously.
- Cause No: DV-19-155 Request for Comment: Pinkham Creek Holdings submitted a request for comment on the Court Ordered Split. Planning staff met to review, and its findings is the use of exemption for dividing interest in jointly owned parcel seems appropriate in this case. However, creation of three lots for distribution between two owners suggests an appearance to evade MSPA. **Motion** by Commissioner Bennett to approve request for court ordered split. Second by Commissioner Letcher, motion carried unanimously.

**11:45 AM Ben Scott / Flower Creek Update:** Present were Tina Oliphant, Tony Petrusa, Brent Teske, Rodd Zeiler, Jeremy Grimm, Daniel Patterson, Dave Marsh, Ross Longhini, Marc McCully and Micah Miller.

Tony said the easement on FS Road 128 has been developed and filed with the forest service and the City as well as a road maintenance agreement. The City owns the easement and the County has come to mutual terms; arrangement is being developed. RAC projects for \$38,000 road improvement and \$100,000 for pavement has been submitted.

Ben talked about the projects and thanked the city and county for their help and assistance, saying there has been a lot of progress in the ski trail up Flower Creek and there are over 100 kids signed up to participate. The ski club has been putting a lot of time and effort into facilities, which potentially will be a real attraction to skiers from out of town. Ben said it's all about the kids learning how to ski. Ben updated the commissioners on the buildings, development team and after school program.

Ben introduced Rodd Zeiler, Libby Cross Country Running Coach. Rodd talked about the kids and how they love the course. It develops self-worth in the youth, and Libby is making headway to potential large events and races.

Ben introduced Jeremy Grimm, Sandpoint Director of Planning. Jeremy talked about the importance this organization and energy brings to the community. The ski trail adds to the recreational amenities in Lincoln County which are huge assets. Commissioner Peck commented about the efforts of rebranding and creating a quality of life in Lincoln County.

Ben introduced Ross Longini, Sandpoint Nordic Head Coach and President. Ross said when you focus on the kids, there comes an overlap of adults that comes in, especially senior citizens that enjoy cross country skiing. Ross said he has come to Libby on several occasions always for recreational purposes. Ross said he is doing year-round collaborative events with Libby and the Kootenai Cross Country Ski Club. Ben talked about all the different towns and coaches that are working together creating collaborative events.

Ben introduced Dan Patterson, Sandpoint Biathlon Coach. Dan gave a brief history of his biathlon racing experience and talked about outdoor recreation and how it ties into economic development. Dan said he is the perfect example of someone moving to a smaller community for recreational reasons. Dan discussed the unique opportunity and momentum coming from the Kootenai Cross Country Ski Club and the Flower Creek Project.

Ben talked about the community and how if we can improve access, it would be a huge attractor for people coming into our community.

**12:00 PM Meeting Adjourned**

**1:30 PM Meet & Greet Prospective County Administrator Candidate:** A time was set aside for Elected Officials and Department Supervisors to meet the tentative candidate for the open county administrator position.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mark Peck, Chairman

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