

February 12, 2014

The Lincoln County Board of Commissioners met for a regular session on February 12, 2014, in the Lincoln County Courthouse. Present are Commissioner Tony Berget, Commissioner Ron Downey, Commissioner Mike Cole, Executive Assistant Bill Bischoff and Deputy Clerk and Recorder Wendy Drake.

9:30 AM: Commissioner Berget **opened the meeting** with the Pledge of Allegiance.

9:30 AM: **Eric Klepfer, Montanore:** Eric gave an update on biological opinions he has received and the one he is waiting for.

10:00 AM: **EPA Update;** Rebecca Thomas gave an update on the 2014 removal program. EPA will be removing all contamination above trace. They will continue to sampling and analyzing vermiculite for asbestos. Rebecca Thomas gave an update from the O&M transition meeting with MDEQ in Helena. David Berry gave a brief description on the background study. Allan Payne asked about the background study and if they have done an analysis of method of distribution. Christiana Progress gave an update on the W.R. Grace Bankruptcy. W.R Grace came out of bankruptcy last week. EPA was reimbursed about 54 million. Libby will receive about 700 to 800 thousand dollars.

11:10 AM: **Fish, Wildlife and Parks, and United States Fish and Wildlife Update:** Mike Hensler informed the Commissioners that Jim Vashnore from the fisheries has retired. His Replacement will be hired in April. Jim Dunnigan discussed the algae study below the dam. Algae was treated with phosphorus; they are now studying the use of phosphorus in the water. They also gave an update of the fish hatcheries and fish habitat.

2:30 PM: **Decision on Lakeshore Regulation Amendments;** Kristen Smith disused the initial recommendations that were recommended in August 2013. She then talked about the revision timeline. She addressed the recommended revisions based on comments received. Commissioner Berget questioned the word legal in the non-conforming structures and asked if it could be taken out. Kristen Smith advised that the word legal should remain because the county cannot do something "illegal". Rhoda Cargill questioned that the new amendment was not posted in a timely matter. She stated the public has not had enough time to review the amendment, she requested the decisions be put off so the public can have a chance to look at the new amendment. Commissioner Berget questioned the amendment of page 15 I; the building on the property line comment. Mike Cole recommends having another public hearing next Wednesday, and then making a final decision. Commissioner Downey made a motion to take out the word Legal, and change the 40 foot minimum to a minimum of 10 feet from property line, and it carried. Commissioners will meet in Eureka for final decision on Lakeshore Regulation Amendment next week.

3:00 PM: **Decision on Litter Ordinance:** Kathi Hooper gave a brief description about the initial ordinance, and the new changes from public hearing, and written comments. Commissioner Berget discussed how once this ordinance is passed, it will replace the previous ordinance. Rhoda Cargill expressed concern that this should be considered as the first reading, and that it should not be passed today. Charlotte Woods expressed concerns about litter, she believes we need to keep our area beautiful and in force the ordinance. Jim Johnson expressed concern for his property rights, and requested that the ticket process be issued by the county attorney, and not the sanitarian. Rhoda Cardil expressed concern about the complaint system and asked the county to look at violations on public roads, she said MCA states County Road, not public road. Commissioner Downey made motion to adopt the resolution, with the change of public road, and visible to public location and not area. The motion carried.

4:00 PM: **Sheriff Roby Bowe** discussed some concerns with the **Troy Area Dispatch**. Sheriff Bowe talked about the advantages and disadvantages of consolidating the Troy Dispatch and Lincoln County Sheriff's Office dispatch service. He also talked about a proposed communication site.

4:45 **United Youth Coalition and the Drug-free Communities Support Grant:** Sheriff Roby Bowe discussed taking over the grant program from the Troy School District. Maggie Anderson and Vel Shaver discussed how they and the county would interact if the county took over the grant. They are requesting the county to decide by the 19<sup>th</sup> of February. Commissioner Cole made a motion to become the fiscal agent Unite for Youth Coalition and the Drug Free Communities Support Grant, and it carried.

5:30 PM: The **meeting was adjourned**.

#### LINCOLN COUNTY BOARD OF COMMISSIONERS

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Anthony Berget, Chairman

**ATTEST:** \_\_\_\_\_  
Wendy Drake, Clerk of the Board