

February 18, 2015

The Lincoln County Board of Commissioners met for a regular session on February 18, 2015, in the North Lincoln County Annex Courthouse. Present are Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck, Executive Assistant Bill Bischoff and Clerk and Recorder Robin Benson.

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

10:00 AM Tracy McIntyre Eureka Rural Development Partners:

Also present is Krista Nemeroff. Tracy updated the Commission on the Lincoln County Comprehensive Economic Development Strategy (CEDS) Program and her motivation for finding incentive to encourage public participation and engagement. Tracy will be visiting with KRDC/Lincoln County Port Authority Executive Director, Tina Oliphant to help coordinate efforts countywide.

Commissioner Peck said he appreciates moving towards a formal centralized economic development effort and feels this is a step towards improving the North/South division. Tracy said she is focused on improving community by developing relationships with groups and agencies countywide including the Chambers of Commerce. Tracy said countywide coordination and input would help develop a plan before searching for and applying for grants. Tracy encouraged the Commission to attend the Economic Development Conference May 4-6 in Great Falls.

10:30 AM Lois Sciligo, LC Fair:

Lois provided an update to the Commission on the Lincoln County Fair, stating the fair had a substantial increase in attendance and exhibits, especially from Libby and Troy. The Lincoln County Fair Board is actively seeking a member from the Libby area. Lois spoke about the educational youth programs, promoting social gatherings and contests, as well as bringing back the mud bogs during the April Eureka Rendezvous. She is working towards promoting the use of the fairgrounds to the community as an opportunity to help generate needed revenue. Lois said improvements, repairs, and sprinkler and sewer system upgrades are always ongoing. Lois shared her enthusiasm about moving forward with the Fair Foundation and will keep the Commission posted as to its progress. Commissioner Larson said during the MACo Conference he attended recently, a time was set aside to express the importance festivals and fairs are to the community. Commissioner Cole said he is a firm believer that fair activities pull the community together. Lois said the 2015 fair theme is Country Pride Countywide as a means to express countywide participation.

11:00 AM Myles Hickman, JP Discussion Continued:

Present are Myles Hickman, Robin and Cookie Hidle, Richard Avery, Dave Guild, Linda Todd-Guild, Madelon Martin, Stormy Langston, and Jay Sheffield.

Myles presented a list of questions to the commission which focused on the perceived decline of services to the citizens in North Lincoln County due to the closure of the justice court in Eureka. The focus of questions pertained to the use of Vision Net and the process of filing court documents such as orders of protection and parenting plans. Cookie Hidle shared her concerns about the filing of protection orders and parenting plans, stating she no longer recommends victims to file for temporary restraining orders believing the process is now flawed with no real person to advise victims or offer guidance on how to complete and submit court documents. Commissioner Peck said these specific issues need to be addressed and solutions found. Judge Sheffield explained the order of protection application and its process. Myles asked for clarity of a sentence in the January 21, 2015 commissioner meeting minutes reflecting a savings of \$175,000 by the consolidation of the justice courts. Commissioner Peck said he was speaking hypothetically without actual numbers in front of him and the \$175,000 was not meant to be taken literally. Dave Guild suggested recording commissioner meetings. A brief discussion took place about the criteria to determine how the new JP system is working and its service to North Lincoln County. Commissioner Cole said he is willing to sit down with the citizen's in attendance and discuss this further.

11:30 AM Road Restriction Discussion:

Present are District 3 Road Supervisor Tim White, Jim Voyles, George Williams, Tracy McIntyre, Ben Troyer, Raymond Stutzman, Travis Combs, John Morgan, Troy Osburn, Todd Hunter, Cody Stanley, Greg Voyles, Neil Tempel, Quentin Baley, Darwin Pluid, Kevin Avrich, Buck Schermerhorn, Bob Cuffe, John Hammond, Ken Marek and Seth Braach. Also present via Vision Net are District 1 Road Supervisor Mark McCully and District 2 Road Supervisor Dave Kyriss.

Bob Cuffe contacted 56 counties in Montana and submitted his findings of data he collected. The results of his poll of Montana Counties are as follows: 39 counties have no road restrictions, 16 counties have weight restrictions and only Lincoln County closes roads. Bob said the County Ordinance which allows for road closures was put into effect at a time when there were hundreds of log trucks using roads. We just don't have that problem anymore, he said. The group is requesting weight restrictions, not complete closures. He is asking the Commission to vote today to amend the current resolution. Discussion followed about hourly hours for road use vs. weight restrictions, road restriction duration, and flexibility for the road supervisor, the permitting process as well as the road budget and the need to protect county roads. Bob said the group is willing to work alongside the county to find solutions but has felt for a long time that the duration of road restrictions is too long. Commissioner Peck said the same conversation is taking place on the south end of Lincoln County and the system in place is working. Road Supervisor Tim White said he does not agree with statements of total road shutdowns, and does not know if he has ever denied a permit. It is his job to protect the roads during spring break up. Bob Cuffe reiterated that Lincoln County is the only county in the state that completely closes roads to commerce and something should be done about that. The informal Coalition of North Lincoln County Contractors submitted a recommendation to the Commission amending the current road ordinance. Commissioner Peck proposed a trial of one year to evaluate the amendment. **Motion** by Commissioner Peck to accept the weight restriction proposal submitted effective immediately through June 1, 2016. The recommendation is applied to the Eureka District only. Speed will be set

and 25 mph and 2 am to noon road use is in conjunction. Road Supervisor Tim White maintains flexibility to make decisions at all times. Second by Commissioner Larson, and so ordered upon unanimous consent of the board. Commissioner Cole thanked everyone for the large attendance and input. Bob Cuffe ended the discussion by stating the contractors will hold each other accountable to keep to the new criteria set forth.

1:30 PM Administrative Issues:

- Carol Blake discussed a tax rate dispute with the Commission explaining the gross error in overestimating her personal property taxes. Carol has paid all back taxes and fees. She filed a tax complaint and said her taxes have been cut in half. She is now requesting reimbursement. Executive Assistant Bill Bischoff said the precedence has always been going back only 3 years when assessing disputes, but statutorily we can go back 5 years. Carol said she did not receive assessments showing property value. **Motion** by Commissioner Larson to go back 5 years as an exception to our precedence to pay back the over taxation error. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.
- The Ambulance Department will be conducting First Aid/CPR training for road and landfill employees. Kathi Hooper and Jennifer McCully suggested the training be offered to other departments on a volunteer basis. The Commission agreed the classes should be offered county wide and Kathi and Jennifer will coordinate efforts with the Ambulance Department.
- The Commission read the minutes for February 4, 2015. **Motion** by Commissioner Peck to approve February 4, 2015 minutes, Second by Commissioner Larson, so ordered upon unanimous consent of the board.
- The Commission signed Resolution 929 to allow a 28 mill increase be placed on the May 5, 2015 ballot for a total of 38 mills to be made permanent to help with the cost to operate the Bull Lake Rural Fire Department.
- **Motion** by Commissioner Larson to renew the contract with Sapphire Resource Connection to provide employee assistance counseling services. Second by Commissioner Peck, and so ordered upon unanimous consensus of the board.
- The Commission signed a letter to KNF Forest Supervisor Chris Savage requesting clarification of the KNF Forest Plan ROD. **Motion** by Commissioner Larson to approve and send the letter to Chris Savage. Second by Commissioner Peck, so ordered upon unanimous consent of the board.
- **Motion** by Commissioner Peck to accept the lease agreement between Lincoln County and the City of Libby. Second by Commissioner Larson, so ordered upon unanimous consensus of the board. The lease agreement allows the Lincoln County EMA Office to be located within City Hall.
- The Commission signed a letter in support of the Northern Montana Communications Project.

3:30 PM The **meeting was adjourned**.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin A. Benson, Clerk of the Board