

January 19, 2011

The Lincoln County Board of Commissioners met for a regular session on January 19, 2011 in the Eureka Annex of the Lincoln County Courthouse. Present are Commissioner Marianne Roose, Commissioner Tony Berget, Commissioner Ron Downey, Executive Assistant Bill Bischoff and Clerk and Recorder Tammy Lauer.

10:30 AM: Commissioner Roose **opened the meeting** with the Pledge of Allegiance.

10:30 AM: **Leslie Graves:** Leslie is the owner of Pintler Billing Services which does medical billing. Her business began in 2001 with clients in Montana and Wyoming. She explained the work that she does and her experience.

11:00 AM: **Flathead Valley Chemical Dependency Clinic:** Mike Cummings, Director, has come to visit with the Commissioners about issues they have been facing. He gave an overview of the Clinic. He talked about the economy and how it is affecting them. The Federal Block Grant has been reduced and the state is paying less in Alcohol taxes to the counties.

1:00 PM: **Virginia Sloan, Senator Tester's office and Kirby Campbell-Rierson, Senator Baucus' office:** The ladies came to meet Commissioner Downey and to talk to the Commissioners about EPA issues, appropriations for the upcoming year, Grizzly Bear studies, unemployment and the 2 mines in Lincoln County. The Commissioners presented a letter to Kirby to give to Senator Baucus concerning the selection of Judge Malloy's replacement.

1:30 PM: **Billy Bud Sullivan** wrote to the Commissioners requesting that he pays only taxes he want to pay as he feels he should not be required to pay taxes on services he doesn't feel are necessary. The Commissioners wrote him another letter denying his request.

1:30 PM: **Aspen Glen Subdivision Property Owners Group and other adjacent landowners concerning Mud Creek Estates:** Carrie Finley began by giving an outline of their concerns. Mud Creek Estates was approved as one residence with one septic system. There are currently 3 mobile homes and one house making 4 septic systems. They are asking that the Commissioners enforce the letter they wrote to Ms. Ekholt telling her she is in violation of the health codes. Mike Deihl represents the 18 lot owners of Aspen Glen Subdivision. Their primary concern is the ground water but also have two easement/access related concerns. Dennis Davis is on Lot 1 of Therriault Creek Subdivision. He talked about an easement of 60' that is presently in legal dispute. Russ Barnes, attorney, has said that no easement exists. The road is on Dennis's property and he does not want that road used. Bob Smith is on Therriault Creek Road and is concerned about septic systems that are not approved and are right next to his property. Kathi Hooper spoke about the septic systems. There is a permit for the mobile home that is being rented but the other systems for mobile homes are not currently permitted. The septic system for the house is the original one that was approved. Mr. Deihl asked that the mobile homes be numbered so they can determine which is being talked about. Kristin mentioned that Ms. Ekholt has until February 15, 2011 to comply with subdivision regulations. Ms. Ekholt stated that she has already had a lot of work done on the septic systems. She intends to bring everything to standards and be in compliance. Jay Squires, surveyor, stated that they have gone through the preliminary plat procedures and are going to submit papers next week. The Mud Creek Estates is 34 total acres made up of two 2 acre lots and one 30 acre piece. Greg Grove asked if there is a time line for county attorneys. Carrie Finley is concerned that deadlines are not enforced.

1:56 PM: **Sanguine Lakeshore Permit on Glen Lake:** This request has expired and so the owner is asking for an extension of 6 months. Commissioner Berget moved to approve a 6 month extension for the Sanguine Lakeshore permit and it carried.

1:59 PM: **Kristin Smith** talked about an agreement with the Town of Eureka for planning similar to the one they have with the City of Libby. The Proud/Stewart Lakeshore permit that was approved last week has changed their plans and the Corps of Engineers will not permit the new plans. Greg Grove had questions about subdivisions that Kristin was able to address.

2:25 PM: The Commissioners read the **minutes of the January 12, 2011 meeting**. Commissioner Downey moved to approve the minutes as amended and it carried.

2:30 PM: **Kevin Bruski, Interoperability Montana:** Sheriff Roby Bowe, Captain Kirk Kraft, and EMA Director Vic White are present. Kevin gave the Commissioners a map of the Interoperability Montana Microwave Path and a map of the 40 watt mobile talk-in. There is a problem in Lincoln County with coverage and they are studying the problems with coverage. He talked about the IM advantages and a shortage in the budget of \$162,000+ this year. Commissioner Berget said it is hard to support something that only covers the parts of Lincoln County that have cell phone use. Commissioner Roose said it scares her to put county money into a project which may or may not be able to keep going with grants in the future. He is requesting \$3,000 from the county to help fund the deficit. Commissioner Berget stated that the commission will review the request with the Sheriff's department and make a decision. Kirk Kraft said that the definition of coverage is different for Lincoln County and the IM. The new system will need to be at least as good as the old system in order to work for Lincoln County.

3:05 PM: **Emergency Declaration:** The Commissioners issued an emergency declaration for the Libby area affected by the Flower Creek flooding on Monday, January 17, 2011. Commissioner Berget moved to approve Resolution No. ###. It carried and was signed by all Commissioners.

3:15 PM: The commissioners received a request from the **DUI Task Force** for help in funding a grant from the DOT for \$15,000 however, it is a reimbursable grant so they want to know if the county would put up the money for it and be reimbursed. Commissioner Berget moved to approve the funding of the grant with the written agreement that the grant will be reimbursed as spent. The motion carried.

4:00 PM: The **meeting was adjourned.**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Marianne Roose, Chairman

ATTEST: _____
Tammy D. Lauer, Clerk of the Board