

June 3, 2020

The Lincoln County Board of Commissioners met for a regular session on June 3, 2020 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Peck, Commissioner Bennett, Commissioner Letcher, County Administrator Patrick McFadden and Clerk and Recorder Robin Benson.

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

10:30 AM **Administrative Issues:** Present were Mike Bradeen, Tina Oliphant, Wendy Drake, Craig Barringer, Virginia Kocieda, Kenny Rayome, Jennifer McCully, Brent Teske and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

- Weed Director Mike Bradeen explained that as a result of an unexpected \$19,700 revenue shortfall, there will be a budgetary deficit in fund 2141 and is asking for extra funding to rectify. Mike said he was confused between budget and cash and he is not sure where the unknown \$19,700 revenue source was to come from. Commissioner Bennett suggested asking Dan Williams what that revenue source was. Mike said there is currently about \$500 left in the budget. Two employee wages come out of the budget, so there will be an overage. Patrick said there is a short-term option of potentially using grant money; some of the overage can be mitigated. Commissioner Peck said this could happen to any department head who does not understand budgets and how to monitor their budgets. Patrick said he is meeting with every department head and conducting budget training, teaching department supervisors how to monitor their budgets throughout the year. No decisions were made at this time.
- Tina explained the school district is in progress of negotiating the sale of the Asa Wood building. Tina said the bid that came in to remove asbestos was very high. Tina said she has talked with DEQ and they are trying to bring in EPA to help with an assessment. The seller or the buyer should not be the applicant for the assessment request; it should be a community entity. Tina said this meeting is informational, and she is asking the county to be the applicant to request for EPA to do this, it is not a grant. Commissioner Peck said the property is in city limits. Tina said she could talk with the City of Libby. Craig said the cost of removing the asbestos is higher than the value of the building. Tina will bring more information back to the commissioners for further discussion.
- Commissioner Peck submitted a Kootenai Wildland Urban Interface Shared Stewardship proposal with the US Forest Service, Lincoln County, Montana DNRC and the Natural Resources & Conservation Services. The proposal is to designate the Wildland Urban Interface (WUI) in Lincoln County, including acreage within the OU3, as a separate planning unit within the Kootenai National Forest (KNF) under the direction of the KNF Supervisor and staff. Commissioner Peck said he would like to put a cover letter on it from the county and send the proposal to the regional and state forester, and DNRC, with a request for feasibility and for potential funding purposes. Commissioner Peck clarified the proposal is a recommendation to take WUI acreage in Lincoln County and make it its own planning district for the forest service to prioritize projects in the WUI. The goal is for local management to increase pace and scale of treating, not only in the fed lands, but a larger scale, leveraging resources to treat larger areas for community protection instead of individual homes. The proposal falls under the Community Wildland Protection Plan and allows the plan to be more operational. Forest management projects can be attached to it and works with partner organizations to get more work done. Commissioner Peck stated the recommendation is strictly from the county but has been looked at from other agencies.
- Robin presented the minutes for May 27 regular meeting and May 28 special session for approval. **Motion** by Commissioner Bennett to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.

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

11:00 AM **Fire Air Monitoring:** Present were ARP Director Virginia Kocieda, Mike Bradeen, Tina Oliphant, Wendy Drake, Craig Barringer, Kenny Rayome, Jennifer McCully, Brent Teske and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

Brent submitted the Libby Asbestos Response Plan for commissioner review. The plan contains the protocols regarding the public information and monitoring plan for a wildfire in or around the vermiculite mine site. Should an actual event occur, the response may vary depending on the type and complexity of the situation. The plan will be reviewed and updated annually or as necessary. Virginia commented that she is here to talk about funds for air monitoring at OU3. EPA has funded air monitoring at OU3 in the past and EPA did conduct controlled burns for data collection in conjunction with DNRC and the risk assessment stated there was no calculable risk. Virginia explained the air monitoring process to assess Libby Amphibole particles in a potentially larger scale fire. EPA feels they do not need to fund this effort of data collection and risk assessment in fires and O&M does not have funds dedicated to this effort. The Forest Service is paying for cockpit monitoring for pilots flying over a fire. Virginia said she has contacted WR Grace regarding any available funds but has not received a response yet. Virginia explained that messaging to the public should there be a larger scale fire in OU3 depends on air monitoring. It is hard to calculate funding, but for a 3-day fire, collecting samples, travel cost, labor, and other costs, the best guesstimate is \$4,577.

Commissioner Bennett commented there may be no cost or a cost every year. Commissioner Peck said any cost possibly could be charged to the fire and if it's a big fire, we will be in a declared emergency and some of those costs will be within those funds. Commissioner Bennett commented that basically ARP is looking for permission to use the county as the responsible party to cover monitoring cost should there be a fire in OU3. Jenn commented the public perception of what the county is doing, will be important for messaging. Commissioner Peck stated that he could also take this to the LASOC committee. Commissioner Peck explained the declared emergency process and how the 2mill levy is implemented. **Motion** by Commissioner Bennett that the county underwrites the cost of air monitoring within OU3 during a fire. Second by Commissioner Letcher, motion carried unanimously.

11:15 AM **Shooting Range Funding Approval:** Present were Sheriff Darren Short, Virginia Kocieda, Kenny Rayome, Jennifer McCully, Brent Teske and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet. Commissioner Peck said \$30,000 is estimated to finish improvements for the shooting range to be completely done. Fish, Wildlife and Parks grants have been applied for to help offset some of that. Commissioner Peck encouraged people to go out and look at the improvements at the shooting range. Commissioner Peck commented there has been a lot of donated work and it really looks great. Commissioner Peck said he is requesting to set up a separate account, set aside and held in the park budget. Commissioner Peck informed everyone that we have over 1,000 people signed up to shoot at the shooting range. The management is working well. Commissioner Peck commended Jay Sheffield's big game shoot that brings people in from all over the country and Canada; tv shows have shown interest. **Motion** by Commissioner Bennett to set up a fund for the Libby Shooting Range in the amount of \$30,000 to be paid back as grant funds come in. Second by Commissioner Letcher, motion carried unanimously. Commissioner Peck said the money will initially come out of PILT to be paid back as grants come in.

11:30 AM **Dissolution of Emergency Status:** Present were Sheriff Darren Short, Undersheriff Brad Dodson, Virginia Kocieda, Kenny Rayome, Jennifer McCully, Brent Teske and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

Commissioner Bennett commented that the emergency status was about the funding aspect and currently where Lincoln County is with the testing done and no cases since April 5th (2 months), and the EOC is no longer staffed, he is in favor of rescinding the emergency status. EMA Director Teske said there is less public activity, call volume has significantly decreased as well as testing.

There was a brief discussion regarding the governor's directive and future funding should covid spike in Lincoln County. Commissioner Bennett commented that from a public perspective; it's better to finalize this. Commissioner Peck expressed that not to belittle the virus or its impact it can have, people still need to be vigilant especially in vulnerable categories; same people vulnerable with influenza, we still need to continue with the safeguards. In Lincoln County we are not in an emergency; it's difficult to justify spending 2mills.

Commissioner Letcher commented the county declares emergencies when we are in emergencies for example flood and fire; Lincoln County currently is not in an emergency. **Motion** by Commissioner Bennett to approve Resolution 2020-11 rescinding Resolution 2020-09 Emergency Status. Second by Commissioner Letcher, motion carried unanimously.

All resolutions can be viewed in their entirety on the county website under Clerk and Recorder at:

www.lincolncountymt.us

11:45 AM **J. Neils Park Access:** Present were Sheriff Darren Short, Undersheriff Brad Dodson, Virginia Kocieda, Kenny Rayome, Kelly O'Brien, Jennifer McCully, Kathi Hooper, Brent Teske and Derrick Perkins. Also present was Nikki Meyer, Eureka via VisionNet.

Kenny said he would like to organize a 4th of July Celebration at J Neil's Park. The parade route will allow for those that still want to social distance. Kenny said he is working with Lincoln County Fire Department Steve Lauer for the fireworks show variance and admission will be free. Donations are being taken for fundraising. Kenny stated this is a time when we need to remember what the 4th of July represents, especially right now.

Commissioner Peck stated the county is only approving the use of J Neil's Park.

Kelly said he is in contact with Steve Lauer who ultimately has authority for the fireworks show. Kelly said Steve's concern is if we move to stage one restrictions and fire danger.

Commissioner Peck said as long as it meets all the requirements, there would be no issue using the park.

Kathi said if we are still in stage 2 covid, organizers and vendors will need to contact the public health department.

Kenny commented that financial and mental health is just as important to the community and he would hate to miss this opportunity. Kenny said he believes the community will conduct themselves appropriately and there is a lot of community support for this event to take place.

The commissioners shared support and agreed to allow the use of J Neil's park as long as all conditions are met; it's a good thing.

1:30 PM **Approval of Additional Maintenance Employee:** Present were Maintenance Director Joe Nagle.

Motion by Commissioner Bennett to approve hiring one full-time employee for the maintenance department. Second by Commissioner Letcher, motion carried unanimously. There was discussion regarding this request during May 20 and 27 meetings.

1:45 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

ATTEST: _____

Robin A. Benson, Clerk of the Board