

## MARCH 11, 2015

The Lincoln County Board of Commissioners met for a regular session on March 11, 2015, in the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck, and Clerk and Recorder Robin Benson.

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

10:00 AM **EPA Update:** Present are Mike Cirian, Christina Proggess, Chris Nelson, Paul Rumelhart, Kathi Hooper, Jennifer McCully, Nick Raines, Bob Henline, and present via telephone conference are Rebecca Thomas, Lisa Dewitt, Jennifer Lane and Carolyn Rutland.

Rebecca said the aim is for the Feasibility Study to be out to the public by late April, 2015. The Proposed Plan will be released in early May. EPA will extend the public comment period and will hold a formal public meeting in May with a second public meeting specific to discussion on institutional controls. Construction removals will begin in May with a goal to complete 80 properties. EPA sent out 245 postcards and is also making phone calls in attempts to make contact with people who have refused investigation and clean-up on their property. Mike said a tracking system is in place and contact attempts are an ongoing effort. Mike talked about the Zonolite Attic Insulation Trust which is a well funded program offering nationwide testing and financial aid for clean-up. The trust can be utilized locally by people whose properties are outside the superfund site. As of July 2014, there have been 183 paid claims with 38 of those claims from Montana. Nick said the public application process seems to be working and there is potential for big benefits to our area. Commissioner Larson said he sees this as a way to potentially extend our clean up dollars. Commissioner Cole said he is pleased with the interaction between the County, EPA, W.R. Grace and other agencies.

11:00 AM **MTFWP Update:** Present are Ryan Sylvester, Jim Dunnigan, Justin Steck, Chris Nelson and Paul Rumelhart. Jim talked about some of the benefits of the dam as being public recreation, camping/fishing opportunities and he explained how the dam helps with the kokanee salmon and aids in the food supply for the rainbow trout. Commissioner Peck said learning about Libby Dam and the process of managing water flow is complicated, good knowledge and educational. It would be beneficial for the public and the Commission to understand the system in its entirety. Jim discussed the process and said there is always room for improvement to help the survival of the fish. Fluctuations of the flow, temperature and other variables play a significant role in fish mortality. The strongest factors that drive operations at the dam are endangered species. The purpose of continued studies is to help determine how to solve problems.

Ryan talked about fish regulations and expressed overall positive public feedback. Jim briefed the Commission on the continued scientific testing and studies to reduce the diddy mo algae that grow on the rocks in the Kootenai River.

Commissioner Cole said it is good news that the fish pond in Eureka is full. Jim said the liner has leaks and he has been discussing repair costs with the Lincoln County Fair Board. Commissioner Cole said he has had discussions with Representative Mike Cuffe to actively pursue different concepts to increase stream flow to the pond.

Jim said he is currently in discussions with 5 local stakeholders planning a more community based effort focused to get some of our streams delisted as impaired. The first step is to come up with a plan to get this accomplished and he will organize public meetings in Eureka, Troy and Libby. The objective of data collecting for impairment on the streams is to meet water quality standards. Benefits to the study is good clean water and improved cold water aquatic life habitat. Economic gain will be restoration activities as well as improving fish life which benefits public fishing recreation.

1:30 PM **Lisa Oedewaldt, Planning Board:** Present are Lisa Oedewaldt, Deb Blystone, and Bob Stauffer. The Planning Department received a request for an extension to the preliminary plat approval period of the Montana Summit Subdivision from Carstens Surveying. The applicants are nearly complete, with just a couple more conditions to meet. Upon Planning recommendation, Commissioner Larson made a **Motion** to grant a one (1) year extension to the preliminary approval period for Montana Summit Subdivision until April 25, 2016. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

Lisa discussed the improvements that were made to the pads on lots 41-45 of ISR RV South Subdivision. Upon Planning recommendations, Commissioner Peck made a **Motion** to approve final plat for ISR RV South Subdivision. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

### 1:40 PM **Administrative Issues:**

- The Commission signed an amendment to the 2014 contract between Western Montana Area VI Agency on Aging and Lincoln County Commission. The amendment increases the per month/per distribution amount from \$1.50 to \$2.00 for the entire length of the contract and redistributes the assigned case load as of March 2, 2015.
- **Motion** by Commissioner Peck to approve Resolution 930 Emergency Ordinance to amend Resolution 479 Road Restriction Ordinance. Second by Commissioner Larson, and so ordered upon unanimous consensus of the board. The ordinance shall only be in force for the roads within the Eureka Commissioner District. Resolution 930 Emergency Ordinance is declared to be an emergency and shall take effect immediately and be in effect for 90 days.
- **Motion** by Commissioner Larson to approve Vendor Invoice billed to the Department of Environmental Quality, Motor Vehicle Recycling & Disposal for \$8,606.88. Second by Commissioner Peck, and so ordered upon unanimous consent of the board. The invoice is to meet the budget for the implementation of the junk vehicle disposal program for our county for FY 2014-2015, which has been approved and will be paid by the MDEQ, Permitting and Compliance Division.
- The Commissioners read the minutes for March 4, 2015. **Motion** by Commissioner Peck to approve minutes for March 4, 2015. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

- Commissioner Cole said the Tobacco Valley Rodeo Association is requesting permission to donate approximately \$8,000 to the Lincoln County Fair. **Motion** by Commissioner Larson to grant permission to the Tobacco Valley Rodeo to donate monies to the Lincoln County Fair. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

2:30 PM **J-Neil's Park:** Present are District 1 Road Supervisor Mark McCully, Terri Peck, and Dallas Wamsley. Mark and Dallas discussed the need to improve management at J-Neil's Park. The park has extensive use and currently there are no procedures or policies to enforce. Mark presented a J-Neil's Memorial County Park Policy & Procedures to the Commission and is requesting approval for adoption. The policy is specific to J-Neil's Park and is not for use countywide. The policy includes a user agreement for event organizers, general park policies, and includes fees to cover electricity costs. **Motion** by Commissioner Larson to approve the J-Neil's Memorial County Park Policy & Procedures for adoption pending legal review. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

2:45 PM The **meeting was adjourned.**

#### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Mike Cole, Chairman

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