

March 16, 2022

The Lincoln County Board of Commissioners met for a regular session on March 16, 2022 in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Bennett, Commissioner Teske, Commissioner Letcher, County Administrator Jim Hammons and Clerk and Recorder Robin Benson.

Meeting allows for teleconferencing and VisionNet availability.

Commissioner Bennett opened the meeting with the **Pledge of Allegiance and Prayer.**

9:45 AM Multi-Hazard Mitigation Planning: Present were EMA Director Tom Lane, Mike McMahon, Dawain Burgess, Rebecca Nelson, Ray Stout and Derrick Perkins.

Tom explained the State of Montana is getting ready to begin the Regional Multi-Hazard Mitigation Planning process where three regional multi-hazard mitigation plans will be developed. Tom provided the Notice of Intent for the commissioners to approve indicating Lincoln County desires to be a part of the process. The state is willing to pay for the Multi-Hazard Mitigation Planning and Tom commented that this is an excellent opportunity for the county.

Motion by Commissioner Teske to approve the Notice of Intent to sign onto the Regional Multi-Hazard Mitigation Plan. Second by Commissioner Letcher, motion carried unanimously.

10:00 AM Trego/Fortine/Stryker Fire Service Area (TFS FSA): Present were Mike McMahon, Dawain Burgess, Rebecca Nelson, Tom Lane, Ray Stout, and Derrick Perkins.

Mike McMahon, President of the TFS FSA Board gave a brief history of the fire service area and referred to the June 16, 2021 Commissioner Meeting where the FSA board requested a fee increase. Mike said the FSA Board is ready to move forward and they are requesting a 100% fee increase. Mike said he is planning an Open House April 14th at the Fortine Gym prior to the public hearing and will provide handouts and explain what the fee increase will be and the reasons for the increase request. The Open House will begin at 6:00 pm with the public hearing to follow. Mike said he will request written public comments. Robin will advertise the public hearing for two weeks in the Tobacco Valley News and take the minutes during the public hearing. Mike said the FSA does have a FaceBook page and he will try to notify owners of the open house and public hearing. Robin will write a Resolution of Intent to be approved and signed by the commissioners for next week's commissioner meeting.

Commissioner Bennett suggested the FSA Board conduct a good long-term analysis and make sure the fee increase not only covers cost but allows the FSA to purchase equipment down the road.

10:15 AM ARP Update: Present were Elzhon Anderson, Rebecca Nelson, Ray Stout, Tony Penfold, and Derrick Perkins.

Asbestos Resource Program (ARP) Report for Commissioner's Meeting

March 16th, 2022 10:15 – 10:30

In February, ARP received 20 hotline calls. 17 were from Libby, 3 from Troy. Most of the requests were for U.S. Environmental Protection Agency (EPA) comfort letter/MT Department of Environmental Quality (DEQ) status letter requests.

ARP also received 13 utility locate tickets from properties within the Superfund site in February:

11 from Libby, 2 from Troy.

ARP conducted 6 site visits in January. Most of these site visits were to confirm digging locations for utility locates and to active asbestos abatement/sampling projects.

ONGOING/PLANNED ABATEMENTS:

117 Mineral Avenue, Libby –Completed, waiting for invoice to bill DEQ for reimbursement 386 Riverside Drive, Troy – planned soil removal – on going; ARP is waiting for the property owner to respond with a signed SOW. Work will tentatively be performed spring or summer 2022.

713 Michigan Avenue, Libby – planned indoor removal from residential building. Waiting to hear from property owner about hiring a contractor.

42162 US HWY 2- Refusal. ARP drafting SOW for demolition of the shop that has vermiculite in the attic and the structure is unsafe to perform an abatement. ARP drafting sampling SOW for use areas, will be sampled when the snow is gone. Homeowner will incur all costs.

ONGOING/PLANNED SAMPLING:

GID 11192, Troy – Property was designated a non-use area during the time of investigation. The property has since been developed. ARP is currently drafting a sampling

SOW. Sampling event tentatively scheduled for Spring 2022.

287 Terrace View, Libby- ARP identified gross levels of VV on areas of the property where tree stumps had been removed. ARP is currently drafting a sampling SOW. Sampling event tentatively scheduled for spring 2022.

FUNDING

The ARP program is funded through a Memorandum of Agreement with DEQ. This is funding coming from a cooperative agreement between DEQ and EPA. The agreement designates \$600,000 over two years starting with costs from July 1, 2020, until May 31st

2022. Total costs incurred by ARP & reimbursed by DEQ since July 2020 is approximately \$408,544 leaving a remaining balance of \$191,456. The last reimbursement came in in November. Claims for November reimbursement have been sent to DEQ on the 15th December. NO NEW BALANCE AVAILABLE AS OF 3-15-22.

DRAFT MEMORANDUM OF AGREEMENT

The ARP has completed the draft Scope of work and 2-year budget for the new Memorandum of Agreement between Lincoln County ARP and DEQ. DEQ is now reviewing the draft documents. This MOA financially supports the ARP program beyond the current MOA which ends in May 2022.

10:30 AM **Administrative Issues / Food Pantry Lease Signature / Mike Bradeen / RAC Grant Signature:** Present were Weed Director Mike Bradeen, Tony Penfold, Elzhon Anderson, Ray Stout, Rebecca Nelson, and Derrick Perkins.

- Robin submitted the minutes for March 9, 2022 regular meeting for approval. **Motion** by Commissioner Teske to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Commissioner Teske submitted a lease agreement between Lincoln County and the Libby Food Pantry outlining responsibilities for billing/utilities and maintenance. Improvements will need to be made to the new location but is less costly than a new building. Commissioner Teske drafted the lease agreement with the Libby Food Pantry to move into the Pioneer Park Jaycees Club House building located at 409 W. Balsam, Libby. It is a 5-year lease, to be reviewed at that time. Lease payment is \$1.00 per year. **Motion** by Commissioner Teske to approve lease agreement with the Libby Food Pantry as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Weed Director Mike Bradeen submitted a Federal Financial Assistance Grant Award through RAC funds between Lincoln County and the USDA, Forest Service KNF. The grant is to provide assistance to landowners on private property for treating noxious weeds. Mike said the grant is approved and he is requesting commissioner approval. **Motion** by Commissioner Teske to approve the RAC Grant Award for \$12,002 for noxious weed eradication on private property. Second by Commissioner Letcher, motion carried unanimously.
- Robin commented that she and HR Director Dallas Bowe has received emails from the state and from grant administrator Kristie Eggebrotten requesting a Lincoln County ADA Inventory Transitional Plan for the CDBG Grant for the Trego/Fortine/Stryker (TFS) Community Hall Project.
Dallas explained this document would require an analysis of every county building/structure for ADA compliance and would be a lot of work and would be very time consuming.
Commissioner Bennett questioned why this project which is a small project (approximately \$25,000) compared to larger CDBG projects is requiring this document. Commissioner Bennett explained that it is a small grant award and the consultant fee could possibly cost more than the grant, ADA upgrades could be excessive and is the county in a position to do this.
Dallas recommended that all grant requirements need to be brought forward prior to grants being approved.
Commissioner Letcher commented the grant administrator is new to the process and may not have known of this requirement.
Commissioner Bennett commented there may be another avenue and commissioners will follow-up.
Commissioner Teske said he will call the state and will follow up.

10:45 AM **Public Comment Time:** Present were Seth Carbonari, Rebecca Nelson, Elzhon Anderson, Derrick Perkins and Ray Stout.
There were no public comments.

11:00 AM **USFS Update / Seth Carbonari:** Present were Tom Lane, Rebecca Nelson, Tony Penfold, Derrick Perkins and Ray Stout.

Lincoln County Commissioner's Meeting
16 March, 2022
Eureka, Montana



Updates from the Rexford/Fortine Ranger Districts:

- 1) Current planning projects:
 - a. Working on Edna-Fortine roadside fuel reduction/wildfire resiliency project. CE. Pre-scoping went well. Finalizing units and formal scoping should begin early April.
 - b. Preliminary work on Sunday Creek. Likely targeted CE for fuels reduction and wildfire resiliency.
 - c. Next large scale project is planned for Swamp Creek.
 - d. Quite a few small NEPA projects related to road access to private property, special uses, etc.
- 2) Timber Update:
 - a. In progress
 - i. Thirsty Frank- ~18,000 ccf Sold to Stoken for \$22.07 a ton (41,327 tons)
 - ii. Green Poverty advertisement sold 8-17 ~3 ccf -Sold \$51.00 per ccf
 - iii. Highway Dickey- ½ finished- ~12,000 ccf
 - iv. Laughing Ant- not started-~800 ccf
 - v. Hagadore Frass-completed other than some road work- ~14,000 ccf
 - vi. Williams Grave ~2,300 ccf Sold to Burk Construction (\$28.45/ton) (7,389 tons) Currently working on as conditions allow

- vii. Dead Triangle ~10,000 ccf Sold to Stoltze Lumber Company (\$48.89/Ton) (26,335 tons) Maybe start this spring
- b. Recently Sold
- c. Future
 - i. Meadow GNA ~6,500 ccf- 1st GNA sale on district. Tentatively advertise in April.
 - ii. Dream Weaver ~11,000 ccf. Tentatively advertise in June.
 - iii. Still Pinkham ~26,000 ccf. Tentatively advertise in July.
 - iv. Banks Saddle ~11,500 ccf. Tentatively advertise in September.
 - v. Young Dodge- possible small sale through GNA ~100 acres.
 - vi. Castle Edna TS (Edna/Fortine Project) start prepping this summer. No volume still finalizing units.
- 3) Fire/Fuels-
 - a. A good amount of Prescribed Burning planned for this spring if conditions allow. Press release coming out soon.
 - b. ~1,000 acres of mechanical contracts scheduled for this season
 - c. Will be fully staffed with ~35 firefighters
- 4) Recreation
 - a. Scoping vault toilet (SST) for Young Creek.
 - b. Scoping improvements to Douglas Hill OHV and Campground. Virtual Public Meeting March 22.
 - c. Great American Outdoors Act continues
 - i. Rexford Bench water system replacement design
 - ii. North Dickey Campground improvements
- 5) Other
 - a. Still sorting out what the Infrastructure Bill will mean at the ground level. Libby Surround, the Joint Chief's Project was funded. Likely get an infusion of funding for fuels specific projects.
 - b. Hiring has been challenging. Still trying to fill several temporary employees.
 - c. Wildlife Services is hiring a Range Rider.
 - d. At least 11 person YCC crew.

Seth Carbonari
District Ranger

11:15 AM Fairgrounds Sewer: Present were Mike Fraser, Tom Lane, Jennifer Curtiss, Rebecca Nelson, Ray Stout and Derrick Perkins.

Mike talked about the Fairgrounds Sewer Project and requested the Commissioners communicate with the Town of Eureka regarding options to move forward that everyone can agree on. Mike questioned if there are City ARPA funds and County ARPA funds available. The commissioners discussed options, cost, drain fields, buildings, and easements. Commissioner Bennett agreed that the county needs to have discussion with the Mayor and Town Council. All options need to be put on the table. There is no negative to this project, we all want fairground improvements. Commissioner Letcher will follow-up and set up a meeting with the Town of Eureka for further conversation.

11:30 AM Tobacco Valley Rodeo Association (TVRA): Present were Mike Cole, Tom Lane, Jennifer Curtiss, Rebecca Nelson, Derrick Perkins, and Ray Stout.

Mike commented that he appreciates the patience and commented on challenges and struggles regarding the TVRA Agreement. Mike said the grant application was denied unfortunately, so the TVRA has made a commitment to finance the whole project and pay off the county loan. Mike said the loan should be paid within the month. Commissioner Bennett commented that would be very helpful and would be a real benefit to get the project completed for the whole community. Mike said TVRA is still chasing more grant money to continue with the building plans for the Skybox project. Mike asked if the commissioners would do a letter of support for an upcoming grant. Mike provided a picture of the Skybox Improvement Plan and requested a commissioner letter of support for other grant opportunities. Mike commented that he is a little nervous of the high price of fuel and having a decline in contestant turnout. Commissioner Letcher commented that there still needs to be an agreement to cover events and lease, insurance and other responsibilities.

11:45 AM Finance and Accounting Policy Change: Present were Finance Officer Wendy Drake, Jennifer Curtiss, Derrick Perkins, Tom Lane, Ray Stout and Rebecca Nelson.

The commissioners approved a letter designating Kathi Hooper as the Environmental Certifying Official responsible for all activities associated with the environmental review process to be completed in conjunction with the CDBG-CV grant awarded to Lincoln County for HVAC improvements to the TFS Community Hall.

Wendy said the County Attorney has reviewed the Lincoln County Procurement Policy and approved to change \$25,000 to \$80,000 following federal procurement policy.

Commissioner Bennett commented that now is the right time to update the county procurement policy; there is very little that can be purchased for \$25,000 at this time.

Commissioner Teske commented the change cleans up the county policy to the federal and state level and helps with grant processes. **Motion** by Commissioner Teske to move the county procurement from \$25,000 to \$80,000 per federal law. Second by commissioner Letcher, motion carried unanimously.

12:00 PM Meeting Adjourned

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett, Chairman

ATTEST: _____
Robin Benson, Clerk of the Board