

May 11, 2022

The Lincoln County Board of Commissioners met for a regular session on May 4, 2022 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, Commissioner Bennett, 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 **Certified Election Judges Appointment:** Present were Assistant Election Administrator Amanda Eckart, Tony Penfold, Rebecca Nelson, and Ray Stout.

Amanda submitted a spreadsheet of all the election judges that will be working at the polling locations during the June 7, 2022 Primary Election. All election judges did attend election judge training and are certified. Per MCA 13-4-101 election judges are appointed by the county commissioners. **Motion** by Commissioner Teske to approve Polling Locations and Appointment of Election Judges for the June 7, 2022 Primary Election and all further elections held prior to the 2024 Primary Election. Second by Commissioner Letcher, motion carried unanimously.

10:00 AM **Health Department Update:** Present were Kathi Hooper, Tom Lane, Tony Penfold, Rebecca Nelson, and Ray Stout.

**Public Health:**

- Updating Covid website weekly, on Tuesdays.
- Town Pump Grant \$3,000 Award will be used to purchase 20 car seats for the Car Seat Safety Program.

**Environmental Health:**

- Online burn permits: 852 residential permits, (947 activations), 16 management burns, (13 completed). Of 947 activations, 424 online, 516 by phone, and 7 by administrator. The online system is a real employee time saver.
- County Planner/Sanitarian Position: Jesse Haag will be starting May 16.

**Solid Waste & Recycling:**

- McGinnis Meadows dumpster site closed; those dumpsters are distributed to other dumpster sites.
- Temporary mat installed at Libby Creek dumpster site. In process of getting a gate keeper.
- Expansion Update: Preapplication meeting with DEQ on May 2. Working through DEQ requirements, ongoing. Response letter for monitoring well proposal by May 25.
- There was a brief discussion regarding improvements/options for the Happy's Inn area.

10:30 AM **Administrative Issues / Libby Creek Authorizing Statement Signature for RRGL Grant and MOU with City of Libby:** Present were Senator Cuffe, Jeff Koskela, Jon Gass, Tom Lane, Tony Penfold, Rebecca Nelson, and Ray Stout.

- RRGL Grant approval and the MOU between the City of Libby and Lincoln County: Jon Gass gave a brief description of the Libby Creek Mobile Home Court Water/Sewer System Improvement Project. Jon talked about the grants/funding sources supported by the City of Libby and Lincoln County. **Motion** by Commissioner Teske to approve Memorandum of Understanding (MOU) between the City of Libby and Lincoln County as submitted. Second by Commissioner Letcher, motion carried. Senator Cuffe commented that he sits on the ARPA Committee and expressed this project was well received and agrees it is a good project. **Motion** by Commissioner Teske to approve the RRGL Grant Authorization as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Tom Lane discussed the DNRC Cooperative Fire Protection Capacity Grant for local government wildland fire protection. Project proposal for funds is broken into two parts. The first would provide for the cost of a seasonal Deputy County Fire Warden to assist DNRC and EMA in management of the large geographical area of Lincoln County with coordination, response, preparedness and training. Secondly, the project will address county level overview of capacity and capabilities through real-time countywide resource management system software subscription for two years. Total cost of the two-year proposal is \$55,600. **Motion** by Commissioner Teske to approve moving forward with the Montana DNRC Cooperative Fire Protection Capacity Grant / Notice of Funding Availability and Request for Proposals. Second by Commissioner Letcher, motion carried unanimously.
- Robin said she received a request from the Libby Park Board to appoint Gary Fjelstad. Robin said she last advertised for the Libby Park Board March 9 & 16, 2022 and all positions were filled except one. Gary Fjelestad's application was received after appointments were made on April 20, 2022. The Park Board is recommending appointment of Gary to fill an unexpired term through April 2024. **Motion** by Commissioner Teske to appoint Gary Fjelstad to serve on the Libby Park Board through April 2024 per Park Board's recommendation. Second by Commissioner Letcher, motion carried unanimously.
- Robin submitted the minutes for May 3 preliminary budget meeting, and May 4 regular meeting for approval. **Motion** by Commissioner Letcher to approve minutes as submitted. Second by Commissioner Teske, motion carried unanimously.

10:45 AM **Public Comment Time:** Present were Senator Cuffe, Jeff Koskela, Tami Jellesed, Stan Hudson, Mark Mohr, Braylin Brooks, Sidney Rudal, Courtney Benson, Rebecca Nelson, and Ray Stout

Seniors of Libby High School Courtney Benson, Sidney Rusdal, and Braylin Brooks presented a sidewalk project to the commissioners. The proposed sidewalk to be located between the Libby Middle High School and Libby Elementary School on Education Way. Braylin talked about the safety hazards to students and parental concern during heavy traffic

hours. Cindy discussed funding sources including the DOT Safe Routes to School grant program. The estimated base cost of the project is \$205,000. Courtney talked about potential alternatives of concrete barriers or a bike path instead of a sidewalk. The construction period could be done in the summer when school is out and there is less traffic. The commissioners commended and thanked the students for their presentation and efforts.

Jeff Koskela expressed frustration about the significant loss of home and business value if the construction of the gravel pit that Levi Thompson is placing in a highly populated residential neighborhood on Farmers Market Road in Libby moves forward.

Commissioner Teske said he will be having conversations with the county planner about zoning or homeowner options that may be helpful, but not sure if anything can be done about the current issue but may be useful in future situations.

Jeff said that MCA 76-2-101 is about a petition process that allows commissioners to designate a zoning district that can be expedited quickly. Jeff commented that Mr. Thompson cannot be grandfathered in unless he has a permit in hand. Jeff said he does have a petition from homeowners he can present to the commissioners and expressed that it is time for the commissioner to take emergency action. Jeff expressed support of zoning in Lincoln County and expressed how it improves quality of life.

Commissioner Bennett explained that any action would first need to be run by the county attorney.

Commissioner Letcher talked about how covenants and deed restrictions can be used to protect personal properties.

Stan Hudson talked about DEQ or DNRC requirements that were not met. Stan talked about the Oath of Office that all commissioner sign swearing to uphold the US Constitution and State of Montana Constitution and that includes clean and healthy environment and protecting our environment. An asphalt plant is not protecting our environment. Nobody is standing up for the people. Property values will significantly be reduced.

Tami said she grew up in the area where the gravel pit is being located and talked about unsafe conditions it is creating.

Senator Mike Cuffe thanked the commissioners for their stand on the proposed selenium standard for Lake Koocanusa, stating that he is proud to stand with the commissioners, current and former and we all need to stick to our guns. Senator Cuffe submitted a Draft on Selenium and Columbia River Treaty (CRT) and how they are related and explained that the selenium issue should be dealt with through the CRT. Senator Cuffe also submitted a Selenium Letter to the Board of Environmental Review dated May 4, 2022 for commissioner review. Senator Cuffe gave a brief update on the Columbia River Treaty and expressed the importance of commissioners staying intimately involved in the process.

11:00 AM **Meeting Adjourned**

2:00 PM **Stimson Timber Management Tours - Stimson/Grace Property.**

## **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Jerry Bennett, Chairman

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