

November 4, 2015

The Lincoln County Board of Commissioners met for a regular session on November 4, 2015, in the Commissioner's Office of the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Commissioner Mark Peck and Clerk & Recorder Robin Benson.

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

9:15 AM **University of Montana Contract:** Present were Alan Gerstenecker, Bob Henline, and Nikki Meyer via Vision Net, Eureka.

Commissioner Peck explained the history of initial conversations with EPA about overcoming the stigma of being a Superfund Site. It is a part of our history, but the conversation now is how we overcome the negative press about Lincoln County relational to being a Superfund Site. Commissioner Peck and Asbestos Resource Director, Nick Raines met with the University of Montana to discuss ideas of branding Libby and Troy. Partner's Creative was recommended and has met with the KRDC Board and presented their ideas and branding process. Commissioner Peck has briefed multiple organizations and agencies and the idea has been well received. The superfund site may directly refer to Troy and Libby, but the overall project should speak for all of Lincoln County. Commissioner Cole agreed that it is obvious we need to focus the rebranding for Libby and Troy, but supports the idea of it encompassing all of Lincoln County. Commissioner Peck said there is a local group to oversee the project and the costs are looking at about \$70,000 to fund. Commissioner Peck said he is looking for a commitment from the county and expressed using some of the County Economic Development Fund, plus some of his Libby Economic Development Fund. KRDC did apply for a grant to help fund the project, but it was turned down; however, there are some very significant investors looking at this as well. Commissioner Peck feels this is the first step in a long time where Lincoln County is taking control of its own destiny. We need to change the media about Libby and this is the opportunity to do that. **Motion** by Commissioner Larson to move forward with the Partners Creative Contract for rebranding Lincoln County. Second by Commissioner Peck, and so ordered upon unanimous consent of the board.

9:30 AM **Clerk of Court Security Issues:** Present were Judge Wheelis, Clerk of Court Susan Farmer, Trish Brooks, Jennifer Roark, Barb Benson, Alan Gerstenecker, Bob Henline, Donna White and Nikki Meyer via Vision Net, Eureka. Security cameras and key locks have been installed in the courtroom and at the Clerk of Court's Office. Susan said employees are feeling vulnerable and she has received two quotes on safety glass to put in the front window of the Clerk of Court's Office. Judge Wheelis supports the purchase of safety glass saying that he has seen people getting angry towards employees and more orders of protection are going out. Commissioner Peck said these are the types of things where we should not wait until something happens. Clerk of Court employees shared situations they have had to deal with regarding angry and/or emotional people where they did not feel safe. **Motion** by Commissioner Larson to approve moving forward with purchase of the safety glass from Western Windshields, Inc. in the amount of \$959.75 for the Clerk of Court's Office. Second by Commissioner Peck, and so ordered upon unanimous consent of the board. The funding will come out of the Clerk of Court's budget.

9:30 AM **Human Resources/Sick Leave Policy:** Present were Vic White, Dallas Shaw, Alan Gerstenecker, Bob Henline, Donna White and Nikki Meyer via Vision Net, Eureka.

Vic explained a new Sick Leave Pool Policy for employees to donate sick time to a county pool at the time of retirement. Commissioner Peck said although the need far outweighs the concern, there is a concern regarding sick leave abuse and recommended talking with MACo to mitigate those types of situations. Vic said the policy is designed for employees who seriously are in need of time off. There will be a cap on amount an employee can draw sick leave time as well as other eligibility criteria. The commission expressed support and encouraged Vic to continue researching and finalizing the draft policy submitted for commission review.

10:15 AM **Rick Ball/Library:** Present were Rob Dufficy, Mary Hebenstreit, Larry Hebenstreit, Les Nelson, JoAnn Gerheim, Chuck Gerheim and Nikki Meyer, Eureka via Vision Net.

Rick is requesting assistance from the county for crate delivery service. This service is how the library receives its materials between Flathead County and Lincoln County. Rick explained the costs of driving to Kalispell from Libby and Eureka on a weekly basis. He has currently been using his personal vehicle and is asking for relief by use of a county vehicle or \$1500/month to contract out the service. The county vehicle would need to be a full size pick up to hold 12 crates with a cover so crates are protected. Rick is requesting assistance for only one year while waiting for information from the State to subsidize the library.

Commissioner Cole asked what Rick felt was the best proposal. Rick would like to contract it out and use a county vehicle until the contractor has been set up and contract is finalized. Commissioner Peck asked if volunteers could commit to a set consistent schedule. Rick said this is difficult to manage because he would need to rely on guaranteed consistent and reliable service. Commissioner Peck commented that volunteers can be put under county Workers Comp. Rick said people are interested, but they are going to want to get paid. There are people from Troy and Libby available, but nobody has come forward for the Eureka/Kalispell run. Rick expressed it would be a managerial nightmare.

Commissioner Peck asked if Rick has had a group meeting with Friends of the Library to discuss a set schedule and see if a core group of volunteers would be available to fill those spaces. Rick does not feel he has the volunteers at this time to accommodate a consistent schedule. Commissioner Larson said we first need to analyze what we have available as far as a county vehicle, and expressed that Rick driving himself twice a week is not a sound way to utilize Ricks time as Library Director, plus the issue of using his personal vehicle. Commissioner Peck reiterated that he would first like to see a set schedule and a group meeting with Friends of the Library to see if a volunteer schedule would work. If that is done first, and we determine that will not work, then we can look at other options. Rick said he has talked with individuals at different times, but has not conducted a group meeting. Based on his individual discussions, Rick does not feel this would be a reliable consistent plan. Commissioner Cole suggested the county take some time to look at vehicles and insurance and on Ricks side conduct a group meeting with a set schedule and then meet again for further discussion.

Rob Dufficy commented that he has made the trip with Rick several times and winter travel is a concern, plus the issue of moving large heavy crates. Rob expressed he does not feel this is a safe process, especially since volunteers are mainly senior citizens and this is a physical laborious job. Rick honestly feels he has exhausted the volunteer effort, but is willing to set up a meeting. Chuck Gernheim said the question is can a volunteer schedule be managed? There is a volunteer group in Libby, Troy and Eureka and he feels the volunteer aspect has not been thoroughly reviewed. Commissioner Cole suggested that we come back and revisit this issue. Commissioner Peck would like to meet with the Library Board and Friends of the Library to help facilitate a meeting, agreeing that Rick should not be driving the routes as the Library Director, but would like to explore other avenues before committing 20 to 25 thousand dollars. Commissioner Peck also commented that he would like to talk to the head of the Montana State Library Board about why Lincoln County is not included in shared catalog delivery..

10:30 AM **Administrative Issues:** Ric Kesling and Dallas Shaw.

- The Commission read the minutes for October 21, 2015. **Motion** by Commissioner Peck to approve minutes as submitted. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.
- Dallas is requesting to know which Commissioner would like to receive the general commissioner lccom.com email address. The emails will be sent to all commissioners.
- Commissioner Peck would like to discuss the possibility of contracting out the county website management. Ric Kesling and Commissioner Peck will coordinate those efforts. Commissioner Peck feels we need Ric doing IT work, not managing a county website.
- Robin Benson reported to the commission that part of the new records management system is conducting inventory. There are several security boxes at First Montana Bank containing microfiche. The current people authorized access to the security boxes no longer work for the county. Robin is requesting permission for herself, and three employees from her office to be authorized to view the security boxes so she can include the contents in her inventory. The commission granted permission to change the names authorizing access to the security boxes as presented.
- Commissioner Larson reported that he is transferring \$2000 from the Troy Economic Development fund to the Hard Rock Mines Trust. The purpose is to complete payment of the balance of an earlier loan to the Troy TV District by Lincoln County. This will complete payment of the balance of the loan for our records.

11:00 AM **Public Comment:**

Alvin Benitz expressed his concerns about the Cabinet View Fire Service Area starting up again. Alvin feels it should be known who owns the building and the county needs to define policy of county vehicles going to Washington and Oregon to fight fires. Alvin said there were many people that remain against this issue and that he is very happy with the Lincoln County Rural Fire District.

Alvin expressed his appreciation to the county commission that they are available to the public during daytime hours.

11:15 AM **Brent Faulkner/Contract:** Sheriff Roby Bowe, Undersheriff Brent Faulkner, Chuck Gerheim, and Alvin Benitz. Brent explained the Contract for Statement of Work For Law Enforcement Enhanced Security at Libby Dam to the Commission. There is nothing new and the contract is renewed every 5 years. The contract is between Lincounty County and the US Army Corp of Engineers and is located at the Sheriff's Department. **Motion** by Commissioner Peck to sign contract as submitted. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

11:30 AM **Planning Department:** Lisa Oedwaldt, Deb Blystone, Crawford Dinning, Ken Davis, and Donna White.

Tungsten Variance Decision: The Old Brush Creek Views Subdivision approved in 2008. The Planning Department recommends granting the 3 to 1 ratio variance. The alternative would be to redesign the subdivision. Commissioner Peck expressed the issue sets precedence and it does meet state requirements. **Motion** by Commissioner Peck to approve the 3 to 1 ratio based on the findings in the planning staff report and recommendation. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

Final Plat Approval/Montana Summit: Located in the NW4SE4 Section 27, T36NR26W.

Motion by Commissioner Peck to grant final plat approval for Montana Summit subject to conditions and based on the findings in the planning staff report. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

Final Plat Approval/Flat Iron Subdivision (Pending Stormwater Outcome): Located in the SW4 Section 18, T31NR34W. Ken Davis feels all the calculations have been done correctly and there is no violation as described by DEQ. The Commission said the issue cannot be discussed because it is not on the scheduled agenda and the process needs to be worked out with DEQ. The issue will be placed on the agenda for Tuesday, November 10, 2015 at 2 pm.

Planning Board Vacancy: The Lincoln County Planning Board received applications from Kenneth Rayome Jr. and Ernie Anderson. **Motion** by Commissioner Larson to appoint Kenneth Rayome Jr. and Ernie Anderson to serve on the Lincoln County Planning Board. Second by Commissioner Peck, and so ordered upon unanimous consent of the board. Terms are for two years.

RV Regulations Decision: No public comments. **Motion** by Commissioner Peck to approve RV Regulations as presented. Second by Commissioner Larson, and so ordered upon unanimous consent of the board. Regulations are effective on this date.

1:00 PM **EMA Update:** Lisa Oedwaldt

Lisa gave an update on EMA activities to the Commission. **Mountain Tops:** Analog on Mountain Tops finished and working well. Calx and Baldy are being serviced. Trunking/waiting on MPH radio techs to finish antenna move.

Communications Build Out: Meadow Peak is priority. Received FCC license for local government. Ordered repeater and working on solar and on a tower. All for completion next summer. **Fire Coop:** Had a meeting on October 21 and introduced the Phase 2 response areas and had a discussion on Flathead County Fire Districts vs. Fire Service Areas. Working on establishing a training committee. **Staffing EOC and IMT during incidents:** Recruiting volunteers to staff EOC-answering phones, assist with dispatching, and logistics. Recruiting key people with experience to fill IMT positions until team arrives. **LEPC:** Starting up the LEPC meetings again where they were left off last spring.

1:15 PM **CVFSA Resolution No. 949:** Present were Kate Witt, Bruce Witt, Sandy Clark, Dale Sabine, Donna White, Wendy Drake, and Peggy Williams.

Commissioner Cole read Resolution of Intent No. 949 in its entirety. It was asked why the Public Hearing would be held at the Ponderosa Room and Commissioner Cole said it is a common area. Commissioner Peck said in anticipation of the size of the Public Hearing. **Motion** by Commissioner Peck to approve Resolution No. 949. Second by Commissioner Larson, and so ordered upon unanimous consent of the board. The public comment process was discussed. Dale Sabine questioned if people who did not live in the proposed area and have no financial or vested interest would be able to make a comment. Commissioner Peck said people who comment will be required to state their address, but all comments would be heard. The Public Hearing is scheduled for December 9, 2015 at 6:00 pm to hear protests and comments relating to the Resolution of Intent to consider formation of a fire service area to be known as the Cabinet View Fire Service Area.

1:30 PM **Clerk & Recorder Staff/Eureka Visit with Cemetery Districts:**

Robin announced a Retirement Party for Patti Noble, 14 years; Laura Schrader 25 years; Ray Miller 28 years; and Jeannie Dennis 32 years. The retirement party is scheduled for December 3, 2015 from 11 to 2 pm at the courthouse. Robin discussed an employee in the Clerk and Recorder's Office that is retiring end of December and is requesting permission to move forward with the hiring process to fill the position. There will be no budget changes. Robin submitted a job description for the Commission to review. **Motion** by Commissioner Peck to allow moving forward to fill upcoming vacant position. Second by Commissioner Larson and so ordered upon unanimous consent of the board. Robin discussed meeting with the Fortine/Trego Cemetery Board. The cemetery is strictly fee and donation based. All maintenance is done by community volunteers. The board had a surveyor map out the lots and their goal is to have a kiosk built to display the map. Robin said she enjoyed the visit and toured the cemetery. Robin also met with Eureka Cemetery Treasurer Karen Doble to review their budget and cash balance. The cemetery spends a large portion of the budget during the summer months, and there should not be much spending through winter. Robin said it's these very types of visits that help her understand spending of various budgets and builds positive relationships.

2:00 PM **Tim Orthmeyer/Airport Projects:** Present were Bill Caldwell, Donna White and Alan Gerstenecker.

Tim explained the final pay request for the Taxi Way Lighting Project at the Libby Airport. The project has been completed and a final review is being conducted before final payment will be paid. Tim explained project costs that are higher than what was originally bid by approximately \$12,000.

Bill explained the electronic lighting that had not been working and the cost to fix it by Boundary Electric was higher than anticipated. A claim was sent to MACo and the county received a check for the entire cost except approximately \$2,000 which was paid from the County Liability Insurance Fund.

Tim updated the Commission on proposed Capital Improvement Plans over the next 5 years for the Libby and Eureka Airports.

2:30 PM **Nancy Higgins/Treasure's Monthly Report:**

Nancy submitted the regular monthly cash report and investment reports with supporting documentation for the commission to review. Nancy reported that 1,026 real property owners in Lincoln County are Canadians and 25 real property owners are Internationals.

Nancy requested approval to promote an employee from a tax/motor vehicle clerk to a tax supervisor. The new wage will be absorbed in the Treasurer's budget so a budget increase is not necessary. **Motion** by Commissioner Peck to move forward with the employee promotion as presented. Second by Commissioner Larson, and so ordered upon unanimous consent of the board.

3:00 PM **Tina Oliphant/KRDC Block Grant:**

Tina is requesting approval by Resolution to authorize her to submit an application for a Community Development Block Grant (CDBG) for 200,000 for the purpose of loaning Alpine Precision, Inc. to assist the business with purchase of working capital necessary to start its operations and for the purpose covering administrative fees to the grant administrator. Tina said this type of award promotes Economic Development and job creation. Although the word grant is in the language, this is actually a loan of up to 25,000 per job created. **Motion** by Commissioner Larson to approve resolution supporting the Community Development Block Grant for Economic Development application being submitted to assist Alpine Precision, Inc.. Second by Commissioner Peck, and so ordered upon unanimous consent of the board. Commissioner Peck commented that Alpine Precision is a very well, long standing established business.

3:30 PM **The meeting was adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin A. Benson, Clerk of the Board