

November 30, 2016

The Lincoln County Board of Commissioners met for a regular session on November 30, 2016, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Larson, Commissioner Peck and Clerk and Recorder Robin Benson.

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

9:00 AM **Clerk of Court/Restructure of Office:** Present were Susan Farmer, Tricia Brooks, Vic White, Alan Gerstenecker and Bethany Rolfson. Nikki Meyer and Robert Little, Eureka via VisionNet.

Tricia said she would like to move Jennifer Roark into her position as Chief Deputy and move her part time employee into the vacant full time position. Tricia said she is requesting permission to advertise to replace the part time position. Susan explained that her last day is this Friday and shared the statute for the commission to appoint Tricia Brooks as interim Clerk of Court and Public Administrator until she is officially sworn in. The appointment would be effective Monday, December 5, 2016. **Motion** by Commissioner Peck to appoint Tricia Brooks as interim Clerk of District Court and Public Administrator until she is officially sworn into office. Second by Commissioner Larson, motion carried unanimously.

Motion by Commissioner Larson to move Jennifer Brown into Tricia Brooks's position, move Kelsi Chambers into a full time position and approve the hiring for the part time position as requested.

Susan said it has been an honor to be in the Clerk of District Courts office for 27 years and the Clerk of District Court for the past nine years. The commission thanked Susan for her service to Lincoln County.

9:30 AM **Interbel/Local Montana Networks:** Present were Robert Little, Interbel Telephone, Eureka and Nikki Meyer, via Vision Net.

Robert said he is sitting in for Randy Wilson who could not attend today. Direct Market Area (DMA) is set by the FCC. Lincoln County is in the Spokane DMA. Robert is seeking approval for the commission to act as the petitioner for North Lincoln County to be placed in the Missoula DMA to provide Montana stations. Randy will provide help to the commission through the petition process. This would be only for non-cable and off air signals. A rewrite for a new petition would be required for South Lincoln County and for cable users. **Motion** by Commissioner Larson to approve the county serving as the petitioner for the DMA Modification Petition under STELAR to the FCC under the guidance of Interbel Telephone Cooperative, Inc. Second by Commissioner Peck, motion carried unanimously.

Robert clarified that Interbel will formulate letters for the commission to approve and sign and will keep the commission apprised of the process. The Commission commended the work that Interbel has provided for this effort.

10:00 AM **Nancy Higgins/Treasurer's Monthly Report:** Present were Alan Gerstenecker and Bethany Rolfson.

Nancy presented the Monthly Cash Reconciliation and Investment Reports to the Commission for review. Some of the cash balances on the cash report show negative, but Nancy said when she closes and puts the tax revenues that have steadily been coming in into the correct funds; the cash report will look significantly different. Robin commented that departments are doing well staying within budget but the negative cash balances are reflective of both the tax dollars not showing yet, and cash reserves that may not be sufficient for some departments. Cash reserves are intended to carry departments from July 1 through November. Robin said this should be a discussion during the next budget cycle to increase some of the department cash reserves.

Nancy brought it to the commissioner's attention that the trustees have determined that an amendment to the state elementary transportation fund budget in the amount of \$558.00 is necessary under the provision of Section 20-9-161(6) M.C.A. for the purpose of funding contractual agreements between Yaak School and enrolled resident students for transportation reimbursement. Nancy submitted the Proclamation for School District Budget Amendment for commission review.

10:30 AM **Administrative Issues:** Present were Alan Gerstenecker, Vic White, Lisa Oedewaldt, Tom Magone, Ken McCrohan, Bethany Rolfson and Nikki Meyer, Eureka via VisionNet.

- The Commission read the minutes for November 16, 2016. **Motion** by Commissioner Larson to approve the minutes with one correction. Second by Commissioner Peck, motion carried unanimously.
- Vic White informed the Commission that when they met about the Coroner's budget on November 9th, it was stated that wages for deputies would be adjusted to 70% of the coroner's wage, but that is incorrect and will need to be adjusted to 90% of the coroner's wage. Commissioner Peck suggested putting the issue on the agenda for further discussion. Vic presented the standard operating procedures for hiring internally reflecting county guidelines for the commission to review.
- Tom Magone informed the commission that the Youth Court Service building is in need of new gutters. Tom said he has received two bids and is requesting permission to accept the low bid. Commissioner Peck said the issue will need to put on the commissioner agenda for further discussion.
Tom Magone asked about possibly having the county purchase a commercial pop and candy machine so the revenue stays within the county. Commissioner Peck said this is a good idea, but needs to be vetted through the county attorney's office; there may be statutes that apply.
- Lisa Oedewaldt said she needs an internal document of employees that are second in charge for each department in case of emergencies and would like the commission to put out a countywide memo. Lisa said she would prepare the wording required for emergency planning. Lisa informed the commission the annual safety audit conducted by MACo passed with high marks. Lincoln County will receive a premium credit of \$5584.00. Vic said this is a reflection of a countywide team effort.
- Election Administrator Leigh Riggelman presented an appointment letter for commission signature to appoint Tricia Brooks as interim Clerk of District Court and Public Administrator effective Monday, December 5, 2016 until Tricia is officially sworn into office.

- **Motion** by Commissioner Peck to provide a letter of support to the Kootenai National Forest for obtaining funding for wildlife fire suppression at the Operable Unit 3 (OU3) mine site. Second by Commission Peck, motion carried unanimously.

11:00 AM **Public Comment Time:** Present were Jennifer McCully, Kathi Hooper and Alan Gerstenecker.

Kathi presented the annual contract with DEQ for the air pollution control program pursuant to 75-2-301 M.C.A. to the commission for approval. The contract is annual and there were no changes.

Motion by Commissioner Peck to approve the annual Air Pollution Control Grant for FY 16/17. Second by Commissioner Larson, motion carried unanimously.

Jennifer presented the annual Immunization Action Plan Grant from DPHHS to the commission for approval. The grant is ongoing with no changes.

Motion by Commissioner Peck to approve the annual Immunization Action Plan Grant for calendar year 2017 from DPHHS. Second by Commissioner Larson, motion carried unanimously.

1:30 PM **Planning Department:** Present were Lisa Oedewaldt and Jerry Bennett.

- **Thomson Family Transfer:** Lisa said the recommended action by the Planning Staff is to approve request to use exemption. **Motion** by Commissioner Larson to approve the Thomson Family Transfer subject to Planning Staff recommendation and conditions. Second by Commissioner Peck, motion carried unanimously.
- **Motion** by Commissioner Peck to approve the time certifications for Kirk Kraft and Lisa Oedewaldt for EMPG. Second by Commissioner Larson, motion carried unanimously.

2:00 PM **Open Position on the Community Action Partnership Northwest Montana(CAPNM) Board:** Present were Jerry Bennett and Robin Haidle, Eureka via VisionNet.

Robin Haidle is here as the CAPNM Board Chairman. Marianne Roose has resigned from the board and Mr. Haidle is requesting a county representative to serve on the CAPNM Board or the commission to appoint a person as the county representative. CAPNM Board serves the low income and affordable housing needs in Lincoln, Flathead, Lake and Sanders counties. Each county has 3 representatives serving on the CAPNM Board. Lincoln County representatives are Robin Haidle and Kate Huntsberger. Commissioner Larson asked how CAPNM determines need within the county. Mr. Haidle said a needs assessment is conducted every three years and affordable housing is a big need everywhere and is a difficult problem. There are several housing units that CAPNM has tried to acquire, but if the sell price is too high, then CAPNM cannot purchase them under affordable housing. Mr. Haidle mentioned Alan McCurry who has shown interest to serve as the county representative. Commissioner Peck said it is important to have someone on the board that has the time to be effective and if there is a qualified person who has an interest to be appointed, the commission would be open to that. Mr. Haidle said the CAPNM Board meets every other month for an entire day, so there is a time and travel commitment. Commissioner Cole said Alan had a long career in the prison system as a legal representative to prisoners and he was involved in other programs offering legal assistance to under privileged citizens.

Motion by Commissioner Larson to appoint Alan McCurry to serve on the CAPNM Board. Second by Commissioner Peck, motion carried unanimously. Commissioner Larson suggested keeping the commission informed biannually. Commissioner Cole asked to have Alan come into a commissioner meeting in the near future for introductions.

2:30 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin Benson, Clerk of the Board