

September 14, 2022

The Lincoln County Board of Commissioners met for a regular session on September 14, 2022 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, Commissioner Bennett, and Clerk & Recorder Robin Benson. County Administrator Jim Hammons was excused.

Meeting allows for teleconferencing and VisionNet availability.

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

9:30 AM **East 5<sup>th</sup> Street Extension Abandonment:** Present were Land Specialist Noah Pyle, Riley Black, Veronica Bovee-Anderson, Michelle Byrd, Rebecca Nelson and Ray Stout.

Noah commented that One Up Subdivision, already approved, was submitted with one document (Road Users Agreement) that was not signed. The developer has been contacted and the C&R Office is in process of attaining document signature before recording.

Noah submitted an additional petition for road abandonment on East 5<sup>th</sup> Street Extension, Libby. The easement agreement between the homeowners and the county is that the homeowners get ownership up to the river and an easement to the county is approved for a new road and the county would abandon road known as East 5<sup>th</sup> Street Extension. Noah clarified that East 5<sup>th</sup> Street Extension has been removed; the county owes new legal descriptions of properties (13). Noah explained that it is a platted subdivision, and MCA require individual lots, individual surveys and new deeds be created and recorded. KSI estimate is \$26,000. KSI has already done significant work in the area and is familiar with the project. Seeking approval of abandonment and approval to hire KSI to conduct the survey work. Commissioner Bennett agreed that it is what the county agreed to and this project needs to be completed. **Motion** by Commissioner Teske to accept petition and abandon East 5<sup>th</sup> Street Extension and approve KSI to conduct the surveying work. Second by Commissioner Letcher, motion carried unanimously.

9:45 AM **Riley Black, Cabinet Peaks:** Present were Sheriff Darren Short, Veronica Bovee-Anderson, Michelle Byrd, Rebecca Nelson and Ray Stout.

*Riley Black read the following letter to the commissioners and submitted the Proclamation for approval:*



September 14, 2022

Good Morning,

I am grateful to be offered the opportunity to speak to you, the representatives of Lincoln County Commission on the critical issue of mental health.

My name is Riley Black and I am the Program Director of Geriatric Psychiatry at Cabinet Peaks Medical Center, a career nurse in your communities, and a fellow born and raised citizen of Lincoln County.

It is no secret that mental health in rural communities is in a crisis. I could speak on the numbers and statistics all day long. But we have all heard these numbers; we have seen the metrics and data, and now we are seeing the real traumatic effects ripple through community as evidenced by recent, and past, tragic loss of life to suicide in our youth, adults, and seniors.

Although I am the geriatric representative from your hospital, mental health affects all ages and races, genders and religions, and of course all socioeconomic statuses. Essentially, this is an "everyone" crisis.

The answers and solutions to this overwhelming concern is not an overnight fix and will take years to see results. I do not come to you with the answer, I cannot provide the cure. I can offer however my energy, my time, and my compassion towards awareness of the problem.

I ask of you, the Lincoln County Commission, to join in these efforts of awareness to be loudly exclaimed from our local governance.

I ask, that the entire Month of September, 1-30, be designated County wide, in addition to federal designation, as officially "Suicide Awareness Month". With this proclamation I also ask that the Official Suicide Awareness flag as shown in your handout, be the 3<sup>rd</sup> officially flown flag at all businesses, government agencies, and schools for the month of September; 3<sup>rd</sup> to our national and state flags. The flying of this flag represents a signal of hope and a beacon to all who suffer with suicidal thoughts that they are not alone.

Overcoming mental health stigma takes decades and generations. But if our local leaders are courageous enough to boldly proclaim mental health as a priority, perhaps the next victim of suicide can instead be a survivor.

Enclosed in your handout is a proclamation of this designation for your consideration. Your signatures will move the effort forward to save lives in the global mental health crisis.

Thank you

Riley Black, BSN, RN

Program Director  
Senior Life Solutions  
Cabinet Peaks Medical Center

# PROCLAMATION



September 14, 2022

**WHEREAS;** September is recognized as Suicide Prevention Awareness Month, a time when the people around Lincoln County join their voices to raise awareness of suicide prevention, treatment, and recovery; and

**WHEREAS;** this is a time that is dedicated to bringing visibility to the role everyone in the community can play in preventing suicide and to encourage all community members to know the signs, find the words, and reach out to someone they are concerned about; and

**WHEREAS;** Lincoln County Commission publicly places its full support behind those who work in the fields of mental health, education, and law enforcement; and

**WHEREAS;** we encourage all residents to take the time to understand the importance of mental health education and recognize that taking care of ourselves and others includes taking care of mental health,

**NOW, THEREFORE,** be it resolved that we the representatives of Lincoln County Commission, Brent Teske, Jerry Bennett, and Josh Letcher do hereby proclaim the month of September in perpetuity, as Suicide Prevention Awareness Month in the entirety of Lincoln County. The official flag of teal and purple to be flown 3<sup>rd</sup>, only to our National and State flag, at all businesses, government property, and schools for the month of September.

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Jerry Bennett,

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Josh Letcher,

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Brent Teske

**Motion** by Commissioner Teske to approve Proclamation designating the month of September as Suicide Prevention Awareness Month into perpetuity and the official flag of teal and purple to be flown 3<sup>rd</sup>, only to our National and State flag at all businesses, government property and schools for the month of September. Second by Commissioner Letcher, motion carried unanimously. The commissioners will adjust the Proclamation onto county letterhead.

10:00 AM **Health Department:** Present were Kathi Hooper, Jennifer McCully, Bryan Alkire, Jesse Haag, Riley Black, Veronica Bovee-Anderson, Ron Goodman, Amy Fantozzi, Maggie Anderson, Ray Stout, Rebecca Nelson, and Tom Lane.

**Mobile Resource Van:** Van arrived, schedule driving training for staff, looking at finding a permanent parking place. Looking into ideas from other counties, as a book mobile and other ways to utilize the van for community outreach.

## **Environmental Health:**

- Air Quality- Alert, air quality is currently unhealthy.
- Accela Update- behind schedule for programming-ongoing, migrating historical records.

## **Solid Waste & Recycling:**

- Personnel- operator going out in October, requesting to keep a seasonal through October. Kathi will follow up with Dallas Bowe.
- Recycle trailers- moved Libby trailer from city hall to across from Bowen Hill. Moving Eureka trailer and will use the arch to direct people to the landfill.
- Expansion Update- looking for a driller, concerns staying on schedule since there are deadlines using ARPA funds. Great West has reached out to drillers in nearby states.
- Air curtain burner- arriving next week.

## **Public Health:**

- Personnel- Kathi will be attending FEMA training next week. Have not found a part-time employee at Happy's Inn to open and close fences.
- Tobacco Contract Update- Jennifer explained an employee has left and she would like to move forward filling the position with Sarah Long and adjust Sarah to half time DIS and half time Tobacco Prevention. Requesting to hire a 90-day temp. through December and when the new task order comes in, will review, until funding notification has been received. Jennifer submitted the agreement for the Montana Tobacco Use Prevention Program (MTUPP) that services residents of Lincoln County. Jennifer commented there are no changes except an increase in funding. **Motion** by Commissioner Teske to approve MTUPP Agreement as submitted. Second by Commissioner Letcher, motion carried unanimously.
- MCH Task Orders- Jennifer submitted a Task Order that covers July 2019 to June 2026 Maternal and Child Health Block Grant Program. Program supports maternal and child health services for all residents of Lincoln County. **Motion** by Commissioner Teske to approve the Task Order for MCH Block Grant Program as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Teen Mental Health- Jennifer talked about the Teen Mental Health First Aid Program to support teen mental health in Lincoln County. Jennifer noted there have been 3 teen suicide attempts in the last 6 weeks in Lincoln County.

The program trains adults and kids how to recognize signs of suicide and how/what to do to help. Jennifer said kids talk to kids, and this is an area we are lacking. Jennifer noted the program is for suicide prevention training for up to 16 people, adult and youth.

Ron Goodman commented that adding curriculum in schools is difficult, the board has to approve. Ron expressed concern on the rate of suicide across the country, indicating we need to make some changes and start looking at something proactive; this program is worth looking at.

Amy commented that kids want knowledge on how to recognize signs and are seeking education to have the confidence to help other kids; kids talk to kids.

Maggie commented the leadership of the county to move forward would be recognized by the kids and adults.

Commissioner Letcher commented that kids helping kids is great but expressed the importance to teach kids not to only sympathize but to create leaders out of kids. Commissioner Letcher talked about the lack of parent involvement in their kids' lives.

Commissioner Bennett expressed that we are talking about community. The more we can develop community, the better. Commissioner Bennett said he would like to see who wants to be involved and sooner rather than later and asked for an update with more information.

Jennifer said she will come back with updated information on partners and funding resources.

**10:30 AM Administrative Issues/Old Business:** Present were Veronica Bovee-Anderson, Rebecca Nelson, and Ray Stout.

- Robin submitted the minutes for September 7, 2022 regular meeting for approval. **Motion** by Commissioner Letcher to approve minutes as submitted. Second by Commissioner Teske, motion carried unanimously.
- The board discussed rewriting or updating the loan agreement with the Tobacco Valley Rodeo Association.

**10:45 AM Public Comment Time:** Present were Veronica Bovee-Anderson, Ray Stout and Rebecca Nelson. There were no public comments.

**12:00 PM Break**

**1:30 PM Public Hearing, Happy's RV Park Subdivision Review:** Present were County Planner Jesse Haag, and Planning Consultant Kristin Smith, Sheriff Darren Short, Chris Cole, Casey Cole, Marc Lechti, Wendy Parks, Tom Parks, Gary Isaacson, Barbara Parks, Cody Parks, Ron Darrow, Chloe Cole, Cash Cole, Rhowenna Sieler, Frank Kuzmic, Roger and Teri Andersson, Nick and Judy Kenyon, Guy and Deanna Uithof, Karen Wickersham, John Wickersham, Brandie Ehlenfeldt, Carter Huggins, Russ Geldrich, Benjamin Ogden, Scott Benson, Beth Grode, Jennifer Nelson, Pierson Dean, Michael A. Munro, Doris L. Munro, Dennis J. Parsons, Debra J. Parsons, Joe Kelly, Gary R. Edwards, Dan Kolesar, Nancy Soule-Kolesar, Maxine M. Kelly, Victoria Shahan, Al Davis, James Watkins, Patti Wardensky, Ken Withee, Harry Peluso, Sharon Hannah, Bill Hannah, Karen Huggins, Kyle Huggins, Brad Holding, Joanna Holding Danner, Joel Nelson, Michael Roediger, Tamra Hanley, Alek Croucher, Barb Davis, Barbara Shaver, Stephen Grode, Lillian Klint, Donald Klint, Debbie McFate, Joan Herchel, Charles Herchel, Sandy Darrow, Ron Darrow, Alan Bryson, Bonnie Bryson, Elizabeth Moe, Kenny Rayome Jr., Scott Shindledecker, Bob and Paula Sandman, Cindy Pearson, Timothy Stroh, Brad Holding, Fulgham, Margaret Strainer, Michelle Byrd, Mark Knudson, Mary Beth Nelson and Ray Stout.

Commissioner Bennett opened the public hearing with the following comments: The commissioners have received approximately 60+ email comments and we have read them. We have already had one public hearing and we don't have time to give everyone 2-3 minutes. If you sent an email, we have read that, if you have not sent an email, you may take a few minutes to speak. Step forward and state whether you are for or against. Everyone who has not submitted a comment will have opportunity to speak.

***Public Comments are not verbatim. All email or submitted written comments can be attained in their entirety from the Clerk and Recorder's Office.***

Mark Lechti with APEC Engineering commented about submitting required documents and noting this is the 3<sup>rd</sup> public hearing. At this time, water/sewer analysis has not been completed but will go to DEQ and DNRC for review. Must design the system to meet requirements. Safety factors and safety zone are implemented in the process. The RV Park is a 20-acre parcel, a much lesser impact with an RV Park that is only seasonal.

Gary Isaacson, President of Homeowners Association at Crystal Lake commented that the Homeowners Association represents approximately 200 residents. Motion was passed by the Association not to appeal commissioners decision whether positive or negative. It is up to DEQ, DNRC and Planning to make these decisions.

Mike Munroe commented that he has done several developments in the area himself and he is satisfied with County Planning and DEQ's processes. The development is not trying to cause division; there are better standards today than 40 years ago, for RV Parks. It is better to see a 20-acre footprint than 60 to 70 new homes. FRVFS is more than capable of giving good fire protection. For the development.

Scott Benson said he is for the RV Park because of the promotion of community. The RV Park will promote growth in the area. Fun neighborhood and good community.

Kirk Kraft commented that he is the Volunteer Fire Chief for FRVFSA. Been out there for a long time. We view this like any other subdivision. FRVFSA operates a fire service and ambulance service. The fire service expressed concerns about egress and ingress and made a recommendation to add a driveway and that has been done and a recommendation for a reduced speed limit and that is being looked at. The fire service feels they are capable to serve this development.

Joe Kelly, Director of Chain of Lakes commented that he is for the RV Park because there have been multiple subdivisions put in without any issues and no public comments. We have not lost our water in all the prior developments.

Russ Gelridge said his biggest concern is that he has received calls to go to Crystal Lake on numerous occasions for sewage backups. Russ said he is a licensed septic installer, and the subdivision will meet all the criteria to not degrade the water, for the development.

Kyle Huggins commented he is for the RV Park and is happy that there will be a place that he can book sites for family members that come visit.

Rhowenna Sieler commented she is for the RV Park. It will be a regulated place for family and friends, a controlled environment that is going to be great for everybody.

Terry Anderson expressed concerns that he has watched the lake go down, safety is an issue, more traffic and more garbage. Terry talked about a fire that took the fire department 40 minutes to get to. Terry noted that Crystal is a very small lake compared to Thompson.

Jennifer Nelson discussed Lincoln County's Growth Policy that was adopted in 2019. One key finding is a regulation in land use issues, minimizing RV Park impacts. These are legal documents, failure to review those documents is violation of MCA and county subdivision regulations. Ask that commissioners send this back to the planning board to review both the Growth Policy and Neighborhood Plan. Jennifer said she opposes the RV Park

John Wickersham expressed concerns regarding ground water. With new residents, resources, especially water, needs further study for the continued health of the Chain of Lakes that may not survive.

Julie Helbach commented they do not have control of the ground water. There is a disconnect that needs to be resolved. Request a waiver from the state, incumbent on the county to be driving a wholistic plan. Julie noted that the MCA's for a 15-day requirement to notice property owners may have not been met for prior subdivisions.

Commissioner Bennett commented about the reasons we are back today having another public hearing is that we found there was a deficiency in the process, so the commissioners do rectify mistakes.

Kristin commented that the planning board does not hold public hearings, they are advisory to the commissioners. Letters are sent to homeowners to invite to planning board meetings.

Commissioner Bennett clarified this is a process, but that water and sewer are out of the purview of commissioners; it is a state issue.

Tony Petrusha commented that he is guilty of not wanting change and development, but change is inevitable. Tony said he is on the fence with the RV Park as the concern seems to be water.

Ron Darrow said his property is adjacent to the RV Park and expressed concern about how the park is supposed to be a seasonal park yet he hears talk of renting spaces which is good for Happy's Inn, not only seasonal, but also through the winter. It's been a dry year, concerned with fires in that area. Congestion is a big deal. Would like to see something smaller which might be better for us.

Kenny Rayome Jr. Vice Chair of the Planning Board expressed misconceptions of the planning boards legal roles and responsibilities. Kenny read from the growth policy, saying the growth policy does fit with the RV Park and promoting safe, high quality recreational areas is part of our responsibilities. Kenny read MCA 76-1-605(2) Use of Adopted Growth Policy.

Brad Holding said he appreciates what Happy's Inn is trying to do, but his concern is water, fire, basic infrastructure. Hope FWP has made comment since they are the biggest landowner along the lake.

Casey Cole, owner of Happy's Inn, provided documentation from Camela Carstarphen (geologist) who has done studies of 17 wells in the area. Casey provided website information with all the well information, but basically, in all the ground water studies, all 17 wells either have stayed or increased.

Stephen Grode expressed concern regarding density, water level, and increased ATV use south of Crystal Lake. Concern of gun fire in the area, heavy boat traffic, and day use on Turtle Cove. Stephen pointed out that you cannot use last year's numbers for this year's regarding water but must be over a period of many years.

Karen Wickersham commented that she is deeply connected to Libby and feels the RV Park has brought out the ugly part of Libby. Development is happening all over the state. Appreciates Happy's Inn, we are there every Friday. Karen expressed she has been rudely harassed and vandalism has occurred due to this issue. It's not political or personal. We

all share a value of caring for this place for future generations. Are there unmitigated water issues or other impacts or not? Karen said her opposition is based on the engineering plans.

James Watkins, Missoula, has a family cabin on Crystal Lake and expressed concerns about quality of life. Lakes are precious resources and we need to take time to know how this subdivision will impact, groundwater and other infrastructure. Take the time to do this right, or not at all. If there are any questions about any impacts, the project should not move forward.

Mark Knudsen said he has been a part of the community for many years. Concern less to do with the park, but all the other developments. Need to address safe access to that part of the lake is important. Wish FWP would comment. We need a place that is safe and sanitary.

Commissioner Bennett said he has talked with Dave Landstrom, and most of the concerns are all being addressed and worked on.

Chris Cole, owner of Happy's Inn stated there is no snow plowing plan. There is no way it's not going to be seasonal and expressed that ¼ acre per lot is huge for RV lots.

George Mercer commented that appropriate channels are in place and he is in favor of the project. Commissioners should move forward and let the DEQ work their process. George provided comparable water usage statistics indicating low usage by the park.

There were no further public comments.

Commissioner Bennett concluded public comment. We have until the 20<sup>th</sup> to make a decision but would like the opportunity to have one more week to look at all the information. Requesting a one-day extension and have decision placed on next Wednesday's agenda.

Kris Cole said whatever the commissioners need, he has no problem with an extension.

Commissioner Bennett said he would like to conclude with a basic civics lesson, having served in the legislature. The reason people came on a boat to this country is our founding fathers came from countries that only the Kings and Nobles could own property. So establishing the opportunity to own property is foundational to who we are. The rub comes when you have active private property use and quiet private property use. We can so regulate property use, that we still have our name on the title, but we have no rights to use it as we desire. This is a process, so we can find that balance. The Commissioners appreciates everyone being here today and providing comments. We will make a decision next Wednesday.

**2:15 PM Fish Subdivision, Preliminary Plat Review:** Present were County Planner Jesse Haag, Planning Consultant Kristin Smith, and

Fish Subdivision is located on Pinkham Creek Road, Eureka. Proposal is 2 residential lots. There is an existing home on Lot 1 and Lot 2 is being created for a single-family residence. Planning Staff recommendation is to grant preliminary approval subject to conditions and based on the findings in the staff report. **Motion** by Commissioner Letcher to approve preliminary plat to Fish Subdivision, subject to 7 conditions and based on planning staff recommendation. Second by Commissioner Teske, motion carried unanimously.

**2:30 PM Adjourned**

## **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Jerry Bennett, Chairman

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