

**August 9, 2023**

The Lincoln County Board of Commissioners met for a regular session on August 9, 2023, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, and Commissioner Hammons.

Meeting allows for teleconferencing and VisionNet availability. Present online were Rebecca Nelson Reporter-Tobacco Valley News, Ray Stout Reporter-Kootenai Valley Record, Bryan Alkire, Darren Short, Myles Hickman, Jesse Haag and Elizabeth Bowden.

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

09:45 AM **Preliminary Plat Extension Request-Indian Springs Ranch Phase 3, RV Park:** Present were Jesse Haag, Rachele Reynolds, and Veronica Bovee-Anderson.

Director of Planning Jesse Haag presented a request on behalf of the owners of Indian Springs Development to extend the preliminary plat for Phase 3 of their RV Park project by one year. **Motion** by Commissioner Teske to approve the one-year extension to the preliminary plat for the Indian Springs Ranch Phase 3 RV Park. Second by Commissioner Hammons. No public comment. Motion carried.

10:00 **Health Department:** Present were Kathi Hooper, Jennifer McCully, Justin Webb, Veronica Bovee-Anderson, Rachele Reynolds and Scott Shindledecker Reporter-Western News.

- Jennifer McCully Public Health advised they have tested a number of bats for rabies with one positive and have disseminated information to the public about rabies. Jennifer stated already this fiscal year the car seat program has distributed 8 car seats, provided 2 loaner car seats and conducted 6 installation checks. Jennifer displayed emergency preparedness kits that are being used to educate the public about how to be prepared in case of emergencies. Jennifer discussed applying for funding related to Montana childhood lead poisoning prevention and local partnership project FTE grant which would supply tools to for lead surveillance and related services and is seeking endorsement by the governing body. **Motion** by Commissioner Teske to endorse the lead poisoning prevention grant. Second by Commissioner Hammons. No comments. Motion carried.
- Justin Webb Environmental Health gave a quick and positive update for redesignation stating the EPA gave a final ruling for the PM2.5 redesignation as of August 23<sup>rd</sup>. Attainment for air quality.  
\*Federal Register/Vol. 88, No. 140 / Monday July 24, 2023 / Rules and Regulations
- Kathi provided the following shelter update: 254 animals entered shelter (127 dogs, 127 cats). 72 dogs were reclaimed with 114 in Libby and 140 in Eureka. Kathi stated the Tobacco Valley Shelter is contracted to run the Libby Shelter through 2025 and is responsible for maintenance.
- Kathi advised they received 12 applications for remote site attendant positions: 9 in Libby and 3 in Troy. Kathi stated Interviews are being scheduled and the position in Troy will allow the Troy Transfer Site to be open 6 days a week as are Eureka and Libby. The Eureka job posting was delayed internally and will be put out today. Kathi mentioned signs are in place advising the Pinkham Creek site will close August 15<sup>th</sup> and cameras are being readied for site monitoring. Kathi stated she received an amendment to the Special Use Permit approval from the Forest Service at the Libby Creek site allowing for an attendant shack with port-a-potty and has a work order from Flathead Electric. Kathi continues enforcement efforts by following up on feedback received throughout the county. Kathi advised video surveillance signs are being posted at all the sites in visible locations. Kathi noted they are using cell service for cameras, which costs \$50/month and are working great.
- Kathi advised they have identified a Geotech to do soils work at the Eureka Transfer Site, the first step in upgrading to 6 roll-off containers allowing better traffic flow and the Libby site engineering plans can be used with a \$2,500 review charge.
- Kathi provided the Libby Landfill expansion plan; the submittal will go to DEQ in September for review. Kathi advised if licensing is approved the construction can go out for bid, using mostly ARPA funds.

10:30 AM **Administrative Issues/Old Business: Approve Minutes. City, Sheriff, County Memorandum Agreement.** Present were Kathi Hooper, Veronica Bovee-Anderson, Rachele Reynolds, and Scott Shindledecker Reporter-Western News.

- Minutes of August 2, 2023, regular meeting for approval. **Motion** by Commissioner Hammons to approve August 2, 2023, minutes. Second by Commissioner Teske. Commissioner Letcher clarified the public comment period for Motorized-Over-the-Snow Use; the Forest Service confirmed the deadline for comments is August 21<sup>st</sup> and encouraged citizens to look at the proposal as it limits snowmobiling to about half the forest service properties. No public comments. Motion carried.
- Extension of original Memorandum of Agreement between City of Libby, Lincoln County Sheriff's Office, and Lincoln County through June 30<sup>th</sup>, 2024, with an option to opt out prior to that. **Motion** by Commissioner Teske to approve the agreement. Second by Commissioner Hammons. Commissioner Teske advised the City of Libby, Sheriff's Office and Police Chief have already signed this agreement. Commissioner Letcher elaborated the Sheriff's Office is helping the City of Libby with staffing. Commissioner Teske responded to Rachele that the City of Libby has a curfew ordinance, and the County does not. No further comment. Motion carried.
- Commissioner Teske advised Jennifer Nelson the County Forester provided the county portion of burn permit program which was set up to be paid partly from Health Department and part by county funding. Commissioner Teske stated he had reviewed old minutes and found an agreement dated March 3<sup>rd</sup>, 2021, agreeing to pay this but no language defining funding. Kathi remembered conversations and the Health Department agreed to pay for permits issued within their air quality control district but not a discussion on a funding source. Commissioner Teske advised this \$1,352.40 may be an annual claim. Kathi advised this is the first year the county has seen the \$3 per transaction claim. Commissioner Letcher suggested getting with Director of Finance Wendy Drake for advice on the best way to account for this reoccurring usage charge.

10:45 AM **Public Comment Time:** Present were Kathi Hooper, Veronica Bovee-Anderson, Rachelle Reynolds, and Scott Shindledecker Reporter-Western News.

Commissioner Teske advised Rachelle to check with the City of Libby and FWP regarding turkey population control in Libby. Elizabeth questioned the Pinkham site closure. Kathi advise the Pinkham site is scheduled to close August 15<sup>th</sup> and will have cameras on site prior to closure to ensure enforcement of illegal dumping. Kathi stated the Pinkham site green boxes will be moved to Fortine and the fence will be used at the Libby Landfill. Dallas Bowe Director of HR stated as a government agency we have different rules and regulations where anything over 24,000 GVW in the state requires CDL to operate on or off public or private property. Kathi advised they are hiring one roving attendant for the Eureka area, traveling between all the sites and the fixed attendant is at the Eureka Transfer Site. Kathi confirmed 4 total employees, 2 Operators with CDL's, one Rover and one Transfer Site Attendant. Kathi stated the Eureka Transfer Site hours will remain the same at this time. Dallas advised the Deputy County Attorney, Site Attendants, Libby Road Operator positions are open. Commissioner Letcher read an on-line comment; not changing the hours of the Eureka Landfill will create a problem for people who currently drop off their trash on Sunday. Commissioner Teske clarified the Commissioners hold six-year terms with one seat rotating every two years.

11:00 AM **Public Hearing Refuse Fee Increase:** Present were Kathi Hooper, Veronica Bovee-Anderson, Rachelle Reynolds, Tom Lane and Scott Shindledecker Reporter-Western News.

Commissioner Letcher read Resolution 2023-20 Resolution of Intent to Increase the Refuse Assessment Fee: from the current rate of \$135 to a new rate of \$150 per year. Commissioner Teske added the last rate increase was in 2008. Commissioner Letcher read an on-line comment from Myles; I don't mind paying for services that we receive. Is this enough to solve the current problem now and in the future? Kathi advised this is enough to cover the cost of having three roving site attendants and improving the services at the green box sites. Kathi stated she would not say this will keep up with inflation but will allow for a balanced budget now. Commissioner Letcher commented that an increase in houses and associated refuse fees has not kept up with the rate of inflation. Commissioner Teske affirmed the refuse fee is paid by property owners as a tax assessment. Kathi advised with the increased volume of solid waste coming into the Libby Landfill the life expectancy of the landfill is shorter. Kathi stated they plan for a 1.5% annual increase, yet we are seeing far excess of that affecting the life expectancy of the landfill which is now closer to five years and leaving a huge expense in expanding landfill. Kathi said population growth brings more revenue but also more expenses, sooner than planned. Kathi responded the life expectancy of the landfill expansion being done right now is about 30 years. Tom advised overall if the refuse fee increase keeps services going, he is willing to pay it. Commissioner Letcher closed the public meeting at noon.

**Note:** Resolutions are available on the county website: [lincolncountymt.us](http://lincolncountymt.us).

12:00 PM **Adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Josh Letcher, Chairman

**ATTEST:** \_\_\_\_\_  
Corrina Brown, Clerk of the Board