

**December 6, 2023**

The Lincoln County Board of Commissioners met for a regular session on December 6, 2023, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, Commissioner Hammons, and Lincoln County Administrative Assistant Jennifer Brown.

Meeting allows for Zoom appearances. Present online were Scott Schindeldecker, Bruce Phillips, Michelle Byrd, Ray Stout, Melanie Howell, and Jennifer McCully.

Chairman of the Board, Commissioner Letcher, opened up with the **Pledge of Allegiance and Prayer**.

**10:30 AM Administrative Issues/Old Business: Approve Minutes. School Equalization Mill Levy Discussion. Appoint Commissioner to Board of Health. TVID Board Membership Count Change:** Present were Veronica Bovee-Anderson, Darwin Pluid, Kathi Hooper, Suzy Rios and DC Fitzpatrick.

- Minutes of November 29, 2023, regular meeting for approval: **Motion** to approve the November 29, 2023, minutes by Commissioner Hammons, second by Commissioner Teske, with no further discussion or comment the Motion is carried.
- Previously, Lincoln County had levied 77.9 mills as it was sufficient to meet the State's obligations. The Supreme Court subsequently determined the State has the ability to bank mills and is asking counties to levy the full 95 mills. Lincoln County may be attaching the remainder of the mills due to the second half payment. Currently there is a letter from MACo to the governor asking to waive the difference between the 95 mills and the 77.9 mills. The county is waiting for a response from the governor to MACo's letter before making the determination to levy the remaining mills. Suzy Rios, Superintendent of Schools, states she will update the state with this information and mentions the extra mills have no effect on the schools.
- Commissioner Teske explains Commissioner Letcher's appointment to the Lincoln County Board of Health expires in November 2023 and moves to reappoint Commissioner Letcher to the board of health for another term. There is no public comment or further discussion, and the motion is seconded by Commissioner Hammons. Motion is carried.
- Commissioner Teske explains the TVID Board bylaws state there is a minimum of 5 members needed. The board has not been able to have a quorum with this minimum and would like to change the minimum membership from 5 to 7 to 3 to 7. With no public comment Commissioner Teske **motions** to adopt the change, seconded by Commissioner Hammons. The motion is carried.

**10:45 AM Public Comment Time:** Jim Driscoll of Cedar Creek Integrated Health was present. Mr. Driscoll states Cedar Creek Integrated Health is a recipient of the Alcohol and Tobacco Tax and would like to update the commissioners on the work being done in Libby. Cedar Creek averages 72 clients has recently hired a LAC and is looking at expanding into Eureka. Mr. Driscoll will schedule a time to be on the agenda to introduce the staff and give an update on the services provided.

**11:00 AM AJ Estates Amended Plat:** Present were Darwin Pluid, DC Fitzpatrick, Jesse Haag, and Bruce Phillips. Director of Planning, Jesse Haag, reviews the request for an amendment allowing the use of airplane hangars and aircraft taxiways on lots 7 through 11 AJ Estates. The matter went for public comment and the department received 2 written comments, none of which offered any new information. The fire department has requested the lot owners to keep taxiway and access road clear all year round in the event of a structure fire. The planning department recommends approving the amendment including the recommendation of the fire department. Commissioner Teske **motions** to approve the amendment to AJ Estates including the recommendation of the fire department, seconded by Commissioner Hammons. Bruce Phillips questioned why only one recommendation regarding clear access was incorporated into the amendment and why there is no required fencing to protect people and animals. Commissioner Teske states these are private lots and fencing requirements are not implemented by the county. Mr. Phillips also inquires if the original request of the lot owners included a plan or did the planning department initiate it. Jesse Haag states he only reviews proposals and makes recommendations based on the review. Mr. Phillips questions how much the lot owners 7 through 11 pay for the through the fence agreement as he believes it is the same as the other lot owners. It is stated the fee is regulated through airport board and is reviewed on a regular basis. After comments and discussion on the matter, Commissioner Teske's motion is seconded by Commissioner Hammons, with all in favor, the motion is carried. Jesse Haag will file an official notice of the amendment.

**11:30 AM Oxytocin MOU:** Present were Vanessa Williamson, Pam Liccardi, Maggie Anderson, Shelly Liccardi, Deb Burrell, Jay Sheffield, and Kathy Hooper. Probation Officer, Vanessa Williamson, explains Lincoln County is lacking services for defendants required by MCA or in sentences. Pam Liccardi states Oxytocin is interested in starting satellite services in Libby and would be asking for 100% of the Alcohol and Tobacco Tax. Ms. Liccardi states Oxytocin currently receives 100% of Flathead County's Alcohol and Tobacco tax dollars and updates Flathead with quarterly reports. If given the opportunity to provide satellite services to Lincoln County, the tax dollars would be used to employ 3 out of county clinicians in hopes of doing a handoff to Lincoln County clinicians once established. Oxytocin would advocate for prevention in schools and provide Prime for Life programs. At the recommendation of the county attorney, Commissioner Teske would like to add a termination and insurance clause to the agreement and use of property provisions. Commissioner Letcher asks Ms. Liccardi to provide a copy of the agreement between Oxytocin and Flathead County. Maggie Anderson questions about prevention services by Oxytocin and recommends that a percentage of the tax dollars be set aside for prevention. Commissioner Letcher states the mentioned changes will be incorporated into the agreement and he will review the Flathead agreement.

11:45 AM **Action on Feasibility Study:** Present were Vanessa Williamson and Kathi Hooper. Three public comments were received regarding the feasibility study, 2 negative and 1 positive. There is now a final copy of the feasibility document therefore, Commissioner Teske would like to move forward with a letter of intent. He proposes establishing a committee made up of the public and county employees, to address issues. **Motion** by Commissioner Teske to accept the feasibility study as the final analysis, seconded by Commissioner Hammons, without further comment the motion is carried.

1:30 PM **Mountain View Preliminary Subdivision Review:** Present were Jesse Haag and Kristin Smith of the Lincoln County Planning Department. Kristin Smith states Mountain View is a 3-lot subdivision with no major issues. The planning department recommends approval of Mountain View Subdivision with 12 conditions listed in the subdivision report. Based on the findings and the staff report, Commissioner Hammons **motions** to approve the Mountain View Subdivision with the 12 conditions, seconded by Commissioner Teske, and without further comment, the motion carries.

1:45 PM **Introduction of Melody Wunderlin, DEQ Project Manager Libby Asbestos and Groundwater.** Present were Jason Rappe, Kevin Stone and Melody Wunderlin. Jason Rappe introduces Meldoy Wunderlin who will be taking his place at the DEQ. She was previously with MDT. Mr. Rappe will be transferring to EPA.

2:00 **Adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Josh Letcher, Chairman

**ATTEST:** \_\_\_\_\_  
Jennifer Brown, Administrative Assistant