

August 24, 2022

The Lincoln County Board of Commissioners met for a regular session on August 24, 2022 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, Commissioner Bennett, County Administrator Jim Hammons and Clerk & Recorder Robin Benson.

Meeting allows for teleconferencing and VisionNet availability.

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

10:15 AM Planning / Happy's RV Park Subdivision Decision: Present were County Planner Jesse Haag, Planning Consultant Kristin Smith, Casey Cole, Kris Cole, Wendy Parks, Tom Parks, Scott Shindledecker, Tamara Tanberg, Jennifer Nelson, John Wickeisha, Bill Corbett, Karen Wickershaw, Rebecca Nelson, Mary Beth Nelson, Kenny Rayome Jr., Solomon Alcaín, Julie Helbach, Aly Mittelsteadt, and Ray Stout.

Commissioner Bennett said there is new information and has asked for that in writing, and we will look at this before getting started with today's meeting. Commissioner Bennett noted the county has until the 20th to make a decision and expressed it is the desire of the county to be fair; the public process has been acknowledged and we can open it up to another public hearing if needed. We will review the new information and determine if we need to act on it.

There is a claim that an adjacent property owner was not notified per MCA 76-3-605. Commissioner Bennett expressed that we should look at this and ensure that the process is corrected so there are no issues moving forward with a new public hearing.

Kristin commented that certified letters were sent to the property owners, but possibly one was missed. It is a procedural error and that can be corrected and we can post another public hearing.

Motion by Commissioner Teske to postpone decision for review of claim and ensure all of the property owners have been notified per MCA, and any procedural errors have been corrected. Second by Commissioner Letcher, motion carried unanimously.

Bill Corbett expressed concerns regarding the lake and access across his property. Commissioner Bennett asked Bill to submit his comments in writing.

10:30 AM Administrative Issues/Old Business / FRVFSA Vacancy: Present were Jim Watkins, Rebecca Nelson, Ray Stout, Kenny Rayome Jr., Veronica Bovee-Anderson, Scott Shindledecker, and Solomon Alcaín.

- Robin submitted the minutes for August 17, 2022 regular meeting and August 18, 2022 budget meeting for approval. **Motion** by Commissioner Letcher to approve minutes as submitted. Second by Commissioner Teske, motion carried unanimously.
- Robin said she received a resignation from a Fisher River Valley Fire Service Area (FRVFSA) board member and was requested to advertise for the vacancy. One application was received from Gary Edwards. Robin commented that she did receive a recommendation from the FRVFSA Board to appoint Gary to fill the unexpired term through June 2023. **Motion** by Commissioner Teske to appoint Gary Edwards to fill the unexpired term through June 2023 on the FRVFSA Board as recommended. Second by Commissioner Letcher, motion carried unanimously.
- Resolution 2022-21, A Resolution Requesting Authority for Distribution of County Minimum Allocation Grants for Water and Sewer Infrastructure Projects. By this resolution, Lincoln County requests the DNRC allow, through its developed application and distribution processes, City of Troy \$180,000 of its share of the allocated Minimum Allocation funds for the installation of 1,036 ft. of 10 PVC water main. Also installed with this project will be 1 fire hydrant and 4 new service connections. **Motion** by Commissioner Teske to approve Resolution 2022-21 as submitted. Second by Commissioner Letcher, motion carried unanimously.

10:45 AM Public Comment Time: Present were John Bursell, Sarah Tucker, Veronica Bovee-Anderson, Scott Shindledecker, Ray Stout, Rebecca Nelson, and Solomon Alcaín.

John talked about Rustic Avenue, and the possibility of getting a noise ordinance so when police come, there is something viable to help residents. As a neighborhood, we are looking for something to cap noise.

Commissioner Teske said he will meet with the sheriff for discussion; there is a public nuisance law and there may be something that covers this issue.

Sarah expressed fear of her neighbor, living alone with doors locked, and threats from neighbor. Commissioner Teske said he will visit with the sheriff about her complaints and encouraged her to continue reporting her complaints.

11:00 AM HB 473 Resolution: Present were Veronica Bovee-Anderson, Scott Shindledecker, Ray Stout, Rebecca Nelson, and Solomon Alcaín.

Resolution 2022-20, A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds. Lincoln County requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the Road District 1 of Lincoln County Montana McGinnis Meadows Road Project. **Motion** by Commissioner Teske to approve Resolution 2022-20 as submitted. Second by Commissioner Letcher, motion carried unanimously.

11:15 PM Adjourned

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett, Chairman

ATTEST: _____

Robin Benson, Clerk of the Board