

January 10, 2024

The Lincoln County Board of Commissioners met for a regular session on January 10, 2024, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Hammons, Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Meeting allows for Zoom participation. Present online were Rebecca Nelson, Diane, Michelle Byrd, Chanel Geer, Ray Stout, Melanie Howell, Colleen Rudio, Jen McCully, Sydney Blair, Kyle Waterman, Jerry Regh, Darren Short, Jordan Whinnem, Donna Martin, Pam Liccardi, Lois Marcias and Kari Auclair.

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

09:30 AM Commissioner Teske announced that Commissioner Letcher is absent. According to Resolution 2024-01, a temporary presiding officer needs to be selected. **Motion** by Commissioner Hammons that Commissioner Teske be the **presiding officer** for this meeting today in Commissioner Letcher's absence. Second by Commissioner Teske. No comments. Motion carried.

09:31 AM **Court Order Split – Mazariegos/Green and Lundeen Estate:** Present were Jesse Haag, Veronica Bovee-Anderson, Nicholas Mazariegos, Doug Allen and Ken Davis.

Jesse Haag Director of Planning summarized the request of petitioners Nicolas and Jaclyn Mazariegos and David and Susan Green. The planning department exemption review committee recommended denial, stating this petition is not deemed an appropriate use of this exemption. Commissioner Teske expressed concern regarding the desire for an expedited process as the court has a considerable backlog. **Motion** by Commissioner Teske to request the Planning Department draft a written comment to the court based on planning review and findings and present it to the commission prior to court submittal. Seconded by Commissioner Hammons. Doug Allen, Attorney, advised the statute requires the court to notify the County Commissioners, providing them the opportunity to submit written questions to the court for the January 25th hearing. Doug stated the statute specifies a court-ordered division, not a commissioner decision on the division. Nick advised that he, along with the Greens, had initially planned to develop this piece of land. However, due to health issues, there is now a medical and financial necessity to divide it. They believe using the court method of division will grant them control over the resulting ownership. No further comment. Motion carried.

Jesse summarized the court-ordered split request for the estate of Donald R. Lundeen, advising the review committee saw no attempt to evade provisions of MCA 76-3 and found this request to be consistent with the use of the court-ordered split. **Motion** by Commissioner Hammons to support the request for a court-ordered split of the estate of Donald R. Lundeen, subject to comment. Second by Commissioner Teske. No further comment. Motion carried.

*Planning documents can be found at <https://lincolncountymt.us/planning-homepage/>

10:00 AM **Health Department:** Present were Kathi Hooper, Dorey Rowland, Bryan Alkire, Jennifer McCully, Scott Shindledecker and Veronica Bovee-Anderson.

Kathi Hooper Health Department reported that the Board of Health met yesterday and voted to recommend Amy Fantozzi for the open county representative position on the board. In the environmental health update, there were a total of 285 septic permits issued in 2023, with 151 in Eureka, 82 in Libby, and 52 in Troy. Approximately 12% of the permits were for replacements. Three hundred licensed establishment inspections were conducted in 2023. The discussion included public concerns about junk vehicles, warning letters, fines and support from the sheriff's office. In the Solid Waste and Recycling update, the Libby Landfill expansion is pending approval from DEQ, which is running a month behind their deadlines. Bryan advised that logging has commenced. Kathi mentioned that the Eureka Landfill accepted a \$49,000 bid for concrete work, and construction may begin in February or March, depending on weather conditions. Bryan added that once the metal contract goes through, it can be crushed and moved out of the way, making room for excavation. Kathi provided a green box site update, noting that the Libby Creek site is open Friday through Monday. A camera is operational at the Happy's Inn site, and the Libby Creek site is awaiting Wi-Fi installation.

Jennifer McCully from Public Health provided an update on the opioid settlement committee. The committee's objective is to assess proven and successful programs in prevention and treatment for funding evaluations. The discussion covered not only county funding but also regional and statewide funding, along with considerations on how to promote and initiate activities. Jennifer mentioned that they have not yet received approval for regional funding and expressed a desire to meet with counterparts, hoping to see progress soon. She also presented the Community Health Improvement Plan for the years 2023-2026. Commissioner Teske suggested promoting access to resources for water testing, especially in known issue areas.

Dorey Rowland Collaboration Coordinator for Zero to Five advised of collaborating with various partners, agencies, and community members to make a positive impact in the lives of families with young children. She also provided a brochure highlighting various roles provided in Lincoln County.

10:30 AM **Administrative Issues/Old Business: Approve Minutes / Annual Safety Committee Report & Incentive Program Renewal / Trails Grant Letter / Engagement of Schwabe, Williamson & Wyatt:** Present were Veronica Bovee-Anderson and Scott Shindledecker.

- Review of regular meeting minutes for approval: **Motion** to approve the January 3, 2024, minutes by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.

- Annual Safety Committee Report and Incentive Program Renewal: Clerk and Recorder Corrina Brown presented a summary of the 2023 safety incentive program results, emphasizing the commendable efforts of department heads in maintaining participation. She highlighted that the program's effectiveness is enhanced by the periodic focus on specific monthly safety topics. Corrina advised the Safety Committee recommends the renewal of the Safety Incentive Program for 2024. **Motion** by Commissioner Hammons to renew the Safety Incentive Program for year 2024. Second by Commissioner Teske. Commissioner Teske advised this program has been extremely successful, leading to a significant reduction in insurance rates and even resulting in some returned cash dividends. No comments. Motion carried.
- Trails Grant Letter presented by Jennifer Brown, requesting approval to apply for a Trails Grant from the State of Montana to build trails at the Eureka Youth Sports Park. The grant amount is \$100,000 and will cover material costs. The county will need a 10% match, which will be covered by labor, machinery, and packing from the road department. **Motion** by Commissioner Hammons to move forward with the trails grant application for the Eureka Youth Sports Park. Second by Commissioner Teske. No comments. Motion carried.
- Commissioner Teske introduced the engagement of Schwabe, Williamson & Wyatt for the purpose of advice and recommendations on US Forest Service legal matters. He stated Attorney Lawson Fite has been used in the past and, due to changing agencies, a new letter of engagement is needed. **Motion** to approve the engagement of Schwab, Williamson & Wyatt by Commissioner Hammons. Second by Commissioner Teske. Discussion ensued regarding the need to spend money on this specialized field. Veronica inquired and was advised they are based out of Oregon. No further public comment. Motion carried.

10:45 AM **Public Comment Time:** Present were Veronica Bovee-Anderson, Scott Shindledecker, Nick Raines, Brad Levine and Tony Petrusha.

Nick Raines of W.R. Grace introduced Brad Levine, Assistant General Counsel for Environmental Remediation at Grace. Tony Petrusha requested Lincoln County continue maintaining Pipe Creek Road allowing public access to ski. Commissioner Teske advised that a Schedule A agreement with the Forest Service was renewed.

11:00 AM **Pioneer Park Pedal Track Review:** Present were Scott Shindledecker, Jennifer McCully and Tony Petrusha.

Tony Petrusha, representing both the Libby Park District and Libby Outdoor Recreation Association, advised that the LOR Foundation is interested in installing a pedal track in Pioneer Park. He described the project proposal and sought preliminary approval to move forward with funding and design, considering it is a county park. Commissioner Teske discussed the track being non-motorized, a dirt track that would utilize existing parking areas, with no need for additional lighting. There would be postings indicating hours of operation. Tony informed that the Libby Park District Board had approved this project. Commissioner Teske stated that they received an opinion from the County Attorney that designates it as a county park now. **Motion** by Commissioner Hammons to proceed with preliminary proposal of a pedal track in Pioneer Park. Second by Commissioner Teske. No further comment. Motion carried.

11:15 AM **Update from Montana Mental Health:** Present were Scott Shindledecker and Jennifer McCully. *on-line speakers

Colleen Rudio interim CEO Western Montana Mental Health gave a presentation on services and events throughout the state. The mission is to build thriving communities through compassionate, whole-person, expert care. The vision is to be a premier community provider, employer, and partner in comprehensive behavioral health service. Colleen also provided insights into property usage and locations. During the discussion, the meaning of Lincoln County being classified as a frontier community was explored, noting that the startup cost is almost \$80,000 per year to bring resources into Lincoln County. As a result, they are adopting a collaborative business approach.

Lois Macias spoke about the Certified Communal Behavioral Health Clinic, emphasizing the focus on behavioral health and grant details. Lois stated juvenile mental care programs are school based along with a little outpatient program.

Kari Auclair described the Montana Assertive Community Treatment (PACT/MACT) staff and operations. Kair advised they currently have capacity for 50 and are serving 42 clients in Lincoln County.

Sydney Blair advised of trying to enhance comprehensive services in an area. It's essential to support those currently providing services. Commissioner Teske appreciated the information regarding agencies available in our communities.

11:45 AM **Planning Fee Increase Proposal:** canceled

12:00 PM **Break**

01:30 PM **Cannon Family Transfer – Planning Department:** Present were Jesse Haag and Calen Williamson.

Jesse presented a request for Canon Family Transfer in a Pipe Creek subdivision. Planning recommended approval with nine conditions. **Motion** by Commissioner Hammons to approve Cannon Family Transfer per planning department recommendation with nine conditions. Second by Commissioner Teske. No comments. Motion carried.

01:41 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Presiding Officer

ATTEST: _____
Corrina Brown, Clerk of the Board