

January 24, 2024

The Lincoln County Board of Commissioners met for a regular session on January 24, 2024, in the Lincoln County Courthouse, 512 California Ave. Libby, Montana. Present were Commissioner Letcher, Commissioner Teske, Commissioner Hammons, Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Meeting allows for Zoom participation. Present online were Rebecca Nelson, Ray Stout, Scott Shindledecker, Michelle Byrd, Siri Larsen, Michelle Bianco, Judy Russell, Esther Brandt, Sharee Miller, Cara Orban, Adam Stephenson and Dustina Deans.

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

09:30 AM **Bighorn Estates Preliminary Plat**: Present were Jesse Haag and Veronica Bovee-Anderson.

Jesse Haag Planning Director presented the Bighorn Estates subdivision preliminary plat for consideration, recommending granting preliminary approval to the Bighorn Estates subdivision, as no new information has been identified following the public hearing held last week. **Motion** by Commissioner Teske to approve preliminary plat of Bighorn Estates subdivision subject to conditions and based on the findings on the staff report of twenty-four conditions. Second by Commissioner Hammons. No comments. Motion carried.

09:45 AM **Planning Fee Increase Proposal**: Present were Jesse Haag, Mike Bradeen and Veronica Bovee-Anderson.

Jesse outlined the planning fee structure, noting the rate increase implemented last year brought Lincoln County fees to an approximate average when compared to fees in similar counties across the state. He conducted research on county population to planning staff in 24 similar counties revealing an average ratio of about 5,500 to 1. He advised Lincoln County has a ratio of about 19,000 to 1. Jesse stated the timeframe for reviewing various projects is consistent. He added the state-mandated criteria for review includes assessing the impact of emergency services and providing solutions to mitigate the impact. Considering Title 7, Jesse suggested impact fees could be explored as a tool to address stated impacts associated with growth. He agreed to investigate how other counties have implemented impact fees. During the discussion, consideration was given to the preliminary plat extension, buildings for lease or rent and condition amendments, often requiring a non-standard review. Jesse advised there have been various related updates per Montana Code Annotated (MCA). Commissioner Teske suggested that as the legislation changes, the exemption review state as per fee noted in MCA. He added that even though they have not been specifically labeled impact fees, concerns have been mitigated during the planning reviews with features such as fire suppression and water tanks, however, today's market conditions may necessitate a reevaluation of this approach. Further discussion revolved around establishing a standard, such as acreage or the number of divisions requested, when considering any impact fee. Jesse committed to updating the proposal and presenting it for discussion next week.

10:00 AM **Weed Inspection for Large Acreage Discussion**: Present were Mike Bradeen, Jesse Haag and Veronica Bovee-Anderson.

Mike Bradeen Weed Department presented subdivision inspection prices advising he bills either a developer or surveyor.
Previous charges:

1. Minor subdivision 5 lots or less \$200.
2. Major subdivision 6 lots or more \$300 plus \$10 per lot after 6.

New prices:

1. Minor subdivision 5 lots or less \$300 under 20 acres.
2. Major subdivision 6 lots or more \$500 and \$10 per lot after 6, under 20 acres.
3. Anything above 20 acres charge extra \$2.50 per acre additional.

Mike advised this increase will help his overall budget- 2141. He mentioned that treatments are typically subcontracted to local contractors. **Motion** by Commissioner Teske to increase the weed inspection fees as proposed. Second by Commissioner Hammons. Jesse advised the acre fee makes sense especially considering the kinds of terrain now being developed. No comments. Motion carried.

10:15 AM **Weed Department Pay Grade Increase Discussion**: Present were Mike Bradeen, Sierra Gustin and Veronica Bovee-Anderson.

Mike provided information on Noxious Weed Department's pay grade increase request. Commissioner Teske mentioned Human Resources is unavailable and they need to compare the job descriptions with the proposed grade increase.

- Temps, grade level 5 need to be bumped to grade 6. Mike added these are 90-day temporary employees.
- Roadside spray six month, pay grade 6 bumped to grade 7.
- RSW and Tansy Ragwort Coordinator, pay grade 7 bumped to grade 8

Mike has a GIS/mapping staff member and two 90-day temporary employees. He advised all his employees are compensated from a Rush Skelton weed grant, which has a January due date, and he has already incorporated this pay upgrade. His roadside and other temporary employee are both funded by the 2141 grant or contract money. Mike expressed concerns regarding potential retirements and the challenge of attracting new employees given the pay scale. Commissioner Teske suggested that, to justify this increase, a thorough review of the job descriptions with the Montana Association of Counties (MACo) through Human Resources will be necessary. Mike agreed to return for a follow-up discussion on the pay grade adjustments.

10:30 AM **Administrative Issues/Old Business: Approve Minutes / MT Geospatial Information Act Grant Application / Contract Renewal with Outlaw GIS:** Present were Sierra Gustin, Jesse Haag, Brent Faulkner and Veronica Bovee-Anderson.

- Review of regular meeting minutes for approval: **Motion** to approve the January 17, 2024, minutes by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.
- Montana Geospatial Information Act Grant Application Request: Clerk and Recorded Corrina Brown advised of coordinating with other county departments regarding this grant application and of a request for confirmation from the Montana State Library that this is only one grant which she sent to multiple county departments. Undersheriff Brent Faulkner expressed support of this, offering contact information and copies of previous grants. Commissioner Teske mentioned having a discussion of the funding for GIS with an accountant and finance which he will pursue. **Motion** to approve Elections applying for the grant working in coordination with the other departments as necessary by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Contract Renewal with Outlaw GIS: Clerk and Recorder Corrina Brown presented the proposed 2024 contract renewal, noting a rate change to \$75 per hour on an as-needed basis with a mutual, at will, termination clause. Commissioner Teske mentioned the county attorney has reviewed this and the termination clause acknowledges a potential change in GIS services as the contract and budget cycle vary. **Motion** by Commissioner Teske to approve the contract for services with Outlaw GIS. Second by Commissioner Hammons. Commissioner Hammons inquired of any immediate need for services and both Corrina and Brent Faulkner affirmed current requirements for GIS. Jesse raised a question regarding a need to go out for bid. Commissioner Teske clarified that it was initially bid, and this is a contract renewal. No further comments. Motion carried
- Commissioner Teske advised the MOU with Oxytocin was wanting office space and now they have office space and this may no longer be a needed topic.

10:45 AM **Public Comment Time:** Present were Maria Panayah, Tatiana Panayah and Veronica Bovee-Anderson.

No public comment.

11:00 AM **Library District Discussion:** Present were Rod Delaney, Maria Penayah, Tatiana Penayah, Laura Finley, Barb Hvizdak, Annie Gassmann, Kerri Teisberg, Alyssa Ramirez and Veronica Bovee-Anderson.

Barb Hvizdak provided a history of exploring various revenue options for the library as suggested by the commissioners. She mentioned that they have had multiple meetings with a consultant from the Montana State Library, emphasizing that this is a methodical process. Barb highlighted the benefits of transitioning into a county-wide library district, including better utilization of voter-approved revenue. This shift would also enable a gradual increase in staff, allowing for expanded services and programs that directly benefit the public, even with the additional tax burden. She mentioned that this change could result in more up-to-date facilities, and the library is actively seeking and utilizing grant funding for facility upgrades. Barb expressed hope that relief to the county general fund would be seen as a win/win situation, questioning what the county would do with the 4-6 mills that would no longer be utilized by the library. Commissioner Letcher noted that the county was \$1.7 million short in last year's budget, and the potential savings of 3 mills (valued at \$60,000 each) would amount to \$180,000, contributing to addressing a projected deficit.

Annie Gassman raised the question of whether the county would consider donating the buildings currently housing the Eureka, Troy, and Libby libraries, including all their contents, for them to collectively become a district. Commissioner Hammons indicated that it wouldn't be advantageous for the county to retain these buildings, yet it would benefit the library and advised this transfer could be explored. Commissioner Teske mentioned that other districts have taken over buildings, which could be advantageous for the library as an asset while and the county by reducing the county's liability. However, he emphasized that this would need to be investigated by legal, along with considerations for the associated land. Commissioner Letcher expressed support for this proposed transfer.

Laura Finley commented on funding, expressing concerns about potential delays in receiving funds if a vote passes for the formation of a library district. She questioned whether the county would be willing to continue funding the library at its current level during this transition. Commissioner Teske mentioned a meeting with the accountant yesterday and his understanding that there is a period during such a transition where the fund is filled until the taxing cycle has completed. Commissioner Teske clarified that during the current budget period, the library would continue to be funded and if it became a voter approved district the fund would change in the next budget cycle. He added if the levy doesn't pass, the current arrangement would remain, expressing doubt of a vote being in place prior to the county deadline to set a budget. Laura advised that she consulted with the county treasurer, who explained her timeline. If the district were to pass in June, the entity information would be required by August-September to be included on the October tax bill, and no money would be deposited into the district account until January 2025. Barring setbacks, she anticipates being funded and operating as a district in the 2025/26 school year with this timeline.

Kerri Teisberg asked if they continue on the road to be a district would the county be willing to place this on the ballot as a resolution or would they need to use the petition process. Commissioner Teske read MCA specific to creating a library district asking if they would prefer to see if they could get 15% support from residents. Barb advised the resolution would expedite the process. Commissioner Teske agreed to get a review on this statute.

Michelle Bianco (zoom) expressed concern of a smooth employee transfer and questioned if the county would be willing to keep employees on benefits for a set timeframe to allow for the district to seek out a policy. Commissioner Teske advised he has a question in to see if human resources and finance can be provided for a district.

Alyssa Ramirez suggested a concept similar to the Port Authority, where employees can piggyback on health insurance provided by the county. She inquired whether this is an option for the library district. Commissioner Letcher clarified that the Port Authority operates under different MCA's than districts. It was agreed to look into this further.

Kerri Teisberg questioned the composition of the voter base for the 15% of qualified electors and whether it needs to be per municipality to ensure good representation. Commissioner Teske clarified that the statute specifies county-wide and is not specific to municipalities and voter base information will be provided. Commissioner Teske suggested that the petition process could be beneficial in providing a standing or an idea of public opinion, especially in situations where a vote might be uncertain due to community circumstances. He added that having both a signed petition and a resolution would be beneficial, as it would indicate support from both the voters and the government.

Barb questioned maintenance and IT work, exploring the possibility of piggybacking on purchasing power or leveraging experience in finance, HR, and IT. Commissioner Teske stated that he will find out what is available along these lines.

Barb questioned what kind of support the county would offer for this PR campaign. Would you show up to meetings or be willing to provide sound bites for the paper. Commissioner consensus is yes, it would be mutually beneficial to educate the public through more conversations aiming to raise awareness of the county's situation with the lack of taxation and how this transition will financially benefit both the county and the library.

Commissioner Teske questioned the compressed timeline provided by the library board, considering the ballot cutoff and the still-needed details. He emphasized the benefits of both the public petition and the resolution of intent. Commissioner Teske suggested that a resolution of intent could be drafted for a vote at the next meeting and even with that done, the guidelines for going to the public for a levy increase would require assurance and necessitate a public comment period.

Barb stated that the resolution route would channel their energy toward a public relations campaign, as opposed to quickly collecting signatures, which cannot guarantee completion within February. Commissioner Teske inquired about the TLOC grant application and how CBDG would be affected. Commissioner Hammons expressed the importance of the PR campaign. Commissioner Letcher mentioned election options listed in MCA, noting a special election option. Commissioner Teske questioned the mills being asked for and the importance of letting the public know what the new mills will be. Alyssa advised they will need answers on today's conversation prior to finalizing budgets.

12:00 PM **Break**

01:30 PM **Preliminary Plat Extension – Armstrong RV Park and Screaming Eagle 2:** Present were Jesse Haag, Jeff Larsen (zoom) and Josh Letcher (zoom).

Jesse presented Armstrong RV Park preliminary plat extension request for another three years. Planning recommends approval of a one-year extension to the preliminary approval of Armstrong RV Park to expire April 4, 2025. **Motion** by Commissioner Teske to approve the one-year extension to the preliminary approval of the Armstrong RV Park to expire April 4, 2025. Second by Commissioner Hammons. Commissioner Teske asked Jeff Larson of the obstruction noted by a neighboring property owner. Jeff advised of legal wrangling over a road easement and improvement and feels the one-year extension should suffice. Jeff hopes fixing this road will benefit everyone. No comments. Motion carried.

Jesse presented the Screaming Eagle 2 subdivision preliminary plat extension request due to not yet securing DEQ approval. **Motion** by Commissioner Teske to approve a 1-year extension to the preliminary plat of Screaming Eagle 2 subdivision to expire January 6, 2025. Second by Commissioner Hammons. No comments. Motion carried.

01:38 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board