

November 30, 2022

The Lincoln County Board of Commissioners met for a regular session on November 30, 2022 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Letcher, Commissioner Bennett, County Administrator Jim Hammons, and Clerk and Recorder Robin Benson.

Meeting allows for teleconferencing and VisionNet availability.

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

**9:30 AM Planning / Preliminary Plat Review-Luit Subdivision / Preliminary Plat Review-Welch / Variance Request-Wilderness Club Phase 6&7 / Little Bear Extension Request:** Present were County Planner Jesse Haag, Planning Consultant Kristin Smith, Alex Hogle, Tara Letcher, Tom Lane, Rebecca Nelson, Solomon Alcain, Bill Eckhoff, Amanda Eckhoff, Brett McCully, Wayne Hirst, Maggie Laysens, Connor Loughran, Sarah Mecomber, and Ray Stout.

**Wilderness Club Phases 6 & 7-Road Width Variance Request:** Kristin gave a brief history of Wilderness Club Phases beginning in 2006. Owners are requesting a variance from Lincoln County Road Standards Road Width requirements for Phase 6 & 7, from 24 feet to 20 feet. The 2 streets proposed for reduced width are short local streets serving less than 30 lots each. There will be no on-street parking permitted. Crooked Stick Way is designed with a large turnaround at the end. Planning staff recommends commissioner approve variance request subject to the following conditions:

- a. Road names shall be approved by the Lincoln County Addressing Technician
- b. Signage shall be placed on Cobblestone Way and Crooked Stick Way prohibiting on street parking.
- c. There shall be no further division of the lots within Phase 6 & 7.

**Motion** by Commissioner Letcher to approve Wilderness Club Phase 6 & 7 Road Width Variance Request as stated above subject to 3 conditions and based on planning staff recommendation. Second by Commissioner Teske, motion carried unanimously.

**Little Bear Flats Subdivision Extension Request:** Jesse said Planning received a request from Brett McCully on behalf of owners of Mountain View Flats, LLC requesting a one-year extension of the preliminary plat approval for Little Bear Flats Subdivision, which is currently scheduled to expire December 5, 2022. The developer is requesting a one-year extension to allow for time to finalize the USFS documentation, receive DEQ approval, complete the project and submit final plat. Planning staff recommends approval of a one-year extension to preliminary plat for Little Bear Flats Subdivision. **Motion** by Commissioner Teske to approve a one-year extension to the preliminary plat for Little Bear Flats Subdivision based on planning staff recommendation. Second by Commissioner Letcher, motion carried unanimously. Wayne Hirst commented that he actually bought the forest service road today, so he owns it all.

**Luit Subdivision Preliminary Plat:** The proposed 3 residential lot subdivision is located on Black Lake Road off of Hwy 37, approximately 4 miles west of Eureka. Kristin gave an overview of the subdivision report and conditions for approval and submitted public comment letters for commissioner review. Planning staff recommends preliminary approval to Luit Subdivision subject to conditions and based on the findings in the staff report.

Alex Hogle commented that he was asked by the developer to assist with this project and provided a history of the property. Alex discussed the proposed portion of a new road to 24' that will serve the 3 lots of the subdivision and feels it is the best solution for access and meets county requirements. Alex expressed the road will be a vast improvement to everyone involved and does not limit any homeowners of its use.

Commissioner Letcher asked about the road location and expressed concern of the switchback and slope of a 14' road, commenting that he would like to see the road updated all the way to the last residence; create a safer road through this process.

Commissioner Teske asked about additional future lot development. Alex said there is no plan for further development. Commissioner Teske asked about repositioning mailboxes and proposed to make it another condition. Commissioner Teske asked questions about the road users agreement. Alex explained the responsibility lies to the subdivision, 3 properties.

Bill Elkhoff commented that he has been a homeowner in that area for many years and said there is confusion regarding the original plat and explained the history of prior division. Bill expressed the applicant is tying into the shared well line, and utilities, with intention to generate income from property without proper sanitation and utility service. Bill said he does not agree that neighbors are ok with the new proposed road, and expressed that his concern is the actual, physical road construction and requested information regarding road standards.

Commissioner Bennett said an engineer would have to approve the road development and explained this is preliminary; there are conditions that will be required to be met prior to final approval.

Commissioner Letcher commented that right now the road has no standard, so any road work to meet the standard would be an improvement.

Bill asked about a condition for 3 lots only. Kristin said it is not a condition for approval.

Bill said he will be involved monitoring construction of the road, expressing he does not believe it will be done properly.

Commissioner Letcher requested a condition that from the end of 24' road to the south boundary of lot 3 constructed to a 20' road. Alex explained there will need to be some coordination with the fire department. **Motion** by Commissioner Letcher to add a condition that the newly aligned road shall be 20' wide from the end of the 24' section and turnaround to the south end of Lot 3 and include pull-outs above and below the switchback. Second by Commissioner Teske, motion carried unanimously.

Commissioner Teske requested a condition for the relocation of mailboxes to be moved to the newly aligned intersection. **Motion** by Commissioner Teske to add a condition for the relocation of mailboxes to be moved to the newly aligned intersection. Second by Commissioner Letcher, motion carried unanimously.

Kristin suggested a condition that an easement be recorded documenting granting access to adjacent properties. **Motion** by Commissioner Letcher to add a condition that an easement be recorded granting access to adjacent properties. Second by Commissioner Teske, motion carried unanimously.

**Motion** by Commissioner Letcher to approve preliminary plat to Luit Subdivision subject to 17 conditions and based on planning staff recommendation. Second by Commissioner Teske, motion carried unanimously.

**Welch Settlement Subdivision:** The proposed 3 residential lot subdivision is located west of Troy on Callahan Creek. Jesse gave an overview of the subdivision report and conditions. Planning staff recommends granting preliminary approval subject to conditions and based on the findings in the staff report. **Motion** by Commissioner Teske to approve Welch Settlement Subdivision subject to 14 conditions and based on planning staff recommendation. Second by Commissioner Letcher, motion carried unanimously.

10:30 AM **Administrative Issues-Old Business / Health Department-Task Order:** Present were Tara Letcher, Jennifer McCully, Tom Lane, Scott Shindledecker, Rebecca Nelson, Solomon Alcain and Ray Stout.

- Jennifer explained the Task Order for Covid Immunization Services to identify additional programs and partners within local jurisdictions and develop partnerships for Covid-19 vaccine outreach, education, and planning. The task order is for \$179,176 additional funding for outreach to high-risk populations. Jennifer proposes hiring a Program Coordinator for outreach, education, planning and vaccines. Position would be paid out of the grant for 18 months.

Commissioner Letcher commented that he has heard more and more about medical complications of the covid vaccine and talked about a person he knows that spent 35 days in the hospital when his body filled full of blood clots and nearly died from it. Commissioner Letcher commented that in good conscience he cannot support spending money advertising the vaccine and suggested scratching out the covid vaccine outreach portion.

Jennifer said the funding does not allow for changing the use or changing the language in the agreement from DPHHS.

Commissioner Bennett said that we recognize this is covid funding, but it can be used in coordination with other programs, agreeing with Commissioner Letcher that people do react differently and should be well informed on complications arising from vaccinations..

**Motion** by Commissioner Teske to approve Task Order #23-07-4-31-125-0 with addition to hire a coordinator to run the program as presented. Second by Commissioner Bennett, motion carried. Commissioner Letcher voted nay.

Robin asked for clarity that the motion was for the task order as submitted, with no changes. Commissioners expressed yes, no changes.

Commissioner Bennett noted to appreciate commissioner concerns and money spent with that consideration.

- Robin submitted the minutes for November 16, 2022 regular meeting for approval. **Motion** by Commissioner Teske to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Commissioners approved a support letter for the Sunday Vegetation Management Project to reduce fuels near private lands in and around the community of Stryker, and critical infrastructure along Hwy 93. **Motion** by Commissioner Letcher to approve support letter for the Sunday Vegetation Management Project as submitted. Second by Commissioner Teske, motion carried unanimously.

10:45 AM AM **Public Comment Time:** There were no public comments.

11:00 AM **Bid Opening for Meadow Peak Communications Tower Project:** Present were Sheriff Darren Short, Undersheriff Brent Faulkner, Kirk Kraft, Scott Shindledecker, Ray Stout, Rebecca Nelson and Tara Letcher.

Three bids were received Meadow Peak Communications Tower Project as follows:

Camas Creek Contracting-\$173,300

Bucholz Fabrication-\$149,873

Sabre Industries-\$362,928.12

Sheriff Short said all 3 bids will be reviewed to ensure all requirements of the RFP have been met before any action is taken.

11:15 PM **Adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Jerry Bennett, Chairman

**ATTEST:** \_\_\_\_\_  
Robin Benson, Clerk of the Board