

**November 9, 2022**

The Lincoln County Board of Commissioners met for a regular session on November 9, 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**.

**10:00 AM Health Department:** Present were Kathi Hooper, Bryan Alkire, Rebecca Nelson, Ray Stout, Senator Mike Cuffe, and Veronica Bovee-Anderson.

Kathi commented she has no report to submit as usual because of ongoing IT issues.

Kathi said Environmental Health is making progress on the Accela Software and is working to allow for online payments.

There were 28 new septic permits received in October.

Kathi said the landfill has not been able to use the credit card reader at the landfill, because of internet problems; working on issue.

Kathi said she is currently interviewing for the assistant manager position at the landfill.

Gatekeepers will keep working until end of November and the fencing at Happy's Inn is pending, should be installed soon to help with the bear activity.

Moving forward with the landfill expansion, drilling to begin at the landfill for approximately 17 days.

There was a brief discussion on where to park the van in the winter to not interfere with snow removal.

Commissioner Teske said he is working on updating an abatement ordinance and will get it to the commissioners for review.

**10:30 AM Administrative Issues-Old Business / Resolution 2022-26 Riverside Drive Yaak:** Present were Noah Pyle, Rebecca Nelson, Scott Shindledecker, Ray Stout, Senator Mike Cuffe, and Veronica Bovee-Anderson.

- Robin submitted the minutes for November 2, 2022 regular meeting for approval. **Motion** by Commissioner Teske to approve minutes as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Commissioners signed Resolution 2022-26 Riverside Drive Use Within Yaak River Tracts Subdivision allowing landowners to use that portion of the county right of way known as Riverside Drive that is attached frontage to the property Commissioner Letcher requested added language that landowners within the "Yaak River Tracts" subdivision may use that portion of the county right of way known as "Riverside Drive" that is attached frontage to the record property owners lot(s) for enjoyment of their property **until such a time that the ROW is needed for access to lots within the subdivision**. Robin said she would add that language to the resolution. **Motion** by Commissioner Teske to approve Resolution 2022-26 with added language included. Second by Commissioner Letcher, motion carried unanimously.
- Commissioner Bennett noted that he is working on some easements to be presented next week for discussion.
- *Commissioner Letcher read the following letter:*

November 9th, 2022

According to the Clerk and Recorder and the LC Election Administrator the election ballot tabulators are inanimate objects that have no bias. The only possible errors in an election are human caused.

If my memory serves me correctly 3 of the past 4 Lincoln County election cycles have had major human errors.

- 2016 - A Tabulator was not properly programed for the different arrangements on the ballots from different precincts. This oversight mistake could have been the difference in the winner in several local elections. Specifically, District Judge and Clerk of Court.
- 2020 - A bad fold in ballots was discovered to create a bad reading in the tabulator. This resulted in having to hand count several races in the middle of the ballot.
- 2020 - A missing ballot box was only found because of 1 man doing his due diligence and making sure his ballot was receipted. Which it had not been... A further look into the missing ballot found a ballot box had been left in Eureka on election day.
- 2022 - The primary election ballots were printed incorrectly. This was another human mistake and ended in LC having to hand count ALL ballots for ALL races.

As elected officials we must ensure LC election integrity is above and beyond. As Robin has stated many times, "we are all human and make mistakes." But I believe with the proper institutional controls and post-election audits, the LC election department can guarantee fair and accurate elections.

With all this in mind, I make a motion for the LC Election Department to add to the Random-Sample Audit of the 2022 Lincoln County General Election ballots: multiple precincts, the contested local races, both Mt Supreme Court Races, and both statewide ballot issues, as well the mandatory Random-Sample Audit of the Federal race per MCA 13-17-503.

Sincerely,

Josh Letcher

Lincoln County Commissioner

Robin expressed confusion of what was being requested and also questioned having an election discussion without the County Election Administrator and Assistant Election Administrators knowledge or presence.

Commissioner Teske asked if this request is to build trust and integrity.

Commissioner Letcher said yes, but not only that, but to expand the audit beyond what the state requires.

Robin explained counties do not determine what to audit but are told what they must audit by the Secretary of State's Office.

Senator Cuffe further clarified that county audit requirements are determined by the State Board of Canvassers and it is randomly selected, a roll of the die type process so that nobody knows in advance what will be audited, but it is the Secretary of State's Office that notifies the final audit requirements to the counties.

Robin commented that although not opposed to the idea, again, the County Election Administrator should be present, at least for common courtesy.

Commissioner Bennett said he will talk to election staff.

**10:45 AM AM Public Comment Time:** Present were Senator Cuffe, Rebecca Nelson, Scott Shindledecker, Ray Stout, and Veronica Bovee-Anderson.

There were no public comments.

**11:00 AM Hwy 93 Trail Proposal:** Present were Senator Cuffe, Rebecca Nelson, Scott Shindledecker, Ray Stout, and Veronica Bovee-Anderson.

Commissioner Letcher talked about a school trail proposal that was discussed in the early 2000's to help ensure safety for kids walking to practice. Commissioner Letcher explained the history of the proposal and that the school moved the track and kids are still walking up the side of the highway. Commissioner Letcher said he has been working on this with Evensen Engineering regarding cost and grant opportunities to provide a safe trail/walking path for students. Cost estimates have not been received yet, but there are grant opportunities available and will keep the Commissioners posted as the proposal moves forward.

Senator Cuffe said the path would tie into the fairgrounds and would allow for a better route.

**12:00 PM Adjourned**

## **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Jerry Bennett, Chairman

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