

August 29, 2018

The Lincoln County Board of Commissioners met for a regular session on August 29, 2018, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Cole, Commissioner Peck, Commissioner Bennett, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson.

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

10:30 AM **Administrative Issues:** Present were John Blodgett, Alan Gerstenecker, and Joe Iovino. Also present were Josh Letcher, Eureka via VisionNet.

- Robin presented the minutes for August 7, 21 and 22, 2018 for Commissioner approval. **Motion** by Commissioner Peck to approve August 7 and 21 minutes as presented and August 22, 2018 minutes as amended. Second by Commissioner Peck, motion carried unanimously.

10:45 AM **Public Comment Time:** Present were John Blodgett, Alan Gerstenecker, and Joe Iovino. Also present were Josh Letcher, Eureka via VisionNet.

Joe commented that he lives at the end of Cherry Creek Road and questioned the status of 4 roads the county is considering to no longer provide snow removal service (all roads are not necessarily county roads). Commissioner Cole said the commission has not made any decisions. Commissioner Peck stated we need to have that discussion in fairness to property owners living on those roads. Mr. Iovino asked if the county does not maintain those roads, are taxes going to be lowered. Commissioner Cole commented that the county does not levy for road maintenance. Commissioner Peck explained cost of road maintenance.

Joe Iovino questioned why a gate has been placed at the snowshoe mine. Commissioner Peck informed Mr. Iovino the trailhead was on private property and was never an official trailhead; a new trailhead has been established. Commissioner Bennett explained the meetings, public hearing and advertisement giving opportunity for the public to be informed. Commissioner Peck said property owners were informed.

11:00 AM **Proposals for Pre-Disaster Mitigation Plans:** Present were John Blodgett and Alan Gerstenecker. Also present were Josh Letcher, Eureka via VisionNet.

Darren submitted the two bids received for the Pre-Disaster Mitigation Plan for commission review. Darren said the FEMA Grant award was approximately \$25,000 State, \$8,300 County, Total \$33,300. **Motion** by Commissioner Bennett to approve **Tetra Tech** as the winner of the bid for the Pre-Disaster Mitigation Plan. Tetra Tech bid came in at \$25,000 and Bold Planning bid came in at \$29,500. Both bidders are qualified. Second by Commissioner Peck, motion carried unanimously.

11:15 AM **Resolution Rescinding Stage I or Stage II Fire Restrictions:** Present were John Blodgett and Alan Gerstenecker. Also present were Josh Letcher, Eureka via VisionNet.

Robin presented Resolution 2018-17 to the commission for approval. Resolution 2018-17 is a resolution rescinding Stage I and Stage II Fire Restrictions. The extreme fire danger conditions that previously existed in Lincoln County have passed and fire managers within the NW Montana Region have collectively agreed that Stage I or Stage II fire restrictions are no longer necessary. **Motion** by Commissioner Bennett to approve **Resolution 2018-17** as submitted. Second by Commissioner Peck, motion carried unanimously. Robin said she was requested to write the resolution by EMA Director Brent Teske. Commissioner Peck stated that it is important to stay in step with the state but expressed some concern that it is still early in the season. Commissioner Bennett commented that he feels we should have went to Stage I for a few more weeks.

11:30 AM **Resolution of Intent to Annex into Lincoln County Rural Fire District (LCRFD)/Obsidian Road and Swede Mountain Road:** Present were Election Administrator Leigh Rigglesman, John Blodgett and Alan Gerstenecker. Also present were Josh Letcher, Eureka via VisionNet.

Leigh read Resolution of Intent for Annexation No. 2018-16. The Lincoln County Rural Fire District submitted petitions for inclusion into its fire district on August 22, 2018. The properties listed in the application have been verified by the Lincoln County Elections Department as being within the proposed areas for annexation. **Motion** by Commissioner Peck to approve **Resolution 2018-16** Intent for Annexation as presented. Second by Commissioner Bennett, motion carried unanimously. A Public Hearing is scheduled on September 26, 2018 at 11:15am in the Commissioner's Office to hear protests and comments relating to the proposed annexations. A Notice of Public Hearing will be published pursuant to 7-1-2121 MCA.

11:45 AM **Public Hearing to annex Barbara Grant property into Lincoln County Rural Fire District (LCRFD):**

Present were Election Administrator Leigh Rigglesman, John Blodgett and Alan Gerstenecker. Also present were Josh Letcher, Eureka via VisionNet.

Commissioner Cole opened the public hearing for annexation of the Barbara Grant property into LCRFD. There were no public comments. **Motion** by Commissioner Bennett to approve **Resolution 2018-15** to annex Barbara Grant property into the LCRFD. Second by Commissioner Peck, motion carried unanimously.

1:30 PM **Planning Department:** Present were Jake Mertes, Kristin Smith, Brett McCully, Byron Sanderson, John Damon, Kenneth Davis, Alan Gerstenecker, and John Blodgett. Also present were Josh Letcher, Eureka via VisionNet.

- Shelterwood Park Subdivision:** General location Troy/Bull Lake Road. Jake said preliminary plat approval expired on June 24, 2018 while the developers were waiting for the road signs to be created. This is the first extension request. Jake said all materials required are on his desk for review. Planning staff recommends approving a 1-year extension until June 24, 2019. **Motion** by Commissioner Bennett to approve Shelterwood Park Subdivision extension request until June 24, 2019 subject to planning staff conditions and recommendations. Second by Commissioner Peck, motion carried unanimously. Ken Davis asked about a \$100 review fee. Jake said he is waiving the fee because he feels it was county responsibility to receive the road signs on time.
- Pipe Creek View Subdivision Preliminary Approval:** General location Libby/Pipe Creek Road. Jake discussed 9 conditions to the commission that the Planning Staff recommends. Planning staff recommends approval of Preliminary Plat for Pipe Creek View Subdivision subject to those conditions. Condition #9 includes the following statement: "The owners hereby waive the right to protest the creation of a Special Improvement District for the purpose of financing improvements to area roads which will specifically benefit this subdivision." Kristin explained the county has authority to add language for special improvement districts to subdivision plats that help costs associated with potential future road maintenance; language is widely common across the state of Montana and its purpose is to help the road fund looking into the future. Jake said the road in question is a state road, not county. Kristin said the county has been making a practice of this for several years and the condition was recommended by MACo. Kristin expressed the county has options for preserving future plowing costs. Kristin further explained the statement lets the property owners know they cannot protest that option should the commission apply an SID in the future. Commissioner Bennett said he is inclined not to put the language into the plat conditions. Commissioner Peck said he understands consistency and setting precedence but does not see the purpose for the language for this specific subdivision. Kristin advised the commission to visit with MACo on this specific issue. **Motion** by Commissioner Peck to remove Condition #9 for Pipe Creek View Subdivision. Second by Commissioner Bennett, motion carried unanimously. **Motion** by Commissioner Peck to approve preliminary plat for Pipe Creek View Subdivision as amended, subject to all other conditions and recommendations. Second by Commissioner Bennett, motion carried unanimously.

2:30 PM **Public Hearing FY 18/19 Budget:** Present were Finance Director Wendy Drake, Gerald Wallace, John Blodgett, and Alan Gerstenecker. Also present were Krista Nemeroff and Josh Letcher, Eureka via VisionNet. Wendy submitted Fiscal Year 2018/2019 Tax Levy Requirement Schedule to the commission and people in attendance. Fiscal Year 2017/2018 Tax Levy Requirement Schedule was also presented for comparison purposes. Darren said the numbers looks good, mill levies balance and departments have made huge efforts to decrease budgets. Darren said a concern is the cost of Public Safety; it's not going to be an easy fix. Darren explained cost of doing business and how it affects allocated cost. Gerald asked about the revenue from billing transports for the ambulance departments. The commission explained they only have revenues from the voted levies. Gerald said if the private revenues were divulged, could the voted levy amount potentially be reduced. Commissioner Peck said that is a very legitimate comment. Commissioner Peck expressed that another long-term consideration is if the volunteer pool does not increase, we may have to look at ambulance paid services. Darren commended Wendy for all the hard work preparing the preliminary budget. Commissioner Peck commented that we as a county has cut a significant amount, approximately \$670,000 although the cost of doing business continually increases. Commissioner Peck commented that we need to get back to where departments heads can visit one on one with the commissioners, so we can better understand departments and provides opportunity for staff to discuss their concerns and ideas.

3:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin A. Benson, Clerk of the Board