

February 6, 2019

The Lincoln County Board of Commissioners met for a regular session on February 6, 2019, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Peck, Commissioner Bennett, Commissioner Letcher, County Administrator Darren Coldwell, and Clerk and Recorder Robin Benson.

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

9:30 AM **Forest Supervisor Update, Chris Savage:** Present were Alan Gerstenecker and Ben Kibbey.

The following agenda/report was submitted by Chris Savage.

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Kootenai National Forest Timber Program — Improving Forest Conditions

- Currently have an estimated 230 mmbf of uncut wood under contract.
- Volume estimated to be sold this year will be approximately 70 mmbf. Primarily will depend on final salvage volume.
- Project planning this year include Black Gold and 10 Mile-Sterling Fire Salvage; West Surprise, Hoodoo, Ski Dale, and Black Ram. Young Growth EIS and blowdown salvage also progressing.

Shared Stewardship and Good Neighbor Authority

- Kootenai NF moving forward on a handful of GNA projects with the Montana DNRC.
- Montana DNRC and Forest Service held a retreat in December to identify GNA opportunities across the State. KNF/DNRC could produce around 15 to 20 mmbf/ year program.
- Level of engagement and participation in GNA will depend on State resources. Will adjust accordingly.
- Timber sales that will generate program income that are being considered include: Buick Divide, Hoodoo, Ski Dale and West Surprise. Sold Elk Gem this past fall.
- Additional GNA projects being planned/considered include Pinkham Meadows, Ripley and McKay Engle.
- County engagement in GNA is something to consider. Any thoughts the County as given or considered in working w/ KNF and DNRC related to GNA.
- Possibly options could include road maintenance/reconstruction, implementation of restoration projects, and

Rock Creek and Montanore

- Montanore: working on SDEIS and BA for draft publication.' Reviewing final draft of the BA. Hoping to publish SDEIS for public comment in May.
- Rock Creek: received plan of operation from RC Resources this week. Will be reviewing and working with them on this over the next couple of weeks.
- Also received a complaint, as did the USFWS for declaratory and injunctive relief from litigants related to ESA issues associated with the project.

Recreation

- Swinging Bridge. Contractors are considering starting in March and estimating to be done in June.
- Libby Area Trails Coalition: will ask coalition to prioritize work for the Forest Service to work on. Currently, lack of staff and priorities will limit what we can accomplish, therefore a prioritized list will help us out.
- 10 Lake Travel Management Planning: finalizing FEIS and draft ROD to start objection process. Looking for a May 1 release date.

Secure Rural Schools

- Omnibus Bill renewed SRS for another 2 years, with back payments from the last two years.
- Title II funds initial estimate for the KNF/Lincoln County equate to \$492K for 2018. Highest was over \$800K.
- Submitted RAC package for new membership approval to the USDA.
- National SRS RAC charter has expired. Told to hold off on any meetings until Charter is renewed, although Farm Bill has a provision for the RF to approve RACs.
- Draft legislation exists that would reauthorize SRS. Key change would transfer title II funding to the counties to help cover title I funds. Also greater reliance of timber receipts to determine Title I funding.

Personnel

- 35 day furlough has affected personnel actions w/n the Region. Hiring has been delayed.
- Chad Benson finished his acting Forest Supervisor assignment on December 21.
- Currently I'm filling in until February 15th.
- Cheryl Probert will be the next acting Forest Supervisor, reporting February 19th.
- Regional Office: currently two vacant Deputy Forest Supervisors.

Chris commented there are two vacant Deputy Regional Forester positions, not Deputy Forest Supervisors as stated in the report.

Commissioner Peck discussed the concept that there is 122,000 acres within the urban interface, and the county would like to pursue the stewardship agreement on those acres. Commissioner Peck expressed that he sees a great opportunity. If we control where the wood goes, then we can enter in a private manufacturing agreement if there was a guaranteed supply of wood. It could potentially be a real win win.

Commissioner Bennett commented that he is glad to hear the Swinging Bridge Project is estimated to be completed in June; the site will be open for most of the summer season.

Commissioner Peck spoke about the idea to bring all the stakeholders into play regarding stewardship projects and to have an organized workshop in Libby to explain existing and new authorities, including how we can better understand NEPA so we can learn how to best use our time through that process.

10:30 AM Administrative Issues/MACo Renewal: Present were Ben Kibbey and Alan Gerstenecker. Also present was Nikki Meyer, Eureka via VisionNet.

- Robin presented the minutes for January 23 and January 30, 2019 for Commissioner approval. **Motion** by Commissioner Bennett to approve minutes as presented. Second by Commissioner Letcher, motion carried unanimously.
- Darren submitted the 2019/2020 MACo PCT Renewal Scheduled Property for the purpose of setting forth the rights and responsibilities of each party. The agreement is between Lincoln County, MACo Property and Casualty Trust and Glacier Insurance of Libby, Inc. Glacier Insurance will represent Lincoln County as agent for buildings and vehicle side of the insurance. Commissioner Peck asked if he should recuse himself. Commissioner Bennett, Commissioner Letcher, and County Administrator Darren Coldwell agreed that Commissioner Peck does not need to recuse himself. Commissioner Peck said that Kevin Peck of Glacier Insurance is his second cousin. **Motion** by Commissioner Bennett to approve the **2018/2019 MACo PCT Renewal Agreement** as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Darren submitted a thank you letter to the Vice Chairman Lake of the Public Service Commission for taking the time to come to Libby to discuss issues Lincoln County and residents are experiencing with Frontier Communications. **Motion** by Commissioner Bennett to approve the letter of appreciation as submitted. Second by Commissioner Letcher, motion carried unanimously.
- Commissioner Bennett said the Board of Health (BOH) did conduct interviews for the Asbestos Resource Program (ARP) position. The interview questions were graded using a numbered matrix. Commissioner Bennett questioned if the commissioners or the BOH should actually approve the hiring. Commissioner Bennett commented that we need to understand the true authority. Commissioner Peck clarified the primary authority needs to be the BOH, with commissioner approval; the operation control is BOH and administrative control would be the commission. Commissioner Bennett said that Virginia Kocieda was the top applicant. **Motion** by Commissioner Bennett to approve offering Virginia Kocieda the new ARP Director position. Second by Commissioner Letcher, motion carried unanimously.

10:45 AM Public Comment Time: Present were D.C. Orr, Alan Gerstenecker, and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Mr. Orr said he read the December 17, 2018 minutes and commended the commission for investigating if there was a potential conflict of interest with KMR Consulting working on the Growth Policy and Comprehensive Economic Development Strategy for Lincoln County. Mr. Orr informed the commission that KMR Consulting is involved in a lot of things having to do with economic development.

Mr. Orr commented that now the county commissioners have the major voting decisions for KRDC and the Lincoln County Port Authority and reminded the commission that the Commissioner of Political Practices included the former Mayor and council members in a complaint written against the city attorney. Mr. Orr encouraged the commission to form an ethics committee and is recommending the same to the city as well.

11:00 AM Neighborhood Works Community Development Block Grant (CDBG) Resolution: Present were Alan Gerstenecker and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Darren presented Resolution 2019-03, authorizing submission of a CDBG Grant application. Lincoln County supports the efforts of Neighborhood Works, a non-profit for the people living in trailer parks to actually own the property. The grant is to construct septic systems, including drain fields for Libby Creek Community. **Motion** by Commissioner Bennett to approve **Resolution 2019-03** authorizing submission of the CDBG application. Second by Commissioner Letcher. Commissioner Letcher asked about the language using the words “upgrade” or “replace” septic systems instead of “construct”, implying a new system. **Motion** by Commissioner Bennett to amend his motion to include the language change from “construct” to “replace” on Resolution 2019-03. Second by Commissioner Letcher, motion carried unanimously.

11:15 AM MDOT Construction and Maintenance Agreement: Present were Alan Gerstenecker and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

The commission decided to table any further discussion or action until further clarification. The agreement is for a construction project on Parmenter Creek Road.

11:30 PM Victim’s Advocate Update, Jessica Vanderhoef: Present were Alan Gerstenecker and Ben Kibbey. Also present was Nikki Meyer, Eureka via VisionNet.

Jessica spoke about how she helps victims in domestic violence cases and explained services she provides. Last year there were 89 domestic violence cases. Some cases include child physical neglect, assaults on family members, and child sexual assault; any kind of violent crime. Jessica said there is currently 35 active cases she is involved with. Jessica talked about some of her responsibilities and said she attends all court hearings and guides the victims and family through the whole court system process. Jessica said her position is very intimate and she sees the affect violent crimes have on victims, children, family members and even the offender’s family. Jessica does assist with impact statements on how the crime affected the families and answers questions victims have regarding options, rights and court processes.

Commissioner Peck said it's a critical role and expressed his appreciation for what Jessica is doing. Commissioner Bennett commented the more we can get involved positively in people's lives, hopefully there comes a time when people can leave the situation.

Jessica said she attended the Montana Victim Advocate Academy as part of her training. Jessica expressed her appreciation for the good collaboration between agencies, counselors, and CPS, especially when a case involves children, so everyone is aware. Jessica expressed that the job can be emotional, yet very rewarding.

1:30 PM **Planning/No Agenda Items:**

12:00 PM **Meeting Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mark Peck, Chairman

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