

**May 15, 2024**

The Lincoln County Board of Commissioners met for a regular session on May 15, 2024, in the Lincoln County Annex, Eureka, Montana. Present were Commissioner Letcher, Commissioner Teske, and Clerk and Recorder Corrina Brown.

Zoom participation: Present online were Commissioner Hammons, Administrative Assistant Jennifer Brown, Chanel Geer, Darren Short, Evan Comella, Feleisha Storkson, Jeff Smith, Jeffrey Zwang, Jesse Haag, Kalli Ryals, Kathleen Sheffield, Katrina Newton, Marcia Boris, Maranda, Melanie Howell, Nikki Meyer, Pam Covey, Ray Stout, Scott Shindledecker, Shannon McLaughlin and Sierra Gustin.

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

09:30 AM **County Attorney Budget Meeting:** Present was Boyd White.

Marcia Boris, County Attorney, via Zoom, presented a budget and confirmed wages and benefits were received from HR. She noted the addition of funds for Adobe software and case management fees.

09:45 AM **ARP Budget Meeting:** Present was Boyd White.

Amanda Harcourt, ARP Director, presented budget information via Zoom. She reviewed itemized expenses and noted a couple of software programs were no longer needed. She mentioned an increase in locate ticket costs and advised that NEHA conference training costs increased. She stated the only county cost is \$2,340 for cell phones, one office hot-line, and one shared data plan; everything else listed is claimed to DEQ and reimbursed.

10:00 AM **EMA Update – Boyd White:** Present was Boyd White and Suzy Rios in Libby.

Boyd White, EMA, advised DES hosted a new EMA training regarding the role of EMA and the involvement of DES and FEMA. He mentioned all but three EMA basic FEMA courses have been completed. He advised of a workshop in Libby for the Western District will be held this June. He is getting all the Emergency Operations Plan (EOP) signatures. He is reviewing and updating ESF's. He stated a down payment for the Pinkham tower replacement has been made and plans a site visit today. He mentioned the Forest Service has requested a reduced contract on Blue Mountain due to relocating their antenna to their own tower. He noted a Coop meeting with the Planning Director and fire personnel was informative. Commissioner Teske suggested establishing a standard for all subdivision developers regarding fire department needs. Boyd said the EMPG grant funding enabled the purchase of equipment for the Emergency Operations Center (EOC) at the Eureka County Annex. He advised Fire Adapted Community Workshop meetings are going on, highlighting the county's involvement in mitigating fire danger. He noted weather damage to three antennas necessitates replacement.

10:15 AM **Superintendent of Schools Budget Meeting:** Present was Noel Durham.

Suzy Rios, Superintendent of Schools, presented a preliminary budget via Zoom. She will update salary and benefits information with HR. She advised the travel budget includes informative conferences. Wendy Drake, Finance Director, stated the utilities line is a cell phone. Suzy will update and provide a new budget copy. She noted the Yaak School, serving eight students, must re-apply for isolation status with the Office of Public Instruction. She added the Yaak School has increased from three to eight students. She advised this application requires the endorsement of the commissioners for funding. Commissioner Letcher advised this will be on next week's agenda.

10:30 AM **Administrative Issues/Old Business: Approve Minutes:** Present were none.

- Review of May 7, 2024, budget meeting minutes for approval: **Motion** to approve the May 7, 2024, minutes by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.
- Review of May 8, 2024, regular meeting minutes for approval: **Motion** to approve the May 8, 2024, minutes by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Commissioner Letcher advised the Airport Board held interviews and recommends Mark Jacobs to be the Eureka Airport Manager/Maintenance employee and is asking for commissioner approval. Commissioner Letcher advised this has gone through HR. **Motion** by Commissioner Teske to confirm Mark Jacobs as the manager/maintenance employee at the Eureka Airport. Second by Commissioner Hammons. No comments. Motion carried.

10:45 AM **Public Comment Time – Non-Agenda Items:** Present were none.

11:00 AM **Road #3 Budget Meeting:** Present was Ray Price.

Ray Price, Eureka Road Foreman, presented budget information. He advised of seven employees and confirmed wages and benefits are updated. He reduced raw materials due to reserve for crushing. He noted the price of oil and efforts to reduce costs. He plans to do more spot chipping. He advised of budgeting for one new dump truck.

11:30 AM **Crisis Solutions Financial Discussion:** Present were none. Canceled

12:00 PM **Eureka River Walk - Michelle Schutte:** Present were Jennifer Curtiss, Michelle Schutte and Rhoda Cargill. Michelle Schutte gave an overview of the Eureka Riverwalk, a 501C entity, which is overseen by a board of seven trustees. She outlined its usage and users, highlighting concerns about its aging infrastructure. She advised due to COVID-related delays along with rising costs their fundraising totals fell short. She added they are seeking grant opportunities. They aim to address a segment of about .357 miles and are requesting assistance with gravel or labor. She advised they intend to begin work in the fall. Commissioner Letcher agreed to address this as a fall project in collaboration with the road department and noted a little economic development funds from the Troy Mine may be contributed.

12:15 PM **Library Mill Clarification - Barb Hvizdak:** Present were Barb Hvizdak, Bob Bittner, Jennifer Curtiss, Jackie Deshazer, Debra Deshazer, Noel Duram, Kerry Finley, Wyatt Franke, Matt Franke, Lani Glasscock, Rhoda Cargill, Rod Forsness. Present in Libby was Ray Stout.

Barb Hvizdak, Library Board, questioned library mills. She advised of finding a dedicated levy that passed in 1996, adding that the same record referenced an existing 5 mills. She found in 1993 a mention of 5 library mills. Commissioner Letcher advised of a 1996 resolution to send a request for 3.49 mills to voters, adding this to the existing 4 mills for a total of 7.49 mills. Commissioner Teske suggested reviewing old budget documents for clarification of any voted mills aside from 3.49.

12:30 PM **Lower Yaak Zoning District Reopen Public Comment Period Following Changes:** Present were Bob Bittner, Rhoda Cargill, Jennifer Curtiss, Jackie Deshazer, Noel Duram, Kerry Finley, Wyatt Franke, Matt Franke, Lani Glasscock, Owen Baisden and Rod Forsness. Present in Libby were Brett McCully, Debra Cernick, Doug Deshazer, Jesse Haag, Kristin Smith, Ray Stout and Levi Thompson.

Commissioner Letcher introduced Lower Yaak Zoning District reopen public comment period following changes. He noted last week we struck all the permitted uses and most of the prohibited uses in the Lower Yaak Zoning proposal. We wanted time to research what commercial and industrial uses would be. Commissioner Teske advised of coming up with language per MCA 17-15-103. Commissioner Letcher suggested instead of a broad range of commercial and industrial, at least give the ability of light commercial yet found no clear MCA defining light commercial. Commissioner Teske read MCA 17-15-103 definition. He stated he did not find anything to support last week's statement regarding state highway right-away being designated for commercial use. Jesse pointed out this MCA is in the context of outdoor advertising and there is another definition for commercial under 15-1-101(d)(i) under tax administration and read it, noting it is specific to property. Discussion regarding if this applies outside of taxation. Jesse suggested clarifying the unanimously recommended definition provided by the Planning Board. Commissioner Letcher advised some of it was vague and felt MCA had already defined what they believed to be commercial and industrial. Commissioner Teske noted the institutional and recreational in the zoning document does not appear to be in the MCA. Commissioner Hammons noted the primary purpose of the district. Commissioner Teske stated the intent was to come up with a definition that would move this document forward. Commissioner Letcher stated he is ok with the definition in MCA 17-15-103. Commissioner Teske questioned activities generally recognized. Kristin suggested consulting with counties who have definitions that have been successfully implemented. Commissioner Teske would like to do a comparison and feels this needs defined prior to moving forward. It was agreed to postponed until next week. Public comment on the topic.

Wyatt Franke of Kalispell read a statement.

Matt Franke read a statement. He emphasized everyone within the zone are affected by these rules.

Kristin Smith advised the word primary was inserted into the definition. If you live on a property and have a plane, the plane is not the primary use of the property and would not be a conflict with the definition.

Rhoda Cargill read MCA 76-2-109, emphasizing minerals.

Bob Bittner advised state law supersedes everything.

Matt Franke advised there is a process involved to getting a gravel pit permitted.

Jackie Deshazer believes most people in Lincoln County do not want zoning. She added there are existing regulations on commercial. She suggested seeking counties with similar populations. She added the county wants to generate money adding that commercial is taxed more than residential. She noted the growth is emotionally difficult yet recognizes the right of property owners to do so. She commented wildlife has Forest Service land and does not see a change in wildlife patterns. She sees people coming here to get away from just these restrictions.

Noel Duram commented on meeting with a couple of people following last week's meeting. He feels this zoning has gone from a lot of restrictions to spot zoning and asked the commissioners to remove this zoning idea.

Owen Baisden noted this is about the idea of a school. He noted one of four in Lincoln County live in poverty. He feels this will allow others to adopt zoning to restrict their neighbors. He asks that neighbors address their own concerns.

Rhoda Cargill said Turning Winds School provides a service to some with a disability noting ADA laws. She wants opt-out.

Matt Franke advised of having no recourse for unwanted development. His desire to control drives this zoning protection.

Rhoda Cargill advised of MCA allowing a county to tax zoning districts, due to the cost associated with oversight.

**Motion** by Commissioner Teske to postpone this discussion until next week's meeting. Second by Commissioner Hammons. No comments specific to the motion. Motion carried.

01:37 PM **Adjourned**

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Josh Letcher, Chairman

**ATTEST:** \_\_\_\_\_  
Corrina Brown, Clerk of the Board