

May 22, 2024

The Lincoln County Board of Commissioners met for a regular session on May 22, 2024 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Hammons, Commissioner Letcher, Commissioner Teske, Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Zoom participation: Present online were Alyssa Ramirez, Brian McLaughlin, Bryan Alkire, Chanel Geer, Crystal Denton, Darren Short, Deb, Diane, DJ Welch, Evan Comella, Feleisha Storkson, Jeff Smith, Jesse Haag, Kate Johnson, Kathi Hooper, Kathleen Sheffield, Katrina Newton, Kerry Finley, Maranda, Mary Handy, Melanie Howell, Ray Stout, Rebecca Nelson, Shawn Smith, Terry, Vanessa Williamson and Wyatt Franke.

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

09:30 AM Abandon County Road Between Lots 17 & 21 in Westgate Business Addition: Present were Noel Duram and Tara Letcher.

Commissioner Teske presented a request from property owners around Western Building Supply to abandon an alley that still exists between lots 17 and 21 as shown on PF 3933. He noted that all property owners have signed onto this abandonment petition filed by Westward Properties LLC with the Clerk and Recorder's office on May 16, 2024. He mentioned that viewers were appointed to review and investigate, as per MCA 7-14-2603. The process will proceed to a public hearing, followed by ordering a survey. The final step will involve a resolution to abandon if deemed appropriate. Commissioner Hammons confirmed that there are no utilities involved. Commissioner Teske clarified this action would not restrict access from Westgate Ave. or Highway 2. **Motion** by Commissioner Teske to move forward with a petition to abandon a portion of an unnamed county road in Westgate Business Addition between parcels 17 and 21. Second by Commissioner Hammons. No comment. Motion carried. Public Hearing will be noticed for June 26th, 2024.

09:45 AM Justice Court Budget Meeting: Present were Jay Sheffield, Noel Duram, Robin Schiferl, Tara Letcher and Vanessa Williamson.

Robin Schiferl presented budget information, stating wages and benefits reflect current data and no other changes were made. Commissioner Hammons inquired about the contract with the City of Libby, which Judge Sheffield confirmed. He added there are four employees. Robin explained fund 390 is variable depending on the need for jury trials.

10:00 AM Probation Budget Meeting: Present were Jay Sheffield, Noel Duram, Tara Letcher and Vanessa Williamson.

Vanessa Williamson informed the group the budget reflects one employee and she received updated wage and benefit data from HR. She noted there are no budget changes from last year. Commissioner Hammons questioned the travel budget, to which she explained there are two grant-funded vehicles and the number of transports needed varies.

10:15 AM US Hwy 2 Kootenai Falls Speed Study–Dept of Transportation: Present were Noel Duram and Tara Letcher.

Rebecca Anderson, MDOT district traffic engineer, presented the US 2 speed study for the Kootenai Falls area. The study covered mile posts 19 to 24 and focused on driver safety with regards to the Kootenai Falls access. The data from the study resulted in recommending no change. Commissioner Hammons suggested installing signage indicating a congested area ahead. Commissioner Teske noted having an additional parking area and suggested concrete barriers may better define a buffer for ingress and egress. Comments can be sent to Commissioner Hammons, preferably within 60 days.

10:30 AM Administrative Issues/Old Business: Approve Minutes / Isolation Application Approval / Annual DEQ Air Quality Grant Approval / Strengthening Public Health Workforce Task Order- Health Department: Present were Kathi Hooper, Noel Duram, Suzy Rios and Tara Letcher.

- Review of May 15, 2024, meeting minutes for approval: **Motion** by Commissioner Hammons to approve the May 15, 2024 minutes. Second by Commissioner Teske. No comments. Motion carried.
- Isolation Application Approval: Commissioner Teske discussed the OPI Yaak Elementary School's isolation classification for funding. **Motion** by Commissioner Hammons to approve the isolation application for the Yaak School. Second by Commissioner Teske. No further comments. Motion carried.
- Annual DEQ Air Quality Grant Approval: Kathi presented the annual renewal of the air quality grant from DEQ, Contract No. 525007, noting that there are no changes. **Motion** by Commissioner Teske to approve the annual DEQ air quality grant. Second by Commissioner Hammons. No comments. Motion carried.
- Strengthening Public Health Workforce Task Order 25-07-1-01-126-0 Health Department: Kathi informed that this is also known as System Improvement a grant award of four-years of funding with this renewal for the upcoming year. **Motion** by Commissioner Hammons to approve strengthening public health workforce task order. Second by Commissioner Teske. No comments. Motion carried.
- Commissioner Hammons advised of ordering the FWP grant funded rest room for the Kootenai Falls area.

10:45 AM **Public Comment Time - Non-Agenda Items:** Present were Diane Hansen, Noel Duram, Rhoda Cargill and Tara Letcher.

Noel Duram addressed tyranny advising power is a dangerous thing to wield and must be tempered, timed and measured. He added power can never be personal, and when it is targeted, it is tyranny. He feels this elected body could be better. Diane Hansen commented elections should be locally controlled and closed. She stated Lincoln County's honest local officials can run elections without electronic equipment. She urged a review of CVR's prior to certification of elections. Shawn Smith, zoom, concurred with Diane Hansen.

11:00 AM **Treasurer/Motor Vehicle Budget Meeting:** Present were Diane Hanson, Noel Duram, Rhoda Cargill, Sedaris Carlberg and Tara Letcher.

Sedaris Carlberg, Treasurer, presented budget data, noting an increase in supplies due to the State's transfer of MVD responsibilities to the county, including updated computers, toner, paper, etc. Commissioner Letcher clarified that 50% of the gross annual MVD revenue goes to municipalities. She confirmed a total of nine employees are reflected in the updated wage and benefits numbers provided by HR. She added the state will continue to receive a 3% administration fee, yet the county IT will administer the system.

11:30 AM **Maintenance Budget Meeting:** Present were Bob Bittner, Brett McCully, John Chott, John Damon, Joe Nagle, Levi Thompson, Matt Franke, Merle Chott, Michael Hobbs, Owen Baisden, Pam Covey, Paul Johnson and Rhoda Cargill.

Joe Nagle, Maintenance Director, presented a budget. He advised the only increases are COLA and \$5,000 water/sewer. He noted two employees and a part-time position in the J Neil's Park budget and verified wages and benefits.

11:45 AM **Lower Yaak Zoning District Clarification of Definition of Industrial and Commercial – Reopen Public Comment Period:** Present were Bob Bittner, Brett McCully, Darren Short, Jackie Deshazer, Jesse Haag, John Chott, John Damon, Kristin Smith, Levi Thompson, Matt Franke, Merle Chott, Michael Hobbs, Noel Duram, Owen Baisden, Pam Covey, Paul Johnson, Rhoda Cargill and Tara Letcher.

Commissioner Letcher introduced Lower Yaak Zoning District clarification of definition of industrial and commercial – reopen public comment period. **Motion** by Commissioner Hammons to retain the definition of commercial and industrial in the Yaak Zoning District document as the language put in there by the Planning Board. Second by Commissioner Teske. Commissioner Hammons noted the process is established with the planning board, a lot of scrutiny has already been applied to this document and expressed a desire to move this forward to the public comment period. Commissioner Teske added by diminishing the original intent of the zone leaves no point in the zone. Commissioner Letcher acknowledged the process and intent, advising an outright ban on commercial and industrial in rural areas is a terrible misuse of our lands and hopes moving forward to get it right for the best use of our properties. The floor was opened for public comment.

Rhoda Cargill addressed the definitions, noting that commercial derives from commerce and referenced Black's Law Dictionary. She added Turning Winds is governed by interstate commerce, with the majority of their students coming from out of state. She believes this zoning district needs to exclude interstate commerce.

*Commissioner Teske stated once the definitions are agreed upon a copy will be publicly posted.

Jeff Smith, lawyer via zoom, cited statute 76-2-901, stating the intent of zoning is not to impact agricultural activities and referenced MCA 76-2-412. He noted enforcement mechanisms, including fines of up to \$500 and six months in jail. He stated a public records request has been made between residents, the county planning and commissioners.

Michael Hobbs, Chairman of Lincoln County Planning Board, affirmed all actions have occurred in public meetings. He clarified the County Commissioners tasked the planning department to review the proposed Yaak Zoning District and provide recommendations to the commission. He expressed concern with the document being struck out and would like consistency. He feels the Planning Director is one of the most professional and educated people he has worked with in eight years he has been Chairman of the Planning Board. Commissioner Teske read the definitions in the current motion that were provided by the Planning Board.

Jackie Deshazer stated these zoning restrictions are not appropriate for Lincoln County and these commercial and industrial definitions will allow interpretation by courts and law enforcement.

Rhoda Cargill noted under the definition of commercial the offensive odor is totally subjective.

Owen Baisden commented the state highway in the zoning district is prime real estate for commercial.

Commissioner Letcher advised other county zoning district definitions of commercial and industrial they allow certain things but under our definition we zone out a lot of commercial we are used to in rural Montana.

Commissioner Letcher called for a vote on leaving the commercial and industrial definitions the same. Commissioners Hammons and Teske voted in favor and Commissioner Letcher voted against. Motion carried. **Motion** by Commissioner Hammons to reopen the public comment for 30 days. Second by Commissioner Teske. Public comment: Katrina Newton, zoom, questioned who could provide public comments. Commissioner Teske advised, per state law, only those residing in the zoning district. He added they want to hear from everyone. Motion carried unanimously.

**Draft copy of Lower Yaak Zoning District proposal is available on Planning Dept. webpage*

12:19 PM Break

01:30 PM **Sheriff's Office Budget Meeting:** Present were Brent Faulkner, Darren Short, Noel Duram and Tara Letcher.

Undersheriff Brent Faulkner presented budget data, advising of forty-four employees plus two grant-funded positions. Sheriff Darren Short commented on the Zinke vehicle appropriation, mentioning that more information will be available at the beginning of the year. There was a discussion on inmate meals and medical expenses, as well as a review of shared dispatch-related systems. Contracts with municipal police departments have been initiated. Faulkner noted that the department covers 50% of the county nurse's wage and a partial wage for detention, records, and the jail commander. He also highlighted that crime control accounts for almost 50% of the budget.

02:00 PM **Health Insurance Quote Discussion and Approval:** Present were Dallas Bowe, Noel Duram and Pete Shatwell.

Dallas Bowe, Human Resources Director, and Pete Shatwell went over the JPT renewal and two alternative options. They noted a 3.8% increase with the renewal. Pete advised of a 100% loss ratio this year and will provide a 5-year graph.

Lincoln County Medical Cost Analysis 2024

Leavitt Group Effective: August 1, 2024			Current Plans		Renewal		Option 1		Option 2	
			Joint Powers Trust- EBMS		Joint Powers Trust-EBMS		United Healthcare -BSCC		Cigna	
			Trad Plan 2000	HDHP 3500	Trad Plan 2000	HDHP 3500	CX-2M Rx- EK	DK-4X Rx P87-HSA	Trad GAP	HSA GAP
	2000	3500								
Employee Only	21	12	\$680.75	\$643.03	\$706.62	\$667.47	\$632.39	\$621.24	\$712.00	\$605.61
Employee + Spouse	27	3	\$1,371.85	\$1,295.51	\$1,423.98	\$1,344.74	\$1,328.02	\$1,304.60	\$1,434.69	\$1,220.30
Employee + Child(ren)	12	4	\$1,233.37	\$1,164.80	\$1,280.24	\$1,209.06	\$1,087.71	\$1,068.53	\$1,290.15	\$1,097.36
Family	32	12	\$1,925.96	\$1,818.60	\$1,999.15	\$1,887.71	\$1,916.14	\$1,882.36	\$2,014.26	\$1,713.27
Medicare Retiree Single	4	0	\$437.84	\$413.69	\$454.48	\$429.41	\$632.39	\$621.24	\$712.00	\$605.61
Medicare Retiree 2 Party	4	0	\$886.56	\$837.39	\$920.25	\$869.21	\$1,328.02	\$1,304.60	\$1,434.69	\$1,220.30
Retiree 2 Party 1<1>65	0	0	\$1,128.96	\$1,065.29	\$1,171.86	\$1,105.77	\$1,328.02	\$1,304.60	\$1,434.69	\$1,220.30
Estimated Monthly Premium by Plan			\$133,064.46	\$38,085.29	\$138,121.08	\$39,532.62	\$131,347.37	\$38,231.12	\$142,213.51	\$35,876.90
Estimated Monthly Premium - All Plans			\$171,149.75		\$177,653.70		\$169,578.49		\$178,090.41	
Estimated Annual Premium - All Plans			\$2,053,797.00		\$2,131,844.40		\$2,034,941.88		\$2,137,084.92	
Percentage Change			n/a		3.80%		-0.92%		4.06%	
Annual Premium Difference			n/a		\$78,047		-\$18,855		\$83,288	
Deductible										
Individual			\$2,000	\$3,500	\$2,000	\$3,500	\$2,000	\$3,200	\$2,000	\$3,500
Family			\$4,000	\$7,000	\$4,000	\$7,000	\$4,000	\$6,400	\$4,000	\$7,000
Coinsurance			30%	0%	30%	0%	20%	0%	30%	0%
Out-of-pocket Maximum										
Individual			\$6,000	\$3,500	\$6,000	\$3,500	\$6,500	\$3,200	\$6,000	\$3,500
Family			\$12,000	\$7,000	\$12,000	\$7,000	\$13,000	\$6,400	\$12,000	\$7,000
Office Visit-Primary Care			First 5 visits 0% after \$20 copay	Deductible Applies then no charge	First 5 visits 0% after \$20 copay	Deductible Applies then no charge	\$30 Copay (\$0 for children under 19)	Deductible Applies then no charge	\$20 Copay	Deductible Applies then no charge
Preventative Care			Covered at 100% as outlined by the Affordable Care Act's Preventive Care Task Force							
Prescription Drugs										
Deductible			\$100 per person	Medical Deductible	\$100 per person	Medical Deductible	Waived	Medical Deductible	\$100 per person	Medical Deductible
Generic			No Charge		No Charge		\$10 Copay		\$10 Copay	
Preferred Brand			20% coinsurance		20% coinsurance		\$35 Copay		\$30 Copay	
Non-preferred Brand			40% coinsurance	Covered in full after Deductible	40% coinsurance	Covered in full after Deductible	\$70 Copay	Covered in full after Deductible	\$60 Copay	Covered in full after Deductible
Specialty			Payable per tier above		Payable per tier above		\$250 copay		Provided @ Home Delivery @ the retail 30 day cost share	
* In-Network/Participating Provider Benefits Shown Only. Out of Network can be a different benefit. * This is not in replacement of your carrier quote, please refer to your provided quote for all benefit information and rates.			JPT Plans Include ■ Annual Health Screening ■ Basic Vision Plan ■ \$10k of life and AD&D is included with medical premiums ■ EAP Program for all medical plan members	JPT Plans Include ■ Annual Health Screening ■ Basic Vision Plan ■ \$15k of life and AD&D is included with medical premiums ■ EAP Program for all medical plan members	UHC Plans Include ■ Employee Assistance Program ■ Cobra Admin Included at no cost ■ \$300 Member Rewards Annually ■ Must be a member of Chamber ■ 30% Renewal Cap -2025	Cigna Plans Include ■ Identity Protection for all members ■ Claims Reporting ■ Employee Assistance Program ■ \$20,000 Credit Renewal				

03:00 PM **Crisis Grant – Vanessa Williamson:** Present were Brent Faulkner, Clara Riddle, Cody Ercanbrack, Darren Short, Deb Burrell, Jay Sheffield, John Davis, Kayla Friss, Mavis Vaillancourt and Vanessa Williamson.

Vanessa Williamson, Probation, presented statistics and sought permission to apply for two grants to sustain crisis services and response. The Crisis Diversion Grant, which would cover annual training and travel expenses for Crisis Intervention Training and fund a Care Coordinator position. She plans to request new equipment for the crisis team through this grant. She mentioned initiating Medicaid billing for crisis services, aimed to make the team self-sustaining, with any funding deficits covered by HB 872 grant and utilizing a clearinghouse for Medicaid billing. She advised Medicaid billing covers transport costs. She added Deb is the Care Coordinator which along with the Behavioral Health Specialist would operate under Justice Court. The Drop-In Center Grant targets rural communities, providing a haven for individuals in crisis. It finances three positions to manage the facility and includes a lease payment. Commissioner Teske confirmed both grant funded employees would fall under Justice Court's purview. **Motion** by Commissioner Teske to approve a letter of support for both the Crisis Diversion and Drop-In Center grants. Second by Commissioner Hammons. Vanessa will provide an updated behavior health specialist job description and funding proposal. No public comment. Motion carried.

03:20 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST:

Corrina Brown, Clerk of the Board