

June 12, 2024

The Lincoln County Board of Commissioners met for a regular session on June 12, 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 were Brent Faulkner, Brian Phillips, Chanel Geer, DJ Welch, Feleisha Storkson, Jesse Haag, Maranda Davis, Mary Handy, Ray Stout, Rebecca Nelson, Roland Jorgenson, Scott Shindledecker and Sierra Gustin.

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

09:30 AM Appointment of Election Judges and Appointment of Audit Committee: Present were Clyde Miller, Melanie Howell, Noel Duram, Steven David Aver and Veronica Bovee-Anderson.

Melanie Howell, Election Administrator, presented a letter regarding the appointment of election judges, polling place locations and read the post-election audit committee members. She added the state audit is of precincts 2 and 6. **Motion** to approve the post-election audit committee by Commissioner Teske. Second by Commissioner Letcher. Commissioner Hammons, as a member of the audit, abstained from the vote. No comments. Commissioner Teske noted this will be done again at the general election. No public comments. Motion carried. Melanie confirmed the audit is today at 1:30 PM.

09:45 AM Angel Island Firework Ban – Clyde Miller: canceled

10:00 AM Health Department: Present were Bryan Alkire, Dustin Webb, Kathi Hooper, Noel Duram, Steven David Aver, Veronica Bovee-Anderson and Zach Sherbo.

Kathi Hooper, Health Department, introduced Zach Sherbo as new Public Health Manager. Public Health: She noted the outreach programs; tobacco prevention tools coming, outbreak response, CPR training and various kits. Zero to Five: She presented a schedule for Kids Korner activities for the community. Environmental Health: She noted the Tobacco Valley Animal Shelter has given notice of cancelling their \$50,520 annual contract as of July 4th and discussed considerations for the future noting 387 unclaimed/surrendered animals. She will seek bids. She distributed a proposed licensed establishment fee increase. She noted 119 septic permit applications received in 2024, with Eureka (61), Libby (43), and Troy (15). Litter/Community Decay Violations: She reported new complaints (1), properties not in compliance (13), those with compliance plans (8), closed properties (10) and instances where property owners cannot be located (3). Solid Waste & Recycling: She mentioned the camera installed at Libby Creek overheated in the little building, A/C has now been installed and the Troy camera system is being modified. Green box sites: She noted negotiating with Evergreen to extend hauling contract for five years, expecting a proposal from them June 24th and provided a list of County funded dumpster locations, noting some may not be renewed. She noted the Draft Environmental Assessment for the Libby Landfill Expansion is under state review. Eureka Landfill update: Bryan advised the contractor will begin the pour and the old gates are relocating to Happy's Inn. Kathi will get pictures of no asbestos materials signs at the sites. Tipping Fees: \$8 a yard for sorted material and \$24 for unsorted. She highlighted the need to conserve landfill space and will draft a letter for review. Discussion of notifying folks of the cost of landfill expansion and the cost of transporting materials. Kathi noted past due landfill accounts around \$55,000. The County Attorney has contacted a local ordinance individual at MACo regarding circumstances where past due information may be noted on property tax bills. Discussion of card readers and other payment options for the public.

10:30 AM Administrative Issues/Old Business: Approve Minutes / County Policy Regarding Longevity of Return Employees: Present were Noel Duram and Steven David Aver.

- Review of June 5, 2024, meeting minutes for approval: **Motion** by Commissioner Teske to approve the June 5, 2024 minutes. Second by Commissioner Hammons. No comments. Motion carried.
- County policy regarding longevity of return employees: Commissioner Teske advised he had updated Joe and due to the unavailability of HR, he'd like to retain this topic on the agenda.
- Commissioner Letcher advised he'd gone to a Town of Eureka meeting regarding the Fairgrounds sewer project as the county has been waiting since February to get a service confirmation letter from them. They agreed to get back to us. We were hoping to have a bid out by now as contractors normally have their schedules made up by this time of year and we only have until the end of 2024 to have that money obligated.

10:45 AM Public Comment Time - Non-Agenda Items: Present were Noel Duram and Steven David Aver.

Steven David Aver, residing at 1652 Old Hwy 2, addressed concerns regarding a purported policy allegedly created by the Lincoln County Board of Health pertaining to dog-related matters. He highlighted difficulties in locating official approval for this policy through the Clerk and Recorder's Office. Despite this, he noted it is being referenced in discussions concerning animal control matters. He urged the Commissioners to declare this not valid before he does so legally. He expressed reservations about an ordinance passed in April on dog barking, noting overly general language and the natural dog communication behavior. He stated persistent barking often stems from training issues. He noted barking is not necessarily an issue to be handled. He raised concerns about the welfare of his eleven dogs currently in custody and expressed difficulty in accessing affordable spaying and neutering services. He proposed the establishment of a publicized program to assist low-income individuals with these costs, aiming to reduce the number of unwanted animals in the county. He encouraged direct phone calls.

11:00 AM **Court Ordered Split for Johnson, Blanchard and Perambo re: Northwoods 2nd addition, Lot 6:** Present was Noel Duram.

Jesse Haag, Planning Director, presented a request for comment regarding a court-ordered split for petitioners J. Dean Johnson, trustee of the "Big Johnson Trust", Nathan Blanchard, and Jeff Perambo. He stated the Exemption Review Committee deemed this request inappropriate, as it may circumvent the provisions of 76-3 MCA and they suggested the petitioner's objective of property exchange could be achieved through a boundary line adjustment. Commissioner Letcher discussed the property having been surveyed for a preliminary review of a boundary line adjustment in the fall of 2023 that was never returned to be recorded in the Clerk and Recorder's Office and suggested this would be the most straightforward approach. It was agreed, Jesse will draft a letter to the court for commissioner review next week.

11:30 AM **Libby Asbestos Superfund Site Update – Dania Zinner, EPA:** Present were Kathi Hooper, Maggie Ogden, Melody Wunderlin, Noel Duram and Veronica Bovee-Anderson.

Dania Zinner via Zoom, EPA, provided an update on the Libby Asbestos Response Plan (LARP). She mentioned the Libby OU5, Kootenai Business Park, will be partially delisted from the national priorities list in August. She advised in the interim EPA will fund Lincoln County ARP through a cooperative agreement to do air monitoring whenever there is a wildfire in OU3. Commissioner Teske remarked that a public meeting was held with only a couple members of the public in attendance. He noted all the activity going on with the impoundment dam, logging projects around it and fire safe work inside it. Dania recommended utilizing Facebook and website posts to effectively disseminate this information.

11:45 AM **Libby Groundwater Superfund Site Update – Maggie Ogden, EPA:** Present were Kathi Hooper, Maggie Ogden, Melody Wunderlin, Noel Duram and Veronica Bovee-Anderson.

Maggie Ogden, EPA, presented a slide of the construction of the shallow aquifer remedy for in situ biosparging (ISB) at OU2 of the Libby groundwater Superfund site, including the upper and lower aquifer plumes. She mentioned that this construction will extend into the city and any areas of influence. She noted new institutional control Montana 811- call before you dig.

11:48 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board