

May 29 2024

The Lincoln County Board of Commissioners met for a regular session on May 29, 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 Aleana Woody, Andrew Neff, Becky Lihme, BreeAnna Adamson, Brent Faulkner, Brian A. Smith, Chanel Geer, Corey Hickman, Dallas Bowe, Darren Short, Derek Emery, Dixie Linnell, Feleisha Storkson, Gretchen Lancaster, Grant, Jack McCracken, Jane Mino, Jeanine Sticht, John Bovee, John Palmer, Jon Williams, Julie Smith, Kate Johnson, Krispin Lihme, Lavonne Finneran, Mac Kirk, Martin Sticht, Matthew Sieler, Melanie Howell, Michael Lancaster, Pam Rackley, Patsy Reece, Pierie Barney, Rachel Duram, Ray Stout, Rebecca Nelson, Scott Shindledecker, Shawn Smith, Steve Capell, Svea Jorgensen, Tanae Barney and Taylor Makay.

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

09:45 AM Fisher River Ambulance Request for Letter Re: Medicare Application: Present were Barbara Benson, Boyd White and Noel Duram.

Barbara Benson, Fisher River Valley Fire/Rescue, advised Fisher River Ambulance is re-enrolling in Medicare and seek to meet Noridian requirements. Discussion ensued regarding county involvement in this billing process. Commissioner Hammons clarified with Barbara that Roger, from Troy Ambulance, is contracted to handle the Medicare billing. Rachel Duram, via Zoom, emphasized the importance of entity sustainability. Barb will email Noridian Healthcare regarding Fisher River's authorization as a signer.

10:00 AM EMA Budget Metting: Present were Boyd White and Noel Duram.

Boyd White, EMA, presented preliminary budget data, noting planned expenses and Pinkham tower replacement.

10:15 AM Approval of DUI Task Force Plan – Sindy Filler: Present were Noel Duram and Sindy Filler.

Sindy Filler presented the DUI Task Force's annual plan for July 2024 to June 2025 for approval and submission to the Montana DOT, enabling the collection of license reinstatement fees. She noted collaborative efforts with various entities in prevention, education and enforcement activities to ensure road safety. **Motion** to approve the Lincoln County DUI Task Force annual plan for 2024-2025 by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.

10:30 AM Administrative Issues/Old Business: Approve Minutes / Health Insurance Approval: Present were Dallas Bowe and Noel Duram.

- Review of May 22, 2024, meeting minutes for approval: **Motion** by Commissioner Teske to approve the May 22, 2024 minutes. Second by Commissioner Hammons. No comments. Motion carried.
- Health Insurance Approval: Discussion regarding the \$3,000 overall savings, with consensus that it did not justify the disruption required for employee enrollment. **Motion** by Commissioner Teske to renew EBMS contracted with JBT Health Insurance. Second by Commissioner Hammons. No comments. Motion carried.
- Commissioner Letcher presented renewals of both the Rush Skeleton and Tansy Ragwort noxious weed grants. **Motion** to approve the Rush Skeleton grant and Tansy Ragwort grant by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.

10:45 AM Public Comment Time - Non-Agenda Items: Present were none. No public comment.

11:00 AM Libby Road Budget Meeting: Present were Jerry Regh and Noel Duram.

Jerry Regh, Libby Road Foreman, presented preliminary budget data for review. He will ensure wage and benefits reconcile with HR. Commissioner Hammons questioned why vehicle insurance was not included. Jerry will review rent, equipment leases and principle with Finance. It was agreed to rescheduled for June 5th, 2024.

11:30 AM Workers Comp. Savings Presentation – Mac Kirk: Present online was Mac Kirk.

Mac Kirk, agent with Seitz Insurance, provided a summary document of the workers' compensation renewal proposal. He noted the Experience Modification Rate (E-mod) of 0.61, attributing this low rate to the Safety Committee, safety meetings, site exposure risk mitigation efforts and HR's knowledgeable involvement. As a result, he added that, compared to the industry average, Lincoln County is saving about \$68,000 in workers' compensation costs.

11:45 AM BNSF Grant Application (GIS) – Crystal Denton: Present was Crystal Denton.

Crystal Denton, Deputy Clerk and Recorder, requested approval to apply for a GIS emergency services-focused grant due to the proximity of the mainline through Burlington Northern Santa Fe Railroad. Commissioner Teske noted the importance of emergency services regarding railroad crossings, derailments and other incidents happening nationwide. **Motion** by Commissioner Teske to move forward and apply for a GIS grant with BNSF in the amount of \$10,000. Second by Commissioner Hammons. No comments. Motion carried.

11:50 PM **Break**

01:30 PM **Abandon County Road Between Lots 15-16 & 23-22 Westgate Business Addition:** Present were Noel Duram, Sheldon Letcher and Tara Letcher.

Commissioner Teske presented a petition to abandon a section of a county road between lots 15-16 and 23-22 located in Westgate Business Addition owned by Tisher-Brown LLC located at 164 Westgate Ave. Libby, MT 59923 and accessed only from their property. **Motion** by Commissioner Teske to move forward with the road abandonment as presented. Second by Commissioner Hammons. No comments. Motion carried.

01:45 PM **Creekside Survey Discrepancy:** Present were Jesse Haag, Noel Duram, Sheldon Letcher and Tara Letcher.

Gretchen Lancaster inquired if MACo had provided any guidance. Commissioner Teske confirmed this information was included in the letter sent, adding if there is a dispute in the actual boundary line, the onus is on you to prove ownership. She asked of available solutions, mentioning a meeting with Byron Sanderson, a Surveyor. Commissioner Teske indicated the letter outlined how to proceed, to include a boundary line adjustment agreement. Jesse Haag, Planning Director, clarified this discussion is of legal description versus survey. He stated the legal description of the fairgrounds property was recorded in 1921 and is the senior right of title. He noted in 1958 the Forest Service property legal description was recorded and in 1959 the Creekside property survey was recorded. He stated a legal description is just as valid as a survey in this case. Jesse noted options include removing the buildings, a boundary line adjustment or the county could create a property and dispose of that property itself, all with varying levels of difficulty. He added the boundary line adjustment was under discussion until the last meeting where ownership of the property was contested and the letter indicates the county has the senior right of title and the onus is on the party contesting it. Commissioner Teske asked how they would like to move forward. The Lancasters pointed out acreage changes reflected in the tax rolls. Commissioner Letcher advised the State Department of Revenue handles property assessments and property owners have to contest issues. Commissioner Teske stated the law prohibits the commissioners from giving away public lands and disputes have to be resolved.

02:06 PM **County Policy Regarding Longevity of Return Employees – Joe Nagle:** Present were Dallas Bowe, Dave Hall and Joe Nagle.

Joe Nagle, Maintenance Director, addressed an issue concerning SRS (Sheriff Office Retirement System) and PERS (Public Employees' Retirement System) requirements. He noted that SRS mandates a 45-day break in service before hiring individuals in another capacity to prevent complications with PERS retirement. He proposed considering an amendment to the county policy to align with this requirement and questioned the possibility of reinstating time in service. The discussion included exploring the Montana Code Annotated (MCA) for information regarding the break in service requirement for SRS before transitioning to PERS and researching the time in service policy. Rescheduled for next week.

02:14 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board