

July 10, 2024

The Lincoln County Board of Commissioners met for a regular session on July 10, 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 Brian Philips, Bryan Alkire, Chanel Geer, Darren Short, Feleisha Storkson, Kerry Finley, Keyser Soze, Linda Ralph, Noah Pyle, Ray Stout, Roland Jorgenson, Scott Shindledecker, Shawn Smith and Traci Street.

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

09:30 AM **Encroachment Agreement with City of Libby-Water Main Woodland Road**: Present were Boyd White, Patricia Rybachek, Samuel Sikes and Veronica Bovee-Anderson.

Samuel Sikes, City of Libby Administrator, advised the water main lies within the county right-away on Woodland Road and a local property owner doesn't want the city to encroach into that right-away to allow taps in that area. He presented an encroachment agreement for Woodland Road to allow that contractor to put two taps in that area. Commissioner Teske advised he has looked over this site. **Motion** by Commissioner Teske to approve the encroachment permit for the City of Libby on Woodland Road. Second by Commissioner Hammons. Patricia Rybachek, Manager of Libby RV Park, represented the owner to better understand what will happen and was provided with a copy of the agreement. Sam advised they will be in contact with the Sheriff's Office as this project progresses. Motion carried.

09:45 AM **EMA Update** Present were Billy Day, Boyd White, Noel Duram and Veronica Bovee-Anderson.

Boyd White, EMA, advised the EMPG grant has been awarded but was reduced to \$50,500. FEMA requested updates on the hazard mitigation plan and a meeting was held to review the plan. The Emergency Operation Plan has been signed. The Lincoln County Sheriff's Office reported a vehicle in the river near the dam. The Corps of Engineers was involved, and the vehicle was removed before Emergency Services arrived. Boyd advised all his required state and FEMA professional development series training has been completed, other than the in person 300 series. The Pinkham Tower project is scheduled to start on July 22, and he is reviewing the installation plan with the sheriff's office. He mentioned interference issues with radios affecting Libby and Troy. This have been identified and addressed. Code Red emergency notification service prices have risen, but upon signing a three-year contract, the rates were frozen at last year's rate, saving \$1,200 this year. The Blue Mountain contract with the Forest Service has been updated. Commissioner Teske advised of a need for a new county public information officer and requested this be pursued.

10:00 AM **Health Department**: canceled

10:30 AM **Administrative Issues/Old Business: Approve Minutes / County Policy Regarding Pay and Benefits Overtime and Compensatory Time / Resolution 2024-17 To Abandon a Portion of a County Road Between lots 17 and 21 in Westgate Business Addition / Dog Control Agreement / Supplemental Fire Project Agreement / Memorandum to City of Libby and LCSO**: Present were Brent Faulkner, John Davis, Melanie Howell, Noel Duram and Sierra Gustin.

- Review of June 17, 2024, Canvass meeting minutes for approval: **Motion** by Commissioner Teske to approve the June 17, 2024, meeting minutes. Second by Commissioner Hammons. No comments. Motion carried.
- Review of June 26, 2024, Regular meeting minutes for approval: **Motion** by Commissioner Hammons to approve the June 26, 2024, meeting minutes. Second by Commissioner Teske. No comments. Motion carried.
- Review of June 28, 2024, Grant meeting minutes for approval: **Motion** by Commissioner Teske to approve the June 28, 2024, special meeting minutes. Second by Commissioner Hammons. No comments. Motion carried.
- Review of July 2, 2024, Budget meeting minutes for approval: **Motion** by Commissioner Hammons to approve the July 2, 2024, meeting minutes. Second by Commissioner Teske. No comments. Motion carried.
- County policy regarding Pay and Benefits Overtime and Compensatory Time: Commissioner Teske stated after reviewing it and hearing from the Sheriff's office he would like to leave the policy as is and issue a letter holding department heads more accountable for screening abuse. It was agreed to make no policy changes at this time.
- Resolution 2024-17 to Abandon a Portion of a County Road between lots 17 and 21 in Westgate Business Addition: Commissioner Letcher read Resolution 2024-17. Commissioner Teske noted no comment at the public hearing and this resolution will finalize the abandonment. **Motion** to approve Resolution 2024-17 by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.
- Commissioner Teske noted the City of Libby has an annual update to the Dog Control Agreement of 2024-25. **Motion** by Commissioner Teske to approve the Dog Control Agreement of 2024-25. Second by Commissioner Hammons. No comments. Motion carried.
- Supplemental Fire Project Agreement: Undersheriff Faulkner advised this is a new agreement between the County, Department of Natural Resources and Kootenai National Forest to allow service. **Motion** to approve by Commissioner Hammons to approve the supplemental Fire Project Agreement. Second by Commissioner Teske. No comments. Motion carried.
- Memorandum of Agreement City of Libby and Lincoln County, Sheriff's Office: Sheriff, Darren Short advised of providing occasional coverage and prudence in having this remain in place. **Motion** by Commissioner Teske to continue the MOA with the City of Libby. Second by Commissioner Hammons. No comments. Motion carried.

10:45 AM **Public Comment Time - Non-Agenda Items:** Present were Melanie Howell, Noel Duram and Sierra Gustin.

None

11:00 AM **Public Hearing - Abandon County Road Between Lots 15-16 and 23-22 in Westgate Business Addition:** Present were Jerry Regh, Melanie Howell, Noah Pyle, Noel Duram, Sierra Gustin and Veronica Bovee-Anderson.

Commissioner Letcher opened a public hearing to abandon a part of a county road between Lots 15-16 and 23-22 in Westgate Business Addition. Commissioner Teske noted this road has been encroached upon and there is no public access without crossing private property. **Motion** by Commissioner Teske to approve the abandonment of this portion of the county road and move it forward for a Resolution. Second by Commissioner Hammons. No comments. Motion carried.

11:15 AM **Reassign Addressing Duties – Clerk and Recorder:** Present were Evan Camilla, Melanie Howell, Noah Pyle, Noel Duram, Sierra Gustin and Veronica Bovee-Anderson.

Clerk and Recorder, Corrina Brown, requested authorization to reassign addressing duties with incentive pay, citing the loss of the clerk formerly receiving incentive pay. She noted a significant strain on the temporary work assignment added to the County Land Specialist along with the ensuing delay due to a desire for a county GIS position which would take this task on. She added the preliminary budget does not include the forecasted annual addressing related revenue of \$7,000 and requested if this incentive pay is authorized this be approved to another clerk. Noah confirmed ongoing addressing concerns. **Motion** by Commissioner Teske to authorize incentive pay of \$7,000 annually to a deputy clerk for county addressing only *until the county fills a GIS position*. Second by Commissioner Hammons. No comments. Motion carried.

11:30 AM **Public Hearing – Annexation into TRFD of 10 Lots in Cedar Glen Estates Subdivision:** Present were Evan Camilla, Cherie Gunderson, Melanie Howell, Noel Duram, Sierra Gustin, Steve Gunderson and Veronica Bovee-Anderson.

Commissioner Letcher called for public comment on the request for annexation of ten lots in Cedar Glen Estates subdivisions into Troy Rural Fire Department. No comments. **Motion** by Commissioner Hammons to move forward to a resolution to annex ten lots into Cedar Glen Estates. Second by Commissioner Teske. No comments. Motion carried.

11:45 AM **Election Administrator Discussion:** Present were Ann German, Brent Faulkner, Cherie Gunderson, Evan Camilla, Melanie Howell, Noel Duram, Sierra Gustin, Steve Gunderson and Veronica Bovee-Anderson.

Election Administrator, Melanie Howell, cited MCA 13-1-301, stating the Clerk and Recorder is the default election administrator unless another is appointed. She emphasized the need to secure election equipment and materials. She highlighted the well-known address for elections. She noted Elections are a stressful job and feels additional stress from the Clerk and Recorder's office. She mentioned her managerial experience and the establishment of a secure election facility. She noted other counties like Missoula, Glacier, Bighorn and Cascade have separated the election department from the Clerk and Recorder's Office with no detriment. She requested a separation of Elections from the Clerk and Recorder's Office. Election Assistant, Sierra Gustin, raised security concerns with working elections in the Clerk and Recorder's office as it's open to the public. She mentioned public frustration over the shared phone system. Clerk and Recorder, Corrina Brown, noted varying approaches to election management in Montana counties. She confirmed the Election Administrator currently oversees the entire election process for Lincoln County. She offered new consideration of an Election Lead position and emphasized the county does not need to change the current election management and would like this discussion to enhance the election process. Commissioner Teske questioned if the County Attorney was consulted about MCA 13-1-301 being applicable and noted public confusion with alternate locations and concerns with transporting election materials. Commissioner Hammons questioned why previous employee workload allowed for off season help in the Clerk and Recorder's Office is no longer the case. Commissioner Letcher understands the drive for secure elections, wanting everything in one place also understands the need for cross-training and the need for the Assistance Election Administration to help in the Clerk and Records Office during the off season. He questioned the workload in off-years, noting cleaning of election rolls. Melanie noted they are now doing all the school elections and the infrastructure in elections involves continual training. Commissioner Hammons questioned who the Election Administrator reports to in these other counties. Melanie noted they report to the Commissioners and noted Cascade County is willing to discuss this change they have made. Commissioner Letcher advised the discussion will be continued next week. He requested public comment and the County Attorney's opinion.

12:06 PM **Break**

01:30 PM **Meadow Creek Acres Minor Subdivision Review:** Present were Kristin Smith, Thomas Sibson and Noel Duram.

Kristin Smith presented a first minor review of Meadow Creek Acres Minor subdivision proposal, recommending approval with thirteen noted conditions to include fire assessment. **Motion** by Commissioner Teske to approve Meadow Creek Acres Minor subdivision with thirteen conditions with preliminary plat approval. Second by Commissioner Hammons. No comments. Motion carried.

01:45 PM **Public Hearing – Proposed Family Transfer Lot 1 O’Brien Creek Properties**: Present were Kristin Smith and Noel Duram.

Kristin Smith advised of following MACo guidelines regarding the proposed Hawkins family transfer of lot 1 O’Brien Creek Properties subdivision with a recommendation of approval to use this exemption to the subdivision plating act. **Motion** to approve the use of the family transfer of O’Brien Creek properties subdivision with five conditions per planning staff recommendation by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.

02:00 PM **Final Plat Review – Nordic Way Subdivision**: canceled

02:15 PM **Luit Subdivision – Final Plat**: Canceled

01:41 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board