

**June 26, 2024**

The Lincoln County Board of Commissioners met for a regular session on June 26, 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 Alaena Woody, Alyssa Ramirez, Barb Hvizdak, BreeAnna Adamson, Brent Faulkner, Brian Phillips, Chanel Geer, Cindy Stolte, Crystal Denton, Darren Short, Dave Brewster, Douglas Davies, Elisa Jansky, Feleisha Storkson, Heidi Silverman, Jesse Haag, Kathleen Sheffield, Kerry Finley, Khris Kendall, Loni, Maranda Davis, Melanie Howell, Michelle Byrd, Miles McElhinney, Nikki Meyer, Ray Stout, Robin Blumberg, Roland Jorgenson, Scott Shindeldecker, Sharee Miller, Shawn Smith, Sierra Gustin, Siri Larsen, Susan Resch, T. Helms, Tillie Butts and Wyatt Franke.

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

09:15 AM **Luit Subdivision Final Plat**: canceled

09:30 AM **Montana Wild Subdivision Preliminary Plat Extension Request**: Present were Alisha Osborne, Jesse Haag and Noel Duram.

Alisha Osborne, Planning Assistant, presented a request to extend the Montana Wild subdivision preliminary plat approval for one-year. Planning Department recommended approval. **Motion** to approve a one-year extension to the preliminary plat approval of Montana Wild Recreation subdivision to expire July 7, 2025 per planning Staff recommendation by Commission Teske. Second by Commissioner Hammons. No comments. Motion carried.

09:45 AM **County Policy Regarding Pay and Benefits Overtime and Compensatory Time – Approval or Denial**: Present were Brett Faulkner, Dallas Bowe, Darren Short, John Davis, Kathi Hooper, Marsha Boris, Melanie Howell and Mike Bradeen.

Dallas Bowe, Human Resources, advised the commissioners had requested to look at the policy regarding putting the 'not' back into overtime and compensatory time where it would not count towards hours worked. An example was provided of an employee taking 36 hours of vacation and subsequently working an 8-hour shift, resulting in 4 hours of overtime. It was suggested that changing this policy could save \$200,000 across the county. Sheriff Short expressed concern that this change may reduce willingness to cover shifts. He emphasized the shifts will still be covered and, if current staff covered them, overtime costs would nullify the projected savings. Undersheriff Faulkner mentioned that while the potential savings are quantifiable, the practical impact may not materialize as any savings will be offset elsewhere. Captain Davis spoke of trying to call in coverage without overtime incentive. Commissioner Letcher noted that beyond government employees, individuals typically adhere to these guidelines. Marsha Boris, County Attorney, added that in justice court, attorneys request that officer overtime be reimbursed by the defendant if they appear in court on their day off. This item will be revisited on the agenda for next week.

10:00 AM **Final Results of Election Canvass**: Present were Dave Harman, Melanie Howell and Noel Duram.

Melanie Howell, Election Administrator, advised the June 4th primary went very smoothly and the judges did a fantastic job, resulting in accurate results. Commissioner Teske noted that MCA requires prior approval of audits and judges before the next election. Commissioner Letcher requested directional signage along the highway to polling places.

10:15 AM **ARP updates**: no-show

10:30 AM **Administrative Issues/Old Business: Approve Minutes / Board Appointments / Alcohol Tax Designation / J. Neils Bull Removal Proposal / County Policy Regarding Longevity of Return Employees / Telecom Cost Reduction Analysis / PA for USFS Air Monitoring**: Present were Bill Clark, Dave Harmon, Don Young, Gary Dutton, Gerald Wallace, Joe Nagle, Kathleen Sheffield, Marc McCully, Noel Duram, Patty Rambo and Sandy Clark.

- Review of June 17, 2024, budget meeting and the June 19, 2024 regular meeting minutes for approval: **Motion** by Commissioner Hammons to approve the June 17, 2024 and the June 19, 2024 minutes. Second by Commissioner Teske. No comments. Motion carried.
- Board appointments: (2) Airport: **Motion** to re-appoint Jim Perhay and appoint DL Fitzpatrick by Commissioner Hammons per board recommendation. Second by Commissioner Teske. No comments. Motion carried.
  - (1) Libby Park District: no applicants.
  - (3) Library: Commissioner Teske proposed appointing two and the other when Annie Gassman steps down. **Motion** by Commissioner Teske to appoint Mike Mason and Mark Roesler-Begalke per Library recommendation. Second by Commissioner Hammons. No comments. Motion carried.
  - (1) Weed: no applicants.
  - (2) Boyd Hill Cemetery: **Motion** by Commissioner Hammons to re-appoint Alan McNeil and Moses Brad Chupp per board recommendation. Second by Commissioner Teske. No comments. Motion carried.
  - (3) Bull Lake Rural Fire District: **Motion** by Commissioner Teske to re-appoint Steven Munyan and Gerald Wallace and appoint Don Young. Second by Commissioner Hammons. No comments. Motion carried.
  - (1) Eureka Area District Dispatch: **Motion** by Commissioner Hammons to re-appoint Stormy Langston. Second by Commissioner Teske. No comments. Motion carried.

(1) Fisher River Valley FSA: **Motion** by Commissioner Teske to re-appoint Stuart Crismore. Second by Commissioner Hammons. No comments. Motion carried.

(1) McCormick Fire District Board: no applicants.

(1) Trego/Fortine/Stryker FSA: no applicants by the deadline. Noted a late application.

(1) Fortine/Trego Cemetery District: **Motion** by Commissioner Teske to appoint Gareth Curtiss. Second by Commissioner Hammons. No comments. Motion carried.

- Alcohol Tax Designation: Commissioner Hammons discussed service providers, coverage and a four-year plan to be submitted to the state. **Motion** by Commissioner Teske to approve Oxytocin, LLC for the alcohol tax funds for outpatient treatment. Second by Commissioner Hammons. Kathleen Sheffield, Victim Witness Advocate, suggested a MOU to clearly understand the services provided to the county. No public comment. Motion carried.
- J. Neils Bull Removal Proposal: Commissioner Teske advised the proposal is to relocate the bull and replace it with something more historically significant at J. Neils park. Patty Rambo requested this proposal be dismissed or postponed due to the pending rodeo and it's representation. It was agreed to postpone action until September.
- County Policy Regarding Longevity of Return Employees: Commissioner Teske advised a policy change would be required to reflect the longevity of former county employees who return to work after retiring. Joe Nagle, Maintenance Director, agreed that this policy change would result in \$1,040 budget absorption. It was agreed to look into the overall county cost as part of the budget discussion.
- Telecom Cost Reduction Analysis: Commissioner Teske noted the MACo IT person offered to counties a reduction analysis of telecom services at no cost. **Motion** to proceed with the telecom cost reduction analysis through MACo by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- PA for USFS Air Monitoring: Commissioner Teske advise the Forest Service agreement to fly and air monitor the OU3 area. **Motion** to approve the agreement with the USFS air monitoring and testing by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.

10:45 AM **Public Comment Time - Non-Agenda Items:** Present were Brett Faulkner, Dave Harmon and Darren Short.

Tillie Butts of Fortine questioned an application to the Trego/Fortine/Stryker Fire Service Area that she had mailed on June 6, 2024. She agreed with Clerk and Recorder Corrina Brown that it was submitted late. Corrina advised the board was aware of this application and that there will be another round of board openings soon.

11:00 AM **North Communications Grant/RFP Approval–Sheriff's Office:** Present were Brett Faulkner and Darrin Short.

Undersheriff Faulkner presented North Communications grant and request for proposals for approval. Discussion of grant services working on the Black Butte, Marston and Libby sites. **Motion** by Commissioner Hammons to approve the request for proposal of the North County Communication Project. Second by Commissioner Teske. No comments. Motion carried.

11:15 AM **Public Hearing: Abandon County Road Between Lots 17 & 21 Westgate Business Addition:** Present were Noel Duram and Veronica Bovee-Anderson.

Commissioner Teske summarized the abandonment request status of county road between Lots 17 & 21, Westgate Business Addition. He confirmed there has been no public comment. Noah Pyle, Land Specialist, clarified that new deeds will transfer ownership from the county to the legal description of the adjacent property owners. **Motion** by Commissioner Teske to approve abandoning part of the county road between lots 17 & 21 of the Westgate Business Addition. Second by Commissioner Hammons. Commissioner Teske stressed this is landlocked and in the middle of a parking lot with significant encroachment as noted in the viewers report. No public comments. Motion carried.

11:30 AM **Library Budget Meeting:** Present were Alyssa Ramirez, Annie Gassmann, Dustina Deans, John Teisberg, Kerri Teisberg, Mark Roesler-Begalke, Nadine Teisberg and Veronica Bovee-Anderson.

Barb Hvizdak, Library Board, noted via Zoom the district ballot proposal came up short but demonstrated community support for the library. She questioned what the Commissioners are planning for the 2024/25 budget year. Commissioner Letcher mentioned that voters had decided on the district proposal and at last week's budget meeting, it was agreed to maintain the library funding at 7.49 mills. Commissioner Teske acknowledged the budget shortfall, which has necessitated cuts across the county where possible. He added that the Library has the option to return to the citizens to request additional voted mills. Shawn Smith, via Zoom, emphasized that everyone needs to consider that financial difficulties are likely to increase for all.

11:48 AM **Break**

01:30 PM **Lower Yaak Zoning District – Decision:** Present were Ann German, Bob Bittner, Brett McCully, Chris Bache, Craig Johnson, DC Orr, Debra Cernick, Doreen Gillespie, Evan Camella, George Mercer, Jackie Deshazer, Jeff Smith, Jeffrey Barger, Jeremy Hagness, John Baisden, John Chott, John Damon, Kalli Baker Ryals, Kate France, Katrina Newton, Martha Cervantes, Matt Franke, Noel Duram, Owen Baisden, Paul Johnson, Ray Stout, Rhoda Cargill, Shannon Wooley, Shawna Norry and Zach McNew.

Commissioner Letcher introduced the Lower Yaak Zoning District. Commissioner Hammons stated this has been the most scrutinized land use issue ever in Lincoln County and recognized the efforts from citizens and the Planning Board. **Motion** by Commissioner Teske to approve resolution 2024-15 to bring it to the floor for discussion and a vote. Second by Commissioner Hammons. Commissioner Teske advised that while this citizen initiative community plan had merit, it

became a single-focus document meant to exclude commercial and industrial activities from that area. He added that if this exclusion was the intent, it should have been clearly stated in the proposed plan.

Craig Johnson feels government has one purpose: to protect the rights of people. He asked the board to vote no. DC Orr encouraged the board to insist on clear articulation of the land use purpose, asking for a no vote. Jackie Deshazier provided letters from others in the community opposed to zoning. Jeff Smith, attorney representing the property developer in the proposed zoning area, encouraged voting no, stressed the county policy focused on growth and thanked everyone for participating in the public hearing. Rhoda Cargill expressed dismay that statutes exist that can ensnare property owners with a 60 percent ownership agreement. Jeff Barger noted he feels a blanket rule related to single-family ownership should not be considered. Mike France gave thanks for the police presence and appreciation of the time and attention given by the commissioners, noting the lesson is communication to solve differences. Matt Franke noted the group's effort was to try to preserve the quiet, peaceful nature of their neighborhood, derided misinformation and expressed appreciation for the commissioners' attention. No further comments were made. The vote was unanimous to deny the resolution.

02:00 PM **MACo Acknowledgement Form-Renewal Scheduled Property:** Present were Kevin Peck and Ray Stout.

Kevin Peck, Hub Agent, discussed details of coverage and market trends. He noted comparisons between Travelers and MACo quotes. He presented a MACo Property and Casualty Trust 2024/25 PCT renewal of three schedules to include buildings, vehicles and equipment. **Motion** to approve the 2024/25 PCT renewal property for Montana Association of Counties by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.

02:20 PM **Adjourned**

#### **LINCOLN COUNTY BOARD OF COMMISSIONERS**

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Josh Letcher, Chairman

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