

September 4, 2024

The Lincoln County Board of Commissioners met for a regular session on September 4, 2024, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Hammons, Commissioner Teske, Lincoln County Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Zoom Participation: Adam Stephenson, Chanel Geer, DJ Welch, Election Center, Feleisha Storkson, Maranda Davis, Maria, Noel Duram, Ray Stout, Robin Blumberg, Scott Shindledecker, Traci Street and Wyatt Franke.

Commissioner Teske announced the 10 AM was canceled and the meeting will begin at 10:30.

Commissioner Teske opened the meeting with the **Pledge of Allegiance**.

Motion by Commissioner Hammons, in the absence of Commissioner Letcher, to appoint Commissioner Teske to chair this meeting. Second by Commissioner Teske. No comments. Motion carried.

10:00 AM **USFS**: canceled

10:30 AM **Administrative Issues/Old Business: Approve Minutes / Approve Wellhead Protection Zone**: Present were none.

- Minutes of August 28, 2024, for approval: **Motion** to approve the August 28, 2024, regular commissioner meeting minutes by Commissioner Hammons, seconded by Commissioner Teske. No comments. Motion carried.
- Approve Wellhead Protection Zone: Commissioner Teske reached out for any further information. Noel advised DEQ's involved, confirming 100' zone will allow ample room and has talked with the adjacent landowner regarding easement. Commissioner Hammons **Moved** to approve the wellhead protection zone, with the condition that if any issues arise that hinder it, we will reevaluate it at that time. Second by Commissioner Teske, with the addition that it will be discussed with Environmental Health and the Sanitarian. No comments. Motion carried.
- Commissioner Teske noted MACo submitted an agent appointment and agreement update form due to Glacier Insurance being sold to HUB international. Commissioner Teske signed this agreement.

10:45 AM **Public Comment Time – Non-Agenda Items**: Present was Penny Kyes.

Penny Kyes, from the Ambulance Board, reported the ambulance building is still under the county's name. Commissioner Teske advised her to consult with the County Land Specialist, Noah Pyle in the Clerk and Recorder's Office.

11:00 AM **Final Budget Adoption**: Present were Dustina Deans, Irene Quail, Penny Kyes, and Wendy Drake.

Wendy Drake, Finance Director, presented the final budget as well as levy sheets for the ambulance. Commissioner Teske read Resolution 2024-23, adopting the final operating budget from July 1, 2024, to June 30, 2025. **Motion** by Commissioner Hammons to approve Resolution 2024-23. Commissioner Teske seconded the motion and corrected the public hearing date. Penny Kyes, representing the Ambulance Board, questioned a floating mill. Wendy explained that as inflation increases, the mill decreases, causing the value to fluctuate. Penny noted they were expecting more funds and expressed frustration with the operating budget. Commissioner Teske explained that the ambulance has 3 voted mills and 2 floating mills, totaling 4.47 mills. He clarified that the ambulance is receiving the legally allotted amount, and any changes would require going back to the taxpayers. He added that the library has 3.49 voted mills and suggested that both the Ambulance and Library may consider elections to request additional mills. Penny also mentioned receiving a letter from MACo regarding insurance. Commissioner Teske noted that these are required corrections. No further comments. Motion carried. Commissioner Teske announced the final budget is adopted at \$14,901,890.54. Dustina mentioned that the library is inquiring with the Elections office about the cost and timing of a special election. Irene Quail asked if the budget includes funds for the animal shelter, expressing concern about her dog. Commissioner Teske noted that Public Health has budgeted funds, and the newspaper had reported on county contracts with Kootenai Pets for Life and Tobacco Valley Animal Shelter.

11:15 AM **Adoption of Final School Budget**: Present were none - postponed

11:30 AM **Condition Amendment- Shelley Subdivision**: Present were none.

Commissioner Teske read the conditional correction for the Shelley Subdivision, dated 8/29/24. The error was in condition #2, which incorrectly referred to the lot line of lot 3 when it should have referred to lot 2. **Motion** to approve the notice of condition corrections for the Shelley Subdivisions. Second by Commissioner Teske. Commissioner Hammons noted the original Plat was already approved and this corrects the map. No public comments. Motion carried. Alisha Osborn and Kristin Smith arrived, confirming approval was received.

11:45 AM **Resident Concerns Regarding Lower Yaak Zoning Decision**: Present were Alisha Osborn, Jackie Deshazer, Jennifer Nelson, Matt Franke, Owen Baisden, Paul Johnson and Robert Bittner.

Paul Johnson stated they are considering appealing the process, as the Eureka Planning Board members initially refused to vote on the CIZD but eventually did. Once a resolution was passed, discussions started after the comment period and

the motion was tabled, though he felt it should have gone to a vote. He expressed frustration with ongoing off-topic, false, and irrelevant comments, as well as the covenant document being altered. He stated comments were accepted by everyone, whereas they should have been limited to those living in the district. Ultimately, the CIZD was voted down. He explained that the CIZD was originally created to protect lifestyles and is in agreement with the county growth policy and wants to appeal the decision. Matt Franke emphasized the intent of zoning was to preserve the character of the neighborhood for future generations. He believes the motion should never have been tabled and cited state law, restricting public comment to residents within the zone. He wants to complete the process correctly, without the spread of misinformation. He also referenced Sam Martin from the Forest Service, who noted that federal land is closed land and any adjacent property owners must fence animals in. Wyatt Franke, speaking via Zoom, highlighted a conflict of interest, stating that state law was violated by opening the comment to the entire county. He argued the zoning aligned with the county growth policy and emphasized a strain on public services. He also raised procedural concerns with meetings and noted a budget deficit. Commissioner Teske affirmed they are entitled to an appeals process. No further comments.

11:58 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board