

October 30, 2024

The Lincoln County Board of Commissioners met for a regular session on October 30, 2024, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Letcher, Commissioner Hammons, Commissioner Teske, Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Zoom Participation: Adam Stephenson, Alicia Osborn, Brian Phillips, Crystal Denton, Dallas Bowe, Dustina Deans, Feleisha Storkson, Jerry Regh, Jesse Haag, Libby Landfill, Ray Stout, Roland Jorgenson, Sarah Long, Scott Shindledecker, Sierra Gustin and TVN Staff.

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

10:00 AM Cell Tower Discussion – Planning Department: Present were Jen Bernosky, Jesse Haag, Michael Huck and Noel Duram.

Commissioner Hammons requested a discussion regarding the countywide management of cell towers given that the county does not have zoning regulations. Jesse Haag, Planning Director, advised he had contacted other counties and found they had adopted resolutions with specific standards for cell tower sizes, emergency service use, use of existing tower antenna options and visibility standards. Commissioner Teske raised concerns about the county potentially restricting the use of private property, emphasizing the concern of government involvement in private property use decisions. Discussion of height restrictions in airport areas and that FCC guidelines regulate mountaintop installations, 911 services and subdivision regulations having some associated standards. The discussion included cell tower camouflage techniques and the increasing demand for the internet and satellite phones in remote locations. Commissioner Teske requested that Jesse reach out to counties with similar geographical features for additional input.

10:15 AM Approve Crime Victims' Week Grant Application – Kathleen Sheffield: Present were Jen Bernosky, Kathleen Sheffield, Michael Huck and Noel Duram.

Kathleen Sheffield, Victim Witness Advocate, requested authorization to apply for a mini grant of \$5,000 supporting National Crime Victims' Week. The grant would fund language books for law enforcement and others working with non-English speakers, T-shirts for the candlelight vigil and advertising materials. **Motion** to approve the Crime Victims' Week grant application by Commissioner Teske. Second by Commissioner Hammons. No comments. Motion carried.

10:30 AM Administrative Issues/Old Business: Approve Minutes / Board Appointments / Resolution 2024-31 A Resolution Supporting Operation Green Light / Approval of Libby Park District Budget: Present were Jen Bernosky, Michael Huck and Noel Duram.

- Minutes of October 23, 2024, for approval: **Motion** to approve the October 23, 2024, meeting minutes by Commissioner Teske. Seconded by Commissioner Hammons. No comments. Motion carried.
- Corrina Brown, Clerk and Recorder, presented board vacancies for appointment:
 - Planning Board: 2 vacancies with 2 applicants – James Frank of Libby and Paul Johnson of Troy. The board welcomes them both. **Motion** by Commissioner Hammons to appoint James Frank of Libby and Paul Johnson of Troy to the Planning Board. Second by Commissioner Teske. No comments. Motion carried.
 - Weed Board: 1 vacancy with no applicants.
 - Eureka Area District Dispatch: 1 vacancy with 2 applicants – Bill Myra and Debra Hickman. The board's recommendation was Debra Hickman. **Motion** by Commissioner Teske to appoint Debra Hickman to the Eureka Area District Dispatch Board. Second by Commissioner Hammons. No Comments. Motion carried.
 - Tobacco Valley Industrial District: 4 vacancies with no applicants.
- Resolution 2024-31 a resolution supporting Operation Green Light. Commissioner Letcher read the resolution. **Motion** by Commissioner Teske to approve Resolution 2024-31 supporting Operation Green Light for veterans. Second by Commissioner Hammons. No comments. Motion carried.
- Approval of Libby Park District budget: **Motion** by Commissioner Teske to approve the Libby Park District budget for 2024/25. Second by Commissioner Hammons. No comments. Motion carried.

10:45 AM Public Comment Time – Non-Agenda Items: Present were Cathleen Disney, Harry Disney, Jen Bernosky, Michael Huck and Noel Duram.

Cathleen Disney thanked the Commissioners for their support of Utah's lawsuit against the BLM, noting that 12 states and numerous counties are in support. She expressed appreciation for the master stewardship program, highlighting Montana's recent rise into the top ten states for increased homeowner insurance rates and premium costs. She referenced comments from a newspaper article regarding the master stewardship agreement and raised concerns over the county expense associated with a commissioner traveling to California, asking for details. She further questioned county oversight of the Port Authority, to which Commissioner Teske responded that a County Commissioner will continue to serve on the Port Authority Board and that it has an annual audit. The Port Authority meets on the third Monday of each month at 3:30 in the commissioner meeting room. Commissioner Letcher clarified that thinning along property lines is not a county program and that the county does offer fire wise programs for property owners. The group discussed reaching out to commissioners with questions and obtaining specific contact information for entities such as the Fire wise / Fire Safe Council.

11:00 AM **Approval of Evergreen Disposal Contract – Kathi Hooper:** Present were Bryan Alkire, Jen Bernosky, Kathi Hooper, Linda Alkire, Matthew Stull, Michael Huck and Noel Duram.

Kathi Hooper, Health Department, stated they were not ready to approve the waste hauling contract and asked to discuss it. She noted that the Commissioners had previously agreed to provide supplementary funding for year 11. She noted representatives from Evergreen Disposal were present and unwilling to negotiate the contract expiring November 9, 2024.

Evergreen Contract Pricing		
Duration	Yearly Total	Monthly Payment
Year 11 (2024-2025)	\$ 400,000.00	\$ 33,333.33
Year 12 (2025-2026)	\$ 550,000.00	\$ 45,833.33
Year 13 (2026-2027)	\$ 605,000.00	\$ 50,416.67
Year 14 (2027-2028)	\$ 665,500.00	\$ 55,458.33
Year 15 (2028-2029)	\$ 732,050.00	\$ 61,004.17

She detailed needs to outfit the county to take on hauling services. Michael Huck explained that under

the current contract terms, they would not make a profit in the first year. He emphasized that a five-year contract would allow them to recover initial losses, and they are currently operating at a loss each year. There was a discussion about closing certain disposal sites and adding attendants, yet these changes seemed to have minimal effect on pricing.

Michael stated due to the time and travel costs involved they have the same cost. Discussion of an impasse due to

budget constraints, one alternative mentioned was to close remote sites, requiring residents to use the landfill for

disposal. Jen Bernosky commented on rising costs with no relief in sight, while Michael advised home disposal cans are

available with safe access. Kathi mentioned community sites may contract directly with Evergreen.

11:15 AM **Amendment of the Election Judge List – Melanie Howell:** Present were Melanie Howell and Noel Duram.

Melanie Howell, Election Administrator, presented an updated list of certified judges to supplement the previous list and highlighted the new additions. She noted that some judges who are unavailable for this election remain on the list for future elections. She confirmed this amendment provides an adequate number of judges for the upcoming election.

Motion by Commissioner Teske to approve the amendment of judges list provided to be used for the next two years.

Second by Commissioner Hammons. No public comments. Motion carried. Discussion of not using the audit committee members as judges even though they are on the list.

11:22 AM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Josh Letcher, Chairman

ATTEST: _____

Corrina Brown, Clerk of the Board