

January 8, 2025

The Lincoln County Board of Commissioners met for a regular session on January 8, 2025, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Hammons, Commissioner Duram, Administrative Assistant Jennifer Brown and Clerk and Recorder Corrina Brown.

Zoom participation: Alaena Woody, BreeAnna Dahm, Chanel Geer, Dallas Bowe, Darren Short, Feleisha Storkson, Jesse Haag, John Hyslop, Josh Letcher, Kristel, Melody Wunderlin, Sally H, Scott Shindledecker, T Penfold and Traci Street.

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

09:30 AM Elect Presiding Officer of Board of Commissioners: Present were Brian Bartkowiak, Boyd White, George Jamison, Jerry Bennett, Melanie Howell, Ray Stout, Roberta McCause, Sierra Gustin and Sydney Stuart.

Motion by Commissioner Hammons to nominate Commissioner Teske as presiding Chair of the Board of Commissioners. Second by Commissioner Duram. No other nominations. No public comment. Motion of appointment was unanimous.

09:45 AM Natural Resource Damage Program Funding (NRDP) Update: Present were Brian Bartkowiak, Brian Berreman, Boyd White, George Jamison, Jerry Bennett, Jesse Haag, Kathi Hooper, Katie Davis, Melanie Howell, Michele Harmon, Ray Stout, Roberta McCause, Rocky Schauer, Sierra Gustin, Sydney Stuart, William Wood and Zach Sherbo.

Brian Bartkowiak, Program Manager with NRDP, presented a slide show outlining the program's mission to recover damages to natural resources caused by the release of hazardous substances and use those damages to restore, replace, rehabilitate or acquire the relevant equivalent of the injured resources. He requested help from counties, cities and citizens to generate project ideas and implement plans to protect public health and environment.

Sydney Stuart, Environmental Scientist and NRDP Project Manager for work in Libby, presented a map of the Libby Asbestos Superfund Site's operable units. She explained the settlement the state entered with Grace applied to Operable Unit 3 (OU3), the mine site and areas where contamination from the mine has been found, showing a general area. She noted the settlement resolved the remainder of the state's claim in Grace's bankruptcy. She advised the natural resource damage settlement totals \$18.5 million, which will be distributed to the state over ten years: \$5 million in October 2023 and \$1.5 million every April through 2032. She explained they are developing an interim restoration plan (\$2 million) until the cleanup is defined, after which a final restoration plan (\$3 million) can be created. She reviewed early restoration projects and outlined the current projects, which include funding for Lincoln County to hire a Lincoln County Park Manager. She added they will be requesting additional proposals.

10:00 AM Health Department – Maternal and Childhood Block Grant Yearly Update: Present were Brian Berreman, Boyd White, Deb Burrell, Don Burrell, Kathi Hooper, Katie Davis, Maggie Anderson, Melanie Howell, Michele Harmon, Ray Stout, Roberta McCause, Rocky Schauer, Sierra Gustin, Vel Shaver, William Wood and Zach Sherbo.

Zach Sherbo, Health Department, presented the renewal of the Title V Maternal and Child Health Block Grant Program and highlighted the related benefits provided to the community. He also mentioned the CHIP Implementation Grant as a Pathways fund, noting they are working towards receiving national accreditation under the Public Health Association. He explained the Community Health Improvement Plan (CHIP) assessment offers an opportunity to provide deliverables.

Motion to approve the task order for CHIP, Pathways and also the Maternal and Child Health Block Grant Program by Commissioner Hammons. Second by Commissioner Duram. No public comment. Motion carried.

10:15 AM Administrative Issues/Old Business: Approve Minutes / Alcohol Tax Distribution Decision / Tobacco Valley Industrial District Board Commissioner Appointment / Resolution 2025-01 Establishing Regular Meeting Dates of County Commissioners and to Elect a Presiding Officer of the Board for Ensuing Year / Resolution 2025-02 Establishing a Location of Posting Public Notice / Resolution 2025-03 Establishing 2025 Holidays, Mileage and Meal Rates: Present were Brian Berreman, Deb Burrell, Don Burrell, Kathi Hooper, Katie Davis, Maggie Anderson, Melanie Howell, Michele Harmon, Ray Stout, Roberta McCause, Rocky Schauer, Sierra Gustin, Vel Shaver, William Wood and Zach Sherbo.

- Minutes of December 18, 2024, for approval: **Motion** to approve the December 18, 2024, meeting minutes by Commissioner Hammons. Second by Commissioner Duram. No comments. Commissioner Hammons and Commissioner Teske voted in favor. Commissioner Duram abstained from voting
- Alcohol Tax Distribution Decision: Commissioner Hammons stated he is in favor of prevention and believes the opioid settlement is a good resource for funding. Commissioner Teske pointed out that this is an alcohol tax distributed by the state, and for clarity, they aim to direct the funding to a single, consistent entity. He mentioned that last year, they made the decision to allocate those funds to a single entity, Oxytocin, which has been providing services to the community. He added that they received a request from Unite for Youth for 25% of those funds to be allocated for prevention. He explained that there are other resources available through the opioid settlement for prevention funding and emphasized that concentrating the alcohol tax funds on one entity for the services they provide has led to better tracking. Commissioner Hammons stated that if Unite for Youth is open to collaborating with Commissioner Teske on the opioid settlement funding, he **motions** to allocate 100% of the alcohol and tobacco tax distribution to Oxytocin. Second by Commissioner Duram. Commissioner Duram questioned whether Unite for Youth has other funding sources available. Maggie Anderson noted they are entirely grant-funded, which is never guaranteed. She added that they are seeking additional funding and that alcohol tax dollars, while variable,

are a predictable source. Katie Davis, from the treatment court, expressed concern that altering this funding might result in a loss of services currently available through Oxytocin. William Wood, who attends classes at Oxytocin, expressed his support for the existing program. No further public comment. Motion carried.

- Tobacco Valley Industrial District Board Commissioner Ex-Officio Appointment: **Motion** to nominate Commissioner Duram to the Tobacco Valley Industrial District Board by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Resolution 2025-01 Establishing Regular Meeting Dates of County Commissioners and Elect Presiding Officer of the Board for Ensuing Year: Commissioner Teske read the resolution. **Motion** to approve resolution 2025-01 by Commissioner Hammons. Second by Commissioner Duram. No comments. Motion carried.
- Resolution 2025-02 Establishing a Location for Posting Public Notice: Commissioner Hammons read the resolution. **Motion** to approve resolution 2025-02 by Commissioner Duram. Second by Commissioner Hammons. No comments. Motion carried.
- Resolution 2025-03 Establishing 2025 Holiday, Mileage and Meal Rates: Commissioner Duram read the resolution. **Motion** to approve resolution 2025-03 by Commissioner Hammons. Second by Commissioner Duram. No comments. Motion carried.
- **Commissioner Duram** advised of heating issues at the Eureka Annex and stated that both Comfort Systems and Taylor have evaluated the heating system, noting that there are three different systems to assess.

10:45 AM **Public Comment Time – Non-Agenda Items:** Present were Brian Berreman, Deb Burrell, Don Burrell, Kristin Nelson, Melanie Howell, Michele Harmon, Nikki Crisp, Ray Stout, Roberta McCause, Rocky Schauer, Sierra Gustin and Thomas Hill.

Tom Hill, a resident of Middle Thompson Lake who uses ACM Road south for access, advised of an issue where some neighbors, working under an expired permit, conducted significant excavation into the lakeshore protection zone. He expressed no concern about activities along the lake, as long as they are done correctly. He requested that a record be made of this encroachment into the lakeshore protection zone. He pointed out that the governing body has the authority to require restoration to the original condition before continuing construction and that is his request. He added that they have cut into the up-slope side of the road by about five feet to widen it and then used the unacceptable material to fill the hole. He emphasized that they would like this issue repaired before any further work is done. He also provided a copy of the landowner's position. Commissioner Teske advised he has spoken with the County Planner and that this will be added to next week's agenda and will conduct a site visit.

Dr. Roberta McCause, a new member of the Planning Board, suggested the county strongly consider a partnership with the NRDP presented earlier. She noted the Lincoln County Growth Policy is under review and this could enhance several areas especially recreation. Commissioner Teske advised NRDP will be putting together a review committee.

Michele Harmon, a resident living off Blue Mountain Lookout Road near the 7-mile marker of Pipe Creek, reported damage to the Forest Service road caused by logging companies. She presented a letter, supported by her neighbors, that she sent to the Forest Service, yet received no acknowledgment. She also noted that her business is located on this road. Commissioner Teske explained that the county has a contract with the Forest Service for Schedule A roads, which allows the county to perform maintenance when it benefits local residents, and he would check with the Forest Supervisor.

Rocky Schauer reported that fuels reduction work is being done on the Jennings Haul Road yet finding a contractor who can perform the work without damaging the road has been difficult. He mentioned a section leaving the mill area, which is owned by an oil company, where no work is taking place and added the county has a right-of-way there. He stated that improvements are having a positive impact and discussed the idea of logging as a strategy to prevent wildfires. He noted Flathead Electric's publication noted that they are supporting logging along infrastructure to reduce wildfire risks, as they are now at a point where they can no longer afford insurance due to the encroachment of fuels on the power lines.

Don Burrell inquired about the availability of mental health funds and how the county plans to move forward. He agreed to meet with Commissioner Hammons for more information.

11:00 AM **Cherry Bear – Preliminary Plat Review:** Present were Brian Berreman, Calen Williamson, Jesse Haag, Kristin Smith, Melanie Howell, Roberta McCause and Sierra Gustin.

Kristin Smith, Planning Department, presented the Cherry Bear Subdivision plat request. She emphasized that it is remote and off-grid, with no utilities in this location. She noted that the recommendation is to grant preliminary approval subject to ten conditions and based on the findings in the staff report. There was discussion about adding off-grid living to the growth policy and addressing concerns related to the availability of insurance. **Motion** to approve the preliminary plat for Cherry Bear subdivision based on ten conditions by Commissioner Duram. Second by Commissioner Hammons. Caleb noted there is power a couple miles up Bear Creek and lot 2 is small due to the road separation. No comments. Motion carried.

11:15 AM **Lakota Ridge Subdivision Conditions Amendment:** Present were Brian Berreman, Calen Williamson, Roberta McCause, Melanie Howell and Sierra Gustin.

Jesse Haag, Planning Director, presented the Lakota Ridge Subdivision request to remove condition #4 from the preliminary plat approval. He advised the condition is no longer needed due to annexation by resolution 2024-26 into Troy Rural Fire District which has stated they have adequate resources for fire protection without additional infrastructure or water storage in the subdivision. Jesse noted that the presence of an adequate water supply suggests that condition #4 is no longer warranted and recommends approving the request. **Motion** by Commissioner Hammons to amend the plat and remove condition #4 as requested by the property owners of Lakota Ridge Subdivision. Second by Commissioner Duram. Commissioner Duram expressed that he is not in favor of removing the condition due to concerns about water availability on the scene, rising insurance rates and developers demanding infrastructure and would like to find a happy medium. Jesse noted the auxiliary barn is closer to TRFD than Bull Lakes and pointed out that the residents requested the annexation, which was approved by the governing body, and they are aware of the available services. No comments. Motion carried unanimously.

11:30 AM **Rexford Precinct Number Change Request. Election Judge Wage Increase Request – Melanie Howell:**
Present were Melanie Howell and Sierra Gustin.

Melanie Howell, Election Administrator, advised every January and February of odd-numbered years, boundary and address updates are authorized and Rexford is currently Precinct 16.5, within the Eureka North Precinct, causing confusion due to being the only municipality without a unique precinct number. She requested Rexford's precinct number change to Precinct 3 to reduce voter and election judge confusion, simplify ballot creation and potentially save costs, with no impact on boundary lines, citizens, or voting status. **Motion** by Commissioner Duram to identify Rexford as precinct 3. Second by Commissioner Hammons. No comments. Motion carried.

Melanie advised that due to the state minimum wage increase to \$10.55 per hour effective January 1, 2025, a request is made to adjust election judge wages as follows: Election Managers at \$11.55, Chief Judge at \$11.05, and Election Judges at \$10.55. **Motion** by Commissioner Duram to increase the wages as presented. Second by Commissioner Hammons. No comments. Motion carried.

11:36 AM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board