

March 26, 2025

The Lincoln County Board of Commissioners met for a regular session on March 26, 2025, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Duram, Commissioner Hammons and Clerk and Recorder Corrina Brown.

Zoom participation: Brandon Hansen, Chanel Geer, Colette F, Crystal Denton, Danielle Maiden, Darren Short, Deb Burrell, Donna Martin, Dustin Webb, Feleisha Storkson, HR, Jerry Regh, John Hyslop, Jon Gass, Josh Letcher, Mark Peck, Melanie Howell, Michelle Dodson, Ray Stout, Robin Blumberg, Scott Shindledecker and Traci Street.

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

09:30 AM **County Forester Update – Jennifer Nelson**: Present were DC Orr, Devon Yarid, Jennifer Brown and Jennifer Nelson.

Jennifer Nelson, County Forester, spoke about the transition occurring between the county forester's role and the Lincoln County Port Authority (PA). As the first county-employed forester, she highlighted her work overseeing over \$1 million in grant programs, which resulted in 3,100 acres of land being treated. She reviewed accomplishments, including wildfire prevention efforts, fuel reduction treatments, the revision of the Community Wildfire Protection Plan (CWPP), partnerships with DNRC, city-wide fire hazard management, educational outreach efforts and more. She advised of her involvement in Title III funding distribution, including ongoing work related to fire adaptation and rural fire departments. She noted a focus on finalizing several projects, such as grant administration, annual update of CWPP and the completion of hazard inspections and reports. She advised that a memorandum of understanding (MOU) will be developed between the county and PA and emphasized that the county must retain involvement in areas such as response to comments to the DNRC and FS, rural fire departments and fire-safe council. She advocated for the continuation of the county forester position due to Title III funding commitments, burn permitting, home ignition zone inspection payments through rural fire departments and county-wide representation. She cited a different perspective of the PA with an economic development goal. Discussion of how to keep the public informed and if a work group could bridge the gap between the county and the PA.

10:00 AM **WGM Award Bid for Libby Creek Community Project**: Present were DC Orr and Kathi Hooper.

Jon Gass, WGM, provided a status update, advising that they are working toward an award. He mentioned an affidavit of bid publishing and the site title opinion for the on-site wastewater work required by the funding entity, are pending receipt. Jon explained the Noble Excavating bid had been reviewed and they are considering not awarding the bid alternatives at this time and proceeding with the base bid only. He will prepare the draft and then schedule the award. Jon clarified that the Libby Creek Community is a non-profit entity that owns the land the mobile homes are on. He added the ROC tenants own the land and infrastructure we are to replace and NeighborWorks provides assistance and advisement to the community. Regarding public money use on private land, Jon noted that the water system would connect to the City of Libby water system. He noted the City of Libby is receiving an MSF grant for water main improvements. Jon noted the wastewater system is a community system (by definition, based on the number of connections) funded by RGL and ARPA dollars. There was discussion about mobile home tenants not owning the land, raising concerns about the government funding a system for private property owners, the precedent this sets and NeighborWorks being a lienholder on the property. Jon noted similar projects such as low income housing grant sponsorships. Jon pointed out that the project size is somewhat misleading, with about a \$2 million construction bid and roughly \$460,000 being the city water main on Cedar Street being a quarter of the project, about \$200,000 for city highway water main upsizing and costs related to extending the water main to reach the property, along with sewer mains and treatment. He clarified that the community would not be responsible for carrying a bond or reserve on the sewer system funded by state and federal money but would need to maintain and operate it with inspections by DEQ, like any other wastewater system. Discussion of fourteen sites and a per-unit cost of \$143,000 to provide water and sewer to a private entity. Jon explained some funds are not directly related, like the highway and Cedar Street improvements, noting the overall benefits to the city water system.

10:15 AM **ARP Updates**: Present was DC Orr. None

10:30 AM **Administrative Issues/Old Business: Approve Minutes. Libby Creek Community Site Opinion Letter**: Present was DC Orr.

- Approval of the minutes from March 19, 2025: **Motion** by Commissioner Hammons to approve the March 19, 2025, regular commissioner meeting minutes. Second by Commissioner Duram. No comments. Motion carried.
- Approval of the special minutes from March 20, 2025: **Motion** by Commissioner Duram to approve the March 20, 2025, meeting minutes as submitted. Second by Commissioner Hammons. No comments. Motion carried.
- Libby Creek Community Site Opinion Letter: Commissioner Teske read the Libby Creek Community Sewer Project letter from County Attorney, Marcia Boris. He noted this is one of the documents required to move forward with the construction bid award. **Motion** by Commissioner Hammons to approve the letter. Second by Commissioner Duram. Discussion of the numbers represented on the property loans and desire for further review with legal. Commissioner Hammons **rescinded his motion**. Commissioner Teske noted this item is continued to next week.
- Commissioner Teske noted an online meeting is scheduled for Monday on the crisis diversion grant.
- Commissioner Duram advised that the new flagpole in Eureka will be installed today and the heating and air conditioning at the North County Annex are functioning well.

10:45 AM **Public Comment Time – Non-Agenda Items:** Present were Bev Lilley, DC Orr, Nancy Pluid-Liebig, Rita Henderson and Wendy Anderson.

Wendy Anderson, Director of Tobacco Valley Animal Shelter, advised of the following; the shelter has a 16-year relationship with the north end and 11 years with the south end of Lincoln County. In January 2024, eleven dogs were seized by animal control and the shelter cared for these dogs, along with nearly 250 other animals, for 164 days without additional compensation beyond the monthly contract. Mr. Avers was granted visitation, engaging in threatening and harassing behavior. A request for compensation to cover additional expenses was submitted to Kathi Hooper in March 2024, and was denied. Due to financial strain, lack of support and ongoing challenges, the shelter decided to terminate the contract effective July 4, 2024. In February 2025, the Western News reported Mr. Avers was ordered to pay \$20,000 for the care of the dogs. Another reimbursement request to the county attorney for the care of these dogs from January 22, 2024, to July 4, 2024, was also denied. While the county covered some veterinary and food expenses, these did not cover the full \$20,000 or the majority of the costs borne by the shelter. She requested reimbursement for the care of the dogs, as the judgment against Mr. Avers should cover those expenses. Discussion followed regarding the current per dog MOU and the return of the dogs to Mr. Avers in January 2025. Commissioner Teske will review the matter and follow up.

DC Orr, who has attended Libby City Council meetings since 1998, thanked the commission for questioning the Libby Creek project. He questioned the necessity of the project and emphasized that the large line is not needed and will benefit the LCPA. He expressed concern over the city's failure to update information, noting city groups are not keeping minutes. He noted his membership on the City of Libby Study Commission and expressed frustration with communication with the city. He encouraged the commission to ensure the City of Libby improves communication with the community they serve.

11:00 AM **Hall Lakeshore Application, TCI Lakeshore Application - Planning:** Present were Aleshia Osborne and Kristin Smith.

Aleshia Osborne, Planning Department, presented the Hall lakeshore application to stabilize the shoreline from erosion and install a concrete pad for improved dock installation and removal. Kristin Smith, Planning Department, noted that the planning board had extensive discussion before reaching their agreement to recommend approval. **Motion** by Commissioner Hammons to approve the Hall Lakeshore permit per Planning Board recommendations with conditions. Second by Commissioner Duram. No comments. Motion carried.

Kristin Smith, Planning Department, presented a request from Thompson Contracting, Inc. to dredge a small area, place pea gravel and install a dock on a parcel at Crystal Lake. **Motion** by Commissioner Duram to approve the Thompson Lake lakeshore construction application per Planning Department recommendation. Second by Commissioner Hammons. Commissioner Teske noted six conditions must be met. No public comments. Motion carried.

11:09 AM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board