

June 25, 2025

The Lincoln County Board of Commissioners met for a regular session on June 25, 2025, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Hammons, Commissioner Duram, Administrative Assistant Nikki Fox and Clerk and Recorder Corrina Brown.

Zoom participation: Alaena Woody, Chanel Geer, Dallas Bowe, Darren Short, Feleisha Storkson, Jesse Haag, John Hyslop, Josh Letcher, Landfill, Melanie Howell, Mike Mason, Ray Stout, Robin Blumberg, Scott Shindledecker, Sierra Gustin, Traci Street and TVN staff.

09:45 AM **Administrative Issues/Old Business: Approve Minutes. Board Appointments. PILT Claim Approval:**
Present were Brian Berreman, Kathi Hooper and Maggie Craig.

- Approval of the minutes: **Motion** by Commissioner Hammons to approve the June 18, 2025, commissioner meeting minutes. Second by Commissioner Duram. No public comment. Motion carried.
- Board Appointments:
 - Airport Board: 4 vacancies and 6 applicants: Darwin Pluid, Scott Mattheis, and Don Fitzpatrick (incumbents); and Robert Palk, Aaron Karuzas, and Lonnie Fosgate (new applicants). The board recommends appointing Pluid, Mattheis, Fitzpatrick, and Fosgate. **Motion** by Commissioner Duram to select the recommendations of the board. Second by Commissioner Hammons. No public comment. Motion carried.
 - Eureka Ambulance Board: 1 Eureka vacancy and 1 applicant, Steve Woolley of Libby. The board noted the applicant does not reside in the Eureka service area and is ineligible. No action taken.
 - Library Board: 1 vacancy and 1 applicant, Michael Mason (incumbent). **Motion** by Commissioner Hammons to reappoint Michael Mason to the Library Board. Second by Commissioner Duram. No comments. Motion carried.
 - Port Authority Board: 1 vacancy and no applicants. No action taken.
 - Boyd Hill Cemetery Board: 1 vacancy and 1 applicant, Camille Leidigh (incumbent). **Motion** by Commissioner Hammons to reappoint Camille Leidigh to the Boyd Hill Cemetery Board. Second by Commissioner Duram. No comments. Motion carried.
 - Bull Lake Rural Fire District: 1 vacancy and 2 applicants: Herb Cargill (incumbent) and Bob Phillips. No recommendation received from the board. **Motion** by Commissioner Hammons to reappoint Herb Cargill to the Bull Lake Rural Fire District Board. Second by Commissioner Duram. No public comment. Motion carried.
 - Eureka Area Dispatch Board: 1 vacancy and 1 applicant, Deborah Hickman (incumbent). **Motion** by Commissioner Duram to reappoint Deborah Hickman. Second by Commissioner Hammons. No public comment. Motion carried.
 - Fisher River Valley Fire Service Area: 1 vacancy and 1 applicant, Jerry Auger (incumbent). **Motion** by Commissioner Duram to reappoint Jerry Auger. Second by Commissioner Hammons. No comment. Motion carried.
 - Fortine/Trego Cemetery Board: 2 vacancies and 1 applicant, Kirk Doble. 2 additional applications were received after the posted deadline of May 16. **Motion** by Commissioner Duram to appoint Kirk Doble and repost the second vacancy. Second by Commissioner Hammons. No public comment. Motion carried.
 - McCormick Fire District: 1 vacancy and 1 applicant, Robert Bittner. Motion by Commissioner Hammons to appoint Robert Bitner to the McCormick Fire District. Second by Commissioner Duram. No public comment. Motion carried.
 - Fortine/Trego/Stryker Fire Service Area: 2 vacancies and 2 applicants, Jim Driscoll and Thomas Sarlo. The board stated both are good candidates and would be valued on our board. **Motion** by Commissioner Duram to appoint Jim Driscoll and Thomas Sarlo. Second by Commissioner Hammons. No public comment. Motion carried.
- PILT Claims: MACo deductible for legal services \$10,000. **Motion** by Commissioner Duram to pay MACo \$10,000 out of PILT. Second by Commissioner Hammons. No public comment. Motion carried.
- Kathi Hooper discussed a change order #2 for work required at the landfill cell, specifically for the installation of trench drains to manage groundwater intrusion for \$112,279.60. **Motion** by Commissioner Duram to approve the change order for \$112,279.60 from PILT. Second by Commissioner Hammons. No public comment. Motion carried.
- Commissioner Teske presented the 2025–2027 Northwest Area Fire Restrictions and Closures manual outlining coordinated procedures for implementing fire restrictions. **Motion** by Commissioner Duram to approve the restrictions and closures in the Northwest Area. Second by Commissioner Hammons. No public comments. Motion carried.
- Commissioner Duram provided an update that DEQ has received the County's selenium-related water quality request and is reviewing it. He deliberated whether to proceed legally now or wait until the March 2026 review.

10:00 AM **Public Comment Time Non-Agenda Items**: Present were Amanda Harcourt, Brian Berreman and Maggie Craig.

Maggie Craig commented regarding the Schrieber lake subdivisions. She noted that at the June 11th meeting, she raised concerns that certain construction activities may constitute misdemeanors under subdivision regulations, and Commissioner Teske had agreed to look into it. Commissioner Teske stated the legal distinction between personal property development and subdivision development and determinations would ultimately need to be made by the courts. Maggie advised that multiple agencies, including FWP, USGS, MDT, and the County Planner, had reviewed stream gauge data for Schrieber Creek and concluded it to be perennial, despite the developer's engineer reporting no flow. She expressed concern that riparian protections would not be enforced. She noted the County Planner had recommended further investigation into soil stability and water resource impacts and questioned why these recommendations were not addressed. Commissioner Teske noted they consider recommendations as part of the preliminary plat conditions. Maggie noted that, based on MCA definitions, even Libby Creek could be classified as intermittent during dry periods.

10:15 AM **ARP Updates**: Present were Amanda Harcourt and Brian Berreman.

Amanda Harcourt, ARP, provided an update of activities since January 1, 2025, including 62 hotline responses, 445 utility locate tickets, and 58 site visits. She noted that ARP participated in the CARD Scientific Advisory Group meetings last week and the June LASOC Meeting is scheduled Friday June 27th, at 10 am and the EPA public meeting is scheduled for July 15th, 2025. Discussion of construction season workload.

10:30 AM **Lincoln County Landfill Fee Schedule Discussion**: Present were Brian Berreman, Bryan Alkire, Kathi Hooper and Mathew Stull.

Kathi Hooper, Health Department, reported a new charge of a 1.5% monthly interest on past due invoices, following consultation with the County Attorney. Commissioner Teske reviewed current and proposed fees, which include increases for various waste types and an uncovered load fee. Discussion of an updated policy ensuring consistency across Libby,

Eureka, and Troy sites. Kathi proposed raising the annual refuse assessment from \$150 to \$160, with a 3% increase annually for five years, to help address budget shortfalls and support future needs. Commissioners agreed that Kathi will refine the proposed numbers as discussed before drafting a resolution and holding a public hearing. Operational challenges and ongoing costs related to landfill expansion and the green boxes were also discussed.

10:45 AM **Drop-In Center Coordinator Position Approval. Recovery Support Specialist Position Approval:** Postponed

11:00 AM **Lincoln County / City of Libby Dog Control Agreement 2025-2026:** Present was Brian Berreman.

Commissioner Teske introduced the proposed Lincoln County–City of Libby Dog Control Agreement for 2025-2026 for discussion. Commissioner Hammons noted the increasing costs the county has taken on, particularly with the new animal shelter. Discussion included: the sheriff’s office concerns that the City of Libby’s current annual payment of \$12,000 being insufficient to cover the actual costs of providing animal control services. Upon analyzing costs, a proposed increase of \$13,000, to bring the total annual fee to \$25,000. It was noted that about one-third of all animals housed at the county shelter are from within Libby. The funds from this agreement are deposited into the county’s general fund, rather than directly supporting animal control operations. Some outdated language in the current agreement, including references to the Libby Rural Fire District, which doesn’t seem to fit the current scope of services. Commissioner Hammons will now take the lead in negotiating with the City of Libby, presenting the \$25,000 proposal and working to reach a fair agreement. This will remain an agenda item for continued discussion mindful of budget deadlines.

11:30 AM **Notice of Cancelation of Primary Election. Resolution 2025-21 Amend Voting Precinct Boundaries Based on Town of Eureka Records. Resolution 2025-22 Amend Voting Precinct Boundaries per City of Libby Annexation:** Present was Melanie Howell.

Election Administrator Melanie Howell presented the details of the 2025 Municipal Primary Election. She noted that several areas, including Rexford, Eureka, and Troy, had minimal candidate filings, making a primary election unnecessary. In Libby, the mayoral race required five candidates to file by the write-in deadline for a primary, falling short of the requirement. As a result, the primary election is canceled, and all candidates will proceed directly to the general election in November. Write-in candidates are accepted until August 6th. **Motion** by Commissioner Hammons to approve the notice of cancelation of the 2025 municipal primary election. Second by Commissioner Duram. No comments. Motion carried.

Resolution 2025-21 amending voting precinct boundaries based on Town of Eureka annexation records. Commissioner Duram read resolution 2025-21. **Motion** by Commission Hammons to approve Resolution 2025-21. Second by Commissioner Duram. No public comment. Motion carried.

Resolution 2025-22 amending voting precinct boundaries per City of Libby pursuant to City of Libby annexation records. **Motion** by Commission Duram to approve Resolution 2025-22. Second by Commissioner Hammons. No public comment. Motion carried.

11:45 AM **Norgard Trailhead Task Order:** Present were none.

Commissioner Teske presented Norgard Trailhead Task Order No. 3, detailing the scope of work and responsibilities for the project, which is funded by a \$110,000 grant from the NRDP. **Motion** by Commissioner Hammons to approve Task Order No. 3 for the Norgard Trail. Second by Commissioner Duram. Discussion of the task order specifying that Lincoln County will construct a 5-foot-wide trail, a 60x60 ft parking area, some weed spraying and potentially pave the parking lot next summer if funding allows. The Park District's responsibilities include installing fencing along the trail, building a vault toilet and setting up an entry gate and kiosk with signage. No public comment. Motion carried.

11:50 AM Break

01:30 PM **Route 56 RV Park Extension. Grotjohn Lakeshore Application (Bull Lake). Walker Lakeshore Application (Dickey Lake). Sarff Court Order Split - Planning:** Present were none. Commissioner Hammons was not present.

Jesse Haag, Planning Director, recommended approval of a one-year extension for the Route 56 RV Park project, located between Highway 2 and Bull Lake. The project, which has made significant progress requires additional time to finish gravel surfacing. The extension would extend the deadline to July 15, 2026. **Motion** by Commissioner Duram to extend it one year. Second by Commissioner Teske. No public comment. Motion carried.

Alisha Osborne, Assistant Planner, presented the Grotjohn Lakeshore permit application. Planning board recommended granting a variance and approval of the Grotjohn Lakeshore construction with eight conditions. **Motion** by Commissioner Duram to approve the lakeshore permit and variance. Second by Commissioner Teske. No comments. Motion carried.

Alisha presented the Walker Lakeshore application for a floating dock on Dicky Lake. Planning recommended denying the variance due to the site being covered by vegetation rather than the proposed gravel and approving the Walker lakeshore construction on Dickey Lake with seven conditions. **Motion** by Commissioner Duram to approve the lakeshore permit for the dock but not the variance. Second by Commissioner Teske. Discussion of 6’ wide path width and slope and other options available. No public comment. Motion carried. Lakeshore permit was approved and variance was denied.

Jesse provided a proposed letter to the court regarding the request for comment on a court-ordered split of the estate of the estate of Valerie C. Sarff. He recommended notifying the court that no attempt to evade the MSPA was identified, along with four recommendations. **Motion** by Commissioner Duram to present the letter to the Honorable Judge Cuffe on behalf of Lincoln County. Second by Commissioner Teske. No public comment. Motion carried.

01:47 PM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board