

PUBLIC NOTICE
LINCOLN COUNTY BOARD OF COMMISSIONERS
Resolution 2025-26 – Proposed Landfill Fee Schedule and Refuse Assessment Structure

NOTICE IS HEREBY GIVEN that the Lincoln County Board of Commissioners will hold a public hearing to receive public comment on a proposed resolution (Resolution No. 2025-26) to revise the Lincoln County Landfill Fee Schedule and adopt a revised Annual Residential Refuse Assessment Structure, pursuant to MCA §§ 7-6-4012 through 7-6-4014.

Date & Time of Hearing:

August 13, 2025

11:00 AM

Lincoln County Courthouse
Commissioners' Meeting Room
512 California Ave. Libby, MT 59923

The purpose of this hearing is to consider proposed changes to the current landfill fees and refuse assessments to ensure the long-term financial sustainability of solid waste operations, including maintenance of landfill infrastructure, remote collection sites, and the handling of special and hazardous materials.

Proposed Changes Include:

Annual Residential Refuse Assessment:

Base Rate: \$200.00 per year beginning FY 2025–2026

Annual Increase: 2.5% per year for five (5) years

Public Review: Scheduled after FY 2029–2030

Examples of Proposed Landfill Fee Adjustments (effective October 1, 2025):

Material / Service	Proposed Fee
Construction & Demolition Debris (Sorted)	\$12.00 / cubic yard
Unsorted Loads	\$45.00 / cubic yard penalty
Asbestos-Containing Material	\$40.00 / cubic yard
Commercial Brush/Wood Waste	\$10.00 / cubic yard
Freon/CFC Evacuation	\$10.00 / unit
Uncovered Load Fee	\$48.00 / load
Interest on Past Due Invoices	1.5% per month

A full copy of the proposed resolution and rate schedule is available for public inspection at the Lincoln County Clerk and Recorder's Office, and online at www.lincolncountymt.us.

Anyone seeking more information or wishing to submit comments before the hearing may contact:

Kathi Hooper Lincoln County Health Department Director. 418 Mineral Ave. Libby, MT 59923.

Email: khooper@libby.org Phone: (406) 283-2440

Public participation is encouraged. Written comments may be submitted in advance to the Commissioners' Office or presented in person during the hearing.

Published in KVR & TVN on July 23 & 30, and August 6, 2025.

Dated this 18th day of July, 2025.



LINCOLN COUNTY MONTANA

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RESOLUTION 2025-26

A Resolution to Adopt Lincoln County Landfill Fee Schedule and Refuse Assessment Structure

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

WHEREAS, the Lincoln County Board of Commissioners recognizes the importance of ensuring the long-term sustainability, safety, and accessibility of solid waste management services in the county, consistent with its general powers under MCA § 7-1-2103 and MCA § 7-6-4012; and

WHEREAS, the existing landfill fee schedule and refuse assessment rate no longer meet the financial demands of operating and maintaining the landfill system, including remote collection sites and the management of special and hazardous waste materials, pursuant to the county's authority to assess service fees under MCA § 7-6-4013; and

WHEREAS, the Lincoln County Board of Commissioners has held a public hearing in accordance with MCA § 7-1-2121 and MCA § 7-1-4131, having provided due public notice and the opportunity for public comment regarding the proposed changes to landfill service fees and refuse assessments; and

WHEREAS, in accordance with MCA § 7-6-4014, the Board finds and determines that the Annual Residential Refuse Assessment provides a special benefit to assessed properties through the provision of solid waste disposal services that directly support public health, sanitation, and property value; and

WHEREAS, this assessment is adopted as a fee-for-service and does not require voter approval under state law; and

WHEREAS, the Board, after full review of the operational needs and consideration of public input, has agreed to adopt the revised landfill fee schedule and to adjust the annual refuse assessment to \$200.00, followed by an annual escalation of 2.5% for five (5) years.

NOW, THEREFORE, BE IT RESOLVED:

Effective **October 1, 2025**, the following landfill service fees and penalties are hereby adopted pursuant to the authority granted under **MCA §§ 7-6-4012 through 7-6-4014**:



LINCOLN COUNTY MONTANA

Material / Service	Current Fee	Proposed Fee
Construction & Demolition Debris (Sorted)	\$8.00 / cubic yard	\$12.00 / cubic yard
Unsorted Loads	May be refused or penalized (est. \$24)	\$45.00 / cubic yard penalty
Concrete, Rock, Dirt (Unusable as cover)	\$8.00 / cubic yard	\$12.00 / cubic yard
Asbestos-Containing Material	\$32.00 / cubic yard	\$40.00 / cubic yard
Stumps	<6 yd ³ : \$45 / load >6 yd ³ : \$100 / load	<6 yd ³ : \$45 / load 6–12 yd ³ : \$100 / load >12 yd ³ : \$200 / load
Tires (Industrial/Commercial)	Passenger: \$1.75 Truck: \$4.00	\$2.50 / tire (flat rate)
Commercial Brush/Wood Waste	No charge	\$10.00 / cubic yard
Freon/CFC Evacuation (e.g., Fridges, ACs)	No charge	\$10.00 / unit
Uncovered Load Fee	No charge	\$48.00 / load
Interest on Past Due Invoices	No charge	1.5% per month from due date

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ANNUAL REFUSE ASSESSMENT STRUCTURE (Authorized under MCA § 7-6-4014)

Effective with the FY 2025–2026 billing cycle, the **Annual Residential Refuse Assessment** shall be adjusted as follows:

- **Base Rate:** \$200.00 per year beginning FY 2025–2026
- **Annual Escalation:** 2.5% per year for five (5) years
- **Public Review:** After FY 2029–2030, rates will be re-evaluated through a public hearing process.

Fiscal Year Annual Fee Increase from Prior Year

2025–2026	\$200.00	—
2026–2027	\$205.00	+\$5.00
2027–2028	\$210.13	+\$5.13
2028–2029	\$215.38	+\$5.25
2029–2030	\$220.76	+\$5.38

THE BOARD RESOLVES:

that the Lincoln County Health Department is hereby directed to implement the revised fee schedule and refuse assessment changes and to ensure public awareness through appropriate channels, as authorized by MCA § 7-6-4012(4); and

that this resolution shall take effect upon its passage and adoption and shall remain in force until superseded or amended by future resolution following public process as required by law.



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THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

A handwritten signature in black ink, appearing to read "Marcia Boris", written over a horizontal line.

Marcia Boris, County Attorney

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Date presented to the Board _____ Approved [] Disapproved [] Amended []

Adopted this _____ day of _____, 2025.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chair

ATTEST:

Corrina Brown, Clerk of the Board