



# LINCOLN COUNTY MONTANA

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STATE OF MONTANA LINCOLN COUNTY

RECORDED: 08/20/2025 1:42 KOI: RESOLUTION

CORRINA BROWN CLERK AND RECORDER

FEE: \$0.00 BY: *Deisha Johnston deputy*

FOR: LINCOLN COUNTY ELECTIONS 512 CALIFORNIA AVE, LIBBY MT 59923

## 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**:





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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 <sup>3</sup> : \$45 / load >6 yd <sup>3</sup> : \$100 / load	<6 yd <sup>3</sup> : \$45 / load 6–12 yd <sup>3</sup> : \$100 / load >12 yd <sup>3</sup> : \$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

## 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:

  
\_\_\_\_\_  
Marcia Boris, County Attorney

Date presented to the Board August 20, 2025 Approved ☒ Disapproved ☐ Amended ☐  
Adopted this 20 day of August, 2025.

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_

Brent Teske, Chair

ATTEST:

  
\_\_\_\_\_  
Corrina Brown, Clerk of the Board