

August 27, 2025

The Lincoln County Board of Commissioners met for a regular session on August 27, 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, Andy Evensen, BreeAnna Adamson, Chanel Geer, Darren Short, DB Overholt, Edie Frazier, Feleisha Storkson, John Hyslop, JP Parks, Kathi Hooper, Melanie Howell, Michael Bradeen, Michelle Nixon, Ray Stout, Robin Blumberg, Scott Shindledecker, Suzanne Resch and Traci Street.

09:30 AM **Administrative Issues/Old Business: Approve Minutes. PILT Claims. RSS Contract Review and Approval. Selection of Bids for Sale of County Vehicle. Selection of Contractor for FVCC Roof Replacement. Selection of Contractor for Fairground Sanitary System. Board Appointments. Finalize Animal Control Contract with City of Libby. Board Updates:** Present were Alan Andersen, Brian Berreman, Dallas Bowe, DC Orr, J.D. Barton and Nathan Graaff.

- Approval of the minutes: **Motion** by Commissioner Hammons to approve the August 20, 2025 meeting minutes. Second by Commissioner Duram. No public comment. Motion carried.
- PILT claims: None
- The Board reviewed the jail contract proposal from RS Security LLC. **Motion** by Commissioner Duram to enter the contract to evaluate the jail. Second by Commissioner Hammons. No public comment. Motion carried.
- Sale of County Vehicle: Since no bids were received and having three separate advertisements, it was agreed to include the 2004 Chevrolet 3500 in the Sheriff's Office annual public auction..
- Commissioner Hammons reviewed the county engineer's report regarding the roof replacement project at the FVCC Lincoln County Campus, recommending Advanced Roofing based on their proposed approach. **Motion** by Commissioner Duram to accept the bid from Advanced Roofing per advice of the engineer. Second by Commissioner Hammons. No public comment. Motion carried.
- County Engineer, Andy Evensen, noted three bids were received for the fairground sanitary system project, with the lowest bid from Noble Excavating. He advised the bid exceeded the project's budget and noted an option of reducing the project scope to stay within budget, though he cautioned this could lead to higher long-term costs. Commissioners discussed the urgency of the project, citing recent issues with septic and electrical systems at the fairgrounds. **Motion** by Commissioner Duram to award the bid to Noble to do the entire project as laid out in the bid with additional required funds from PILT. Second by Commissioner Hammons. No public comment. Motion carried.
- Board Appointments: Lincoln County Port Authority 2 vacancies and 3 applicants: William Clark, Matthew Backen and Phillip Erquiaga. In accordance with SB 3, requiring a representative from the local school district serve on the LCPA Board, the Libby School District nominated Rob Delmas for the position. The LCPA Board nominated William Clark. **Motion** by Commissioner Hammons to approve William Clark and Rob Delmas, as the Libby School district representative, to the LCPA Board. Second by Commissioner Duram. No public comment. Motion carried.
Ambulance Board 1 Eureka area vacancy. 1 applicant: Sonya Richardson. **Motion** by Commissioner Duram to appoint Sonya Richardson to the Ambulance Board. Second By commissioner Hammons. No public comment. Motion carried.
Fortine/Trego Cemetery Board 3 vacancies and 3 applicants: Timothy Their, Gayle McCarron and Kelly Mee. **Motion** by Commissioner Duram to appoint the three applicants. Second by Commissioner Hammons. No public comment. Motion Carried.
Tobacco Valley Industrial District: 4 vacancies and no applicants.
- Animal control agreement 2025-26; the county agrees to enforce animal control ordinances while the City of Libby pays \$25,000 for these services during the contract period. **Motion** to accept the animal control agreement for 2025/26 with the City of Libby by Commissioner Hammons. Second by Commissioner Duram. No comments. Motion carried.
- Board Updates: Commissioner Duram advised the TVID Board will be recruiting new members with efforts to increase community activities. At the fairgrounds, the septic system is being replaced. An electrical issue occurred during the fair with a power line due to excess electrical load. Lincoln Electric made repairs, yet a second failure happened after power was restored, causing additional disruptions. No injuries occurred and the area was cordoned off for safety. An inspection of the electrical system will be conducted with an evaluation to follow.

10:00 AM **Public Comment Time Non-Agenda Items:** Present were Boyd White, Brian Berreman, DC Orr, J.D. Barton and Nathan Graaff.

DC Orr, a member of the City of Libby Local Government Study Commission, stated the commission's role is to study the form, function and problems in government as identified in Montana law. In reviewing the Montana open meeting laws, he expressed concern that the Port Authority has been operating in violation. He stated the Port's actions were not only illegal but criminal and urged the commissioners to notify the County Attorney and Sheriff for investigation.

10:15 AM **EMA Update:** Present were Boyd White, Brian Berreman, Dallas Bowe, DC Orr, J.D. Barton, Justin Burich, Tom Lane, Tom Maxwell and Nathan Graaff.

EMA Director Boyd White provided an update on grants, planning, and infrastructure. A Homeland Security grant was approved and Eureka adopted the Distribution Management Plan. A Notice of Intent was filed for a Hazard Mitigation Grant, with Libby and Eureka adopting the plan; Troy and Rexford have not. The EOC's electrical and drywall work is complete, with flooring in progress. MT DES is planning EOC operations training and continuity planning is underway with department heads. Mountain radio sites experienced a generator failure and battery issues; DOJ provided replacement batteries and is considering aiding with further upgrades. The Black Butte floor project is ongoing with Hamm Radio assistance. The LARP exercise was completed in April with updates implemented. Fire activity is being monitored; FS reported more abandoned campfires and received approval to their request for use of J. Neils Park. The Corps completed a levee inspection and the road district will address brush thinning and root intrusion.

10:30 AM **West Kootenai Fire Protection Service Area Funding Request:** Present were Amy Guth, Boyd White, Brian Berreman, DC Orr, Dillon Welchons, Justin Burich, Scott Welchons, Tom Lane and Tom Maxwell.

Commissioner Teske read a funding request from the West Kootenai Fire Protection Company (WKFPC) seeking \$22,000 to assist with the activation of a used Type 1 structure fire engine for the West Kootenai community. Tom Lane, Fire Chief for WKFPC, explained that their main structure engine failed a pump test last year and was deemed non-functional, with repair costs exceeding the value of the unit. Commissioner Duram noted that Title III funds are not available for this. A **motion** was made by Commissioner Duram to fund half the cost of the engine (\$11,000) using PILT funds. Second by Commissioner Hammons. Tom confirmed that WKFPC is a 501(c)(3) nonprofit supported by donations and grants. Following further discussion about the importance of this equipment in the area, Commissioner Duram **amended** his **motion** to cover the full \$22,000 requested. Seconded by Commissioner Hammons. No public comment. Motion carried.

10:45 AM **Public Hearing-Fiscal Year 2025 Budget Amendment Resolution:** Present were Amy Guth, Billie Jo Jones, Brian Berreman, DC Orr, Dan Torgison, Diana Torgison, John Jones, Martin Dunbar and Wendy Drake.

Commissioner Duram read Resolution 2025-29 budget amendment to the 2024/25 budget. Commissioner Hammons noted that many of the adjustments were due to grants received after the original budget was adopted. Public comment: Amy Guth stated that Lincoln County is in deep, deep trouble and that the budget is not going to be sustained at its current level. She warned the county is going down a road towards bankruptcy, robbing Peter to pay Paul. She added you get there and here's what happens; the auditor makes decisions for this county, including decisions as in Glacier County to lay off county employees. You can't just keep taking money from different pots and putting it into general fund as you feel like it's necessary. That money is there for emergencies, not to run the county.

DC Orr stated that the Port Authority is not only acting illegally but is in violation of criminal law under Montana statutes. He advised the commissioners, having taken an oath, are obligated to act upon this knowledge. He referenced a land sale by the Port Authority for \$1.4 million and stated that if the county had assumed control, those funds could have directly benefited the county. He urged the Board to take responsibility and correct what he described as criminal actions.

Motion by Commissioner Hammons to approve resolution 2025-29 budget amendment. Second by Commissioner Duram. Commissioner Duram noted that the TVID Board and Port Authority have been given property and if those properties are sold, the funds currently go to the respective boards. He expressed interest in changing this process so that proceeds from county owned property sales return to the county, with boards requesting funds as needed. No further public comment. Motion carried.

11:00 AM **Budget Public Hearing:** Present were Amy Guth, Billie Jo Jones, Brian Berreman, DC Orr, Dan Torgison, Diana Torgison, John Jones, Martin Dunbar and Wendy Drake.

Finance Director, Wendy Drake, presented the 2025–2026 budget, beginning with the levied funds. A total budget requirement of \$15,715,375, with a deficit of approximately \$1.3 million. Discussion included the impact of House Bill 231, causing previously fixed voted mills to now float based on monetary amounts. Non-levy funds, which are funded through revenue-generating activities or grants (non-tax dollars), were also reviewed. It was noted that these funds do not directly offset the budget deficit yet help reduce costs in departments. Public comment: Amy Guth stated that Lincoln County is not the federal government and cannot operate in the red. She expressed concern that the county would likely use COVID reserve funds, which were not intended for general operations, to balance the budget. She warned that while this might work for the current year, it is not going to work for next year. She urged the commissioners to learn to say no, stating that the county cannot operate in a deficit without having state intervention. She stated Glacier County as an example, went into a bankruptcy position and the commission was taken over by the auditor and that is the direction we're heading.

DC Orr advised that the county is sitting on a gold mine—referring to property given to the county by Stimson Lumber. He stated now that the commissioners are aware that the people placed in management are operating criminally they have an obligation to follow their oath and take that back. He expressed concern that a huge public asset is making public money that is being funneled into private pockets. He stated that if the county took control and managed it, those funds could be funneled into public coffers, and we would not be in this position. Commissioner Teske advised the final budget will be presented next Wednesday September 3, 2025.

11:15 AM **ColeBell Acres Subdivision Preliminary Plat Review. Overholt Subdivision Final Plat Review. Shelley Subdivision Final Plat Review. Sherwood Estates Subdivision Final Plat Review:** Present were Alisha Osborne, Brian Berreman and Jesse Haag.

Alisha Osborne presented the ColeBell Acres subdivision proposal recommending granting preliminary approval subject to thirteen conditions and based on the findings of the staff report. **Motion** by Commissioner Hammons to approve the preliminary plat of ColeBell Acres subject to the conditions based on the findings of the staff report. Second by Commissioner Duram. No public comment. Motion carried.

Planning Director, Jesse Haag, presented final plat application for the Overholt subdivision. He noted nine conditions and a conditional amendment have been met and recommended approval. **Motion** by Commissioner Hammons to approve the Overholt subdivision final plat. Second by Commissioner Duram. No public comment. Motion carried.

Jesse presented Shelley subdivision final plat application. He noted the eighteen conditions of approval have been met and an approach permit from the Forest Service and recommended approval. **Motion** by Commissioner Duram to approve the final plat of Shelley subdivision. Second by Commissioner Hammons. No public comment. Motion carried.

Jesse requested and received approval to postpone Sherwood Estates subdivision final plat review to allow time for utilities confirmation..

11:33 AM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board