

May 27, 2026

The Lincoln County Board of Commissioners met for a regular session on May 27, 2026, in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske, Commissioner Duram, Commissioner Hammons, County Administrator Matt Williams and Clerk and Recorder Corrina Brown.

Zoom participation: Aleana Woody, Ann German, Bree Dahm, Dallas Bowe, Darren Short, DJ Welch, Jessica Jenson, Jonathan Jameson, Jesse Haag, Katie Anderson, Maranda Davis, Melanie Howell, Ray Stout, Robin Blumberg, Sarah Long, Traci Street, Wendy Drake and Will Lausen.

10:00 AM Administrative Issues/Old Business: Approve Minutes. PILT Claims. Stryker AED's Discussion. Hauling Contract. RFP for FVCC Campus Repairs Recommendation. Nexus CPA Group Contract Renewal.

Commissioners' Report: Present were Brian Berreman, Bryan Alkire, Dan Torgison, Cole Spencer, DC Orr, Don Clark, Jeff Koskela, John Ritche, Kathi Hooper, Lucy Orr, Matt Stull, Mel Sifke, Melanie Howell, Mickey Kincaid, Monni Clark, Roberta McCause, Roni Noonan-Kolber, Russell Kolber, Scott Shindledecker, Steve Morgan, Steven David of Aver, Tony Wickham, Veronica Bovee-Anderson and Zach Sherbo.

- Approval of May 18, 2026, budget meeting minutes: **Motion** by Commissioner Hammons to approve the budget minutes. Second by Commissioner Duram. No public comment. Motion carried.
- Approval of May 20, 2026, regular commissioner meeting minutes: **Motion** by Commissioner Duram to accept the May 20th meeting minutes. Second by Commissioner Hammons. No public comment. Motion carried.
- Approval of May 21, 2026, budget meeting minutes: **Motion** by Commissioner Duram to approve the May 21st meeting minutes. Second by Commissioner Hammons. No public comment. Motion carried.
- PILT claims: none
- Commissioner Teske advised the Stryker AED's proposal, utilizing Safety Committee funds, was previously presented with a decision weather to move forward with a contract to be made. **Motion** by Commissioner Hammons to move forward with the Stryker AED program. Second by Commissioner Duram. Commissioner Duram stressed having them available in North Lincoln County. No public comment. Motion carried.
- Commissioner Teske introduced the previously presented hauling contract, including Health Department provided cost information discussed during the budget meeting. The board's decision was whether to proceed with the contract or move forward with county hauling. **Motion** by Commissioner Duram to pursue doing green box sites by the county using lease agreements for the trucks. Second by Commissioner Hammons. Commissioners Hammons and Duram cited long-term county control, service flexibility and protection against future rate increases as key benefits. Discussion included limited market competition, proposed annual rate increases under the contract, startup costs and ensuring landfill operations remain financially sustainable through refuse fees. Jonathan Jameson expressed support for this move by the county. No further public comment. Motion carried.
- Commissioners received bids for the Flathead Valley Community College Lincoln County Campus repairs. After review by the project engineer, Complete Restoration submitted the lower bid at \$312,940.80 compared to ServePro of Kalispell at \$411,915. After review, the engineer recommended awarding the project to Complete Restoration as they appear to be the most complete, responsive, cost-effective, timely and the best answer for Lincoln County. **Motion** by Commissioner Hammons to approve Complete Restoration to do the work on the Flathead Valley Community College building. Second by Commissioner Duram. Jonathan Jameson inquired whether the LOR Foundation had been approached regarding potential funding assistance and encouraged the county to explore that option. No further public comment. Motion carried.
- **Motion** by Commissioner Duram to accept the Nexus CPA Group annual audit renewal contract. Second by Commissioner Hammons. No public comment. Motion carried.
- Commissioners' Report:
 - Commissioner Hammons presented a letter of support for the Better Local Bridges Program grant application being submitted by TD&H for repairs to the Seventeen Mile and Roosevelt Parkway bridges. He noted the project could provide over \$1 million in funding with a county match requirement and would help reduce future local bridge repair costs. **Motion** by Commissioner Hammons to approve the support letter for the grant for the Better Local Bridges program. Second by Commission Duram. Traci Street asked why some support letters are brought before the commission with a motion while others are not and was advised that letters are generally placed on the agenda for formal approval and documentation in the official minutes, particularly for grant-related items requiring a clear record of commission approval. No further public comment. Motion carried.
 - Commissioner Duram discussed board training scheduling and proposed shifting the biannual training cycle from 2025 to 2026 to better incorporate recent legislative updates. It was agreed to adjust the schedule.
 - Commissioner Teske introduced Matt Williams as the new Lincoln County Administrator.

10:15 AM Public Comment Time Non-Agenda Items: Present were Brian Berreman, Dan Torgison, DC Orr, Don Clark, Jeff Koskela, John Ritche, Lucy Orr, Mel Sifke, Monni Clark, Roni Noonan-Kolber, Russell Kolber, Scott Shindledecker, Steve Mogone and Steven David of Avers.

DC Orr expressed concern about the Port Authority's use of county assets, citing past insurance claims and alleging funds were not properly benefiting the county. He stated development now benefits private interests and called for greater transparency and return of the asset to the county.

Jonathan Jameson inquired about the schedule for updates on the biomass facility and was advised that updates are typically provided quarterly, with the most recent meeting held approximately three weeks prior.

Tony Wickham noted that ballot rejection is primarily caused by marks made outside required voting declarations, which can invalidate ballots. He emphasized this as a voter education issue, suggesting most voters will avoid such errors once they understand the risk of rejection.

10:30 AM **Public Hearing: Dog Control Ordinance 2026-01:** Brian Berreman, Cole Spencer, Dan Torgison, Dallas Bowe, Darren Short, Don Clark, Jeff Koskela, John Ritche, Lucy Orr, Mel Sifke, Mickey Kincaid, Monni Clark, Roni Noonan-Kolber, Roberta McCause, Russell Kober, Scott Shindledecker, Steven David of Avers, Steve Mogone, Tony Wickham and Veronica Bovee-Anderson.

Commissioner Teske read three proposed definition changes advising they are based on MCA.

Jeff Koskela, commissioner candidate, stated everybody wants to know how we got to this point, where this initiated and where it's come from. I think that you need to explain to the people who filed this complaint. Why we're making a big issue over one complaint. Laws don't need to be changed. This is just a bunch of nonsense. I think you have some other people in the room that want to speak. I would urge you to table this and put it on the back burner and come up with better solutions than what we're doing. I don't think Mr. Teske, you can even explain to us what you just read. Commissioner Teske advised its state definition, state law. I don't have a legal degree, so I'm not even going to try, but it's been put into place... Jeff advised ...something that we shouldn't even be focusing on. We should be moving forward with positive things.

Roni Noonan-Kolber read a statement from her neighbor Ben Barks.

Roni Noonan-Kolber stated, I'll leave this with you. I can tell you that our property is within 100 yards of this boarding facility. And in the almost two years that we have lived here, there has been one day when our neighbors were on vacation, and they had somebody caring for the kennel when the dogs were not put in. I think we live closer than anybody else to this kennel. We've never had one of their dogs come on our property. We haven't had any issues with this kennel whatsoever. I have visited the kennel several times. Both times they had other people's dogs boarded there. So, they are a boarding facility.

Don Clark read a letter on behalf of Mitzy Barks.

Commissioner Teske stated that state law exempts licensed animal boarding facilities from nuisance barking provisions, which is why the judge dismissed the complaint in the statements. Don Clark stated, Does it make any sense to you? If you're in business for five, six years, four years, and they never have one complaint, and none of the local, the closer neighbors don't complain. And they probably spent \$50,000 or \$60,000 on this kennel and they are boarding outside pets all the time. Does it make any sense to you to even proceed in this matter over a ridiculous thing like this with one single complaint? Commissioner Teske stated that licensed animal boarding facilities are exempt under state statute and noted the judge dismissed the complaint because the facility was compliant with state law. He explained the proposed changes were intended only to add a clear definition of "boarding facility" so law enforcement and the public would understand what is required to qualify for the exemption, not to change the ordinance itself.

Steven David of Aver stated, this is my sign. I have two of them, one is posted and one is not because I have it here to show you just as I showed Judge Sheffield, who refuses to dismiss my case. I got five barking misdemeanors pending of which he has violated my rights under Article 2 Section 24, not allowing me to defend myself and with counsel since April 14, 2026. I've been not allowed to file my paperwork, which continues until at least tomorrow, which I'll be able to tell you better tomorrow if you're here. I'll stop by. But I am registered with the Secretary of State. This business is registered. Assumed business name registered with the Secretary of State. I had a conversation with you, and you said that the county has no business license requirements. Remember that? We talked about that. The state has no requirements for a business license for an animal boarding facility. As a matter of fact, sir, sirs, ma'am, I'm the only one who is registered as an animal boarding facility with the Secretary of State. There's only one. When you do a search on animal boarding facility with the Secretary of State, this is the only name that pops up. The only name that pops up. I have filed a motion to dismiss on the basis that 7-23-2110 exempts me and it was denied by Judge Sheffield. He is continuing the case that he has no jurisdiction. As a matter of fact, if you read the complaint, the complaint has no basis or jurisdiction as it is written. First of all, the plaintiff is the State of Montana. And secondly, his citation of the law doesn't even exist. And yet, Judge Sheffield found probable cause to a document that is so defective on its face that I doubt even a five-year-old would have signed for it...Your argument is not working. And my business is being affected wrongfully. And you're violating my rights. You're violating my rights, many rights. And you're violating many of these people's rights because it says, and by the way, all these things in Article 2, Declaration of Rights, have been declared by the courts to be fundamental rights. In other words, they're not supposed to be violated in any way, shape, or form by anybody, whether it's government or by person or whatever. All persons are born free and have certain inalienable rights and they include the right to a clean and healthful environment and the rights of pursuing life's basic necessities, enjoying and defending their lives, liberties, acquiring, possessing and protecting property. Dogs are property. And your health department, Mr. Hammons, is trying to limit how many dogs I have on the property at one time to five. Your health department commissioners are violating my rights to property. My inalienable fundamental rights are being violated. Now, I understand some people have a problem with dogs barking, but when you have a legitimate business, a legitimate business and you're exempt by it, okay, the protection for those legitimate businesses does not exist in this county. And you've got people here who work for the county, getting paid by the county, that are violating people's rights, my rights in particular. I'm the only one. I'll repeat myself. I'm the only one who has an animal boarding facility that's registered with the Secretary of State. Your definition is directly attacking me personally because I'm the only one that has this animal boarding facility registered with the Secretary of State. So, you know what? You want to have dogs barking? Let me tell you something. Dogs have been barking for centuries. For centuries. You can go back into the Old Testament... So, we're talking 4,000 years of knowing that dogs bark. You're not going to change dogs from barking. It is an impossibility. And your laws that you're trying to place are impossible for people to comply with. So, my point here is that it is unnecessary for you to redefine something that's already in there. And whether it's constitutional or unconstitutional, it will be dealt with because I'm coming...let you know that I'm coming because I'm tired of being violated. I'm tired of being abused. And I hope everybody here who feels the same way would like to come and talk to me about it and we'll see what we can do. Thank you very much.

Hello. My name is Russell Kolberg, Roni's husband. I live next door to Ben and Mitzy. I'm assuming everyone here is pretty much for Ben and Mitzy. What the other gentleman said about Mr. Teske being recused. I got to tell you, from a legal standpoint, 100%, I got to agree with that. If it's your sister-in-law that's the one that's filing this complaint that started all this, you shouldn't be here. But you're here, and you're saying that, well, they're exempt right here by the definition, they're exempt, but no one's brought up the fact that you're trying to change the definition to include the quote — I'm not

looking at it — to include if it's their primary source of income. Well, changing the definition of a boarding facility to that... targeting one human being who it's not their primary source of income. It's a non-for-profit. They donate the money to churches or kids or whatever they donate the money to. I don't know. I don't care. Commissioner Duram clarified that the "primary income" requirement applies to livestock operations, not boarding facilities and that kennels qualify based on providing care for pets in exchange for compensation, regardless of income source. Commissioner Teske stated the issue stems from misinterpretation of livestock, agricultural, and boarding facility definitions. He explained that proposed ordinance language clarifies existing state statute and does not change kennel exemptions, which remain in effect. He emphasized the updates are intended to reduce confusion and improve clarity for compliance.

Doctor Roberta McAnise, with KPFL (Kootenai Pets for Life), stated that they do not receive compensation directly from anybody's owner, but that the remainder of the ordinance definition applies to what we do so we must be covered elsewhere then. She was hoping they would be exempt from barking dog. Commissioner Teske responded that Section Two addresses licensed boarding facilities, agriculture, livestock, animal shelters and that the matter is already covered under state statute. Roberta added that she has 20 acres in an urban plain and my concern would be, you know, if I have somebody living closer that can be a problem.

I'm Steve Mogone, I live here in Libby, and I guess I'd like you to do two things that I'm still confused on this. I have 34 years in wildlife law enforcement and I'm still confused on whether you would agree what the current law is on the boarding facility and what is going to change, because it doesn't seem like anything is going to change. Commissioner Teske explained that nothing substantive is changing in the ordinance, but new definitions are being added for clarity. He stated that "boarding facility," "livestock operation," and "agriculture" were not previously clearly defined, which led to confusion. He said the revisions are intended to align with state statute and clarify existing exemptions for animal shelters, licensed veterinary care, boarding facilities and agricultural or livestock operations. Steve stated, I have two hounds, and first time I've had three altogether. But you know, not just anybody can take care of hounds. I mean you have to have a pen; they wreck your yard; you have to put them up at night or keep them next to your house. And Bark has a facility that can do that and a lot of places can't, or they won't even want to take care of them. So, I'm also wondering how many dog boarding facilities are there actually in southern Lincoln County? So, we're doing all of this. You're doing all of this because of three boarding facilities. Commissioner Teske explained that the ordinance is being updated to clarify definitions so that exemptions are clearly understood and enforceable. Discussion of licensing requirements. Steve inquired, have you had complaints from people with ranges with their dog? Commissioner Teske stated that exemptions apply only when an operation meets defined livestock or agricultural criteria and that the previous ordinance lacked sufficient definitions to properly determine eligibility for those exemptions. Steve stated common sense says, you know, if my dogs are barking, I get up and go see what they're barking at. And if they're barking at someone that's in our backyard, that's what they're supposed to do. I guess I'm a little confused. It seems like we're doing an awful lot. It's not going to change very much except for the law enforcement. Maybe. But if they're licensed, they're exempt. Commissioner Teske clarified that the ordinance is not aimed at licensed kennels, but rather those who attempt to claim kennel exemptions without meeting the required criteria. He stated that clear definitions are needed so it is evident who qualifies as exempt and who does not, based on established requirements.

Dallas Bowe advised; you brought up-Noel- that if you have a kennel license that is not the same as a boarding, correct? Right? Under this definition I don't—because all of us, the majority of us who have hounds have kennel licenses. How many hounds we have—nobody, I mean we have the majority five, six, eight hounds, so we have to have a kennel license for that. That doesn't make us—right? So, is there a clear definition? The Commission discussed remaining concerns about unclear definitions of "kennel" and "animal boarding facility" under state statute and the proposed ordinance. It was noted that additional clarification may be needed to distinguish kennel licensing from boarding operations and to ensure consistent criteria for exemption and enforcement before moving forward.

Steve Mogone; regarding what you said, the definition of and how benefits you're exempt and all that. Um, the fact that they have a license, as long as they're licensed, they're exempt, correct? Commissioner Teske: So, it doesn't say anything about a license. It says commercial establishment that is open to the public where pets are housed, fed, and cared for in exchange for compensation provided by the pet owner. I don't know what the state requirement is. We have a local board of health requirement for boarding and for kennels, and so that's where the definition of this came from and where the definition of kennel would come from. But all that is a definition. Steve; so typically, if you're going to accept money from the public for a business, you have to have a business. What I'm getting at with this, I kind of wanted this on the record audio, whatever, is last December, Ben and Mitzy's application for their business license just vanished, vanished out of the health department, and well, that happens again. Commissioner Duram: They're on file. Steve, I know, but that's the type of harassment that our neighbors are having to deal with. And it's unacceptable, it's uncalled for and it's certainly illegal.

**written public comments received are available in the Clerk and Recorder records*

10:45 AM **Resolution 2026-15 A Resolution To Amend The Lincoln County Buildings for Lease or Rent**

Regulations. Resolution 2026-14 A Resolution To Amend The Lincoln County Subdivision Regulations: Present were Brian Berreman, Jesse Haag, Kristin Smith, Roberta McCanse, Scott Shindledecker, Tony Wickham, Melanie Howell and Veronica Bovee-Anderson.

Commissioner Duram read Resolution 2026-15 to amend the Lincoln County Buildings for Lease or Rent Regulation. **Motion** by Commissioner Hammons to approve Resolution 2026-15. Second by Commissioner Duram. No public comment outside of the previous meetings. Motion carried.

Commissioner Hammons read Resolution 2026-14 to amend the Lincoln County Subdivision Regulations. **Motion** by Commissioner Duram to approve Resolution 2026-14. Second by Commission Hammons. Dr. Roberta McCanse supported the resolution and raised concerns about neighbor notification for additional domiciles. The Commission noted there is no state requirement for such notification and discussed consistency with subdivision thresholds. No further public comment was received. Motion carried.

11:00 AM **Animal Control Agreement with City of Libby:** Present were Brian Berreman, Darren Short, Marcia Boris, Melanie Howell, Scott Shindledecker, Tony Wickham and Veronica Bovee-Anderson.

The Commission reviewed the existing Animal Control Agreement with the City of Libby, noting it expires June 30, 2026. Sheriff Short stated the current \$25,000 payment does not fully cover county animal control costs within the city and recommended reviewing potential amendments, while suggesting the fee remain unchanged for the current term with possible additional cost-sharing considerations. **Motion** by Commissioner Hammons to keep this contract amount this year and add language that the City of Libby will cover some cost of the annual spay and neuter clinic. Second by Commissioner Duram. The Commission discussed funding allocation for the Animal Control Agreement and possible changes to budget language. Action was **postponed** pending legal review of proposed amendments.

11:15 AM **Election Judge Removal:** Present were Brian Berreman, Dallas Bowe, Darren Short, Marcia Boris, Melanie Howell, Scott Shindledecker, Tony Wickham and Veronica Bovee-Anderson.

Commissioner Teske noted concerns regarding the conduct of an appointed election judge, stating that there is no room for bullying behavior, particularly given the expectation of neutrality. He explained that, based on legal guidance, the Commissioners have authority over appointment and removal of election judges and were advised to proceed with removal due to inappropriate public statements made on social media. **Motion** by Commissioner Hammons to remove the election judge from the election department. Second by Commissioner Duram. Discussion emphasized the need for nonpartisan, unbiased conduct in election-related roles and adherence to county policy. Commissioners noted that actions and statements can have employment consequences and stressed maintaining public trust in a contentious election environment.

Melanie Howell, Election Administrator, advised I understand the point of what we are doing here today. However, there are two other judges now that are doing the exact same thing—not only talking about candidates, but also the election office. It goes beyond that. Now they are not just talking about different people, but they are also talking about our office, and yesterday we were all witness to and it was reported that one of those individuals stated that if her particular candidate does not win, there would be actions against me. And then another one up in your area has also made several comments to that effect, including sending out mass emails along with social media posts. So, if we are going to do this, first of all I was under the assumption when we met that it was only going to be for this election, because that particular judge is one of our most trained judges. However, if we are going to move forward and do this as a permanent thing, we need to be consistent and we need to have something in place because it does feel very singled out for this person who has gone through the state background and has taken numerous—logged over 30 hours of security training, which is really hard to do in our department. So, if we are going to move forward and...not proceed with the...then I would highly recommend that we get something in place to be consistent across the board and not just remove the one judge but the other two. I do realize that you had the one that has recused. I just got that information.

Commissioners discussed concerns regarding consistency, transparency and potential perceptions of bias or nepotism in relation to election judges. It was noted that judges are held to a higher standard due to their public-facing role and responsibility to maintain voter trust. The Commission agreed that any removal decisions should be supported by clear documentation and evidence and indicated a need for defined standards regarding conduct and removal procedures for election judges.

Tony Wickham emphasized the importance of having clear, written policies and consistent progressive discipline before taking action such as removing an election judge. He noted that expectations and consequences should be clearly communicated—potentially even as zero-tolerance standards—to ensure fairness and legal defensibility. He further stated that without documented policy and clear notice, disciplinary actions could be vulnerable to legal challenge and that additional legal clarification may be needed given the appointed nature of election judges.

Discussion clarified that election judges are contracted positions, not county employees and emphasized the need for clear policies and expectations. Commissioners noted that better guidance and training are needed to define conduct standards and avoid confusion. No further public comment. Motion carried.

11:40 AM **Adjourned**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chairman

ATTEST: _____
Corrina Brown, Clerk of the Board