

February 4, 2015

The Lincoln County Board of Commissioners met for a regular session on February 4, 2015, in the Lincoln County Courthouse. Present were Commissioner Mike Cole, Commissioner Greg Larson, Executive Assistant Bill Bischoff and Clerk and Recorder Robin Benson. Commissioner Mark Peck was absent.

Commissioner Cole **opened the meeting** with the Pledge of Allegiance.

9:00 AM USFS Monthly Meeting: Present are Paul Rumelhart, Bob Henline, Chris Nelson, Alvin Benitz, Tina Oliphant, Chris Savage, and Quinn Carver.

Chris presented a map of the Forest Service 3 to 5 year plan representing areas that meet the criteria under the Farm Bill authorities. The Kootenai National Forest is unique in that basically the entire forest has been designated. The map covers the entire Kootenai National Forest and the designated decisions are made within the regional office.

Chris said the importance is getting beyond the legal issues so we can begin harvesting in OU4. The question is will anyone purchase the logs and Chris feels there is no answer to that yet. Quinn said the FS is collaboratively working to move forward with projects in Libby and he will be sharing the map with the stakeholders group.

Commissioner Larson asked if the map has potential to expedite FS timber sale projects, commenting that many of the new roads are in litigation. Chris agreed that some of the key areas the FS is focusing on depends on roads. Roads are expensive and it would be great if they could figure out a way to log an area without building roads.

Chris said the next step is attaining feedback prior to the industry meeting is April. The FS is looking for comments to plan for the future. Commissioner Cole said he feels agencies are now trying to move forward in a less contentious fashion and that he has been seeing a lot more logs trucks which is a positive sign of increased logging activity. Current fuel prices is a contributing factor to the logging opportunities.

Commissioner Cole asked what the 2015 log board feet is estimated to be. Quinn said that 50 million board feet is the 2015 target and that the Kootenai National Forest is in the top 3 rank in the state. The KNF has more volume in contract right now.

Chris said the FS is trying to work on existing road surfaces. The idea is to ask for more logs while the market is good. There is opportunity and flexibility for the FS to offer more units in areas where contractors are already working in or close by. Chris said he sees the farm bill has a good opportunity to save time, money and offers more flexibility.

Commissioner Cole stated that timber availability is always in the forefront of discussion.

Chris submitted a News Release about the KNF seeking public input on travel analysis of the road system on the KNF, stating they are seeking recommendations for road management. Chris said the intent is to have a discussion and get public comment. The News Release has been sent out to all the media contacts.

The Kootenai National Forest is hosting a series of open houses from February 19-26, 2015 to discuss the process used in the analysis and to demonstrate how to use the online mapping tool to provide input. All meetings are from 5 to 7 PM. Dates and locations are as follows:

February 19, Three Rivers Rd., Troy, MT

February 24, Cabinet Rd., Trout Creek, MT

February 24, Supervisor's Office, Libby, MT

February 26, Glacier Bank, Eureka, MT

An interactive mapping tool reflecting the initial results of the analysis is available on the KNF website at:

<http://www.fs.usda.gov/kootenai>

10:00 AM EMA Director Vic White-Radio System Update: Present are Vic White and Lisa Oedewaldt.

Vic gave a report of grant monies that have been brought in to Lincoln County since 2009. 1.5 million in grant funds have been secured in the past 5 years to date. Vic submitted a handout that supported his report and clarified the breakdown of all the grant projects. The combination of grants has helped the Sheriffs Department, Fire and Ambulance Departments, Search and Rescue as well as increasing the efficiency of the county mapping system, emergency planning and wild land fires. Vic and Lisa shared a PPT presentation on Lincoln County Communications and Mountain Top Towers. We have 5 county owned repeater sites, decreasing BNSF leases by \$60,000. Vic explained the future goals and plans to further enhance the Lincoln County Communication System. Vic said the EMA Department is always looking to enhance communication and help county emergency services.

10:30 AM Kathi Hooper-Re-Inspection Fees: Present are Kathi Hooper, Bob Henline and Chris Nelson.

Kathi submitted a handout and gave a summary of the Lincoln County Retail Food Safety Program. The City-County Board of Health contracts with the State of Montana DPHHS to inspect licensed retail food establishments. The inspections are conducted by the Lincoln County Environmental Health Department. Inspections are risk-based and identify violations per Montana Code. The Lincoln County Department of Environmental Health proposes to revise the inspection policy to charge a \$90 fee for the 3rd inspection and each subsequent inspection at any licensed establishment that requires multiple inspections due to failure to correct critical violations. The goal is to motivate establishments to correct violations that pose a threat to public health in a timely manner and to reduce the number of re-inspections needed to achieve compliance. Kathi did say it would be rare this will come into play. There was a brief discussion about the fee being increased to \$100 from the \$90 recommended. **Motion** by Commissioner Larson to approve the proposed Re-Inspection Fee increasing the fee to \$100. Second by Commissioner Cole, and so ordered upon consensus of the Board.

Kathi informed the Commission that a new state requirement is that every licensed food retailer needs to employ a food safety manager. Establishments need to be in compliance by January 2016. The Lincoln County Environmental Health

Department will be conducting training in March and April of this year to help local food establishments meet the January 2016 deadline.

11:00 AM **Tom Wood-Award Presentation:** Present are Tom Wood, Roby Bowe, Brent Faulkner, Nate Scofield, and April Bowe

Tom Wood presented an award on the behalf of the Libby Volunteer Fire Department recognizing and honoring Detective Nathaniel Scofield of the Lincoln County Sheriff's Department for his service and bravery in life saving efforts during a house fire on Mineral Avenue. City Police Officer Terry Watson was given the same award during Monday's City Council Meeting. Roby Bowe was presented a Certificate of Recognition for 25 years of service with the Lincoln County Sheriff's Department. The Commission thanked Sheriff Roby Bowe and Detective Scofield for their commitment and service to Lincoln County.

1:30 PM **Montanore Update/ Phone conference with Eric Klepfer:** Also present are Steve Gunderson, Bob Henline and Chris Nelson.

Eric said the FS is coming along with their process towards the final EIS. One page of the review is tied to wildlife and a draft will be in the final ROD. Determining how to handle forest plan changes are holding up the ROD a bit and Eric estimates the final camera version of the draft ROD will be delayed until February 27th. Eric suggested working on the EIS to Chris Savage, Kootenai Forest Supervisor. The idea is to not delay the EIS just because the ROD is still being worked on.

The Forest Service is looking for a way to address the language in the draft ROD to acknowledge the Forest Plan without causing significant delays. Commissioner Cole said he would be willing to call Chris Savage in support and urgency of maintaining the timeline.

Commissioner Cole asked about the time frame as things move forward. Eric said the objection process takes up to 90 days. There is no time restrictions on rewriting the final ROD and to assume a 30 to 45 days after the objection process. Overall, Eric felt we are talking about four months at most. We are looking at August or September to begin the evaluation. Delays are getting better because issues are getting smaller.

Commissioner Cole said it is exciting to see movement and he is hopeful to keep it moving in a forward direction.

2:00 PM **Lincoln County Attorney, Bernie Cassidy:** Present are County Attorney, Bernie Cassidy and Nicki in Eureka via video conferencing.

Bernie submitted a letter to the Commission requesting authorization to begin advertising to fill a Deputy County Attorney position. **Motion** by Commissioner Larson granting approval to fill the position vacated by the retirement of Robert Slomski. Second by Commissioner Cole, so ordered upon consensus of the Board.

2:30 PM **Bull Lake Fire Department/Mill Levy:** Present are Wayne and Sylvia Maffit.

The Commission read Resolution 2015-1 to increase the mill levy allocation to Bull Lake Rural Fire District. The Bull Lake Rural Fire District Board of Trustees has requested an additional 28 mill levy be placed on the May 5, 2015 election ballot in accord with 13-1-104(3) MCA over and above the 10 mills currently levied for a total of 38 mills, to be made permanent to help with the cost to operate the fire district. The size and growth of BLFD is increasing yearly. Clerk and Recorder Robin Benson submitted the resolution to County Attorney Bernie Cassidy for language approval. Bernie's conclusion is that the proposed ballot language complies with the requirements of MCA 15-10-425 which governs mill levy elections, however, the authority to levy taxes in support of a rural fire district rest with the county commissioners, rather than the district's board of trustees. Therefore, in order for the ballot issue presented by Resolution 2015-1 to be included on the ballot, the Lincoln County Board of Commissioners must pass a resolution to that effect. **Motion** by Commissioner Larson to allow Bull Lake Fire District to run a mill levy according to Resolution 2015-1. Second by Commissioner Cole, so ordered upon consensus of the Board.

2:45 PM **Administrative Issues:**

- The commissioners read the minutes for January 28, 2015. **Motion** by Commissioner Larson to approve January 28, 2015 minutes. Second by Commissioner Cole and so ordered upon consensus of the board.
- Commissioner Cole explained the heating/cooling system at the North Lincoln County Annex stating the North side unit is not working. There are issues with heating in the winter and cooling in the summer. It is an old unit and is no longer repairable. The Commission will do research on companies and pricing.
- The CDC is requesting a commissioner to serve on their board. Commissioner Peck has stated interest and is willing to serve on the CDC Board.

3:00 PM **Spenser Merwin, Senator Daine's Office:** Present are Jim Rathbun, John Konzen, Mayor Doug Roll and Commissioner Mark Peck via telephone conference.

Cole welcomed Spenser Merwin to Libby to share his ideas from Senator Daine's office. The Commission spoke about concerns relating to public lands/wilderness, moving the timber industry forward, Montanore and the grizzly bear mitigation, forest jobs and recreation. Commissioner Cole said he has been hearing the same things for many years but we are still not getting anything pushed through Congress.

Spenser said he realizes there is a huge urgency and the solution lies with getting agencies on board to actually get something accomplished. It takes the entire delegation to move forward and get something accomplished.

Commissioner Larson expressed the need to be able to manage our own forests. Commissioner Peck agreed stating that we should let local professionals manage their resources. Land management decisions should be scientifically based and I don't think it is good for our land as it is now.

Mayor Doug Roll said the system is broke, something needs to change drastically. He gave a brief history of the Flower Creek Dam Project relaying how USFWS delayed the construction for one year due to bull trout and the Endangered Species Act. Commissioner Peck said we all know what the problems are, we need to focus towards a solution based discussion. Those solutions can be found right here with intelligent, educated people. Commissioner Peck continued with how he would like to see the KNF and Lincoln County not only be the battle ground, but also the model for how to get this done. The long term portion is the legislative part of it. We have a lot of smart people working on good ideas. I want to focus on this issue right here in Lincoln County. This is where it all collides. Historically we had conservation and on the ground sound management that set the standard for the rest of the country. We know how to do that here. Mayor Roll agreed we can manage our resources right here if we can get the litigation out of the way. Commissioner Peck said the Endangered Species Act needs to be approached as well. Mayor Roll said the Endangered Species Act is the biggest stumbling block. The intention of the ESA was good but when it gets to the point that we cannot do anything, it was not the intent or the purpose when it was established. Spenser agreed that there is an urgency for local control, local management and policy change. Current policies in place right now has led us to where we are now with the decline of jobs. Spenser said the key is how do we get agencies to collaborate into a comprehensive forest management reform. Commissioner Peck expressed that expanding trust lands instead of transferring lands would be a step in the right direction. A trust would be a bridge to actually get to the transfer, clarifying that it is not about ownership, its about management. We would still abide by Endangered Species Act to do all the analysis, if we could manage our forests under NEPA.

4:00 PM The **meeting was adjourned.**

LINCOLN COUNTY BOARD OF COMMISSIONERS

Mike Cole, Chairman

ATTEST: _____
Robin A. Benson, Clerk of the Board