

MCA 2-3-212. Minutes of meetings. Minutes must include without limitation: (a) the date, time, and place of the meeting; (b) a list of the individual members of the public body, agency, or organization who were in attendance; (c) the substance of all matters proposed, discussed, or decided; and (d) at the request of any member, a record of votes by individual members for any votes taken.

APPROVED MINUTES

The Libby City Council held regular meeting #1699 on Monday, April 20, 2026, in the Council Chamber at Libby City Hall.

Call to Order:

The meeting was called to order at 7:00 pm by Mayor Taylor.

Present were Mayor Taylor, Councilors Brooke Bolin, Gail Burger, Brian Crompton, Ethan Kolp, Erica Schaefer, Brian Zimmerman, Administrator Sam Sikes, and Clerk/Treasurer Leann Monigold, (via Zoom) City Attorney Dean Chisholm.

Department Head Reports:

Administrator: Administrator Sikes reported, building permits for March, as of fiscal year to date, the city has sold 22 permits totaling \$12,399, covering 12 roofs, 4 new buildings, 2 major remodels, 1 carport, 1 addition, and 3 decks. 24 permits were sold for \$39,000 at this same point in fiscal year 2025, and 29 permits for over \$31,000 the year prior. The variance is attributed to elevated activity in prior years from four-plex and duplex construction projects. The building program is performing well, covering its expenses through the 75% permit revenue allocation.

Mr. Sikes reported President Trump signed the disaster recovery declaration, covering both the flood event and subsequent windstorm. The city contracted with ER Assist to serve as its representative throughout the FEMA reimbursement process. All supporting documentation, invoices, receipts, and permits, have been organized and is in order. FEMA will review eligibility of approximately \$890,000 spent to date on emergency protective measures and provide reimbursements accordingly. Montana DES will cover additional cost shares beyond the city's two-mill value threshold. A FEMA meeting is scheduled for that Friday.

Committee Reports:

Zoning: Mayor Taylor announced a meeting scheduled for Wednesday at 6:00 pm at City Hall, also available via Zoom.

Wildlife Management: Mayor Taylor reported meeting with Sam, the city's Fish and Wildlife Parks biologist, who is working to obtain up to 100 turkey permits and possibly some out-of-season deer permits. A report on CWD testing results and harvest numbers will be provided next month.

Shade Tree Board: Councilor Kolp reported the committee met the prior Saturday for pruning and moving animal protection on trees from Lincoln to Louisiana. Arbor Day is Friday, April 24, with a celebration and tree planting at Fireman's Park from 3:30 to 5:00 pm, including free seedlings and children's activities.

Public Comment Non-Agenda:

Tony Wickham expressed concern about the length of time the investigation involving Chief Ercanbrack has taken and asked council to encourage a timely resolution in the interest of public safety.

Rosemary Irish expressed concerns about the clarity of the city's water billing statements, noting the breakdown of charges is difficult to understand. Mayor Taylor encouraged her to contact Administrator Sikes and noted the annual state fee is assessed by the state and outside the city's control.

Tim Whalen, owner of Ortho Physical Therapy, expressed concern that his business has been classified in the hospital/medical clinic category for water billing purposes, resulting in higher rates that he believes do not reflect his actual water usage. Mayor Taylor asked him to contact Administrator Sikes directly for resolution.

Rocky Gifford expressed support for a timely resolution to the ongoing law enforcement investigation, highlighting Chief Ercanbrack's contributions to the community.

New Business:

Public Hearing: Wastewater System Improvements:

Mayor Taylor opened the Public Hearing at 7:14 pm.

Ian Gunalson, Engineer with WWC Engineering, presented findings from the city's Wastewater Preliminary Engineering Report (PER). WWC was contracted last fall to complete the PER. Total engineering labor cost was \$78,000; however, WWC secured two planning grants on the city's behalf, reducing the city's cash match to \$8,000. The purpose of the PER is to analyze all wastewater infrastructure city-wide, develop phased recommendations and implementation plans, and serve as the foundation required by grant agencies to secure construction funding.

WWC engineers visited the wastewater plant in January, meeting with plant operators and Administrator Sikes to document the system in its entirety, from collection pipes and lift stations to all plant components. From that assessment, four primary deficiencies were identified and analyzed for alternatives, costs, and funding scenarios. Of those four, one preferred project was selected for advancement: replacement of the city's aging vitrified clay tile sewer pipe collection system. The clay tile pipes, approximately 2,700 linear feet across six separate locations, have known issues including root intrusion, leakage potential, and bellied sections. Replacing them will improve flow consistency to the plant, improve

treatment quality, and strengthen the overall system. In addition to the six pipe segments, the project includes replacement of two deficient manholes located at Third and Louisiana and Fourth and Louisiana.

The other three deficiencies evaluated, the grit chamber, oxidation ditch mixers, and the polymer system related to the Huber screw press, were analyzed and carry comparable capital costs but cannot be phased; they were included in the PER to lay the groundwork for future funding cycles.

A decision matrix was used to evaluate 12 planning-level designs across criteria including financial feasibility, technical feasibility, operations and maintenance, public health and safety, and environmental impact. Alternative C2, traditional open-cut excavation, was selected over pipe bursting due to lower uncertainty, broader contractor availability, and the ability to phase the project across the six pipe segments, which strengthens the grant application.

The all-inclusive planning-level cost estimate for the comprehensive project, covering pipe materials, construction labor, engineering, bypass pumping, traffic control, surface restoration, and closeout, is \$1.22 million. Three grant funding sources were analyzed: the RGL, MSEP, and CDBG grants. Under Scenario 1, the best-case scenario in which all three grants are awarded and used to match each other, the city's out-of-pocket cost for the full \$1.22 million project would be just under \$35,000. WWC will prepare and submit the RGL and MSEP grant applications as part of their services; both are due mid-May 2026. The CDBG application is due in early October 2026. Grant awards are typically determined within approximately two years, placing the city in a position to know its funding picture in 2028, with design commencing around that time and construction starting in 2029 or later if a phased approach is chosen.

Councilor Kolp asked for clarification on pipe bursting. Mayor Taylor and Administrator Sikes explained that pipe bursting inserts a device through the existing pipe to fracture it outward in place rather than excavating, a method with the downside that any resulting leaks can travel along the fractured pipe fragments, making them difficult to locate.

Administrator Sikes explained the previous PER for the wastewater plant, the city received both the MSEP and RGL grants but did not receive the CDBG grant, which had dramatically reduced statewide funding that cycle with only three cities selected. Current city cash reserves are approximately \$680,000, including \$200,000 in the Capital Improvement Fund. The city is looking at needing approximately \$500,000 to address the critical failure point at the First Montana lift station, the last remaining project from the prior PER. Additionally, the wastewater plant's generator is 49 years old and in need of replacement. Given these financial constraints, the city may need to defer one grant cycle on the sewer pipe project and wait until the following year or the year after before submitting applications.

Public Comment: None

Mayor Taylor closed the Public Hearing at 7:30 pm.

EPA - Libby Asbestos Superfund site Update:

Dania Zinner, EPA Project Manager, along with Beth Archer, Community Involvement Coordinator, and Maggie Ogden, EPA Project Manager, provided an update on the Libby Asbestos Superfund Site. Five operable units have been partially deleted or delisted from the Superfund list, representing a significant milestone for Libby and Troy. The public health emergency declaration remains in place until OU3 (the former vermiculite mine) is fully remediated. The Lincoln County Asbestos Resource Program also remains in place. EPA's five-year review findings confirm that all operations are protective, and cleanup efforts are going well. The next five-year review will be in 2030.

A literature review of the past 10 years of Libby amphibole asbestos science was recently released to LASOCT and the Board of Health. The review found no basis to change the original toxicity values established in the 2014 risk assessment, and EPA's conclusion is that the remedy remains protective. Regarding Operable Unit 3, EPA is currently reviewing W.R. Grace's draft feasibility study, which will evaluate cleanup options for the former vermiculite mine. Once finalized, EPA will release a proposed plan, accept public comments, and issue a Record of Decision outlining what W.R. Grace, as the responsible party, will need to do to complete cleanup.

Beth Archer noted that 2027 is when the draft feasibility study and public comment period are expected. EPA plans to hold a public meeting and provide additional educational opportunities for the community to learn about cleanup alternatives before the comment period opens. No

Public Comment:

Rocky Gifford asked how the dam up on the mine site is holding up and inquired about an update. Ms. Zinner noted it is permitted and monitored by Montana DNRC, W.R. Grace has been actively working to improve it including a recent emergency spillway project, and ongoing work is expected to continue for approximately four more years. Council was encouraged to invite Nick Rains for a more detailed presentation on the tailings dam.

Discussion and Approval Farmers Market Request:

Mandy Bell and Isabel Manning, Farmers Market, presented a request to use public parking spaces on Mineral Avenue between Lincoln and 8th for vendor trailers and food trucks on Thursdays from 2:00 to 6:30 pm during the market season. The market is in its eighth season and second as a 501(c)3, averaging 850 visitors weekly, with approximately 150 vendors. The market is relocating to Libby Lofts this year and outlined plans to address pedestrian safety, traffic flow, and parking.

Councilor Kolp **Abstained** from voting due to conflict of interest.

Councilor Bolin **MADE A MOTION** to approve the public parking spaces for four hours per week on Thursdays, Councilor Zimmerman **SECONDED**.

Public Comment: None

Councilors Bolin, Burger, Crompton, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Discussion and Approval – Libby Youth Baseball and Softball Association Upgrade Request (Self-Funded):

Derrek Benefield, President of Libby Youth Baseball and Softball, presented a request to make self-funded improvements to the ball fields near the cemetery. Plans include expanding the parking lot on the west side toward the Dietrich property, widening the gate at the armory entrance to allow two-way traffic, and general facility improvements. A survey has already been conducted by Barnes Anderson. Approximately \$80,000 in work was contributed by local contractors and volunteers last year. Mr. Benefield noted intent to pursue a long-term lease of approximately 20 years.

Councilor Burger inquired whether there is a current lease agreement in place. Mr. Benefield confirmed a short-term lease was made last year and that a longer-term lease is the goal going forward. Mayor Taylor explained the lease details will be worked out with the City Attorney and brought back to council separately; tonight's votes cover only the improvements.

Councilor Zimmerman commended Mr. Benefield and the association for their continued investment in the fields and expressed enthusiasm for the upcoming June tournament.

Councilor Bolin inquired about the direction of the parking lot expansion and whether the existing trails would be impacted. Mr. Benefield confirmed the expansion is planned to the west toward the Dietrich property, not toward the cemetery side, and noted the trails are part of the long-term vision for the site.

Councilor Zimmerman **MADE A MOTION** to approve the Libby Youth Baseball and Softball Association request for the upgrades. Councilor Burger **SECONDED**.

Public Comment: None.

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Approve Mayor to Authorize Future Self-Funded Upgrade Requests from Libby Youth Baseball and Softball Association:

Mayor Taylor explained rather than requiring the association to return to council each time they wish to make a small self-funded improvement, council could authorize the mayor to approve those requests directly, similar to the process used with the ski course.

Councilor Burger **MADE A MOTION** to authorize the mayor to make future self-funded upgrade requests from the Libby Youth Baseball and Softball Association, Councilor Schaefer **SECONDED**.

Public Comment: None.

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Approve Donation of 200 Yards of Gravel for Libby Youth Baseball and Softball Upgrade:

Mayor Taylor explained the association is looking to grade the west side of the parking lot where it drops off sharply toward the Dietrich property and bring in crushed gravel to fill the area. The city recently had gravel crushed and the association is requesting a donation of 200 yards.

Councilor Zimmerman inquired whether any additional gravel beyond the 200 yards, if needed to complete the project, would fall under the mayor's approval authority. Mayor Taylor confirmed it would.

Councilor Zimmerman **MADE A MOTION** to approve the 200 yards of gravel for the Libby Youth Baseball upgrade. Councilor Crompton **SECONDED**.

Public Comment: None.

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Approve all claims received to date:

Councilor Zimmerman **MADE A MOTION** to approve all claims received to date, Councilor Kolp **SECONDED**.

Public Comment: None

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Approve all business license applications received to date:

DRH Contracting, Green Diamond Mountain Forestry Management, Blue Valley Construction, Sunny Massage, and Turning Point Home Services.

Councilor Zimmerman **MADE A MOTION** to approve all business license applications received to date. Councilor Schaefer **SECONDED**.

Public Comment: None.

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

General Comments from Council:

Councilor Burger raised the issue of water billing classifications, noting it is not the first time they have heard that people are being lumped into different categories. She used Ortho Physical Therapy as an example, noting they are lumped in with the hospital classification but are not using that amount of water. Asking whether there is a way, or forms available for businesses to be reclassified based on their actual water usage. Mayor Taylor recommended getting with Administrator Sikes and the Water and Sewer Committee to look at that in committee and move forward from there.

Mayor Taylor noted it has been brought to his attention by multiple people that it is campaign season. Campaign signs cannot be placed on city property or city rights-of-ways. Noting he has no control over what happens in the county, but if signs are on city property or city right-of-ways, they will be removed.

ADJOURNMENT:

Councilor Zimmerman **MADE A MOTION** to adjourn, Councilor Kolp **SECONDED**.

Councilors Bolin, Burger, Crompton, Kolp, Schaefer, Zimmerman voted **FOR**.

MOTION PASSED.

Mayor Taylor adjourned the meeting at 8:04 pm.

Mayor Hugh Taylor

Attest: _____

Clerk/Treasurer Leann Monigold