

## APPROVED MINUTES

The City Council held meeting #1558 on Monday, December 7, 2020, in the Council Chambers at City Hall.

### Call to Order:

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

The Pledge of Allegiance was completed, and Roll Call commenced. Present were Mayor Teske, Mrs. Williams (via Zoom), Mr. Beach (via Zoom), Mr. Dufficy, Ms. Smith, Mr. Taylor (via Zoom), City Administrator Mr. Hammons and City Clerk/Treasurer Mr. Sikes. Mr. Zimmerman was not in attendance.

Mayor Teske welcomed all and a prayer was offered by Mr. Bill Sonntag.

Approve City Council Meeting minutes for #1557 dated 16 November 2020. Councilor Beach **MADE A MOTION** to approve and Councilor Smith **SECONDED**.

Mrs. Williams, Mr. Beach, Mr. Dufficy, Ms. Smith and Mr. Taylor voted **FOR**.

### **MOTION PASSED.**

Approve Public Hearing minutes for 23 November 2020. Councilor Beach **MADE A MOTION** to approve and Councilor Smith **SECONDED**. One change was proposed by Councilor Smith and accepted by the Council.

Mrs. Williams, Mr. Beach, Mr. Dufficy and Ms. Smith voted **FOR** while Mr. Taylor abstained due to not attending the meeting.

### **MOTION PASSED.**

### Announcements:

Mayor Teske brought to everyone's attention that it was Pearl Harbor Day mentioning special days do not occur on a meeting night very often and spoke to the meaning of the day and his remembrances. Mr. Teske asked for and received a moment of silence.

### Committee Reports:

**City Administrator's Report:** Mr. Hammons pointed out the large \$17,000 dollar plus payment in the claims to be approved was the first of 5 yearly payments being made for the Vacuum Truck that was just purchased adding that hopefully the truck will be delivered next week. Mr. Hammons informed that Council that 5 employees of the Street Shop are on quarantine by the Health Department with 1 of the quarantined being a confirmed case adding that he hoped it would not snow until they are back.

Mayor Teske stated that he did not see snow coming soon. Councilor Zimmerman was able to join the Meeting via Zoom at 7:08 pm.

**Fire:** Councilor Zimmerman reported that LVFD responded to 4 calls for service. The calls consisted of 1 for the City, 1 in the Rural District and 2 outside of both. 1 was for a vehicle, 1 for ambulance assistance, 1 false alarm and 1 for a powerline. This brings the total number of calls to 112 through the end of November.

**Police:** Police Chief Kessel reported 188 calls for service in November as opposed to 263 last year. Of the calls 6 resulted in arrest and 19 in citations whereas last year it was 26 arrests and 22 citations. The numbers are lower due to COVID-19 and not being able to arrest with exception being violent offenders. Chief Kessel mentioned that his Deputies were all COVID-19 free but suffering from flu symptoms. Mrs. Laura Crismore added that the Board of Health had yet to confirm a flu case in Lincoln County this year.

**Resolution/Ordinances:** Councilor Williams reported nothing at this time, but the Committee is gearing up to confront several items soon.

**Lights/Streets/Sidewalks:** None.

**Building:** Mayor Teske mentioned to the Council that there is an office space for rent in City Hall in case anyone was looking. Councilor Smith asked if it had been advertised to which the Mayor responded that it had not but that it would be a good idea.

**Water/Sewer:** Mayor Teske inquired if Councilor Zimmerman had been in contact with Wendy Berry who had contacted him. Mr. Zimmerman confirmed the contact and was getting with Mr. Hammons to set up an evening meeting to discuss some issues.

**Zoning Commission:** Councilor Smith reported that the Committee had met last Monday and that they are plucking away at the language used in the Residential A Code. The language seems to be archaic and does not reflect the current cultural norms. Ms. Smith let the Council know that there is still an opening on the Committee if there was anyone interested. Mayor Teske stated that there was indeed an application for the position that he was tracking down.

**Cemetery/Parks:** None.

**Finance:** Mr. Sikes informed the Council that the Cities portion of the required information due to the auditor was complete adding that CARES reimbursement was now the focus of effort for the next couple days.

**KRDC:** Councilor Smith reported that there will be a tele-meeting this Thursday.

**City-County Board of Health:** Mrs. Laura Crismore reported that Libby Care Center gave an update to the public and board. It was reported on 11/10 that they had 10 residents and 7 staff test positive for COVID. The care center continues to test staff weekly, separate COVID patients by placement to a dedicated unit, and have dedicated staff to work only this unit. Currently, the care center is now accepting patients again.

Several community members and county health met to discuss ways that we may better our communication. We will utilize the County website more efficiently to ensure we are giving a standardized and timely message.

Sara Mertes' time is up with the Board of Health (BOH) and she has agreed to another term. Several Eureka residents would like to see more Northern Lincoln County representation on the board. Several BOH members agreed to more representation and this will be further discussed at the 12/09/20 BOH meeting.

Team 56 continues to work with community members to find effective ways to reduce COVID cases. Please check out their Facebook page if you are able.

Our COVID cases continue to grow. There was an outbreak at Turning Winds. Additionally, several from Libby High School were out with COVID or quarantined due to exposure. From the 12/06/20 update, we have a total of 845 cases with 151 of those being listed as active.

The County has reviewed the enforcement process on those that are not complying with the Governor's mandate. At this time, they are restarting the entire process so that everyone is treated equally. They have revised the process and they will be updating the FAQs to include information regarding this change.

Jan Ivers proposed setting up an educational meeting by the BOH to answer frequently asked questions. Topics could include organizational structure, rules and responsibilities, finances, testing, collaboration of medical care and contact tracing to name a few.

The County has access to the Binaxnow Rapid COVID test allowing the County to have results within 15 minutes on each test.

The County has begun the mobile flu clinic and if you would like to have the flu vaccine, please call 283-2447. Currently, we have no flu cases in our County.

Operations and Maintenance for Solid Waste department have been updated. As soon as these are finalized, they will be uploaded to the County website.

Asbestos Resource Program (ARP):

- (1) Final revisions were made to the Memorandum of Agreement (MOA) between Lincoln County and MT Department of Environmental Quality. Lincoln County sent a signed copy of the MOA to DEQ for final signatures. We are still waiting for confirmation on an effective agreement.
- (2) While we wait for the agreement to be signed, ARP has met with the finance departments at Lincoln County and DEQ to understand new procedures for invoice requirements for reimbursement of monthly costs, including cost expended before the agreement is finalized (starting from July 2020).
- (3) ARP continues to meet and work with DEQ on operations & maintenance (O&M) activities within Libby and Troy:

- a. ARP has responded to 46 utility locates during October 2020 which includes information about potential remaining contamination at dig sites and ARP staff conducting site visits.
  - b. There are 3 pending activities in Troy and 12 pending activities in Libby. These activities include site inspections, information requests, investigative sampling, and abatement.
  - c. The lab contract between DEQ and Techlaw is now established and ARP will be collecting their first round of confirmation sampling from a property. Also, ARP is trying to educate local accredited asbestos inspectors on the O&M process when they are hired by a property owner to collect samples. This process allows reimbursement to the property owner to pay for DEQ-approved sampling activities.
- (4) DEQ is finalizing their 2020 Annual O&M Inspection Report on the Riverfront Property (OU1), the former Parker's residence/currently W.R. Grace property/former vermiculite processing area (OU2), the Port Authority (OU5), and the transportation corridor which includes portions of Hwy 2, MT-37, and Farm to Market Rd (OU8).
  - (5) There was a public comment period for the EPA OU8 Institutional Control Implementation Assurance Plan (ICIAP) document. This comment period ended late October.
  - (6) The current Region 8 EPA Administrator, Mr. Greg Sopkin, along with Mike Cirian met with Commissioner Peck and Commissioner Bennet during the Administrators tour of OU3, the former W. R. Grace mine site on October 15<sup>th</sup>.
  - (7) The EPA released their second 5-year Review report on OU1, OU2, OU4 (properties in Libby), OU5, OU6 (BNSF railroad corridor), OU7 (properties in Troy), and OU8. That report can be found on the EPA's website for the Libby Asbestos Superfund Site.
  - (8) Finally, the EPA Information Office on 9<sup>th</sup> street closed after more than 20 years of service. The Lincoln County Asbestos Resource Program (ARP) will be replacing the services that the info office provided, including education about Libby asbestos, providing resources for O&M activities, and participating in initiatives that affect the Superfund Site. ARP's office is located at 503 California Avenue in Libby, MT.

Libby Asbestos superfund Oversight Committee (LASOC) recently requested of DEQ to fund 7 properties regarding asbestos removal. DEQ agreed to fund 2 but declined 5. The Libby Asbestos Superfund Oversight Committee has taken the stance that no property owners should be responsible for cleanup costs and will continue to work with DEQ to push this.

Councilor Dufficy asked if homeowners were going to have to pay for cleanups in the future and Mrs. Crismore informed Mr. Dufficy that the County was supposed to get money from the DEQ to clean up the remaining Asbestos.

**Park District Manager:** None.

**Public Comment on Non- Agenda Items:**

None.

**New Business:**

**Approve all business licenses received to date.**

Mayor Teske read through the application for Goddess Home Solutions. Councilor Dufficy **MADE A MOTION** to approve the license and Ms. Smith **SECONDED**.

Mrs. Williams, Mr. Beach, Mr. Dufficy, Ms. Smith, Mr. Taylor, And Mr. Zimmerman voted **FOR**.

**MOTION PASSED.**

**Approve claims and payroll for November of 2020.**

Councilor Williams **MADE A MOTION** to approve and Ms. Smith **SECONDED**.

Mrs. Williams, Mr. Beach, Mr. Dufficy, Ms. Smith, Mr. Taylor, And Mr. Zimmerman voted **FOR**.

**MOTION PASSED.**

**Unfinished Business:**

**City of Libby Wildlife Management Plan.** Councilor Taylor informed the Council that communication with the Fish and Game was scarce since hunting season had begun. Mr. Taylor informed the Mayor that the draft plan has gone back and forth between the City and Fish and Game and that it was currently in their possession.

**IP Negotiations.** Mayor Teske informed the Council that there was a phone meeting tomorrow with the EPA and DEQ where he hoped to find out where the Controlled Ground Water Agreement was at.

**Approve location for vault toilet at the Cross-Country Ski Course.** Mayor Teske informed the Council that the last information on the vault toilet was that plans were still being gathered for resubmittal to the Council.

**General Comments from Council:**

Councilor Smith informed the Council that the City had always gone through the County to get maps printed when updated and now a sub-contractor will print future maps and the County would still print the required maps for the City.

Mayor Teske asked if the City had to get a contract also and Ms. Smith said it was not required yet and that a proposal could be put together if it was needed in the future. Mr. Teske said it could be put in the budget next year if needed.

**Adjournment:**

Councilor Dufficy **MADE A MOTION** to Adjourn and Councilor Williams **SECONDED**.

Mrs. Williams, Mr. Beach, Mr. Dufficy, Ms. Smith, Mr. Taylor, And Mr. Zimmerman voted **FOR**.

**MOTION PASSED.**

Meeting adjourned at 7:28 pm.



Mayor Brent Teske

Attest;



Clerk/Treasurer Samuel Sikes