

**LINCOLN CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
Hybrid - North Lincoln County Annex, Eureka/Zoom
January 17, 2024, 4:00 p.m.**

Attendance:

Board of Supervisors: Kathleen Johnson, Chair; Don Crawford; John DeLeo; Gary Pershall, Joe Lewicki

Absent:

Associate Supervisor(s): Wayne Maahs

Advisor(s):

District Administrator: Rae Lynn Hays

Administrative Assistant: Rhonda Rockwell

Guest(s): Dexter Hardy and Erin Carroll, Yaak Valley Forest Council

Called to order: 4:00 p.m. by Kathleen Johnson, Chair

Public Comment: None

Minutes:

- December 20, 2023, regular meeting minutes
 - **Motion** by Joe Lewicki to approve the December 20, 2023, meeting minutes. **Second** by John DeLeo.
 - **Motion** passes unanimously.
- December 20, 2023, Special Meeting Minutes
 - **Motion** by John D. to approve December 20, 2023, Special Meeting Minutes. **Second** by Gary Pershall.
 - **Motion** passes unanimously.

Financial Report:

- John DeLeo presented the November treasurer's report.
- **Motion** by Gary P. to approve the treasurer's report. **Second** by Joe L. **Motion** passes unanimously.

NRCS Report – Brian Ressel

- No report.

MTFW&P Report – Brian Stephens

- No report.

District Administrator's Report – Rae Lynn Hays

- Volunteer hours were recorded.
- Rae Lynn filed the Annual Financial Report with the State.
- The Quarterly Report for the Glen Lake Dam Survey Grant was filed. Glen Lake Irrigation District is still waiting to receive a contract for the FEMA funds. The Glen Lake Dam Survey Grant is the source of matching funds for the FEMA funds.

- During the last MACDEO Roundtable meeting, employees discussed the forms to be used during the upcoming election. Surety bonds were also discussed. Montana Law requires districts to have a surety bond. However, the district's liability insurance policy provides protection. DNRC is aware of this and says it may need to be brought up as a resolution to get the law changed.
- The CD Admin Grant will cover MACD dues for districts. Rae Lynn will attend the training in January.
- Rocky Mountain Insurance provided information regarding the district's current Worker's Compensation Policy. Currently, the CD includes volunteer hours for the LF100L-19 Endorsement. Continuing with that effort might result in the CD being liable for tax withholding and PERS for the supervisors. Another option is a new policy which would cover accidental death and dismemberment as well as medical payment for injury. Rae Lynn will put this item on the agenda next month for consideration.
- Rae Lynn will be attending a liability insurance training next week.

Planning Board Report – Jessie Haag
No report

310's

C-10-02-22, Neumann, Phillips Pleasant Valley Fisher River Civil Penalty

- Nothing new to report.

Li-01-01-24, Smith, Grave Creek

- Rae Lynn H. presented Brian Stephen's team report. Don Crawford said he and Brian conducted the site visit. The landowners border Forest Service land upstream on the east side. The Forest Service conducted work that included gabions which were tied into the landowner's property. Don noted it was interesting that the gabions were still holding. The project involves a log structure that the landowners would like to replace. The question is - what is underneath the logs. If there is no rock bedded deep into the creek, there will be nothing on which to stack the new structure. Kathleen J. asked where the stockpile that they may pull material from is located. She wants to be sure it is free of weeds and contaminates. Don noted that he didn't think the application was complete. It was just submitted to begin the discussion and the contractor would be adding to it. Rae Lynn H. said the application was submitted; therefore, the board must act on it.
- **Motion** by Don C. to accept Li-01-01-24 as a project. More information is required to make a decision. It would be helpful to know if rock exists beneath the structure and if not, what would be placed to support the structure. **Second** by Gary P.
- **Motion** passes unanimously.

C-01-02-24, Riley, Hardy, Granite/Big Cherry Creek

- Brian S. and Don C. conducted the site visit. Don C. said they walked the entire flat along the bottom. They saw what they considered to be a violation. Mr. Riley had excavated a section along the bank of Big Cherry. No remediation is recommended. The bank is about 3 feet and all cobbled. The excavated section is about 6-10 ft wide. Mr. Riley has not driven into the stream.

Don added there is a small spring fed stream that runs through a culvert. It is an existing pipe and nothing new. The previous owners placed the culvert. The property contains multiple overflow channels and is a floodplain. Mr. Riley has cut smaller brush and trees. Nothing has been cut along the banks.

Dexter Hardy said he was concerned about his neighboring property being washed out. He added that he observed a side-by-side on the bank edge before the snow. Don C. said they saw where Mr. Riley crossed a culvert with an excavator, but they did not see where he did any work on the banks. The culvert had been there for quite some time as evidenced by the solid fill over the top and vegetation that had been tracked over. Mr. Hardy said he understood it was a floodplain. Rae Lynn H. explained the CD only has jurisdiction over perennial streams. The floodplain is within the Lincoln County Planning Department's jurisdiction.

- **Motion** by Don C. to declare C-01-02-24 a violation. No remediation is required.
Second by Joe L.
- **Motion** passes unanimously.

Postponed 310's.

New Business:

- **MMIA Health Benefits**
 - MACD is polling local CDs about interest in health insurance coverage through MMIA for employees and potentially supervisors. The supervisors would be responsible for paying their own premiums. The CD could use its funds or a Permissive Medical Mill Levy to cover costs for employees. Rae Lynn explained her existing insurance policy provides better coverage and her preference would be to keep her existing policy. The supervisors all have coverage and are not interested.
 - **Motion** by Gary P. to respond that LCD has insurance coverage and is not interested in the MMIA policy. Rae Lynn's insurance should remain as it is. **Second** by Don C.
 - **Motion passes.**
- **RRGL Planning Grant**
 - Rae Lynn is working with John D. to determine the best strategy to apply for planning grants. She hopes to have enough information to present to the board next month. The application deadline is in April, but she wanted to get an early start.
 - **Motion** by Gary P. to postpone the planning grant decision until next month. **Second** by John D.
 - **Motion** passes unanimously.
- **Yaak Valley Forest Council Letter of Support Watershed Restoration Program.**
 - Erin Carroll of Yaak Valley Forest Council asked the board to consider a letter of support for the YVFC Watershed Restoration Grant. Gary P. asked if any of the Yaak residents were opposed to the project. Erin said the three projects are in partnership with residents who have worked together. Kathleen J. asked if any roads were being decommissioned on this project and inquired as to the status of the other projects. Erin said no roads would be decommissioned. All the other projects were considered successes. Maintenance and weed abatement will continue in addition to the potential of planting a few more willows.
 - **Motion** by Gary P. to write a letter of support for stream restoration. **Second** by John D.
 - **Motion** passes unanimously.

Unfinished Business

- **Filling Supervisor Vacancy**
 - Gary P. reported that Tim Mikita is not interested in filling a vacancy.

Final Inspection Reports

Li-11-01-22, Rehl, Flower Creek

- **Motion** by John D. to close the file. **Second** by Joe L.
- **Motion** passes unanimously.

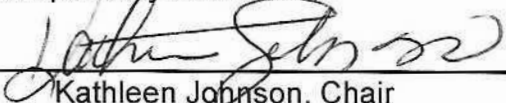
Li-10-04-23, South, South Fork Yaak River


- **Motion** by John D. to close the file. **Second** by Joe L.
- **Motion** passes unanimously.

Open Mic and Other Business –

The meeting was adjourned at 5:23 p.m.

Respectfully Submitted,


Kathleen Johnson, Chair


Rae Lynn Hays, District Administrator

Date: Feb 21 - 2024