

*****Monday, January 16, 2017**, Commissioners did not meet due to the Human Rights Day Holiday.

*****Tuesday, January 17, 2017, at 9:00 a.m.**, Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

Commissioners gave the opening invocation and said the Pledge of Allegiance.

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his department report. Mr. Kimball presented a written report. Road and Bridge crews were out yesterday as well as today pretreating roads by applying salt and sand before the expected weather hits. Mr. Kimball said there were a couple places where the roads are plowed to width, but drifts had occurred.

Work begins on the Naples Bridge. The work at one end of the bridge is almost done other than a question in the drawings as to one attachment. Work will begin at the other end now, according to Mr. Kimball. Mr. Kimball said the one end of the bridge was lifted to 15 feet 10 inches and heights will be reduced to 15 feet 5 inches during periods of darkness.

9:03 a.m., County resident Marty Martinez joined the meeting.

Mr. Kimball said it looks like the Port of Entry is going to build a station around the Athol area and truck loads could be checked going through that station. Mr. Kimball said this bridge issue has been a real eye opener for some truck drivers and he feels they are starting to take the height restrictions seriously. It was unfortunate that this happened, according to Mr. Kimball.

Those present discussed the 129,000 pound truck legislation. Mr. Kimball said the thought process is how many pounds are on the ground. Mr. Kimball said Matt Farrar with the Idaho Transportation Department was told how long these heavier trucks would be and Mr. Kimball said he calculated the length of time it will take a truck to cross the street at 96,000 pounds and how long it would take a truck that is 129,000 pounds. These trucks don't fit the infrastructure of this area, according to Mr. Kimball. Chairman Dinning explained that this legislation applies to state highways, but the county has to allow this on its county roads. Mr. Kimball said he feels the problem will be if the state includes other routes such as Highway 1 to Canada. Mr. Kimball mentioned having a 34,000 pound truck on a set of drive axels going up Copeland Hill.

Mr. Kimball informed Commissioners that Road and Bridge is going to apply for grant funding to replace Caribou Creek Bridge, similar to Snow Creek Bridge, through the Idaho Parks and Recreation Grant program. It was said both bridges were built in the 1950's and are deteriorating. Mr. Kimball said he was encouraged to apply again for a bridge project as the Snow Creek application was good and it met the grant application's criteria. The proposed bridge would be a little bit longer than the Snow Creek Bridge. Boundary County Road and Bridge crew will install the bridge and the only cash expenditure would be for asphalt and riprap, but that cost is unknown until Mr. Kimball receives the estimate. Commissioners asked about match and Mr. Kimball stated Boundary County's match would be labor and materials that are not included as part of the bridge package. Mr. Kimball and Commissioners made sure to add to Commissioners' agenda for Monday, January 23, 2017, the continued discussion on the Caribou Creek Bridge Project and a possible motion to sign the Idaho Department of Parks & Recreation FY 2018 application for Caribou Creek Bridge Replacement Application.

Chairman Dinning mentioned several things for Road and Bridge to be prepared for in the near future due to the weather conditions such as preparing for massive water runoff, making sure sandbags are available, etc.

Commissioner Kirby moved to designate Clint Kimball as representative/local designee and Ken Arthur as the alternate for the Boundary Area Transportation Team for year 2017. Commissioner Pinkerton second. Motion passed unanimously.

Mr. Kimball left the meeting at 9:25 a.m.

Darrell Kerby with Pace-Kerby Insurance stopped by the meeting at 9:25 a.m.

Commissioners tended to administrative duties.

Mr. Kerby left the meeting at 9:35 a.m.

Commissioner Pinkerton moved to authorize the Chairman to sign the engagement letter for the county audit to be done by Leonard Schulte, CPA. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to authorize the surplus of the old Rocky Point docks and to transfer these docks to Bonner County, who will also move them. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to sign Certificates of Residency for Heather Tobin and Keither Lecrenski. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to adopt Resolution 2017-7A. A resolution amending Resolution 2017-7, the Boundary County Local Disaster/Emergency Declaration Resolution, due to a clerical error. Commissioner Kirby second. Motion passed unanimously. Resolution 2017-7A reads as follows:

**RESOLUTION 2017-7A
A RESOLUTION AMENDING RESOLUTION 2017-7**

BOUNDARY COUNTY LOCAL DISASTER/EMERGENCY DECLARATION RESOLUTION

WHEREAS, the Naples Bridge, located on Deep Creek Loop in Naples, Idaho, Boundary County, has sustained major damage; and,

WHEREAS, the severity of damage is endangering public safety; and,

WHEREAS, the Boundary County Board of Commissioners had agendized the signing of a Local Disaster/Emergency Declaration for Monday, January 9, 2017, but a clerical error was made in Resolution 2017-7 stating the Declaration was agendized for Monday, January 9, 2016; and,

WHEREAS, Resolution 2017-7A amends the date to reflect the Local Disaster/Emergency Declaration regarding the Naples Bridge was agendized and signed on Monday, January 9, 2017; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Boundary County Commissioners does hereby declare, pursuant to Idaho Code Section 46-1011, a local disaster emergency does exist in Boundary County, Idaho, and the Local Disaster/Emergency Declaration was signed on January 9, 2017.

Adopted and Approved this 17th day of January, 2017.

BOUNDARY COUNTY
BOARD OF COMMISSIONERS
s/ _____
Dan R. Dinning, Chairman
s/ _____
LeAlan L. Pinkerton, Commissioner
s/ _____
Walt Kirby, Commissioner

ATTEST:

s/ _____
GLENDA POSTON, Clerk
Recorded as instrument #269614

Chief Deputy Sheriff Rich Stephens joined the meeting at 9:40 a.m.

Commissioner Pinkerton moved to reappoint Gayle Alexander to the Fair Board with a term to expire January 2021. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to reappoint Glenda Poston to the Fair Board with a term to expire January 2021. Commissioner Kirby second. Motion passed unanimously.

Chief Deputy Sheriff Rich Stephens informed Commissioners that the signatory on the commissary account and trustee account through the Sheriff's Office needs to be updated from Sheriff Greg Sprungl to newly elected Sheriff David Kramer, as well as to add Sheriff's Office employee Jennifer Maynard in an administrative capacity in order to have authorization to discuss banking matters with Mountain West Bank pertaining to these two accounts.

Commissioner Kirby moved to allow the signatory changes for the Sheriff's Office commissary and trustee accounts from Sheriff Greg Sprungl to Sheriff David Kramer. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to add Sheriff's Office employee Jennifer Maynard to the commissary and trustee accounts at the Sheriff's Office to fill an administrative role for the purpose of having authority to discuss these accounts with the Mountain West Bank. Commissioner Pinkerton second. Motion passed unanimously.

Deputy Clerk Nancy Ryals joined the meeting at 9:54 a.m.

Commissioner Pinkerton moved to deny indigent 2017-4. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:55 a.m.

Commissioner Pinkerton moved to approve and submit the Community Protection Program Grant Pre-proposal Application for the Westside Temple Deer Dawson project for an amount requested of \$150,000. Commissioner Kirby second. Motion passed unanimously.

Treasurer Sue Larson joined the meeting at 10:04 a.m.

Commissioners and Treasurer Larson discussed a delinquent tax matter pertaining to a manufactured home that is no longer in the state, but is still owing the county taxes in the amount of \$210.04.

Commissioner Kirby moved to cancel year 2016 taxes in the amount of \$124.21 and fees in the amount of \$85.83 for a total of \$210.04, and penalties in the amount of \$.73, plus interest for parcel #M362N03E30271AA as the mobile home has been moved out of state. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners and Treasurer Larson reviewed a matter pertaining to delinquent taxes owed by Dennis Garrett, owner of Ace Elder Care.

10:15 a.m., Dennis Garrett, owner of Ace Elder Care contacted Commissioners via telephone to discuss delinquent taxes for Ace Elder Care. Mr. Garrett said he would like to find out what the balance owing is on his properties. Chairman Dinning said \$53,000 is the amount needed to bring Mr. Garrett's taxes current for his properties, but year 2013 is the issue and the tax amount owing for that year is \$16,800 as of today. Chairman Dinning said Commissioners would like to figure out a way that Mr. Garrett could apply payments to the next year's taxes in order to get caught up. Mr. Garrett said he did pay the taxes for two parcels in full. Chairman Dinning said if those payments were made and the parcels are now current to year 2016, it is information that won't show up in this report today. Mr. Garrett said he paid off the Birch property in full. Chairman Dinning said the problem is year 2013 taxes. Chairman Dinning asked what Mr. Garrett wants to do. Mr. Garrett said he has done some restructuring at Ace Elder Care and there has been a turnaround after bringing in new management. Mr. Garrett explained that Bonner General Hospital, Boundary Community Hospital, and the hospital in Libby are now working with him for resident placements. Mr. Garrett suggested starting with making payments of \$1,000 per month, increase that amount, then to pay off the balance that is owing as of December, so he is hoping to have another agreement as in the past. Chairman Dinning said depending on what interest accrues, that payment plan is approximately \$5,000 short. Mr. Garrett said what he has done in the past is to increase his payments by \$500 midyear so that would still be his plan. Commissioners explained that the county has to apply all monies to the oldest tax year owing. Mr. Garrett said if he were to take the amount of \$16,800 owing for year 2013 and divide that by 12 months, that equates to \$1,400 per month but he doesn't want to over extend himself. Mr. Garrett said he is spending a lot more time in Idaho at Ace Elder Care and he is getting placements for his facility so his business is heading in the right direction. Chairman Dinning said if Commissioners say the time to start increasing the monthly payments is June 1st, Mr. Garrett will need to make payments of \$1,500 per month. Mr. Garrett said yes. Chairman Dinning asked Mr. Garrett if he can see any way to make headway in order to start making payments for year 2014 taxes. Mr. Garrett said he would check with his mortgage company as they were supposed to set up an account for the taxes so he will check on that and let Treasurer Larson know.

Chairman Dinning said by accepting this payment plan, it will save \$200 to \$220 in litigation guarantees for each of Mr. Garrett's six parcels that have delinquent year 2013 taxes. Commissioners provided a recap that Mr. Garrett will make monthly payments of \$1,000 starting the week of January 23, 2017, then starting June 1, 2017, Mr. Garrett will start paying \$1,500 per month with the balance remaining for year 2013 to be paid on or before December 20, 2017. Any payments to apply to year 2014 taxes would be appreciated as well.

Commissioner Pinkerton moved to accept monthly payments of \$1,000 starting the week of January 23, 2017, with an increase in this payment to \$1,500 per month beginning June 1, 2017, with the balance due for year 2013 taxes to be paid in full on or before December 20, 2017 for the following parcels: RPB00000226632A, RPB00000226633A, RPB00000270915A, RPB0120016018AA, RPB0120016025AA, and RPB0700004004BA. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Garrett and Treasurer Larson ended at 10:26 a.m.

Commissioner Kirby left the meeting for the day to end to personal matters.

10:35 a.m. Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent. Chairman Dinning yielded the chair to second. Motion passed unanimously. Commissioners voted as follows: Chairman Dinning "aye" and Commissioner Pinkerton "aye". Motion passed unanimously. The executive session ended at 11:35 a.m. No action was taken.

Commissioners recessed for lunch.

1:30 p.m., Commissioners reconvened for the afternoon session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent. Chairman Dinning yielded the chair to second. Commissioners voted as follows: Chairman Dinning "aye" and Commissioner Pinkerton "aye". Motion passed unanimously. The executive session ended at 3:44 p.m. No action was taken.

Solid Waste Department Superintendent Claine Skeen joined the meeting at 3:44 p.m.

Commissioner Pinkerton moved to sign the Certificate of Residency for Elijah Price. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioners and Mr. Skeen reviewed information on leases for a new loader versus the existing loader as well as details pertaining to a five year lease versus a seven year lease, monthly payments, balloon payment, and buyback amounts. Commissioners asked Mr. Skeen for his opinion of the options. Mr. Skeen spoke of wanting to build equity in the new machine. Mr. Skeen said as far as costs, it would be wise to keep the existing loader for the buyback, but there may be possible maintenance issues that come up. The existing loader has 3,500 hours on it at this time and Mr. Skeen said the county has the option to refinance this machine through a bank. Chairman Dinning said the county cannot get a warranty through the bank, unless CAT will offer a warranty. Mr. Skeen spoke of needing to excavate and dig and the current loader has had light use. Mr. Skeen said with the new five year lease and depending on the machine's hours at the end of the lease, that is where we have equity in the machine so the buyback would be higher than what is currently listed.

Mr. Skeen said the payment on a five year lease is \$37,777.78 and \$49,500 for a seven year lease. Mr. Skeen said the existing loader with a warranty is approximately \$2,300 different. Chairman Dinning said if we are looking at building equity, what will the buyback be on a used machine in five years? Mr. Skeen said the 980F Loader was traded in for a \$109,000 allowance. Chairman Dinning voiced concerns he is having pertaining to the buyback amount. The 2012 CAT Loader is the existing loader. Chairman Dinning

said somewhere in this transaction the county needs to maintain the trade-in allowance otherwise the county is giving away a \$109,000 piece of equipment. If the county enters into a contract without a buyback that is greater than \$109,000, we have just given away \$109,000 in addition to the value. The balance on the existing machine at this point in time is \$240,000 plus interest. Chairman Dinning said we need to build equity and he doesn't want to give away \$109,000. Chairman Dinning said if we trade the used loader in, we already know the county should get \$53,000 more than the balance because that is what the warranty costs.

Clerk Poston asked for the cost of the new machine. The cost for a five year lease is \$420,000 and is \$435,703 for a seven year lease. The existing loader cost \$424,000 when it was first purchased with a \$109,000 trade-in allowance. Commissioner Pinkerton said it sounds like what Chairman Dinning has talked about pertaining to \$109,000 has been decided and it is gone. Commissioner Pinkerton said we need to decide which deal we want to go with. Chairman Dinning said we did not get a guarantee buyback figure so he doesn't want to make that mistake this time. The guaranteed buyback for both machines was questioned. Clerk Poston asked what is to occur next Tuesday when the existing lease is due; such as does someone come to pick up the machine. Chairman Dinning said a decision will be made by then, but we need to know what the best buyback offer is.

Commissioners asked Mr. Skeen to look into the time frame in which Commissioners can expect to receive the updated landfill plan from Ellery Howard with JUB Engineering.

The meeting with Mr. Skeen ended at 4:14 p.m.

4:15 p.m., Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent. Chairman Dinning yielded the chair to second. Commissioners voted as follows: Chairman Dinning "aye" and Commissioner Pinkerton "aye". Motion passed unanimously. The executive session ended at 4:21 p.m. No action was taken.

There being no further business, the meeting adjourned at 4:21 p.m.

DAN R. DINNING, Chairman

ATTEST:

GLEND POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk