

*****Monday, December 26, 2016**, Commissioners did not meet due to the Christmas holiday.

*****Tuesday, December 27, 2016, 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. Curley Creek Fire Department Board member Keith Kuczka and Fire Chief Brad Stalcup joined the meeting.

Chairman Dinning informed Mr. Kuczka and Chief Stalcup that Commissioners have visited with the county's civil attorney who informed them the county can enter into an agreement with Curley Creek Fire Department for emergency snow plow only in front of the Silver Springs station. An agreement will need to be drafted by Curley Creek Fire Department for the county's use of the easement. Chairman Dinning said he learned that a majority of Silver Springs Road in this vicinity is owned by one person, but Curley Creek Fire Department personnel will need to check with a title company about that. Chairman Dinning said if the map of this area is accurate, it looks like the easement may go through a couple other properties. Mr. Stalcup questioned what the definition of an emergency snow plow is in the manner of speaking of feet or inches of snow. Chairman Dinning said the Curley Creek Fire Department will need to work on that language. Chairman Dinning said evidently the properties went to the edge of that strip of road so the original owner of the property ended up owning the 60 feet of right-of-way all the way back to their property. Mr. Stalcup said he can only imagine this property owner felt they didn't need to pay taxes on this easement so they let it go back to the county. Mr. Stalcup said Dan Hooper owns land at end of this road and he thought the easement was for all property owners. Chairman Dinning said for clarification that he didn't say or mean to imply the property owners could not use the easement. The Commissioners just need an easement agreement giving the county permission to use this route to plow snow. The county will also need to be indemnified.

Mr. Kimball said it may be that there are one or more places along this route where it is impossible to stay within the right-of-way so he will need permission to discharge snow onto someone's land. Mr. Stalcup said he could get a written statement from the property owners pertaining to taking care of snow that ends up on their property. Chairman Dinning said Commissioners will want these conditions contained in one document. Mr. Kimball said as far as the definition of emergency, he thinks in most emergency cases would be to wing the blade back if there is a major snowfall, but if there are only three or four inches of snow, Curley Creek Fire Department should be able to push the snow back with their trucks. Mr. Stalcup said he is working on getting this station to the point the fire department won't need the county's help.

Mr. Kuczka and Mr. Stalcup left the meeting at 9:10 a.m.

Mr. Kimball gave a verbal department report as he forgot to bring in his written report. Mr. Kimball said Road and Bridge is just mainly continuing with snowplowing this week. Today at 2:00 p.m., Mr. Kimball said he is to meet with an engineer who is helping with repairs to the Naples Bridge and he will also hopefully meet with contractors on site today to get proposals and costs. There will be a part of the project application for emergency repairs and another part of the agreement to get the project started. Mr. Kimball spoke of his plan to raise the bridge to 16 feet. This is a plan the Idaho Transportation Department has used on bridges before and a structural engineer will be involved. Mr. Kimball said he has looked at

this bridge quite a lot and there are some bad spots. The application for repairs will be turned in this next week.

Mr. Kimball mentioned speaking to someone about the possibility of lowering the speed limit near the golf course and in an area of Moyie Springs, citing the possibility of 129,000 pound trucks as a reason. Mr. Kimball spoke of how the scales cannot weigh the multi-axle trucks due to the length of the scales.

Mr. Kimball said he has had flaggers out at the Naples Bridge during the hours the Alta Mill is open. If a truck looks to be too high, the driver will be offered a measuring device to make sure the truck will fit underneath the bridge. Those present continued their discussion on the Naples Bridge.

The meeting with Mr. Kimball ended at 9:26 a.m.

Clerk Poston presented Commissioners with the Vessel Report for year ending 2016. This is a report clarifying funds for Waterways, Snowmobile, and Boat Safety.

Commissioner Pinkerton moved to authorize the Chairman to sign the Vessel Report reflecting the current funds for year ending 2016 for the following budgets: Waterways, Snowmobile, and Boat Safety. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the Idaho Department of Lands Reimbursement Request Form for the Temple Deer Project, Grant, #15HFR1-Boundary, in the amount of \$30,070 to reimburse Panhandle Area Council, Alan Flory Logging, and West Wood LLC. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time for parcel #MH61N02E04391AA and to accept the first half of year 2016 taxes by January 23, 2017, and to accept the second half of year 2017 taxes by February 20, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time for parcel #MH61N02E04391BA and to accept the tax amount due for year 2016 by January 23, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time for parcel #MH60N01W23470AA and to accept the tax amount due for year 2016 by January 20, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time for parcel #MHB0080000002TA and to accept the second half of the tax amount due for year 2016 by March 1, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to cancel taxes for year 2016 totaling \$283.92 for parcel #RP62N01E132413A because the homesite should have been removed for year 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign a Certificate of Residency for Cassandra Skeen. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to reappoint Paul Hazdovac to the Boundary Community Hospital Board of Trustees with a term to expire January 1, 2020. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to reappoint Blanche Studer to the Boundary Community Board of Trustees with a term to expire January 1, 2020. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the engagement letter authorizing Leonard Schulte, CPA, to conduct Boundary County's audit for year ending September 30, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes of December 5, 2016. Commissioner Pinkerton second. Motion passed unanimously.

Deputy Clerk Nancy Ryals joined the meeting at 9:45 a.m.

Commissioner Pinkerton moved to approve Indigent case 2017-3. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting.

9:46 a.m., Courthouse Maintenance John Buckley briefly stopped by Commissioners' Office and left at 9:50 a.m.

9:51 a.m., Chief Deputy Clerk Tracie Isaac joined the meeting.

Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Commissioner Kirby second. Commissioners voted as follows: Chairman Dinning "aye" Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously.

County Civil Attorney Tevis Hull joined the executive session at 10:05 a.m.

The executive session ended at 10:15 a.m. No action was taken.

Chief Deputy Clerk Tracie Isaac left the meeting and Airport Manager Dave Parker joined the meeting.

Commissioner Pinkerton moved to sign the Hangar-Ground Lease Agreement with Jack Offord and Lewis Wetzell. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)c, to acquire an interest in real property which is not owned by a public agency, and Idaho Code 74-206(1)f, to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated regarding the airport. Commissioner Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 10:30 a.m.

Commissioner Pinkerton moved to proceed with a property acquisition and to sign a letter of intent. Commissioner Kirby second. Motion passed unanimously.

Mr. Parker informed Commissioners that Attorney Hull will be able to participate in this property acquisition.

Mr. Parker discussed a matter pertaining to septic for Hangar G and Chairman Dinning asked Mr. Parker to get a recommendation from the Airport Board.

Mr. Parker left the meeting at 10:36 a.m.

Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)f, to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated, regarding an indigent matter. Commissioner Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 10:45 a.m. No action was taken.

Attorney Hull updated Commissioners on various matters he is working on. Attorney Hull said he is almost done with the agreement involving Stimson Lumber Company.

Commissioners informed Attorney Hull as to the status of the matter of plowing snow for the Curley Creek Fire Station on Silver Springs Road on an emergency basis. Attorney Hull said we only need to contact the owner of the 60-foot wide swath. Chairman Dinning explained that the road itself, on the aerial map, veers off so it might not be within that 60-foot easement. Attorney Hull said the issue the fire station has is once snow has accumulated, it forms a berm. Chairman Dinning said Commissioners want it clarified in the agreement that Silver Springs Road is not a county road and the county has no intentions of taking this road over.

10:49 a.m., Curley Creek Fire Department Chief Brad Stalcup stopped by Commissioners' Office.

Chairman Dinning reviewed with Attorney Hull a matter pertaining to a late fee as it pertains to a property owner paying their taxes late. The late fees for the delinquent taxes on multiple properties is approximately \$80. Chairman Dinning said for clarification that the county has not made an error and Commissioners don't have the ability to cancel the late fee. Attorney Hull agreed.

Attorney Hull said he would get in touch with Boundary Economic Development Director Dennis Weed to determine the status of the Foreign Trade Zone schedule of fees.

Attorney Hull left the meeting at 10:53 a.m.

Commissioners tended to administrative duties.

Mr. Stalcup asked to update Commissioners on the matter of determining property owners along Silver Springs Road as it pertains to the Curley Creek Fire Department's request for the county to plow snow in front of the station in emergency situations. Mr. Stalcup said he has found the original 17 property owners who had owned portions of Silver Springs Road. These people are still on the county records as owning the road because Silver Springs Road was put on their properties. The road is tax exempt, according to

Mr. Stalcup. Of these property owners, no one except for Ed Minden had released their rights to this road to the new property owners when they sold their properties. Of these other property owners, four might still live there, but the original road was never transferred. In the 1970's the tax bill for this road was sent to Sharlene Delaney, who was one of the property owners, and she collected the taxes from the other property owners. Mr. Stalcup said Ms. Delaney moved from that location approximately 12 years ago and now he cannot find when that strip of road became tax exempt. Chairman Dinning said the only way this land can be exempt is if the County Assessor deems it has no value and takes it off the tax rolls. Commissioners need to know who has legal authorization to give the county permission to plow snow. Mr. Stalcup said it would be these 17 people. Chairman Dinning said the agreement that Curley Creek Fire Department is to have drafted will have to be a signed legal document authorizing the county to plow.

Mr. Stalcup left the meeting at 11:02 p.m.

Commissioners tended to administrative duties.

Commissioner Kirby and Commissioner Pinkerton left the meeting at 11:14 a.m.

Chairman Dinning updated Blue Sky Broadcasting Reporter Mike Brown on agenda topics discussed today.

There being no further business, the meeting adjourned at 11:14 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLENDIA POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk