

*****Monday, January 30, 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.

County resident Marty Martinez and Blue Sky Broadcasting News Reporter Mike Brown were in attendance of the meetings off and on throughout the day.

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 the departmental report. Mr. Kimball presented and reviewed his written report with Commissioners. Mr. Kimball said last week was a busy week for Road and Bridge. The pre-operational meeting for the Ruby Creek Bridge project was held and design work is starting. The Boundary Area Transportation Team (BATT) meeting was last Wednesday. New signs were put up on Blume Hill to inform people the road is not maintained.

Chairman Dinning asked when the engineer will do an inspection of the Naples Bridge. Chairman Dinning said in 30 days or less we will be looking at breakup and he added that it might be worth having the county public information officer put out a notice regarding breakup.

The meeting with Mr. Kimball ended at 9:10 a.m.

Mr. Brown and Mr. Martinez left the meeting.

9:13 a.m., Commissioner Kirby 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 Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 9:16 a.m. No action was taken.

Commissioners tended to administrative duties.

Commissioner Pinkerton moved to sign Certificates of Residency for Cal Bateman, Kendall Stone, Stormy Fahey, Kendra Rekestad, Myla McKechnie, Kaylee Kramer, William Colson, and Judah Draxlir. Commissioner Kirby second. Motion passed unanimously.

Mr. Martinez returned to the meeting at 9:23 a.m.

Commissioner Kirby moved to approve the minutes for the week of January 16, 2017. Commissioner Pinkerton second. Passed unanimously.

9:30 a.m., County Civil Attorney Tevis Hull joined the meeting via telephone.

Attorney Hull said there is an accepted offer on the Moore property near the airport and earnest money has been presented to the title company. Language for the contract has been approved by the Federal Aviation Administration. The county's accepted offer is \$62,000, but \$57,000 plus closing costs and fees is the remaining balance after the \$5,000 earnest check.

Attorney Hull informed Commissioners he is still working on language for the Restorium agreement and a public records request for Americans with Disabilities Act (ADA) related information and plans.

Commissioner Kirby 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. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 9:47 a.m. No action was taken.

Commissioners tended to administrative duties.

10:00 a.m., Commissioners held a tax deed hearing for several parcels in the name of Enlightened Living LLC. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Treasurer Sue Larson, Deputy Clerk Michelle Rohrwasser, and county resident Marty Martinez. The hearing was recorded.

Chairman Dinning said there are nine parcels to tax deed for year 2012 and the Treasurer has taken the proper steps for this process.

Commissioner Kirby moved to tax deed the nine parcels as attached in Exhibit A, all of which are owned by Enlightened Living LLC., and are being tax deeded for delinquent year 2012 taxes. Commissioner Pinkerton second. Motion passed unanimously.

The tax deed hearing closed at 10:02 a.m.

10:02 a.m., Commissioners reopened the tax deed hearing to interject, for the record, the parcel numbers of the nine parcels to be tax deeded.

Commissioner Kirby moved to amend his motion to include the reading of the nine parcel numbers to be tax deeded as follows: RP61N01E193158A, RP61N01W132852A, RP61N01W134202A, RP61N01W134500A, RP61N01W134951A, RP61N01W240157A, RP61N01W240600A, RP61N01W240750A, and RP61N01W241050A. Commissioner Pinkerton second. Motion passed unanimously.

The hearing ended at 10:09 a.m.

Commissioner Kirby moved to amend today's agenda to consider an indigent matter. Commissioner Pinkerton second. Motion passed unanimously.

Deputy Clerk Nancy Ryals joined the meeting at 10:10 a.m.

Commissioner Pinkerton moved to deny indigent case 2017-9. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:11 a.m.

10:11 a.m., Commissioners contacted County Civil Attorney Tevis Hull via telephone regarding renewing and/or extending leases for airport hangars. Attorney Hull said he is going to draft a form to submit to the airport manager to have the lessee sign if they are renewing or extending their hangar lease.

The call to Attorney Hull ended at 10:12 a.m.

Commissioners tended to administrative duties.

10:23 a.m., Airport Manager Dave Parker and Airport Board Chairman Jay Wages joined the meeting.

Commissioner Kirby 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 Pinkerton 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.

Commissioner Pinkerton moved to sign the Petroleum Storage Tank Fund Annual Renewal Policy for the Boundary County Airport. Commissioner Kirby second. Motion passed unanimously.

Mr. Wages and Mr. Parker left the meeting.

Commissioners tended to administrative duties.

11:00 a.m., Idaho Department of Juvenile Corrections District Liaison Jim Crowley and Boundary County Chief Probation Officer Stacy Brown joined the meeting to provide Commissioners with a legislative update of Idaho Department of Juvenile Corrections statistics. Mr. Crowley mentioned proposed legislation pertaining to the Rule of 80 and he commented that it looks like this legislation will go through. Already existing probation employees can choose if they want to work under the Rule of 80 or the Rule of 90, but new probation employees will automatically be employed under the rule of 80.

Mr. Crowley presented Commissioners with the Boundary County Court Services 2016 Annual Juvenile Justice Report. Those present reviewed statistics for juvenile arrests, juvenile petition findings, status offenses, felonies versus misdemeanors, the number of intakes and releases, average age at point of intake on probation, diversion, probationers by race and ethnicity, community service hours performed, restitution, juveniles who successfully completed probation, recidivism rate, number of juveniles on probation and in custody, suspended commits, juvenile justice budget, substance use disorders (SUDS) 2016 expenditures, and the crime report from the Idaho State Police.

Chairman Dinning commented that he is seeing a decrease in trends in the community.

The meeting with Mr. Crowley and Ms. Brown ended at 11:18 a.m.

Ellery Howard with JUB Engineering, Solid Waste Department Superintendent Claine Skeen and Assistant Superintendent Monica Tompke joined the meeting. Mr. Howard handed Commissioners and Clerk Poston copies of the draft landfill operational plans update.

Mr. Howard reviewed the report with Commissioners. Mr. Howard explained an option to use a posi-shell material, which is a material that basically holds or glues garbage down.

Mr. Howard said the intent of this report is to give the landfill flexibility so the entire report doesn't have to change. Chairman Dinning mentioned grinding the wood pile. Mr. Howard said a section on grinding the wood pile to use as a landfill cover can be added as an amendment to the plan.

Mr. Howard said the landfill's current plan had a 50 foot by 50 foot working face, which is too small of an area to work in as the working face is where garbage is actively buried. This new plan will show a 100 feet by 100 feet working face. Mr. Howard explained that if the Department of Environmental Quality (DEQ) or Panhandle Health District (PHD) were to come to the landfill and see an open area bigger than approximately 100 feet by 100 feet, they would feel that is basically violating the operation plan. The tire storage resolution is included in the plan, according to Mr. Howard.

There is more documentation that needs to be completed in terms of agencies wanting to know how a spotter is trained so what JUB Engineering talked about incorporating in the plan is information on normal safety meetings and on the job training. Mr. Skeen has been providing these meetings and trainings, but he will need to keep documentation on that. It is trying to show a good effort on keeping hazardous material out of the landfill. Chairman Dinning said Road and Bridge holds safety meetings and the reports of what they had discussed are kept within the Road and Bridge files. Mr. Howard said Mr. Skeen does this, but he will have to write it down so it will also be more formal and documented for inspections. Mr. Skeen just needs to increase documentation on those two items as being the major component as everything else is kept up to date.

Mr. Howard said since this is a draft, the next step is for Commissioners to voice their questions. The draft can be submitted for a joint agency review or Commissioners can go through it and get back to him. DEQ will issue a letter of comments and the document will still be considered a draft at this time. Chairman Dinning said Commissioners will want to look through the plan. Mr. Howard informed Commissioners that the plan contains two letters, one of which is the original site certification plan and the other letter provides clarification on the legal description. These are key letters, according to Mr. Howard.

Mr. Howard referred Commissioners to the section on the load screening program and he said he would inform PHD and DEQ that he submitted the report to Commissioners and that it would be approximately within the month in which Commissioners will provide a reply.

Those present discussed the landfill closure plan. Mr. Howard spoke of using wood waste as a cover, but said this has never been approved in the State of Idaho. Using wood waste as a cover consists of using hog fuel. Mr. Skeen said it would save the county \$20,000 per year by using wood. Mr. Howard explained that the wood is chipped, but is not as fine as sawdust so it is not carried by the wind and he added that this practice is something Commissioners should consider. Mr. Howard also explained the posi-shell system. This system is similar to the bulk hydroseeding process and Mr. Howard explained the makeup of this material. The posi-shell also helps to keep birds away as they don't like to land in it. The layer of the posi-shell is one-quarter inch thick.

Mr. Howard said the next time a landfill survey is done it will show much land has been built up in order to determine longevity and that is used for the closure plan. Mr. Howard said he would suggest waiting until the snow is gone before starting the survey, but he would send Commissioners the cost to have the survey done.

Mr. Howard said page 3 of his draft shows the layout of the landfill site. Chairman Dinning questioned the ability to use glass as landfill cover and Mr. Howard said glass cannot be used as it is considered household waste. Chairman Dinning questioned excavating an area of concrete and using that as cover.

Commissioners said they would review the 14 pages and additional appendix of the draft plan. Mr. Howard said he will get information to Commissioners on the closure years out, etc. Those present spoke of being able to use landfill closure funds to cover the cost of the plan.

Clerk Poston asked how long it will take to get the closure report as the county would like to have it done as soon as possible. Clerk Poston said conversations on this started two years ago and the county has had to update its outside auditor of the delays. Mr. Howard said DEQ and PHD felt this operation plan was most important to them, but it is probably not the most important information to the county. Mr. Howard said he will get Commissioners a date on having the closure plan done, but having it done in six months is not out of the question.

Mr. Howard said going forward he would like Commissioners to give him an idea of how they see this site being used in the future, such as using the front as a transfer site or use the whole property as a landfill. How do Commissioners see the entire 40 acres being used in perpetuity? Commissioner Pinkerton said the need for a transfer station will come before the need to close the landfill will come.

Mr. Howard left the meeting at 12:04 p.m.

Commissioners discussed matters pertaining to financing the landfill's 2012 CAT Wheel Loader #0W7K00526 for the Solid Waste Department. Commissioners, Clerk Poston, and Mr. Skeen reviewed the quote from Columbia Bank for a five year option. The county will make an initial payment of \$30,000 at the time the lease is signed, followed by making another payment of \$20,000 in July of 2017. The county will own the machine at the end of the five year term. It was said there is no warranty for this plan. Chairman Dinning said in talking to the representative from Western States/CAT, they charge 10%, approximately \$27,000, just to handle refinancing the loader, then they charge \$23,000 to get the warranty so Commissioners estimate they are saving \$50,000 by accepting the quote from Columbia Bank. The Solid Waste Department has \$40,000 in the repair line item so if this loader experiences mechanical issues, we will just fix it, understanding there will be new filters needed, but it just needs to be taken care of.

Clerk Poston spoke of potential budget issues.

Chairman Dinning said entering into the lease with Columbia Bank will build equity for a trade-in, but we need to make a higher payment. The county will be paying \$40,000 per year and will have \$160,000 in the end. Mr. Skeen said he has \$40,000 in his line item now, but coming into the next budget for the next machine, how does that work. Chairman Dinning said Commissioners will need to look into that.

Mr. Skeen informed Commissioners that the amount of garbage that goes into the landfill's hole is between 16 and 18 tons. Chairman Dinning mentioned that he still sees cardboard boxes going into the non-recycling areas and Commissioners discussed the possibility of mandatory recycling in the future.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Columbia Bank commitment letter to accept the terms for the municipal lease finance of a 2012 Cat Wheel Loader #0W7K00526. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Skeen ended at 12:25 p.m.

Commissioners recessed for lunch at 12:30 p.m.

1:00 p.m. Commissioners and Clerk Poston met with representatives of the Idaho National Guard at the Armory in order to give Commissioners the keys to the building and do a walk-through.

There being no further business, the meeting recessed until tomorrow at 9:00 a.m.

*****Tuesday, January 31, 2017, at 9:00 a.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, and Deputy Clerk Michelle Rohrwasser.

County resident Marty Martinez was present during the day's meetings.

9:00 a.m., Boundary Economic Development Committee (EDC) Director Dennis Weed joined the meeting to provide an update on EDC projects.

Mr. Weed informed Commissioners that he visited with 400 to 500 vendors at the Shot Show in Las Vegas and a couple companies expressed interest in researching Boundary County for possible relocation. Chairman Dinning spoke of new legislation that is an incentive for companies willing to relocate. Chairman Dinning said he doesn't know if this legislation has a bill number yet, but it is coming forward. Chairman Dinning said there are also state tax incentives and the vendor gets state tax credits for jobs, etc.

Clerk Glenda Poston joined the meeting at 9:13 a.m.

Mr. Weed said there are plans to apply for non-profit 501c3 status for the Bike Committee so they can apply for grants. Mr. Weed spoke of plans to include using the old railroad bed in the trail. Mr. Weed presented a draft charter for Commissioners to review and he added that this charter gives him sanction to represent the county and bike pathway. Mr. Weed said he plans to present this information to the City of Bonners Ferry as well, and he has been working with the Idaho Transportation Department and County Road and Bridge Department to move a barrier so there is a bike path to connect to the old highway.

Chairman Dinning expressed his concern with signing the charter and he explained the process and the issue involving the International Selkirk Loop as it pertained to signage. The county does not want to give away its authority, according to Chairman Dinning. Mr. Weed said he would make sure the language is appropriate pertaining to that. Those present briefly discussed what fees may be involved in setting up the non-profit status. Mr. Weed said he would inform Commissioners of any business or discussions he will have pertaining to this project.

The meeting with Mr. Weed ended at 9:33 a.m.

9:35 a.m., Commissioner Pinkerton moved to amend the agenda to discuss a property matter involving Walter Merrifield. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning said spoke to Mr. Merrifield's sister, Kim Haworth, about the status of Mr. Merrifield's offer to buy back his tax deeded property. Mr. Merrifield has delayed signing the contract and his family may be interested in obtaining it, according to Chairman Dinning.

Commissioners contacted Kim Haworth via telephone at 9:40 a.m.

Chairman Dinning said Commissioners will send Mr. Merrifield a letter giving him until this next Tuesday at noon to sign the contract or they would cancel the transaction. If Ms. Haworth wants the property, in order to complete the transaction, she would need to contact Community Title to get a signed deed from Mr. Merrifield and to provide Mr. Merrifield with funds for the closing payment and have the property immediately deeded to her.

The call to Ms. Haworth ended.

Commissioner Pinkerton moved to sign the letter to Walter Merrifield giving him until Tuesday, February 7, 2017, to sign the contract. Commissioner Kirby second. Motion passed unanimously.

Clerk Poston reviewed provisions pertaining to the hourly limit public defenders can have in one year.

10:00 a.m., Kurt Pavlat, Field Manager with the Bureau of Land Management (BLM) joined the meeting to update Commissioners on BLM projects.

Mr. Pavlat said the BLM has no timber sales going on in Boundary County, but staff botanists, their weeds employee, forester and/or wildlife biologists do come up to check on BLM lands. Other than the Two Tail project, which has good access, other parcels the BLM has access to are small and not suitable for timber sales. Chairman Dinning said the county requested the Forest Service take a look at everything from Snow Creek north for fuels treatment, in conjunction with landowners. The Forest Service is looking at fuels reduction projects along the west side so the BLM may receive notice of that as a result of the Parker Ridge fire so it might be feasible to do some work there. Mr. Pavlat said if the Forest Service wants to do some fuels treatment work, the BLM would be on board. Mr. Pavlat said he will talk to Bonners Ferry District Forest Ranger Kevin Knauth about that.

Mr. Pavlat said the BLM did some erosion control work by seeding in the Parker Ridge area. The BLM had concerns as the fire burned hot and there is a lot of bare ground so erosion control grass was planted to hold soil in place. Mr. Pavlat said the area that did burn is a wilderness study area so the BLM will let nature take its course.

Mr. Pavlat said BLM staff will take a look at the Hideaway Islands for noxious weeds and will treat them if need be. There is no mining on BLM property right now. In terms of budget, the BLM has 14 staff members that are full-time or career seasonal. There is currently a hiring freeze and there is no fire office, but as it is public safety, the BLM can still hire firefighters. Mr. Pavlat said he is not sure if the BLM can hire a weeds person this year. Mr. Pavlat the budget is static to declining, but the BLM prides itself in being an efficient agency. BLM timber sales go smoothly and are rarely challenged and he loves that. The director for the BLM is a political appointee and it is not yet known who will fill this position. The BLM Acting Director is Kristin Bale for the time being.

Mr. Pavlat said he will try to continue attending the Kootenai Valley Resource Initiative (KVRI) meetings and have representation.

Chairman Dinning mentioned the Northwest Scenic Trail Committee matters. Mr. Pavlat said he has heard some information, but the BLM has not been approached. Chairman Dinning said if a trail goes through a bear management unit (BMU), the Forest Service controls what goes on one half of each side of the trail

on their land, but if there are 20 or more parties per week during the year, then it is classified as an open road in that BMU before miles are shut down somewhere else. Chairman Dinning said the committee is running into that with Scotchman's Peak so we're now scrambling to figure out what to do to compensate for that before it becomes roadless. Mr. Pavlat said those types of restrictions are news to the BLM. Chairman Dinning said the Forest Service is the lead on the Federal Advisory Committee Act (FACA) meetings for this subject as the Pacific Northwest Scenic Coordinator. Chairman Dinning said this area in question runs approximately from the Continental Divide to the west coast.

Mr. Pavlat inquired about the Federal Lands Access Program (FLAP) proposal for Myrtle Creek Bridge and Riverside Road. Commissioners said Riverside Road was approved. Chairman Dinning said he understands that there are conversations going on about the bridge now as well. Commissioner Kirby said the City of Bonners Ferry is looking to get involved in the project. Mr. Pavlat said his boss signed on as being in favor of the project so he was wondering when that funding would arrive to start the project.

10:15 a.m., Commissioners contacted Road and Bridge Department Superintendent Clint Kimball about FLAP project schedules. Mr. Kimball said this project is scheduled for year 2020 and 2021, but it is up for review right now. The Federal Highways Agency suggested Road and Bridge reapply as the Federal Highway's estimate of the project is a lot higher than the county's estimate. Mr. Kimball said as of last Friday a company out of Vancouver was doing their scope of work and re-evaluating to see where the big discrepancy is. Mr. Kimball said he will send in his application at the same time the City of Bonners Ferry does so they are separate projects, but he will coordinate matters with the city and by combining projects, it might lower construction costs. Another suggestion would be to shorten the project and Mr. Kimball said he has good logistic reasons as to why that is not a good solution. Mr. Kimball said he would say that currently, he does not have a project. When the application was originally submitted, the Boundary County Road and Bridge representative at the time sent in their estimate of costs and the Federal Lands agency came up with a cost estimate that greatly exceeds, nearly doubles, Road and Bridge's estimate. Chairman Dinning said his concern is once we have to reapply for a project, we have to start the years' long process. Mr. Kimball spoke of matters pertaining to concrete and mobilization creating differences in costs and he added that nothing is a large difference of opinion other than the cost of excavation and Mr. Kimball said he feels it is higher than it should be.

The call to Mr. Kimball ended at 10:20 a.m.

Mr. Pavlat said the next Resource Advisory Committee (RAC) meeting will most likely be the end of March and RAC nominees have been approved.

The meeting with Mr. Pavlat ended at 10:22 a.m.

10:23 a.m., Chief Deputy Clerk Tracie Isaac briefly stopped by the office so Commissioners could review a couple job descriptions. Chief Deputy Clerk Isaac said these updates do not change the rate of pay. The Parks and Recreation job description is updated and is a grade 7, but that is still up to Commissioners.

Chairman Dinning spoke of wanting the Parks and Recreation Board to hire local youth to work part time for the Parks and Recreation Department. Commissioner Pinkerton said the notice for youth should go to the high school instead of the Job Service.

Chief Deputy Clerk Isaac left the meeting at 10:26 a.m.

Commissioner Pinkerton moved to authorize the Clerk to make the first lease payment to lease the Armory. Commissioner Kirby second. Motion passed unanimously.

Courthouse Maintenance John Buckley joined the meeting to discuss a matter pertaining to the Armory.

Mr. Buckley and Mr. Martinez left the meeting.

There being no further business, the meeting adjourned at 11:00 a.m.

3:00 p.m., Chairman Dinning and Treasurer Sue Larson participated in the Idaho Association of Counties legislative conference call for District 1 with other elected officials from the five northern counties. The call ended at 4:00 p.m.

Chairman Dinning and Treasurer Larson left the meeting.

DAN R. DINNING, Chairman

ATTEST:

GLEND A POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk