

*****Monday, October 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 Nancy Ryals.

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

County resident Terry Spence and Blue Sky Broadcasting News Reporter Mike Brown were in attendance of the meetings off and on throughout the morning.

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his departmental report. Mr. Kimball presented a written report.

Mr. Kimball stated that according to the weather report, snow may fall later this week. Mr. Kimball reported that the Road & Bridge Department did some ditch cleaning last week. Mr. Kimball went to the Local Highway Technical Assistance Council (LHTAC) workshop which he said was most informative. Chairman Dinning asked if the Road & Bridge Department is ready for snow. Mr. Kimball said no. Route maps are in place, according to Mr. Kimball, and three sand trucks are functional. Mr. Kimball stated he ordered salt this morning and it should be here within three days. The salt shed was completed last Thursday. Clerk Poston informed Mr. Kimball that he needs to make sure the shed is insured for its true value since it was more expensive than the shed it replaced so he needs to check with Deputy Clerk Stacie Watts about that.

The meeting with Mr. Kimball ended at 9:09 a.m.

Commissioner Pinkerton moved to approve the minutes of October 9 and 10, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to authorize the Chairman to sign a comment letter on the Boulder Creek Restoration Project Environmental Assessment. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Certificate of Residency for Caleb Peterson and ratify signing the Certificate of Residency for Kelsey English. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to adopt Resolution 2018-2 increasing fiscal year 2017-2018 Justice Fund Sheriff's Budget in the amount of \$5,291.00 due to receipt of unanticipated revenue from the sale of Sheriff's surplus inventory at public auction. Commissioner Kirby second. Motion passed unanimously. Resolution 2018-2 reads as follows:

Resolution 2018-2

Increasing Fiscal Year 2017-2018 Justice Fund Sheriff's Budget
Due to Receipt of Unanticipated Revenue

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, did establish an operating budget for the Justice Fund Sheriff's Budget for fiscal year 2017-2018; and

WHEREAS, \$5,291.00 has been received from the sale of Sheriff's Department surplus inventory at the county surplus property auction which was held on October 4, 2017; and

WHEREAS, the Sheriff's Office wishes to trade in a Subaru Station Wagon for a mid-size all-wheel drive or four wheel drive vehicle to better fit the needs of the Sheriff's Department; and

WHEREAS, funds are needed in addition to the trade in value of the Subaru in order to purchase a vehicle that fits the needs of the Sheriff's Department; and

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to increase the Fiscal Year 2017-2018 Justice Fund Sheriff's Budget for that purpose; and

WHEREAS, the addition of this revenue does not affect the tax levy for Boundary County; and

WHEREAS, it is appropriate to increase the fiscal year 2017-2018 Justice Fund revenue account number 0008-00-0391-0000 and the Justice Fund Sheriff's Budget expense account number 08-02-801-00, Capital - Vehicles, in the amount of \$5,291.00; and

NOW THEREFORE, upon motion duly made, seconded and unanimously carried,

IT IS RESOLVED that the increase to the fiscal year 2017-2018 Justice Fund revenue account number 0008-00-0391-0000 and the Justice Fund Sheriff's Budget expense account number 08-02-801-00, Capital - Vehicles, in the amount of \$5,291.00 is hereby authorized and ordered; and

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 30th day of October 2017.

COUNTY OF BOUNDARY
BOARD OF COUNTY COMMISSIONERS

s/ _____
Dan R. Dinning, Chairman

s/ _____
LeAlan L. Pinkerton, Commissioner

s/ _____
Walt Kirby, Commissioner

ATTEST:

s/ _____
Glenda Poston, Clerk of the Board of County Commissioners
(recorded as instrument # 272258)

9:17 a.m., Commissioner Pinkerton moved to go into closed session per Idaho Code 31-874. Commissioner Kirby second. Motion passed unanimously. 9:20 a.m., Commissioner Pinkerton moved to go out of closed session. Commissioner Kirby second. Motion passed unanimously. No action was taken.

Commissioner Pinkerton moved to deny indigent application 2018-2 as per the Clerk's recommendation. Commissioner Kirby second. Motion passed unanimously.

Clerk Poston gave a report on a meeting she attended last week for GEM Plan. Clerk Poston reported that there is a possibility that GEM Plan may merge with another insurance. Also discussed at the meeting was the possible disbursement of funds to counties. Clerk Poston reported that Boundary County is doing well as far as claims but GEM Plan as a whole did not do as well. If GEM Plan merges with another company, it will give the possibility for cities to join which means it is a good time to disburse funds.

Deputy Clerk Della Armstrong joined the meeting at 9:45 a.m. at Commissioners' request.

Commissioner Pinkerton moved to authorize the Chairman to sign Summary of Sponsor Invoice # 4 for AIP 3-16-0004-014-2016 requesting funds from the FAA in the amount of \$32,233.82 and sign form SF271 for the master plan. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the annual financial forms to the Federal Aviation Administration for AIP 3-16-0004-014-2016 and AIP 3-16-0004-15-2017. Commissioner Kirby second. Motion passed unanimously.

Discussion was held with Deputy Clerk Della Armstrong regarding the conflict attorney reimbursement rate. Deputy Clerk Armstrong stated that Judge Haynes is busy with a murder trial and does not have time right now to deal with this issue but can possibly look into it in a few weeks. Chairman Dinning stated that conflict attorneys are getting \$70 per hour due to an administrative order. Tom Bushnell's current contract as a conflict attorney is for \$80 per hour. Chairman Dinning asked how much conflict attorneys get in Bonner County. Deputy Clerk Armstrong said there is an administrative order for Bonner County only that conflict attorneys get \$100 per hour. Contracts rule if there is one in place for a conflict attorney, according to Deputy Clerk Armstrong. Chairman Dinning stated that the new rules for public defense state if there is a conflict

attorney there has to be a contract signed. Currently Boundary County has Tom Bushnell and Tim Wilson as conflict attorneys. The county so far has signed contracts for conflict attorneys. Chairman Dinning said everyone needs to be treated the same. Mr. Bushnell was appointed prior to October 1, 2017 before the rate changed to \$80.00 per hour. Mr. Bushnell and public defenders are paid \$80.00 per hour. Deputy Clerk Armstrong said the best scenario is to get the order changed for Boundary County so we can choose from other counties for conflict attorneys if need be.

Commissioners agreed that payment for conflict attorneys should not be retroactive prior to October 1st. Clerk Poston said if you allow one to be paid retroactively, you would have to allow others. Commissioners agreed that the county should sign contracts to pay conflict attorneys \$80.00 per hour.

Commissioner Kirby moved to pay conflict public defenders \$80.00 per hour as of October 1, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Deputy Clerk Della Armstrong left the meeting at 9:53 a.m.

9:53 a.m., Assessor Dave Ryals joined the meeting.

9:53 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, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. 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 9:57 a.m. No action was taken.

Commissioner Kirby moved to approve the Assessor's request to hire a temporary part-time employee to work less than one month to help with training. Commissioner Pinkerton second. Motion passed unanimously.

Discussion was held with the Assessor regarding the purchase of a new vehicle. The Assessor stated that he is in the process of obtaining quotes. Chairman Dining commented on the savings of purchasing a vehicle versus having to pay mileage.

The Assessor left the meeting at 10:00 a.m.

10:05 a.m., Treasurer Sue Larson joined the meeting to review the quarterly report of county accounts with Commissioners. Treasurer Larson submitted a written fiscal year-end report stating that the Treasurer's Office balanced with the Clerk's Office. Treasurer Larson informed Commissioners of an email link that is a potential virus. Treasurer Larson stated that the City of Bonners Ferry purchased five small parcels in Eaton and there is \$325.00 sitting in tax anticipation funds that cannot be billed. The funds need to be spread between the taxing districts. The property was in private hands for about half of the year and was tax deeded so a bill cannot be generated, as there is no value

because the City owns it. The Treasurer stated that the funds either need to be turned back to Community Title who paid them or need to be turned over to the Clerk to be spread between the districts. It is just a matter of how to account for it. Chairman Dinning said if the property did not go to a governmental entity and it was a private sale, the funds would have to be applied to the districts. It was agreed not to turn the funds back to Community Title. Chairman Dinning asked if the county can wait and not put the property into category 81, which is exempt property, until the end of year. The Treasurer stated that it is the Assessor's feeling that the property is to immediately be put into category 81 at the time of sale as the law says you do not tax a government entity so Commissioners will have to discuss that with the Assessor. Chairman Dinning said the report Treasurer Larson submitted shows the county's 9.5 million dollars in cash spread out well. Treasurer Larson stated that the State Pool Fund has been doing well the last few months.

Commissioner Pinkerton moved to approve the Treasurer's report of Boundary County accounts for fiscal year end. Commissioner Kirby second. Motion passed unanimously.

Treasurer Larson left the meeting at 10:18 a.m.

Clerk Poston stated that she was approached Saturday night at the museum dinner about an item at the Restorium. Clerk Poston inquired why those items could not be turned over to the museum on loan from the county. One of the items is a rare book. Commissioner Kirby reported that no one at the museum wanted to touch the item before. Clerk Poston said we should try again. Commissioner Kirby stated that there is also a document at the Airport that should possibly be at the museum. Chairman Dinning requested that the topic be put on the next elected officials/department heads meeting.

10:27 a.m., Commissioners spoke with County Civil Attorney Tevis Hull via telephone regarding pending issues. The hangar lease agreement is actually an assignment of the lease and it is still pending, according to Attorney Hull. Regarding a public records request, Attorney Hull stated that the findings were signed regarding the Planning & Zoning matter last week. Attorney Hull said the minutes are not public record until they have been approved so do not give minutes out until then. Regarding the Moore property, Attorney Hull commented that the county is not changing our position regarding the sale, the county made an offer based on the asking price. The farm lease is also still pending as is the indigent matter.

The phone call with County Civil Attorney Tevis Hull ended at 10:31 a.m.

Commissioners spoke via telephone to Restorium Administrator Karlene Magee. Ms. Magee reported that there is a request for another Medicaid resident which would bring the number of residents on Medicaid to nine. Commissioner Pinkerton stated that he does not want an absolute cap on the number of Medicaid rooms. There are four vacant rooms currently according to Ms. Magee. Ms. Magee stated that she is leaning towards not allowing a potential resident due to her medical condition. Chairman Dinning asked

if there is a rare book and carved chain in the Restorium's possession. Ms. Magee is unaware of the carved chain. Commissioners were thinking it would be best to take the book and anything of historical value to the museum as being on loan from Boundary County.

There being no further business, the meeting adjourned at 10:44 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLEND A POSTON, Clerk
By: Nancy Ryals, Deputy Clerk