

***Monday, June 19, 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 Reporter Mike Brown were present at the meetings off and on throughout the day.

Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his department report. Mr. Kimball presented a written report.

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

Mr. Kimball said Burlington Northern Santa Fe (BNFS) has agreed to pay for damages to Crossport Road as a result of BNSF unloading their heavy equipment onto this road this last August.

Commissioner Pinkerton moved to sign the Burlington Northern Santa Fe Railway Company Release and Settlement Agreement upon recommendation of the county civil attorney. Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball spoke of ditch work on Dallas Lane and he added that most every place where there has been flood repairs has had work to improve ditches. Mr. Kimball said Road and Bridge will work on Highland Flats Road where water took the culverts out and caused a lot of erosion.

After his meeting with Commissioners, Mr. Kimball said he will meet with representatives from the Federal Emergency Management Agency (FEMA) at the armory. Mr. Kimball informed Commissioners that he completed 29 applications for FEMA last week.

Road and Bridge worked on core drilling and cleaning on Westside Road as well as cleaning on Lions Den Road. There was a slide and a lot of material to clean up, according to Mr. Kimball.

Chairman Dinning asked Mr. Kimball if he is going to order the appraisal for the Atkins Canyon property or would he prefer Commissioners do that. Mr. Kimball said he is working toward that. Chairman Dinning said he will let Mr. Kimball handle ordering the appraisal.

The meeting with Mr. Kimball ended at 9:08 a.m.

Chairman Dinning discussed a matter concerning the Kalispel Tribe in Cusick, Washington, pertaining to the Clean Air Rule.

9:12 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 9:25 a.m. No action was taken.

Chairman Dinning informed Commissioners of the large crowds expected to arrive in southern Idaho to watch the total eclipse that is to occur August 21, 2017.

Commissioner Pinkerton moved to sign the Certificates of Residency for Micah Whittaker, Steven Svec and Seamus Newcomb. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the No Spray Weed Agreement for Lance Echt. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning said the Fair Board was waiting to get Commissioners' opinion of the agreement Panhandle Health District would like to enter into for use of the fairgrounds in the event of a health emergency. Commissioners said they were fine with this agreement and they have learned the Fair Board was as well.

Commissioner Pinkerton moved to sign the Panhandle Health District Agreement for Use of Buildings, Grounds and Equipment for Public Health Emergency Events as it pertains to use of the Boundary County fairgrounds. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning informed Commissioners that the Solid Waste Department has a community service worker who is also a good carpenter and Solid Waste Department Superintendent Claine Skeen was wondering if the county could use this worker to construct an addition to a building at the landfill.

Chairman Dinning talked about the process of reviewing the county's Comprehensive Plan for Planning and Zoning and he said he learned that the Planning and Zoning Commission can conduct this review as long as they advertise they are holding their own internal review and the process is well documented.

9:33 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone.

Commissioners informed Attorney Hull that Solid Waste Department Superintendent Claine Skeen wants to add onto a building at the landfill and has budgeted \$10,000 for this. Materials will cost approximately \$2,000 to \$3,000, and there is a community service worker who is a builder and the ability to utilize this builder could save the county \$6,000 to 7,000. Commissioners want to know if this type of work is allowed under the community service program. Attorney Hull said Commissioners need to make sure the county has this person under workers compensation and if they do, then he is okay with the idea.

Chairman Dinning brought up the review of the Comprehensive Plan with Attorney Hull and he mentioned that he heard Commissioners need to adopt the Planning and Zoning hearing process by resolution. Chairman Dinning said he spoke to Idaho Association of Counties Attorney Jerry Mason who indicated Commissioners have to have the Planning and Zoning Commission hold an internal review of the Comprehensive Plan and make a recommendation to Commissioners as to whether or not the entire plan or just a component of the plan needs to be brought to the public for review. Attorney Hull said that is in the ordinance and Section 18.2.2.1. talks about a recommendation from the Planning and Zoning Commission. Chairman Dinning asked if Commissioners need to form committees. Attorney Hull said no, but if the plan is reviewed and the recommendation is that there is nothing to look at from a review standpoint, he feels it is good to go. Attorney Hull said he would recommend, since the county is at the 10 year mark to review the Plan, to make invitation and document it in the minutes, and ask the Planning and Zoning Commission if they feel a review of Comprehensive Plan is necessary and let them handle that internally. Then have them report back in 60 days followed by getting back to Commissioners.

9:38 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", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 9:50 a.m. No action was taken.

The call to Attorney Hull ended.

Commissioners tended to administrative duties.

Boundary Ambulance Service (BAS) Chief Jeff Lindsey joined the meeting.

10:02 a.m., Commissioner Kirby moved to recess as the Boundary County Board of Commissioners and convene as the Boundary County Ambulance Service District Governing Board. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the minutes of the Boundary County Ambulance Service District Governing Board for May 15, 2017. Commissioner Kirby second. Motion passed unanimously.

Chief Lindsey reported on the number of calls for the months of April and May, 2017, and mentioned it had been slow for a period of time, but calls have picked up again. Looking back over statistics there is a lesser number of calls during the summer, according to Chief Lindsey. Chief Lindsey spoke of juggling calls that occur almost at the same time.

Those present spoke of the Community Paramedic Program and how the local paramedics will complete this class January of 2018. BAS is still working on a community needs assessment, according to Chief Lindsey. Chairman Dinning said mental health issues are becoming a bigger issue in multiple counties and one issue is short-term housing. Chief Lindsey spoke of what is involved in responding to those types of calls.

Commissioner Kirby moved to adjourn as the Boundary County Ambulance Service District Governing Board and reconvene as the Boundary County Board of Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

Chief Lindsey left the meeting.

10:27 a.m., Patty Perry and Sue Ireland with the Kootenai Tribe of Idaho joined the meeting to update Commissioners on Kootenai Valley Resource Initiative (KVRI) projects. Ms. Perry spoke of reporting on the animal detection system and whether or not it's working. There will be a Community Forest Landscape Restoration Act (CFLRA) project review and representatives from the Forest Service Office in Washington will visit this area July 24th and 25th. Ms. Perry said the Washington Office has questions for KVRI so she has been working on that.

Ms. Perry mentioned KVRI has a field trip coming up for the Camp Dawson and Robinson Lake projects, but other than that what is on the agenda for this evening's KVRI meeting is discussion regarding the Total Maximum Daily Load (TMDL). The TMDL Committee will provide an update on a field trip that occurred in May.

Ms. Ireland provided Commissioners with information and a diagram of this year's work on the Kootenai River Restoration project. At the KVRI meeting there will be a 10 minute video of the documentary Kyle and Rob Productions did on the Lower Meander Project. This is a two year project located upstream from Bonners Ferry on both sides of the river and Ms. Ireland added that the old car bodies in the river will be removed. Ms. Ireland explained the phases of this project and what is to take place this year and the next as there is enough work to spread out over a two year period. Ms. Ireland said in July the Tribe will work on a survival estimate for the plant bundles that were planted on the island in the river.

Those present discussed tracking the Department of Fish and Game does for fish and how the Tribe will receive that information as it pertains to the river project's reach and pool use. The existing pools are still sustainable and one pool moved due to currents and became deeper, according to Ms. Ireland. Commissioners asked if there will be any pile driving and Ms. Ireland said there will be three pool forming structures that will involve driving piles.

Ms. Ireland said burbot are doing really well. The survival rate is good and they are coming into reproductive maturity so it is going very well. Genetic diversity will be tracked. Burbot are not federally listed, according to Ms. Ireland. Ms. Ireland said the story of the burbot is amazing in showing the collaboration that can be done.

The meeting with Ms. Perry and Ms. Ireland ended at 10:42 a.m.

Commissioner Pinkerton moved to amend today's agenda for 10:47 a.m., in order to sign a letter to Gary Gates with the Federal Aviation Administration which requests including the administrative settlement in the grant reimbursement. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the letter to the Federal Aviation Administration requesting the administrative settlement be included in the airport improvement grant reimbursement. Commissioner Kirby second. Motion passed unanimously.

Commissioners tended to administrative duties.

Boundary County 911 Administrator Crystal Denton joined the meeting at 11:03 a.m.

Commissioner Pinkerton moved to recess as the Boundary County Board of Commissioners and convene as the Boundary County 911 Board. Commissioner Kirby second. Motion passed unanimously.

Commissioners asked Ms. Denton if she could put together a budget for what is needed for 911 purposes and get back to Commissioners with that information. Ms. Denton said she would appreciate that so she knows what information to provide. It was said the county still charges \$1.25 and the \$.25 goes into the state fund, which is what Ms. Denton said she uses for 911 related grants. Commissioners said Ms. Denton could provide them with information in a bullet point format.

Those present discussed trac phones. Ms. Denton said if a Boundary County resident gets a trac phone out of Sandpoint, they are given a Sandpoint prefix and those funds then go to Bonner County so that needs to be changed somehow so the funds come to Boundary County. Ms. Denton explained what next generation 911 involves such as videos of crimes in progress, etc. Chairman Dinning asked Ms. Denton about needs for 911. Ms. Denton said the biggest need is getting battery backups updated. Certain phone systems such as VOIP or a newer type of trac phone will not be able to be tracked.

Ms. Denton said once she has the certification she can send certain messages to cell towers to share. The certificate is for the county and she would be the point of contact.

11:11 a.m., Commissioner Kirby moved to adjourn as the Boundary County 911 Board and reconvene as the Boundary County Board of Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

Ms. Denton left the meeting.

Commissioners resumed their discussion on budget.

11:24 a.m., Bart Camps, Chairman for Boundary Search and Rescue joined the meeting to present his budget request. Clerk Poston relayed the budget for Search and Rescue and said funds used to pay for pagers came out of the EMS budget. The funds generated from license plates is what goes into the EMS line item.

Commissioners and Clerk Poston reviewed the budget for Search and Rescue. Mr. Camps said the costliest issue that Search and Rescue deals with is maintenance of their equipment and mentioned the age of the trucks used in searches. Those present discussed having Search and Rescue bring in claims to pay as opposed to giving Search and Rescue funds so they can pay their bills themselves then have them provide a recap or accountability of what was spent and where. Commissioners said they were fine with the budget request of \$4,900 and they agreed to continue having Search and Rescue handle their own budget.

Mr. Camps asked what Commissioners want to do if a county Search and Rescue vehicle has a major breakdown. Commissioners mentioned the public auctions for surplus property and how the funds raised from an item previously owned by Search and Rescue would go back into Search and Rescue's budget.

The meeting with Mr. Camps ended at 11:44 a.m.

Commissioners and Clerk Poston resumed their discussion on budget.

Commissioner Kirby left the meeting.

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

***Tuesday, June 20, 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.

9:00 a.m., Commissioners held an elected officials/department heads meeting. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Solid Waste Department Superintendent Claine Skeen, Prosecutor's Office Manager Tammie Goggia, Chief Deputy Assessor Tracy Golder, Supervisory Court Clerk Della Armstrong, Noxious Weeds Department Superintendent Dave Wenk, Sheriff Dave Kramer, Extension Office Educator Amy Robertson, Courthouse Maintenance John Buckley, Chief Deputy Clerk Tracie Isaac, and Planning and Zoning Administrator John Moss.

Chairman Dinning said the county is fairly close to having the upcoming year's budget completed. Chairman Dinning mentioned the county getting approval of the Public Defense Commission grant.

Commissioners asked for department updates.

Mr. Skeen said he is having to relocate the Highway 1 monitored site to just outside of the covered area so he will take the existing monitor shelter and move it outside at the existing location. There will be a new gate system so the state can keep their gate open, but the landfill can close its gate.

Ms. Goggia said the Prosecutor's Office now has a SWIFT terminal and can now obtain reports on in-custodies and other related matters and she added that this information is shared with the Sheriff's Office.

Mr. Golder spoke of matters pertaining to Board of Equalization. The Assessor's Office has one employee who is retiring on Friday and there are two other job openings in the Assessor's Office, which is a clerk's position and an appraiser position.

Ms. Armstrong mentioned receiving the Public Defender grant and that the court clerks will soon have the Odyssey equipment.

Mr. Wenk said it has been a tough spring as the weather has been either too windy or it has been raining.

Mr. Kramer said the Sheriff's Office has been working on the jail and has incorporated a carport that qualifies as an indoor exercise room. At this stage the Sheriff's Office meets Idaho Counties Risk Management Program (ICRMP) recommended standards and in the next two weeks the facility should meet other standards and be a certified jail. The Sheriff's Office has started the inmate labor program for roadside cleanup. Chairman Dinning suggested Sheriff Kramer check with those involved with the fair, Kootenai River Days, etc., as far as the ability to utilize inmate labor help for clean-up.

Sheriff Kramer said the marine deputy role has been reactivated for public relations, safety and awareness. A member of the Sheriff's Office has attended a course for this and will have a booth on the Fourth of July. At a certain point in time a life jacket station will be implemented understanding the life jackets may be lost.

Mr. Buckley said he is still working on the surplus auction, but it may not be ready by June.

Ms. Robertson said the Extension Program and GROW organization will hold another farm to table event. Ms. Robertson listed various canning classes coming up as well as a workshop on biocontrol, a field trip, free dial and pressure gauge tests, and Camp Clover Bud. Ms. Robertson said 4H Friday Friends is going through summer. Fair books are printed and in the process of going out to businesses around the county. The Extension Office is partnering with the school district on the village project. Chairman Dinning asked about the opening ceremonies for the fair and Ms. Robertson said that occurs on August 16th.

Mr. Buckley said it has been nice having help from assistant Nick Sabin and they are getting a lot done. Mr. Buckley informed Commissioners the Courthouse has had a critter problem and food seems to be what is bringing and keeping the critters coming.

Chief Deputy Clerk Isaac said ICRMP training is available online again.

Mr. Moss said there is a lot happening for Planning and Zoning. Commissioners are having a public hearing on updating the Land Use Ordinance. Mr. Moss mentioned needing to upgrade his printer from black and white to color.

Clerk Poston said she understands the new Courthouse telephones will be installed on Thursday after hours and Frontier technicians will be here Friday to problem solve. Clerk Poston mentioned that July 20th is the Probation Office's moving date to the armory so she assumes the phones will be ready by then. Clerk Poston informed those present that fair books are available now.

Clerk Poston spoke of demands for payment. The Clerk's Office needs a couple days to process a check so don't walk in and expect a check to be issued. Offices need to plan ahead with payments and to watch dates as to when payments are due.

Chairman Dinning said the hour between 8:00 a.m. and 9:00 a.m., is the time Courthouse offices gear up before opening to the public so please wait until 9:00 a.m. to contact these offices.

Chairman Dinning said Boundary County has a data universal number system (DUNS) number, but Commissioners also understand there are three other DUNS numbers out there now for various county offices. It was just learned that another department was told they needed to get a DUNS number in order to get funds and that creates a lot of confusion so see Clerk Poston first when that occurs and before obtaining a DUNS number. Clerk Poston said she doesn't want to mess up an existing DUNS number.

The elected officials/department heads meeting ended at 9:24 a.m.

9:30 a.m., County Noxious Weeds Department Superintendent Dave Wenk met with Commissioners to provide his department report. Mr. Wenk reported there are approximately 22 acres of property near the water to treat and most access is by boat. Mr. Wenk mentioned there is a boat at Road and Bridge next to spray barn and he had the vehicle identification number verified to make sure it was not stolen property, etc. Chairman Dinning suggested Mr. Wenk check inventory under Waterways, Search and Rescue, etc., to see which department the boat might belong to. Mr. Wenk said July 11th is the start of the weed awareness campaign. Commissioners will soon have eight more No Spray Weed Agreements to sign. Mr. Wenk said he has only been able to treat 80 road miles since the weather has not been cooperating.

The meeting with Mr. Wenk ended at 9:36 a.m.

Deputy Clerk Nancy Ryals joined the meeting at 9:37 a.m.

Commissioner Pinkerton moved to deny indigent case 2016-19 as the applicant qualified for Medicaid. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:38 a.m.

Commissioners tended to administrative duties.

9:48 a.m., Planning and Zoning Administrator John Moss joined the meeting.

9:50 a.m., Mr. Moss presented verbiage listed in the Comprehensive Plan that he feels should be deleted. Chairman Dinning said this is just a correction to the existing plan. Mr. Moss said he has talked to County Civil Attorney Tevis Hull and Coroner Mick Mellett about burial on property. Mr. Moss mentioned Mr. Mellett said that decision is up to local jurisdiction, but he wants language about fencing noted as well as the mention to a buyer of the property that there is a burial on site. Chairman Dinning suggested seeing what other counties have written on this matter. Mr. Moss said that may be an issue because most counties don't have anything about this in writing.

10:00 a.m., Commissioners held a public hearing to consider Planning and Zoning Application #17-052 pertaining to the Land Use Ordinance amendment. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, County Civil Attorney Tevis Hull, Planning and Zoning Administrator John Moss, and Planning and Zoning Commission member Adam Isaac. No member of the public was present. The hearing was recorded.

Chairman Dinning reviewed the public hearing procedures. No member cited a conflict of interest.

The application to amend Land Use Ordinance 2017-1 includes modifying the following sections: Section 2 pertaining to definitions, Section 3 pertaining to administration, Section 4 pertaining to enforcement, Section 11 pertaining to subdivisions, Section 15 pertaining to zone district specifications and Section 20 pertaining to parcel divisions.

Mr. Moss said this is to make changes consistent with the Planning and Zoning Commission's review of the Ordinance. Mr. Moss explained how Commissioners' packet of information is divided to first show the changes as proposed and the second section consists of the actual complete ordinance showing highlighted areas to reflect the updates and recommendations.

Mr. Moss listed the various sections with proposed changes and what those sections referenced are and he added that there are no changes that affect hazardous areas, etc. Chairman Dinning said so he understands what is changing, is there anything changing for Section 18.5., and Section 1.1? Mr. Moss said no. Chairman Dinning said what is changing are the specifics of Section 2, Part 1 and then working on Sections 2, 3, 11, 15, and 20. Mr. Moss said yes, there is nothing to consider in Sections 3, 4, 5, and 6. Mr. Moss said listed in

Commissioners' packet after the staff analysis is the summary of changes. Commissioners had no questions of the staff report.

Attorney Hull said Commissioners can choose what they want to represent in an opening statement.

Mr. Moss said Section 2 pertains to definitions and Section 2.4.2.2., refers to divisions. All that is changing is adding a number reference and instead of saying "classes of parcel division", it will say, see "the sections". That is the only change, according to Mr. Moss. In Section 2.4.4., there is the same connotation. It says, see Section 20.5., parcel division and it is just a typographical correction. Section 2.6.4, refers to the transfer of real property to family members. This section is recommended for deletion based on the decision in Section 20. If there is no transfer taking place, no transfer is needed. Attorney Hull asked what will happen to Section 2.6.4.? Will it say repealed? Mr. Moss said that is acceptable.

Section 3 pertains to administration and Chairman Dinning asked if there are any additions. Mr. Moss said, yes, as a result of coming to grips with applicants for the Planning and Zoning Commission and recognizing there needs to be an interview process in this description.

Section 4 refers to enforcement and the term "final plat" has been added so there is a different number for reference. Chairman Dinning said for Sections 4.1.3.8., and Section 4.1.3.9., there appears to also be reference section number changes. Mr. Moss said yes.

Section 11.2.5., refers to subdivisions and Mr. Moss said this is a provision for the exception for having to subdivide. Mr. Moss said this exemption has to do with wills and the court process. Chairman Dinning mentioning wills and going through the proper process to have an estate settled. If the court accepts a will by an administrator and the administrator follows that will, is there an exemption. Attorney Hull said that is a good point. Attorney Hull said Section 11.2., needs to be clarified and amended to reflect specifically exempted are that testamentary or probate orders are not court decisions. Chairman Dinning suggested leaving Section 11.2.5., and to not worry about providing documentation to the administrator as there will be some kind of deed.

It was said net density is not defined and just the term "density" will be listed as it is defined in the ordinance.

Section 11.3.3., is just a number change. Section 11.3.6., is critical and different and it removes reference to 2.5 acres.

Commissioners asked if Section 11.1.6.1.1., is new. Mr. Moss said the significance of this section is that Planning and Zoning wants to establish a timeline for development. In this case it's working with a short plat, which simply comes before Commissioners for approval. When an application is about to be approved this provides for a default date for a plat. Instead of sitting out there without feedback or control, the applicant has to complete their development process within two years and can apply for one extension if need be.

Section 11.6.1.6.1.1.2.2.1., refers to a failure to final plat. An application will be canceled and must be resubmitted. Chairman Dinning suggested inserting in the language that the applicant will be notified of the cancellation by certified mail to the address listed on the application. It will then be the responsibility of the applicant to provide their current address, according to Attorney Hull. Commissioner Pinkerton asked if the county currently has a tracking system. Mr. Moss said no and he needs to let the Planning and Zoning Commission know about a tracking system. A deadline should be listed on the application. Attorney Hull said he feels the applicant should still be notified and he added that this does not need to be stated in the ordinance, but there should be some kind of tracking. Attorney Hull suggested a timeline of two years from the date the permit is issued, unless there is an extension. Attorney Hull said to see the appropriate section number. All of the same language is listed and will have the same changes. It's the Planning and Zoning Commission's portion of review of the application, which also involves issuance of the permit. Mr. Moss said he needs to rethink that. Chairman Dinning said the Planning and Zoning Commission has no authority other than provide a recommendation.

Mr. Moss said Section 11.6.2.3, is the Planning and Zoning Commission portion of the hearing process for a long plat subdivision. If a long plat subdivision is going through the Planning and Zoning Commission review and they make a recommendation to Commissioners, the language is the same. It was said Section 11.7.1.2.1., is still a long plat.

Sections 11.8.2.1., and 11.8.2.2., refers to a property owner being guilty of a misdemeanor if they sell a lot or parcel before the final plat. Section 11.8.2.2., was added. Attorney Hull said he thinks this section was inserted because it talks about penalties. The second section, Section 11.8.2.2., lets a person know the direct consequence that a permit will be cancelled.

Mr. Moss said in the ordinance packet he provided is a section referring to density and the smallest parcel size allowable within zone districts.

Section 15.7., refers to prime forestry. Section 15.7.2., refers to standard net density and it is cart blanche. Mr. Moss said the term will just consist of the word "density". That is the only change, the use of density.

Section 20.3.5., refers to testamentary provisions and it provides that any parcels are equal or greater in zone density size.

Other changes in Section 20 are removals. In Section 20.5.3.3., was removed based on what is decided based on real property for family members. This is lot-line adjustments and because the transfer of real property to family waives any consideration to parcel size, we don't need to include this consideration in this section. Chairman Dinning asked what if the adjusted parcel increases non-conformity. Mr. Moss said there are existing parcels that do not conform to the density requirements and this allows division as long as it doesn't increase the nonconformity. If someone has a 15 acre lot next to a two acre lot, they can take one acre away

from the 15 acre lot and add it to the two acre lot as it doesn't increase the non-conformity, according to Mr. Moss.

Chairman Dinning said there is no member of the public in attendance, but he will call for public comments in favor, uncommitted and opposed to the application. No one from the public was present to speak.

Commissioners asked if there are any other issues Commissioners want to raise regarding the applicant, the Planning and Zoning Commission. Mr. Moss said the changes mentioned will be incorporated.

Chairman Dinning closed the hearing to public comment and called for discussion amongst Commissioners. No discussion was needed. Commissioner Kirby said Mr. Moss and the Planning and Zoning Commission did a very good job. Chairman Dinning said he feels this application meets the intent of Comprehensive Plan.

Commissioner Pinkerton moved to approve Planning and Zoning Application #2017-052 with the changes and amendments discussed. Commissioner Kirby second. Motion passed unanimously.

11:05 a.m., the public hearing ended and Mr. Moss and Mr. Isaac left 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 11:33 a.m. No action was taken.

Attorney Hull left the meeting.

11:34 a.m., Doug Taylor, District Director for Congressman Labrador's Office joined the meeting for introductions and general discussion.

Mr. Taylor said for this session of Congress, the Congressman is chairman of the Natural Resources Oversight Commission. A letter was sent out explaining the new role and Mr. Taylor asked Commissioners if there are any issues of concern as they would address them. The Congressman's perspective is that so much of the district is affected by federal lands, etc., and he will work productively with Commissioners if there are some issues so he wanted to make Commissioners aware. Also with new administration and new agencies it has been good in that they seem more responsive and eager to work together. Congressman Labrador works well together with Senator Risch and Senator Crapo, according to Mr. Taylor.

Mr. Taylor explained that he works out of the Meridian office, but he is district director so he likes to get out and see everyone. Mr. Taylor said today he will have lunch with the Kootenai Tribal Chairman and visit the fish hatchery, and he visited Elk Mountain Farms earlier this morning.

Chairman Dinning spoke of Secure Rural Schools (SRS) and he mentioned the county received the last SRS payment in year 2016, the last budget year. Boundary County operates on the same year as the federal government and SRS is approximately 25% to 30% of the county's budget, according to Clerk Poston. Chairman Dinning said SRS used to be almost half of the county's budget. SRS needs to be funded in a long-term consistent manner that meets the intent of the national forest. Commissioners would love to have the ability to log timber to a level that meets that funding level, but they realize that is not going to happen. Commissioner Pinkerton said we have a lot of money sitting out there in timber, but we cannot touch it. The Endangered Species Act (ESA) and other programs keep expanding. Commissioner Kirby said it seems like they are forcing us to cut more trees, but they are making it impossible to do just that.

Mr. Taylor provided his professional background and he added that we will hopefully see a lot of good in repealing some efforts, but also a lot of statutes. Chairman Ron Bishop out of Utah has made it a priority to look at ESA for changes. Also mentioned was grazing and being able to include an amendment that includes the grazing leases and to crack down on frivolous lawsuits.

Those present discussed ESA, caribou, grizzly bears, wolverine, lynx, etc. Chairman Dinning said there is a local collaborative and when we go out for a project, we have to engage each of those habitats.

Commissioner Pinkerton said we're getting forced into a box by land management agencies. Mr. Taylor said there are a lot of collaboratives in the state and he was informed that the Kootenai Valley Resource Initiative (KVRI) is one of the better ones in the state. Commissioner Pinkerton said KVRI is good, but state agencies are using KVRI as their contact rather than engaging everyone else. Chairman Dinning said with a collaborative having the city, county, and tribal officials as co-chairs, they hear the same information at the same time, but agencies don't meet separately with Commissioners, city officials, and the Tribal Council. The collaborative serves in its function, but is not a deciding factor. Chairman Dinning said KVRI has been formed going on 16 years and it is not a one issue collaborative whereas other groups are a one issue collaborative, which is mainly forestry.

Chairman Dinning mentioned Community Forest Landscape Restoration Act (CFLRA) projects and he said he would like to speed up the process associated with these projects. The CFLRA is coming up for reauthorization in one to two years and this program has worked well. Commissioner Pinkerton suggested not losing sight of why these collaboratives were formed in the beginning, which is because the federal agencies were not doing what they were supposed to be doing.

Mr. Taylor informed Commissioners that Congressman Labrador is running for governor and he wants to get as much done as he can.

The meeting with Mr. Taylor ended at 12:02 p.m.

Commissioners contacted Pend Oreille County, Washington, Commissioner Mike Manus regarding the matter involving the Kalispel Tribe's request to re-designate the Kalispel Reservation to be a Class I air quality area under the Clean Air Act's Prevention of Significant Deterioration Program. Chairman Dinning asked if there is any validity to the matter of 50 mile radius as far as any effects. Commissioner Manus said yes, it is actually 100 kilometers, which equates to 62 miles. It was said the chances of any effect to Boundary County will be almost none because prevailing winds come from southwest. Commissioner Manus spoke of an upcoming meeting he has with the Kalispel Tribe and of having talked to the Tribal vice-chair who doesn't see them fighting it, but he won't come out and support a high test in that location. Commissioner Manus said a high test is a smelter that meets Class 2 that we have nationwide and as far as any ill effects to anyone, he doesn't see that happening.

Chairman Dinning said he was concerned with the lack of notice. Commissioner Manus suggested a letter come from Boundary County Commissioners regarding the lack of notice as it would help Commissioner Manus in that the process wasn't followed correctly. Newport County, Washington asked the Tribe to help put facts out, but the Tribe would not participate. The community was pretty much outraged by restrictions placed on the county. After a public hearing, the Environmental Protection Agency (EPA) still sent in the request. This issue also reaches Kootenai and Spokane Counties, but would have more of an effect on Spokane County and southern Stevens County than it would have on Bonner and Boundary Counties due to prevailing winds. Commissioner Manus said he didn't know anything about Class 1 air quality until now.

The call to Commissioner Manus ended at 12:19 p.m.

There being no further business, the meeting adjourned at 12:20 p.m.

DAN R. DINNING, Chairman

ATTEST:

GLENDIA POSTON, Clerk

By: Michelle Rohrwasser, Deputy Clerk

Date:

Thursday, July 13, 2017 - 15:00