

*****Monday, January 8, 2018, 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 residents Terry Spence and Marty Martinez, and Blue Sky Broadcasting News Reporter Mike Brown were in attendance of the meetings off and on throughout the day.

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give the departmental report. A written report was presented. Mr. Kimball spoke of having shoveled ice off the roof of a Road and Bridge building and he added that all crews are out sanding today. Salt is being applied to the hills to keep the ice broken up.

Mr. Kimball said he's looking to hire an emergency seasonal employee upon receiving Commissioners' approval. The person who will fill this position can work for the county over a six month period at 40 hours per week with overtime as needed without being effected by Obamacare. Commissioners had no problems with Mr. Kimball hiring for this seasonal position and they were informed that this employee would be on the winter rotation schedule. Clerk Poston said she would just caution Mr. Kimball on the dollars and cents as there is no Secure Rural Schools funding, etc. There are no matches due for the Tobe Way and Naples School grant applications and it's fairly certain there is no match for this third project, according to Mr. Kimball.

Mr. Kimball said he has two employees who won't be able to use up their additional vacation time by the deadline. Mr. Kimball informed Commissioners that his office staff will rotate working on Fridays.

Commissioner Kirby spoke of the most recent Bike Trail Committee meeting. Commissioner Kirby mentioned that he discussed with this committee that a bike path is not to be proposed for the Riverside Road Improvement Project. The Riverside Road Improvement Project is a project to access all federal lands; not just a path to access the Refuge, according to Mr. Kimball.

The meeting with Mr. Kimball ended at 9:21 a.m.

Commissioner Pinkerton moved to sign Certificates of Residency for Frederick Schaan, William Colson, Nickolas Yercheck, and Stephanie Wells. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Hangar/Ground Lease with Creative Commercial LLC for Hangar C3. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Lease Agreement for farming with Thomas Iverson of T&T Farms for farming county property next to the airport. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to adopt Resolution 2018-5. A resolution to transfer remaining funds in the airport grant budget to the airport budget. Commissioner Kirby second. Motion passed unanimously. Resolution 2018-5 reads as follows:

RESOLUTION 2018-5
TRANSFER REMAINING FUNDS IN THE AIRPORT
GRANT BUDGET TO THE AIRPORT BUDGET

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, did establish operating budgets for the fiscal year 2017-2018 Airport Budget and Airport Grant Budget, and

WHEREAS, Boundary County paid Robert Peccia and Associates \$2,428.39 out of the Airport Budget, Expense account number 03-00-484-00, Professional Services – Engineering, as part of the Airport Improvement Project Number 3-16-0004-015-2017, and

WHEREAS, the Federal Aviation Administration has reimbursed Boundary County for that expense; and

WHEREAS, Airport Improvement Project Number 3-16-0004-015-2017 has been completed and there remains a cash balance of \$2,428.39 in the Airport Grant Budget, Fund Number 62, and

WHEREAS, it is appropriate to transfer \$2,428.39 from the Airport Grant Budget, Fund Number 62, to the Airport Budget, Fund Number 03, thereby increasing Airport Revenue Budget, Account Number 03-00-391-00; and

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

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

IT IS RESOLVED that the transfer of \$2,428.39 from the Airport Grant Budget, Fund Number 62, to the Airport Budget, Fund Number 03, thereby increasing Airport Revenue Budget, Account Number 03-00-391-00 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 8th day of January 2018

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 #272893

Commissioner Pinkerton moved to adopt Resolution 2018-6. A resolution establishing polling sites in Boundary County. Commissioner Kirby second. Motion passed unanimously. Resolution 2018-6 reads as follows:

RESOLUTION 2018-6

A RESOLUTION ESTABLISHING POLLING SITES IN BOUNDARY COUNTY

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, has established seven polling sites within the County, and

WHEREAS, those sites are the Bonners Ferry/Kootenai Precinct, Copeland Precinct, Moyie Springs Precinct, Naples Precinct, North Bonners Ferry Precinct, Valley View Precinct, and the Countywide Absentee Voting Precinct

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

IT IS HEREBY RESOLVED that the Board of County Commissioners, County of Boundary, State of Idaho hereby reaffirms the polling sites for elections to be held in Boundary County in calendar year 2017 as follows:

<u>PRECINCT</u>	<u>LOCATION</u>
B.F./Kootenai Precinct	Exhibit Hall, Boundary County Fairgrounds
Copeland Precinct	Mt. Hall School
Moyie Springs Precinct	Moyie Springs City Hall
Naples Precinct	South Boundary Fire Hall
North Bonners Ferry Precinct	Exhibit Hall, Boundary County Fairgrounds
Valley View Precinct	Exhibit Hall, Boundary County Fairgrounds
Countywide Absentee Voting Precinct	Boundary County Courthouse

DATED this 8th day of January, 2018

COUNTY OF BOUNDARY
BOARD OF COMMISSIONERS

s/ _____

Dan R. Dinning, Chairman

s/ _____

LeAlan L. Pinkerton, Commissioner

s/ _____

Walt Kirby, Commissioner

ATTEST:

s/ _____

GLENDIA POSTON, Clerk of the Board of County Commissioners

Recorded as instrument #272894

9:35 a.m., Commissioners spoke to County Civil Attorney Tevis Hull via telephone.

Attorney Hull said he would forward the updated farming lease agreement with T&T Farms as it pertains to farming county property near the landfill.

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. 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 9:45 a.m. No action was taken.

Commissioner Pinkerton moved to grant an extension of time to pay year 2017 taxes for parcel #MH0003000018AA and to accept the tax amount due by February 1, 2018. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning informed Commissioners that Sheriff Kramer brought in an Application for Eligibility from the State of Idaho Bureau of Federal Surplus Property as it pertains to eligibility in acquiring state surplus property.

Commissioner Pinkerton moved to authorize the Chairman to sign the Application for Eligibility from the State of Idaho Bureau of Federal Surplus Property. Commissioner Kirby second. Motion passed unanimously.

9:50 a.m., Commissioners contacted Attorney Hull again to ask him about the request for qualifications sought for the regional sewer feasibility study.

Chairman Dinning informed Attorney Hull that the county had gone out for requests for qualifications for engineering services for the sewer feasibility study and received two hard copies and one electronic copy from three different companies by the deadline. Economic Development Director Dennis Weed mistakenly opened the proposals as he was unaware that was a task that Commissioners needed to do. Chairman Dinning said even though the packets have been opened, Commissioners have not seen or reviewed the contents, but they just wanted to run this information by Attorney Hull. Attorney Hull agreed and suggested that Commissioners just put that information on the record when they review the proposals.

The call to Attorney Hull ended at 9:46 a.m.

Commissioners reviewed claims for payment. Fund totals are as follows:

Current Expense	\$35,901.26
Road & Bridge	36,011.55
Airport	6,446.00
District Court	19,389.07
Fair, County	48,925.00
Justice Fund	12,543.02
911 Funds	2,185.57
Health District	14,352.50
Historical Society & Museum	19,000.00
Hospital, Operation	75,212.50
Indigent & Charity	28,374.98
Junior College	2,000.00
Parks and Recreation	1,466.94
Revaluation	988.72
Solid Waste	11,763.32
Veterans Memorial	179.53
Weeds	534.23
Restorium	14,177.58
Waterways	424.31
Hospital Supplemental Levy	238,961.50
TOTAL	\$568,837.58
<u>Trusts</u>	
Auditor's Trust	513.08
Boundary Co. Drug Court Trust	427.63
Magistrate Trust	17,823.05

Indigent Reimbursements	5,272.00
TOTAL	\$24,035.76
GRAND TOTAL	\$592,873.34

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners’ allowance & warrant register record 2017-2018).

9:54 a.m., Boundary Economic Development Director Dennis Weed joined the meeting.

10:02 a.m., Commissioners considered requests for qualifications received for the regional sewer feasibility study project. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, Boundary Economic Development Director Dennis Weed, H. Marty Martinez, and Terry Spence. The proceedings were recorded.

Chairman Dinning said Commissioners received the requests for proposals for engineering services and they had inadvertently been opened by Mr. Weed. Commissioners have not reviewed any information contained in the envelopes, according to Chairman Dinning.

The companies that submitted requests for qualifications are Century West, HMM Engineering and Keller & Associates. Chairman Dinning said Keller & Associates had also submitted their information in electronic form via email.

Commissioner Kirby moved to forward the requests for qualification documents to Economic Development Director Dennis Weed and the review panel for the purpose of making a recommendation to present to Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

The meeting to open requests for qualifications ended at 10:08 a.m., and Mr. Weed left the meeting.

10:09 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 10:45 a.m. No action was taken.

Commissioners said they had received a letter from a member of the community expressing interest in becoming an advisory board member for one of the county boards so the matter would be added to Commissioners’ meeting agenda for this next week.

Commissioner Pinkerton moved to proceed with the purchase process of the armory building. Commissioner Kirby second. Motion passed unanimously.

11:00 a.m., Commissioners continued the public hearing on Planning and Zoning Application 18-011, an application for a short plat subdivision filed by Roger Unruh. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle

Rohrwasser, Planning and Zoning Administrator John Moss, Terry Spence, H. Marty Martinez, and Dick Staples of JRS Surveying representing the applicant. The hearing was recorded.

Chairman Dinning said the only issue left to address was discussion on the road along the westerly line and a potential road accessing lots 8A, 8B, and 8D. There were suggestions to alleviate the problem with access, but at that point of the discussion Mr. Wedel could not commit until visiting with the co-applicants about this proposal and come back so that is where we are at in this process. Commissioners had stated they would open the hearing to public comments again.

Mr. Staples said he did discuss the road to the north to service those lots and a couple of changes have been made. A road has been proposed to lay parallel to the northwest/southeast road that would service Lots 8B and 8D leaving only Lot 8A to be serviced by the easement south of Division Street. This changed the configuration of the lots and it shortened this access by 300 or 400 feet. Mr. Staples presented the plat as shown originally and pointed out to Commissioners what the adjustments would be. The configuration has changed and the acreage is the same, but it shortens the access. Mr. Staples and Mr. Moss reviewed the proposed changes. Mr. Staples said he visited with the Unruhs briefly about this change and they seemed okay with it.

Chairman Dinning said at this point Commissioners have received a preliminary plan, which is to take Lots 8C, 8A, 8B and the configuration changes so that Lot 8B and Lot 8C are accessed by a private road through the subdivision off of Mountain View Road to the east and Lot 8A would be accessed by the private road to the west side from South of Division Street.

Mr. Moss said there are no changes in the reports from staff.

Chairman Dinning asked if anyone from the public had any comment in opposition to the application followed by seeking public comments from the public who are uncommitted and in favor of the application. No one from the public had any comments.

Mr. Staples said he spoke to Mr. Moss and at the last hearing the question came up if these lots could be further subdivided and going by recollection, it seems like the issue was if the current zoning allowed for further division and it does. So any future subdividing would need to go through the proper process.

No one from the public responded to Mr. Staples' statement.

Chairman Dinning said on the face of the plat there needs to be a letter from Panhandle Health District regarding water as was mentioned. Mr. Staples said that will all go through Panhandle Health District. Chairman Dinning said it should also include electric. Mr. Staples asked if the will-serve letters should go to Mr. Moss and Chairman Dinning said yes, and mentioned that it should be a will-serve letter from the City of Bonners Ferry and Three Mile Water. Chairman Dinning said at the time of sale, approaches to the county road will have to have been installed and he questioned if easements for utilities will follow the road. Mr. Staples said yes. Mr. Staples repeated the conditions out loud so he was sure to have all the requirements listed. This is to include approval from Panhandle Health District, will-serve letters from Three Mile Water and the city, and at the time of sale, approaches will have been approved and installed from the county roads, and that all utilities will be in place for all lots.

Commissioners closed the hearing to public testimony and held discussion amongst themselves. Chairman Dinning said there has been great accommodation by the landowner. There had been talks

about agreements to maintain the road to the west and provide additional footage, but that shouldn't be included in what Commissioners are doing at this point, according to Chairman Dinning. That is a whole separate issue on that road and at some point that will be the applicant's business to address in the future.

Commissioner Kirby moved to approve Planning and Zoning Application #18-011 as amended today with the drawing and final plat to reflect the proper changes, along with signatures from Panhandle Health District and two will-serve letters from the City of Bonners Ferry and Three Mile Water, approaches will be installed at the time of sale, and easements are to be in place for water and electricity to all lots. Commissioner Pinkerton second. Motion passed unanimously.

The hearing to consider Planning and Zoning Application #18-011 ended at 11:20 a.m.

11:22 a.m., Deputy Clerk Nancy Ryals joined the meeting.

Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously. 11:25 a.m., Commissioner Kirby moved to go out of closed session. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to put reimbursement payments for indigent case 2010-31 in suspension for one year with reimbursement payments to resume January 2019. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 11:25 a.m.

Commissioners tended to administrative duties.

Commissioner Kirby moved to approve the minutes of January 1 & 2, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners recessed for lunch at noon.

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

2:00 p.m., Clif Warren with Selkirk Pend Oreille Transit Authority (SPOT) joined the meeting at Commissioners' request to discuss the SPOT program and funding. Those present clarified which version of the SPOT agreement they were operating under and Chairman Dinning said we're under the 2015 agreement. Mr. Warren said the only change he is aware of was in name only as the City of Dover was removing itself from the agreement and that change would have occurred June of 2016. Chairman Dinning said he thinks we're running into billing that occurred in the time frame the City of Dover was involved. It was said the tires and insurance costs should have been in September of 2017. Mr. Warren said he may have provided the wrong bill then added that what Chairman Dinning is referring to is just an accounting report, not a bill.

Mr. Warren said the Joint Powers Agreement provides membership, but doesn't make someone responsible for finances. Boundary County has paid the \$3,500, but nothing else. Clerk Poston said the Memorandum of Agreement states the county will provide parking for the bus and will pay up to \$3,500

for fuel and maintenance, including tires. SPOT is to submit any invoices to the county for reimbursement up to \$3,500 and SPOT would provide administrative services, etc. It was said the payment of \$3,500 will assume to have been made for this fiscal year. Chairman Dinning said the county pays insurance through Idaho Counties Risk Management Program (ICRMP) on the bus as does SPOT as well. Clerk Poston reviewed aloud the ownership information listed on the title for the SPOT bus. Chairman Dinning said if both the county and SPOT are both paying insurance through ICRMP, we need to look into that. Chairman Dinning questioned if everything is kept how it currently is, but have the county give the bus to SPOT, will be there any ramifications to the grant in doing that? Mr. Warren said SPOT pays \$1,600 per year to insure the bus and he added that he is not an expert on ICRMP so that coverage was a surprise to SPOT. Mr. Warren explained what SPOT experienced when looking to change insurance, which created a cost increase from \$6,000 to \$20,000, because the bus coverage was a part of a larger bundle. Chairman Dinning said until the bus transfers to SPOT, the county will still have to pay insurance. The State may be the entity to inquire about any impacts to the grant if the bus were to be offered to SPOT while everything, including the service, remains the same. Mr. Warren said he would contact the state with this question. Commissioner Pinkerton said the county doesn't need the bus, SPOT does, but the county needs to get the funds to SPOT. Mr. Warren said he thinks that is a cleaner way to do it. If things change with ownership, the agreement will have to change as well, according to Clerk Poston.

The meeting with Mr. Warren ended at 2:25 p.m.

There being no further business, the meeting recessed until tomorrow at 1:30 p.m.

*****Tuesday, January 9, 2018, at 1:30 p.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

1:30 p.m., County public defenders Lynn Brooks and Serra Woods joined the meeting at Commissioners' request to discuss public defender matters.

Chairman Dinning said he feels Attorney Brooks and Attorney Woods are being overworked and in talking with Idaho Public Defense Commission Regional Coordinator Aaron Freudenthal during the last meeting with Commissioners, it was learned there may be an opportunity to work with Kootenai County's Public Defense Office in contracting for the third public defender position for Boundary County. Chairman Dinning suggested letting Mr. Freudenthal visit with Kootenai County officials about that as this is very preliminary. Chairman Dinning said Commissioners didn't go into this trying to make more work for Attorney Brooks and Attorney Woods, but no one else has expressed interest in Boundary County's vacant public defender position. Chairman Dinning said Commissioners just need to start looking outside of the box.

Attorney Brooks inquired about Attorney Eric Anderson acting as attorney for first appearances as she hasn't heard anything. Commissioners said they would follow up on that. Those present spoke of how conflict cases work as these cases can require three attorneys.

Attorney Brooks inquired as to the process of compensation for this potential third contracted public defender position. This third attorney would fill the currently vacant public defender position and in addition Commissioners had been told that the public defense grant would provide an additional

\$25,000. Chairman Dinning said he just wanted to meet with Attorney Woods and Attorney Brooks before talking with anyone else.

The meeting to discuss county public defense matters ended at 1:44 p.m.

Commissioners tended to administrative duties.

Clerk Poston provided Commissioners with information that the county is saving \$5,900 each year by having recently switched to the new phone service.

Commissioner Pinkerton moved to approve minutes for December 4 & 5, 2018, November 27 & 28, 2018 and December 11 & 12, 2018. Commissioner Kirby second. Motion passed unanimously.

2:30 p.m., Dave Lux and John Ailport with Inland Forest Management (IFM) and Sherri Wastweet with Panhandle Area Council (PAC) joined the meeting to provide Commissioner with an update on the Fire Safe Program.

Chairman Dinning said he doesn't think there will be any problems with amending the budget for the Lower Kootenai River Watershed Restoration project. Mr. Ailport provided a status report on the Boundary County Fire Safe Program and referred to the various projects done in years 2015 through 2017. The 15 FRR1-Boundary project is nearing the end so IFM will try to get funds allocated for more of this project. Chairman Dinning said the Forest Service has a project called Camp Robin and residents in this location may have qualifying properties.

Mr. Ailport reviewed information on the following projects: 15 HFR1-Boundary, WSFM 16 Grant (South Boundary), 16 HFR Boundary Grant (Temple Deer II), and 17 HFR Boundary Grant (Westside Temple Deer Dawson).

The SWFM 17 Grant was awarded to Boundary County in the amount of \$240,000. There are no adjacency requirements with the Forest Service projects, and it will target numerous subdivisions south of Bonners Ferry to the county line. This project has tied in nicely to other projects, according to Mr. Ailport. Four bids were received for this work and that is good news. This is the grant that requires a 10% match so a plan is being worked out to meet this objective. Ms. Wastweet said all grant objectives have been met. The Temple Deer II project is a \$100,000 grant and an additional 25 acre project was included in this program last fall and Phil Schneider was awarded this project. The Natural Resource Conservation Service (NRCS) had also done some work around this property so the remainder was able to be treated. Boundary County received notice they have been awarded additional funding for hazardous fuels treatment. There are adjacency requirements as it pertains to the Forest Service project areas.

Ms. Wastweet explained that the vendor schedule used to be rotating, but it is no longer the process.

Those present discussed contractors' dissatisfaction with the reimbursement timeline. Mr. Ailport mentioned that he is aware the smaller contracts have issues with the delay in payment reimbursement. Ms. Wastweet added that the requests are rarely more than \$15,000. Chairman Dinning questioned if the county would get better contracts if it were able to pay the contractors itself. Ms. Wastweet said contractors had also gotten used to the prior reimbursement process, which is when the county received funds up front from the state. Chairman Dinning asked Clerk Poston about the ability to set funds aside. Clerk Poston said she would need a "not to exceed" budget. Commissioners will schedule

time during their next meeting schedule to discuss budgeting for the Fire Safe program. Those present discussed attempting to set a payment and reimbursement schedule.

Mr. Lux said the 2017 grant was scheduled to expire in June, but with pre-commercial thinning and pine components that had to be done, they now have received an extension so that is good news.

Mr. Lux informed Commissioners that County Weed Department Superintendent Dave Wenk is great to work with for weed control.

It was said eight acres of hazardous fuels work is under contract and nine more acres will be added once the snow clears. Tree planting is now done. Mr. Lux spoke of the reforestation project near Deep Creek and how it had a high failure rate, but that the Westside area reforestation project has done well.

Ms. Wastweet provided Commissioners with information on all Idaho Department of Lands grants that have been awarded to Boundary County and she added that it provides an overall history of the hazardous fuels treatment programs. In Boundary County 269 homes have been treated for defensible space and to date the county has done 1,865 acres of hazardous fuels treatment work, plus more is coming so that will be more than 2,000 acres by the time these grants close.

The meeting with Ms. Wastweet, Mr. Lux and Mr. Ailport ended at 3:30 p.m.

There being no further business, the meeting adjourned at 3:30 p.m.

DAN R. DINNING, Chairman

ATTEST:

GLENDIA POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk