

*****Monday, August 03, 2015, 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.

Blue Sky Broadcasting Reporter Mike Brown was in attendance of the meetings off and on throughout the day.

9:00 a.m., Road and Bridge Assistant Superintendent Ken Arthur and Road and Bridge Office Manager Renee Nelson joined the meeting to give the Road and Bridge Department report. Paradise Valley residents John Taft and Linda Fontanas joined the meeting.

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

9:00 a.m., Mr. Arthur said Sewell Engineering forwarded him their design for an island at the top of Paradise Valley Hill that has been approved and they are now waiting for federal guideline details. Once this information is received the county will have to contract for the island as Road and Bridge doesn't have equipment for that. Mr. Arthur estimates the project can be completed this fall.

Mr. Arthur said the matter of the intersection at Shamrock Road and Blue Sky Road would be resolved with a right-of-way acquisition from a nearby property owner. Mr. Taft asked about a short term resolution such as a stop sign. Chairman Dinning said he will contact the property owner.

Mr. Taft and Ms. Fontanas left the meeting at 9:06 a.m.

Mr. Arthur presented a written department report. This report contains a list of roads that have been chipsealed. Mr. Arthur spoke of the overlay for the north end of Deep Creek Loop. The application for this work was not accepted as it placed within the top 10, but only the top seven projects were accepted.

Ms. Nelson said the GPS process for addressing is going well.

Chairman Dinning asked if Mr. Arthur wants to sell the old truck the former GIS mapper was using. Clerk Poston said she recalled the Restorium was once looking for a vehicle.

Mr. Arthur said Road and Bridge is going to lose their temporary mowing employee to another job, but this employee has agreed to finish out the week. Mr. Arthur said he may need to go out for a temporary position, but with the fire danger Road and Bridge may have to pick and choose where the mower is used.

The meeting with Mr. Arthur and Ms. Nelson ended at 9:30 a.m.

Commissioner Pinkerton moved to amend today's agenda for 9:50 a.m. to include signing the Contract for Hazardous Fuels Treatment Wildfire Mitigation Activities with Alan Flory Logging. Commissioner Kirby second. Motion passed unanimously.

9:30 a.m., Commissioners held a bid opening for the Rock Point Dock project. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. The bid opening was recorded.

Chairman Dinning stated for the record that Commissioners did not receive any bids for this project so they would continue the bid opening to tomorrow at 11:00 a.m., in order to consult with the county's civil attorney about the process going forward.

Commissioner Kirby moved to continue the bid opening for the Rock Point Dock project to Tuesday, August 4, 2015 at 11:00 a.m. Commissioner Pinkerton second. Motion passed unanimously.

The meeting regarding the bid opening ended at 9:31 a.m.

Clerk Poston and Commissioners discussed use of landfill closure funds for the purchase of weight scales and engineering fees.

Commissioners tended to administrative duties.

Commissioner Kirby moved to approve the minutes of July 20 & 21, 2015. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the Contract for Hazardous Fuels Treatment Wildfire Mitigation Activities with Alan Flory Logging. Commissioner Kirby second. Motion passed unanimously.

9:55 a.m., Solid Waste Superintendent Claine Skeen joined the meeting to give the departmental report.

Commissioner Pinkerton moved to approve the Certificates of Residency for E. Price, T. Payne, K. Morgan, A. Haynes, A. Henslee, C. Gering, H. Gering, S. Dlug, and K. Byars. Commissioner Kirby second. Motion passed unanimously.

9:55 a.m., Commissioners held a meeting to consider the applications for the renewal of the 2015 County Alcoholic Beverage Licenses for Dodge Peak Lodge and JJ Cookshack. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, and Solid Waste Superintendent Claine Skeen. The proceedings were recorded.

Commissioners received an application from Kevin and Jennifer McLeish doing business as Dodge Peak Lodge, located at 5952 Main Street, Idaho, to sell bottled and canned beer on and off premises as well as wine by the drink.

Commissioner Kirby moved to approve the 2015 County Alcoholic Beverage License for Kevin and Jennifer McLeish doing business as Dodge Peak Lodge to sell bottled and canned beer on and off premises and wine by the drink pending receipt of the 2015 Panhandle Health District Permit and the 2015 State of Idaho Retail Alcohol Beverage License. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners also received an application from Judith Terry doing business as JJ Cookshack, located at 496555 Highway 95, Naples, Idaho, to sell bottled, canned and beer on tap on and off premises as well as wine by the drink. The completed application, applicable fees, 2015 State of Idaho Retail Alcohol Beverage License, and the 2015 Panhandle Health District Permit have been received.

Commissioner Kirby moved to approve the 2015 County Alcoholic Beverage License for Judith Terry doing business as JJ Cookshack to sell bottled and canned beer, and beer on tap on and off premises as well as wine by the drink. Commissioner Pinkerton second. Motion passed unanimously.

The meeting to consider the alcoholic beverage licenses ended at 9:56 a.m.

Commissioner Pinkerton moved to authorize the Chairman to sign the Boundary County Fire Mitigation Project Management, Professional Services Contract – Amendment #20 between Inland Forest Management and Boundary County. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to authorize the Chairman to sign the Web Site Agreement with TechPartner for the purpose of redesigning the current county website and providing webmaster services. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to sign Addendum A, Annual County Software License and Maintenance Fees Agreement; Addendum B, Annual County Software Support Fees Agreement; and Addendum C, Annual IT Service and Networking Support Fees with Computer Arts, Inc., to take effect October 1, 2015 for the period of 12 months. Commissioner Kirby second. Motion passed unanimously.

Mr. Skeen presented Commissioners with statistics on wood grinding prior to the next week's public hearing to propose a wood disposal fee. The cost to dispose of wood waste is \$6 per cubic yard and once the weight scale system is installed, the cost will be \$40 per ton. Until the scales are received the charge is \$6 per yard, according to Mr. Skeen. Chairman Dinning asked why the county wouldn't want to increase the cubic yard fee to a figure that would equate to \$40 per ton. Mr. Skeen explained that Bonner County charges \$6 per cubic yard and approximately \$70 per ton.

Chairman Dinning said Commissioners have received the reply from the Idaho Department of Environmental Quality (DEQ) stating Commissioners can use the landfill closure funds for the purchase of scales and paying the engineering fees associated with updating the closure plan. Chairman Dinning said additional correspondence was received confirming the landfill consists of the entire 40 acre parcel.

Commissioner Pinkerton spoke of ground cover for the landfill and making sure the county does what it needs to do to meet that requirement. Chairman Dinning asked if the county would end up paying more for single stream items if aluminum was pulled out. Mr. Skeen said no. Chairman Dinning said aluminum is 40 cents per pound so is it cost effective to pull out aluminum cans. Mr. Skeen said that is a small amount of additional revenue for the landfill and he added that the landfill is baling the aluminum cans. Commissioner Pinkerton asked for the cost to ship the material to Coeur d' Alene. Mr. Skeen said he would have to check, but thinks the cost is \$20 per ton. Chairman Dinning said he still sees recyclable materials in the dumpster bins and he questioned how to best educate people.

The meeting with Mr. Skeen ended at 10:21 a.m.

Commissioners tended to administrative duties.

10:30 a.m., Chief Probation Officer Stacy Brown joined the meeting to provide her departmental report. Ms. Brown said there are 211 people on unsupervised probation, which is a decrease; three people in

the diversion program, 55 people on adult misdemeanor probation, and 32 youths on juvenile probation.

Ms. Brown said the Idaho Department of Corrections is sponsoring a training course for law enforcement officers on August 13th, and it is the same curriculum as Peace Officers Standards and Training (POST) pertaining to information on juvenile matters. The Idaho Department of Corrections is also sponsoring the third millennials with online classes for juveniles on the subject of alcohol and marijuana. This is not a course for staff, according to Ms. Brown.

Ms. Brown said her department may potentially add a new GPS unit that is more user-friendly as far as interfacing and it allows her employees to see where juveniles are going more specifically in various areas of the county. AT&T is the carrier for this new GPS unit so the Probation Office will have two GPS systems, one through AT&T and one through Verizon. Ms. Brown explained there are small pockets in the county that AT&T covers in which Verizon cannot cover. This new GPS unit is still \$8 per day per use, according to Ms. Brown. This new company also has scam devices that are alcohol sensors. These sensors can detect how much alcohol is someone's system based on their sweat. Ms. Brown said this sensor would be in lieu of doing a drug test.

The meeting with Ms. Brown ended at 10:40 a.m.

Deputy Clerk Nancy Ryals joined the meeting at 10:41 a.m.

Commissioner Kirby moved to go into closed session under Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously. 10:46 a.m., Commissioner Kirby moved to go out of closed session. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to review indigent application 2015-3 for reimbursement purposes again in June 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to deny indigent applications 2015-30 and 2015-32. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:51 a.m.

Commissioner Kirby moved to ratify signing the Fire Safe Grant. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to ratify signing the 911 Grant application. Commissioner Pinkerton second. Motion passed unanimously.

11:00 a.m., Restorium Administrator Karlene Magee and Assistant Administrator Pam Barton joined the meeting to give an update on Restorium matters. Commissioners were presented with a report for the Restorium for the months of May, June, and July 2015.

Ms. Barton said she and Ms. Magee are working on their policies and procedures, which need to be updated by both necessity and by rule.

Those present discussed reconciling past accounts for residents no longer at the Restorium.

The meeting with Ms. Magee and Ms. Barton ended at 11:15 a.m.

11:30 a.m., Boundary Economic Development Specialist David Sims joined the meeting to update Commissioners on various project. Mr. Sims presented Commissioners with the new memorandum of understanding with the State of Idaho for the Rural Idaho Economic Development Professional Grant. The change to this document includes adding Appendix B and C. These sections had been included before, but now they are better spelled out, according to Mr. Sims. Another change is requiring an annual report and a marketing plan, which Mr. Sims said he is working on. The State of Idaho will provide \$35,000 and the match of \$12,500 is divided between the county, City of Bonners Ferry, and Kootenai Tribe. The county's portion increased by \$6,000 for a total of \$10,000 and the increased funds will provide for travel pay, etc. Clerk Poston said once this memorandum of understanding is signed, she will request \$17,500 from the state as their new budget year starts July 1st and that should take care of the deficit. This is a deficit the county was aware of, Clerk Poston clarified. Commissioner Pinkerton said this program should be given another try for one more year.

Commissioner Kirby moved to authorize the Chairman to sign the Rural Idaho Economic Development Professional Grant Memorandum of Understanding between the Idaho Department of Commerce and Boundary County. Commissioner Pinkerton second. Motion passed unanimously.

Those present discussed a potential fiber project through a company called Ting. Ting started out providing mobile services and they got into fiber service last year. This company has recently started a project involving fiber and they will start approximately three more projects next year followed by six projects the following year. This company provides a service similar to Google. Mr. Sims explained the two plans that are offered through Ting.

Mr. Sims said the bonding document agency that worked on the last fiber project stated that one thing they want is easy permitting because they don't want to get into a big nightmare. Mr. Sims said they are looking at Bonners Ferry being a smaller market as compared to Sandpoint. If we include the entire footprint of the electrical system, it's a market two-thirds the size of Sandpoint and the density is lower than Ting would like to see, according to Mr. Sims. If we deal with the City of Bonners Ferry, permitting will be easier. This fiber is an overhead line as it is cheaper. The disadvantage is that there is no internet point of presence in Boundary County so the fiber would have to be run from Bonners Ferry to Sandpoint where the point of presence is. When the original project was planned adding Bonners Ferry lowered the overall break even for the project.

Avista is the power company in Sandpoint and Bonners Ferry doesn't require engineering for this type of pole attachment, but Avista may require engineering for every single pole incorporated into the project. It was a real sticking point during the last project, according to Mr. Sims.

Mr. Sims said another big unknown cost is the communication wires need to be at a level lower than the electrical wires so the company is looking to see what poles may be subject to that height issue. This is a project with a hopeful start date of next year. There is no financial obligation from any local entity, which is better than the previous situation, according to Mr. Sims. Mr. Sims mentioned the advantage of carrying the fiber system to the Moyie area.

Mr. Sims spoke briefly of the proposed new retailer. This retailer is looking for a market tax credit. If the project is over four million dollars and is a benefit to the county, this is a credit that may be available.

Mr. Sims asked Commissioners about off premise signs for a different issue and he mentioned he would talk to the Planning and Zoning Administrator as the site in question is outside of city limits.

Mr. Sims said the City's Augusta Street project for signage and improved drainage near Valley View Elementary School is moving along.

The public hearing for the Idaho Transportation Department Highway 95 Project is to be held this week, but there will be no information about business access until after the hearing.

The meeting with Mr. Sims ended at 11:50 a.m.

Commissioners recessed for lunch at noon.

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

Commissioner Kirby moved to sign the Federal Aviation Administration Grant Offer of \$802,000 upon approval of the verbiage by the county's civil attorney. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners discussed the steps involved in the airport improvement project.

1:50 p.m., Commissioners and Clerk Poston continued their review of the proposed county budget. The budget review ended at 2:45 p.m.

2:45 p.m., There being no further business, the meeting recessed until tomorrow at 10:00 a.m.

*****Tuesday, August 04, 2015, at 10:00 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.

Blue Sky Broadcasting Reporter Mike Brown was in attendance of the meetings off and on throughout the day.

Commissioner Pinkerton moved to grant an extension of time to pay year 2014 taxes until September 1, 2015 for parcel #MHB006000W008VA. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Certificate of Residency for A. Garner. Commissioner Kirby second. Motion passed unanimously.

10:01 a.m., Bonners Ferry District Forest Ranger Kevin Knauth joined the meeting for the purpose of updating Commissioners on the Parker Ridge fire. Kootenai Tribe of Idaho Administrator Patty Perry also joined the meeting.

Chief Deputy Sheriff Rich Stephens joined the meeting.

Mr. Knauth updated Commissioners on the Parker Ridge fire and explained that fire retardant is being used and the Forest Service will let it sit to see what happens. It was said a small area of this fire is in the

recommended wilderness designation. Mr. Knauth and Commissioners discussed what is allowed in the recommended wilderness areas.

Mr. Knauth said the plan is to leave the fire alone for now, but it will be monitored to see if it reaches a certain area in which structure protection is needed. As far as aviation resources, if there is one finger of land this fire reaches, a helicopter will respond. This fire was caused by lightning on July 27th, but wasn't detected until July 29th. Once the fire was detected personnel were on the ground that same afternoon or evening and it was determined fire personnel could not be put in the area to fight the fire. There was also aviation response with a bucket, according to Mr. Knauth. Winds are expected across the ridges at a rate of approximately 20 miles per hour this evening.

Mr. Knauth said the Forest Service has made contact with residents in that affected area who are more year round residents, but they haven't been able to contact everyone as some property owners don't live in the area year round. Communication on the possible need for evacuations in that area has been discussed between the Forest Service, Sheriff, and Boundary County Emergency Services Incident Commander.

Mr. Knauth said he isn't sure what the county can do to deal with brush in the case of fire. Forest Service employees can at times be a part of these activities on private land, but they cannot take the lead.

Ms. Perry said she thinks there is the understanding that there is nothing effective the Forest Service can do at this point, but is it not prudent to get ahead of the fire now.

10:19 a.m., Kootenai Tribe of Idaho Fish and Wildlife Department Director Sue Ireland joined the meeting.

Ms. Perry said it makes her nervous, as a representative of the Kootenai Tribe to sit and wait for the fire fingers to develop as that is time wasted and in that setting it seems dangerous to her. Ms. Perry said the fire doesn't look all that far from a few residents and if the fire could grow 35 to 80 acres per day, that could turn into dangerous territory quickly. Mr. Knauth said the Forest Service is open to ideas that do not cause harm to firefighters. Mr. Knauth explained there is only one area in which the firefighters can fight this fire and he spoke of situations in which the firefighters could become trapped by these fires. Ms. Perry clarified her thoughts on what she was trying to explain. Commissioner Pinkerton pointed out two areas in which he feels this fire could've been fought, but it is too late now and firefighters' lives would be in danger whereas he feels they would've been safe before. It is not safe for firefighters to fight this fire right now other than by aviation.

Ms. Perry asked if there is anything the Idaho Department of Lands can do to help the Forest Service educate the private landowners or provide information on how to protect their properties. Mr. Knauth said all modeling of this fire that has been done doesn't show the fire pushing down hard toward those residences although it is going that direction. Chief Deputy Sheriff Stephens said people are being made aware of the situation as much as can be. Mr. Knauth said the Forest Service plans on hosting a community meeting to discuss with the public what the fire situation is and what steps are being taken. The Forest Service is looking to utilize either the high school football field or auditorium to hold this public meeting and are looking at possibly this Thursday.

Mr. Knauth said there are Forest Service hot shot crews housed in Sandpoint, a 20 member crew from Boise, and four engines from another location to help with this fire. Mr. Knauth said if more firefighters

are brought in, they would probably be stationed in Sandpoint so not to overwhelm locals and restaurants. Some firefighters are sleeping at the middle school for a certain period of time. Commissioners and Ms. Perry asked Mr. Knauth not to worry about having the firefighters stay in the area. Mr. Knauth said the issue with a community meeting is getting the word out in a short amount of time.

Mr. Knauth said a driving issue is firefighter safety and the Forest Service is also trying not to burn up acreage. Chairman Dinning said the only call he received about this fire was from someone who was upset that resources were put in a recommended wilderness area.

The meeting to discuss the Parker Ridge Fire ended. Chief Deputy Sheriff Stephens left the meeting and Mr. Knauth, Ms. Perry, and Ms. Ireland remained for the next meeting.

10:44 a.m., The purpose of Ms. Ireland's meeting is to provide Commissioners with a brief update on the Kootenai River Habitat Restoration project.

Ms. Ireland said the project at Riverside Park is starting and staging equipment is taking place. Pools will be dug and islands will be built. Ms. Ireland said she has talked to the contractors about public safety and based on the evaluation and safety she would like to request the closure of the south west end of the park by installing type 3 road barriers at that end of the road. Ms. Ireland said the road to the ballfields would not need to be closed. The reason for closure is due to the possibility for conflict between construction and the public so they would like to eliminate the access for safety reasons.

Ms. Ireland said Parks and Recreation Board Chairman Rob Tompkins had informed her the Forest Service was possibly interested in using Riverside Park for staging the fire crews if need be, and she said it was felt that would be a compatible use in relation to the habitat restoration project. This use will shut the road and also access to the project will be limited. Those present reviewed a diagram of the construction site and Mr. Knauth pointed out where it may be possible to house firefighters, caterers, water trucks, etc., but this will be determined when it is known the number of firefighters have exceeded the tipping point for the community. If access is closed, it might be until November.

Commissioners did not object to a temporary closure due to the Kootenai River Habitat Restoration project.

The meeting with Ms. Ireland, Ms. Perry, and Mr. Knauth ended at 10:54 a.m.

11:00 a.m., County Civil Attorney Tevis Hull, Planning and Zoning Administrator John Moss, and Chief Deputy Sheriff Rich Stephens joined the meeting.

Mr. Moss said a concert event is proposed to occur within the county on August 15, 2015, for which no application has been submitted for a special event, so he needs to determine how to move forward with the county's ordinance and provide the proper notices. The events considered to be grandfathered for this piece of property occurred in the spring and fall and they were the Moyie Springs mud bogs. It is in the public interest to get a handle on things. Attorney Hull mentioned the county needs to extend an invitation to have this event permitted. Chairman Dinning questioned what recourse the county has if the event holder does not obtain a permit. Attorney Hull said the potential recourse is for the county to file an injunction. The other matter pertains to enforcement procedures if this event happens.

Mr. Moss said if the county uses the existing ordinance and a special event is granted, the permit goes with the land. So the county would be permitting an event that could go on forever. Mr. Moss said the only difference in the new ordinance is that every time there is a new permit he can notify agencies that an event is to take place, and his concern is that he can lose the ability to contact other agencies if he is not made aware of the event. The current ordinance doesn't have enough lead time for Mr. Moss to update other agencies about the event. Mr. Moss said he is not opposed to event itself, but how does he let the public know as far as fire service, ambulance service, etc. Attorney Hull said under the old ordinance you can still put those conditions in the permit and if those conditions are violated, the permit can be pulled. Mr. Moss said this property owner has had multiple events that he hadn't been notified about. Chairman Dinning said he feels these are not special events and if you look at the ordinance, there isn't anything that restricts this event from taking place. Mr. Moss said there is a restriction based on the number of people who show up, but who is going to stand at the event with a counter. Chairman Dinning said as far as he is concerned an application has not been filed. Attorney Hull questioned if anyone knows why this property owner has not filed an application. Mr. Moss said the property owner feels these activities should fall under moderate use or light use and there is no regulation for those uses. Mr. Moss said this property that the mud bogs have occurred on has had some changes associated with it. Attorney Hull said this event is not something that has been grandfathered.

Mr. Moss said property owner Bruce Behrman mentioned that he has had a real problem with traffic control off the highway. Chairman Dinning said this concert event is a completely different use than what activity was grandfathered. Chief Deputy Sheriff Stephens questioned if there is a time requirement in which to submit an application under the current ordinance. Mr. Moss said he needs to have at least 14 consecutive days in order to notify agencies and receive a response. Mr. Moss said he would consider this concert a special event and if the permit is not granted, the number of people has to stay under 500.

The meeting with Mr. Moss and Chief Deputy Sheriff Stephens ended at 11:20 a.m.

Commissioners reviewed the current status of various documents and agreements with Attorney Hull.

11:26 a.m., Commissioners continued the bid opening for the Rock Point Docks. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, County Civil Attorney Tevis Hull, and Blue Sky Broadcasting Reporter Mike Brown. The meeting was recorded.

Commissioners said at yesterday's bid opening for the Rock Point docks no bids were received. Chairman Dinning said if Commissioners want to pursue this project, they will have to go through the entire process again. Attorney Hull said that was correct.

The meeting for the decision on the Rock Point Dock bids ended at 11:26 p.m.

There being no further business, the meeting adjourned at 12:00 p.m.

DAN R. DINNING, Chairman

ATTEST:

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