

*****Monday, February 15, 2016, Commissioners did not meet due to the Presidents Day Holiday.**

*****Tuesday, February 16, 2016, 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, Assessor Dave Ryals, Solid Waste Department Superintendent Claine Skeen, Courthouse Maintenance John Buckley, Planning and Zoning Administrator John Moss, Prosecutor's Office Manager Tammie Goggia, Chief Probation Officer Stacy Brown, Noxious Weeds Department Superintendent Dave Wenk, Road and Bridge Department Superintendent Clint Kimball, Extension Educator Amy Robertson, Court Supervisor Della Armstrong, and Restorium Administrator Karlene Magee.

Chairman Dinning informed everyone that a thank you card was received from former County Noxious Weed Department Superintendent Duke Guthrie's family voicing appreciation for Mr. Guthrie's fellow employees.

Chairman Dinning said Commissioners have amended the County Personnel Policy. The old version of the policy used to state an employee's family would receive one full year's salary if the employee passed away while employed with the county. This has been changed to state that, in essence, the amount of life insurance the county pays on behalf of the employee is what is to be received.

Commissioners requested department updates.

Assessor Dave Ryals said his office is just plugging along and gearing up for year 2016 valuations. His office's new Chevrolet Tahoe has been received and it is also available for other county use.

Courthouse Maintenance John Buckley said he's looking into getting a plow for the Restorium's truck.

Chief Probation Officer Stacy Brown said her office's caseloads are increasing a bit. Since switching to electronic files she has downsized from having two extremely full file cabinets to just one drawer.

Prosecutor's Office Manager Tammie Goggia said it is business as usual in the Prosecutor's Office.

Planning and Zoning Administrator John Moss said he had no news to report. Chairman Dinning asked Mr. Moss if he could determine the number location permits from last year to be able to compare to prior years.

Road and Bridge Department Superintendent Clint Kimball said things at Road and Bridge are moving along. People have started calling the office about pot holes. Road and Bridge is getting tidied up at the pit and will let the state know when they start crushing again. Equipment maintenance is ongoing. Mr. Kimball briefly spoke of load limits and soft conditions of roads.

Solid Waste Department Superintendent Claine Skeen said he has been looking into the market for metal to see how it is going as well as cleaning up the landfill yard.

Extension Office Educator Amy Robertson said the Extension Office is getting pretty busy. Ms. Robertson said she will be hosting a training session with the Panhandle Health District in Coeur d' Alene on the subject of prediabetes. Extension Educator Kate Painter will be teaching a class on trees and orchard pruning.

Court Clerk Supervisor Della Armstrong said the courts are busy and different judges will be visiting.

Noxious Weeds Department Superintendent Dave Wenk said the Neighborhood Coop program may not receive funding this year as 95% of the budget for agriculture has been pulled by the Forest Service. It will be March or April before the county hears a decision on that, according to Mr. Wenk. Mr. Wenk said he attended the weed conference a couple weeks ago and Bonner County Weed Department Supervisor Brad Bluemer had nominated former Boundary County Weed Department Superintendent Duke Guthrie as weed superintendent for the year. Mr. Wenk said the plaque that was awarded and the certificate for Mr. Guthrie was given to him so he presented those items to Mr. Guthrie's family.

Restorium Administrator Karlene Magee said she has been busy organizing since Mr. Buckley built shelves. Ms. Magee said she is also getting ready for health fairs coming up in Libby and in Bonners Ferry.

Clerk Glenda Poston said she has the DS200 set up now, which is a voting tabulator. Clerk Poston said if a voter is unaffiliated, they are considered an independent, but they can affiliate at the polls for the March 2016 and May 2016 elections. If a person has affiliated, but wants to change their affiliation, they can make that change until March 11, 2016, according to Clerk Poston.

Chairman Dinning thanked everyone present for supporting each other.

The elected officials/department heads meeting ended at 9:14 a.m.

9:16 a.m., County Noxious Weeds Department Superintendent Dave Wenk met with Commissioners to give his department report. Mr. Wenk reiterated that the Neighborhood Coop program may not get funded this year. Boundary County used to receive approximately \$12,000 from the Idaho Department of Agriculture for this informational program. Mr. Wenk mentioned that a new state program called "Bob Noxious" will come out soon, but with the Forest Service pulling 95% of funding, we don't know what will be received for this program. Mr. Wenk explained that the Bob Noxious program is just for the State of Idaho, and he said there will probably be some funding, but it is uncertain how much. Chairman Dinning suggested looking ahead when working on the Weeds Department budget and to consult with the Weed Advisory Board.

Mr. Wenk informed Commissioners that the Nez Perce Tribe has biological agents released throughout the state to treat weeds at no cost so there will soon be five or more new agents to treat various noxious weeds. Mr. Wenk said his new printer and camera have come in. Next week Mr. Wenk will take the herbicide test. Mr. Wenk informed Commissioners that Resource Advisory Committee (RAC) funds are available this year, which is the first time in three years. Chairman Dinning explained the make-up of the RAC. Mr. Wenk said through the RAC he applied for a new laptop so he can do PowerPoint presentations as his current work laptop cannot be updated.

Mr. Wenk said he took care of completing his Environmental Protection Agency (EPA) application as well as the Clean Water Application. Mr. Wenk said GIS Mapper Olivia Drake will help him get connected to the GIS server.

Mr. Wenk said when he checked on the matter of a legal notice for noxious weeds he looked up the state statute and it stated a "general notice" is needed instead of a legal notice so he will contact the Bonners Ferry Herald to see which option is less expensive. Mr. Wenk said he cannot find an existing action plan for a chemical spill or fire so he is still looking into that. These are plans that are needed for the Department of Environmental Quality (DEQ). Mr. Wenk said once he has these actions plans he will provide a copy to Boundary County Emergency Services Incident Director Dave Kramer and North Bench Fire Department as they are the fire department that covers that area.

Mr. Wenk said he had contacted Jeremy Kleinsmith with the Forest Service about coordinating on weed control and he will contact George Shutes with the Idaho Transportation Department about rights of way, etc.

Mr. Wenk said as it pertains to public education he will participate at Moose Valley's open house and hand out information on noxious weeds, and he mentioned the possibility of having a booth at the fair and rodeo. These events may also help with obtaining RAC funds as the RAC is looking toward education. Mr. Wenk said other people are doing research science programs at the high school so he will look into that as well as working with the 5th grade classes to teach some basic weed information.

Mr. Wenk asked if the county weed trucks should be marked as a county vehicle. Clerk Poston suggested Mr. Wenk check with her office as she has some county emblems. Mr. Wenk said the Weed Board members are going to have a meeting in March. Mr. Wenk informed Commissioners that there is a vacancy on the Weed Advisory Board. Mr. Wenk said Weed Board member Phil Allegretti has been helping him out and Gary Lutz will contact him closer to spring to help and show him some things. It was said Mr. Lutz won't be coming back to the county to work part-time so Commissioners may need to look into finding another part-time position.

The meeting with Mr. Wenk ended at 9:35 a.m.

9:37 a.m., Commissioner Kirby moved to go into executive session under 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. 10:00 a.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously. No action was taken.

10:00 a.m., Commissioners discussed a matter pertaining to a request to make a statement regarding to discrimination as it relates the refugee resettlement matter. Members of the public in attendance included: Barbara Hinderlie, Blue Sky Broadcasting Reporter Mike Brown, Don Jordan, Allen Rose, Timothy Braatz, Rick Braun, John Beck, Chris Beck, Rebecca Corey, Ruth Pine, Len Pine, Blair Willis, Denise Thompson, Greg Johnson, and Debbie Flory.

Chairman Dinning asked if Commissioners felt they need to go forward with a type of statement regarding discrimination. Commissioner Pinkerton said Commissioners are bound by Idaho law to not discriminate so to him it is a redundancy and does not need to be done again. Commissioner Kirby said

like he mentioned at the last meeting, he personally stood out in this courthouse hallway and swore to uphold the United States Constitution and Idaho Constitution. Commissioner Kirby said he doesn't act discriminative or think that way so he doesn't see a need to keep rubbing everyone's nose in it. Commissioner Kirby said he would invite people to attend the elected officials swearing in ceremony to see what is involved, but no one ever shows up. Chairman Dinning said there is no need to make another statement as Commissioners have already publically stated the resolution was not to discriminate. Commissioner Kirby said he feels the last resolution was abundantly clear. Commissioners said they felt making another statement was not necessary.

Denise Thompson asked about Commissioners' statement and she said in representing laws of the state, country, and community she thinks both groups of people said it was made abundantly clear what the intention was in the original resolution that was presented to the public, but that is why she is here as it isn't abundantly clear. There was a sense in not connecting to the fact we are a country that accepts welcoming people.

Commissioner Pinkerton said with regard to the resolution, as Commissioners we are bound by law to do what we think is right for the people of the county and to do what is right with the funds of the county. This resettlement issue is an international matter. The resolution was to bring attention to the fact that Boundary County has limited funding and we cannot afford refugees. If you want to look to put people somewhere, look to somewhere where there are funds to help these groups of people. They are not citizens of the United States and Boundary County is not trying to make a federal policy. This matter has nothing to do with what country the refugees come from. Commissioner Pinkerton said he wouldn't tell Kootenai County what to do with their county. Kootenai County's budget is not what Boundary County's budget is. Commissioner Pinkerton said he personally takes somewhat of an offense to today's issue as he is not discriminatory. Commissioners made a decision based on what the county is able to do.

Timothy Braatz said what Commissioners have just said would be great if the original resolution had only stated that. Mr. Braatz said he read a portion of the resolution and a portion of it is incorrect, such as the terrorists were Syrian, but they were from Belgium so Commissioner Pinkerton's statement is not as benign as he just stated. There is more about ISIS and Islam mentioned in the resolution. The resolution says it is about vetting and budget, but there is quite a bit of language that could be conceived as being against Muslims. Mr. Braatz said the thought is there was clarity, but a counter rally was held as the resolution sounded like a public statement of discrimination. Commissioner Pinkerton said there will always be that middle area where people will not agree and if you want to chase that rabbit trail, it can take you down a number of trails. At the time of the resolution the origin of the terrorists from Belgium was unknown. This is happening outside of county's control, according to Commissioner Pinkerton. The resolution was presented to review. In the "whereas" sections of the resolution is information that had been given to Commissioners by citizens so the document may be somewhat flawed perhaps, but it gets Commissioners to the point of the "resolved" statement in the resolution. Commissioner Pinkerton said to him personally there is nothing discriminatory. Some people may believe that Commissioners were being discriminatory in their decision, but he doesn't feel Commissioners felt that way. We cannot afford this possibility and with the "what if's" this resolution is the best Commissioners could come up with. Commissioners did their best to draft a non-biased and non-discriminatory document and that people can understand this issue, economically.

Barbara Hinderlie said she agrees with the first three "resolves" in the resolution, but she is concerned with the statement that spells out Middle Eastern refugees in Idaho so that is already discriminatory.

Ms. Hinderlie questioned why Commissioners would consider making a statement last week, but not this week. Commissioner Pinkerton said he has had a week to think about this and he doesn't think the statements were being discriminatory. Commissioners are already there in that we have state and federal law, and policies that they are not to discriminate so he doesn't feel the need to state it again. Why do a resolution for a resolution.

Greg Johnson said the original question was why the resolution was adopted in the first place as there had been no push to accept refugees so some felt the resolution was making a statement. Mr. Johnson said this group before Commissioners today has given a very reasonable solution to clarify that there is no hidden intent. By refusing that statement is to make a negative statement. Chairman Dinning said first off there was a large faction on both sides of this issue. Commissioners were presented with a resolution and they shredded it. Nothing is perfect, but nowhere in the resolution or statements were Commissioners going to single out a religion. If people are taking this statement as that, singling out a religion, this is not the intent. The governor and congressional delegation had already been presented with this issue and Commissioners voiced support in improving the vetting process. Commissioners uphold the laws that they have sworn to uphold. Commissioners have never denied anyone coming into the county.

Chairman Dinning said as an example from the last week's meeting, someone in the meeting stated that in the 1980's a specific Michigan resident expressed interest in moving to Boundary County, and Commissioners at that time wrote a letter to this particular person saying they didn't want him to come to Boundary County because of their views. Just because views don't line up you can't say in one instance its okay, but in another instance it is not. Mr. Johnson said Commissioners are making another statement now, and it makes his group uncomfortable. Chairman Dinning said if Commissioners refuse to make another statement, is that saying Commissioners are refusing to go by laws for discrimination? Mr. Johnson said that perception is growing and he mentioned people are offended. Commissioner Kirby said he is starting to become offended. Mr. Johnson said if you read the resolution, that negative perception is already out there. Mr. Johnson said he has known Commissioner Kirby for many years so he doesn't want people saying these negative statements about this. Mr. Braatz said Mr. Johnson is right using the word "perception", because north Idaho has this reputation and he mentioned the past as far as harboring white supremists. It is best to error on the side of not being discriminatory, even if it is redundant

Len Pine said there seems to be a lot hinging on the definition of discrimination. This term gets tossed around a lot, but he guarantees that if he came up to someone he didn't know and asked them for the keys to their house for food, they would say no. That would be discrimination, but that would still be okay as the people don't know enough about him. That is a proper exercise with discrimination. Being tasked with discrimination in the proper sense. There are certainly issues in our country for arbitrary reasons, but when there are strong reasons such as terrorism coming from the Middle East, some discrimination is going to happen. Mr. Pine mentioned there is this idea that we are a land that welcomes refugees and we are doing a great thing. On Ellis Island there is a set of stairs that leads up from the docks. In the history of immigration when people used those steps on Ellis Island if they were breathing hard coming up the stairs, it was questioned as to whether or not the those people were healthy enough to enter the country and if not, the people were put back onto the boat. It is called gate keeping and it is responsible, according to Mr. Pine. That is what the original resolution is. Chairman Dinning said he would prefer the term "discernment."

Rebecca Corey said her relatives were turned away from Ellis Island and discernment. Discernment is all over the world. Ms. Corey said there have been terrorist activities and those activities have been committed by Muslims. These refugee men should be taking care of issues at home.

Blair Willis spoke of the key being to consider the economic issues involved. Ms. Willis said she is looking at this from her perspective from when she lived in Germany. When the wall came down the East Germans came over to West Germany and it was an immense economic disturbance. It wasn't a race or religion issue, but a tremendous economic burden. The East Germans felt like they could walk into any café and be given free food and not look for a job right away. It is very wise to think about whether or not we can afford to take on something like that. Ms. Willis said another issue she is sure people have talked about is if you feel compelled to help these people, you can bring them into your own home and use your own finances to help them as she had done that with a family from India. Ms. Willis said she spent her own money and it was very costly.

Mr. Braatz said to make that point, Commissioners believe their intent was not to be discriminatory, but he is still hearing that being discriminatory is a good thing and he is hearing about Muslims. Chairman Dinning said there were people in the crowd at the meetings that spoke about discrimination, Muslims, etc., but he doesn't believe Commissioners spoke in that fashion so when you're talking about perception of the community, this is the perception of the Commissioners, but Mr. Braatz is talking about perception of the members of the public who spoke.

Don Jordan said he doesn't like to see Commissioners spoken about in a poor light and this issue leaves it wide open. Commissioners have not taken any kind of a stand in saying they are not being discriminatory. Commissioner Pinkerton said in his heart he knows he made no decision that was discriminatory. Commissioner Pinkerton added that he does appreciate that all groups of people can come in to discuss this as it is extremely helpful that both views are addressed in this atmosphere and it was all done above board. This is what this Board is about and Commissioners made a decision. Commissioner Pinkerton said he has never in the past, that he was aware of, made a decision based on discrimination and he added that he is and will be held accountable and that is healthy. The public with opposing views can hold him accountable for his decisions. Commissioner Pinkerton said he will not change his decision, but he appreciates people coming in to voice their opinions. Commissioner Pinkerton said he doesn't feel he was being discriminatory and he doesn't feel he needs to reaffirm his position.

Chairman Dinning thanked those present for their respectful calmness. Mr. Jordan said this leaves a bad impression.

The meeting to discuss the refugee resettlement matter ended at 10:32 a.m.

10:32 a.m., Solid Waste Department Superintendent Claine Skeen joined the meeting.

Commissioner Pinkerton moved to go into executive session under 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 Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. 10:55 a.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously. No action was taken.

Mr. Skeen left the meeting.

Deputy Clerk Nancy Ryals joined the meeting at 10:58 a.m.

Commissioner Pinkerton moved to deny indigent case 2016-13. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:59 a.m.

Commissioner Pinkerton moved to approve the Certificates of Residency for E. Erickson, L. Wages, and A. Rushing. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to pay year 2015 taxes for parcel #MH63N01E238415A and to accept the tax amount due in full by May 1, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to pay year 2015 taxes for parcel #MHM01300000036UA and to accept a payment of \$50 by February 20, 2016 and to pay the balance due in full by March 20, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to pay year 2015 taxes for parcel #MH62N01E152260A and to accept payments of \$100 per month starting March 15, 2016, until the balance is paid in full. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to pay year 2015 taxes and to accept the balance due for parcel #MH60N01W263760A by March 24, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to pay year 2015 taxes for parcel #MH00030000006TA and to accept \$33 per month for the next six months, starting April 1, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioners tended to administrative duties.

Commissioner Kirby moved to approve the minutes of February 1 and 2, 2016. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners tended to administrative duties.

11:43 a.m., Extension Office Educators Kate Painter and Amy Robertson joined the meeting at Commissioners' request.

Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. 12:30 p.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to allow the transfer of three trust accounts, #9143, #9144, and #9145, currently held for the Extension Program, to the University of Idaho Extension Program less accumulated expenses. The University of Idaho Extension Program will supply Boundary County with results of their annual audit and will take over responsibility of payroll for the 4H After School Academy. Commissioner Pinkerton second. Motion passed unanimously.

Ms. Robertson and Ms. Painter left the meeting.

There being no further business, the meetings adjourned at 12:40 p.m.

3:00 p.m., Chairman Dinning participated in the Idaho Association of Counties (IAC) legislative conference call for District 1. Also present were: Treasurer Sue Larson, and Assessor Dave Ryals. Members of the Idaho Association of Counties (IAC) and various elected officials from the remaining four northern counties participated via telephone. The call ended at 3:30 p.m.

DAN R. DINNING, Chairman

ATTEST:

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