

*****Monday, November 14, 2016, at 9:00 a.m.**, Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, and Deputy Clerk Michelle Rohrwasser.

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

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his department report. Mr. Kimball presented a written report. Chief Deputy Clerk Tracie Isaac and Deputy Clerk Cherry Grainger joined the meeting on behalf of Clerk Glenda Poston for the purpose of presenting Commissioners with the ballot book from the 2016 primary election to be canvassed.

County resident Marty Martinez also joined the meeting.

Chief Deputy Clerk Isaac presented Commissioners with the ballot totals and informed them there had been just two or three minor discrepancies, but they would not have affected the outcome of the election. The errors were in the hand-counted tally sheets.

Commissioner Pinkerton moved, as Commissioners of the county and state, acting as a Board of Canvassers of Election, that the attached is a true and complete abstract of all votes cast within this county at the General Election held on November 8, 2016, as shown by the records on file in the County Clerk's Office. Commissioner Kirby second. Motion passed unanimously.

Chief Deputy Clerk Tracie Isaac and Deputy Clerk Cherry Grainger left the meeting at 9:04 a.m.

Mr. Kimball reviewed his department report and he said weather has not been cooperating for road grading lately. Road and Bridge hauled rock last week as well did some riprap work, etc. Today will be last day of work on District 5 Road and so we will see how it holds up, according to Mr. Kimball. This work is on the southerly side of Mike Hubbard's property. Mr. Kimball spoke of how much water he has encountered under this road so it is possible a touch-up will be needed. Mr. Kimball said there has been more road sign damage.

Mr. Kimball said he has gotten a few ecology blocks hauled in to Road and Bridge. One plow truck is down with transmission failure. Mr. Kimball discussed hauling rock to the road between Hermann Lake Road and the Montana state line. Mr. Kimball reminded Commissioners about talking to the county civil attorney as to the possibility of plowing snow in front of the Curley Creek Fire Station on Silver Springs Road, when needed.

Commissioners mentioned that Attorney Hull was informed of the matter pertaining to a portion of Pack River Road failing. Mr. Kimball said the affected part of this road is beyond a section of road in Boundary County's jurisdiction.

Commissioner Pinkerton moved to sign Certificates of Residency for Kaleb Huseby, Katelyn Bennett, Janice Rudeen, Bailey Jenkins, and Anna Roush. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to adopt Resolution 2017-2. A resolution explaining the cost breakdown for tax deeded properties purchased by Kevin and Amanda Merrifield. Commissioner Kirby second. Motion passed unanimously. Resolution 2017-2 reads as follows:

RESOLUTION 2017-2
COST BREAKDOWN FOR TAX DEEDED PROPERTIES PURCHASED BY
KEVIN AND AMANDA MERRIFIELD

WHEREAS, Boundary County tax deeded the following parcels in year 1939: parcel #RPB0240057007AA, #RPB0240056012AA, RPB0240053005AA, and #RPB0240055006AA; and tax deeded parcel #RPB02400530110A in year 1990; and,

WHEREAS, Boundary County attempted to sell the aforementioned properties in a tax deeded property public auction at 1:30 p.m., on Tuesday, April 24, 2012 in the Boundary County Extension Office for cash to the highest bidder; and,

WHEREAS, the aforementioned properties failed to sell at said auction and have been held by the county; and,

WHEREAS, Kevin and Amanda Merrifield, Bonners Ferry, Idaho, made an offer of \$1,817.00 for all five of these properties and Boundary County Commissioners accepted and the attached "Exhibit A", consisting of three pages, attached hereto shows the breakdown of payment for each property as reported by the Boundary County Treasurer's Office; and,

NOW THEREFORE BE IT RESOLVED, that "Exhibit A" is an accurate breakdown of payment for the properties as purchased by Kevin and Amanda Merrifield.

Passed this 14th day of November, 2016.

BOUNDARY COUNTY
BOARD OF COMMISSIONERS
s/ _____
Dan R. Dinning, Chairman
s/ _____
LeAlan L. Pinkerton, Commissioner
s/ _____
Walt Kirby, Commissioner

Attest:
s/ _____

Glenda Poston, Clerk
Recorded as instrument #269061

(Clerk's Note: "Exhibit A" is attached to the original resolution, which can be found in the County Clerk's Office)

Commissioner Pinkerton moved to cancel taxes totaling \$46.36 for year 2016 for parcel #RP62N01E358250A as the wrong acreage was assigned during a parcel split. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time and to accept payments of \$100 per month toward year 2013 taxes for parcel #RPB00000227170A. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time and to accept payments of \$50 per month toward year 2016 taxes for parcel #MH60N01W34899AA and year 2013 taxes on parcel #RP60N01W348990A. Commissioner Kirby second. Motion passed unanimously.

Commissioners discussed correspondence from Idaho Association of Counties requesting information pertaining to county public defenders, such as the number and types of cases a public defender has.

Commissioner Kirby moved to approve the minutes of October 31 and November 1, 2016. Commissioner Pinkerton second. Motion passed unanimously.

Chairman Dinning updated Commissioners on the Pacific Northwest Trail Committee that he participates on. Chairman Dinning said the concerns of the committee pertain to use of trails, roads, and grizzly bears. If a trail becomes a high use trail, such as 20 or more parties per week, and the definition of a party couldn't be determined, then this trail becomes considered or is similar to an open road so that many miles of road would probably need to be shut down somewhere else. That is a concern for Boundary County and officials in Montana. There is also concern over the protective corridor on each side of the Pacific Scene Trail Act that is one-half mile wide on each side of a trail. This is a mile swatch that goes through general forest land and motorized areas. A small group of trail users from Bonner County and Boundary County developed alternatives, but any changes made to routes should not be significant and we don't know what the means yet. Chairman Dinning said this goes through Hellroaring, Cabinet-Yaak, and somewhat across Highway 95/Highway 1 up Parker Creek. Chairman Dinning listed off the areas proposed through Boundary County. Currently this trail travels up Parker Creek Trail, the existing trail. Commissioner Pinkerton said Boundary County already has Long Canyon that is roadless and goes to the top. Chairman Dinning said this is a long process, but we want to be prepared to interact where we need to and he added that this will limit any kind of management within those areas, as he understands. Commissioner Pinkerton said this will increase the burden from the Grizzly Bear Access Amendment. Chairman Dinning said if you had 20 miles of high use trail, then there are 20 miles of road that needs to be shut down. Chairman Dinning said he will talk to our congressional delegation as they may not be aware as to the effects of this. Chairman Dinning said there are a lot of issues pertaining to this that are up in the air at this point. Chairman Dinning said the route is mandated as of today. Commissioner Pinkerton questioned if it is mandated where this trail will go, without significant research. Chairman Dinning said someone has been working on this issue since 1974, and he added that this is going to be a significant impact as in addition to roadless areas, it is expanding roadless areas congressionally. It is closing down more roads for any kind of resource management.

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

| | |
|------------------------|--------------|
| Current Expense | \$ 45,314.30 |
| Road & Bridge | 36,220.49 |
| Airport | 7,678.85 |
| District Court | 5,175.71 |
| Justice Fund | 53,926.73 |
| 911 Funds | 4,093.08 |
| Indigent & Charity | 15.28 |
| Junior College Tuition | 37,846.00 |
| Parks and Recreation | 1,567.16 |
| Revaluation | 916.89 |
| Solid Waste | 16,804.19 |
| Veterans Memorial | 188.23 |
| Weeds | 15,258.69 |

| | |
|--------------------------------|-----------|
| Restorium | 12,080.58 |
| Waterways | 61,563.04 |
| Grant, Airport | 42,418.86 |
| Grant, Selkirk Coop Weed Mgmt | 6,470.74 |
| Grant, Emergency Communication | 4,320.00 |
| Grant, Fire Mitigation | 15,219.10 |

TOTAL \$367,077.92

Trusts

| | |
|------------------------|------------|
| Auditor's Trust | \$ 395.86 |
| Driver's License Trust | 9,043.00 |
| Magistrate Trust | 29,647.90 |
| Motor Vehicle Trust | 103,703.24 |
| Sheriff's Trust Fund | 86.75 |

TOTAL \$142,876.75

GRAND TOTAL \$509,954.67

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners' allowance & warrant register record 2016-2017).

Commissioners tended to administrative duties.

10:30 a.m., Restorium Board Chairman Larry Hall, Restorium Administrator Karlene Magee, and Assistant Administrator Pam Barton joined the meeting to provide Commissioners with update on Restorium matters.

Those present reviewed Restorium statistics for the months of August, September, and October 2016. Commissioners asked Ms. Magee the status of the new heaters and Ms. Magee said two of the new heaters are hooked up and working. Chairman Dinning suggested that the next time a heater quits working to look into purchasing a new circuit board to see if that fixes the problem without having to buy a new heater. The cost for a circuit board is approximately \$300 and the heaters are \$580. Ms. Magee informed Commissioners a pipe has been leaking in a hallway and it has caused some water damage to the floor. Ms. Magee said it is thought to be the drain from the dishwasher that caused the problem, but she will see if the current fix has stopped the leak.

Chairman Dinning urged Ms. Magee to fix the Nissan pickup the Restorium uses and sell it at a public surplus auction. Ms. Magee said she thought this truck was already surplus and that she had even taken it off her inventory list. Commissioner Kirby informed Ms. Magee that Mr. Buckley will look for a used canopy for the larger truck the Restorium has.

Chairman Dinning informed Mr. Hall that Commissioners need a recommendation from the Restorium Board as to the limit of Restorium residents on Medicaid. Mr. Hall said there are two extremes if you don't accept any residents on Medicaid. Mr. Hall said doesn't know if Commissioners want the Board to give Commissioners a percentage or a specific number. For the month of October 2016, the Restorium had

eight residents on Medicaid and that will soon decrease to seven. Mr. Hall said if he uses 25% based on having 35 rooms, it is seven people. If the Restorium has a resident who runs out of funds and has to go on Medicaid, they cannot be asked to leave. It was said the other issue is if the Restorium's occupancy rate falls to approximately eight to 10 empty rooms and a potential resident says they are on Medicaid, do we take them in order to generate some funds for the Restorium. Commissioner Kirby asked for the difference in monthly income from Medicaid and private pay residents. It was said there is a difference of \$600 per month. It was said that all Medicaid reimbursement varies, but this was the average for the month of October at the new incoming rate.

Chairman Dinning informed Mr. Hall that Commissioners had spoken to County Civil Attorney Tevis Hull as to the ability to limit the number of Medicaid residents. Some facilities have a resident guarantee that they would be a private paying resident for the period of one year. If the Restorium were to get to where it had eight vacant rooms, it could be the point at which the Restorium Board provides Commissioners with a recommendation regarding what to do about this policy. Commissioner Kirby said Ms. Magee needs a little wiggle room in the case a resident doesn't have any money or to provide a recommendation to Commissioners. A potential resident who is on Medicaid would have to wait until the Restorium was in the position to accept more Medicaid residents or until the number of vacant rooms becomes excessive. Mr. Hall said if the Restorium does have more empty rooms and does accept Medicaid residents to make up the income, would Commissioners be in favor of that? Mr. Hall said these are shorter term situations as these residents are in their twilight years. Chairman Dinning said it won't be such a hard and fast policy that Commissioners can't make adjustments if there is a need. Commissioner Pinkerton said we need to arrive at what is an acceptable number of Medicaid residents. We don't want to exceed that, but that doesn't mean we won't. The difference between private pay and Medicaid is \$36,000 over a five year period and that is just one resident. Mr. Hall said he understands that costs fall back onto the taxpayers. Commissioner Pinkerton suggested trying to limit the number to five residents on Medicaid and in reality we cannot lose focus that we want to try to get as many private pay residents as we can. We have got to care for the people we already have at the Restorium more-so than obtaining new Medicaid residents. The county has got to give a leg up to the residents who had been private payers until they had to go on Medicaid.

Mr. Hall said one thing that bothers him, and there are two cases that he knows of, is that a resident had real property, but they turned the property over to his or her kids in order to leave a legacy and now consequently, they don't have finances and they are living off the dole. Chairman Dinning said Commissioners don't have a say in that situation. Commissioner Pinkerton suggested a commitment in writing from a potential resident prior to their admittance. Commissioner Pinkerton said as far as he is concerned, personally, it is his job to take care of his mother and see that she is taking care of and if someone else is doing this, it is his obligation to make sure the financial needs are met. Commissioner Pinkerton said the Restorium needs to have a one year commitment for private pay residents, but we also need to look to the resident's family such as having them as co-signors. Chairman Dinning said we need a target number and we won't kick someone out because they had to go on Medicaid. Chairman Dinning said Commissioners can work out the details with Attorney Hull. Mr. Hall said Commissioner Pinkerton came up with the income difference over a five year period, but what if the Restorium is in arrears in one year? If a certain amount is reached, the Restorium could state they cannot accept any more Medicaid residents at that time. Mr. Hall said the Restorium Board meets this Friday and they can make a decision to forward to Commissioners as to the right way to go. If someone cannot afford one year's stay, then maybe the Restorium cannot afford to keep them, which is a hard thing to say, but private pay residents and taxpayers are having to make up this difference. Commissioner Kirby said if a resident is on Medicaid at the time and they have real property, Medicaid puts a lien on that property.

Ms. Barton said there are a lot of residents who had paid a lot into property taxes so what about keeping it to residents in the county. Commissioners said they could not do that. Commissioner Pinkerton said for the most part the rooms have been filled and that is a result of a good job done by the administrators, so this is just another hurdle and it boils down to what is best long term. Mr. Hall said there is no easy answer. Commissioner Pinkerton said there will be no easy fix or easy answer. Mr. Hall said to keep in mind this is the twilight years of someone's life. Commissioner Kirby said we want to take the worry away for the residents. The Restorium is their home and we try to make it feel that way. Mr. Hall said that is the primary thing to look at for these people. Commissioner Pinkerton said we have to look at the future and if we cannot maintain this facility, what alternative will people have in future years. We don't want to close the Restorium doors and having to make those hard decisions may be the difference in the years from now. These daily decisions are hard to make now, but we need to keep our eyes on the future. Commissioner Pinkerton said we are on the right track.

The meeting with Mr. Hall, Ms. Magee, and Ms. Barton ended at 11:10 a.m.

11:10 a.m., Commissioners continued their discussion on the request to implement a drug court in Boundary County. Chairman Dinning said Commissioners had received some questions prior that indicated Court Clerk Della Armstrong was a part of that drug court team, but that is not the case as she is one of two court clerks who primarily would be taking minutes. Chairman Dinning said Clerk Glenda Poston still has concerns with the process of handling finances associated with drug court and what is going to occur as she is ultimately responsible for all of this as the Clerk and we don't know if those concerns have been addressed at this point. Chairman Dinning said when a drug court participant pays their monthly fee, where are those funds going and who is in control of distributing them. Chairman Dinning said Attorney Hull has had a change of heart about this program. Chairman Dinning added that he, himself, is not at the point of saying Commissioners are going forward until the questions have been clearly answered, such as the process, for one. There doesn't appear to be a plan beyond the two year mark so what will happen fiscally, etc.? If this is self-funding, the state has already approved five positions, what is the necessity for any seed money? Commissioner Kirby said one allotment of seed money is enough. Chairman Dinning questioned why is it needed and he added that we have seed money for the two years in addition to other money coming in so it says there is a deficiency as what will happen that third year. Commissioner Pinkerton said his question is why are courts running at a deficit financially? The courts have a budget and is it not the courts that want to implement this program? Why don't the courts take it out of their budget rather than have Commissioners add to it? There has been continued discussion about where there is money in the county's budget for this, but isn't there funding in the court's budget for this program? Commissioners said Attorney Hull are in favor of this program, the court clerks are taking minutes, and the detention deputies will have to have some kind of involvement and bring program participants in or out. Chairman Dinning questioned if the participants would be in jail. Commissioner Pinkerton said there are questions to be asked, but if the court wants to do this, the court has a budget. Chairman Dinning said if this is in their budget, taxpayers are paying for it. Commissioner Pinkerton said the program is starting with five slots so what happens when there are many more positions? Commissioner Pinkerton clarified that he is open minded about the program, but he needs some questions answered.

Commissioners' discussion regarding drug court ended at 11:16 a.m.

11:17 a.m., Treasurer Sue Larson joined meeting.

Treasurer Larson said her office had been preparing to tax deed a portable building owned by JA Hooties Country Farm Supply, but this structure has been moved to an unknown location and only a shelter roof remains. Treasurer Larson explained that the land this building sat on is owned by someone else and is not associated with the structure in any way. The Assessor's Office is going to take the building off the tax role for year 2017. Treasurer Larson said there is nothing to tax deed so cancelling all taxes will take care of years 2013 through 2016 and value on the structure is being removed for year 2017. Treasurer Larson informed Commissioners that she has tried to get in touch with the owner as best as she can and she is having no luck.

Commissioner Pinkerton moved to cancel all taxes, late fees, and interest for years 2013, 2014, 2015, and 2016 totaling \$448.26 plus interest for parcel #LR64N01E281215A as the structure has been removed and the county has no forwarding address. Commissioner Kirby second. Motion passed unanimously.

The meeting with Treasurer Larson ended at 11:22 a.m.

11:34 a.m., Planning and Zoning Administrator John Moss joined the meeting to discuss matters pertaining to the county's website. Mr. Moss mentioned there is outdated information on the new website such as the article pertaining to caribou, etc. Mr. Moss said he also realized he can update the website in ways that will help him advertise Planning and Zoning hearings. Chairman Dinning said Commissioners will see if their deputy clerk can update this information because Mr. Moss is working more hours than has been budgeted. A 28-hour week is what is now budgeted for Mr. Moss. Mr. Moss mentioned there is a six hour delay before newly entered information shows up on the official website and he is hoping that can be reduced.

The meeting with Mr. Moss ended at 11:40 a.m.

Mr. Buckley stopped by Commissioners' Office to ask Commissioners about auctioning off the pickup truck used by the Restorium as well as the ambulance unit that was donated by Bonner County. Mr. Buckley said the ambulance is in poor condition.

Mr. Buckley left the meeting.

Commissioners discussed receiving an invoice from Selkirk Pend-Oreille Transit (SPOT) for an amount more than what was agreed to. Commissioners said there is a new agreement proposed and the County Civil Attorney reviewed it and said it looks good. Commissioner Kirby informed Commissioners it was asked if the agreed upon cost of \$3,500 could come from a budget other than the Restorium's budget as it is becoming an issue the Restorium Advisory Board is having. Chairman Dinning said we have to remember the history as to why it is budgeted that way, which is that SPOT is still committing to the Restorium one day or so per week. Chairman Dinning said the amount of \$3,500 is specific to the Restorium and that is why it was from the Restorium. Commissioner Kirby said SPOT needs a line item somewhere in the budget.

The meeting to discuss SPOT ended at 11:54 a.m.

There being no further business, the meeting adjourned at 11:54 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLENDIA POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk