

*****Monday, June 12, 2017, at 9:00 a.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

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

Blue Sky Broadcasting Reporter Mike Brown and county resident Marty Martinez joined the meeting at 9:00 a.m., and were present off and on throughout the day.

Commissioner Pinkerton moved to sign Certificates of Residency for Jared Fess, Adrian Dice, Sydney Watt, Retta Blackmore, Cheyenne Andrews, Ashlyn Hittle, and Matthew Maclin. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Property Tax Exemption Application for Bonner Community Housing Agency for tax year 2017 for parcel #RPB0240017009AA. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign No Spray Weed Control Agreements for Ben Ronniger, Warren and Tamra Patzer, Claudia Clayton, and Dwight Jewett. Commissioner Kirby second. Motion passed unanimously.

9:10 a.m., Road and Bridge Department Superintendent Clint Kimball and Office Manager Renee Nelson joined the meeting to give a departmental report. Mr. Kimball presented a written report. Commissioners and Mr. Kimball discussed the road closure at the bridge over Trout Creek on Westside Road.

Mr. Kimball said Road and Bridge has spent most of last week preparing new grinding (rock) so they are doing a lot of ditch work on multiple roads. Work is being done on Fleming Creek Road, etc. This week Mr. Kimball said he has a meeting with the Federal Emergency Management Agency (FEMA). Large rock has been placed on Pleasant Valley Loop and that will be followed up with fine rock. Mr. Kimball said Road and Bridge will finish up on Mountain Meadows Road and Dallas Lane.

Mr. Kimball discussed placing traffic counters in various locations to determine high traffic counts as well as discussed cutting back approximately 60% in providing dust abatement. Commissioner Pinkerton asked how many vendors Boundary County has that can apply dust abatement so the county can refer members of the public to these companies if the county cannot provide the treatment. Commissioner Pinkerton mentioned possibly having County Public Information Officer Mike Meier put out a press release informing the public of companies that can provide dust abatement. Mr. Kimball said the dust is fairly bad where he has had to apply new gravel. New rock was placed on Lookout View Road and there is a stretch of new gravel on Paradise Valley Road. Mr. Kimball said he placed a counter on Brown Creek Road.

Commissioner Pinkerton said when it comes down to making a decision as to which roads will receive dust abatement, the names of those roads can be put on the website.

Mr. Kimball said he visited with Ervin Madson about obtaining right-of-way in relation to the sloughing at Atkins Canyon and he is willing to work with the county. Mr. Madson would like to have Madson Road chip sealed and it is a county road. Commissioners said members of the public will question why Madson Road is getting chip sealed, but when you put a pencil to it, it is a good deal. The only cash out of pocket is buying the road oil, according to Mr. Kimball.

Those present discussed road repairs and costs associated with the heavy precipitation received this last spring in relation to receiving assistance from the Federal Emergency Management Agency (FEMA) and the state. Ms. Nelson said the legislature has approved state funding in the amount of \$50,000,000, but we don't yet know about funds from the Federal Highways at this point.

9:30 a.m., Commissioners contacted County Civil Attorney Tevis Hull via telephone. Chairman Dinning asked the status of the Pack River Road matter. Attorney Hull said he does need to give Rick Driggs with the Forest Service a reply that he can continue through Forest Service channels. Chairman Dinning brought up the matter of obtaining a right-of-way at Atkins Canyon. Attorney Hull said yes, the county does need to obtain an appraisal on that right-of-way, which will provide the value for the possibility of trading work. Attorney Hull said if the appraisal is \$20,000 and Mr. Madson wants \$10,000 worth of work from the county, the county would still owe Mr. Madson the remaining \$10,000. There would need to be a contract listing the purchase and appraised prices for the certain amount of road work and the county would owe the remainder up to the value of the land. Attorney Hull said he could draft a contract right away once it is needed.

Attorney Hull said he is going to contact Community Title about a specific matter just as soon as he is done talking to Commissioners.

The call to Attorney Hull ended at 9:34 a.m.

Those present resumed their review of the upcoming Road and Bridge budget and discussed funds expected to come in. Mr. Kimball said Road and Bridge is probably the life line for the county as it pertains to access and the potential for new residents to move here so in addition to keeping the Sheriff's Office and other offices working well in the county, Road and Bridge also needs to be working well so he challenges Commissioners to work on this budget. Mr. Kimball said some of his equipment is sitting idle because he lacks employees to run them. Road and Bridge is down one mechanic and there is a road crew, but they will be pulled out to help at the shop.

Mr. Kimball discussed various ideas such as assessing a deposit for approach permits, etc., and he mentioned the county doesn't have enforcement on some of these matters.

Mr. Kimball asked which county budgets payment in lieu of taxes (PILT) goes into. Clerk Poston listed the Sheriff's Office and when that limit has been reached, it is Commissioners' discretion as to where the remaining funds go. Mr. Kimball said if his budget gets very tight, other offices may have to help.

Mr. Kimball asked Commissioners if they want him to hold off on new projects such as replacing the Skin Creek Bridge. Commissioner Pinkerton said that type of project becomes a bit lower on the priority scale as opposed to dust abatement, etc. Ms. Nelson said one Local Highway Rural Improvement Program (LHRIP) application has an award amount of \$100,000 and there is no match so Road and Bridge may apply for that funding this year as Boundary County's project ranked high last year.

Commissioners continued the budget discussion until after the bid opening for the former rock point docks.

10:10 a.m., Commissioners held a sealed bid opening for the old boat docks that had been used at the Rock Point boat launch. Present were: Commissioners, Clerk Poston, Deputy Clerk Rohrwasser, Road and Bridge Department Superintendent Clint Kimball and Assistant Superintendent Renee Nelson, county

resident Marty Martinez, and Blue Sky Broadcasting Reporter Mike Brown. Two sealed bids were received. The first sealed bid opened was from Mike Sheppard Sr. in the amount of \$10.00. The second sealed bid opened was from Mark Black in the amount of \$200.00.

Commissioner Pinkerton moved to award the bid for the old boat docks formerly used at the Rock Point boat launch to Mark Black for the amount due to the county totaling \$200.00. Commissioner Kirby second. Motion passed unanimously.

The bid opening ended at 10:09 a.m.

Chairman Dinning said we all understand importance of Road and Bridge's budget, but it may be a bit lean for a while. Chairman Dinning said Commissioners were faced with this issue back in years 2008, 2009, etc. There are services Commissioners can cut as the county is not responsible to provide them, but that means lack of jobs, etc. The county has been through this before and will get through it, but it is not fun when you're in the midst of it.

Mr. Martinez said Road and Bridge has done a great job this past winter. This recent winter season was a test and they did a great job. Mr. Kimball had the experience and know-how, and the crew took care of the matter and surpassed the test. The whole crew is superb, according to Mr. Martinez.

Clerk Poston explained that the county would have to levy a higher amount to get a lesser amount and then turn over a certain percentage of those funds to the city. Those present discussed how taxes do not fund Road and Bridge, but the public may think they do based on how it is listed on the tax notices.

Chairman Dinning said when values drop, and the county is at a rate in which it cannot increase the levy any higher, the county cannot generate the funds it needs and would have to severely cut budgets.

The meeting with Mr. Kimball and Ms. Nelson ended at 10:22 a.m.

Commissioners tended to administrative duties.

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

Current Expense	\$37,249.97
Road & Bridge	35,539.68
Airport	2,820.27
District Court	7,646.31
Justice Fund	61,818.23
911 Funds	4,130.38
Indigent & Charity	20,640.85
Junior College Tuition	400.00
Parks and Recreation	5,733.96
Animal Damage Control	5,000.00
Revaluation	958.34
Solid Waste	9,767.45
Veterans Memorial	238.28

Commissioner Kirby moved to approve the amendment to Mi Pueblo II's County Alcoholic Beverage License to include selling draught beer on or off premises. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners discussed receiving written correspondence from the Panhandle Health District pertaining to a proposed agreement allowing Panhandle Health District use of the county fairgrounds in the event of an emergency. Commissioners said they were in favor of this use, but would like to get the opinion of the Fair Board.

Commissioner Pinkerton moved to approve and sign the United States Department of Agriculture grant for the regional sewer feasibility study. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to ratify the signing of the Federal Emergency Management Agency's Designation of Applicant's Agent, DR-4313-ID – Winter Floods for the Road and Bridge Department. Commissioner Kirby second. Motion passed unanimously.

Mr. Martinez left the meeting.

10:53 a.m., Chief Deputy Clerk Tracie Isaac joined the meeting.

Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 11:19 a.m. No action was taken.

Chief Deputy Clerk Isaac left the meeting.

Mr. Martinez returned to the meeting.

11:20 a.m., County Civil Attorney Tevis Hull stopped by Commissioners' Office and Commissioners updated him on discussions held at the Idaho Association of Counties conference. Attorney Hull informed Commissioners that Dennis Garrett, owner of Ace Elder Care, had made a payment for delinquent taxes owed on Ace Elder Care properties. Attorney Hull also informed Commissioners that the county is just waiting for results of the appraisal on another matter having to do with the Moore property near the airport.

Attorney Hull left the meeting at 11:26 a.m.

Commissioners tended to administrative duties.

11:42 a.m. John Marquette with JRS Surveying joined meeting to obtain Commissioners' signature on the plat map for the Mountain View Heights Subdivision, 2nd addition.

Commissioner Kirby moved to authorize Chairman Dinning to sign the final plat for the Mountain View Heights subdivision, 2nd addition. Commissioner Pinkerton second. Motion passed unanimously.

Mr. Marquette left the meeting at 11:45 a.m.

Commissioners recessed for lunch at 11:57 a.m.

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.

1:30 p.m., Aaron Freudenthal, Regional Coordinator for the Idaho Public Defense Commission, met with Commissioners and Clerk Poston to discuss matters pertaining to public defense, extraordinary litigation funds and public defense standards. Head Court Clerk Della Armstrong also joined the meeting.

Mr. Freudenthal introduced himself as the north regional coordinator for the Public Defense Commission and he said his role is to help counties as much as he can. Mr. Freudenthal explained there are two sources of funding, which is the annual grant and the extraordinary litigation fund (ELF), which is used for one-time or ongoing criminal matters that counties are not used to seeing, such as arsons, murders, etc. Public defenders can apply for these funds ahead of time or apply for reimbursement. The deadline for funds for this year is June 30th. Mr. Freudenthal said as he understands it this fund has been authorized for approximately one year, but the funds have not been available until the 2nd half of this year. Chairman Dinning said we, here in the north, feel the south end of Idaho already knew about these funds. Mr. Freudenthal said educating everyone is a big issue, and he added that he is waiting to hear if terminated parental rights is eligible for these funds. These are determined on a case by case basis, according to Mr. Freudenthal.

Mr. Freudenthal said one of the attorneys has applied for funds so he hopes to see if this case qualifies before it reaches the county. Whatever the funds go to, they would come straight from the Public Defense Commission to whom the funds are owed.

Mr. Freudenthal said tomorrow's meeting in Coeur d' Alene is an open forum for counties to present any concerns and questions. Clerk Poston mentioned hours that are submitted by public defenders and she questioned what counties are supposed to do with that information. Mr. Freudenthal said there is a study on this, but he doesn't have an answer at this point. We will look at how long these cases take such as a few hours to thousands of hours. There hasn't really been a study like this in north Idaho so it is hard to answer Clerk Poston's question. Chairman Dinning discussed the difference in hours spent between the public defenders and they have different reporting systems.

The ELF applications that are submitted will be reviewed by the Public Defense Commission and they are exempt from public records. The attorneys who apply for the funds are giving away some parts of their case, but these funds may not require a motion from the court.

Clerk Poston questioned what occurs when public defenders don't request funds for these types of cases.

Mr. Freudenthal said with the courts ordering drug court, public defenders most likely won't apply for ELF funds, but he said not to quote him on that as the funds have been fairly fluid. If something changes in this program, Mr. Freudenthal said he will let Commissioners know. Chairman Dinning said if there is information to get out to the north district, Boundary County doesn't mind hosting a conference call.

Chairman Dinning said we don't want to make this so onerous that it is difficult to get public defenders. Those present discussed how the annual reporting forms have changed from one year to the next and how public defenders have a varying reporting style.

The meeting with Mr. Freudenthal ended at 2:01 p.m.

2:01 p.m., Solid Waste Department Claine Skeen and Chief Deputy Clerk Tracie Isaac joined the meeting.

Commissioner Pinkerton 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 Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously.

Mr. Skeen and Chief Deputy Clerk Isaac left the meeting at 2:12 p.m.

Attorney Andrakay Pluid joined the executive session at 2:12 p.m. The executive session ended at 2:30 p.m. No action was taken.

There being no further business, the meeting adjourned at 2:35 p.m.

DAN R. DINNING, Chairman

ATTEST:

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