

**\*\*\*Monday, September 11, 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 Michelle Rohrwasser.

County resident Marty Martinez and Blue Sky Broadcasting News Reporter Mike Brown were in attendance of the meetings off and on throughout the day.

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his department report. A written report was submitted. Mr. Kimball said work on various projects continue and include Westside Road and patching asphalt on Crossport Road to finish up this project.

Mr. Kimball said he received a letter from Brad Richie with the Idaho Office of Emergency Management that states funds from the Federal Emergency Management Agency (FEMA) had to be redirected to the states of Texas and Florida for the flooding and hurricane. Mr. Kimball said project funds had not been allocated for Road and Bridge projects, but the funding through the Federal Highways is probably locked in.

Mr. Kimball said Road and Bridge is putting down grindings from a State Highway Project on to Mirror Lake Road. It was just a little stretch of road that was covered.

Mr. Kimball said he and Commissioners should discuss the matter concerning a road in the Three Mile area. Mr. Kimball said when development off Tobe Way started he talked to Harley Mastre about a maintenance agreement. Mr. Mastre had offered to buy gravel and Road and Bridge would lay the gravel to Mr. Mastre's lot, but that could cause repercussions. Chairman Dinning said the builders had understood that they would not be able to get through in the spring. Mr. Kimball said that was never said. Mr. Kimball said the builder will fix what they damage. Mr. Kimball said nothing was mentioned about stopping vehicles from going into that area and he had talked about normal use of this road consisting of heavy trucks. Road and Bridge would work with the builder as they did with everyone else in the past, according to Mr. Kimball.

Mr. Kimball said he was hoping to get something on Atkins Canyon that would designate it as a project, but he is guessing that is on hold. Mr. Kimball added that if nothing were to happen as far as repairs to Atkins Canyon, there are a couple of construction people in town he knows that could get access opened if the county obtains right-of-way from property owner Ervin Madson. Chairman Dinning asked if the county has the ability to acquire land with the understanding the debt would be paid in the future. Mr. Kimball said he thinks so, but County Civil Attorney Tevis Hull informed him the county would have to do a fair dollar trade. Chairman Dinning said the county will need to get the right-of-way appraised at so much per acre, get Mr. Madson to commit and then the county can look at design factors in the future.

The meeting with Mr. Kimball ended at 9:13 a.m.

Commissioner Pinkerton moved to sign Certificates of Residency for Rylan Roberts, Jerzie Pluid and Bailey Owens. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the City County Dispatch Agreement with the City of Bonners Ferry. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Contract for Law Enforcement Services for fiscal year 2017-2018. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes for the week of August 28, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners tended to administrative duties.

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

Current Expense		\$35,869.97
Road & Bridge		76,849.65
Airport		10,726.67
District Court		5,961.09
Justice Fund		37,818.12
911 Funds		1,275.00
Indigent & Charity		2,170.13
Parks and Recreation		12,903.32
Revaluation		2,077.06
Solid Waste		80,700.80
Tort		1,100.00
Veterans Memorial		1,429.02
Weeds		959.34
Restorium		18,627.10
Waterways		176.36
Grant, Airport		86,841.27
Juvenile Probation, Lottery		404.99
Grant, Boat Safety		223.36
Grants, Fire Mitigation		28,541.73
	<b>TOTAL</b>	<b>\$404,654.98</b>
<b><u>Trusts</u></b>		
Auditor's Trust	\$	13,296.67
Driver's License Trust		9,415.50
Magistrate Trust		30,032.94
Motor Vehicle Trust		151,854.20
Insurance Reimbursement Trust		627.00
Sheriff's Trust Fund		732.70
	<b>TOTAL</b>	<b>\$205,959.01</b>
	<b>GRAND TOTAL</b>	<b>\$610,613.99</b>

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

9:27 a.m., Commissioners contacted County Civil Attorney Tevis Hull via telephone to get updates on various matters he is working on.

Attorney Hull informed Commissioners of the process to follow as it pertains to a request for Commissioners to reconsider their decision on Planning and Zoning Application 17-052.

Attorney Hull said Rick Donaldson with Robert Peccia and Associates (RPA) has been in conversation with Gary Gates of the Federal Aviation Administration (FAA) and they have talked about transactional aerospace and whether or not Boundary County can put in a land acquisition request. Attorney Hull said he thinks that conversation will come up, but there is nothing in the works yet.

9:28 a.m., Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student, and 74-206(1)f, to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". The executive session ended at 9:45 a.m. Motion passed unanimously. No action was taken.

The call to Attorney Hull ended.

Commissioners tended to administrative duties.

Deputy Clerk Nancy Ryals joined the meeting at 9:47 a.m.

Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously. 9:56 a.m., Commissioner Kirby moved to go out of closed session. Commissioner Pinkerton second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:56 a.m.

9:56 a.m., Boundary Economic Development Council (EDC) Director Dennis Weed joined the meeting to update Commissioners on various EDC projects.

Mr. Weed said he is working with a company that is considering leasing or purchasing the former Akins Harvest Foods building and the business would provide 40 jobs. The hold-up with this process at the moment is with the parent company, the Albertsons Corporation. Mr. Weed said Yoder's Market will relocate to their new location near Three Mile toward the end of November. Chairman Dinning said as it pertains to Yoder's Market, Road and Bridge Department Superintendent Clint Kimball has been in touch with the parties on the road associated with this location and the county has not committed to do anything, but those involved are in conversation. Mr. Weed mentioned that Mr. Mastre said he is going to pave the parking lot of his business so that is between he and Mr. Kimball and what they decide.

Mr. Weed discussed the proposed regional sewer project and said he has spoken with five or six major parties about getting sewer to the Three Mile area and so far nobody is against it. Mr. Weed said he will discuss the matter of water and the possibility of a water tank for the Three Mile Store. Mr. Weed mentioned that he may approach businesses in that area about helping to fund this project so they are

invested in the project. Chairman Dinning asked if there are any residents in that corridor that can vote. Mr. Weed said there would be very few. Those present said they would determine matters pertaining to voting, and Mr. Weed said he would keep Commissioners up to date as they move forward.

Mr. Weed updated Commissioners on work involved for a new bike path project. A local landowner has provided property along Cow Creek so that area will be developed for bike trails. This property consists of approximately 1,200 acres that back up against Forest Service land and a 30 year agreement has been discussed pertaining to horseback riding, walking and bike riding. Mr. Weed said there is an issue in that the hope was to take this trail to the top of Two Tail and connect to the Katka and Clifty trail at the ridge, but the process stopped with the Forest Service. Mr. Weed said he cannot understand how that area is bear habitat and you cannot even have trails. Chairman Dinning explained the issues surrounding this topic. Chairman Dinning said it's felt that every time a human steps a foot into the forest it could potentially displace a grizzly bear from its habitat.

The monthly Selkirk Pend Oreille Transit Authority (SPOT) Board meeting was held last week and members talked about increasing the size of the bus if they can get a grant, according to Mr. Weed. The larger bus could carry up to 18 passengers whereas the current bus carries up to nine passengers. Mr. Weed said the current bus is used extensively and they would like ridership to continue to increase. Mr. Weed informed Commissioners that the SPOT Board has discussed adding a route that meets up with the Schweitzer ski bus so people who want to go skiing have transportation. Those present discussed the future budget for the SPOT program and Mr. Weed said he hopes the funding is maintained, a larger bus is obtained and ridership increases.

The meeting with Mr. Weed ended at 10:24 a.m.

Commissioner Kirby moved to amend the agenda for 11:45 a.m., to address a time sensitive matter involving Boundary Ambulance Service. Commissioner Pinkerton second. Motion passed unanimously.

10:27 a.m., Boundary Community Hospital CEO/CFO Craig Johnson and Hospital Board of Trustees Chairman Elden Koon joined the meeting to update Commissioners on hospital matters.

Mr. Johnson said financially, without counting depreciation, the hospital's finances are slightly in the black and overall the hospital is doing better than last year. Patient volume for outpatients and inpatients is steady and busier than last year.

Mr. Johnson discussed the Det Norske Veritas (DNV) inspection followed by DNV comments made on documentation issues, and he said there was nothing major and what there was had an easy fix. Mr. Johnson said a comment was also made about smoke detector testing, but the hospital happened to be in the middle of this testing and it is done now. The Rural Health Clinic had a survey done and that went well, according to Mr. Johnson. One deficiency noted was lab controls as the company conducting the survey wanted a different policy so the deficiency wasn't related to providing care. Mr. Johnson explained that all of these surveys are unannounced.

Mr. Johnson said mental health issues are becoming a real issue for rural health hospitals as there are insufficient resources and a lack of beds throughout the state. More and more individuals are staying for six days or longer. It is very difficult to find beds for these people who really do need care, according to Mr. Johnson. It is going to take the Hospital Association, Idaho Association of Counties, and other

organizations to get this issue dealt with and Mr. Johnson discussed going out of the pay range of the Department of Health and Welfare to hire a psychiatrist as you cannot find one at the current pay scale.

Mr. Koon informed Commissioners the Hospital Board of Trustees has found a person to fill the term formerly held by Debra Staal and his term had expired January 2017. Chairman Dinning said he had spoken to County Civil Attorney Tevis Hull about this as the person found to fill this position is a relative of his.

10:34 a.m., Chairman Dinning stepped out of the meeting for this portion of the meeting.

Commissioners reviewed the letter of recommendation from the Hospital Board pertaining to the appointment of Dennis Dinning.

Commissioner Pinkerton moved to accept the recommendation to appoint Dennis Dinning to the Hospital Board of Trustees for a three year term to expire January 2020. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Johnson and Mr. Koon ended at 10:37 a.m. Chairman Dinning returned to the meeting.

Commissioners tended to administrative duties.

10:56 a.m., Restorium Administrator Karlene Magee 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, or public school student. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 11:35 a.m. No action was taken.

Commissioners tended to administrative duties.

11:37 a.m., Boundary Ambulance Service Chief Jeff Lindsey and Sheriff Dave Kramer joined the meeting.

Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)j, to consider labor contract matters. 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 11:56 a.m. No action was taken.

Commissioners recessed for lunch at noon.

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

Sheriff Dave Kramer joined the meeting to discuss seeking quotes for a new vehicle for the Sheriff's Office.

Sheriff Kramer said he would like to get approval to go out to bid for a vehicle for his office. Sheriff Kramer added that his office has nine older vehicles that he is in the process of declaring surplus and he is working toward obtaining a fleet of vehicles that are needed and maintained. The current new vehicle for the Sheriff's Office is due to go in for outfitting in about one week and there is now another vehicle that needs to be declared surplus. Sheriff Kramer said he would like to go out for quotes now in order to replace the vehicle that will soon be taken off the street. Chairman Dinning said the county used to budget for a vehicle in a way that would allow for the purchase of two vehicles for the Sheriff's Office every two years. The Sheriff's Office currently has 10 patrol vehicles and there isn't really a backup so it's a little bit of a juggle right now. Sheriff Kramer said his office has a couple vehicles that have 10 years of life left. Sheriff Kramer said he is still looking to complete the process to declare four seized vehicles surplus so he will have that cash to work with.

Sheriff Kramer said he has budgeted for a patrol deputy who will act as a floater for detention. Chairman Dinning suggested listing both patrol duties and detention duties in this position's job description.

Commissioners discussed concerns in deputizing Kootenai Tribal police allowing them to make county stops. Sheriff Kramer said he is selective as to who he is deputizing. This service is a benefit for the county as it's a service the county is not paying for and if there is an issue with an individual that has been deputized, Sheriff Kramer said he can undue that action. Sheriff Kramer said it's a benefit, but it will constantly be monitored. Commissioner Pinkerton suggested Sheriff Kramer talk to Idaho Counties Risk Management Program (ICRMP) about doing this due to concerns of liability. Commissioners have concerns about liability of cross deputization.

Sheriff Kramer said City Planner Lisa Ailport was going to look into the matter of realigning the street behind the sheriff's office and he added that Marc Brinkmeyer is going to purchase a flag pole for in front of the Sheriff's Office. Commissioners and Sheriff Kramer talked about getting quotes to have the Sheriff's Office painted.

The meeting with Sheriff Kramer ended at 1:43 p.m.

1:51 p.m., Solid Waste Superintendent Claine Skeen and Assistant Superintendent Eric Owen joined the meeting.

Mr. Skeen said he just wanted clarification on Commissioners' instructions to take pictures of the metal, wood and tire piles at the landfill. Chairman Dinning said it's just to keep track of the piles as well as having information the county's outside auditor may need. Chairman Dinning said he feels it would just be good to have these records. Mr. Skeen said he will take pictures of these piles the first of each month.

Mr. Skeen and Commissioners briefly reviewed the cost of closing the landfill. If the landfill were to be closed in approximately 35 to 40 years, the cost is \$4,000,000 versus \$2,500,500 if the landfill closed today.

Mr. Skeen informed Commissioners that there is a regulation that requires a 200 foot buffer from the landfill's property line for garbage. Mr. Skeen said he wondered if any more questions came up from adjacent property owner Francis Winey. Mr. Skeen said he would like to log trees and move the piles. Commissioners asked if there is any timber on the adjoining landowner's property and Mr. Skeen said

yes. Commissioner Pinkerton said so even if the county took timber off landfill property, the neighboring property owner still has a timber for a visual buffer. It was said by cleaning up the area, it will be cleared up and give the landfill more space. Chairman Dinning said he would like to talk about it more. Commissioners asked about buffers on the landfill's other boundaries and Mr. Skeen said there is a small buffer on the north side and \$6,000 to \$7,000 worth of timber on the east side.

Mr. Skeen discussed a county resident who has a delinquent account. This person has been billed seven times and has not paid.

Mr. Skeen said in the winter time he would like to have Mr. Owen take a county vehicle home so on Mr. Owen's way to work he can plow snow at the monitored dumpster sites when winter comes. Commissioner Pinkerton said only when the snow starts and that plowing snow would have to be done as this cannot be for convenience; there has to be a need. The plowing would be assigned to Mr. Owen unless Mr. Skeen is doing the plowing.

The meeting with Mr. Skeen and Mr. Owen ended at 2:10 p.m.

Commissioners tended to administrative duties.

2:30 p.m., Resident Matt Philbrook joined the meeting to discuss a matter pertaining to Tamarack Drive. Mr. Philbrook said he is requesting Commissioners abandon the portion of Tamarack Drive that's adjacent to his property. Tamarack Drive was deeded to the county by Don Shively in 1960 and Commissioners were provided with a quit claim deed. Mr. Philbrook said this road goes on to his property to access his four-plex and it has been in limbo since 1960. The road was deeded to the county, but the county did not accept it and it hasn't been collecting tax revenue since that time. Mr. Philbrook said he is asking the Commissioners to deed this right-of-way to him and he will pay taxes on it and maintain it. Mr. Philbrook added that he and Doug Ladely will maintain this portion of Tamarack Drive. Mr. Ladely has a road straight up from Tamarack and beyond the mobile homes to his residence. Mr. Philbrook added that Mr. Ladely can also detour to his property and go around.

Chairman Dinning explained that there is a legal process the county has to follow if Commissioners were to abandon a portion of this road. Mr. Philbrook said Road and Bridge Department Assistant Superintendent Renee Nelson had informed him that this road is not owned by the county according to her records. Chairman Dinning said it's on the map as a county road so Commissioners will talk to Road and Bridge Department Superintendent Clint Kimball to see what information he has. Commissioners would have to go through the public hearing process to formally abandon a road. Chairman Dinning said if it's just a piece of property and not a road, it has to be declared surplus, appraised and offered for sale at public auction and the county can only use the appraised price. Chairman Dinning said Commissioners will have Road and Bridge and the county civil attorney look into this.

Mr. Philbrook said this portion of Tamarack Drive would provide access to his four-plex. Those present talked about non-maintained county roads as well as the city annexation that was reversed.

The meeting with Mr. Philbrook ended at 2:51 p.m.

There being no further business, the meeting adjourned at 2:51 p.m.

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DAN R. DINNING, Chairman

ATTEST:

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GLEND A POSTON, Clerk

By: Michelle Rohrwasser, Deputy Clerk