

*****Monday, September 25, 2017, at 9:00 a.m.,** Commissioners met in regular session with Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, and Deputy Clerk Michelle Rohrwasser. Chairman Dan Dinning and Clerk Glenda Poston were out of the office attending the annual Idaho Association of Counties Fall Conference.

Commissioner Kirby moved to appoint Commissioner Pinkerton Acting Chairman in the absence of Chairman Dan Dinning. Commissioner Pinkerton second. Motion passed unanimously.

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

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 presented.

Mr. Kimball said he is hoping to finish up work on Meadow Creek Road this week. The sand screen has been set up as of last Thursday so Road and Bridge is ready to make sand when needed. Mr. Kimball said he has received a couple telephone calls from people off Highland Flats Road informing him the chip seal is not holding up.

Mr. Kimball spoke of submitting project paperwork to the Federal Highways Administration and he added that the engineers for Federal Highways were in Boundary County last Wednesday evening so they checked the work out, took pictures and were satisfied with the work done to Westside Road. Mr. Kimball said he hopes to get a good return.

The meeting with Mr. Kimball ended at 9:10 a.m.

Deputy Clerk Nancy Ryals joined the meeting at 9:10 a.m.

Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously. 9:11 a.m., Commissioner Kirby moved to go out of closed session. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to approve indigent account 2017-20. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:11 a.m.

Commissioner Kirby moved to sign the Certificate of Residency for Sydney Nelson. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to adopt Resolution 2017-29. A resolution authorizing the disposition of records of the Boundary County Commissioners' Office. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously. Resolution 2017-29 reads as

follows:

RESOLUTION 2017-29

A RESOLUTION AUTHORIZING THE DISPOSITION OF RECORDS
OF BOUNDARY COUNTY COMMISSIONER’S OFFICE

WHEREAS, the Boundary County Commissioner’s Office is currently storing old Certificates of Residency/Affidavits for Boundary County residents who have applied to North Idaho College, College of Southern Idaho and/or the College of Western Idaho; and

WHEREAS, due to lack of storage space, the Boundary County Commissioner’s Office has requested permission to dispose of old records; and

WHEREAS, the Boundary County Civil Attorney has advised the Board of Boundary County Commissioners regarding the classification of such records pursuant to Idaho Code 31-871; and

NOW THEREFORE, upon motion duly made, seconded and unanimously carried,

IT IS HEREBY RESOLVED, that the following records be classified and disposed of as follows:

The following records have been deemed temporary by the Boundary County Commissioners on the advice of the County’s Civil Attorney and temporary records must be kept for a minimum of two years. The following records are to be shredded:

- Certificates of Residency/Affidavits for North Idaho College, College of Southern Idaho and College of Western Idaho for years 2011 through September 2015.

Regularly passed and approved on this 25th day of September, 2017.

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

Reviewed by and on advice of the County’s Prosecuting Attorney this 21st day of September, 2017.

s/ _____
 JACK DOUGLAS
 County Prosecutor

ATTEST:

s/ _____
 GLENDA POSTON
 Clerk of the Board of County Commissioners
 Recorded as instrument #271914

Commissioner Kirby moved to authorize the Acting Chairman to sign the Idaho Office of Emergency Management Idaho Public Safety Communications Commission grant for enhanced 911. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously.

9:31 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone. Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)c, to acquire an interest in real property which is not owned by a public agency, and Idaho Code 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 regarding the Moore property. Acting Chairman Pinkerton yielded the chair to second. Commissioners voted as follows: Acting Chairman Pinkerton “aye” and Commissioner Kirby “aye”. Motion passed unanimously. The executive session ended at 9:40 a.m. No action was taken.

Commissioners tended to administrative duties.

10:00 a.m., Commissioners held a public hearing to consider a Solid Waste fee increase of 7.6% for fiscal year 2017-2018. Present were: Acting Chairman LeAlan Pinkerton, Commissioner Walt Kirby, Deputy Clerk Michelle Rohrwasser, Solid Waste Department Superintendent Claine Skeen, Assistant Superintendent Eric Owen, Marty Martinez, and Blue Sky Broadcasting News Reporter Mike Brown. The hearing was recorded.

Acting Chairman Pinkerton reviewed aloud the public hearing procedures. Neither Commissioner had a conflict of interest.

Acting Chairman Pinkerton said in this hearing Boundary County is the applicant. Boundary County is proposing to increase its solid waste fees by the amount of 7.6% over the amount collected the prior year. The purpose of this increase is to fund the operation costs of the landfill to include the scale system, recycling, site engineering, and disposal of the wood pile, etc. In addition, this increase will cover the purchase of a Posi-Shell material to be used as landfill cover at a cost of \$18,000, the purchase of the Posi-Shell applicator at a cost of \$35,000 and to cover the cost of \$30,000 to dispose of the tire pile at the landfill.

Commissioners asked Mr. Skeen if he had any additional information to add as a staff member. Mr. Skeen mentioned the increase is to cover the Posi-Shell system, the applicator, the engineering system pertaining to the landfill closure and post closure, and to fund the continued operation of existing landfill.

Commissioners opened the hearing to public testimony and asked for public comments from those in favor of the proposal. No one from the public spoke. Commissioners asked for public comment from those uncommitted to the proposal and no one spoke. Commissioners asked for public comment from those opposed to the proposal. Marty Martinez, 1374 Brown Creek Road, Naples, Idaho, said an increase of 7.6% is inflationary as far as he is concerned. Mr. Martinez added that he has not seen any increase in his social security. The increase of 7.6% is very inflationary, very high, and wages are not even that high, according to Mr. Martinez. Acting Chairman Pinkerton restated the comment for clarification that Mr. Martinez felt the increase is too high whereas the cost of living increases did not rise that much.

No one else spoke in opposition to the proposed increase.

Commissioner Kirby asked Mr. Skeen what the approximate increase would be to a home with a value of \$100,000. Mr. Skeen said this is a fee, not a tax, so the amount would be the same for properties of varying value. The fee is a user fee as opposed to a tax although it does show up on a tax notice, according to Mr. Skeen.

Commissioner Kirby asked how much of an increase 7.6% would add to the fee. Acting Chairman Pinkerton reviewed the proposed increase details and said for a residence within the Bonners Ferry city limits, the fee had been \$102 and it will increase to \$109.80. For a residence outside of city limits, the fee was \$121.80 and it will increase to \$131.04. Commissioner Kirby asked which category will see the biggest difference. Mr. Skeen said Code N, which includes such businesses as Safeway and Super 1, will see a difference of approximately \$400.

Chairman Pinkerton said Commissioners have been talking about the solid waste budget for quite some time and the increase covers the county's needs to prepare for the closure of the existing landfill at some point in the future and to extend the life of this landfill in the meantime. Commissioners have discussed using the Posi-Shell cover so more garbage can be put into the landfill. It's prudent that this material will hopefully extend the life of the landfill considerably.

Mr. Skeen said a layer of Posi-Shell material is approximately one-eighth or one-quarter of an inch thick as compared to six inches of sand used as the daily cover. Garbage would be placed over the layer of Posi-Shell so this material reduces the volume and extends the life of the existing Subtitle D, small community exemption that Boundary County has at this time. Mr. Skeen said there will still be the cost of the Posi-Shell material on an annual basis, but the applicator is a one-time purchase.

Mr. Skeen said one reason to get rid of the tire pile is to diminish the breeding ground for mosquitoes and the West Nile Virus. Tire removal will be an ongoing scenario, but the county is slowly gaining on this process by funding the budget for that purpose. It will help keep a better containment system for the tire pile, according to Mr. Skeen. The county had prior funding to be able to remove three truckloads of tires, but this year's proposed fee increase will help fund a budget to remove nine loads of tires. That is 30% to 40% of the tire pile, according to Mr. Skeen. Acting Chairman Pinkerton asked how much it would cost to get rid of the entire tire pile. Mr. Skeen said it depends as the cost per pound fluctuates, but possibly approximately \$60,000. Acting Chairman Pinkerton said if the county doubled the proposed budgeted amount to \$60,000 it would increase the user fee to get rid of the tire pile, but in the interest of trying to limit user fee costs, Commissioners have the proposal of \$30,000 to get rid of a lot of the pile while having a lesser impact to the public. Acting Chairman Pinkerton said understanding there hasn't been an increase to social security, etc., it was a heavier burden so Commissioners decreased the proposed percent to 7.6%. The county is trying to catch up, but doing so incrementally.

Mr. Skeen said in closing, by implementing an increase and using landfill equipment, it will definitely benefit the longevity of the existing landfill.

Commissioner Kirby said there should be a category of things brought into the landfill, but that is for another discussion. There should be a fee per tire brought to the landfill that is paid for by

the person disposing of the tires. Commissioner Kirby said beyond the percent of increase, we should be charging for tires as we are not set up to deal with tires in any way other than paying to have them hauled away. The county should look into the cost of hauling tires away and the person who brings the tire or tires in for disposal can be charged that cost and the fees this generates can go into the fund to haul the tires away. Mr. Skeen said the landfill does charge tire companies per tire for disposal so there is a fee structure on tires for that purpose, but the general public does not pay a fee for a tire they bring in here or there. One commercial business delivers tires to the landfill and the load varies, but the resident person who comes in with tires and who is not a part of a tire company is not being assessed a fee for that tire or two. The worry with tires is charging for them and if the public doesn't want to pay, there is the risk the tires will just be dumped off onto property.

The hearing was closed to additional testimony.

Acting Chairman Pinkerton said Mr. Martinez is somewhat representing people on a fixed income and there has been no cost of living increase for a couple years now so Mr. Martinez's feeling is that a 7.6% increase is inflated. Mr. Martinez asked to comment, but Commissioners informed him that portion of the hearing had closed.

Acting Chairman Pinkerton said Commissioners understand there has been no cost of living increase, but the county still needs to reduce the tire pile.

Commissioner Kirby asked for an explanation as to how the Posi-Shell material will extend the life of the current landfill based on the thickness of this material needed for daily cover as opposed to the amount of sand needed for daily cover. Daily cover using the Posi-Shell material will only be one-quarter inch thick as opposed to using a six inch layer of sand. Commissioner Kirby said if the county can put a year's worth of garbage into the hole as opposed to sand there will be more garbage than sand over the life of the landfill.

Commissioners had no further discussion.

Commissioner Kirby moved to approve the increase of 7.6% in solid waste fees for fiscal year 2017-2018. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously.

The hearing to consider a solid waste fee increase for fiscal year 2017-2018 ended at 10:40 a.m.

Commissioner Kirby moved to adopt Resolution 2017-30. A resolution to adopt the Solid Waste fee schedule for fiscal year 2017-2018. Acting Chairman Pinkerton yielded the chair to second. Motion passed unanimously. Resolution 2017-30 reads as follows:

RESOLUTION 2017-30
A RESOLUTION TO ADOPT A SOLID WASTE FEE SCHEDULE FOR FISCAL YEAR 2017-2018

WHEREAS, it is the duty of the Board of County Commissioners to maintain and operate solid waste disposal systems, and

WHEREAS, Section 31-4404, Idaho Code, authorizes the Board of Boundary County Commissioners to collect fees for the purpose of providing funds to operate and maintain solid waste disposal systems, and

WHEREAS, all households, businesses, farms and professional practices should be equitably charged solid waste fees proportional to the amount of solid waste generated,

WHEREAS, the last solid waste fee increase was initiated for fiscal year 2016-2017 and the Board of County Commissioners, County of Boundary, State of Idaho, find it in the public interest to increase solid waste fees by an amount of 7.6% for the 2017-2018 fiscal year to help fund the cost of operating the Solid Waste Department, and

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, are required to hold a public hearing to receive public comment on a proposal to increase solid waste fees as the increase is more than (5%), and said public was held on September 25, 2017, and

WHEREAS, the following is an estimate of what this change may mean to a Boundary County user, and

NOW, THEREFORE, on motion duly made, seconded, and unanimously carried,

IT IS RESOLVED that the Boundary County Board of Commissioners do hereby set and establish the following solid waste collection fees in accordance with the fee schedule attached hereto and by this reference incorporated herein.

DATED AND DONE this 25th day of September, 2017.

COUNTY OF BOUNDARY
BOARD OF COUNTY COMMISSIONERS

Absent _____
Dan R. Dinning, Chairman

s/ _____
LeAlan L. Pinkerton, Commissioner

s/ _____
Walt Kirby, Commissioner

ATTEST:

s/ _____

GLENDIA POSTON

Clerk of the Board of County Commissioners

By: Michelle Rohrwasser, Deputy Clerk

Recorded as instrument #271921

AMENDED SCHEDULE OF SOLID WASTE FEES - Fiscal Year 2017-2018

The County of Boundary has proposed to increase its solid waste fees by an amount of 7.6 percent of the solid waste fees collected the previous year. The purpose of the increase is to fund the operation costs, disposal of wood/tire waste, scale system, recycling and site engineering for the Solid Waste Department. The last solid waste increase was in the 2016-2017 budget. The following schedule is an estimate of what this change may mean to a Boundary County user:

| <u>CODE</u> | <u>*CY</u> | | <u>FROM</u> | <u>TO</u> |
|-------------|------------|--|-------------|-----------|
| A | 12 | Residential, Bonners Ferry | \$ 102.00 | \$ 109.80 |
| B | 12 | Residential, outside Bonners Ferry | \$ 121.80 | \$ 131.04 |
| D | 12 | Service Business, Professional Practices & Farm Shops | \$ 121.80 | \$ 131.04 |
| E | 24 | Logging Contractors, Building | \$ 243.60 | \$ 262.08 |
| F | 38 | Trades, Manufacturing Machine Shops | \$ 385.70 | \$ 414.96 |

| | | | | |
|---------------|-----|---|------------|------------|
| G | 38 | Retail Stores, Restaurants, Bars | \$ 385.70 | \$ 414.96 |
| H | 72 | Nurseries, Newspapers, Greenhouse | \$ 730.80 | \$ 786.24 |
| I | 125 | Chemical Applicators, Commercial | \$ 1268.74 | \$ 1365.00 |
| | | Grain & Seed Elevators, Garages and Gas Stations | | |
| J | 24 | Lumber Mills | \$ 243.60 | \$ 262.08 |
| K | 135 | | \$ 1370.24 | \$ 1474.20 |
| L | 75 | Grocery Stores & Convenience | \$ 761.24 | \$ 819.00 |
| M | 150 | Stores, and Special Categories | \$ 1522.50 | \$ 1638.00 |
| N | 450 | | \$ 4567.50 | \$ 4914.00 |
| O | 4 | Residential B Motels: Each Unit | \$ 40.60 | \$ 43.68 |
| P | 1.2 | Residential B RV Parks: Each Unit | \$ 12.18 | \$ 13.10 |
| <u>Per CY</u> | | | | |
| | | Light Demolition Compactable Debris brought to the landfill | \$ 8.32 | \$ 8.95 |
| | | Heavy Demolition Non-Compactable, brought to the landfill | \$ 24.96 | \$ 26.85 |
| | | Construction Debris brought to the landfill | \$ 8.32 | \$ 8.95 |
| | | Animal Carcasses over 100 pounds (per carcass) | \$ 24.96 | \$ 26.85 |

Commercial Disposal Charge: Brush/Lawn Waste, Separated Lumber, Wood Chips - \$6.70/cu yd

Clean Stumps under six inches (at face): \$11.20/cu yd: Over six inches (at face): \$22.40/cu yd

**CYY means cubic yards per year. The budgeted cost per CYY for landfill would go from \$8.50 to \$9.15 and per CYY for total landfill and collection costs would go from \$10.15 to \$10.92.

Mr. Martinez said he just had wanted to comment on the tire pile and inquire if there is a market for tires since they are used in road beds.

There being no further business, the meeting adjourned at 10:50 a.m.

LeAlan L. Pinkerton, Acting Chairman

Attest:

Glenda Poston, Clerk
By: Michelle Rohrwasser, Deputy Clerk