

*****Monday, February 12, 2018, 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.

County residents Marty Martinez, Terry Spence and Blue Sky Broadcasting 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 the department report. Mr. Kimball presented a written report. Mr. Kimball said most every road has been posted for weight limits as there are a lot of soft spots. Sign work on Mirror Lake Road is an ongoing thing, according to Mr. Kimball.

Mr. Kimball said he sent County Civil Attorney Hull information on financing for a loader, but has yet to hear back from him.

Mr. Kimball informed Commissioners the State/Local Agreement for the slide area of Deep Creek Loop, mile post 1.1, has been put on hold due to lack of funding through Federal Highways, but alternate funding has been offered so he is waiting on a determination. This agreement pertains to the slide area and for emergency repairs.

Commissioner Pinkerton moved to authorize the Chairman to sign the Federal Lands Access Program Project Memorandum of Agreement with Federal highway for the Riverside Road (STC-5806) and Westside Road (STC-5804) project. Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball read aloud a comment letter from a county resident that had been published in the newspaper thanking Road and Bridge for the work they did on Parker Canyon Road to rectify a plugged culvert and associated drainage issues.

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

Chairman Dinning and Mr. Kimball cleared up a question pertaining to Wilderness Road and plowing snow over the railroad. Mr. Kimball said this road is listed on the railroad inspection report so Road and Bridge just crosses the tracks and turns around.

Commissioner Pinkerton moved to grant an extension of time and to accept the tax amount due for year 2017 taxes for parcel #MH63N01E254801A until February 28, 2018. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time to accept year 2017 taxes for parcel #MH61N02E043910A until the property owner receives their income tax refund. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign Certificates of Residency for Sydney Johnson, Mercedes Taylor, Paisley Schulte, Kylie Underhill, Stormy Fahey, Ayla Worley, Kaitlyn Packwood, Courtney Johns, Jenna Brooks, Rachel Snow, Gabriella Barajas, Jamaica Larson, and Ashley Guttin. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton abstained from approving the following certificate of residency as the form is for his daughter.

Commissioner Kirby moved to sign the Certificate of Residency for Marianne Pinkerton. Chairman Dinning yielded the chair to second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "abstained" and Commissioner Kirby "aye". Motion passed.

Chairman Dinning said Boundary County's Outside Auditor Leonard Schulte submitted his letter regarding the results of the county's audit for year 2017.

Commissioner Pinkerton moved to authorize the Chairman to sign the representation letter for County Outside Auditor Leonard Schulte regarding the results of the county's audit for year 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to adopt Resolution 2018-7. A resolution to increase Justice Fund Sheriff Budget due to receipt of unanticipated revenue. Commissioner Kirby second. Motion passed unanimously. Resolution 2018-7 reads as follows:

RESOLUTION 2018-7

INCREASING THE JUSTICE FUND SHERIFF BUDGET
DUE TO RECEIPT OF UNANTICIPATED REVENUE

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, did establish an operating budget for the Boundary County Justice Fund Sheriff Budget for fiscal year 2017-2018, and

WHEREAS, Boundary County has received \$720.00 from the Idaho Counties Risk Management Program (ICRMP) as reimbursement for graphic wrap as the result of damage to a Sheriff's Department vehicle, and

WHEREAS, the Boundary County Justice Fund Sheriff Budget is in need of additional revenue for fiscal year 2017-2018, and

WHEREAS, the addition of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to increase the Boundary County Justice Fund Revenue Account Number 08-00-0391-0000 and the Boundary County Justice Fund Sheriff Budget Expense Account Number 08-02-801-00, Capital - Vehicles, in the amount of \$720.00.

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

IT IS RESOLVED, that the increase to the Boundary County Justice Fund Revenue Account Number 08-00-0391-0000 and the Boundary County Justice Fund Sheriff Budget Expense Account Number 08-02-801-00, Capital - Vehicles, in the amount of \$720.00 is hereby authorized and ordered, and

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 12th day of February 2018

COUNTY OF BOUNDARY
BOARD OF COUNTY COMMISSIONERS

s/ _____
 Dan R. Dinning, Chairman
 s/ _____
 LeAlan L. Pinkerton, Commissioner
 s/ _____
 Walt Kirby, Commissioner

ATTEST:

s/ _____
 Glenda Poston, Clerk of the Board of County Commissioners
 Recorded as instrument #273164

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

Current Expense	\$89,672.54
Road & Bridge	78,338.56
Airport	11,673.28
District Court	4,804.12
Justice Fund	83,332.89
911 Funds	3,260.61
Health District	14,352.50
Indigent & Charity	19,895.70
Junior College	500.00
Parks and Recreation	1,744.63
Revaluation	38,109.30
Solid Waste	65,691.54
Tort	63,415.50
Veterans Memorial	823.00
Weeds	1,052.50
Restorium	19,971.34
Waterways	213.71
Juvenile Probation – Lottery	355.98
Grant, Emergency Communication	6,540.21
Grant, Fire Mitigation	7,479.00

TOTAL \$511,226.91

Trusts

Auditor’s Trust	3,448.27
Boundary Co. Drug Court Trust	148.24
Sales Tax Collected	328.23
Youth License Plate – Sheriff	500.00
Driver’s License Trust	12,627.50
Magistrate Trust	22,086.49
Motor Vehicle Trust Acct	268,800.29
Sheriff’s Trust Fund	556.20
Sheriff’s Posse	301.19

TOTAL	\$308,796.41
GRAND TOTAL	\$820,023.32

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners' allowance & warrant register record 2017-2018).

Commissioners tended to administrative duties.

County Civil Attorney Tevis Hull and Deputy Clerk Nancy Ryals joined the meeting.

Members of the public who had been present during Commissioners' regular meetings were excused from the closed session for the indigent appeal hearing for indigent case 2017-22 and case 2017-28.

Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously.

The closed session ended at 10:10 a.m.

Commissioner Pinkerton moved to dismiss the appeal for indigent case 2017-28. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to continue the hearing for indigent case 2017-22 to March 12, 2018, at 10:00 a.m. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:11 a.m.

10:11 a.m., 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, or public school student; 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. Commissioner Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 10:45 a.m. No action was taken.

Attorney Hull left the meeting.

Commissioners tended to administrative duties.

Commissioners recessed for lunch at 11:45 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., Idaho Public Defense Commission Regional Coordinator Aaron Freudenthal joined the meeting to provide an update on public defense matters.

Mr. Freudenthal said he doesn't have a lot of information for the first of his quarterly meetings. Boundary County is in compliance for reporting. Those present discussed an internet program for video conferencing that may be less expensive than Life Size. Life Size is \$650 per license, according to Clerk Poston. Clerk Poston suggested Mr. Freudenthal speak to Idaho Association of Counties Executive Director Seth Grigg about implementing a statewide program. Mr. Freudenthal asked if statewide would be sufficient. Clerk Poston said yes, although not all counties do everything the same. Mr. Freudenthal said he would look into it adding that it should qualify for the grant funding.

Those present discussed combining public defender offices with another county. The public defense grant funds would increase to provide \$25,000 for each county, according to Mr. Freudenthal. Chairman Dinning asked when the study on public defense that is being done by Boise State University would be complete. Mr. Freudenthal said he is hearing that the due date would be February 28, 2018. Mr. Freudenthal said doing first appearances will eat this year's funding alone and in setting up video services, it would probably eat up the two years' worth of funding. Mr. Freudenthal, Commissioners, and Clerk Poston discussed costs associated with public defenders hiring investigators. Mr. Freudenthal spoke of rare case types that may be eligible for extraordinary litigation fund "ELF" monies. Mr. Freudenthal explained the forms that Commissioners will receive and that he would be available to help fill the forms out and answer questions.

Chairman Dinning said the Public Defense Commission needs to speak to the courts because when an attorney is appointed to a conflict, it is in violation of the Public Defense Commission rules. Those present discussed the need for attorneys who are appointed to cases to report their caseloads. Mr. Freudenthal said due to grant funding, they would not punish the Commissioners for cases that are not reported and he added that Boundary County is in good standing as far as meeting requirements for having certain things in place as it pertains to the upcoming rules.

Those present resumed their discussion on having regional or state run public defender offices.

Chairman Dinning said one thing Mr. Freudenthal may want to make clear to Public Defense Commission Executive Director Kimberly Simmons is that Boundary County wants to be involved in the development of the rules, not just be involved at the public hearing stage after the rules have been set. Clerk Poston said Mr. Grigg is good as far as vetting matters with appropriate parties. Clerk Poston questioned when Ms. Simmons might be able to meet with Boundary County again.

The meeting with Mr. Freudenthal ended at 2:05 p.m.

Commissioners and Clerk Poston discussed issues brought up at the Idaho Association of Counties Midwinter Conference held last week.

Commissioners tended to administrative duties prior to their 2:30 p.m. meeting.

2:30 p.m., University of Idaho Extension Educator Amy Robertson joined the meeting to clarify matters pertaining to when to use compensatory time versus paying an employee overtime. Commissioners said if a department does not have budget to pay for an employee's overtime, then there is no alternative than to grant compensatory time. Commissioners have looked into other departments that fall under

them and feel there is no need for compensatory time to be accrued at the landfill, but Road and Bridge might need to at times. Chairman Dinning said Commissioners had at one time talked about Extension Office employees earning compensatory time during fair time. Commissioner Pinkerton discussed building up a budget for overtime and added it's better to pay for overtime than to provide compensatory time. Ms. Robertson said she has talked to her staff to let them know they need to use up the compensatory time they have on the books. Chairman Dinning said employees won't have a choice between taking compensatory time and receiving overtime unless the budget for overtime has run out.

Commissioners said at one point in the future when one of the county departments that fall under their direction runs out of budget for overtime, the department head for that office will need to approach Commissioners to get permission for an employee to accumulate compensatory time. Ms. Robertson asked what an employee is to do when they accumulate overtime on a Friday. Chairman Dinning said if an employee works over an hour, they could take an hour off another time even if it is during the following week.

The meeting with Ms. Robertson ended at 2:55 p.m.

2:55 a.m., Solid Waste Department Superintendent Claine Skeen and Assistant Superintendent Eric Owen joined the meeting to update Commissioners on a letter received from the Department of Environmental Quality regarding the use of the Posi-Shell material.

Mr. Skeen informed Commissioners that a Solid Waste Department truck had an accident some time ago and that paperwork has gone through the Idaho Counties Risk Management Program (ICRMP). ICRMP provided \$3,600 to have the truck repaired and Mr. Skeen asked if he could have a flatbed put on it. This option is cheaper and would work better for the operation, according to Mr. Skeen. Chairman Dinning said he doesn't know what ICRMP's restrictions may be on that.

Mr. Skeen and Commissioners reviewed the document from Panhandle Health District regarding their position on the landfill's use of the Posi-Shell material as an alternative to the daily cover. Those present discussed the process of applying a daily cover. Chairman Dinning said if the landfill has an open area that is to be shut down for that day, can the county spray the Posi-Shell material and reopen the next day without having to put a cover on it? Mr. Skeen said if that site is going to sit for an extended period of time, a cement material can be mixed in with the Posi-Shell to save the material's integrity. Mr. Skeen reviewed points made by Mollie Mangerich with the Department of Environmental Quality as well as his answers to her points as it pertains to Boundary County. Mr. Skeen said he forwarded his responses to Ms. Mangerich and to Ellery Howard with JUB Engineering as well. There is other information on using wood waste as barriers, according to Mr. Skeen.

3:14 p.m., Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-208(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. The executive session ended at 3:28 p.m. No action was taken.

Mr. Skeen and Mr. Owen left the meeting.

Commissioner Pinkerton moved to sign the Certificate of Residency for Devin Dix. Commissioner Kirby second. Motion passed unanimously.

There being no further business, the meeting recessed until tomorrow at 9:00 a.m.

*****Tuesday, February 13, 2018, 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.

9:00 a.m., Mike Wolcott, John Ailport and David Lux with Inland Forest Management (IFM) joined the meeting to provide a general update on hazardous fuels reduction projects and grant funding. Mr. Ailport reviewed preplanning dollars and explained what is involved with the “on the ground” contracts that are supposed to be completed. Mr. Ailport mentioned receiving the Western States Fire Manager/South Boundary Grant totaling \$247,000 and how much was assigned for contracting. Also discussed was how much IFM had requested for preplanning, how many on the ground contacts IFM is to make, and what the grant program deadlines are.

Mr. Ailport briefly mentioned possible grant projects IFM could apply for since no other counties in Idaho had applied for them.

Mr. Lux said the Lower Kootenai River Watershed Restoration (LKRWR) grant will expire in June of this year with reasons being that targets are being met at lower bid rates and contractors not getting work done due to Hoot Owl conditions so as a result \$132,000 was left in the grant. Mr. Lux proposed reallocating those funds. The majority of the money was moved into hazardous fuels treatment and part of the thought is that hazardous fuels treatment is important to the county and IFM can determine where it’s appropriate to use the funds. The weed treatment target increased to 120 acres, according to Mr. Lux. Boundary County Noxious Weed Department Superintendent Dave Wenk does the weed treatment work and in a sense it is putting more funds back into the County Weed Department as IFM is funding Mr. Wenk’s work at \$100 per acre. Mr. Lux said he also sent his spreadsheet to Mary Fritz and Joyce Jowdy at the Idaho Department of Lands. The request for an extension and amendment to the program will need to come from the county, according to IFM.

Mr. Wolcott said IFM will be shifting personnel and Mr. Lux will eventually be moving on so Mr. Ailport will take more on.

Chairman Dinning asked if there is a map that shows every treatment area from day one. Mr. Wolcott said he will see what he can find.

Commissioner Pinkerton moved to sign the Contract for Hazardous Fuels Treatment Wildfire Mitigation Activities with Charles Bernhard dba Majestic View. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Wolcott, Mr. Ailport and Mr. Lux ended at 9:35 a.m.

9:39 a.m., Treasurer Sue Larson joined the meeting.

Treasurer Larson and Commissioners discussed funds earned as a result of the county purchasing property.

Commissioner Pinkerton moved to accept the Treasurer's recommendation regarding tax dispersements as it pertains to land purchased by the county. Commissioner Kirby second. Motion passed unanimously. Treasurer Larson left the meeting at 9:41 a.m.

Deputy Clerk Nancy Ryals joined the meeting at 9:42 a.m.

Commissioner Pinkerton moved to deny indigent case 2018-13. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:45 a.m.

Commissioners tended to administrative duties.

There being no further business, the meeting adjourned at 10:25 a.m.

DAN R. DINNING, Chairman

ATTEST:

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