

**\*\*\*Monday, January 22, 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 News Reporter Mike Brown were in attendance of the meetings off and on throughout the day.

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

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball and Assistant Superintendent Renee Nelson joined the meeting to give the department report. A written report was presented.

Chairman Dinning stated that Commissioners need to amend the agenda to address a matter that is time sensitive as it pertains to the county's computers and making sure they are free of viruses.

Commissioner Pinkerton moved to amend the agenda for this morning at 9:30 a.m., in order to include making a motion to sign an agreement with Navigant as it pertains to the county's computers and making sure they are free of viruses. Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball reviewed his department report with Commissioners. Mr. Kimball mentioned that if the weather doesn't freeze, the county will start implementing road restrictions. The Boundary Area Transportation Team (BATT) meeting will be held on January 24, 2018. Mr. Kimball discussed damage to Keller Canyon/Cow Creek due to flooding.

Commissioner Pinkerton moved to sign the State Disaster Cost Claim for the Cow Creek Rd-Keller Canyon project, Project Number ERF128, totaling \$5,350.10. Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball and Commissioners reviewed financing information on a Caterpillar 140M3 AWD Grader. It was said the chances in building equity are slim looking at where we sit with a grader now. Mr. Kimball said his advice in the interim is to go with the pay for use program with a \$5,000 deduction in the first annual payment. The reduction would result in a payment of \$13,500 to help get Road and Bridge through this year. Mr. Kimball said he could continue with the rental program for three years and when the term comes due, he will see what funding is available. Theoretically, Road and Bridge would have a new grader for three years, but Caterpillar has the ability to sell this same piece of equipment to someone who is interested in purchasing it and then provide Road and Bridge with another grader. Mr. Kimball spoke of the one year warranty program and what it could cover.

The plan is for Road and Bridge to enter into that rental program and trade in the existing grader. The payment would be approximately \$13,000. Commissioners are in agreement with this program.

Commissioner Pinkerton moved to accept the recommendation of the Road and Bridge Superintendent to enter into the rent by use agreement for a 140M3 AWD grader, serial number to be determined. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Kimball and Ms. Nelson ended at 9:25 a.m.

Clerk Poston informed Commissioners that it was recommended that Boundary County hire the company, Navigant, to check on the county's computers due to recently having been infected with a virus. Navigant will make sure county information is safe, the source of the virus will be identified, etc. This is a way to ensure the county's information was not compromised, according to Clerk Poston. The cost of this service is covered by Idaho Counties Risk Management Program (ICMRP) and the Supreme Court will not charge the county for their work in dealing with the Court Clerk's computers. This process of investigation was suggested by ICRMP, according to Clerk Poston.

Commissioner Pinkerton moved to sign the agreement with Navigant to inspect county computers as it pertains to viruses, subject to receiving information that ICRMP is covering the cost of this inspection. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning briefly mentioned that highway funding for counties was thought to have been shifted, but he has since found out that was not going to occur.

9:29 a.m. Deputy Clerk Nancy Ryals joined the meeting.

Commissioner Pinkerton moved to deny indigent case 2018-9. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:30 a.m.

9:30 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone.

Chairman Dinning updated Attorney Hull on the matter of the agreement with Navigant to inspect county computers.

Commissioner Pinkerton moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent; 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 Kirby second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 9:50 a.m. No action was taken.

Commissioner Pinkerton moved to sign Certificates of Residency for Michelle Shorman, Natalia Horton, Victoria Smith, and Laine Hamilton. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Agreement with Stimson Lumber Special Use Permit as it pertains to snowmobile trails and grooming. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time and to accept the tax amount due for year 2017 for parcel #MH0003000007UA by June 1, 2018. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to grant an extension of time and to accept the tax amount due for year 2017 for parcel #MH65N01E313011A by February 19, 2018. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to reappoint Dave Wenk and Heather Gemmrig to the Boundary County Translator Board with terms to expire March 2021. Commissioner Kirby second. Motion passed unanimously.

Commissioners briefly discussed vacation requests for employees who hadn't used up the vacation hours that exceeded the allowed amount of hours to carry forward into the next year. Commissioner Pinkerton recommended Commissioners send these employees a letter asking for them to submit a schedule in which they will use their vacation hours that are in excess of the 120 hour limit and their supervisor will receive a copy of this letter as well. Their supervisor will want to see the schedule for use of these overage hours as well as any possible overage hours accumulated this year.

Commissioners addressed sending a letter to the Forest Service Regional Forester requesting our local Forest Service be exempt from the federal hiring pause.

Commissioner Pinkerton moved to authorize the Chairman to sign the letter to the Forest Service's Regional Forester requesting the Idaho Panhandle National Forest be exempt from the federal hiring pause. Commissioner Kirby second. Motion passed unanimously.

Boundary Ambulance Service Chief Jeff Lindsey joined the meeting at 10:05 a.m.

Commissioner Kirby moved to recess as the Boundary County Board of Commissioners and convene as the Boundary County Ambulance Service District Governing Board. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes of the Boundary County Ambulance Service District Governing Board for December 18, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Chief Lindsey said Boundary Ambulance Service is hoping to start the home paramedic program this month. The paramedics have just recently completed this program training, which gives them an extra skill set that other paramedics don't have. In the process of going through this training, there was a lot of work involving community needs assessment so the paramedics have a better understanding of what programs are available for those in the community who fall through the social net and those who are repeat patients.

Chairman Dinning asked Chief Lindsey about Boundary Ambulance Service's ability to administer flu shots to county employees. Chief Lindsey also discussed a blood pressure clinic with Commissioners. Commissioner Kirby said he would ask someone at Panhandle Health District about this program and associated costs when he attends the Board of Health meeting this week.

10:15 a.m., Commissioner Pinkerton moved to adjourn as the Boundary County Ambulance Service District Governing Board and to reconvene as the Boundary County Board of Commissioners. Commissioner Kirby second. Motion passed unanimously.

Chief Lindsey left the meeting.

Commissioners resumed their discussion on employees who were unable to use up their vacation hours that had exceeded the amount allowed to be carried over into the next year. Commissioners would like these employees to submit a schedule of when they would take time off, not just for these additional

hours, but the entire leave year. Commissioners would like the letter to state that they would like a schedule in which these hours will be used and for the employee to project the hours in excess that will be earned this year and when those hours will be used. Commissioner Pinkerton said this letter needs to be put in the employee's personnel file as well.

10:30 a.m., Kootenai Valley Resource Initiative (KVRI) Facilitator Patty Perry joined the meeting to update Commissioners on this evening's KVRI meeting.

Tonight's KVRI meeting will be held at the Extension Office. Kennon McClintock will present information on the Forest Legacy Program, there will be Forestry Committee updates; and discussion on the Camp Robin scoping letter, United State Forest Service Starry Goat Project final environmental impact statement, and the United States Fish and Wildlife Service Canada Lynx Recovery news release. The next KVRI Forestry Meeting will take place on February 1<sup>st</sup>. There are no decisions to be made at tonight's meeting as it is just information, according to Ms. Perry.

The meeting with Ms. Perry ended at 10:35 a.m.

Commissioners tended to administrative duties.

Chairman Dinning mentioned to Commissioners that he is going to schedule time for a meeting with representatives from the Idaho Department of Lands and Panhandle Area Council to discuss how to reimburse vendors of the Fire Safe Program in a quicker fashion.

Commissioner Kirby moved to approve the minutes of January 15 & 16, 2018. Commissioner Pinkerton second. Motion passed unanimously.

10:43 a.m., Treasurer Sue Larson joined the meeting to update Commissioners on county accounts as of December 31, 2018, state pool rates, etc.

Commissioner Kirby moved to accept the Treasurer's report dated December 31, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Treasurer Larson left the meeting at 10:48 a.m.

10:50 a.m., Courthouse Maintenance John Buckley joined the meeting to update Commissioners on various projects. Mr. Buckley informed Commissioners that he heard beavers are causing issues for the Parks and Recreation Department as it pertains to tree damage. Mr. Buckley said one year after the big snow last year the gutters on the armory building have been fixed. Replacement glass has also been found to fix a broken window at the armory. Mr. Buckley mentioned that he is researching costs associated with removing and replacing the sidewalks in front of the Courthouse and he will obtain a price for curbs and gutters as well. Repairs to the boiler have been made and the bill was submitted last week. The boiler has shut off once since it was repaired, but that occurrence had nothing to do with the part or parts that were replaced. Mr. Buckley informed Commissioners that he is getting started on painting the interior Courthouse entranceway and carpet is being installed in the new Public Defender Office. The product to replace the window seals has been found so Mr. Buckley will get some. New exterior lights have been placed on the front of the Courthouse to improve visibility at night, but he plans on installing additional lights on the outer corners of the building as well.

Mr. Buckley said the handrail for the back walkway to the Extension Office should be ready tomorrow and he would like to paint it at the builder's house if Commissioners are okay with that. Mr. Buckley mentioned that although it is early and the work wouldn't be done until later, he is getting prices for material to coat the Courthouse roof.

Mr. Buckley said display cabinets are being built for Memorial Hall, and he and Maintenance Grounds Keeper Tom Joyce got some deep cleaning done there. Mr. Buckley informed Commissioners that he will get ecology blocks for the fairgrounds. Commissioners asked if the large parking area at the fairgrounds has been plowed and Mr. Buckley said it has not.

The meeting with Mr. Buckley ended at 11:02 a.m.

Chairman Dinning updated Commissioners on the matter pertaining to local shovel ready road improvement projects and the budget surplus eliminator. The legislation needs a vote at the House level for the surplus eliminator. Commissioners will probably need to send a letter to Representative Heather Scott to let her know how important this matter is to the county.

Commissioner Kirby moved to authorize the Chairman to sign the letter pertaining to the budget surplus eliminator. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners recessed for lunch at 11:30 a.m.

2:30 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.

Attorney Andrakay Fluid and Attorney Bruce Greene joined the meeting.

Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring 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 2:50 p.m.

Commissioner Kirby moved to appoint Bruce Greene as a Boundary County Public Defender with a start date of February 1, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Attorney Fluid and Attorney Greene left the meeting at 3:00 p.m.

Commissioner Kirby moved to sign the letter to Representative Heather Scott regarding the topic of the budget surplus eliminator. Commissioner Pinkerton second. Motion passed unanimously.

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

**\*\*\*Tuesday, January 23, 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., Commissioners held an elected officials/department heads meeting. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Treasurer Sue Larson, Chief Probation Officer Stacy Brown, Prosecutor's Office Manager Tammie Goggia, Sheriff Dave Kramer, Noxious Weeds Department Superintendent Dave Wenk, Road and Bridge Department Superintendent Clint Kimball, Courthouse Maintenance John Buckley, University of Idaho Extension Office Educator Amy Robertson, Solid Waste Department Assistant Superintendent Eric Owen, Chief Deputy Clerk Tracie Isaac, Assistant Restorium Administrator Pam Barton, Restorium Administrator Karlene Magee, Planning and Zoning Administrator John Moss and Assessor Dave Ryals.

Chairman Dinning discussed compensatory (comp) time versus overtime and said they are the same thing, but if an employee has earned comp time, Commissioners would like that time used up as soon as possible. Commissioner Pinkerton said if anyone has overtime, it should be used first. It gets confused and employees build up comp time, but it's at a value of time and one half. Comp time is free at the time as it doesn't affect the budget, but it is basically a value of time and one half. If an employee has to work more than 40 hours per week, pay them the overtime unless there is no budget for it. Mr. Kimball asked if he needs to budget more for overtime. Commissioner Pinkerton said for the most part, overtime is not something you can foresee as it is to cover for not having enough staff and comp time is a different story. Commissioner Pinkerton said an employee should always use overtime, the budget, first.

Chairman Dinning said Computer Arts had has to work on the county's computer system as it had been hacked with a virus. The county has now contracted with a firm called Navigant to analysis our computer system to see if data was compromised. This work will cost approximately \$50,000 or more and it's covered by the county's insurance, but the county does have a deductible to pay. Computer Arts suggested passwords be changed and to make the new passwords more complicated.

Chairman Dinning discussed flu shots with those present. The county is looking at the possibility of providing flu shots to employees who are interested in getting one and Boundary Ambulance can administer these shots if the county decides to do this. Chairman Dinning reiterated that it would be on a volunteer basis; not mandatory. It was said the normal flu we tend to get affects the chest and head, not the norovirus. Chairman Dinning questioned how many employee hours were lost for each department since many employees have been sick.

Commissioners informed those present that county vehicle mileage reports are now due.

Chairman Dinning said Commissioners received a request from Mike Weland, Editor for Newsbf.com. Mr. Weland's request is if county offices would consider posting their notices and legal notices on his online news website. The county still needs to publish their notices in the Bonners Ferry Herald as that is the county's official newspaper of record so this would be in addition to that. Chairman Dinning said he will leave it up to each department as to whether or not they want to send their notices to Newsbf in addition to the Herald, but in doing so the notices to Newsbf is on a voluntary basis and needs to be free of charge.

Chairman Dinning asked those present to take a look at their office's web pages to make sure the content is current and appropriate as it may need to be updated.

Commissioners went around the room for department updates.

Mr. Kimball said it is just normal winter maintenance going on for Road and Bridge.

Assessor Ryals said his office is just moving along and trying to get a couple newer appraisers trained and up to speed. The Tax Commission visited the Assessor's Office recently to make sure values were in line. Ag rates will decrease, but timber rates will see an increase.

Ms. Robertson listed extension courses being offered to include a seed swap/seed bank the end of February. Ms. Robertson said she is trying to get books and leaders ready for 4H.

Mr. Buckley said he has not had to shovel snow for one and one-half weeks now. A repair was made to the boiler and it is working well.

Chief Deputy Clerk Isaac said the Idaho Counties Risk Management Program (ICRMP) training is done and Boundary County exceeded the goal.

Mr. Owen said he and Mr. Skeen are working on information for Commissioners that had been discussed at their last meeting. Panhandle Health District has provided a response on the possi-shell material and they have some contingencies so that might affect things. Panhandle Health District also wants more clarification on the daily processes, according to Mr. Owen.

Mr. Moss said a permit has been put in place for the Bee Safe Company so they can put up a sign as they are compliant with the highway approach. Mr. Moss said Planning and Zoning has also received a request for a conditional use permit for a commercial junk yard.

Mr. Wenk said he had nothing to report on weeds and that he recently attended a conference in Boise and there is nothing new to report. The Neighborhood Coop Program will open the application process in February and there are funds available.

Sheriff Kramer said he will be attending the Idaho Association of Counties Conference the week of February 5<sup>th</sup>. The Sheriff's Office has purchased a conex trailer.

Ms. Goggia said the Prosecutor's Office is busy as usual.

Ms. Brown said the Probation Department is starting to see more clients and there is a heavy court load so she may be getting even more. The Idaho Department of Juvenile Corrections is conducting an audit and she was able to get information from Chief Deputy Clerk Isaac to satisfy the audit so she would like to thank her for that. Ms. Brown informed Commissioners that she is going to Lewiston next week for training on the Odyssey Program.

Treasurer Larson said her office is working on tax payments and public administrator assignments.

Clerk Poston said Court Clerk Della Armstrong had training on the Odyssey Program, which is planning to go live in April.

Commissioner Pinkerton suggested Assessor Ryals put a news release out prior to valuations increasing in order to inform the public.

The elected officials/departments heads meeting ended at 9:22 a.m.

9:30 a.m., Restorium Administrator Karlene Magee and Assistant Administrator Pam Barton joined the meeting to provide the Restorium report. Chairman Dinning asked if there was anything learned as a result of the recent norovirus outbreak at the Restorium. Ms. Magee said yes, which is to isolate all residents; not just the residents who have the virus. Ms. Barton and Ms. Magee said they have been swamped by people calling in and expressing interest in the Restorium for potential private pay residents.

Those present reviewed the Restorium statistics report for the months of October through December 2017. Commissioners discussed uniforms for Restorium employees, such as scrubs, and how the county would reimburse up to two uniforms per employee. Commissioner Pinkerton added that it would be a good idea to keep an extra pair of scrubs on hand. Commissioners said to make sure the cost of the scrubs are comparable depending on where they are purchased. Ms. Magee said security cameras are in place by the Restorium doors and they are working. The cameras will be ready to start recording at one point. Ms. Magee said there are currently two rooms that are double occupancy and she asked if Commissioners want to do single occupancy as private pay. Commissioners said yes. It can be either, according to Ms. Barton.

Commissioner Pinkerton complimented Ms. Magee and Ms. Barton on being able to accommodate the former residents of Ace Elder Care.

The meeting with Ms. Magee and Ms. Barton ended at 9:41 a.m.

Commissioners took a short break.

10:00 a.m., Commissioners held a public hearing to consider Planning and Zoning Application #18-029, an application filed by Charles Timmons, doing business as Caribou Creek LLC., for a zone amendment on parcel RP61N01W110010A. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, Planning and Zoning Administrator John Moss, and Broker Kelsie Wetherell who is representing Applicant Charles Timmons. No one from the public was present. The public hearing was recorded.

Chairman Dinning reviewed the hearing procedures for those present. This is an application to amend parcel #RP61N01W110010A to the Agriculture/Forestry zone from the Prime Forestry Zone.

Commissioners opened the hearing to public testimony and asked for an opening statement from the applicant's representative. Kelsie Wetherell introduced herself as a broker for Mr. Timmons and Caribou Creek LLC. Ms. Wetherell said Mr. Timmons has tried to market this property for over four years and an agency before her had the property on the market for approximately three years. The original asking price was \$2,200,000 and it has now decreased to \$945,000, because there are no ways to get loans for this property and no one wants to come to such a remove area an spend a million dollars. The applicant is asking if there is a way to split the parcel. Ms. Wetherell said she did a study on the multiple listing service (MLS) and with a potential property split, they do have offers waiting understanding it isn't known if a split can be done. The potential buyers do have a contract and they are bonafide cash offers. Ms. Wetherell gave a brief description of how the parcels could be split and she explained that the terrain is steep and rocky. Ms. Wetherell said she spoke to someone who works for the Bureau of Land Management (BLM) and it would be so costly to use BLM's ingress/egress that no one would probably do that. The only other option for the seller is to purchase the adjoining property in order to get access



and that probably won't happen, according to Ms. Wetherell. The property owner has had access to the property through a National Forest Service lease at a cost of \$92 per year and the lease could probably be rewritten with the three potential buyers. The new buyers want to keep and preserve the land as it currently is and want to be off grid.

Chairman Dinning said we are here to consider a rezone so he has questions for staff.

Mr. Moss said the request is to rezone the property via an amendment to the zone map and the parcel is 317.47 acres. The property owned by Caribou Creek LLC., is zoned prime forestry. At some point Caribou Creek LLC., acquired this property from the Forest Service and at that time it was not rezoned. The minimum parcel size was 160 acres so if there are 320 acres, it could be split into two parcels, but it is less than that size so it cannot be split at all. In talking with County Civil Attorney Tevis Hull, there aren't any options as the Prime Forestry zone is zoned 160 acres minimum for a purpose. Mr. Moss said he recognized that Prime Forestry is if all designated land is owned by a management agency, such as the state or federal government, but this land is no longer owned by an agency. That is the basis for a rezone. By rezoning this parcel to Agriculture/Forestry everything that is possible to do in the Prime Forestry zone can be done in the Agriculture/Forestry zone, which has a minimum of 10 acres.

Chairman Dinning said there is no one here from the public, but he will still ask if anyone wishes to speak in opposition, uncommitted, and in favor to the application. No one spoke.

Ms. Wetherell did not wish to make a closing statement.

Chairman Dinning closed the hearing to public comment. Commissioner Pinkerton said he agrees that this issue should have been done at the initial time of sale. Chairman Dinning said we need to insert something into the county's ordinance that a parcel will be automatically rezoned once the property is sold by a state or federal agency to a private party. Commissioners had no other concerns.

Commissioner Kirby moved to approve Planning and Zoning Application 18-029 for a zone amendment requested by Charles Timmons for parcel #RP61N01W110010A. Commissioner Pinkerton second. Motion passed unanimously.

The public hearing ended at 10:12 a.m.

Commissioners tended to administrative duties.

Commissioner Pinkerton left the meeting at 10:35 a.m.

Commissioners took a break until their next meeting at 11:00 a.m.

11:00 a.m., Commissioners contacted Michael Listman with TechPartner regarding the county's website. Chairman Dinning informed Mr. Listman that Commissioners want to give one county employee the master key so if any department needs to update their webpage, this person can get them in and out of their page. Mr. Listman said it can be done and it will require a bit of training, other than what had been taught initially. Mr. Listman said he will be back in town the second week in April so Commissioners and Mr. Listman will touch base then.

Chairman Dinning said the Commissioners want the ability to update the site quickly if need be.

The call to Mr. Listman ended at 11:02 a.m.  
There being no further business, the meeting adjourned at 11:02 a.m.

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DAN R. DINNING, Chairman

ATTEST:

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