

**\*\*\*Monday, December 10, 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.

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

9:00 a.m., Road and Bridge Department Assistant Superintendent Renee Nelson joined the meeting to give the departmental report. A written report was presented. Ms. Nelson said Road and Bridge worked on a little bit of everything last week, such as the 319 culvert project on Fleming Creek Road. Today Road and Bridge will have all trucks out sanding and salting the hills and if snow is in the forecast, trucks will have the plows put on in order to be prepared.

Ms. Nelson said as far as the Change Order #2 for the Kootenai Trail Road Repair project, she is not very familiar with what is involved with that. The hope is to have this road passable soon, according to Ms. Nelson.

Commissioner Pinkerton moved to authorize the Chairman to sign Change Order #2 for the Kootenai Trail Road Repair project. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes of November 19, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Ms. Nelson updated Commissioners on her progress of working on a spread sheet to keep track of Road and Bridge projects, dates that project reimbursements are requested, amounts of reimbursements requested, etc. Ms. Nelson said she would send Commissioners what she has been working on.

Chairman Dinning asked about the demand claims for Road and Bridge projects and what each means as far as the status of reimbursement, etc. Chairman Dinning said generally claims are paid once per month so how does it affect project reimbursement by doing that with Road and Bridge claims. It was said it delays reimbursement. Chairman Dinning questioned if we are in violation with these agencies if we sign the demand, but wait to send it out. Clerk Poston said demand claims were processed for the Snow Creek Bridge project, but has Road and Bridge submitted reimbursement for those projects. Ms. Nelson said yes, and she explained that Road and Bridge couldn't submit the request for reimbursement in July as the State of Idaho's financial year end was closing for that year. Ms. Nelson said she also couldn't submit for reimbursement until the bridge work was completed and now that has happened so they have requested reimbursement. Ms. Nelson explained work in obtaining full reimbursement as the Idaho Department of Parks and Recreation has changed their process and is now not offering full reimbursement. The Caribou Creek Bridge cost \$99,000 and Snow Creek Bridge cost \$90,000. Clerk Poston said when demands are requested, does Ms. Nelson turn right around and request reimbursements. Ms. Nelson said yes, for engineering.

9:14 a.m., City of Bonners Ferry Attorney Andrakay Pluid and City of Bonners Ferry Administrator Lisa Ailport joined the meeting for Commissioners' discussion regarding the Dukw.

Commissioners asked Ms. Nelson about Hidden Meadows. It was said this subdivision is at the end of Champs Road. On the plat it's listed as Emerson Lane, but Emerson Drive had already been approved. Ms. Nelson said she thinks the hang up was the last portion of Emerson Drive. Ms. Nelson said she would ask

County Mapper Olivia Drake to inform the resident that the temporary road stays until a permanent road is built.

Ms. Nelson left the meeting at 9:20 a.m.

Commissioners brought up the matter of the GMC Dukw ownership. The City of Bonners Ferry had declared the Dukw surplus and had sold it at auction. Those present discussed searching through old Commissioner minutes during the time frame the Dukw would have been purchased, etc., but did not find any mention of it. Ms. Ailport said when the city looked into it and spoke to various people, people recalled the vehicle being purchased somewhere around year 1965. Ms. Ailport said in years 2010-2011 the city did \$25,000 worth of refurbishing work to it. The Dukw just recently sold at public auction for a little more than \$21,000. Commissioners asked Ms. Ailport and Ms. Pluid if they were aware of ownership before the Dukw sold and Ms. Ailport and Ms. Pluid said no, not until after the auction. The person who bought the Dukw at auction requested the title and that is when questions of ownership came up. It's possible the paperwork just fell through the cracks a long time ago.

County resident Jim Cowin joined the meeting to question the status of looking into ownership of County Road 22C.

Commissioner Pinkerton moved to sign the title of the Dukw in order to transfer ownership to the City of Bonners Ferry. Commissioner Kirby second. Motion passed unanimously.

Clerk Poston said we need to obtain a duplicate title.

Attorney Pluid and Ms. Ailport left the meeting at 9:28 a.m.

Commissioners informed Mr. Cowin that County Road 22C never had an easement, but it was maintained as the county nurse lived there. This was a prescriptive easement and therefore the easement does not exist. Mr. Cowin said supposedly the county receives funding from state to maintain roads and the state had listed this road as a county road. Mr. Cowin said Mr. Plato, a former county commissioner, twice in his presence testified that the county paid to build this road. Chairman Dinning said Commissioners cannot do anything about that road. Mr. Cowin said he had been promised that County Road 22C was a county road and it would be maintained. Mr. Cowin questioned if he is going to receive any support from the county. Chairman Dinning said it's not that Commissioners don't support him, but their hands are tied. Mr. Cowin said the county had to have made a financial statement about this road as it had not been sanded for 20 years and then it was being sanded. Chairman Dinning said he understands everything Mr. Cowin is saying, but he's trying to explain that Commissioners can't do anything as there isn't an easement. Mr. Cowin explained having paid for work to be done to this road. Mr. Cowin said his neighbor, Mr. Harris, was very upset to find him cutting weeds along this road and later he did come to apologize, but what about the next residents who will live there when he and his neighbor pass on. Commissioner Pinkerton said Commissioners looked through old minutes and didn't find anything. Commissioner Kirby said he can understand the county's viewpoint. Things were done in the past and somebody didn't keep track of it, but someone might have been wrong in doing those things. Commissioner Kirby said Mr. Cowin was given good advice when suggesting he speak with an attorney.

Chairman Dinning said things have changed from the era Mr. Cowin is referring to when this took place and there is new legislation and open meeting laws that need to be followed so now Commissioners need

to have Mr. Cowin listed on their agenda in order to meet with him whereas in the old days, people probably just walked in and talked with Commissioners.

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

Mr. Cowin left the meeting at 9:40 a.m.

Commissioner Kirby moved to approve minutes for the weeks of October 22, 2018 and November 26, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners discussed the request of the Fair Board to increase the rental fee for Memorial Hall from \$40 to \$50. Commissioner Pinkerton said he thinks the fee is fine the way it is. Commissioners discussed setting time on next week's agenda to discuss considering a fee increase that is less than 5%.

Commissioner Pinkerton moved to authorize Chairman Dinning and Economic Development Director Dennis Weed to update their portal authorization information in order to continue having the ability to apply for grants through the United States Department of Agriculture. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to cancel year 2018 translator fees of \$20.00 and solid waste fees of \$141.48 for parcel #MH61N01W35332AA as the mobile home is used as storage only. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to cancel year 2018 taxes totaling \$618.30 for parcel #RP006520000CA0A due to error. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve a prorated lease for the property leased by Mike and Trevelynn Sheppard as the next Board of Commissioners may decide to sell this parcel. Commissioner Kirby second. Motion passed unanimously.

9:55 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. 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 10:10 a.m. No action was taken.

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

Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously. 10:15 a.m., Commissioner Pinkerton moved to go out of closed session. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to deny indigent cases 2019-4 and 2019-3. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve indigent case 2019-1. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting.

10:21 a.m., Commissioners held a hearing to consider County Alcoholic Beverage License Applications for year 2019. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. The proceedings were recorded.

Commissioner Pinkerton moved to approve the County Alcoholic Beverage License Renewal Applications for year 2019 as presented in "EXHIBIT A", which is attached, provided that all necessary documentation and applicable fees have been received. Commissioner Kirby second. Motion passed unanimously.

"EXHIBIT A"  
APPLICATION FOR COUNTY ALCOHOLIC BEVERAGE LICENSES FOR YEAR 2019

The following establishments are to be approved for the Boundary County Alcoholic Beverage license for year 2019 pending receipt of all required documentation and applicable fees: Super 1 Foods, Jack's Club, Porthill Mercantile & Bistro, Big Daddy's Bar & Grill, Bonners Ferry Conoco, Shopko Hometown #584, Bonners Ferry Pizza Factory, The Pearl Theater, Under the Sun, Lane 9, Mirror Lake Golf Course, The Great Northwest Territories Event Center, Mugsy's Tavern & Grill, Northwoods Tavern, Feist Creek Resort, Safeway, South Hill Qwik Stop, The Moyie Store, The Rusty Moose Tavern & Grill/Goat Mountain Pizzeria, Three Mile Corner, Eagles Aerie #3522, Two Tones Café, Kootenai River Brewing, Cenex Zip Trip, Naples General Store, Mi Pueblo II, Kootenai River Inn Casino & Spa, Heart Rock Wines/The Crosstime Saloon, and Mel's Kitchen/Wild Bees.

The hearing ended at 10:22 a.m.

10:23 a.m., Boundary Community Hospital CEO/CFO Craig Johnson, Boundary Community Hospital Board of Trustees Chairman Elden Koon and Elden's son, David Koon joined the meeting.

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

Mr. Johnson said the hospital finances will end slightly in the red, approximately \$2,000, with depreciation. A settlement from Medicare is expected, but not until July. Uncompensated care is slightly down, which is good, but volume is down as well, according to Mr. Johnson. Chairman Dinning said depreciation is \$400,000. The uncompensated care should see some benefit from Proposition 2, the expansion of Medicaid, but we will see what legislators come up with, according to Mr. Johnson.

Mr. Johnson informed Commissioners the Festival of Hearts is on February 9<sup>th</sup> and it will be a fairly relaxed event held at the Kootenai River Inn.

Mr. Johnson said when the second half of the levy dollars come in, the heating, venting and air conditioning (HVAC) controls for the entire hospital and extended care facility (ECF) will be upgraded for year 2019.

Chairman Dinning asked if veterans can have their urine analysis appointments done at the hospital instead of veterans having to drive south to have it done. Mr. Johnson and Mr. Koon said yes, if the Veterans Administration will allow it. Mr. Johnson added that the veteran will have to request that.

Commissioner Pinkerton moved to reappoint Elden Koon, Geri Garten and Merle Ansley to the Hospital Board of Trustees with terms to expire January 31, 2022. Commissioner Kirby second. Motion passed unanimously.

The meeting with Mr. Johnson, Elden Koon and David Koon ended.

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

Current Expense	\$ 418,904.97
Road & Bridge	331,005.16
Airport	5,842.17
District Court	4,978.83
Justice Fund	34,708.70
911 Funds	3,489.68
Indigent & Charity	12,818.80
Parks and Recreation	1,330.13
Revaluation	644.88
Solid Waste	18,108.21
Tort	644.00
Veterans Memorial	127.81
Weeds	525.71
Restorium	21,975.30
Waterways	569.34
<b>TOTAL</b>	<b>\$855,673.69</b>
<b>Trusts</b>	
Auditor's Trust - *Misc.	100.95
Driver's License Trust	7,989.00
Motor Vehicle Trust Acct	118,966.17
Sheriff's Trust Fund	51.30
Drug Forfeiture Trust Fund	1,140.62
Odyssey Court Trust Account	17,601.25
Odyssey Bond Trust Account	1,440.62
Odyssey Restitution Trust Acct	605.54
<b>TOTAL</b>	<b>\$147,895.45</b>
<b>GRAND TOTAL</b>	<b>\$1,003,569.14</b>

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners' allowance & warrant register record 2018-2019).

Commissioners tended to administrative duties.

Commissioners and Clerk Poston met with Kelly Glenn and Tony Villelli with KW Commercial Realty along with Dick Staples of JRS Surveying at the site of the Felsted property. Mr. Staples showed Commissioners the location property pins in the front, sides and back of the parcel. Discussion took place regarding easements and access to the adjoining parcel. Commissioners viewed the interior of one of two buildings on the parcel and walked the property.

The meeting ended at 11:42 a.m.

Commissioners recessed for lunch.

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

Sheriff Dave Kramer, Chief Deputy Sheriff Rich Stephens and Chief Deputy Clerk Tracie Isaac joined the meeting. County Civil Attorney Tevis Hull joined the meeting via telephone.

1:30 p.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. 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 2:10 p.m. No action was taken.

Commissioner Kirby left the meeting at 2:30 p.m.

There being no further business, the meeting adjourned at 3:00 p.m.

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DAN R. DINNING, Chairman

ATTEST:

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Glenda Poston, Clerk

By: Michelle Rohrwasser, Deputy Clerk