

*****Monday, December 17, 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.

Blue Sky Broadcasting News Reporter Mike Brown and county resident Marty Martinez 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 met with Commissioners to give the departmental report. A written report was presented. Mr. Kimball spoke of road and weather conditions over the past weekend.

Commissioners and Mr. Kimball discussed the matter of over-weight loads. Chairman Dinning said the county doesn't permit for county roads right now and he's never liked the state having jurisdiction over a county road as for one, they are just looking at a map. The 129,000 pound legislation is really designed for state highways and now there is a potential for this to affect county roads. Chairman Dinning questioned if opting to let the state be the issuer of permits would mean having to get a permit if he wanted to take an excavator down Riverside Road in the middle of summer. Mr. Kimball said he doesn't think so. Mr. Kimball said a logger/excavator would weigh 50,000 pounds and most trucks have six or seven axels. A lot of that equipment would be highway legal weight. Mr. Kimball said he would provide Commissioners with a contact to learn more information about this. Chairman Dinning said Commissioners were involved in the 129,000 pound truck matter and Boundary County is does not have that designated here. That designation was always intended to be just for highways for commercial traffic traveling through; similar to an interstate designation. Commissioners knew there may be some county roads that would be designated as they access the highway. In the legislation, it was not the county's responsibility to do these studies to see if it was acceptable to make certain county roads handle that weight.

The meeting with Mr. Kimball ended at 9:23 a.m.

Commissioner Kirby moved to approve the minutes of December 3 and 4, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to approve and sign the Annual Road and Street Financial Report for fiscal year ending September 30, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to sign Certificate of Residency for Stacie Watts. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to accept the recommendation to appoint Kevin Greenleaf to the Boundary/Smith Creek/McArthur WMA Advisory Committee. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Findings and Decision for Planning and Zoning Applications #18-120 and #18-130. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Selkirk Cooperative Weed Management Area Noxious Weeds Cost Share Request and Conflicts of Interest Statement for year 2019. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to rescind Commissioners' prior motion to approve the Findings and Decisions for Applications #18-120 and #18-130 as the motion is scheduled to be made tomorrow. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to declare the Dukw surplus and authorize the clerk to file for a lost/duplicate title. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners discussed the request of Idaho Department of Lands to enter into a snowmobile grooming agreement with Boundary County. The annual fee associated with the agreement is \$500 and Commissioners would like to negotiate lowering the fee. Chairman Dinning said he would make some phone calls to see if the fee can be lowered.

County Civil Attorney Tevis Hull contacted Commissioners via telephone.

9:40 a.m., Commissioner Pinkerton moved to go into executive session pursuant to 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 9:41 a.m. No action was taken.

Chairman Dinning stated for the record that he thought there was an executive session scheduled during the morning session, but that it had not been agendaized so Commissioners did not discuss any topic or take any action and per the advice of Commissioners county civil attorney, they will schedule an emergency legal executive session with Attorney Tevis Hull tomorrow at 10:30 a.m.

Boundary Ambulance Service Chief Jeff Lindsey joined the meeting.

Commissioner Pinkerton moved to sign the corrected Certifications and Assurances, Attachment #1 for FY 2018 Highway Safety Grants for the Sheriff's Office. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to increase the current rental fee for Memorial Hall by 4.5%. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to appoint Mike Weland to the Boundary County Parks and Recreation Board to fill a term that had been vacated and the expiration date of this term is December 31, 2021. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners explained that the position Mr. Weland is appointed to has a term that first expired year 2015, but the board member in this position at that time did not wish to be reappointed so this position has been vacant for some time. The terms for the Parks and Recreation Board are three years so had this specific position been filled, the expiration of the subsequent term would've been this month, December

2018. Commissioners made this statement in order to answer any future questions that may arise about a gap in time for this appointment.

9:59 a.m., Commissioner Pinkerton moved to recess as the Boundary County Board of Commissioners and to convene as the Boundary County Ambulance Service District Governing Board. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the meeting minutes of the Ambulance Service District for November 19, 2018. Commissioner Pinkerton second. Motion passed unanimously.

Chairman Dinning said Commissioners had heard about Boundary Ambulance Service and Bonner County. Chief Lindsey said Bonner County officials came to see how Boundary Ambulance Service operates with Boundary County and in showing that model to them, he also explained to Bonner County officials that Boundary Ambulance Service is under contract with Boundary County; they are not a county-run ambulance service. Boundary Ambulance Service is a private business that contracts with the county to run emergency medical services (EMS). Bonner County had been reviewing different models and when they saw the model Boundary Ambulance Service was working under with Boundary County, they liked that model the best. Chief Lindsey said last week when he met with Bonner County officials, they were going to wait to install him as interim director, but they couldn't wait any longer as they were already moving their troubled administration. Chief Lindsey said the understanding is that Boundary Ambulance Service will work on a contract with Bonner County and will be able to work with both counties. Chairman Dinning said for clarity there was an article that stated there is a commissioner on Boundary Ambulance Services' board and that is not a true statement. It was explained that the board for Boundary Ambulance Service is made up of members of the community. Chief Lindsey said there will be an increase in service as right now, there is one full time staffed ambulance. With this system, the idea would be to keep a unit at the South Boundary station 24 hours a day, seven days per week, all year long and EMS coverage can be provided to both the north end of Bonner County and the southern end of Boundary County from this location.

Commissioner Pinkerton questioned if there will be an interruption in Boundary County's EMS service and Chief Lindsey said there will be zero reduction in services in Boundary County. It was also stated that there will be no additional costs to Boundary County for this new separate service. Chief Lindsey said zero additional costs. Commissioner Pinkerton and Chief Lindsey spoke of seeing increased coverage. Commissioner Pinkerton asked how that works if an ambulance unit is working in Bonner County. How will the operation run with Bonner County as far as funding? Chief Lindsey, said in other words, if someone feels like they are paying for another county's service, they won't be as this other service will operate as a separate agency, but that doesn't mean ambulance units can't cross county lines. Right now, if a call is made for Bonner County EMS to come up to Boundary County, they will do that. This service will work better as Boundary Ambulance Service will now operate all those resources. Commissioner Pinkerton said for all practical purposes there will be no change to the contract with Boundary County. Chief Lindsey said absolutely not; that contract will be honored. Commissioner Pinkerton said Bonner County will have no influence on Boundary County's service and contract and Chief Lindsey said there won't be a reduction as he will have to hire more EMS personnel. Chief Lindsey said the EMS service for Bonner County will be operating under the name North Valley EMS and he added that nothing is certain at this point as he is just a part-time interim position trying to get things in order.

Chairman Dinning informed Commissioners that he had spoken to Chief Lindsey about the buildings on the Felsted property located next to the armory. Chief Lindsey said he thinks the buildings will work great

if someone can add onto them. The footprint is fine. Chairman Dinning mentioned he would send Chief Lindsey the building's dimensions.

10:13 a.m., Commissioner Kirby moved to adjourn as the Boundary County Ambulance Service District Governing Board and to reconvene as the Boundary County Board of Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

Chief Lindsey left the meeting.

10:15 a.m., Deputy Clerk Nancy Ryals joined the meeting.

Commissioner Pinkerton moved to deny indigent case 2019-5. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left at 10:15 a.m.

Commissioners tended to administrative duties.

10:30 a.m., Solid Waste Department Superintendent Claine Skeen and Assistant Superintendent Eric Owen joined the meeting to discuss matters pertaining to the landfill's compactor that had sustained damage this year. Mr. Skeen presented Commissioners with information on a new compactor as well as cost information to repair the damage to the existing compactor.

Mr. Skeen presented Commissioners with a proposal on a new machine. Annual payments would be \$99,567.29 and after five years the buyback figure is \$305,000. Chairman Dinning stated that there would be no equity at the end of the term. The quote provided for a used machine has a cost of \$350,000 for a five year period so that is an annual payment of approximately \$70,000.

The cost quoted from Western States CAT to repair the existing compactor is \$66,084.60 and that is for a remanufactured motor, according to Commissioner Pinkerton. The motor would be removed and torn down and the block would be checked. If the block is still good, the cost will reduce to \$54,000. Chairman Dinning said if the county were to go with the used equipment, that means when the machine is done everything is fixed and running. Mr. Skeen said Wade Haugen with North Idaho Adjusters wanted to know what Commissioners wanted to do, such as choose the \$62,000 option or attain the salvage bid, which is approximately \$54,000. Chairman Dinning questioned how the county funds either scenario. Mr. Skeen said the annual payment for the new machine is \$99,000 so the county can take the insurance funds to pay for the first year. Chairman Dinning said the biggest issue he sees is making that payment. With a used machine, the county will get the service history and oil test information. If the county were to choose the used machine, it would need to come up with \$70,000 versus \$100,000 for annual payments. Mr. Skeen spoke of repairing the existing machine and stated if the core is bad, the county will need to come up with \$6,000.

Mr. Skeen said the compaction teeth are at approximately 50% wear and it's approximately \$10,000 to put new teeth on the machine. Mr. Skeen said there will need to be maintenance on this machine in the future. Mr. Owen said this machine goes back and forth all day and there will be wear with the amount of hours on it so we could be putting money into something with lower bottom end wear. It was said the compactor is used approximately three to four hours per day. Commissioner Pinkerton said if the county buys the compactor back, there is approximately \$5,500 coming to the county so we can put that back

into a remanufactured motor. The county would be ahead if the core is good, according to Mr. Skeen. Commissioner Kirby suggested repairing the existing machine. Chairman Dinning said the county could be money ahead depending on the existing machine's condition, otherwise we're looking at annual payments of \$67,000 to \$90,000 for a newer or brand new machine. Even if the county were to put half of that amount into the machine, it's still money ahead. The cost range to take care of the teeth is \$30,000 to \$40,000. Commissioner Pinkerton said he understands wanting a new machine, but he's looking outside of box. We're limited to 20 tons per day going into the landfill. How long will we be able to use that 20 ton and keep up with it before having to ship garbage out? This is talking about \$60,000 or \$90,000 annual payments with those unknowns so it wouldn't be good as a county to jump into that expense. The county should repair the existing machine and go from there. Mr. Skeen said with a lease purchase for a new machine, Caterpillar will take it back. Chairman Dinning said that will affect other departments' budgets as Caterpillar won't extend to the county what it would have.

Commissioner Kirby moved to take steps to repair the existing compactor and get it operational for the Solid Waste Department. Commissioner Pinkerton second. Motion passed unanimously.

It was said the Clerk's Office will inform the county's insurance company of Commissioners' decision.

The meeting with Mr. Skeen and Mr. Owen ended at 10:45 a.m.

11:00 a.m., Commissioners held a public hearing to consider a request for a variance of an approach permit. Present were: Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, Marty Martinez and applicants Travis and Samantha Wisberg. The hearing was recorded.

Road and Bridge Department Superintendent Clint Kimball joined the meeting at 11:09 a.m.

Chairman Dinning said there is not a specific public hearing process to follow that is explained in the Road Standards Ordinance so Commissioners will follow the regular public hearing process. Chairman Dinning reviewed the public hearing procedures. Commissioners said they have no conflict of interest. Chairman Dinning said he's had conversations with Mr. Wisberg on the matter and perhaps Mr. Wisberg's father, but he doesn't have any conflict.

Mr. Wisberg said he closed on his property in May and it had previously been owned by Ken Maring. The parcel is located north of Moon Shadow Road on Homestead Loop. Six acres had been split off. On the subdivision drawing that JRS Surveying had drafted, Mr. Wisberg said he did speak to Mr. Staples about the preapproved access and it was just figured it was a good place for the access. Mr. Wisberg said in order to establish an address for the property, he spoke to the County Road and Bridge Department. Initially it was preferred to have the driveways in the corner of the property and it wasn't within the 60 feet to 120 feet so the request was not accepted. Mr. Wisberg said he looked at the property more carefully and he could only have one access. Mr. Wisberg mentioned that if this area continues to grow, he has 22 acres and could divide the property so it made sense to put the access in the middle of the field. It seemed the center of the property would be a good location, but he then learned the road is a minor collector and there is a minimum distance between accesses. Mr. Kimball was apparently not able to approve that without the Board of Commissioners. Mr. Wisberg provided Commissioners with a diagram and said if you look at the map and you are looking north, you see from the driveway to south is 744 feet, and it would be 500 feet from the requested location to the driveway. There are neighbors to the north that have two accesses as they have an agricultural access to the south of the main driveway and it is 187

feet from the main driveway. Mr. Wisberg said from that agricultural access it would be 238 feet to his requested driveway at the center of his property. Mr. Wisberg said he understands an agriculture entrance is an access, but just for machinery, etc. Mr. Wisberg said he is requesting the driveway be put in the center of his property at the crown of the hill. Water would run out of the culvert at that location, there are no visual distractions and it's not that busy. It was said there had been a proposed access from the purchase of the property that showed on the survey.

Mr. Kimball said with property being sold and bought, he's visited with Planning and Zoning and Mr. Staples has worked with Road and Bridge on a couple of occasions, such as the East Mountain View subdivision, etc. Road and Bridge said these two areas meet the Road Standards and would be a preapproved driveway location. We don't let what occurred in the past set precedence for the future, according to Mr. Kimball. Maybe the agricultural driveway should've be handled differently. These roads get traveled faster and there had been a fatality some time ago.

Chairman Dinning asked how close an agriculture approach can be to an existing driveway. Mr. Kimball said the approach the one neighbor had, this neighbor will never build there, but it's still an approach that enters the roadway so as we move on into the future we will look at things tighter. Mr. Kimball asked the reason to move or keep the approach in its current location. Chairman Dinning said eventually, an agricultural approach doesn't count the same as far as distance to another approach. Commissioner Kirby said as was stated what is left in the past will be dealt with in the future. Commissioner Kirby said feet distance needs to be given for a minor collector. Chairman Dinning said it shows the agricultural approach is 187 feet. In the existing Road Standards it allows for an agricultural approach and he questioned if there is a requirement of minimum or maximum distances to existing roadways. Mr. Kimball said one difference would be if geography approaches lends itself to that. It's kind of like a secondary approach to one piece of property. Chairman Dinning said here is the criteria and if it falls within the criteria, the county cannot say no. So in the criteria for an agricultural access, is there anything that says an agricultural approach has to be a certain distance from an existing driveway. Chairman Dinning said as it sits today, agricultural approaches don't have any footage bearing on anything as its intended for light use. Mr. Kimball said he's saying it is an approach to a highway and the county does have standards that say "so many feet between approaches." Mr. Kimball said the issue is that the approach was this way when Mr. Wisberg bought the property and he added that he would imagine a good reason would be needed to make a change and he cannot think of a good reason. Commissioner Pinkerton questioned if an agricultural access is identified in the ordinance. Chairman Dinning said Commissioners may need to table the hearing. Commissioner Kirby said he still had questions. Chairman Dinning said per the survey, this could be a preapproved approach, but the property owner would need a permit. Commissioner Kirby said there has been no construction on this property so what's the difference and he added that it seems reasonable to him to request a variance. Mr. Kimball said it doesn't meet the Road Standards of 333 feet for approaches. Mr. Kimball said it doesn't meet the ordinance so then the request goes to Commissioners for a variance, and he understands a reason to change would need to be a good reason.

Commissioner Pinkerton asked what is needed if the property is divided. Mr. Kimball said essentially, the property owner would need one access to get out as the county is not allowing more driveways. Whatever the size of future lots are, that's how many people there will be. Chairman Dinning said when you talk about a good reason, Commissioners are here to be fair and apply the same rules to everyone. In looking at the Wisberg's situation and the agricultural access that was granted last year, it is a 187 feet from the driveway to the north so then why can't it be 187 feet to the driveway to the south, being fair to everything? Mr. Kimball said that is why we need to do this correctly and move forward as opposed to what had happened in the past. Mr. Kimball said it's his feeling to stick to the ordinance. Chairman Dinning

said that's why he asked if there is something that defines or regulates agricultural easements. Now that it's an approach, we should be following that in our guidelines. Chairman Dinning said if Boundary County has nothing that lists the minimum distance for agricultural approaches and if the county says, as an example for the fun of it, that it's okay to build six houses in a five acre zone, which it doesn't, and our Planning and Zoning Administrator says you cannot do that because "we don't think so"...we cannot do that when we talk about having to have a good reason. So that is why he wants to know what the ordinance says. If the county allowed the distance of 187 feet within the last year, why shouldn't that same standard be applied to the south. Mr. Kimball said he's just trying to enforce the ordinance as he sees it's written, but it's up to Commissioners.

Commissioners continued the hearing to December 31, 2018 at 10:00 am.

The hearing ended at 11:41 a.m.

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

*****Tuesday, December 18, 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, Sheriff Dave Kramer, Emergency Services Director Mike Meier, Courthouse Maintenance John Buckley, Solid Waste Department Superintendent Claine Skeen, Veterans Service Officer John Tucker, County Noxious Weeds Department Superintendent Dave Wenk, University of Idaho Extension Educator Amy Robertson, Chief Probation Officer Stacy Brown, Assessor Dave Ryals, and Planning and Zoning Administrator John Moss.

Chairman Dinning asked those present to be sure and check their withholdings for next year just as a precaution due to tax changes.

Commissioners went around the room for department updates.

Treasurer Larson said her office is collecting taxes. Treasurer Larson asked if arrangements could be made to leave the downstairs lights on until employees have left as it is very dark downstairs when leaving for the day and the lights have already been turned off in the lower level of the Courthouse.

Mr. Tucker said he's glad to be here today and Merry Christmas. Mr. Tucker added that he's still helping veterans.

Sheriff Kramer said there is no room at the jail. Sheriff Kramer asked if he and Commissioners could possibly meet at the armory sometime in January to see what direction or plans can be made in a group discussion as it pertains to a floor plan or use of the armory. Sheriff Kramer spoke of soon being able to text 911 so his office is working on implementing that service and it should be ready early spring.

Ms. Brown said the Probation Office is busy.

Mr. Meier said he's working on the Emergency Operations Plan and he provided Commissioners with a copy of his post evacuation plan for review. Mr. Meier said he's also working on the reference guide and this is information Commissioners will need to review. Chairman Dinning asked if this plan will be specific to each office. Mr. Meier said he is planning on this Emergency Operations Plan being the document for year 2019 and it has to be reviewed every two years.

Mr. Wenk said he is working with the Forest Service, Kootenai Tribe of Idaho, and Bonner County on a new booklet identifying noxious weeds. The hope is to have the booklet done in March.

Ms. Robertson listed the classes being offered through the Extension Office after the first of the year. The deadline to sign up for the ability to compete in the fair through 4H is January 10, 2019.

Mr. Buckley said he's just really busy and has been busier trying to keep the Courthouse boiler working.

Mr. Skeen is staying busy at the landfill.

Mr. Moss is busy in the Planning and Zoning Office.

Assessor Ryals said his office has completed all valuation roles for year 2018 and they're working on the next year.

Clerk Poston said the deadline is January 18th to have county employees complete the ICRMP online training in order for the county to receive a 5% reduction or \$10,000 in the county's premiums.

The Care and Share presents should be picked up tomorrow.

Clerk Poston said there will be an election workshop in Boise in January, the county is in the middle of its audit and January 14th is the day the newly elected and re-elected officials will be sworn into office.

Chairman Dinning said Commissioners received a report from Boundary Ambulance Service and so everyone understands, Boundary Ambulance Service has formed a subsidiary company that is looking to contract with Bonner County. There will absolutely be no change to Boundary County's service and there will be no affect to our costs. Chairman Dinning said there are no County Commissioners on the board for Boundary Ambulance Service and his understanding is that there have been misquotes.

Chairman Dinning also mentioned that Bonner County had found 400 ballots from the 2018 Primary Election that had not been tabulated, but it had no effect on the results.

Commissioners thanked Mr. Buckley and his assistant, Tom Joyce for painting the interior entryway of the Courthouse.

Chairman Dinning informed those present that Kootenai Trail Road at Atkins Canyon is open now and paving should be done next year.

Commissioners announced that this will be Commissioner Pinkerton's last year as Commissioner.

Chairman Dinning said Commissioners will need to let the Sheriff, Restorium Administrator, Road and Bridge Department Superintendent, and Prosecutor's Office know the following information since they

weren't able to make it to the meeting, but Commissioners said it is up to the elected officials to decide if they want to close their office at noon on Christmas Eve. An employee who has to work that day anyway will receive holiday pay for those hours. Commissioner Pinkerton said this is a chance to tell employees they've done a good job and to take the rest of the day off with pay.

The meeting ended at 9:23 a.m.

9:23 a.m., County Noxious Weeds Department Superintendent Dave Wenk provided Commissioners with his department report. Mr. Wenk clarified matters regarding collaboration to update the brochure on noxious weeds in north Idaho. Mr. Wenk said the booklet will not contain all Idaho State noxious weeds; it will have some of those weeds, but it will also list weeds that are of concern to our area. We have weeds in this area that are not a weed designated by the State. Bonner County will fund a majority of the costs to print this new booklet, which will consist of approximately 1,000 copies. Mr. Wenk said the cost to his budget for this is approximately \$1,000, but he has \$1,500 in his budget for education. Chairman Dinning asked Mr. Wenk about putting in digital pictures of weeds on a loop that can be shown at the fair.

Commissioners questioned which county offices Mr. Wenk could fill in during the winter. Those present discussed looking into having a boat checking station here in the future. Mr. Wenk asked Commissioners about matters pertaining to the (RAC) Resource Advisory Committee and funding. Chairman Dinning said he doesn't have much information on that yet, but Title II and III funds were discussed.

The meeting with Mr. Wenk ended at 9:40 a.m.

Chairman Dinning informed Commissioners that John Finney called Commissioners' Office to inform them he was unable to lower the annual fee of \$500 associated with the Idaho Department of Lands Land Use Permit for establishing groomed snowmobile trails over state endowment lands. Commissioners briefly reviewed the Land Use Permit agreement.

Commissioner Pinkerton moved to sign the State of Idaho Land Use Permit No. LU200029 Agreement with the Idaho Department of Lands as it pertains to established groomed snowmobile trails and travel routes on state land. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the Findings and Decision for Planning and Zoning Applications #18-120 and #18-130. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners briefly discussed the matter of allowing the state to issue permits as it pertains to overweight loads on county roads. Chairman Dinning said he does not want to have the state involved in any control over county roads.

Commissioner Pinkerton moved to retain control of loads on county roadways and not enter into an agreement with the State of Idaho regarding permitting for oversize loads on county roads. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning informed Commissioners about satellite imagery called Lidar, which is satellite radar that puts down to one foot resolution. Chairman Dinning said County Mapper Olivia Drake provided some information on this and there will be a cost for Level 1 service, but that amount is not yet known. Ms. Drake had mentioned this program would be helpful for Planning and Zoning and Road and Bridge. The Kootenai Tribe is also interested in this program as they use it as well so maybe the cost can be shared.

10:00 a.m., Airport Board members Don Jordan and Pat Gardiner met with Commissioners to discuss their recommendation for an engineering firm to work on projects and engineering for the Boundary County Airport and to get Commissioners' opinion. The current contract with Robert Peccia and Associates Engineering (RPA) will end in approximately one month when the Airport's Master Plan is completed. The Master Plan needs to be done every five years in order to qualify for 90% to 95% grant match funds. The Airport Board sent out request for quotes and published advertisements, etc. Airport Manager Dave Parker sent out 17 brochures and firms that submitted proposals were RPA, Toothman-Orton and Jakola Engineering out of Kalispel. Jakola Engineering looks like a good firm, but they don't have boots on the ground like the other engineering firms do. The Airport Board had a meeting on November 26th and the rating was almost a split between Toothman-Orton and RPA. The two companies provided excellent presentations and it is so close between the two companies. Toothman-Orton has a slight edge above RPA as they are in Coeur d' Alene. With the rating system used, the results were within a couple points difference. The reason the Airport Board preferred Toothman-Orton is that they are located in Sandpoint and Coeur d' Alene. Mr. Gardiner said while Boundary County has an excellent person in Rick Donaldson with RPA, Mr. Donaldson will be taking on other duties within RPA and we don't have a guarantee he will be our contact in the future. The point person with Toothman-Orton is in Sandpoint and there is likely not going to be a personnel change in the company. Mr. Gardiner discussed reasons for his preference in firms and he added that RPA still needs to produce an approved Master Plan. Mr. Gardiner said he thinks Toothman-Orton has adequate staffing to work on these projects. The Airport Board's recommendation is Toothman-Orton.

Commissioner Kirby moved to accept the recommendation of the Airport Board to select Toothman-Orton Engineering Firm for both engineering and planning work for the Boundary County Airport for a period of up to five years. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "nay" and Commissioner Kirby "aye". Motion passed.

The meeting with Mr. Jordan and Mr. Gardiner ended at 10:30 a.m.

10:35 a.m., County Civil Attorney Tevis Hull joined the meeting.

Commissioner Kirby moved to go into executive session pursuant to 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 Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 10:42 a.m.

Commissioner Pinkerton moved to sign the Declaration for the Public Defense Commission lawsuit with the State of Idaho. Commissioner Kirby second. Motion passed unanimously.

There being no further business, the meeting adjourned at 10:55 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLENDIA POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk