

\*\*\*Monday, January 09, 2017, at 9:00 a.m., the newly elected officials met for the swearing in ceremony in the lobby of the Courthouse. All newly elected officials were sworn into office.

Commissioner Pinkerton gave the opening invocation and those present said the Pledge of Allegiance.

Clerk Glenda Poston administered the oath of office to Commissioner Dan R. Dinning and Commissioner Walt Kirby.

Commissioner Pinkerton moved to elect Commissioner Dan Dinning Chairman of the Board of Boundary County Commissioners. Commissioner Kirby second. Motion passed unanimously.

Commission Chairman Dan Dinning administered the oath of office to newly elected Sheriff David Kramer and Prosecutor Jack Douglas.

9:23 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 resident Marty Martinez joined the meeting. Blue Sky Broadcasting Reporter Mike Brown was in attendance of the meetings off and on throughout the day.

9:23 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his departmental report. Mr. Kimball presented a written report.

Commissioner Pinkerton moved to approve the minutes for the week of December 26 & 27, 2016. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton explained that Sheriff Greg Sprungl has approximately 20 years of service as Boundary County's Sheriff and he is now retiring. Commissioners received a letter from Chief Deputy Sheriff Rich Stephens requesting Sheriff Sprungl's sidearm be retired and go with Sheriff Sprungl into his retirement.

Commissioner Pinkerton moved to grant the request to retire the following service weapon, a Sig Sauer 9 mm, Serial No. 47A000568, Model No. P226R, to Sheriff Greg Sprungl. Commissioner Kirby second. Motion passed unanimously.

County residents Terry Capurso and Donna Capurso joined the meeting at 9:42 a.m.

Commissioner Pinkerton moved to adopt Resolution 2017-7. A resolution declaring a local disaster/emergency declaration, starting today and lasting in excess of seven days, due to the damage sustained by the Naples Bridge and allowing for bridge repairs to be completed so the bridge can be deemed safe. Commissioner Kirby second. Motion passed unanimously.

Resolution 2017-7 reads as follows:

RESOLUTION 2017-7

BOUNDARY COUNTY LOCAL DISASTER/EMERGENCY DECLARATION RESOLUTION

WHEREAS, the Naples Bridge, located on Deep Creek Loop in Naples, Idaho, Boundary County, has sustained major damage; and,

WHEREAS, the severity of damage is endangering public safety; and,

WHEREAS, Boundary County Board of Commissioners have agendized the signing of a Local Disaster/Emergency Declaration regarding the Naples Bridge for this same day, Monday, January 9, 2016; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Boundary County Commissioners does hereby declare, pursuant to Idaho Code Section 46-1011, a local disaster emergency does exist in Boundary County, Idaho.

Adopted and Approved this 9th day of January, 2017.

BOUNDARY COUNTY  
BOARD OF COMMISSIONERS

s/ \_\_\_\_\_

Dan R. Dinning, Chairman

s/ \_\_\_\_\_

LeAlan L. Pinkerton, Commissioner

s/ \_\_\_\_\_

Walt Kirby, Commissioner

ATTEST:

s/ \_\_\_\_\_

GLENDIA POSTON, Clerk

Recorded as instrument #269549

Commissioner Pinkerton moved to authorize the Chairman to sign the Local Disaster/Emergency Declaration pertaining to the Naples Bridge to last more than seven days allowing for repairs to be made and for the bridge to be deemed safe.

Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball informed Commissioners that he has received quotes for repairs to the Naples Bridge and he also has a professional services agreement for Commissioners to sign. Chairman Dinning clarified that the status of the bridge is a time sensitive matter.

It was said there is no definitive cost until the job to repair the bridge is done. Mr. Kimball said the bridge design has been reviewed by a structural engineer and HMH Engineering out of Hayden, Idaho, was the recommended engineering firm.

Commissioners reviewed the documentation received for Naples Bridge repair project.

Commissioner Pinkerton moved to approve and authorize the Chairman to sign the Agreement for Professional Services with HMH Engineering, LLC., to provide engineering services for an emergency repair of Naples Bridge #30315. Commissioner Kirby second. Motion passed unanimously.

Mr. Kimball presented Commissioners with three quotes he received from contractors pertaining to repairs to the Naples Bridge. Commissioners reviewed quotes as follows: S&L Underground provided a quote of \$38,900, C.L. Heilman Company provided a quote of \$41,100, and C.E. Kramer provided a quote of \$38,300. Each quote was accompanied by a bidder's security of 5% of the quote provided. Mr. Kimball said C.E. Kramer has a history of doing this type of work, they are local, and he

doesn't see any reason not to choose C.E. Kramer. Mr. Kimball said he makes this recommendation based on this being an emergency situation. Mr. Kimball said he has not had any personal involvement of S&L Underground, but he does recommend the lowest quote for this project, which is from C.E. Kramer. Commissioner Pinkerton said all three quotes are within \$3,000 of each other.

Commissioner Pinkerton moved to approve and accept the quote of \$38,300 from C.E. Kramer Crane and Contracting for the Naples Bridge #30315 repair project. Commissioner Kirby second. Motion passed unanimously.

Commissioners said for clarification that the initial work to the bridge is the emergency fix; not the total and final fix. Mr. Kimball explained the first document is for the emergency fix and civil counsel will seek restitution for this damage. The second part of this is to modify the existing end of the bridge and raise it. The work is to be completed by February 10, 2017. Mr. Kimball explained the engineering for repairs is for the first part of the repairs to be made.

Commissioner Pinkerton moved to approve and sign the Independent Contractor Agreement with C.E. Kramer Crane and Contracting for repairs to the Naples Bridge #30315. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to ratify the adoption of Resolution 2017-6. A resolution supporting the project identification submittal for the Schoolhouse Road Improvement Project as it is time sensitive. Commissioner Kirby second. Motion passed unanimously. Resolution 2017-6 reads as follows:

BOUNDARY COUNTY  
RESOLUTION #2017 - 6

A RESOLUTION SUPPORTING THE PROJECT IDENTIFICATION SUBMITTAL FOR THE SCHOOLHOUSE ROAD IMPROVEMENT PROJECT

WHEREAS, the Board of County Commissioners of Boundary County, Idaho, does support the project identification submittal for the Schoolhouse Road Improvement Project to the Local Highway Technical Assistance Council (LHTAC), and

WHEREAS, the total project cost estimate is \$1,229,000, which will require \$90,209, of local matching funds to be made available from Boundary County,

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Boundary County Commissioners is hereby authorized and directed to sign the project identification packet to submit it to LHTAC for prioritization.

Adopted this 5th day of January, 2017

BOUNDARY COUNTY  
BOARD OF COMMISSIONERS

s/ \_\_\_\_\_

Dan R. Dinning, Chairman

s/ \_\_\_\_\_

LeAlan Pinkerton, Commissioner

s/ \_\_\_\_\_

Walt Kirby, Commissioner

ATTEST:

s/\_\_\_\_\_

GLENDIA POSTON, Clerk

Recorded as instrument #269548

Mr. Kimball provided a brief department report and said Road and Bridge is continuing on with work as normal.

The meeting with Mr. Kimball ended.

10:01 a.m., Bonners Ferry District Forest Ranger Kevin Knauth joined the meeting to provide an update on Forest Service projects. Kootenai Tribe of Idaho Administrative Director Patty Perry participated in the meeting with Mr. Knauth via telephone in order to provide an update on Kootenai Valley Resource Initiative (KVRI) matters.

Ms. Perry spoke of the scoping period for the Forest Service's Boulder Creek Restoration Project and providing a letter of support for this project. Chairman Dinning would be signing the letter from KVRI on behalf of the county. Ms. Perry mentioned the next item to be discussed at the KVRI meeting is the overview by the Forest Service of their five year planning process. The Forest Service will share how the Bonners Ferry District will fit with the rest of the Idaho Panhandle National Forest and will discuss the plans and projects going forward on the Five Year Plan. Ms. Perry said Greg Hoffman with Libby Dam Operations will provide a PowerPoint Presentation to update those at the meeting on the water forecast coming from the Libby dam.

Mr. Knauth said there will be more meetings held on the road system for the Five Year Plan. The Forest Service has presented some scenarios to the Forestry Subcommittee resulting from the transportation analysis plan (TAP). Mr. Knauth said he wouldn't go into it a great deal as the whole matter could escalate into very lengthy discussion, but he can talk about where the Forest Service is in the scoping process. The scoping period ends on Wednesday, but the Forest Service will accept comment letters at any time during the project. Ms. Perry said as we go along in the process there will be more meetings as well as public meetings held on the topic of roads. Commissioner Pinkerton questioned if there is a document from KVRI to present to the Forest Service. Ms. Perry said yes and she added that it would be explained at this evening's KVRI meeting. This is part of the project and KVRI is working with the Forest Service on this as it develops into a project and implementation. Commissioner Pinkerton said he has no issue with that, but what we are doing right now is deciding to give a county representative authority to sign the letter without Commissioners reviewing the letter first. Commissioner Pinkerton said he would like to see the letter. Ms. Perry said the letter would be formulated and she will send it to Commissioners before anyone signs it.

Mr. Knauth said he doesn't have a lot of updates to provide and he gave a brief update on sales and projects the Forest Service has going on now. There are two new sales administrators for the North Zone, and one administrator is working in Sandpoint and the other administrator is assigned to Bonners Ferry. Mr. Knauth provided a brief employment background on the two new employees.

Mr. Knauth said the plan is still for the Deer Creek Stewardship to come out in the fourth quarter so that is this summer. The second sale is due to come out in the third quarter of the next year so approximately spring of the next year; April to June. Both sales will come out of the same decision and each sale is expected to generate approximately 15 million board feet.

The Boulder project is in the scoping process now and there will be two sales. The first sale is in fiscal year 2019 and the second sale comes out in the January to March period of year 2020. Mr. Knauth said both projects will produce two sales.

The Forest Service will also look at the Camp Dawson project and a categorical exclusion. Robinson Lake is another project the Forest Service is looking at for a categorical exclusion. This allows the Forest Service to treat no more than 3,000 acres. These two projects will use the National Environmental Policy Act (NEPA) team. The Nez Perce and Clearwater districts are sharing this team with Bonners Ferry. Mr. Knauth said Forest Supervisor Mary Farnsworth believes that when the team comes back to the Panhandle National Forest, they will work on both the Camp Dawson and Robinson Lake projects.

Mr. Knauth said at the KVRI meeting there will be discussion about projects coming up such as Westside Road, Caribou Creek, Snow Creek, and projects in the five year outlook.

Ms. Perry commented on Region 6. Commissioner Pinkerton and Ms. Perry spoke of what is occurring in that region. Commissioner Pinkerton spoke of the Border Patrol having very little pushback as far as that region and other Forest Service issues.

The meeting with Ms. Perry and Mr. Knauth ended at 10:23 a.m.

Commissioner Pinkerton moved to sign Certificates of Residency for Trevor Pew, Kelli Davis, and Justin Guentzler. Commissioner Kirby second. Motion passed unanimously.

10:27 a.m., Solid Waste Department Superintendent Claine Skeen joined the meeting.

Mr. Skeen and Commissioners discussed the potential buy back of the Solid Waste Department's current Caterpillar loader. Mr. Skeen reviewed the options for the existing loader versus a new loader. A new machine would cost \$420,000 over a five year lease period. Chairman Dinning asked about the possibility of a seven year lease and Mr. Skeen said he would find out about that option from Jim Jordan at CAT. It was mentioned there is no trade-in option for the existing loader and there is very little equity in the existing machine as a result of the hours. It was said \$272,000 is the buy back. The county can lease the new loader with a five year fail safe warranty or lease the existing machine at \$272,000 with no warranty. Commissioners questioned what could go wrong with the existing loader that would cost \$50,000 and gave an example of an issue with the motor. Mr. Skeen said easily. There are 3,500 hours on the current loader. Mr. Skeen said this process would be under the piggyback process as the county has done in the past. Commissioner Pinkerton said he wanted to review the quotes. Currently there is a guarantee of \$272,000 for the existing machine. The financed amount for a new loader is \$421,000. The cost of \$325,000 is the cost of the existing machine plus the \$50,000 warranty. The cost of the existing machine is a \$272,000 buyback minus the warranty. CAT put a buyback offer on the used machine of \$160,000, according to Mr. Skeen. With the existing machine, the payment is \$40,000 with the warranty and at the end of five years, CAT will buy the existing loader for \$160,000. Chairman Dinning said he would like to see if the county can have a seven year lease. Mr. Skeen said he will contact Mr. Jordan about that.

The meeting with Mr. Skeen ended at 10:35 a.m.

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

Current Expense \$ 46,225.13  
Road & Bridge 13,529.15  
Airport 2,506.76  
District Court 6,228.94  
Fair, County 47,500.00  
Justice Fund 35,989.26  
911 Funds 1,665.94  
Health District 14,107.50  
Historical Society & Museum 19,000.00  
Hospital, Operation 110,000.00  
Indigent & Charity 3,338.36  
Junior College Tuition 650.00  
Parks and Recreation 308.61  
Revaluation 587.14  
Solid Waste 21,381.09  
Tort 99,427.00  
Veterans Memorial 164.65  
Weeds 30.00  
Restorium 11,818.11  
Waterways 90.21  
Grant, Boat Safety 67.33  
Grant, Fire Mitigation 10,000.00

TOTAL \$444,615.18

Trusts

Auditor's Trust \$ 2,166.14  
Beverage License Trust 75.00  
Sales Tax Collected 704.73  
Driver's License Trust 6,909.00  
Magistrate Trust 21,063.25  
Interlock Device Fund 2,025.00  
Indigent Reimbursements 8,064.42  
Motor Vehicle Trust 154,471.07

TOTAL \$195,478.61

GRAND TOTAL \$640,093.79

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners' allowance & warrant register record 2016-2017).

Commissioner Pinkerton moved to adopt Resolution 2017-8. A resolution accepting the grant offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, to be used under the Idaho Airport Aid Program,

Program No. F17865S, Project No. AIP-014, in the development of the Boundary County Airport. Commissioner Kirby second. Motion passed unanimously. Resolution 2017-8 reads as follows:

Recorded as instrument #269550

Commissioner Pinkerton moved to approve minutes for the week of the December 12, 2016. Commissioner Kirby second. Motion passed unanimously.

11:00 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone.

Attorney Hull updated Commissioners on various matters. It was stated that after looking into insurance coverage while in Canada, there is no reciprocity agreement for worker's compensation coverage in Canada.

Attorney Hull said he would review the Stimson Agreement as well as the Restorium Agreement.

Attorney Hull said he spoke to Boundary Economic Development Director Dennis Weed regarding the fee schedule for the Foreign Trade Zone as to whether or not Boundary County needs to do something pertaining to a location in Post Falls having the designation of a subzone and if this is something Kootenai County needs to be involved in. Post Falls would be a subzone because it is within 60 miles of the Canadian border. Attorney Hull said Mr. Weed is going to forward him a checklist of what is needed to complete the process involving the fee schedule.

Mr. Martinez and Mr. Brown left the meeting at 11:09 a.m.

Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)c, to acquire an interest in real property which is not owned by a public agency. Commissioner Pinkerton second. Commissioner voted as follows: Chairman Dinning "aye". Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 11:27 a.m.

Mr. Martinez returned to the meeting.

Commissioner Pinkerton moved to authorize the preparation of a purchase and sale agreement to be prepared by County Civil Attorney Tevis Hull, with approved language from the Federal Aviation Administration, for property near the airport. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to authorize County Civil Attorney Tevis Hull to be compensated at a figure the Federal Aviation Administration deems appropriate for his time and expenses for his involvement pertaining to the purchase and sale agreement of property near the airport and the ultimate closing of the transaction, as authorized by the Board of Boundary County Commissioners because they feel this task is outside the scope of Attorney Hull's existing contract. Commissioner Pinkerton second. Motion passed unanimously.

Attorney Hull updated Commissioners on the State's grant offer to assist in preparation of the airport's master plan. Attorney Hull said the language in the documents that were sent to the county on approximately December 20, 2016, states the offer was for the airport's update of its master plan, but in the body of the text, it talks about acquisition of land and that is not happening at this point. Airport Manager Dave Parker had sent Attorney Hull an email talking about property and the grant

offer had expired on December 30, 2016. The state was ultimately contacted and William Statham, Airport Planner for the State Division of Aeronautics, said the county doesn't need to worry about that expiration date as other airports did not receive their offers until after December 30th. Attorney Hull said he was still concerned about the mention of land acquisition, but Commissioners can sign the grant offer.

The call to Attorney Hull ended 11:35 a.m.

Clerk Poston briefly discussed auditor's trust accounts with Commissioners.

Commissioner Pinkerton moved to transfer \$300 to the Historical Society/Museum and to transfer \$127 of excess cash from the driver's license trust to Justice Fund. Commissioner Kirby second. Motion passed unanimously.

Mr. Martinez left the meeting at 11:44 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 follow: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 12:00 p.m. No action was taken.

Commissioners recessed for lunch at 12:04 p.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.

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 follow: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 2:18 p.m. No action was taken.

Commissioners tended to administrative duties.

2:24 p.m., Treasurer Sue Larson joined the meeting to discuss a matter involving delinquent taxes owed by Ace Elder Care.

Commissioners said Dennis Garrett, Owner of Ace Elder Care, would need to pay \$1,800 per month in order to get ahead. Commissioners and Treasurer Larson stated that Ace Elder Care started making payments for year 2012 taxes in October of year 2015 and did pay them off in year 2016, but Ace Elder Care is getting farther and farther behind.

The meeting with Treasurer Larson ended at 2:44 p.m.

Commissioner Kirby moved to submit a comment letter regarding the Forest Service's Boulder Creek Restoration Project as it is time sensitive. Commissioner Pinkerton second. Motion passed unanimously.



3:03 p.m., 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; and 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 4:10 p.m.

Commissioner Kirby moved to continue the executive session to tomorrow, at 1:00 p.m. Commissioner Pinkerton second. Motion passed unanimously.

4:10 p.m., There being no further business, the meeting recessed until tomorrow at 1:00 p.m.

\*\*\*Tuesday, January 10, 2017, at 1:00 p.m., Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

1:00 p.m., 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 2:00 p.m. No action was taken.

Commissioner Pinkerton moved to authorize the Chairman to sign the comment letter from the Kootenai Valley Resource Initiative regarding the Forest Service's proposed Boulder Creek Restoration Project. Commissioner Kirby second. Motion passed unanimously.

There being no further business, the meeting adjourned at 2:00 p.m.

/s/

DAN R. DINNING, Chairman

ATTEST:

/s/

GLEND A POSTON, Clerk

By: Michelle Rohrwasser, Deputy Clerk

**Date:**

Thursday, January 26, 2017 - 14:00