

*****Monday, May 15, 2017, 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 resident Marty Martinez and Blue Sky Broadcasting 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 joined the meeting to give his departmental report. A written report was presented. Mr. Kimball, Clerk Poston, and Commissioners briefly discussed the Road and Bridge budget and Secure Rural Schools funding.

Chairman Dinning said he has been approached by someone wondering when Meadow Creek Road was going to be graded. Mr. Kimball said he thought a grader had been out to that road last Thursday so he will check on that.

Commissioners informed Mr. Kimball that Roger Morter was going to try to attend this meeting today to inquire about the condition of Kerr Lake Road, etc. Mr. Kimball said he had mentioned to Mr. Morter that he would bring a grader in when he got a culvert installed and could grade over it. Those present spoke of Kerr Lake Road and Furrow Road. Mr. Morter did not make it to this meeting.

Commissioner Kirby spoke of muddy sections on Moyie River Road. There are potholes full of water, but he thought the road hadn't been graded because it had been too wet. Mr. Kimball said this week Union Pacific Railroad will fulfill their obligation to place rock down and re-ditch the section of road from the Forest Service property line past Bruce Behrman's property. The railroad will re-ditch this section of road past the railroad tracks and apply gravel to the low spots. Chairman Dinning said he was talking about Twin Bridges down to Meadow Creek Road. Mr. Kimball said that would be the same grader so he must not have made it to this area.

Commissioners and Mr. Kimball spoke of submitting reports on road damages. Mr. Kimball said he has gathered up extra pictures with GPS information to submit. Mr. Kimball informed Commissioners that he had to reapply to have the Riverside Road Improvement project funded and this application was ranked 1 out of 27.

Mr. Kimball said three of his employees worked to set up the crusher and he and Assistant Superintendent Randy Morris put in culverts. Mr. Kimball spoke of the large amount of traffic on McArthur Lake Road.

Those present discussed state and federal programs for emergency repairs to roads, etc., as well as the funds involved. Mr. Kimball explained needing riprap for Westside Road. A lot of work needs to be done to the road between Ball Creek and two and one half miles north of the Kootenai Wildlife Refuge.

Mr. Kimball informed Commissioners that for the most part, the road hauling permitting process this spring has gone well.

The meeting with Mr. Kimball ended at 9:22 a.m.

Commissioner Kirby moved to approve the minutes of April 24 & 25, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes of May 1 & 2, 2017. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Certificates of Residency for Eric Sandaker, Kendra Neumeyer, and Ashley Gray. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Real Estate Purchase Contract with Wallace Nyberg for parcels #RP00840010016AA and parcel #RP65N01W084815A. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to ratify the approval and submittal of the Economic Development Professional (EDPRO) Grant for the Economic Development Program. Commissioner Kirby second. Motion passed unanimously.

Boundary Economic Development Director Dennis Weed joined the meeting at 9:26 a.m.

Commissioner Pinkerton moved to authorize the Chairman to sign the Idaho Department of Lands Request for Reimbursement form for the Lower Kootenai River Watershed Restoration Project, Grant #14COMP-LKRWR. Commissioner Kirby second. Motion passed unanimously.

Mr. Weed explained that the grant through the United States Department of Agriculture (USDA) is for the regional sewer feasibility study for the Three Mile area, Moyie Springs and City of Bonner Ferry and has an award amount of \$30,000, but it has not yet been submitted as it depends on the amount of the grant through the Department of Environmental Quality (DEQ). Mr. Weed said he needs Commissioners to make a motion permitting him to apply for the DEQ grant and depending on the amount from DEQ, he will need a motion from Commissioners giving approval to apply for the USDA grant. Mr. Weed said he would have County Civil Attorney Tevis Hull review the grant application and have Chairman Dinning sign it before he can submit it. Mr. Weed said he will find out today or tomorrow what the DEQ grant award amount is and if it covers the cost of the study, he won't need to apply for the USDA grant.

Commissioner Pinkerton moved to authorize the Chairman to sign the DEQ grant application for the regional sewer feasibility study and if need be, to authorize the Chairman to sign the USDA grant application for the same project. Commissioner Kirby second. Motion passed unanimously.

Mr. Weed left the meeting at 9:30 a.m.

Chairman Dinning said Commissioners received only one response to the request for qualifications for a project manager for the hazardous fuels reduction program, which was Inland Forest Management.

Deputy Clerk Nancy Ryals joined the meeting at 9:33 a.m.

Commissioner Pinkerton moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Kirby second. Motion passed unanimously. 9:38 a.m., Commissioner Pinkerton moved to go out of closed session. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve indigent case 2017-4 upon reconsideration of appeal. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:39 a.m.

Chairman Dinning spoke of concerns over standing water and ponds in relation to West Nile Virus. Chairman Dinning asked Commissioner Kirby if he would contact Panhandle Health District about notification of the importance to have horses vaccinated against West Nile Virus.

Commissioners tended to administrative duties.

9:57 a.m., Boundary Ambulance Service (BAS) Chief Jeff Lindsey joined the meeting.

10:00 a.m. Commissioner Pinkerton moved to recess as the Board of Boundary County Commissioners and to convene as the Boundary County Ambulance Service District Governing Board. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Boundary County Ambulance Service District Governing Board meeting minutes of April 17, 2017. Commissioner Kirby second. Motion passed unanimously.

Chief Lindsey presented Commissioners with a written needs assessment of what would be ideal in a station for BAS. The highlights are having the ability to house the crews as well as the ability to put all BAS owned vehicles, which has decreased, under one roof, according to Chief Lindsey. That can be done with a three-bay, two vehicle deep facility. Also on the list are areas for a training room, bays, etc. Chairman Dinning said once the county acquires the armory or signs an extended lease, the gym in the armory can be turned into a meeting room and offices. Chief Lindsey said it would work great to be able to use those rooms as BAS has to use meeting rooms at the local Panhandle Health District because they don't have a large enough room for monthly trainings. Chairman Dinning said there is already a room in one corner that has desks and chairs that can accommodate approximately 30 people so this room may be able to accommodate BAS's needs now. Chairman Dinning said Clerk Poston would be the person to see about the availability of this room. Chief Lindsey said with the use of this room, it is something that can be omitted from the needs list. Chief Lindsey also mentioned the fire station in Libby, Montana and how it is a multi-level building as opposed to having a larger, single-level footprint. Chairman Dinning said the county is the sixth fastest growing county in Idaho so how do we plan for the future. Chief Lindsey said personally, he would build three bays and leave room for a future additional bay if needed just to be prepared. Clerk Poston mentioned that if the meeting room is going to be used, it just needs to be cleaned when it is done being used as this is an issue that has occurred. Chief Lindsey said BAS does clean up after their meetings.

Chief Lindsey briefly brought up an issue involving the bay door on the ambulance barn and those present discussed who is responsible for maintenance.

Commissioners asked how the mud bog went for BAS. Chief Lindsey said he had put together a medical operations plan of what BAS was going to do for the event. These events could be quiet one year and very busy the following year. Two paramedics were staffed to the units and Chief Lindsey said he was in town for almost the entire weekend to make sure everything was okay. BAS will respond to the entry gate at the mud bog if they are called, which did happen on two occasions. As far as cost, BAS tried to do as much as they could with volunteer help. It wasn't a real cost other than time and effort.

Chief Lindsey said the statistics for BAS has increased and they are up to 56 calls so far for this month.

Chief Lindsey mentioned response to the recent drowning that occurred on the Moyie River. There is an inability for all the different agencies to communicate on one frequency. Chief Lindsey said there was going to be discussion with Boundary Community Hospital about the ability to use their BVA1 frequency, which is a simulcast frequency, so all agencies to include law enforcement, fire, and EMS could use one frequency and be able to communicate with each other. Chief Lindsey said he and Sheriff Kramer met with hospital CEO Craig Johnson about the ability to use this frequency and Mr. Johnson was agreeable to that. Chief Lindsey said he thought he was going to meet resistance, but the hospital was completely receptive and there is a county-wide tactical channel. There were lessons learned at the drowning as it was a swift water event and Boundary County has few people trained in swift water rescue. There were incidents that could have been issues as people were near the river and these were EMS personnel. Chief Lindsey listed various local people who are trained in swift water rescue. If enough people have specialized training, EMS is right in the mix and Chief Lindsey said he will get more training for his staff on what to do and what not to do. In talking to Sheriff Kramer, swift water rescue is something that is done through Search and Rescue as that is more of their area. Commissioner Pinkerton spoke of being careful to stay in one's lane meaning the different types of response and who performs these responses.

Commissioners asked for clarification as to if BAS plans on performing an annual battery check for the automated external defibrillators (AEDs). Chief Lindsey said he will get information from the Clerk's Office as to the locations of the county's AEDs and will have the batteries checked annually.

10:26 a.m., Commissioner Kirby moved to adjourn as the Boundary County Ambulance Service District Governing Board and reconvene as the Board of Boundary County Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

Chief Lindsey left the meeting.

10:30 a.m., Patty Perry with the Kootenai Tribe of Idaho and Facilitator for the Kootenai Valley Resource Initiative (KVRI) and Forest Service District Ranger Kevin Knauth joined the meeting to update Commissioners on KVRI and Forest Service matters.

Ms. Perry said Commissioners were given a copy of a letter to review that is intended to be signed and sent to Forest Supervisor Mary Farnsworth. This matter involves taking a look at the original community forest landscape restoration (CFLR) proposal and the letter asks where the process is at now. The KVRI Board has visited with Ms. Farnsworth and are ready to sign off on making a few changes to the projects. One change was centered around biomass as that did not materialize and it also addresses road miles for decommissioning. With decommissioning, the roads getting restored is meeting the intent of the project, but this won't be able to be captured by the Washington office and this is explained in the letter. Another adjustment is that KVRI had applied for a 10 year grant, but since this process started late, it is now an eight year grant. Chairman Dinning will be asked to sign the letter at tonight's KVRI Board meeting, according to Ms. Perry. Ms. Perry spoke of an upcoming field trip and looking for a pilot area for forest practices, water quality and the effects of pre-harvest and post-harvest. Ms. Perry said this has been going well and it is good for the committee to get out and look at sites. There will be forestry field trips for two projects.

Ms. Perry explained that Kennon McClintock will be at the evening's KVRI meeting to discuss a Forest Legacy application, but he is not asking for a letter of support. Greg Hoffman with the Army Corps of Engineers will discuss Kootenai River water levels.

Commissioner Pinkerton moved to authorize the Chairman to sign the Kootenai Valley Resource Initiative letter, on behalf of Commissioners, regarding adjustments to Community Forest Landscape Restoration (CFLR) projects. Commissioner Kirby second. Motion passed unanimously.

Mr. Knauth spoke of Forest Service projects to include Camp Dawson and Robinhood. Next Monday the National Environmental Policy Act (NEPA) strike team will meet with the Bonners Ferry District staff to talk about opportunities. That NEPA team out of Coeur d' Alene completed the analysis, but local Forest Service staff will do field work looking for areas of treatment, implementation and monitoring. Both projects will be completed by fiscal year 2018 as they are categorical exclusions. Mr. Knauth said the sales dates for Camp Dawson is year 2019 and year 2020 for Robinhood, but the Forest Service will look at Community Forest Landscape project accomplishments and may move Robinhood into year 2019.

Mr. Knauth said outside of this district, Chandra Neil, a soil specialist for the Panhandle National Forest for this region, is working to try to use the Farm Bill tools to accelerate the planning aspects of NEPA. Ms. Neil has the ability to bring those projects online sooner than they would be otherwise.

Mr. Knauth said the Forest Service has had a few of their roads washed out such as Twentymile and Katka. The Idaho Department of Lands (IDL) and Idaho Forest Group are working together to find a fix as they have a timber sale contract so the Forest Service is letting IDL manage that. Twentymile is a cost share road so that is appropriate. For the Katka Road, the Forest Service does have some monies left from the Leonia timber sale so the Forest Service will look into that. The cost could come in at more than \$200,000 based on a replacement of a similar culvert in similar soil types, but the hope is to get the road repaired sooner rather than later. If the Forest Service can get these road projects online, the repairs could occur this summer. Mr. Knauth said with the road issue there is no way to get into the Boulder area and although people are finding a way, it is not ideal as it's closed. Mr. Knauth said people who have residences back in this area have been issued authorizations.

The Snow Creek Road used monies from another timber sale for its repairs. Myrtle Creek has had two washouts. The Forest Service said this is a cost share road so they are hoping that either Hancock or Molpus will be involved to utilize dollars available in that cost share to get those two washouts fixed. It probably won't cost too much, according to Mr. Knauth. Mr. Knauth said Dawson Ridge/East Dawson Ridge Road has also had two washouts so the Forest Service can use regular road maintenance contracts to have the road graded.

Mr. Knauth said when Katka Road does get fixed, it just might be a gravel road.

The Forest Service had a conference call last Friday on the objection filed against the Deer Creek project. All objections were cleared with a little direction and the roadless analysis will be made stronger. A reference from the wildlife perspective will also be added so there really are no concerns to move forward. Overall it came out very well.

Chairman Dinning asked about Acting Forest Supervisor Shane Jeffries. Mr. Jeffries had made a commitment to come back and visit with Commissioners about Bog Creek Road and the alternatives. Ms.

Perry said she could ask about that at the KVRI meeting. Chairman Dinning said Mr. Jeffries was going to look at alternatives.

Ms. Perry said when the committee met with the Forest Service to discuss Robinhood and Camp Dawson there was a lot of discussion around helicopter units as they cannot get in and questioned if they would be viable. Ms. Perry mentioned that Idaho Forest Group felt that helicopter units are not feasible or desirable at this time so as we start the preliminary analysis, we will take a look if that should be left out. Ms. Perry spoke briefly of the Boulder project and the Roadless Plan and projects to pull. Mr. Knauth spoke of the effects to projects and tight timelines. Ms. Perry said KVRI will talk to Forest Supervisor Mary Farnsworth about considering keeping those 325 acres in the plan.

The meeting with Ms. Perry and Mr. Knauth ended at 10:54 a.m.

11:00 a.m., Kennon McClintock joined the meeting to discuss a Forest Legacy Conservation Easement project. Also present were: Jared France with Molpus Woodlands Group, Doug Higgins, John and Susan Vowell, Tim Dougherty and Bob Blanford with Idaho Forest Group (IFG), and Wesley Hubbard.

Mr. McClintock informed Commissioners that he wanted to talk about the application from The Nature Conservancy for the Forest Legacy Program. Mr. McClintock spoke of Idaho's forest products industry and how it looks in Idaho.

Mr. McClintock said in an average year mills in Idaho cut one billion board feet of logs, which equates to 222,000 loads of logs. Of that one billion board feet, 85 million board feet goes to the mill in Moyie Springs. Of that total, approximately \$520,000 is cut by Idaho Forest Group. Of the logs that come to this mill, 60% to 65% come from private forest lands. This information has been the average for the last 20 plus years. The bulk of the logs comes from private lands in Idaho, eastern Washington, and western Montana. That is generally what the industry looks like, according to Mr. McClintock.

Mr. Dougherty with IFG said currently the mill in Moyie Springs has 140 employees and 83 million board feet goes through the log yard. IFG directly employs 140 people, but in Boundary County at any time there are approximately 50 to 70 loggers, and 20 to 30 truckers are directly employed by IFG. When you take other employees such as load workers on timber sales and with slash proposals, the number increases. Then there are the indirect employees, which are people hauling the residuals, and various people working with scales, replacing scales, etc., so that number increases exponentially and that is just at the Moyie Springs mill. Currently the property tax for this mill is \$110,000 annually and the electricity bill is approximately \$70,000 per month so the impact of this mill to Boundary County is very substantial.

In year 2016, 88 million board feet went through the yard. Non-industrial private land provides 16 million board feet and that is 18%. Mr. McClintock quickly provided statistics that the Forest Service provides 17% of the logs, Idaho Department of Lands provides 8%, non-industrialized lands provides 18%, and industrial lands provide 25%. Canadians sold Idaho Forest Group just under 33% of their usage. The amount of logs that went through the mill's yard so far for year 2017 is 73 million board feet and a breakdown of the percentages was provided. Mr. Dougherty said for the 2017-2018 year the mill has two, 10 hour shifts, but it did not run at that level for year 2016. The mill will need 83 million board feet of usable logs to achieve that shift. Mr. Dougherty said if the Canadian market goes away, he doubts the mill will be able to continue its production schedule.

It was said a mailer was sent out on the forest products industry in Idaho for year 2016.

Mr. McClintock said the Forest Legacy Program is a volunteer program. It is an Idaho Department of Lands sponsored program to protect working rural forests. Conservation easements restrict the subdivision and development of property, but the usual uses are still allowed. Homes, shops, barns, etc., are permitted if the owner wants. Property taxes and yielded taxes do not change. Conservation easements are perpetual and monies do come from the land and water conservation fund, which is in the Farm Bill. Mr. McClintock presented and reviewed two maps of the 2017 Forest Legacy – Boundary Connections II project. Mr. McClintock said the landowners associated with this application include Mr. France with Molpus, Mr. and Mrs. Vowell as small woodland landowners, and Mr. Hubbard. The number of acres included in this application is 2,343 and they are located in the North Bench area of Fleming Creek, Bane Creek and Brush Creek. These are productive forest lands and 73% of these lands are in young stands, plantations started between zero and 25 years old and are mostly in Molpus and Hancock grounds. We are looking at 20 year rotations. Mr. McClintock asked Commissioners to look at the second map and said the northern piece of property is an existing easement on the Peterson's property and that is part of Hall Mountain. Chairman Dinning asked who owns the private land included in this application. Mr. McClintock said it belongs to the Vowells. The parcel map shows the subdivision of the North Bench area today as to how the land has been broken up.

Mr. McClintock said Bonner County, Lincoln County, and he thinks Bonners Ferry are experiencing another growth spurt in population so by protecting timberland, it prevents development. Chairman Dinning said there are approximately 18,000 acres in conservation easements and he thinks that equates to 18% to 20% of private land. It was said the acreage is approximately 20,000, which is 10% of land in conservation easements. Mr. McClintock clarified that his meeting today with Commissioners is just informational.

Mr. McClintock said he has been an industrial forester here and he sees forests grow if managed correctly. Most industrial private lands are doing well, if they're managed. Mr. McClintock presented Commissioners with cut pieces of timber and said if the lands are managed, they can grow a lot of wood. You have to have the ground to do it and the mills need the volume, but you cannot get the volume unless they can have managed private lands.

Mr. Dougherty said he was introduced to someone who had moved to Boundary County and he offered to look at this person's trees to make sure they are healthy. Mr. Dougherty said he doesn't want to take away a person's rights to their property, but if a conservation easement keeps the acreage there, then it's managing for timber. Mr. McClintock said we are lucky to have IFG as they are aggressive, competitive, and innovative. Mr. Blanford said when he was plant manager at IFG and wanted to do capital projects, he had to look at the timber supply. Part of problem with acreage is that it gets subdivided and the costs associated with moving equipment in and out of various properties are such that it gets to where landowners don't want to be involved due to those costs associated with such a small volume.

Commissioner Pinkerton said he agrees having a timber base is important. If you look to other areas, you find thousands and thousands of acres not being subdivided. Commissioner Pinkerton said he is in favor of IFG expanding. The Canadian market may go away and what are we going to do? Even if areas on the bench have been subdivided, they are still there and producing timber. Commissioner Pinkerton said he agrees that we need timber, but we should focus on what is available in our federal forest. Commissioner Pinkerton said it is a good business decision and he full understands, but his issue is that these are lands that have the potential for growth of the future. If these lands are put into a perpetual easement, it's a longtime and if he doesn't own this land forever, how can he control it forever. It is the perpetual part of this that he is not in favor of. Many generations may be stuck with these decisions forever.

Mr. McClintock said if we don't take care of private lands for timber, then the Moyie mill goes away. Commissioner Pinkerton said until enough pressure can be applied to where the federal government hires people to do what they should do. Molpus and Hancock sell a lot of land and it's an investment for them. That is one of the lowest tax brackets in the county so what happens when you put a house on it. Mr. McClintock asked if that offsets the loss of jobs at the mill in Moyie Springs. Commissioner Pinkerton said one of the first things looked at when bringing in industry, is where are people going to stay? There is limited housing. Where are we going to go when surrounded by federal lands? The growth grows north.

It is a good business decision for the landowners as they are going to do the same thing with the land anyway. Mr. France said there is also the wildlife perspective and he added that he has trouble growing trees because they get annihilated by deer every time he plants.

The meeting to discuss a Forest Legacy Application ended at 11:34 a.m.

11:35 a.m., Boundary Community Hospital CEO/CFO Craig Johnson joined the meeting to provide a quarterly update on hospital matters.

Mr. Johnson said for the first quarter financials the hospital is at a break-even point with depreciation and uncompensated care. Uncompensated care being an ongoing concern. The annual audit is nearly complete and it will be presented to the Hospital Board at the next meeting; then the county will get their copy. The Rural Health Clinic is now accepting new patients as it has three providers now. The health fair was a success and well attended. There has been a flooring project in the Emergency Department so that will hopefully be completed today.

Mr. Johnson said he has concerns over national proposals on Medicaid as well as the Medicaid proposal for the state as it is by the Department of Health and Welfare so he doesn't see how they can do that. The real concern is in long term care and in slashing payments as that would be a real problem.

Mr. Johnson said the hospital has been working a bit with communications in that the Sheriff and Boundary Ambulance Service met with him and the group is developing communications. The hospital owns a 25 watt frequency that is allowed for health care. The Sheriff's Office and other first responders are interested in using that capability if there is a disaster so an agreement will be developed. The hospital cannot give that frequency up as it is required to have that communication with health care providers, but the hospital can certainly share this frequency.

The meeting with Mr. Johnson ended at 11:44 a.m.

Mr. Martinez left the meeting.

11:48 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. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", Commissioner Kirby second. Motion passed unanimously. The executive session ended at 12:15 p.m. No action was taken.

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

*****Tuesday, May 16, 2017, 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., Treasurer Larson joined the meeting to discuss a matter involving delinquent taxes owed by Ace Elder Care. Commissioners said they need to visit with the county's civil attorney about this or have Attorney Hull write a letter to the owner of this business. Treasurer Larson said \$51,214 in taxes is owed.

The meeting with Treasurer Larson ended at 9:08 a.m.

Deputy Clerk Nancy Ryals joined the meeting at 9:09 a.m.

Commissioner Pinkerton moved to go into closed session pursuant to Idaho Code 31-874 as it is a time sensitive matter. Commissioner Kirby second. Motion passed unanimously. 9:11 a.m., Commissioner Kirby moved to go out of closed session. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve non-medical assistance for indigent case 2017-12. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 9:12 a.m.

Commissioners and Clerk Poston discussed the lease North Idaho College has with the county for use of the facility used as the school's satellite campus. There hasn't been a rent increase so Commissioners considered an increase and agreed to leave the rent amount at its current rate.

Commissioner Pinkerton moved to sign the one year extension with North Idaho College for the college's use of the county's Bonners Ferry North Idaho College satellite campus. Commissioner Kirby second. Motion passed unanimously.

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

Commissioners discussed contacting the local surveyors to further clarifying their instructions to locate corners and permanent lines on the east and west property lines of the current landfill property.

Commissioners tended to administrative duties.

10:00 a.m., County Prosecutor Jack Douglas and county resident Jerry Higgs met with Commissioners to discuss a matter Mr. Higgs wanted to bring an issue to Commissioners' attention pertaining to the Translator Board. County Civil Attorney Tevis Hull participated in the meeting via telephone.

Mr. Higgs said he had heard some public accounts and follow-up media reports pertaining to the TV Translator Board and it didn't seem like the public accounts matched what he had heard so he filed a Freedom of Information Act to request documents and he has reviewed them. Mr. Higgs said he discovered many irregularities and he requested that Commissioners go into executive session under Idaho Code 74-206(1)b, pertaining to personnel matters.

Chairman Dinning asked if this matter is against the Translator Board and Mr. Higgs said yes. Chairman Dinning said then this subject has nothing to do with the county as Commissioners only appoint the board members. Attorney Hull explained that the Translator District is a separate entity from the county and has a separate attorney who represents them. Commissioners just appoint the board members so there is no basis in which to go into executive session.

Mr. Higgs spoke of the Translator Board's failure to follow the guidelines of ethics and other acts for not declaring multiple conflicts of interest, negligence, fraud, etc. Attorney Hull said the issue of conflict did come up with regard to appoint a particular person whose wife has a business relationship with the Translator District. Attorney Hull said the issue he looked into was if this particular person could be appointed to the board and he could, however issues of conflict still may exist so the Translator Board had already been in contact with their attorney, who would have to advise that board about issues of conflict. Attorney Hull explained that the county cannot waive conflicts.

Mr. Higgs said the potential for conflicts involves Michael Listman and Rita Pensmith, who are not married, but are co-habiting and voting on issues for their businesses. It was said those issues would have to be taken up with the Translator Board and their attorney. Through the course of investigation that would have to take place, the information would then be presented to the County's Prosecuting Attorney to see if there is a violation of law.

County Noxious Weed Department Superintendent Dave Wenk joined the meeting.

Mr. Higgs said Allen Gemmrig and Heather Gemmrig also serve on this board. What was going on there was a failure for the lease agreement to disclose that the property being used as a studio was owned by Michael Listman. Boundary County Computer Solutions is also owned by Mr. Listman. Chairman Dinning asked Attorney Hull for clarification in that all of these issues pertain to the Translator Board; not Boundary County. Attorney Hull said that is what he is hearing. Unless something comes forward that rises to the level of the Prosecutor's Office. Attorney Hull suggested Mr. Higgs take his information and raise the issue of the Translator Board with the Sheriff's Office so they can investigate further and then the matter may be forwarded to the Prosecutor's Office. Attorney Hull and Prosecutor Douglas explained the role of the Prosecutor's Office in these matters.

Mr. Higgs said from what he understands, when someone expresses an interest of becoming a Translator Board member they approach the Translator Board who then forwards the recommendation to Commissioners. Mr. Higgs asked if the Translator Board discloses the relationships of its board members to Commissioners. Such as Mr. Listman and Ms. Pensmith, Mr. and Ms. Gemmrig, and now John and Debbie Youngwirth. Mr. Higgs said Mr. Youngwirth seems to want to do the right thing and he is not accusing him of any impropriety. Attorney Hull said that issue was brought up as well as contract negotiations with regard to Ms. Youngwirth's company. The Translator District's attorney addressed that issue with the Translator Board and Commissioners received that information and asked him about it as well. Attorney Hull said he did not see any issue as long as issues of conflict are addressed through the Translator Board's attorney. Attorney Hull said he doesn't have any information on the other board members.

Mr. Higgs said if these are non-compensated, non-fee, appointed officials, they are appointed so the avenue is to go to the County Prosecutor to hire a special prosecutor. Attorney Hull said he is not familiar with that senate bill, but the general rule is to through the Sheriff's Office, etc., and there are some specific

exemptions that grant authority to the Prosecutor, but he cannot provide that answer off the top of his head.

Prosecutor Douglas said Mr. Higgs will have to go through the Sheriff's Office as the Prosecutors' Office does not investigate. Attorney Hull provided Mr. Higgs direction as to filing a report with the Sheriff.

The meeting with Mr. Higgs, Prosecutor Douglas, and Attorney Hull ended at 10:13 a.m.

Chairman Dinning informed Commissioners that he spoke to Mr. Wenk about the West Nile Virus and asked him to attend this next meeting with Phil Allegretti.

Phil Allegretti with Panhandle Pest Control joined the meeting at 10:30 a.m.

Those present discussed treating ponds for mosquitoes. Mr. Allegretti said most mosquitoes are just the pest mosquitoes so you would not want to waste money on that variety. Mr. Allegretti discussed various materials used to treat the mosquitoes and what treatments to use at certain stages of their life cycle. Chairman Dinning and Mr. Allegretti spoke of the mosquitoes that come from the Kootenai Wildlife Refuge and how the high water levels in the Kootenai River affects this. Mr. Allegretti said a plane used to fly over the slough to treat for mosquitoes. Chairman Dinning said to contact the Kootenai Tribe before treating the slough.

The meeting with Mr. Allegretti and Mr. Wenk ended.

11:16 a.m., Blue Sky Broadcasting Reporter Mike Brown joined the meeting to catch up on today's agenda discussions.

Commissioner Pinkerton left the meeting at 11:16 a.m.

There being no further business, meeting adjourned at 11:25 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLEND POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk