

**\*\*\*Monday, November 17, 2014**, Commissioners met in regular session with Chairman Dan Dinning, Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, and Deputy Clerk Michelle Rohrwasser.

Blue Sky Broadcasting Reporter Mike Brown joined the meeting.

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

9:00 a.m., Chief Deputy Clerk Tracie Isaac joined the meeting.

Commissioner Kirby moved to approve the minutes of November 10, 2014. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve and sign the junior college Out of District Certificate/Affidavits for the following students: Perez, Schave, Lickfold, and Stidham. Commissioner Kirby second. Motion passed unanimously.

Mr. Brown left the meeting at 9:03 a.m.

9:03 a.m., Commissioner Kirby moved to go into executive session under Idaho Code 67-2345(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. 9:14 a.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously.

No action was taken.

Chief Deputy Clerk Isaac left the meeting. Mr. Brown returned to the meeting.

9:15 a.m., Road and Bridge Superintendent Jeff Gutshall joined the meeting to give the departmental report. Mr. Gutshall did not present a written report. Mr. Gutshall said Road and Bridge worked on patching asphalt and ditching last week before the freeze and they are still working on placing rock on Eileen Road. Mr. Gutshall said he got a call from a county resident last week requesting Road and Bridge apply water to a particular road in order to treat dust, but that cannot be done when the weather is 10 degrees. Chairman Dinning said the condition of Upper Pack River Road is great as he was up there last week.

Commissioner Pinkerton asked Mr. Gutshall to take a look at a very large rock that is frozen to the ground on Fleming Creek Road as he is concerned that this rock will tear a plow of a truck when Road and Bridge comes to plow snow. Mr. Gutshall said he would notify his assistant superintendent.

The meeting with Mr. Gutshall ended at 9:30 a.m.

9:30 a.m., Commissioners spoke to County Civil Counsel Tevis Hull via telephone. Mr. Brown left the meeting.

Commissioner Kirby moved to go into executive session under Idaho Code 67-2345(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 regarding One Information Systems and E.C. Enterprises. Commissioner Pinkerton second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Pinkerton "aye", and Commissioner Kirby "aye". Motion passed unanimously. 9:40 a.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously. No action was taken.

Commissioners informed Attorney Hull of the matter involving Panhandle Area Council (PAC) and the local North Idaho College building. Funds were borrowed from PAC and Boundary County and North Idaho College leased the building from PAC. The county purchased the building at the end of the lease and now has the title, but it is a quit claim deed. Chairman Dinning said he would rather have a warranty deed. Attorney Hull said he would have to review the file, but he added that with a warranty deed the county would have to pay for title insurance. Chairman Dinning said he would feel better going through that process as opposed to a quit claim deed. Attorney Hull informed Commissioners that title insurance may cost approximately \$600 to \$700.

Attorney Hull said he has the three ring binder from JUB engineering pertaining to the properties acquired through the airport land acquisition grant. Attorney Hull said he spoke with Diane Zipperer with JUB last week and he mentioned to her the county's concern of possibly receiving additional JUB invoices when it would have been assumed they had all been taken care of. It was said once the closeout process has been completed, the county should get the funds that have been held back, which should total approximately \$66,000. Chairman Dinning said this is the hold-back money and JUB calls it something else, but it turns out Commissioners and JUB are talking about the same thing.

Chairman Dinning informed Attorney Hull the county received another billing from JUB that has a balance owing of \$61,960.14. Attorney Hull said he will have to get confirmation from JUB.

The conference call with Attorney Hull ended at 9:47 a.m.

Commissioners tended to administrative duties.

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

Commissioner Pinkerton moved to approve the minutes of October 27, 2014. Commissioner Kirby second. Motion passed unanimously.

10:01 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.

10:03 a.m., Deputy Clerk Nancy Ryals joined the meeting.

10:03 a.m., Commissioner Kirby moved to go into closed session under Idaho Code 31-874. Commissioner Pinkerton second. Motion passed unanimously. 10:27 a.m., Commissioner Pinkerton moved to go out of closed session. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to review indigent accounts 2014-21, 2014-24, and 2014-29 in one year for reimbursement purposes. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to review indigent account 2014-13 in August 2015 for reimbursement purposes. Commissioner Kirby second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:28 a.m.

Commissioners tended to administrative duties.

11:20 a.m., Boundary Community Hospital CEO/CFO Craig Johnson and Hospital Board of Trustees Elden Koon joined the meeting to update Commissioners on hospital matters.

Mr. Johnson said the financials for the hospital through October are in the black including depreciation. Outpatient volumes continue to be good and the emergency room is busy as well. Inpatient volumes have been low, but now are starting to increase. The hospital has not seen a lot of flu cases as of yet. Mr. Johnson said bad debt is 16% higher year to date over last year. There has been a bit of an increase for income and even though that is the trend, Mr. Johnson said he is waiting until the end of the year to calculate that. Chairman Dinning spoke of how the hospital is doing better than in the past.

Mr. Johnson said the early detection campaign for breast cancer was a success and the hospital performed 178 mammograms. The Festival of Trees will be held on December 12<sup>th</sup> with family night followed by the gala on December 13<sup>th</sup>. Other items in addition to Christmas trees will be auctioned off this year. Mr. Johnson said Boundary Community Hospital received a three year accreditation from DNV Healthcare, and he explained the differences between DNV Healthcare and the Joint Commission.

Chairman Dinning said if money wasn't an object what would be the hospital's need for the community that would make the most sense. Mr. Johnson said the hospital facility is busting at the seams in addition to being an inefficient building. Mr. Johnson said if money was no object, building a new hospital, a new physical structure, is what he would like to do. The hospital needs a better surgical suite, better clerical space, business services building, etc., but that would cost over 30 million dollars and it would be difficult for the community to fund that. Mr. Johnson said he is always studying what services should be provided and the surgery suite is one as the current suite is too small. Mr. Johnson mentioned thinking about a planning grant to bring in professionals to look into that idea. Chairman Dinning spoke of the importance of having a hospital and mentioned that 50% of this community is over 50 years old. Mr. Johnson mentioned the five local hospital facilities and the thought of them as a regional group, but that would be in the future.

Chairman Dinning said there was legislation proposed last year that doesn't affect Boundary County, but non-governmental hospitals such as St. Luke's and St. Alphonse are buying properties, putting offices in, and taking the property off the tax roll. There is legislation going on that will clarify that, according to Chairman Dinning.

Mr. Johnson mentioned different programs to participate in such as time sensitive emergency rules for traumas. This is for different levels of service such as cardiac events and strokes. Mr. Johnson also mentioned the telemedicine program when doctors can see a patient via computer programmed device.

Commissioners and Mr. Johnson briefly discussed ambulance transports. Mr. Johnson said the hospital has an agreement for non-advanced life support transports with Boundary Volunteer Ambulance at a discounted rate. Mr. Johnson added that the hospital's nurses are not involved.

Mr. Johnson informed Commissioners the hospital passed the survey for rural health clinics without any deficiencies. This should help with payments from Medicaid and Medicare patients.

The meeting with Mr. Johnson and Mr. Koon ended at 11:45 a.m.

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

**\*\*\*Tuesday, November 18, 2014**, Commissioners met in regular session with Commissioner LeAlan Pinkerton, Commissioner Walt Kirby, and Deputy Clerk Michelle Rohrwasser. Chairman Dan Dinning was out of the office attending the Idaho Association of Counties Initiation and Continuing Education Program in Moscow.

Commissioner Pinkerton moved to appoint Commissioner Walt Kirby Acting Chairman in the absence of Chairman Dinning. Commissioner Kirby second. Motion passed unanimously.

9:00 a.m., Commissioners held an elected officials/department heads meeting. Present were: Commissioner LeAlan Pinkerton, Acting Chairman Walt Kirby, Courthouse Maintenance John Buckley, County Noxious Weeds Superintendent Duke Guthrie, Extension Office Manager Angela Tucker, Chief Probation Officer Stacy Brown, Solid Waste Superintendent Claine Skeen, Chief Deputy Clerk Tracie Isaac, Lead Deputy Court Clerk Della Armstrong, Assessor Dave Ryals, Restorium Administrator Karlene Magee, and Road and Bridge Superintendent Jeff Gutshall.

Acting Chairman Kirby asked for each one present to provide an update for their office. Assessor Ryals said employee Debbie Richardson will be the monitor for the postage machine so if there are any issues, she is the person to notify. Acting Chairman Kirby asked Mr. Buckley if there is electrical service at the snowmobile park. Mr. Buckley said having electricity at the snowmobile park is a work in progress. Chief Deputy Clerk Isaac said Idaho Counties Risk Management Program's (ICRMP) online training is due by December 31, 2014. Chief Deputy Clerk Isaac informed everyone that Ms. Armstrong has been asked to join these meetings when she has time and is not in court. Mr. Gutshall said Road and Bridge will soon start their seven days per week schedule for the winter season. Ms. Magee said things at the Restorium are fine. Acting Chairman Kirby asked Ms. Magee if she has taken the Restorium's pickup truck to the Road and Bridge shop. Ms. Magee said she hasn't talked to Mr. Gutshall about the pickup yet. Mr. Guthrie said his office is quiet and in winter mode. Mr. Guthrie said he is getting ready to attend a pesticide class on December 3<sup>rd</sup>. Ms. Tucker said the Extension Office's agriculture position has been open for applicants for a little over one month. Only one person has applied, but they don't live in this country. Ms. Tucker said the agriculture position is a hard position to fill due to the qualifications required. The Family and Consumer Service position is almost ready to open and there are four to five people interested in this position. Ms. Brown said her staff has completed the ICRMP training. Three accountability diversion hearings were held last week and the numbers of participants are holding steady. Mr. Skeen said he is just burying garbage and getting ready for winter. The landfill now has new yard lights so people will be able to see the containers better when it is dark. Ms. Brown openly thanked Mr. Buckley for taking juveniles under his wing and keeping them busy with work at the courthouse. Mr. Buckley said the kids have been a lot of help. Assessor Ryals informed Commissioners that his staff is very appreciative of the holiday time off they were given.

Commissioner Pinkerton said Commissioners are looking at developing a courthouse evacuation plan for emergencies so employees can find the safest exits. Two scenarios given as a reason to need a plan was an active shooter situation and fire. Commissioner Pinkerton said a map showing the exits should be posted on the wall in the courthouse and he added that this is a courthouse besides being a municipal building so we should prepare employees and the public for what to do in those cases of emergencies. Commissioners would be remiss if they didn't take a look at that. Boundary County's Emergency Services Director Dave Kramer and Courthouse Security/Bailiff Ben Reinholdt are looking at courthouse offices to determine the best places to go to in case of emergency. Most likely the issues will be ceiling sprinklers going off and what documents should be saved. Commissioner Pinkerton urged those present to look around their offices to determine what would be best for employees to do, and if anyone has any advice or information, to let Mr. Kramer and Mr. Reinholdt know. Mr. Gutshall and Ms. Magee were urged to do the same for the Road and Bridge shop and the Restorium. Mr. Gutshall said he had just gone through that with the Mine Safety and Health Administration (MSHA) and he had to simplify his plan and make informational signs. Mr. Gutshall said informational stickers will also be put on his employees' hard hats for fire and medical emergencies and he added having a staging area for someone to regroup. For people who don't work here, they also need this information, according to Commissioner Pinkerton. Mr. Buckley said the back door to the courthouse is now being locked until 9 a.m., so the public shouldn't have access through the back door before the courthouse opens. Mr. Buckley said he has finished activating the emergency lights and batteries for them.

Commissioner Pinkerton said Commissioners are looking at updating the county's Personnel Policy. It isn't certain how recent it has been since staff have looked into this policy so all department heads and elected officials are asked to look into this as they are the ones who have to refer to the Personnel Policy at some point and they can see where the weaknesses are. Commissioners need the input. Commissioner Pinkerton said he has some experience with personnel as does Chief Deputy Clerk Isaac, but we need to bring the Personnel Policy into the 21<sup>st</sup> century. Commissioner Pinkerton said he can see potential issues that can arise because the current policy is so bland. It would be preferable to take the policy section by section and update it. Appropriate changes need to be made that will allow department heads and elected officials to run their offices more effectively. Commissioner Pinkerton said if there is any confusion about the policy, please ask him or Chief Deputy Clerk Isaac and to give any suggestions to Chief Deputy Clerk Isaac.

Chief Deputy Clerk Isaac informed everyone that Tim Marks from the Government Employees Medical (GEM) Plan is scheduled to meet with Commissioners at 9:45 a.m., if they wanted to attend that meeting.

The elected officials/department heads meeting ended at 9:20 a.m.

Ms. Magee updated Commissioners on the installation of additional restrooms in Restorium resident rooms. Commissioner Pinkerton suggested Ms. Magee provide Courthouse Maintenance John Buckley with resident room blue prints to see if he could reconfigure new closet space. Commissioner Pinkerton also asked to be notified if the costs end up being more than what Ms. Magee anticipates so a room isn't left half done.

Magee asked for clarification on the Thanksgiving holidays for her employees.

Ms. Magee left the meeting at 9:30 a.m.

9:30 p.m., County Noxious Weeds Superintendent Duke Guthrie met with Commissioners to provide a department report. Mr. Guthrie said he doesn't have a lot to report. Equipment has been prepared for winter and Mr. Guthrie said he checks the heat for the equipment as well. Commissioner Pinkerton asked about the pesticide class that Mr. Guthrie had mentioned during the elected officials/department heads meeting. Mr. Guthrie said the class, which is also open to the public, is sponsored by the University of Idaho and is for recertification credits. Mr. Guthrie said the class topic he usually has is weed control and calibration spray equipment. Commissioner Pinkerton asked Mr. Guthrie who is responsible for the dike system. Mr. Guthrie said that is left up to the dike districts and he added that it's a problem as a lot of the dikes are in need of weed control. Mr. Guthrie mentioned issues spraying near water in regard to Environmental Protection Agency (EPA) regulations. The EPA and Army Corps of Engineers have a proposal to go even further with those regulations with waters of the United States and it would be far reaching, according to Mr. Guthrie. If the EPA further complicate waters, maybe they could be talked to about what they can do outside the riverside of the dikes and bear some responsibility. It was said the Corps built those dikes so you would think they have some responsibility. Commissioner Pinkerton said when the dikes were built, the landowners who purchased the land were to purchase the dikes as well, but he doesn't think that happened. That was a very long time ago. Commissioner Kirby said he would think the farmers would be concerned about the weeds along the dike.

Chief Deputy Clerk Tracie Isaac, Extension Office Educator Angela Tucker, and Tim Marks with GEM Plan/Mutual Insurance joined the meeting at 9:37 a.m.

Commissioners and Mr. Guthrie discussed various pesticides available.

The meeting with Mr. Guthrie ended at 9:42 a.m.

Mr. Marks presented Commissioners with a financial statement packet and claim/loss ratio information. Mr. Marks informed Commissioners that Boundary County is doing very well at 94%. None of the pooled counties with GEM Plan received more than a 5% increase in premiums although there are some counties that deserved much more, according to Mr. Marks.

Those present reviewed claims incurred, but that have not been reported. Mr. Marks said the best thing is information at the bottom of the page showing unrestricted assets totaling approximately \$8,000,000. Mr. Marks explained that Boundary County owns GEM Plan as part of a joint powers agreement, but if Gem Plan were to dissolve, the county would have some funds coming back. Mr. Marks said the GEM Plan is doing fairly well.

Mr. Marks said the last page reflects a surplus note of \$1,302,081. Mr. Marks explained that this was a matter the Board of Directors have met on. Going back to the beginning, two other insurance companies did not want GEM Plan to exist, but Mutual of Idaho expended funds to help get the GEM Plan started. The amount of \$1,302,081 is considered unrestricted, but the GEM Plan Board of Directors wants to pay that amount back to Barbara Steele at Mutual of Idaho so the surplus amount of \$8,000,000 may decrease by 1.3 million dollars. Mr. Marks reiterated that GEM Plan and Boundary County are doing well whereas six to seven years so that wasn't the case so there has been a tremendous turnaround.

Mr. Marks said the benefit amount for the Wellness Program has increased from \$300 to \$500. The only other change concerns dependent maternity. If an employee's daughter is on the plan and she becomes pregnant, the pregnancy is now covered.

Mr. Marks said going forward the GEM Plan has to focus on possible taxes to include excise tax, Cadillac tax and a 40% surcharge tax. If an employer provides insurance for an employee and that employee's cost for insurance is over \$10,000, the employer may have to pay excise tax, but this won't change for a few years. Boundary County has a grandfathered plan so everything remains the same. The county cannot increase deductibles or what employees are charged by more than 5% or the grandfather clause is lost. Those present discussed issues of how fines and increases can be affected by the Affordable Healthcare Act. Mr. Marks said the advice of staying with the grandfathered plan is great. Mr. Marx went on to explained what could occur in regards to increases, fines, and coverage.

It was said after year 2018 Boundary County needs to budget 40% for an employee's family coverage over \$10,000. Mr. Marks said the positive thing is that GEM Plan has funds and Boundary County is doing well.

Chief Deputy Clerk Isaac asked about Medstar coverage. Boundary County offers county employees a reduced rate for Medstar's services through a group plan. Chief Deputy Clerk Isaac said Clerk Poston had wanted to know why GEM Plan won't pay for this coverage due to the savings. Mr. Marks said in Idaho Medstar is not a participating provider. Blue Cross was contacted to see if Medstar was in network and they are not. A membership can be bought for Life Flight/Medstar and in that contract they pay for the patient after billing insurance. They are not in network and it helps the patient by paying customary charges as if they were in the plan, but it doesn't help the insurance plan. Medstar doesn't contract with insurance providers or anyone and they are in a good position. If the flight was deemed not medically necessary, the flight will not be covered at all, according to Mr. Marks.

The meeting with Mr. Marks ended at 10:40 a.m.

There being no further business, the meeting adjourned at 4:56 p.m.

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DAN R. DINNING, Chairman

Attest:

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GLENDIA POSTON, Clerk  
By: Michelle Rohrwasser, Deputy Clerk