

*****Monday, January 12, 2015, 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.

The newly elected officials met for the swearing in ceremony in the lobby of the Courthouse. The newly elected officials were sworn into office, except for Judge Justin Julian who had previously been sworn in and Coroner Mick Mellett who was sworn in later in the day.

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

Clerk Glenda Poston administered the oath of office to Commissioner LeAlan Pinkerton and Commissioner Walt Kirby.

9:05 a.m., Commissioner Kirby moved to elect Commissioner Dan Dinning Chairman of the Board of Boundary County Commissioners. Commissioner Pinkerton second. Motion passed unanimously.

Chairman Dinning administered the oath of office to Assessor Dave Ryals, Treasurer Sue Larson, and Clerk Glenda Poston.

9:27 a.m., Road and Bridge Superintendent Jeff Gutshall and Office Manager Renee Nelson joined the meeting to give the departmental report.

Commissioners Pinkerton moved to adopt resolution 2015-6. A resolution establishing polling sites in Boundary County and changing the Valley View precinct from Valley View Elementary to the fairgrounds for improved safety for the workers and children, the need for space, more parking, and streamlining the set up process for the polling sites. Commissioner Kirby second. Motion passed unanimously. Resolution 2015-6 reads as follows:

RESOLUTION 2015-6

A RESOLUTION ESTABLISHING POLLING SITES IN BOUNDARY COUNTY

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, has established seven polling sites within the County, and

WHEREAS, those sites are the Bonners Ferry/Kootenai Precinct, Copeland Precinct, Moyie Springs Precinct, Naples Precinct, North Bonners Ferry Precinct, Valley View Precinct, and the County-Wide Absentee Voting Precinct

NOW THEREFORE, upon motion duly made, seconded, and unanimously carried,

IT IS HEREBY RESOLVED that the Board of County Commissioners, County of Boundary, State of Idaho hereby reaffirms the polling sites for elections to be held in Boundary County in calendar year 2015 as follows:

PRECINCT	LOCATION
B.F./Kootenai Precinct	Exhibit Hall, Boundary County Fairgrounds
Copeland Precinct	Mt. Hall School
Moyie Springs Precinct	Moyie Springs City Hall
Naples Precinct	South Boundary Fire Hall
North Bonners Ferry Precinct	Exhibit Hall, Boundary County Fairgrounds

Valley View Precinct	Valley Event Center (Dinning Hall), Boundary County
Fairgrounds	
Countywide Absentee Voting Precinct	Boundary County Courthouse

DATED this 12th day of January, 2015

COUNTY OF BOUNDARY
BOARD OF COMMISSIONERS

s/ _____
Dan R. Dinning, Chairman
s/ _____
LeAlan L. Pinkerton, Commissioner
s/ _____
Walt Kirby, Commissioner

ATTEST:

s/ _____
GLENDA POSTON, Clerk of the Board of County Commissioners
Recorded as instrument #262710

Commissioner Kirby moved to approve the minutes of December 15, 2014. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize the Chairman to sign the North Idaho College Certificate of Residency forms for the following students: S. Schmitz, K. Colson, M. Negoj, N. Negoj, E. Sandman, K. Lecrenski, and Brooke Schirado. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve a payment of \$75 to be received during the month January 2015 for year 2014 taxes on parcel #MH61N02E04391BA with the remaining balance of year 2014 tax due by March 13, 2015. Commissioner Kirby second. Motion passed unanimously.

Mr. Gutshall presented a written report. Those present discussed how Road and Bridge equipment has been running without mechanical issues during the snow season. The Boundary Area Transportation Team (BATT) meeting was held last week and funding was discussed since Secure Rural Schools funding (SRS) will not be reauthorized. The meeting was to review the local Surface Transportation Projects-Rural (STPR) and get a recommendation on those projects from everyone at the meeting. Chairman Dinning mentioned it is anticipated that SRS will be attached to another bill.

Mr. Gutshall said Road and Bridge is still working a seven day per week schedule, but office hours are still the same unless there is a storm. Mr. Gutshall said there is a predicted possibility of snow so he will have crews working this weekend.

Mr. Gutshall said he, Ms. Nelson, and Assistant Superintendent Ken Arthur attended a meeting with the engineers with the Western Federal Lands Highway Division (WFLHD) about a federal lands access plan proposal as this opportunity will open in Idaho in the next two weeks. Diana Ellis with the Kootenai Wildlife Refuge is interested in the Riverside project. Other people were interested in a bike path, but Riverside Road is narrow and is used a lot by both bicycle riders and trucks. WFLHD is really interested in the proposal for the Myrtle Creek Bridge that never made it into the program previously. The group wanted to talk about the feasibility of a bike path, but the reality may be to widen the road for the safety of everyone. As far as the Myrtle Creek Bridge, Mr. Gutshall said he would rather see

improvements to either side of the bridge made in a separate proposal. Economic Development Specialist David Sims will arrange a meeting with Ms. Ellis, Mr. Gutshall, and property owner Larry Davidson to see what proposals might be palatable to him as it pertains to Riverside Road.

Commissioners and Mr. Gutshall discussed the possibility of going out to bid for road oils for dust abatement.

Commissioners and Mr. Gutshall discussed the easement near the county gravel pit in Moyie Springs and property owner Phillip Tihonovich who has access to this easement. Chairman Dinning asked about the possibility of the Idaho Transportation Department (ITD) moving the approach. Those present talked further about other various possible options.

Those present discussed the Idaho Transportation Department, the Local Highway Technical Assistance Council, project consultants and associated costs.

Commissioners presented Mr. Gutshall with a document containing information on a fish ladder as initially proposed for an area near Cow Creek by county resident Wayne Nishek. Mr. Gutshall said he will look at the information.

Mr. Gutshall and Ms. Nelson left the meeting at 10:09 a.m.

Treasurer Sue Larson joined the meeting.

Treasurer Larson informed Commissioners she has received the first payment from the Keating note.

Treasurer Larson said she had received a payment from Ace Elder Care paying off year 2011 taxes for five of their parcels. Taxes due for year 2011 for the remaining two parcels are \$6,160.17 for parcel #RPB00000226632A and \$7,353.34 for parcel #RPB00000226633A. The Treasurer's Office has started the process for tax deeding and sent a request to the title company for a litigation guarantee, and Ace Elder Care property owner, Dennis Garrett has been notified of the \$200 cost. Treasurer Larson said Mr. Garrett is to supposedly contact Commissioners to discuss this. Treasurer Larson explained the process and timeline before a tax deeding and she said she would hold off on assessing the \$200 costs, but she will not cut herself short on time.

Treasurer Larson left the meeting at 10:15 a.m.

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

Current Expense	\$49,353.85
Road & Bridge	39,007.29
Airport	2,880.97
District Court	5,150.59
Justice Fund	34,143.26
911 Funds	5,092.96
Health District	13,675.50
Indigent & Charity	15,811.51
Junior College Tuition	400.00
Parks and Recreation	1,149.66

Revaluation	185.97
Solid Waste	16,569.98
Tort	100,212.78
Veterans Memorial	211.28
Weeds	479.36
Restorium	14,505.36
Snowmobile	6.40
Waterways	230.10
Grant, Emergency Communication	16,660.77
Grant, Fire Mitigation	<u>4,745.47</u>

TOTAL \$320,473.06

Trusts

Auditor's Trust	479.62
Beverage License	200.00
Sales Tax Collected	54.48
Driver's License Trust	13,648.50
Magistrate Trust	81,930.39
Indigent Reimbursements	20,879.21
Motor Vehicle Trust	98,165.35
Sheriff's Trust Fund	671.70
Tax Deed Sale Trust	<u>3,335.53</u>

TOTAL \$219,364.78

GRAND TOTAL \$539,837.84

Citizens are invited to inspect detailed records on file in the Courthouse (individual claims & Commissioners' allowance & warrant register record 2014-2015).

10:20 a.m., Bonners Ferry District Forest Ranger Kevin Knauth joined the meeting. Mr. Knauth provided brief updates on the Hellroaring, Placer-Nugget, and Boulder projects. Mr. Knauth also informed Commissioners the Forest Plan was signed on Monday, January 5, 2015 and that there is a 30 day comment period once the notice posts in the Federal Register.

Mr. Knauth presented a PowerPoint Presentation on the Deer Creek Project that was shown at the last Kootenai Valley Resource Initiative (KVRI) to include: the planning areas, purposes, needs and objectives, vegetation treatments, approximate acres for commercial harvests, road closures near Solomon Mountain, prescribed burn areas southeast of Solomon Mountain, stand maintenance and restructuring, integration with fuels maintenance, young stands-small wood thinning, wildlife, bear management units and lynx units, scoping timelines, Placer Creek stabilization ahead of a sale for Placer Nugget, snowmobile access turnarounds, Solomon Lake area improvements such as establishing other camping areas and parking areas, and the Meadow Creek campground and trail.

Clerk Glenda left the meeting.

11:20 a.m., County resident Terry Capurso joined the meeting.

Commissioner Pinkerton moved to approve the North Idaho College Certificate of Residency Affidavit for C. Krautkremer. Commissioner Kirby second. Motion passed unanimously.
Mr. Knauth left the meeting at 11:41 p.m.

Clerk Glenda Poston and Chief Deputy Clerk Tracie Isaac joined at 11:41 a.m.

Clerk Poston informed Commissioners of the Help America Vote Act (HAVA) grant. The grant has funds available and Clerk Poston said she would like to apply for this grant and request \$6,000 to purchase round voting booths for the valley view precinct. Clerk Poston said no grant match is required.

Commissioner Pinkerton moved to go out for a HAVA/polling place accessibility grant in the amount of \$6,000 for the purchase of round voting booths. Commissioner Kirby second. Motion passed unanimously.

Chief Deputy Clerk Isaac discussed Public Employees Retirement System (PERSI) training. Clerk Poston said these training sessions take place during work hours and not everyone can attend. Chairman Dinning suggested informing PERSI of these challenges. Clerk Poston and Chief Deputy Clerk Isaac said they participated in a webinar on Obamacare and learned the county will be responsible for filing three forms with the Internal Revenue Service. Salaried employees will need to start keeping track of their hours worked so time sheets will be needed for all employees. Commissioners will talk about this at the elected officials/departments heads meeting.

Chief Deputy Clerk Isaac presented Commissioners with copies of a draft county personnel policy so they would have a copy they could review and write on if they had any changes to suggest. Chief Deputy Clerk Isaac said these copies include subsequently adopted resolutions.

Clerk Poston mentioned the Law Enforcement Agreement with the Kootenai Tribe of Idaho and mentioned the thought of updating it as it pertains to inmates having medical insurance.

The meeting with Clerk Poston and Chief Deputy Clerk Isaac ended.

Commissioners recessed for lunch at noon.

1:30 p.m., Commissioners reconvened for the afternoon session with Chairman Dinning, Commissioner Pinkerton, Commissioner Kirby, Clerk Poston, and Deputy Clerk Rohrwasser.

1:30 p.m., County residents Sarah Hall, David Hall, Liz Sloat, Terry Capurso, and Linda Fioravanti also joined the meeting.

Commissioner Kirby moved to continue to tomorrow's schedule the signing of the following documents: JUB Engineering airport land acquisition grant paperwork, Commercial Hangar Ground Lease for Hangar G, and the Kootenai Tribe of Idaho Law Enforcement Agreement. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners continued their discussion on land use matters regarding the national forest. Commissioner Pinkerton said the time is right for litigation and we need to determine where the funds are to be sent. Clerk Poston asked if it had been determined the organization representing the counties is a non-profit 501©3. Commissioner Kirby questioned who we are going to litigate against.

Commissioner Pinkerton said litigation would be against the United States Forest Service over land use policies going on and Idaho County is going to be the starting point. Chairman Dinning said Idaho County was going to choose a county that was most impacted and he added that other counties and states are willing to be a party to the litigation. Idaho County Commissioner Chmelik is looking at which entities will commit so it may be Idaho County and we need to show our support. Commissioner Kirby said he came away from the last meeting thinking the lawsuit was more against the environmental community as opposed to the Forest Service. Chairman Dinning referred to the Equal Access to Justice Act and said environmental groups had been used as an example during the last meeting. Chairman Dinning said his question had to do with the legal basis for the challenge because attorneys have advised Idaho County Commissioner Chmelik there is a basis to proceed legally according to Idaho Code. Chairman Dinning said there was a good case for going forward so he just wants to be educated properly and know what that basis is. It was said it's the health and safety issue from the county's perspective. Commissioner Pinkerton added it is also lack of management. Lawsuits can be filed anytime and you don't need an attorney to determine that. Chairman Dinning said if the county is going to donate \$5,000 toward this issue, he needs to be able to say why. An explanation was given that the reason is litigation regarding use of public lands. Chairman Dinning asked in what respect because that is a broad statement.

Mr. Capurso said based on last week's meeting, he thinks the Chairman's concern was whether a county could give money to a 501©3 for any reason, but he doesn't recall. Chairman Dinning said he isn't saying he doesn't support this, but he would expect to be able to answer why he was donating to a 501©3 so that is where he is coming from. Mr. Capurso said he is just reflecting on last week's minutes. Chairman Dinning reiterated that he doesn't have any problem with this matter, he just wants to be able to inform someone of the legal foundation. Ms. Sloat asked Chairman Dinning if he wants someone to put something in writing. Commissioner Pinkerton said so we need to have a registered number for a 501©3 and Commissioners can find out if Attorney Hull can advise us. Chairman Dinning said we're talking two things. Whether or not the county can donate funds to a 501©3 and the other matter is under what basis the legal foundation feels we have an ability to win a case. Commissioner Pinkerton said that is probably an interpretation. Commissioner Pinkerton said there is a feeling of being taken advantage of and the need to file a suit whether win or lose. We need to provide funds to a legal entity on behalf of land use rights. The suit would be due to the health and safety of the community for hazardous fuels and fire issues, loss of revenue, and economic adversities by not harvesting. Commissioner Pinkerton said we can all feel that as we've lived here. Why we want to partake in this suit is to so we can lend support to a county that is hurt by this, maybe even more than Boundary County has been hurt. We need to start the nest egg with the 501©3.

Mr. Capurso said if we take the points that Commissioner Pinkerton just made and have a committee or 501©3 put them in writing the intent, would that satisfy? Chairman Dinning said he would want to know of the legal intent from the attorney who is going to be used in this case. Mr. Capurso said the intent of the lawsuit is rather obvious. Mr. Capurso said as far as what an attorney is going to use to base his case on, no one will know what that strategy is. Chairman Dinning said that is not what he means, but instead that there is a standing case and what is he going to go after. Chairman Dinning reiterated that he is not challenging this, he just wants to gain understanding and know where this matter is going to go since Idaho County Commissioner Chmelik mentioned two different avenues. Mr. Capurso said one lawsuit would hopefully lead to a lawsuit for the 14th Amendment and he added that that statement was voiced into the record last week, but Chairman Dinning probably wants a more solid understanding.

Sara Hall said she wanted to suggest that the Commissioners who are involved or concerned ought to be given an opportunity to sit with legal counsel and talk to gain a clear understanding. It would be a

procedure to sit down with litigants and their counsel to ask where we are at in this matter. It would be a good thing to do. Chairman Dinning with the number of counties involved he would like to see something like a white paper.

Ms. Fioravanti wondered if there are several standings in which the county can bring this lawsuit and she mentioned that in Arizona, as it pertains to health and welfare, a county can take over jurisdiction of this land and manage in the proper way. It's the jurisdiction of health, safety and welfare. There may be several legal standings in this case, according to Ms. Fioravanti.

Mr. Capurso said this process is all very preliminary and the players are not yet known. Idaho County Commissioner Chmelik had mentioned in the last meeting that he was going to attend a NACo conference and he may want to have some support letters in hand. Ms. Slood asked if Commissioners have written a letter. It was said a foundation is still trying to be built for all counties that are participating.

Commissioners contacted Idaho County Commissioner Jim Chmelik via telephone.

Chairman Dinning said to Idaho County Commissioner Chmelik that Commissioners were to be receiving something that speaks to the legal basis for the lawsuit. Idaho County Commissioner Chmelik said he could get that information to them. Commissioner Pinkerton asked who the first representatives would be such as would Idaho County open this lawsuit. Idaho County Commissioner Chmelik said that would be up to the board of the 501©3 to determine. Advice will be taken and a legal team will be put together. Idaho County Commissioner Chmelik said he has been thinking of having more "think tank groups" around the country and he added that we need to make sure marketing and communication is set so we're in front of the gate and playing offense. If not, the strategy will fail. We want to get out there and talk to some big financial donors who will help fund the communications part of this, according to Idaho County Commissioner Chmelik. The buy-in of the counties will convince the large financial donors to jump in and we can get this whole thing moving. Idaho County Commissioner Chmelik said he has spoken to representatives of Frederick County, Maryland and he will talk more with them when he attends the NACo conference. This is a moral issue as well so we want to make sure we frame this right. Idaho County Commissioner Chmelik said he would get Chairman Dinning a copy of the argument. Chairman Dinning said the date of January 25th was mentioned so is that when the funding is needed. Idaho County Commissioner Chmelik said he would just like to have a commitment letter by then as he is only looking at the buy-in of the county right now as the buy-in is huge.

Chairman Dinning asked if the 501©3 has been formed yet. Idaho County Commissioner Chmelik said that is what he is looking into now. There are two viable options and there are challenges so the group may use a 501(c)4 and then form their own 501©3. Idaho County Commissioner Chmelik referenced the Balance Use Board out of Montana and said a 501©4 can conduct more accurate lobbying and a 501©3 can only spend 23% of its funds on lobbying. They're both set up to be non-profits, but one allows a tax deduction for the 501©3. It's just a clerical matter in the code. Chairman Dinning asked if some of the money received will go to lobbying or the lawsuit. Idaho County Commissioner Chmelik said funds will go toward the lawsuit. When it comes to lobbying that will be funded from private entities. Commissioner Pinkerton clarified that the actual funds are not needed right now as it's just the commitment that is needed. Commissioner Pinkerton said if Commissioners send a letter of commitment without any funds, is that what Idaho County Commission Chmelik is looking for right now. Idaho County Commissioner Chmelik said yes. Chairman Dinning asked if sample letters will be handed out at the Idaho Association of Counties (IAC) conference. Idaho County Commissioner Chmelik said he

has a meeting scheduled with four counties in Washington on the Friday after the IAC meeting. As of yet no letters of commitment have been received by Idaho County. Idaho County Commissioner Chmelik said he is hoping to have quite a few buy-ins by the end of April. The environmental groups will not give up, quit, and go away, and we need to get some land back from these groups. If the right team is assembled, we can win this, according to Idaho County Commissioner Chmelik. If Commissioners see the vision, he would like their buy-in with the commitment letter. Chairman Dinning asked that Commissioners be provided with updates along the way. Idaho County Commissioner Chmelik said the first update will be about forming the board. The Washington Policy Institute is interested in this matter now as well. The real big money will come from private donors. If these donors are working and funding the think tank groups, this should work and move forward. Idaho County Commissioner Chmelik said we are just taking the environmental group's playground and turning it around. Chairman Dinning said as far as the legal side it's going to strictly deal with healthy, safety, economics damages, and civil rights violation. Chairman Dinning said he wants to see the basis of those four things. Idaho County Commissioner Chmelik briefly referenced the Shelby vs. Holder case.

The call to Idaho County Commissioner Chmelik ended at 2:16 p.m.

Those present discussed difference between 501©3 and 501©4.

Ms. Hall asked if Commissioner Pinkerton has talked to Commissioners in Montana or Montana State Senator Jennifer Fielder as she is under the impression they would be on board with something like this. Chairman Dinning said we first need to see if and who we can legally donate to, then he's betting Idaho County Commissioner Chmelik will have the legal information and has suggested showing that information to the county's prosecutor. Ms. Sloat asked if there is anything that says the county cannot participate in something like this. Chairman Dinning said that is what we're waiting to hear from the attorney about.

Ms. Fioravanti questioned if the county could still send a letter of support if they find out they cannot donate funds. Ms. Hall said counties can still file a lawsuit on their own. Ms. Sloat said she feels like the situation will get worse if we don't do anything, so we might as well move ahead and it also provides the assurance that we're standing behind the committee.

Chairman Dinning explained that if Boundary County Commissioners took Idaho County Commissioner Chmelik at his word and donated money, a citizen could sue the county saying we were in error as we did not check with an attorney and each commissioner would be liable individually. If Commissioners have the advice of the attorney, they are protected.

The meeting to discuss land use issues pertaining to the United States Forest Service ended at 2:27 p.m.

Commissioners tended to administrative duties.

Commissioner Pinkerton moved to accept a payoff of year 2014 taxes for parcel #MH61N01E23300AA by the end of February 2015. Commissioner Kirby second. Motion passed unanimously.

Commissioner Kirby moved to approve the Boundary County Fire Mitigation Project Management, Professional Services Contract – Amendment #19, between Boundary County and Inland Forest Management. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve Exhibit A, Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Boundary County Sheriff's Office and the USDA, Forest Service Idaho Panhandle National Forests. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to accept payment for half of year 2014 taxes by February 6, 2015 and to accept payment of the remaining half of year 2014 taxes by March 6, 2015 for parcel #MHB00000228425A. Commissioner Kirby second. Motion passed unanimously.

Commissioners tended to administrative duties.

3:11 p.m., There being no further business, the meeting recessed until tomorrow at 9:00 a.m.

*****Tuesday, January 13, 2015, 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., Airport Manager Dave Parker, County Civil Counsel Tevis Hull, and Deputy Clerk Nancy Ryals joined the meeting in order to review various reports and requests for reimbursements as it pertains to the airport land acquisition grant. Blue Sky Broadcasting Reporter Mike Brown also joined the meeting.

It was said Commissioners need to sign the JUB Engineering annual report and requests for reimbursement (RFR) #6 and #7. Changes have been made to these RFR's and RFR #5 has been corrected. Mr. Parker asked about moving costs for the Byler transaction and Clerk Poston said that cost has been paid. Clerk Poston reviewed the claims associated with the Byler transaction. Chairman Dinning said when the county purchased the Byler property did the Federal Aviation Administration (FAA) pay approximately \$24,000 and the county make up the rest? Clerk Poston said some time has passed so she would have to check.

Deputy Clerk Ryals joined the meeting at Commissioners' request.

Chairman Dinning asked Deputy Clerk Ryals if Boundary County paid the entire \$32,000 or did the FAA pay the \$24,000 in question out of grant match for the airport. Attorney Hull said he only has the amount for consideration, but it doesn't say how it was divided up. Chairman Dinning said his fear is this next request will be double billing. It was said the county does not have the final billing for JUB Engineering. Mr. Parker said he thought the county did have the final billing from JUB for the grant and that we're trying to close out the grant for the Byler, Dinning, Merrifield properties. Chairman Dinning said by not knowing the exact figures the county could be committing itself. The approved figures have already been sent to Gary Gates with the Federal Aviation Administration (FAA) and they've also approved the engineering fees. Attorney Hull said he spoke to Diane Zipperer with JUB Engineering yesterday and with this final report and RFR's, from JUB Engineering's perspective, there would be no effect at all on bills submitted and negotiated.

Mr. Parker said there could be a discrepancy. Chairman Dinning said there could potentially be another \$80,000. Mr. Parker said he doesn't see how there could be. It was mentioned that Ms. Zipperer said JUB Engineering does not keep daily logs, but the county does have daily logs from Epic Land Solutions. If Commissioners sign the reports, Attorney Hull said he doesn't see the county committing to the amount disputed.

The Byler transaction funds have been paid for out of grant match, but no reimbursement has not been requested from the FAA, per Clerk Poston. Deputy Clerk Ryals said the county has been reimbursed for RFR #5, which is the last RFR and the one JUB was missing. Some of the Byler property expenses have been reimbursed, but it wasn't the actual property purchase.

Mr. Parker said RFR #7 is for the Byler property transaction and it is a partial reimbursement, not the final reimbursement. The final reimbursement will reimburse the county for \$35,000. Attorney Hull and Clerk Poston said they feel RFR #7 is in order and it is a partial reimbursement.

Deputy Clerk Ryals said the county's grant match for the whole project is just over \$35,000. Chairman Dinning said the county will not get reimbursed that amount as that is our match.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Outlay Report and Request for Reimbursement #6 (Standard Form 271) for the Tom and Robin Merrifield property purchase as it relates to the airport land acquisition grant. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Outlay Report and Request for Reimbursement #7 (Standard Form 271) for the David Byler and William Byler property purchase as it relates to the airport land acquisition grant. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to amend his prior motion pertaining to Request for Reimbursement #7 (Standard Form 271) to amend the change in date of the period covered from November 4, 2014 to December 8, 2014. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Annual 2014 Report (Standard Form 271) for partial annual expenses for the period of March 31, 2013 through September 30, 2014 as it relates to the airport land acquisition grant. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Federal Financial Report (Form 425) for the reporting period ending September 30, 2014 as it relates to the airport land acquisition grant. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to authorize Chairman Dinning to sign the Final Report through December 8, 2014 as it relates to the airport land acquisition grant. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to sign the Exhibit A, property map of the Boundary County Airport and the updated map to the Airport Layout Plan (Sheet 204) showing the new property lines. Commissioner Kirby second. Motion passed unanimously.

Attorney Hull said Mr. Parker cannot sign off as the relocation specialist, but he can sign off once property has been moved. The inspection form needs to be printed and included in the Byler section of the binder to be sent to the FAA. Attorney Hull said he asked Ms. Zipperer about making sure the dispute of JUB Engineering invoicing will not have an effect and said she it wouldn't. Attorney Hull said he feels comfortable about that. Epic Land Solutions' daily logs are included in the binder, but there are no logs from JUB, only JUB's invoicing hours. This information was sent to Airport Board members Pat Gardiner, Jay Wages, and Airport Manager Dave Parker to work on. This binder can be sent to the FAA just as soon as Mr. Parker prints the signed documents and inserts them into the Byler section of the

binder. The binder will be sent to JUB so they can submit it to the FAA and the county will receive its own copy. Mr. Parker said when he talked with Ms. Zipperer she said to send the binder to the FAA. Attorney Hull said he had an issue with that because the county is replacing a page that she has not seen. Chairman Dinning said he will sign the binder with the understanding Mr. Parker will replace two or three pages.

Commissioner Kirby moved to authorize Chairman Dinning to sign the 2013 land Acquisition project documents dated November 10, 2014 as it is intended to be the Federal Aviation Administrations' final closeout documents for the remaining 10% of the grant. Commissioner Pinkerton second. Motion passed unanimously.

Chairman Dinning asked Mr. Parker to forward the paperwork to Attorney Hull so we know we're on the same page.

It was said when the grant reimbursement gets to the last 10% the request for reimbursement needs to be submitted by paper. The county is currently looking for reimbursement from RFR's #6 and #7. It was asked if the request funds from the FAA still need to go through the Delphi system. Mr. Parker said he would say yes, but could check with Mr. Gates to be sure. Deputy Clerk Ryals said she would check and once Mr. Gates says to proceed, she will do that. Deputy Clerk Ryals said she will need the actual invoices to support the invoice summaries.

Deputy Clerk Ryals left the meeting.

Commissioner Pinkerton moved to approve the North Idaho College Certificate of Residency Form for A. Garner. Commissioner Kirby second. Motion passed unanimously.

Commissioners tended to administrative duties.

The Contract for Law Enforcement Services with the Kootenai Tribe of Idaho still has not been signed by the Sheriff so Attorney Hull said he would contact Sheriff Sprungl. Attorney Hull said he would also check the status of the state easement as it relates to the property west of the county landfill.

Mr. Parker and Mr. Brown left the meeting.

10:33 a.m., Commissioner Pinkerton moved to go into executive session under Idaho Code 67-2345(1)a, to consider hiring a public officer, employee, staff member or individual agent, and 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. 11:05 a.m., Commissioner Kirby moved to go out of executive session. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to renew the Independent Contractor Agreement with County Civil Counsel Tevis Hull with a term to expire January 15, 2017, include a rate of \$4,120 per month, include a clause for escalation, and understanding some adjustments may need to be made to the Agreement as needs arise. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning asked Attorney Hull if the county is able to donate funds to a 501©3. Attorney Hull said he doesn't yet have that answer. Chairman Dinning said his feeling is that the county will be able to do that. A committee or group is in the process of being established for a resource issue under public safety. The matter will include multiple counties and possibly a state lawsuit at some point. Commissioners said they don't think a 501©3 has been established yet. A 501©4 was also mentioned as more of a political action. Attorney Hull asked if there is control over funds for litigation. Chairman Dinning said at this point nothing is established and a board will be set up to oversee the operation. Chairman Dinning said the proposal for funding is what Commissioners have questions about, but he thinks it will boil down to structure and approval of how things are accounted for. That is the concern the county wants to alleviate before donating. The money may not be needed for quite some time as was indicated by Idaho County Commissioner Jim Chmelik.

Attorney Hull left the meeting at 11:18 a.m.

Commissioner Kirby moved to go out to bid for dust palliative materials for dust abatement. Commissioner Pinkerton second. Motion passed unanimously.

Commissioners tended to administrative duties

There being no further business, the meeting adjourned at 11:40 a.m.

DAN R. DINNING, Chairman

Attest:

GLEND A POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk