

*****Monday, August 1, 2016, at 9:00 a.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. Commissioner LeAlan Pinkerton was out of the office tending to other matters.

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

Blue Sky Broadcasting Reporter Mike Brown and Bonners Ferry Herald Editor Lynn Haley were in attendance of the meetings off and on

9:00 a.m., Road and Bridge Department Superintendent Clint Kimball joined the meeting to give his departmental report. Mr. Kimball presented a written report. Mr. Kimball said in addition to regular maintenance, new tasks are popping up all the time. Road and Bridge is getting ready to start chipsealing and they will start in the Moyie corridor. Grading at the fairgrounds begins today and paving the parking lot will take place tomorrow.

Mr. Kimball said he attended many meetings last week. One meeting was on the 129,000 pound truck legislation. There is not much the county can do other than help monitor the situation. Permitting for these trucks was discussed and it was said permitting will be through the Department of Transportation's (DOT) process. Chairman Dinning questioned how Commissioners will know if a driver is permitted. Mr. Kimball said he assumes the DOT will be watching out for this. Mr. Kimball said last Tuesday he attended a meeting with Dan Koonce and Odo Grandi from the Local Highway Technical Assistance Council (LHTAC) for the selection of a consultant for the design of the Ruby Creek Bridge, in which David Evans and Associates was selected. Mr. Kimball said he also attended a meeting at Moyie City Hall to discuss over-height trucks last Thursday with Representative Sage Dixon present and the focus of the meeting was safety. Mr. Kimball said there will be a bridge inspection of the Naples Bridge as a result of the last truck that hit the bridge so hopefully that will be covered by the driver's insurance.

Mr. Kimball said next week's work will involve chipsealing and paving.

Mr. Kimball informed Commissioners that a document was overlooked for the Trout Creek Bridge project and it requires the Chairman's signature. The other related documentation had already been addressed, but this document was missed and it is time sensitive.

Commissioner Kirby moved to amend the agenda for 9:10 a.m., and to authorize the Chairman to sign the Idaho Transportation Department Concept Approval for the Westside Road, Trout Creek Bridges project, Key Number 13419, Project Number A013(419), Highway Route STC-5804 as it was overlooked in the original document package for approval and it is time sensitive. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby said he looked into the matter of the restrooms at Riverside Park and he asked Panhandle Health District as to why approval for these restrooms was declined as Commissioners had been told by Mr. Vilelli last week. Commissioner Kirby said according to Panhandle Health District, the information that the permitting was denied was not accurate as the system at the restroom facility is hooked up and all that is needed is fresh water. Chairman Dinning said he knows there was water available, but the project just hasn't been completed.

Commissioners and Mr. Kimball reviewed the most recent survey from JRS Surveying of the area near the Vilelli property and Ball Park Road. One corner of this road is two feet onto Mr. Vilelli's property

and the corner at the other end of the road is as well. Commissioners said Mr. Vilelli met with Commissioners last week and informed them that people had parked on his property when they had attended a wedding. Chairman Dinning said Commissioners want to relocate those corners so the road is not on Mr. Vilelli's property. Chairman Dinning asked for Mr. Kimball's opinion on creating a barrier of some kind so people don't park on Mr. Vilelli's property and Mr. Kimball mentioned having unused guardrails he could use.

Mr. Kimball asked Commissioners if they had thought more on brushing along the Canadian line. Chairman Dinning said yes and the area consists of a short little area so he will talk to someone about this.

Mr. Kimball mentioned the 129,000 pound truck legislation and said with the time this matter has taken, this is of an expanding nature already. There is now talk of adding to the prescribed route to Montana and the mill so this will keep growing and we will have grain trucks that want access to the highway, etc. Mr. Kimball said for the time it takes to get across Highway 95 at 65 miles per hour, it takes a while for these trucks and you have to be careful with the frequency of cars coming. Chairman Dinning said Senator Keough brought up this issue due to the location as there have been so many accidents in this area. Mr. Kimball mentioned Peterson Hill and he said there is not area in which to put truck chains on. Mr. Kimball spoke of the make-up of various trucks and he added that in some areas and in some weather conditions a truck's anti-skid will not work. If a truck driver is coming down the hill with a heavy load, their brakes will not work as fast. Chairman Dinning said someone who has high knowledge on this issue was discounted when this matter was discussed.

The meeting with Mr. Kimball ended at 9:20 a.m.

Commissioner Kirby 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 totaling \$6,013.20. The grant match totaling \$3,000 is to be taken from Professional Services. Chairman Dinning yielded the chair to second. Motion passed unanimously.

9:30 a.m., Deputy Clerk Nancy Ryals joined the meeting.

9:30 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone. Attorney Hull discussed a meeting he attended with City of Bonners Ferry representatives to discuss various matters to include dispatching. Attorney Hull said others who attended this meeting were Sheriff Greg Sprungl, Chief Deputy Sheriff Rich Stephens, City of Bonners Ferry Attorney Andrakay Pluid, City Police Chief Vic Watson, and Mayor David Sims. Mayor Sims conducted the meeting and he talked about some issues citizens have had and some of the experiences Mayor Sims and his family have experienced when calling into dispatch and having the calls be filtered. There was upset with the way these calls were handled, but there were no specifics as to the dates and times of these calls or the dispatchers involved. Attorney Hull informed those present that Sheriff Sprungl said these issues have happened from time to time, but it is good to know right away otherwise it is hard to track the incident down and take corrective action. It was said that a general statement would be made to the dispatchers to let the officers do their investigation.

Attorney Hull said the next issue that came up was the county's proposed increase of 3% for the contract for dispatching services. The City's position is that they are in a budget crunch and don't have money in the general fund and they question why they are paying for this service when other

departments, such as fire and ambulance service, are not paying their share. Attorney Hull said he explained to Mayor Sims and others that he had spoken to Commissioners and any issues pertaining to the contact price would have to be discussed between Commissioners and the city in an open forum. Chairman Dinning said we need to discuss that issue at length with them. Attorney Hull said there was mention that other agencies were not paying into the dispatch system, but Chief Deputy Stephens and Sheriff Sprungl did a great job explaining how 911 fees are paid, etc. It was also represented to the city that over half of the calls made to dispatch came from city residences. Attorney Hull said Chief Deputy Sheriff Stephens and Sheriff Sprungl also explained to the city representatives that the county pays a user service fee for the National Crime Information Center (NCIC) service and well over half of those calls for uses, such as checks which are paid on a user fee basis, come from the city. Chairman Dinning said the history of this process involving dispatch and the city goes back to approximately year 1982 or 1983 when the City of Bonners Ferry acknowledged they wanted to participate in the dispatch service and they felt it was a mutual advantage to have a 24-hour dispatch service and in addition, they felt a joint funding agreement would be an advantage. At that point the city was going to pay \$8,000 toward dispatching services, plus not charge the county for water usage at the fairgrounds. That is somewhat of the history, according to Chairman Dinning. Attorney Hull said the rough numbers he has was that for dispatch, there is someone at a desk 24 hours per day, seven days per week, with wages and benefits so the county pays \$60,000 for one dispatcher, considering the cost for the Public Employment Retirement System of Idaho (PERSI), the employer's responsibility for taxes, insurance and wages, and the city is only paying \$28,500. Then whatever the increase is so that is not even paying half for that employee for that service. Attorney Hull said Mayor Sims said the county has to pay that anyway so why should the city pay any type of fee. Chairman Dinning said Clerk Poston had looked back and from year 2001 to year 2007, an increase had not been assessed as it is done yearly now. Chairman Dinning said if the City of Bonners Ferry is having budget problems, he would encourage the city to just come talk to Commissioners and he added that he has thought about the cost involved if the city were to put in their own dispatch center. Attorney Hull said it would be a huge cost due to fees for NCIC and other state fees, staff, and all equipment needed, etc. There just needs to be a meeting and everyone needs to logically explain so a resolution can be arrived at.

The call to Attorney Hull ended at 9:42 a.m.

Mr. Brown left the meeting.

9:46 a.m., Commissioner Kirby moved to go into closed session pursuant to Idaho Code 31-874. Chairman Dinning yielded the chair to second. Motion passed unanimously. 10:00 a.m., Commissioner Kirby moved to go out of closed session. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to put indigent case 2016-19 into suspension. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to deny indigent cases 2016-20 and 2016-21. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Deputy Clerk Ryals left the meeting at 10:00 a.m.

10:00 a.m., Solid Waste Department Superintendent Claine Skeen joined the meeting to present his department report.

Commissioner Kirby moved to sign the Certificates of Residency for Elizabeth Peterson, Anthony Skeen, Mathew Kramer, and Mitchell Kramer. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to grant an extension of time to pay year 2015 taxes for parcel #MH0003000007UA and to accept the tax amount due by October 1, 2016. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to approve the minutes of July 25, 2016. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Mr. Skeen said the scale system looks nice. The software needs to be installed, but the concrete is still drying so it will be approximately three weeks to one month before you can cross it. Chairman Dinning mentioned that Ellory Howard with JUB Engineering needed a document on tires in order to complete his report, but Attorney Hull is working on that.

Commissioners and Mr. Skeen discussed the report Mr. Howard is working on and Mr. Skeen said he would contact Mr. Howard. Commissioners asked Mr. Skeen to get back to Commissioners after he has spoken to Mr. Howard. Those present also discussed sending out statement to those who have accounts at the landfill so the county knows who is current. Mr. Skeen said he has information on new contractors for establishing credit.

Commissioners also briefly discussed a proposed 4% increase for solid waste fees.

Commissioners informed Mr. Skeen they did not budget for a new excavator for the landfill so they will tell Road and Bridge Department Superintendent Clint Kimball to bring theirs over when it is needed. Mr. Skeen said that will be tough. Commissioners said the reason for not going forward with purchasing an excavator was cost.

Commissioner Kirby moved to prepare a resolution for a 4% increase for solid waste fees. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Mr. Skeen left the meeting at 10:13 a.m.

Commissioner Kirby moved to authorize the Chairman to sign the Homeland Security Grant Program (HSGP) Final Adjustment Notice (closeout documents) for the FY 2014 Operation Stonegarden Grant. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Chairman Dinning informed Commissioners that Kevin Merrifield did not want to pay closing costs for the closing process outside of the county as it pertains to Mr. Merrifield's offer to purchase county tax deeded properties that did not sell at the county's tax deed auction. Chairman Dinning said the county just needs to prepare the deed and accept the funds so Commissioners will talk to County Civil Attorney Tevis Hull about this process.

10:24 a.m., Chief Probation Officer Stacy Brown joined the meeting to present a department report.

Ms. Brown said her department now has 190 unsupervised adults and 67 people on adult misdemeanor probation, which is higher than normal. If you look at the juvenile system data base it will show 35 people on juvenile probation, but only 20 are active cases. If you add those with warrants, they are still on the list, but not actively supervised. There are a lot of intense cases occurring, according to Ms. Brown. There are three or four juveniles that take up hours and hours of the staff's time.

Ms. Brown informed Commissioners that she was asked if she wanted to be vice president of the Idaho Association of Counties (IAC) Juvenile Justice Association. Ms. Brown said as it stands now she is vice president for the Adult Misdemeanor Association, but that doesn't involve much. Ms. Brown said the juvenile side of things is much more intense and would take approximately four hours per month. Ms. Brown said she doesn't mind doing that on her lunch hour as she doesn't want it to affect her county work. Ms. Brown said she doesn't think the association will pay the cost for travel to meetings. Commissioner Kirby voiced his support if it is a personal advancement for Ms. Brown. Ms. Brown said her involvement means representation for the smaller counties so that is why she has been so active in these associations. Ms. Brown said because she has been involved, these IAC associations have started providing free probation related training throughout the state. Chairman Dinning said he has always felt that anytime we can engage on behalf of the smaller counties, we should. Ms. Brown said that is how she feels as well.

Ms. Brown informed Commissioners that she is probably not going to need her department's part-time position much longer, but the Restorium may have a position available for this person.

Ms. Brown mentioned to Commissioners that other small towns have local attractions such as how these small towns got their name so she wondered if there was anything for Bonners Ferry such as there being information about the ferry. Commissioners and Clerk Poston suggested contacting the museum or visitor's center.

The meeting with Ms. Brown ended at 10:45 a.m.

Commissioners tended to administrative duties.

10:52 a.m., Commissioner Kirby moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student. Chairman Dinning yielded the chair to second. Commissioners voted as follows: Chairman Dinning "aye" and Commissioner Kirby "aye". Motion passed unanimously. The executive session ended at 10:59 a.m. No action was taken.

11:00 a.m., Assistant Restorium Administrator Pam Barton and Restorium employee Sheila Benson joined the meeting to provide an update on Restorium matters.

Ms. Barton presented Commissioners with Restorium statistics for the last three months to include the number of residents, vacancies, income and expenses. Ms. Barton explained a billing matter involving a Medicaid payment and she added that the Restorium has approximately 10 residents who are on Medicaid.

Ms. Barton informed Commissioners that the air conditioner for the kitchen is about to quit working and the boiler is having issues. The quote from Cool-it was \$3,500 to \$3,800 for just the air conditioning unit.

Ms. Benson said Mr. Buckley was involved in this discussion so he could elaborate. Clerk Poston spoke of funds in the capital construction line item and she said she was not sure if those funds were earmarked for the boiler, but there is nothing extra. So far the budget expenses for the Restorium are less than what was anticipated. The Restorium has been full for three months now and there is still a waiting list. Chairman Dinning questioned how much more staff would be needed if some of the residents shared one room. Chairman Dinning asked if meal times could be staggered in order to avoid congestion if the Restorium were able to accept more residents.

The meeting with Ms. Barton and Ms. Benson ended at 11:22 a.m.

Commissioners tended to administrative duties.

Courthouse Maintenance John Buckley stopped by Commissioners' Office and updated them on the matter pertaining to the air conditioner for the Restorium's kitchen and the issues with the boiler. Mr. Buckley said it is a little less than \$3,500 to replace coils on the outside air conditioning unit, but there are a bunch of water pipes that are placed right in front of the furnace unit and boiler so you cannot access these for maintenance. The \$3,500 had nothing to do with re-piping the boiler.

Mr. Buckley left the meeting at 11:53 a.m.

Commissioners recessed for lunch at noon.

1:30 p.m., Commissioners met for the afternoon session with Chairman Dan Dinning, Commissioner Walt Kirby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

1:30 p.m., Restorium board member Brad Hollifield met with Commissioners to discuss a matter pertaining to Restorium residents and private pay residents versus residents on Medicaid. Assistant Restorium Administrator Pam Barton and employee Sheila Benson also joined the meeting.

Mr. Hollifield said his mother is a private pay resident at the Restorium. Mr. Hollifield said in the big scheme of things, right now as he understands it, the private pay resident will probably take the lion's share, if not all, of the upcoming perspective rate increase, and as a board member, depending on the status of the ratio of Medicaid residents and private pay residents, that could be a financial problem. Ms. Barton briefly mentioned there being approximately 10 residents on Medicaid. Chairman Dinning said that is approximately one-third of the residents and the Restorium is at full capacity now. Chairman Dinning said he talked to County Civil Attorney who said he felt the county could limit the number of Medicaid residents at the Restorium. Chairman Dinning questioned how Commissioners could provide space for Medicaid residents and the thought was to possibly provide double room occupancy, which would take care of the need although Commissioners would not want to create a huge burden. Mr. Hollifield presented Commissioners with the resident agreement. Ms. Barton said this agreement has been reviewed by Attorney Tevis Hull. Mr. Hollifield referred to the non-discrimination section of the agreement and he said he feels a discussion needs to take place regarding this section, but he is just here for informational purposes. Mr. Hollifield said there is a provision that the facility may exercise its right to not take certain Medicaid patients based on fact they are not paying at a certain rate. On page 3, the last paragraph and into page 4 is where this needs to be reviewed. Chairman Dinning said Commissioners have some things to talk about and he mentioned the conflicting statements. Chairman Dinning said if in fact we are able to increase the number of Medicaid residents by placing two residents in a shared room, how does that change staffing? Commissioners have not considered what would need to be done if the Restorium had 40 residents. Mr. Hollifield said his overall goal as board member would

be not to increase the number of residents to where it impacts another's quality of life. It was said there is a direct correlation in the number of residents to staff. The Restorium is licensed for 52 residents, according to Ms. Barton. Commissioner Kirby asked about the possibility of one room with two residents who are unrelated. Chairman Dinning said he would like Commissioners to speak to Attorney Hull about what they can do, then meet with Restorium Administrator Karlene Magee and determine what the Restorium Board would like to do. Mr. Hollifield briefly mentioned the equitable spread of the cost perspective and he said there is a way to get there, but it will take some thought as to how that happens. Chairman Dinning said the Restorium is at \$150,000 less between income and expenses year to date so that is a big decrease from \$200,000 to \$300,000 not that long ago. There will always be a difference to some degree, but if not, the county could make adjustments for the future.

Mr. Hollifield asked if the Restorium Board, through a representative, could submit questions to Commissioners to present to Attorney Hull or can they present questions directly to him. Chairman Dinning said the Restorium Board can submit questions to Attorney Hull, but include Commissioners in the correspondence. Mr. Hollifield spoke about the possibility of someone he knows who lives far away that is interested in living at the Restorium. Chairman Dinning said that is a testament to the quality at the Restorium. Commissioner Kirby spoke of the reasons the Restorium is such a good place and how the cost to live at the Restorium is still quite low as compared to other facilities. Commissioner Kirby said we have to look at how to figure this out with Medicaid. Mr. Hollifield said he was thinking that we can either react to that issue or be proactive and have something in place to meet that eventuality. It depends on who comes and requests to stay at the Restorium and their financial situation.

Commissioner Kirby said it might be good to see how other facilities are complying with Medicaid requirements. Chairman Dinning said the Restorium is the only county operated facility in the State of Idaho so do we fall under different rules than a private facility? Chairman Dinning asked Ms. Barton for the difference in the billed rate and the Medicaid rate. Ms. Barton said Medicaid takes a resident's income except for \$98.

Chairman Dinning said going forward we need to get more information from Attorney Hull as well as get a recommendation from Ms. Magee and the Restorium Board.

It was said there are 17 residents who are private pay, 12 residents who are on Medicaid, and there will be a room rate increase of 4.8%.

The meeting with Mr. Hollifield, Ms. Barton, and Ms. Benson ended at 1:56 p.m.

Clerk Poston and Commissioners discussed various matters pertaining to the Government Employees Medical Program (GEM) Plan insurance program.

There being no further business, the meeting adjourned at 2:30 p.m.

DAN R. DINNING, Chairman

Attest:

GLEND A POSTON, Clerk

By: Michelle Rohrwasser, Deputy