

*****Monday, March 20, 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. Mr. Kimball presented a written report.

Chairman Dinning said last Saturday afternoon at approximately 2:00 p.m., he declared a local emergency due to the landslides and he contacted Idaho Office of Emergency Management Local Area Field Officer Jay Baker to request Boundary County be included in the state's declaration. The request is currently in the process of moving up the chain and Commissioners are just waiting for a response. An emergency or disaster declaration made by a commission chairman only lasts a matter of days so the board will discuss this. Mr. Kimball spoke of the areas that were affected by this weekend's landslides caused by heavy precipitation and how Road and Bridge had hauled rock all day yesterday to repair roads. Mr. Kimball said he was very impressed with the number of citizens who would stop to help fill sandbags and offer to provide lunch to Road and Bridge employees.

Mr. Kimball said Grouse Hill Road lost another culvert as did Turner Hill Road, which also lost half of the road due to runoff so the list of damages just goes on and on. Mr. Kimball said Fry Creek had plugged up with water and it just ran down to the bottom. A ditch had to be excavated through Jean Plato's yard to divert water. Repairs have been made to the Dobson Creek area, there have been slides in the Katka and Ruby Creek areas, and sloughing on Smith Lake Road is running into Fleming Creek.

Mr. Kimball said he has been approving light permits for loads, but the drivers cannot get out of their driveways. Mr. Kimball recalled injuries that had occurred in the 1998 slides so he said he has spotters for his employees for their safety.

Atkins Canyon is currently closed as it is not wide enough at the moment.

Mr. Kimball said he hired extra contractors over the weekend to deal with mudslides and flooding, and he will order more signs and Type 3 barricades as that is what you have to legally use to close a road. Mr. Kimball said he has borrowed signs from Charlie Kramer and the City of Moyie Springs, but what is important is the need for experienced people to know about safety and where phone lines are, etc. Belly dumps will be hired for use on Pleasant Valley Road. Road and Bridge crew are tired, but they are hanging in there, according to Mr. Kimball.

Chairman Dinning questioned if the north end of Boundary County, such as Porthill and Eastport received as much rain as the south end. Mr. Kimball said he thinks east of the Moyie River is colder and it has not rained as much, and in addition the soils may be rockier as opposed to clay. Mr. Kimball explained that the type of snow we have on the ground now plugs up the culverts with ice.

Mr. Kimball said a lot of sandbags have been filled for citizens, but to his knowledge there are no slides that have run into structures, although he has heard about one house located on Grouse Hill Road being

evacuated. Chairman Dinning mentioned the potential for issues to homes located on Ash Street and Washington Street due to landslides.

Mr. Kimball briefly mentioned a matter involving the starting wage pertaining to a job position that is currently being processed. Clerk Poston mentioned the wage for this position being \$15.77.

Chairman Dinning informed those present the river reservoir is high, but Libby Dam officials are making room in anticipation of runoff.

Chairman Dinning spoke of a Burlington Northern Santa Fe (BNSF) train derailment along Katka Creek.

The meeting with Mr. Kimball ended at 9:32 a.m.

Commissioner Pinkerton moved to declare an emergency due to heavy precipitation over the weekend causing multiple landslides. Commissioner Kirby second. Motion passed unanimously.

Chairman Dinning said to his knowledge nobody has been injured during this event and anything else can be replaced.

9:40 a.m., Commissioners contacted County Civil Attorney Tevis Hull via telephone. Chairman Dinning Informed Attorney Hull that he, as Commission Chairman, declared a disaster/emergency on Saturday, March 18th and Commissioners, as a Board, have declared an emergency this morning. Chairman Dinning said he requested that Boundary County be included in the State of Idaho's declaration so he is waiting for that response. Chairman Dinning said a declaration made by a commission chairman alone lasts seven days, but a declaration made by the entire board of commissioners lasts 30 days.

Chairman Dinning said he received a call from someone requesting a map of all county designated roads. It was suggested this person make their request in writing.

The call to Attorney Hull ended at 9:43 a.m.

Commissioners tended to administrative duties.

10:00 a.m., Boundary Ambulance Service (BAS) Paramedics John Minden and Kelly Halleman joined the meeting.

Commissioners canvassed the ballots from the election held on March 14, 2017, for the Boundary County School District maintenance and operation levy.

Commissioner Pinkerton moved to approve the results and canvass ballots of election from the Boundary County School District maintenance and operation levy held on March 14, 2017. Commissioner Kirby second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the Certificates of Residency for Breanna Copeland. Commissioner Kirby second. Motion passed unanimously.

10:01 a.m., Commissioner Kirby moved to recess as the Board of Boundary County Commissioners and convene as the Boundary County Ambulance Service Governing Board. Commissioner Pinkerton second. Motion passed unanimously.

Commissioner Pinkerton moved to approve the minutes of the Boundary County Ambulance Service District Governing Board from the meeting of February 27, 2017. Commissioner Kirby second. Motion passed unanimously.

Mr. Minden said BAS is going great. Mr. Minden informed Commissioners that someone is going around talking about fire services joining so he brought a copy of that email for Commissioners along with a written reply from BAS for Commissioners. BAS is not really concerned about this and they are in no way involved in the fire departments' discussion of merging so they prefer to be left out of the matter. If there is something that comes up such as the origination of the email, it will be addressed, but BAS considers the matter over.

It was mentioned Boundary Community Hospital was able to receive their level 4 trauma designation.

Mr. Minden discussed BAS involvement during this last weekend's various mud slides.

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

Mr. Minden and Mr. Halleman left the meeting.

Treasurer Sue Larson joined the meeting at 10:11 a.m.

Treasurer Larson informed Commissioners of a matter in which a taxpayer had hired a financial firm to make his property tax payments. In one case a check the bank had sent the county had never been received so a late fee and interest had accrued for the property owner. Treasurer Larson said the request is to cancel late fees totaling \$14.70 plus interest.

Commissioner Pinkerton moved to cancel late fees of \$14.70 plus interest for parcel #RPB00000224830A as the bank did issue the check, but the County Treasurer's Office has no record of receiving it. Commissioner Kirby second. Motion passed unanimously.

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

Commissioners discussed the recent mudslides and the rumors that go around on social media.

Commissioners tended to administrative duties.

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

Ms. Perry provided a copy of the agenda for the evening's KVRI meeting. Ms. Perry said the Army Corps of Engineers will be in attendance of this meeting to provide a water supply forecast and committee

updates will also be given. Ms. Perry briefly explained the upcoming meeting this Thursday with Mr. Knauth and the Forest Supervisor to discuss Community Forest Landscape Restoration (CFLR) goals.

Ms. Perry said the Kootenai Tribe received a request for a letter of support from the City of Bonners Ferry for the Riverside Road Improvement project. KVRI will also provide another letter of support for this project since it is being resubmitted.

Ms. Perry said the Deer Creek draft decision notice was received and it is out for objections and that deadline is April 17th. One objection letter from Barry Wynsma has been received, but Ms. Perry said she would consider it a friendly objection letter.

Ms. Perry spoke of receiving an invitation from Idaho Forest Group to attend a contractors' meeting on March 30th.

Ms. Perry said at this evening's KVRI meeting a letter of support will be presented for signature for the Federal Lands Access Program (FLAP) for City of Bonners Ferry's portion of the Riverside Road Improvement project.

Commissioner Pinkerton moved to approve Chairman Dinning signing the support letter pertaining to the Riverside Road Improvement project. Commissioner Kirby second. Motion passed unanimously.

Mr. Knauth said the Forest Service is working with the County Road and Bridge Department and the City of Bonners Ferry on the FLAP proposals. Both the city and county are submitting applications for different portions of the Riverside Road Improvement project so they are standalone proposals from the Forest Service's standpoint so they are providing signatures on both applications.

Mr. Knauth briefly addressed Mr. Wynsma's comments in his objection letter for the Deer Creek draft decision and said there are no other objections that he is aware of.

The Boulder Creek project is progressing and progress reports are due approximately mid-April, according to Mr. Knauth.

Chairman Dinning discussed stewardship programs and putting money back on the ground for projects. Mr. Knauth said the Forest Service is not 100% stewardship on timber sales and in a general rule for the north zone, the Forest Service is just looking at one stewardship sale on the books and the others will be regular sales. Typically most of that work goes back to local contractors, according to Mr. Knauth. If Idaho Forest Group buys a sale, they hire local contractors, etc., so the bulk of that work stays in the area. Sale proceeds are also put toward road work and doing their own crushing to keep road packages down.

Mr. Knauth said the Deer Creek project will most likely go to sale this September, and the contract for the Boulder project is supposed to go out this summer and be completed the following summer.

Mr. Knauth discussed work in the Grouse Bear Management Unit (BMU) and looking at more than one alternative for managing roads within that BMU. Two of the scenarios will be within the standards, but nothing changes for Boundary County, according to Mr. Knauth.

Chairman Dinning asked Mr. Knauth if all agreements and memorandums of understanding are in place ahead of the fire season. Mr. Knauth said he doesn't know if the agreements are done, but he does know this is the year they are to be addressed.

Mr. Knauth said Twenty Mile Road is impassable right now at the point where snow plowing stops. The issue is due to water on private lands taking out the road. And the matter will be addressed when the ground firms up.

Mr. Knauth informed Commissioners the train derailment that occurred in Moyie Springs did run into federal lands, but not the derailment that occurred along the Kootenai River.

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

11:00 a.m., County resident Greg Owen joined the meeting to voice concerns regarding the potential for flooding.

Mr. Owen mentioned to Commissioners that he lives in the Curley Creek area and has been there a bit over two years now and he offered an apology for missing his last two scheduled meetings with Commissioners. Mr. Owen explained that he had worked in New York in a field similar to disaster management to determine what to do to help the situation and resolve problems and he added that Boundary County Emergency Services Director Mike Meier probably has good training and experience, but may have misunderstand his message when they spoke.

Mr. Owen said the issue with the dam in Oroville, California happened, but it shouldn't have. The force of the water continues to destroy structures that man has made and in this case often times it works backwards toward the dam. This also threatens the overflow toward the top of the dam. The erosion works back against the earth and the entire dam is breached, according to Mr. Owen. The Libby Dam was built in approximately 1975 and it is on the list of dams that needs attention and President Trump has mentioned funneling dollars into infrastructure. There are a lot of things that have been overlooked and neglected and in this case, we don't know the real condition of the Libby Dam. If this dam should fail, we could have another flood. Mr. Owen said he knows there have been four floods in the City of Bonners Ferry and another flood would destroy buildings, etc. If there is a threat to this dam, it needs to be taken care of well before it happens. Mr. Owen said he noticed there is a very large pedestrian tunnel in the city from the city parking lot to the casino and there may be contingencies in place to close this tunnel if need be, but if there is a flood, the water level would rise and a huge draft of water could come through that tunnel. Mr. Owen said the highway and roads were developed to form a levy, that is he sure of. Mr. Owen said he would like Commissioners to consider this matter.

Chairman Dinning said he was raised in Boundary County and watched the evolution of the dam, which was a wonderful thing for the communities. Chairman Dinning said he believes there is a nine hour window to evacuate if the dam completely failed. Those contingencies are in place. The highest the river has ever gotten, post dam, is to the level of the lawn in front of the Kootenai River Inn and that was over flood stage as established by the Army Corps of Engineers. In the catastrophic event of the dam failure, the tunnel would be insignificant because the levies downstream from here would break and water would come in from behind. All we know is that we just evacuate everyone, according to Chairman Dinning. There are contingencies in place should it not be catastrophic and if the tunnel was sealed, water would just run into the parking lot at the Inn, etc. The history of the road is that they are not built as a levy, but as a route for people to get around town without waiting for trains. Chairman Dinning said Riverside Road

is high and is intended as a levy. Chairman Dinning said Mr. Owen's points are valid. Mr. Owen said he would think funds are available if something needs to be shored up and he is just interested in the welfare of the entire region as this city is the food supply, etc., for everything all around us. Lives would be in danger, according to Mr. Owen.

The meeting with Mr. Owen ended at 11:10 a.m.

Commissioner Pinkerton moved to adopt resolution 2017-14. A resolution declaring a local disaster/emergency declaration as a result of recent landslides. Commissioner Kirby second. Motion passed unanimously. Resolution 2017-14 reads as follows:

RESOLUTION 2017-14
LOCAL DISASTER/EMERGENCY DECLARATION

WHEREAS, Boundary County has experienced heavy snowfall and rains during the current 2016/2017 winter and spring season, and

WHEREAS, due to this excessive precipitation, Boundary County has experienced damage to infrastructure, property, and structures and such damage is expected to continue for the foreseeable future, and

WHEREAS, Boundary County Commission Chairman declared a disaster declaration on Saturday, March 18, 2017, at approximately 2:00 p.m., followed by the entire Board of Boundary County Commissioners declaring a disaster declaration on the following business day, Monday, March 20, 2017, and

WHEREAS, the Board of Boundary County Commissioners feel this declaration needs to extend for the period of thirty (30) days, and

NOW, THEREFORE, be it resolved, that the Board of County Commissioners of Boundary County, State of Idaho, has hereby declared an emergency, and the aforementioned declaration is ratified by this resolution.

DATED at Bonners Ferry, State of Idaho, this 20th day of March, 2017.

BOUNDARY COUNTY
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 #270133

Commissioner Pinkerton moved to authorize the Chairman to sign the Updated Employee Relations Client Agreement regarding employment related background checks. Commissioner Kirby second. Motion passed unanimously.

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

*****Tuesday, March 21, 2017, 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 personal matters.

9:00 a.m., Commissioners held an elected officials/department heads meeting. Present were: Chairman Dan Dinning, Commissioner Walt Kirby, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, Courthouse Maintenance John Buckley, Noxious Weeds Department Superintendent Dave Wenk, Treasurer Sue Larson, Emergency Services Director Mike Meier, Extension Office Educator Kate Painter, Sheriff Dave Kramer, Chief Probation Officer Stacy Brown, Chief Deputy Sheriff Rich Stephens, Prosecutor's Office Manager Tammie Goggia, Assessor Dave Ryals, and Restorium Administrator Karlene Magee.

Chairman Dinning asked everyone to please keep their budgets in mind and as always, be as conservative as possible. Frontier Communications will come to visit with offices within the Courthouse at some point to learn what each office's needs are for the proposed new telephone system.

Chairman Dinning informed those present that Bingham County had their computers hacked and their information held hostage and that is something we also need to be careful about. Computer Arts comes by every Wednesday to work on any issues we may be experiencing with our computers and the technician determined that the county's email has been slow lately and it is completely because of personal use. Employees will log on to their personal email and Facebook accounts and not log off, instead leave these sites open and that slows the system down. Chairman Dinning urged elected officials and department heads to visit with their staff about this. The largest problem with this is that if these websites are left open, there is a high probability of hacking and other problems. If a person is using their office computer for personal use and a virus enters the county system through that personal use, there is a potential liability to the employee for that damage. Ms. Goggia mentioned that she leaves her county email up and Clerk Poston said she does as well as she is working in it all the time. Clerk Poston said a majority of the cause of this issue is taking place within this facility.

Planning and Zoning Administrator John Moss joined the meeting at 9:04 a.m.

Commissioners also mentioned Computer Arts said computers are better protected if you turn your "read view" to off while using your email.

Chairman Dinning suggested having one person from each office keep a list of passwords in a safe place.

Mr. Meier spoke of matters pertaining to putting out updated news through his positions as public information officer and emergency services director. Mr. Meier informed everyone that all instances of emergency events are online at WEBEOC. Mr. Meier added that all departments are working well, especially Road and Bridge. They are doing a very good job. Mr. Meier said he has received calls from private citizens asking about assistance for damages caused by recent weather and what dialogue is involved in that. Sheriff Kramer said there will be an after action meeting tomorrow to go over this as well. Mr. Meier said the railcars involved in the slides may have to remain in place until this June. There should not be a lot of downstream issues as a result of the slide in the Katka area, according to Mr. Meier.

Chairman Dinning said Commissioners did declare an emergency and the State of Idaho has included Boundary County in their state declaration. The Kootenai Valley Resource Initiative received an update from the Army Corp of Engineers and learned one of the dams in Washington State is having its six week

scheduled maintenance at the gates and they are not holding back water so it puts pressure on the Kootenai and Pend O' Reille to hold back water. This will affect Boundary County and Libby Dam will go full powerhouse discharge today or tomorrow. Chairman Dinning said our area is over 100% of normal for its snowpack right now. What is different is having record rainfall across the basin in October last year, but then it got cold, froze, and then snowed. Mr. Meier said we also had record rainfall in February and then it froze.

Commissioners went around the room for department updates.

Treasurer Larson said her office is getting ready to tax deed properties with delinquent taxes.

Sheriff Kramer said his office is advertising for an additional detention deputy who will need to work to pass jail certification standards. Sheriff Kramer asked the status of the armory. Chairman Dinning said the Probation Office and Mr. Meier will have offices at the armory at this point. Commissioners said they won't know if the state will allow the purchase or transfer of their half ownership of the armory so Commissioners don't want to put too much into the facility until the county has some answers from the National Guard. Sheriff Kramer said a planning meeting for potential use would be nice. Sheriff Kramer mentioned his office is working on determining surplus vehicles.

Chairman Dinning explained that the county doesn't levy for Road and Bridge as this department is funded by Forest Service timber sales, sales tax, gas tax, etc. A number of years ago when the county was faced with the possibility that Secure Rural Schools (SRS) funding would not be reauthorized, Commissioners looked at levying for Road and Bridge. If the county levies for that department, we don't get to add that to the 3% so that funding would have to come out of other county office's budgets and the city gets approximately 30% to 40% of that amount so it doesn't appear to be too advantageous.

Ms. Goggia said the Prosecutor's Office has been busy with DUI cases and felonies.

Ms. Brown said the Probation Office has 10 new participants in the Youth Accountability Program. The Probation Office is also getting ready for the new Odyssey program for adult misdemeanor.

Ms. Magee said the Restorium has four vacancies right now.

Mr. Moss said the Planning and Zoning Commission held a public hearing for a variance, but the applicant cancelled at the last minute, and applications have been submitted to fill a vacancy on the Planning and Zoning Commission.

Mr. Wenk informed everyone that applications for the Neighborhood Weeds Co-Op are due March 31st.

Ms. Painter said everything for the Extension Office is going well and she presented Commissioners with information on gardening, home finance, Strong Women, and canning courses the Extension Office is holding.

Assessor Ryals said it looks like the market has been creeping up and the county has to keep up with it. The Assessor's Office will have one appraisal position opening up in the next couple weeks.

Mr. Meier mentioned working on applying for grants.

Clerk Poston mentioned the county is receiving \$580,000 less than the year before in funds to replace SRS funds, but there are new monies coming in from fuel tax in the amount of \$350,000. These funds are all for Road and Bridge. Clerk Poston said she is starting to work on the budget and having a few things done at the armory such as installing internet and a phone system, and she will order table and chairs. Chairman Dinning mentioned people may see a plaque for Kenny Mendenhall on the wall of the armory and spoke of his involvement in local sports.

The elected officials/department heads meeting ended at 9:27 a.m.

Mr. Wenk and Mr. Meier remained after the meeting.

9:30 a.m., County Noxious Weeds Department Superintendent Dave Wenk met with Commissioners to provide a department report. Mr. Wenk said he has nothing new to report on weeds, but he did attend a conference last week. Mr. Wenk said he was supposed to know last week if the Cost Share program was approved, but expects it will be as the application is just requesting \$22,000 to split between Bonner and Boundary Counties.

The meeting with Mr. Wenk ended.

Mr. Meier spoke of his ability to post news updates online as well as briefly discussed matters pertaining to the county vehicle he is now using. Chairman Dinning and Mr. Meier discussed how to start tracking expenses incurred as a result of the snowfall event as well as the mudslides.

Sheriff Dave Kramer returned to the meeting at 9:53 a.m.

Those present resumed their discussion on getting Mr. Meier set up with phone services.

Mr. Meier left the meeting at 10:00 a.m.

Chairman Dinning and Sheriff Kramer discussed matters pertaining to the armory such as relocating the Driver's License Office and office of the civil deputy. Sheriff Kramer said that might allow enough space for detectives to move back to the Sheriff's Office. Sheriff Kramer said he would just really like to get them out of the Creamery Building. Commissioners mentioned also looking at moving Boundary Ambulance Service's quarters to another area on the armory property. Chairman Dinning spoke of keeping certain Sheriff's Office staff close to the jail and having a deputy for Courthouse safety reasons and Sheriff Kramer agreed that he would like to keep a deputy station next to the Courthouse in order to have someone in this area.

Sheriff Kramer addressed the Forest Service Agreement for patrols on certain Forest Service property. Sheriff Kramer said a portion of funds can be used for equipment as well as fuel reimbursement. The amount of reimbursement is up to \$10,000 and then reimbursement for equipment at 49% of the total.

Commissioner Kirby moved to authorize the Chairman to sign the Forest Service's Cooperative Law Enforcement Annual Operating Plan and Financial Plan for year 2017. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Kirby moved to write off the following indigent accounts as the obligated parties are deceased and left no estates: 2013-15 in the amount of \$2,142.00, 2005-7 in the amount of \$24,802.40,

2010-9 in the amount of \$39,222.84, 2011-62 in the amount of \$32,439.51, and 2014-2 in the amount of \$1,647.00. Chairman Dinning yielded the chair to second. Motion passed unanimously.

10:25 a.m., Commissioners participated in a quarterly jail inspection with Sheriff Kramer, Chief Deputy Sheriff Rich Stephens, Detention Deputy David Colby, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. The jail inspection ended at 11:00 a.m.

Commissioner Kirby moved to authorize the Chairman to sign the Memorandum of Understanding with the Idaho Department of Lands for the 16WFM-Boundary (South Boundary Hazardous Fuels Reduction) and 16HFR1-Boundary (Temple-Deer II) grant applications once they have been received. Chairman Dinning yielded the chair to second. Motion passed unanimously.

There being no further business, the meeting adjourned at 11:20 a.m.

DAN R. DINNING, Chairman

ATTEST:

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