

**\*\*\*Monday, October 25, 2021, at 9:00 a.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner Wally Cossairt, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. Commissioner Tim Bertling was out of the office tending to other matters.

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

9:00 a.m., Road and Bridge Department Co-Superintendent Renee Nelson joined the meeting to give the department report. A written report was provided. Ms. Nelson reviewed work listed in the report to include picking up salt brine tanks and work being done on Lions Den Road.

Chairman Dinning commented that if electricity goes out for a significant amount of time, there would be no access to the gas pumps so is there diesel fuel storage capacity at the Road and Bridge shop. Ms. Nelson said yes.

Ms. Nelson said she's been working with County Civil Attorney Tevis Hull on the consulting agreement for right-of-way acquisitions for the Riverside Road Improvement Project. The Federal Highways Administration stated that they should hear a decision on the additional funding for the project in approximately 10 days. Ms. Nelson said she did let Epic Solutions know about the motion regarding a contract, but that the county is still looking into the time frame.

Those present discussed protocol concerning COVID-19 and testing. Commissioners suggested Ms. Nelson have the employees contact Panhandle Health District if they need to look into testing.

Ms. Nelson informed Commissioners the Boundary Area Transportation Team (BATT) meeting has been postponed and is being rescheduled to November 10<sup>th</sup> or November 17<sup>th</sup>.

Ms. Nelson commented that she should be receiving the Union Pacific Railroad agreement for the guardrail projects soon.

Residents Marty Martinez and Gregory Lamberty joined the morning meetings for a period of time.

Chairman Dinning asked if any contact has been made with Anheuser-Busch about using their gravel pit for crushing as it would be helpful to have a pit in that area. Ms. Nelson commented on looking into getting a stockpile of sand and reject at the Pywell Road location.

Chairman Dinning asked about finding a solution for storing the Weeds Department truck and equipment near the Road and Bridge shop in an area near utilities.

The meeting with Ms. Nelson ended at 9:25 a.m.

Chairman Dinning informed Commissioner Cossairt that Treasurer Larson sent Commissioners information that she had increased the Clerk's Office credit card by \$2,000.00 as the Clerk needed to purchase gowns, etc., for the Restorium as it relates to COVID-19.

Commissioners contacted County Civil Attorney Tevis Hull via telephone to get an update on various topics.

Attorney Hull said as it pertains to the Garvin Williams matter, Road and Bridge Department Co-Superintendent Renee Nelson is reaching out to the state to see if the state had transferred the right-of-way to the county.

Attorney Hull said he received the past meeting minutes pertaining to Jerry Mortensen and property split issues and he forwarded the information to Planning and Zoning Administrator Clare Marley for review. Ms. Marley will most likely want to schedule a meeting with Commissioners on how to handle this.

As it pertains to opting into the National Opioid settlement, Attorney Hull said he spoke to the Attorney General's representative last week to ask questions about it. A code specifically used for Boundary County has been established and the contact person for Boundary County needs to complete the document for the National Registry. The percentages of funding will be substantially less than previously discussed. The county's portion of the total is only 15% and there will be a 40% reduction from that amount.

Chairman Dinning moved to appoint Commissioner Wally Cossairt as the point of contact for Boundary County as it pertains to the National Opioid Settlement Notice. Commissioner Cossairt second. Motion passed unanimously.

9:35 a.m., Commissioner Cossairt 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; and 74-206(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. Chairman Dinning yielded the chair to second. Commissioners voted as follows: Chairman Dinning "aye" and Commissioner Cossairt "aye". Motion passed unanimously. The executive session ended at 9:41 a.m. No action was taken.

Attorney Hull discussed a proposed contract with Epic Land Solutions as it pertains to right-of-way acquisitions for the Riverside Road Improvement Project. Attorney Hull said he checked the procurement laws for professional services and reviewed exceptions for accepting bids, etc. Epic Land Solutions is the only company willing to work within the timeline needed and they're well suited for this work. Ms. Nelson with Road and Bridge has the documentation for this going forward, and once one particular condition is met and the contract is signed, Commissioners can go on record and state that the matter is exempt from the bidding process due to the unique nature of this project. Attorney Hull added that Ms. Nelson should also explain, for the record, the matter and review her notes getting to the point that Epic Land Solutions was chosen.

Commissioner Cossairt moved to sign the Certificate of Residency for Abigail Hodges. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioner Cossairt moved to sign Idaho Office of Emergency Management Grant Adjust Notice (GAN) for the 2021 State Homeland Security Program Grant for a total award amount of \$29,617.88. Chairman Dinning yielded the chair to second. Motion passed unanimously.

Commissioners tended to administrative duties.

Commissioners spoke to Matt Hodges with Computer Arts, Inc., via telephone to ask questions about email capacity and Ipower.

The call to Attorney Hull ended at 10:30 a.m.

Commissioners and Clerk Poston discussed American Rescue Plan Act (ARPA) funding. Boundary County has received half of the \$2,300,000.00 ARPA funding and there are restrictions as to what these funds can be used for. Clerk Poston said she wants a central spot for vetting the requests for funds. Boundary County can recover its lost revenue totaling \$694,000.00 if her calculations are correct. Boundary County's total will come to \$2,300,000.00 and half of that was received so Commissioners need to start thinking of how the funds will be used. In year 2024, a plan has to be in place and funds have to be used by year 2026. The interest gained will also be added to ARPA funds, according to Clerk Poston. It was said that infrastructure is an approved use for these funds and Parks and Recreation is also mentioned, but funding cannot go toward roads or bridges. Clerk Poston said it's possible that a heating, ventilation and air conditioning (HVAC) system for the jail is an approved use. Chairman Dinning said the county doesn't own a water or sewer facility to make improvements too, but there is going to be a lot of funds that Commissioners will have to find out how to use. Chairman Dinning questioned if the county can partner with other utility districts with infrastructure issues and he added that he would like to see if the county can partner with the cities for use of the funds.

10:44 a.m., Commissioner Tim Bertling joined the meeting.

Chairman Dinning and Commissioner Cossairt updated Commissioner Bertling on the discussion pertaining to ARPA funding. Commissioner Bertling said as he understands, the information he read didn't say the county had to own the water or utility system. Clerk Poston said she would prefer to have instructions from the Idaho Association of Counties or legal counsel. Commissioner Bertling said Three Mile Water Association has mentioned that they're approving two permits per month for the next four years and then they won't approve any more after that unless they can make upgrades to their system. It was said that the county needs to find out what to do to transfer lost revenue into the appropriate place. Chairman Dinning spoke of the Three Mile Water District and how the City of Moyie Springs is not expanding outside of city limits, which leaves nowhere for a commercial business to go so we need to look at what's best.

Commissioner Cossairt moved to approve and sign the New Private Road Name Request Form of Caboose Lane and Box Car Road. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "abstained", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed.

Boundary Ambulance Service Chief Jeff Lindsey joined the meeting at 10:57 a.m.

Commissioner Cossairt moved to recess as the Boundary County Board of Commissioners and reconvene as the Boundary County Ambulance Service District Governing Board. Commissioner Bertling second. Motion passed unanimously.

Chief Lindsey said he had provided Commissioners with a list of items needed for ambulance services that could be funded with ARPA funds. Chief Lindsey added that Boundary Ambulance Service had applied for a CPR machine through the State of Idaho so he subtracted that cost from his list, but then he added a power loader for the ambulance and the new total is \$264,000.00. Chief Lindsey said he

would forward to Commissioners the Bonner County resolution and other documents that released the ARPA funds to the ambulance taxing district in that county. Chairman Dinning said for clarity that the ballot language for the Ambulance Service District is to provide resources for sustaining the ambulance service here locally. Currently, if an ambulance and paramedic have to go on a run outside of the County, it leaves no paramedic left in Boundary County.

Chief Lindsey left the meeting.

11:07 a.m., Commissioner Cossairt moved to recess as the Boundary County Ambulance Service District Governing Board and to reconvene as the Boundary County Board of Commissioners. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to approve Commissioner meeting minutes of October 4 & 5, 2021, and Commissioner 18 & 19, 2021. Commissioner Bertling second. Motion passed unanimously.

11:30 a.m., Commissioners held the continuation for Variance Application #8-2021 to the Boundary County Road Standards 2020-2. Present were: Chairman Dan Dinning, Commissioner Wally Cossairt, Commissioner Tim Bertling, Clerk Glenda Poston, Deputy Clerk Michelle Rohrwasser, and county resident Marty Martinez. The hearing was recorded.

Chairman Dinning stated that the survey associated with this application is not yet complete and Commissioners will continue this hearing to Monday, November 15, 2021, at 11:00 a.m.

The hearing ended at 11:31 a.m.

11:31 a.m., Commissioner Cossairt 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. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed unanimously. The executive session ended at 11:40 a.m. No action was taken.

Clerk Poston left the meeting.

11:51 a.m., Commissioner Cossairt 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. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed unanimously. The executive session ended at 12:05 p.m. No action was taken.

Commissioners recessed for lunch at 12:05 p.m.

1:00 p.m., Commissioners reconvened for the afternoon session with Chairman Dan Dinning, Commissioner Wally Cossairt, Commissioner Tim Bertling, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

1:00 p.m., Commissioner Cossairt moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or discipling of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed unanimously. The executive session ended at 1:26 p.m. No action was taken.

1:30 p.m., Commissioner Cossairt moved to go into executive session pursuant to Idaho Code 74-206(1)b, to consider the evaluation, dismissal or discipling of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed unanimously. The executive session ended at 1:38 p.m. No action was taken.

1:40 p.m., County Mapper Olivia Drake joined the meeting to participate in the discussion regarding redistricting. Chairman Dinning said using the boundaries in place today, the median is District 2. Clerk Poston spoke of needing to reduce District 1 by 300 and increasing District 3 by approximately 300. Those present reviewed district boundaries.

1:47 p.m., Airport Manager Dave Parker joined the meeting.

Ms. Drake left the meeting at 1:58 p.m.

Mr. Parker updated Commissioners on the matter regarding a proposed hangar that is not going to be built at this point in time.

Chairman Dinning said he understands the airport grant offer for changing the beacon, but he had questions about purchasing acreage. Mr. Parker explained that the property in question is a strip of land, but the purchase is not because of the easement. Chairman Dinning talked about getting deeded access and not having to purchase the property; just trading access for land. Mr. Parker spoke of needing to get this land from the property owner, because nothing can be done with the land as it is an object free area. It's useless land to the property owner because nothing would be approved to be built there. Mr. Parker spoke of leaving that area zoned light industrial.

Those present briefly discussed American Rescue Planning Act (ARPA) funding. Mr. Parker said the county needs to sign this agreement to get the funding. This is the third application for these funds and they can be used to fund Mr. Parker's wages.

Commissioner Cossairt moved to sign the Federal Aviation Administration Application for Federal Assistance SF-424 through the Airport Rescue Grant Program (ARGP) for an amount of \$32,000.00 for the Boundary County Airport. Commissioner Bertling second. Motion passed unanimously.

Mr. Parker spoke of the improvements to the runway made by American Road Maintenance. Mr. Parker informed Commissioners the weather got too cold to complete the project so American Road Maintenance will come back in the spring to complete the job. Commissioners can pay the request for funds for this work, according to Mr. Parker.

Mr. Parker discussed getting close to having a plan for the area of land at the airport where sloughing is occurring. Mr. Parker said he met with engineers and anticipated putting pins in the ground, etc., but the solution from Geotech is to fill the draw in with drainage rock, so the contour is getting played with. The county's ground is washed out as is other property nearby. Mr. Parker said it's a matter of trying to figure out how much soil is needed. The other property owner will also benefit from this work so he thinks it's a positive. It was said the county will need an easement from the other property owner to allow the county to come onto their property to help solve our problem. Mr. Parker said he's trying to come up with prices and figures, then he will seek a grant through the Federal Aviation Administration. Commissioners were agreeable to this.

The meeting with Mr. Parker ended at 2:21 p.m.

Courthouse Maintenance John Buckley stopped by to let Commissioners know that he won't have a quote for the gutters in time for this week's meetings so he will add it to next week's agenda.

Clerk Poston left the meeting at 2:38 p.m.

3:07 p.m., Treasurer Sue Larson briefly joined the meeting to present Commissioners with preliminary reports. Treasurer Larson left the meeting.

There being no further business, the meeting recessed until tomorrow at 1:00 p.m.

**\*\*\*Tuesday, October 26, 2021, at 1:00 p.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner Wally Cossairt, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser. Commissioner Tim Bertling was out of the office tending to other matters.

1:00 p.m., District 1 Drug Court Manager Marilyn Miller, First District Judge Barbara Buchanan, Attorney Eric Anderson, County Civil Attorney Tevis Hull, County Prosecutor Andrakay Pluid, and Lead Court Clerk Della Armstrong joined the meeting to provide Commissioners with an update on the drug court program.

Judge Buchanan spoke of providing Commissioners with an update on how the drug court program is going and she mentioned that it's been four years since the program started. Ms. Miller is the First District's Specialty Coordinator for the program. Those present discussed pulling funding from the courts for this program. Boundary County drug court statistics were reviewed pertaining to the number of participants, program graduates, terminations, recidivism rates, and babies of program graduates who were born without drugs in their system. Prosecutor Pluid explained having participated in the meetings and she commented on having eight program graduates and 0% recidivism for those eight people so there are success stories. It also saves costs to the courts by not having people go through the court system.

Attorney Hull said one of the first people who went through the drug court program was a Tribal member and there is a Tribal member on the drug court team. Judge Buchanan informed Commissioners who is on the Boundary County drug court team to include herself and the following people: Marilyn Miller as coordinator, County Civil Attorney Tevis Hull, Prosecutor Andrakay Pluid, Attorney Eric Anderson as defense attorney, Police Chief Heiko Arshat and Angela Cooper with the Kootenai Tribe of Idaho, State Probation Officer Ron Pell, and Nicole Klupenger with Rawlings

Community Counseling. Rawlings Community Counseling does a phenomenal job, according to Judge Buchanan.

Funding for the drug court program is through the State of Idaho. Ms. Miller added that some funding also comes through Medicaid as the program has lost funds through the Supreme Court. Program participants also pay \$45.00 and \$5.00 each time they test. It was stated that there are enough funds to continue the program.

Judge Buchanan said the drug court program is an 18-month program, with court program days being the first and third Wednesdays each month. A participant also attends a treatment group with Rawlings Community Counseling right after drug court. In addition, the participant also has eight hours of treatment and two, 12-step meetings every week. The participant is expected to be working or in school. If they don't have a general education degree (GED), it is a requirement to get one. The cost for counseling services is covered through Medicaid and Supreme Court. Prosecutor Pluid added that counseling could also be taken care of by private pay. Boundary County's drug court program has five participant slots available, but currently has six participants. Sandpoint's drug court has a total of 22 to 24 participants. Judge Buchanan said Rawlings Community Counseling is an amazing asset for this community. Attorney Anderson said the state is making a very wise decision by having this program. It is also beneficial to have the participants contribute financially as it makes them more accountable.

Ms. Armstrong explained that she and Court Clerk Jamie Mitchell take turns clerking for this program. This program goes beyond the eight people who have graduated as it affects generations of people. These intensive 18 months are spreading throughout the community and it's also counseling the participants' parents, etc. It's nice to see this in the tight knit community and how it's been an impact, according to Ms. Armstrong.

County Civil Attorney Hull and Prosecutor Andrakay left the meeting at 1:21 p.m.

Chairman Dinning said he knows that Commissioners were skeptical of the program in the beginning, but we're being proven wrong and he's glad to hear this. It was said the budget for treatment of a person is \$5,000.00 annually and it's \$800.00 per client for testing, although that doesn't cover the entire cost of testing. Chairman Dinning said this program is very worthwhile to break the cycle.

Commissioner Cossairt said he's only heard that the person going through the program needs to break up a lot of friendships. Attorney Anderson spoke of personal awareness as being the problem and the solution.

The meeting to discuss the drug court program ended at 1:40 p.m.

There being no further business, the meetings adjourned at 1:40 p.m.

**\*\*\*Wednesday, October 27, 2021, at 4:30 p.m.,** Commissioners held an emergency meeting to discuss matters pertaining to the Restorium, illness and Restorium residents. Present were: Chairman Dan Dinning, Commissioner Wally Cossairt, Commissioner Tim Bertling, Deputy Clerk Michelle Rohrwasser, Debbie Davis, Rusty Ritz, Nancy Wycoff; and Restorium employees Tabitha Fields, Suzanne Johnson, and Assistant Administrator Diana Lane. Participating in the meeting via telephone was Restorium Administrator Karlene Magee, Restorium Board member Eldora Gatchell, and other unidentified persons.

Chairman Dinning stated that he had received a telephone call from Ms. Magee saying the Restorium had three additional staff members who had tested positive for COVID-19. Ms. Magee is also out sick and there is not enough staff to take care of the residents. Ms. Magee and Ms. Lane were calling families of residents to see if they could take residents home. There are also residents at the Restorium who have tested positive for COVID-19. Chairman Dinning said he talked to Panhandle Health District and the State Department of Health and Welfare and they both contacted the Restorium, and the county has tried to contact anyone else they could think of for assistance. For the amount of staff left to work at the Restorium who are healthy, how many are there? Ms. Lane said as of right now, the Restorium has all shifts covered through the end of this weekend, except for two. Shifts are covered through Sunday. As it pertains to sending residents home, Ms. Lane said after making many phone calls expressing concerns the general consensus is that the Restorium can't send residents home. Ms. Johnson said that's provided no other employees gets sick. Chairman Dinning asked if the Department of Health and Welfare provided information on hiring or rules. Ms. Lane said the Department of Health and Welfare had suggestions, but everyone is trying to find staff right now and the Restorium is at bottom of the needs list, but they said they would put the word out to see if someone could fill in. Chairman Dinning said if someone from the community wanted to volunteer at the Restorium, they could contact the Restorium.

Brad Holifield joined the meeting at 4:35 p.m.

It was said that some of the Restorium staff who had tested positive for COVID-19 are at the end of their 14-day quarantine. Ms. Lane mentioned that one employee is coming back to work Saturday morning. Chairman Dinning said he understands that staff are putting in a lot of hours to help out. Ms. Lane said Boundary Community Hospital called and said they could possibly have beds available that the Restorium could transfer residents to, but compensation came up. Chairman Dinning said yes, they would be compensated. Chairman Dinning asked if there are residents who are needing hospital quality care. Ms. Johnson said the residents who are sick seem to be stable and the one resident she was concerned most about seems to be on the mend. Ms. Johnson said she is able to administer IVs for fluids so residents don't need to go to the hospital for that. Chairman Dinning said we are also going through the chain through Panhandle Health District and the National Guard, but we're not a priority there either. Ms. Fields questioned why the Restorium wouldn't be a priority and Chairman Dinning listed various hospitals in similar situations. Ms. Johnson said the Restorium is dealing with the older population who have do not resuscitate orders (DNR). Commissioner Cossairt said if help does come through, it's at no cost as the county is non-profit. Ms. Lane said she would need to know in advance if someone is coming to help so she can prepare and learn the person's skill set for working with the residents.

Ms. Fields asked if there is hazard pay for the Restorium employees who are going through this and sticking it out instead of being scared and not coming to work. Chairman Dinning said Commissioners hadn't discussed that yet. Ms. Johnson said, as the only nurse at the Restorium and with so many sick people, she hopes families are understanding that Restorium employees are doing the best they can.

Appreciation was voiced to Restorium staff. Ms. Gatchell asked about potential requirements for volunteers to work at the Restorium. Chairman Dinning said Commissioners would need to approve the list of volunteers, but he imagines that the county still needs to do background checks. Ms. Magee said a volunteer could even answer the phone to help free up Ms. Lane. Those present mentioned volunteers could also do laundry and cleaning. It was asked if someone had contacted the Friends of the Restorium. It was said, if there are people who wish to volunteer, get that information to Ms. Lane who will get it to

Commissioners to approve the list quickly. Ms. Gatchell thanked Commissioners and questioned requiring vaccines as it pertains to volunteers. Chairman Dinning said the county is not requiring vaccines. Ms. Johnson spoke of swabbing employees once per week, and that there is another test administered if someone is having symptoms. Employees have their temperatures taken every day and the Restorium would probably require N95 masks be worn. Commissioners said they didn't care if people wanted to put this information out on Facebook. Chairman Dinning mentioned Mike Weland's website and the Bonners Ferry Herald as media options to notify about volunteers for the Restorium. Ms. Fields said even if someone comes in for one hour to help put food on a plate and distribute it, it would be helpful. Those present discussed the length of time for quarantining and it was said that it depends on the severity of the employee's symptoms so it's a minimum of 10 days or up to 21 days.

Commissioner Cossairt questioned if any of the local clinic doctors would be willing to help out over the weekend.

Chairman Dinning said we need to worry about the residents and worry about the cost at the end. COVID-19 is not entirely to blame for this situation as the Restorium has had employees resign recently. Commissioner Bertling said he's hoping the state comes in with available workers because it's for one month at a time if they do.

The meeting ended at 4:59 p.m.

4:59 p.m., Commissioner Cossairt 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. Commissioner Bertling second. Commissioners voted as follows: Chairman Dinning "aye", Commissioner Cossairt "aye" and Commissioner Bertling "aye". Motion passed unanimously. The executive session ended at 5:20 p.m. No action was taken.

Commissioners continued discussing matters pertaining to the Restorium.

There being no further business, the meeting adjourned at 6:00 p.m.

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DAN R. DINNING, Chairman

ATTEST:

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GLENDIA POSTON, Clerk  
By: Michelle Rohrwasser, Deputy Clerk