

*****Monday, November 29, 2021, at 9:00 a.m.,** Commissioners met in regular session with Chairman Dan Dinning, Commissioner Wally Cossairt, Commissioner Tim Bertling, Clerk Glenda Poston, and Deputy Clerk Michelle Rohrwasser.

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

9:00 a.m., Road and Bridge Department Co-Superintendents Renee Nelson and Randy Morris joined the meeting. A written report was provided.

9:01 a.m., Lance Mastre joined the meeting.

Mr. Mastre said he wanted to talk about a right-of-way on LaBrosse Hill Road. Mr. Mastre said he's trying to sell his dad's property and it became apparent that his dad might have unknowingly cut off his own access when he sold a piece of his property. Mr. Mastre referenced a marker pin that might've been put in sometime within the last 10 years. It looks like the road was actually abandoned down to the Frederickson's property so nobody had legal access. Mr. Mastre commented that he needs the county road to go as far as possible, but he needs to at least know where the road is. A neighbor has agreed to sell Mr. Mastre access, but the line is not necessarily where the road is. Mr. Mastre said all information has been researched as far as he knows, but a determination needs to be made so he can determine if he has right-of-way or if he needs to negotiate with his neighbor.

Chairman Dinning said this issue came up a year ago. Counties have a prescriptive right-of-way when they've maintained properties for so long. Ms. Nelson said County Civil Attorney Tevis Hull has been back and forth with this. Ms. Nelson referred to a record of survey that was done and a different location was shown for the end of the county road than what the title company had shown. This information was given to Attorney Hull and Ms. Nelson said she's just waiting to meet with him about it. The information doesn't give good footages other than to say, east of their driveway, which provided landmark points. Then the description was checked by having a survey done. Ms. Nelson said surveys are done based on what the landowner requests to have done. Chairman Dinning said the surveyor probably only went to the property line of the property owner they're doing the work for. Chairman Dinning questioned if the landowner is willing to enter into something formal on both sides of the road from where the survey shows the road ends. Chairman Dinning said the worst case is the road is prescriptive as the county never stopped maintaining it. Mr. Mastre said he doesn't know how willing his neighbors are to give him a right-of-way. Ms. Nelson said Road and Bridge needs a turn-around area and what the surveyors show the area as is impossible for that due to the geography of the land. It was said for many years, Road and Bridge has had the assumption to turn around there. Mr. Mastre said Road and Bridge turned around in his dad's driveway and at some point, they drove farther up the road to turn around. Mr. Morris said he's assuming that's due to a power pedestal that was put in.

Marty Martinez joined the meeting at 9:10 a.m.

Mr. Mastre left the meeting at 9:13 a.m.

Ms. Nelson updated Commissioners on various work and projects. Road and Bridge is still waiting for the lease agreement with Union Pacific for the guardrail project as well as the agreement with Alta Forest Products. Ms. Nelson said the recent wind storm tore the two bay doors off the sand shed in Naples on Gypsy Lane. Mr. Morris said the frame looks okay so it might just need a tarp.

Ms. Nelson said the Children Pedestrian Safety Program grant for 2020-2021 is available. Road and Bridge had applied for these funds in 2019. There is no grant match other than overseeing the project and going out to bid. HMH Engineering assisted with the application in 2019, but a few things need to be updated. Ms. Nelson said she is getting updated support letters and she discussed a memorandum of understanding with the Boundary County School District Board pertaining to Road and Bridge working in the school's right-of-way. The School Board has the Children Pedestrian grant program on their agenda to discuss at their next meeting.

Ms. Nelson commented that she did get the Local Rural Highway Investment Program (LRHIP) application submitted in time. This is the application to have a portion of Brown Creek Road chip sealed.

Chairman Dinning mentioned that the crosswalk signs on the highway seems too high to him as he doesn't notice them very well so would it be better to lower them. People tend to miss the signal by the high school the most.

9:26 a.m., Gregory Lamberty joined the meeting.

Chairman Dinning asked about the Team Viewer computer program and if anyone had learned which computer this program was installed on. Ms. Nelson said she spoke to Matt Hodges with Computer Arts and learned that this program is on the GIS computer that is located in the server room. Mr. Hodges will look into fixing one of the programs as one version is paid for and the other version shows as a free version, but the two programs should be the same. The Team Viewer program allows the addressing coordinator to access the server smoothly and the two programs should be the same, but they aren't.

Ms. Nelson said Attorney Hull went over the agreement with Epic Land Solutions step by step and suggested certain changes. Once the changes are made, the agreement should be ready for Commissioners to sign. Commissioners stated for the record that they had already made a motion to sign the contract.

The meeting with Ms. Nelson and Mr. Morris ended at 9:36 a.m.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel tax totaling \$534.76 and value totaling \$74,100.00 for parcel #RP64N01E178570A as the homeowner's exemption was received after the July abstract cutoff. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel tax totaling \$902.08 and value totaling \$125,000.00 for parcel #RP62N02E212319A as the homeowner's exemption was received after the July abstract cutoff. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel tax totaling \$36.22 and value totaling \$4,275.00 for parcel #RP60N01E063800A as the homeowner's exemption was received after the July abstract cutoff. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel tax totaling \$1,000.44 and value totaling \$125,000.00 for parcel #RP61N01E014104A as the homeowner's

exemption was received after the July abstract cutoff. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel tax totaling \$149.98 and value totaling \$17,120.00 for parcel #RPM0850000040A as the homeowner's exemption was received after the July abstract cutoff. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form Parcel #LR61N03E045110 for year 2020 & 2021 and to cancel year 2020 taxes in the amount of \$106.52 and specials in the amount of \$186.08 for a total of \$292.60; and year 2021 taxes in the amount of \$124.30 and specials in the amount of \$194.24 for a total of \$318.54, plus \$5.86 in late fees for year 2020, and current interest, as the property was removed from the parcel and there is no way of finding the house. Commissioner Bertling second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for year 2021 and to cancel year 2021 taxes in the amount of \$297.14 and specials in the amount of \$166.04 for a total of \$463.18 for parcel #LRB0000022885BA as the property was removed from the parcel and there is no way of finding the cabin. Commissioner Bertling second. Motion passed unanimously.

9:43 a.m., County Civil Attorney Tevis Hull contacted Commissioners via telephone.

Attorney Hull updated Commissioners on the National Opioid Settlement Notice and he said he's still waiting to go through the documents as there had been computer technical issues.

Chief Deputy Clerk Nancy Ryals joined the meeting at 9:43 a.m.

Attorney Hull informed Commissioners that he has been reading up on the American Rescue Plan Act (ARPA) funds, but he hasn't come across anything conclusive. The central issue Commissioners are looking at is the mandate to follow executive orders and the affects to the county. Attorney Hull said the county has received \$1,100,000.00, but has not used any of those funds and is eligible for another \$1,100,000.00. Attorney Hull added that he's looking into what the Attorney General's Office is doing regarding mandates and he has not found any information recently. The most recent information was in October and it was about using ARPA funds for low income housing as being a large benefit for the state. Chairman Dinning said the legislature had authorized \$50,000,000 of the ARPA funds to be used and sometime in October, the Joint Finance-Appropriations Committee (JFAC) met and authorized some expenditure of that, but he doesn't know what became of that. Attorney Hull said he read that Idaho only used 1% of the ARPA funds granted. It was said that the vaccine mandate is still in court so we will see where that issue goes.

Mr. Lamberty and Mr. Martinez left the meeting.

Chairman Dinning left the meeting for the closed session due to having a conflict.

9:50 a.m., Commissioner Cossairt moved to go into closed session pursuant to Idaho Code 31-874. Commissioner Bertling second. Motion passed unanimously. The closed session ended at 9:53 a.m.

Chairman Dinning returned to the meeting.

Commissioner Cossairt moved to approve cremation assistance for indigent case 2022-3. Commissioner Bertling second. Chairman Dinning “abstained”. Motion passed.

Chief Deputy Clerk Ryals left the meeting at 9:54 a.m.

9:54 a.m., Commissioner Cossairt moved to go into executive session pursuant to Idaho Code 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. 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 9:58 a.m. a.m. No action was taken.

Mr. Lamberty and Mr. Martinez returned to the meeting.

Commissioner Cossairt moved to sign the Idaho Office of Emergency Management 2020 Grant Adjustment Notice for the 2020 Emergency Management Performance Grant extension. Commissioner Bertling second. Motion passed unanimously.

Chairman Dinning said the deadline is tomorrow to list any proposed elections on the election calendar and he asked if Commissioners want to run the Boundary County Ambulance Service District override levy again next year. Commissioners said yes. Clerk Poston mentioned that the form that needs to be submitted for this just reserves the date should the county want to hold an election.

Commissioner Bertling moved to save the date of November 8, 2022, for an election for the Boundary County Ambulance Service District override levy. Commissioner Cossairt second. Motion passed unanimously.

10:07 a.m., County Mapper Olivia Drake joined the meeting to discuss Commissioner districts.

Ms. Drake informed Commissioners that there are no changes for District 2 boundaries, and she explained the change in boundaries for Districts 1 and 3. Ms. Drake said she will work on updating the legal descriptions of the districts.

Ms. Drake left the meeting at 10:12 a.m.

Commissioners discussed the job description for the maintenance position.

Commissioner Cossairt moved to approve the minutes of November 15 & 16, 2021. Commissioner Bertling second. Motion passed unanimously.

Commissioners tended to administrative duties.

There being no further business, the meeting adjourned at 10:55 a.m.

DAN R. DINNING, Chairman

ATTEST:

GLEND POSTON, Clerk
By: Michelle Rohrwasser, Deputy Clerk