

Commissioners' Meeting Minutes - Week of November 6, 2023

***Monday, November 6, 2023, at 9:00 a.m., Commissioners met in regular session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, and Deputy Clerk Michelle Rohrwasser.

9:00 a.m., Courthouse Maintenance Squire Fields joined the meeting to give his department report. Mr. Fields said he put exterior green lights in front of the Courthouse to light it up at night for Operation Green Light. Christmas lights are up and are ready to be plugged in when it's time. Mr. Fields spoke of heating issues in the old Extension Office. The Courthouse heating system has an issue involving steam trap valves and Mr. Squire said he does have replacement valves, but they're the wrong kind and the correct valves are more expensive. Commissioners asked Mr. Fields to order new valves. Mr. Fields commented that the new roof on the Sheriff's Office is leaking so the contractor is coming up to fix it. Mr. Fields asked about the process of putting the Maintenance Department's older Toyota pickup in the online auction and he informed Commissioners he is still looking for a replacement truck. Mr. Fields discussed the agreement for services with the City of Bonners Ferry pertaining providing gravel in exchange for snow plowing services.

The meeting with Mr. Fields ended at 9:05 a.m.

9:20 a.m., County Civil Attorney Tevis Hull joined the meeting.

Commissioner Robertson 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 Cossairt second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "aye". Motion passed unanimously. The executive session ended at 10:08 a.m. No action was taken.

Attorney Hull left the meeting.

10:08 a.m., Solid Waste Department Superintendent Claine Skeen joined the meeting to give his department report.

Commissioners asked Mr. Skeen how the new compactors are working and Mr. Skeen explained that they will do a route on Wednesday and Saturday and if they need more containers, they will put out more. Mr. Skeen said as of this point in time, Erik Ketner with the Panhandle Health District has not yet heard back from the Idaho Department of Environmental about the landfill operation plan. Mr. Skeen said we need to do something about it. Commissioners received the quote from Maul Foster pertaining to permitting for an air curtain incinerator and it was \$38,000.00. The landfill budget has \$31,000.00 for this. The landfill already has

a water truck and hoses on site, according to Mr. Skeen. Commissioners asked about the invoice from Carlos Stockdale for working on the compacting containers.

Mr. Skeen asked Commissioners about the proposed schedule change for landfill employees. Chairman Bertling said Commissioners are not happy with Mr. Skeen's email about the schedule as it was not what they asked for. What Commissioners asked for was disregarded instead of acknowledged. Mr. Skeen said he did acknowledge it. Chairman Bertling spoke of the schedule in relation to getting paperwork to the Clerk's Office by a certain day of the week. The Clerk's Office needs the paperwork to process demands. Mr. Skeen said he's never been behind on that. Chairman Bertling said Mr. Skeen is now taking the landfill employee who works on this paperwork and putting him on a different shift, which is taking three days away from this person to work on paperwork.

The meeting with Mr. Skeen ended at 10:17 a.m.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for tax year 2023 as it pertains to the Homeowner's Exemption for the following parcels: MH00030000019TA totaling \$124.10, RP60N01W230150A totaling \$484.38, M361N01E37653A totaling \$507.46, RP61N01W016400A totaling \$165.42, RP62N01E111816A totaling \$453.80, RP62N01E120360A totaling \$453.80, RP62N02E148415A totaling \$167.88, RP63N01E250021A totaling \$436.32, RPB0160001012CA totaling \$735.38, RPM0540001007CA totaling \$74.34, MHM0540001007CA totaling \$23.26, RPB06400000130A totaling \$735.38, and RP61N01E013002A totaling \$507.46. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the Property Tax Cancellation form for tax year 2023 as it pertains to the Homeowner's Exemption for the following parcels: RPB0200003002AA totaling \$292.24, RPM06200030100A totaling \$162.66, RP65N01W143911A totaling \$453.80, RP62N03E083000A totaling \$382.20, RP003350000290A totaling \$146.36, RP006520000120A totaling \$31.46, RP0470100008F0A totaling \$31.02, RP61N01E127350A totaling \$133.08, RP61N01E210600A totaling \$132.94, RP61N01E230751A totaling \$143.22, RP62N03E307362A totaling \$36.08, RP62N02E171505A totaling \$58.10, RP62N02E166015A totaling \$104.72, and RP63N01E263050A totaling \$109.12. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the minutes of October 23 & 24, 2023 and October 30 & 31, 2023. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to sign the County Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections. Commissioner Robertson second. Motion passed unanimously.

Commissioner Cossairt moved to adopt Resolution 2023-68. A resolution increasing the Opioid Settlement Fund budget by the amount of \$10,294.76. Commissioner Robertson second. Motion passed unanimously. Resolution 2023-68 reads as follows:

RESOLUTION 2023-68

INCREASING THE OPIOID SETTLEMENT FUND BUDGET

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, did establish an operating budget for the Boundary County Justice Fund Sheriff Budget for fiscal year 2022-2023, and

WHEREAS, Boundary County has received Opioid settlement funds in excess of this resolution and will continue to receive funds from the National Opioid Settlement for the next 15 years, and

WHEREAS, Boundary County has deemed it in the best interest of the county to use a portion of the funds yearly to help offset costs for a School Resource Officer. Boundary Opioid Fund is in need of a budget amount in order to fund the SRO for the fiscal year 2022-2023. The SRO will be hired 8-14-23 and the amount of \$10,294.76 will be the first payment, and

WHEREAS, the addition of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to increase the Boundary County Opioid Fund 105-00-559 in the amount of \$10,294.76

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

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 6th day of November, 2023

COUNTY OF BOUNDARY

BOARD OF COUNTY COMMISSIONERS

s/ _____

Tim Bertling, Chairman

s/ _____

Wally Cossairt, Commissioner

s/ _____

Ben Robertson, Commissioner

ATTEST:

s/ _____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295809

Commissioner Cossairt moved to adopt Resolution 2023-69. A resolution increasing fiscal year 2022-2023 Airport budget due to receipt of unanticipated revenue. Commissioner Robertson second. Motion passed unanimously. Resolution 2023-69 reads as follows:

Resolution 2023-69

Increasing Fiscal Year 2022-2023 Airport Budget
Due to Receipt of Unanticipated Revenue

WHEREAS, the Board of County Commissioners, County of Boundary, State of Idaho, did establish an operating budget for the Airport Budget for fiscal year 2022-2023, and

WHEREAS, \$22,881.08 has been received from the USDA – Kootenai Complex Fire, and

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to increase the Fiscal Year 2022-2023 Airport Fund Budget for that purpose, and

WHEREAS, the addition of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to increase the fiscal year 2022-2023 Airport Fund revenue account number 0003-00-0391-0000 and the Airport Fund Budget expense account number 03-02-807-0001, Grant Match, in the amount of \$22,881.08, and

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

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 6th day of November, 2023.

COUNTY OF BOUNDARY

BOARD OF COUNTY COMMISSIONERS

s/ _____

Tim Bertling, Chairman

s/ _____

Wally Cossairt, Commissioner

s/ _____

Ben Robertson, Commissioner

ATTEST:

s/ _____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295810

Commissioner Cossairt moved to adopt Resolution 2024-4ARPA. A resolution regarding ARPA Appropriation to Boundary County. Commissioner Robertson second. Motion passed unanimously. Resolution 2024-4ARPA reads as follows:

RESOLUTION 2024-4 ARPA

Boundary County

ARPA Appropriation to Boundary County

WHEREAS, Boundary County has received ARPA funds to be used in payment, among other things, for Covid related expenses, and

WHEREAS, Boundary County has received \$2,378,448.00 from the American Rescue Plan Act (ARPA)

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to explore the option of a Parks Bathroom/Concession stand

WHEREAS, the addition or distribution of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to release the funds for the project completed by the following in the amount of \$6,378.92 for the improvements to the Parks and Recreation Department.

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

IT IS RESOLVED, that the amount of \$6,378.92 is to be disbursed from the ARPA General Account #0107 for the Parks and Recreation conception of a bathroom/concession/tennis facility. Claim No 3010 to Longwell Trapp.

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 6th day of November, 2023

COUNTY OF BOUNDARY

BOARD OF COUNTY COMMISSIONERS

s/ _____

Tim Bertling, Chairman

s/ _____

Wally Cossairt, Commissioner

s/ _____

Ben Robertson, Commissioner

ATTEST:

s/ _____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295811

Commissioner Cossairt moved to adopt Resolution 2024-5 ARPA. A resolution regarding ARPA Appropriation to Boundary County Sheriff Department. Commissioner Robertson second. Motion passed unanimously. Resolution 2024-5 ARPA reads as follows:

RESOLUTION 2024-5 ARPA

Boundary County

ARPA Appropriation to Boundary County Sheriff Department

WHEREAS, Boundary County has received ARPA funds to be used in payment, among other things, for Covid related expenses, and

WHEREAS, Boundary County has received \$2,378,448.00 from the American Rescue Plan Act (ARPA)

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to explore install an alternate power source at the Annex Facility on South Main Street in Bonners Ferry.

WHEREAS, the addition or distribution of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to release the funds for the project completed by the following in the amount of \$104,411.70 for the following purposes, and

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

IT IS RESOLVED, that the amount of \$104,411.70 is to be disbursed from the ARPA General Account #0107 for the following: Trademark Mechanical Claim 2023-766 23,065.00

Mike's Electric Claim 2024-148 17,886.70

Bogie & Sons Claim 2024- 63,460.00

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 6th day of November, 2023

COUNTY OF BOUNDARY

BOARD OF COUNTY COMMISSIONERS

s/_____

Tim Bertling, Chairman

s/_____

Wally Cossairt, Commissioner

s/_____

Ben Robertson, Commissioner

ATTEST:

s/_____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295812

Commissioner Cossairt moved to adopt Resolution 2024-6 ARPA. A resolution regarding ARPA Appropriation to Boundary County Restorium Department. Commissioner Robertson second. Motion passed unanimously. Resolution 2024-6 ARPA reads as follows:

RESOLUTION 2024-6 ARPA

Boundary County

ARPA Appropriation to Boundary County Restorium Department

WHEREAS, Boundary County has received ARPA funds to be used in payment, among other things, for Covid related expenses, and

WHEREAS, Boundary County has received \$2,378,448.00 from the American Rescue Plan Act (ARPA)

WHEREAS, the Boundary County Commissioners deem it in the best interest of the general public of Boundary County to repair and maintain the flowing and walk-in cooler at the facility.

WHEREAS, the addition or distribution of this revenue does not affect the tax levy for Boundary County, and

WHEREAS, it is appropriate to release the funds for the project completed by the following in the amount of \$20,652.80 for the following purposes,

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

IT IS RESOLVED, that the amount of \$20,652.80 is to be disbursed from the ARPA General Account #0107 for the following: Carpet Warehouse Claim 2023-4535 690.00
Carpet Warehouse Claim 2023-4870 3,637.75
Carpet Warehouse Claim 2024-76 2,950.00
Carpet Warehouse Claim 2024-88 1,791.55
Cool-It Claim 2024-77 11,583.50

IT IS FURTHER RESOLVED that the Clerk is instructed to deliver certified copies of this resolution to the Boundary County Treasurer and the Boundary County Auditor.

DATED this 6th day of November, 2023

COUNTY OF BOUNDARY

BOARD OF COUNTY COMMISSIONERS

s/_____

Tim Bertling, Chairman

s/_____

Wally Cossairt, Commissioner

s/_____

Ben Robertson, Commissioner

ATTEST:

s/_____

Glenda Poston, Clerk of the Board of County Commissioners

Recorded as instrument #295813

11:00 a.m., Boundary Economic Development Council (EDC) Director David Sims joined the meeting to update Commissioners on EDC projects to include commercial business opportunities, county interests, matters pertaining to broadband opportunities for local providers, City of Moyie Springs sewer project, and the Inland Northwest Partners meeting pertaining to economic planning. Commissioners informed Mr. Sims that the county is hoping to make ash and biochar at the landfill in the future.

The meeting with Mr. Sims ended at 11:29 a.m.

11:30 a.m., Commissioner Robertson moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. Commissioner Cossairt second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "aye". Motion passed unanimously. The executive session ended at 11:35 a.m. No action was taken.

Commissioner Robertson moved to sign the Ruen-Yeager and Associates Disclosure Statement for Planning and Zoning File #24-0007. Commissioner Cossairt second. Motion passed unanimously.

Commissioners recessed for lunch at 11:45 a.m.

1:30 p.m., Commissioners reconvened for the afternoon session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, and Deputy Clerk Michelle Rohrwasser.

County resident Jesse Stafford and Cabinet Mountains Water District Manager Jeremy Davy joined the meeting.

1:30 p.m., Road and Bridge Department Co-Superintendents Renee Nelson and Randy Morris joined the meeting to give the department report. Mr. Morris reviewed work listed in the department report.

Ms. Nelson discussed the need to extend Variance Permits #1-2023, #2-2023 and #3-2023 for Cabinet Mountains Water District. All three permits are for commercial approaches and the permitted approaches and construction were supposed to be completed within one year, which is November 7, 2023.

Mr. Davy explained that the original plan was to put the bid out at the beginning of this year and the bids came back double the amount that was expected, so the Water District had to rebid the project in sections. One approach location is in progress on a portion of construction, but the other two approaches probably won't be put out to bid until next spring. Mr. Davy said the one approach location was thought to be completed prior to November 7th and the approach is started, but it's not ready for the county and it's not certain if the contractor can get it to that point this fall. Mr. Davy said he would like to request a one-year extension for all three approach permits.

Commissioner Cossairt moved to grant an extension for Cabinet Mountains Water District's Road Standards Variance Permits #1-2023 for Round Mountain Road, #2-2023 for Mountain Meadows Road and Permit #3-2023 for Parker Canyon Road, and to approve signing the Findings and Decision letters associated with these extensions, to November 7, 2024. Commissioner Robertson second. Motion passed unanimously.

Mr. Davy left the meeting 1:41 p.m.

Ms. Nelson discussed setting up a meeting with City of Bonners Ferry Road Foreman Scooter Drake and Courthouse Maintenance Squire Fields to review the old Agreement for Services between the City of Bonners Ferry and the county. Ms. Nelson said she will find out what work Mr. Drake and Mr. Fields each do pertaining to what work is listed in the agreement. Ms. Nelson explained that Road and Bridge's priority is Wilderness Bridge at the moment, so it will be a couple weeks before addressing the agreement with the city.

Ms. Nelson informed Commissioners that Mr. Stafford was meeting with Commissioners to discuss road approaches and future county development. Mr. Stafford explained where he lived in the Parker Canyon area. Mr. Stafford said he's concerned about Ken Irons's approach located on Cow Creek Road. The approach permit met county road standards and there is no appeal process, but Mr. Stafford is able to come in and voice his concerns, according to Ms. Nelson. Mr. Stafford said since there is no appeal process, his first concern is that this approach doesn't meet standards and he added that Ms. Nelson assured him there was an engineer who engineered this approach. Mr. Stafford showed Commissioners pictures of the area in question. Mr. Stafford said 1.5 years ago, he realized Mr. Irons intended to put in a driveway at that location and his concern is that there can't be a way this approach meets county road standards. He was told it does meet standards, but it doesn't make sense to him. Mr. Stafford explained that he uses satellite technology and the approach is not 300 feet from the next approach. Nobody can see 300 feet there and it's maybe 230 feet. Mr. Stafford said he wants to put this on the record and he feels these things set a precedent. He knows this is a struggle that the county and Ms. Nelson and Mr. Morris have had and he knows they're doing the best they can, so it's not criticism of Ms. Nelson and Mr. Morris. Mr. Stafford explained this approach is on the east side of the road and where the four-wheeler is parked in the picture is the same side as the driveway. It was said that 300 feet was measured from that same side of the road.

Ms. Nelson clarified that she did not tell Mr. Stafford that an engineer looked at and engineered the approach. It was Road and Bridge that looked at it. The vehicle is not at the intersection of Parker Canyon. Mr. Stafford said that is where you can see a car parked in the driveway. Ms. Nelson said if you measure going up that far side, you have 300 feet. If Commissioners look at the drawing on the second page of the handout from Mr. Stafford, you can see an old, existing driveway going across, so what prompted Mr. Irons is that this has always been where he accessed his field. Mr. Irons came home one day and found that rock had been piled there by Mr. Stafford. Mr. Stafford mentioned that this was his property and Mr. Irons said he had his property surveyed and learned that as well. The stake with pink ribbon is still there, so Mr. Irons knows he's not going into county right-of-way and onto Mr. Stafford's property. Mr. Stafford's driveway is located off of Parker Canyon Road at an angle. It was said that Mr. Stafford was also granted a variance for site distance. Chairman Bertling said on the Onx program, it's well around 300 feet. Mr. Stafford said he just wants to educate Commissioners; it's not an appeal. This is real world with a real driver in the car and he stated this has nothing about his driveway. Mr. Stafford said he wanted to show what this approach looks like from a car.

Mr. Stafford said his second concern really applies to this approach. Mr. Stafford informed Commissioners that he has cameras on Parker Canyon Road and when the nursery and academy were up and running and you have people visiting the Enchanted Forest trails, there are 600 cars per day going past the intersection. It's one minute between cars. Chairman Bertling said he's been out in that area and has been surprised to even see a car. Mr. Stafford said he has a camera showing a traffic count for the school faculty and the tree nursery. Numerous times per day cars are intersecting at the same time. From the county perspective looking ahead, while today the approach is a farm approach, it's an approach and there is no distinction, and it could become a house approach. Mr. Stafford spoke of bringing this to Commissioners' attention so they can

question if we really want this type of development. If it meets county standards, then it meets standards and you get a driveway. This particular driveway could cause problems for the county later. Chairman Bertling asked Mr. Stafford if he inhibits the rights of one person for another. Mr. Stafford said no and he explained that the reason his driveway is not the same as the other is because he has no other access and his driveway was pre-existing. Cumulatively, where this approach is located poses a lot of problems. Ms. Nelson said according to the County Road Standards, if a parcel was in existence prior to January 2007, which includes Mr. Irons's parcel, the county can grant a variance. If the approach had been less than 300 feet, Commissioners could still have granted a variance. Chairman Bertling said he's thinking of times when he's looked at other road approaches and this seems far safer than other approaches he's seen. Mr. Stafford said this has no affect on him personally, except that it does as ultimately, because it does harm the county with everyone moving in. Mr. Stafford said if he doesn't speak up, nobody is the wiser. Nobody knows that intersection like he does. Even if a variance can be created, but the landowner has a better option, you need to look ahead. If that school opens up, someone is going to complain.

Mr. Stafford said at the end of the day, this was to bring attention to the issues in order to make Commissioners aware. Mr. Stafford said he has a real driver perspective and he's looking at the total impact the driveway has there. Ms. Nelson said if people are driving from Parker Canyon Road onto Cow Creek Road, they should be in their lane on the right and they're more than likely heading to town. If they're going left, they still have to look for cars. It's the crossing lane that presents a problem. Mr. Stafford commented on allowing Mr. Irons to bring in his long stock trailer and he talked about the county being able to steer the direction of these approaches; not necessarily deny them. Commissioner Robertson said if the distance was 300 feet, would Mr. Stafford still be opposed. Mr. Stafford said he is all for government having limits, but the driveway in that location might be something to take a look at. This approach has been granted and he doesn't know if can be undone. Mr. Stafford said he is opposed to it; it doesn't make sense. Looking at the big picture, the impact could have been exponentially less with little impact to the landowner, but the impact to the county seems pretty massive looking ahead.

Mr. Stafford left the meeting at 2:10 p.m.

Ms. Nelson discussed working with Burlington Northern Santa Fe Railroad on the Wilderness Bridge in relation to permits needed.

The meeting with Ms. Nelson and Mr. Morris ended at 2:17 p.m.

2:17 p.m., Commissioner Robertson moved to go into executive session pursuant to Idaho Code 74-206(1)a, to consider hiring a public officer, employee, staff member or individual agent. Commissioner Cossairt second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "aye". Motion passed unanimously. The executive session ended at 2:46 p.m. No action was taken.

2:46 p.m., City of Bonners Ferry Engineer Mike Klaus joined the meeting.

2:50 p.m., Dave Wenk joined the meeting.

Mr. Klaus handed Commissioners a diagram pertaining to the sewer's lift station #5 and he explained that it needs upgrading. Mr. Klaus spoke of there being a master plan for the city's sewer and he explained that the system has eight lift stations that flow to the sewer lagoon. The City of Bonners Ferry applied for a grant a few years ago, but they didn't follow through since they didn't have enough cash to put toward match at the time. Mr. Klaus said upgrading lift station #5 is \$1,200,000.00 project and the time frame is year 2024 or 2025. The new location will be slightly east of the current site. If the city is unsuccessful in obtaining a grant, they will do this project somehow. The city is trying to do as much work as they can without borrowing money, according to Mr. Klaus.

Commissioner Robertson moved to sign a letter of support for the City of Bonners Ferry for the replacement of lift station #5. Commissioner Cossairt second. Motion passed unanimously.

The meeting with Mr. Klaus ended at 3:02 p.m.

Mr. Wenk informed Commissioners that he has spoken to someone with the State of Idaho Department of Parks and Recreation about grant funding opportunities. It was suggested to Mr. Wenk that if the county wanted to apply for a grant, they should apply for the off-road motor vehicle (ORMV) grant. Mr. Wenk said he could request funding for parking areas, etc. The Deer Creek area was mentioned as a possible project, but it has to go through environmental clearance by the Forest Service. Chairman Bertling said Bonners Ferry District Forest Ranger Kevin Knauth was supposed to talk to him or Road and Bridge about that. Mr. Wenk explained that if they apply for a grant, they will need to have a public comment period. This is a small grant and he wants to become familiar with how the process works. Mr. Wenk said there is an area at the end of Gold Road that might be good for a parking area for snowmobilers. Commissioner Cossairt said he's heard that people would like a building to go to, a destination and Mr. Wenk said there is a plan to build a warming hut before you get to Roman Nose, but it had to be included with the winter travel plan.

The meeting with Mr. Wenk ended at 3:18 p.m.

***Tuesday, November 7, 2023, at 9:00 a.m., Commissioners met in regular session with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, and Deputy Clerk Michelle Rohrwasser.

9:00 a.m., County Civil Attorney Tevis Hull joined the meeting.

9:00 a.m., Commissioner Robertson 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 Cossairt

second. Commissioners voted as follows: Chairman Bertling “aye”, Commissioner Cossairt “aye” and Commissioner Robertson “aye”. Motion passed unanimously. The executive session ended at 9:30 a.m. No action was taken.

9:52 a.m., Commissioner Robertson 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 Cossairt second. Commissioners voted as follows: Chairman Bertling “aye”, Commissioner Cossairt “aye” and Commissioner Robertson “aye”. Motion passed unanimously. The executive session ended at 10:10 a.m.

Commissioner Robertson moved to terminate a county employee. Commissioner Cossairt second. Motion passed unanimously.

Commissioners recessed until their next meeting.

11:03 a.m., Solid Waste Department Assistant Superintendent Richard Jenkins met with Commissioners to discuss general landfill matters pertaining to employee scheduling and various safety precautions in relation to the State Insurance Fund.

11:28 a.m., Road and Bridge Department Co-Superintendent Renee Nelson joined the meeting.

11:29 a.m., Mr. Jenkins left the meeting.

Ms. Nelson said the county made an offer to the Duarte's for a permanent easement and temporary construction easement as it pertains to the Riverside Road Improvement project. The Duarte's counter-offered so Ms. Nelson has been working with Epic Land Solutions and Federal Highways to review the counter-offer and see what would be consistent with the acquisition process. Epic Land Solutions located comparable offers for one-acre parcels, but this is a larger parcel. Ms. Nelson reviewed value for the Duarte's trees, stumpage, the rock wall and arch, etc. Ms. Nelson said they would put up an orange temporary fence and preserve so much of the rock wall, boulders, signage, and large tree.

Burt Wolf joined the meeting at 11:38 a.m.

Ms. Nelson said she needed to review this information with Commissioners and get their approval to provide the Duarte's with the counter-offer. Commissioners are in favor of moving forward.

The meeting with Ms. Nelson ended at 11:41 a.m.

Mr. Wolf informed Commissioners that he's been renting a couple airplane hangars for approximately 20 years and the Airport Board does not want to renew his lease, but he's maintained the hangars perfectly and

has paid the leases. The hangars are better now than when he took them over. The Airport Board won't explain to him why they won't renew the lease, according to Mr. Wolf. Chairman Bertling said he's heard that there are items in the hangar that are not aviation related and the Federal Aviation Administration (FAA) is very strict as to what they consider aviation related. Mr. Wolf said that's all he has. Chairman Bertling said he saw pictures of more than that. Mr. Wolf spoke of contracting with someone to get the rest of the non-aviation related items out of the hangars. Chairman Bertling said Commissioners can visit with Airport Manager Dave Parker about this.

Mr. Wolf left the meeting at 11:51 a.m.

11:55 a.m., County Civil Attorney Tevis Hull joined the meeting.

Commissioner Robertson 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 Cossairt second. Commissioners voted as follows: Chairman Bertling "aye", Commissioner Cossairt "aye" and Commissioner Robertson "aye". Motion passed unanimously. The executive session ended at 12:00 p.m. No action was taken.

Commissioners recessed for lunch at noon.

1:30 p.m., Commissioners reconvened for the afternoon session at the County Annex with Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, and Deputy Clerk Michelle Rohrwasser.

1:30 p.m., Commissioners held a public hearing at the County Annex to consider Planning and Zoning Application #23-0168. An application for a lot line adjustment via short plat requested by Applicants Kimberly and Michael Parker. Present were: Chairman Tim Bertling, Commissioner Wally Cossairt, Commissioner Ben Robertson, Deputy Clerk Michelle Rohrwasser, Contract Planner Clare Marley, Applicants Kimberly and Michael Parker, John Marquette with JRS Surveying, and Tayla Snapp with TC Energy. The hearing was recorded.

Chairman Bertling reviewed public hearing procedures. Commissioners cited no conflicts of interest.

Ms. Marley provided a staff report. This process means no new lots can be created; there can only be adjustments to what is there already. The parcels are located in Kent's Acres. Ms. Marley explained that a public hearing is required for this process, but it may be a process that can be simplified in the future. The parcels are located off of Kents Gulch Road. The upper two lots outlined in red are proposed to be adjustments from the lot shown in yellow. A summary of services for this property do have to be disclosed and the services are private in this instance. The parcels are located in the rural residential zone with five-acre minimum requirements. Ms. Marley pointed out which parcel lines the Parkers wish to move. The two halves of the upper parcels are considered one parcel even though they're split by a road. 1.25 acres from Lot

5 will go to the parcel shown in turquoise on the map. The lots will both consist of at least five acres. Ms. Marley said they will want to show all new parcels as one. One condition of approval to note is that the triangle-shape area of the parcel is no longer within the Kent's Acres subdivision and it will be tied to the new lot above. Ms. Marley showed pictures of the site configuration.

Ms. Marley reviewed agency comments from the County Addressing Coordinator, County Assessor and Panhandle Health District. Ms. Marley pointed out that Road and Bridge made a comment that could be added as #13 of the Findings and Conclusions. The comment is, Boundary County Road and Bridge has documented the existing approach at address 107 Kents Gulch Road with Road and Bridge Permit #23104. Any future improvements to parcel RP62N01E363000A adjusted and Lot 5 adjusted shall require an approach permit for use of approach to be completed with Road and Bridge.

Ms. Marley said notice was sent out to property owners within 300 feet of the property. Ms. Marley referenced the application's draft findings and conclusions and draft conditions of approval. The correct road name will need to be on the proposed replat and it should be shown as a public road.

Commissioners asked the applicant for an opening statement. Mr. Parker, 2011 Blue Sky Road, explained that they own both parcels and were going to build, but where the property line was creates a problem. One line goes right through the shop he wanted to build and the same line was too close to his house. The site is ideal for them and has rolling terrain, but is still level. The septic has already been looked at and they have drilled a well. There is an already existing access they will use and they do not plan on building an additional access.

There was no public testimony. Commissioners closed the hearing for discussion amongst themselves. Commissioner Cossairt said he has no problem with the application. Commissioner Robertson agreed, but said he doesn't care too much about the parcel shape left behind. Commissioner Cossairt moved to approve the preliminary plat for the Replat of Lot 5 of Kent's Acres, a proposed lot line adjustment, File #23-0168, and direct staff to prepare written findings, a decision, and terms and conditions of approval, finding that the preliminary plat is in accord with the applicable zoning and subdivision standards of the Boundary County Land Use Ordinance, based upon the findings and conclusions as written or amended. This action does not result in a taking of private property. This includes draft findings and conclusions 1 through 13 and draft conditions 1 through 10. Commissioner Robertson second. Motion passed unanimously.

The hearing ended at 1:43 p.m.

Ms. Marley informed Commissioners that there were 24 new land use applications as of October, plus there were a dozen received before the land use application fees increased.

Ms. Marley left the meeting.

2:00 p.m., Tayla Snapp with TC Energy joined the meeting for introductions and provide a general overview of the company's gas pipeline. Ms. Snapp provided a brief background of her prior work history and education. Ms. Snapp explained where TC Energy's assets are located in the county. TC Energy is a North American Company that delivers 25% of the gas in the states every day as well as producing some energy through a Canadian company called Bruce. TC Energy has assets in the US, Mexico, and Canada and they also provide some renewable natural gas. TC Energy was previously called Transcanada Gas, but the company rebranded to TC Energy.

Ms. Snapp spoke of the Gas Transmission Northwest Express project that was approved last month in October. This is a flip the switch type of project with no big work being done. They will get new compressors to increase power at two of their stations, but no new pipe is going in. It's just replacing compressor stations and gas cooling for efficiency for compressors and the hope is to do this project in the spring of next year and with new software, the hope is to just turn it on. TC Energy has to hydro-test their pipelines instead of using gas. Chairman Bertling asked if this is sustainable, or at some time is it going to run out. Ms. Snapp said there is a lot of demand for natural gas and it's only going to get higher. There has been a 25% increase in natural gas consumption in the last decade. Commissioner Cossairt asked about life expectancy of a pipe if its been there since the 60s. Ms. Snapp said the pipe is made for the ground so once it is in the ground, it's good. She spoke of various testing methods TC Energy does to ensure the pipe is good on the inside and she discussed what can failures. Ms. Snapp explained matters pertaining to population density in proximity to the gas pipeline and how much the density rating requires a stronger pipe or run testing on it more frequently.

The meeting with Ms. Snapp ended at 2:20 p.m.

There being no further business, the meeting adjourned at 2:20 p.m.

TIM BERTLING, Chairman

ATTEST:

GLENDIA POSTON, Clerk

By: Michelle Rohrwasser, Deputy Clerk

Date:

Friday, November 17, 2023 - 10:45