

**Minutes of Meeting
IAC District 1
September 29, 2017
10:00 a.m.**

Benewah County

Jack Buell, Commissioner
N.L. “Bud” McCall, Commissioner
Phil Lampert, Commissioner

Boundary County

Glenda Poston, Clerk
Sue Larson, Treasurer
Dan Dinning, Commissioner

Shoshone County

Mike Fitzgerald, Commissioner
Jay Huber, Commissioner
John Hansen, Commissioner
Jerry White, Assessor

Bonner County

Glen Bailey, Commissioner

Kootenai County

Steve Matheson, Treasurer
Bob Bingham, Commissioner
Marc Eberlein, Commissioner
Chris Fillios, Commissioner
Mike McDowell, Assessor
Richard Houser, Chief Deputy Assessor
Jim Brannon, Clerk
Jennifer Locke, Chief Deputy Clerk
Ronnie Davisson, Deputy Clerk
Dan Mattos, Undersheriff

Other Attendees

Aaron Freudenthal, North Regional Coordinator – Public Defense Commission
Pam Secord, Benewah County Natural Resource Team

Call to Order: IAC District 1 Chairman Jim Brannon called the meeting to order at 10:00 a.m.

Changes to the Agenda: Benewah County Commissioner Jack Buell stated there was a new bill introduced that was co-sponsored by Congressman Raul Labrador and requested Ms. Pam Secord from the Benewah County Natural Resource Team discuss this bill. Boundary County Commissioner Dan Dinning requested to add additional information to the topic of underfunded mandates, as it related to communications across the State of Idaho.

Business:

Approval of April 21, 2017 Minutes: Chairman Brannon asked for two minor changes for the April 21, 2017 minutes. Kootenai County Treasurer Steve Matheson moved to approve the minutes with changes. Boundary County Clerk Glenda Poston seconded the motion. The motion carried.

House Resolution 2936: Mr. Buell and Ms. Secord spoke on House Resolution 2936 and House Resolution 3131. Ms. Secord explained the Resolution encompassed everything that had been requested for Fire Mitigation and Forest Management, with the exception of Title VII. She explained Title VII was the Tribal Forestry Participation and Protection Act, which gives the ability of every Tribe (567 of them) to get management, planning and administrative control of national public forest lands, whether its under BLM or Forest Service control. She cited Section II, stating that section would have the most impact, because it could affect how much revenue sharing the participating counties would get. She also stated Section 703 was concerning, explaining she spoke with Congressman Labrador’s office, who said it had been through the Amending committee. The bill was not yet scheduled for the House floor, but was supposed to be

signed into law at the end of the year as is. She stated she wanted this section to be eliminated; as it was a solid enough bill to stand on its own. Ms. Secord further stated Title VII should be eliminated and encouraged the counties and their citizens to weigh in, as it was a bipartisan bill, meaning it was likely to pass.

Ms. Secord then spoke on HR3131, stating it changed the Equal Access to Justice Act, which limited attorney's fees. Ms. Secord stated she had asked Congressman Labrador's office why they had put the Tribes in charge of the National Forests instead of the states, noting she believed they just wanted to put a filler to show that someone other than the Forest Service can manage the forests. She stated it was inherently discriminatory because the only ones that are able to take advantage of this was the Tribes, but if the Forest Service or the states were to manage the land, they would have the ability to represent the entire state, not just one ethnic group.

Chairman Brannon asked if creating a draft resolution was a function of this body and if the body would be amenable to making a motion to create a draft resolution. Kootenai County Commissioner Marc Eberlein stated there was nothing to lose and the fact that not every member was a Republican spoke volumes. Mr. Dinning stated he would be agreeable to have a conference call with Congressman Labrador's office in order to ask questions and receive answers.

Kootenai County Commissioner Bob Bingham moved to create a draft resolution for review and approval for District 1, concerning HR 2936. Benewah County Commissioner Phil Lampert seconded the motion.

Election of Officers, IAC District 1: Chairman Brannon stated at the next IAC District 1 meeting, which would be held on November 17, there would be an Election of Officers. He stated that he, as Chairman, would not be serving again and that Mr. Matheson would not be serving again as Treasurer. He stated it would be a great opportunity for someone else to serve the Counties.

IAC Budget Discussion: Mr. Matheson gave an update on the District 1 IAC Budget and asked where the money should be spent in the coming year. Mr. Bingham asked if there should even be dues since the money is being accumulated and not spent. Mr. Dinning said that in the past, this body had needed their own legal representation, which ate up a good portion of the money. Mr. Dinning stated there were travel costs associated with IAC also. Mr. Matheson suggested putting a number in the budget for travel expenses and Mr. Dinning said he would be amenable to \$400 for legislative committee travel and made a motion stating as such. Ms. Poston seconded the motion.

Ms. Poston asked Mr. Matheson if some money could also be put aside for the legislative luncheon. She pointed out the new IAC Director Seth Grigg might want to combine Districts 1 and 2 for some meetings. Also pointing out refreshments for the meetings, she stated there should be money budgeted for that instead of Kootenai County paying for it. She also suggested \$1000 for the legislative luncheon be put in the budget. Mr. Buell moved to add \$1000 to the budget for the legislative luncheon. Ms. Poston seconded the motion. Chairman Brannon asked if dues were being lowered, eliminated or retained at \$250. Mr. Lampert moved to increase dues to \$300. Mr. Dinning seconded. Bonner County Commissioner Glen Bailey stated he agreed with the raising of the dues to provide a cushion. Ms. Poston took a moment to thank Mr. Matheson for his hard work and Mr. Dinning moved to approve the budget as presented. Mr. Buell seconded the motion. The motion carried.

Underfunded Mandates Improvement: Kootenai County Undersheriff Dan Mattos stated there were several state mandated services that could be funded more appropriately by the State. He began with state

inmates, explaining the state pays \$45 a day, when it was close to \$96.79 a day to house inmates. He expressed that the state should pick up the full tab, not just the \$45. He further explained there were 475 registered sex offenders in Kootenai County alone and that they must pay an \$80 fee to register. The Offender Watch Program, which assisted local law enforcement agencies in tracking registered sex offenders, gets half the fee, which left \$40 to offset the cost of the County monitoring the program. Mr. Mattos further explained it added up to \$19,000, but it did not cover the cost of tracking the offenders. He moved on to Driver's License fees, stating the revenue was \$65,000 year to date with a \$373,500 budget. Mr. Mattos provided an additional example of Concealed Weapons Permits, explaining processing those permits take tremendous amounts of staff time. He continued, stating prior to the Sandy Hook shooting, there would be anywhere from 500-600 permits a year, but jumped to 500-600 monthly after the shooting. Mr. Mattos stated a new permit is \$59.70, with a renewal costing \$37; for each of those permits, Kootenai County receives \$5, with the rest of the balance going to other entities.

Mr. Lampert opened discussion on mental commitments to the state. He explained that Benewah County had several examples of people that were committed to a state facility, and were then held for three weeks to a month until a bed was open at their Jail. He believed the State Health and Welfare department should be handling these instances, but it had become the county's responsibility. Mr. Mattos said that sometimes the judiciary played a factor, providing an example from Kootenai County in which one of their judges ordered someone to be immediately transferred to the state hospital and there were no beds available. This had then led them to contact State Health & Welfare, who was unable to find a bed for a month, all the while; the prisoner was sitting in the jail when they should have been transported to the hospital right away.

Mr. Bailey stated he had attended the Behavioral Health Summit in Boise and expressed his belief that Health & Welfare should have their own transport agency to deal with those situations.

Mr. Bingham spoke on the public defender initiative, stating that with the new rules and regulations, training and staffing requirements, the State should fund the Public Defense Grant.

Kootenai County Assessor Mike McDowell spoke on the assessor's fees for vehicle licensing services and suggested that the BOCC sets the fee structure, much like they do with the administration fee. He also stated that licensing was paid for through the fees that are paid, utilizing no personal property tax revenue.

Mr. Dinning stated with new IAC Director Seth Grigg, the leadership would be different from before. He also suggested for the fellow attendees to look at their current committees and associations they belong to in order to make a difference in the Legislature. He also stated the opportunity to really affect decisions the Legislature would make took place during the summer meeting, where they present resolutions and other decisions. Mr. Eberlein stated he believed it to be a great idea to heavily attend the summer conference as opposed to the midwinter conference. Mr. Buell purported the travel was too much and District 1 as whole should look at a teleconference system. Mr. McDowell stated there was a room at the IAC headquarters in Boise that could be utilized and all District 1 would have to do would be to secure an appropriate location. Shoshone County Commissioner Mike Fitzgerald said that too many days were wasted on travelling to Boise, but travel to Coeur d'Alene would be more worth their time, signaling his agreement for teleconferencing. Mr. Matheson stated he belong to IACT, the Treasurer's division of IAC, and noted there was a strong resistance for teleconferencing. He explained he believed it was because they want to physically exclude everyone outside the Boise area, expressing his vote of support, as a treasurer, to the northern counties creating such a technology so that they would not need to travel to Boise. Mr. McDowell stated he believed the discussion led to an ideal consensus to utilize that type of technology and

acknowledged there was a good fund balance built up for implementation. He further explained he believed it would be a great idea to contact IAC in order to gather information on specifications for what would be needed to implement the technology. He further acknowledged it would be beneficial for a representative of IAC to sit in each meeting if there were to be a live connection.

Prompted by a question from Mr. Eberlein, Mr. McDowell stated if there was enough support from enough IAC Board members, the bylaws could be changed. He explained the IAC Board would have to agree it was a good idea, and then make a proposed change to the bylaws, which would then be voted on at the next general membership meeting. He further explained he had no problem advocating for it, however, it was up to us to lobby to our counterparts and show them how important it was and would also provide broader representation if others were not able to make the meetings.

Mr. Bingham asked if the attendees would be open to doing a draft resolution for the underfunded mandates and if they believed other districts would jump on board. Mr. Bailey said he thought that would be very appropriate as this body's voice needed to be heard. Chairman Brannon asked for any comments on the negative for taking a position on these underfunded mandates and there was no response. Mr. Bingham moved to create a draft memorandum to be delivered to the Legislature and IAC, which would be reviewed by the District 1 members. Kootenai County Commissioner Chris Fillios seconded the motion. The motion carried. Mr. McDowell suggested sending a copy to each of the other Chairs of the districts for their discussion. Chairman Brannon agreed with Mr. McDowell, stating he believed it to be a great idea and noting he believed they were more than likely already discussing it.

Mr. Dinning expressed his desire for an IAC representative to be at the November meeting, in which the concerns could be discussed. He stated further that it would be beneficial for Mr. Grigg to be at the next meeting, to which Chairman Brannon agreed. Mr. Dinning asked if anyone had heard of FirstNet, which was a proposed network for communication state wide between first responders. He explained it was a contract with AT&T, which was paired with DIGB. He stated he wanted more information on it, and requested it be added to the November meeting agenda.

Public Defender Initiatives: Aaron Freudenthal, North Regional Coordinator for the Public Defense Commission, discussed LifeSize versus PolyCon. He also stated the Public Defense Commission ran a couple seminars, which were available online. He explained the seminars would provide great information on reworking contracts or tips on hiring a new public defender. Mr. Freudenthal also explained there were town hall meetings in mid-October and said public comments would be welcomed. He said that if someone did not wish to travel, he would be willing to come to their county to receive their public comments. Mr. Freudenthal then stated the Public Defense Commission would be doing annual reports beginning this January. Chairman Brannon stated he had questions regarding the Capital Crimes Defense Fund, explaining that Kootenai County had been forced to hire legal counsel to get questions answered. Mr. Freudenthal said the Public Defense Commission did not have anything to do with the Capital Crimes Defense Fund, but offered to inform Chairman Brannon if he were able to retain any information on the Fund.

Legislative Reports: Mr. Dinning provided the list of resolutions the legislative body had passed at their prior meeting. Some of the resolutions he said were passed were:

- Electronic Notices, in which legal notices could go on the website instead of in the paper
- Magistrate Court Funding
- Early Election Plan, which included lowering the age of volunteers from 17 to 16
- Indigent Claims, which would designate the individual's state tax return to repayment
- Justice Fund Levy, which was raised from .002 to .0025, but did not increase the 3% cap

He also stated the Resort Tax and the proposal of transferring the Public Defender to the State had not been up for discussion.

IAC Reports: Ms. Poston provided an update on IAC investment funds and specifically noted the TracFone settlement was approximately \$4 million. She provided an email that provided a link to a legislative committee that would be hearing testimony of the revision of Idaho Administrative Procedures Act. Ms. Poston also stated the WIR Conference would be held May 22-24 in Sun Valley.

Secretary/ Treasurer's Reports: Mr. Matheson provided an update on the balance, which was \$15,020.09. Mr. Dinning moved to accept the Treasurer's Report. Benewah County Commissioner Bud McCall seconded the motion. The motion carried.

County Reports: Mr. Bailey stated if any attendee had a desire to discuss the FirstNet issue, they could reach out to Jay Baker.

Public Comment: There was no public comment.

Chairman Brannon adjourned the meeting at 12:09 p.m.

Respectfully submitted,

BY: _____
Ronnie Davisson, Deputy Clerk