

**Minutes of Meeting
Business Meeting
February 2, 2021
2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks, met to discuss the following agenda items. Also present were Clerk Jim Brannon, Chief Deputy Clerk Jennifer Locke, Finance Director Dena Darrow, Elections Manager Asa Gray, Chief Deputy Assessor Joe Johns, Residential Appraiser III Erin Sacksteder, Airport Director Steven Kjergaard, Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder, KCSO Captains Andy Deak and Kevin Smart, Resource Management Office (RMO) Senior Program Manager Kimberli Riley, Information Technology (IT) Applications Systems Manager Jack Duffield, Civil Deputy Prosecuting Attorneys Pat Braden and R. David Ferguson, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present were Regional Manager Idaho Farm Bureau Bob Smathers and Kootenai County Residents Steve Anderson, John Huckabay and Lake City Law Attorney Pete Erbland. Commissioner Brooks, Mr. Duffield, Ms. Riley, Captain Smart, Mr. Kjergaard, Mr. Braden, Captain Deak, Mr. Snyder and Mr. Jones were present via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:01 p.m.
- B. Pledge of Allegiance:** Chief Deputy Clerk Jennifer Locke led the Pledge of Allegiance.
- C. Consent Calendar (items to be approved listed below):**
 - Minutes of Meetings:**
 - 12/17/2020 Public Hearing/ZON20-0006/Sade J Hammond Trust/Community Development
 - 01/07/2021 Deliberations/VAR20-0009/Petroni/Community Development
 - 01/07/2021 Deliberations/MSP20-0001/Walking Horse Estates 1st and 2nd Additions/Community Development
 - 01/19/2021 Commissioners' Status Update
 - 01/19/2021 Business Meeting
 - 01/20/2021 Elected Officials
 - Board Actions:**
 - Assessor's Adjustment to tax/valuation/AIN Nos. 342172; 340952; 342232; 228874; 104485
 - Notice of Termination of Agreement/Riley
 - Human Resources/Personnel Changes: Wage Adjustment/Public Defender; Temporary Staffing/Vehicle Licensing Division; IT-Sheriff Restructuring Plan; Increase in Salaries from Enhanced Funds/911
 - PAV/SCF Report: BOCC Review PP 03/Week 2
 - BOCC Signatures for Indigent Cases: 1/23/21 through 1/27/21

Commissioner Leslie Duncan moved that the Board approve the Consent Calendar as it appeared on the agenda. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

D. Payables List (Action):

Commissioner Duncan moved that the Board accept the Payables List for the week of January 25, 2021 through January 29, 2021 in the amount of \$630,700.59, with no jury payments. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

E. Changes to the Agenda (Action): There were no changes to the agenda.

F. Action Items:

Notice of Award/Construction Manager/General Manager Services/Airport Snow Removal Equipment Building/Airport Administration Facility/Airport

Airport Director Steven Kjergaard asked the Board to approve the notice of award for the Construction Manager/General Manager for the Airport Snow Removal Equipment/Administration Facility project to Fisher Construction Group. He reminded the Commissioners that bid receipt had taken place two weeks ago. He noted that only one bid was received and since it was in conformity with the RFP, it was accepted.

Chairman Fillios permitted Public Comment on this item.

Kootenai County Resident John Huckabay voiced his objection to awarding the bid and to the project as a whole. He asked that the step be delayed until the use, cost and placement of the building was determined. He asserted that the building was not needed, the land was too valuable to be used to house equipment, and the price of \$6 million was not reasonable. He further suggested that the Airport hire a contractor to do its plowing instead of doing it themselves.

Chairman Fillios asked Mr. Kjergaard if the Board had to take action on this item today.

Mr. Kjergaard replied that they could wait until the contract was finalized and then do both items at the same meeting.

Civil Deputy Prosecuting Attorney R. David Ferguson pointed out that the Board normally approved the award of bid, then did the contract at a later time, but there was nothing to prevent them from doing it the other way.

Chairman Fillios said that the item would be deferred to a later date.

Kootenai County Resident Steve Anderson said that he agreed with Mr. Huckabay's points. He said that since there was only one RFP response and one bid, that was not an adequate basis to make a decision. He voiced disbelief that there had been only one contractor interested in the project.

Prosecutor Barry McHugh entered the meeting at 2:08 p.m.

Development and Ground Lease/AAL-2020-630/CDA Northwest, LLC/Airport

Mr. Kjergaard requested the Board's approval of a new lease, AAL-2020-630, with CDA Northwest, LLC for \$2,777.63 per year.

Commissioner Duncan moved that the Board approve the development and ground lease AAL-2020-630 with CDA Northwest, LLC. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Development and Ground Lease/AAL-2020-994/Selkirk Products, LLC/Airport

Mr. Kjergaard requested the Board's approval of a new lease, AAL-2020-994, with Selkirk Products, LLC for \$3,348.80 per year.

Commissioner Duncan moved that the Board approve the development and ground lease AAL-2020-994, with Selkirk Products, LLC. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Mr. Huckabay and Mr. Anderson exited the meeting at 2:10 p.m.

Ballot Order/Resolution 2021-16/Designate Polling Places/March 9, 2021/Elections

Clerk Jim Brannon introduced Elections Manager Asa Gray.

Mr. Gray requested the Board's approval of Resolution 2021-16, for the ballot order and to designate polling places for the March 9, 2021 School Election. He announced that the County had retained all of its polling locations from the November Election and expressed his thanks to all churches, schools, community facilities and fire stations for their help. He said there would be four different ballot styles for the election, since there were four school districts that would be running questions: Lakeland, Coeur d'Alene, Post Falls and Kootenai Joint School District.

Mr. Gray noted that sending the absentee ballots would be contracted out with K & H, the same group used for the November Election. He said this would save the County a substantial amount of tax dollars.

Clerk Brannon added that there had been 81,000 eligible voters for the last School District Election; this Election will have 106,000.

Commissioner Duncan moved that the Board approve the ballot order, Resolution 2021-16, and designate the polling places for the March 9, 2021 Election. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Weed Spraying Agreement/Panhandle Spray Service/Noxious Weed Control

Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder requested the Board's approval of the annual Noxious Weed Spray Contract, for \$36,096, with Panhandle Spray Services.

Commissioner Duncan moved that the Board approve the weed spraying agreement with Panhandle Spray Service. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Professional Services Agreement/JustWare/Pine Technologies, LLC/Information Technology

Information Technology (IT) Applications Systems Manager Jack Duffield requested the Board's approval of a professional services agreement for JustWare with Pine Technologies, LLC. He explained this software was used by the Prosecutor's Office and Probation Officers. He said the company that previously supported the software had changed its demands and the new ones had not been acceptable, so they found this new provider. He stated the agreement was for the next three years, at the same rate they had been paying.

Prosecutor Barry McHugh remarked that his department was satisfied with JustWare and wanted to keep it for the next three years.

Commissioner Duncan moved that the Board approve the professional services agreement with Pine Technologies, LLC for JustWare. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Prosecutor McHugh exited the meeting at 2:17 p.m.

Public Defender Anne C. Taylor entered the meeting at 2:17 p.m.

Purchase Orders/Car Purchase/Mike White Ford of Coeur d'Alene/Assessor

Residential Appraiser III Erin Sacksteder stated that Assessor Bela Kovacs wanted to be sure that they had followed the correct procedures to complete the most recent vehicle purchase.

Commissioner Duncan moved that the Board approve the purchase orders for the two Assessor's Office vehicles with Mike White Ford of Coeur d'Alene. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Mr. Sacksteder exited the meeting at 2:20 p.m.

Federal Award Identification/Sub-recipient Agreement/Coeur d'Alene Tribe/Resource Management Office

Resource Management Office (RMO) Senior Program Manager Kimberli Riley requested the Board's approval of the new five-year sub-recipient agreement with the Coeur d'Alene Tribe in relation to the provision of Fixed Route services.

Commissioner Duncan moved that the Board approve the federal award identification sub-recipient agreement with the Coeur d'Alene Tribe. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Resolution 2021-13/Reallocation of Civil Funds/KCSO

KCSO Captain Kevin Smart requested the Board's approval of Resolution 2021-13, for the reallocation of Civil Funds. He reminded the Commissioners this had been discussed last week. He explained this would allow them to move the overage from their books to a separate area against the time when a person might present a valid claim for the fees.

Commissioner Duncan moved that the Board approve Resolution 2021-13, for the reallocation of Civil Funds. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Resolution 2021-14/Classify Records/Juvenile Detention

Resolution 2021-15/Destroy Records/Juvenile Detention

Juvenile Detention Senior Records Clerk Brandie Bradley asked the Board to approve Resolutions 2021-14 and 2021-15, for the classification and destruction of records of individuals who had been housed at Juvenile Detention that had reached the age of 23.

Chairman Fillios said the two resolutions could be covered by one motion.

Commissioner Duncan moved that the Board approve Resolutions 2021-14 and 2021-15, for the classification and destruction of Juvenile Detention Records, per Idaho Code. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

- G. Public Comment (Discussion):** This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing.

Idaho Farm Bureau Regional Manager, North Idaho, Bob Smathers introduced himself and explained that he wanted to urge County officials to develop a relationship with his department. He asked that, if they received an invitation from one of the local groups, they consider attending and getting to know the ranchers and farmers in the area. He called attention to their website and publications.

The Commissioners thanked him for coming.

Expenses Related to Ongoing Litigation and Hiring Outside Counsel/Public Defender

Commissioner Duncan moved that the Board enter into Executive Session pursuant to Idaho Code §74-206(1)(f). Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

The Board entered into Executive Session at 2:25 p.m.

Executive Session §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.

The Board exited Executive Session at 2:34 p.m.

Commissioner Duncan moved that the Board exit Executive Session with staff to proceed as discussed and the agreement for outside counsel to be hired in the amount of \$2,500 in one case and \$5,000 in the other case, to come from Contingency. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

H. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:36 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
