

**Minutes of Meeting
Commissioners' Status Update
February 16, 2021
11:00 a.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 Treasurer Steve Matheson, Chief Deputy Clerk Jennifer Locke, Human Resources (HR) Director Sylvia Proud, HR Generalist – Compliance Cecilia Sweet, Adult Misdemeanor Probation (AMP) Director Keith Hutcheson, Finance Director Dena Darrow, Staff Accountant – Fixed Assets Isaac Ohm, Resource Management Office (RMO) Director Jody Bieze, Veteran's Services Officer Tom Freeman, Information Technology (IT) Network Administrator Grant Kinsey, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present were Chairman of the North Idaho Regional Committee, Captain U.S. Navy (ret) Henry Netzer and Contractor Shawn Riley. Commissioner Brooks, Ms. Locke, Ms. Bieze and Mr. Riley were present via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 11:02 a.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business (Discussion):**

USS Idaho Commissioning Committee Presentation by Henry Netzer

Chairman of the North Idaho Regional Committee, Captain U.S. Navy (ret) Henry Netzer introduced himself and provided a presentation regarding the commissioning of a new submarine, the USS Idaho. He explained the ceremony that would take place after the submarine was completed and how those interested could become involved. He said the commissioning would take place between the fall of 2022 and the summer of 2023, at Groton, Connecticut.

Public Defender Anne C. Taylor entered the meeting at 11:03 a.m.

Treasurer Steve Matheson exited the meeting at 11:04 a.m.

Coeur d'Alene Press Reporter Madison Hardy entered the meeting at 11:05 a.m.

Captain Netzer asked that his contact information be included in the meeting minutes. He can be reached by telephone at 208-772-2492 and by email at henry.jeanne.netzer@gmail.com.

Panhandle Village Water System Block Grant Application Proposal

Resource Management Office (RMO) Director Jody Bieze stated that an application had been sent to the Idaho Department of Commerce under the Community Development Block Grant Program, on behalf of Panhandle Village. She said the application would

request \$500,000, with the total estimated cost of the project around \$4.2 million. She explained that other funding sources had been identified.

Ms. Bieze said she was seeking the Board's approval to collaborate with Panhandle Village and to submit the application. She noted that RMO had worked on similar grants in the past. She confirmed that Panhandle Area Council would fill out the application and would be the grant administrator, while the County would submit the application and oversee the reimbursement.

Ms. Bieze reported that the item would come before a Business Meeting for approval.

All three Commissioners voiced encouragement for Ms. Bieze to proceed as outlined.

Captain Netzer and Veteran's Services Officer Tom Freeman exited the meeting at 11:22 a.m.

Civil Deputy Prosecuting Attorney R. David Ferguson entered the meeting at 11:23 a.m.

Idaho Counties Risk Management Program (ICRMP) Email Training

Commissioner Leslie Duncan reported that she had discussed this item with Human Resources (HR), Information Technology (IT) and ICRMP representatives. She indicated this was probably related to item five on the agenda also. She said she would like to hear IT Network Administrator Grant Kinsey's input. She explained that ICRMP was asking the County to do some email training that was not feasible under the current system, but if something equivalent could be done, the County might still be able to receive the discount.

Mr. Kinsey reported that ICRMP had been receiving many claims caused by ransomware. He briefly explained how ransomware worked and that it most often penetrated a system through email. He said that was motivating ICRMP to encourage counties to educate their staff on ways to block suspicious messages and avoid being victimized.

Mr. Kinsey said ICRMP had partnered with a company called KnowBe4 to run training simulations but that the KnowBe4 software would not work with the County's system. He said the options before the Board were to either do nothing or to buy a different product for about \$10,000 and do a similar training.

Mr. Kinsey commented he felt this would be a worthwhile investment. He pointed out that ransomware attacks had happened locally and that being hit by one would cost the County much more than the software.

Mr. Kinsey said that the funds were available for this year in the IT budget. He predicted that IT would request a base budget increase for \$10,000 in FY21-22 to cover continued costs.

Commissioner Duncan remarked that the County would receive about \$8,000 as a discount.

Chairman Fillios commented that the result would be a net cost of \$2,000 to \$3,000 to the County.

Treasurer Matheson reentered the meeting at 11:28 a.m.

All three Commissioners voiced support for bringing the item to a Business Meeting.

Email Solution for Public Defender

Mr. Kinsey reported that the Public Defender had brought a concern to IT several months ago regarding Public Record Requests. He explained that the situation at the Public Defender was especially sensitive and when they received a records request for email, they had to be sure nothing was released that could infringe on attorney-client privilege. He said the current system was not adequate to a litigation-type setting but they had found a system that would work. He noted it would cost about \$37,000 to purchase and set up, with an ongoing cost of about \$23,000 annually.

Mr. Kinsey said that they were paying about \$9,000 per year for the current system, so the adjusted annual cost would come out to \$14,000. He stated it might be possible to use some of the Public Defender grant dollars to cover the additional \$14,000. He added that he thought IT could cover the first year purchase and installation from savings in the current IT budget.

All three Commissioners voiced their agreement with Mr. Kinsey's suggestions.

Email Security Training

Mr. Kinsey confirmed that this topic had been covered under item three on the agenda.

Sheriff Security Camera Update

Mr. Kinsey reported that, due to the estimated cost of the project, Idaho State Statute required them to secure three quotes from different architects before they could proceed. He said this would create a delay in the project, but it would be manageable.

Mr. Kinsey exited the meeting at 11:34 a.m.

Microphone Training

Commissioner Bill Brooks commented on the poor quality of sound reception from the online meetings. He asked Chairman Fillios to model correct handheld microphone positioning.

Chairman Fillios complied.

Spending Policy 930

Commissioner Duncan commented that there had been some confusion expressed regarding Spending Policy 930. She explained this policy, as written, applied when a

department's budget line item had been overspent and the department wished to make a purchase over \$5,000. She said they would have to come to the Board for approval, at that point, otherwise the department did not need to come to the Board if the item had been included in the budget, regardless of cost.

Commissioner Duncan said also she wanted to consult with Civil Deputy Prosecuting Attorney R. David Ferguson about the policy's effect on car contracts.

Mr. Ferguson stated that Idaho Code did not give the Board of Commissioners the ability to delegate spending authority, regardless of the amount. He added that code was fairly clear that only the Board had the power to create, fix, sign or approve a budget, acquire or sell property and set salaries. He offered some examples from different cases.

Mr. Ferguson noted that, despite those facts, Boards in the past and present had delegated spending authority to Elected Officials up to \$5,000. He said it had been done as a matter of practical convenience, so that County business was not handicapped by the need to have the Board authorize the purchase of every small item. He speculated on different ways the issue might possibly be viewed were it taken to court.

Mr. Freeman reentered the meeting at 11:48 a.m.

Mr. Ferguson suggested that the safe thing for the Board to do would be to stay with the \$5,000 authority. He cautioned against an interpretation that Elected Officials could spend an amount of money over \$5,000, even if it did not exceed their budgets.

Commissioner Duncan pointed out that the Commissioners actually did approve all the money spent when they approved the Payables in the Business Meeting each week. She said that she felt that the wording of the policy needed to be changed so that it aligned with the actual intent of the policy.

Mr. Ferguson offered further clarification of the policy mechanics, in response to Commissioner Duncan's questions. He confirmed that all contracts needed to come before the Board.

Commissioner Duncan asked Mr. Ferguson to work with her to improve the policy's language. She said that the draft would be brought back to the Board for further consideration.

Mr. Ferguson cautioned the Board about bringing items to open meetings which could potentially adversely affect the protection offered by their attorney-client privilege.

Mr. Ferguson exited the meeting at 11:49 a.m.

Fleet Management Role

Commissioner Duncan said she would like to begin a discussion with Fleet Management members about Spending Policy 930, look for ways to improve their current processes and whether they would be interested in expanding their current role. She invited Staff

Accountant – Fixed Assets Isaac Ohm and Adult Misdemeanor Probation (AMP) Director Keith Hutcheson to comment.

Ms. Bieze asked that RMO Senior Program Manager Kimberli Riley be allowed to offer her input at another time, since she was not available at the moment.

Mr. Ohm said his impression was that Fleet Management needed to be able to respond quickly to emergencies and expressed concern that changing the process might present an impediment. He suggested that a central purchasing source be considered.

Commissioner Duncan remarked that purchases were currently being piggybacked on to state contracts, so the County was getting those reduced prices. She explained she wanted to review the entire system to look for more ways to save tax dollars.

Ms. Bieze confirmed that she would also like to be a part of the discussions.

Mr. Hutcheson commented that Fleet Management's central role had been reduced in recent years due to the frequent need for specialty vehicles. He reminded those present that KCSO vehicles had been shifted to lease contracts within the last two years. He added that former Assessor Rich Houser had provided strong leadership for Fleet Management and suggested bringing in another Elected Official with the background and experience to fill that need. He said he thought Treasurer Matheson could help in that role, if he were willing to take it.

Legislation Updates

Commissioner Duncan reported that they would be receiving a call from IAC (Idaho Association of Counties) at 3:00 p.m. today that would provide the latest update on legislation under consideration. She said she had heard of a new bill being put forward which would not restrict the County's ability to raise taxes by 3% but instead limit new growth to 75% and URDs (Urban Renewal District) to 50%. She said it would also cap the overall budget increase to 4% if any forgone taxes were taken at.

Mr. Hutcheson exited the meeting at 11:59 a.m.

Commissioner Duncan stated that Senate Bill 1060 would require all mandates issued by health districts in the State of Idaho be approved by County Commissioners if they were to apply county-wide or district-wide. She said that might be heard on the floor today.

Finance Director Dena Darrow remarked that she thought that the bill regarding website transparency bill had passed.

Commissioner Duncan said they would find out about that in the call that afternoon. She confirmed that Bill 1048 had been replaced by Bill 1108, but she did not have any further details yet.

Chairman Fillios offered rough calculations on the impact of the proposed caps and predicted that the County could lose about \$2 million if they were implemented.

Bond Ballot Language

Commissioner Duncan asked whether the other Commissioners would support producing language for a general obligation bond for financing the Attorney Center in time for the May Election.

Chairman Fillios and Commissioner Brooks agreed.

Ms. Darrow remarked that all the financial calculations on the building's cost, interest rate and other aspects would need to be completed so that the ballot wording would be accurate.

Treasurer Matheson said he had already finished a draft that he could go over with Commissioner Duncan.

Commissioner Duncan said they would bring the draft to a Business Meeting, for official approval, if the Board decides to go with that financing option.

Pending Items Status Review – List Attached

Citizen Advisory Committee

Commissioner Brooks confirmed this was on hold until March. He said he wanted to focus on the County Form of Government Study Committee first.

County Form of Government Study Committee

Commissioner Brooks said the draft was almost done. He stated he had given it to an attorney to review and it should be available to the BOCC next week.

Facilities Expansion

Commissioner Duncan reported that the group was meeting this week, on February 17 and 19.

PAC Airport Lease

Commissioner Duncan said that Wally Jacobsen was still working on this.

1A/B Audio Upgrade

BOCC Communications Manager Nancy Jones said she would have additional information for the Board by the end of the week.

Financial Snapshot

Ms. Darrow noted that she would have normally done this again on March 1 but would like to bump it back to March 8, 2021 because she was going to be out of town.

No objections were made.

- D. Public Comment:** 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.

Chief Deputy Clerk Jennifer Locke said that the deadline to submit language for a bond for the May 18th Election would be March 29 and for the November 2 Election, it would be September 13.

Commissioner Duncan said her goal was to have the bond language to Ms. Locke by March 15, 2021.

- E. Adjournment (Action):** Chairman Fillios adjourned the meeting at 12:08 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
