

Minutes of Meeting
Business Meeting
April 12, 2022
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios and Commissioner Leslie Duncan, met to discuss the following agenda items. Also present were Airport Director Steven Kjergaard, Parks & Waterways/Noxious Weeds/Snowgroomers Director Nick Snyder, Finance Director Dena Darrow, Deputy Finance Director Keith Taylor, Staff Accountant – Grants Julina Hildreth, Staff Accountant – Budget Brandi Falcon, Elections Manager Asa Gray, Human Resources (HR) Director Sylvia Proud, KCSO Lieutenant William Klinkefus, KCSO 911 Communication Services Technician Alan Mallory, Office of Emergency Management (OEM) Preparedness Coordinator Sarah Loffredo, Resource Management Office (RMO) Senior Program Manager Kimberli Riley, RMO Transit Program Manager Chad Ingle, Civil Deputy Prosecuting Attorneys Pat Braden and R. David Ferguson, BOCC Senior Business Analyst Nanci Plouffe, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were North Idaho Fairgrounds Assistant General Manager Shanda Masterson, Fair Board Chair Jerry Johnson, Fair Board Members Linda Ryder and Elise Burton, Kootenai County Residents Elsbeth Roach, Steve Anderson, Anne Anderson, Joshua Garver and Harry Craviato. Mr. Mallory, Mr. Ingle, Ms. Riley, Mr. Braden and Ms. Loffredo were present via teleconference. Commissioner Bill Brooks was excused.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:01 p.m.
- B. Moment of Silence**
- C. Pledge of Allegiance:** Fair Board Chair Jerry Johnson led the Pledge of Allegiance.
- D. Changes to the Agenda: (Action):**

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.

Commissioner Leslie Duncan asked that the Board accept the amended agenda, changing the wording of item #23 to “Proposed FY23 Program of Projects – FY22 Full Apportionment.” She explained the item had read “Partial Apportionment,” but they had received the needed information to complete it.

Commissioner Duncan asked that item #15, “Public Hearing Notice: Ordinance 575/Pawnbrokers, Secondhand Dealers and Recyclers/Sheriff/Detective” be pulled from today’s agenda and that item #27, “Financial/Budget: Present the FY2021 Annual Comprehensive Financial Report/Auditor” be moved to the end of the meeting.

Civil Deputy Prosecuting Attorney R. David Ferguson asked whether the change to item #23 represented an urgent situation or if it could be moved to next week’s meeting instead.

Resource Management Office (RMO) Senior Program Manager Kimberli Riley confirmed that item #23 was time sensitive, with a deadline of Friday. She explained that the information would be given to KMPO (Kootenai Metropolitan Planning Organization), where it would be added to other data and submitted by KMPO to ITD (Idaho Transportation Department) for the STIP (Statewide Transportation Improvement Plan).

Mr. Ferguson indicated that this situation did qualify as urgent.

Commissioner Duncan moved that the Board amend the agenda item #23 to state “Proposed FY23 Program of Projects – FY22 Full Apportionment.” Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused
Commissioner Duncan: Aye
Chairman Fillios: Aye
The motion carried.

E. Approve Meeting Minutes (Action)

- 03/31/2022 Signing/CUP21-0010/Blackwell Booster Station – City of Coeur d’Alene
- 03/31/2022 Community Development Update\
- 04/05/2022 Lien Release Request 2012-203
- 04/05/2022 Request for Debt Forgiveness/Payment Reduction 2012-67
- 04/05/2022 Business Meeting

Commissioner Duncan moved that the Board approve the meeting minutes, items one through five on the agenda. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused
Commissioner Duncan: Aye
Chairman Fillios: Aye
The motion carried.

F. Approve Consent Calendar:

- Assessor Adjustment to Tax – Valuation
- Treasurer’s Cancellation of Taxes – Solid Waste Fees for 2022, AIN: 101357
- Treasurer’s Cancellation of Taxes – Solid Waste Fees for 2022, AIN: 126728
- 2022 Employee Recognition Committee Members
- Resolution 2022-29/Adjust Taxes to Reflect Circuit Breaker/Culver/AIN 332448
- Hayden Area Regional Sewer Board (HARSB) TML Construction/ Century West/ Whitney Equipment Co./ Strata/ NUCOR Building/ PAC/ J-U-B/ Aqua Engineering/JTL Engineering
- BOCC Signatures for Indigent Cases: 03/31/2022 to 04/06/2022
- Human Resources PAF/SCF Report for FY22 PP08 Week 2

Commissioner Duncan moved that the Board approve items six through thirteen as part of the Consent Calendar. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

G. Approve Payables List (Action):

Commissioner Duncan moved that the Board accept the Payables List for the week of April 4, 2022 through April 8, 2022 in the amount of \$1,222,969.06, with \$7,179.43 in jury payments. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

H. Business:

~~Public Hearing Notice: Ordinance 575/Pawnbrokers, Secondhand Dealers and Recyclers/Sheriff/Detective (Action)~~

This item was pulled from the agenda.

Civil Deputy Prosecuting Attorney Pat Braden asked why the item had been pulled.

Commissioner Duncan stated that she had not been informed of the reason and asked KCSO Lieutenant William Klinkefus if he knew.

Lieutenant Klinkefus said that he did not know either but commented that the person who had planned to present the item, Detective Sergeant Ward Crawford, was no longer with KCSO.

Mr. Braden said he was concerned since this had been listed as a Public Hearing.

Commissioner Duncan asked Mr. Braden if he were able to present the item.

Mr. Braden indicated he was not able to do so. He said that his point was that, if any citizens were present who had planned to speak regarding the item, they should be allowed to speak.

Commissioner Duncan asked the audience if anyone was present who wished to speak. There was no response.

Chairman Fillios confirmed with BOCC Communications Coordinator Jonathan Gillham that no one was on the telephone or internet chat line who wished to speak.

Mr. Braden said that it would be acceptable to move on. He added that he would wait to hear from the Sheriff's Office about the item.

Bid-Award/Bid Rejection/Swinerton Builders/SRE Building – FAA AIP Project 3-16-0010-052-2021/Airport (Action)

Airport Director Steven Kjergaard asked the Board to approve the rejection of the bid from Swinerton Builders for the project, due to the price being 239% over the engineer's estimate.

Commissioner Duncan moved that the Board reject the bid for Swinerton Builders regarding the SRE Building. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Termination of Ground Lease AAL-2014-030/Not Building Hangar/Plummer Forest Products, Inc./Airport (Action)

Mr. Kjergaard asked the Board to approve the termination of the ground lease. He explained that Plummer Forest Products, Inc. had decided not to build a hangar after all, so they were returning the lease to the Airport.

Commissioner Duncan moved that the Board terminate Ground Lease AAL-2014-030 with Plummer Forest Products, Inc. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Termination of Ground Lease AAL-2020-996 Purchased Hangar Instead of Building/Hayden Hangar LLC/Airport (Action)

Development and Ground Lease AAL-2022-900 Hangar Development/Crystal Mountain Revocable Living Trust/Airport (Action)

Mr. Kjergaard suggested that items 18 and 19 be combined, since they related to the same property.

No objections were voiced.

Mr. Kjergaard stated that the hangar had been sold by Hayden Hangar LLC to Crystal Mountain Revocable Living Trust. He said that the lease rate was \$3,316.92 per year.

Commissioner Duncan moved that the Board approve the termination of Ground Lease AAL-2020-996 with Hayden Hangar LLC and approve Ground Lease AAL-2022-900 for hangar development for Crystal Mountain Revocable Living Trust. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Engagement and Fee Agreement/Independent Legal Review/Investigation Expenditure/Sonyalee R. Nutsch/Sheriff/Civil (Action)

Mr. Ferguson reminded the Commissioners that this issue had been discussed by the Board previously.

Chairman Fillios remarked that he did recall the discussion and that a cap for expenses had been established.

Commissioner Duncan moved that the Board approve the Engagement and Fee Agreement for Independent Legal Review/Investigation Expenditure with Sonyalee R. Nutsch. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

2022 Invasive Species Inspections Contract/Invasive Species Inspection/Sheriff/Patrol (Action)

Lieutenant Klinkefus requested the Board's approval of the 2022 Invasive Species Inspections Contract with the Idaho State Department of Agriculture. He explained this would provide law enforcement patrols for the invasive species check stations in Kootenai County. He said it would pay for wages and mileage for those services.

Commissioner Duncan moved that the Board approve the 2022 Invasive Species Inspections Contract. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Annual Audit of the 124 Funds and Budget Expenses/Eide Bailly/911 (Action)

KCSO 911 Communication Services Technician Alan Mallory requested the Board's approval to proceed with the annual audit of the 124 Enhanced 911 Funds by Eide Bailly. He noted that this was required under Idaho Code Title 31, Chapter 48.

Commissioner Duncan moved that the Board approve the annual audit of the 124 funds and budget expenses. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Board Approval Request: Kootenai County Public Transportation Proposed FY23 Program of Projects – FY22 Partial-Full Apportionment/Resource Management Office (Action)

Chairman Fillios noted that this item had been amended earlier in the meeting.

Ms. Riley requested the Board’s approval of the Public Transportation proposed Program of Projects for fiscal year 2023 through 2027. She stated that it was specifically in regard to the FY22 FTA (Federal Transportation Administration) Apportionment in the amount of \$2,088,186. She explained this showed how the funds would be allocated.

Ms. Riley said that, if the Board approved the request, the information would be published in the newspaper and be carried forward into the Transportation Improvement Plan (TIP), allowing them to apply for their 5307 grant funds once the process was completed.

Commissioner Duncan moved that the Board approve the Kootenai County Public Transportation Proposed FY23 Program of Projects and the FY22 Full Apportionment. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Financial/Budget: Purchase Approval per Policy 930/Election Systems & Software (ES&S) Elections (Action)

Elections Manager Asa Gray requested the Board’s approval to pay a charge of \$12,664.15 for the layout of the ballot faces for the May Primary Election. He explained that, due to the number of ballot faces required for this election, the price was more than normal.

Commissioner Duncan moved that the Board approve the purchase per Policy 930 of the ES&S ballot faces. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Financial/Budget: Budget Increase Request/Office of Emergency Management (Action)

Office of Emergency Management (OEM) Preparedness Coordinator Sarah Loffredo reported OEM had crafted Preparedness Kits for financially impaired households in December 2021. She said they had received a total of \$1,200 in cash donations for the project. She explained that the Auditor’s Office had told them they needed authorization to increase the OEM budget so that they could spend these restricted funds.

Commissioner Duncan moved that the Board approve the budget increase request with the Office of Emergency Management to include the \$1,200 in donations. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Fourth Amendment to ICAC MOU, with Amended Appendix A/Office of the Idaho Attorney General/Auditor (Action)

Auditor’s Office Staff Accountant – Grants Julina Hildreth requested the Board’s approval of the fourth amendment to the ICAC (Internet Crimes against Children) MOU (Memorandum of Understanding). She stated that nothing was changed in the MOU except for Appendix “A” and a decrease in the Worker’s Comp rate.

Commissioner Duncan moved that the Board approve the fourth amendment to the ICAC MOU, amending Appendix A. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Chairman Fillios noted that item #27 had been moved to the end of the agenda.

AmeriBen Supplemental Compensation Analysis Agreement and Funding Request/AmeriBen/Human Resources (Action)

Human Resources (HR) Director Sylvia Proud reminded those present that the County had engaged AmeriBen to complete a wage study last October. She said they had finished the report, but then she had learned that there had been a change in 2022 wages for Spokane County, so a supplemental agreement would be required. She added that the cost was projected to be about \$1,000.

Commissioner Duncan moved that the Board approve the AmeriBen Supplemental Analysis Agreement and Funding Request of up to \$1,000 for Option 1. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Lieutenant Klinkefus exited the meeting at 2:22 p.m.

Tax Deed Bid/AIN 114586/Garver (Action)

Commissioner Duncan stated that a sealed bid had been received for a property. She explained that Community Development asked that such parcels only be conveyed to a contiguous property owner because of the small lot size. She said she had asked that the City of Harrison be contacted to determine whether the lot was considered buildable, since Mr. Garver was not a contiguous property owner. She suggested that receipt of the bid be acknowledged today and the Board then wait for the additional information.

Commissioner Duncan opened the bid and stated that the amount was \$4,400, for AIN 114586.

Commissioner Duncan moved that the Board acknowledge receipt of the bid and contact Community Development before making a final decision. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Resolution 2022-28/Surplus Equipment and Asset Deletion/Snowgroomer/Snowgroomers (Action)

Parks & Waterways/Noxious Weeds/Snowgroomers Director Nick Snyder requested the Board's approval of Resolution 2022-28, for surplus of equipment and asset deletion. He said the items were a 2003 truck mounted sander, which would be sold at auction, and a 1998 GMC pickup, which would be taken by ICRMP (Idaho Counties Risk Management Program).

Commissioner Duncan moved that the Board approve Resolution 2022-28, for the surplus of equipment and asset deletion and authorize the Chairman to sign the title for the GMC pickup. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Excused

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Part 139 Study Request (Discussion)

Commissioner Duncan reported that the Coeur d'Alene Airport Association had asked that an independent study be made on the cost to the County of the Airport's 139 designation. She asked for the other Commissioners' to indicate whether they wished to pursue the issue. She remarked that, while she was not interested in doing away with the 139 certification, she thought determining the cost was a good idea. She stated that an RFP (Request for Proposal) process could be undertaken to select a third party to conduct the study.

Mr. Kjergaard commented that the Board needed to determine what level of service it wished to be provided by the Airport. He briefly reviewed the probable impact of removing the 139 certification on their revenue.

Chairman Fillios suggested that Mr. Kjergaard find out if there were entities available locally who could provide such a study and to get a rough idea of the cost and the time involved, then report back to the Board.

Opioid Settlement Funds (Discussion)

Commissioner Duncan asked if the Board would be interested in using some of the Opioid Settlement Funds to assist some eligible community organizations.

Chairman Fillios stated he would support that.

Kootenai County Fire & Rescue Station 4 Funds (Discussion)

Mr. Johnson stated that about \$50,000 had been received for this project last year and he expected about \$314,000 more this year.

Commissioner Duncan stated that the Board needed to determine where the money would be placed. She said the Fairgrounds had asked that it go into their Capital Project Fund.

Status Update/Pending Items List (Discussion)

Facilities Expansion

Commissioner Duncan noted that the next Facilities Expansion meeting would be held tomorrow.

PAC Airport Lease

Commissioner Duncan stated that she did not know if Commissioner Bill Brooks had met with Wally Jacobson about the lease.

Financial Snapshot

The next Financial Snapshot would be offered during the first week of May.

Chairman Fillios stated that they would accept public comments now, then move to item 27 from the agenda.

Kootenai County Resident Steve Anderson presented the Coeur d'Alene Airport Association's request for a review of the Airport's Part 139 Certification. He listed the reasons they felt this was necessary.

Kootenai County Resident Anne Anderson suggested that the Board select someone to perform the study, rather than the Airport Director, to ensure it was objective.

Commissioner Duncan explained the RFP process.

Mr. Johnson exited the meeting at 2:40 p.m.

Kootenai County Resident Joshua Garver asked for clarification on the decision made regarding his Tax Deed Bid for AIN 114586.

Commissioner Duncan replied that the Board would consult with the City of Harrison and Community Development before making a final decision, since he was not a contiguous property owner.

Mr. Garver stated that he did not intend to build on the property, even if the lot were deemed buildable. He indicated he wanted to keep it in its natural condition and use it from time to time as a camping spot, under the 7 Day Temporary Residence rules.

Commissioner Duncan thanked him for the additional information and said it would be taken into consideration. She said the item would be taken up again at next week's Business Meeting.

Mr. Garver exited the meeting at 2:43 p.m.

Financial/Budget: Present the FY2021 Annual Comprehensive Financial Report/ Auditor (Action)

Finance Director Dena Darrow gave a brief introduction to the CAFR (Complete Annual Financial Report) document. She noted that Deputy Finance Director Keith Taylor was the primary author of the document. She stated that the document was posted on the County website so that the public had full access to it at any time.

Mr. Taylor indicated the portion of the report that would be the focus of the outside auditors, Eide Bailly. He briefly called the Commissioners' attention to other points in the document on which they might receive questions.

I. 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. There were no additional public comments.

J. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:52 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk