

**Minutes of Meeting
Elected Officials
April 20, 2022
9:00 a.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios and Commissioner Leslie Duncan met to discuss the following agenda items. Also present were Coroner Warren Keene, M.D., Prosecutor Barry McHugh, KCSO Sheriff Robert Norris, Treasurer Steve Matheson, Chief Deputy Assessor Allyson Knapp, Human Resources (HR) Director Sylvia Proud, KCSO Undersheriff Dan Mattos, KCSO Captain Brett Nelson, Chief Deputy Treasurer Jill Smith, Finance Director Dena Darrow, Staff Accountant – Budget Brandi Falcon, Resource Management Office (RMO) Director Jody Bieze, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were Coeur d’Alene Press Reporter Kaye Thornbrugh, Kootenai County Residents Katie McCollum, Troy McCollum and William Le. Commissioner Bill Brooks was excused.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 9:01 a.m.

Assessor Bela Kovacs entered the meeting at 9:01 a.m.

- B. Changes to the Agenda (Action):** There were no changes to the agenda.

- C. Business:**

Consistency in Grant Applications – Jody Bieze, Resource Management Office Director (Discussion)

Resource Management Office (RMO) Director Jody Bieze explained that a consistent grant applications process across all departments was important to improve transparency, eliminate errors, ensure compliance and enable RMO to certify financial management requirements. She said that the Auditor’s Office and RMO worked together to make sure that the internal controls met all applicable compliance requirements. She asked that Grant Administration be included whenever any department made applications for grants or donations.

Chairman Fillios remarked that an error made in one department could impact other areas and that the County must avoid jeopardizing its relationship with the federal government entities that help support its programs and projects.

Ms. Bieze confirmed that the County currently received about \$62 million per year in grants, which formed a critical portion of the Budget.

New Proforma Automated Report for HR Requests (Discussion)

Commissioner Leslie Duncan reported that BOCC Senior Business Analyst Nanci Plouffe had developed a new report for use in personnel changes. She reviewed the online form and said that Ms. Plouffe would be available to answer any questions after she returned from her vacation.

Finance Director Dena Darrow remarked that this report should provide much more accurate information and would be more convenient to access.

Treasurer Steve Matheson asked whether one Elected Official would be able to view data from other Elected Officials' departments.

Ms. Darrow said that this would be possible, depending on the level of security access an individual had been given. She indicated that Treasurer Matheson would receive a clearance which would allow him such access, as would the other Elected Officials.

Commissioner Duncan remarked that the data being discussed was public information, subject to a public records request, so she had no problem with this request for access.

Chairman Fillios agreed that, since it was public information, Elected Officials should be able to view it as needed.

Ms. Darrow noted that no names or positions were included in the report, so the personal privacy of staff would be protected.

Permanent Levy Override – Public Safety (Discussion)

Treasurer Matheson suggested that the Sheriff's Office and the BOCC consider a Permanent Levy Override as a potential solution to the ongoing public safety funding issues. He explained this would create an avenue for the Sheriff's Office to receive increased financial support, outside the normal County Budget avenues. He said that a proposal for a Permanent Levy Override would have to be placed on the November ballot and would need to be approved by a 2/3 majority vote.

Treasurer Matheson remarked that the Idaho Legislature had discussed a change from using property tax to using sales tax to fund all services other than school districts. He said the law had not passed this session, but it could be brought back in the next legislative session and, if it passed, the chance to arrange such an override would be lost. He added that, once such an override received the necessary 2/3 vote of acceptance, it would continue in perpetuity.

KCSO Sheriff Robert Norris indicated that he would be willing to consider this possible solution and discuss it with the BOCC.

In response to a question from Prosecutor Barry McHugh, Treasurer Matheson said that it was his impression that funds from such a levy could be used for both salaries and facilities.

Commissioner Duncan cautioned that an Elected Official was not allowed to advocate for a bond or levy issue, so care would need to be taken during community education activities.

There were no objections voiced, so Treasurer Matheson said that he would seek legal opinions on how to proceed. He added that he would be glad to help the Sheriff determine the amount that should be requested in the proposal.

Alleged Commissioners' Interference in Other Elected Officials' Business (Discussion)

Assessor Bela Kovacs said that he wanted to discuss events related to an Executive Session §74-206(1)(b) which took place on April 11, 2022. He indicated that he wanted to make a response to that meeting and the events surrounding it, to call attention to "the concerns that all Elected Officials should have in the developments that occurred."

Assessor Kovacs expressed his concern that open meeting law had been violated and voiced his dissatisfaction with the proceedings. He stated that Chief Deputy Assessor Allyson Knapp and a number of Assessor's Office employees had, in effect, demanded that he withdraw from the upcoming election or they would publically release subject matter from the Executive Session. He said that he felt this was "coercion, extortion or blackmail." He reported that Ms. Knapp and the involved staff members had gone to the Coeur d'Alene Press with the information, which then appeared in the Thursday, April 14 edition.

Commissioner Duncan cautioned that much of what Assessor Kovacs had said was off topic and that the discussion should focus on the agenda item.

Assessor Kovacs acknowledged Commissioner Duncan's statement. He complained that Ms. Knapp had not come to him with the problems, only about complaints regarding micromanagement.

Prosecutor McHugh stated that Assessor Kovacs remarks were continuing to be off topic and urged him to remain with the agenda material.

Assessor Kovacs restated his points.

Chief Deputy Treasurer Jill Smith stated that she had first learned about this situation on Assessor Kovacs' campaign webpage, on which he had posted information about the Executive Session. She said it seemed as though he had made things public first.

Assessor Kovacs responded that he had acted based on the most recent information available to him, which was that the other parties were going to release details, so he had acted.

Commissioner Duncan pointed out that open meeting law had not been violated. She explained that it had been a properly noticed open meeting that anyone was free to attend, initially. Then the Board had voted to go into Executive Session. She added that the BOCC had not threatened to make anything public and had not, in fact, done so. She remarked that an Executive Session §74-206(1)(b) could be held for either positive or negative reasons.

Assessor Kovacs responded that he preferred to “stay in his lane,” and asked the same in return. He said that he wished to address management issues internally.

Chairman Fillios recounted the timeline of events, which began about 2:30 p.m. Friday April 8, when Ms. Knapp first brought the materials to his attention. He said he felt the issue was quite serious and contacted Civil Deputy Prosecuting Attorney Darrin Murphey for advice. He reported that Mr. Murphey had recommended it be discussed in an Executive Session, which was then scheduled.

Chairman Fillios stated that the BOCC had revealed nothing of what had occurred in the meeting and he expressed his belief that Ms. Knapp had not done so either.

Sheriff Norris reminded the Commissioners that they had agreed to verify information requested from any department with the Elected Official responsible for the department. He stated that a Commissioner had stated that the Jail had a 17% staff vacancy rate in a forum on April 15. He indicated that this figure was not correct and asked for an explanation.

Chairman Fillios responded that BOCC Senior Business Analyst Nanci Plouffe had offered to discuss the information she had received with KCSO.

Coroner Warren Keene, M.D. remarked that Chairman Fillios had previously said that all Elected Officials were equals and that, once the Board set the budget, the individual Elected Official was able to manage a department as he or she saw fit.

- 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.

Coeur d’Alene Resident William Le voiced criticism of Robert Scott’s primary campaign for the position of Assessor.

Assessor Kovacs complained that the job description of Chief Deputy Assessor indicated that he/she was to consult the Assessor regarding any sensitive matter before taking any action and he felt this had not been done.

- E. Adjournment (Action):** Chairman Fillios adjourned the meeting at 9:52 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk