

Minutes of Meeting
Airport
May 9, 2023
9:00 a.m.

The Kootenai County Board of Commissioners: Chair Leslie Duncan, Commissioner Bruce Mattare and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Interim Airport Director Phil Cummings, Civil Deputy Prosecuting Attorney R. David Ferguson, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were City of Hayden Mayor Scott Forssell and City Administrator Brett Boyer.

- A. Call to Order:** Chair Leslie Duncan called the meeting to order at 9:00 a.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business:**

Airport Right-of-Way, Ramsey Rd./City of Hayden (Action)

City of Hayden Administrator Brett Boyer reminded those present that Hayden had gotten a federal grant in 2012 to make a road around the end of the Runway, going up to Lancaster, extending Ramsey Road. He said that the project had been put on hold in 2016 to allow KCATT (Kootenai County Area Transportation Team), the Airport and Hayden to work together on the challenges they had encountered. He noted that the location of the proposed road had been memorialized in their Master Plan.

Mr. Boyer reported that there were three different parcels the City needed to acquire to complete the project as designed. He said one was at the end of the Runway, one was the old Humane Society property and the third one was owned by Lakes Highway District. He explained that they needed a temporary construction easement over the Highway District property; they did not need to buy it. He stated that he had discussed the purchase of the other two parcels from the County in early 2022 and submitted some documents. He said he had received a response from the County indicating that the Board would prefer it if Hayden bought the third parcel as well.

Mr. Boyer said they redid the documents to allow for the purchase of all three properties, had them approved by the City Council in October 2022 and forwarded them to the Airport November 2022. He commented that Hayden was under time constraints for the use of the grant, so they needed the process to move ahead. He provided details of the timeline they would like to follow.

Interim Airport Director Phil Cummings said he had no objections to the project as it had been outlined. He added that they had the Letters of Concurrence from the FAA (Federal Aviation Administration).

Civil Deputy Prosecuting Attorney R. David Ferguson said he had documents that had been sent to him December 8, 2021. He indicated he would like updated copies to review.

It was generally agreed that Mr. Ferguson would review the updated documents over the next week and then they would be submitted to the Board at the Business Meeting next Tuesday.

Mr. Boyer and City of Hayden Mayor Scott Forssell exited the meeting at 9:14 a.m.

There was no motion required today.

StanCraft Lease Changes (Action)

Chair Duncan explained that StanCraft had asked about potentially changing a provision in their leases. She said there was a provision which said they could not take out a loan for more than the original project cost. She stated that they had multiple leases at the Airport and wanted to consolidate their loans to cover all the leases at once. She said this would technically violate the terms of their leases.

Chair Duncan remarked that, given the current market, it was difficult to continue to require this restriction. For an example, she postulated that a person could have built a hangar for \$200,000 some years ago; it might be worth \$800,000 now, but they would not be able to take out a loan for more than the original cost. She said, in StanCraft's particular case, she would not object to finding an option that would allow them to consolidate.

Commissioner Bruce Mattare commented that there was probably a good reason why the provision was in the leases. He pointed out some potential issues that could be created. He recommended looking into the matter before making any amendments to determine if there were any long-term consequences.

Mr. Ferguson said he would feel more comfortable giving the Board advice on this during an Executive Session. He suggested that they enter into Executive Session for this and the other items on the agenda.

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

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

The Board entered into Executive Session at 9:19 a.m.

North Idaho Hangar Group Lease (Action)

BOCC

Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code. – BOCC Division (Closed Session – Discussion)

Decision/Direction (Open Meeting – Action)

BOCC

Executive Session pursuant to Idaho Code §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 mere presence of legal counsel at an executive session does not satisfy this requirement. – BOCC Division (Closed Session – Discussion)

Decision/Direction (Open Meeting – Action)

The Board exited Executive Session at 10:22 a.m.

Commissioner Mattare moved that the Board exit the Executive Sessions with staff to proceed as discussed. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Mattare: Aye
Chair Duncan: Aye

The motion carried.

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. There were no public comments.

E. Adjournment (Action): Chair Duncan adjourned the meeting at 10:22 a.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk