

**Minutes of Meeting  
Community Development  
May 24, 2022  
1:30 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 Community Development Director David Callahan, Certified Building Official Christina Garland, Planning Manager Ben Tarbutton, Planner III Adam Knight, Civil Deputy Prosecuting Attorney Pat Braden, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were Kootenai County Residents Karl Meier and Jeff Anthony. Commissioner Bill Brooks was excused.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 1:31 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business:**

**Proposed Fee Schedule/Increase Building Division Fees (Discussion)**

Community Development Director David Callahan reported that there was a new fee schedule with an across-the-board increase of 5%, with the exception of Building Division Fees. He said Certified Building Official Christina Garland made an analysis comparing these in the different communities of the County. He stated she averaged those numbers and provided results which should place the County at the median point. He confirmed the information would come to a future Business Meeting.

In response to a question from Commissioner Leslie Duncan, Mr. Callahan confirmed that the actual cost for services to the County had been taken into account in the calculations, since they were not allowed to exceed their costs in their fee structures.

Civil Deputy Prosecuting Attorney Pat Braden noted that a fee change of more than 5% would require a public hearing, with a fourteen day notice.

Mr. Callahan stated that he would schedule a public meeting accordingly and adjust the date upon which the information would be brought to the Business Meeting.

**Cougar Gulch Residents/Property Owners Re-Zoning Proposal and Associated Costs (Discussion)**

Mr. Callahan reminded the Board that he had previously brought the Board information on the actual cost of the re-zoning proposal. He stated that his contact person in the Cougar Gulch neighborhood, Karl Meier, had asked that the Board consider an alternative proposal, so he had invited Mr. Meier to present it today. He said that his impression was that the neighborhood would rather not pay for the proposal and that Mr. Meier could present the reasons why.

Mr. Meier explained that many people in the Cougar Gulch area had experienced water supply problems, with too many wells drawing on the limited water supply. He described the efforts he and other concerned citizens had made to circulate a petition asking that their area be rezoned in hopes of addressing the problem. He stated that about 75% of the people contacted had favored the rezoning. He said that he and these other citizens had invested the time and the money for gas, postage and supplies to inform property owners and they felt that the County should cover any additional costs.

In response to a question from Commissioner Duncan, Mr. Meier said there were about 340 parcels included, with two or three being eighty acres or more and owned by developers.

Commissioner Duncan commented that the rezoning requests had a fee attached of \$8 per parcel. She said she did not feel it would be appropriate for the County to pay those fees because it would equate to the rest of the County subsidizing a matter from which only Cougar Gulch would benefit. She indicated that this could set an unfortunate precedent and other groups could demand the same treatment in the future.

Mr. Meier voiced his disagreement with her position.

Chairman Fillios suggested that a threshold percentage be set for the petition; if that percentage or more of property owners signed the petition, the County would pay for it. If the threshold was not met, the residents would have to pay for it. He indicated that he felt 75% of Cougar Gulch property owners would be a sufficient level to meet for the County to cover the expense.

Mr. Braden commented that, if the residents actually filed the petition for a zoning change, there was a defined process which needed to be followed. He said the matter would be brought before the Planning Committee first and their recommendation would be brought to the BOCC for potential action. He stated that no decisions could be made at this point.

Mr. Callahan suggested that they begin the next steps of the process, probably to include one or more neighborhood meetings with Zoom access, followed by a workshop with the Planning Commission. It was generally agreed that this course of action would be followed.

Mr. Meier voiced his frustration at the additional costs and steps that needed to be taken. He remarked that, if the property owners paid the fees for rezoning and the petition was denied, people would be very upset.

Chairman Fillios said he wished to ask whether he, in the interest of impartiality and transparency, should recuse himself from further consideration of the question. He explained that he was a resident of Cougar Gulch, although his daughter owned the property.

Mr. Braden said that it might be best for him to do so, to be on the safe side. He added that they could evaluate that further once it became clear whether the change would present a benefit or loss to her and what her personal stance would be.

- 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):** Chairman Fillios adjourned the meeting at 1:59 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

BOCC SIGNATURE

BY: \_\_\_\_\_  
Tina Ginorio, Deputy Clerk