

**Minutes of Meeting
Commissioners' Status Update
June 21, 2021
11:00 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 KCSO Sheriff Robert Norris, Finance Director Dena Darrow and Deputy Clerk Tina Ginorio. Also present were Coeur d'Alene Press Reporter Madison Hardy and Avista Representatives Todd Kiesbury and Mac Mikkelsen. Commissioner Brooks was excused.

A. Call to Order: Chairman Chris Fillios called the meeting to order at 11:03 a.m.

B. Changes to the Agenda (Action):

Commissioner Leslie Duncan asked that item five be removed from the agenda, "Registration Fee for Out of State Boats."

No objections were made.

C. Business (Discussion):

Request for Ordinance Change – Post Falls Dam – Avista

BOCC Senior Business Analyst Nanci Plouffe entered the meeting at 11:01 a.m.

Avista Representative Mac Mikkelsen reminded the Commissioners of the boating accident that happened in 1989 above the South Channel Dam in which three people were killed. He said that there was an ordinance in effect right now which forbade people from trespassing in certain areas that were deemed unsafe, but it was not adequate. He explained that the new ordinance would allow better enforcement and increase public safety.

Avista Representative Todd Kiesbury provided a number of pictures of people behaving in very unsafe ways on the dams and associated channels in Post Falls. He reported that people ignore the safety signs and even ignore the alarm klaxon. He provided a map showing the additional closed areas the ordinance would provide.

Mr. Mikkelsen suggested that including language that would allow additional cooperation between the Post Falls Police Department and the Kootenai County Sheriff's Office would prevent any jurisdictional questions when a dangerous violation was reported. He also suggested that the penalty for a violation might be decreased from its current level as a misdemeanor in light of the fact that most of the offenders were teenagers.

Assessor Bela Kovacs entered the meeting at 11:15 a.m.

KCSO Sheriff Robert Norris commented that an MOU (Memorandum of Understanding) should be adequate to allow the cooperation Mr. Mikkelsen had requested. He

questioned the idea of reducing the penalty for violations, however, pointing out that Post Falls Officers and his own Deputies were put at risk when they had to rescue someone from the result of their own poor judgement.

Mr. Mikkelsen explained that hesitation had been perceived in pursuing prosecution of the offenses when they were misdemeanors. He said that if the penalty was reduced to an infraction, for which a citation could be immediately issued by the observing officer, the enforcement efforts would be more successful.

Sheriff Norris commented that emphasis patrols could be arranged, but commented on the additional expense.

Mr. Mikkelsen said that Avista would be very interested in discussing a contract with KCSO to pay for additional coverage of their territory.

Commissioner Duncan suggested having the first two offences be considered infractions and the third one raised to a misdemeanor. She said she would send the proposed measure to Legal for review and it would be brought to a Business Meeting.

All present expressed agreement and satisfaction with the plan.

Mr. Mikkelsen and Mr. Kiesbury exited the meeting at 11:20 a.m.

Assessor Letter to Idaho Parks and Recreation Requesting Assistance

Commissioner Duncan reminded those present that the Idaho Department of Parks & Recreation (IDPR) had indicated that they wanted the County Assessor's Office, under their duties as the Department of Motor Vehicles (DMV), to take back responsibility for issuance of registration stickers for recreational vehicles. She added that Assessor Kovacs had indicated that Kootenai County DMV had insufficient staff to cover the added workload and he had asked IDPR if they could provide funds to allow him to hire more employees.

Assessor Kovacs commented that, since the Coeur d'Alene area was such a popular destination, the Kootenai County DMV probably sold more stickers than any other county in the state. He said that his staff had told him that, should this duty be returned to them, it would increase their workload to an insupportable level. He reported that he had written to IDPR himself and asked for additional funding and support but had received a negative response. He provided a copy of the refusal letter to the Commissioners. He asked if they would contact IDPR and renew the request.

Commissioner Duncan suggested that Assessor Kovacs draft a letter for the Commissioners to sign. He agreed.

Assessor Kovacs exited the meeting at 11:26 a.m.

Forest Legacy Program

Commissioner Duncan reported that Inland Empire Paper wanted to apply to the Forest Legacy Program to conserve 18,000 acres of paper company land in perpetuity. She noted that there would be no cost to the County and remarked that a sample letter had been provided.

Chairman Fillios expressed support for the proposal. It was generally agreed this would be pursued.

Negotiation and Update of Law Enforcement Services with the City of Hayden

Sheriff Norris explained that KCSO had a contract to provide law enforcement services to the City of Hayden which would come up for renewal September 30, 2021. He asked the Commissioners to support his request not to renew the contract at that time because both sides were out of compliance with its provisions. He said that he was in negotiations with City of Hayden representatives to update the contract.

Sheriff Norris commented that the level of funding provided by Hayden was not adequate for the number of officers he needed to be able to devote to the city's needs. He said this would be one of the things that would be included in negotiations. He added that notice had to be formally given that the contract would not be renewed 60 days in advance.

The Commissioners voiced agreement with his request.

Registration Fee for Out of State Boats

This item was pulled from the agenda.

Idaho Association of Counties (IAC) Clerks and Commissioners 2021 Meeting Summary

Chairman Fillios reported that he and Commissioner Duncan had attended the Idaho Association of Counties (IAC) Clerks and Commissioners 2021 Meeting two weeks ago. He said that the use of ARPA (American Rescue Plan Act) funds had been one of the primary topics discussed. He reminded those present that the BOCC had appointed a committee to review ARPA rules and determine what County expenses could be paid using those funds. He stated that the broad categories of Public Health Response, Replacing Public Revenue Loss, Water and Sewer Infrastructure, Negative Economic Impacts, Premium Pay for Essential Workers and Broadband Infrastructure were listed as eligible.

Chairman Fillios said another important topic was brought by ICRMP (Idaho Counties Risk Management Program) regarding liability and law enforcement, particularly situations that could arise in the Jail. He noted that training would be available for KCSO personnel.

Chairman Fillios commented that there had been a presentation given by Jerry Mason on Advanced Planning & Zoning. He said this included a discussion of the different circumstances under which a public hearing must be held.

Pending Items Status Review – List Attached

Facilities Expansion

Commissioner Duncan reminded those present that there was a meeting scheduled on Wednesday, June 23, 2021 to review long range planning options with LCA (Lombard Conrad Architects) and a representative from Longwell Trapp Architects.

PAC Airport Lease

There was no progress reported on this item.

Financial Snapshot

This item is not due this week.

Ballot Bond Language

Commissioner Duncan said this item would be on hold until they have clarified how ARPA funds can be used.

Building Financing

Commissioner Duncan said this item would also be on hold until they have clarified how ARPA funds can be used.

Impact Fee Analysis

Commissioner Duncan reported that Commissioner Brooks was working on this item with Chris Way.

Joint Development Impact Fee Advisory Committee (DIFAC) with County, Fire Districts, KCEMSS

Commissioner Duncan noted that this item was related to the previous one, but wider in scope. No additional updates were reported.

- 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.

Sheriff Norris expressed his agreement with Chairman Fillios regarding the liability issues involved with the Jail.

E. Adjournment (Action): Chairman Fillios adjourned the meeting at 11:44 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
