

Minutes of Meeting
Business Meeting
July 27, 2021
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks, met to discuss the following agenda items. Also present were KCSO Captains Stuart Miller and Andy Deak, KCSO 911 Communication Services Technician Alan Mallory, Office of Emergency Management (OEM) Administrative Assistant Rachel Irish, Community Development Director David Callahan, Resource Management Office (RMO) Senior Program Manager Kimberli Riley, Civil Deputy Prosecuting Attorneys R. David Ferguson and Pat Braden, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present were North Idaho Fair General Manager Alexcia Jordan, Fair Board Chair Jerry Johnson, Fair Board Member Linda Rider, Welch Comer & Associates, Inc. Project Engineer Taylor Tompke and CASA Representative Sue Bartholomew. Mr. Mallory, Captain Deak, Ms. Irish, and Ms. Riley were present via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:01 p.m.

- B. Pledge of Allegiance:** North Idaho Fair Board Chair Jerry Johnson led the Pledge of Allegiance.

- C. Consent Calendar (items to be approved listed below):**
 - Minutes of Meetings:**
 - 06/28/2021 Airport and Airport Advisory Board Update
 - 07/06/2021 Business Meeting
 - 07/08/2021 Human Resources: Personnel Changes
 - 07/13/2021 Buildings & Grounds
 - 07/13/2021 Business Meeting
 - 07/14/2021 FY22 Budget Deliberations
 - 07/14/2021 FY22 Health Insurance – Alliant
 - 07/15/2021 Community Development Update
 - 07/19/2021 Executive Session §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.

 - Board Actions:**
 - PAF/SCF Report: BOCC Review PP16 Week 1/Human Resources
 - BOCC Signatures for Indigent Cases 7/15/21 through 7/21/21

Commissioner Leslie Duncan moved that the Board approve the Consent Calendar as it appeared on the agenda. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

D. Payables List (Action):

Commissioner Duncan moved that the Board accept the Payables List for the week of July 19, 2021 through July 23, 2021 in the amount of \$636,103.59, with no jury payments. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

E. Changes to the Agenda (Action): There were no changes to the agenda.

F. Action Items:

Open/Requests for Qualifications/Court Appointed Special Advocate (CASA)/Board of Commissioners

Commissioner Duncan stated that the Board had received three packets in response to the RFQ (Requests for Qualifications).

Commissioner Duncan moved that the Board acknowledge receipt of bids from Schwartz Law, Alyssa C. Swartz, Attorney at Law and Stacia Parker Hagerty of Hagerty Law. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Mutual Aid Agreement/Fairchild Air Force Base/KCSO

KCSO Captain Stuart Miller requested the Board's approval of a mutual aid agreement between KCSO and Fairchild Air Force Base. He explained this would enable the bomb disposal team to receive Fairchild's help with any military ordinance. The agreement also would confirm base boundaries, security zones and allows enforcement of existing Unmanned Air System airspace restrictions.

Commissioner Brooks moved that the Board approve the mutual aid agreement between Fairchild Air Force Base and KCSO. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Agreement/Inmate Housing/Adult Detention Center/Nez Perce County/KCSO

KCSO Captain Andy Deak requested the Board's approval of an agreement regarding inmate housing with Nez Perce County. He said this would allow Kootenai County Jail inmates to be housed in Nez Perce County's Adult Detention Center, if the facility became overcrowded.

Commissioner Duncan moved that the Board approve the agreement for inmate housing at the Adult Detention Center in Nez Perce County. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Memorandum of Understanding/Southwest Idaho Wireless Integrated Network (SWIWIN)/United States Forest Service/KCSO/911

KCSO 911 Communication Services Technician Alan Mallory requested the Board's approval of an MOU (Memorandum of Understanding) with the United States Forest Service for their access to the Southwest Idaho Wireless Integrated Network.

Kootenai County Resident Nina Beesley entered the meeting at 2:06 p.m.

Commissioner Brooks moved that the Board approve the Memorandum of Understanding for Southwest Idaho Wireless Integrated Network between the United States Forest Service and KCSO. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Memorandum of Understanding/University of Idaho Landscape Architecture/Community Development

Community Development Director David Callahan requested the Board's approval of an MOU with the University of Idaho Landscape Architecture program which would allow faculty, senior and graduate students to assist Community Development with research and development of amendments to the Area of City Impact Agreements. He noted that there would be no cost to the County and that students would receive credit and real world experience.

Commissioner Duncan moved that the Board approve the Memorandum of Understanding between the University of Idaho Landscape Architecture program and Community Development. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**Renewal/Independent Contractor Agreement/Hearing Examiner/Woodard/
Community Development**

Mr. Callahan requested the Board's approval to renew the Hearing Examiner's contract with Joan Woodard. He confirmed this would bring this person's contract into alignment with those of the other Hearing Examiners.

Commissioner Brooks moved that the Board approve the renewal of the Independent Contractor Agreement for Hearing Examiner between Woodard and Community Development. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Mr. Callahan exited the meeting at 2:08 p.m.

**First Amendment/Hazardous Wildland Fuels (Hand) Treatment Agreement/North
Idaho Landscapes & Forestry, LLC/Resource Management Office**

Resource Management Office (RMO) Senior Program Manager Kimberli Riley requested the Board's approval of an amendment to the Hazardous Wildland Fuels (Hand) Treatment Agreement with North Idaho Landscapes & Forestry, LLC. She said this agreement was for the Fernan Lake Natural Area Project and it removed eight acres from being treated with herbicide spray. She added that it also increased the rate per acre to \$5,500.

Commissioner Duncan moved that the Board approve the first amendment to the Hazardous Wildland Fuels Treatment Agreement with North Idaho Landscapes & Forestry, LLC. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**Professional Service Agreement/Fairgrounds RV Park Phase IV Engineering/Design/
Welch-Comer/Resource Management Office**

Ms. Riley requested the Board's approval of a professional service agreement for Fairgrounds RV Park Phase IV engineering and design with Welch-Comer.

Commissioner Brooks moved that the Board approve the professional services agreement for the Fairgrounds RV Park Phase IV engineering and design between Welch Comer and the Resource Management Office. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

2021 EMPG Kootenai County Grant Application/Office of Emergency Management

Office of Emergency Management (OEM) Administrative Assistant Rachel Irish requested the Board's approval of the 2021 EMPG (Emergency Management Performance Grant) Kootenai County Grant Application. She explained the grant would pay for staff and operations for their office.

Commissioner Duncan moved that the Board approve the 2021 EMPG Kootenai County Grant Application for the Office of Emergency Management. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

Chairman Fillios stated that he was going to move to item eleven on the agenda now because item ten could be more time consuming.

Resolution 2021-73/Joint Development Impact Fee Advisory Committee/Board of Commissioners

Commissioner Duncan explained that statute required the Board of Commissioners to issue a resolution with the appointment of a committee that served to oversee the fire departments' impact fee program. She noted it had been reviewed by Legal.

Commissioner Duncan moved that the Board approve Resolution 2021-73, for the Joint Development Impact Fee Advisory Committee. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

Chairman Fillios indicated that item ten from the agenda would now be addressed.

Request/Police Patrol Funding/2021 North Idaho Fair & Rodeo/Fairgrounds

North Idaho Fair General Manager Alexcia Jordan reported that KCSO had requested funding not to exceed \$15,000 for services typically provided at the annual Fair.

Captain Miller explained that the Sheriff's Office had previously been able to fund overtime for Deputies to work at the Fair through their normal budget process. He said that the money was not available this time and that they had asked the Fair to pay some of the expenses. He noted that the actual cost would be about \$47,000 and the amount they were requesting would offset only part of it.

Commissioner Duncan asked whether the Fair's proceeds would cover this expense.

Ms. Jordan remarked that she could not answer the question at this time; it would depend entirely on their success this year. She pointed out that they had never had to pay KCSO before.

Commissioner Duncan suggested that the Board provide the funds if the Fair's proceeds were not sufficient. She said Ms. Jordan could come back to the Board in September and report a shortage, if it occurred.

Civil Deputy Prosecuting Attorney R. David Ferguson stated he had been asked to comment on Idaho Code §22-209. He said he did not think it really applied to this situation. He offered analysis of the code in relation to the situation in question.

Both Chairman Fillios and Commissioner Brooks indicated they would agree to provide the extra funds this year, as requested. Commissioner Duncan said she would not. She stated she would be willing to indemnify the Fair if the proceeds were insufficient.

Commissioner Brooks moved that the Board approve the request for Police Patrol Funding for the 2021 North Idaho Fair and Rodeo. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Nay

Chairman Fillios: Aye

The motion carried.

- G. 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.

Kootenai County Resident Nina Beesley voiced her concern regarding the planned performance at the Fair of the rapper Nelly. She said she did not feel his lyrics were appropriate for a family venue. She demanded that the Commissioners do something about this.

Civil Deputy Prosecuting Attorney Pat Braden exited the meeting at 2:23 p.m.

It was reported that the performer had signed a contract with the Fair which committed him to offering only family friendly content. It was further reported that he had entered into similar agreements with other venues and had behaved in accordance with such contracts.

Ms. Beesley stated that there was sex trafficking going on at the RV Park at the Fairgrounds and demanded that law enforcement investigate her claim.

Captain Miller said that KCSO had not received any reports or complaints regarding such activity. He indicated that, if such reports were received, they would be investigated.

Ms. Beesley criticized Commissioner Brooks for calling vocal residents “Jackals” and “Chihuahuas with microphones.”

H. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:29 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
