

Minutes of Meeting
Business Meeting
September 5, 2023
2:00 p.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 Clerk Jennifer Locke, Chief Deputy Clerk Grace Blomgren, Finance Director Brandi Falcon, Staff Accountant – Budget Arrow Gidney, Staff Accountant – Grants Julina Hildreth, Tax Accounting Specialist Alicia Lynch, Chief Deputy Coroner Lynette Acebedo, Office of Emergency Management (OEM) Director Tiffany Westbrook, KCSO Lieutenant Justin Arts, KCSO Animal Control Officer Sandra Osburn, Certified Building Official Christina Garland, Community Development Administrative Manager Reba Grytness, 1st Judicial District Trial Court Administrator Karlene Behringer, Trial Court Administrative Assistant Acacia Hildreth, Civil Deputy Prosecuting Attorneys Pat Braden and R. David Ferguson, Juvenile Diversion Supervisor Douglas Hall, Resource Management Office (RMO) Transit Program Administrator Chad Ingle, RMO Grants Technician Kaitlin Smith, BOCC Administrative Supervisor Leighanna Keiser, BOCC Executive Assistant Sara Masters, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were Longwell Trapp Architects Representative Cory Trapp, and Bouten Construction Representative Kreg Shelby. Ms. Hildreth, Ms. Westbrook, Mr. Hall and Mr. Ingle were present via teleconference.

- A. Call to Order:** Chair Leslie Duncan called the meeting to order at 2:00 p.m.
- B. Moment of Silence**
- C. Pledge of Allegiance:** Resource Management Office (RMO) Grants Technician Kaitlin Smith led the Pledge of Allegiance.
- D. Changes to the Agenda: (Action):**

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.

Chair Duncan stated that item #31, “Resolution 2023-71/Surplus Equipment and Asset Deletion/1989 Almar Boat/Parks & Waterways (Action),” would be dropped from the agenda.

- E. Approve Meeting Minutes (Action)**

08/17/2023 Human Resources

Commissioner Bill Brooks moved that the Board approve item 1, the submitted minutes. 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.

F. Approve Consent Calendar (Action)

Assessor Solid Waste Adjustment 8-29-2023
Assessor Valuation Amendment 8-29-2023
Assessor Homeowner Exemption 8-29-2023
Kennel License Renewal/Hall/Hall's Little Acre
Coeur d'Alene Racing Ltd. DbA Greyhound Park and Event Center Simulcast
Human Resources PAF/SCF Report for 2023 PP19 Week 1
BOCC Signatures for Indigent Cases: 08/24/2023 – 08/30/2023
Approval of FY24 Salary Matrices for General Pay Plan, Attorney Pay Plan, Chief Deputy Pay Plan and Sworn Officers Effective 9/24/2023
Approval of FY24 Position Grade and Salary Ranges Effective 9/24/2023
Resolution 2023-72 Approve Elected Officials Salaries Effective 9/24/2023
Resolution 2023-73 Adopt Kootenai County FY24 Budget

Commissioner Mattare moved that the Board approve items 2 through 12 on the agenda, the Consent Calendar. 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.

G. Approve Payables List (Action)

Commissioner Mattare moved that the Board accept the Payables List for the week of August 28, 2023 through September 1, 2023 in the amount of \$946,835.29, with \$4,071.61 in jury payments. 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.

H. Business:

Ordinance 2023-585/Public Hearing: 2023 Animal Control Ordinance Amendments/Prosecuting Attorney/Civil (Action)

Civil Deputy Prosecuting Attorney Pat Braden explained the changes made in the Animal Control Ordinances. He noted that KCSO Animal Control Officer Sandra Osburn had done

the background work on the amendments. He said that two of the changes were mainly “housekeeping” in nature, updating language in the ordinances, while the third was substantive and related to kennel licensing requirements.

Chair Duncan read the relevant portion of the third ordinance into the record.

In response to a question from Commissioner Mattare, Mr. Braden provided additional clarification of the implications in relation to kennel licensing requirements.

Chair Duncan asked if anyone wished to testify in favor or against the proposal. There were no responses.

Commissioner Brooks moved that the Board end public testimony and enter into deliberations. Commissioner Mattare 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 Commissioners expressed general agreement with the request.

Commissioner Mattare moved that the Board approve and adopt Ordinance 2023-585 for the 2023 Animal Control Ordinance Amendments as presented by the Prosecuting Attorney. 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.

Mr. Braden and Officer Osburn exited the meeting at 2:11 p.m.

Approval of School Facility Use – Lakeland School/Lakeland School District/Juvenile Diversion (Action)

Juvenile Diversion Supervisor Douglas Hall requested the Board’s approval of their Facility Use Agreement with Lakeland School District #272. He explained that his program used classrooms at the Lakeland Junior High School for their Drug and Alcohol Classes.

Commissioner Brooks moved that the Board approve the School Facility Use in the Lakeland School District as requested by Juvenile Diversion. Commissioner Mattare 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.

Board Approval Request: B Budget Overage – Request Increase/Community Development (Action)

Community Development Administrative Manager Reba Grytness asked the Board to approve an increase in her department’s 2023 Budget to cover their expenses for the remainder of FY23. She reported that the Auditor’s Office needed the Board’s approval to continue to pay their upcoming bills, since their “B” (Operations) Budget had been exceeded by \$335.38. She stated that they would need about \$13,000 to finish out their August and September bills.

Commissioner Mattare moved that the Board approve the request from Community Development to exceed their “B” Budget in an amount not to exceed \$14,000, for the balance of FY23, with the funds to come from the General Fund. 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.

Ms. Grytness and Certified Building Official Christina Garland exited the meeting at 2:15 p.m.

Board Approval Request: Approval per Policy 930/Specialty Court (Action)

1st Judicial District Trial Court Administrator Karlene Behringer requested the Board’s approval for her department to continue to exceed their “B” Budget appropriations. She said they were currently over budget by \$17,035 and explained that they had to pay more conflict attorneys this year and had heavier demands on the Mental Health Services and Other Professional Services budgets than anticipated.

Chair Duncan asked if there were any surplus funds in their “A” (Personnel) Budget that could be transferred to cover the cost.

Ms. Behringer indicated that there were no internal sources from which she could draw.

Finance Director Brandi Falcon provided additional information regarding the end of year processes which would affect Ms. Behringer’s request. She said the Board could just give permission for the department to finish out the year over budget, so their invoices could be processed.

Ms. Behringer stated that she did not, at this time, have an estimate of the total amount needed.

Chair Duncan commented that there was money available in the Restricted Court Fund Balance that could be drawn on.

Commissioner Mattare moved that the Board approve the request for Specialty Court to exceed their Budget per Policy 930, to use their Restricted Fund Balance. 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.

Grant Amendment # O2270KC/5310 Purchase of Service – Performance Period Extension Only/Idaho Transportation Department (ITD) \$181,000/Cash and In-Kind Match \$45,250/Resource Management Office (Action)

Resource Management Office (RMO) Transit Program Manager Chad Ingle requested the Board’s approval of an amendment to Grant #O2270KC. He explained it was for a performance period extension only, extending the award to September 30, 2024. He noted that this represented the second year of a two year award.

Commissioner Brooks moved that the Board approve Grant Amendment #O2270KC, for the 5310 purchase of service, for performance period extension only, with the Idaho Transportation Department, in the amount of \$181,000 with a cash and in-kind match of \$45,250, for RMO. Commissioner Mattare 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.

Grant Agreement # C2479KC/5339 ID-2018-002 Bus Rehabilitation/Idaho Transportation Department (ITD) \$95,000/In-Kind match \$23,750/Resource Management Office (Action)

Mr. Ingle requested the Board’s approval of a grant agreement with the Idaho Transportation Department (ITD) to be used for maintenance and repair of the Paratransit Fleet.

Commissioner Mattare moved that the Board approve the grant agreement #C2479KC/5339 ID-2018-002 for bus rehabilitation with the Idaho Transportation Department in the amount of \$95,000, with an in-kind match of \$23,750. 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.

Grant Amendment # C1779KC/5339 Bus Stops B3 & C15 Improvements/Idaho Transportation Department (ITD) \$329,200/Cash and In-Kind Match \$82,300/Resource Management Office (Action)

Mr. Ingle requested the Board’s approval of a Grant Amendment related to Bus Stops B3 and C15. He said that ITD had awarded Kootenai County Public Transportation \$67,200

for bus stop improvements and, due to significant cost overruns, had needed to issue two prior amendments. He said this third amendment brought the total federal funding award to \$329,200, with a match of \$82,300.

Commissioner Mattare asked how this grant fit into the overall County plan.

Chair Duncan said that these two bus stops had received shelters and the cost had increased due to the conditions during the COVID era.

Commissioner Mattare asked if there were more bus stops slated to receive shelters.

Chair Duncan stated that the improvement was required to make them ADA (Americans with Disabilities Act) compliant.

Mr. Ingle replied that they did not have any immediate plans for additional shelters.

Commissioner Brooks moved that the Board approve grant amendment #C1779KC/5339 for Bus Stops B3 and C15 improvements, with the IDT in the amount of \$329,200, with a cash and in-kind match of \$82,300, for the Resource Management Office. Commissioner Mattare 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.

Board Approval Request: Justice Building Expansion – Increases to Scope of Protective Glazing/Resource Management Office (Action)

Ms. Smith stated that the Courts, the Prosecutor’s Office and Adult Misdemeanor Probation (AMP) had asked that the Justice Center Expansion include protective glazing. She said that this would increase the cost of Work Package 3 by about \$69,489 and had not been included in estimates provided earlier this year. She acknowledged that it could be covered under the contingency fund for the project.

Commissioner Mattare moved that the Board approve the request for the Justice Building Expansion increases to scope of protective glazing from RMO. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

- Commissioner Brooks: Nay
- Commissioner Mattare: Aye
- Chair Duncan: Aye

The motion carried.

Work Package 01 GMP Amendment to Agreement between Kootenai County and Bouten Construction for Justice Building Expansion – ARPA Funded/Bouten Construction Company/Resource Management Office (Action)

Ms. Smith requested the Board’s approval of Work Package 01 GMP (Guaranteed Maximum Price) Amendment to the Agreement between Kootenai County and Bouten Construction for the Justice Building Expansion. She listed the items included in Work

Package 01 and said the price was \$5,108,638. She pointed out that this was less than Bouten's original estimate for Work Package 01 by about \$435,565.

Commissioner Brooks moved that the Board approve Work Package 01 GMP Amendment to the Agreement between Kootenai County and Bouten Construction for the Justice Building Expansion, ARPA (American Rescue Plan Act) funded as requested by RMO. Commissioner Mattare seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Second Amendment 19HFR-01 Contract for Services Hazard Fuels Treatment Haynie 4 acres \$16,000/North Idaho Landscaping and Forestry/Office of Emergency Management (Action)

Office of Emergency Management (OEM) Director Tiffany Westbrook requested the Board's approval of the second amendment to 19HFR-01 Contract for Services Hazard Fuels Treatment, to include an additional 4 acres at a cost of \$16,000.

Commissioner Mattare moved that the Board approve the second amendment to 19HFR-01 Contract for Services Hazard Fuels Treatment at Haynie 4 acres, for \$16,000, with North Idaho Landscaping and Forestry. 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.

Grant Award # 23NONE853/4589 HMGP-Kootenai County/Idaho Office of Emergency Management \$331,898.40/Cash and In-Kind Match North Kootenai Water & Sewer District \$36,977.60/Office of Emergency Mgmt (Action)

Ms. Westbrook requested the Board's approval of a grant award from the Idaho Office of Emergency Management in the amount of \$331,898.40, with \$36,977.60 match to come from North Kootenai Water & Sewer District. She stated this was for an all-hazard mitigation project.

Commissioner Brooks moved that the Board approve the Grant Award #23NONE853/4589 HMGP-Kootenai County from the Idaho Office of Emergency Management in the amount of \$331,898.40, with a cash and in-kind match from North Kootenai Water & Sewer District in the amount of \$36,977.60. Commissioner Mattare 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.

Ms. Behringer exited the meeting at 2:33 p.m.

2023 KCSO Silverwood/Scarywood Season Agreement/Silverwood Theme Park/Sheriff/Patrol (Action)

KCSO Lieutenant Justin Arts requested the Board’s approval of the 2023 agreement between KCSO and Silverwood/Scarywood Theme Park. He explained that this covered their payment for law enforcement services during the Scarywood seasonal events.

Commissioner Mattare moved that the Board approve the 2023 KCSO Silverwood/Scarywood Season Agreement with the Silverwood Theme Park. 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.

Board Approval Request: Approval of L2 Extensions for Tax Year 2023/Auditor (Action)

Tax Accounting Specialist Alicia Lynch requested the Board’s approval of L2 extensions for Tax Year 2023. She explained that taxing districts were required to submit a levy document known as the “L2” to the County each September, prior to its approval by the State Tax Commission. She said the extensions would allow the 6 requesting districts until September 18 to complete the required forms.

Commissioner Brooks moved that the Board approve the L2 Extensions for Tax Year 2023 for the Auditor’s Office. Commissioner Mattare 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.

FY24 Court Appointed Special Advocate (CASA) Agreement/Schwartz Law Office/BOCC (Action)

BOCC Administrative Supervisor Leighanna Keiser requested the Board’s approval of the FY24 Court Appointed Special Advocate (CASA) Agreement with Schwartz Law Office. She said there were some changes from last year’s agreement, including an adjustment of the hourly rate to train a replacement.

Commissioner Mattare moved that the Board approve the FY24 Court Appointed Special Advocate Agreement with Schwartz Law Office. 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.

Second Amendment to Independent Contractor Agreement/Aquifer Protection District Master Plan/Dunau Associates/BOCC (Action)

Ms. Keiser stated that she was representing the Aquifer Protection District (APD) in this item. She asked the Board's approval of a second amendment to the Independent Contract Agreement for the APD Master Plan with Dunau Associates. She said the change was to extend the term of the agreement through to the end of the next fiscal year, with no increase to the dollar amount.

Commissioner Brooks moved that the Board approve the Second Amendment to the Independent Contractor Agreement for the Aquifer Protection District Master Plan with Dunau Associates. Commissioner Mattare 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.

Cooperative Agreement for University of Idaho Extension Programs/FY24/University of Idaho/BOCC (Action)

Ms. Keiser requested the Board's approval of the Cooperative Agreement for the University of Idaho's Extension Programs for FY24. She noted this was an annual agreement and that the only change was to the format, not the content.

Commissioner Mattare moved that the Board approve the Cooperative Agreement for the University of Idaho Extension Programs for FY24. 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.

Board Approval Request: Pierce Clegg Building Project/Coroner (Action)

Chief Deputy Coroner Lynette Acebedo requested the Board's approval of the bid they had received from Claymore Customs LLC in the amount of \$10,511.15. She said the Board had previously indicated that any amount over \$10,000 would be covered by the General Fund.

Chair Duncan remarked that it was not yet clear if the Coroner's Office would be able to cover the full cost by the end of the year.

Ms. Acebedo explained that the funds would come from their autopsy budget and they had enough there to cover it.

Chair Duncan said that the \$511 was inconsequential; it could be drawn from their Budget or from the General Fund.

Ms. Falcon asked if the Board would approve the movement of the funds from “B” to “C” would be done today as well.

Civil Deputy Prosecuting Attorney R. David Ferguson, in response to Chair Duncan’s inquiry, said the Board could do that today.

Commissioner Brooks moved that the Board approve the request for the Pierce Clegg Building Project by the Coroner’s Office, with funds moving from the “B” Budget to the “C” Budget. Commissioner Mattare 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.

~~**Resolution 2023-71/Surplus Equipment and Asset Deletion/1989 Almar Boat/Parks & Waterways (Action)**~~ - Pulled

Board Approval Request: Grant Process Approval/BOCC (Action)

Commissioner Mattare commented that this was a follow up from the discussions last week to make the assignment of grant responsibilities official, accept the Grant Checklist and a Quarterly Survey from grant sponsors. He said that there was a request from RMO to alter “copied or reviewed by RMO” to “reviewed by RMO” on the Checklist. He asked the Board to approve these items and adopt them as policy.

Chair Duncan asked that the language related to indirect costs associated with grants be clarified.

Commissioner Mattare agreed that the language should read, “indirect costs allocated to the appropriate department.”

Commissioner Mattare moved that the Board approve the request to implement the grant process approval with the amendment on the Checklist to remove “copied” and to amend the Responsibilities to include that the indirect costs are allocated to the appropriate department under the Grant Sponsor Column. 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.

Status Update Pending (Discussion)

Facilities Expansion

Chair Duncan commented that the Work Package 01 of the Expansion had been approved earlier in this meeting. She added that actual work would begin on September 11, 2023.

Impact Fees

Commissioner Mattare said he planned to discuss adjustments the mayors proposed in the next Commissioners' Status Update meeting. He added that he hoped to have another meeting with all the mayors at the end of September or beginning of October to inform them of any updates.

Prosecuting Attorney's Office Immediate Space Needs

No additional information was provided.

Jail Pods

Commissioner Brooks said he had not received any additional information on this.

Chair Duncan said the RFQ (Request for Qualifications) was due back on October 30, 2023.

- I. **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. There were no public comments.

- J. **Adjournment (Action):** Chair Duncan adjourned the meeting at 2:44 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk