

**Minutes of Meeting
Business Meeting
November 2, 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 Coroner Warren Keene, M.D., Chief Deputy Assessor Allyson Knapp, Chief Deputy Treasurer Jill Smith, Airport Director Steven Kjergaard, Solid Waste (SW) Director John (JP) Phillips, SW Operations Manager Doug Goodwin, Human Resources (HR) Director Sylvia Proud, HR Generalist – Employee Relations Kimberley Van Slate, Auditor’s Office Tax Accounting Specialist Jeanette Bradley, Civil Deputy Prosecuting Attorney R. David Ferguson, BOCC Senior Business Analyst Nanci Plouffe, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:00 p.m.
- B. Pledge of Allegiance:** Chief Deputy Assessor Allyson Knapp led the Pledge of Allegiance.
- C. Consent Calendar (items to be approved listed below):**
 - Minutes of Meetings:**
 - 10/19/2021 Business Meeting
 - 10/20/2021 Elected Officials
 - 10/26/2021 Indigent Appeal 2021-64

Board Actions:

Assessor’s Adjustment to tax/valuation/AIN Nos.: 225990; 162250; 100814; 339401; 141622; 117618; 149392; 103969; 143406; 337270; 106225; 120095; 259589; 303387; 120951; 245557; 245066; 139788; 252072; 182745; 128940; 182709; 181191
Request Checks for Unclaimed Surplus Funds from 2020 Tax Deed Auction Sale to State of Idaho Unclaimed Property/Treasurer
PAF/SCF Report: BOCC Review PP23 Week 1/Human Resources
BOCC Signatures for Indigent Cases: 10/21/21 through 10/27/21

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.

Vehicle License Manager Anna Frohboese entered the meeting at 2:01 p.m.

D. Payables List (Action):

Commissioner Duncan moved that the Board accept the Payables List for the week of October 25, 2021 through October 29, 2021 in the amount of \$333,682.56, 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):

Commissioner Duncan asked that item ten, "Grant Application/FEMA Hazard Mitigation/Kootenai Electric Cooperative/Office of Emergency Management," and item eleven, "Request to Establish Kootenai Regional Air Support Unit/KCSO," be removed from the agenda.

No objections were voiced.

F. Action Items:

Public Hearing: Resolution 2021-108/Proposed Vehicle License Administration Fee Increase/Assessor

Chief Deputy Assessor Allyson Knapp stated that the Assessor would like to increase the fees charged for registration of vehicles. She explained that the current fee of \$2.50 had been set sometime in the 1980's and had never been updated. She said that they had reviewed the fees charged by other Counties and the average was \$5.06. She added that the Auditor's Office had determined that the actual cost they would need to charge to balance their expense in providing the service was \$5.09.

Commissioner Duncan stated that they had received an email from Carolyn Fuller, from Rathdrum, asking that any additional funds received by the Assessor's Office for vehicle license administration fees be applied to expansion of the facilities, to decrease the length of time people had to wait to make appointments or receive services.

Chairman Fillios called for any additional public testimony, but none was offered.

Commissioner Duncan moved that the Board end public testimony and move into deliberations. 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.

All three Commissioners expressed approval of the suggestion.

Commissioner Duncan moved that the Board approve Resolution 2021-108, to increase vehicle license registration fee, to the amount of \$5.09. 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.

Ms. Knapp and Ms. Frohboese exited the meeting at 2:06 p.m.

Bid Opening 2021-06/Transfer Trailers/Solid Waste

Solid Waste (SW) Director John (JP) Phillips asked the Board to open the bids received and direct that they be forwarded to SW and Legal for evaluation.

Commissioner Duncan stated that only one bid had been received, from Wilkins Industries, Inc. She said that the purchase price for two 48 foot trailers was quoted as \$131,313 and the price for two 40 foot trailers was quoted as \$111,650.

Commissioner Duncan moved that the Board acknowledge receipt of the bid and forward it to Solid Waste and Legal for evaluation. 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.

Mr. Phillips and SW Operations Manager Doug Goodwin exited the meeting at 2:08 p.m.

Amended 2021 L-1 Levy Rates/State Tax Commission/Auditor

Auditor's Office Tax Accounting Specialist Jeanette Bradley requested the Board's approval of the Amended 2021 L-1 Levy Rates from the State Tax Commission. She noted that it now included the City of Huetter.

Commissioner Brooks moved that the Board approve the amended 2021 L-1 Levy Rates from the State Tax Commission. 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.

Civil Deputy Prosecuting Attorney Darrin Murphey entered the meeting at 2:09 p.m.

Agreement for Medical Examiner Services/Spokane County/Coroner

Coroner Warren Keene, M.D. requested that the Board approve an agreement with Spokane County for Medical Examiner Services. He stated that this was a renewal of their

previous agreement and had been approved by Legal. He said the only change was that the two evaluations of communications between the offices and that had been removed. He explained that the agreement would be up for renewal again at the end of another year, after which it would move to a two-year renewal schedule.

Commissioner Duncan moved that the Board approve the agreement for Medical Examiner Services with Spokane 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.

Public Defender Anne C. Taylor, Client Services/Investigations Administrator Jennifer Jenquine and Assessor Bela Kovacs entered the meeting at 2:10 p.m.

Work Order 21-09/Air Traffic Control Tower Planning/T-O Engineers/Airport

Airport Director Steven Kjergaard requested the Board's approval of Work Order 21-09, for Air Traffic Control Tower Planning, with T-O Engineers, in the amount of \$26,700. He explained this represented a planning study which would allow them to start the process of getting a tower approved by the FAA (Federal Aviation Administration). He said it would involve collection of data and making contact with the Congressional Delegation to prepare for the request. He stated that the cost would be absorbed by their current budget.

Mr. Kjergaard said that the study would probably take less than six months to complete.

Commissioner Brooks moved that the Board approve Work Order 21-09 for Air Traffic Control Tower Planning with T-O Engineers. 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.

Assessor Kovacs exited the meeting at 2:12 p.m.

Mr. Kjergaard suggested that items six, seven and eight be handled together because they all dealt with the same building.

No objections were voiced.

Termination of Sublease/Gurstein/Macek Consulting LLC/Airport

Termination of Memorandum and Assignment of Lease/Termination of Lessees Interest/U.S. Products, Inc./Gurstein/Airport

Ground Lease AAL-2021-1900/CH Office, LLC/Airport

Mr. Kjergaard requested the Board’s approval of the termination of both a sublease and a lease and for the new lease for that same property. He explained that the new lease would include provisions to increase the rate over a period of years until it reached market level after ten years and that initial revenue would be \$10,968.75 per year.

Commissioner Duncan moved that the Board approve the Termination of the Sublease for Gurstein and Macek Consulting LLC and the termination of the Memorandum and Assignment of Lease and termination of Lessees Interest with U.S. Products, Inc. and Gurstein and also approve the Ground Lease AAL-2021-1900 with CH Office 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.

Consent to Assignment of Lease/AAL-20200-997/Blue Water Estate Services North LLC/DWHJR Holdings, LLC/Airport

Mr. Kjergaard requested the Board’s approval of the Consent to the Assignment of Lease AAL-20200-997 from Blue Water Estate Services North LLC to DWHJR Holdings, LLC. He explained that the name of the company was being changed.

Commissioner Brooks moved that the Board approve the Consent to Assignment of Lease for AAL-20200-997 for Blue Water Estate Services North LLC and DWHJR Holdings, LLC for the Airport. 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.

~~Grant Application/FEMA Hazard Mitigation/Kootenai Electric Cooperative/Office of Emergency Management~~

This item was removed from the agenda.

~~Request to Establish Kootenai Regional Air Support Unit/KCSO~~

This item was removed from the agenda.

Resolution 2021-107/Surplus Vehicle/Community Development

Since no representative of Community Development was present at the meeting, Commissioner Duncan reported that they wished to request the Board’s approval of Resolution 2021-107, to declare a vehicle surplus and send it to auction. She said the vehicle is a 2004 GMC Envoy.

Commissioner Duncan moved that the Board approve Resolution 2021-107, to surplus a vehicle for Community Development, as described. 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.

FY22 Salary Update Employee List and Revisions Report Effective 10/10/21/Human Resources

Human Resources (HR) Director Sylvia Proud requested the Board’s approval of the latest FY22 Salary Update Employee List and Revisions Report, to be effective from 10/10/2021. She said one employee was included on this most recent version and described the events leading to the request.

Commissioner Brooks moved that the Board approve the FY22 Salary Update Employee List and Revisions Report, effective 10/10/21. 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.

Exception/Hiring Policy #120/KCPA Employee at 100% of Market/Human Resources

HR Generalist – Employee Relations Kimberley Van Slate requested the Board’s approval of an exception to Hiring Policy #120 for a KCPA (Kootenai County Prosecuting Attorney) employee at 100% of the market rate. She explained that a typographical error was made during the hiring process and the person was mistakenly offered 100% of market for their grade instead of 97%. Since the offer letter had already been delivered and accepted, and the person was actually qualified for the higher amount, she asked the Board to approve the change.

Commissioner Duncan moved that the Board approve the exception to Hiring Policy #120 for the Prosecutor’s Office employee at 100% of market. 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.

Dr. Keene exited the meeting at 2:21 p.m.

Early Termination of Lease/Commercial Property Management, LLC/Public Defender

Public Defender Anne C. Taylor requested the Board’s approval of the early termination of her department’s lease with Commercial Property Management, LLC as of November

15, 2021. She said that her staff would be completely out of 1607 Lincoln Way by that date.

Commissioner Brooks moved that the Board approve the early termination of the lease with Commercial Property Management, LLC for the Public Defender's 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.

Order ID/Q-01781923/Thompson Reuters/Westlaw Extension Form/Public Defender

Ms. Taylor explained that her department's contract with Westlaw was set to terminate in October. She stated that they had increased their prices, so she reduced the number of users of the product so the money needed for this year would not increase. She asked the Board to approve this and noted that her budget would remain the same.

Ms. Taylor stated that they had increased their price by about \$1,000 a month.

Commissioner Duncan moved that the Board approve Order ID/Q-01781923 with Thompson Reuters for the Westlaw Extension Form. 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.

FY22 PDC Grant Funding/Public Defender

Ms. Taylor reminded the Commissioners that her department had not received the amount they had hoped and planned to get from the FY22 PDC (Public Defense Commission) Grant. She explained that this left her department underfunded for positions under the Workload Grant and asked whether the County would fund the remaining amount needed or if the positions that were not covered should be frozen.

Commissioner Duncan commented that the statutes stated that if the PDC underfunded the County, then the County was not obligated to pay the additional cost.

Ms. Taylor confirmed that she was hiring for more than the positions under the PDC grant at this time and could proceed with hiring for the jobs for which she had funding, then bring the issue back to the Board when they reached the point that a decision had to be made.

In response to a question from Chairman Fillios, Ms. Taylor confirmed that the grant received was \$647,000 less than the amount needed to fully fund the positions.

Chairman Fillios stated that no motion was required at this point.

Ms. Taylor and Ms. Jenquine exited the meeting at 2:29 p.m.

Advisory Board Appointments/Snowmobile Advisory Board/Wuest/Dawson/Waller/Ellis/Board of Commissioners

Commissioner Duncan stated that the Board had chosen not to hold interviews this time because the group had one reappointment, three openings and three candidates that were all highly recommended by KCSO and the Snowgroomers Department.

Commissioner Duncan moved that the Board approve the following for the Snowmobile Advisory Board: reappointment of Joe Wuest, term ending 12/31/2024, appointment of John Dawson, term ending 12/31/2024, the appointment of Rodney Waller, term ending 12/31/2022, and the appointment of Paul Ellis, term ending 12/31/2022. 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.

Civil Deputy Prosecuting Attorney R. David Ferguson exited the meeting at 2:31 p.m.

Status Update Pending Items/Board of Commissioners

Facilities Expansion

Commissioner Duncan remarked that, if the Board agreed on the following items, they could then begin the RFQ (Request for Qualifications) process for the Construction Manager/General Contractor position.

- Will something be built for Court Services? Commissioner Brooks said no, Chairman Fillios and Commissioner Duncan said yes.
- Will it be between the Justice Center and the Courthouse or will it be attached to the west side of the Justice Center? She said the architects had recommended the connection with the Justice Center. Commissioner Brooks said he abstained, since he had voted no on the first question. Chairman Fillios and Commissioner Duncan both chose the connection with the Justice Center.
- Will it be paid for through ARPA (American Rescue Plan Act) funding or through a bond? Chairman Fillios and Commissioner Duncan both supported the use of ARPA funds. Commissioner Brooks indicated he felt ARPA funds should be spent elsewhere and a bond should be sought.
- Chairman Fillios and Commissioner Duncan agreed that she could begin the RFQ process with Cory Trapp. Commissioner Brooks said no.

It was therefore agreed by two of the three Commissioners that Commissioner Duncan would proceed as suggested.

Chief Deputy Treasurer Jill Smith confirmed that the final word on use of ARPA funds may not be provided until early next year. She said that it had been stated that if a County

expended money based on the interim rules, they would not demand that the money be paid back.

PAC Airport Lease

Mr. Kjergaard said the actual lease proposed would be delivered to PAC (Panhandle Area Council) today or tomorrow.

Financial Snapshot

Chairman Fillios noted that the Financial Snapshot would be provided by Finance Director Dena Darrow at next week's Business Meeting.

Impact Fee Analysis

Commissioner Brooks reported that the person he needed to speak to was still in Europe. He said he planned to speak to her next week, when she returned.

North Lot Land Sale

Commissioner Duncan stated she had not yet received a counterproposal from the party involved. She suggested that she seek a legal opinion related to the time factor that would be relevant to the offer.

It was generally agreed that she would proceed as suggested.

Skeet & Gun Club

Mr. Kjergaard said he had spoken with the appraisal company. He said the man had been in the hospital, which was what had slowed things down. He added that they still did not have the appraisal.

Mr. Kjergaard reported that the County Surveyor had gone over the plot and it was 36.7 acres, according to the legal description. He indicated that the price was almost certainly going to be higher than the club could afford. He said that, if they started it at 25 cents a foot, it would be about \$400,000 per year and a second option would be to start the lease at \$120,000 per year and go up \$30,000 or \$40,000 each year until they reached market.

Mr. Kjergaard stated he would email the Commissioners the spreadsheet with the calculations.

Panhandle Village Water Project

Chairman Fillios asked if this item could be considered closed and removed from the Status Update list.

Commissioner Duncan stated that Resource Management Office (RMO) Director Jody Bieze had asked that the item remain on the list until they heard otherwise from her.

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. There were no public comments.

H. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:43 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
