

**Minutes of Meeting**  
**Business Meeting**  
**May 28, 2019**  
**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 Solid Waste (SW) Director Cathy Mayer, SW Operations Manager John Phillips, SW Principal Planner Lauren Chaffin, Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder, KCSO Captain Kevin Smart, KCSO Lieutenant Ryan Higgins, KCSO 911 Communications Services Manager Collin McRoy, Resource Management Office (RMO) Senior Program Manager Kimberli Riley, Senior Staff Accountant Melissa Merrifield, Staff Accountant – Fixed Assets Isaac Ohm, Human Resources (HR) Generalist – Employee Relations Kimberley Buffin, Civil Deputy Prosecuting Attorney R. David Ferguson, Civil Legal Assistant Barb Nyquist, Airport Administrative Secretary Linda Leigh, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present were Contractor Shawn Riley, Selland Construction Representative Marti Adolf, NNAC (National Native American Construction) Representatives Tim Benson and Josh Walker, Sydney Petersen from TMC Construction, Gregg Stewart from Stewart Contracting, Mike Garrett from Northwest Grading, Robb Bloem of CDA Jet Center, and three additional Kootenai County Residents.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:03 p.m.
- B. Pledge of Allegiance:** Kootenai County Resident Robb Bloem led the Pledge of Allegiance.
- C. Consent Calendar (items to be approved listed below):**
  - Minutes of Meetings:**
  - 05/08/2019 Panhandle Health District
  - 05/13/2019 Commissioners’ Debriefing
  - 05/14/2019 Business Meeting
  - 05/16/2019 FY2020 Preliminary Budget Review – Prosecutor
  - 05/17/2019 Executive Session §74-206(1)(a) to consider hiring a public officer, employee, staff member or individual agent (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

**Board Actions:**

Assessor’s adjustment to tax/valuation/AIN 248854 Weller  
Civil Division/April 2019 Financial Report/KCSO  
Indirect Cost Rate Certification/Idaho Department of Lands  
Employee Status Change Form/Newberry/Human Resources  
PAF/SCF Report: BOCC Review PP11/Human Resources  
BOCC Signatures for Indigent Cases: 5/16/19 through 5/22/19

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 May 20, 2019 through May 24, 2019 in the amount of \$766,420.32, with jury payments of \$2,411.04. 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:**

**Bid Opening 2019-07/Construction of Household Hazardous Waste (HHW) Facility/Solid Waste**

Civil Deputy Prosecuting Attorney R. David Ferguson handed the sealed bids for construction of a household hazardous waste (HHW) facility for the Solid Waste Department to Chairman Fillios, who opened them and passed them to Commissioner Duncan to read into the record.

- T Lariviere, Inc., base bid \$1,170,957
- NNAC (National Native American Construction), base bid \$1,055,730
- TML Construction, Inc., base bid \$1,247,500

Commissioner Duncan moved that the Board accept the bids for Legal and Solid Waste to bring back recommendations. 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.

**Bid Opening 2019-10/Central Corridor Project/Solid Waste**

Civil Deputy Prosecuting Attorney handed the sealed bids for the Central Corridor Project for the Solid Waste Department to Chairman Fillios, who opened them and passed them to Commissioner Duncan to read into the record.

- Earthworks Northwest, base bid \$1,596,480
- Selland Construction, Inc., base bid \$2,096,575
- Stewart Contracting, Inc., base bid \$1,906,650
- Northwest Grading, Inc., base bid \$2,189,357.80

Commissioner Duncan moved that the Board accept the bids for Legal and Solid Waste to review for further recommendation to the Board. 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.

Solid Waste (SW) Director Cathy Mayer, SW Operations Manager John Phillips, SW Principal Planner Lauren Chaffin, Selland Construction Representative Marti Adolf, NNAC Representatives Tim Benson and Josh Walker, TMC Construction Representative Sydney Petersen, Gregg Steward from Stewart Contracting, Mike Garrett from Northwest Grading and the three unidentified Kootenai County Residents exited the meeting at 2:11 p.m.

Finance Director Dena Darrow and Airport Director Steven Kjergaard entered the meeting at 2:11 p.m.

**Mutual Rescission of Lease/Booher/Southfield Fuel/Airport**

Airport Director Steven Kjergaard requested the Board’s approval of the mutual rescission of a lease between Booher of Southfield Fuel and the Airport. He said there would be a new lease brought before the Board shortly.

Commissioner Duncan moved that the Board accept the mutual rescission of the lease for Booher at Southfield Fuel and the Airport. 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.

**Development and Ground Lease/AAL-2019-310/CDA Jet Center/Airport**

Mr. Kjergaard requested the Board’s approval of the new lease referenced in the previous item. He stated the lease would be for \$8,381.51 per year for the next two years, for 33,526 sq. ft.

Commissioner Duncan moved that the Board approve the development and ground lease AAL-2019-310 with CDA Jet Center. 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.

**Development Agreement/CDA Jet Center, Inc./Airport**

Mr. Kjergaard reminded the Commissioners that this item had been discussed in the Commissioners' Debriefing earlier in the day. He explained it was to close out the Part 13 Agreement, in regard to the Southfield Fuel and CDA Jet Center, Inc. He stated this agreement was a prerequisite for the other two items that had just been approved.

Commissioner Duncan moved that the Board approve the development agreement with CDA Jet Center. 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.

**Development and Ground Lease/AAL-2019-300/CDA Jet Center/Airport**

Mr. Kjergaard requested the Board's approval of the development and ground lease AAL-2019-300 between CDA Jet Center and the Airport. He explained it was for the Northside area of about 9.171 acres, for \$99,872.19 per year and there would be a 50% reduction agreement with their CEO (Chief Executive Officer) because it would entail more than one million dollars in construction costs. He added that they would have two years to complete the project.

Commissioner Duncan moved that the Board approve the development and ground lease AAL-2019-300 with CDA Jet Center. 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.

**Addendum "A"/Variance to Lease/Sky Masters, LLC/Airport**

Mr. Kjergaard asked the Board's approval of Addendum "A," a variance to the lease held by Sky Masters, LLC. He explained it related to a hangar off the Taxiway AA Development, in the South East portion of the Airport. Mr. Kjergaard stated it was originally built as a helicopter area.

Commissioner Duncan moved that the Board approve Addendum "A" as a variance to the lease for Sky Masters, 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.

Mr. Kjergaard and Robb Bloem of CDA Jet Center exited the meeting at 2:17 p.m.

**Memorandum of Understanding/Hayden Lake Watershed Improvement District/Regulatory Buoys/Parks & Waterways**

Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder requested the Board's approval of a memorandum of understanding between the Hayden Lake Watershed Improvement District and P&W regarding regulatory buoys. He explained the buoys were intended to help manage high-speed boat traffic on Hayden Lake.

Commissioner Duncan moved that the Board approve the memorandum of understanding with Hayden Lake Watershed Improvement District regarding regulatory buoys. 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. Snyder exited the meeting at 2:18 p.m.

BOCC Communications Manager Nancy Jones entered the meeting at 2:18 p.m.

**Contract/Ginno Construction/Marine Storage Building/KCSO**

Contractor Shawn Riley requested the Board's approval of a contract with Ginno Construction for the KCSO marine storage building. He said the contract amount was \$98,800, which would be drawn from restricted funds received from IDPR (Idaho Department of Parks and Recreation), with no cost to the County. Mr. Riley noted work would begin June 1, 2019 and should be completed by September 1, 2019.

Commissioner Duncan moved that the Board contract with Ginno Construction for the marine storage building for KCSO. 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. Riley exited the meeting at 2:19 p.m.

**Memorandum of Understanding/700 MHz Frequency Allocation/Shoshone County Sheriff's Office/KCSO/911**

KCSO 911 Communications Services Manager Collin McRoy requested the Board's approval of a memorandum of understanding between KCSO and the Shoshone County Sheriff's Office (SCSO) regarding their 700 MHz frequency allocation. He explained that SCSO had access to two more 700 MHz channels than they required and were willing to permit KCSO to have the use of them until SCSO needed them back.

Commissioner Duncan moved that the Board approve the memorandum of understanding for the 700 MHz frequency allocation with the Shoshone County Sheriff's Office. 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.

**Modification of Agreement/USDA Forest Service/KCSO**

KCSO Lieutenant Ryan Higgins requested the Board's approval of a modification of the agreement between KCSO and the USDA (United States Department of Agriculture) Forest Service. He explained the USDA Forest Service wished to pay \$1,500 more than was originally arranged for KCSO services.

Commissioner Duncan moved that the Board approve the modification of agreement between the USDA Forest Service and KCSO. 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.

**Independent Contractor Agreement/Galante/Water Management Consulting LLC/Aquifer Protection District**

Ms. Jones requested the Board's approval of an independent contractor agreement between Mike Galante, of Water Management Consulting LLC, and the Aquifer Protection District (APD). She explained that Mr. Galante had belonged to the APD for many years and had been working with a group of homeowners on a project to protect certain areas. Ms. Jones stated that Mr. Galante would continue to work with the APD as a consultant and work with the County's legal team to complete conservation easements in those areas. She said the contract would run through September 30, 2019, for \$15,000. Ms. Jones added this had been budgeted for FY19 and that there were provisions made in the FY20 Budget for continuing projects.

Commissioner Duncan moved that the Board approve the independent contractor agreement between Mike Galante at Water Management Consulting LLC and the Aquifer Protection District. 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.

**Resolution 2019-47/Designation of Public Records Custodian/Board of Commissioners**

Ms. Jones requested the Board's approval of Resolution 2019-47, regarding the designation of a public records custodian for the Board of County Commissioners. She explained that there had been a change in Idaho statute in July of 2018 that stated that

all counties must clearly designate custodians of records for each of their departments. She said ICRMP (Idaho Counties Risk Management Program), in a recent meeting, had also encouraged counties to make it clear where citizens should direct public record requests. Ms. Jones said such a list had been compiled for Kootenai County, broken down by position, rather than by employee name.

Commissioner Duncan moved that the Board approve Resolution 2019-47, regarding the designation of public records custodian for the Board of County Commissioners and the 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.

#### **Proclamation: Recognition in Honor of American Legion Member Cope Gale**

Commissioner Brooks requested the Board's approval of a proclamation honoring American Legion Member Cope Gale. He read the proclamation into the record, noting that Mr. Gale, now 98 years old, had begun service in the U.S. Army Idaho National Guard Cavalry in 1940 and had been an American Legion member for 75 years.

Commissioner Brooks moved that the Board approve the proclamation recognizing Cope Gale, in honor of his service. 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.

#### **Work Made for Hire Agreement/Human Resources**

Human Resources (HR) Generalist – Employee Relations Kimberley Buffin requested the Board's approval to enter into a contract with Laeng Productions to update the KCSO recruiting video. She said they hoped to have the update completed by the beginning of the new Fiscal Year in October. She noted the expense would be covered by the KCSO recruiting budget.

Commissioner Duncan moved that the Board approve the Work Made for Hire agreement regarding the KCSO recruiting videos. 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.

**Third Amendment to Fuel Services Contract/Coleman Oil/KCSO**

KCSO Captain Kevin Smart requested the Board’s approval of a third amendment to the fuel services contract between KCSO and Coleman Oil.

Commissioner Duncan moved that the Board approve the third amendment to the fuel services contract between Coleman Oil and KCSO. 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.

**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 2:33 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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