

**Minutes of Meeting
Commissioners' Debriefing
January 14, 2019
2:30 p.m.**

The Kootenai County Board of Commissioners: Chairman Pro Tem Chris Fillios, Commissioner Leslie Duncan, and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Prosecutor Barry McHugh, Civil Deputy Prosecutor Jamila Homes, Civil Deputy Prosecutor Darrin Murphey, Civil Legal Assistant Barb Nyquist, Assessor Rich Houser, Chief Deputy Assessor Joe Johns, Sheriff Ben Wolfinger, Undersheriff Dan Mattos, Coroner Dr. Warren Keene, Chief Deputy Treasurer Laurie Thomas, Building & Grounds Director Shawn Riley, Parks & Waterways(P&W)/Noxious Weeds Director Nick Snyder, Finance Director Dena Darrow, Senior Staff Accountant Melissa Merrifield, Information Technology Network Administrator Grant Kinsey, BOCC Administrative Supervisor Leighanna Keiser, BOCC Communications Manager Nancy Jones, Senior Financial Analyst Nanci Plouffe, Human Resources (HR) Generalist/Interim HR Director Kimberley Buffin, and Deputy Clerk Ronnie Davisson. Also present were Coeur d'Alene Press Staff Writer Brian Walker, and citizens Doug Duncan, Joe Rosetti, and Robert Bierman.

- A. Call to Order:** Chairman Pro Tem Chris Fillios called the meeting to order at 2:33 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. 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.
- D. Business:**

Chairman Pro Tem Fillios opened the meeting by acknowledging two canine units that had helped to apprehend two suspects over the weekend. Sheriff Ben Wolfinger clarified that it was one County canine unit and one State Police Unit.

Chairman Pro Tem Fillios then pointed out that Public Comment would take place before the discussions, so that if there were any comments that were pertinent to the topics, those comments could be used to help the Board make decisions.

Nomination/Appointment of Board Chair, pursuant to Idaho Code §31-705 (Action)

Commissioner Leslie Duncan requested discussion on the topic of Board Chair before the discussion. Chairman Pro Tem Fillios said that discussion needed to be after nominations. Commissioner Bill Brooks then nominated Chairman Pro Tem Fillios to be Board Chairman. Commissioner Duncan again asked for discussion on Board Chair, which was then allowed. She explained that she wanted to clearly delineate that the Chairman's duty was to make sure the meetings stayed on task, disruptions would be quelled and personal attacks would not be permissible. Chairman Pro Tem Fillios and Commissioner Brooks agreed; Commissioner Duncan then asked if they would be amenable to rotate as

Chairman annually. Commissioner Brooks and Chairman Pro Tem Fillios suggested bringing it back up in a year's time for reconsideration. Commissioner Brooks explained that he wanted the Board to be collegial and non-confrontational, but to ultimately respect each other and work together as a Board. Upon the mutual understanding between the Commissioners, Commissioner Duncan seconded Commissioner Brooks' nomination.

Commissioner Brooks moved to nominate Chairman Pro Tem Fillios as Board Chairman. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

Commissioner Brooks moved to nominate Commissioner Duncan as Chairman Pro Tem. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

Commissioner Representation (Action)

❖ DEPARTMENTS

Chairman Fillios said that he had made recommendations on which departments and Advisory Boards each Commissioner should represent, explaining that he had taken geographic location, individual backgrounds, and what he knew about the other Commissioners to assist him in the recommendations. Commissioner Duncan requested to represent the Airport, as Chairman Fillios had recommended Commissioner Brooks be their representative. Commissioner Brooks explained that he had been working with the Airport for approximately 6 months and was from an area in Alaska that heavily relied on airports and felt that he was very experienced when it came to airports. Commissioner Duncan explained that she also was forming relationships with the airport and pointed out that her husband was part of Civil Air Patrol. Chairman Fillios weighed in, expressing his support in Commissioner Brooks being the Airport representative and said that in one year, they could revisit and change representatives if they were so inclined. Commissioner Brooks said that he was amenable to that decision. Chairman Fillios then asked Commissioner Duncan if she were okay with her other departments, for which she expressed approval. The following assignments were made:

Commissioner Duncan

- Adult Misdemeanor Probation
- Building & Grounds
- Conflict Public Defender (Contract)
- Parks & Waterways/Noxious Weeds
- Snowgroomers

Commissioner Brooks

- Airport
- Information Technology
- Reprographics
- Solid Waste
- Veterans Services

Chairman Fillios

- BOCC Administration (BOCC Chair)
- Community Development
- Grants Management/Transit/Resource Management Office
- Juvenile Detention
- Juvenile Probation
- Public Defender

Commissioner Duncan asked Chairman Fillios whether he and Commissioner Brooks had discussed the department representation before the meeting. Chairman Fillios said they did not; rather, they were only his recommendations.

❖ ELECTED OFFICIALS

Chairman Fillios said that he had also made recommendations for Elected Official liaisons. The following liaisons were as follows:

Commissioner Duncan

- Clerk
- Treasurer

Commissioner Brooks

- District Judges
- Sheriff

Chairman Fillios

- Assessor
- Coroner
- Prosecutor

❖ ADVISORY BOARDS

Commissioner Duncan requested to be liaison for the Airport Advisory Board, since she was not chosen to be the Airport BOCC Representative. Commissioner Brooks said he did not have a problem with that, so long as he had a connection to the Airport since he had already established a strong link to it. Chairman Fillios wondered if it would cause a conflict, with having Commissioner Duncan liaise with the Airport Advisory Board and Commissioner Brooks be the BOCC Representative; he in turn suggested the Airport Advisory Board remain with Commissioner Brooks, but have Commissioner Duncan serve as an alternate.

Commissioner Duncan

- Aquifer Protection District
- Noxious Weed Control Advisory Board
- Snowmobile Advisory Board
- Natural Resource Advisory Board

Commissioner Brooks

- Board of Community Guardians
- Airport Advisory Board
- Fleet Management Committee
- North Idaho Fair Board

Chairman Fillios

- Historic Preservation Commission
- Planning & Zoning Commission
- Parks & Waterways Advisory Board

❖ **COMMUNITY ORGANIZATIONS**

Commissioner Duncan

- Basin Environmental Improvement Planning Commission (BEIPC)
- Centennial Trail Joint Power Board
- Hayden Area Regional Sewer Board (HARSB)
- Kootenai Metropolitan Planning Organization (KMPO) – Alternate
- Panhandle Area Council Board of Directors (PAC)
- Hayden Chamber of Commerce
- Local Emergency Planning Committee (LEPC)
- Rathdrum Chamber of Commerce

Commissioner Brooks

- Hayden Area Regional Sewer Board (HARSB) – Alternate
- Kootenai Metropolitan Planning Organization (KMPO)
- Panhandle Area Council Board of Directors – Alternate
- Panhandle Health District (PHD) Board of Directors (Budget Considerations)
- Post Falls Chamber of Commerce

Chairman Fillios

- Basin Environmental Improvement Planning Commission (BEIPC) – Alternate
- CDA Area Economic Development Corp (CdAEDC) Board (BOCC Chair)
- CDA Chamber Board (Advisory Board Member)
- District Magistrate Commission (BOCC Chair)
- Kootenai County Emergency Services System Joint Powers Board (KCEMSS)
- Northern Idaho Crisis Center Board
- University of Idaho Extension Office (Liaison only, no regular meetings)

When asked if both Commissioner Brooks and Commissioner Duncan were okay with their assignments, Commissioner Duncan explained she had been caught off guard because in prior years, the Board had decided their designations together instead of the Chair assigning them before discussion had occurred. Chairman Fillios said that Commissioner Duncan could voice her concerns if she had any and Commissioner Duncan said she had already voiced her concerns.

Commissioner Brooks moved to accept the liaison assignments as announced. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Chairman Comments (Discussion)

Chairman Fillios commented that the Chairman had no more authority than the other two Commissioners did; they are all equal in voting. He also expressed that when the Board makes a decision, that was the Board decision – and as such, it would be appropriate to express their opinion if asked. He also said that there would be order in the meetings, respect towards the Board from the public and the Board to the public and order maintained during the meetings. He then outlined specific parameters for conducting a public hearing, stating that the time limits would be strictly adhered. Commissioner Brooks stated that any meeting attendee would be removed if they could not adhere to the rule of no personal attacks. Chairman Fillios stated that one thing he would like to begin doing was public outreach. As most residents were unsure as to how many elected officials there were, he said that each department head should start brushing up on their presentation skills because forums would start being scheduled with civic groups and political groups so they could understand the County process and in turn, the County could learn how to best serve them.

Coroner Construction Project (Action)

Chairman Fillios said that there had been \$25,000 budgeted for engineering, design and construction of offices for the Coroner’s team at the Work Release Center. Further, there had been questions on whether or not the money was to be used specifically for design or for design and implementation. He then explained that a quote they had received had taken them over the allocated \$25,000.

Building & Grounds Director Shawn Riley explained that during the budget process, Coroner Dr. Warren Keene had requested a pathology lab, which was then denied; \$100,000 was then allocated for an office space remodel, which ultimately was decreased to \$25,000. Mr. Riley said that Dr. Keene had asked him to obtain estimates and it turned out it would be an approximate \$30,000 shortfall to complete the project, noting that it was nowhere near the amount needed to fund the project. Mr. Riley said Dr. Keene had asked to use his Operating Budget funds to fund the project, but Legal said the Operating Budget funds could not be utilized for a capital project. Mr. Riley said that now the BOCC had to decide whether to go ahead and fund the project unbudgeted, or to do design bid

prep first, which would consist of obtaining a cost estimate from the architect. He said that if they did design bid prep, the cost estimate would help the BOCC to make a better-informed decision on whether or not they wanted to move forward with the project.

Dr. Keene said that every year during the budget process he had brought forward the construction proposal and he would bring it forward again in the FY20 Budget process. He explained the current office situation at the Elections Office and said that it was not conducive to a safe and efficient work environment, hence the request to move to the Work Release Center.

Commissioner Duncan said she would like to follow the normal process in place to hopefully get the cost down and recognized Dr. Keene's concern. She then asked Dr. Keene if something could be done in the meantime to increase safety at their current office. Mr. Riley said there was a plan in place to repave that parking lot and asked Dr. Keene if the employees were using the front door, where it is well lit, or the back door, where it was dark. He said that he would be discussing the addition of new lighting and would take another look at the building to see what he could do to add additional safety measures.

Commissioner Duncan moved to have Mr. Riley proceed with the design bid prep for the Coroner's office space at the Work Release Center. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

Vacation Accrual Rollover Request (Action)

Chairman Fillios explained there was an individual who worked at the Jail that had to postpone his vacation plans due to an unexpected resignation, which had generated a vacation accrual greater than the County Policy would allow. He asked if the Board would be amenable to allowing the accrual to increase so the employee could take their vacation time. Commissioner Brooks said he would be in favor of the rollover, but as a one-time-only exception.

Commissioner Brooks moved to approve the rollover request on a one-time basis for the employee. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

BOCC Video System Status Update (Action)

Communications Manager Nancy Jones updated the Board on the status of the video system. She explained that the prior Board had budgeted up to \$40,000 in FY19 to install

video cameras in the Board Room. She said it would begin by videotaping the meetings and posting them to YouTube, then would research the possibility of doing live feeds of individual meetings. Initially, it would start with the Business Meeting, then incorporate Community Development and then grow the base from that point. She said that the office had been cabled for the project and they were now ready to order the equipment, which would cost \$17,687. She then explained the next phase would be to explore the possibility of installing cameras in Meeting Rooms 1A&1B, if there remaining funds from the \$40,000. Ms. Jones then asked the Board if they had any comments or concerns.

Commissioner Brooks said that he did not see the need for a director to run the cameras with the technology available. He also suggested that rather than broadcasting the documents provided during the meeting, that a web address be provided for those wishing to see the document, so they could view it online. Commissioner Brooks said he was in favor of the public being able to view the Board during meetings, but was not in favor of production, stating that production was costly.

Network Administrator Grant Kinsey offered his suggestions for the system, and Commissioner Duncan asked if they were to agree to the system as proposed, could they just use the two cameras and add the document viewer later. Mr. Kinsey suggested to build it as designed and to let their staff know how the Board would want to work the system. Commissioner Duncan then asked if two cameras on a split screen would require an additional person to run it, and Mr. Kinsey said if it were just a single fixed screen camera, there might be a way to set the camera to record and leave it until the meeting had finished. Commissioner Duncan said she would be in favor of that type of system. As the Board was amenable to moving forward in the process, the discussion concluded.

Hiring Outside Investigator (Action)

Executive Session pursuant to Idaho Code §74-206(1)(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 (Closed Session – Discussion Item)

Commissioner Duncan moved to enter into Executive Session pursuant to *Idaho Code §74-206(1)(b)*. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

The Board entered into Executive Session at 3:26 p.m.

Civil Deputy Prosecutors Jamila Holmes and Darrin Murphey joined the Board in Executive Session.

The Board exited Executive Session at 3:37 p.m.

Decisions/Direction (Open Meeting – Action Item)

Commissioner Duncan moved to exit Executive Session and to direct staff to hire an outside investigator as discussed, with a \$10,000 limit. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

Executive Session pursuant to *Idaho Code §74-206(1)(c)* to acquire an interest in real property which is not owned by a public agency. (Closed Session – Discussion)

Commissioner Duncan moved to enter into Executive Session pursuant to *Idaho Code §74-206(1)(c)*. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The Board entered into Executive Session at 3:40 p.m.

Ms. Holmes joined the Board in Executive Session.

The Board exited Executive Session at 3:55 p.m.

Decisions/Direction (Open Meeting – Action Item)

Commissioner Duncan moved to exit Executive Session and to approve Chairman Fillios to take action as specified. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

Chairman Fillios adjourned the meeting at 3:56 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Ronnie Davisson, Deputy Clerk
