

Minutes of Meeting
Business Meeting
January 24, 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 KCSO Sheriff Robert Norris, KCSO Undersheriff Brett Nelson, KCSO Captain Kevin Smart, KCSO Sergeant Ryan Miller, Clerk Jennifer Locke, Finance Director Brandi Falcon, Staff Accountant – Budget Arrow Gidney, Tax Accounting Specialist Alicia Lynch, Prosecutor Stanley Mortensen, Civil Deputy Prosecuting Attorney R. David Ferguson, Assessor Bela Kovacs, Chief Deputy Assessor Ben Crotinger, Airport Director Steven Kjergaard, Resource Management Office (RMO) Director Jody Bieze, RMO Grant Manager Dorian Komberec, Information Technology Director James Martin, Applications Systems Managers Matt Snow and Nicholas Torres, Juvenile Detention Assistant Director Eric Sheffield, Juvenile Detention Senior Records Clerk Brandie Bradley, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were Fair Board Chair Jerry Johnson, North Idaho Fair Assistant General Manager Shanda Masterson, and Kootenai County Resident John Padua. Ms. Bieze, Ms. Komberec and Sergeant Miller 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:** Information Technology (IT) Application Systems Manager Matt Snow 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 asked that two items be added to this agenda. She said the first was to confirm reappointments to the Waterways Advisory Board. She said this was urgent because there was a meeting of that group tomorrow and if the people were not confirmed today, they would not be able to participate.

Commissioner Bruce Mattare moved that the Board add the Advisory Board appointments to today's agenda. 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.

Chair Duncan said that she would ask KCSO Captain Kevin Smart to speak about the second item. She said that some vehicles had arrived which needed payment made.

KCSO Captain Kevin Smart stated that this was to enable payment for the vehicles which had arrived for the Sheriff's Office. He confirmed that the vehicles were at the staging area in Utah and KCSO would like the approved funding to be released.

Finance Director Brandi Falcon reported that she had told Captain Smart it would take a week for the check to be cut and he had said that would be fine.

Commissioner Mattare moved that the Board expedite the payment for the buildout of the vehicles for the Sheriff's 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.

Chair Duncan stated that the added items would be handled first.

E. Approve Meeting Minutes (Action)

01/09/2023 Board of County Commissioners 10:15 a.m.
01/09/2023 Board of County Commissioners 1:30 p.m.
01/10/2023 Business Meeting
01/10/2023 Commissioners' Status Update
01/11/2023 Requests for Cancellation of Taxes

Commissioner Mattare moved that the Board approve items 1 through 5, the submitted minutes. 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.

F. Approve Consent Calendar (Action)

BOCC Signatures for Indigent Cases: 1/12/2023 – 1/18/2023
Human Resources PAF/SCF Report for 2023 PP3 Week 1

Commissioner Mattare moved that the Board approve items 6 and 7 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 January 15, 2023 through January 20, 2023 in the amount of \$582,233.36, with no 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:

Waterways Advisory Board Appointments (Action)

Chair Duncan stated that Michael Pelissero and Tom Torgerson had requested reappointment to the Parks & Waterways Advisory Board, with term expiration dates to be December 31, 2025. She said the Chair of that Board had recommended this.

Commissioner Mattare moved that the Board approve the reappointments of Michael Pelissero and Tom Torgerson to the Waterways Advisory Board, with terms to expire December 31, 2025. 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.

KCSO Vehicles (Action)

Chair Duncan noted that the Board had approved the order of these vehicles months ago.

Captain Smart confirmed that the vehicles had arrived earlier than expected. He stated that he had been informed that 29 vehicles had arrived in Utah and 3 more were in the "build line" for the dealership and should arrive in early February. He asked that the funds be transferred into the appropriate line items to cover the cost of the vehicles, 30 of which would be for Patrol and 3 which would go to Detention. He added that he was still waiting to hear whether the additional 15 vehicles they had ordered would be built.

Ms. Falcon said that she and Captain Smart had discussed the breakdowns of the expense.

Civil Deputy Prosecuting Attorney R. David Ferguson said that he felt the Board could refer to the amounts as listed in the presented memo, rather than listing all the broken out figures in the motion.

Chief Deputy Treasurer Jill Smith entered the meeting at 2:09 p.m.

Commissioner Mattare moved that the Board approve payment for the 29 KCSO patrol cars, per the memo and the additional 3 for Detention. 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.

Auditor's Office Staff Accountant – Grants Julina Hildreth entered the meeting at 2:10 p.m.

Grant Application/BIL Grant – Taxiways N, H, G, L and Aircraft Parking Apron – Pavement Maintenance/Federal Aviation Administration (FAA) \$587,047/Cash Match ITD & County \$32,614/Airport (Action)

Airport Director Steven Kjergaard requested the Board's approval for a grant application for pavement maintenance for Taxiways N, H, G and L and the aircraft parking aprons.

Commissioner Mattare moved that the Board approve the grant application for the BIL Grant for Taxiways N, H, G and L and aircraft parking apron pavement maintenance in the amount of \$587,047, with a cash match from ITD and the County of \$32,614. 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: Certificate of Final Completion/Gulfstream Road & Utilities Extension Project/Airport (Action)

Mr. Kjergaard requested the Board's approval for the Certificate of Final Completion for the Gulfstream Road & Utilities Extension Project. He explained that this represented a signoff acknowledging that the project was finished.

Commissioner Mattare moved that the Board approve the Certificate of Final Completion of the Gulfstream Road and Utilities Extension Project for the Airport. 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. Kjergaard exited the meeting at 2:13 p.m.

Board Approval Request: Amount Levied for Indigent Public Defense/Auditor (Action)

Auditor's Office Tax Accounting Specialist Alicia Lynch explained that this document reaffirmed the Board's decision to levy zero (0) dollars for Indigent Public Defense. She said it also indicated the amounts levied for each of the past three years. She noted that no additional action by the Board was required.

Commissioner Mattare moved that the Board approve the amount levied for Indigent Public Defense and submission of the letter as described. 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. Lynch exited the meeting at 2:14 p.m.

Kootenai County – City of Hayden Law Enforcement Services Agreement/The City of Hayden/Sheriff/Patrol (Action)

Captain Smart requested the Board’s approval of the City of Hayden Law Enforcement Services Agreement. He explained this was the contract which allowed KCSO to provide law enforcement services to the City of Hayden. He said this agreement would last through the end of this fiscal year, after which the agreement would be renegotiated.

Commissioner Mattare moved that the Board approve the City of Hayden Law Enforcement Services Agreement between the City of Hayden and the Sheriff’s 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.

Hayden Boat Slip MOU/City of Hayden/Sheriff – Rec Safety (Action)

KCSO Sergeant Ryan Miller requested the Board’s approval of an MOU (Memorandum of Understanding) with the City of Hayden for a boat slip at the Honeysuckle Beach Marina on Hayden Lake. He said that KCSO already had a boat dedicated to this body of water and being able to store it there would save them a great deal of time. He said the cost would be about \$57,000 and would be paid for from impact fees. He added that, if the full project exceeded the \$57,000, the County would be asked to pay the rest.

Commissioner Mattare moved that the Board approve the Hayden Boat Slip MOU. 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: Purchase of new PWC with RBS Funds/Sheriff – Rec Safety (Action)

Sergeant Miller asked the Board’s approval for the purchase of a new PWC (Personal Watercraft) with funds from the RBS (Recreational Boating Safety) account. He said KCSO had been on the list for it but they did not know exactly when it would be available. He confirmed that he would return to the Board for approval of the RBS grant.

Commissioner Mattare moved that the Board approve the purchase of a new personal watercraft with RBS funds. 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: Purchase of Boat Bladder Replacement with RBS Funds/Sheriff – Rec Safety (Action)

Sergeant Miller requested the Board’s approval for the purchase of a boat bladder replacement with RBS funds. He explained the purpose of a boat bladder and said their old one was failing. He stated it would take several months for the bladder to be delivered. He said he felt that these purchases would not adversely impact the County’s ability to provide Marine Deputies over the boating season.

Commissioner Mattare moved that the Board approve the purchase of the boat bladder replacement with RBS funds, for the Sheriff’s 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.

Board Approval Request: Mitigation Funding Opportunity Hazard Mitigation Grant Program (HMPG) [75% Federal Share of \$1,573,104/25% Local Match \$524,368]/ Resource Management Office (Action)

Resource Management Office (RMO) Director Jody Bieze explained that Buildings & Grounds (B&G), the Office of Emergency Management (OEM) and RMO were seeking the Board’s approval to pursue a Mitigation Grant for two generators. She said the estimated federal share would be \$1 million, with a required local match of \$334,000. She said she did not have a funding source lined up for the matching funds at this point and wanted to ask the Board for suggestions.

Chair Duncan responded that they could consider taking the match from 5 Year Plan funds or Fund Balance.

Ms. Bieze said that they had initially been planning that the generators would be for the Administrative Building, the Justice Building and the Courthouse, but it appeared the Courthouse did not meet the BCA (Benefit Cost Analysis) requirements. She said the other two buildings did meet the BCA requirements.

Chair Duncan asked whether District Court Funds might then be able to be used for part of the match.

Ms. Falcon said that, whenever someone suggested using District Court Funds, she preferred to get an opinion from Legal, because use of those funds was very restricted. She asked that the question of locating funds for the match be deferred to another meeting because she had not been notified of the possibility before and needed time to consult Legal.

Commissioner Mattare asked how likely it was that the generators would actually be needed.

Ms. Hildreth, KCSO Sheriff Robert Norris and KCSO Undersheriff Brent Nelson exited the meeting at 2:25 p.m.

Chair Duncan remarked that they had needed a generator at least twice over the past year. She said she was not sure how many times over the past 4 years. She said she would not object to approving the pre-application, which was due January 31, 2023 because they could discuss it further before the actual application came due on February 28, 2023. She added that she would speak to Ms. Falcon and B & G Operations Manager Greg Manley about potential match sources.

Commissioner Mattare moved that the Board approve the pre-application process for the Mitigation Funding Opportunity Hazard Mitigation Grant Program. 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 Application/Waterways Improvement Fund/Idaho Department of Parks and Recreation (IDPR) \$40,105/Cash Match Vessel Fund \$11,000/Sheriff – Rec Safety (Action)

Sergeant Miller requested the Board's approval of a Grant Application for the Waterways Improvement Fund from the Idaho Department of Parks and Recreation (IDPR) in the amount of \$40,105 with a cash match from the Vessel account of \$11,000. He explained that this would be used to buy Garmin GPS devices and depth finders for patrol vessels, two updated sets of binoculars with range finders and a flare thermal imaging kit.

Commissioner Mattare moved that the Board approve the Grant Application for the Waterways Improvement Fund from the Idaho Department of Parks and Recreation for \$40,105, with a cash match from the Vessel Fund of \$11,000, for the Sheriff's 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.

Modification No. 3 to Professional Services Master Agreement with XTR Value Services, LLC/Sam Wilkins, Principal/Bela Kovacs, Assessor/Assessor (Action)

Assessor Bela Kovacs requested the Board’s approval of the third modification to the Professional Services Master Agreement with XTR Value Services, LLC. He explained that there were two options provided: the Board could approve just Phase I or both Phase I and II today. He listed what each phase would include and stated that the estimated cost of Phase I would be \$150,000 and Phase II would be about \$250,000. He noted that \$250,000 in total had been set aside as a “placeholder” in the Budget for this project.

Information Technology (IT) Director James Martin provided additional information from the IT perspective.

Commissioner Mattare suggested that the Board approve Phase I today and plan to address Phase II in the future. Both Chair Duncan and Commissioner Brooks voiced agreement.

Commissioner Mattare moved that the Board approve Modification No. 3 to the Professional Services Master Agreement with XTR Value Services, LLC for Phase I, with Sam Wilkins, Principal and Bela Kovacs, Assessor, dated January 23, 2023. 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.

Assessor Kovacs, Mr. Martin, Ms. Smith, Mr. Snow and IT Applications Systems Manager Nicholas Torres exited the meeting at 2:41 p.m.

Board Approval Request: Memorandum of Understanding/Kootenai Fire & Rescue Lease Funds/North Idaho Fair Board/Fairgrounds (Action)

Fair Board Chair Jerry Johnson requested the Board’s approval of a Memorandum of Understanding regarding the Kootenai Fire & Rescue (KCFR) lease funds.

Chair Duncan called attention to the provision of the MOU in which it was agreed that, if Kootenai Fire & Rescue left prior to the end of the 50 year term, the payment would be prorated. She stated that she was uncomfortable with part of the phrasing, which indicated that County taxpayers could be asked to pay a portion in such a case.

Chair Duncan said that the question was whether the Fair Board would pay the County back everything KCFR would require if they left.

Commissioner Mattare pointed out that KCFR was investing about \$8 million in this project, construction was underway and would better serve parts of the community.

Chair Duncan said that she preferred to protect the County against possible outcomes, even if they were not probable.

Mr. Johnson and North Idaho Fair Assistant General Manager Shanda Masterson exited the meeting at 2:46 p.m.

Mr. Mattare asked if the item could be deferred until next week to allow him time for some additional research.

No motion was made at this time.

Legislative Advocate for Public Defender's Office/Molitor & Associates, LLC/Public Defender (Action)

Chair Duncan reminded those present that this topic had been discussed previously and there had been one change made to the proposal. She said, since Kootenai County was one of the three largest, they were being asked to pay \$10,000 instead of the original \$5,000 share of the expenses.

Commissioner Mattare moved that the Board approve the Legislative Advocate for the Public Defender's Office, Molitor & Associates, LLC, with an increase to \$10,000. 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.

Resolution 2023 – 04/Classify Records/Juvenile Detention (Action)

Resolution 2023-05/Destroy Records/Juvenile Detention (Action)

Chair Duncan said that items 21 and 22 from the original agenda could be handled together.

Juvenile Detention Senior Records Clerk Brandie Bradley asked the Board's approval of Resolutions 2023-04 and 2023-05, which was their annual request to classify and destroy records which they no longer needed to retain.

Commissioner Mattare moved that the Board approve Resolutions 2023-04 and 2023-05, for the classification and destruction of records for Juvenile Detention. 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 Items (Discussion)

Facilities Expansion

Chair Duncan reminded those present that a meeting was scheduled for tomorrow for the Justice Center Expansion project.

Impact Fees

Commissioner Brooks confirmed that he expected to have additional information for this item around the end of February.

- 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 2:50 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk