

Minutes of Meeting
Business Meeting
February 21, 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 Prosecutor Stanley Mortensen, Civil Deputy Prosecuting Attorney R. David Ferguson, Human Resources (HR) Generalist – Employee Relations Dorothy Cross, KCSO Undersheriff Brett Nelson, KCSO Captain Stuart Miller, KCSO Sergeant Ryan Miller, KCSO Animal Control Officer Sandra Osburn, Office of Emergency Management (OEM) Director Tiffany Westbrook, Finance Director Brandi Falcon, Staff Accountant – Budget Arrow Gidney, Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder, Solid Waste (SW) Director John (JP) Phillips, SW Operations Manager Doug Goodwin, Resource Management Office (RMO) Grants Manager Dorian Komberec, Information Technology (IT) Network Administrator Grant Kinsey, Airport Administrative Assistant Linda Leigh, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were North Idaho Fair General Manager Alexcia Jordan and Fair Board Chair Jerry Johnson. Ms. Leigh, Commissioner Brooks and Sergeant Miller were present via teleconference.

- A. Call to Order:** Chair Leslie Duncan called the meeting to order at 2:02 p.m.
- B. Moment of Silence**
- C. Pledge of Allegiance:** Finance Director Brandi Falcon 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.

There were no changes to the agenda.

- E. Approve Meeting Minutes (Action)**

02/03/2023	Human Resources
02/06/2023	Advisory Board Interview
02/07/2023	Commissioners' Status Update
02/07/2023	Amended Business Meeting

Commissioner Bruce Mattare moved that the Board approve items 1 through 4, 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 Adjustment to Tax-Valuation
- Treasurer’s Monthly Report for December 2022
- Treasurer’s Settlements and Statements Report for January 2023
- ECHO-Web Authorization & Certification
- Request for Funds/Authorized Signatures/Panhandle Village Water System Improvements Phase 2/Resource Management Office
- ~~Human Resources PAF/SCF Report for 2023 PP5 Week 1 – DUPLICATE ITEM~~
- Human Resources PAF/SCF Report for 2023 PP5 Week 1
- BOCC Signatures for Indigent Cases: 02/09/2023 – 02/15/2023
- DMV Petty Cash Request

Commissioner Brooks moved that the Board approve items 5 through 13, with the exception of duplicate item #10, on the agenda, the Consent Calendar. 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.

G. Approve Payables List (Action)

Commissioner Mattare moved that the Board accept the Payables List for the week of February 13, 2023 through February 17, 2023 in the amount of \$864,171.61, with jury payments of \$4,750.74. 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.

Kootenai County Resident Diana Sheridan entered the meeting at 2:05 p.m.

H. Business:

Bid-Opening Bid #2023-02/2023-02 Recycle Truck Bid Opening/Solid Waste (Action)

Solid Waste (SW) Director John (JP) Phillips reported that no bids had been received for the Recycle Truck.

No motion was required.

Bid-Opening Bid #2023-03/2023-03 Wheel Loader Bid Opening/Solid Waste (Action)

Chair Duncan reported that two bids had been received for the Wheel Loader. She opened the first one, which was from Pape Machinery, for a John Deere 624P Waste Handler Wheel Loader for \$322,500.

Commissioner Mattare opened the second bid, which was from Western States Equipment, for \$312,667.95.

Chair Duncan moved that the Board acknowledge receipt of the two bids and pass them on to Legal and Solid Waste for consideration. 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. Phillips and SW Operations Manager Doug Goodwin exited the meeting at 2:08 p.m.

Board Approval Request: Adoption of Kootenai County Cybersecurity Mitigation and Response Plan/Office of Emergency Mgmt (Action)

Office of Emergency Management (OEM) Director Tiffany Westbrook requested the Board's approval of the Kootenai County Cybersecurity Mitigation and Response Plan. She stated that the plan had been developed by Information Technology (IT) and OEM and described its contents. She added that Legal had reviewed and approved the document.

IT Network Administrator Grant Kinsey voiced his support for the plan and praised OEM's assistance.

Commissioner Mattare asked that the statement of purpose, "to maintain the trust of Kootenai County employees, customers and partners," be revised to include "Kootenai County citizens."

No objections were voiced to his suggestion.

Commissioner Mattare moved that the Board approve the plan, with the addition of "citizens" into the purpose statement, 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.

Mr. Kinsey exited the meeting at 2:10 p.m.

Board Approval Request: LEPC Bylaws/Office of Emergency Mgmt (Action)

Ms. Westbrook asked the Board's approval of the LEPC (Local Emergency Planning Committee) Bylaws, as presented. She said that the proposal was more closely aligned with best practices throughout the State of Idaho. She stated that the LEPC had adopted the Bylaws in their most recent meeting.

Commissioner Mattare asked how many members belonged to the Committee.

Ms. Westbrook stated that there were about 45 members. She said there was an application process through the State for new members, with continued membership contingent upon attendance to meetings.

Commissioner Brooks moved that the Board approve the LEPC Bylaws, by the Office of Emergency Management. 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 Pre-Application/Hazard Mitigation/Federal Emergency Management Agency (FEMA) \$240,609.00/Cash Match \$80,203.00/Office of Emergency Mgmt (Action)

Ms. Westbrook requested the Board's approval of a Grant Pre-Application for Hazard Mitigation to the Federal Emergency Management Agency (FEMA) in the amount of \$240,609, with a cash match of \$80,203 required. She stated this was for the generator for the Administrative Building.

Ms. Westbrook explained that the \$80,203 match was based on 25% of the project's total cost. She said that the documents requested were needed for their request to proceed through the system. She predicted that a decision on their request would come in early spring.

Chair Duncan pointed out that this was just the pre-application process for the grant and did not commit the County. She said that she felt the generator was necessary for the Administration Building. She added that she would be willing to cover the matching amount from fund balance, if no other source could be identified.

Commissioner Mattare moved that the Board approve the Grant Pre-Application for Hazard Mitigation with FEMA, with the total grant amount \$240,609 and a cash match of \$80,203, and that the Board would provide the Grant Match Commitment Letter. 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.

MOU for the Basic Patrol Academy Law Enforcement Program at NIC/North Idaho College (NIC)/Sheriff/Patrol (Action)

KCSO Undersheriff Brett Nelson requested the Board's approval of an MOU (Memorandum of Understanding) for the Basic Patrol Academy Law Enforcement Program at NIC (North Idaho College). He reminded the Board that KCSO Sheriff Robert Norris had gotten their approval last year to have a Lieutenant oversee the program. He noted that NIC had agreed to pay \$100,000 for this. He stated that Legal had reviewed the agreement and the NIC representative had signed it on February 8, 2023.

Undersheriff Nelson provided additional information about funding issues, in response to a question from Chair Duncan.

Commissioner Brooks moved that the Board approve the MOU for the Basic Patrol Academy Law Enforcement Program at NIC for the Sheriff's Office, Patrol Division. 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: Consideration of Reimbursement Funds from ARPA/Higher Ed Emergency Relief/Sheriff (Action)

KCSO Captain Stuart Miller reminded the Commissioners that he had come before them last year with the same request. He explained that each of their students at the Academy had received a check from the college as part of the ARPA (American Rescue Plan Act) Higher Ed Emergency Relief program. He stated that students had again received a check for \$460 and asked the Board whether the students would be allowed to keep it.

Commissioner Mattare moved that the Board approve the request for consideration of reimbursement of funds from ARPA Higher Education Emergency Relief, related to the Sheriff's Office, for \$460 per student. 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.

Captain Miller exited the meeting at 2:19 p.m.

Board Approval Request: Notice of Termination of Temporary Dog Sheltering Agreement/City of Post Falls/Sheriff (Action)

KCSO Animal Control Officer Sandra Osburn requested that the Board direct that the Notice of Termination of Temporary Dog Sheltering Agreement with the City of Post Falls be sent. She said the new County facility would be opening for public use in April and would begin receiving animals at the end of March.

Commissioner Brooks moved that the Board approve the request to send the Notice of Termination of the Temporary Dog Sheltering Agreement to the City of Post Falls. 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.

Officer Osburn exited the meeting at 2:21 p.m.

Grant Application/Recreational Boating Safety (RBS)/Idaho Department of Parks and Recreation (IDPR) \$169,738.00/Cash Match Vessel Fund \$84,869.00/Sheriff – Rec Safety (Action)

KCSO Sergeant Ryan Miller requested the Board’s approval of a Grant Application for Recreational Boating Safety (RBS) from the Idaho Department of Parks and Recreation (IDPR) in the amount of \$169,739, with a cash match coming from the Vessel Fund in the amount of \$84,869. He said this was a grant they applied for annually, to supplement the Vessel Account and pay for salaries, fuel and repairs. He reminded the Commissioners that they had previously approved the purchase of certain pieces of equipment with the understanding that the expense was to be covered by this grant.

Commissioner Mattare moved that the Board approve the Grant Application for the RBS Idaho Department of Parks and Recreation in the amount of \$169,738, with a cash match from the Vessel Fund of \$84,869. 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 Closeout/Waterways Improvement Fund (WIF) Sonar Boat Re-Power Project/Idaho Department of Parks and Recreation (IDPR) \$43,669.00/Cash Match Vessel Fund \$42,687.28/Sheriff – Rec Safety (Action)

Sergeant Miller stated that they had received approval last year for the sonar boat. He said that they had gone a little bit over budget, by \$18.38, due to supply issues. He confirmed that the full match would come from the Vessel Fund.

Commissioner Brooks moved that the Board close out the Waterways Improvement Fund Sonar Boat Re-Power Project with the Idaho Department of Parks and Recreation in the amount of \$43,669, with a cash match from the Vessel Fund of \$42,687.38. 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.

Undersheriff Nelson exited the meeting at 2:25 p.m.

Termination of Ground Lease AAL-2020-200 Hangar Sale/Mark Ficek/Airport (Action)

Ground Lease AAL-2022-3000 Hangar Purchase/Bug Smasher Aviation, LLC/Airport (Action)

Airport Administrative Assistant Linda Leigh confirmed that items 25 and 26 on the agenda could be handled in one motion. She explained that Mark Ficek had sold his hangar to Bug Smasher Aviation, LLC. She said item 25 was the termination of Mr. Ficek’s

ground lease and 26 was the new lease. She added that there would be an annual revenue from the new lease of \$3,447.76.

Commissioner Mattare moved that the Board approve the termination of Ground Lease AAL-2020-200 for Mark Ficek and approve the ground lease AAL-2022-3000 for Bug Smasher Aviation, LLC. 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: Memorandum of Understanding/Kootenai Fire & Rescue Lease Funds/North Idaho Fair Board/Fairgrounds (Action)

North Idaho Fair General Manager Alexcia Jordan requested the Board's approval of the MOU for the lease funds from the Kootenai Fire & Rescue Station #4, located on the Fairgrounds. She said the MOU included the clarifications which the Board had requested at the last meeting.

Chair Duncan noted that there were still a couple of small errors on the document but that they could fix them when the Commissioners signed it.

Commissioner Brooks moved that the Board approve the request for the Memorandum of Understanding for the Kootenai Fire & Rescue Lease Funds, for the North Idaho Fair Board and the Fairgrounds. 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. Jordan and Fair Board Chair Jerry Jordan exited the meeting at 2:28 p.m.

Board Approval Request: Ratify/Appointment of Interim Airport Director and Consideration of Salary/BOCC (Action)

Commissioner Mattare stated that the Interim Airport Director would start February 23, 2023 and asked the Board to approve the appointment and the salary adjustment.

Chair Duncan confirmed that the Interim Director would be in place until they were able to hire a new permanent Director.

In response to a question from Commissioner Brooks, Commissioner Mattare stated that the search would be made nationally. He said the development of the search team would be handled in another meeting.

Commissioner Mattare moved that the Board approve the request to appoint Phil Cummings as Interim Airport Director at Grade 16, Step 1 salary, until a permanent Director is hired. 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: Airport Operation Duty Manager Position/Higher Duty Pay/BOCC (Action)

Commissioner Mattare remarked that there were two additional positions open at the Airport. He said the other one would be handled in a future Human Resources meeting.

Commissioner Mattare moved that the Board increase the Airport Operation Duty Manager position to a higher duty pay, from Grade 10 Step 5 to Grade 10 Step 7. 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.

Financial/Budget: Authorization to Retain Surplus Funds/Snowgroomers (Action)

Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder requested the Board's authorization to retain funds from the sale of their Case Loader, which had been declared surplus and sold February 1, 2023.

In response to a question from Chair Duncan, Mr. Snyder stated that the money would go to their Operations account, into Fund Balance, rather than being split with KCSO.

Commissioner Mattare moved that the Board authorize the retention of surplus funds by Snowgroomers in the amount of \$27,810, into the Operations 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.

Weed Spraying Agreement/Panhandle Spray Service/Noxious Weeds (Action)

Mr. Snyder requested the Board's approval of the annual Weed Spraying Agreement with Panhandle Spray Service. He said this was for the control of noxious weeds on County-owned properties, per Idaho Code 22-2407, and the cost would be \$49,100. He stated that this had been included in their FY23 Budget.

Commissioner Brooks moved that the Board approve the Weed Spraying Agreement with Panhandle Spray Service, for Noxious Weeds, in the amount of \$49,100. 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.

Financial/Budget: Approve Fund Balance for Lighting Project/Parks & Waterways (Action)

Mr. Snyder reported that P&W had recently completed their lighting project at the Stateline Bridge. He explained that this had been a Joint Powers Funded Project, so the money had not been included in his FY23 Budget and Board authorization was required to complete the payment. He stated the amount was \$72,000. He added that the project had been jointly funded through the City of Post Falls, City of Coeur d'Alene, Kootenai County and the North Idaho Centennial Trail Foundation.

Chair Duncan said that each of those entities placed \$10,000 into a fund each year, which was the source of the Fund Balance referenced.

Mr. Snyder confirmed that the current balance in that fund was about \$240,000. He explained the actual attribution of project expenses to the different groups.

Commissioner Mattare moved that the Board approve the Fund Balance payment for the Lighting Project for Parks & Waterways of \$72,000, 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. Westbrook exited the meeting at 2:36 p.m.

Resolution 2023-13/Public Hearing/Kootenai County Waterways Ordinance, Increase of Fees/Parks & Waterways (Action)

Chair Duncan stated that this was a public hearing on the Kootenai County Waterways Ordinance for an increase in fees related to parking violations.

Mr. Snyder reminded those present that in a meeting with the BOCC on October 25, 2022, he had been directed to bring forth the Resolution presented today. He explained this would double the parking violation fees at County recreational facilities. He said it had been observed that the \$50 fine previously charged was not sufficient deterrent to cause compliance.

Chair Duncan asked if anyone from the public wished to speak for or against the Ordinance change.

There was no response.

Commissioner Mattare moved that the Board close Public Testimony for Resolution 2023-13. 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.

All three Commissioners indicated their support for the proposed resolution.

Commissioner Mattare moved that the Board approve Resolution 2023-13, to increase the fee for \$100 for Parks & Waterways. 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.

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 2:38 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk