

DELIBERATIONS
MINUTES OF MEETING
February 28, 2019
Kootenai County Solid Waste

Minutes Date: February 28, 2019

Case Name: Kootenai County Solid Waste

Permit Numbers: SDP19-0016 and COM19-0016

Commissioners Present: Chairman Chris Fillios, Commissioner Leslie Duncan
Commissioner Bill Brooks present by telephone

Commissioners Absent: None.

CONFLICT(S): None.

CHANGES: None

STAFF PRESENT: David Callahan, Darrin Murphey, Kathryn Ford

Permit No's. SDP19-0016 and COM19-0016, Fee Waiver for Kootenai County-Solid Waste, a request by Laureen Chaffin, Principal Planner to waive the site disturbance and commercial permit fees in the amount of \$5,828.87. The applications are for construction of retaining walls at the Prairie Transfer Station in Post Falls.
(David Callahan-Director)

David Callahan, Director, stated it is common practice to consider and approve other county department or municipality fee waiver requests. This reduces the processing of funds from one county account to another.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the fee waiver of \$5,828.87 for **Permit Nos. SDP19-0016 and COM19-0016, Kootenai County Solid Waste.**

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

Decision: Approved

Deputy Clerk's Signature: _____
February 28, 2019

DELIBERATIONS
MINUTES OF MEETING
February 28, 2019
Lost Creek Estates 2nd Addition (Phase III)

Minutes Date: February 28, 2019

Case Name: Lost Creek Estates 2nd Addition (Phase III)

Case Number: MSF19-0001

Commissioners Present: Chairman Chris Fillios, Commissioner Leslie Duncan
Commissioner Bill Brooks present via telephone

Commissioners Absent: None.

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Darrin Murphey, Vlad Finkel, Kathryn Ford

Case No. MSF19-0001, Lost Creek Estates 2ND Addition (Phase III), a request by Waldo Construction, LLC, for final approval of the 3rd and Final Phase of a Major Subdivision consisting of 26 residential lots on approximately 107.93 acres in the Rural zone. The parcel number is: 0-J407-000-00B-0. The site is described as Lost Creek Estates, Tract B in Section 03, Township 51 North, Range 5 West, B.M., Kootenai County, Idaho. On April 21, 2005, the Board of County Commissioners granted preliminary approval of a 64 residential lot phased subdivision, known as Lost Creek Estates in Case No. S-760P-03. On September 28, 2006, the Board signed an Order of Decision, granting final subdivision approval of Lost Creek Estates (Phase I) in Case No. S-760F-06 consisting of 16 residential lots. Through a series of extensions, on May 22, 2014, the Board granted final subdivision approval of Lost Creek Estates 1st Addition (Phase II) in Case No. MSF14-0002 consisting of 22 residential lots.

Vlad Finkel, Planner, provided an overview of the project regarding the history of the subdivision to the current request for final approval. He referenced a presentation showing aerial maps and plats that have been recorded. Mr. Finkel stated the Applicant has minimally met the code requirements for this final request. The primary concerns were infrastructure and the water system. The water system is in place with bonding. The roads are not finished but they are graded pending spring completion. There is a bond with Post Falls Highway District pending road completion. Once the plat is signed the roads are under the jurisdiction of Post Falls Highway District. All the permits for Kootenai County have been approved, issued and are in place.

The Board had no concerns regarding this final request.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the Final Phase for **MSF19-0001 Lost Creek Estates 2nd Addition (Phase III)**.

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

Decision: Approved

Deputy Clerk's Signature: _____
February 28, 2019

DELIBERATIONS
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: February 28, 2019

Case Name: Kootenai County on behalf of Jeremiah D. Ellison

Case Number: Ordinance No. 536/ZON18-0014

Commissioners Present: Chairman Chris Fillios, Commissioner Leslie Duncan
Commissioner Bill Brooks present via telephone

Commissioners Absent: None.

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Darrin Murphey, Ben Tarbutton, Kathryn Ford

Ordinance No. 536/Case No. ZON18-0014, a request by Kootenai County on behalf of Jeremiah D. Ellison to assign a new zoning classification to Parcel Number S00000061950, which consists of 15.072 acres. The parcel is located east of the intersection of W. Nash Road and N. Charlotte Drive. The subject parcel was recently de-annexed from the city limits of the City of Spirit Lake and is now within the County jurisdiction. As such, the County is required to assign a zoning classification to it. The County proposes the subject parcel be assigned a Restricted Residential zoning classification, consistent with the adjacent parcels and surrounding area. Access to the subject parcel is off of W. Nash Road. The property is described as: Tax # 15124 in the Southeast quarter of the Northeast quarter in Section 06, Township 53 North, Range 04 West, B.M., Kootenai County, Idaho. The Hearing Examiner held a public hearing on December 6, 2018 and recommended approval. The Board held a public hearing on February 14, 2019 and unanimously approved the request. *(Ben Tarbutton-Planner)*

Ben Tarbutton, Planner, stated the zone change was approved by the Board on February 14, 2019. The Order of Decision with the supporting Ordinance was prepared for signing in accordance with the Board approval.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve signing and execution of **Ordinance 536** and Order of Decision for **ZON18-0014, Kootenai County on behalf of Jeremiah D. Ellison.**

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

Decision: Approved

Deputy Clerk's Signature: _____
February 28, 2019

DELIBERATIONS
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: February 28, 2019

Case Name: Kelvin Shin on behalf of Dennis B. Swartout Family Trust

Case Number: Ordinance No. 537/ZON18-0006

Commissioners Present: Chairman Chris Fillios, Commissioner Leslie Duncan
Commissioner Bill Brooks present via telephone

Commissioners Absent: None.

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Darrin Murphey, Ben Tarbutton, Kathryn Ford

Ordinance No. 537/Case No. ZON18-0006, a request by Kelvin Shin on behalf of Dennis B. Swartout Family Trust, to rezone parcel 53N03W-33-0160 from Rural to Commercial. The subject parcel is approximately 4.7248 acres. The subject parcel is currently undeveloped. Access to the parcel is from E. Bunco Road, just east of Highway 95. The parcel number is 53N03W-33-0160, described as: TAX # 23479, PTN TAX # 23849 [IN SEC 33] EX RW in Section 33, Township 53 North, Range 03 West, B.M., Kootenai County, Idaho. The Hearing Examiner held a public hearing on January 3, 2019 and recommended approval. The Board held a public hearing on February 14, 2019 and unanimously approved the request. *(Ben Tarbutton-Planner)*

Ben Tarbutton, Planner, stated the zone change was approved by the Board on February 14, 2019. The Order of Decision with the supporting Ordinance was prepared for signing in accordance with the Board approval.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve signing and execution of **Ordinance 537** and Order of Decision for **ZON18-0006, Dennis B. Swartout Family Trust for Kelvin Shin.**

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

Decision: Approved

Deputy Clerk's Signature: _____
February 28, 2019

**Minutes of Meeting
Community Development Update
February 28, 2019, 9:00 a.m.**

The Kootenai County Board of Commissioners met to discuss Community Development updates. Commissioner Duncan and Chairman Fillios were present. Commissioner Brooks was present via tele-conference. Also in attendance were Community Development Director David Callahan, Planner II Ben Tarbutton, Planner II Vlad Finkel, Code Compliance Officer II Sandy Forstrom, Civil Deputy Prosecuting Attorney Darrin Murphey, and Deputy Clerk Sandi Gilbertson.

A. Call to Order: Chairman Fillios called the meeting to order at 9:19 a.m. (Continuation of deliberations agenda)

B. Changes to the Agenda: None

C. Business

1. Authorization to pursue code violations found by staff in the usual course of conducting business. (Action Item)

Director Callahan asked the Board for authorization to pursue code violations found by staff in the usual course of business. The Board was in agreement to authorize pursuing these types of code violations if they were found in the course of conducting business and not sought after.

Motion by Commissioner Duncan authorizing staff to be able to bring forth code violations not complaint driven. The motion was seconded by Commissioner Brooks.

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

The motion carried.

Public Comment: 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 being no further discussion, Commissioner Fillios adjourned the meeting at 9:24 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chairman