

**Minutes of Meeting  
Community Development  
February 28, 2019  
3:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda item. Also present were Chief Deputy Assessor Joe Johns, Community Development Director David Callahan, Code Compliance Officer Sandra Forstrom, Code Enforcement Officer Jennifer Strampher, Civil Deputy Prosecuting Attorney Jamila Holmes, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present were Kootenai County Residents Betty Hartz, Jenny Schaffer, Greg Delavan, Rob Eachon, Jeff Morbeck and Dennis Lekander, and Coeur d’Alene Press Reporter Brian Walker. Commissioner Bill Brooks attended via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 3:00 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business:**

**Coeur d’Alene Lake Drive Residents’ Concerns about Property with Possible Code Violations (Action)**

Kootenai County Resident Jenny Schaffer explained that she and the other concerned neighbors understood that the property in question consisted of two lots and the zoning codes permitted two Recreational Vehicles (RVs) per lot. She indicated that she and the group did not think all four RVs belonged to the property owner. She reported that the owner was renting the spaces; he had advertised them on Craig’s List. She said they felt this might constitute a code violation and asked if the property needed to have commercial zoning. Chairman Fillios confirmed that it was zoned agricultural/suburban but that the property owner was permitted to rent spaces.

Ms. Schaffer said they were concerned about the sanitary arrangements for the RVs and the structure on the property since, according to the information they had compiled, there was no water or sewer service to the property. Ms. Schaffer stated that the RVs on the property had not been moved in the past five weeks. She added that they had not observed a pumping truck coming to empty the waste tanks of the RVs and wondered how that matter was being managed.

Kootenai County Resident Ron Thompson entered the meeting at 3:13 p.m.

Code Enforcement Officer Jennifer Strampher informed those assembled that the “intermittent use” of up to two RVs per lot was allowed by code. She stated that the property would only be considered an RV park if there were more than two per lot.

Community Development Director David Callahan said that there was a code amendment proposal included in Omnibus 3 that would define “intermittent use” in a

more restrictive way. He explained that Omnibus 3 would have to go through the Planning & Zoning Commission, a public workshop, a public hearing, then to the BOCC before it could be approved and estimated it would be June at the earliest before the process could be done. Mr. Callahan added that enforcement of the amended code, if the Omnibus 3 were passed, would be time consuming as well.

Kootenai County Resident Greg Delavan asked Mr. Callahan to clarify the sanitary and sewer aspect of the property. Ms. Strampher confirmed that the structure on the property had been a rock shop, not a home, and there was no septic tank on the property. Mr. Callahan said Panhandle Health District (PHD) would be responsible for investigating the public health implications.

Kootenai County Resident Rob Eachon reported that the previous owner, Tom Fisher, had applied for a site evaluation in 2007, in which the structure on the property was described as a one-bedroom dwelling with a bathroom. He pointed out that this description may have been in error because Mr. Fisher applied for a building permit to install a bathroom in 2009. Mr. Delavan submitted copies of the letters stating that site did not meet approval or standards for a drain field or septic system on two conditions: it was not far enough away from the water and the soil was too rocky. Mr. Delavan reported there also was no viable source of water for the site; the RV inhabitants have been using a plastic tank to provide water for the RVs and the building.

Mr. Callahan remarked that neither Code Enforcement nor PHD could prove that the RVs had not been taken off-site to empty their waste tanks, since the site was not monitored on a round-the-clock basis. He said that it would be illegal to dump waste at the site, but there had been no proof this had happened. Ms. Strampher stated she had not seen any evidence of that on her visits to the property. She reported that the owner of the property had told her he had a truck come to pump the waste tanks; she informed him that this was not allowed. She had explained to him that the RVs must be taken off the property to a pumping facility. She said she had also explained to him that RVs could not be used as a permanent residence. Ms. Strampher added that the owner had been cooperative when she spoke to him. She said he had claimed he was not aware of the rules that were being violated and immediately had taken steps to bring his property into compliance.

Kootenai County Resident Rob Eachon reported that, in addition to the RVs being inhabited, the structure on the property was being used as a dry cabin. Ms. Strampher said she had contacted a man in the cabin who told her he was a friend of the owner and was fixing it up. She said he had also told her he stayed there sometimes when he was working on the place but did not live there. Ms. Strampher said the building did have a composting toilet in place. Mr. Callahan asked if PHD had approved it but Ms. Strampher said she was not sure.

Mr. Callahan told the Commissioners he would have his staff investigate whether PHD knew how the RVs waste tanks were being managed and whether PHD had approved the composting toilet. He added that they would also continue to pursue approval of Omnibus 3. All three Commissioners voiced agreement.

**D. 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 was no public comment.

**E. Adjournment (Action):** Chairman Fillios adjourned the meeting at 3:49 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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