

**Minutes of Meeting  
Commissioners' Status Update  
March 16, 2020  
11:00 a.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Prosecutor Barry McHugh, Treasurer Steve Matheson, Chief Deputy Treasurer Laurie Thomas, Chief Deputy Assessor Joe Johns, Finance Director Dena Darrow, Staff Accountant – Budget Michelle Chiaramonte, Buildings & Grounds (B&G) Operations Manager Greg Manley, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present was Contractor Shawn Riley.

**A. Call to Order:** Chairman Chris Fillios called the meeting to order at 11:05 a.m.

**B. Changes to the Agenda (Action):**

Commissioner Leslie Duncan asked that an additional item be added to the agenda, on an emergency basis, related to the Kootenai County Emergency Declaration. Chairman Fillios agreed that this was appropriate. Since Commissioner Duncan would need to exit the meeting early, it was agreed to address this item first.

It was further agreed to move item four to the end of the agenda.

Commissioner Leslie Duncan moved that the Board add Emergency Declaration Discussion to the agenda today. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**C. Business:**

**Emergency Declaration (Discussion)**

Chairman Fillios reported that, with the agreement of the other Commissioners, he had signed the Emergency Declaration for Kootenai County yesterday. He noted it would need to be affirmed in the Business Meeting March 17, 2020 by a full vote of the Board. He explained it would be active for seven days, after which it could be cancelled or renewed. He said the declaration activated the Emergency Operation Center, which would transfer certain areas of authority to the Sheriff and the Office of Emergency Management. He added that the declaration also opened the opportunity to apply for applicable funding from FEMA. He stated that the declaration covered the entire County, including the cities, but individual cities could also issue their own adjunct declarations.

Chairman Fillios said that the Emergency Operations Center was up and running, had added additional phone lines and was recruiting additional personnel to allow 24/7 operation. He announced that there would be a press conference every day at 4:15 p.m. to offer updates on the situation.

Chairman Fillios stated that there had been cancellations of some meetings. He explained that the recommendation was for any meeting for more than fifty people be cancelled or postponed. He noted that the State of the County meeting planned for March 31, 2020 had been postponed.

Chairman Fillios reported that the Board was consulting with Community Development Director David Callahan, since there was a public hearing planned for Thursday, March 19, 2020. He explained that this was related to a contentious issue, so a large turnout had been expected. He stated that they were working on a way to handle the meeting in such a way as to respect due process requirements but still not cause unnecessary health risks.

Commissioner Duncan stated that the Board was taking the situation seriously, but would not overreact.

Chairman Fillios closed by asking that staff refrain from attending meetings if their presence was not required.

Prosecutor Barry McHugh exited the meeting at 11:10 a.m.

#### **Distracted Driving Legislation (Discussion)**

Commissioner Duncan stated that a gentleman had planned to attend today's meeting and offer a presentation on proposed legislation to increase regulation on distracted driving. She said that he had received a recommendation from his doctor to remain at home, due to his personal health situation. She explained that the legislation would ban holding a device while in the car. She said he had asked that people who wished to support the bill call their legislators this week.

#### **Judges' Parking Lot (Discussion)**

Commissioner Duncan stated that the Judges' Parking Lot needed repairs, but the Board should consider the level of work that should be undertaken, based on the possibility that a new building may be placed in that area. She suggested that the Board authorize repairs sufficient to limit possible liability but no more than that.

Contractor Shawn Riley offered his estimate that a full, complete repair of the lot would cost about \$40,000 and agreed with Commissioner Duncan that a lesser project might be more sensible until the question of the new building was settled.

Buildings & Grounds (B&G) Operations Manager Greg Manley reported that he had received estimates of \$4/square foot for patching. He agreed that something needed to be done to make the lot safe for disabled patrons.

Commissioner Brooks remarked that he was not in favor of doing any work on the lot at all, despite the fact that he used it regularly himself.

Chairman Fillios noted that a decision on the new building would not be made until April or May, after the Legislature's session ended.

Mr. Riley estimated that if the Board spent \$5,000 to \$7,000 on minimal repairs, it would still be far less expensive than a claim. He pointed out that the problem areas could be painted orange and ICRMP would consider that a proper warning of a tripping hazard. He offered his opinion that the cracking in the middle and the sunken spot near the sidewalk needed to be fixed, at the least.

Chairman Fillios agreed and suggested the item be placed on the agenda for a Business Meeting.

### **Phone Stipend Tax Consequences (Discussion)**

Finance Director Dena Darrow announced that her department had learned that the \$35/month phone stipend given to staff that use their personal phones for County business would be considered a taxable fringe benefit by the IRS. She said the County would need to start taxing that; the tax would be between \$1 and \$2 per month per affected employee. She reported that an employee had asked that the stipend be raised to offset the tax expense, to keep the value constant.

Ms. Darrow stated that the item would be taxed starting this coming payroll. She noted that about 62 people would be affected.

Chairman Fillios suggested that the item be included in the upcoming Budget discussions. There was general agreement.

### **Prison Release Center**

#### **Possible Advisory Vote (Action)**

#### **Ballot Language (Action)**

Commissioner Brooks reported that Civil Deputy Prosecuting Attorney R. David Ferguson had voiced no objection to the wording of his proposed advisory vote regarding the placement of a prison release center in Kootenai County.

Chairman Fillios read the proposed language into the record: "Do you support the establishment of a Community Reentry Center (Prison Release Facility) within Kootenai County? Yes/No"

Commissioner Brooks stated he wanted the advisory vote added to the ballot for the May 19, 2020 election. He expressed his concern that the State might finalize plans for the center without County residents having a chance to voice their opinions if the vote were delayed.

Commissioner Duncan commented that the Governor and others were already aware that Kootenai County did not favor the proposed center. She said she would prefer not to add this to the May ballot because it would be a rushed addition; the ballot order was to be presented to the Board this coming Thursday, March 19, 2020. She pointed out that they did not know if the ballot was going to be pushed to two pages or not; a two page ballot would double the cost of the order. She stated she would rather add this to the general election vote because there would be a substantially larger voter turnout at that time.

Commissioner Brooks replied that the Board should not hesitate to add it even if it increased the ballot to two pages. He said people want it on the ballot now and would be upset if it were put off until the November election.

Ms. Darrow asked whether the Board would cover the additional expense if the addition of the question did push the ballot to two pages and Elections was thereby compelled to exceed their budget.

Chairman Fillios commented that if the vote were delayed and the issue came before the Board, they would have to act in a quasi-judicial capacity and rule on it. He reminded those present that the Planning Office was creating a set of criteria by which the petition could be weighed. He noted that if the advisory vote were added to the May ballot, it could boost the turnout.

Commissioner Brooks moved that the Board include on the May 19, 2020 ballot for an advisory vote: "Do you support the establishment of a Community Reentry Center (Prison Release Facility) within Kootenai County? Yes/No." Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Commissioner Duncan exited the meeting at 11:30 a.m.

#### **Livestream All Board of County Commissioners Meetings (Action)**

Commissioner Brooks praised County staff for being prepared to provide live streaming of all BOCC meetings right away. He remarked that people had liked the YouTube recordings of meetings that had been provided so far and that he felt the live streaming would be even more popular.

BOCC Communications Manager Nancy Jones reported that there was no significant new challenge to live streaming; it was essentially the same as recording, or even a little easier.

Commissioner Brooks thanked Ms. Jones for her efforts.

Commissioner Brooks moved that the Board direct staff to proceed in their efforts to make all future meetings of the Board of County Commissioners and public hearings, as possible, held in the Boardroom or Meeting Rooms 1A & 1B be livestreamed. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

### **Assigned Fund Balance (Discussion)**

Ms. Darrow provided a PowerPoint with the current Fund Balance Assignments and reviewed the applicable policies. She showed the Commissioners how the new online workbook would function and announced that there would be a training session provided for them next Thursday. She urged the Board to experiment with the template and consider their priorities for use of the Fund Balance.

### **Pending Items Status Review List – Attached (Discussion)**

Romer House – Mr. Riley reported that Corey Trapp would no longer be working with the Music Conservatory group because they had no funding arranged yet and could not pay him. He said that they were meeting with John Swallow to try to get a cost estimate to renovate the building.

Herd District Creation – Commissioner Brooks said he had not been able to contact the person who had brought the request to the Board.

Fire Station at Fairgrounds – Chairman Fillios confirmed that Legal was still working on this issue.

Campus Auction MOU – Chairman Fillios and Mr. Riley stated they still needed to meet to discuss this request.

3<sup>rd</sup> Street Meeting Room Use – Mr. Manley presented suggested new language for the guidelines for reserving rooms. He indicated there was a problem with a particular department reserving rooms for three months at a time that needed to be addressed. He said he would send his suggested language to Legal for review.

Pending Legislation - Chairman Fillios announced that HB409 had been defeated in the State Senate. BOCC Senior Business Analyst Nanci Plouffe suggested that they follow up on Senate Bills 1277, 1416 and 1417 in the future. She said Senate Bill 1277 would increase the Homeowner’s Exemption to \$112,000, but would take the extra \$12,000 from new growth. She said Senate Bill 1416 increased the Homeowners Exemption to \$120,000 but did not limit new construction while Senate Bill 1417 would increase the Circuit Breaker limit. There was general agreement to add those to the updates in the future.

Body Scanner – Commissioner Brooks stated that KCSO Captain John Holecek was still working on this project.

Spokane River Wake Concerns – Chairman Fillios remarked this was still ongoing. He said that the Board should receive language from Legal on March 19, 2020, after which they could set a public hearing date. He noted that they would like to have a new ordinance in place before the boating season begins.

Wage Project – Ms. Plouffe said this would be addressed in the Elected Officials Meeting on March 18, 2020.

Facilities Expansion – Chairman Fillios said the Board was still waiting to see what would happen with the State Legislature. He predicted that they would move forward on this topic in April.

PAC Airport Lease – Chairman Fillios stated he had no updated information on this. He said Commissioner Duncan would report on it in the next Status Update Meeting.

IT Start ICRMP Cyber Program – Commissioner Brooks reported he had made no progress on this. He said he would address the issue as quickly as possible.

Quarterly Jail Inspection – Chairman Fillios said he and Commissioner Brooks had completed the quarterly Jail inspection last week. He stated that there were no obvious deficiencies and everything seemed to be in good order. Mr. Riley commented that there was some problem with IDOC (Idaho Department of Corrections) not claiming their prisoners in a timely fashion, which tied up beds at the Jail.

Basin Environmental Improvement Project Commission – Chairman Fillios reminded those present that the Governor intended to engage a third party to evaluate the data on the health of Lake Coeur d’Alene and that the Coeur d’Alene Tribe had withdrawn from the Lake Management Plan because they were dissatisfied with its progress. He noted that the cost for the third party would be about a million dollars and the project would probably take a couple of years to complete.

**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 11:57 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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