

**Minutes of Meeting**  
**Business Meeting**  
**April 2, 2019**  
**2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks, met to discuss the following agenda items. Also present were Chief Deputy Assessor Joe Johns, Chief Deputy Treasurer Laurie Thomas, Customer Service Technician III Amy Sweet, Finance Director Dena Darrow, KCSO Captain Matthew Street, KCSO Lieutenant Ryan Higgins, Solid Waste (SW) Director Cathy Mayer, Buildings & Grounds (B&G) Operations Manager Greg Manley, Resource Management Office (RMO) Program Manager Kimberli Riley, Civil Deputy Prosecuting Attorney R. David Ferguson, Civil Deputy Prosecuting Attorney Pat Braden, Civil Legal Assistant Barb Nyquist, Human Resources (HR) Generalist – Compliance Cecilia Sweet, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present was Contractor Shawn Riley.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:02 p.m.
- B. Pledge of Allegiance:** Chief Deputy Assessor Joe Johns led the Pledge of Allegiance.
- C. Consent Calendar (items to be approved listed below):**
  - Minutes of Meetings:**
    - 03/07/2019 Deliberations/VAR18-0007/Druffel Laketime, LLC
    - 03/13/2019 Human Resources: Personnel Changes
    - 03/20/2019 Elected Officials
    - 03/25/2019 Executive Session §74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated.
    - 03/26/2019 Request for Debt Forgiveness 2005-1115; 2006-271; 2006-374; 2006-599; 2006-1094; 2006-1274; 2006-1423
    - 03/26/2019 Request for Debt Forgiveness 2003-177
  - Board Actions:**
    - Assessor’s Adjustment to tax/valuation/AIN Nos. 206254; 211860
    - Treasurer’s Monthly Report/February 2019
    - Contract/Public Hearing/North Idaho College
    - Subdivision Completion Agreement/Rimrock Meadows/Community Development
    - PAF/SCF Report PP07/Human Resources
    - BOCC Signatures for Indigent Cases: 3/21/2019 through 3/27/2019

Commissioner Leslie Duncan moved that the Board approve the Consent Calendar as it appeared on the agenda. 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.

**D. Payables List (Action):**

Commissioner Duncan moved that the Board accept the Payables List for the week of March 24, 2019 through March 29, 2019 in the amount of \$813,485.67, with jury payments of \$4,588.98. Commissioner 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.

**E. Changes to the Agenda (Action):** There were no changes to the agenda.

**F. Action Items:**

**Receive/Requests for Proposals/Fixed Route Vehicles/Cutaway Paratransit Vehicles/Resource Management Office**

Resource Management Office (RMO) Program Manager Kimberli Riley asked the Commissioners to acknowledge the receipt of three responses to RMO's Requests for Proposals for fixed route vehicles. She stated the responses were from NW Bus Sales, Creative Bus Sales and Lewis Bus Group.

Commissioner Duncan moved that the Board acknowledge receipt of the Requests for Proposals for fixed route vehicles for Cutaway Paratransit. Commissioner 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.

**Contract/National Native American Construction (NNAC)/Solid Waste**

Solid Waste (SW) Director Cathy Mayer requested the Board's approval for execution of their contract with National Native American Construction for the Prairie Transfer Station Retaining Walls project.

Commissioner Duncan moved that the Board sign the contract with National Native American Construction for the retaining walls at Solid Waste. Commissioner 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.

**Proposal Agreement/Atlas Boiler/Courthouse/Buildings & Grounds**

Buildings & Grounds (B&G) Operations Manager Greg Manley requested the Board's approval of a proposal agreement with Atlas Boiler for repairs needed at the Courthouse. Mr. Manley explained that ICRMP (Idaho Counties Risk Management Program) had sent an inspector to the Courthouse and some problems with the boilers were discovered. He said the cost would be about \$5,630 to bring them up to code.

Commissioner Duncan moved that the Board approve the agreement with Atlas Boiler to fix the Courthouse equipment, at a cost of \$5,630, with the funds to come from Buildings & Grounds Maintenance. Commissioner 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.

**Award Bid/Ginno Construction/Marine Storage Building/KCSO**

Contractor Shawn Riley asked the Board's approval to award the bid for the KCSO Marine Storage Building to Ginno Construction. He reminded the Commissioners that the Board had previously approved the use of Vessel Fund Account dollars by the Sheriff's Marine Division to build storage for their boats. He said that Ginno Construction had been the lowest responsive bidder for the 40 x 60 x 16 structure, with an 8 x 60 open lean-to. Mr. Riley stated that the total price would be \$98,800.

Commissioner Duncan moved that the Board award the bid to Ginno Construction for the Marine Storage Building in the amount of \$98,800. Commissioner 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.

Ms. Mayer exited the meeting at 2:10 p.m.

**Request Authorization to Use Additional Funding/KCSO**

KCSO Captain Matthew Street requested the Board's permission to use additional funding provided by the City of Hayden. He reminded the Commissioners that KCSO had a contract with the City of Hayden to provide law enforcement services. He said the City

had increased their contribution for this fiscal year by \$6,250 per month to allow KCSO to purchase an additional patrol car. Captain Street said that \$75,000 would have accrued by the end of the fiscal year and would cover the full cost. He explained that delivery of the vehicle would take place in July 2019 and payment would be required at that time.

Commissioner Duncan moved that the Board approve the request for use of the additional funds to order the KCSO vehicle for the Hayden contract. Commissioner 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.

Mr. Riley and Mr. Manley exited the meeting at 2:14 p.m.

**Program of Projects/2020 – 2024/Projected Allocation of FTA 5307  
Apportionments/Resource Management Office**

Ms. Riley requested the Board’s approval for the Program of Projects for 2020 – 2024 covering the projected allocation of FTA (Federal Transit Administration) 5307 apportionments. She explained they normally receive about 1.5 million dollars per year in an apportionment; they have received \$1,571,211 this year. Ms. Riley added that her department had covered their matching requirements from in-kind and cash received from jurisdictions for capital projects. She said RMO would approach each of the five jurisdictions (Post Falls, Coeur d’Alene, Hayden, Huetter and Dalton Gardens) to increase their contributions, so there would be no additional burden on the County.

Commissioner Duncan moved that the Board approve the Program of Projects for 2020 – 2024. Commissioner 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.

**Memorandum of Agreement/Well Construction/Hayden Meadows School/Idaho  
Department of Water Resources/Aquifer Protection District**

BOCC Communications Manager Nancy Jones requested the Board’s approval of a Memorandum of Agreement for well construction at the Hayden Meadows School between the Idaho Department of Water Resources and the Kootenai County Aquifer Protection District. Ms. Jones explained the agreement was to install an educational monitoring well that had originally been approved for the FY2018 Budget, but no driller had been able to work on the project last year. She stated that the money originally set aside for this by the Aquifer Protection District had been preserved and remained ready for use. Ms. Jones added that she had been told that the driller had said he would be able to complete the project this summer.

Commissioner Duncan moved that the Board approve the Memorandum of Agreement for the well construction at Hayden Meadows School with the Idaho Department of Water Resources. Commissioner 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.

**Designate Commissioner Duncan/Commissioners' Representative with Full Settlement Authority/Kootenai County v. NRCC/District Court/Civil Prosecuting Attorney/Board of Commissioners**

Chairman Fillios asked the Board to approve the designation of Commissioner Duncan as the BOCC's representative, with full settlement authority, for the mediation process between Kootenai County and NRCC, LLC in a code enforcement case. Civil Deputy Prosecuting Attorney Pat Braden added that any settlement that was reached would be brought back to the full Board of County Commissioners for ratification and to be put on the public record.

Commissioner Brooks moved that the Board designate Commissioner Duncan as the BOCC's representative, with full settlement authority, in the case of Kootenai County versus NRCC in District Court on April 12, 2019. Chairman Fillios 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.

**Claims for Surplus Cash from 808 Trust Fund/Treasurer**

Chief Deputy Treasurer Laurie Thomas requested the Board's approval for claims for surplus cash from the 808 Trust Fund. She listed the following items:

- AIN 262341, Del Mar Holdings, LLC: net surplus of \$3,232.66 with two claims filed. The first was from North Kootenai Water District for \$127.99 and the second was from Gozzer Ranch Homeowners Association for \$20,196.16. The Treasurer's Office recommended that the Water District be paid \$127.99 and the Homeowners Association be paid the remaining balance of \$3,104.67.
- AIN 121453, Randy J. Wall: net surplus of \$31,474.40 with two claims filed. The first was from Mr. Wall for \$31,474.40 and the second was from Panhandle Mobil Estates Water System for \$3,245.000. Due to an active bankruptcy case, the County's Legal department recommended making payment of \$31,474.40 to the bankruptcy trustee, J. Ford Elsaesser.
- AIN 119171, Walter Becklund, Jr.: net surplus of \$56,824.31 with two claims filed. The first was from State of Idaho – Estate Recovery for \$51,194.57 and the second was from Panhandle Mobil Estates Water System for \$2,925. The Treasurer's

Office recommended that the Water District be paid \$2,925 and State of Idaho – Estate Recovery be paid \$51,194.57.

- AIN 128351, Steven P. Malone: net surplus of \$559.98 with one claim received from the State of Idaho – Department of Health and Welfare for \$559.98. The Treasurer’s Office recommended that payment be made to the State of Idaho – Department of Health and Welfare for \$559.98.

Commissioner Duncan moved that the Board approve the claims for surplus cash from the 808 Trust Fund according to the Treasurer’s narrative and additional information presented in the meeting, as well as in the Memorandum dated January 31, 2019 to the BOCC from Chief Deputy Treasurer Laurie Thomas. Commissioner 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.

**G. 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.

**H. Adjournment (Action):** Chairman Fillios adjourned the meeting at 2:30 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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