

Minutes of Meeting
Community Development Update
May 21, 2018 - 1:30 p.m.

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chairman Eberlein, Commissioner Fillios and Commissioner Bingham were present. In attendance were Community Development Director David Callahan, Civil Deputy Prosecuting Attorney Pat Braden, Planner III Mary Shaw, and Deputy Clerk Sandi Gilbertson. Larry Spencer, David Levine, and Brian Walker were in attendance.

Call to Order: Chairman Eberlein called the meeting to order at 1:30 p.m.

A. Changes to the Agenda: None

B. Business:

1. Development Agreements – Larry Spencer

Mr. Spencer presented his proposal to create a process that would extend the voluntary opt-out program through a development agreement. He said a property owner could obtain the development agreement that sometime in the future he would be able to opt-out of a building permit if the requirements for building permits are brought back by a future board. Commissioner Fillios commented that would circumvent the political process and tie the hands of a future board. Chairman Eberlein asked the Commissioners to think about the proposal. The Board did not make any decision on Mr. Spencer's request.

2. Requests by Brad Spears for reimbursement of freeze protection costs (RES18-0168)

Director Callahan said that Mr. Spears is asking for reimbursement for the cost of concrete insulating blankets. Mr. Spears said that the building inspector requested blankets be delivered to the site prior to pouring the footings per the cold weather concrete guidelines. Mr. Spears said the request was unwarranted and cited weather conditions. Director Callahan said that Chief Building Inspector John Mills said the building inspector's request was justified per the cold weather guidelines. The Board agreed not to reimburse any of the costs.

3. McGuire Park update and ownership discussion

Director Callahan gave an update on this property that is owned by Kootenai County. He said that selling the property would require a plat vacation to have the park area vacated by the BOCC. Then, the Board could sell the land at public auction. Another option is for the BOCC to have the land appraised, declare it to be an "odd-lot" property, and offer it to each adjacent property owner. In that case, the purchase price could not be lower than the appraised value. The third option is keeping it and maintaining it as a public park, or conveying it to another public entity. The Commissioners agreed to notify the adjoining property owners on the plat vacation and then make the property available for sale at public auction.

4. Discussion of ethical (inspection) quandaries resulting from the opt-out program

Director Callahan said staff has found themselves in an ethical dilemma when they are checking a location permit property for setbacks and they see construction that is unsafe. The BOCC gave permission for staff to speak to the property owner regarding the unsafe construction but the property owner does not have to act on that guidance. Director Callahan added that Community Development has received 91 opt-out applications since April 30 with 41 of those for single-family homes.

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 of the agenda items or public comment, Chairman Eberlein adjourned the meeting at 2:15 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Marc Eberlein, Chairman