

**Minutes of Meeting
Commissioners' Debriefing
June 4, 2018
2:30 p.m.**

The Kootenai County Board of Commissioners: Chairman Marc Eberlein, Commissioner Chris Fillios and Commissioner Bob Bingham met to discuss the following agenda items. Also present were Assessor Mike McDowell, Finance Director Dena Darrow, Deputy Finance Director Keith Taylor, Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder, KCSO Captain Lee Richardson, KCSO Captain John Holecek, Solid Waste (SW) Director Cathy Mayer, SW Operations Manager John Phillips, SW Principal Planner Lauren Chaffin, Airport Director Steven Kjergaard, Civil Deputy Prosecuting Attorney Jamila Holmes, BOCC Administrative Supervisor Nancy Jones and Deputy Clerk Tina Ginorio. Also present were Kootenai County residents Bill Brooks and Dan Gookin.

- A. Call to Order:** Chairman Marc Eberlein called the meeting to order at 2:30 p.m.
- B. Changes to the Agenda:** There were no changes to the agenda.
- C. Action:**

Parks & Waterways Surplus Funds Discussion

Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder reminded the Board that on Friday, May 19, 2018, he sent an email to the Commissioners referencing his department's surplus funds received from the auction of a vehicle. He said he had requested those funds be placed in the P&W account 35 1-002.3 and that all three Commissioners had responded in the affirmative. Mr. Snyder added that Chairman Eberlein and Finance Director Dena Darrow had suggested bringing the topic to the Debriefing to be memorialized officially.

Chairman Eberlein inquired if the goal was to purchase a \$5,000 dump truck. Mr. Snyder said that was correct; he hoped to buy a particular truck from the Post Falls Highway District for \$5,000. He reported the deal is being worked on but has not yet been finalized. Chairman Eberlein asked if the purchase had been included in the FY19 Parks & Waterways Budget. Mr. Snyder said it was.

In response to a comment by Commissioner Bob Bingham, Mr. Snyder said the previous vehicle had brought about \$3,200 at auction.

All three Commissioners agreed with the proposal.

Mr. Snyder exited the meeting at 2:33 p.m.

COE Air Expo

Airport Director Steven Kjergaard reminded the Board that the COE Air Expo's date was approaching. He provided the Board with the itemized expenses associated with the

event and a list of vendors that had reserved spaces. Mr. Kjergaard speculated that the event's proceeds might exceed the expense by about \$500. He said if this were the case, the profit would be donated to ACE Academy. He added that, if they did not meet expenses, he would negotiate with the Coeur d'Alene Resort to split the remaining cost.

Mr. Kjergaard asked if the Commissioners would like to consider purchasing a tent that would be used at the Expo, rather than renting one. He said the purchase price would be about \$9,200 and the rental would be \$2,000. He suggested that other County entities might use the tent if the Airport bought it and it might save the County money in the future.

Chairman Eberlein stated that, in his experience, repair charges generally made owning a tent, instead of renting it at need, less economical than would be expected. All three Commissioners agreed that renting the tent seemed more practical.

Industrial Litigation Fund

Assessor Mike McDowell explained that the Industrial Litigation Fund was originally set up by the Idaho Association of Counties with its purpose to provide funding if a County were faced with the need to defend the valuation of a property owned by a large company. Mr. McDowell said that the fund covers expenses such as expert witnesses and special attorneys. He added that there are times when a very detrimental precedent could be set for the entire State if certain cases were decided poorly due to an inadequate defense. Mr. McDowell stated that a county must donate to the fund in order to be eligible to draw from it and donations were requested as needed when the fund dropped below a certain figure. BOCC Administrative Supervisor Nancy Jones informed the Board that a donation for \$15,000 was last requested of Kootenai County two years ago. She said the donation requested this time was also for \$15,000. Mr. McDowell explained that the requested amount from each participating County was based on valuation totals, population and other factors to make it proportional for each County. He stated that, in his opinion, this was a very good resource for the County and membership should be kept. All three Commissioners indicated their support for the request.

Mr. McDowell exited the meeting at 2:47 p.m.

KCSO Medical Services Cap Coverage

KCSO Captain Lee Richardson told the Board he was present at the request of Undersheriff Dan Mattos to notify them that it was likely KCSO would experience an overage in its Medical Services Cap fund for FY18. He explained this fund covers medical expenses for Jail inmates.

Ms. Jones exited the meeting at 2:54 p.m.

Chairman Eberlein suggested the Jail cover the overage from their "B" Budget, if necessary, and return to the Board for authorization as needed.

KCSO Captain John Holecek informed the Commissioners that the Out-of-County Housing expense for FY18 would also probably exceed the Budgeted amount. Chairman Eberlein suggested they follow the same procedure of covering the overage from the "B" Budget and returning to the Board for authorization as needed. Commissioner Bingham and Commissioner Chris Fillios agreed.

Captain Richardson and Captain Holecek exited the meeting at 2:56 p.m.

Solid Waste Department Discussion

Chairman Marc Eberlein stated he believes it would be worthwhile for the County to investigate having Solid Waste needs serviced by private industry. He said he had received estimates that the County could save up to one million dollars in personnel costs and two million dollars in operating costs if the switch was made. Commissioner Bingham and Commissioner Fillios stated they would be willing to look at specific projections and analyses. Chairman Eberlein specified that his investigation would require that the County retain the same level of service as currently offered and stressed that he felt this possibility was worth examining only if it proved advantageous to the County. Civil Deputy Prosecuting Attorney Jamila Holmes suggested that analyses received be routed to Legal for examination.

Ms. Jones re-entered the meeting at 3:02 p.m.

Solid Waste (SW) Director Cathy Mayer stated she would like to be included in any discussions. She pointed out that SW currently receives many discounts which a private company would not receive, is fully self-supporting, contributes about \$1,000,000 to the General Fund and does support private industry through the contracts it generates. Ms. Mayer cautioned that private companies have been known to offer attractive deals for services initially and then, once the customer is committed, increase their prices enormously.

Ms. Holmes pointed out that the County has a long-term liability in regards to the landfill, even after it is closed. She suggested it would be unlikely for the County to locate a private entity to take over SW's responsibilities that would be willing and able to indemnify the County for that ongoing liability.

Solid Waste Principal Planner Laureen Chaffin pointed out that a private company would probably not be as responsive to public complaints or requests as their department has proven itself to be.

Finance Director Dena Darrow commented that she feels Solid Waste is doing a very good job. She said it is well run, sticks to its mission and costs the County taxpayers nothing while generating additional funds for the County.

SW Operations Manager John Phillips asked whether the potential two million dollars saved on Operations costs quoted by Chairman Eberlein included the landfill as well as the transfer station expenses. Chairman Eberlein said it would. Mr. Phillips said one of the primary concerns would be the environmental aspects, such as the effect on the

groundwater beneath the landfill and the surface water that flows from it. He said the integrity of the liner and the phases they have developed in managing it are critically important. Mr. Phillips expressed his concern about whether a private operator would always do the right thing, in the case of a potentially expensive, but easily concealed, accidental damage to the liner. He reminded the Commissioners that the County is permanently responsible for the landfill as far as the EPA (Environmental Protection Agency) and other regulating entities are concerned.

Deputy Finance Director Keith Taylor encouraged the Commissioners to keep close track of revenues if an outside operator takes over the service. Chairman Eberlein stated he would not be in favor of the outside operator taking over the revenue collection duties.

Ms. Mayer, Ms. Chaffin, Mr. Phillips and Ms. Holmes exited the meeting at 3:25 p.m.

Ratification of Vehicle Purchase

BOCC Administrative Supervisor Nancy Jones brought two instances of vehicle purchases that were approved without official motions being passed to the Board's attention. She said the first instance was in the January 22, 2018 Airport and Airport Advisory Board Update, in which the need for the replacement of two vehicles was discussed, with a cost not to exceed \$60,000. She said the second instance was in the February 12, 2018 Commissioners' Debriefing, in which Snowgroomer Operations Manager Dave Bonasera informed the Board that the pickup truck used by his staff had become unreliable and needed replacement, at a cost not to exceed \$31,600. Chairman Eberlein inquired whether Ms. Jones had listened to the recordings of the two meetings. She confirmed she had done so and verified that no motions were made. Chairman Eberlein suggested this be remedied.

Commissioner Bingham moved that the Board approve the purchase of two vehicles by the Airport, not to exceed \$60,000 and one vehicle by the Snowgroomers for \$31,600. Commissioner Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye
Commissioner Fillios: Aye
Chairman Eberlein: Aye

The motion carried.

BOCC Staffing Discussion

Ms. Jones reminded the Board that one of their staff would be leaving permanently this week. She asked the Board to approve an update of the job description and a reclassification of the position to determine the appropriate pay grade by Human Resources before posting the opening.

Chairman Eberlein requested that Civil Deputy Prosecuting Attorney Jamila Holmes be invited to rejoin the meeting before the Board entered Executive Session to discuss the position. There was a short recess while Ms. Holmes was contacted.

Ms. Holmes re-entered the meeting at 3:35 p.m.

Commissioner Fillios moved that the Board enter into Executive Session pursuant to Idaho Code §74-206(1)(b). Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye

Commissioner Fillios: Aye

Chairman Eberlein: Aye

The motion carried.

The Board entered into Executive Session at 3:35 p.m.

Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent (Closed Meeting)

Chairman Eberlein stated that Human Resources Director Skye Reynolds joined the Executive Session by telephone conference call at 3:56 p.m. and left the call at 4:16 p.m.

- **Personnel Item**
- **Personnel Item**

The Board exited Executive Session at 4:17 p.m.

Commissioner Fillios moved that the Board exit Executive Session and that staff proceed to update the job description and reclassify the Front Desk Position, with no other decisions or directions issued. Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye

Commissioner Fillios: Aye

Chairman Eberlein: Aye

The motion carried.

D. Decisions/Direction (Open Meeting)

No additional decisions or directions were announced.

- E. 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 was no public comment.

Chairman Eberlein adjourned the meeting at 4:17 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
