

**Minutes of Meeting  
Commissioners' Debriefing  
June 18, 2018  
2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Marc Eberlein and Commissioner Chris Fillios met to discuss the following agenda items. Also present were Buildings & Grounds (B&G) Director Shawn Riley, Finance Director Dena Darrow, Financial Performance & Compliance Senior Manager Kimberli Riley, Airport Director Steven Kjergaard, Airport Deputy Director Phil Cummings, Human Resources (HR) Director Skye Reynolds and Deputy Clerk Tina Ginorio. Also present were T.R. Norvell and Corrie Siegford from T-O Engineers, Airport Advisory Board Chair Joan Genter, Airport Advisory Board Member John Adams, Airport Advisory Board Member Jim Thorpe and Kootenai County Resident Greg Delavan. Commissioner Bob Bingham was excused

**A. Call to Order:** Chairman Marc Eberlein called the meeting to order at 2:30 p.m.

**B. Changes to the Agenda**

Chairman Eberlein stated that item number two and item number three needed to be removed from the agenda because Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder was unable to attend.

Commissioner Fillios moved that items two and three be removed from the Commissioners' Debriefing agenda. Chairman Eberlein seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**C. Business – Action Items**

**PLC Upgrade Discussion**

Buildings & Grounds (B&G) Director Shawn Riley explained that he had originally budgeted \$64,000 for this item but the final cost was \$69,104. He said the PLCs are the machines that run the touchscreens at the Jail.

Commissioner Bob Bingham entered the meeting at 2:32 p.m.

Mr. Riley stated that the PLCs in the original part of the Jail needed to be updated to match the ones in the Expansion, but between the time he received the estimate and when the work was scheduled, the cost of equipment and labor increased substantially. However, when he discussed the problem with the Auditor's Office, he said he was reminded that only \$5,000 was used of the \$15,000 set aside to redo the fence at the Compton Building. He informed the Board that he could have the money shifted between accounts and stay within his Budget.

Commissioner Chris Fillios moved the Board approve the increased cost of about \$5,000 for the PLC to come out of Fund Eleven. 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.

~~**Vessel Account Appropriation Discussion**~~ - Pulled

~~**Cataldo Properties Discussion**~~ - Pulled

**Airport Admin Mold Mitigation**

Airport Director Steven Kjergaard reported that the Airport Administration Building roof leaks and there is black mold present. He provided a copy of the estimate made by Burke's Klein's DKI and stated that the entire roof and attic space would need to be replaced, at a cost of about \$41,000. However, he said that they are planning to level the building in three to five years, so he was not sure this was the course they should take. He said the Airport has no funds to pay for the repairs and he is concerned that he may have to move his staff and equipment to a temporary facility for health reasons.

Commissioner Bingham pointed out there are several spray treatments that can kill mold in attics or basements. He asked whether the company Mr. Kjergaard consulted had suggested this alternative. Mr. Kjergaard reported the company said this was not an option.

Commissioner Bingham asked whether Mr. Kjergaard had more than one company inspect the premises. Mr. Kjergaard stated he contacted three companies but this was the only one willing to come to the Airport. He concluded that he felt he needed Board direction to proceed.

Chairman Eberlein stated that action must be taken promptly if a health risk exists. He said if they found the area could be treated to mitigate the problem, it would remove the need to do more extensive work. Commissioner Fillios remarked that he is acquainted with an Industrial Hygienist who told him there are many different species of black mold and only some are harmful to people. Commissioner Fillios said the Industrial Hygienist could test the air to see if the particular infestation is dangerous.

All present agreed to consult the specialist Commissioner Fillios recommended and determine whether the mold actually presented a hazard before deciding on a plan.

Mr. Riley and Human Resources (HR) Director Skye Reynolds exited the meeting at 2:41 p.m.

**Runway Alternative Discussion**

Mr. Kjergaard shared the results of his latest consultation with the FAA (Federal Aviation Administration) with the Commissioners. He said the FAA would not support the full

runway extension to six thousand feet he proposed for Runway 220. He said they did agree to allow RPZs (Runway Protection Zones) to be created in several places as he asked. He provided the Board with draft copies of the Airport's Project Capital Improvement Program.

Regarding land purchases, J. R. Norvell of T – O Engineers said the FAA had not finalized the funding for the recent thirty-four acre plot the Airport wished to buy. He explained that the funding might be split between FY2018 and FY2019. Mr. Norvell speculated that, in the end, the FAA would be able provide all the needed grant funds in FY2018, but they would need to wait for confirmation.

Mr. Norvell said he and Mr. Kjergaard had been also negotiating with the FAA regarding increased runway safety when crosswinds affect the area.

Chairman Eberlein inquired how much in matching funds the County would need to provide for the planned FY2019 projects. Mr. Kjergaard said this would depend on what happened with the land acquisition project, but estimated it would be about \$40,000.

#### **Airport Lease Discussion (Project C 130)**

Commissioner Bingham recommended the Board discuss lease negotiations regarding the Airport's Project C 130 and offer Mr. Kjergaard some direction on how they wish to pursue it. Chairman Eberlein expressed his concern that the perceived need to have new Minimum Standards approved before proceeding with lease negotiations might slow the project down and result in its failure. Mr. Kjergaard stated he is still personally in favor of sending out an RFP (Request for Proposal) on the project, but he would comply with the Board's recommendations.

Commissioner Bingham said that, if they proceed under the current Standards, the Board could just direct the Airport Director to write the lease. Commissioner Fillios inquired why Mr. Kjergaard preferred sending out an RFP. Mr. Kjergaard replied that he is concerned about possible future legal action. Airport Advisory Board Member Jim Thorpe warned that continuing delays would cause them to miss the construction season for this year.

Commissioner Bingham suggested that the Board direct staff to continue to work on negotiating the lease; this would not obligate the Board in any way. He said if there were any problems once the negotiations were complete, the Board could still decide to issue an RFP. Airport Advisory Board Chair Joan Genter agreed. She said this was a good opportunity for development on the north side of the Airport and she would hate to see that lost.

Commissioner Bingham moved that the Board direct the Airport Director to move forward with a discussion of the lease for the C 130 Project. 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.

### **Discussion of Real Property**

Mr. Kjergaard reminded the Board that they had received a bid for the Armory for \$1,150,000. Chairman Eberlein said he was not in favor of accepting the bid, since it is for less than the assessed value of the property and suggested that further negotiations be pursued. Mr. Kjergaard asked that the Board enter into Executive Session to discuss the appraised value of the Armory. Chairman Eberlein called for a short recess for Mr. Kjergaard to ask one of the County attorneys to attend.

The meeting went into recess at 3:13 p.m.

Civil Deputy Prosecuting Attorney R. David Ferguson entered the meeting at 3:14 p.m.

Chairman Eberlein called for the meeting to resume at 3:14 p.m.

T – O Engineers Representative Corey Siegford exited the meeting at 3:17 p.m.

Mr. Ferguson reviewed the information presented and stated that the discussion of the appraisal could not be covered under an Executive Session §74-107; it should be considered under Idaho Code §74-206(1)(d). Chairman Eberlein stated that they could not change the Executive Session code from that which appeared on the agenda, so they could not proceed with this aspect of the discussion at this time. Mr. Ferguson confirmed this. He agreed with Chairman Eberlein that a follow up meeting would have to be scheduled on which the item would be properly listed on the agenda.

Chairman Eberlein said he was not willing to accept the bid and would like further price negotiations to take place. He asked Mr. Ferguson, since the offer was significantly lower than the appraised value, could the Board negotiate further without going through the bid process again. Mr. Ferguson said that, in his understanding, an accepted bid had to be at least for the appraised amount, but he would have to review the statutes further before offering advice. The Commissioners agreed to ask Mr. Ferguson to investigate the question and to schedule a future meeting to discuss it.

### **Executive Session pursuant to Idaho Code §74-107 To Consider Records Exempt from Disclosure**

No material appropriate to this type of Executive Session was submitted.

- D. 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 3:20 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN

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

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