

**Minutes of Meeting
Commissioners' Status Update
July 27, 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 item. Also present were Finance Director Dena Darrow, Staff Accountant – Budget Michelle Chiaramonte, Resource Management Office (RMO) Director Jody Bieze, Community Development Director David Callahan, Parks & Waterways/Noxious Weeds/Snowgroomers Director Nick Snyder, Information Technology (IT) Network Administrator Grant Kinsey, KCSO Detective Derrick Hollenbeck, BOCC Senior Business Analyst Nanci Plouffe, Communications Manager Nancy Jones, and Deputy Clerk Ronnie Davisson. Also present were Fairgrounds General Manager Alexcia Jordan, Fair Board members Jerry Johnson and Linda Rider, 4H Extension Educator Sharla Wilson, and Contractor Shawn Riley.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 11:00 a.m.
- B. Changes to the Agenda:** Commissioner Leslie Duncan asked to remove the Executive Session from item #6, as it was improperly noticed and that items 6 and 7 be handled after item 1.
- C. Business:**

Sewer Pipe Repair for Parks & Waterways/Noxious Weeds Office (Action)

P&W/Noxious Weeds/Snowgroomers Director Nick Snyder explained that they had previously done a remodel at their office, which ultimately led to a restroom closure for the past two months. He explained that after \$2000 of investigations, a plumber suspected that one of their vent pipes was leaking sewer smell through the entire office. He also pointed out that the plumber believed during the remodel, one of the lag bolts may have punctured the vent pipe. Mr. Snyder said it would be approximately \$3880 to repair, for a total cost of \$5953, including the \$2000 investigative costs.

Commissioner Duncan suggested for it to be funded out of Contingency Funds, until such time as it was determined if the funding should come from elsewhere.

Commissioner Duncan moved to approve the sewer pipe repair for the Parks & Waterways/Noxious Weeds office in the amount of \$6000, to come from contingency. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

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

The motion carried.

Panhandle Health District Board Representation (Action)

- ~~a. 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 — Public Defender (Closed Session — Discussion)~~

~~b. Decisions/Direction (Open Meeting — Action) — REMOVED~~

Commissioner Brooks said that one topic that had been brought up after the Panhandle Health District meeting was who had elected the members of the PHD Board and he would like to see a member of the BOCC on the PHD Board in the future. He apologized that word had gotten around that the meeting would be focused on one representative of the PHD Board.

Chairman Fillios explained to the meeting attendees the reason that Commissioner Duncan had suggested removing the Executive Session from the agenda was because it was not noticed properly, meaning that the Public Defender was indicated for the Executive Session. He said that the Public Defender did not ask for an Executive Session, therefore, it should not have been on the agenda.

Chairman Fillios also explained that the Board did not discuss individuals in an open meeting; it would take place during an Executive Session. He cited Idaho Code 39-411, which outlined the requirement of the Panhandle Health Board of Directors. Using the statute as a reference, he explained that because there were five northern counties in North Idaho, if a PHD Board Member were to be removed, it would take a majority vote of the fifteen County Commissioners from the five northern counties.

Commissioner Duncan agreed with Commissioner Brooks that a member of the BOCC should be present on the PHD Board. Chairman Fillios pointed out that even if they decided to move forward with the removal of one of the PHD Board members, they would have to present it to the other four counties' County Commissioners.

Panhandle Health District Meet on Kootenai County Campus (Discussion)

Commissioner Brooks said that he did not like that there was a circus outside the Administration Building during the PHD meeting. He pointed out that Panhandle Health had their own parking lot, their own building, and the Administration Building could not hold many more people than they could. Further, he felt bad that people were defacing County property, people were screaming and in some cases, were screaming obscenities. Commissioner Brooks said that as a Conservative, it was embarrassing for him and urged people to be civil with each other.

Commissioner Duncan said that she wanted to be welcoming to the County's partner agencies, but the public turnout was too big for the Administration Building to handle. She suggested that the Kroc Center or Schuler Auditorium may have been better options.

Liaison Response to Communication from the Public (Discussion)

Chairman Fillios explained that the Commissioners always get communication from people and then they must determine who will respond to the communication. He suggested that, as they all serve as liaisons to different departments, the liaison to the

department in question would be the appropriate responding party. He said this would hopefully increase communication efficiency.

Federal Requirements for CARES Act Funding (Discussion)

RMO Director Jody Bieze explained that the COVID Team was asked to fund the Audio/Visual equipment for Meeting Room 1A/B and the review of the expense for the project was sent in an email to the Board. She said it basically encouraged a competitive event, instead of a non-competitive, as Federal Funding required 100% open and fair competition. She pointed out that although it was exempt for COVID Funding, it would still be best practice in order to provide an open and non-exclusive contract for the benefit of the taxpayers. Chairman Fillios asked if it was the recommendation of the COVID Team to go out for competitive bids; Ms. Bieze agreed.

Fair Unemployment Costs (Discussion)

Finance Director Dena Darrow said that Worker's Comp and Unemployment was paid by the Auditor's Office on behalf of the Fair, to which the Fair sent reimbursements for unemployment, but was not the same for Worker's Comp. She explained that they would like to transition the Worker's Comp to where the Fair would be responsible at the start of the new Fiscal Year. Fairgrounds General Manager Alexcia Jordan explained that they had yet to discuss the Worker's Comp transition and Ms. Darrow said they would work together to figure it out.

FY20 Byrne Justice Assistance Grant Program Award/Grant Application (Discussion)

Ms. Bieze explained that every year, the County was awarded a formula grant through the City of Coeur d'Alene via an MOU (Memorandum of Understanding). She said that typically the dollars were awarded for something related to criminal justice – mostly software. Ms. Bieze explained that this year, the Sheriff's Office had requested those funds be used for Cellebrite. Detective Derrick Hollenbeck said that the original quote they received was for approximately \$30,000, but they had downsized the package and would now cost roughly \$15,000 with a \$6325 yearly licensing fee. He explained that Cellebrite was a technology that would allow them to take cellular phones from victims or suspects and download information off the phones, like evidence photos. Detective Hollenbeck explained that they currently had to go to the local FBI Office to use their Cellebrite program since the Sheriff's Office did not have it.

Ms. Bieze pointed out the MOU was ready for approval at the next Business Meeting, but the grant application would come before the Board at a later date.

Chairman Fillios opened the floor for public comment at 11:29 a.m.

Beverly Guenette, 4777 W. Woodside Ave, Coeur d'Alene, said that at the PHD Hearing, it was members of the "other side" that had rushed the PHD Board during the meeting, not the conservatives. She also asked if the Board had to call a special session to recall a PHD Board member. Chairman Fillios said as there was no Legal Counsel present, his best guess was the Board could initiate the action and then bring it to the other four Board of

County Commissioners. Ms. Guenette said that she did not understand how the PHD Board was able to be the decision makers of the mask mandate, as she felt it should have been the City Councils. Chairman Fillios said it was within PHD's purview, but if they were to challenge it, it would be comparable to challenging statute.

Summer Bushnell, 5006 E. Portside Ct., Post Falls, opined that she would like to have an Elected Official on the PHD Board and agreed that some of the meetings should be in a larger space that outlined their accommodations. Ms. Bushnell asked when Jai Nelson, a current PHD Board Member, was up for reelection. Commissioner Duncan said that Ms. Nelson's five-year term would expire June 2021 and Ms. Bushnell asked the soonest they could initiate removal. Commissioner Brooks said it would have to be a Board discussion, with at least two of the three agreeing to move forward. Chairman Fillios said it would be something they may be able to add to an upcoming agenda.

Jeff Tyler, 5842 W. Harbor Drive, Kootenai County, said that he wanted to speak about his disgust of the decision the PHD Board made related to the mask mandate. He said we should listen to President Trump when President Trump says that masks should be optional. He also said that President Trump does not want the Country shut down or any more problems with local and national businesses, so why should he have to listen to un-elected officials tell him what to do.

Ann Seddon, 2477 W. Hull Loop, Coeur d'Alene, said that she wanted to speak about the children. She explained that she was a teacher of young children and wanted to see Ms. Nelson removed from the PHD Board because in her opinion, it was inhumane to require children over the age of two to wear a mask. She said it was child abuse to think that a five or six year old child could sit with a mask on for five hours.

James Clayton, 7973 N. West View Dr., Coeur d'Alene, said that he wanted to address statistics he retrieved from the US Census Bureau that related to the COVID death rate in North Idaho. He opined that the PHD Board did not have the power to lay out the mandate and felt as though they directly targeted Kootenai County.

Kimberly Tanner, 11137 N. Gairloch St., Hayden, said she was representing not only herself, but as a Kootenai County business owner. She said she had multiple health conditions where wearing a mask was detrimental to her health. She said the PHD Board should be made up of Elected Officials and that there should be Elected Officials that represent Kootenai County to sit on the Board.

State Representative Tony Wisniewski, 1517 W. Destiny Dr., Post Falls, pointed out that the original mandate was to flatten the curve and to have it widespread through the community to develop herd immunity. He said that statewide, hospital capacity was low. He also said that Idaho had a very high number of positive test cases and a very low death rate of the positive cases. He said based on that data alone, it seemed they were overreacting and should try to build up herd immunity in Idaho.

Pastor Tim Remington said that there were huge losses being taken and the biggest one was mental health. He said they needed to stop the fear of the pandemic, and asked that

the community be able to use their common sense. Pastor Remington said that it was time to have people on the Board that care about the community and common sense.

Chairman Fillios closed public comment at 11:53 a.m.

Chairman Fillios recessed the meeting at 11:55 a.m.

Chairman Fillios reconvened the meeting at 12:01 p.m.

Room 1A/B Audio Visual (Discussion)

BOCC Communications Manager Nancy Jones said that due to Meeting Room 1A/B becoming the primary meeting room during COVID, they have realized that there are significant issues with the current audio system. She said that when the project had been quoted, it was said to cost \$90,000; however, the Board had only budgeted for half, resulting in a subpar system. She then introduced Josh Helgeson, a representative from EPCO Sound and Electronics. Mr. Helgeson provided an overview of the company and the services they provided, and then presented an estimate of costs for the project.

The Board, Mr. Helgeson and Ms. Bieze discussed at length the bidding process and the project. No decisions were made.

Pending Items Status Review (List Attached)

U of I Extension New Home – Extension Educator Sharla Wilson explained that per request, she met with Fairgrounds General Manager Alexcia Jordan, Commissioner Brooks and Contractor Shawn Riley to discuss the Clerk’s request for them to vacate the Elections building. She said that it will take longer to come up with an appropriate long-term solution for them to move and said that she had given a tour to Commissioner Brooks and Chairman Fillios and invited Commissioner Duncan to come for the same tour. Ms. Wilson said that she felt that they could work with the Elections Office to accommodate the space they may need for the Presidential Election, but had yet to meet with the County Clerk or the Elections Office. She said that they would be willing to work with them on space needs even if it meant working remotely up to two weeks.

Chairman Fillios said that it seemed that keeping U of I Extension at their current location was the only option and take the necessary hiatus for two to three weeks for the Elections Office to be able to hold the Election.

State of the County - Commissioner Duncan asked whether Commissioner Brooks or Chairman Fillios wanted to practice their speeches before the luncheon, to which they all said they did not need to practice.

Fire Station at the Fairgrounds – Ms. Jordan explained that Joel Dollefield had called and said their lease agreement was ready and their Board would review it the upcoming week. She said that they would like to present it to the BOCC the following week.

- 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.

Nina Beasley, 6107 W. Majestic Ave, Rathdrum, said she was unable to hear the discussion earlier about the removal of Ms. Nelson from the PHD Board, to which Chairman Fillios explained briefly about the removal process. Ms. Beasley then inquired about Dr. McCandless and who he represented, to which Commissioner Duncan said she was researching it. She said that her biggest concern was with informed consent and that physicians should know how important it is.

- E. Adjourn:** Chairman Fillios adjourned the meeting at 12:42 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Ronnie Davisson, Deputy Clerk
