

**Minutes of Meeting
Commissioners' Debriefing
September 10, 2018
3:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Marc Eberlein and Commissioner Bob Bingham met to discuss the following agenda items. Also present were Public Defender Anne C. Taylor, Chief Deputy Treasurer Laurie Thomas, Human Resources (HR) Director Skye Mercer, Civil Deputy Prosecuting Attorney Darrin Murphey, Civil Deputy Prosecuting Attorney R. David Ferguson, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present was Kootenai County Resident Peter Erbland. Commissioner Chris Fillios was excused.

A. Call to Order: Chairman Marc Eberlein called the meeting to order at 3:01 p.m.

B. Changes to the Agenda (Action):

There were no changes to the agenda; however, Chairman Eberlein asked that item three on the agenda be handled first, since Civil Deputy Prosecuting Attorney Darrin Murphey was needed in court soon. There were no objections voiced.

C. Business:

Executive Session pursuant to Idaho Code §74206(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 – Discussion)

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

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

The motion carried.

Chairman Eberlein invited Mr. Murphey to remain for the Executive Session.

The Board entered into Executive Session at 3:02 p.m.

The Board exited Executive Session at 3:08 p.m.

Commissioner Bingham moved that the Board exit Executive Session and approve up to another \$5,000 for the Board's special investigator to continue investigative activity. Chairman Eberlein seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Decisions/Direction (Open Meeting – Action)

No additional decisions or directions were issued.

Human Resources Director Skye Mercer and Mr. Murphey exited the meeting at 3:09 p.m.

Tax Deed Property Sale (Discussion)

Chief Deputy Prosecutor Laurie Thomas explained to the Commissioners that in May 2018, Kootenai County received a tax deed for a parcel of land in the Bellerive area. She said the parcel was currently a parking lot. Ms. Thomas stated that an auction of the parcel was set for October 10, 2018.

Ms. Thomas cited Idaho Code §31-808(9) which states that the Board of Commissioners may grant a tax deeded parcel, with or without payment, to a political subdivision of the State of Idaho by approving a resolution stating the grant was in the public interest.

Ms. Thomas reported that the City of Coeur d’Alene had sent the County a letter on August 20, 2018 and requested the Board grant the parcel to the City. She said that they wanted the grant to occur before the public auction. She pointed out that the current owner of the property has the right of redemption, meaning the owner would be allowed time up until the actual day of the sale to make good on the back taxes and redeem the property. Ms. Thomas suggested that the property owner should be allowed the full amount of time to redeem the parcel, but that perhaps the Commissioners might pull the property on the day of the sale to allow the City to acquire it, that being in the public interest. She further suggested that the Board consult Legal, to make sure such action would be permissible. Commissioner Bingham said he thought this was a good idea. Chairman Eberlein agreed and stated he would not support closing on the property ahead of the full, allowed time.

Ms. Thomas reminded the Commissioners that this issue is on the agenda for the Business Meeting on September 11, 2018 and said she wanted to give them time to consider the situation.

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

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

The motion carried.

Chairman Eberlein invited Civil Deputy Prosecuting Attorney R. David Ferguson to remain for the Executive session.

The Board entered into Executive Session at 3:16 p.m.

Executive Session pursuant to Idaho Code §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 (threatened or pending litigation) (Closed Meeting – Discussion)

The Board exited Executive Session at 3:30 p.m.

Commissioner Bingham moved that the Board exit Executive Session and for staff to proceed as discussed. Chairman Eberlein seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

Decisions/Direction (Open Meeting – Action)

No additional decisions or direction were issued.

- 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.

E. Adjourn

Chairman Eberlein adjourned the meeting at 3:30 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
