

Minutes of Meeting
Noxious Weeds Cost Share Program
October 4, 2018
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Pro Tem Chris Fillios and Commissioner Bob Bingham met to discuss the following agenda item. Also present were Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder and Deputy Clerk Tina Ginorio. Chairman Marc Eberlein was excused.

- A. Call to Order:** Chairman Pro Tem Chris Fillios called the meeting to order at 2:02 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business:**

Cost Share Program (Discussion)

Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder reminded the Commissioners he had begun looking into the Cost Sharing Program for Noxious Weeds due to questions Commissioner Bob Bingham had asked over the summer. He provided a document showing a breakdown of the cost of eradicating noxious weeds throughout the County. He explained that the County had been participating in a Cost Share Program with entities that were not actually County responsibilities, such as Highway Districts and cities. Mr. Snyder noted that the expenditures for non-County properties from 2015 through 2017 was \$135,408.24.

Mr. Snyder reminded the Board that the County already participates in the IECWMA (Inland Empire Cooperative Weed Management Area) along with ITD (Idaho Transportation Department, the Department of Fish and Game, the Department of Lands, the Department of Parks and Recreation, the University of Idaho, the Coeur d'Alene Tribe, the Bureau of Land Management – Coeur d'Alene District, the State of Idaho, Shoshone County, Benewah County, and the US Forest Service – Idaho Panhandle. He said this agreement specifies each signatory will cooperate in controlling noxious weeds in its own jurisdictions and agree on an annual operating plan. He added that the Idaho State Department of Agriculture receives the agreement and provides grant money to the group; participating in this does not require the County to spend its own funds.

Mr. Snyder said that Civil Deputy Prosecuting Attorney Jamila Holmes had researched statutes related to this issue and had offered a written, legal opinion in April 2018. He said her document said the County had a responsibility to examine lands, issue enforcements, do public education and be available in the event of a court case related to Noxious Weeds. He said she did not find that the County had any obligation to enter into additional partnerships with these other entities and pointed out that the services provided here were paid for with General Fund dollars. He said Ms. Holmes concluded that there are no written agreements binding the County to continue the Cost Sharing Program and said he would like to see this program ended.

Commissioner Fillios asked what would happen if an entity did not manage its own weed issues. Commissioner Bob Bingham answered that if they did not, the Noxious Weeds Department would do it for them and then bill them for it. Mr. Snyder agreed and added that in Ms. Holmes' legal opinion; she said that the landowners are solely responsible for weed management, whether they are private, commercial or government owners, according to the statutes.

Mr. Snyder explained that about 30% of his staff time during peak weed season currently is spent managing the invoices for all of these non-County agencies. He said his department also has to order and store all of the chemicals, ensure the contractor fulfills all requirements and handle the follow-ups.

Commissioner Bingham pointed out that this item was listed as a discussion item not an action item on the agenda, so the Commissioners were not able to vote on it now. Mr. Snyder said this was an error, but he would have the retirement of the Cost Share Program on an agenda for a meeting next week as an action item. Commissioner Bingham and Chairman Pro Tem Fillios voiced agreement.

- 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 (Action):** Chairman Pro Tem Fillios adjourned the meeting at 2:20 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN PRO TEM

BY: _____
Tina Ginorio, Deputy Clerk
