

**Minutes of Meeting**  
**Business Meeting**  
**October 6, 2020**  
**2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks, met to discuss the following agenda items. Also present were KCSO Captain Andy Deak, KCSO Lieutenant Michael McFarland, Office of Emergency Management (OEM) Administrative Assistant Rachel Irish, Kootenai County District Court Judge Clark Peterson, District Court Domestic Violence Coordinator Mark Heid, Solid Waste (SW) Director John Phillips, Airport Director Steven Kjergaard, Human Resources (HR) Director Sylvia Proud, Finance Director Dena Darrow, Deputy Finance Director Keith Taylor, Elections/County Assistance Manager Shelly Amos, Tax Auditing Technician JoAnn Connor, Staff Accountant – Fixed Assets Isaac Ohm, Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder, Buildings & Grounds (B&G) Operations Manager Greg Manley, Resource Management Office (RMO) Senior Program Manager Kimberli Riley, Civil Deputy Prosecuting Attorney R. David Ferguson, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present were Contractor Shawn Riley, Kootenai County Residents Julianne Dance, Richard Dance, Cindy Nunn, Doug Elliot, Reed Christensen, Zoe Ann Thruman, Deborah Mitchell, Marshall Mitchell and Coeur d’Alene Press Reporter Madison Hardy. Mr. Snyder, Mr. Riley, Captain Deak and Ms. Riley were present via teleconference.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:04 p.m.
- B. Pledge of Allegiance:** Solid Waste (SW) Director John Phillips led the Pledge of Allegiance.

**C. Consent Calendar (items to be approved listed below):**

**Minutes of Meetings:**

- 08/13/2020 CUP19-0007/Faceless Cedar, LLC/Community Development
- 09/17/2020 CUP20-0004/Nielsen, LLC
- 09/22/2020 Business Meeting
- 09/24/2020 Human Resources
- 09/25/2020 Office of Emergency Management
- 09/25/2020 Executive Session §74-206(1)(c ) to acquire interest in real property which is not owned by a public agency.
- 09/28/2020 Airport & Airport Advisory Board Update
- 09/30/2020 Executive Session §74-206(1)(c ) to acquire interest in real property which is not owned by a public agency.
- 10/01/2020 Community Development Update

**Board Actions:**

- Assessor’s Adjustment to tax/valuation/AIN Nos. 333175/Ford; 304336/Libby
- Notice to Proceed/ EOC Remodel Project/Longwell-Trapp
- Resolution 2020-2/Construction Inspection Policy/Hayden Area Regional Sewer Board (HARSB)
- Memorandum/Authorization Request for Bad Debt Write Off/Solid Waste
- Memo from Nick Snyder/Parks & Waterways re: Employee Cell Phone Stipend Request

Human Resources: Personnel Changes/Rehire Screener/Thorogood; FY21 Salary Increases Updated Employees List and Revisions as of 9-29-20  
Approve Change Order/ATS Inland NW/Economizer Damper Actuators  
PAF/SCF Report: BOCC Review PP21 Week 1/Human Resources  
BOCC Signatures for Indigent Cases: 9/24/20 through 9/30/20  
Kennel License Renewal/White/Puppy Palace

Commissioner Leslie Duncan moved that the Board approve the Consent Calendar as it appeared on the agenda. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Duncan: Aye  
Chairman Fillios: Aye  
The motion carried.

Staff Accountant – Grants Julina Hildreth entered the meeting at 2:04 p.m.

**D. Payables List (Action):**

Commissioner Duncan moved that the Board reconsider the \$200,000 in funding to be provided by the County for the NAS (National Academy of Sciences) Study. There was no second, so the motion did not proceed.

Commissioner Brooks moved that the Board accept the Payables List for the week of September 28, 2020 through October 2, 2020 in the amount of \$592,759.97, with \$4,987.04 in jury payments. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Duncan: Nay  
Chairman Fillios: Aye  
The motion carried.

**E. Changes to the Agenda (Action):** There were no changes to the agenda.

**F. Action Items:**

**First Amendment to Agreement/Election Systems & Software, LLC (ES&S)/Elections**

Elections/County Assistance Manager Shelly Amos requested the Board's approval for a renewal of license on hardware, software and firmware for the fiscal year. She announced that the County had hit over 100,000 registered voters as of 7:00 p.m. last night.

Commissioner Duncan moved that the Board approve the first amendment to the agreement with Election Systems & Software, LLC and the Elections Department. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Civil Deputy Prosecuting Attorney Pat Braden entered the meeting at 2:08 p.m.

**First Amendment to Standard Agreement/Professional Services/CH2M Hill/Solid Waste**

Solid Waste (SW) Director John Phillips requested the Board's approval of an amendment to their standard agreement for professional services with CH2M Hill. He explained the \$30,000 amendment would close out the engineering and consulting services agreement between SW and Jacob/CH2M Hill Engineering for the Landfill Corridor Project. He stated the amount included changes in road configuration, power supply changes, construction contract rebids due to initial lack of interest, services for unsuitable subgrade and final closeout activities. He said this would finalize the contract at the amount of \$354,610, which was under budget.

Commissioner Brooks moved that the Board approve the first amendment to the standard agreement for professional services with CH2M Hill and Solid Waste. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**Cooperative Agreement/Office on Violence Against Women/Department of Justice/Heid/State District Court/Resource Management Office**

District Court Domestic Violence Coordinator Mark Heid requested the Board's approval of the cooperative agreement. He announced that Kootenai County had been selected as one of four jurisdictions in the United States for the grant to be a mentor court for the nation. He asked that the Board approve the acceptance of the grant.

Kootenai County District Court Judge Clark Peterson explained what being designated as a mentor court in this area meant and expressed his enthusiasm for Kootenai County being chosen. He said it was an honor and it showed the role Kootenai County played in leading the nation on the issue of domestic violence. He praised the Public Defender's Office, Adult Misdemeanor Probation (AMP), the Sheriff's Office, Court Clerk's Office and Prosecutor's Office for their contributions as well.

Mr. Heid, in response to a question from Commissioner Brooks, confirmed that the cost would be covered in full by the grant.

Chairman Fillios suggested that BOCC Communications Manager Nancy Jones include this information on the County's Facebook page.

Commissioner Duncan moved that the Board accept the award and sign the cooperative agreement with the Office on Violence against Women with the Department of Justice. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Judge Peterson and Mr. Heid exited the meeting at 2:14 p.m.

**2020 Emergency Management Performance Grant/Subrecipient Agreement/Idaho Office of Emergency Management/Office of Emergency Management/Resource Management Office**

Office of Emergency Management (OEM) Administrative Assistant Rachel Irish asked the Board to approve the grant. She explained this grant funded the salary and operations expenses for the OEM.

Commissioner Brooks moved that the Board approve the 2020 Emergency Management Performance Grant subrecipient agreement with the Idaho Office of Emergency Management and the Kootenai County Office of Emergency Management and the Resource Management Office. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**2019 State Homeland Security Grant Program (SHSP)/Subrecipient Agreement/Operation Stonegarden/Resource Management Office/KCSO**

KCSO Lieutenant Mike McFarland requested the Board's approval to accept the grant for Operation Stonegarden. He said it was a \$75,000 grant which would cover overtime and other approved expenses.

Commissioner Duncan moved that the Board approve the FY19 State Homeland Security Grant Program subrecipient agreement for Operation Stonegarden. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Lieutenant McFarland exited the meeting at 2:15 p.m.

**Termination of Lease/AAL-2020-400/Fightertown LLC/Airport**

Airport Director Steven Kjergaard requested the Board’s approval of the termination of a lease. He explained that the person had changed his mind about the location. He added that the lease was for \$2,710.92 per year.

Commissioner Brooks moved that the Board approve the termination of lease AAL-2020-400 with Fightertown LLC. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**Development and Ground Lease/AAL-2020-601/CDA Jet Center, LLC/Airport**

Mr. Kjergaard requested the Board approval of a new development and ground lease. He explained this was for the area called the “fuel farm area,” for \$24,746.46 per year.

Commissioner Duncan moved that the Board approve the development and ground lease AAL-2020-601 for the CDA Jet Center, LLC. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**Construction Agreement/Partial Perimeter Fence/Idaho Fence/Airport**

Mr. Kjergaard requested the Board’s approval of the construction agreement for the partial perimeter fence with Idaho Fence. He explained it was part of the FAA (Federal Aviation Administration) grant and required no matching funds from the County. He said it was for \$468,736 for fencing the west and north sides of the Airport.

Commissioner Brooks moved that the Board approve the construction agreement for the partial perimeter fence with Idaho Fence. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

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

The motion carried.

**FY20 Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA)/Notices of Funding Opportunity/Kootenai Electric/Office of Emergency Management**

Ms. Irish explained this would be a new program with FEMA Hazard Mitigation Grants to build resilient infrastructure. She said Kootenai Electric wished to qualify for the program,

but Kootenai County would need to be the applicant. She noted that there would be no cost to the County other than being administrator.

Kootenai Electric Representative Doug Elliot said the proposal would be to convert about 60 miles of overhead lines to underground in densely forest areas at a cost of about \$60 million, of which FEMA would fund approximately 75%.

Commissioner Duncan moved that the Board approve the FY20 BRIC and Flood Mitigation Assistance grant for Kootenai Electric and the Office of Emergency Management. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Kootenai County Resident Lois Moore, of Hayden, entered the meeting at 2:20 p.m.

**First Amendment/Harrison Breakwater Installation Agreement/North Idaho Maritime, LLC/Parks & Waterways**

Parks & Waterways (P&W)/Noxious Weeds/Snowgroomers Director Nick Snyder requested the Board's approval of the amendment to the Harrison Breakwater Installation Agreement. He explained it was clarification of the location for launching the breakwater into Lake Coeur d'Alene and explained the chain of custody between the breakwater manufacturer and the local marine support services contractor.

Commissioner Brooks moved that the Board approve the first amendment for the Harrison Breakwater Installation Agreement with North Idaho Maritime, LLC. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**Software License and Support Agreement/Northpoint Classification/Equivalent/Jail/KCSO**

KCSO Captain Andy Deak explained this was the classification software upgrade that had been discussed in their budget preparations in the spring, for \$34,230. He said it would offer a complete software upgrade, the implementation package, five licenses and the training to go with it. He stated the contract had been reviewed by Legal.

Commissioner Duncan moved that the Board approve the software license and support agreement with Northpoint Classification/Equivalent. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**Amendment to Contract/Architectural & Engineering Services/Detective Processing Building Remodel/Riley/KCSO**

Contractor Shawn Riley requested the Board's approval for an amendment to the contractor for architectural and engineering services on the Detective Processing Building Remodel. He said the amendment was in the amount of \$10,000 to include construction documents, bidding and construction oversight.

Commissioner Brooks moved that the Board approve the amendment to the contract for architectural and engineering services with Longwell Trapp for the Detective Processing Building Remodel. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**Approve FY21 Salary Increases/Updated Employee List/Revisions/Effective October 1, 2020/Human Resources**

Human Resources (HR) Director Sylvia Proud requested the Board's approval of the FY21 Salary Increases and Updated Employee List revisions, to be effective October 1, 2020. She reviewed the details of the changes.

Commissioner Duncan moved that the Board approve the FY21 Salary Increases on the Updated Employee List submitted by HR, effective October 1, 2020. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

**Approve/Amended Kootenai County Taxing District Levy Rates/TY2020/FY2021/Auditor**

Tax Auditing Technician JoAnn Connor asked the Board to approve the amended levy rate. She said that one district, Hayden Lake Sewer, had an amended rate due to being noncompliant with the local government and the central registry. She reported that she had received notice that the district had received several audits and had remained noncompliant. She said that Stateline and Harrison URD (Urban Renewal District) were also noncompliant but their levy rates were not affected. She said she would publish the information in the newspaper, as required by statute. She explained the implications of a district being listed noncompliant. She also provided the Commissioners with documents that illustrated various aspects of the levy rates in the County.

Commissioner Brooks moved that the Board approve the amended Kootenai County Taxing District Levy Rates for TY20, FY21 as per the Auditor and approve the publication dates as recommended by the Auditor. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Duncan: Aye  
Chairman Fillios: Aye  
The motion carried.

**Resolution 2020-67/Surplus Equipment/Auditor**

Staff Accountant – Fixed Assets Isaac Ohm requested the Board’s approval of Resolution 2020-67. He explained that the WRC (Work Release Center) had an old Ricoh copier which Captain Deak had asked to have removed.

Commissioner Duncan moved that the Board approve Resolution 2020-67, to declare the copier surplus equipment. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Duncan: Aye  
Chairman Fillios: Aye  
The motion carried.

**Approval/Kootenai County’s Employment Practice and Procedure/Adverse Employment Actions/Effective October 1, 2020/Human Resources**

Ms. Proud requested the Board’s approval for Kootenai County’s Employment Practice and Procedure regarding adverse employment actions and ICRMP (Idaho County Risk Management Program). She explained ICRMP’s function with the County. She reported that ICRMP had added a \$5,000 deductible in the instance of adverse employment actions unless the department in question had followed certain risk management strategies.

Commissioner Brooks moved that the Board approve the Kootenai County Employment Practices and Procedures/Adverse Employment Actions effective October 1, 2020. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye  
Commissioner Duncan: Aye  
Chairman Fillios: Aye  
The motion carried.

**Determination of Bid/Purchase of Brown & Justh Building/Board of Commissioners**

Kootenai County Resident Zoe Ann Thrumman read a statement regarding the Music Conservatory into the record. She said that 627 Government Way, LLC had produced a cash bid of \$500,001 for the property.

Commissioner Duncan suggested that the property be put out for bid again to ensure remaining in compliance with state law.



Mr. Braden commented that it would be safest to put the property back out for bid, but it was not required by law.

Buildings & Grounds (B&G) Maintenance Operator Donald Boehm entered the meeting at 2:47 p.m.

Mr. Riley reviewed the history of the building after it had been purchased by the County.

Staff Accountant – Grants Julina Hildreth asked why the County was in a hurry to dispose of the building when they were taking a \$200,000 loss on it.

Chairman Fillios and Commissioner Duncan explained the value under “highest and best use” of a property as opposed to the property under the restrictions under which it was being sold. Chairman Fillios noted that a minimum bid had been included when the property had been offered. He pointed out that the County would not be taking a loss on the sale.

Chief Deputy Treasurer Laurie Thomas entered the meeting at 2:52 p.m.

Mr. Braden, in response to a question from Ms. Moore, explained why the previous bid for the same amount had been considered “non-responsive” while the current bid was acceptable. He said the original offer did not comply with the stated terms and conditions.

Kootenai County Resident Julienne Dance thanked the Board for its help. She expressed some concerns about the process that had been followed, but indicated that she felt the Music Conservatory would be an asset to the County.

Civil Deputy Prosecuting Attorney R. David Ferguson commented that the Board could not agree to the sale of the building in the current meeting, as that would not have been properly noticed.

Mr. Braden agreed that the new bid would need to be accepted in a properly noticed public meeting. He confirmed that the prior, nonresponsive bid was to be acted upon at this meeting.

Commissioner Brooks moved that the Board reject the initial bid, as described. Commissioner Duncan seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Chairman Fillios stressed that this motion pertained only to the bid that was made one week ago.

Finance Director Dena Darrow exited the meeting at 2:54 p.m.

- G. Public Comment (Discussion):** 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.

Ms. Hildreth commented on the grant discussed by Judge Peterson and Mr. Heid. She noted, for Ms. Jones' benefit when updating the social media accounts, that the County had previously had OVW (Office on Violence against Women) grants through the state under the Adult Misdemeanor Probation (AMP) program.

- H. Adjournment (Action):** Chairman Fillios adjourned the meeting at 2:57 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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