

**Minutes of Meeting  
Commissioners' Status Update  
October 15, 2019  
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 items. Also present were Prosecutor Barry McHugh, Human Resources (HR) Director Sylvia Proud, KCSO Sheriff Ben Wolfinger, Finance Director Dena Darrow, Senior Staff Accountant Melissa Merrifield, Staff Accountant – Budget Michelle Chiaramonte, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present were Contractor Shawn Riley, Kootenai County Residents ZoeAnn Thrumman, Art Grant and Jeff Hentges, and Coeur d'Alene Press Reporter Keith Erickson.

- A. **Call to Order:** Chairman Chris Fillios called the meeting to order at 11:02 a.m.
- B. **Changes to the Agenda (Action):** There were no changes to the agenda.
- C. **Business:**

**Advisory Board Applications and Reapplications, Including Planning Commission (Discussion)**

Chairman Fillios reminded those present that a deadline of October 12, 2019 had been set for applications for Advisory Board Positions.

BOCC Communications Manager Nancy Jones directed the Commissioners' attention to the list of advisory board openings for 2020 and the spreadsheet showing a breakdown of the applicants for each. She remarked that there were openings on all ten boards. Ms. Jones noted that Snow Grooming and APD (Aquifer Protection District) had statutory restrictions to be considered.

Chairman Fillios said that he had asked the last Board to refrain from making appointments last December, but had been overruled. He explained that he felt that the current Board should consider new applications and have the existing members reapply. He said he did not feel this needed to be done for every board but stated that he wanted everyone from the Airport Advisory Board and the Planning Board be asked to reapply.

Ms. Jones suggested that the Board of Community Guardians be exempted from the process. There was general agreement.

Commissioner Leslie Duncan suggested that the Fair Board and Waterways Advisory Board be included in the reapplication requirement.

Commissioner Bill Brooks stated he felt every position on every board should be reexamined and either affirmed or new applicants selected. He expressed his concern that some people on some boards would be viewed by the public as having a clear conflict of interest and should not be allowed to serve.

Commissioner Duncan asked if he meant there was a perceived or a legally defined conflict of interest. He offered as an example that, if someone sold boats for a living, the person should not serve on the Waterways Advisory Board because that would be a conflict.

Commissioner Duncan quoted the exceptions under the legal definitions of conflict of interest: “an interest or membership in a particular business, industry, occupation or class required by law as a prerequisite to the holding by the person of the office or position,” or “any action in a person’s official capacity which would affect to the same degree or class consisting of an industry, occupation or group in which the person or a member of the person’s household or business with which the person associated is a member or is engaged.” She noted that it had to include individual financial gain to be considered a conflict of interest.

Commissioner Brooks asked if a legal opinion had been sought on what defined a conflict of interest.

Commissioner Duncan responded that a legal opinion had been provided. She explained she had inquired because of the particular circumstances of two members of the Airport Advisory Board. Commissioner Brooks requested the names of the two people and stated that the public had the right to know. Commissioner Duncan said she would discuss specific names if the Board would like to enter Executive Session.

Ms. Jones verified that the Board would request the existing members of the Airport Advisory Board, the Fair Board, Planning & Zoning, Waterways Advisory Board, Historic Preservation, Natural Resource and Noxious Weeds to complete applications.

Commissioner Brooks stressed that no one was entitled to a seat on an Advisory Board, all members served at the pleasure of the Board of County Commissioners.

Ms. Jones suggested setting a deadline at the end of October for the applications to be submitted. There was general agreement.

Ms. Jones exited the meeting at 11:13 a.m.

**Timber Tour (Discussion)**

Commissioner Duncan reported that she had enjoyed a tour on October 4, 2019 provided by the Stimson Lumber Corporation. She said they manage about 165,000 acres in Idaho and hosted a day in the woods for legislators and others because legislation was being considered that could negatively affect their business. She explained that the DEQ (Department of Environmental Quality) was considering enacting more restrictive burning guidelines that could disrupt their timber management system.

### **Romer Building Next Steps (Discussion)**

Commissioner Duncan reported that she had met with Coeur d'Alene Mayor Steve Widmyer last week and he had expressed interest in acquiring the Romer Building for the City. She explained that they were considering different ways in which an agreement could be structured. She added that, if the other Commissioners agreed, both parties' lawyers could begin discussing the terms of transferring the property.

Commissioner Brooks commented that he was willing to hear the proposal but felt they should be cautious. He said he thought giving the property away would be a disservice to the taxpayers. Commissioner Duncan replied that the County would receive equal compensation in the transaction; the property would not be given away. She said she had, in fact, increased the property's price by 10%.

Contractor Shawn Riley said he would give a tentative estimate of between \$400,000 to \$500,000 in cap fees and \$150,000 to \$200,000 in permit fees for a building the size the Board had been contemplating.

### **Justice Building at Fairgrounds (Discussion)**

Commissioner Duncan reminded those assembled that the Board had previously discussed the option of building on the current campus. She said she had been in favor of that because she had thought it would be possible for the County to pay cash for the project, not borrow or go out for a bond. She said she would still like the administrative functions to remain on the campus but suggested that, if the County were going to borrow money to build, the Board could consider a single building at the Fairgrounds to encompass all the justice services.

Commissioner Duncan said one of the advantages of a justice building next to the Jail would be that Administrative Services would not have to move. She added that JJC (Juvenile Justice Center) would be able to move to the old courthouse and the County could consider other options for the JJC building. She pointed out that the University of Idaho had frequently expressed interest in acquiring that building. Commissioner Duncan concluded that this would be a long-term fix for the County's space needs, would reduce the need to transport prisoners, and the cost of permits and fees would be under County control.

KCSO Sheriff Ben Wolfinger remarked that the Prosecutor's Office was required to remain in the County seat; if that office were to move to the Fairgrounds, the land would have to be annexed into the City.

Commissioner Duncan said she would also like the Board to consider a parking garage at the site because it would help accommodate any parking problems during the Fair each year.

Commissioner Brooks stated he thought this was a bad, poorly thought out idea. He commented that he thought the price tag would be too high and there was not enough space for the building and extra parking at the Fairgrounds.

Commissioner Duncan responded that she was working with a 30 million dollar estimated price, based on the cost to refit the Administrative Building and the potential square footage needed for the new building. She pointed out that Treasurer Steve Matheson had predicted the County could borrow that amount.

Mr. Riley reported that he had calculated the County would want about 125,536 square feet, based on long-range predictions of space needs.

Chairman Fillios asked Mr. Riley how much it would cost to build at the Fairgrounds. Mr. Riley predicted it would be about the same as previous estimates.

Prosecutor Barry McHugh remarked that he thought the requirement might be satisfied if his own office remained at the Admin Building.

Chairman Fillios stated he had been led to believe that the fees required by the City might be substantially higher, perhaps two or three times higher, for a new building at the Fairgrounds. Mr. Riley agreed, stating the City would certainly charge for tying into the sewer system, in addition to all the other fees.

Chairman Fillios noted the City officials would probably not be pleased with the additional traffic the plan would add to Highway 95 and Government Way. He concluded that he was committed to having County services remain downtown and saw no compelling reason to move to the Fairgrounds.

#### **Ground Survey for New Building (Discussion)**

Commissioner Duncan said that, if the administrative services were going to remain on the present location, the ground survey for the new building would need to be done by the County Surveyor.

Mr. Riley explained that the County Surveyor did not necessarily have to coordinate with the City during that part of the process. He said that if the Board decided in January or February that it wanted to begin on design of the new building, the architects would have to have all the preparatory work done. He recommended this be started soon.

There was general agreement with Mr. Riley's suggestion.

#### **General Spending Policy**

Commissioner Duncan reported that she had been examining the payables lists and had noticed some ways in which the County might be able to save money. She explained that some departments seemed to purchase items without looking for the best price and offered some examples. She said she had been discussing this with BOCC Senior Business Manager Nanci Plouffe and suggested that the Board encourage departments to do more comparison-shopping during the next round of budget meetings.

Commissioner Duncan said she also had some questions about year-end spending in some departments. She pointed out that six Board departments had spent more in August and September, on average, than they had during October through July. She commented that it appeared that some departments chose to use up remaining budget amounts by buying paper at a higher cost than Reprographics would have charged and she questioned the reasoning behind it. Commissioner Duncan stated this may have been appropriate; the department might have needed specialty paper, but she wanted to offer this as a possible example of spending that could be improved.

In response to Commissioner Brooks' inquiries, Commissioner Duncan stated that she did not want to target specific people or departments but rather call attention to a general practice that could be improved. She declined to discuss the specific purchases further unless the Board chose to go into Executive Session.

Chairman Fillios agreed the subject was worth discussing. He pointed out that sometimes items were given in lieu of a bonus, in which case the higher price might be appropriate.

Commissioner Duncan said she wanted the issue raised to learn if the other Commissioners agreed with her, so they could begin communicating their desire, as a Board, to look more closely at the issue. Chairman Fillios and Commissioner Brooks agreed.

**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 – BOCC Division (Closed Session – Discussion)**

**Decisions/Direction (Open Session – Action)**

Chairman Fillios requested that Civil Deputy Prosecuting Attorney R. David Ferguson join them for the Executive Session.

Commissioner Duncan moved that the Board enter Executive Session pursuant to Idaho Code §74-206(1)(f). 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.

The Board entered Executive Session at 11:35 a.m.

Mr. Ferguson entered the Executive Session at 11:35 a.m.

The Board exited Executive Session at 11:48 a.m.

Commissioner Duncan moved that the Board exit Executive Session with staff to proceed as discussed. 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.

- D. 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.

Kootenai County Resident ZoeAnn Thruman thanked the Board for looking into alternatives to tearing down the Romer Building. She said she would keep the public informed about the progress of the project.

Ms. Thruman reminded the Board that a City of Coeur d’Alene Historic Preservation Commission was being formed.

Ms. Thruman remarked that she had a number of friends involved in the County Justice system and they had voiced their enthusiasm about the idea of having a consolidated Justice Department by the Jail. She suggested that the Board not ignore to the suggestions of those employed by KCSO when making decisions about the location of the justice services. She also expressed her concerns about local parking and encouraged the Commissioners to think in terms of long-range plans for all their building projects.

Nanci Plouffe stated that one thing Kootenai County did not do well was plan for the long term. She said she felt it would be a mistake not to seriously consider moving the justice center out to the Fairgrounds because it might be the best solution for twenty or thirty years in the future.

Chairman Fillios reminded those present that difficulties in long term planning were a natural result of the turnover of Commissioners.

Ms. Plouffe said that should not stop the Commissioners from trying to set things in motion that were worth continuing by their successors.

Commissioner Brooks said that the poor form of government the County now has prevented that from happening. He stated that long range planning was impossible with the two year/four year rotation of Commissioners.

Commissioner Duncan remarked that if one had community buy-in, the next Board would continue the prior Board’s plans.

Kootenai County Resident Jeff Hentges thanked the Commissioners for the opportunity to listen and participate in the discussion. He commented that it was a difficult question and he saw no simple solution to everyone’s needs. He urged the Board to be patient, do

the needed research, and proceed thoughtfully. He said he was particularly interested in the fate of the Romer Building and wanted to see the history and character of the area preserved in the face of increasing growth. He mentioned that he was certified to remove hazardous materials such as lead based paint and asbestos and that he would be interested in remediating or disassembling and relocating the building.

Commissioner Duncan reminded those assembled that the Board was working on an arrangement for the City to take the building over and the City's expressed intent was to preserve it.

Ms. Thruman reported that a number of people had asked her to inquire if the Board could hold at least one or two meetings per month in the evening, because they were not able to attend during the day. Commissioner Brooks said he thought that evening or Saturday meetings would be a great idea.

**E. Adjournment (Action):** Chairman Fillios adjourned the meeting at 12:19 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

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

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