

**Minutes of Meeting  
Commissioners' Debriefing  
November 5, 2018  
2:30 p.m.**

The Kootenai County Board of Commissioners: Chairman Marc Eberlein, Commissioner Chris Fillios and Commissioner Bob Bingham met to discuss the following agenda items. Also present were Assessor Mike McDowell, Chief Deputy Assessor Rich Houser, Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder, Buildings & Grounds (B&G) Director Shawn Riley, Solid Waste (SW) Director Cathy Mayer, SW Principal Planner Laureen Chaffin, SW Operations Manager John Phillips, Information Technology (IT) Director James Martin, IT Network Administrator Grant Kinsey, Human Resources (HR) Director Skye Mercer, HR Generalist – Compliance Cecelia Sweet, HR Generalist – Benefits and Compensation Dorothy Cross, HR Generalist – Employee Relations Kimberley Buffin, Finance Director Dena Darrow, Grants Management Office (GMO)/Transit Program Manager Kimberli Riley, Civil Deputy Prosecuting Attorney Jamila Holmes, Civil Deputy Prosecuting Attorney Darrin Murphey, Snowgroomer Operations Manager Dave Bonesera, BOCC Communications Manager Nancy Jones, BOCC Senior Business Analyst Nanci Plouffe and Deputy Clerk Tina Ginorio. Also present were ICRMP (Idaho Counties Risk Management Program) Representative with Northwest Insurance John Goedde, Alliant Employee Benefits Vice President Scott Burkhardt, Kootenai County Resident Leslie Duncan and Coeur d'Alene Press Reporter Brian Walker.

**A. Call to Order:** Chairman Marc Eberlein called the meeting to order at 2:31 p.m.

**B. Changes to the Agenda (Action):**

Commissioner Chris Fillios asked that the Board add an emergency item regarding a hazardous spill to the agenda. He also stated that this needed to be an action item. Chairman Eberlein requested that the nature of the item and the emergency nature be explained.

Buildings & Grounds (B&G) Director Shawn Riley said there was a fuel spill at the Jail recently and, according to DEQ (Department of Environmental Quality) statutes, the County has forty-five days to remedy the situation. He needs authorization to contact people prior to a planned meeting Wednesday, November 7, 2018 to begin the process.

Civil Deputy Prosecuting Attorney Darrin Murphey urged Mr. Riley to expand on the emergency nature of the item. Mr. Riley said that the countdown of the forty-five days began on Friday, November 2, 2018. He said they do not yet know how much ground is contaminated and cannot estimate how large a project this will be. He added he is worried that the ground might freeze and prevent them from mitigating the contamination before the forty five days passes, so he wants to proceed as quickly as possible. Mr. Riley concluded by saying he had to be able to start calling people as soon as this Business Meeting was concluded.

Commissioner Fillios moved that the Board add an item regarding a hazardous spill and designating it an action item to the agenda, based on the information presented. Commissioner Bob Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye

Commissioner Fillios: Aye

Chairman Eberlein: Aye

The motion carried.

**C. Business:**

**Hazardous Spill (Action Item)**

Buildings & Grounds (B&G) Director Shawn Riley reported that on September 11, 2018, B&G had asked Coleman Oil to top off the underground fuel storage tank at the Jail. He said his staff were not able to get a clear reading from the tank's gauge because it does not work properly anymore. He added that the whole system needed to be replaced and this project was on the budget for FY2019.

Civil Deputy Prosecuting Attorney R. David Ferguson arrived at the meeting at 2:35 p.m.

Mr. Riley said that when Coleman Oil filled the tank they accidentally overfilled it and about five gallons were spilled on the ground. He further reported that a few days later, he received complaints from the Jail that there was a smell present inside. He said he thought it smelled like fuel, so he asked a maintenance person to examine the area. Mr. Riley stated that, late that afternoon, they discovered that the tube that feeds from the tank to the fuel gauge had ruptured and was dripping diesel on the ground. He estimated it had been going on for about a week.

Mr. Riley stated he immediately called Coeur D'Alene Services Station Equipment, Inc. and they came to inspect the area. He said they then called in a cleanup specialist crew and mitigated both the soil and the basement. He told the Board that the DEQ statute said if a spill was less than twenty-five gallons and can be cleaned up within twenty-four hours, it did not need to be reported to them. Mr. Riley said he believed this to be the case and, additionally, Coeur d'Alene Services Station Equipment, Inc. had contacted the DEQ and gotten this confirmed.

However, Mr. Riley said that a subcontractor came in to test the soil later and found it was still contaminated. He stated the subcontractor sent a request to B&G to come and do additional cleanup.

As a side note, Mr. Riley reported that he had received a bill for \$10,000 for the original services and turned it in to Human Resources (HR) Generalist – Compliance Cecelia Sweet for transmission to ICRMP (Idaho Counties Risk Management Program).

Mr. Riley reported that a representative from the Petroleum Tank Storage Fund contacted the DEQ on Friday, November 2, 2018 to verify that the original spill had been reported. During the conversation, Mr. Riley said the representative had asked if the DEQ was aware that the soil was still contaminated. Mr. Riley said he was then made

aware of an additional DEQ statute which says if there is a spill which cannot be fully mitigated within twenty-four hours, it had to be reported. He said that he reported the additional problem to the DEQ at 3:00 p.m. on Friday, November 2, 2018.

Mr. Riley explained that the County now has forty-five days from 11/2/2018 to prepare all necessary reports, remediate the soil and have everything repaired. He expressed his further concern that the ground might freeze soon and prevent them from finishing the work on time.

Commissioner Fillios moved that the Board authorize Buildings & Grounds Director Shawn Riley to take action as described regarding the hazardous spill, since it is an emergency item, and to take all necessary action to bring this to a successful resolution. Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye  
Commissioner Fillios: Aye  
Chairman Eberlein: Aye  
The motion carried.

Mr. Murphey and Mr. Ferguson exited the meeting at 2:40 p.m.

#### **Telehealth/Benefits Communication (Action)**

Human Resources (HR) Director Skye Mercer introduced Scott Burkhardt from Alliant. She reminded the Commissioners that some online tools were introduced last year to help save money on healthcare claims costs. She said one was the pricing transparency tool that offers incentives for choosing lower cost, but still high quality treatments. She said the Telehealth Program was another such tool.

Mr. Burkhardt provided the Commissioners with a handout that showed the progress towards Regence's goals for these different programs.

<u>Program</u>	<u>Goal</u>	<u>Achieved</u>
Regence.com	37%	37%
MedSaavy (RX drugs)	30%	19.9%
MDLIVE (telehealth)	150	255 hit users
MDLIVE (utilization)	15%	8.6%

Mr. Burkhardt explained that employee use of the online cost comparison tool had already saved the County about \$6,675 this year.

Mr. Burkhardt said Regence would like to offer onsite meetings for a day in the near future, to meet individually with people to explain the programs, the registration process and how to use the system. He said they would coordinate with department heads to select the best day. Human Resources (HR) Director Skye Mercer said HR would return to inform the Board of the actual dates and times chosen, after discussing this with the other Elected Officials. She asked the Board to consider allowing employees to participate in the program during paid time, with the approval of the Elected Officials as regarded their own departments.

All three Commissioners urged that HR schedule the program and bring the Board the specific details.

**Snowgroomer Seasonal Employees (Action)**

Snowgroomer Operations Manager Dave Bonasera asked the Board’s permission to hire an additional employee to spread out the workload for his department. Chairman Eberlein asked if this would require additional funding. Mr. Bonasera said no.

Commissioner Bingham moved that the Board approve the hiring of an additional snowgroomer, with the department to continue to operate within the bounds of the current A Budget. Commissioner Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye  
Commissioner Fillios: Aye  
Chairman Eberlein: Aye  
The motion carried.

HR Generalist – Benefits & Compensation Dorothy Cross, HR Generalist – Employee Relations Kimberley Buffin, Mr. Bonasera and Mr. Burkhardt exited the meeting at 2:51 p.m.

Treasurer Steve Matheson and Chief Deputy Treasurer Laurie Thomas entered the meeting at 2:51 p.m.

**ICRMP Discount Program (Action)**

Human Resources (HR) Generalist – Compliance Cecelia Sweet reminded the Board that the County had previously participated in the ICRMP (Idaho Counties Risk Management Program) Discount Program of online courses on personnel policies acknowledgement and safety. She said ICRMP gives the County a 5% discount if 80% of the employees take part in the training. She added that the County saved \$38,978 from this last year.

Ms. Mercer and Mr. Goedde exited the meeting at 2:54 p.m.

Commissioner Fillios moved that the Board approve the ICRMP Discount Program for County employees. Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye  
Commissioner Fillios: Aye  
Chairman Eberlein: Aye  
The motion carried.

**Harrison Breakwater – 2019 WIF Grant Application (Action)**

Parks & Waterways (P&W)/Noxious Weeds Director Nick Snyder explained a process by which he would stack a number of grants in order to collect enough funds to replace the Harrison Breakwater. He asked their approval to apply for the 2019 WIF (Waterways Improvement Fund) grant. He said he plans to accrue about \$1,379,000 of non-tax dollars for the project. Mr. Snyder assured the Board that the requests would be submitted through the Grants Management Office, but he wanted to inform them about

it ahead of time. He said his department had been working towards this goal since August 2015. Mr. Snyder stated that the required match from the County for the different grants was \$179,000.

Commissioner Bingham moved that the Board approve the application for 2019 WIF grant by Parks & Waterways based on the presentation given to the Board. Commissioner Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye  
Commissioner Fillios: Aye  
Chairman Eberlein: Aye  
The motion carried.

Mr. Snyder exited the meeting at 3:00 p.m.

### **Fiscal Year 2019 Contingency Allocation (Action)**

Finance Director Dena Darrow reminded the Board that the time had come to bestow the yearly contingency appropriation. She said at the end of the year, each area is evaluated by Elected Official to determine where contingency funds need to be administered. She explained that \$500,000 was allocated for this purpose in the 2018 Budget, \$250,000 placed in the General Fund and \$250,000 in the Justice Fund. Based on the evaluations, she suggested that \$75,000 be allocated to the Prosecutor's Office and the remainder to the Sheriff's Office. Ms. Darrow said that the Auditor's Office would next look at Unanticipated Revenue and Fund Balance appropriation as the next step. She added that a public hearing would be required to complete that stage of the process. Ms. Darrow told the Commissioners that this item would appear on the upcoming Business Meeting's agenda as a Resolution.

### **Third Floor Build Out (Action)**

Commissioner Bingham stated that this item pertains to money the Board allocated for design to allow Buildings & Grounds to proceed on the project of building out the two wings on the sides of the Administrative Building in FY19. Commissioner Fillios asked how much space would be gained if this were done. Mr. Riley said it would increase office space by about 10,000 sq. ft. Chairman Eberlein remarked that by allocating this money they were giving the next Board the ability to research the problem and decide what to do.

Mr. Riley exited the meeting at 3:07 p.m.

### **Coeur d'Alene Basin Restoration Partnership Advisors' Nominations (Action)**

Chairman Eberlein reminded the other Commissioners that there would be activity coming in both clean up and restoration in the CDA Basin in Kootenai County. He said the EPA had hinted that there were about 10 programs they would like to do and Terry Harwood has gotten their agreement to have the affected Counties represented in their technical leadership group. He remarked that Rusty Shepherd and Jamie Sturgess had indicated they were willing to be nominees for Kootenai County.

Commissioner Fillios moved that the Board recommend Rusty Shephard and Jamie Sturgess to the Coeur d'Alene Restoration Basin Partnership as representatives for Kootenai County. Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Bingham: Aye

Commissioner Fillios: Aye

Chairman Eberlein: Aye

The motion carried.

Chairman Eberlein asked BOCC Communications Manager Nancy Jones to contact Mr. Shephard and Mr. Sturgess and let them know about their appointments. He also asked her to notify the DEQ that they had been recommended.

### **Solid Waste Privatization (Action)**

Chairman Eberlein said he and Civil Deputy Prosecuting Attorney Jamila Holmes met with Waste Management Republic Services, Sunshine Disposal and CDA Garbage Services to discuss potential cost savings from privatizing aspects of the Solid Waste program. He stated that he was unable to get clear estimates from engineering firms on the concept. He said Coeur d'Alene Garbage Services estimated they could save the County about two million dollars in operational expenses, Waste Management Republic Services would not give an estimate and Sunshine Disposal had not gotten back to him. Chairman Eberlein stated he felt the Board was obligated to investigate this question if the public could be saved a substantial amount of money.

Solid Waste (SW) Director Cathy Mayer informed the Board that Spokane County charges \$104 per ton of waste delivered and their customers are charged a \$15 minimum fee for every trip to their gates. She pointed out that Kootenai County charges \$38 per ton less than Spokane County and residents are allowed to bring up to 2,000 lbs to the transfer station per visit at no additional charge. Ms. Mayer added that each household in Kootenai County is charged \$93 per year for garbage services.

SW Principal Planner Lauren Chaffin asked if Chairman Eberlein could explain exactly where the cost savings were found in Spokane County's system. Chairman Eberlein responded that he did not have the information on hand.

Ms. Mayer stated that investigators were welcome to visit Solid Waste to examine their processes and look for possible savings.

Chairman Eberlein pointed out that the Board does have money set aside for consultants' services in areas like this.

Mr. Houser exited meeting at 3:47 p.m.

Ms. Sweet and Ms. Darrow, Ms. Mayer, Ms. Chaffin, Solid Waste Operations Manager John Phillips and Coeur d'Alene Press Reporter Brian Walker exited meeting at 3:49 p.m.

**Emails for County Volunteers (Action)**

Chairman Eberlein stated that people on Advisory Boards are using their own personal emails for County business, probably without being aware that their individual accounts would then be subject to Public Information Requests. He said that current and new members of the Advisory Boards should be made aware of this and suggested that each member be given a County email account.

Mr. Kinsey said that each email account costs the County \$55 so Chairman Eberlein’s suggestion would increase the cost for the County’s total email services about 10%. Civil Deputy Prosecuting Attorney Jamila Holmes pointed out that if the County lets people use private accounts there is no way to enforce compliance with time constraints on public records requests. Mr. Kinsey suggested creating a single email account for Advisory Board PIR purposes, then tell all Advisory Board Members that they must forward a copy of any incoming email and copy all their outgoing emails to that account. He said it would cost less and give the County the ability to respond properly to PIR requests. Ms. Holmes suggested making compliance with such a process a requirement of serving on a Board. Chairman Eberlein suggested that Ms. Jones and Mr. Kinsey work together to set this up. He urged Ms. Jones to create instructions that could be shared with current and incoming Advisory Board Members.

Information Technology (IT) Director James Martin and Mr. Kinsey exited the meeting at 4:03 p.m.

**County Holiday Hours (Action)**

Ms. Jones requested that the Board specify the times County offices will be open during the holidays. She said some departments had closed at different hours than others and this created confusion in the community. Chairman Eberlein suggested they announce that on the days in question non-essential services will close at 3:00 p.m. He further suggested that employees be responsible for choosing whether to take the time as unpaid or use accrued vacation time. Commissioner Bingham stated that the Elected Official responsible for each department would need to give approvals to their own staff.

- 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. **Adjournment (Action):** Chairman Eberlein adjourned the meeting at 4:10 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN

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

\_\_\_\_\_