

**Minutes of Meeting  
Business Meeting  
December 18, 2012  
2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Todd Tondee, Commissioner Dan Green, and Commissioner Jai Nelson met to discuss the following agenda items. Also present were Civil Deputy Prosecuting Attorney John Cafferty and Deputy Clerk Nancy Jones.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:03 p.m.
- B. Pledge of Allegiance:** Chairman Tondee led the Pledge of Allegiance.
- C. Approval of Consent Calendar:** Chairman Tondee read the items listed on the Consent Calendar.

**Minutes of Meetings**

12/03/2012	State of the County Meeting
12/04/2012	Business Meeting
12/05/2012	Requests for Waiver of Taxes
12/05/2012	Commissioners' Debriefing
12/06/2012	Examination of Records/Ownership
12/07/2012	Restructuring/Remodeling BOCC Office/Executive Session §67-2345(1)(a) to consider hiring a public officer, employee, staff member, or individual agent
12/10/2012	Strategic Planning
12/10/2012	Hardship Request 2012-06
12/11/2012	Release of Lien/Forgiveness of Debt 2007-10169
12/11/2012	Community Development Update/Executive Session §67-2345(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. Griner/Euskodia Inc.; Milligan

**Board Actions**

Assessor's Recommendation to Adjust Tax/Valuation Parcel No's.: EBRP0031001; 48N02W238250; 49N01E326400; 52N03W058300; 50N04W080325; 48N01W028250; 00720001016A; C7965001010A; C64700010030

BOCC Signatures for Indigent Cases 12/06/2012 through 12/12/2012

Closeout of Energy Efficiency and Conservation Block Grant (EECBG) SC-0003128

Commissioner Green moved to approve the Consent Calendar as read into the record by Chairman Tondee. Commissioner Nelson seconded the motion. There being no discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

D. **Changes to the Agenda:** There were no changes to the agenda.

E. **Old Business:** There was no old business discussed.

F. **New Business:**

1. **Open Request for Proposals/Grant Administrator/Bayview Community Center Foundation/Grant Writer**

Grant Writer Jody Bieze informed the Board that three (3) proposal requests were sent out regarding the Idaho Community Development Block Grant request for the Bayview Community Center, with Panhandle Area Council (PAC) being the sole Grant Administrator to respond. Ms. Bieze requested that the Board approve the proposal, allowing PAC to submit a contract for negotiation with the Board. Chairman Tondee stated that the legal department will be directed to review the proposal in preparation for negotiations. Ms. Bieze explained that, in addition to drafting a contract for negotiation, PAC will also begin gathering documentation and completing the Grant application to meet the March 1, 2013 deadline.

Commissioner Green moved to accept the Grant proposal from Panhandle Area Council for the Bayview Community Center. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye  
Commissioner Green: Aye  
Chairman Tondee: Aye

The motion carried.

2. **Agreement/Construction Management/Engineering Services/CH2M Hill/Kootenai Farm Landfill/Phase II Project/Solid Waste**

Solid Waste Director Roger Saterfiel came before the Board to request approval of the Construction Management Agreement between CH2M Hill and Solid Waste for Phase II of the East Cell Landfill Expansion Project, which will meet the requirement by the Department of Environmental Quality to include project review and stamp by a professional engineer. In response to Commissioner Nelson's question, Civil Deputy Prosecuting Attorney John Cafferty confirmed that this is a fixed fee contract, and is subject to change orders.

Commissioner Green moved to approve the Construction Management Agreement for Engineering between CH2M Hill and Kootenai County (Solid Waste) for the next phase expansion of the landfill. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye  
Commissioner Green: Aye  
Chairman Tondee: Aye

The motion carried.

3. **Amended Easement/Worley Rural Site/Kootenai Electric/Solid Waste**

Solid Waste Director Roger Saterfield came before the Board to request approval of an Amended Easement to correct an inaccurate legal description on a fifteen (15) foot utility easement at the Worley Rural Site. Mr. Saterfield noted that the corrected easement was reviewed by the Kootenai County Surveyor to make certain that the legal description was accurately amended.

Commissioner Nelson moved to approve the Amended Easement Agreement between Kootenai Electric and Kootenai County (Solid Waste) for the Worley Rural Site. Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**4. 2011 Emergency Management Program Grant (EMPG) Amended Award/Office of Emergency Management**

Emergency Management Manager Sandy Von Behren requested approval of an amended award for the 2011 Emergency Management Program Grant (EMPG), which includes \$3,345.50 of year-end funds that Kootenai County qualifies for, due to an overmatch.

Commissioner Green moved to approve the Amended Award for the EMPG Grant for the Office of Emergency Management. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**5. Format/Year-End Reporting/Auditor**

Finance Director Dave McDowell explained that *Idaho Code* §31-2307 requires the production of an Annual Statement of Financial Condition of the County. Mr. McDowell came before the Board to request that the prepared Fourth Quarter Financial Statement be adopted by the Board as meeting the standard for this annual report. Mr. Cafferty recommended that the Board consider the drafting of an Ordinance or Resolution if the intent is to establish this decision as the perpetual standard.

Commissioner Green moved to adopt the Fourth Quarter Financial Statement as an Annual Financial Statement to satisfy *Idaho Code* §31-2307. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**6. Tax Deed Bid/Parcel No. Y19000060140/AIN 118679/Elgee**

Chairman Tondee asked that the Board consider a Tax Deed Bid in the amount of \$1,200 for Parcel No. Y19000060140/AIN118679, confirming that Community Development has reviewed the parcel in question and has found no reason to preclude the sale. Under discussion, Chairman Tondee recommended that the Board accept the bid and return the property to the tax rolls. Staff was directed to request a Deed be prepared by the Treasurer's Office for Chairman Tondee's signature. It was also determined that the amount received be applied to the remaining taxes and cost fees, and any late charges, interest and taxes be cancelled. Mr. Cafferty recommended that the deed be subject to legal review prior to signing, to ensure proper verbiage for quit claim transfer of the property.

Commissioner Green moved to accept the bid from Mr. Elgee for the purchase of AIN 118679 (Parcel No. Y19000060140), acknowledging that the bid price of \$1,200 includes all 2012 taxes. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**7. Land Purchase and Purchase Agreement/Hayden Area Regional Sewer Board/Board of Commissioners**

Commissioner Green informed the Board that at a special meeting of the Hayden Area Regional Sewer Board (HARSB), it was decided unanimously to purchase more than thirty (30) acres of land from the Jacobi family. In response to Commissioner Nelson's question, Commissioner Green confirmed that the purchase price was established through appraisal as fair market value for the property, and explained that under the Joint Powers Agreement, ratification by the City of Hayden, the Hayden Lake Recreational Water and Sewer District, and Kootenai County is required.

Commissioner Green stated that he abstained from the HARSB vote to avoid any potential conflict of interest issues.

Commissioner Nelson moved to approve the Hayden Area Regional Sewer Board purchase of 31.512 acres of land in Hayden, for a purchase price of \$410,500. Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**8. Resolution 2012-120/Adoption of Kootenai County Adult Misdemeanor Policy Manual/Adult Misdemeanor Probation**

Adult Misdemeanor Probation (AMP) Director Kevin Creighton requested that the Board adopt an update of the AMP Policy Manual. Mr. Creighton explained a revision of the policy was initiated to remove obsolete or conflicting information, and to ensure accurate written record of current policies and procedures. Commissioner Nelson stated that the updated policy has been reviewed by Civil Deputy Prosecuting Attorney Dave Ferguson and Captain Dan Soumas.

Commissioner Green moved to adopt Resolution 2012-120 for the Kootenai County Adult Misdemeanor Policy Manual. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

**9. Resolution 2012-121/Classify Documents/Elections**

Elections Manager Carrie Phillips came before the Board to request approval of Resolution 2012-121, to classify a specific list of Election Department documents. Mr. Cafferty explained that the 2011 Election Consolidation Laws update created changes that caused a portion of the documents to be specifically addressed by *Idaho Code* §34-217, while others fall under the prevailing statute, *Idaho Code* §31-871, and that the Resolution was drafted to reference the retention and applicable Idaho code of each document, as a result of those changes. Chairman Tondee noted that the Resolution document submitted for signature did not include a reference to *Idaho Code* §31-871 within the body of the document.

Commissioner Nelson moved to approve Resolution 2012-121, Classification of Records for the Kootenai County Elections Department, with the addition of a reference to *Idaho Code* §31-871 in the first paragraph.

Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye  
Commissioner Green: Aye  
Chairman Tondee: Aye

The motion carried.

**10. Resolution 2012-122/Destroy Documents/Elections**

Elections Manager Carrie Phillips came before the Board to request approval of Resolution 2012-122, allowing for the destruction of Election’s documents that were classified under Resolution 2012-122, as per *Idaho Codes* §34-217 and §31-871.

Commissioner Nelson moved to approve Resolution 2012-122 for Kootenai County (Elections Department) to destroy records per Resolution 2012-121. Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye  
Commissioner Green: Aye  
Chairman Tondee: Aye

The motion carried.

**G. Staff Reports:** There were no staff reports.

**H. 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 were no public comments.

The meeting was adjourned at 2:46 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: \_\_\_\_\_  
Nancy A. Jones, Deputy Clerk