

**Minutes of Meeting  
Business Meeting  
March 5, 2013  
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 Assessor Mike McDowell, Chief Deputy Assessor Richard Houser, Human Resources Specialist Christina Anderson, Senior Secretary Linda Leigh, Emergency Management Manager Sandy Von Behren, FireSmart Project Manager Steve Bloedel, Snowgroomer's Operations Manager Dave Bonasera, Administrative Secretary Rhonda Hall, Legal Assistant Barb Nyquist, Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Nancy Jones.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:00 p.m.
- B. Pledge of Allegiance:** Commissioner Nelson led the Pledge of Allegiance.
- C. Approval of Consent Calendar:** Chairman Tondee read the items listed on the Consent Calendar.

**Minutes of Meetings**

02/19/2013 Indigent Hearing 2012-1304  
02/19/2013 Community Development Update  
02/21/2013 Signing/Case No. VAR12-0004/Brelsford/Community Development  
02/25/2013 Executive Session §67-2345(1)(f) to communicate with legal counsel for pending litigation; US Bank Contract Renewal.  
02/22/2013 Commissioners' Debriefing  
02/25/2013 Community Development Update  
02/25/2013 Selected Policy Discussion/Executive Session §67-2345(1)(f) to communicate with legal counsel for pending litigation; Policy Manual

**Board Actions**

BOCC Signatures for Indigent Cases 2/21/2013 through 2/27/2013

Affidavit of Treasurer's Monthly Report/February 2013

Alcohol Beverage License Renewal Application/North Idaho Fair/Idaho State Police

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:** Chairman Tondee explained that item #3, Letter to Coeur d’Alene Tribal Police/Tribal Inmate housing/KCSO, had been pulled from the agenda.

Commissioner Nelson moved to remove item #3, Letter to Coeur d’Alene Tribal Police/Tribal Inmate Housing/KCSO, from the agenda. Commissioner Green 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.

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

**F. New Business:**

**1. Lease Agreement/Watts Investments/Rescind CDA Hangar LLC/Airport**

Airport Senior Secretary Linda Leigh explained that CDA Hangar, LLC, is selling their hangar to Watts Investments, LLC. Therefore, they request a termination of their current Lease Agreement, which will be replaced by a new Lease Agreement with Watts Investments, LLC. Ms. Leigh verified that the new lease was brought in at the current market rate of eighteen (18) cents per square foot, and is on a standard twenty-five (25) year lease, with rate review and adjustment every five years.

Commissioner Green moved to approve the Lease Agreement with Watts Investments and rescind the Lease Agreement between Kootenai County (Airport) and CDA Hangar, LLC. 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. Special Use Permit/Buell/Parks & Waterways**

Civil Deputy Prosecuting Attorney John Cafferty confirmed that this ten (10) year Special Use Permit authorizes Kootenai County (Parks and Waterways) to construct a Hazard Warning sign on property owned by Mr. Buell, as well as an access easement for repair and maintenance purposes. The Permit term will expire on June 30, 2022, unless terminated earlier, and contains a renewal provision.

Commissioner Green moved to approve the Special Use Permit with Kootenai County (Parks and Waterways) and Jack Buell, and to authorize signing after receipt of a signed copy from Mr. Buell. 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. Letter to Coeur d’Alene Tribal Police/Tribal Inmate Housing/KCSO – Pulled**

**4. Work Completion Report/Hayden Lake Dam/Idaho Department of Lands/Office of Emergency Management**

Emergency Management Manager Sandy Von Behren came before the Board to request a signature on a Work Completion Report for the Hayden Lake Dam, which is required to complete the Encroachment Permit process with the Idaho Department of Lands.

Commissioner Green moved to sign the Work Completion Report for the Idaho Department of Lands for the Hayden Lake Dam Improvement Project. 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. Modification Number 2 to Memorandum of Understanding/Grant #11SAFP04/Idaho Department of Lands/Office of Emergency Management**

Emergency Management Manager Sandy Von Behren explained that property owners included in the FireSmart project are subject to a ten (10) year maintenance program. Under this Modification, the Idaho Department of Lands (IDL) would waive this condition for the Blue Coeur d'Alene Hazardous Fuel Treatment Project, provided that the Idaho Transportation Department (ITD) provides maintenance in accordance with ITD standard policy (Section 210-01, ITD Maintenance Manual).

Commissioner Green moved to adopt the Modification Number 2 to the Memorandum of Understanding between Kootenai County (Office of Emergency Management) and the Idaho Department of Lands for Grant #11SAFP04. 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. Encroachment Permit/Idaho Transportation Department/FireSmart Project/Office of Emergency Management**

Emergency Management Manager Sandy Von Behren asked for approval of an Encroachment Permit for FireSmart to perform Hazardous Fuels Reduction work within the Idaho Transportation Department Highway 41 right-of-way. FireSmart Project Manager Steve Bloedel clarified that any larger trees that were cut and sold as part of this project would offset the fire break cost and would not generate any revenue.

Commissioner Green moved to approve the Encroachment Permit between Idaho Transportation Department and Kootenai County (Office of Emergency Management) for the FireSmart Project along Highway 41, with staff direction to correct a double negative error in the document prior to submitting to the Board for final signature. 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. Contract/Storage Building/Cedar Mountain/Snowgroomers**

Snowgroomer's Operations Manager Dave Bonasera requested approval of a Contract between Kootenai County (Snowgroomer's) and Cedar Mountain Facilities Maintenance and Construction, LLC, for construction of a 30x42 foot post frame storage building, at a total project cost of \$14,168.18 (paid for through a previously approved Idaho State Parks and Recreation Grant).

Commissioner Green moved to approve the Contract for the Storage Building for the Kootenai County Snowgroomer's with Cedar Mountain Facilities Maintenance and Construction, LLC, in the amount \$14,168.18. 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.

**8. Contract/Compensation and Salary Survey/BDPA, Inc./Human Resources**

Human Resources Specialist Christina Anderson presented the Contract between the Board of County Commissioners (BOCC) and BDPA, Inc., for completion of a compensation and salary survey. Ms. Anderson stated that requested changes had been made, a required \$2,000,000 certificate of liability insurance had been provided, and that Civil Deputy Prosecuting Attorney Darrin Murphey had completed review and approval of the Contract. The Board expressed concern that a standard Legal review document was not attached to the Contract to verify final approval. Civil Deputy Prosecuting Attorney John Cafferty noted that the contract provision requiring liability insurance had been deleted from the current draft of the Contract.

Commissioner Green moved to continue this item to the next Business Meeting on March 12, 2013, to have time to obtain a signed agreement from BDPA, ensure full legal review is complete, and verify a contract amendment that includes a liability insurance clause (in the amount of two million dollars) for the duration of the Contract. 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. Addendum to Purchase Agreement/Admin Power Pole/Quantum Solutions/Board of Commissioners**

In regard to the BOCC Office Improvement Project, Chairman Tondee reported that previous plans to saw-cut the floor were determined to be unworkable, due to existing beams under the floor. This \$348 Addendum with Quantum Solutions would allow for installation of a power pole to address this issue.

Commissioner Nelson moved to approve the Quantum Solutions Addendum Proposal in the amount of \$348, for power pole installation. 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. Tax Deed Bid/04700002024A/AIN 114161/Ferrari**

Chairman Tondee explained Mr. Ferrari had submitted a Purchase Bid for AIN 114161/Parcel No. 04700002024A. Upon review, it was noted that this parcel is adjacent, and provides the only access, to another County-owned parcel. For this reason, the Board determined that they are not interested in selling the property at this time.

Commissioner Green moved to reject the Bid from Mr. Ferrari for AIN 114161/Parcel No. 04700002024A, and return the Bid to him, unopened. 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.

**11. Resolution 2013-16/Cancellation of Taxes, Penalties & Interest/C405000003A/AIN 103005/C405000005B/AIN 135196/Union Gospel Mission Association of Spokane**

Union Gospel Mission requested Cancellation of Occupancy Taxes, Penalties, and Interest for Parcel No. C405000003A/AIN 106005 and Parcel No. C405000005B/AIN 135196, under *Idaho Code* §63-602B.

Commissioner Nelson moved to approve Resolution 2013-16, Cancellation of Taxes, Penalties, and Interest for the Union Gospel Mission, AIN 103005 and AIN 135196. 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.

**12. Resolution 2013-17/Cancellation of Taxes, Penalties & Interest/52N03W304000/AIN 102255/Rimrock Cemetery**

Chairman Tondee stated that Parcel No. 52N03W304000/AIN 102255 is public land owned by Kootenai County, and that the bill to Ms. Erk was sent in error.

Commissioner Green moved to approve Resolution 2013-17, Cancellation of Taxes, Penalties, and Interest for AIN 102255. 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.

**13. Resolution 2013-18/Cancellation of Taxes, Penalties, & Interest/H405022314AD/AIN 184736/Northstar Baptist Church, Inc.**

Northstar Baptist Church requested Cancellation of Occupancy Taxes, Penalties, and Interest for Parcel No. H405022314AD/AIN 184736, under *Idaho Code* §63-602B.

Commissioner Nelson moved to approve Resolution 2013-18, Cancellation of Taxes, Penalties, and Interest for AIN 184736. 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.

**14. Resolution 2013-19/Cancellation of Taxes, Penalties & Interest/47N02W174525/AIN 175206/Indian Springs Community Club, Inc.**

Chairman Tondee noted that Indian Springs Community Club, Inc., is a tax-exempt entity that requested Cancellation of Occupancy Taxes, Penalties, and Interest on Parcel No. 47N02W174525/AIN 175206.

Commissioner Green moved to approve Resolution 2013-19, Cancellation of Taxes, Penalties, and Interest for AIN 175206, Indian Springs Community Club, Inc. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

**15. Resolution 2013-20/Surplus Van/Juvenile Detention**

Juvenile Detention Administrative Secretary Rhonda Hall came before the Board to request that Juvenile Detention be allowed to declare as surplus a 1993 GMC Cargo Van. Ms. Hall related that County mechanics have inspected the vehicle and determined that the required repairs would exceed the value of the vehicle.

Commissioner Green moved to approve Resolution 2013-20, to declare as surplus the Juvenile Detention 1993 GMC Van. 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.

**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 2:31 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

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