

**Minutes of Meeting**  
**Business Meeting**  
**March 12, 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 Solid Waste Director Roger Saterfiel, Solid Waste Principal Planner Laureen Chaffin, Juvenile Probation Director Debbie Nadeau, Recording Supervisor Susette Clements, Human Resources Specialist Christina Anderson, Parks and Waterways Director Nick Snyder, and Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Nancy Jones.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:04 p.m.
- B. Pledge of Allegiance:** Commissioner Green led the Pledge of Allegiance.
- C. Approval of Consent Calendar:** Chairman Tondee read the items listed on the Consent Calendar.

**Minutes of Meetings**

|            |  |
|------------|--|
| 02/25/2013 | Commissioners' Debriefing                    |
| 02/26/2013 | Indigent No. 2010-1260 & 2010-1885           |
| 02/26/2013 | Indigent No. 2009-341                        |
| 02/26/2013 | Indigent No. 2012-1016                       |
| 02/26/2013 | Indigent No. 2012-1232                       |
| 02/26/2013 | Business Meeting                             |
| 02/26/2013 | Bayview Community Center Improvement Project |
| 02/27/2013 | Elected Officials                            |
| 02/28/2013 | Building & Grounds Facility Discussion       |
| 03/04/2013 | Purchase Card Policy Draft Discussion        |
| 03/05/2013 | Indigent No. 2012-1061                       |

**Board Actions**

BOCC Signatures for Indigent Cases: 2/18/2013 – 3/06/2013

Commissioner Nelson moved to approve the Consent Calendar as read into the record by Chairman Tondee. 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.

**D. Changes to the Agenda:** Chairman Tondee requested that Item #3, Purchase Card Policies and Procedures, be removed from the agenda, at the request of the Auditor.

Commissioner Nelson moved to remove agenda item #3, Purchase Card Policies and Procedures, 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. Bid Open/2013-05/East Cell Expansion/Solid Waste**

Solid Waste Director Roger Saterfiel requested that the Board accept and open sealed responses for Bid 2013-05, Landfill East Cell Expansion Phase E2 Project for the Solid Waste Department. Six (6) bids were received: ACI Northwest Inc. (\$3,333,330); Northwind Construction Services (\$3,872,765); M.A. DeAtley Construction (\$3,569,960); Icon Materials (\$4,699,980); N.A. Degerstrom (\$4,425,852.80); and MDM Construction (\$3,821,650.10). The bids were received by qualified bidders that responded to a Notice Inviting Bids, which was published in the *Coeur d'Alene Press* on 1/22/2013 and 1/29/2013.

Commissioner Nelson moved to accept the six (6) bids and forward them to the Legal and Solid Waste Departments for review. 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.

**2. Consider Award Bid 2013-06/Scanning and Digitizing of Books/Recorder**

Recording Manager Susette Clements requested the Board consider an award of bid for the Scanning and Digitizing of Books in the Recorder's Office, as part of their ongoing archiving project. Six (6) bids were accepted on February 26, 2013. Ms. Clements' recommendation was for the Board to accept the lowest project bid, which was provided by Paperless Digital Solutions of North Carolina. The owner verified that the bid price is firm, that all work is to be done on site, and that the project and workspace specifications are clear. Funds for this project were collected through Recording Fees, as allocated by House Bill 521.

Commissioner Green moved to award the bid to Paperless Digital Solutions, with a bid estimate amount of \$146,066.23. 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. Purchase Card Policies and Procedures/Auditor Pulled**

**4. Award of Weapon, Badge, and ID upon Retirement/Sgt. Robert Forsyth/KCSO**

Sheriff Ben Wolfinger submitted a written request for the Board to award Sergeant Robert Forsyth his Sheriff's badge, duty weapon, and identification card upon his retirement, as per *Idaho Code* §31-830. Sergeant Forsyth has been with the Kootenai County Sheriff's Office since March 30, 1988, and will retire on April 19, 2013.

Commissioner Green moved to approve the request to award Sergeant Robert Forsyth his badge, duty weapon, and identification card upon his retirement. 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. FY2012 Juvenile Accountability Block Grant Program/Intent to Use Allocation/Juvenile Probation**

Juvenile Probation Director Debbie Nadeau requested signatures on a letter, stating the intent of the Juvenile Probation Department to apply for the FY2012 Juvenile Accountability Block Grant Program. Civil Deputy Prosecuting Attorney John Cafferty clarified that this document is used to declare the intent to apply for and use these Grant funds, so that the money may be allocated by the Idaho Department of Juvenile Corrections. The formal Grant application is due August 1, 2013.

Commissioner Nelson moved to approve the application to apply for the FY2012 Juvenile Accountability Block Grant Program, and the intent to approve that allocation, if received. 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.

**6. Contract Renewal/Pawsitive Works/Juvenile Probation**

Ms. Nadeau stated that this is the third year that Juvenile Probation and the Humane Society have collaborated on Pawsitive Works, which provides a behavior modification program to benefit at-risk youth and local shelter dogs. The contract amount has decreased from previous years, as the determined need was reduced from six (6) to four (4) sessions per year. The program cost of \$5,200 is paid for through the Juvenile Probation Tobacco Tax budget. The Board asked that Ms. Nadeau request clarified indemnification verbiage in future drafts of this agreement. Ms. Nadeau verified that Pawsitive Works supplies proof of valid liability insurance, the staff screens all dogs prior to inclusion in the program, and parents provide signed permission slips for participating youth.

Commissioner Green moved to approve the contract renewal between Kootenai County (Juvenile Probation) and Pawsitive Works. 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. Special Conditions/Idaho Council on Domestic Violence and Victim Assistance Department of Justice/Victims of Crime Act (VOCA)/Juvenile Probation**

Ms. Nadeau presented an agreement that is federally mandated for participation in the grant programs associated with the Victims of Crime Act (VOCA). Ms. Nadeau explained that the document is a reiteration of the general terms and conditions of all VOCA Grants. The agreement is being supplied to all sub-grantees of these funds to verify the special conditions stated and cite the requirement to abide by these conditions in order to receive VOCA Grant allocations. Mr. Cafferty noted two clauses that were cause for consideration: (1) A clause stipulating compliance with future amendments to the agreement, and (2) A clause assuring State compliance with VOCA. The Board discussed with Mr. Cafferty the implications of the verbiage, and the ramifications of refusing to sign the document.

Commissioner Green moved to accept the Special Conditions with the Idaho Council on Domestic Violence and Victim Assistance Program in cooperation with the Department of Justice and Kootenai County (Juvenile Probation). Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

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

Human Resources (HR) 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 to the Contract, including addition of a provision for liability insurance in the amount of \$2,000,000 (proof of which was previously submitted). Ms. Anderson verified that the final Contract was reviewed and approved by Legal and signed by BDPA.

Commissioner Green moved to approve the Contract for a Compensation and Salary Survey between BDPA and Kootenai County (HR). 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. Revised Policies/Unlawful and Sexual Harassment No. 412/Social Media No. 505/FMLA No. 324/Human Resources**

HR Specialist Christina Anderson came before the Board to present three (3) revised Personnel Policies. Ms. Anderson explained that Policy No. 324 was amended to address a March 8, 2013, Department of Labor (DOL) revision that concerns the Family and Medical Leave Act (FMLA), as it relates to military families. The Legal Department reviewed and amended our internal policy to meet the DOL requirements. Policy No. 412 was revised as per a request from the Legal Department to remove all verbiage related to general harassment. Another revision to Policy No. 412 states that all unlawful harassment complaints will be directed to Human Resources or the Legal Department for determination on how to proceed. Ms. Anderson explained that Policy No. 505 was also amended as per the request of the Legal Department. No additional details were provided regarding revisions to Policy No. 505.

Commissioner Green moved to adopt revisions for Policy No. 412 (Unlawful and Sexual Harassment), Policy No. 505 (Social Media) and Policy No. 324 (FMLA). 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.

**10. Request for Annexation/Fitzgerald/Kootenai County Fire & Rescue**

Civil Deputy Prosecuting Attorney John Cafferty explained that this is a request from Mr. Fitzgerald for Annexation into the Kootenai County Fire and Rescue District. The property is adjoining existing boundaries and meets Annexation requirements, per *Idaho Code* §31-1411. Fire District Representatives related to Mr. Cafferty that this Annexation has been approved at a Public Hearing. Mr. Cafferty stated that Statute requires the County Commissioners to approve the Annexation. This will allow the property to be included in the taxing district, and for the Annexation to be recorded for assessment purposes.

Commissioner Nelson moved to approve the request for Annexation from John and Jean Fitzgerald into the Kootenai County Fire and Rescue District. 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.

**11. Resolution 2013-21/Surplus Property/Parks & Waterways**

Parks and Waterways Director Nick Snyder requested the Board declare as surplus three (3) concrete restroom buildings that were acquired, free of charge, from the Bureau of Land Management. The buildings no longer meet ADA Standards, as they are one (1) inch short of the turn-around space required by 2010 Standards revisions. The Board asked if the buildings could be redesigned to expand the turn-around space, or if they could be repurposed. Mr. Snyder assured the Board that his staff had considered all options, including making attempts to locate agencies or programs that might be able to use the buildings, but they were unable to find a practicable solution. Mr. Snyder acknowledged that all ADA Accessibility signs would be removed from the buildings prior to sale.

Commissioner Nelson moved to approve Resolution 2013-21, to declare as surplus three (3) Kootenai County (Parks and Waterways) restroom buildings. 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 2:45 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

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