

Minutes of Meeting
Business Meeting
April 2, 2013
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Todd Tondee and Commissioner Dan Green met to discuss the following agenda items. Also present were Solid Waste Director Roger Saterfiel, Finance Director David McDowell, County Treasurer Tom Malzhan, Civil Deputy Prosecuting Attorney R. David Ferguson, Applications System Manager Carrie Cole, Civil Deputy Prosecuting Attorney Pat Braden, Grant Writer Jody Bieze, Staff Accountant Kim Stevenson, Senior Accountant Keith Taylor, Operations Manager Shawn Riley, FTA Grant Administrator Christine Fueston, Chief Deputy Clerk Pat Raffee, Administrative Supervisor II Jamie Woods, Public Defender Legal Assistant Donna Johnson, 9-1-1 Director Bradley Coughenour, Interim Human Resources Director Wade Larson, Airport Administrative Assistant Mary Hopkins, Accounting Clerk Kathryn vonKienast, Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Nancy Jones. Commissioner Jai Nelson was excused.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:00 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

- 03/13/2013 Parks & Waterways/Year End Report
- 03/18/2013 Community Development Update
- 03/18/2013 Commissioners' Debriefing
- 03/20/2013 Waterways Advisory Board
- 03/20/2013 Area Agency on Aging Update
- 03/20/2013 Mica Bay Homeowner's Project
- 03/25/2013 Executive Session §67-2345(1)(a) to consider hiring a public officer, employee, staff member, or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need, unless a vacancy in an elective office is being filled.
- 03/25/2013 Omitted Occupancies
- 03/25/2013 Commissioners' Debriefing
- 03/25/2013 Community Development Update

Board Actions

BOCC Signatures for Indigent Cases: 3/21/13 through 3/27/13

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

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

The motion carried.

D. Changes to the Agenda:

Chairman Tondee noted that Item #5, Contract/Digitizing of Record Books/Paperless Digital Solutions/Recorder, was to be pulled from the agenda because the contract was not ready for review.

Commissioner Green moved to remove item #5, the contract for the digitizing of record books in the Recorder's Office. Chairman Tondee seconded the motion. There being no discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

BOCC Administrative Secretary Teri Johnston stated that one item should be added to the agenda, per a request from the Attorney General's office. Chairman Tondee explained that a Resolution approval was requested for a Manatron Database access fee waiver, and that time was of the essence due to pending legal action in the Attorney General's office.

Commissioner Green moved to add an item to the agenda for discussion of Resolution 2013-30, Waiver of Use Fees for the Office of the Attorney General, due to the timeliness of a pending court case.

Chairman Tondee seconded the motion. There being no discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

Chairman Tondee explained that Manatron Database access incurs a fee of \$50 per month, but that this fee is often waived for government entities. Approval of Resolution 2013-30 would allow information sharing between Kootenai County (Recorder's Office) and the Attorney General's Office, without a fee requirement, in order to expedite document requests concerning imminent legal action.

Commissioner Green moved to adopt Resolution 2013-30, Waiver of User Fees for the Manatron Database for the Office of the Attorney General. Chairman Tondee seconded the motion. There being no discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

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

F. New Business:

1. Maintenance Agreement/Service Agreement/Integra Paperless Business Solutions/Information Systems

Applications Systems Manager Carrie Cole asked the Board to consider the Software Maintenance Agreement, Paperclip License Agreement, and the Service Agreement between Kootenai County (Information Systems) and Integra Paperless Business Solutions. Ms. Cole advised the Board that these are standard annual renewals. Civil Deputy Prosecuting Attorney Pat Braden informed the Board that he reviewed and approved the agreements.

Commissioner Green moved to approve the Maintenance Agreement and Service Agreements between Kootenai County (Information Systems) and Integra Paperless Business Solutions. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

2. Bid Opening 2013-07/Surplus Property/1994 Peterbilt Tractor/Solid Waste

Chairman Tondee verified that no bids had been received for the 1994 Peterbilt Tractor that the Board declared as surplus on January 15, 2013. Solid Waste Director Roger Saterfiel requested that the Board allow Solid Waste to accept the manufacturer trade-in offer, since no bids were received. Civil Deputy Prosecuting Attorney John Cafferty acknowledged that bidding statutes allow surplus property to be used as trade-in property toward new equipment purchases, with Board approval.

Commissioner Green gave direction to staff to use the 1994 Peterbilt Tractor trade-in value toward a new vehicle purchase. Chairman Tondee approved this direction to staff.

3. Contract/ACI Northwest/East Cell Landfill/Solid Waste

Mr. Saterfiel came before the Board to request approval of the Contract between Kootenai County (Solid Waste) and ACI Northwest, Inc., for the Kootenai County (Solid Waste) Landfill East Cell Phase E2 Expansion Project. Mr. Saterfiel also requested the Board to authorize Chairman Tondee's signature on the Public Works Contract Report for the State Tax Commission. Mr. Cafferty explained the purpose of the Public Works Contract Report, and stated that insurance, bond, and license requirements were met and verified by the Legal Department.

Commissioner Green moved to authorize signing of the contract between Kootenai County (Solid Waste) and ACI Northwest for the East Cell Landfill Expansion, and to designate Chairman Tondee to sign the Public Works Contract Report for the State Tax Commission (at such time as it is completed by ACI Northwest and submitted for Board signature). Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

4. Purchase Card (P-Card) Policy and Procedures/Auditor

Finance Director David McDowell requested that the Board approve the Purchase (P-Card) Policies and Procedures, Version 3-27-2013, to establish guidelines for the administration and use of the P-Cards. The changes that were required by the Board and the Legal staff have been incorporated into this new version.

Commissioner Green moved to adopt the Purchase Card Policies and Procedures for use of the P-Cards. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

~~5. Contract/Digitizing of Record Books/Paperless Digital Solutions/Recorder~~ *Pulled*

6. Contract Renewal/Banking Services/US Bank/Treasurer

Chairman Tondee explained that the contract between Kootenai County (Treasurer’s Office) and US Bank has existed on a monthly basis since January 1, 2013. This renewal extends the Banking Services Contract through the end of 2014.

Commissioner Green moved to sign the Contract Renewal for Banking Services between Kootenai County (Treasurer’s Office) and US Bank through December 31, 2014. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

7. Lease Agreement/Aspen Hanger LLC/Rescind Aspen Land/Airport

Airport Administrative Assistant Mary Hopkins explained that Aspen Land, LLC, has requested rescission of their current lease so that they may enter into a new lease agreement under the name Aspen Hanger, LLC. Ms. Hopkins stated that an addendum was added to the lease to meet the requirements of their lender (Sterling Bank). Civil Prosecuting Attorney R. David Ferguson stated that the previous insurance binder listed only Coeur d’Alene Airport as an additional insured party. As per a request from Legal, the insurance endorsement was amended to name Coeur d’Alene Airport and/or Kootenai County as the additional insured party. Mr. Ferguson confirmed that coverage limits meet County requirements.

Commissioner Green moved to rescind the current lease with Aspen Land, LLC, and to authorize signing of a new Lease Agreement with Aspen Hanger, LLC. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

8. Proclamation/Tele-Communicators Week/KCSO/9-1-1

9-1-1 Director Bradley Coughenour requested that the Board proclaim the week of April 14 through April 20, 2013, as National Tele-Communicators Week, to recognize the dedication of the 9-1-1 staff. During this week, staff will be provided with breakfast and dinner, and training will be hosted by the Post Falls Police Department. Mr. Coughenour invited the Board to attend the events during this week as a show of support to the staff. A calendar of events will be provided to the Board.

Commissioner Green moved to adopt the 2013 Tele-Communicators' Proclamation designating the week of April 14 – 20, 2013 as National Tele-Communicators Week, to recognize the hard work and dedication of the 9-1-1 staff. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

9. Interagency Agreement/Shared Use Communications Facilities/Spokane County/KCSO/9-1-1

Bradley Coughenour asked the Board to consider the Interagency Agreement between Kootenai County (9-1-1 and Sheriff's Office) and Spokane County regarding the shared use of an emergency communications facility located on Canfield Butte. Kootenai County has been asked to provide the building and site, while Spokane County will provide the paging system, and Kootenai Medical Center (KMC) will provide the frequency. Mr. Coughenour advised the Board that this will provide a significant benefit to Kootenai County, Spokane County, and KMC, by providing a better paging system for public safety at no initial cost to Kootenai County. Mr. Coughenour verified that this Interagency Agreement is only between Kootenai County and Spokane County, and that there is a separate agreement between Spokane County and KMC. This shared Interagency Agreement provides potential savings of about \$600,000. The effective period will begin on April 2, 2013, and remain in effect for a period of twenty-five (25) years with provisions for automatic extensions.

Commissioner Green moved to approve the Interagency Agreement between Spokane County and Kootenai County (9-1-1 and Kootenai County Sheriff's Office) for the shared use of the Emergency Communications Facilities. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

10. Notice Inviting Bids/2013-08/Parking Lot Rehabilitation/KCSO/Building & Grounds

Building and Grounds Operations Manager Shawn Riley asked the Board to consider a Notice Inviting Bids for the Sheriff’s Department Parking Lot Rehabilitation Project. Mr. Riley detailed project specifications and shared that the notice will be posted in the *Coeur d’Alene Press* on April 8 and April 15, 2013, to meet code requirements for bidding procedures. Contract documents, including drawings and technical specifications, will be available at the office of T-O Engineers, at a cost of \$75.00.

Commissioner Green moved to authorize the Notice Inviting Bids for Parking Lot Rehabilitation at the Kootenai County Sheriff’s Office. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

11. 2012 Homeland Security Grant Program (HSGP) EMW-2012-SS-00136/Grant Award/Office of Emergency Management

Grant Writer Jody Bieze asked the Board to accept a sub-grant award in the amount \$142,020.79, which has been awarded to Kootenai County (Office of Emergency Management). Ms. Bieze established that these funds may be used for training and exercise, planning, communications, and first responder expenditures. This grant requires a cost share of \$10,401.08, which must be reallocated to the State of Idaho for training costs.

Commissioner Green moved to accept the 2012 Homeland Security Grant #EMW-2012-SS00136 for the Office of Emergency Management. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

12. Bylaws/Historic Preservation Board

Commissioner Green presented the amended Kootenai County Historical Preservation Board’s Bylaws and advised that the terms “Deputy Commissioner” and “Non-Voting Commissioner” have been removed, and this language is now consistent with the other commissions. The Bylaws have been approved by the Legal Department and are now ready for adoption.

Commissioner Green moved to adopt the Bylaws of the Kootenai County Historical Preservation Board. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

13. Professional Services Agreement/McNeil Group LLC/Larson/Board of Commissioners

Commissioner Green presented a contract agreement for a consultant, Dr. Wade M. Larson, to act as the Kootenai County Interim Human Resources Director, for a period of at least three (3) months. Under this contract, a payment of \$7,000 will be made after the first thirty (30) days of professional services, with additional payments every thirty (30) days thereafter.

Commissioner Green moved to approve the Professional Services Contract between Kootenai County (Board of Commissioners) and McNeil Group, LLC (dba LLM Leadership Group) for the hiring of an Interim Human Resources Director. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

14. Letters of Agreement/FTA Public Transportation/City of Coeur d’Alene/City of Hayden/City of Dalton/Transit

FTA Grant Administrator Christine Fueston came before the Board to present Letters of Agreement between Kootenai County and the cities of Coeur d’Alene, Hayden, Dalton, and Post Falls. These annual agreements establish local (soft match and cash) contributions from these cities. Recent changes in the agreements reflect inclusion of both 5307 Federal Transit Authority funds for urban areas and any and all Department of Transportation funds (or subsequent grant funds) that might be acquired for the transit program.

Commissioner Green moved to approve the Letters of Agreement between Kootenai County (FTA Grant Administrator) and the City of Coeur d’Alene, City of Post Falls, City of Hayden, and the City of Dalton. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

15. Resolution 2013-28/Cancellation of Taxes, Penalties & Interest/White

Chairman Tondee advised that Mr. White has paid all taxes owed per the conditions that were set at the Board Meeting held on March 6, 2013. As Mr. White has satisfied the Board’s conditions, penalties and interest are to be cancelled for parcels AIN 139184 and AIN 234354.

Commissioner Green moved to approve Resolution 2013-28, Cancellation of Penalties and Interest for Parcels AIN 139184 and AIN 234354 for David White dba KAL, LLC. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused
Commissioner Green: Aye
Chairman Tondee: Aye
The motion carried.

16. Resolution 2013-29/Comprehensive Study of Public Defense Delivery System/Supersedes Resolution 2013-26/Board of Commissioners

Chairman Tondee explained the intent of this resolution is to amend and replace Resolution 2013-26, in order to eliminate the reference to expiration of the term of the current Kootenai County Public Defender. The amended resolution shall preserve the intent to move forward with a Comprehensive Study of the Public Defense Delivery System. At the time that Resolution 2013-26 was adopted, Chairman Tondee indicated that the full Board did not have access to information that was pertinent to their deliberations, necessitating further consideration.

Commissioner Green moved to adopt Resolution 2013-29, a Comprehensive Study of the Public Defense Delivery System, acknowledging that this supersedes Resolution 2013-26. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Excused

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 2:38 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Nancy A. Jones, Deputy Clerk