

Minutes of Meeting
Business Meeting
May 14, 2013
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Todd Tondee, Commissioner Jai Nelson and Commissioner Dan Green met to discuss the following agenda items. Also present were Grant Writer Jody Bieze, Building and Grounds Operations Manager Shawn Riley, Juvenile Detention Director JT Taylor, Civil Deputy Prosecuting Attorney R. David Ferguson, Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Nancy Jones.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:01 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

- 04/30/2013 Business Meeting
- 05/01/2013 Request for Cancellation of Taxes
- 05/01/2013 Jobs Plus Discussion
- 05/01/2013 Panhandle Health District Budget Discussion
- 05/01/2013 Restricted Fund Balance Discussion
- 05/03/2013 Executive Session §67-2345(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent AND §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. Kobrick/1212 Sherman Avenue.
- 05/03/2013 County Seal Presentation
- 05/06/2013 Commissioners' Debriefing
- 05/07/2013 Indigent Appeal No. 2012-1419
- 05/07/2013 Indigent Appeal No. 2013-130

Board Action

Assessor's Recommendations to Adjust Tax/Valuation, Parcel No.: V6600006012A

BOCC Signatures for Indigent Cases: 05/02/2013 through 05/08/2013

Noxious Weed Control Agreements: Various Parcels

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

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.

- 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. **Award Bid 2013-08/Parking Lot Rehabilitation/KCSO/Building & Grounds**

Building and Grounds Operations Manager Shawn Riley asked the Board to consider the bid award for the Sheriff's Office Parking Lot Rehabilitation Project. Three (3) bids were received on April 23, 2013, from Interstate Concrete and Asphalt, Knife River Corporation, and Coeur d'Alene Paving. Upon review, it was determined that all the bids were responsive, with the lowest bid being from Interstate Concrete, in the amount of \$218,126.81. Mr. Riley recommended that the Board award the bid to Interstate Concrete. Commissioner Green inquired whether or not the initial bid specifications set forth a specific warranty period for the completed work. Mr. Riley stated that the industry standard is a one (1) year warranty. Civil Deputy Prosecuting Attorney John Cafferty gave the opinion that if the original bid specifications included a one (1) year warranty, any change to that term should be addressed by re-bidding the contract. Neither Mr. Cafferty nor Mr. Riley was sure of the warranty specifications for this project. Mr. Cafferty reviewed possible recourse the Board might have, should the work be deemed faulty after the warranty period, noting that the project engineer would also bear some responsibility for the quality of the work being performed. The Board decided to table the discussion to the end of the meeting, in order to give Mr. Cafferty the opportunity to review the bid specifications.

2. **Donation Agreement/Kootenai County Mounted Posse/KCSO**

Kootenai County Sheriff's Office (KCSO) Sergeant Ryan Higgins appeared before the Board to report that, as part of the Kootenai County Mounted Posse (KCMP) March 2013 Dissolution Agreement, all its assets have been transferred to the control of the Kootenai County Sheriff's Office. Sergeant Higgins also explained that, per the agreement, the KCMP is no longer a self-governing entity; however it will still function as the Posse, doing the same job, but guidance and control of the unit will be transferred to the Sheriff's Office. Sergeant Higgins then presented a short list of KCMP assets, confirmed that all equipment is currently stored at the Sheriff's facility, and explained that the additional cost to the County for absorbing the KCMP under the Sheriff's Office would be minimal to non-existent.

Commissioner Green moved that the Board accept the donation of equipment from, and affirm the agreement between, the Kootenai County Mounted Posse and the Sheriffs' Office. 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. **Contract/Stockwell Paint Contractors, Inc./Juvenile Detention**

Juvenile Detention Director JT Taylor appeared before the Board to request approval of a Contract with Stockwell Paint Contractors for sealing reoccurring leaks and repainting water-damaged surfaces at the Detention Facility. Director Taylor explained that initial attempts by maintenance to fix the leaks had not been successful. The urgency of the work led to putting out the bid for repairs to minimize further water damage. Director Taylor suggested that Stockwell Paint Contractors be awarded the repair contract, based upon not only the total cost to complete the project, but also the five-year warranty offered, to ensure the repairs are done correctly.

Commissioner Nelson moved that the Board approve the Contract between Stockwell Paint Contractors and Juvenile Detention for repairs at the Facility. 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. Contract Schedule A/Accurint for Government/LexisNexis/Public Defender

Public Defenders Office Legal Assistant Donna Johnson presented to the Board a renegotiated contract between the Kootenai County Public Defender’s Office (KCPDO) and LexisNexis for licensed use of its Accurint for Government software. The Board noted that by reducing the number of user licenses, the KCPDO is saving the County approximately \$1,300 annually.

Commissioner Green moved that the Board approve the renegotiated contract between LexisNexis for use of Accurint for Government by the Kootenai County Public Defenders Office. 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. Amendment/Memorandum of Understanding/Blue CDA 11 SAFP 04/Idaho Department of Lands/Grant Management Office

Grant Writer Jody Bieze appeared on behalf of the Office of Emergency Management (OEM), to request Board approval of an Amendment to the Memorandum of Understanding (MOU) between Kootenai County (OEM) and the Idaho Department of Lands (IDL), with reference to Grant #11 SAFP 04. Ms. Bieze provided the Board with documentation detailing the purpose for the proposed amendment and explained that, if approved, this change would extend the expiration date of the grant (by one year) to August 31, 2014.

Commissioner Nelson moved that the Board approve the amendment to the MOU between Kootenai County (Office of Emergency Management) and the Idaho Department of Lands (IDL), with reference to the Blue CDA Grant #11 SAFP 04. 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. Resolution 2013-39/Cancellation of Taxes, Penalties & Interest/ECEC00013080/AIN 307875/Owens

Chairman Tondee asked the Board to consider approval of Resolution 2013-39, for the Cancellation of Taxes, Penalties, and Interest on Parcel No. ECEC00013080/AIN 307875, which was owned by Owens Construction. Chairman Tondee acknowledged that the business has dissolved, with no remaining assets to satisfy the taxes owed. Mr. Cafferty acknowledged a personal connection to Owens Construction, and asked to note, for the record, that he was not aware of this agenda item prior to the meeting, nor did he provide any legal advice to the Board with regard to Resolution 2013-39.

Commissioner Green moved to approve Resolution 2013-39, for the cancellation of taxes, penalties, and interest for Parcel No. ECEC00013080/AIN 307875. 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. Resolution 2013-40/Cancellation of Taxes, Penalties & Interest/R00000070700/AIN 318693/Kootenai Technical Education Campus

Commissioner Tondee asked the Board to consider approval of Resolution 2013-40, for the Cancellation of Taxes, Penalties, and Interest on Parcel No. R00000070700/AIN 318693, for the benefit of the Kootenai Technical Education Campus.

Commissioner Green moved to adopt Resolution 2013-40, for the Cancellation of Taxes, Penalties, and Interest on Parcel No. R00000070700/AIN 318693, for the benefit of the Kootenai Technical Education Campus. 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.

1. Award Bid 2013-08/Parking Lot Rehabilitation/KCSO/Building & Grounds

Mr. Cafferty informed the Board that the Certificate of Final Completion form that was presented with the original bid documents did specify a request for a one (1) year warranty for all completed work. Chairman Tondee shared an opinion that this request would not prohibit the Board from negotiating a longer warranty term (for the same price) as a part of the final contract negotiations. The Board directed Mr. Riley to negotiate for a longer warranty in the final contract between Interstate Concrete and Kootenai County (Building and Grounds), with reference to the Parking Lot Rehabilitation project. The Board determined that they would decide whether or not to award the contract once this item was discussed with the vendor.

Commissioner Green moved to continue this item until the scheduled May 28, 2013, Business Meeting, in order to give Mr. Riley the opportunity to discuss the warranty term with the vendor. 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.

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 2:23 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Nancy A. Jones, Deputy Clerk