

**Minutes of Meeting
Business Meeting
June 10, 2013
11:00 a.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 County Assistance Manager Todd Rickard, FTA Grant Administrator Christine Fueston, Airport Director Greg Delavan, Airport Administrative Assistant Mary Hopkins, Jail Services Captain Kim Edmundson, Finance Director Dave McDowell, Civil Deputy Prosecuting Attorney John Cafferty, and Deputy Clerk Nancy Jones.

- A. Call to Order:** Chairman Tondee called the meeting to order at 11:05 a.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

04/11/2013	Request for Cancellation of Taxes
05/23/2013	Community Development Update
05/28/2013	Business Meeting
05/28/2013	District Court Discussion
05/29/2013	Quarterly Fire Protection District
05/29/2013	Airport Advisory Board
05/29/2013	Waterways Advisory Board
05/29/2013	Commissioners' Debriefing
05/31/2013	Request for Cancellation of Taxes
05/31/2013	Canvass of Election
06/03/2013	Commissioners' Debriefing
06/04/2013	Executive Session §67-2345(1)(b) to consider the evaluation, dismissal of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent.
06/04/2013	Indigent Appeal No. 2012-13
06/04/2013	Indigent Appeal No. 2013-51

Board Actions

Assessor's Recommendation to Adjust Tax/Valuation Parcel No. C18320040110

Solid Waste Fee Adjustment/Parcel No. C18320040110

Affidavit of Treasurer's Monthly Report: May 31, 2013

Approval Order/Tax Exempt Status: Koinonia House, Inc./EPNP00006004/AIN 193330; City of Spirit Lake/OK273001002B/AIN 322575

BOCC Signatures for Indigent Cases: 05/30/2013 through 06/05/2013

Noxious Weed Control Agreements/Various Parcels

Commissioner Green moved to adopt the Consent Calendar as read into the record by Chairman Tondee.
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.

D. Changes to the Agenda: Chairman Tondee stated that Item #5, Grant Award Contract/Idaho Council on Domestic Violence and Victim Assistance/Idaho Department of Health and Welfare/Juvenile Probation, was not ready for discussion.

Commissioner Green moved to amend the agenda to pull Item #5, Award Contract/Idaho Council on Domestic Violence and Victim Assistance/Idaho Department of Health and Welfare/Juvenile Probation, with staff direction to bring this item back before the Board when it is ready for deliberation. 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.

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

F. New Business:

1. Bid Opening 2013-10/Airfield Pavement Maintenance/Airport

The Board accepted and opened sealed responses for Bid 2013-10, for the Airfield Pavement Maintenance project at the Airport. One (1) bid, in the amount of \$262,340.45, was received from Road Products, Incorporated, of Spokane, Washington. The bid was received in response to a Notice Inviting Bids, which was published in the *Coeur d'Alene* Press on 5/06/2013 and 5/13/2013.

Commissioner Green moved to accept the bid and forward it to the Airport and to the Legal Department for review. 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. Airport Layout Master Plan/Airport

Airport Director Greg Delavan explained that, as part of the Airport Master Plan, FAA regulations require the Airport to update their layout plan. The purpose of this document is to update the layout to include changes that were specifically requested by the FAA. The previous plan was approved by the Board and signed by Chairman Tondee; however, changes were made after the signing. Mr. Delavan clarified that, as a planning document, amendments to the layout do not require full Board reexamination of the comprehensive plan.

Commissioner Nelson moved to approve the amended Airport Layout Master Plan. 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.

3. Lease Agreement/Walsh/Terminate Paay/Airport

Mr. Delavan explained that Mr. Anthony Paay had requested termination of his current lease in order to facilitate the sale of his hangar to Mr. Chris Walsh. Mr. Delavan verified that the lease had been updated to reflect the current effective lease rate (which is equal to eighteen cents (\$0.18) per square foot per year).

Commissioner Nelson moved to terminate the current lease between Mr. Anthony Paay and Kootenai County (Airport), and to authorize signing of a new Lease Agreement with Mr. Chris Walsh. 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. Request for Proposal/Independent Financial Statement Audit Bid/Fiscal Year 2013-2015/Auditor

Civil Deputy Prosecuting Attorney John Cafferty informed the Board that the final draft of this document was still pending revision, and asked the Board to continue this item until the next Business Meeting. Commissioner Nelson requested that the final draft include reference to *Idaho Code* §31-1701, and asked for review of the wording to clarify that, while the consultant will work with and submit the final audit to the Clerk, the Board stands as the governing body that is referenced within the proposal.

Commissioner Nelson moved to continue Item #4, Request for Proposals for the Independent Financial Statement Audit Bid for Fiscal Year 2013-2015, for a period of at least one (1) week, to the Business Meeting scheduled for 2:00 p.m. on Tuesday, June 18, 2013. 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.

5. ~~Grant Award Contract/Idaho Council on Domestic Violence and Victim Assistance/Idaho Department of Health & Welfare/Juvenile Probation - Pulled~~

6. Contract/Electrical Power, Grounding, Lightning Protection/Transtector Systems/KCSO

Captain Kim Edmundson came before the Board to request approval of a contract between the Kootenai County Sheriff's Office (KCSO) and Transtector Systems, for the investigation of electrical issues at the Sheriff's campus. This project will include a study of the overall electrical system, including grounding and lightning protection functions. Ms. Edmundson stated that the contract reflects a cost not to exceed \$23,348.

Commissioner Green moved to approve the contract between Kootenai County (Sheriff's Office) and Transtector Systems, for analysis of KCSO campus electrical issues. 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. Temporary Operating Agreement/Downtown Shuttle/Coeur d'Alene Downtown Business Association

FTA Grant Administrator Christine Fueston came before the Board to request approval of a Temporary Operating Agreement that would allow for a temporary downtown shuttle, which is scheduled to operate from June 14, 2013, to September 1, 2013. This agreement was initiated by the Downtown Association, in the interest of providing service during the summer months that coincide with the McEuen construction project. The shuttle will be available seven (7) days per week (with the exception of posted blackout dates, such as the day of the Ironman Triathlon). The Downtown Association has agreed to reimburse Kootenai County for all costs, including parking lot maintenance, at an estimated total of about \$15,000 per month. Ms. Fueston noted that a \$3,000,000 general liability insurance policy is in place, and that Legal reviewed the agreement to tighten the hold harmless liability and termination language. Mr. Cafferty acknowledged that an earlier version of the contract was reviewed, and that no legal issues are foreseen, provided that the Association signs the final draft as presented by Ms. Fueston. Ms. Fueston acknowledged that the Citylink buses used for this purpose will be leased to First Transit, as per direction from ICRMP, and in accordance with FTA guidelines for Use Agreements, which specify that the County must retain ownership of the vehicles.

Commissioner Green moved to approve the Temporary Operating Agreement between Kootenai County and the Coeur d'Alene Downtown Association, and to authorize Chairman Tondee to sign the agreement once a signed copy is received from the Association. 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. Resolution 2013-45/Cancellation of Penalties & Interest/Parcel No. EMCC00002001/AIN 242802/Appleway Chiropractic/Norce

Chairman Tondee specified that the taxes, penalties, and interest for Parcel No. EMCC00002001/AIN 242802, will remain due and payable; however, the Board previously determined that the amounts for tax years 2008, 2009, and 2010, would be recalculated, based upon the 2011 Personal Property Declarations that were submitted to the Assessor's Office by Mr. Norce. This action will reduce the total due and payable amount that had been previously estimated for those years.

Commissioner Green moved to adopt Resolution 2013-45, with regard to Parcel No. EMCC00002001/AIN 242802, with direction to staff to amend language in the Resolution (to reference the 2011 declaration and remove a parcel reference) prior to submitting to the Board for 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.

9. Resolution 2013-46/Adjustment of Taxes to Reflect Circuit Breaker Exemption/Parcel No. C2475009999A/AIN 10061/Bunes

Chairman Tondee requested that the Board consider and approve a tax adjustment to Parcel No. C2475009999A/AIN10061, in order to apply a Circuit Breaker Exemption that the homeowner had not applied for in 2012, as she mistakenly thought that her initial application was perpetual.

Commissioner Nelson moved to adopt Resolution 2013-46, with regard to Parcel No. C2475009999A/AIN 10061. Chairman Tondee seconded the motion. There being no further discussion, Deputy Clerk Jones called the roll:

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

The motion carried.

10. Resolution 2013-47/Classify Records/County Assistance

County Assistance Manager Todd Rickard stated that this request is associated with County Assistance records for the years 2007 through 2010, which are to be classified as permanent. Mr. Rickard explained that this classification is addressed under *Idaho Code* §31-871. Mr. Rickard’s intention was to classify the records and acknowledge their conversion into electronic form, so that the original, paper records may be destroyed. Mr. Cafferty stipulated that *Idaho Code* § 9-332 does allow for the destruction of original documentation once the records (over one year old) are classified and converted.

Commissioner Green moved to adopt Resolution 2013-47 for the classification of records for the County Assistance 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.

11. Resolution 2013-48/Destroy Records/County Assistance

Mr. Rickard requested the Board approve Resolution 2013-48, which allows for the destruction of records specifically named within the Resolution and labeled as “Exhibit A”. Mr. Rickard noted that the original copies are over one (1) year old, as required by statute, and that the State Historical Society was notified of this request, as per *Idaho Code* § 9-332, but that they indicated no present interest in these files. As referenced in Resolution 2013-47, the associated files have been converted to electronic form, in line with statute retention requirements. Chairman Tondee noted that “Exhibit A” was attached to Resolution 2013-47, but was not specifically referenced within Resolution 2013-48.

Commissioner Green moved to adopt Resolution 2013-48, which allows for the destruction of records as classified in Resolution 2013-47, with staff direction to include a reference to “Exhibit A” of the same, and attach that document to both referenced Resolutions. 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 11:37 a.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Nancy A. Jones, Deputy Clerk