

Minutes of Meeting
Bret Keast Update
June 18, 2013
10:00 a.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 Community Development Director Scott Clark, Planning Commission Chairman Wes Hanson, Planning Commission Board Member Colin Coles, Kendig Keast Collaborative President Bret Keast, Civil Deputy Prosecuting Attorney Pat Braden, and Deputy Clerk Nancy Jones.

A. Call to Order: Chairman Tondee called the meeting to order at 10:08 a.m.

B. Introductions: There were no introductions made.

C. Changes to the Agenda: There were no changes made to the agenda.

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

E. New Business:

Community Development Director Scott Clark gave an overview of the first Unified Land Use Code (ULUC) public hearing, which was held on June 17, 2013. Mr. Clark indicated that approximately 300 individuals attended the event, with forty five (45) to fifty (50) requesting comment time during the hearing. Kendig Keast Collaborative President Bret Keast began to present an overview of the ULUC, but the crowd showed signs of agitation at any delay to beginning the testimony portion of the hearing. Mr. Keast finished his abbreviated presentation, and the public comment period began. However, as the sixth person was taking the podium, City of Coeur d'Alene Fire Department representatives interrupted the hearing to inform the Planning Commission Chairman Wes Hanson that the room was beyond capacity, and that no more than one hundred and fifty (150) people would be allowed to stay in the room. Mr. Hanson asked those standing to step outside, so that a headcount could be obtained. The crowd was non-responsive, refusing to leave the room and becoming angry at the idea of moving forward with the meeting without all interested parties being able to take part. At that time, Mr. Hanson made the decision to continue the meeting to a date uncertain, in order to secure a larger venue. Several members of the crowd inquired as to whether or not the comment period would be extended, as well, and Civil Deputy Prosecuting Attorney Pat Braden advised that the request would be legally permissible.

Mr. Clark explained that the public hearing had been scheduled as a single meeting, to be continued over a period of four (4) days. As a result of the postponement, all meetings scheduled for this week will be affected. Mr. Clark immediately took action to notify the public of this continuance, by posting notices, sending out an email notification, posting the information to the website, and ensuring notice in the newspaper. Alternative venues were already being considered, including North Idaho College, the Kroc Center, and several local churches and schools. The group discussed the need not only to obtain a location with larger capacity, but also one that is equipped with a sound system that allows for clear recording of the meeting. In response to a question from Mr. Keast, Chairman Tondee indicated that any venue being considered should have a minimum capacity of four hundred and fifty (450) to five hundred (500) people.

Civil Deputy Prosecuting Attorney Pat Braden reported that, per County Code, a notice period of twenty eight (28) days would be required once the new venue has been obtained.

Planning Commission Board Member Colin Coles stated that the Planning Commission intends to wait about a week to allow for the rescheduling of the meeting. At that point, the commission will meet to discuss the timing and best methods of moving forward in a cohesive manner. Mr. Hanson asked that the commission be included in the scheduling process, in order to avoid scheduling conflicts and allow for as many commission members to participate as possible.

Mr. Hanson shared that, while the attendees were passionate about the subject matter, the meeting had been moving forward well at the time of continuation. He added that the comments that were received were well researched and contained specific concerns that directly related to portions of the code. Mr. Hanson and Mr. Coles were in agreement that one common question deals directly with the complexity of the code, and the group discussed ways in which they might address this concern. Commissioner Nelson noted that the existing code is also complex, and that, as a legal document, it is not feasible to present the code as a simplified document. Instead, she suggested addressing shortfalls surrounding efforts to educate the public on this issue. Mr. Hanson noted that Mr. Keast's introductory comments were not well received, partially because the public hearings are not the proper setting for issues of educating the public. Instead, Mr. Hanson suggested that hearings be used only as a time for public comment, with other avenues to be used to inform and educate prior to the next hearing dates.

The group reviewed current efforts, including email blasts, frequently asked questions handouts, internet postings, and ULUC specific public forums that have been held. Mr. Braden suggested that the group consider using social media, such as a blog, to reach a broader audience. Mr. Keast noted that he has been reviewing all written responses to the ULUC, and the concerns he has witnessed, to date, including those that were expressed at the beginning of the hearing, are all concerns that may be easily addressed through code revisions, and that none have yet been noted as "fatal flaws".

The group discussed the general difficulties of educating the public on this issue, which include legal concerns, complications brought on due to district overlays, and the difficulties in overcoming the individual philosophical and political ideologies that bring a level of emotional response to the issue. Mr. Hanson stressed the importance of receiving detailed, written comments and ensuring that the meetings are organized and orderly. Mr. Keast noted a common concern that the public comments being received are not being read, researched, or addressed by the Planning Commission. Mr. Keast suggested that, as changes are made to the existing document, the online copy of the ULUC should reflect notes, strikethroughs, and general revisions, as evidence that individual comments are being addressed. Mr. Coles suggested the creation of a document that specifically compares portions of the new code to the existing code. Commissioner Nelson requested that more effort be made with regard to education on broad spectrum ULUC questions. Mr. Keast shared a list of frequently asked questions that he developed to address general ULUC issues and frequently repeated comments. The Board encouraged Mr. Keast to work with Mr. Clark to finish and publish that information. Mr. Hanson and Mr. Coles requested Board input and public statements, as well, in order to show their support for the ULUC and to assist with public education.

The group agreed that deliberations after the hearings may be done immediately or that they may be continued through a motion at the end of each hearing. Chairman Tondee suggested that more than four (4) hearing days may be necessary, and Commissioner Green recommended not holding hearings on consecutive days, in order to allow time for better consideration and response to comments that are received.

F. Staff Reports: There were no staff reports.

G. Public Comment: This section is reserved for citizens wishing to address the Board regarding a County related issue. There was no public comment.

The meeting was adjourned at 11:47 a.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Nancy A. Jones, Deputy Clerk