

**Minutes of Meeting
Business Meeting
August 13, 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 Grant Writer Jody Bieze, Parks and Waterways Director Nick Snyder, Information Systems Director James Martin, Airport Administrative Assistant Mary Hopkins, Chief Criminal Deputy Prosecutor Barry Black, Accounting Technician Chenyi Olson, Airport Advisory Board Chairman John Adams and member Joan Genter, Civil Deputy Prosecuting Attorney Pat Braden and Deputy Clerk Patti Marland-Stevens.

- A. Call to Order:** Chairman Tondee called the meeting to order at 2:03 p.m.
- B. Pledge of Allegiance:** Mary Hopkins led the Pledge of Allegiance.
- C. Approval of Consent Calendar:** Chairman Tondee read the items listed on the Consent Calendar.

Minutes of Meetings

07/29/2013 Commissioners' Debriefing
07/31/2013 Expenditures Policy Meeting
07/31/2013 Budget Meeting
07/31/2013 Commissioners' Debriefing (continuation)
08/05/2013 Community Development Update
08/05/2013 Commissioner's Debriefing
08/06/2013 Indigent Appeal 2013-195
08/06/2013 Indigent Appeal 2013-1375 & 2013-46

Board Actions

Assessor's Recommendation to Adjust Tax/Valuation Parcel No's.:47N05W26700; P93290040070

Treasurer's Cancellations of Tax on Personal Property/Warrants of Distrain/Variou Parcels

Tax Exempt Status/Approval Orders: North Idaho College/AIN 174950; Stem Charter Academy, Inc./AIN 325576; Kootenai Humane Society (2)/AIN 318673/256633; Roman Catholic Diocese of Boise/AIN 325571

BOCC Signatures for Indigent Cases 08/01/2013 through 08/07/2013

Kennel License Renewal/Byer/Trails Inn Kennels

Noxious Weed Control Agreements/Variou Parcels

Commissioner Nelson moved to adopt the Consent Calendar as read into the record by Chairman Tondee. Commissioner Green seconded the motion. There being no discussion, Deputy Clerk Marland-Stevens 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. **Bid Opening/Harrison Boat Launch/Parks & Waterways**

The Board accepted and opened sealed responses for the Harrison Boat Launch Renovation Project. One (1) qualified bid, in the amount of \$311,080, was received from Wesslen Construction, 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 06/07/2013 and 06/14/2013.

Commissioner Green moved to accept the bid received by Wesslen Construction and to forward it to Parks and Waterways and the Legal Department for review. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

2. **Consultant Selection/T-O Engineers/Airport**

Airport Administrative Assistant Mary Hopkins, along with Airport Advisory Board Chairman John Adams and Selection Committee member Joan Genter, appeared to request Board approval of T-O Engineers (T-O) as Airport consultant for the next three (3) to five (5) years. T-O was selected out of three (3) submissions for consultation services for future and ongoing projects. It was stated that this is not a contract, but an agreement for consulting services. At the commencement of a project, the time line for a contract begins, resulting in an undefined three (3) to five (5) year period, dependent on the timing of project start-up.

Commissioner Nelson moved to approve T-O Engineers for consulting services for Kootenai County (Airport). Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

Chairman Tondee asked for clarification that a contract would be forthcoming. Ms. Hopkins informed the Board that this agreement was not for a contract, but for the selection of T-O as the go-to consultant at the time of future projects.

3. **Project Change Request Form/Justware/Prosecuting Attorney/Information Systems**

Information Systems Director James Martin and Chief Criminal Deputy Prosecutor Attorney Barry Black presented to the Board a request for a change order between New Dawn Technologies and Kootenai County (Prosecutor and Probation). The original contract (QT-3182/12) was entered into on September 25, 2012. This change order amends the current contract to allow conversion of case information from Spillman Public Safety systems into the New Dawn Justware system, which was an oversight on the original contract, and will constitute a one-time data transfer. Recovered funds or annual contract maintenance fee savings are available to off-set the additional \$9,000 change order cost.

Commissioner Nelson moved to approve the Project Change Order Request #005 for the contract between New Dawn Technologies Justware System and Kootenai County (Prosecuting Attorney and Information Systems). Commissioner Green seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens called the roll:

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

The motion carried.

4. Modification to Hazardous Fuels Treatment Grant/Blue Coeur d’Alene 11SAFP04/Memorandum of Understanding/Idaho Department of Lands/Grant Management Office

Grant Writer Jody Bieze brought before the Board a request for modification to the previously approved Memorandum of Understanding between Kootenai County and the Idaho Department of Lands, Blue Coeur d’Alene Project, 11SAFP04, to allow for the extension of the agreement period to August 31, 2014, as well as adjusting the fees under project management.

Commissioner Green moved to approve the modification of the Hazardous Fuels Treatment Grant 11SAFP04 Memorandum of Understanding between Kootenai County and Idaho Department of Lands. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens called the roll:

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

The motion carried.

5. Modification to Hazardous Fuels Treatment Grant/Red Beauty HFT Project 12NFA104/Memorandum of Understanding/Idaho Department of Lands/Grant Management Office

Ms. Bieze presented a request for modification to the Hazardous Fuels Treatment Grant Memorandum of Understanding between Kootenai County and Idaho Department of Lands (IDL), Red Beauty Project, 12NFA104, to include an adjustment in fees under project Management.

Commissioner Green moved to approve the modification of Hazardous Fuels Treatment Grant 12NFA104 Memorandum of Understanding between Kootenai County and Idaho Department of Lands. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens called the roll:

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

The motion carried.

6. Contract Amendment/Kendig Keast/Community Development

The Board considered an amendment to the contract between Kootenai County (Community Development) and Kendig Keast, to revise the scope of work, timeline, and costs that are associated with the Unified Land Use Code (ULUC). The amendment specifies a multi-phase timeline, beginning with creation of a prospectus to establish a strategic approach for consolidating, reorganizing, and reformatting the ULUC. In response to questions from the Board, Civil Deputy Prosecuting Attorney Pat Braden established that Section 10.3 of the contract includes terms for cancellation of the contract by either party.

Commissioner Green moved to approve the contract amendment dated August 5, 2013, between Kendig Keast Collaborative and Kootenai County (Community Development) for the continuation of the ULUC Project.

Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Marland-Stevens 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:

Founder of the Northwest Properties Owners Alliance (NWPOA), Bob Bingham, stated that he was disappointed that the Board Of County Commissioners agreed to extend Kendig Keast's contract. Mr. Bingham expressed frustration that the contract amendment appeared to agree to pay Kendig Keast to complete work that should have been completed as part of the original contract. Chairman Tondee explained that the change of complexity and/or scope of the project, as well as cost considerations, warranted the amendment. Mr. Bingham shared his opinion, which he felt was mirrored by comments in recent testimony at a public meeting, that Kendig Keast has not been doing what was asked of them, and that their follow-through was lacking.

Janet Robnett, Attorney at Law, shared similar concerns, including questions regarding specific terms of the Kendig Keast contract, inefficiencies with completed projects and proposed projects; lack of clear and concise code; the additional costs of the contract, news reports regarding established neighborhood zoning, how it is being promoted versus public perception; and concerns that public comments are not being received. Chairman Tondee stated that there will be a public hearing process, and that there will be public comment within that process. He added that the Board has committed to a sixty (60) day public comment period, once the final document is defined and presented. Ms. Robnett asked if comments are still being accepted. Chairman Tondee stated that comments regarding the current document and the process are being accepted and will be forwarded to Kendig Keast.

The meeting was adjourned at 2:44 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Patti Marland-Stevens, Deputy Clerk