

**Minutes of Meeting
Commissioners' Debriefing
August 19, 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 Chief Deputy Treasurer Laurie Thomas and Deputy Clerk Nancy Jones. Commissioner Jai Nelson was excused.

A. Call to Order: Chairman Tondee called the meeting to order at 2:02 p.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:

Chief Deputy Treasurer Laurie Thomas came before the Board to discuss the minimum bid amounts for the properties that are scheduled for tax deed auction on September 16, 2013. Chairman Tondee noted the disadvantages associated with rounding the totals to whole number amounts, and recommended that the exact amount due should be used as a minimum bid amount. Ms. Thomas presented a spreadsheet that reflected the minimum bid amounts, based on that recommendation. The Board agreed to the recommendation. Ms. Thomas was given direction to use the amounts as reflected on the spreadsheet and to send out the required legal notice on behalf of the Board.

Ms. Thomas exited the meeting at 2:10 p.m.

The Board reviewed an updated FY2014 health insurance cost estimate from Mercer Health and Benefits. Questions were raised regarding rounding adjustments and the stated aggregate factor. Commissioner Green agreed to follow up with Lois Morris for clarification, and to bring this issue back before the Board at a later date.

Civil Deputy Prosecuting Pat Braden and Prosecutor Barry McHugh joined the meeting at 2:13 p.m.

Commissioner Green moved that the Board enter Executive Session pursuant to *Idaho Code* §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, with regard to the existing contract between Kootenai County (Community Development) and Kendig Keast. 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.

The Board entered Executive Session at 2:14 p.m. Commissioner Nelson joined the meeting at 3:08 p.m.

The Board exited Executive Session and the scheduled meeting resumed at 3:26 p.m.

Chairman Tondee stated that, as a result of deliberations under Executive Session, the Board required an item to be added to the agenda for the August 20, 2013, Business Meeting. Mr. Braden suggested that the Board approve that change in association with this Executive Session, and follow up with an official agenda change at the start of that meeting.

Commissioner Green moved to approve the addition of an item to the August 20, 2013, Business Meeting agenda, in order to allow for timely deliberations regarding the contract between Kootenai County (Community Development) and Kendig Keast. Chairman Tondee seconded the motion. There being no discussion, Deputy Clerk Jones called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

Mr. Braden and Mr. McHugh exited the meeting at 3:28 p.m.

The Board discussed a Parks and Waterways request for travel and training contingency funds in FY2014. After discussion, the Board decided to deny the request, as any funding required for this purpose may be brought forward for consideration on a case-by-case basis.

Commissioner Green reported that R.O. Associates had completed a report regarding the electrical grounding issues at the jail, and that the full report was available on CD for Board review. Further, Commissioner Green stated that R.O. Associates was in the process of determining firms that have the qualifications to perform the required repairs. Once that research is completed, the full scope of the contract can be determined and the contract process will move forward.

Commissioner Nelson shared concerns regarding the requirements of the Open Meeting Laws, specifically with regard to individual committee meetings, including the budget meetings held by the Elected Officials, the Paid Time Off (PTO) committee, and the Position Review Committee (PRC). Civil Deputy Prosecuting Attorney John Cafferty had provided a legal opinion to Commissioner Nelson, stating that any board or committee that was formed with the intention of making policy recommendations to the Board of County Commissioners (BOCC) should be held to the requirements of those laws. After discussion, the Board determined that because the BOCC has the authority to approve appointments to the PRC committee, and because that committee acts as an advisory board (making direct recommendations to the BOCC), the PRC should meet under the requirements of the Idaho Open Meeting Laws. In addition, the Board determined that the PTO committee was not required to hold meetings subject to the Open Meeting Laws, as recommendations are presented to only one Commissioner, and not to the Board as a whole, and because members are not Board approved. Commissioner Nelson commented on the importance of notifying any future committees or advisory boards of the Open Meeting Laws requirements. The Board also discussed the need for additional alternate appointments to the PRC, and the number of members required to constitute a quorum. Commissioner Green agreed to gather additional information and bring this item back before the Board. Commissioner Nelson stated that she would continue working on a presentation regarding the requirements of the Open Meeting Laws.

The Board discussed a federal audit that will be assessed on the Grant Management Office, and ways to ensure compliance with various grant requirements, especially with regard to those grants that require cooperation with the Coeur d'Alene Tribe. Additional discussion concerned how future grant audits should be handled, as well as the status of obtaining new job descriptions for the Grant Management Coordinator position and the Federal Transit Authority Grant Administrator position.

Commissioner Green brought forward two (2) potential changes to the PTO proposal, per the request of the committee, in order to request Board consideration and recommendations. The first change would amend the original guideline regarding use of the catastrophic (CAT) account. In the previous draft of the policy, the CAT account could only be accessed after three (3) days, with an FLMA qualifying event, or after five (5) days with a non-qualifying event. This amendment would allow employees to access their CAT account balance after twenty four (24) hours, without regard to FLMA qualifications. The Board showed overall support for this amendment. The second change would adjust the number of hours that could be accrued as carryover. Under the previous draft, all employees would be limited to a maximum of 240 hours of carryover hours at the end of the benefit year. The committee recommendation was to adjust that limit to allow for either 240, 260, or 280 hours to be carried over, depending on the number of years of service. The Board discussed the fiscal ramifications of this change and deliberated whether the limit adjustment would garner additional staff support for the PTO proposal. Chairman Tondee was not supportive of the carryover limit adjustment. Commissioner Nelson inquired about the results of the PTO survey, and was informed that another poll to measure employee support will be forthcoming. Commissioner Nelson and Commissioner Green agreed that the proposal should not move forward unless the employee poll shows clear support for adoption of PTO.

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 4:50 p.m.

Respectfully submitted,

CLIFFORD T. HAYES, CLERK

BY: _____
Nancy A. Jones, Deputy Clerk