

**Minutes of Meeting
Commissioners' Debriefing
December 16, 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 Prosecutor Barry McHugh, Human Resources Director Skye Reynolds, Grant Compliance Officer Jody Bieze, Lieutenant Neal Robertson, Civil Deputy Prosecuting Attorneys Pat Braden and John Cafferty, and Deputy Clerk Nancy Jones.

A. Call to Order: Chairman Tondee called the meeting to order at 2:03 p.m.

B. Introductions: There were no introductions made.

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

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

E. New Business:

Grant Compliance Officer Jody Bieze came to discuss several grant officer/coordinator positions that must be assigned by the Board (due to grant specifications that are related to the American with Disabilities Act (ADA) and Department of Housing and Urban Development (HUD) requirements). Ms. Bieze expressed her support for having a representative from the Human Resource (HR) Department act as the ADA Coordinator for all associated grants. Ms. Bieze noted that, currently, the HR department is named as the coordinator, but that the grant specifications require a specific person to be named. HR Director Skye Reynolds stated that she would be willing to act as the ADA Coordinator, and that this role would be in line with the responsibilities of the HR department, as defined by County policies. Chairman Tondee asked Ms. Reynolds to draft a Resolution to this effect, and to bring it forward for approval at an upcoming Business Meeting.

Ms. Bieze went on to note that HUD requires each of their grant recipients to name a Fair Housing/Title VI officer to act as the contact point for any complaint, and asked the Board to consider having Ms. Reynolds also act as the Fair Housing Officer. Ms. Bieze went on to review several other grant-required coordinator positions that are currently filled (e.g. environmental coordinator, Airport coordinator, and FTA coordinator), and asked that the Board review these existing assignments. Ms. Bieze recommended that, as the initial contact for grievances, these coordinator positions should not be filled by Department Heads or supervisors.

Ms. Bieze exited the meeting at 2:13 p.m.

Civil Deputy Prosecuting Attorney John Cafferty explained that the County had submitted a bankruptcy claim for personal property taxes owed by Sunbridge Capital. Mr. Cafferty also explained that the taxes due were estimated by the assessor, as no declaration was submitted to the County. The company has since filed for bankruptcy in Kansas, and all real and personal property owned by the business was seized. Mr. Cafferty recommended that, as the company no longer holds title to any property, the personal property estimate cannot be verified, and this is considered an unsecured debt, the Board should consider withdrawing the claim in order to allow the bankruptcy court to move forward with closing the case. The Board directed Mr. Cafferty to move forward with withdrawal of the claim, and Chairman Tondee noted that the Board would also need to direct staff to process the cancellation of the personal property taxes.

Chairman Tondee noted that the Kootenai County Republican Central Committee (KCRCC) scheduled a meeting on December 19, 2013, to vote for nominees and create a list of three (3) potential candidates to fill the vacancy left by the sudden passing of Kootenai County Clerk Cliff Hayes. In anticipation of receiving that list for consideration, a Board meeting has been scheduled for December 20, 2013, to accept that list and to possibly make an appointment and swear in the new Clerk. There was some question as to whose responsibility it would be to swear in the Clerk, and Civil Deputy Prosecuting Attorney Pat Braden stated the statute could be referenced for clarification. The Board discussed the interview process, the legal requirements to be eligible for the Clerk position, the KCRCC vetting process, and the timeframe for selection of the new Clerk, as defined by Idaho Statute. The Board agreed that the three (3) nominees should be asked to attend the scheduled Board meeting, and that each one would be given ten (10) minutes to introduce themselves, present their qualifications, and explain why they hoped to be considered for the position. Each Commissioner agreed to have a list of interview questions to pose to the candidates. If all the candidates are available, and time allows after the question and answer period, the Board will then hold deliberations and possibly hold a vote for the appointment at that meeting.

The Board initiated discussion of the Industrial Development Corporation, which was a corporation formed by previous County Commissioners and which is in need of dissolution. The attendees discussed whether or not this item should be discussed under Executive Session, as it references possible County litigation, and Chairman Tondee noted that a previous Board had already discussed the issue during an open meeting. Civil Deputy Prosecuting Attorney John Cafferty acknowledged that potential outstanding liabilities may be an issue (with regard to a possible Internal Revenue Service audit), but that he was not fully apprised of the details. The Board recognized that the dissolution of the corporation would require multiple steps and follow up on a variety of issues. The Board determined that this issue should be discussed in a separate meeting, and Mr. Cafferty recommended inviting Finance Director David McDowell to take part in that discussion, as he has historical knowledge of the issue.

Mr. Cafferty exited the meeting at 2:41 p.m.

Civil Deputy Prosecuting Attorney Pat Braden provided a draft copy of an updated Document Retention Policy for Kootenai County. Mr. Braden explained that the County currently has no direct policy with regard to the retention of email correspondence. Further, Mr. Braden stated that the need to create a written policy ultimately required an update of the general document retention policy. This policy provides written guidelines to classify and define retention periods for internal County correspondence, and is part of the Human Resources (HR) Policies and Procedures Manual. Mr. Braden noted that development of the draft was guided by state statute or federal case law, as applicable, and that retention responsibilities would fall directly to Elected Officials and Department Heads (with the exception of email correspondence, which is handled through Information Systems). Chairman Tondee noted that HR records require separate classification, in order to meet the unique federal retention and confidentiality requirements for personnel records. Mr. Braden agreed to create a final draft of this policy, and to circulate that draft to the Elected Officials and Department Heads for review and feedback.

Ms. Reynolds and Mr. Braden exited the meeting at 2:57 p.m.

Commissioner Nelson stated that Captain Dan Soumas is moving forward with the campus security improvement plan, and that the updates are currently anticipated to take effect in August 2014. Further, Commissioner Nelson noted that the current security positions are only funded through the month of July, and that this issue might need to be discussed with Finance Director David McDowell as the schedule progresses.

Lieutenant Neal Robertson exited the meeting at 3:19 p.m.

Chairman Tondee shared that a number of permit applications will need to be signed to facilitate the construction of the new Buildings and Grounds structure, and he asked if the Board would be willing to authorize him to sign the necessary applications and authorize the associated funds (payable to the City of Coeur d'Alene).

Commissioner Green moved to authorize Chairman Tondee to sign on behalf of the County and to allocate funds for applicable fees, in order to move forward with subdivision vacation, sewer connection application, mechanical permit application, and the commercial permit application, in regard to the construction of the Buildings and Grounds building. 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.

Prosecutor Barry McHugh came before the Board to discuss a number of proposed changes in his administrative staff, in order to fill the position being vacated by Civil Deputy Prosecuting Attorney John Cafferty. As a result, Mr. McHugh proposed converting one current position from full to part time and to also implement several internal promotions as a result of these changes. The Board supported the changes, as proposed by Mr. McHugh. Commissioner Nelson recommended establishing a contract with Mr. Cafferty, in order to allow Legal staff to consult with him on an as-needed basis throughout the transition period. Commissioner Nelson suggested that it would be more cost effective to keep Mr. Cafferty on a short-term retainer than to perform hours of research on existing issues. Mr. McHugh agreed to follow up on this recommendation.

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 4:14 p.m.

Respectfully submitted,

PAT RAFFEE, CHIEF DEPUTY CLERK

BY: _____
Nancy A. Jones, Deputy Clerk