

**Minutes of Meeting  
Commissioners' Debriefing  
April 21, 2014  
2:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Pro Tem Dan Green and Commissioner Jai Nelson met to discuss the following agenda items. Also present were Civil Deputy Prosecuting Attorney Pat Braden and Deputy Clerk Brandie Bradley. Chairman Tondee was excused.

- A. Call to Order:** Chairman Pro Tem Green 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 made to the agenda.
- D. Old Business:** No old business was discussed.

**E. New Business:**

Commissioner Nelson 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 (Kendig Keast). Chairman Pro Tem Green seconded the motion. There being no discussion, Deputy Clerk Bradley called the roll:

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

The motion carried.

Civil Deputy Prosecuting Attorney Pat Braden joined the Board in Executive Session.

Executive Session was entered into at 2:03 p.m. and exited at 2:21 p.m. No decision was made by the Board.

Chairman Tondee joined the meeting at 2:22 p.m.

The Board agreed to rescind the Impact Fee Ordinance and disband the Impact Fee Advisory Board Committee at a Community Development Deliberations Hearing to be held on May 15, 2014.

Mr. Braden exited the meeting at 2:25 p.m.

The Board discussed the information packets for the Public Hearing to be held on May 12, 2014, and agreed that a few minor changes will need to be made to the draft document. Once these changes have been made the draft Rental Agreement and cover letter "What is a Judicial Confirmation?" will be available to the public beginning April 22, 2014, at the Board of County Commissioners' Office. Sheriff Ben Wolfinger or Major Neal Robertson will present an overview of the jail project at the Public Hearing.

Chairman Tondee updated the Board on the Indigent Conference that he recently attended. Chairman Tondee advised that Elmore County prevailed in their lawsuit concerning incomplete applications, and informed the Board that no investigation should be done on incomplete applications and they should be denied by the Board. Currently the Board relies on recommendations made by the County Assistance staff and Chairman Tondee suggested that the Board should be approving or denying all applications in a meeting, not just the applications that are appealed. Chairman Tondee suggested that the Board have the legal department review the changes that have been made to the statute to ensure that the Board is in compliance.

Chairman Tondee told the Board that the Commissioners and Clerks met and discussed the Idaho Association of Counties upcoming conference to be held in June, 2014 and stressed the importance of representation by the Board for the Public Defense System discussion. It was agreed that one commissioner will attend the conference.

Commissioner Nelson presented the Accounts Payable – Board of County Commissioners’ Department Responsibility Levels list. The Board discussed that some changes have been made to the list due to staffing changes. The Board agreed on changes for Snowgroomers and the Federal Transit Administration.

Chairman Tondee advised that the County owns the Hayden Lake spillway and explained that Dalton Irrigation is the owner of the culvert adjacent to the spillway. Commissioner Nelson stated that the owners of the dyke are Tom and Sheila Richards. The Board agreed to contact Mr. and Ms. Richards to advise them that Parks and Waterways will be installing a gauge at the spillway.

Prosecutor Barry McHugh, Chief Deputy Prosecutor Barry Black, and Attorney Scot Nass joined the meeting at 2:54 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 (Kenneth Stone). Commissioner Nelson seconded the motion. There being no discussion, Deputy Clerk Bradley called the roll:

Commissioner Nelson:           Aye  
Commissioner Green:           Aye  
Chairman Tondee:               Aye  
The motion carried.

Executive Session was entered into at 2:54 p.m.

Mr. McHugh, Mr. Black, and Mr. Nass joined the Board in the Executive Session.

Executive Session was exited at 3:54 p.m. No decision was made by the Board.

Mr. McHugh, Mr. Black, and Mr. Nass exited the meeting at 3:54 p.m.

Commissioner Green proposed that the Airport sewer fees be increased to thirty-five dollars (\$35). Commissioner Green recommended that these fees be increased now and reviewed once the Joint Powers Agreement has been approved. Currently the fees are twenty-five dollars (\$25), which does not cover the County's costs. Commissioner Nelson inquired if the sewer fees were included in the internal audit report for the Airport and asked that the Auditor's Office be invited to present their findings to the Board. The Board agreed to schedule the meeting.

Commissioner Green explained that the Board will be meeting with the Hayden Area Recreational Sewer Board (HARSB) Administrator Ken Windram on Friday, April 25, 2014, to discuss the Phase I Sewer Expansion. Commissioner Green advised that the Board would need to approve the agreement for this project and presented a copy of the agreement for the Board's review in preparation for the upcoming meeting.

Commissioner Green stated that the Historic Preservation Commission is requesting \$2,000 for an essay contest that they would like to host in conjunction with the County's sesquicentennial celebration. The Historic Preservation Commission had made a funding request previously and the Board agreed to fund \$300 at that time. The Board discussed the new request and agreed that they are willing to fund \$300.

The Natural Resource Advisory Board has recommendation that the Board support Shoshone County's objections to the Idaho Panhandle National Forest Revised Plan. The Board reviewed the list of revisions and Shoshone County's objections and agreed that a meeting would need to be scheduled with the Natural Resource Advisory Board to obtain additional information.

- 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

Respectfully submitted,

JIM BRANNON, CLERK

TODD TONDEE, CHAIRMAN

BY: \_\_\_\_\_  
Brandie Bradley, Deputy Clerk

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