

Minutes of Meeting
Business Meeting
March 15, 2016
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Dan Green, Commissioner Marc Eberlein, and Commissioner David Stewart met to discuss the following agenda items. Also present were Clerk Jim Brannon, Chief Deputy Clerk Pat Raffee, Chief Deputy Prosecutor Barry Black, Civil Deputy Prosecuting Attorneys R. David Ferguson and Jamila Holmes, Legal Assistant Barb Nyquist, KCSO Lieutenant (Lt.) Stuart Miller, Airport Director Greg Delavan, Solid Waste Director Cathy Mayer, Noxious Weed Control Superintendent Bill Hargrave, Information Systems (IS) Application Systems Manager Matthew Snow and Network Administrator Grant Kinsey, Elections Manager Carrie Phillips, BOCC Administrative Secretary Teri Johnson and Deputy Clerk Cecilia Sweet. Also present was Panhandle Spray Service representative Matt Mayo.

A. Call to Order: Chairman Dan Green called the meeting to order at 2:00 p.m.

B. Pledge of Allegiance: Chairman Green led the Pledge of Allegiance.

C. Approval of Consent Calendar:

Minutes of Meetings:

02/26/2016	Auditor
02/29/2016	Community Development Update
03/01/2016	Business Meeting
03/02/2016	Airport
03/07/2016	Juvenile Probation Update
03/07/2016	Office of Emergency Management
03/07/2016	Community Development Update
03/07/2016	Commissioners' Debriefing

Board Actions:

BOCC Signatures for Indigent Cases 03/02/2016 through 03/09/2016
Monthly Settlements and Statements/March 1, 2016/Treasurer

Commissioner David Stewart moved to approve the Consent Calendar as it appeared on the agenda. Commissioner Marc Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart:	Aye
Commissioner Eberlein:	Aye
Chairman Green:	Aye

The motion carried.

D. Approval of Payables List:

Commissioner Stewart moved to approve the Payables List for the week of March 7, 2016, through March 11, 2016, in the amount of \$515,568.10 with \$2,403.94 in jury payments. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye
The motion carried.

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

F. New Business:

Canvass Election/March 15th Election/Elections

Elections Manager Carrie Phillips requested approval of the results of the March 8, 2016, Presidential Primary and School Levy Elections as per Idaho Code §34-1410. She commented that almost 3,200 people registered to vote on Election Day and Clerk Jim Brannon had to deliver more registration cards to two precincts. Ms. Phillips said many precincts in the Lakeland School District reported high turnouts (unofficial results averaged 34.02%) and one precinct had 55 people in line to vote when the polls closed at 8:00 p.m.

Commissioner Eberlein asked Ms. Phillips if Idaho statute was clear that people who were in line at 8:00 p.m. would be allowed to vote.

Ms. Phillips replied that it was clear in Idaho Code §34-1101 that anyone who was in line at 8:00 p.m. would be allowed to vote.

Commissioner Stewart moved to accept the March 8, 2016, Presidential Primary and School Levy Election Canvass Actions & Outcomes. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye
The motion carried.

Bid Award/2016-07 Dual Drive Truck/Solid Waste

Solid Waste Director Cathy Mayer requested that Western Peterbilt, LLC. be awarded the bid for the dual drive truck in the amount of \$131,824. She added that the trade in offer for their 2006 dual drive truck was declined; however, the trade in option was available up to the delivery of the newly purchased truck.

Commissioner Stewart moved to award bid 2016-07 to Western Peterbilt, LLC. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye
The motion carried.

Ms. Phillips and Ms. Mayer exited the meeting at 2:08 p.m.

Termination of Lease/AAL-2009-080/RP Hangar, LLC/Airport

Termination of Lease/AAL-2008-050/RP Hangar, LLC/Airport

Airport Director Greg Delavan reported that there were two lease terminations and two lease initiation agreements with the same parties.

Chairman Green suggested that the motions be grouped together with one motion for both of the terminations of leases, and then followed by another motion for the two new leases.

Commissioner Stewart moved to approve the Termination of Leases for both AAL-2009-080 and AAL-2008-050 between the County (Airport) and RP Hangar, LLC. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Lease Agreement/AAL-2016-400/Windy Bay, LLC/Pratte/Airport

Lease Agreement/AAL-2016-300/Windy Bay, LLC/Pratte/Airport

Commissioner Stewart moved to approve the Lease Agreements for both AAL-2016-400 and AAL-2016-300 between the County (Airport) and Windy Bay, LLC./Pratte. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Lease Agreement/LP Investments/Airport

Mr. Delavan explained this was a long standing lease agreement to accommodate AGC AeroComposites since their building expansion had used the surrounding parking area. He said the previous Board had signed a letter of authorization for a grant to accompany the lease agreement.

Commissioner David Stewart asked if this was the parking area that was discussed at a prior meeting next to the runway and if there were any concerns with limiting the Airport's expansion.

Mr. Delavan replied that this was the parking area next to the runway, which had a Federal Aviation Administration (FAA) height limit, so a parking lot was a good use of the area. He added that all lease agreements included the statement that if the Airport were prevented from a necessary business expansion the lease could be terminated.

Commissioner Stewart moved to approve the Lease Agreement between the County (Airport) and LP Investments. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Contract/Fidelis Security Group/KCSO

KCSO Lt. Stuart Miller reported this was a request to enter into a limited contract with Fidelis Security Group to provide security using off-duty deputies from March 11, 2016 through March 18, 2016. He said Fidelis Security Group would reimburse KCSO for overtime up to a maximum of \$2,840.44.

Commissioner Eberlein asked if this arrangement was working for KCSO. Lt. Miller replied this had been a good solution for KCSO.

Commissioner Stewart moved to approve the Contract between the County (KCSO) and Fidelis Security Group. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Addendum H/Service Level Agreement/Electronic Transaction/PayPort/Community Development/ IS

IS Application Systems Manager Matthew Snow said this was to consider an addendum to the Service Level Agreement for Electronic Transactions with Access Idaho for PayPort, which would allow electronic payments to be taken in Community Development. Mr. Snow added at this time the public could not use a debit or credit card to make a payment to the Community Development department.

Chairman Green asked if there was a charge to the County for this service. Mr. Snow responded there was no cost to the County, just a transaction fee for the user.

Commissioner Eberlein moved to approve Addendum H of the Service Level Agreement for Electronic Transactions between the County (Community Development) and Access Idaho - PayPort. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Idaho Addendum to multi-year Agreement/M&S Technologies/IS

IS Network Administrator Grant Kinsey stated this Idaho Addendum to the multi-year Agreement with M&S Technologies for the County's anti-virus support had already been approved by the Board. He added that due to a recent Idaho Supreme Court ruling, the appropriation clause needed to be amended, but there were no other changes.

Commissioner Stewart moved to approve the Idaho Addendum to multi-year Agreement between the County (IS) and M&S Technologies. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Mr. Kinsey exited the meeting at 2:17 p.m.

Amendment/Fuel Services Agreement/Coleman Oil/KCSO

Civil Deputy Prosecuting Attorney Jamila Holmes requested approval of the Amendment to the Fuel Services Agreement with Coleman Oil; she added this would amend the term of the contract from December 31, 2016, to April 12, 2016.

Commissioner Stewart asked if prior discussions and motions related to this Fuel Services Agreement would be relevant toward future Agreements.

Ms. Holmes replied that the prior motions and discussions would only be applicable to this agreement.

Chairman Green stated Coleman Oil was very accommodating during this process.

Commissioner Stewart moved to approve the Amendment of the Fuel Services Agreement between the County (KCSO) and Coleman Oil. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Chief Deputy Prosecutor Barry Black and Mr. Delavan exited the meeting at 2:18 p.m.

2016 Second Amendment to Weed Spraying Agreement/Panhandle Spray Service

Noxious Weed Control Superintendent Bill Hargrave requested approval of the 2016 Second Amendment to the Weed Spraying Agreement, which would extend the term of the contract to March 30, 2017.

Commissioner Eberlein asked if a property was sprayed when the owner did not want it to be, who would be liable. He also inquired how a property owner posting a homemade sign would be handled.

Mr. Hargrave replied that the spraying contractor and the County both carried liability insurance. He added that Noxious Weed Control issued the official “do not spray” signs, so the department would be aware of the no spray zones.

Panhandle Spray Service’s representative Matt Mayo replied their firm would honor a property owner’s homemade sign and notify the County of the situation.

Commissioner Eberlein thanked Mr. Mayo, noting he had hoped for just such a response.

Commissioner Stewart moved to approve the 2016 Second Amendment to the Weed Spraying Agreement between the County (Noxious Weed Control) and Panhandle Spray Service. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Resolution 2016-32/Classify Records/Civil Prosecuting Attorney

Resolution 2016-33/Destroy Records/Civil Prosecuting Attorney

Civil Deputy Prosecuting Attorney R. David Ferguson requested the list of archived legal files past their retention period be classified and destroyed.

Commissioner Stewart moved to adopt Resolution 2016-32 to Classify Records, and Resolution 2016-33 to Destroy Records. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Resolution 2016-35/Authorize Chairman to Sign Noxious Weed Control Agreements / Enforcements/Noxious Weed Control

Mr. Hargrave said this was to consider authorizing the Chairman of the Board of Commissioners to sign all Noxious Weed Control Agreements and Enforcements.

Chairman Green asked if this was for violations.

Mr. Hargrave replied that there were spray agreements with individuals that have medical issues, and for Noxious Weed Control Enforcements.

Commissioner Eberlein asked if Noxious Weed Control assessed liens against the property owners for unpaid spraying.

Mr. Hargrave responded that a bill was sent to the property owner and if there was no attempt to pay, action would take place the following season.

Ms. Holmes stated that enforcement more than \$125 would be rare, and the legal process would be to foreclose on the lien, because this was a fee not a tax. She said such a situation would not go through the Treasurer's tax deed sale process.

Commissioner Stewart moved to adopt Resolution 2016-35. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Resolution 2016-36/Kootenai County Noxious Weed Designation

Mr. Hargrave explained that this was a new Resolution since the State of Idaho updated the State's Noxious Weed Designation in 2007. He requested approval to match the State of Idaho's list plus two additional problematic weeds (bugloss and kochia) to the County's Noxious Weed Designation.

Ms. Holmes added that the State's Noxious Weed Designation was automatically applicable to all counties within the state and the County was adding these two additional weeds that were problematic to north Idaho.

Commissioner Stewart moved to adopt Resolution 2016-36. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Resolution 2016-37/Classify Records/Auditor

Resolution 2016-38/Destroy Records/Auditor

Chief Deputy Clerk Pat Raffee reported an additional 78 boxes/binders from the Auditor's department to be considered for classification and potential resolution to destroy. She added that the oldest documents were tax records from 1980; and the most current files were cash receipts from 2012.

Commissioner Stewart moved to adopt Resolution 2016-37 to Classify Records, and Resolution 2016-38 to Destroy Records. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

Resolution 2016-39/Fixed Asset Deletion/Extension Office

Mr. Ferguson said he had reviewed the list of assets for the County Extension Office and this was to consider deletion of items that could not be found or were deemed worthless.

Commissioner Stewart moved to adopt Resolution 2016-39 for Fixed Asset Deletion. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart: Aye
Commissioner Eberlein: Aye
Chairman Green: Aye

The motion carried.

- G. Public Comment:** This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There were no public comments.

Chairman Green adjourned the meeting at 2:34 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: _____
Cecilia Sweet, Deputy Clerk
