

Minutes of Meeting
Business Meeting
March 22, 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, Elections Manager Carrie Phillips, Grants Management Office (GMO) Director Jody Bieze, Transit System Program Specialist Corey Clarke, Parks & Waterways and Noxious Weed Control Director Nick Snyder, Weed Superintendant Bill Hargrave, Assistant Shelby Heiderman, Buildings & Grounds Director Shawn Riley, Civil Deputy Prosecutors R. David Ferguson and Jamila Holmes, Legal Assistant Barb Nyquist, KCSO Lieutenant Joe Jovick, Sergeants Kyle Hutchison, Ryan Higgins and Will Klinkefus, 9-1-1 Operations Manager Cheryl Hallgren, BOCC Administrative Secretary Teri Johnston, and Deputy Clerk Alicia Lynch. Also present were Longwell + Trapp Partner Cory Trapp, J-U-B Engineers Senior Planner/ Project Manager Brad Marshall and citizens Tina Kunishige, and Mike and Barb Windisch.

- 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. Consent Calendar:**

Minutes of Meetings:

- 03/08/2016 Business Meeting
- 03/14/2016 Tax Exempt Application Hearing
- 03/14/2016 Buildings & Grounds
- 03/14/2016 *Executive Session §74-206(1)(a) to consider hiring a public officer, employee, staff member or individual agent.*
- 03/14/2016 Community Development Update
- 03/14/2016 Commissioners' Debriefing
- 03/15/2016 Indigent Appeal 2015-323; 2015-616 & 2015-670
- 03/15/2016 Request for Dept Forgiveness 2014-1103
- 03/15/2016 Request for Forgiveness 2015-112 Police Hold
- 03/15/2016 Business Meeting
- 03/16/2016 *Executive Session §74-206(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.*
- 03/16/2016 *Executive Session §74-206(1)(a) to consider hiring a public officer, employee, staff member or individual agent.*

Board Actions:

- Civil Division/ February 2016 Financial Report/ KCSO
- Request for Tax Exempt Status: Disability Action Center Northwest Inc./ AIN 198921
- BOCC Signatures for Indigent Cases: 3/9/2016 through 3/16/2016

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 Lynch called the roll:

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

The motion carried.

D. Payables List:

Commissioner Stewart moved to approve the Payables List for the week of March 14, 2016, through March 18, 2016, in the amount of \$484,800.55 with \$505.52 in jury payments. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch 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:

Approve Ballot Order/ Resolution 2016-42 Designation Polling Places/ May 17, 2016, Election/ Elections

Elections Manager Carrie Phillips requested approval of the Ballot Order and Resolution 2016-42, which designated the polling places for the May 17, 2016, primary elections.

Commissioner Stewart moved to adopt Resolution 2016-42. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Ms. Phillips and Clerk Jim Brannon exited the meeting at 2:03 p.m.

Award/Request for Qualifications/ Jail Expansion Project/ Buildings & Grounds

Buildings & Grounds Director Shawn Riley requested the Board award the Jail Expansion Project Request for Qualifications to LCA Architects based on the decision made at the March 16, 2016 Buildings & Grounds meeting. He requested permission to enter into negotiations with LCA Architects.

Commissioner Stewart moved to award the Request for Qualifications Jail Expansion Project to LCA Architects. Chairman Green requested that Legal be involved in the negotiations and asked that LCA Architects include their fees during this phase. Commissioner Stewart amended his motion to include Chairman Green's request. Chairman Green seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

Mr. Riley and Longwell + Trapp Partner Cory Trapp exited the meeting at 2:04 p.m.

Proclamation: National Telecommunicators' Week/ KCSO/ 9-1-1

9-1-1 Operations Manager Cheryl Hallgren requested the Board approve a Proclamation recognizing National Telecommunicators' Week. She explained that this was an annual event and scheduled this year for April 10, 2016, through April 16, 2016.

Commissioner Stewart moved to approve the Proclamation declaring April 10, 2016, through April 16, 2016, National Telecommunicators' Week. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

Memorandums of Understanding (MOU)/ 700 MHz Radio System/ SWIWN/ Kootenai Health/ North Idaho Advanced Care Hospital/ Boundary Community Hospital/ Northwest Specialty Hospital/ Harrison Community Ambulance/ Bonner General Health/ Benewah Community Hospital/ North Idaho College/ Panhandle Health District/ Shoshone Medical Center/ KCSO/ 9-1-1

Ms. Hallgren requested the Board approve the renewal of MOUs with the agencies that pay to use the County's 700 MHz Radio System. She explained that each subscriber would pay \$125 per year.

Commissioner Stewart moved to approve the Memorandums of Understanding between the County (9-1-1) and the following agencies:

- Kootenai Health
- North Idaho Advanced Care Hospital
- Boundary Community Hospital
- Northwest Specialty Hospital
- Harrison Community Ambulance
- Bonner General Health
- Benewah Community Hospital
- North Idaho College
- Panhandle Health District

- Shoshone Medical Center

Commissioner Stewart seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Agreement/ Idaho Department of Parks & Recreation/ KCSO

Sergeant Ryan Higgins requested the Board approve the agreement between the County (KCSO) and the Idaho Department of Parks & Recreation for a boating and safety grant through the United States Coast Guard. He explained that this was an annual agreement for the County to administer classes and report statistics to the Idaho Department of Parks & Recreation, in exchange for the awarded grant of \$83,205. He added that there was a 50% grant match, which budgeted to be paid from the Vessel Account.

Commissioner Stewart moved to approve the agreement between the County (KCSO) and the Idaho Department of Parks & Recreation. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Solid Waste Director Cathy Mayer entered the meeting at 2:07 p.m.

Agreement/ Law Enforcement Services/ State Line Speedway/ KCSO

Lieutenant Joe Jovick requested the Board approve the Agreement between the County (KCSO) and State Line Speedway for law enforcement services during the 2016 racing season. He explained that off-duty deputies would be compensated by State Line Speedway for their participation, and that there was an additional 8.13% fee for patrol car fuel. He estimated the contract would be worth between \$10,000 and \$16,000.

Commissioner Stewart moved to approve the Agreement between the County (KCSO) and State Line Speedway for law enforcement services. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Ms. Hallgren & Lt. Jovick exited the meeting at 2:11 p.m.

Contract/ Creative Bus Sales/ Paratransit Buses/ Transit

Transit System Program Specialist Corey Clarke requested the Board approve the contract between the County (Transit) and Creative Bus Sales for the purchase of six paratransit buses totaling \$418,974. Chairman Green inquired how many passengers the paratransit buses could hold. Mr. Clarke responded that each bus could transport up to 14 passengers or five wheelchair-bound passengers.

Commissioner Stewart moved to approve the contract between the County (Transit) and Creative Bus Sales for paratransit buses. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Award/ Request for Proposal/ Project Manager/ Twin Lakes/ Spirit Lake Corridor Project/ GMO

GMO Director Jody Bieze explained that the evaluation team recommended Northwest Management, Inc. to perform the project management of the Twin Lakes/ Spirit Lake Corridor Project. She added that the selection of Northwest Management, Inc. was based on their flexibility to structure its professional staff to best meet the projects resource needs.

Commissioner Stewart moved to approve the award of the Project Manager for Twin Lakes/ Spirit Lake Corridor Project Request for Proposal to Northwest Management, Inc. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Accept Grant Award/ 2016 Idaho Department of Agriculture Cost Share Grant/ Noxious Weed Control

Weed Superintendant Bill Hargrave requested the Board accept the 2016 Idaho Department of Agriculture Cost Share Grant Award in the amount of \$11,000. He explained that the funds would be shared with other agencies, and that the County would be the administrator.

Commissioner Stewart moved to accept the grant award for 2016 Idaho Department of Agriculture Cost Share Grant. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Resolution 2016-40/ Classify Records/ Assessor

Resolution 2016-41/ Destroy Records/ Assessor

Civil Deputy Prosecutor R. David Ferguson stated that the Assessor was requesting the classification and destruction of documents past their retention period. He said that the Assessor had provided adequate identification and justification for their destruction.

Commissioner Stewart moved to adopt Resolution 2016-40 and Resolution 2016-41. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Resolution 2016-43/ Delete Fixed Asset/ KCSO

Sergeant Kyle Hutchison requested that a computerized fingerprint system be deleted from the Fixed Asset List, since it was no longer being serviced and Information Systems said it had no value.

Commissioner Stewart moved to adopt Resolution 2016-43. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Resolution 2016-44/ Kootenai County Recycling Resolution/ Solid Waste

Solid Waste Director Cathy Mayer explained that the Resolution outlined the County's (Solid Waste) participation with residential recycling, and she clarified that this Resolution did not detail the rebate program.

Commissioner Stewart moved to adopt Resolution 2016-44. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

The motion carried.

Resolution 2016-45/ Sun-Up Bay Boundary Line Adjustment/ Parks & Waterways

Parks & Waterways and Noxious Weed Control Director Nick Snyder explained that the Windischs had completed work necessary for the lot-line adjustment at Sun-Up Bay beyond a satisfactory standard. Commissioner Stewart said he was glad that both sides were satisfied with the result. Civil Deputy Prosecutor Jamila Holmes explained that the Resolution declared the exchange fair and in the public interest, but she added that the

deeds would come before the Board as a separate item. Chairman Green thanked the Windischs for their patience and for making the lot adjustment equitable to the County.

Commissioner Stewart moved to adopt Resolution 2016-45. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Mr. Snyder, Mr. Hargrave, Assistant Shelby Heiderman, J-U-B Engineers Senior Planner/ Project Manager Brad Marshall, and citizens Mike and Barb Windisch exited the meeting at 2:26 p.m.

Tax Deed Bid/ 48N04W078775/ AIN 138816/ Weaver

Commissioner Eberlein opened the sealed bid from Mr. Jeremy Weaver in the amount of \$50. Chairman Green read from staff notes that it was recommended to accept a bid, since there were no land use considerations.

Commissioner Stewart stated he would prefer the parcel go to a neighboring property owner. Commissioner Eberlein agreed.

Commissioner Eberlein moved to reject the Weaver Tax Deed Bid for AIN 138816. Commissioner Stewart seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

Commissioner Stewart: Aye

Commissioner Eberlein: Aye

Chairman Green: Aye

The motion carried.

Tax Deed Bid/ PK28800000A0/ AIN 322340/ Weaver

Chairman Green stated that staff had recommended giving the property to the Homeowners Association (HOA).

Commissioner Eberlein opened the bid from Mr. Weaver in the amount of \$50, and said he was against accepting the bid.

The Board discussed at length whether to give or sell the property to the HOA.

Commissioner Stewart inquired if the Board was obligated by statute to offer the property at tax sale. Mr. Ferguson replied that statute did not mandate the property be sold at tax sale.

Commissioner Stewart and Chairman Green were both in favor of giving the property to the HOA.

Commissioner Eberlein moved to reject Mr. Weaver's bid for AIN 322340 and to offer the property to the HOA. Commissioner Stewart seconded the motion. Chairman Green asked for clarification whether

the motion was to give the property to the HOA or to sell the property to the HOA. Commissioner Eberlein replied that he was in favor of selling it to the HOA.

The Commissioners discussed at length if the Board was allowed to give the property to the HOA.

Commissioner Eberlein withdrew his motion.

Commissioner Stewart moved to reject the Weaver offer of \$50 and to direct staff to contact the adjacent HOA, and if the HOA were willing, for the County to convey the property to the HOA. Chairman Green seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

Tax Deed Bid/ Y19000070280/ AIN 119379/ Herm

Chairman Green explained that the Board had directed Community Development to combine AIN 119379 with the adjacent County owned parcel. He reported that Michael Ulrich had spoken with the bidder but Mr. Herm was not interested in resubmitting his bid.

Commissioner Eberlein opened the bid from Mr. Eric Herm in the amount of \$50.

Chairman Green recommended rejecting the bid and selling the combined parcels at a Tax Deed Sale.

Commissioner Stewart moved to reject the bid for AIN 119379. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

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

Tax Deed Bid/ 52N04W055425/ AIN 316108/ Herm

BOCC Administrative Secretary Teri Johnston directed the Board's attention to the Treasurer's and Assessor's notes regarding AIN 316108.

Commissioner Eberlein opened the bid from Mr. Herm in the amount of \$50.

Commissioner Stewart said that based on the Treasurer's department recommendation he was not in favor of accepting the bid. Commissioner Eberlein agreed.

Commissioner Stewart moved to reject the bid for AIN 316108. Commissioner Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch 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 2:41 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: _____
Alicia Lynch, Deputy Clerk
