

**Minutes of Meeting
Commissioners' Debriefing
June 28, 2016
10:00 a.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 Parks & Waterways/ Noxious Weeds Director Nick Snyder, Buildings & Grounds Director Shawn Riley, Grants Management Office (GMO) Director Jody Bieze, Civil Deputy Prosecuting Attorney Jamila Holmes, and Deputy Clerk Randi Davis. Also present were Coeur d' Alene Press Staff Writer Brian Walker and City of Post Falls Environmental Manager John Beacham and Project Manager Andrew Arbini.

- A. Call to Order:** Chairman Dan Green called the meeting to order at 10:00 a.m.
- B. Introductions:** There were no introductions.
- C. Changes to the Agenda:** Chairman Green requested to add a discussion to the agenda concerning a clause in the contract between the County and H2A Architects, PA for the Jail evidence storage building. He said it was time sensitive since there was no contract in place and Civil Deputy Prosecuting Attorney R. David Ferguson needed direction.

Commissioner David Stewart moved to amend the agenda to include a discussion about evidence storage. Commissioner Marc Eberlein seconded the motion. There being no further discussion, Deputy Clerk Davis called the roll:

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

The motion carried.

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

- E. New Business:**

Sewer Easement

City of Post Falls Environmental Manager John Beacham presented a request for an easement to run a sewer line through County property in Post Falls along the Centennial Trail. He said the proposal included installing a 20 inch force main from one of the City's lift stations to the wastewater treatment plant near Seltice Way and Chase Road. Mr. Beacham said this additional sewer line was necessary to accommodate City growth. Chairman Green said the Centennial Trail operated within a joint powers agreement and asked his fellow Commissioners whether the County owned the property.

Commissioner Stewart confirmed it was County property and asked Mr. Beacham how deep the City would have to dig and how far the trench would be from the Trail. Mr. Beacham answered that the trench would be four to six feet deep and approximately 30

feet away from the Trail. Commissioner Stewart requested the easement language include that remedying any deterioration to the Trail as a result of the project would be the responsibility of the City of Post Falls. Mr. Beacham said that could be included in the easement language, and said the City's intention was to leave the base rock under the Trail undisturbed.

Mr. Beacham also said the City wanted to make an improvement to the Trail at the intersection of Pleasantview Road and Riverbend Avenue as a gesture of good will for the County's help. Commissioner Stewart asked if the Centennial Trail Foundation could be notified of the proposal. Mr. Beacham replied the City of Post Falls had already met with most of the Foundation's Board members on-site to discuss plans. Commissioner Stewart asked Mr. Beacham to give the presentation at the next Centennial Trail Foundation meeting.

Mr. Beacham and City of Post Falls Project Manager Andrew Arbini exited the meeting at 10:15 a.m.

Civil Deputy Prosecuting Attorney Pat Braden entered the meeting at 10:15 a.m.

Costs & Attorney Fees Decision

Commissioner Stewart inquired whether the item Costs & Attorney Fees Decision should be discussed in an Executive Session and Mr. Braden suggested it should. Chairman Green agreed and asked Mr. Braden to exit the meeting and return after the Board discussed the next item.

Mr. Braden exited the meeting at 10:16 a.m.

Regional Public Transportation Authority (RPTA) Update

Commissioner Eberlein discussed his participation in a phone conference with the Federal Transit Administration (FTA) regarding a RPTA in Kootenai County. He said the FTA was unaware a RPTA was being considered here and they suggested the County was not ready because there was no State of Idaho funding for it. Commissioner Stewart asked if a FTA representative could have a discussion with the Board. Commissioner Eberlein replied it was unlikely, and said the item had to be put on the ballot by mid-June in an even numbered year.

Chairman Green suggested more discussion and understanding was necessary before it was put on the ballot. Commissioner Eberlein said the City of Hayden was supportive and the City of Rathdrum would be supportive if Rathdrum were added to the transit routes. He also said public policy sub-committees of the Post Falls and Coeur d'Alene Chambers of Commerce were supportive. Commissioner Eberlein said the FTA also suggested a County-wide survey be done before the item was put on a ballot to make sure there was enough support from the general public.

GMO director Jody Beize exited the meeting at 10:25 a.m.

Civil Deputy Prosecuting Attorney R. David Ferguson entered the meeting at 10:25 a.m.

H2A Architects, PA Contract

Mr. Ferguson addressed an issue in the contract between the County and H2A Architects, PA concerning the construction of the Jail evidence storage building. He stated there was a clause in the contract he thought the County should not agree to regarding the limitation of liability. Chairman Green said the contract needed to be consistent with other contracts the County had made, and that he supported authorizing Mr. Ferguson to contact H2A Architects, PA President Dale Hickman. Commissioner Stewart agreed. Chairman Green directed Mr. Ferguson to contact Mr. Hickman. Buildings & Grounds Director Shawn Riley said he would provide Mr. Ferguson with the contact information.

Mr. Ferguson and Mr. Riley exited and Mr. Braden entered the meeting at 10:30 a.m.

Costs & Attorney Fees Decision

Executive Session pursuant to Idaho Code §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.

Commissioner David Stewart moved to enter into Executive Session pursuant to Idaho Code §74-206(1)(f). Commissioner Marc Eberlein seconded the motion. There being no further discussion, Deputy Clerk Davis called the roll:

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

The motion carried.

The Board and Mr. Braden entered executive session at 10:31 a.m. All other attendees left the meeting.

The Board exited executive session at 10:36 a.m.

The Board made no decisions.

- F. 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 10:36 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: _____
Randi Davis, Deputy Clerk
